

Cabinet 12 November 2014

ITEM 6 ADOPTION OF NORWICH'S LOCAL PLAN

DOCUMENTS

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SCHEDULE 1 - SA DPD MAIN MODIFICATIONS REPRESENTATIONS

Modification reference	Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
N/a – General comment	N/a – General comment	Marine Management Organisation	M6876-1	General	No relevant comments
SA-MM4	CC11/Garden Street	Norfolk County Council: Environment, transport & development	M5246-1	Support	Norfolk County Council supports the main modification which now safeguards a potential site for a primary school.
SA-MM8	CC23/Duke's Wharf, Duke Street	English Heritage	M5646-3	Support	We welcome the changes to the explanatory text.
SA-MM16	R10/Deal Ground	Broads Authority	M4033-1	Object	There is no reference in the proposed modification for site allocation R10 of the need for the design of the bridge to be included in the policy. This issue is important to the navigation of the Broads.
SA-MM16	R10/Deal Ground	David Walker Limited for Lafarge	M5800-1	Support	Lafarge agree with the modifications relating to this site.
SA-MM16	R10/Deal Ground	Lanpro for Serruys Property Company	M4130-1	Object	The emerging policy has been reworded without due regard to the extant planning permission. The addition to the third paragraph of the explanatory text fails to

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					acknowledge that the site already has planning permission for a significant amount of residential development on the western part of the site. The permission was granted on the basis that adequate controls existed within the Lafarge site to the extent that all impacts upon the proposed future use of the site at R10 could be managed. We also object to the amendments to bullet point 4 of the explanatory text: All asphalt production and other operations within the Lafarge site are controlled by either licensing or planning conditions. The additional wording to the policy is misleading as it implies the development of R10 should accommodate unauthorised emissions from the Lafarge site. Proposed amendments to bullet point 6 of the policy text: The planning permission on site R10 was granted having had specific regard to the conditions of the permission for the Lafarge operations on the adjoining site. The permission for the Lafarge site was only granted on the basis of stringent conditions to minimise off-site impacts upon the R10 land to

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					enable residential development of the R10 site to go ahead. It seems perverse for the policy for R10 to be re-worded now to require the owners of R10 to be responsible for managing the impact of the adjacent uses. Rather than wording the policy to require assessment of cross-boundary impacts, a new wording should be inserted to require the Council's commitment to enforcing planning controls upon Lafarge to enable the delivery of housing to meet planned housing targets.
SA-MM16	R10/Deal Ground	Norfolk County Council Minerals & Waste	M6913-1	Support	We support the main modification. It addresses our previous objections. The modification is consistent with the NPPG.
SA-MM18	R12/Kerrison Road/Hardy Road, Gothic Works	Ms Erica Whettingsteel for ATB Laurence Scott	M6772-1	Support	No comments
SA-MM28	R31/Hurricane Way	NPS Property Consultants	M4132-1	Object	The policy wording is unsound. It would be very difficult for housing development to fund regeneration, rather the wording should require the delivery of regeneration infrastructure, for example a new bus route/cycle way.

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					Further, the southern part of the site could accommodate in the region of 40 dwellings rather than the 30 dwellings currently suggested. The policy should be updated to include both these changes.
SA-MM28	R31/Hurricane Way	Broadland District Council	M5543-8	Object	There is no justification for the approach being taken, i.e. employment development is acceptable but residential is not unless it funds regeneration. Given the need for housing in the city, surely all sites capable of delivering housing should be promoted. The wording of the policy and the supporting text do not match – the policy requires funding for regeneration in accordance with a Masterplan. The supporting text references the Masterplan but makes no reference to needing to fund regeneration. A simpler mixed use residential/employment allocation would be better.
SA-MM29	R32/The Paddocks	Broadland District Council	M5543-9	Object	The wording of the supporting text and policy are inconsistent, using “airport related” and “general employment purposes”. JCS policy 9 requires allocation for a new business park which is included in the

Modification reference	Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
					Broadland District Council Site Allocations DPD. Consequently there is no justification for the employment uses under R32 to be “airport related” . Any Masterplan also needs to be endorsed by Broadland District Council. The policy is overly complicated and likely to be ineffective. The policy is something of a “non-allocation” . If both uses are acceptable why is the decision being put on hold? If the intention is to safeguard the site then the policy should simply say that. Also see DM-MM34 (DM27) and the DM policies inconsistency with this allocation.
SA-MM29	R32/The Paddocks, Holt Road	DLP Planning Consultants for Mr P Trott	M4164-1	Object	The case that this site is required for airport related uses remains unproven. It is therefore not appropriate to restrict or delay the provision of employment land where there is no sound evidence base for doing so. Therefore the plan is neither positively prepared or justified and is unsound. In the event that it is concluded that the site should not be developed for a period of 2 years until such time as an airport Masterplan has been produced, we propose a further modification to Policy R32 and its supporting

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					text: - Amend bullet point 1 of the section of the policy 'In all cases development will' as follows: <u>'Provide vehicular access to the site only from Gambling Close, unless it can be demonstrated that satisfactory direct access from Holt Road can be demonstrated that satisfactory vehicle access can be achieved without unacceptable impacts on highway safety or the free flow of traffic'</u> (Representee amendments shown in red) - Amend the supporting text to delete part of the paragraph proposed to be inserted by the modification to remove the reference to the standing advice of Norfolk County Council that vehicular access direct from the A140 and additional turning movements into and out of the site cannot be achieved without disrupting traffic flow, and the reference to the preference being for access from Gambling Close. The proposed modification put forward by the Council relies on 'standing advice' from Norfolk County Council and seeks various requirements in terms of highway improvements. Our proposed wording does not diminish from these requirements but is necessary in order to make the plan deliverable.

Modification reference	Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
SA-MM30	R42/Earlham Hall	English Heritage	M5646-1	Object	We note that the maximum figure (7,000sqm) is now an approximate figure. This is a very sensitive location and the capacity of the site should first be assessed through preparation of a development brief. Any figure should be omitted from the policy until further assessment has taken place.
SA-MM31	R43/Former Blackdale School	Bidwells for UEA	M5075-1	Object	The UEA support the main thrust of the policy with the modification SA-MM31, however, the inclusion of English Heritage as one of the bodies needed to agree the development of the site is unnecessary and unjustified.
SA-MM32	R44/Land between Suffolk Walk and Bluebell Road	English Heritage	M5646-2	Object	Any development of this site should be part of a coherent Masterplan. Key consideration should be given to Lasdun's original vision. We note and support the additional text requiring a co-ordinated planning approach. The policy should include the following: 'Development of this site should be guided by a masterplan or other appropriate guidance produced through a coherent and co-ordinated planning approach that has involved English heritage, UEA, and Norwich City Council. Lasdun's original vision should be a key consideration'.
SA-MM33	R45/Land west	Norwich City	M6938-1	Object	The proposed allocation would have an

Modification reference	Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
	of Bluebell Road	Council			adverse impact on the landscape character of the Yare Valley green infrastructure corridor, would create a precedent for development in the valley and create a visual block between the development site and the river valley. The Sustainability Appraisal identifies an adverse sustainability effect on landscape, townscape and historic environment. The allocation is not needed to meet the JCS target of 3000 additional units of housing required to 2026.
SA-MM33	R45/Land west of Bluebell Road	Yare Valley Society	M5467-1	Object	We have consistently opposed development of this site. We were pleased when the Council omitted this site from the plan it promoted through examination and we remain supportive of their reasons for doing so. It is unfortunate that we did not get an opportunity to participate in the examination hearings. We do not see on which grounds (positively prepared, justified, effective or consistent with national policy) that this site is being considered for inclusion in the plan. Positively prepared – Sufficient housing sites have already been identified to meet the 3,000 requirement. Housing for the elderly could be provided on any of these allocated sites. Yet

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					the Inspector appears to be attaching much weight to the proposal for housing for the over 55s with little or no evidence to support this. Concentration of housing for the elderly in this area, where there is already a higher proportion of older people according to census data, does not create mixed and balanced communities. Justified – This site is not a more reasonable alternative to any other site allocated in the plan. Effective – The plan without this site would be more effective, protecting the Yare Valley from urban development. Consistent with national policy – We stress the wider importance of the Yare Valley which extends beyond the city boundary. The NPPF seeks to protect and enhance features of particular environmental value and points to the need to allocate land with the least environmental value. There is no indication that other sites have been considered for housing for the over 55s. The allocation of such a site is not consistent with the NPPF. Development of the valley is not sustainable with definitions of sustainability including

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					reference to the quality of the environment being maintained for future generations. Letter of the 15 th September 2011 included as an appendix.
SA-MM33	R45/Land west of Bluebell Road	Mr G Cooke for Eaton Residents Association	M5500-1	Object	We support the objections of the Yare Valley Society. The access road to the site is very busy already. 750 houses are being built across the river in Cringleford which will have an impact on traffic levels in turn resulting in the junction of Bluebell Road with the A11 becoming even more of a dangerous junction. This junction already needs upgrading. The site should be maintained as green space (lacking in this part of the city).
SA-MM33	R45/Land west of Bluebell Road	Mr & Mrs C	M6939-1	Support	This is a good use of a brownfield site, especially as it will be low density. It is essential that references to preserving the Yare Valley are kept to. Particular concern over the pedestrian footpath and the safety of the fen.
SA-MM33	R45/Land west of Bluebell Road	Hazel Martin, for Colney Parish Council	M5671-1	Object	Support the Yare Valley Society's response to the Inspector. We also feel the Yare Valley is under increasing pressure from development on both sides of the river and object to the additional encroachment on the valley that

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					such development will cause.
SA-MM33	R45/Land west of Bluebell Road	Mr DW	M6940-1	Object	Any development of this site is to be deplored. If the over 55s housing doesn't get built, the UEA will soon want it for development.
SA-MM33	R45/Land west of Bluebell Road	Mr RT	M6941-1	Support	This would be an ideal location for sheltered housing within close proximity to local facilities and a regular bus service.
SA-MM33	R45/Land west of Bluebell Road	Mrs RT	M6941-2	Support	This would be an ideal location for sheltered housing within close proximity to local facilities and a regular bus service. Many residents would welcome accommodation of this sort to free up larger houses in the same area. The area for development could be landscaped to fit in with the Yare Valley character.
SA-MM33	R45/Land west of Bluebell Road	Mr RAD	M4267-1	Object	The long held local view is that this site should not be developed. The plan without this site has been established through a democratic process. Such local views should not be over-ridden by a commercial interest which states it could meet the needs of a particular section of society – such need of which is yet to be established and could be met already within the Council's draft plan. Decisions should be taken locally.

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SA-MM33	R45/Land west of Bluebell Road	Professor J Wagstaff for Cringleford Parish Council	M6942-1	Object	We restate our long standing opposition to the development of this site and support the comments made by the Yare Valley Society.
SA-MM33	R45/Land west of Bluebell Road	Mrs JM	M6943-1	Object	The importance of the Yare Valley is even more significant given the housing development already underway in Cringleford. If development occurs on this site it will be the 'thin end of the wedge' and set a precedent with more traffic and pollution. Huge amounts of wildlife will be displaced. Many have lost habitat already from existing development. With more development this area will be lost forever.
SA-MM33	R45/Land west of Bluebell Road	Mrs RH	M6944-1	Object	The Yare Valley is an irreplaceable asset
SA-MM33	R45/Land west of Bluebell Road	Mike Haslam for Mark Bartram	M6716-1	Support	Council officers supported the allocation in earlier stages of the plan. No new evidence has been presented that would justify changing the Inspector's proposed modification to include this site in the plan. The Sustainability Appraisal notes that there would be 'no significant positive or negative effects identified in respect of this allocation'

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SA-MM33	R45/Land west of Bluebell Road	Cllr J Lubbock	M5780-1	Object	and that 'removal of this allocation would reduce the potential for certainty in delivery of housing for the elderly'. The river valley offers a green buffer against the hard urban edge of Norwich and the growing 'village' of Cringleford. It acts as a green lung, wildlife corridor and important recreational area. Without protection this precious area of open space may be lost forever. Positively prepared – the current plan allocates sites for 3000 dwellings in line with the JCS requirement. Provision for housing for the over 55s could be made on other sites less damaging to the natural environment. Justified – All other sites in the plan could be used for housing for the over 55s. There is no justification for this site to be developed. Effective – the plan, excluding this site, is effective in delivering housing sites, all of which could meet the needs of over 55s. Consistent with national policy – national policy encourages the protection of land with a high environmental value. This sites value lies in its creation of a continuation of the River Yare Valley, providing a green corridor where

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					species can flourish. Future generations should be able to benefit from the open space provided here. The site should be excluded from the plan.
SA-MM33	R45/Land west of Bluebell Road	Mr & Mrs W	M6861-1	Object	The Yare Valley is an irreplaceable asset and any development would be detrimental to the open space. There are other more suitable housing sites available which should be considered before development of this site. I have previously objected on the following grounds – loss of trees, loss of ecological habitat, access and highway safety, traffic, noise, loss of visual amenity.
SA-MM33	R45/Land west of Bluebell Road	Miss JP	M6654-1	Object	Supportive of the Yare Valley Society's objections. In addition, my immediate residential amenity will be detrimentally affected. This type of housing could be provided on any housing site allocation in the plan. Inclusion of this site is not justified, nor consistent with the NPPF. Adding further older residents to the area would not provide a balanced community.
SA-MM33	R45/Land west of Bluebell	Mrs PP	M6663-1	Object	Supportive of the Yare Valley Society's objections.

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	Road				
SA-MM33	R45/Land west of Bluebell Road	Dr GC	M6945-1	Object	Positively prepared – There is no evidence of any shortfall of over 55s accommodation in Eaton. Justified – there is much local opposition and other sites are available. Effective – The proposal would be ineffective in protecting the Yare Valley from urban sprawl. Consistent with national policy – The Yare Valley has a high environmental value – development would erode this.
SA-MM33	R45/Land west of Bluebell Road	Mr GI	M6946-1	Object	Building on the Yare Valley site would constitute a tragic loss of wonderful and beautiful green corridor for human and wildlife which would be irreversible. The housing would be better built on one of the alternative sites elsewhere.

SCHEDULE 2 - DM DPD MAIN MODIFICATIONS REPRESENTATIONS

Modification reference	Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
N/a – General comment	N/a – General comment	Marine Management Organisation	M6876-2	General	No relevant comments
DM-MM1	DM1	English Heritage	M5646-4	Object	We would like to see a clear reference to protection and enhancement of the city's heritage assets. The NPPF refers to the historic environment within the definition of sustainable development. Whilst the modified policy now refers to 'historic assets' there is no policy definition of 'historic assets'. The reference should be to 'heritage assets' to comply with national policy.
DM-MM3	DM5 & paras 5.17 and 5.21	Broadland District Council	M5543-1	Object	The policy is overly detailed and explanation of the process should be included in the supporting text rather than the policy itself. The policy implies that it is only within Critical Drainage Catchments that surface water flood risk should be considered and mitigated, rather than as expressed in the NPPF and JCS which both state that all development should consider and mitigate surface water flood risk. Paragraph 5.17 implies that such risk will only be considered in planning applications because of the policy. There is a risk that this policy may lead to confusion

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DM-MM3	DM5 & Paras 5.17-5.21	Anglian Water	M5127-1	Support	and potentially undermine higher level policies. I would recommend the inclusion of the following text to further strengthen the policy (Anglian Water proposed inclusions shown underlined): 'Mitigation measures to deal with surface water arising from development proposals should be incorporated to minimise the risk of flooding on the development site and <u>where possible reduce the risk, otherwise at least minimise the risk, within the surrounding area.</u>
DM-MM8	DM13	The Home Builders Federation	M5548-1	Object	We are aware of the NPPG guidance which states housing for older people and students can be counted towards housing land supply. Student completions can only be included once an assessment of the net student need and the impact of new student bed places would have on releasing accommodation into the housing market. The Council needs to have such an assessment. The DM DPD is underpinned by the SHMA but the SHMA does not assess these two forms of accommodation. The housing targets set in the JCS did not use an NPPF compliant methodology for assessing need in the manner required. Until a new SHMA, including an assessment of student and older people's housing, is published, a modification to allow completions for student accommodation and C2

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					residential institutions to count toward the Council's housing requirement is unsound and unjustified. If these are included then what is left of the conventional supply (i.e. C3 dwellings) will fall short of what is actually needed. Separate allocations to meet C2 need should be made (although this need is not established). These allocations should not be confused with allocations to provide conventional housing needs.
DM-MM9	DM14	Norwich City Council	M6938-2	Support	The City Council supports the modification and has secured funding to provide 13 new pitches in the city by 31 st March 2018.
DM-MM9	DM14	The Home Builders Federation	M5548-2	Object	We would query whether a plan which has failed to provide an up-to-date assessment of need for this type of accommodation, and which also runs the risk of failing to meet the need for other forms of accommodation (see representation to DM13), can be judged sound.
DM-MM11	DM18	Nathaniel Lichfield & Partners for Intu Properties plc	M4111-1	Object	The proposed main modification to the 4 th paragraph and insertion of paragraph 18.11a does not provide sufficient clarity on the Council's approach to redevelopment of town centre uses on existing employment sites. The reasons for inclusion of this policy are still not set out and it remains unclear if the policy is trying to permit town centre uses on employment areas within defined centres, or

Modification reference	Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
					employment areas anywhere in the city. The policy could encourage proposals for town centre uses to come forward in out of centre locations, undermining the town centre first approach. The issues arising from such proposals could be dealt with under the paragraph referring to sequential and impact assessments. Reference to retail being ancillary is not required. The reference to retail use associated with existing uses is an invitation for incremental retail expansion in out of centre locations. The reference to 'primary and secondary retail areas' has not been clarified. We suggest the policy is simplified and refers to Appendix 4 where such a distinction is clarified.
DM-MM12	DM19	Broadland District Council	M5543-2	Support	The improved clarity in the policy is welcomed.
DM-MM14	Para 19.5-19.6	Broadland District Council	M5543-4	Object	The lack of good quality offices is more likely to result in take up of new office space, thereby resulting in improved viability. The current statement is illogical and should be re-worded.
DM-MM15	Para 19.8	Broadland District Council	M5543-5	Object	The modified supporting text is too vague. Specific reference should be made to potential for residential development.
DM-MM17	Para 19.3 / 19.4	Broadland District Council	M5543-3	Object	All office development may be considered beneficial for conversion to housing. The word "older" should

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					be removed from the policy.
DM-MM19	DM20	Nathaniel Lichfield & Partners for Intu Properties plc	M4111-2	Support	We support the amended wording and the policy is now considered to be effective.
DM-MM32	DM23	Nathaniel Lichfield & Partners for Intu Properties plc	M4111-3	Support	We support the amended wording as the policy now offers sufficient flexibility and is considered sound.
DM-MM33	Para 25.3	Broadland District Council	M5543-6	Object	The intention of the wording is presumably to refer to the need for developers to consider a sequential approach to site selection, and demonstrate that they have gone through this process and that accessibility is a consideration for a development proposal. The wording should be changed to reflect this as it currently does not.
DM-MM33	DM25	Indigo Planning for Schroders UK Property Fund	M6903-1	Support	We welcome the principle of the amendment. However, we believe the retail park should form part of the allocation proposed under R3. If you are minded not to extend the allocation then DM-MM33 should be extended to cover paragraph 25.5 of the DM plan as well as the NPPF is clear that such a site should be regarded as edge of centre. Such a change and the suggested change to paragraph 25.5 would ensure consistency with the NPPG.
DM-MM34	DM27	Broadland District Council	M5543-7	Object	Any Masterplan for the airport will also need to be endorsed by Broadland District Council. Such reference should be included in the policy.

