

**Report to** Cabinet  
12th December 2012.  
**Report of** Deputy chief executive (operations)  
**Subject** Bowthorpe - Appropriation of land

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**Item**

**10**

### **Purpose**

To seek approval for the appropriation of land at Threescore Bowthorpe for planning purposes

### **Recommendation**

1. To resolve in accordance with section 122 of the Local Government Act 1972 that small parcels of land at Threescore Bowthorpe be appropriated for planning purposes as defined in section 226 of the Town and Country Planning Act 1990 as they are no longer required for the housing use for which they are currently held.
2. To authorise the deputy chief executive to use delegated powers to deal with all matters incidental to these land transactions.

### **Corporate and service priorities**

The report helps to meet the corporate priority “Decent housing for all”.

### **Financial implications**

There are no material financial implications resulting from the proposed appropriation to non-housing use because:

- a) Neither piece of land is specifically identified or valued within the fixed asset register;
- b) Neither piece of land attracts a rental income; and
- c) It appears that it is unlikely the land could be used for any housing purpose

### **Ward/s: Bowthorpe**

Cabinet member: Councillor Waters – deputy leader and resources

### **Contact officers**

Gwyn Jones  
Tracey Burton

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### **Background documents**

None

# Report

## Background

1. In September 2009 Norwich City Council entered into a collaboration and investment agreement with the Homes and Communities Agency (HCA). The partnership has the following objectives:
  - a) To accelerate the delivery of affordable homes
  - b) To increase the supply of private homes
  - c) To improve the quality of existing homes
  - d) To maximise opportunities for local employment
  - e) To deliver early outputs
  - f) To create sustainable communities, and
  - g) To deliver strategic regeneration projects within the City of Norwich (such as.ecoretrofit programmes or estate renewal)
2. A major part of the partnership arrangement focuses on bringing forward the Threescore site at Bowthorpe for housing. The proceeds from the development of this site will be reinvested to meet other partnership objectives. The Council submitted an outline planning application for the Threescore site for 1000 homes and related facilities in March 2012 (see appendix 1). This is still subject to planning permission.
3. The land required for this development has been appropriated for planning purposes. However during the public consultation a number of comments were received and in order to address some of these comments it is recommended that some minor changes to the site boundary are made. This involves taking in 2 small areas of land (outlined in appendix 2) that are currently held by the Council for housing purposes:
  - a) A strip north of Bowthorpe Hall Road/ Earlham Green Lane – The land consists of an unkempt hedge and trees to the rear of gardens backing on to the road. There is a narrow path between the fences to the properties and the trees/ hedge
  - b) A strip to the west of St Mildred's Road (excluding the Council garages). This is an area of scrub and trees on which there is currently some unauthorised horse grazing, and a swing and chicken houses have been erected (there are no records of any consents for this enclosure/ activity) plus part of the garden of no. 148 St Mildred's Road. The area follows the line of an overhead electricity line.
4. For this to happen the areas of land outlined in appendix 2 need to be appropriated in accordance with section 122 of the Local Government Act 1972: from the housing use to planning purposes as defined in section 226 of the Town and Country Planning Act 1990.

5. The areas to be appropriated are not part of any service charge boundaries so there are no rights attached in leases for properties purchased under the Right to Buy. There may be a need to negotiate or pursue a claim for possession for part of the garden of 148 St Mildred's Road in due course on the grounds that the Council intended to carry out works (to construct a footpath/ cycleway). At no stage would the tenant be displaced from the dwelling and this new arrangement would be covered by a revised tenancy agreement.

