

PLANNING APPLICATION NUMBER: P14/0728

Type of approval sought	Full Planning Permission
Ward	St James's
Applicant	Mrs Margaret Cattell, Parkstone Group LTD
Location:	FORMER DUDLEY POST OFFICE, WOLVERHAMPTON STREET, DUDLEY, DY1 1DZ
Proposal	CONVERT FORMER POST OFFICE INTO 21 NO. RESIDENTIAL UNITS WITH ASSOCIATED ACCESS AND PARKING. ELEVATIONAL CHANGES TO INCLUDE ALTERATIONS TO WINDOWS AND DOORS
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. This three storey Grade II Listed Building dated 1909 occupies a prominent location on the corner of Wolverhampton Street and Priory Street within Dudley Town Centre. The former General Post Office for the town and more recently a night club with offices above, has been empty for a number of years and has suffered from vandalism and is in a state of disrepair.
2. The site is located within Dudley Town Centre Conservation Area and also an area of High Historic Landscape Value. It is surrounded by buildings of historic importance; the adjacent buildings on either side namely 200 Wolverhampton Street and 1-2 Priory Road are both Grade II Listed Buildings as are the former Crown PH, 201 Wolverhampton Street and 22 Wolverhampton Street both opposite the site.

PROPOSAL

3. The application comprises:
 - the change of use of the former post office to 21 flats;
 - external alterations to include the removal of the modern glazed entrance doors on the Priory Street frontage and their replacement with panelled doors; rear

extensions and the insertion of new/alteration of various windows in the rear elevation;

- Internal works comprise alterations to create the 21 flats and the insertion of a mezzanine floor above the third floor to utilise the roof space and the insertion of three roof lights in the rear elevation;
- The provision of four car parking spaces (one of which is for disabled persons) within the basement area

4. This application is accompanied by a noise assessment, ecological appraisal and a Design and Access Statement

HISTORY

5. Relevant History

APPLICATION	PROPOSAL	DECISION	DATE
84/51595	Change of use from Post Office to offices	Approved	04/10/1984
87/50554	Change of use from Post Office basement to weight lifting and training club	Approved	24/04/1987
88/52430	Change of use of Post Office to hairdressing salon – first floor	Approved	29/11/1988
90/51465	Change of use from hairdressing salon to photographic studio – first floor	Approved	21/09/1990
98/50009	Change of use to restaurant/bar (A3) with staff accommodation and office suite	Approved	02/04/1998
98/50324	Listed Building Consent for internal alteration associated with change of use to restaurant/bar	Approved	17/04/1998
P00/50808	Formation of new opening in Wolverhampton Street elevation	Approved	05/07/2000
P00/50809	Listed Building Consent for formation of new opening in Wolverhampton Street elevation	Approved	21/07/2000
P04/1096	Change of use and alterations to form 12 apartments	Approved	25/10/2004
P04/1095	Listed Building Consent for general external renovations and additions to form 12 apartments	Approved	25/10/2004
P05/2760	External and internal alterations to form 22 apartments	Refused	20/04/2006 Allowed on Appeal 13/12/2006
P05/2761	External and internal alterations to form 22 apartments	Refused	22/03/2006 Allowed on

			Appeal 13/12/2006
P14/0803	Listed Building Consent internal and external alterations to include repositioning of windows and doors and new stone faced ramped access with handrail	Awaiting determination	

PUBLIC CONSULTATION

6. Eighty six letters have been sent to adjacent and nearby residential dwellings, a Site Notice has been put up and the application advertised in the Express and Star newspaper. No letters of objection had been received.

OTHER CONSULTATION

7. Group Engineer - Highways – subject to conditions relating to car park management, electric vehicle charging and cycle parking. No objections are raised to the proposal.
8. Head of Environmental Health and Trading Standards – the proposed residential development is situated in a busy town centre location which is subject to high levels of traffic noise. Noise mitigation measures in the form of enhanced window glazing and acoustic ventilation for habitable rooms which are exposed to road traffic noise will therefore be required to protect the amenities of future residents.
9. English Heritage – no objection in principle to this application to bring the neglected grade II listed building back into use for residential purposes. Object to the intrusive design and siting of the access ramp across the main Wolverhampton Street elevation. This was designed to be the most distinctive, public facade of this Italianate palazzo style building. The design of the ramp was amended from the initial design however there remained concerns about the prominence of the structure and the way it cuts across the elevation contradicting the strong horizontal lines of the original design. As such the ramp has now been removed from the proposal.
10. West Midlands Fire Service – no objection

11. West Midlands Police – this is a Town Centre location which suffers from crime and anti social behaviour. The lack of free parking provision and numerous parking restrictions in the town centre means that an additional 21 flats could cause significant parking/obstruction/road rage issues. The design of the communal entrance area, doors, windows, mail delivery and cycle storage facilities should be designed with security in mind.

RELEVANT PLANNING POLICY

12. Planning (Listed Buildings and Conservation Areas) Act 1990

13. National Planning Guidance (2012)
National Planning Policy Framework

14. Black Country Core Strategy (2011)
DEL1 Infrastructure Provision
ENV1 Nature Conservation
ENV 2 Historic Character and Local Distinctiveness
ENV 3 Design Quality
TRAN2 Managing Transport Impacts of New Development
Regeneration Corridor 11

15. Saved Unitary Development Plan (2005)
DD1 Urban Design
DD2 Mixed Use
DD4 Development in residential Areas
HE4 - Conservation Areas
HE5 – Buildings of Local Historic Importance
HE6 – Listed Buildings
NC6 – Wildlife Species
EP6 – Light Pollution
EP7 – Noise Pollution

16. Supplementary Planning Documents
Dudley Area Development Framework
Parking Standards (2012)
Planning Obligations (2011)
Historic Environment (2006)

ASSESSMENT

Key Issues

- Principle
- Impact upon Grade II Listed Building
- Amenity Issues
- Nature Conservation
- Access and Parking

Principle

17. Paragraph 126 of the National Planning Policy Framework (NPPF) states that Local Authorities should have a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
18. Paragraph 131 of the (NPPF) states that in determining planning applications, local planning authorities should 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 including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.

19. Policy ENV2 (Historic Character and Local Significance) states that:
- “All development should aim to protect and promote the special qualities, historic character and local distinctiveness of the Black Country in order to help maintain its cultural identity and strong sense of place. Development proposals will be required to preserve and where appropriate, enhance local character and those aspects of the historic environment together with their settings which are recognised as being of special historic, archaeological, architectural, landscape or townscape quality”*
20. The former post office is a Grade II Listed Building which has been unused for many years and its condition is deteriorating. In principle, the change of use of the building to a residential use (Use Class C3) is considered to be acceptable and has been accepted in previous approvals.

Impact upon Grade II Listed Building

21. Given the listed status of the building it is extremely important that consideration is given to the potential impact of the development upon both the building and its setting. A separate application has been made for Listed Building Consent (P14/0803).
22. The submitted plans indicate that the main frontage to Wolverhampton Street would remain unaltered. The frontage to Priory Street would also remain largely unaltered however the existing modern glazed entrance door would be replaced with period panelled doors in keeping with the original appearance of the building. At the rear the building would be extended at first and second floor level and rear facing balconies would be introduced on the second and third floors. Internally, much of the original fabric particularly on the ground floor no longer exists and there has been considerable damage by water seepage due to vandalism. Changes would be made internally to enable the creation of the 21 flats. In the basement there is space to provide parking for four vehicles which would be accessed off a narrow cobbled drive leading to Priory Street. Also in the basement would be bin and cycle storage facilities. A mezzanine floor would be inserted above the third floor in order to utilise the roof space. Three roof lights would be inserted in the rear elevation to provide light to three bedrooms which would occupy this space. It is considered that this is

acceptable in terms of its impact upon the Listed Building, indeed a similar, but not identical application (P05/2761) for the conversion of the building to 22 flats was allowed on Appeal on 13th December 2006.

23. English Heritage are supportive of the scheme except for the design of an external access ramp on the Wolverhampton Road frontage which, following negotiations, has been now removed. This access ramp would have enabled access to the building for wheelchair users and the mobility impaired. However the original design was large in scale and inappropriate in appearance. Further consideration of the matter led to the conclusion that to reduce it in scale would increase the gradient to an unsafe angle. There is no necessity under Building Regulations to provide an access ramp to this existing building. English Heritage would not support the original design and therefore the decision to remove it from the scheme was made.
24. The building is recorded on the Council's Historic Environment Record (HER) and as such is considered to be a 'Heritage Asset'. According to Chapter 12 of the National Planning Policy Framework (NPPF) '*...heritage assets are an irreplaceable resource*' that should be conserved in a manner appropriate to their significance. The fact that the building is on the Council HER indicates that it is considered to be of significance and contributes considerably to the local character and distinctiveness of this local area. Any significant changes are intended to the rear of the building. Externally the entrance to Priory Street would remove an unsightly glass entrance feature and replace it with panelled doors which would be more in keeping with the original design. There would also be extensions to the rear of the building which are considered to be acceptable. Internally, a mezzanine floor is to be placed above the third floor and internal alterations made to convert the building into 21 apartments. It is considered that such changes would be sympathetic to the building and in accordance with the NPPF and Policy ENV2 of the Black Country Core Strategy

Amenity Issues

25. The site is situated within Dudley Town Centre. It occupies a prominent corner location and is surrounded by buildings of a commercial and residential nature. On the opposite side of the main frontage 23 and 24 Wolverhampton Street have

commercial uses, likewise 201 Priory Street opposite the side elevation of the building is in commercial use. The adjacent building 200 Wolverhampton Street was granted planning approval for the conversion from offices to four flats (one flat on each floor) on 1st May 2014. It is worth noting that the rear of 200 Wolverhampton Street projects well back from this adjacent building and presents a high side wall along the boundary when viewed from 200a. This wall is higher (7m) closest to the rear of 200 Wolverhampton Street and steps down slightly to 6.3m. The submitted plans indicate that the building along the boundary would be increased in height to 8m. Although this is high it is important to note that the vertical column of rear facing windows in 200 Wolverhampton Street, closest to the boundary with 200a, are to a stairwell. Each floor then has a column of large rear facing bay windows which take light and outlook from several angles. Given that the building already exists; that it would only be marginally increased in height; and that the closest habitable rooms have large bay windows affording light and outlook both towards and away from the adjacent building, it is considered, on balance, that the development would not have an adverse impact on the amenities of the occupiers of the adjacent flats at 200 Wolverhampton Street.