Modification reference	Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
					The modified wording also conflicts with allocation R32 which makes no reference to other “objective evidence”. Either such reference should be included in R32 or removed from this policy.
DM-MM35	DM29	Nathaniel Lichfield & Partners for Intu Properties plc	M4111-4	Support	We support the amended wording as this now ensures development of site allocation CC29 can come forward. We consider the policy sound.

SCHEDULE 3 - PM DPD MAIN MODIFICATIONS REPRESENTATIONS

Modification reference	Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
N/a – General comment	N/a – General comment	Marine Management Organisation	M6876-3	General	No relevant comments
PM-MM2/2	DM8/Open Space	Bidwells for UEA	M5075-2	Object	The change to the designation of the area of land adjoining to the Sainsbury's Centre for the Visual Arts, UEA from undesignated space to designated open space, protected by emerging policy DM8, places an additional restriction on potential development of this land which may have a significantly detrimental impact upon how the council determine any future applications for development on this land. The area of land is operationally, visually and functionally related to the Sainsbury's centre and does not fulfil the function of open space. There is a lack of information related to the Sustainability Appraisal (SA) of the proposed modification being based on a desk-based exercise only. The modification fails the legal test as it is not based on up to date information including an assessment against the definition/criteria for open space in the Act (Section 13), and it has not been subject to SA. The modification fails the soundness test as it is not

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					positively prepared, it is not the most appropriate strategy, nor has it been assessed against the SA framework.
PM-MM17	Chapelfield frontage	Nathaniel Lichfield & Partners for Intu Properties plc	M4111-6	Support	We support the amendment to the policies map to remove the inset of the ground floor of Intu Chapelfield. The map is clearer as a result.

SCHEDULE 4 - SA DPD SUSTAINABILITY APPRAISAL REPRESENTATIONS

Modification reference	Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
NONE SUBMITTED					

SCHEDULE 5 - DM DPD SUSTAINABILITY APPRAISAL REPRESENTATIONS

Modification reference	Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
NONE SUBMITTED					

SCHEDULE 6 - NPPG CONSULTATION REPRESENTATIONS

Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
R3/Hall Road District centre	Indigo Planning for Schroders UK Property Fund	M6903-2	Object	Our previous representations proposed the extension of the allocation at site R3 to include the Hall Road retail park. These representations still stand. The NPPG further justifies such representations. Paragraphs 4 and 6 of the NPPG are relevant. The southern urban area of Norwich has an under provision of retail facilities. The proposed district centre cannot accommodate the full retail need for the area. Including the retail park within the allocation would confirm its suitability for additional retail uses and ensure the plan and policy is positively prepared.

SCHEDULE 7 - INVALID REPRESENTATIONS

Invalidity reason	Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
<i>NO MODIFICATION PROPOSED</i>	CC29/Chantry Car Park	Nathaniel Lichfield & Partners for Intu Properties plc	M4111-5	Object	We support the allocation of this site but changes are required to the policy and supporting text: • Change the emphasis of the policy from requiring certain uses to be included to uses which could be included; • Changing the emphasis from consistency with the St Stephens Area Outline Masterplan to being broadly consistent with it; • Deletion of paragraphs 7 and 8 from the supporting text.
<i>NO MODIFICATION PROPOSED</i>	R40/Bowthorpe Community Hospital	Mrs B Mouncer	M6527-1	Object	I do not agree with the selling off of land on this site. It is short-sighted and wrong.
<i>NO MODIFICATION PROPOSED</i>	10 Barnard Road, Norwich	Emery Planning for Honeyview Investments Ltd	M6658-1	Object	The site allocations DPD shows our clients site within the Bowthorpe Employment Area. This is unjustified with respect to the requirements of the NPPG and has simply been 'rolled over' from the replacement local plan with no assessment of the role and function of our client's site and its ability to contribute to employment land supply. In addition, policy DM18 should be revised to provide clarity and avoid unnecessary repetition. The fourth paragraph should be deleted.

SCHEDULE 8 - SA DPD ADDITIONAL (MINOR) MODIFICATIONS REPRESENTATIONS

Modification reference	Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
SA-MIN51	R10/Deal Ground	Richard Drake for Norfolk County Council Waste & Minerals	M6913-2	Support	We support this minor modification as it adds clarity and/or provides a factual update which will improve interpretation of the allocation policy. The minor modification is consistent with the NPPG.
SA-MIN52	R10/Deal Ground	Richard Drake for Norfolk County Council Waste & Minerals	M6913-3	Support	We support this minor modification as it adds clarity and/or provides a factual update which will improve interpretation of the allocation policy. The minor modification is consistent with the NPPG.
SA-MIN53	R10/Deal Ground	Richard Drake for Norfolk County Council Waste & Minerals	M6913-4	Support	We support this minor modification as it adds clarity and/or provides a factual update which will improve interpretation of the allocation policy. The minor modification is consistent with the NPPG.

SCHEDULE 9 - DM DPD ADDITIONAL (MINOR) MODIFICATIONS REPRESENTATIONS

Modification reference	Site/Policy reference	Respondent Name	Representation reference (as per Regulation 19 representations)	Nature of Representations	Summary of Representation
NONE SUBMITTED					

Report to Norwich City Council

by **C J Anstey** BA DipTP DipLA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 13th October 2014

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO THE NORWICH DEVELOPMENT MANAGEMENT POLICIES LOCAL PLAN

Document submitted for examination on 16 April 2013

Examination hearings held on 25 and 26 February 2014

File Ref: LDF001224

Abbreviations Used in this Report

AA	Appropriate Assessment
ACV	Assets of Community Value
CDC	Critical Drainage Catchment
CIL	Community Infrastructure Levy
DMP	Norwich City Council Development Management Policies Local Plan
DtC	Duty to Co-operate
GNDP	Greater Norwich Development Partnership
GPDO	General Permitted Development Order
GTAA	Gypsy and Traveller Accommodation Assessment
JCS	Joint Core Strategy for Broadland, Norwich and South Norfolk
LDS	Local Development Scheme
LNAZ	Late Night Activity Zone
LP	Local Plan
MM	Main Modification
NATS	Norwich Area Transportation Study
NCC	Norwich City Council
NPPF	National Planning Policy Framework
ODPA	Office Development Priority Area
PPG	National Planning Policy Guidance
PPTS	Planning Policy for Traveller Sites
RSS	Regional Spatial Strategy
SA	Sustainability Appraisal
SAB	Sustainable Drainage Approval Body
SAC	Special Area of Conservation
SAP	Norwich City Council Site Allocations and Site Specific Policies Local Plan
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPD	Supplementary Planning Document
SuDS	Sustainable Drainage Systems
YVCA	Yare Valley Character Area

This report is accompanied by 2 Appendices containing the Main Modifications. Appendix 1 contains the Main Modifications to the policies and text of the DMP, whilst Appendix 2 (which includes Annexes A-U) contains the Main Modifications to the Policies Map.

Non-Technical Summary

This report concludes that the Norwich Development Management Policies Local Plan provides an appropriate basis for the planning of the City, providing a number of modifications are made to the plan. Norwich City Council has specifically requested me to recommend any modifications necessary to enable the plan to be adopted.

The Main Modifications can be summarised as follows:

- Policy DM1 (Sustainable development) – include reference to heritage assets;
- Policy DM5 (Flood resilience) – various changes to align policy with national guidance on flood risk and take account of additional evidence;
- Policy DM6 (Natural Environment) - Exclude Bartram Mowers site from Yare Valley Character Area;
- Policy DM8 (Open Space & Recreation) - Exclude Bartram Mowers site from open space designation. Revise policy to acknowledge that significant weight to be given to meeting local needs for school places;
- Policy DM9 (Heritage) – Delete associated Appendix 6 – Local listing;
- Policy DM11 (Environmental Hazards) – revise policy to reflect government guidance on pollution of the water environment;
- Policy DM12 (Housing development) – amend policy to reflect GPDO 2013;
- Policy DM14 (Gypsies, travellers and travelling showpeople) – substantially revise policy to take account of recent evidence and ensure the provision of sites;
- Policy DM16 (Employment) – for clarity include A4 map to identify areas subject to policy;
- Policy DM18 (Main town centre uses) – clarify approach to main town centre uses on employment land and correct and update associated Appendix 4;
- Policy DM19 (Offices) – amend policy to reflect GPDO 2013 and increase emphasis on both viability and monitoring;
- Policy DM20 (Retail frontages) - amend policy to reflect GPDO 2013 and explain the approach to indicative minimum thresholds;
- Policy DM21 (District & Local Centres) – simplify and streamline policy;
- Policy DM22 (Community facilities) - amend policy to reflect GPDO 2013. Acknowledge that significant weight to be given to meeting local needs for school places;
- Policy DM23 (Evening, leisure & late night uses) – recognise the scope of D2 leisure uses and clarify their acceptability within primary retail areas;
- Policy DM25 (Retail parks) – recognise the relative accessibility of retail parks;
- Policy DM27 (Norwich Airport) – bring policy into line with the MMs for the SAP relating to Policy R32;
- Policy DM29 (City centre parking) – recognise that car parks allocated for development in the SAP will not be subject to the restrictions imposed by this policy;
- Policy DM33 (Planning obligations) – align and update policy in line with national guidance;
- Include new comprehensive monitoring framework in Appendix 9;
- Include new glossary of terms in Appendix 10.

Introduction

1. This report contains my assessment of the Norwich Development Management Policies Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The submission plan (April 2013) is not the same as the pre-submission plan (August 2012) as the former includes various proposed changes made by the Council to address issues raised by representors at the pre-submission stage. These proposed changes were not the subject of consultation or sustainability appraisal. To avoid any confusion the examination was conducted on the basis of the wording of the pre-submission plan, having regard to the various proposed changes put forward by the Council and specifically identified in Documents SD6 and SD23.
3. My report deals with the Main Modifications that are needed to make the DMP sound and legally compliant. In accordance with section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These recommended Main Modifications, together with the associated changes to the Policies Map, are set out in the 2 Appendices.
4. The recommended Main Modifications that are necessary for soundness all relate to matters that were discussed at the Examination hearings or the subject of written representations. Following the Hearings, the Council prepared a schedule of proposed Main Modifications and carried out sustainability appraisal and this schedule has been subject to public consultation. I have taken account of the consultation responses on the proposed Main Modifications in coming to my conclusions in this report. As a result I have made a small number of amendments/deletions to the proposed Main Modifications and these are identified in my report and included in the recommended Main Modifications.
5. The Council has also compiled a schedule of Minor Modifications. Although I consider that these changes do not relate to matters of soundness interested parties are advised to view them in order to gain a complete picture of the wording of the emerging plan. The Council may also need to make minor edits, such as re-numbering policies, and factual updates in the final adopted version of the Plan.
6. The national Planning Practice Guidance (PPG) was issued after the hearings sessions. As a result I wrote to all representors to give them an opportunity of supplementing their representations in the light of the contents of the PPG. The responses received have been taken into account in my report.

7. My report on the DMP should be read in conjunction with my report relating to the Norwich Site Allocations and Site Specific Policies Local Plan (SAP) which is issued at the same time.

Assessment of Duty to Co-operate

8. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation.
9. It is clear from the material submitted, including the Duty to Co-operate document [SD25], that the Council has engaged constructively with relevant bodies prescribed in s110 of the Localism Act 2011, together with other organisations, to ensure that cross boundary issues are properly coordinated and addressed.
10. There has been close collaboration between the Greater Norwich District Councils and the County Council on the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS), and its partial review, through the Greater Norwich Development Partnership Planning Sub-Group. Various joint studies dealing with cross-boundary issues in Greater Norwich, including housing, gypsy and travellers, employment, retail, transport, infrastructure, the environment and heritage assets, have been produced. In terms of the wider area the Norfolk Strategic Planning Group, which includes representatives from the County's planning authorities, meets on a regular basis with a view to achieving consensus on core issues.
11. In terms of ongoing compliance a county-wide Duty to Co-operate Members' Forum was established in 2013. The Greater Norwich Development Partnership has now been replaced by the Greater Norwich Growth Board which will carry forward its work.
12. In the light of these findings I conclude that the Duty to Co-operate has been met.

Assessment of Soundness

Preamble

13. The DMP sets out local policies, standards and criteria which will be used to inform the assessment of development proposals and to guide the Council's decisions on planning applications in the period to 2026.
14. The DMP, together with the SAP, and the already adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amendments adopted 2014) and the Northern City Centre Area Action Plan (2010), will replace the City of Norwich Replacement Local Plan (adopted 2004) and all the planning policies therein.
15. A draft version of the DMP was published in January 2011 (alongside the draft SAP). In the light of comments received and the publication of the NPPF in March 2012 the draft was extensively revised and the pre-submission version was published in August 2012 for a 6 week consultation period. The DMP was submitted to the Secretary of State for Examination on 17 April 2013.

16. The Examination hearings were provisionally arranged to start in September 2013. However I decided, after consulting the Council, to delay the Examination hearings until early in 2014. This was to allow the Examination of the partial review of the JCS to be completed and the Inspector's report issued. This delay in the Examination also gave the Council the opportunity of bolstering its evidence base on a number of issues including the impact of the changes contained the General Permitted Development Order 2013 (GPDO 2013) and the viability of sites.
17. It is evident that the Council has sought to respond positively both to the comments received from the public and stake-holders during the earlier stages of the preparation of the DMP and to the representations received to the Pre-Submission plan. Whenever possible the Council has sought to resolve soundness issues by appropriate changes to policies or text. This approach has continued throughout the Examination with the result that a number of representations have been satisfactorily addressed. Such a process of constructive engagement is a vital ingredient of the local plan system and the Council's endeavours in this regard are to be commended.

Main Issues

18. Taking account of all the representations, written evidence and the discussions that took place at the Examination hearings I have identified a number of main issues upon which the soundness of the Plan depends. These are dealt with below. Representations on the submitted DMP have been considered insofar as they relate to its soundness, but they are not reported on individually.

General Matters

Is the DMP consistent with the overall direction of the JCS and national policy and has it been positively prepared?

19. Regulation 8(4) of The Town and Country Planning (Local Planning)(England) Regulations 2012 specifies that subject to paragraph (5) the policies contained in a local plan must be consistent with the adopted development plan.
20. The JCS for Broadland, Norwich and South Norfolk was adopted in 2011 but was subject to legal challenge. As a result parts of the JCS concerning certain development proposals in the Broadland part of the Norwich Policy Area were remitted to Regulation 19 stage. The part JCS subsequently underwent public examination in 2013 and resultant amendments were adopted on 10 January 2014.
21. The JCS identifies Norwich as a main focus for growth in the East of England for new homes and jobs, leisure, cultural and educational development. The policies in the DMP, together with those in the SAP, seek to ensure the delivery of the growth strategy inherent in the JCS. In line with the JCS the DMP also contains policies that are designed to ensure that the benefits of the ambitious growth agenda are balanced by effective protection of the historic city's urban and natural environment.
22. The DMP directs a significant share of employment growth to the city and aims to retain and expand employment, particularly office-based employment, in the city centre. The DMP also places great importance on protecting and

enhancing the city's retail and leisure offer through beneficial new development, diversification of uses, and growth of the evening economy. For the areas outside the centre the plan aims to develop and protect neighbourhood centres and community facilities, as well as safeguarding employment land and premises to meet local employment needs. It is evident that the DMP policies have been framed to ensure that they are sufficiently flexible to take account of changing circumstances and that due weight is given to viability considerations. I have not identified any inconsistencies between the overall strategy for the city and the detailed development management policies. As a result I find the DMP to be consistent with the overall direction of the JCS.

23. The NPPF emphasises the importance of encouraging sustainable development through enabling economic growth and promoting housing development. Such a positive approach has been followed by the Council for many years and is inherent in the DMP. The Plan seeks to meet the identified needs of the city through a comprehensive set of policies that have sustainable development at their heart. Taking account of all the material before me I have not discerned any gaps in policy coverage. Consequently the DMP sits comfortably with the overall direction of the NPPF and is consistent with it. As the plan is based on a clear strategy that seeks to meet objectively assessed development and infrastructure requirements it has been positively prepared.
24. I conclude, therefore, that the DMP has been positively prepared and is consistent with the overall direction of the JCS and national policy.

Are the policies and proposals in the DMP based on a robust and up-to-date evidence base?

25. The DMP is supported by a comprehensive evidence-base. Most of the material in the evidence base is of fairly recent origin. Where necessary the Council has sought to update the information available by additional work and/or analysis, for instance with regard to viability. Topic papers have been produced for the Examination that updates the evidence base to take account of recent information, including the results of the Annual Monitoring Reports.
26. I conclude, therefore, the policies and proposals in the DMP are based on an robust up-to-date and evidence base.

Has sufficient regard been paid to infrastructure delivery & flood risk?

27. Throughout the preparation of the DMP the Council has carried out detailed consultation and engagement with infrastructure providers/deliverers. The amount of new development proposed in the plan will certainly give rise to a need for new and improved infrastructure. From the material available it is evident that the Council is seeking to identify any required works at an early stage. Appendix 7 of the JCS sets out details of the infrastructure required to support growth, including water, green infrastructure, transport and electricity. The Local Investment Plan and Programme contains updated information on these schemes.
28. The DMP has been informed by both Level 1 and 2 Strategic Flood Risk Assessments (SFRA). This has meant that areas of fluvial flood risk have been identified and detailed consideration has been given to such areas in the city

centre. The DMP policies have taken account of the findings. A Surface Water Plan has identified areas at risk of flooding from heavy rainfall events and informed the definition of the boundaries of Critical Drainage Catchments. The Environment Agency has been closely involved in all this work.

29. I conclude, therefore, that sufficient regard has been paid to infrastructure delivery and flood risk.

Have reasonable alternatives to policies been considered?

30. It is clear from the submitted plan and the supporting evidence that the Council considered reasonable alternatives before finalising the policies in the DMP. Sustainability appraisal informed the process throughout and the public and stakeholders were given the opportunity to comment through several rounds of consultation. Consequently I conclude that the Council has adopted a thorough and systematic approach to policy formulation and that reasonable alternatives to policies have been considered.

Has due regard been taken of viability considerations and are the policies sufficiently flexible to take account of changing market conditions?

31. It is evident that flexibility has been built into policies where appropriate. This will help to encourage the delivery of beneficial development even when market conditions are difficult. Policy DM33: Planning Obligations (as to be modified) makes clear that a flexible approach is to be taken to development proposals, that pays regard to the impact on viability of planning obligations, site specific policy requirements, and CIL.
32. I conclude, therefore, that due regard has been taken to viability considerations and that the policies are sufficiently flexible to take account of changing market conditions.