### **Benefits of the proposal**

6. The revised outline planning application proposes that these areas of land are incorporated within the "Red line" boundary to form part of the planning application. This will demonstrate within the planning application that:
  - a) At Bowthorpe Road/ Earlham Green Lane, there is sufficient land to accommodate the bus access into the development. The provision for public transport is a vital component of the development as a whole. The inclusion of the land will ensure that mitigation measures can be incorporated within the design of the bus access at this point to minimise problems of overlooking for residents in the vicinity
  - b) At St Mildred's Road a bat corridor is retained and enhanced by keeping the existing trees and scrub under the overhead electricity lines. The additional land will allow this to be retained alongside a footpath/cycle way along the eastern boundary of the development site. It will also allow for the possibility of a footpath cycleway connecting the Threescore development to St Mildred's Road in future.
7. The overall benefits of the Threescore development (subject to planning) include:
  - a) Development of 1000 homes, a care home, shop, open space, community facility
  - b) The opportunity to bring this development forward to provide new homes in a time of recession
  - c) Safeguarding construction jobs and creating new jobs and apprenticeships
  - d) The opportunity to develop an exemplar scheme including code for sustainable homes level 4, building for life gold and best practice in community engagement

### **Attached:**

**Appendix1-** Map of proposed Threescore development (subject to planning)

**Appendix 2-** areas to be covered by appropriation

## Integrated impact assessment



**NORWICH**  
City Council

The IIA should assess **the impact of the recommendation** being made by the report

Detailed guidance to help with completing the assessment can be found [here](#). Delete this row after completion

### Report author to complete

<b>Committee:</b>	Cabinet
<b>Committee date:</b>	12 December 2012
<b>Head of service:</b>	Head of city development services
<b>Report subject:</b>	Appropriation of land at Threescore
<b>Date assessed:</b>	27.09.12
<b>Description:</b>	Proposal to appropriate small parcels of land as planning land

	Impact			
Economic (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Finance (value for money)	x <input type="checkbox"/>		<input type="checkbox"/>	
Other departments and services e.g. office facilities, customer contact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ICT services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Economic development		x <input type="checkbox"/>	<input type="checkbox"/>	Development of the Threescore site will enable construction jobs
Financial inclusion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Social (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Safeguarding children and adults	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>S17 crime and disorder act 1998</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Human Rights Act 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Health and well being	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Equality and diversity (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Relations between groups (cohesion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	Impact			
Eliminating discrimination & harassment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Environmental (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Transportation		x <input type="checkbox"/>	<input type="checkbox"/>	The appropriation will facilitate access to the site by sustainable transport modes
Natural and built environment		x <input type="checkbox"/>	<input type="checkbox"/>	The appropriation will facilitate a more sensitive development of the Threescore site
Waste minimisation & resource use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Pollution	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Energy and climate change	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(Please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Risk management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Recommendations from impact assessment**