26. The application also indicates the introduction of rear facing balconies on the second and third floors. The previously approved scheme (P05/2761) also indicated balconies in the rear elevation. The distance between these balconies and the rear facing windows of flats within The Old Court House and Metropolitan Lofts would be in excess of 35m and therefore is sufficient prevent loss of privacy. No letters of objection have been received to the application.

Nature Conservation

27. The building occupies the whole site curtilage of the site and therefore it is only the building which would be relevant to nature conservation issues. On this basis an ecological appraisal has been submitted which found no evidence of bat roosts within the building during the survey. Although access was restricted in some parts of the building the report takes into account the highly urbanised and well-lit location of the building and lack of suitable habitat for foraging bats, and concluded that the building is highly unlikely to support a bat roost.

Access and Parking

28. A new small parking area is intended to be provided within part of the basement area. This would provide parking for 4 vehicles, one of which would be a disabled parking space. The plans indicate that each space would be fitted with an electric charging point.
29. The Group Engineer, Highways is of the opinion that as the site is within a town centre and a constrained location, the level of car parking provided is acceptable. However, due to the narrow width of the cobbled road leading from Priory Street the communal use of the four parking spaces in the basement would not be acceptable as all of the residents would attempt to park in the limited number of spaces, creating a significant number of abortive trips in an area where manoeuvring is difficult. He has requested a condition therefore that would require a car parking management plan to be submitted, which would set out the controls to be placed on these car parking spaces.
30. The Group Engineer, Highways also requests that 25 secure and accessible cycle parking spaces are provided. The submitted plans indicate a room set aside for such a use in the basement however a condition is required to establish the details of this storage.

Planning Obligations

31. Policy DEL1 (Infrastructure Provision) of the BCCS sets out the adopted policy framework for Planning Obligations within Dudley and the adopted Supplementary Planning Document (Planning Obligations) provides further detail on the implementation of this policy; these policy documents were prepared in accordance with national legislation and guidance on planning obligations.
32. Policy DEL1 (Infrastructure Provision) of the BCCS requires all new developments to be supported by sufficient on and off-site infrastructure to serve the development, mitigate its impact on the environment, and ensure that the development is sustainable and contributes to the proper planning of the wider area.

33. In determining the required planning obligations on this specific application the following three tests as set out in the CIL Regulations, in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development;
 - (c) fairly and reasonably related in scale and kind to the development.
34. Following consideration of the above tests the following planning obligations are required for this application:
- On-Site Provision (to be secured by condition)
- Air Quality Improvement – four electric charging points secured on site
 - Economic and Community Development – non financial
35. The size of the scheme would also generate a requirement for the provision of 25% affordable housing. However, as part of the submission cost analysis and sales comparison information was provided. This has been scrutinised by a principal property surveyor and a quantity surveyor in the form of a viability appraisal analysis who have also taken into account the poor condition of the building and have concluded that the scheme remains insufficiently viable to incorporate affordable housing.
36. It is considered that the air quality and economic and community development contributions meet the necessary tests as stated above in that they contribute to the delivery of a sustainable development, are being provided directly on the development site itself and are deemed to be in scale and kind to the proposed development.
37. This development complies with the requirements Policy DEL1 (Infrastructure Provision) of the BCCS and the Planning Obligations Supplementary Planning Document.

CONCLUSION

38. The change of use of this vacant former post office and later night club to 21 flats is considered to be acceptable in principle. It is considered that the impact upon this Grade II building and its setting is also acceptable. Survey information has found no evidence of bats present on the site. It is not envisaged that the new use would have an adverse impact upon the amenity of the occupants of the surrounding area and it is considered that there would be sufficient off- parking available. The scheme has proven to be insufficiently viable to incorporate affordable housing. On this basis the application complies with the Planning (Listed Buildings and Conservation Areas) Act, the National Planning Policy Framework, Policies DEL1, ENV1, ENV2 and ENV3 and TRAN2 of the Black Country Core Strategy, saved Policies DD1, DD2, DD4, NC6, NC9, HE4, HE5, HE6, EP6 and EP7 of the adopted Dudley Unitary Development Plan and Historic Environment, Parking Standards and Planning Obligations Supplementary Planning Documents.

RECOMMENDATION

39. It is recommended that the application is APPROVED subject to the following conditions:

Informative

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Informative

All developments within coalfield standing advice area

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Conditions and/or reasons:

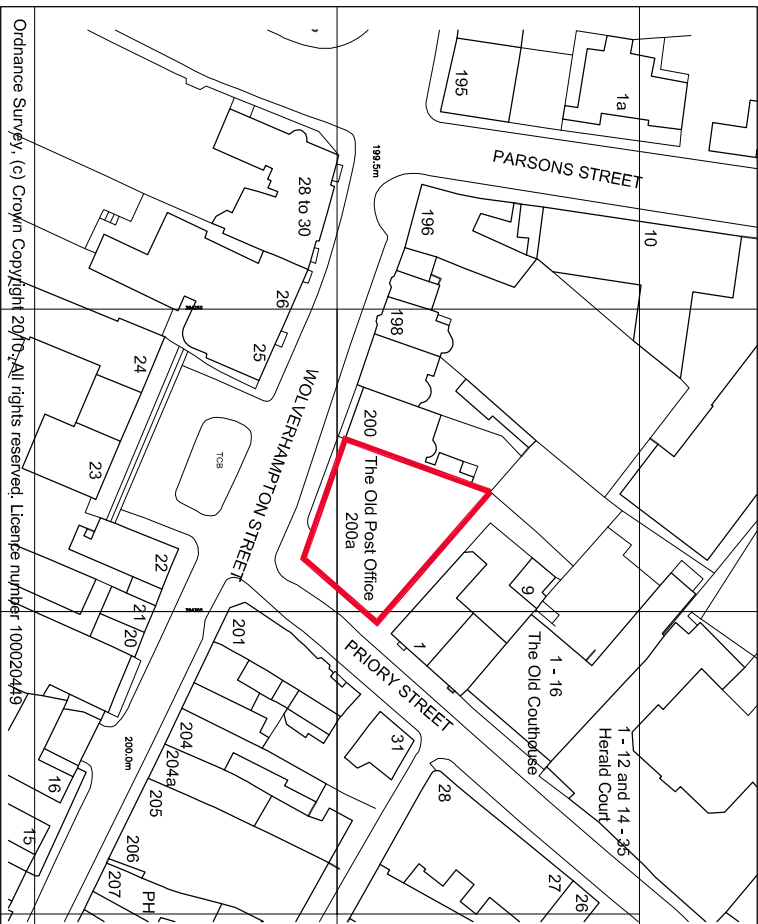
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. No development shall commence until an Economic and Community Development Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall address as a minimum, measures to increase the number of jobs open to local people available on the site and the development of initiatives that support activities to up skill local unemployed people of working age so as to support them into sustained employment as outlined in the Council's Planning Obligations Supplementary Planning Document. The development shall be implemented in accordance with the approved Statement and retained in accordance with the Statement for the lifetime of the development.
3. No development shall commence until details for the provision of the four external electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. The Electric Charging points shall thereafter be provided in accordance with the approved details prior to the first use of the development and be maintained for the life of the development.