Are the following development management policies and associated appendices soundly based?

33. A number of the development management policies in the Plan are not specifically referred to in this report. Furthermore where policies are referred to, only particular elements are usually discussed. This is because the report focuses only on those parts of the DMP where there may be soundness issues.

Policy DM1 – Achieving and delivering sustainable development

34. Objective 9 of the JCS and core land-use planning principle 10 of the NPPF recognise the importance of conserving heritage assets. Given this and the exceptional historic character and architectural quality of Norwich it is surprising that Policy DM1 makes no mention of the need to protect and enhance the heritage assets of the city.
35. Proposed Main Modification DM-MM1 sought to address this matter but referred to 'historic assets' in the revised policy rather than 'heritage assets.' In order to ensure that the wording complies with national policy the term 'heritage assets' should be used in the policy. Consequently recommended Main Modification **DM-MM1** is revised accordingly.

36. It is concluded that, subject to the inclusion of Main Modification **DM-MM1**, as revised, Policy DM1 and the supplementary text is soundly based.

Policy DM2 – Amenity

37. It is clearly important to ensure that account is taken of the likely impact of surrounding land uses on future occupiers when assessing development proposals. In particular there is a need to ensure that the continued operation of established authorised uses and activities on adjacent sites is not prejudiced or unreasonably restricted. It is considered that the wording of Policy DM2, specifically criterion b) under 'Future Occupiers' satisfactorily addresses this matter and will help to ensure that adjacent uses of land are compatible. This policy should also be read in conjunction with Policy DM11 – Environmental hazards which indicates that development, particularly housing, should be planned and located so as not to expose residents or occupiers to excessive noise levels from existing uses and activities.
38. It is concluded that Policy DM2 is soundly based.

Policy DM3 – Design principles

39. As the requirement for high quality design is already emphasised in JCS policy 2, implied in Objective 9 of the DMPP and mentioned in the supporting text, it is not considered necessary to include a specific reference within Policy DM3.
40. As regards energy efficiency improvements it is considered it would be unreasonable and unduly onerous to expect applicants to address energy efficiency shortfalls of existing buildings where proposals for extension or refurbishment are relatively modest.
41. It would not be justified to include specific reference to very detailed matters, such as the use of large trees and the provision of nesting sites, within Policy DM3. Such matters are covered in general terms within the policy and their appropriateness will be a matter for determination at application stage, having regard to expert advice. The definition of 'landmark building' does not need to be included within the actual policy given that it is defined in paragraph 3.6 of the supporting text.
42. It is considered that inappropriate residential development within garden areas can be resisted with the various policies within the DMP. Consequently there is no need to have a specific policy relating to the development of garden areas within the plan.
43. It is concluded that Policy DM3 is soundly based.

Policy DM5 – Flooding

44. In order to bring Policy DM5 Flooding into line with national guidance on flood risk, take account of additional evidence, and provide clarity, various changes to the policy wording and the supplementary text are required. These changes are contained in Main Modifications **DM-MM2 & DM-MM3** and in summary relate to:
- the application of the sequential test for flood risk in the case of city

centre uses which fall outside regeneration areas;

- the application of the exception test for flood risk in circumstances where highly vulnerable uses are proposed in flood zone 2;
 - taking account of additional evidence identifying larger Critical Drainage Catchments (CDC);
 - highlighting the particularly high risk of surface water flood risk within CDCs;
 - specifying that, where practical, all development in CDCs should have a positive impact on surface water flood risk; and
 - clarifying the relationship between the planning and the SuDS Approving Body (SAB) regimes and ensuring compatibility with emerging SAB drainage policies; and
45. In accordance with national guidance the first paragraph of the policy under 'Sustainable drainage and surface water flooding' should refer to the need where possible to reduce the risk of flooding. I have revised recommended Main Modification **DM-MM3** accordingly.
46. Main Modification **PM-MM13 (Annex Q)** amends the Policies Map to include the larger CDCs.
47. Sufficient safeguards are contained in Policy DM9 to address the impact on buried archaeological deposits from development and associated infrastructure, such as SuDS. As a result there is no need to have a specific reference to this within Policy DM5.
48. Evidence from the SFRA Level 2 confirms that groundwater induced flooding is not a significant risk in Norwich due to the porous nature of the underlying chalk geology. Consequently it is not considered that specific mention of groundwater flooding is required in the policy.
49. It is concluded that, subject to the inclusion of Main Modifications **DM-MM2 & DM-MM3** (as revised) and the changes to the Policies Map contained in Main Modification **PM-MM13**, Policy DM5 is soundly based.

Policy DM6 – Natural Environmental Assets

50. The Wensum Special Area of Conservation (SAC) is already safeguarded as an internationally protected site through national legislation. The NPPF and JCS policy 1 also require such areas to be explicitly protected from harmful impacts. The inclusion of a reference to the SAC in Policy DM6, therefore, is unnecessary. It is noted that a reference to the SAC is contained in the supplementary text.
51. Policy DM6 makes it clear that biodiversity offsetting schemes will only be allowed in exceptional circumstances. The approach is in line with national guidance. The assessment of such schemes will be a matter for the Council drawing upon expert advice. There is no reason to believe that the Council would fail to assess such schemes in a thorough and robust manner and reject

them if necessary. The Council's current effort to produce a systematic methodology to assess such schemes is welcomed.

52. The identification and protection of the Yare Valley Character Area (YVCA) in Policy DM6 is endorsed and supported. The approach is consistent with the guidance in paragraph 114 of the NPPF relating to the creation and safeguarding of networks of biodiversity and green infrastructure. However there is a need to amend the Policies Map to exclude the Bartram Mowers site and the land immediately to the south-east, located to the south-west of Bluebell Road, from the YVCA. This is in the light of one of the recommended Main Modifications in my report on the SAP that identifies this land for housing for the over-55s. It is accepted that this development would cause some harm to the character and appearance on the valley, as well as involve the loss of green space, but there are other factors (i.e. the brownfield nature of a fair proportion of the area, the need for housing for older people both in the local and wider area and the open space/public access and biodiversity benefits that would accrue) that outweigh this harm. Furthermore development is to be allowed only on the basis of considerable mitigation measures. Main Modification **PM-MM 15 (Annex S)** addresses this point.
53. Main Modification **PM-MM1** and the associated **Annex E** adds the woodland area notation to the area of woodland at Rostwold Way. This was omitted from the pre-submission plan.
54. It is concluded that Policy DM6 would not be sound unless the Policies Map is amended in accordance with Main Modifications **PM-MM15** and **PM-MM1**.

Policy DM8 – Open Space

55. Paragraph 72 of the NPPF highlights the importance that should be attached to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities are exhorted to give great weight to the need to create, expand or alter schools. To bring Policy DM8 into line with this approach it is necessary to recognise in the policy that significant weight will be given to meeting local needs for school places when assessing the extension, expansion or redevelopment of school buildings and facilities on existing school playing fields. Main Modification **DM-MM4** addresses this concern.
56. Policy DM8 cannot require that any new allotments are statutorily protected under the Allotments Act given the separate legislative regimes.
57. The identification and protection of open space along the Yare Valley in Policy DM8 is endorsed and supported. The approach is consistent with the guidance in paragraph 76 of the NPPF relating to the special protection of green areas of importance to the local community. However there is a need to amend the Policies Map to exclude the land immediately to the south-east of the Bartram Mowers site, located to the south-west of Bluebell Road, from the open space designation. This is in the light of one of the recommended Main Modifications in my report on the SAP that identifies this land, together with the Bartrams Mowers Site for housing for the over-55s. It is accepted that this would involve the loss of green space, as well causing some harm to the character and appearance on the valley but there are other factors (i.e. the brownfield

nature of a fair proportion of the area, the need for housing for older people both in the local and wider area and the open space/ public access and biodiversity benefits that would accrue) that outweigh this harm. Furthermore development is to be allowed only on the basis of considerable mitigation measures. Main Modification **PM-MM 15 (Annex S)** addresses this point.

58. Main Modification **PM-MM2/1 (Annex F)** deletes an area incorrectly designated as open space east of Bignold School on the Policies Map. Main Modifications **PM-MM14/1** and **PM-MM14/2 (Annex R)** amend open space boundaries at Hewett School, Hall Road and City Academy, Earlham Road to take account of recent development.
59. Proposed Main Modification PM-MM2/2, as consulted upon, identifies a sizeable area of land south of the Sainsbury Centre for the Visual Arts at the University of East Anglia as open space and therefore subject to Policy DM8. The Council explains that this Main Modification has been put forward to correct an error in the depiction of this land in the Pre-Submission Version of the Policies Map. In my view insufficient justification has been submitted by the Council as to why this area should be identified as open space. Although the area may have been omitted in error there is still a need with such a significant change to the Plan to explain why the area should now be identified as open space, having particular regard to the methodology for the identification of such areas. In the absence of such information Proposed Main Modification PM-MM2/2, is not justified and is, therefore, not taken forward.
60. It is concluded that Policy DM8 would not be sound unless the Policies Map is amended in accordance with Main Modifications **PM-MM15, PM-MM2/1, , PM-MM14/1** and **PM-MM14/2**.

Policy DM9 – The historic environment and heritage assets

Appendix 6 – Local listing

61. Appendix 6, which is referred to in the supplementary text to Policy DM9, contains the Norwich Society's compiled local list of heritage assets located within the Outer Ring Road of the city but outside conservation areas. These additional assets have now been added to Norwich's local list and were adopted by the city council in January 2014. As a result there is no need to retain the emerging list contained within Appendix 6 and it is removed by Main Modification **DM-MM41**.
62. Main Modifications **PM-MM3/1** (Bowthorpe), **PM-MM3/2** (Heigham Grove), and **PM-MM3/3** (Bracondale) (**Annex G**) relate to various recent changes to Conservation Area boundaries that are not in the pre-submission plan.
63. Main Modifications **PM-MM4/1 to PM-MM4/24 (Annex H)** contain corrections to the boundaries of 24 Schedule Ancient Monuments within the city to align them with the definitive boundary data held by English Heritage.
64. Main Modifications **PM-MM5/1 to PM-MM5/9 (Annex I)** change the notation on the current Policies Map to distinguish between those parks which are on English Heritage's register of historic parks and gardens and those that are not.

65. It is concluded that provided Appendix 6 is removed by Main Modification **DM-MM41**, and that the Policies Map is modified in accordance with Main Modifications **PM-MM3/1, PM-MM3/2, PM-MM3/3, PM-MM4/1 to PM-MM4/24 and PM-MM5/1 to PM-MM5/9** Policy DM9 is soundly based.

Policy DM11 – Environmental hazards

66. Paragraph 109 of the NPPF indicates, amongst other things, that the water environment should be safeguarded from pollution when development proposals are determined. The pollution of the water environment is also an offence under the Environmental Permitting Regulations (England and Wales) 2010. To ensure that DM11 reflects this government guidance and acknowledges related legislation the policy and the supplementary text need to be changed in accordance with Main Modification **DM-MM5**.
67. Paragraph 11.23 of the NPPF seeks to avoid noise from giving rise to significant adverse impacts on health and the quality of life as the result of new development. Policy DM11 is broadly in line with this approach whilst the supplementary text explains that residential development should be planned and located so as not to expose residents or occupiers to excessive noise levels from existing uses and activities. Consequently there is sufficient detail in the policy and supporting text to ensure that noise levels from existing uses are taken into account in assessing proposals for housing development on nearby land.
68. Main Modification **PM-MM6 (Annex J)** deletes two former landfill sites at St Clements Park and Catton Chalk Pit, off Woodcock Road. Evidence now shows that neither has been used for the disposal of domestic waste and consequently the minimal environmental health risk they pose does not justify their inclusion on the Policies Map.
69. It is concluded that, subject to the inclusion of Main Modification **DM-MM5**, and that the Policies Map is modified in accordance with Main Modification **PM-MM6**, Policy DM11 is soundly based.

Policy DM12 – Principles for all residential development

70. The GPDO 2013 removed the need for planning permission to change the use of offices to housing in the period to May 2016. To recognise this change in permitted development rights the wording of Policy DM12 and the supplementary text needs to be amended in accordance with Main Modifications **DM-MM6 and DM-MM7**.
71. It would be unduly onerous and in conflict with the NPPF to include a blanket ban within Policy DM12 prohibiting residential development on sites near to uses that generate noise. Policies DM2 and DM11 will ensure that sufficient account is taken of surrounding land uses when housing schemes are assessed.
72. It is evident from the wording of Policy DM12 that the policy is flexible as regards the application of the minimum net density figure of 40 dwellings per hectare. Consequently in appropriate circumstances there may be grounds for a reduction in this figure. Notwithstanding this the figure is reasonable given the density of new housing in recent years and the need, in accordance with

national guidance and the JCS, to secure the efficient and sustainable use of land.

73. It is concluded that, subject to the inclusion of Main Modification **DM-MM6 and DM-MM7**, Policy DM12 is soundly based.

Policy DM13 – Residential Institutions

74. Criterion (b) of the second part of Policy DM13 seeks to resist residential institutions on allocated housing land where it would compromise the five-year housing supply requirement.
75. The PPG makes clear that both institutional housing for older people and student accommodation can be counted towards housing land supply. In the light of this the Council argue that criterion (b) is no longer justified. Proposed Modification DM-MM8 sought, amongst other things, to address this point.
76. From the material before me it does not appear that the Council has recent information on the accommodation needs of students or residential care needs. As a result it is not possible to estimate how provision of additional bed-spaces in these sectors might release homes on to the market. Without such information the incorporation of student and institutional completions within the housing land supply calculation is unjustified. Consequently Criterion (b) should be retained and the text revised accordingly. Proposed Modification **DM-MM8** has been revised to reflect this.
77. It is concluded that Policy DM13, subject to the inclusion of Main Modification **DM-MM8** (as revised) is soundly based.

DM14 - Meeting the needs of Gypsies, travellers and travelling showpeople

78. The JCS states that following the abolition of the RSS detailed provision for gypsies and travellers in local plans should be based on evidence of local need. This is in line with the advice in the government's *Planning policy for traveller sites (PPTS)* which states that local planning authorities should make their own assessment of need for the purposes of planning.
79. Evidence from the draft *Greater Norwich Gypsies and Travellers GTAA*, published in August 2012, indicates an immediate requirement for 11 additional pitches in the city in the period to 2016, with a further 13 required between 2016 and 2026. As 3 additional pitches were provided in 2012 there remains an outstanding need for a total of 21 additional pitches in the city within the plan period.
80. Policy DM14 as it stands essentially relates to the protection of the two existing traveller sites in the city and contains criteria against which new proposals are to be assessed. No specific additional sites for travellers are identified within the DMP or for that matter in the SAP. This approach does not sit comfortably with the advice in the *PPTS* which makes it clear that local plans should identify a specific deliverable supply of sites for travellers as part of the overall housing requirement.
81. Consideration has been given to whether the Plans should be found unsound

on this basis or the examination extended to allow sites to be identified. However it is clear that either course of action would inevitably delay the adoption of both the DMP and the SAP which are both vital to the future development and prosperity of the City. Such a policy vacuum would prejudice the proper planning of the area.

82. Furthermore it is evident that the Council is not trying to avoid its responsibilities with regard to traveller site provision and is committed to addressing immediate need by way of the submission of grant applications on additional sites. It is now understood that funding has been secured to provide 13 new pitches in the City by 31 March 2018. The Council accepts that any remaining need to 2026 will be met by the identification of sites in a short focussed local plan which, if required, will be adopted within 2 years of the adoption of the DMP and the SAP. The LDS has been amended accordingly. Main Modification **DM-MM9** is designed to reflect these Council commitments.
83. It is concluded that, subject to the inclusion of Main Modification **DM-MM9**, Policy DM14 and the supplementary text is soundly based.

Policy DM15 – Loss of existing housing

84. Policy DM15 seeks to ensure that existing housing and land allocated for housing is not lost to other uses unless there are strong overriding grounds. This is an important ingredient of the overall housing strategy for the city and will help ensure that the housing needs of the area are met in accordance with the NPPF and the JCS. The site selection process that underpins the SAP has already eliminated historic housing allocations that are unlikely to come forward. Consequently 'the land allocated for housing' referred to within Policy DM15 refers to sites that are likely to be delivered over the plan period. As a result there is no need to revise this part of the policy.
85. It is concluded that Policy DM15 is soundly based.

Policy DM16 – Employment & Business Development

86. The safeguarding of railheads, wharves and other multimodal transport hubs is an important element in the provision of a sustainable transportation system. The need to support this sort of facility is recognised in national guidance. In addition JCS Policy 6 provides for continued investigation of and support for rail freight opportunities as does the Norwich Area Transportation Study (NATS). Furthermore the only railhead in the Norwich local authority area is on a site that is already safeguarded in the Norfolk Minerals and Waste Core Strategy. In view of this it is not considered necessary to amend Policy DM16 to make reference to the protection of such infrastructure.
87. The supporting text to Policy DM16 makes it clear that warehouse clubs and similar uses on employment areas will be assessed on a case by case basis. In determining such proposals consideration will be given to the particular scale and nature of the operation, its potential retail and transportation impacts, and its consistence with other relevant policies of the plan. This approach is consistent with national guidance and JCS policies. Consequently there is no justification for amending Policy DM16 to accept such uses on employment land. In all cases, whatever the retail format or goods sold, it will be the responsibility of the developer to show why any proposed retail development

could not be accommodated in a more sequentially suitable location.

88. It is concluded that Policy DM16 is soundly based.

New Appendix 6 identifying Policy DM16 Employment Areas

89. To help understanding of Policy DM16 Main Modification **DM-MM42** includes a new Appendix 6 identifying in an A4 format those employment areas subject to the policy.

90. It is concluded that, subject to the inclusion of Main Modification **DM-MM42**, the DMP is soundly based.

Policy DM18 – Retail, leisure and other main town centre uses

91. Large areas of the city centre are outside the main retail core and dominated by other uses such as residential, commercial or leisure. In planning for the location of main town centre uses Policy DM18, together with other policies in the plan, distinguishes between such areas of differing character within the city centre and prioritises them accordingly for retail, leisure and office purposes. It is considered that such an approach is justified and will help steer main town centre uses to the most appropriate and sustainable locations within the city centre. For this reason a policy that favoured main town centre uses throughout the whole of the city centre is not supported.

92. It is considered that the restrictions imposed by Policy DM18 on further retail development at the Riverside Large District Centre are justified given the severe constraints in local highway capacity and resultant traffic congestion. It is noted that the Council accept that a sensible approach would be taken to minor development that has no implications for increased trip generation.