**Positive**

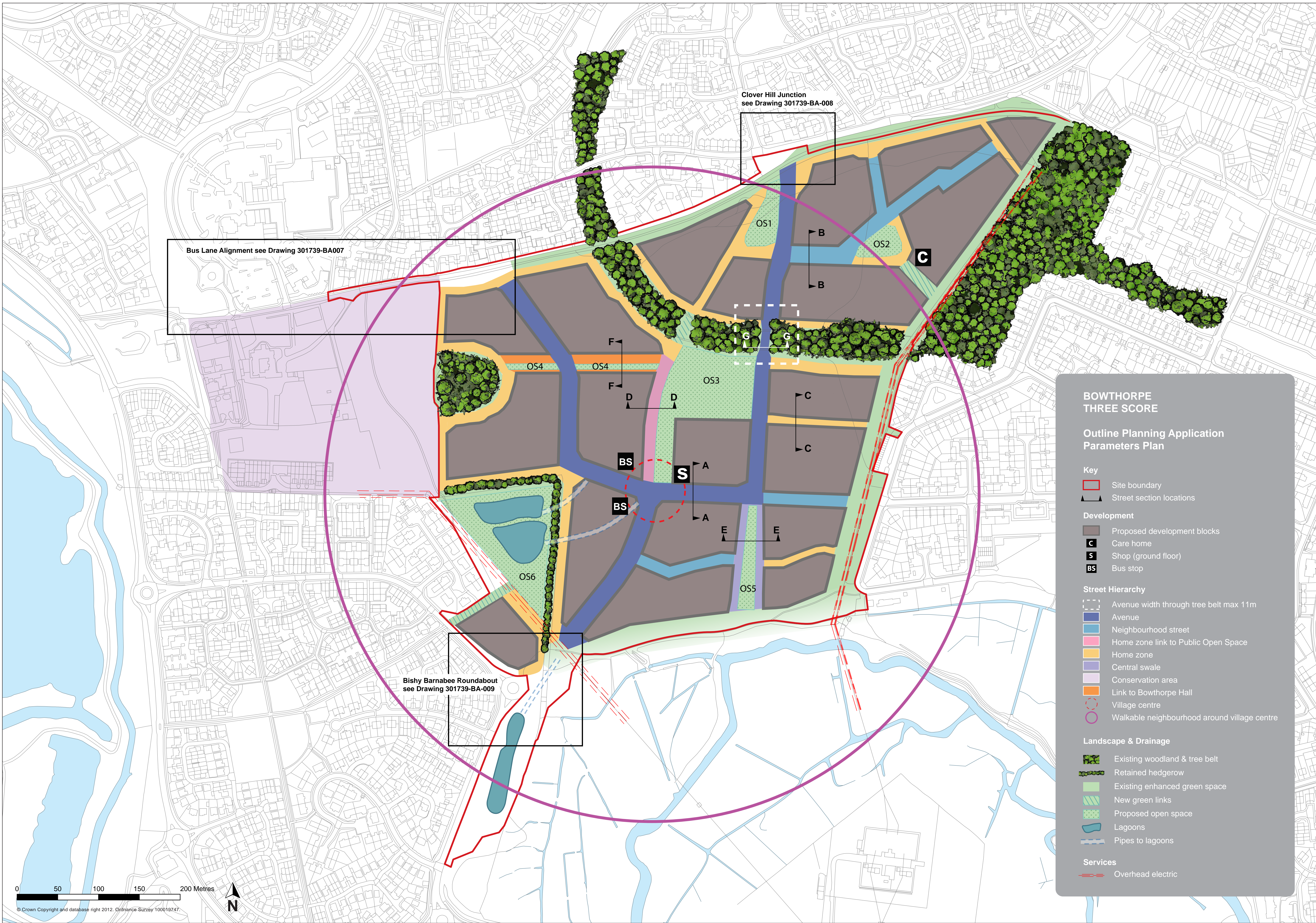
The appropriation of the small parcels of land will enable the development of the Threescore site to be carried out in a more sensitive manner. Overall the development will bring positive economic and social benefits through the creation of jobs and homes

**Negative**

**Neutral**

**Issues**





**BOWTHORPE  
THREE SCORE**

**Outline Planning Application  
Parameters Plan**

**Key**

- Site boundary
- Street section locations

**Development**

- Proposed development blocks
- Care home
- Shop (ground floor)
- Bus stop

**Street Hierarchy**

- Avenue width through tree belt max 11m
- Avenue
- Neighbourhood street
- Home zone link to Public Open Space
- Home zone
- Central swale
- Conservation area
- Link to Bowthorpe Hall
- Village centre
- Walkable neighbourhood around village centre

**Landscape & Drainage**

- Existing woodland & tree belt
- Retained hedgerow
- Existing enhanced green space
- New green links
- Proposed open space
- Lagoons
- Pipes to lagoons