4. Development shall not begin until a scheme for protecting residents in the proposed dwellings from noise from road traffic on Priory Street and Wolverhampton Street has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed before occupation of the permitted dwellings, unless otherwise agreed in writing by the Local Planning Authority. The protection measures in the agreed scheme shall be maintained throughout the life of the development.
5. Prior to the occupation of the development a management plan for the use of the four car parking spaces shall be submitted to, approved in writing by the Local Planning Authority and fully implemented. The approved scheme shall thereafter be adhered to for the lifetime of the development.
6. Prior to the commencement of the development a full lighting scheme to include a specification of the equipment, lighting design calculations and operational hours shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the building and thereafter retained for the lifetime of the development.
7. Prior to the occupation of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority for the secure provision of storage facilities for bicycles. The approved scheme shall thereafter be implemented prior to the first occupation and maintained for the lifetime of the development.
8. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
9. The development hereby permitted shall be carried out in accordance with the following approved plans:
13_120/02, 13_120/10, 13_120/11 Rev D, 13_120/12 Rev A, 13_120/20 Rev A, and 13_120/21 Rev D

GENERAL NOTES

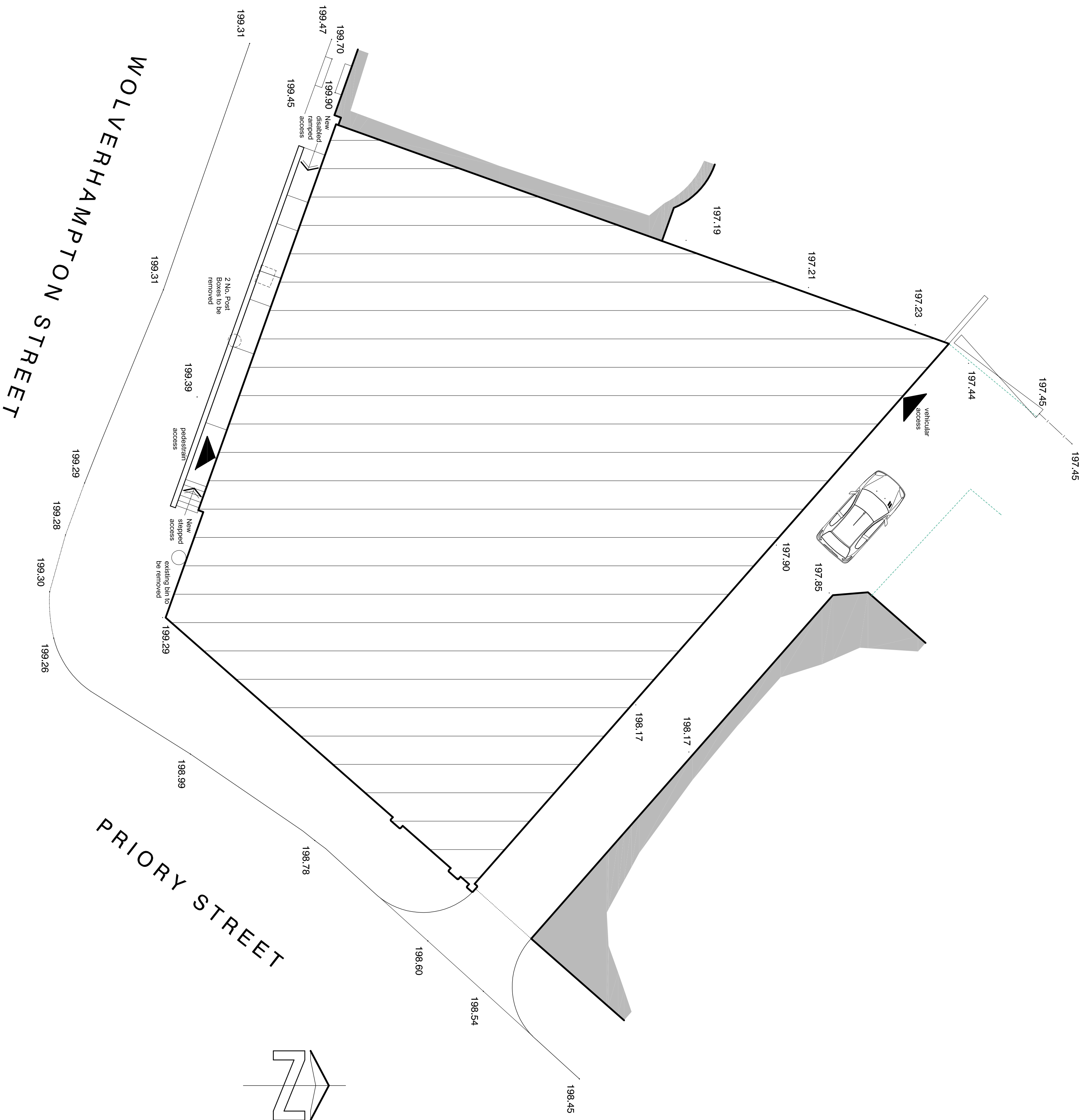
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Rev	Note	Date
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LOCATION PLAN

Scale 1:1250



SITE PLAN

Scale 1:100

Scale 1:100 & 1:1250 @A1	Date 17.07.13 Drawn by DKT	Drawing No. 13_120/02	Rev -
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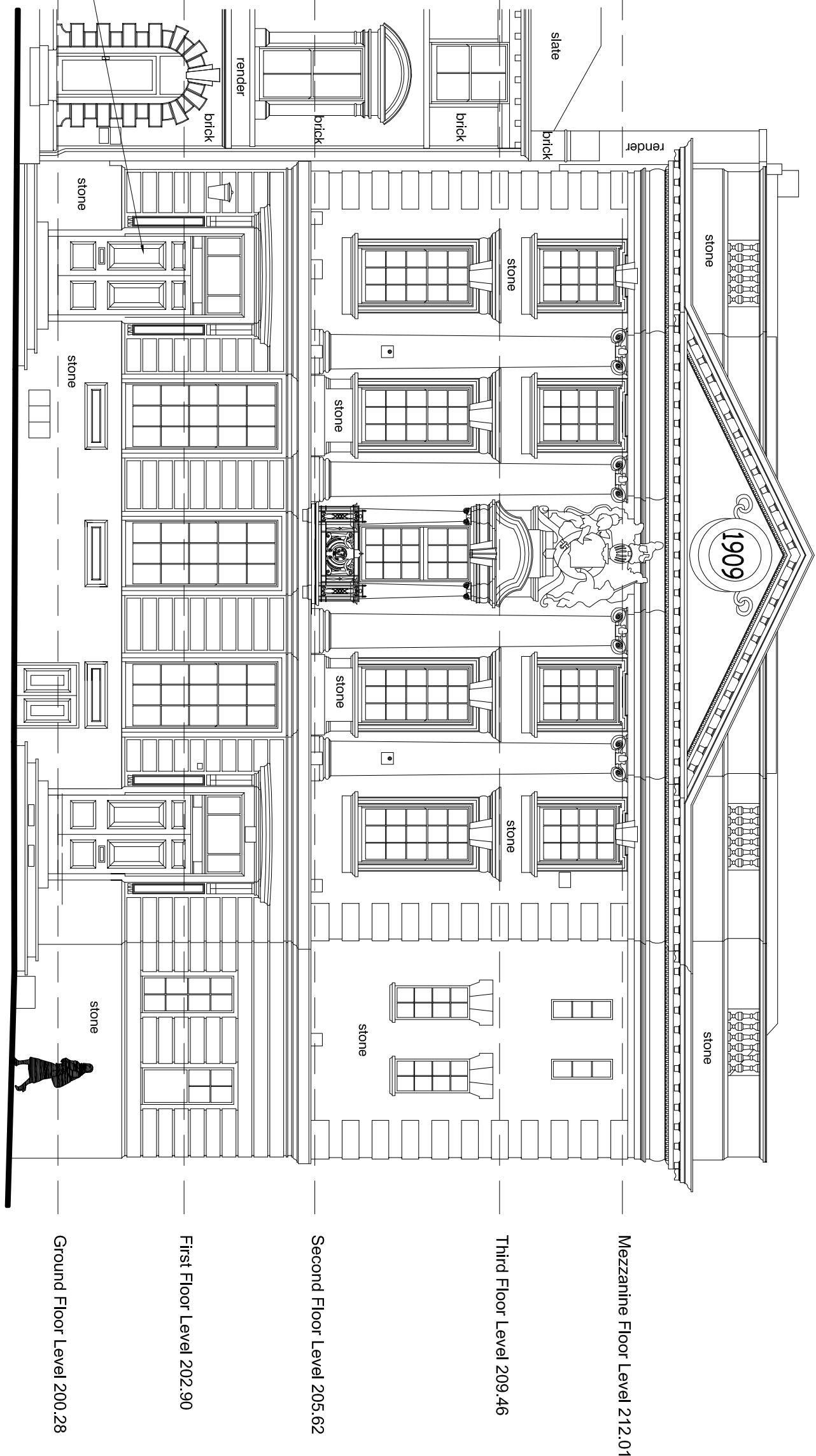
Project Conversion of the Old Post Office into 21 Apartments