93. Appendix 4, which is referred to in Policy DM18, makes it clear that the local impact test threshold for development outside of defined centres should be set generally at 1000 sq.m gross internal area. It is considered that this relatively low threshold is appropriate given that the evidence demonstrates that the scale of district centres within Norwich is usually smaller than average and impact would be evident from moderate scales of development. To accept retail development of up to 2500 sq.m (i.e. the NPPF default setting) may well lead to the diversion of trade from other centres. Consequently an impact test threshold of 1000sq.m gross internal area is a proportionate and reasonable approach that takes account of local circumstances.

94. Appendix 4 also indicates that new retail units should not exceed 1000 sq.m gross internal area in district centres and 500 sq.m in local centres. Without such thresholds it is considered that it may be difficult to resist foodstore development that would be clearly out of scale with the majority of district and local centres in the city. Notwithstanding this there is some flexibility in approach as the text explains that account will be taken of local evidence. As these thresholds are clearly set out in Appendix 4 there is little justification for their inclusion in Policy DM18. Furthermore the present approach is likely to be more adaptable if there is a need to change thresholds in the light of new evidence or changes in circumstances.

95. The Hall Road retail park is not identified in JCS Policy 19 as a centre in the

retail hierarchy. It is considered that this is justified given its function and location. As a result it should not be identified as a centre in the DMP.

96. JCS Policy 5, in line with national guidance, requires employment areas identified in local plans to be protected for their designated purpose. These areas are defined on the Policies Map and are protected under the terms of Policy DM 16 – Employment and business development. Policy DM18, amongst other things, seeks to provide clarity on the very restrictive approach that will be taken to proposals for main town centre uses on the defined employment areas. However as currently worded the policy and text do not make it clear that such proposals will still be subject to the terms of Policy DM16 (and where applicable Policy DM17) or emphasise the priority that will be given to the retention of defined employment areas for employment or other economic development uses. Furthermore no reference is made to JCS Policy 5. Main Modification **DM-MM11** rectifies these omissions.
97. Two parts of the City Centre Leisure Area north of the River Wensum (i.e. at Anglia Square and Colegate) were inadvertently omitted from the Policies Map. Main Modification **PM-MM7 (Annex K)** corrects this omission.
98. Main Modification **PM-MM11 (Annex P)** amends the boundary of the Sprowston Road Local Centre on the Policies Map to reflect its extension and re-designation as a District Centre.
99. Main Modification **PM-MM16 (Annex T)** amends the boundary of the Dereham Road District Centre to remove the recently completed housing development on land at Exeter Street car park.
100. It is concluded that, subject to the inclusion of Main Modifications **DM-MM11**, and that the Policies Map is modified in accordance with Main Modifications **PM-MM7, PM-MM11 and PM-MM16**, Policy DM18 is soundly based.

Policy DM19 - Offices

101. The deregulatory changes introduced by the GPDO 2013 mean that Policy DM19 cannot now seek to prevent the loss of office space to housing. As a result Main Modifications **DM-MM12, DM-MM13 and DM-MM17** are required to make it clear that Policy DM19 will only apply to office conversion schemes that relate to non-residential uses.
102. In line with the JCS and national policy Main Modification **DM-MM13** emphasises the importance of maintaining an appropriate supply of good quality office space, whilst recognising that the upgrading of poorer quality office space will only be favoured provided it is viable and practical. Main Modification **DM-MM15** recognises that where office development is demonstrably unviable a flexible approach will be taken to securing the most beneficial development solution. Clearly at present permission would not be required for residential conversion schemes. **DM-MM16** makes it clear that Policy DM19 does not protect all office floorspace but rather seeks to apply appropriate safeguards to ensure that the loss of the best quality space is fully justified. This modification also incorporates additional commentary on the prospects for office development in the city, particularly in relation to the St Stephens and Rose Lane / Mountergate areas. Such a flexible approach, based on taking account of all material considerations, is in accordance with national

policy.

103. The textual changes in Main Modification **DM-MM14** reflect the above modifications and also refer to recent market indicators which show a significant upturn in the demand for office space locally. It also notes, however, the lack of good quality office accommodation and the implications of this for the take-up of new office floor space in the centre. The inclusion of such information is important to provide an indication of current trends in the office market. Given the uncertainties associated with future trends, however, this modification also reasonably highlights the importance of monitoring the effectiveness of Policy DM19. The proposed main modification to paragraph 19.5 could be interpreted as meaning that the lack of quality office accommodation would not encourage the take-up of new good quality office space. This could be clarified by a simple wording change.
104. It is concluded that, subject to the inclusion of Main Modifications **DM-MM12, DM-MM13, DM-MM14, DM-MM15, DM-MM16, and DM-MM17**, Policy DM19 is soundly based.

Policy DM20 – Managing change in the primary and secondary retail areas and Large District Centres

105. The GPDO 2013 makes provision for temporary flexible uses in empty shops for a period of 2 years. In the light of this Main Modification **DM-MM18** is required to make it clear that the policy will apply to permanent changes of use within defined retail frontages, rather than non-retail uses. Main Modification **DM-MM20** is also necessary to make it clear that in calculating the percentage of A1 retail uses within a frontage length, retail premises that are in a temporary flexible use will be treated as being in their lawful planning use before the temporary use commenced. Main Modification **DM-MM22** needs to be included to ensure that account is taken of temporary flexible uses when monitoring changes in retail frontages.
106. Main Modification **DM-MM18** further explains that the indicative minimum thresholds used in Policy DM20 will be set out in the Main Town Centre Uses and Retail Frontages SPD which will be adopted with the LP and reviewed as necessary. Given the possible changes in retail trends and the character and function of different parts of the central shopping area over the plan period this is a realistic, flexible and sensible approach. In line with this Main Modification **DM-MM21** is required to remove a reference to a specific indicative threshold. Main Modification **DM-MM19** is a small change to policy which is required to remove a superfluous word (i.e. 'already'). As the commentary makes it clear that cafes, restaurants and other supporting services will have an increasingly important role to play in supporting the vitality and viability of the city there is no need to emphasise this point further.
107. Main Modification **DM-MM39** is required to correct a drafting error within Appendix 4 - Retail planning definitions, (i.e. the Timberhill / Red Lion Street frontage zone was incorrectly included as a secondary frontage when it should have been identified as being within a primary frontage.)

108. Main Modifications **PM-MM9/1 and PM-MM9/2 (Annex M)** and **PM-MM17**

(Annex U) are required to avoid the duplication of the shopping frontages within Castle Mall and Chapelfield on the main city centre inset of the Policies Map and on the inset plan of each centre

109. It is concluded that, subject to the inclusion of Main Modification **DM-MM18, DM-MM19, DM-MM20, DM-MM21, DM-MM22, and DM-MM39** and the changes to the Policies Map contained in Main Modifications **PM-MM9/1, PM-MM9/2 and PM-MM17**, Policy DM 20 is soundly based.

Policy DM21 – Management of uses within district and local centres

110. As it stands Policy DM21 is overly complex, inflexible and repetitive and covers matters that are already dealt with in the NPPF, JCS and other parts of the DMP. Main Modifications **DM-MM23, DM-MM24, DM-MM25, and DM-MM26** simplify the policy and streamline the criteria for the acceptance of uses in local and district centres. The additional commentary on the practical implementation of the policy, which takes account of the CLG best practice guide '*Parades to be proud of*,' will improve its effectiveness and provide clarity. Amongst other things this includes guidance on uses that may not fall readily into the accepted definition of main town centre uses, the loss or depletion of local foodstores within centres, the calculation of the proportion of A1 retail and non-retail premises, the proportion of non-retail A class uses and other services in centres, and the approach to evening-only uses. These modifications also have regard to the new provisions in the GPDO 2013 relating to temporary flexible uses,
111. A new Aldi foodstore has been completed at Sprowston Road/Shipfield. As a result this area now meets the definition of a District Centre rather than a Local Centre. Main Modification **DM-MM40** relates to Appendix 4 and re-categorises Sprowston Road/Shipfield accordingly. In line with this, Main Modification **PM-MM11 (Annex P)** amends the boundary of the Sprowston Road Local Centre, and its designation, on the Policies Map.
112. Main Modification **PM-MM16 (Annex T)** amends the boundary of the Dereham Road District Centre to remove the recently completed housing development on land at Exeter Street car park.
113. It is concluded that, subject to the inclusion of Main Modifications **DM-MM23, DM-MM24, DM-MM25, DM-MM26, and DM-MM40**, and that the Policies Map is amended in accordance with Main Modification **PM-MM11 and PM-MM16**, Policy DM21 is soundly based.

Policy DM22 – Planning for and safeguarding community facilities

Schools and other educational development

114. The GPDO 2013 removes the need for planning permission to change the use of certain non-residential premises to state funded schools. Main Modifications **DM-MM27 and DM-MM29** are required to ensure that the wording of Policy DM22 is in line with current permitted development rights.
115. Paragraph 72 of the NPPF highlights the importance that should be attached to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities are exhorted to

give great weight to the need to create, expand or alter schools. The changes contained in Main Modification **DM-MM27** reflect this emphasis and are required to bring the policy into line with national guidance.

Protection of community facilities

116. At present Policy DM22 refers to the 'list of assets of community value (ACV)' but is unclear about the list's status or how it is to be taken into account in planning decisions. It is apparent from the ACV legislation and regulations that the process of listing assets of community value is separate from the planning process (i.e. inclusion on the ACV list simply confirms that a community group believes that the facility has some community worth) and is not based on an objective assessment of community value. Consequently the weight that can be attached to the ACV list in determining planning proposals is likely to be limited if unsubstantiated by other objective evidence. The status of the ACV list and the implications of this for the planning process are set out in Main Modifications **DM-MM30** and **DM-MM31** and are required both to ensure compliance with national policy and provide an effective policy. Main Modification **DM-MM28** clarifies the definition of 'community facilities.'

117. It is concluded that, subject to the inclusion of Main Modification **DM-MM27**, **DM-MM28**, **DM-MM29**, **DM-MM30** and **DM-MM31** Policy DM22 is soundly based.

Policy DM23 – Evening, leisure and late night uses

118. The changes in the GPDO 2013 as regards office conversions mean that residential uses can no longer be wholly prohibited within the Late Night Activity Zone (LNAZ). Where permission is required the policy sensibly seeks to prevent residential and other noise-sensitive uses either within or near this area if it is likely to have an unacceptably harmful impact on living and/or working conditions of future occupants. This approach is in line with national guidance. There is no justification for accepting lower standards of amenity for student accommodation.

119. At present the supporting text to Policy DM23 does not acknowledge that D2 leisure uses may include active indoor sport, such as gymnasiums and health clubs. Main Modification **DM-MM32** is required to rectify this omission. In addition this modification make it clear that D2 leisure uses, which are usually of a larger format, will not generally be appropriate within the primary retail area at ground floor level. Notwithstanding this it is recognised that there may be scope to locate such uses on upper floors or within basements with a dedicated entrance at street level together with a related ground floor café or shop. This revised explanation is in accordance with national retail planning policy.

120. Two parts of the City Centre Leisure Area north of the River Wensum (i.e. at Anglia Square and Colegate) were inadvertently omitted from the Policies Map. Main Modification **PM-MM7 (Annex K)** corrects this omission.

121. It is concluded that, subject to the inclusion of Main Modifications **DM-MM32**, and that the Policies Map is modified in accordance with Main Modification **PM-MM7**, Policy DM23 is soundly based.

Policy DM25 – Use and removal of restrictive conditions on retail warehousing and other retail premises

122. The supporting text to Policy DM25 does not recognise that the relative accessibility of retail parks and other retail warehousing varies across the city. As a result it is in conflict with the NPPF which indicates that when considering proposals on out of centre sites that could not be accommodated in centres preference will normally be given to accessible sites that are well connected to defined centres. Main Modification **DM-MM33** is required to clarify the position and bring the policy into line with national guidance. In order to align this policy with LP Policy DM1 the second bullet point of the policy should refer to 'minimising' the need to travel rather than 'not increasing.' This is also covered by Main Modification **DM-MM33**.
123. The Hall Road retail park and the Sweet Briar retail park are not identified in JCS Policy 19 as centres in the retail hierarchy. It is considered that this is justified given their function and location. Main Modification **DM-MM33**, however, will allow account to be taken of the accessibility and relationship to defined centres of such sites when proposals are assessed under the terms of Policy DM25. Furthermore it would be reasonable to make it clear under in paragraph 25.5 that once the Hall Road District Centre is implemented that the Hall Road retail park would be an edge of centre location. Consequently Proposed Main Modification **DM-MM33** has been revised accordingly.
124. It is concluded that, subject to the inclusion of Main Modification **DM-MM33** (as revised), Policy DM25 is soundly based.

Policy DM27 – Norwich Airport

125. Policy DM27 relates to all of the land within the Norwich Airport boundary in the city and would in due course apply to the land at The Paddocks if it is found that this site is required for airport operational use under the terms of SAP Policy R32.
126. In view of the approval of the Aeropark development it is recognised that there should be some flexibility in Policy DM27 to allow alternative uses within the Airport boundary if it is demonstrated that a particular parcel of land is not required for operational airport use. The first part of Proposed Main Modification **DM-MM34** covers this point.
127. SAP Policy R32, as amended by Main Modification SA-MM29, seeks to ensure that the proposed Airport Masterplan determines whether this particular site is required for airport operational purposes. In the event that the Masterplan establishes that the land is not required for operational purposes or the Masterplan has not been endorsed within a 2 year period the site is allocated for general employment purposes.
128. The second part of Proposed Main Modification **DM-MM34** does not sit comfortably with Main Modification SA-MM29 as it refers to the possibility of other objective evidence being used to demonstrate that The Paddocks is required for airport operational uses. As no mention is made of this in Main Modification SA-MM29 I have deleted the second part of Proposed Main Modification **DM-MM34** to ensure compatibility between policies.

129. Although not a soundness issue given that a large part of the airport lies within Broadland District it would be helpful if the text was revised to make it clear that the masterplan will also have to be endorsed by Broadland District Council.
130. It is concluded that, subject to the inclusion of Main Modification **DM-MM34**, as revised, Policy DM27 is soundly based.

Policy DM28 Encouraging sustainable travel

131. The safeguarding and enhancement of transport infrastructure related to the movement of freight and or heavy goods is an important element in the provision of a sustainable transportation system. The need to support this sort of facility is recognised in national guidance. In addition JCS Policy 6 provides for continued investigation of and support for rail freight opportunities whilst NATS gives strong support for such opportunities. In view of this it is not considered necessary to amend Policy DM16 to make reference to the protection of such infrastructure.
132. On the current Policies Map there are several errors with regard to the status of existing/proposed sections of the riverside walk. Main Modifications **PM-MM10-1 to PM-MM10-9 (Annex N)** correct these errors.
133. It is concluded that, provided that the Policies Map is modified in accordance with **Main Modifications PM-MM10-1 to PM-MM10-9**, Policy DM28 is soundly based.

Policy DM29 – City Centre public off-street car parking

134. Amongst other things Policy DM29 identifies, in line with the Council's overall parking strategy for the city, areas where off-street parking should be increased or reduced. SAP Policy CC29 – Chantry Car Park allocates a surface car park for mixed use development even though it lies within an area identified for increased parking. However, as there are strong townscape reasons for securing appropriate development on this particular site the loss of car parking here is justified. To ensure consistency between the two plans Main Modification **DM-MM35** indicates that the redevelopment of existing car parks that are specifically allocated for development in the Site Allocations Plan will be allowed.
135. It is concluded that, subject to the inclusion of Main Modification **DM-MM35**, Policy DM29 is soundly based.

Policy DM30 – Access and highway safety

136. It is considered that Policy DM30, together with the guidance in the NPPF and Manual for Streets, and the appropriate use of the County Council's standards, will ensure that highway safety considerations are given appropriate weight in the determination of development proposals. Consequently it is concluded that Policy DM30 is soundly based.

Policy DM31 – Car parking and servicing

137. Policy DM31 and the associated Appendix 3 provide a comprehensive and

sustainable parking strategy for the city. Essentially the approach is to restrain parking for both residential and commercial development to an increasing extent the closer the development is to the city centre. This is designed to minimise car journeys across the city in order to encourage more sustainable modes of transport and reduce traffic congestion. It is considered that this approach is in line with national guidance, the JCS and the NATS strategy. Consequently the policy merits strong support. Favouring increased parking standards on those sites that happen to have existing parking provision would not fit comfortably with the general direction of this policy as existing parking provision may already be excessive or poorly located.

138. Main Modification **DM-MM37** relates to Appendix 3 and corrects a drafting error for car parking standards for A1 uses in locations in or adjacent to existing District and Local retail centres and elsewhere in the urban area (i.e one parking space per 20 square metres of gfa instead of the incorrect figure of one per 25 gfa). As these standards are fully justified in the supporting evidence and accord with those currently applied in the adopted City of Norwich Replacement Local Plan this modification is justified.
139. Evidence from recent developments in the city indicates that outside of the city centre Primary Retail Area and pedestrian only streets the provision of a car club parking space and car club vehicle is only likely to be secured on sites of over 100 units rather than 50 units and on sites over 50 rather than 10 units where car free housing is proposed. Main Modification **DM-MM38** revises the standards accordingly and is required to ensure that the policy and supplementary text is justified and effective.
140. It is concluded that, subject to the inclusion of Main Modification **DM-MM37** and **DM-MM38**, Policy DM31 is soundly based.

Policy DM33 – Planning Obligations

141. Paragraph 173 of the NPPF states that sites and the scale of development in a local plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To bring Policy DM33 into line with this national guidance Main Modification **DM-MM36** is required to make it clear that specific policy requirements that would clearly and demonstrably compromise scheme viability will be the subject of negotiation. The modification also recognises that CIL contributions, planning obligations and abnormal development costs could individually make development unviable as well as in combination.
142. In order to bring the DMP up-to-date this Modification refers to the adoption and coming into effect in July 2013 of the CIL charging schedule across the 3 Greater Norwich authorities. To make for an effective policy it also provides clarity on the scope and purpose of the Regulation 123 list.
143. It is concluded that, subject to the inclusion of Main Modification **DM-MM36**, Policy DM33 is soundly based.

New Appendix 9 – Monitoring framework

144. At present the LP is unsound as it does not contain a monitoring framework to assess the efficacy of LP policies. Main Modification **DM-MM43** corrects this omission.

145. It is concluded that, subject to the inclusion of Main Modifications **DM-MM43**, the LP is soundly based.

New Appendix 10 – Glossary of terms

146. To aid understanding of the LP it is sensible to including a glossary of the terms used. Main Modification **DM-MM44** contains such a glossary.

147. It is concluded that, subject to the inclusion of Main Modifications **DM-MM44**, the LP is soundly based.

Assessment of Legal Compliance

148. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The DMP is identified within the approved LDS. The DMP has been prepared in accordance with the listing and description in the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI at the time of submission was that adopted in March 2010. Subsequent to submission a new SCI was adopted in July 2013. Consultation has been compliant with the requirements within these documents, including the consultation on the post-submission proposed 'main modification' changes (MM)
Sustainability Appraisal (SA)	SA has been carried out appropriately and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report (December 2010) sets out why AA is not necessary.
National Policy	The DMP complies with national policy except where indicated and modifications are recommended.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
Public Sector Equality Duty (PSED)	The DMP complies with the Duty.
2004 Act (as amended) and 2012 Regulations.	The DMP complies with the Act and the Regulations.