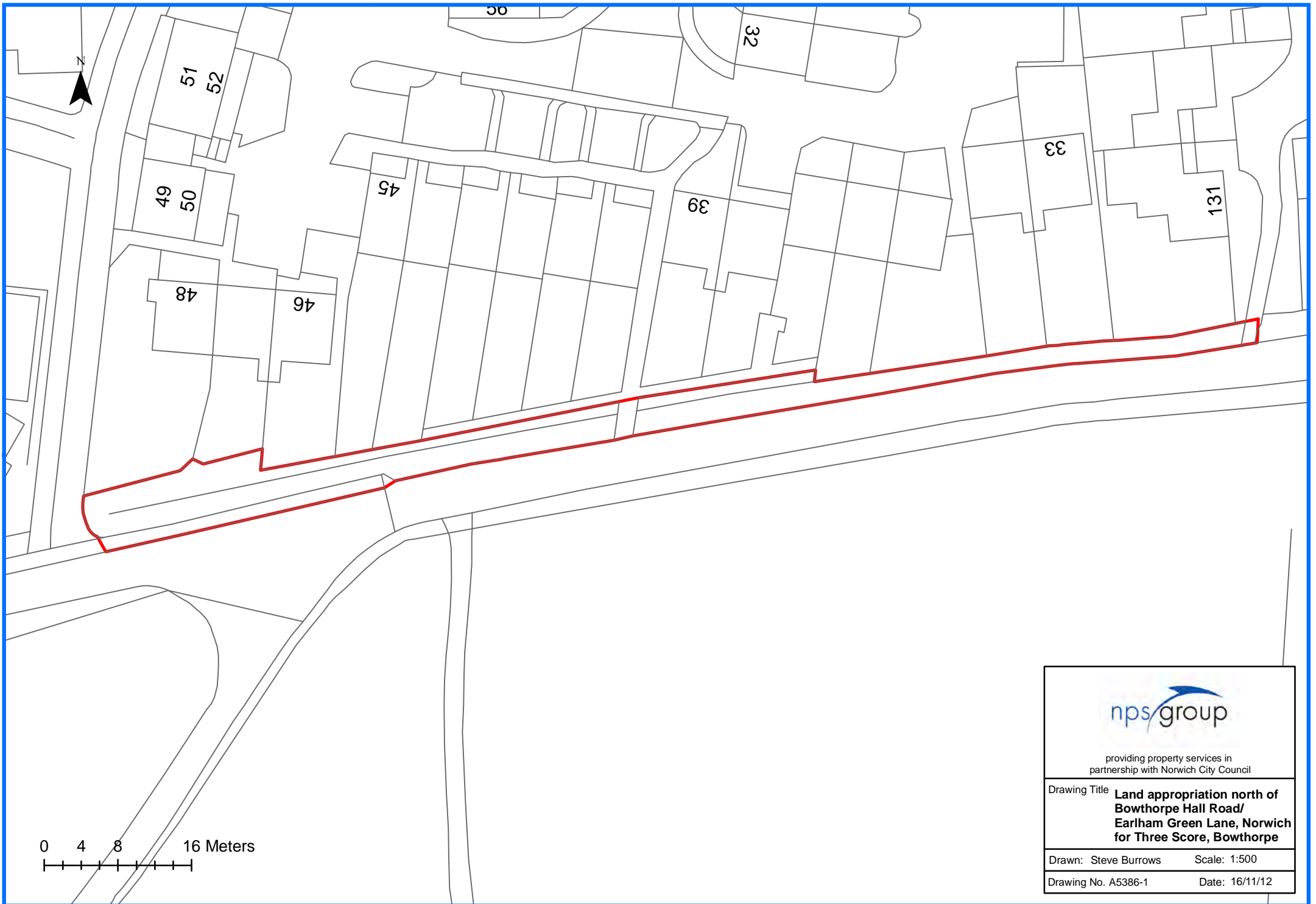
**Services**

- Overhead electric

0 50 100 150 200 Metres

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Drawing Title **Land appropriation north of  
Bowthorpe Hall Road/  
Earlham Green Lane, Norwich  
for Three Score, Bowthorpe**

Drawn: Steve Burrows Scale: 1:500

Drawing No. A5386-1 Date: 16/11/12



0 12.5 25 50 Meters

Path

ETL

ST MILDREDS ROAD

15.2m

FOWELL CLOSE

14.9m

SAVERY CLOSE

Play Area

BLAND ROAD

CRESSWELL CLOSE

Pumping Station

El Sub Sta



providing property services in  
partnership with Norwich City Council

Drawing Title **Land appropriation west of  
St Mildreds Road, Norwich  
for Three Score, Bowthorpe**

Drawn: Steve Burrows Scale: 1:1,250

Drawing No. A5385-1 Date: 16/11/12