Drawing Title
Site and Location Plan

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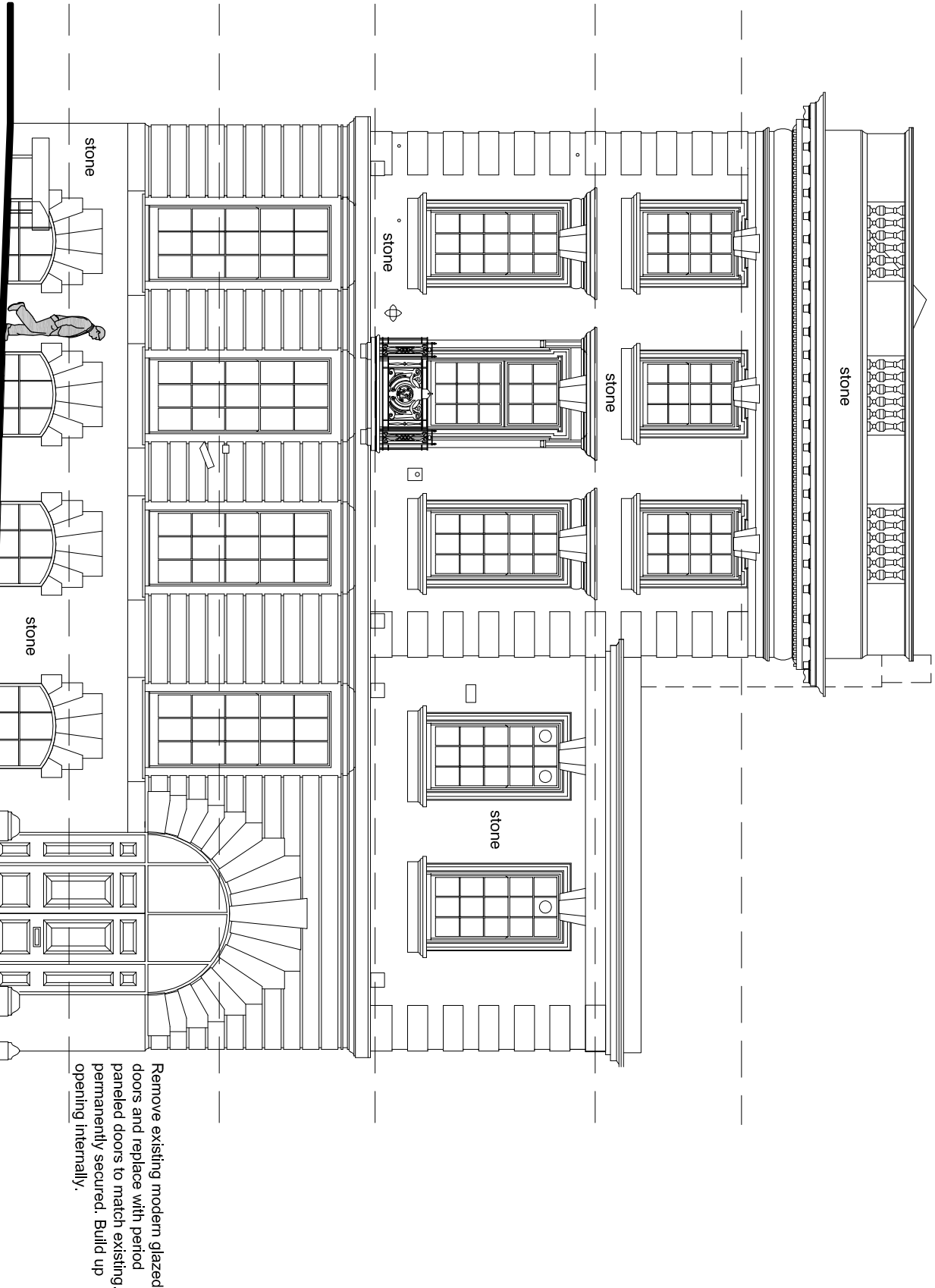
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Rev	Note	Date
A	Windows arrangement on rear elevation amended	18.02.14
B	Entrance ramp amended	11.08.14
C	Entrance ramp removed and side elevation added	04.09.14
D	Side elevation amended	10.09.14