Overall Conclusion and Recommendation

149. The DMP has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.
150. The Council has requested that I recommend Main Modifications to make the Plan sound or legally compliant and capable of adoption. I conclude that with the recommended Main Modifications set out in the Appendices the Norwich Development Management Policies Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Christopher Anstey

Inspector

This report is accompanied by 2 Appendices containing the Main Modifications. Appendix 1 contains the Main Modifications to the policies and text of the DMP, whilst Appendix 2 (which includes Annexes A-U) contains the Main Modifications to the Policies Map.

Proposed main modifications to Regulation 19 Development Management Policies plan

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
DM-MM1	28	DM1 Para 1.7	Amend second bullet point of policy DM1 to read • protect and enhance the physical, environmental and heritage assets of the city and to safeguard the special visual and environmental qualities of Norwich for all users"; Amend para 1.7 to read: " ... the quality of the built and natural environment raised, <u>environmental and heritage assets protected</u> and the wider advantages of growth made available to all sectors of the community..."
DM-MM2	54 - 59	DM5	<u>Consolidated edits to DM5 in relation to the sequential and exceptions test for flood risk</u> Add amendment to supplementary text at paragraphs 5.9 and 5.13, as follows: 5.9 The Level 2 Strategic flood risk assessment also shows that the exceptions test will not be required for allocated housing sites within Norwich. <u>Notwithstanding this, the city council considers that there may be instances where flood-vulnerable uses are proposed within mixed use allocations and these would need to be subjected to the exceptions test in accordance with national guidance. [...]</u> Delete paragraph 5.13 and replace with the following text: 5.13 <u>Other than in the priority regeneration areas, the extent of the search area for alternative sites</u>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
			<u>under the sequential test for flood risk will vary according to the scale and nature of the proposal, for example for a large development of strategic significance it will be appropriate to look across the whole of Norwich. For main town centre uses the council's expectation will be that locations within the defined retail and leisure areas would be most preferable, in accordance with the provisions of policy DM18 and the hierarchy of centres set out in JCS policy 19. Thus a location outside the city centre or outside any other defined centre would, by definition, not be regarded as "reasonable". The contribution of proposals to strategic objectives – for example the desirability of expanding education opportunities within the city centre – would tend to weigh in favour of a location in the city centre over one outside it. In all cases, the suitability of a location within the defined city centre retail and/or leisure areas under policy DM18 and other policies of this plan will need to be weighed against the relative risk of flooding if that location falls within a higher risk flood zone.</u> In the bullet point list of criteria following the second paragraph of the policy (commencing "The sequential site assessment as set out in the NPPF will be expected to consider ..."), delete the second bullet point and amend the third bullet point by the deletion of the reference to the exceptions test, as follows: Proposals within the city centre which are outside the regeneration areas identified on the Policies Map, in which case the assessment need only take account of reasonable alternative sites within the city centre; and - Any other proposal which is consistent with and forms part of a specific allocation for development within the Site allocations plan and other adopted development plan documents, in which case the requirement for the sequential and exceptions tests sequential test will not apply. Add the following text following this section: <u>In the case of proposals in areas of higher flood risk which are within the city centre but which fall outside the regeneration areas identified on the Policies Map, the search area for reasonable alternative sites should take account of</u> <u>a) the scale and function of the proposal;</u> <u>b) the potential contribution of the use or uses proposed to overall regeneration of the city centre, including through the provision of new housing;</u> <u>c) where the proposal is for retail, leisure or other main town centre uses, the suitability of any alternative</u>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
			<u>locations in relation to policy DM18 of this plan;</u> <u>d) any objectively identified need for the use proposed which justifies a location in the city centre in order to support the objectives and policies of the development plan.</u> <u>For the purposes of this policy "city centre" means the area defined on the city centre Policies Map insets, including both the City centre inset and Northern City Centre Area Action Plan inset,</u>
DM-MM3	55 - 61	DM5 and paras 5.17-5.21	<u>Consolidated edits to DM5 in relation to SuDS and critical drainage.</u> Amend the section of the policy headed Sustainable drainage and surface water flooding as follows: Sustainable drainage and surface water flooding Mitigation measures to deal with surface water arising from development proposals should be incorporated to minimise the risk of flooding on the development site and <u>where possible reduce the risk, otherwise at least minimise the risk, within the surrounding area.</u> Sustainable drainage measures appropriate to the scale and nature of the development shall be incorporated in all development proposals involving the erection of new buildings or the extension of existing buildings in excess of 50 sqm other than householder extensions, unless this is not technically feasible or where it can be demonstrated that ground conditions are unsuitable for such measures. <u>until such time as thresholds are established by nationally applicable standards for sustainable drainage. Such measures will be required except where this is not technically feasible or where it can be demonstrated that other factors preclude their use.</u> In the first section on page 48 commencing "Within the critical drainage areas ...", delete the section heading "Critical Drainage Areas", so that the paragraph is integrated into the preceding section, and amend the text as follows: <u>Within the critical drainage areas catchments as identified on the Policies Map, and in other areas where the best available evidence indicates that a serious and exceptional risk of surface water flooding exists, all developments</u>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
			involving new buildings or extensions over 50 sq m, with the exception of householder development, will be required to be accompanied by a flood risk assessment which gives all development proposals involving new buildings, extensions and additional areas of hard surfacing should ensure that adequate and appropriate consideration has been given to mitigating surface water flood risk. Developers will be required to show that the proposed development: a) would not increase the vulnerability of the site, <u>or the wider catchment</u>, to flooding from surface water runoff from existing or predicted water flows; and b) would, <u>wherever practicable</u>, have a neutral or positive impact on the risk of surface water flooding in the wider area. Amend Paragraph 5.17 of the supplementary text as follows: 5.17 The law relating to sustainable drainage is changing. Schedule 3 of the Flood and Water Management Act 2010 introduced standards for the design, construction, maintenance and operation of new rainwater drainage systems, and specifies that an 'approving body' will now be responsible for approving most types of rainwater drainage systems before any construction work with drainage implications can start. For Norwich the approving body will be Norfolk County Council as lead local flood authority. Under this new "drainage permission" regime therefore, sustainable drainage systems will become mandatory for most forms of development. Nevertheless, it is this plan which sets the policies for drainage permissions. The sustainable drainage section of this policy therefore retains a requirement for drainage issues to be addressed in all appropriate development. <u>Upon full commencement of this "drainage permission" regime sustainable drainage systems will become mandatory for most forms of development and both planning permission and SAB approval will be required for drainage works. Notwithstanding the emergence of the new drainage approving role of the County Council, the sustainable drainage section of this policy also retains a requirement for surface water drainage issues to be addressed in planning applications, both to ensure that surface water drainage issues are considered ahead of the commencement of the new regime and to ensure that the impact of drainage measures on</u>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
			<u>the form and visual appearance of developments is properly taken into account in the assessment of new development, as both planning permission and SAB approval will be required for drainage works.</u> Amend paragraph 5.18 as follows: 5.18 <u>The Surface Water Management Plan highlights There are two particular zones within Norwich which are especially prone to surface water flooding (and which will flood in extreme rainfall events). These comprise a zone within the outer ring road between Unthank Road and Earham Road to the west and south-west of the city centre and a zone running on a north-south axis from the outer ring road at Catton Grove Road/Oak Lane to the north end of the city centre at Magdalen Street. Both these areas coincide with the course of former streams which were tributaries of the river Wensum. Further modelling subsequent to the publication of the Surface Water Management Plan has defined the extent of the catchment areas which feed into these flood-vulnerable zones. These zones, shown on the Policies Map, comprise the critical drainage areas catchments are identified in the Surface water management plan on the Policies Map. Those parts of the city falling within the Critical Drainage Catchments will not necessarily flood in extreme rainfall events, but any development within them is likely to increase the risk of flooding in the most flood vulnerable areas without mitigation.</u> Amend first sentence of paragraph 5.19 as follows: 5.19 <u>The modelling. Modelling</u> evidence supporting the SWMP thus provides justification for requiring new development in these areas to incorporate higher standards of flood resilience than are necessary elsewhere. [...] Amend paragraph 5.20 as follows: 5.20 <u>To prevent an increase in surface water flooding within these areas, all significant proposals involving new construction buildings or extensions with the exception of householder development, will be required to be accompanied by a flood risk assessment specifically addressing how surface water flooding issues will be addressed and identifying should include measures to protect against and reduce the vulnerability of the site and the wider area to the effects of surface water run off. Appropriate measures may include the use of permeable surfaces, grey water recycling, green and brown roofs and walls, soakaways, water storage areas and water butts. Intending developers will be encouraged to consult and take account of best practice advice on this issue.</u>

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			Delete paragraph 5.21 (commencing "Environment Agency advice..." and replace with the following text: <u>5.21 The policy allows for the emergence of more extensive technical evidence on surface water flood risk to be taken into account over the plan period, so that in areas or sites outside of the Critical Drainage Catchments where there is likely to be elevated risk of surface water flooding (e.g. as a result of specific topography) the same policy requirements would apply. The requirements of policy DM5 for proposals within the Critical Drainage Catchments are also reflected in the relevant site specific policies in the Site Allocations Plan.</u>
DM-MM4	75	DM8	After criterion c) in the third paragraph of the policy, (commencing "there is no viable or reasonably practicable means of restoring ...") add the following new paragraph: <u>In assessing proposals for development on existing school playing fields which involves the extension, expansion or redevelopment of school buildings and facilities, significant weight will be given to the need to meet identified local needs for school places over the plan period and beyond. Such development will be supported and accepted where it meets the criteria in policy DM22.</u>
DM-MM5	96 101-2	DM11 and paras 11.21, 11.22	<u>Consolidated main modification to policy DM11 in relation to water quality</u> (1) In the 'Air and Water Quality' section of the policy, amend the second paragraph by the addition of the underlined text. <u>Development proposals falling within designated groundwater source protection zones or affecting a principal aquifer (as defined by the Environment Agency) are required to demonstrate that appropriate measures have been incorporated to minimise any risk of pollution to the water source. Any development which has the potential to pollute should demonstrate that pollution mitigation measures, protective of the water environment, have been incorporated into the development. Additional regard should be had where a site falls within a Source Protection Zone (in particular zone 1), on a Principal Aquifer or adjacent to a watercourse.</u> (2) Amend first sentence of paragraph 11.21 to read: 'Developers must be mindful that the pollution of the water environment is an offence under the Environmental Permitting Regulations (England and Wales) 2010. Also, the Water Framework Directive requires there to be no

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			deterioration in water status and for good status to be achieved in the long term. The proximity of the Norfolk and Suffolk Broads...' (3) Insert additional sentence at end of the paragraph 11.22 as follows: <u>"Source Protection Zone 1 is particularly vulnerable to contamination, therefore a risk assessment will normally be required before anything other than clean roof water is discharged to ground in those areas"</u>.
DM-MM6	105	DM12	Amend the first section of the policy (bullet list of criteria for the acceptance of new housing development) to delete criterion 4 and amend criterion 5, as follows: Policy DM12 Principles for all residential development Residential development whether by new build or conversion will be permitted except where it: • is on land specifically designated for non-residential purposes in this plan or the Site allocations plan; • it is within a specified distance from a notifiable hazardous installation defined under policy DM11 and there is an unresolved objection from the Health and Safety Executive; • is within or immediately adjacent to the Late Night Activity Zone (Policy DM23 will apply) or; • involves the conversion or change of use of high quality office space for which an objectively assessed long term need is demonstrated (Policy DM19 will apply); or, • <u>(where permission is required) involves the conversion of non-residential floorspace at ground floor level within the primary or secondary retail area or a district or local centre (Policies DM20 or DM21 will apply).</u>
DM-MM7	108	Para 12.7	Amend the last sentence of paragraph 12.7 to read: <u>" ...Consequently this plan must seek to provide for that essential growth by facilitating the development of major new grade A floorspace of office accommodation in the city centre and resisting the loss of seeking to maintain a supply of existing high quality office accommodation where it is suitable can help to</u>

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			meet identified requirements (Policy DM19)."
DM-MM8		DM13	(1) Amend heading <u>Residential institutions and student accommodation</u> (2) Amend paragraph 13.6 to read 'The policy should ensure that the location, design and layout of institutional development and <u>purpose built accommodation for students</u> provides a satisfactory standard of amenity and living conditions for residents and ensures good accessibility within the site for visitors and ready access to local facilities for staff and residents. The expansion of care home provision, particularly for dementia care, is a priority in Norwich and is supported by JCS policy 7. However under the nationally prescribed methodology for calculating housing land supply, residential institutions cannot be counted towards a local authority's housing supply. This results from the supply figure being expressed in dwelling numbers, whilst residential institutions are not regarded as dwellings. <u>Owing to the absence of up to date information on the accommodation needs of students or residential care needs at the Examination, institutional development and purpose built accommodation for students is not to be included within the five year housing land supply calculation unless compelling new evidence emerges.</u>
DM-MM9	117-120	DM14	Amend policy DM14 and supplementary text as follows: Meeting the needs of Gypsies, travellers and travelling showpeople Policy DM14 Gypsies, travellers and travelling showpeople The existing Gypsy and traveller site at Swanton Road and the travelling showpeople's site at Hooper Lane, off Sprowston Road (as shown on the Policies Map) will be retained and reserved for those purposes. Proposals for the

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			upgrading and enhancement of either site over the plan period will be accepted and permitted where consistent with other relevant policies of this plan. Proposals for the development of additional sites within Norwich to meet the identified needs of the traveller community will be permitted where: a) safe access to the site can be obtained through an appropriate layout with good visibility, without the loss of natural screening; b) the site has good access to public transport, services and community facilities including shops, healthcare facilities and schools; c) the development will not have a significant detrimental impact on the character and amenity of the area; and d) the proposed site is of sufficient size and in a location to meet the on site needs of occupiers, having regard to current national standards for site design and management, including for the provision of appropriate services and infrastructure. <u>The Council is committed to meeting the recognised need for at least 21 additional pitches for Gypsies and travellers in Norwich over the remainder of the plan period, of which a minimum of 8 pitches should be provided by the end of March 2016. The Council is seeking to meet at least the immediate needs through grant applications to be submitted by the end of 2014. This may also address some or all of the remaining need to 2026.</u> <u>Should it not be possible to identify sites capable of meeting needs up to 2026 through the above process, the Council will produce a short focussed Local Plan which will have the objective of identifying and allocating additional sites for Gypsies and travellers to meet identified needs up to 2026. The Local Plan may be produced for Norwich or a wider area through joint working with adjoining local authorities and, if needed, will be commenced within one year and completed within two years of adoption of this Plan.</u> <u>Supplementary text</u> 14.1 The government's National Planning Policy Statement on Travellers was issued in March 2012. It requires local authorities to work collaboratively with their neighbours to assess and provide for the needs of the traveller community. In particular, it requires local plans to identify a specific deliverable supply of sites for travellers as part of the overall housing requirement. While local

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			plans are required to identify overall numbers of pitches and plots and broad locational criteria for sites at a strategic level, site specific locations should also be identified in plans in accordance with assessments of need .
			14.2 JCS policy 4 sets out a requirement for an additional 15 permanent residential Gypsy and traveller pitches in Norwich city between 2006 and 2011 and a further 20 pitches between 2012 and 2026, based on estimates of need originally incorporated in the (now abolished) Regional Spatial Strategy for the East of England. Up to 27 plots for travelling show people may also be required in the greater Norwich area from 2006-2026. The JCS accepts that following the abolition of the RSS, detailed provision for Gypsies and travellers set out in development plan documents should be based on updated evidence of local need. 14.3 Currently the council provides a site at Swanton Road for Gypsies and Travellers, leased to Norfolk County Council, while a site at Hooper Lane is owned by the Showmen's Guild. These two sites have met the needs of the two groups of travelling people in the past; however as identified in the JCS there is a requirement to identify new sites for the future. For the reasons given below, no sites were considered suitable to put forward as part of the Site Allocations Plan. The purpose of this policy is to set out positive criteria for assessing any future planning application. in accordance with policy DM6 and DM8 of this plan, development of accommodation for gypsies and travellers will not be acceptable within nationally protected Sites of Special Scientific Interest, regional and local sites protected for their nature conservation and biodiversity interest, public open space or sites with a serious adverse impact on the Yare Valley Character Area and areas of open space as defined on the Policies Map. In accordance with policy DM16 of this plan, sites will not be acceptable on defined employment areas. 14.4 Evidence from the draft Greater Norwich Gypsies and Travellers Accommodation Assessment 2011 (<u>published August 2012</u>) suggests an immediate requirement in Norwich over the first five years of the plan period for a maximum of 11 additional pitches rather than the 20 indicated in the JCS. This is part of an overall five year requirement across greater Norwich for 51 pitches, the remainder being distributed between Broadland and South Norfolk. There is likely to be an

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			ongoing requirement for up to 30 additional pitches <u>every five years</u> in the greater Norwich area over the remainder of the plan period (i.e. a total of 60 additional pitches from 2016 to 2026). The final assessment report is expected to be published later in 2012. The report indicates no requirement for additional plots for travelling showpeople.
			<u>14.4a Assuming the same geographical distribution as the need in the first five years this would suggest that the needs over the period 2016-26 in the City would be for 13 further pitches from the 60 required across greater Norwich. This means that total need is for 24 additional pitches of which three have been provided, as noted below. This leaves an outstanding need of 21 pitches remaining to be met over the plan period.</u> 14.5 Four potential new allocations in Norwich for Gypsies and travellers were considered and appraised for their suitability in 2008 but rejected on the grounds of potential conflict with existing or proposed development allocations or found unacceptable for other environmental reasons such as vulnerability to flooding. The only site with scope for additional Gypsy and traveller provision in the city at this stage <u>is</u> considered to be the existing site at Swanton Road where three new pitches were permitted and provided in 2012, contributing to the 11-pitch requirement over the first five years <u>to 2016 and leaving a residual requirement of eight to be found in Norwich</u>. The remaining eight pitches identified in the five-year supply are <u>were initially</u> proposed to be accommodated by a westward extension to the site at Swanton Road. Implementation will be dependent on agreement from the Homes and Communities Agency to support an increase in the number of pitches above that generally regarded as best management practice, however CLG guidance on the design of Gypsy and Traveller sites indicates that "experience of site managers and residents alike suggest a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage". 14.6 The council considers that it would be inadvisable and premature to allocate or progress other specific sites for travellers until these issues are resolved. The Swanton Road site already has 21 pitches and a further extension would considerably exceed this indicative maximum. Liaison with local representatives of the Gypsy and traveller community on the issue also suggests that for