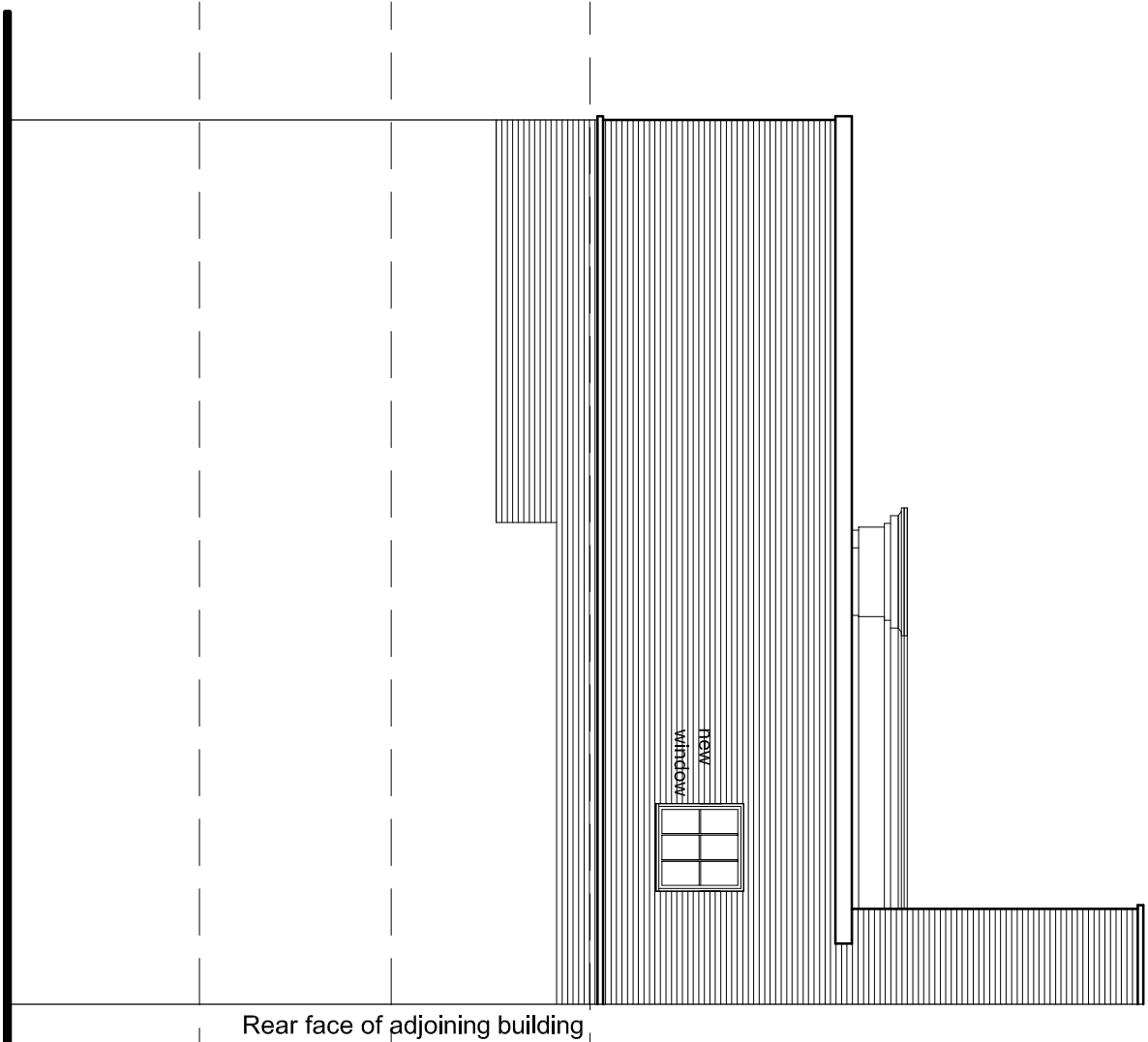


Proposed Elevation to Wolverhampton Street

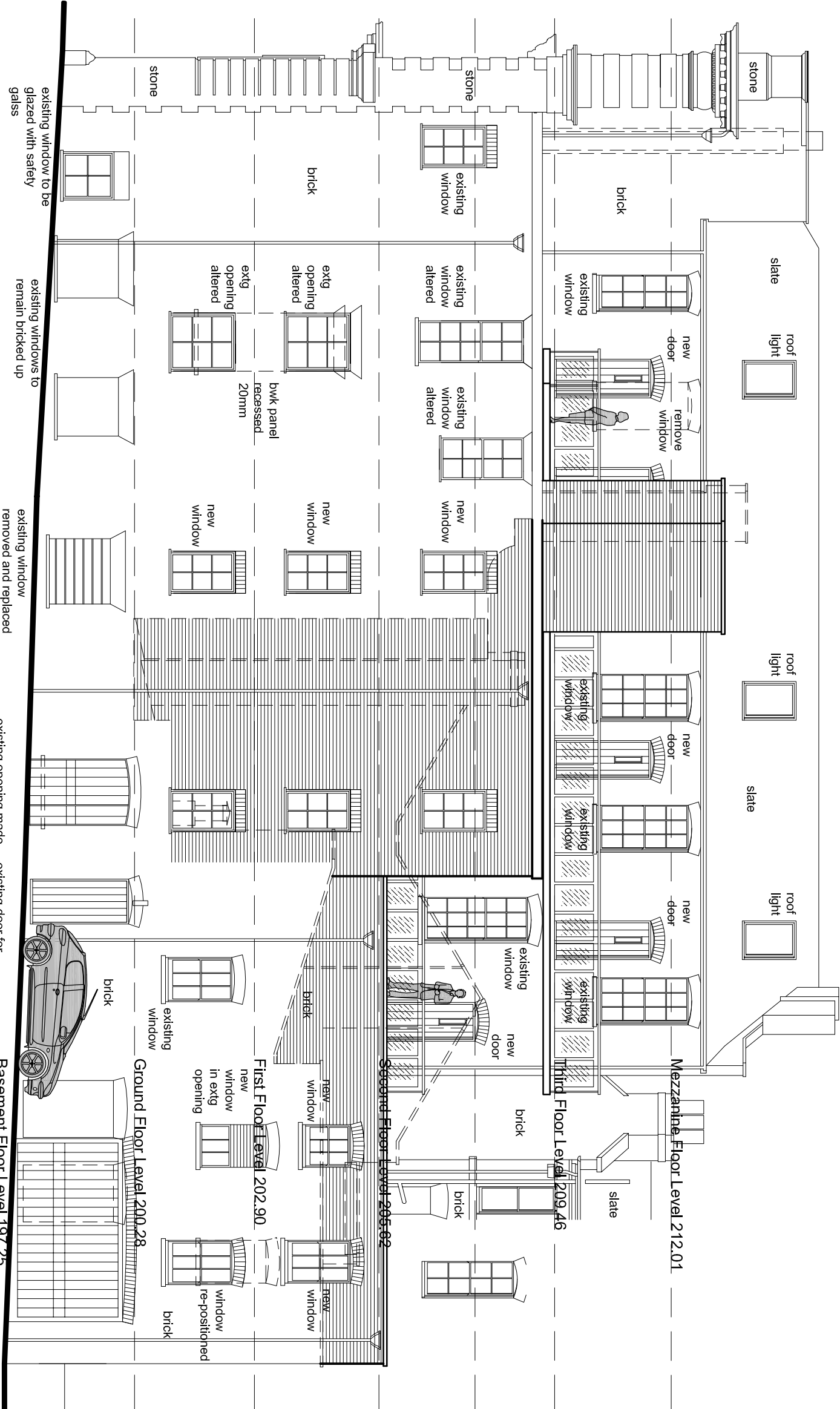
Basement Floor Level 197.25



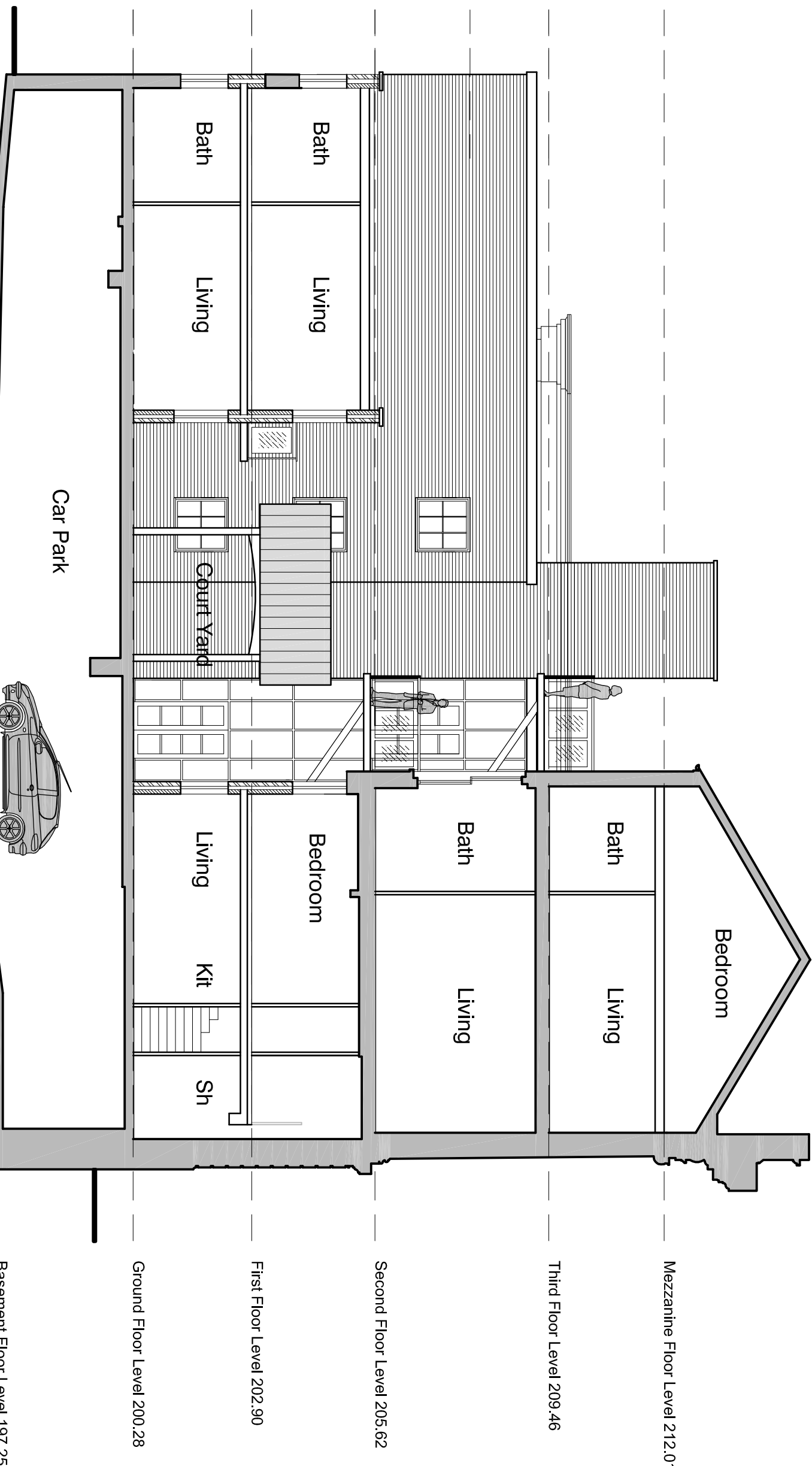
Proposed Elevation to Priory Street



Proposed Side Elevation
(from court yard to adjacent building)



Proposed Rear Elevation



Section A-A



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Client
Parstone Group Limited

Project
Conversion of the Old Post Office into 21
Apartments
at Wolverhampton Street, Dudley.

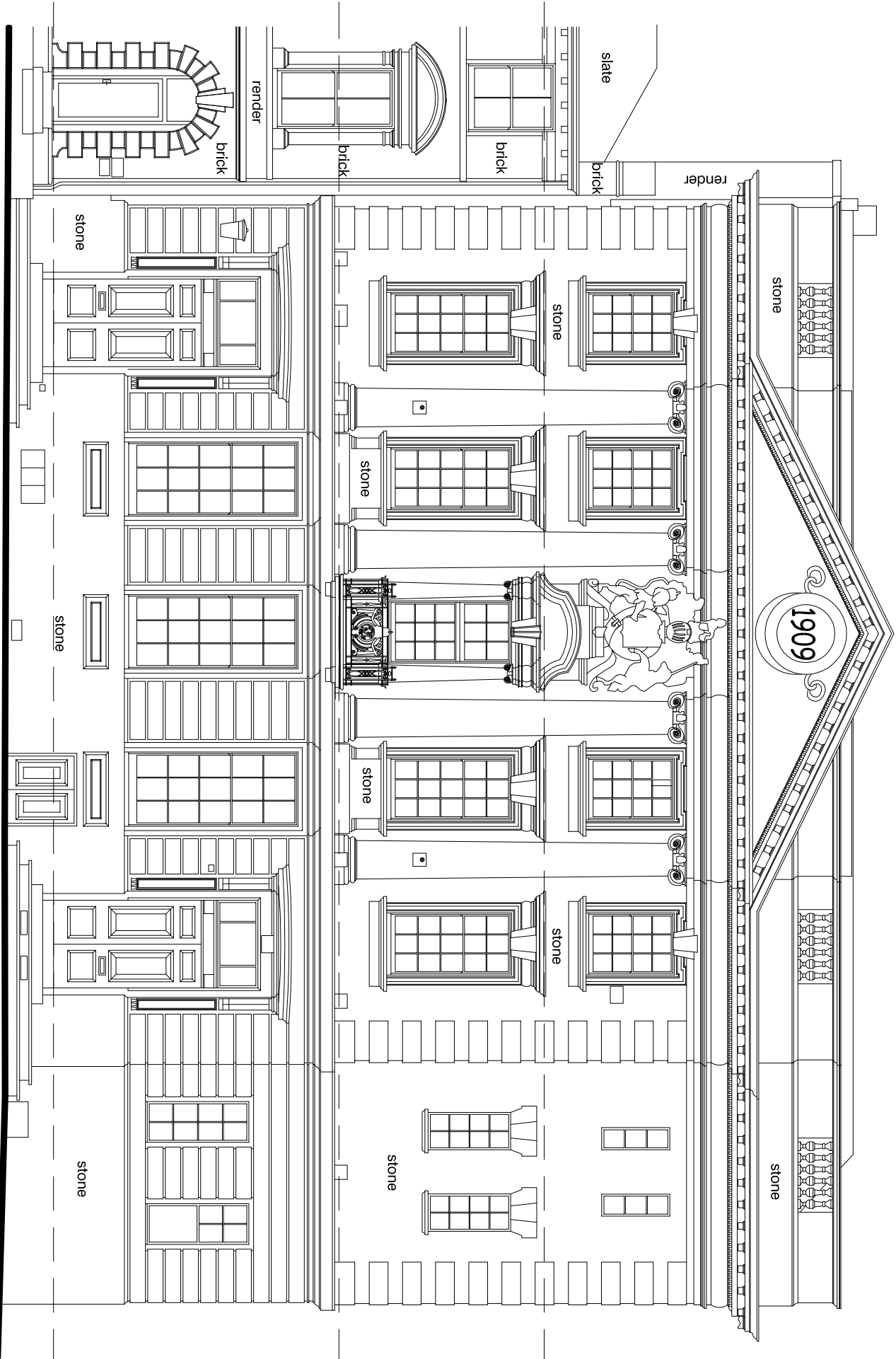
Drawing Title
Proposed Elevations

Scale	Date	Drawing No.	Rev
1:100 @A1	17.07.13	13_120/21	D
DKT	DKT		

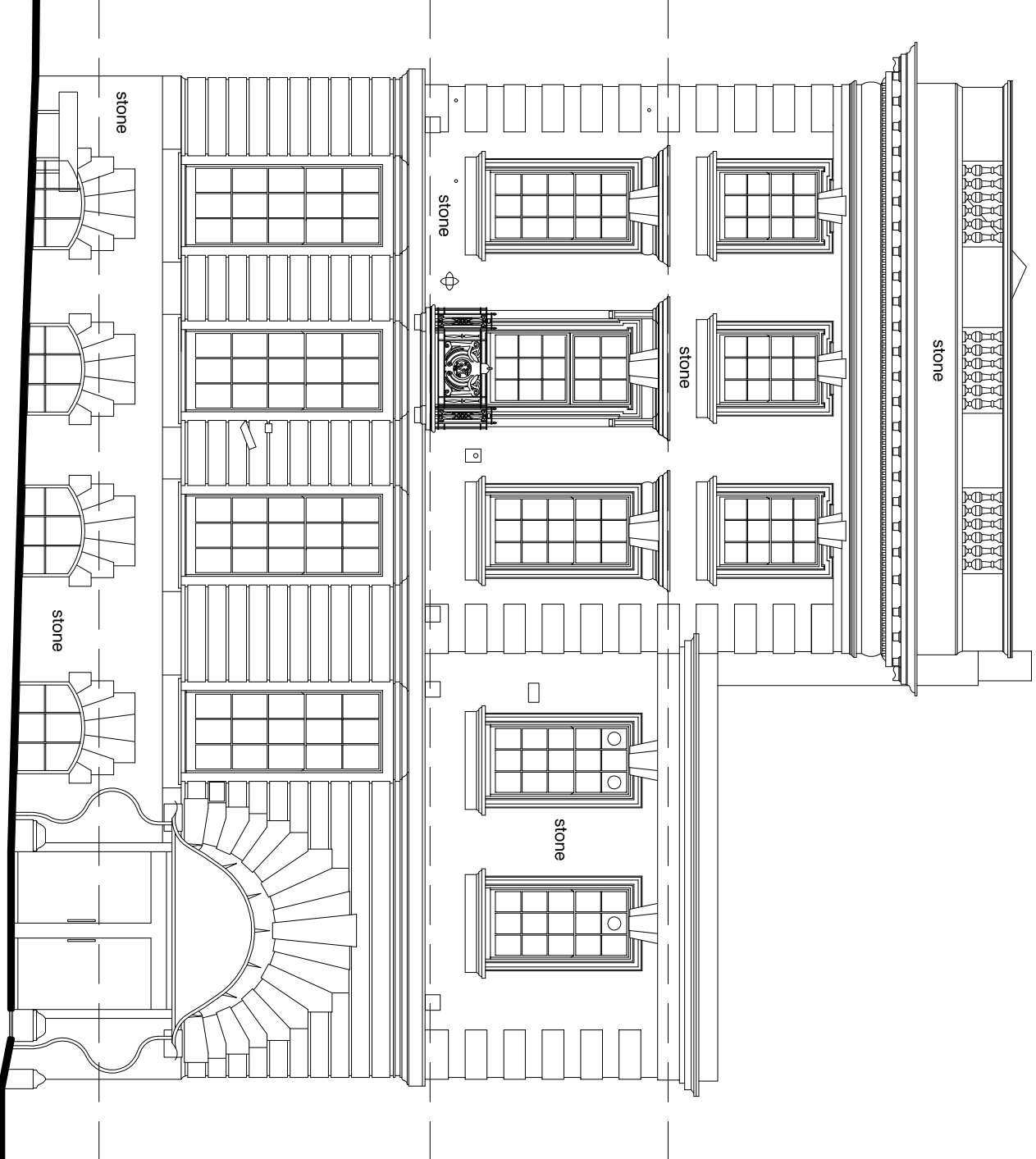
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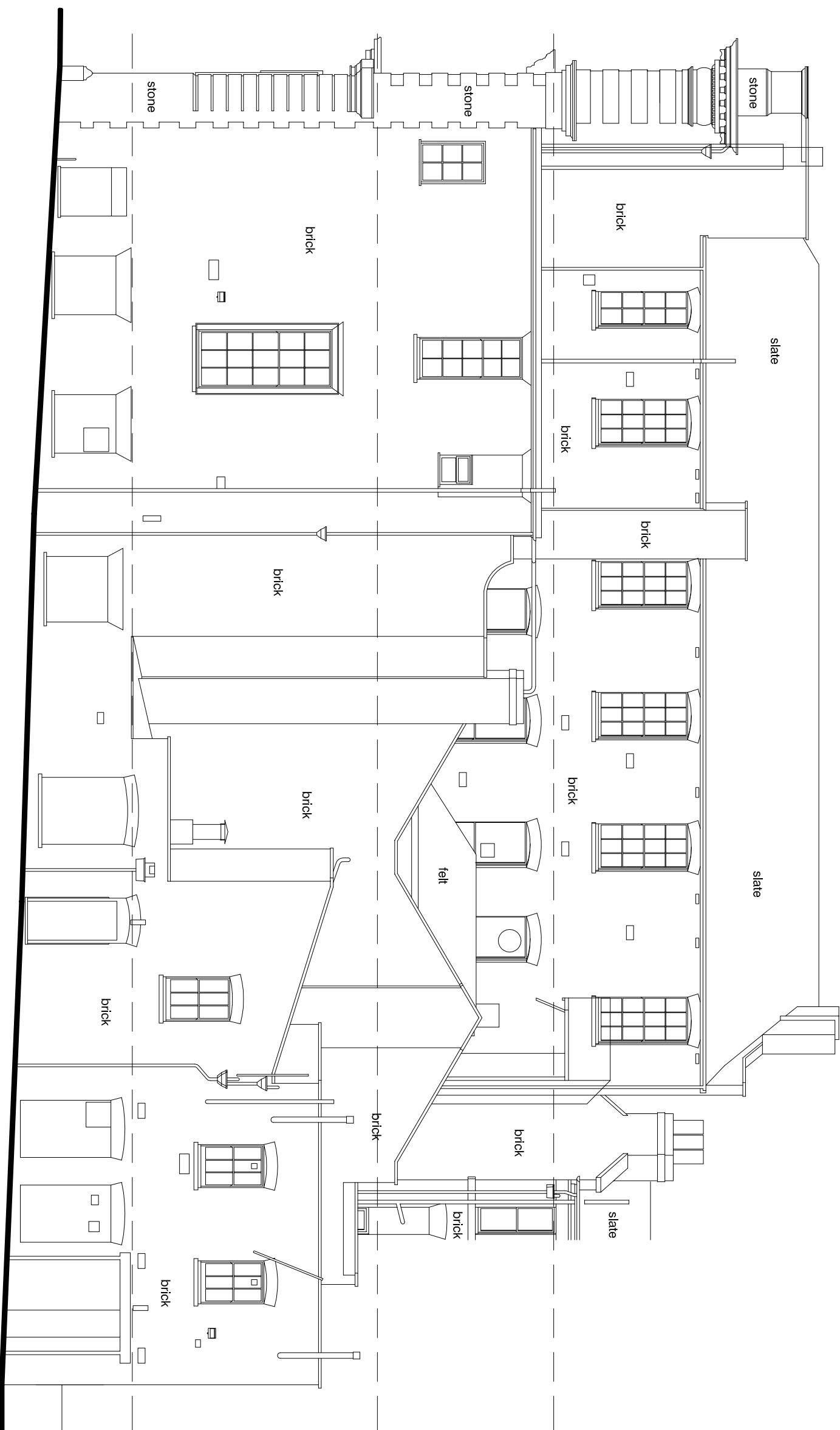
Rev	Note	Date
A	Slate alteration added from rear court yard of adjacent building.	09.09.14



Existing Elevation to Wolverhampton Street



Existing Elevation to Priory Street



Existing Rear Elevation



Existing Side Elevation
(from court yard to adjacent building)



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Client
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Project
Conversion of the Old Post Office into 21
Apartments
at Wolverhampton Street, Dudley.

Drawing Title
Existing Elevations

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1:100 @A1	17.07.13	13_120/20	A
	Drawn by DKT		