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			<u>operational reasons an expansion of the Swanton Road site would not be the most effective or practical option to address the immediate need for additional pitches in the area. The council is currently exploring options to accommodate the immediate requirement for eight additional pitches on an alternative site(s). Delivery of sites in Norwich is likely to require funding support and the Council is investigating options to secure this, including through joint working with Registered Providers and seeking funding through the Affordable Homes Programme 2015-18. In the meantime a criteria-based approach as set out in policy DM14 is regarded as offering sufficient flexibility to assess any other proposed sites should they come forward over the plan period. Further discussion of the background to Gypsy and traveller provision is contained in the Housing Topic Paper supporting this document,</u> 14.7 All planning applications for Gypsy and Traveller sites should demonstrate how the proposal will meet current national standards for site design and management, and should contain full details of screening, landscaping, security, mitigation of any other significant impacts and arrangements for management of the site. [alternative options deleted as per minor mod DM-MM23] <u>References</u> • NPPF: CLG, 2012: Section 6: Delivering a wide choice of quality homes • Planning Policy for Traveller sites: CLG:2012 • <u>Designing Gypsy and Traveller Sites: Good Practice Guide; CLG/Housing Corporation, 2008</u> • <u>Gypsy and Traveller Strategy - A Partnership document for Norfolk and Suffolk: Norfolk and Suffolk Gypsy and traveller liaison officers group (GTLO) 2012</u> • JCS policy 4: Housing delivery • Greater Norwich Gypsies and Travellers Accommodation Assessment 2011; Opinion Research Services 2012. • <u>Affordable Homes Programme 2015-18 prospectus: HCA Jan 2014</u>
DM-		DM15	<i>Proposed Main Modification deleted and pre-submission wording of Policy DM15 retained.</i>

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MM10			
DM-MM11	133-140	DM18	<u>Consolidated main modification to clarify approach to main town centre uses on employment land and interrelationship of policies DM16 and DM18.</u> (1) Amend the fourth paragraph of policy DM18 as follows: <u>Proposals for main town centre uses on employment areas will be assessed and determined in accordance with the criteria in policy DM16 (and, where applicable, DM17) prioritising these areas for employment and other economic development uses, and permitted exceptionally where:</u> a) [...] (2) Insert additional paragraph 18.11a, as follows: <u>"18.11a As noted in paragraph 16.5 above, the Greater Norwich Employment Growth and Sites and Premises Study 2008 (the Arup Study) identifies a need to ensure adequate provision of employment land and premises to support strategic employment growth in Greater Norwich. Accordingly, JCS Policy 5 requires employment areas identified in local plans to be protected for their designated purpose. Thus, when considering proposals for main town centre uses on the employment areas identified under policy DM16 of this plan, it will be necessary to ensure that the proposed development would not only be appropriate in terms of its sequential suitability and impact, but also would not compromise the function of the employment area concerned or undermine prospects for its regeneration or improvement."</u> (3) Add "Greater Norwich Employment Growth and Sites and Premises Study (Arup/Oxford Economics 2008)" to the list of references at the end of the policy.
DM-MM12	142	DM19	In the "Protection of high quality office space" section of the policy, amend the first sentence as follows: Protection of high quality office space <u>Proposals involving the redevelopment or (where permission is required) the change of use for non residential purposes (in whole or in part) of larger existing office premises of 1500 sq.m gross internal area and over will not be permitted unless: ...</u>

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DM-MM13	143-144	Para 19.3	Amend paragraph 19.3 as follows: 19.3 Sustaining a supply of good quality office premises and providing for new office floorspace is therefore necessary both to support the required economic growth in the area and to retain the strength of the city centre, the most sustainable location for office development in the sub-region. The purpose of this policy is to protect seek to maintain an <u>appropriate supply of existing high quality (Grade A) office space and Grade B space which is capable of being upgraded to an equivalent standard</u>. It also seeks to <u>promote the upgrading of poorer quality office space where it is viable and practicable to do so</u>, and provide new office accommodation in defined areas of the city centre and in other accessible and sustainable locations where this is consistent with business needs, complies with the overall sustainability objectives of national policy and the JCS and does not compromise the objectives of this plan for the economic regeneration of the centre.
DM-MM14	144	Paras 19.5 – 19.6	Amend paragraph 19.5 and 19.6 as follows: 19.5 The subsequent economic downturn has reduced the immediate impetus for large scale new build office development in the centre at least for the short term, although some consented schemes are still likely to proceed and others may be reconfigured to enable existing premises to be retained and upgraded or <u>converted to residential use rather than redeveloped</u>. <u>Although the most recent market indications show a significant upturn in the demand for office space locally, the recent depletion of office based employment in Norwich city and the lack of good quality accommodation could reduce the overall demand for take up of new office floorspace in the centre or extend the timescale for its achievement</u> new development to become viable. It is also possible that new ways of working and fuller integration of mobile information and communications technologies into working practices may reduce the need for employment to be based full time in large scale purpose built office premises, perhaps favouring smaller formats, live work units or home working. This may in turn reduce the overall need for office floorspace assumed in the Arup study for a particular level of job growth.

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			19.6 <u>The application of the policy, both in relation to new office development and the management of the existing stock. New office development will therefore need to be carefully monitored. Future reviews of business floorspace need, taking account of employment trends and market demand, will be required to ensure that this policy remains up to date and relevant over the course of the plan period.</u>
DM-MM15	145	Para 19.8	Add the following sentence to the end of the paragraph (after "... accessible education or training."): ... It is acknowledged that in periods where office development is demonstrably unviable, it will be necessary to <u>take a flexible approach to secure the most beneficial development solution, taking account of the presumption in favour of sustainable development in the NPPF and the policies and objectives of this plan as a whole</u>
DM-MM16	146	Paras 19.11 and 19.12	Amend paras 19.11 and 19.12 as follows: 19.11 Area-wide regeneration based on office development is supported by site-specific allocations in the Site Allocations Plan and small area plans. An outline master plan for the St Stephens area has informed <u>helped to inform the Site Allocations Plan. It identifies sites with potential for up to 50,000 sq.m of new office floorspace (albeit that this quantum of floorspace is unlikely to be deliverable in the immediate future).</u> It is expected that more detailed plans and delivery programmes established through partnership working as part of the emerging South City Centre Plan will also help to deliver office allocations in the Rose Lane/Mountergate area, which could <u>has the potential to accommodate a similar amount of office space.</u> 19.12 <u>It should be noted that the policy does not seek to protect all offices. Rather, it seeks to apply proportionate safeguards which would require developers to justify the loss of the best quality space – that is, For the purpose of this policy the protection applies to high quality office space with a net floorspace greater than 1500 square metres. Premises smaller than this will be covered by policy DM17 relating to small and medium-scale businesses. High quality office space can be defined as Grade A and B office space. Grade A offices are defined as new or recently refurbished, high quality facilities in prime, accessible locations. Grade B offices are of a good standard with</u>

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			adequate facilities and accessibility.
DM-MIM17	146-147	Para 19.13	Delete the last sentence of the paragraph ("In these instances the council will apply flexibility on a case by case basis.") and replace with the following text as new paragraph 19.14: 19.14 <u>In many cases older office premises will be suitable for beneficial conversion to housing, which will not require planning permission for the early part of the plan period. In these instances where proposals involve other uses, the council will apply flexibility on a case by case basis, taking account of the presumption in favour of sustainable development in the NPPF and the policies and objectives of this plan as a whole.</u>
DM-MIM18	149	DM20	Amend the first part of the policy as follows: Policy DM20 Managing change in the primary and secondary retail areas and Large District Centres Defined retail frontages Within the defined primary and secondary retail areas and Large District centres, non-retail uses in permanent changes of use to classes A2, A3, A4, A5, and other main town centre uses, will be permitted where: a) they would not have a harmful impact on the vitality and viability of the area and on the individual street; and b) within retail frontages defined on the Policies Map, where they would not result in the proportion of A1 retail uses at ground floor level falling below an indicative minimum proportion which is justified as necessary to support the continued retail function of that frontage zone. The indicative minimum thresholds used in support of this policy will be set out in <u>a the Main Town Centre Uses and Retail Frontages supplementary planning document. The supplementary planning document will be prepared in accordance with the timescales set out in the Local Development Scheme 2014, adopted alongside this plan and will be reviewed flexibly as necessary in response to objective evidence of retail market trends and changes in the character and function of the central shopping area over the plan period.</u>
DM-MIM19	150	DM20	In the fifth paragraph commencing "Within defined retail frontages, delete the word "already", as follows:

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			Within defined retail frontages, where the proportion of retail uses at ground floor level is already below the minimum proportion specified, proposals will be considered on a case by case basis and accepted where the proposal...
DM-MM20	152-153	Para 20.7	Amend paragraph 20.7 by adding a heading and new commentary and subdividing the paragraph as follows: <u>Interpretation</u> 20.7 The percentage of A1 retail use will be calculated by reference to frontage length – i.e. the total measured length of a defined frontage which is in <u>lawful</u> retail use within the applicable frontage zone at ground floor level. <u>Retail premises which are in a temporary flexible use introduced through permitted development rights will be treated as being in their lawful planning use before the temporary use commenced.</u> <u>20.7a</u> Defined frontages are shown by a solid blue line...”
DM-MM21	153	Para 20.8	In the second sentence delete the text “(suggested at 85%)” 20.8 The definition of retail frontages on the policies map reflects the character and function of different parts of the area and incorporates a number of changes from the previous local plan. It prioritises the core shopping streets and both shopping malls, for a generally high proportion of retail use (suggested at 85%), helping to maintain a critical mass of shopping; whilst allowing a greater proportion of beneficial non-retail uses elsewhere.
DM-MM22	154	Para 20.12	Amend the first sentence of paragraph 20.12 as follows: 20.12 The successful application of the policy will rely on regular monitoring of change in retail frontages <u>(including temporary flexible uses introduced through permitted development)</u> and appropriate review of SPD to ensure that any thresholds applied remain relevant and necessary. ...
DM-	161-	DM21	Amend policy DM21 as follows:

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MM23	162		Protecting and supporting district and local centres Policy DM21 Management of uses within district and local centres Key principles Within existing and proposed district and local retail centres, as defined on the Policies Map and shown in Appendix 4, non-retail uses in classes A2, A3, A4, A5, community uses and other main town centre uses appropriate supporting services including main town centre uses, public and community uses, and other uses complementing local shops will be encouraged and permitted where: a) the proposal would not result in the proportion of A1 retail units at ground floor level within the centre falling below 60% (for district centres) or below 50% (for local centres); and would not result in the loss of, or significant reduction in, retail floorspace within any main foodstore serving the centre; or b) in cases where the proportion of A1 retail uses is already below the applicable threshold in clause a), the proposal would not result in the loss of, or significant reduction in, retail floorspace within any main foodstore serving the centre; c) in cases where the proposal is for a community use or other non-retail service and would conflict with the provisions of clauses a) or b); it would provide a community benefit or address an identified deficiency in provision in the area which can be shown to outweigh the loss of the retail use, and it could not reasonably be accommodated in a more accessible or sustainable location either within the same centre or in an alternative local or district centre in the vicinity; and, in all cases e) the proposal would not result in a harmful impact on the vitality, viability and diversity of services in the centre; and e) the proposal would offer a service whose scale and function is appropriate to the centre's position in the retail hierarchy; and f) the proposal would not give rise to unacceptable environmental effects which could not be overcome by the

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			<u>imposition of conditions:</u> a) <u>their scale and function is consistent with the position of the centre in the hierarchy of centres set out in JCS Policy 19.</u> b) <u>they would not have a harmful impact on the vitality, viability and diversity of services in the centre, in particular increasing the number of units which would not be available to the public during the normal working day.</u> c) <u>they would not have a harmful impact on residential amenity, traffic or the environment which could not be overcome by the imposition of conditions;</u> d) <u>they would provide a community benefit or address an identified deficiency in provision in the area which can be shown to outweigh the loss of a retail use.</u> <u>Changes of use involving the permanent loss of shops or shopping floorspace (use class A1) will be permitted where they satisfy the above criteria and additionally:</u> e) <u>they would not result in the proportion of A1 retail uses at ground floor level falling below 60% (in the case of district centres) or 50% (in the case of local centres), and</u> f) <u>they would not result in the permanent loss of, or significant reduction in, retail floorspace within any main foodstore serving the centre.</u> <u>In cases where the proportion of A1 retail uses is below the applicable indicative minimum in clause e), proposals will be assessed on their merits and determined in accordance with the criteria in clauses a) to d) and clause f).</u> Other requirements <u>Proposals which are not for main town centre uses, with the exception of community uses, will not be permitted at ground floor level within district and local retail centres.</u> The beneficial use of upper floors will be permitted where the use is compatible with surrounding uses. Proposals involving the use of ground floors only must ensure that separate access is maintained to, and should not prejudice the beneficial existing or potential future use of, lower and upper floors. Where necessary, permission will be granted subject to conditions restricting hours of opening and/or removing permitted development rights to change to alternative uses to protect the amenity of surrounding occupants and the vitality and viability of the centre concerned.

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DM-MIM24	165-166	Para 21.10	Amend paragraph 21.10 as follows: 21.10 The council's approach to local and district centres is to seek a balance between retaining an appropriate range and choice of shops to meet local needs and allowing other beneficial supporting uses which complement and are appropriate to the scale and function of the centre. Priority will be given to promoting and supporting shopping, other main town centre uses and <u>community uses in accordance with the NPPF and policy DM18, although uses which do not fall readily into either of these categories can be accepted where they would be complementary and beneficial to the vitality and diversity of the centre.</u> <u>21.10a</u> In recognition of the changing characteristics of neighbourhood centres and the generally higher proportion of supporting services in them, the indicative minimum threshold for the proportion of A1 retail units has been set at 50% for local centres and 60% for district centres, alongside a requirement to seek to retain local convenience floorspace. This allows more <u>The policy also seeks to discourage the loss of local foodstores, which are an essential feature of most centres, allowing for flexibility in circumstances where the proportion of retail units is already lower than the indicated minimum and where the retention of an anchor foodstore may be more critical to the vitality and viability of the centre than keeping a high proportion of smaller shops. This is borne out by advice in <i>Parades to be Proud</i> of showing that convenience stores account for almost 55% of total expenditure in neighbourhood centres and food based outlets account for 70%, and concluding that local shops are critical in ensuring that local and district centres retain their anchor stores and key attractions to provide stability.</u> <u>Interpretation</u> <u>21.10b</u> In applying clause e) of this policy the proportion of A1 retail use will be calculated by reference to the total number of individual non-residential premises at ground floor level falling within the boundaries of the centre concerned. Retail premises which are in a temporary flexible use

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			<u>introduced through permitted development rights will be treated as being in their lawful planning use before the temporary use commenced.</u> <u>21.10c In applying clause (f) of the policy “a significant reduction” in foodstore floorspace would normally be interpreted as a loss of more than 50%, although proposals would need to be assessed on a case by case basis taking account of retail trends, the economic performance of the centre concerned and any benefit to the centre deriving from the reuse of redundant convenience goods retail floorspace for other purposes.</u>
DM-MM25	166-167	Para 21.11	Amend paragraph 21.11 as follows: 21.11 The requirement that proposals should not have a harmful impact on the diversity of services in centres should also ensure that particular types of service such as hot food takeaways would not become over-represented in any one centre and prevent centres becoming completely dominated by large format retailers. <u>It will be particularly important to ensure that the range and choice of services in any one centre contributes to diversity and vitality across the whole of the working day and evening. Consequently the council would normally seek to achieve a balance of uses which is not disproportionately weighted towards evening-only services such as hot food takeaways, which often contribute very little to local and district centres if they are closed during the day.</u> Conversely, <u>uses such as cafés can offer significant benefits to the vitality and viability of local centres in both the daytime and evening through their role as community hubs and meeting places.</u> <u>21.11a The new provisions for temporary flexible uses are discussed in the supporting text to policy DM20 above. The scope for the introduction of a range of alternative uses on a temporary basis is likely to be beneficial in many local centres with high levels of vacancy, and would support the aims of this policy, however it will still be appropriate to safeguard against the permanent loss of local shopping facilities and other services which are essential to maintain the vitality and viability of a particular centre, and to resist proposals likely to have a significantly harmful impact on their</u>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
			<u>function.</u> 21.11b <u>The policy does not seek to impose a strict quota on the number and type of non-retail A class uses and other services in centres. Rather, the impact impact on diversity of services of any particular proposal will be a matter of judgement on a case by case basis taking account of community needs, operators' business requirements, <u>likely impact on neighbour amenity</u> and considerations of how the range of services in individual centres might be changing and developing. More specific criteria for the consideration of hot food takeaways is are included in policy DM24.</u>
DM-MM26	167-168	Para 21.12	Amend paragraph 21.12 and 21.13 as follows: 21.12 For the purposes of this policy, main town centre uses are as defined in the NPPF and the Glossary <u>to this Plan. The proportion of A1 retail use within a defined centre will be calculated on the basis of the total number of separate premises at ground floor level within a defined centre.</u> The boundaries of local and district centres have been redefined in some cases. This is to ensure that premises which do not contribute to their neighbourhood centre function, for example, isolated dwellings within or at the end of a parade of shops, are not included within the centre and are not taken into account in calculating the proportion of non-retail uses. Where suitable locations emerge adjacent to centres which can accommodate their appropriate expansion, the council will support such proposals consistent with the criteria in policy DM18. 21.13 The policy allows additional flexibility for the acceptance of other beneficial uses where it can be demonstrated that the use is underrepresented in the centre or it is for a community use (or other purpose) which is appropriate to the scale of the centre, and could not be accommodated in a more accessible or sustainable location, either within the same centre or elsewhere in the locality. Appropriate uses include – but are not confined to – residential, offices, restaurants and cafes, pubs and bars, non-residential institutions and leisure uses which are at an appropriate scale to serve a local catchment. The acceptance of these uses will be subject to compliance with other policies of the plan, in particular that they should not give rise to unacceptable impacts on the

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
			living and working conditions of neighbours (Policies DM2, DM11).
DM-MIM27	171-173	DM22	In the Schools and other educational development section of the policy, amend the first paragraph and criteria as follows: Schools and other educational development Proposals for <u>involving the construction of new or replacement schools and other educational facilities, extensions to existing schools educational establishments and (where permission is required) changes of use for school or other educational and training purposes,</u> will be accepted and permitted where: a) they would not undermine the objectives for sustainable development set out in policy DM1, b) they would not give rise to significant impacts on the environment, highway safety or traffic arising from locational constraints or the particular configuration of the site or premises which could not be overcome by the imposition of conditions, c) <u>they would result in the efficient and effective use of existing school sites and/or an accessible distribution of school places or other educational opportunities,</u> - e-d) <u>appropriate and adequate provision can be made for the residential accommodation needs of students (where required) in accordance with the criteria in policy DM13.</u> Particular support will be given to proposals which provide for the shared use of schools facilities by the wider community. The local community must be consulted to ensure that new and enhanced community facilities of all types best meet their needs and aspirations. In the Protection of community facilities section of the policy: In the first paragraph, delete clause d) e) in the case of a listed asset of community value, the opportunity has been taken to consider the exercise of any statutory community right to buy or community right to challenge from a duly appointed neighbourhood or community body, where relevant. In the third paragraph, delete reference to clause d)