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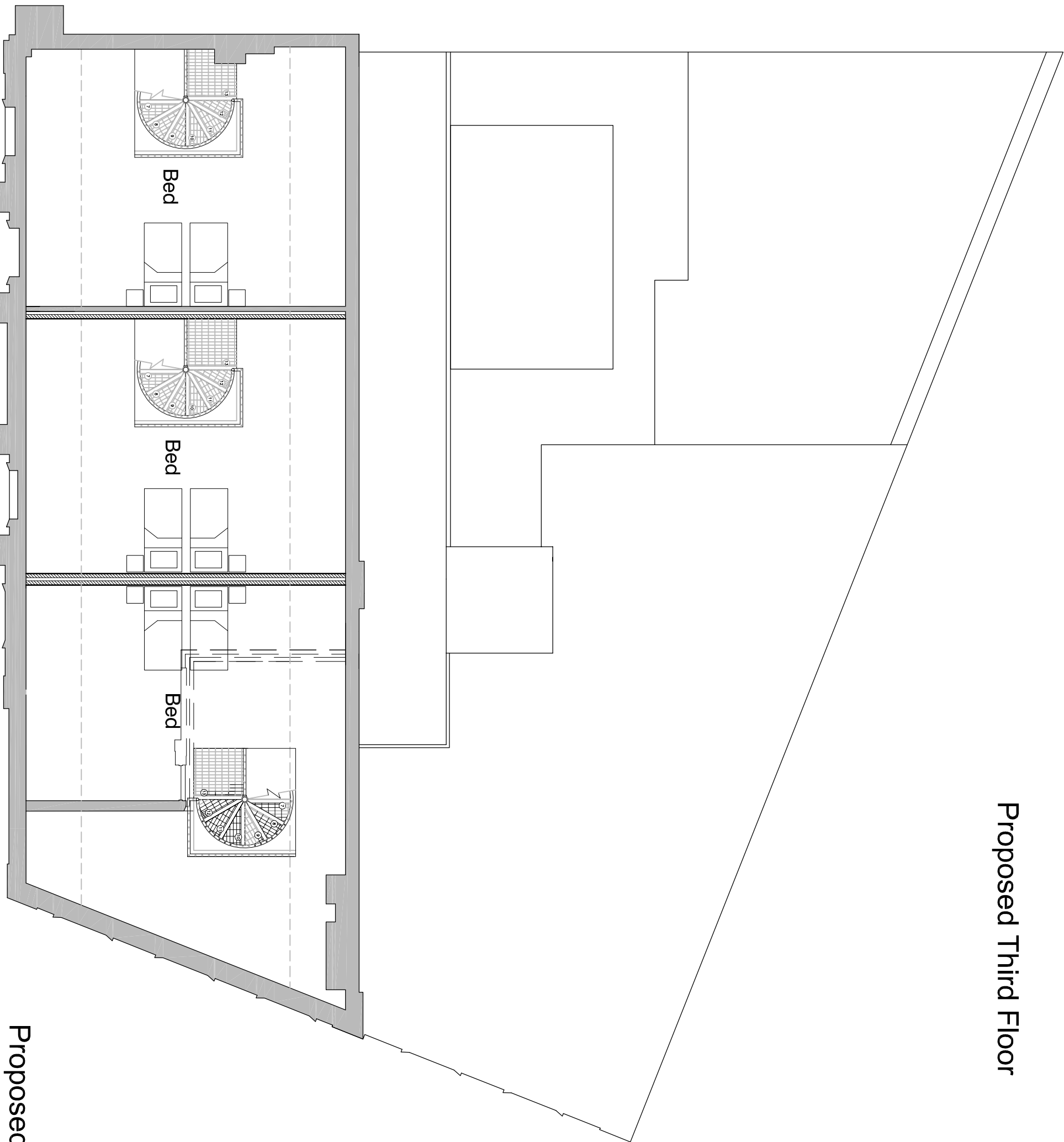
Rev	Note	Date
A	Number of units changed to 21	02.08.13



Proposed Second Floor



Proposed Third Floor



Proposed Mezzanine Floor

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Client
Parkstone Group Limited
Project
Conversion of the Old Post Office into 21
Apartments
at Wolverhampton Street, Dudley.

Scale	Date	Drawing No.	Rev
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	DKT		

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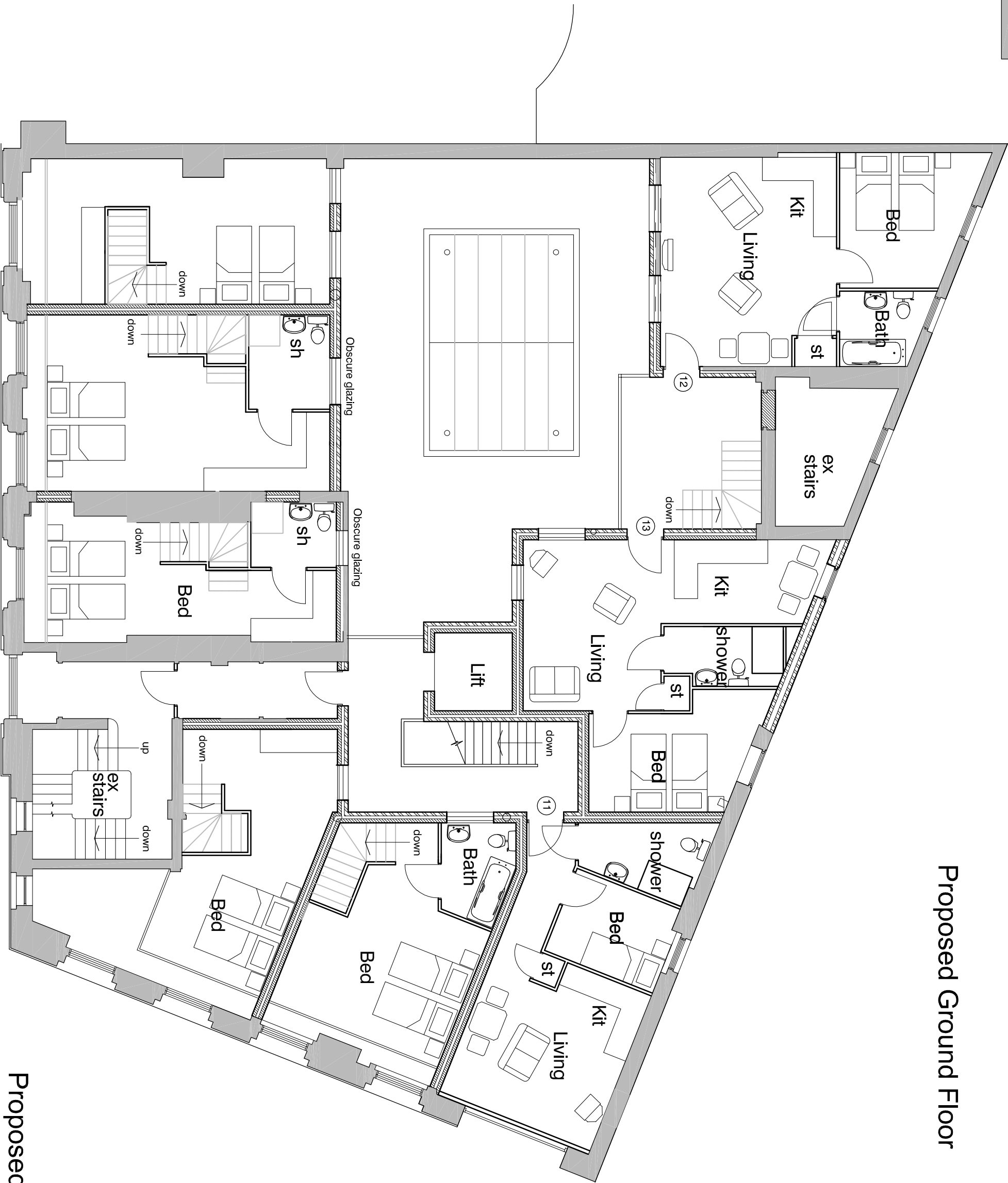
Rev	Note	Date
A	Number of units changed to 21	02.08.13
B	Car parking and new elevation window arrangement amended	17.02.14
C	Privacy panel added between unit 12 and adjacent building	11.08.14
D	Privacy panel removed	09.09.14



Alternative Proposed Basement



Proposed Ground Floor



Proposed First Floor



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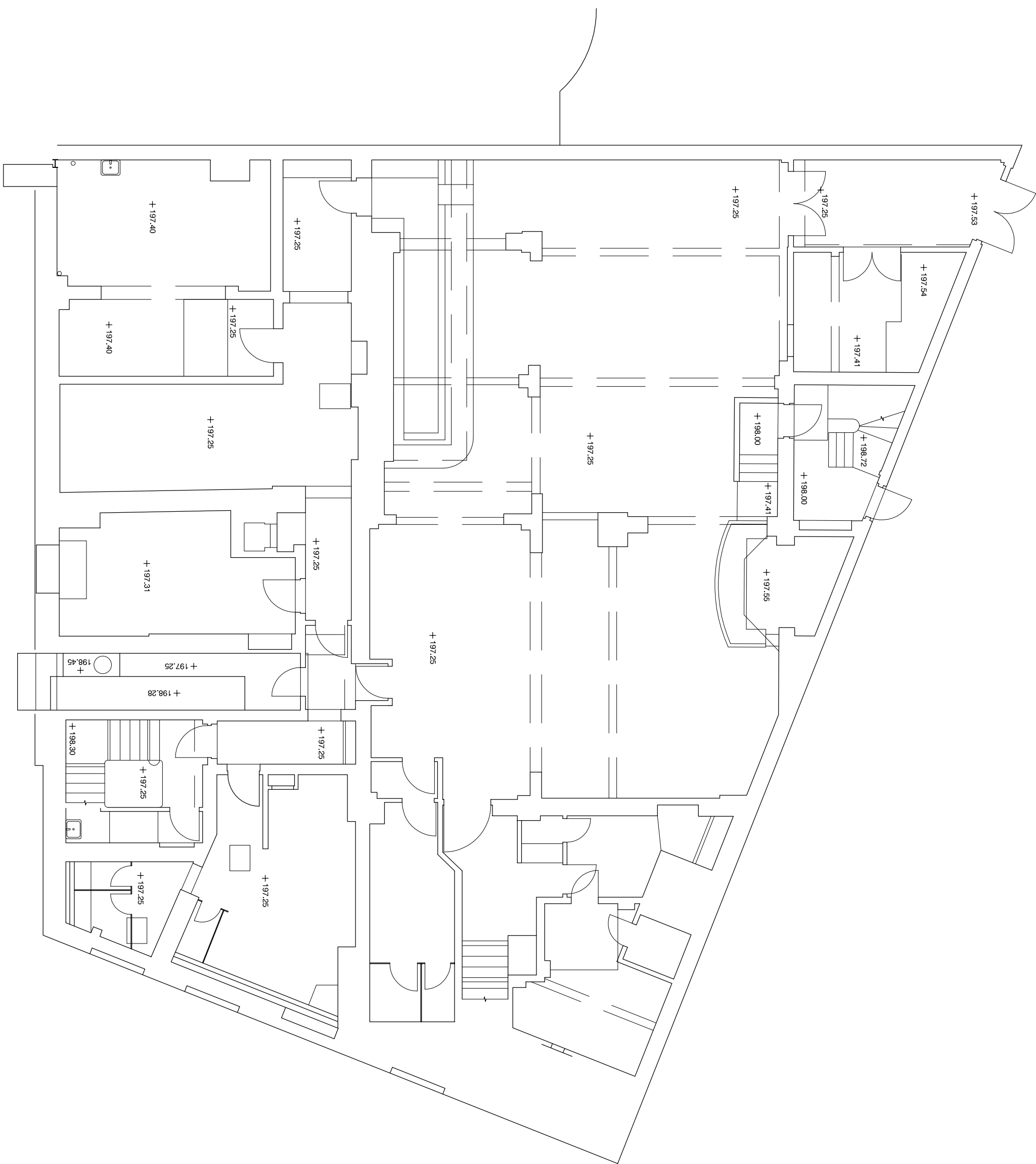
Project
Conversion of the Old Post Office into 21
Apartments
at Wolverhampton Street, Dudley.