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			Development resulting in the loss of historic and community public houses listed in Appendix 5, will only be permitted where criteria b), c) and d) <u>b)</u> and <u>c)</u> above are satisfied.
DM-MM28	174-174	Para 22.2-22.3	a) Add the following sentence to the end of paragraph 22.2 "For the purposes of this policy, a "community facility" is as defined under "community facilities/uses" in the Glossary". b) Delete paragraph 22.3.
DM-MM29	175	Para 22.6	In paragraph 22.6, after the sentence concluding "... outside the local plan process.", commence new paragraph 22.6a with additional and revised text as follows. <u>22.6a Following the extension of permitted development rights for state funded schools in 2013, the change of use of a wide range of non-residential buildings to school use no longer requires planning permission. Accordingly this policy will apply primarily to proposals for new build schools and other forms of educational development which do not fall within the definition of a state funded school. In accordance with the NPPF the city council will adopt a positive and collaborative approach to such schools proposals and will work closely with providers to identify and overcome any constraints on development, including the need for any on site or off site accommodation for students.</u>
DM-MM30	175	Para 22.7	In paragraph 22.7, after the sentence concluding "... relative importance of the facility to its users.", commence new paragraph 22.7a with additional and revised text as follows. <u>22.7a The Localism Act 2011 requires assets of community value to be included on a list maintained by the local authority, permitted allowing duly constituted community and voluntary bodies to nominate land and buildings for inclusion on that list and enable those bodies to exercise community right to buy and community right to challenge powers in respect of any community facility on the list which is under threat of disposal. The Assets of Community Value (ACV) provisions are set out in Part 5 Chapter 3 of the Act, and accompanying Assets of Community Value (England) Regulations came into force in September 2012.</u>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
DM-MM31	175-176	Para 22.8	In paragraph 22.8, delete the first sentence commencing “At the time of writing ...” and replace with revised text including additional commentary in new paragraphs 22.8a; start new paragraph 22.8b at the sentence commencing “As these opportunities emerge; delete the word “these” . 22.8 At the time of writing, the legal mechanisms for introducing these powers are not finalised: their practical operation in Norwich is unclear, since there are at present no commonly constituted bodies (such as suburban parish councils) which could obviously inherit neighbourhood planning roles and responsibilities for small areas. Whilst the designation of a site or building as an asset of community value may be important, its weight as a material planning consideration may be limited. The process of listing assets of community value is separate from the planning process, which should only assess the planning merits of a scheme. <u>Inclusion on the ACV list simply confirms assets nominated by community groups which are considered by them to have some community worth; however it is not an objective assessment of community value.</u> 22.8a For the purposes of this policy, therefore, the community value of individual assets affected by development proposals would need to be objectively assessed on a case by case basis, irrespective of whether they are included on the ACV list or not. In appropriate cases it may be necessary for developers to consider how the exercise of any statutory community right to buy or community right to challenge under ACV legislation might affect the timescale for the delivery of a scheme. 22.8b As these opportunities emerge and the neighbourhood planning system evolves over the plan period, it is expected that community and voluntary bodies in Norwich would have more formal and direct involvement in planning and protecting local community facilities in the context of this policy and the community rights set out in the Localism Act.
DM-MM32	181-183	DM23; Para 23.7	a) Amend the Leisure Uses section of the policy by the addition of the word “normally” in the final sentence as follows: Leisure uses Proposals for leisure and hospitality uses, other than late night activities, will be permitted within the city centre leisure area as defined on the Policies Map, which for the purposes of the sequential test is the most preferable

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			location for new leisure and hospitality uses . The sequential approach set out in policy DM18 will be used to determine applications for leisure uses outside the defined leisure area. Within the primary retail area, leisure uses will <u>normally</u> be restricted to upper floors and basements only. b) Amend paragraph 23.7 as follows: 23.7 Leisure uses are defined as D2 uses which may either be focused on active indoor sport (e.g. <u>gymnasiums and health clubs</u>) or on passive public entertainment, such as cinemas and concert halls. The definition of leisure uses would also include theatres (which are sui generis uses and thus always require planning permission). <u>The expectation of this policy is that in order to protect retail function, vitality and viability it will not usually be appropriate to locate these larger format leisure uses at ground floor level within the primary retail area, nor would it be practical in most circumstances to do so. There may however be scope to make use of underused upper floor or basement space and provide a dedicated entrance from street level, and this would not preclude proposals providing a mix of leisure and hospitality uses, for example including a ground floor café or shop in association with the upper floor use."</u>
DM-MM33	191 - 192	DM25 and para 25.3	(1) Amend the second bullet point of the policy as follows: the proposal would not conflict with the general criteria for sustainable development set out in policy DM1, in particular by <u>not increasing</u> <u>minimising</u> the overall need to travel and <u>not increasing</u> <u>minimising</u> dependency on the private car and high-emission vehicles. (2) Amend paragraph 25.3 with additional commentary at para 25.3a, and revise first sentence of para 25.5 as follows: 25.3 The out-of-centre <u>Many freestanding out-of-centre retail parks destinations</u> in Norwich do not relate <u>well</u> to existing defined centres and are not considered to be well-located to ensure satisfactory access by public transport or by modes other than the private car. <u>However, it is acknowledged that the relative accessibility of retail parks and other retail warehousing varies across the city. The suitability of an individual site to accommodate new development or other</u>

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			<u>forms of retailing may thus depend on how accessible it is currently and the scope to enhance its accessibility or improve its connectivity with nearby centres. In accordance with advice in the NPPF, when considering proposals on these (and other) out of centre sites which could not be accommodated in centres, preference will normally be given to accessible sites that are well connected to defined centres within the hierarchy set out in JCS Policy 19.</u> 25.3a Some of the warehouses these retail destinations currently operate under conditions which restrict them to the sale of bulky goods or other specified categories of goods which are justified by the requirements of a specific operator. These warehouses They are often not appropriately located to allow the relaxation of planning conditions to accept a wider range of goods or to intensify or diversify into general comparison or convenience retailing. To allow entirely unregulated retailing from retail warehouse parks could result in a potentially significant impact on the city centre and district and local centres and would <u>may</u> also increase reliance on the private car. Both of these outcomes would be contrary to the objectives of the NPPF and JCS in relation to protection and enhancement of the city centre and its requirement to promote sustainable transport, and would not be in the overall interests of securing sustainable development. 25.5 It is acknowledged that following the implementation of the Hall Road District Centre proposal the retail park <u>would</u> be an edge of centre location.
DM- MM34	199	DM27	Amend the penultimate paragraph of the policy as follows: <u>Development for alternative uses will not generally be supported in advance of the adoption endorsement of an agreed masterplan for the airport, including a Travel Plan and Sustainable Access Strategy, or it is otherwise demonstrated by objective evidence that land is not required for operational Airport use.</u>
DM- MM35	209	DM29	Add further criterion for the replacement of existing car parks at the end of the policy: c) <u>specifically allocated for development in the Site Allocations Plan.</u>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
DM-MM36	225-231	DM33 and paras 33.7, 33.15 and 33.16	<u>Consolidated main modifications to policy DM33 and supplementary text including commentary in relation to the Community Infrastructure Levy.</u> (1) In the section of policy DM33 headed “Viability Considerations”, amend clause a) by the addition of the words “either individually or” as follows a) the impact of CIL contributions, planning obligations and abnormal development costs <u>either individually or in combination would result in a proposed development becoming economically unviable; and</u> (2) amend the last section of the policy as follows. <u>specific policy requirements which would clearly and demonstrably compromise scheme viability may be negotiated, and planning obligation requirements covering specific matters may be reduced, by agreement. Negotiation on planning obligation requirements should be in accordance with the Council’s approved Planning Obligations Prioritisation Framework (or successor document) or consideration may be given to specific infrastructure which would normally be delivered through a planning obligation being added to the “Regulation 123 list” and delivered instead via CIL.</u> (3) Amend paragraph 33.7 as follows: <u>33.7 The city council’s published “regulation 123 list” specifies the matters infrastructure items and projects which are appropriate to cover by means of a planning obligation. It intends to fund through CIL receipts. It also itemises those matters which remain appropriate to cover by means of a planning obligation, for the avoidance of doubt.</u> In the section Securing essential strategic infrastructure from development through the Community Infrastructure Levy: (4) Delete paragraph 33.15 and 33.16 in their entirety. (5) Amend paragraph 33.17 as follows: 33.17 <u>CIL charging schedules were formally adopted for Norwich, Broadland and South Norfolk in July 2013, following examination in October 2012. CIL revenue will be used to fund the major new infrastructure</u>

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			necessary as a result of large scale growth which is strategically significant for the Norwich area as a whole, as opposed to works which are integral to the design of individual schemes (which would continue to be delivered by means of a planning obligation – see policy DM33 following <u>above</u>).
DM-MM37	256	Appendix 3 Parking Standards (Use Class A1, A2, A3, A4 and A5)	Amend the parking standards for locations “in or adjacent to existing District and Local retail centres as defined on the policies map” and “Elsewhere in the urban area”, as follows: In the fourth column of the table, headed “ Car Parking Standards (maximum) ” DELETE the words “One parking space per 25m ² gfa” and REPLACE with “One parking space per 20m ² gfa”
DM-MM38	265-269	Appendix 3 (re car clubs)	In the tables for Use Class C3 Housing in appendix 3, under “Car Parking Standards (other requirements): Elsewhere in the City Centre Parking Area: amend table entry as follows: Parking for visitors and disabled drivers will normally be accommodated on-street or in public car parks subject to the usual tariffs. Developments in the Controlled parking Zones are not eligible for on-street parking permits 50% of parking should be unallocated, where levels are below 1:1 Provision of space for a car club <u>a car club parking space and car club vehicle</u> will be expected for developments of over 50 units <u>100 units</u> (car free housing, ±0 units <u>50 units</u>). Access to a car club for any development is desirable ✓ EV – one parking space should be provided with an electric charging point in all communal and unallocated parking areas and in all garages All other parts of the Controlled Parking Zones within the Outer Ring Road: amend table entry as follows: Parking for visitors and disabled drivers will normally be accommodated on-street in existing limited waiting bays Developments in the Controlled parking Zones are not normally eligible for parking permits, but self contained developments, with their own streets could have their own permit system Provision of space for a car club <u>a car club parking space and car club vehicle</u> will be expected for developments of over 50 units <u>100 units</u> (car free housing ±0 units <u>50 units</u>). Access to a car club for any development is desirable

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			✓ EV – one parking space should be provided with an electric charging point in all communal and unallocated parking areas and in all garages In other locations described as 'accessible' (ie on a high quality public transport corridor, or within 100m of a district centre amend table entry as follows: Provision of space for a car club a car club parking space and car club vehicle will be expected for developments of over 50 units 100 units. Access to a car club for any development is desirable ✓ EV – one parking space should be provided with an electric charging point in all communal and unallocated parking areas and in all garages Elsewhere in the urban area: amend table entry as follows: Provision of space for a car club a car club parking space and car club vehicle will be expected for developments of over 50 units 100 units. Access to a car club for any development is desirable ✓ EV – one parking space should be provided with an electric charging point in all communal and unallocated parking areas and in all garages
DM-MIM39	282	Appendix 4	Amend schedule of frontage zones to remove Timberhill/Red Lion Street from the list of secondary frontages and add it to the list of primary frontages as shown in the corrected table below. Primary retail area core frontage zones PC01 Gentleman's Walk/Haymarket/Brigg Street PC02 Castle Mall, levels 1 and 2 PC03 Chapelfield, upper and lower merchants halls and St Stephens Arcade Frontage zones in the rest of the primary retail area PR01 Back of the Inns/Castle Street area PR02 The Lanes East (Bedford Street/Bridewell Alley) PR03 St Stephens Street/Westlegate PR04 Castle Meadow north PR05 Chapelfield Plain PR06 Timberhill/Red Lion Street Secondary retail areas

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
			SR01 Timberhill/Red Lion Street SR012 The Lanes West (Pottergate/Dove Street/Lower Goat Lane) SR023 Upper St Giles SR034 St Benedicts SR045 Elm Hill SR056 London Street (east) SR067 Brazen Gate
DM-MM40	283	Appendix 4 District and Local Centres table	Append Sproston Road/Shipfield to the list of District Centres with centre reference DC10. Delete Sproston Road/Shipfield (LC16) from the list of identified local centres
DM-MM41	186, 296	Deletion of Local Listing Appendix 6 and consequent updates to plan text	Delete the entire appendix. Amend paragraph 9.10 as follows 9.10 Locally identified heritage assets already recognised as contributing towards Norwich's distinctive character include the council's established local list of buildings within conservation areas, as well as certain parks and gardens and other open spaces which are of local heritage significance but are not afforded national protection. Norwich's local list has recently been expanded by the addition of locally significant heritage assets which fall within the outer ring road but are located outside conservation areas, <u>identified through a comprehensive survey undertaken by the Norwich Society in partnership with the city council in 2010-12, using the objective criteria for assessing the significance of local heritage assets set out in Appendix 7. An extension to the Norwich local list based on the Norwich Society's work was adopted by the city council in January 2014. This supplement to the local list, to be published in summer 2012, has been compiled and consulted on by the Norwich Society (the city's main local amenity society) with the close involvement and co-operation of the city council as local planning authority. The emerging Norwich Society list is included within Appendix 6 to this document. Following endorsement and</u>

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			adoption of the list by the city council, with any changes recommended to be necessary, these buildings will have the same status for the purposes of policy DM9 as those on the pre-existing local list. Norwich is cited as a best practice example of such joint working arrangements for local listing in English Heritage's <i>Good Practice Guide for Local Heritage Listing</i> (May 2012).
DM-MM42	294	Map of DM16 areas (new) Appendix 6	Add a further appendix to the DM Policies DPD – supplementary plan showing employment areas subject to policy DM16 (See Annex 1) This is proposed to be numbered as new Appendix 6, replacing the deleted Appendix 6 on Local Listing.
DM-MM43	306	Monitoring Framework (new) Appendix 9	(a) Add a further appendix to the DM Policies DPD outlining the monitoring framework the policies will be monitored against. Number as new Appendix 9. (b) Delete text at paragraphs 34.1 to 34.3, which the new appendix supersedes.
DM-MM44	327	Glossary of terms (new) Appendix 10	Add a further appendix to the DM Policies DPD outlining the glossary of terms used within the plan. Number as new Appendix 10.

Proposed main modifications to Regulation 19 Policies map

REF	SHEET	POLICY / NOTATION	MAIN MODIFICATION
Consequential changes to the Policies Map reflecting changes to site boundaries in the Site Allocations Plan <i>(note that sites which are deleted altogether are not listed)</i>			
SA-MM3	City Centre inset	CC4 10-24 Ber Street	Consequential modification to the Policies Map following amendment to site boundary deleting part of allocation in the Site Allocations Plan (Schedule 1) See Annex A
SA-MM19	North	R13 231-277 (now 261-277) Aylsham Road	Consequential modification to the Policies Map following amendment to site boundary deleting part of allocation in the Site Allocations Plan (Schedule 1) See Annex B
SA-MM24	North	R18 124-128 (now 126-128) Barrack Street	Consequential modification to the Policies Map following amendment to site boundary deleting part of allocation in the Site Allocations Plan (Schedule 1) See Annex C
SA-MM26	North	R21: (Sprowston Road)/ land north of Windmill Road	Consequential modification to the Policies Map following amendment to site boundary deleting that part of allocation fronting Sprowston Road (Schedule 1) See Annex D
Substantive modifications to the Policies Map reflecting changes in the boundaries of policy designations within the Development Management Policies Plan			
PM-MM1	North	DM6 Natural Environmental Assets	Amendment to add Woodland notation to an area off Rostwold Way protected by policy DM6. See Annex E map PM-MM1 and overview map
PM-MM2	South	DM8 Open Space	Amendments to correct errors in the depiction of open space areas on the Reg19 version of the map. See Annex F maps PM-MM2/1 and overview map. PM-MM2/1 Deletion of an area of open space at Wessex Street/Bristol Terrace (now Bagnold School car park) <i>PM-MM2/2 – This proposed main modification which sought to add an area of open space adjoining the Sainsbury Centre for the Visual Arts, University of East Anglia is not taken forward as a Main Modification. Consequently this area is not identified as open space and the designation in the pre-submission version is retained.</i>
PM-MM3	South	DM9 Conservation Areas	Amendments to the boundaries of Heigham Grove and Bracondale conservation areas to reflect boundary changes in 2011 which were not reflected on the Reg 19 version of the map: also incorporates a further change to the boundary of Bowthorpe conservation area made in October 2013 (post submission).