Drawing Title
Proposed Basement, Ground and First Floor Plans

Scale	Date	Drawing No.	Rev
1:100 @A1	17.07.13	13_120/11	D
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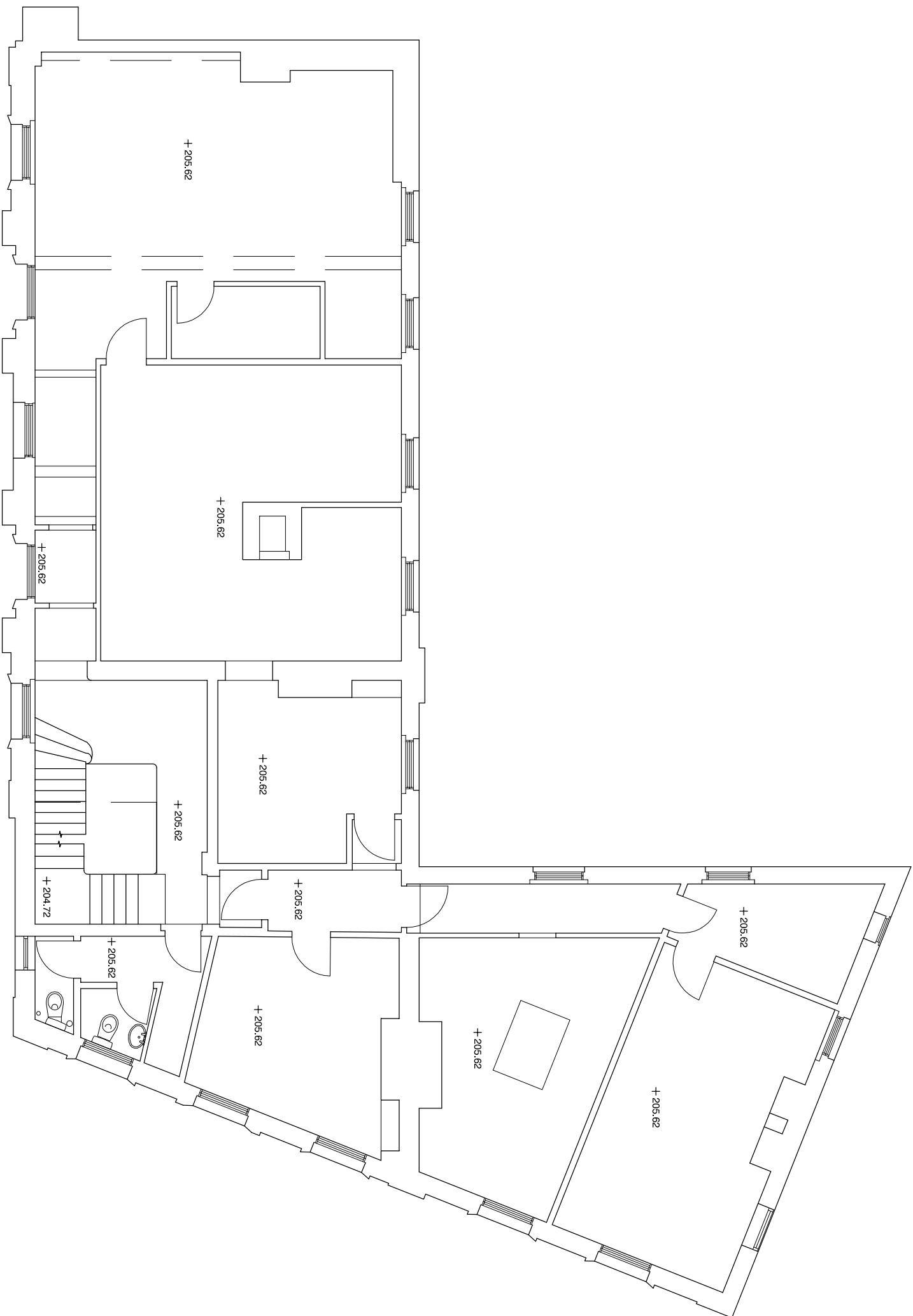
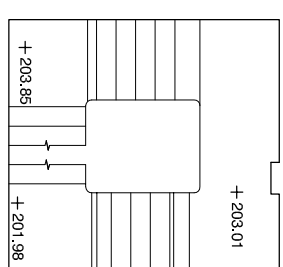
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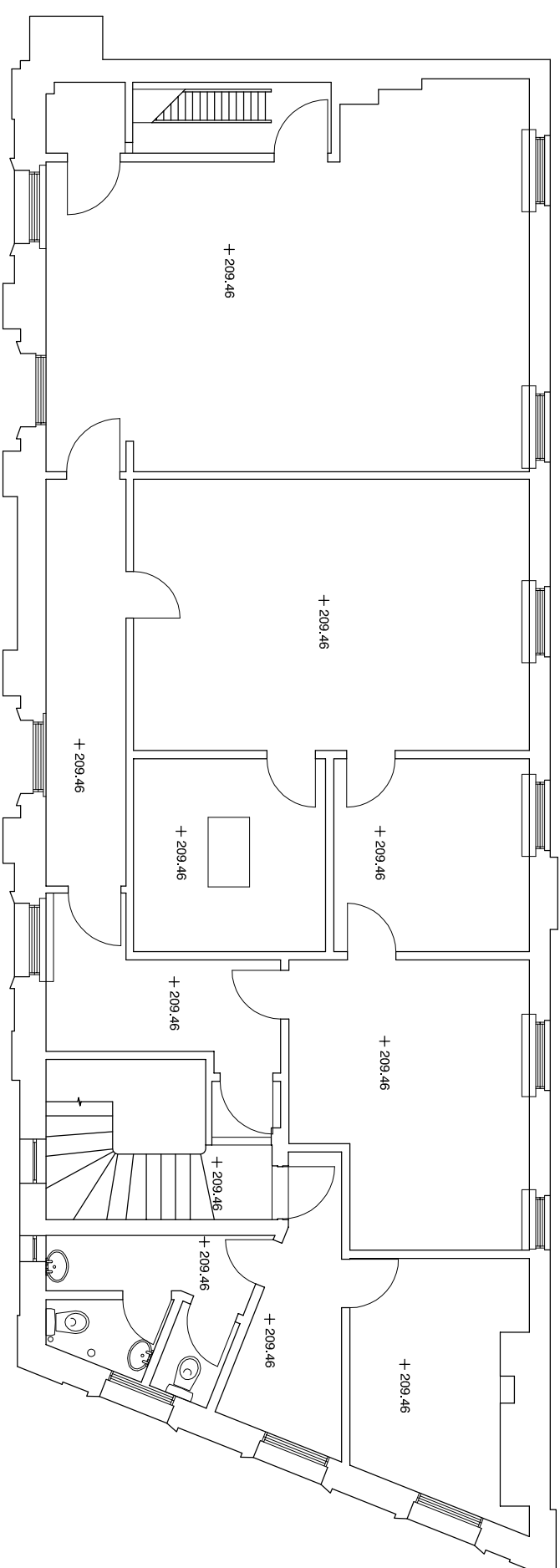
BASEMENT



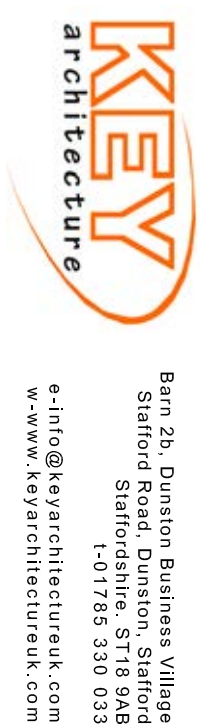
GROUND FLOOR



FIRST FLOOR



SECOND FLOOR



Client
Parkstone Group Limited

Project Conversion of the Old Post Office into 21 Apartments

Drawing Title
Existing Floor Plans

Scale	Date	Drawing No.	Rev
1:100 @A1	17.07.13	13_120/10	-
	Drawn by DKT		