REF	SHEET	POLICY / NOTATION	MAIN MODIFICATION
			See Annex G maps PM-MM3/1 (Bowthorpe); PM-MM3/2 (Heigham Grove); PM-MM3/3 (Bracondale) and overview map.
PM-MM4	North, South, City Centre inset	DM9 Scheduled Ancient Monuments	Corrections to boundaries of the 24 Scheduled Ancient Monuments within the city to align them with the definitive boundary data held by English Heritage: this is in response to a representation and corrects a series of historic errors on all iterations of the emerging local plan policies map and the adopted City of Norwich Replacement Local Plan proposals map. See Annex H overview map and individual maps as follows: PM-MM4/1 Nos 19-21 Bedford Street PM-MM4/2 Bishop's Gate and Palace PM-MM4/3 Bishop Bridge* PM-MM4/4 Cow Tower PM-MM4/5 Carrow Priory PM-MM4/6 Bishop Reynolds' Chapel PM-MM4/7 City Walls (N and S sheets) PM-MM4/8 Cringleford Bridge* PM-MM4/9 Curat House, Haymarket PM-MM4/10 St Andrews/Blackfriars Hall PM-MM4/11 Erpingham Gate PM-MM4/12 Gate of Bridewell PM-MM4/13 Norman House, Palace Plain PM-MM4/14 Norwich Castle PM-MM4/15 Old Assembly Rooms PM-MM4/16 Carnary Chapel, The Close PM-MM4/17 Bowthorpe Church remains PM-MM4/18 St Leonards Priory PM-MM4/19 St William's Chapel, Mousehold PM-MM4/20 St Bartholomew's Church PM-MM4/21 St Ethelbert's Gate PM-MM4/22 St Lawrence's Well, Anchor Quay PM-MM4/23 Tumuli, Eaton Golf Course PM-MM4/24 Water Gate, The Close * sections within the local plan boundary only.
			<i>Note that these are the definitive Scheduled Ancient Monument boundaries as supplied by English Heritage, digitised from paper plans. There may be some anomalies in the apparent position of these boundaries when superimposed on a modern map base.</i>
PM-MM5	North, South, City Centre inset	DM9 Historic Parks	Change in map notation only – distinguishes between those parks which are on English Heritage's register of historic parks and gardens (red "HP" overprint) and those which are not (black "HP" overprint). See Annex I overview map and maps of scheduled parks and gardens as follows

REF	SHEET	POLICY / NOTATION	MAIN MODIFICATION
			PM-MM5/1 Mile Cross Gardens (north sheet) PM-MM5/2 Waterloo Park (north sheet) PM-MM5/3 Wensum Park (north sheet) PM-MM5/4 Rosary Cemetery (south sheet) PM-MM5/5 Chapelfield Gardens (city centre inset) PM-MM5/6 The Plantation Garden (south sheet) PM-MM5/7 Earlham Cemetery (south sheet) PM-MM5/8 Heigham Park (south sheet) PM-MM5/9 Eaton Park (south sheet)
PM-MM6	North	DM11 Landfill sites Former	Deletes the 2 former landfill sites shown at St Clements Park (TG2310011136) and Catton Chalk Pit (TG2287910932) off Woodcock Road. See Annex J map PM-MM6 and location map.
PM-MM7	NCCAAP area inset	DM18, DM23 City centre leisure area	Corrects a drafting error: reinstates two parts of the City Centre Leisure Area north of the river Wensum (at Anglia Square and Colegate) which were inadvertently omitted from the Northern City Centre Area Action Plan area inset at Regulation 18 (25) and Regulation 19 stages. See Annex K map PM-MM7 and location map
PM-MM8	N/a	N/a	<i>Please note that a modification was included in this schedule in error (with a cross reference to Annex L) which is now deleted. Therefore there is no information to submit under this modification reference or in Annex L.</i>
PM-MM9	City centre inset	DM20 Frontage Primary	Amends the policies map to remove duplication of shopping frontages within Castle Mall and Chapelfield which were shown on both the main city centre inset map and the “flyout” thumbnail inset plans of each centre) leading to potential confusion. The Chapelfield change responds to an objection (4111-9); the Castle Mall change is made for consistency. See Annex M Map PM-MM9/1 Chapelfield Map PM-MM9/2 Castle Mall
PM-MM10	All	DM28 Existing proposed and riverside	Amends several errors on the Regulation 19 version of the Policies Map whereby the existing/proposed status of sections of riverside walk is shown incorrectly. See Annex N – overview map and individual changes as follows:

REF	SHEET	POLICY / NOTATION	MAIN MODIFICATION
		walks	PM-MM10-1 Hellesdon Mill to Hellesdon Bridge (Status changed to PROPOSED) North sheet PM-MM10-2 Hellesdon Road to Sweet Briar Road (Status changed to PROPOSED) North sheet PM-MM10-3 Adjacent Heigham Waterworks, Waterworks Road (Status changed to PROPOSED) North sheet PM-MM10-4 St Crispins Road to St Martins Close (Status changed to PROPOSED) Northern City Centre Area Action Plan inset PM-MM10-5 Carrow Bridge to Allison Bank (Status changed to PROPOSED) City centre inset PM-MM10-6 Sandy Lane to rear Cooper Lane, Lakenham (Existing section of walk shown in error; to be deleted) South sheet
			PM-MM10-7 Marston Marshes to Lakenham (Status of 2 sections changed to PROPOSED; additional section of proposed riverside walk to be added between railway line and rear 123 Theobald Road) South sheet PM-MM10-8 Marston Marshes, Church Lane and Marston Lane (Existing sections of riverside walk to be added, omitted in error) South sheet PM-MM10-9 West of Bowthorpe Three Score, Three Score Road/Bladewater Road to Chapel Break Road (Status changed to PROPOSED) South sheet
PM-MM12	South sheet	R5 Hewett School Hall Road	Amend the boundary of the allocated site to delete that portion overlapping the car park of the Goals sports pitches to the south (Factual update to reflect completed adjoining development post-dating the original draft allocation). See Annex O
PM-MM11	North Sheet	DM18, DM21 District and Local Centres	Amend the boundary of the Sprowston Road Local Centre to include the recently completed Aldi foodstore on land between 461 Sprowston Road and Windmill Road (this corresponds to the area which

REF	SHEET	POLICY / NOTATION	MAIN MODIFICATION
			would be deleted from site allocation R21 by proposed main modification SA-MM26). Re-designate the centre as a District Centre with the addition of a "D" notation. See Annex P
PM-MIM13	All	DM5 Critical Drainage Areas/Catchments	DELETE Critical Drainage Area boundaries (Catton Grove/Sewell and Nelson/Town Close) and REPLACE with larger Critical Drainage Catchments See Annex Q
PM-MIM14	South sheet	DM8 Open Space	Amends open space boundaries on the Policies Map to reflect recently completed development as follows: See Annex R PM-MIM14-1 Hewett School, Hall Road: Amend boundary of open space notation, to exclude the car park and ancillary areas serving the Goals sports pitches (change consistent with amended boundary of site R5: main modification PM-MIM11 above). <i>NB the recreational buildings within this development are retained as part of the DM8 area by virtue of their status as built facilities ancillary to the open space.</i>
			PM-MIM14-2 City Academy, Earlham Road: Amend boundary of open space notation to reflect the completion of the new Academy buildings on a different footprint than that of the former Earlham School.
PM-MIM15	South sheet	R45 land west of Bluebell Road DM6 Yare Valley Character Area DM8 Open Space	R45: Land west of Bluebell Road – new site specific allocation – see proposed main modification SA-MM33 in Appendix 1 for the SAP. PM-MIM15 - DM6 – deletion of those parts of the Yare Valley Character Area within the proposed R45 site allocation boundary and between the eastern edge of the site boundary and Bluebell Road PM-MIM15 - DM8 Open Space – deletion of those areas of open space within the proposed R45 site allocation boundary. See Annex S which contains 2 maps: 1) allocation R45 and 2) amendments to DM6 and DM8 designations on the policies map.
PM-MIM16	North sheet	DM18, DM21 District and Local Centres	Amend the boundary of the Dereham Road District Centre to remove the recently completed housing development on land at Exeter Street car park. See Annex T
PM-MIM17	City Centre Inset	DM20 Primary Frontage	Amend the Chapelfield Upper Ground Level inset to remove the primary retail area PR05: Chapelfield Plain. See Annex U

Due to the size of the annexes to the policies map it has been unable to append them. To view the annexes associated with the proposed main modifications to the Regulation 19 Policies map please see the website at:

<http://www.norwich.gov.uk/Planning/Documents/InspectorsReportAppendix2AnnexesOct2014.pdf>

A number of hard copies will be able to view at the meeting.

Report to Norwich City Council

by **C J Anstey** BA DipTP DipLA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 13th October 2014

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO THE NORWICH SITE ALLOCATIONS AND SITE SPECIFIC POLICIES LOCAL PLAN

Document submitted for examination on 16 April 2013

Examination hearings held between 4 and 6 March 2014

File Ref: LDF001121

Abbreviations Used in this Report

AA	Appropriate Assessment
DMP	Norwich City Council Development Management Policies Local Plan
DtC	Duty to Co-operate
GNDP	Greater Norwich Development Partnership
JCS	Joint Core Strategy for Broadland, Norwich and South Norfolk
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
NCC	Norwich City Council
NPPF	National Planning Policy Framework
ODPA	Office Development Priority Area
PPG	National Planning Policy Guidance
SA	Sustainability Appraisal
SAP	Norwich City Council Site Allocations and Site Specific Policies Local Plan
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment

This report is accompanied by 2 Appendices containing the Main Modifications. Appendix 1 contains the Main Modifications to the policies and text of the SAP, whilst Appendix 2 (which includes Annexes A-U) contains the Main Modifications to the Policies Map.

Non-Technical Summary

This report concludes that the Norwich Site Allocations and Site Specific Policies Local Plan provides an appropriate basis for the planning of the City, providing a number of modifications are made to the plan. Norwich City Council has specifically requested me to recommend any modifications necessary to enable the plan to be adopted.

The Main Modifications can be summarised as follows:

- Critical Drainage Catchments – amend various policies to take account of additional evidence and reflect approach of the flood authorities;
- Policy CC2: 84-110 Ber Street – delete policy;
- Policy CC4: 10-24 Ber Street – reduce area of site;
- Policy CC11: Land at Garden Street, Norwich – amend policy and text to allow temporary option for the provision of a primary school on the site;
- Policy CC18: Former Hunters Squash Club, Edward Street – delete policy;
- Policy CC19a: Barrack Street – allow flexibility with regard to hotel use;
- Policy CC19b: Whitefriars – allow greater flexibility of uses;
- Policy CC23: Duke's Wharf, Duke Street – accept Class D1 use on the site;
- Policy CC25: Norfolk House, Exchange Street – delete policy;
- Policy CC28: Fire Station, Bethel Street – delete policy;
- Policy CC31: St Stephens Street – recognise that comprehensive development may not be viable and accept incremental development;
- Policy CC33: Westlegate Tower – delete policy;
- Policy R2: Norfolk Learning Difficulties Centre, Ipswich Road – delete reference to adjacent site;
- Policy R4: Hewlett Yard, Hall Road – update status of site;
- Policy R8: John Young's Ltd., 24 City Road – recognise increased capacity of site;
- Policy R11: Utilities Site, Cremorne Lane – allow greater flexibility with regard to housing;
- Policy R12: Kerrison Road/Hardy Road, Gothic Works – clarify access arrangements;
- Policy R13: 233-277 Aylsham Road – reduce site area;
- Policy R14: Chalk Hill Works, Rosary Road – delete policy;
- Policy R15: Gas Holder at Gas Hill – recognise geo-diversity value;
- Policy R16: Land east of Bishop Bridge Road – recognise geo-diversity value and clarify approach to gas holder;
- Policy R17: Land at Ketts Hill/Bishop Bridge Road – recognise geo-diversity value;
- Policy R18: 124-128 Barrack Street – reduce site area;
- Policy R19: Van Dal Shoes, Dibden Road – update status of site;
- Policy R21: Sprowston Road/Land north of Windmill Road – reduce site area;
- Policy R28: Site north of Raynham Street – refer to pedestrian and cycle link in policy;
- Policy R31: Two sites at Hurricane Way, Airport Industrial Estate – allocate southern part of Site B for housing;
- Policy R32: The Paddocks, Holt Road – amend policy and text to set a two-year time limit to establish whether the site is required for Airport operational use and specify that the site is suitable for general needs employment after that period if not required for airport use;
- Policy R42: Earlham Hall – provide greater flexibility with regard to floorspace figures;
- Policy R43: Former Blackdale School, University of East Anglia – recognise the need to take a co-ordinated approach, having regard to the original vision for the university and feasibility considerations;
- Policy R44: Land between Suffolk Way and Bluebell Road, University of East Anglia – recognise the need to take a co-ordinated approach, having regard to the original vision for the university and feasibility considerations;
- Policy R46: Land at Pointers Field – delete policy;
- Additional site – Land west of Bluebell Road, Bartram Mowers Ltd.- include policy and text to allocate the land as a housing scheme for the over-55s;
- Include new comprehensive monitoring framework in Appendix 3; and
- Include new glossary of terms in Appendix 4.

Introduction

1. This report contains my assessment of the Norwich Site Allocations and Site Specific Policies Local Plan (SAP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) (NPPF) makes clear that to be sound, a local plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The submission plan (April 2013) is not the same as the pre-submission plan (August 2012) as the former includes various proposed changes made by the Council to address issues raised by representors at the pre-submission stage. These proposed changes were not the subject of consultation or sustainability appraisal. To avoid any confusion the examination was conducted on the basis of the wording of the pre-submission plan, having regard to the various proposed changes put forward by the Council and specifically identified in Document SD6.
3. My report deals with the Main Modifications that are needed to make the SAP sound and legally compliant. In accordance with section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These Main Modifications, and the associated changes to the Policies Map, are set out in the attached 2 Appendices.
4. The recommended Main Modifications that are necessary for soundness all relate to matters that were discussed at the Examination hearings or the subject of written representations. Following the Hearings, the Council prepared a schedule of proposed Main Modifications and carried out sustainability appraisal and this schedule has been subject to public consultation. I have taken account of the consultation responses on the proposed main modifications in coming to my conclusions in this report. As a result I have made a small number of amendments/deletions to the proposed Main Modifications and these are identified in my report and included in the recommended Main Modifications.
5. The Council has also compiled a schedule of Minor Modifications. Although I consider that these changes do not relate to matters of soundness interested parties are advised to view them in order to gain a complete picture of the wording of the emerging plan. The Council may also need to make minor edits, such as re-numbering policies, and factual updates in the final adopted version of the Plan.
6. The national Planning Practice Guidance (PPG) was issued after the hearings sessions. As a result I wrote to all representors to give them an opportunity of supplementing their representations in the light of the contents of the PPG. The responses received have been taken into account in my report.

7. My report on the SAP should be read in conjunction with my report relating to the Norwich Development Management Policies Local Plan (DMP) which is issued at the same time.

Assessment of Duty to Co-operate

8. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation.
9. It is clear from the material submitted, including the Duty to Co-operate document [SD8], that the Council has engaged constructively with relevant bodies prescribed in s110 of the Localism Act 2011, together with other organisations, to ensure that cross boundary issues are properly coordinated and addressed.
10. There has been close collaboration between the Greater Norwich District Councils and the County Council on the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS), and its partial review, through the Greater Norwich Development Partnership (GNDP). Various joint studies dealing with cross-boundary issues in Greater Norwich, including housing, gypsy and travellers, employment, retail, transport, infrastructure, the environment and heritage assets, have been produced. The GNDP has now been replaced by the Greater Norwich Growth Board which will carry forward its work.
11. In terms of the wider area the Norfolk Strategic Planning Group, which includes representatives from the county's planning authorities, meets on a regular basis with a view to achieving consensus on core issues. A county-wide Duty to Co-operate Members' Forum was established in 2013. It is currently assessing the evidence that will be required in the future to ensure that local plans in the area address strategic issues effectively.
12. In the light of these findings I conclude that the Duty to Co-operate has been met.

Assessment of Soundness

Preamble

13. The SAP identifies about 80 sites, the majority of which are on brownfield land, to meet the development needs of Norwich in the period to 2026. The SAP, together with the DMP, and the already adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amendments adopted 2014) and the Northern City Centre Area Action Plan (2010), will replace the City of Norwich Replacement Local Plan (adopted 2004) and all the planning policies therein.
14. A draft version of the SAP was published in January 2011 (alongside the draft DMP). In the light of comments received and the publication of the NPPF in March 2012 the draft was extensively revised and the pre-submission version was published in August 2012. The SAP was submitted to the Secretary of State for Examination on 16 April 2013.
15. The Examination hearings were provisionally arranged to start in September 2013. However I decided, after consulting the Council, to delay the

Examination hearings until early in 2014. This was to allow the Examination of the partial review of the JCS to be completed and the Inspector's report issued. This delay in the Examination also gave the Council the opportunity of bolstering its evidence base on a number of issues including the impact of the changes contained in the General Permitted Development Order 2013 and the viability of the allocated sites.

16. It is evident that the Council has sought to respond positively both to the comments received from the public and stake-holders during the earlier stages of the preparation of the SAP and to the representations received to the Pre-Submission plan. Whenever possible the Council has sought to resolve soundness issues by appropriate changes to policies or text. This approach has continued throughout the Examination with the result that a significant number of representations have been satisfactorily addressed. Such a process of constructive engagement is a vital ingredient of the local plan system and the Council's endeavours in this regard are to be commended.

Main Issues

17. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified a number of main issues upon which the soundness of the Plan depends. These are dealt with below. Representations on the submitted SAP have been considered insofar as they relate to its soundness, but they are not reported on individually.

General Matters

Is the SAP consistent with the overall direction of the JCS and national policy and has it been positively prepared?

18. Regulation 8(4) of The Town and Country Planning (Local Planning)(England) Regulations 2012 specifies that subject to paragraph (5) the policies contained in a local plan must be consistent with the adopted development plan.
19. The JCS was adopted in March 2011 but was subject to legal challenge. As a result parts of the JCS concerning development proposals in the Broadland part of the Norwich Policy Area were remitted to Regulation 19 stage (formerly known as the pre-submission stage). The part JCS subsequently underwent public examination in 2013 and amendments to the adopted plan were adopted in January 2014.
20. The JCS identifies Norwich as a main focus for growth in the East of England for new homes and jobs, leisure, cultural and educational development. The SAP is in line with this approach and sets out in detail how the housing, employment, retail, leisure and educational development requirements of the JCS for the city are to be met. I have not identified any inconsistencies between the overall strategy for the city and the detailed allocation of sites. As a result I find the SAP to be consistent with the overall direction of the JCS.
21. The NPPF emphasises the importance of encouraging sustainable development through enabling economic growth and promoting housing development. Such a positive approach has been followed by the Council for many years and is inherent in the SAP. The Plan seeks to meet the identified needs of the city through a comprehensive set of allocations that have sustainable development

at their heart. Taking account of all the material before me I have not discerned any gaps in policy coverage. Consequently the SAP sits comfortably with the overall direction of the NPPF and is consistent with it. As the plan is based on a clear strategy that seeks to meet objectively assessed development and infrastructure requirements it has been positively prepared.

22. I conclude, therefore, that the SAP has been positively prepared, and is consistent with the overall direction of the JCS and national policy.

Are the policies and proposals in the SAP based on a robust and up-to-date evidence base?

23. The SAP is supported by a comprehensive evidence-base. Most of the material in the evidence base is of fairly recent origin. The Strategic Housing Market Assessment (SHMA) was originally prepared in 2007 but has subsequently been updated in 2009 and 2011. There is little to suggest that the general findings in the SHMA with regard to the housing required in the city are no longer relevant. The Strategic Housing Land Availability Assessment (SHLAA) and the work for the SAP demonstrate that there are sufficient deliverable and developable sites to meet the anticipated housing needs as required by the JCS.
24. Where necessary the Council has sought to update the information available by additional work and/or analysis, for instance with regard to viability. Topic papers have been produced for the Examination that updates the evidence base to take account of recent information, including the results of the Annual Monitoring Reports. A considerable amount of additional material and recent evidence has been produced by the Council in response to my questions. Consequently the policies and proposals contained in the SAP are based on a robust and up-to-date evidence base.
25. I conclude, therefore, the policies and proposals in the SAP are based on an robust up-to-date and evidence base.

Has sufficient regard been paid to infrastructure delivery & flood risk?

26. Throughout the preparation of the SAP the Council has carried out detailed consultation and engagement with a range of infrastructure providers. The amount of new development proposed in the plan will certainly give rise to a need for new and improved infrastructure. From the material available it is evident that the Council is seeking to identify any required works at an early stage. Appendix 7 of the JCS sets out details of the infrastructure required to support growth, including water, green infrastructure, transport and electricity. The Local Investment Plan and Programme contains updated information on these schemes. Additional site specific infrastructure is set out in the policies for the allocated sites. As a result there is a good prospect of the necessary infrastructure being in place at the appropriate time. The allocations in the plan, both individually and cumulatively, are not dependent on the provision of the proposed Norwich Northern Distributor Road.
27. The SAP has been informed by both Level 1 and 2 Strategic Flood Risk Assessments. This has meant that areas of fluvial flood risk have been identified and detailed consideration has been given to such areas in the city centre. The SAP policies have taken account of the findings. A Surface Water

Plan has identified areas at risk of flooding from heavy rainfall events and informed the definition of the boundaries of Critical Drainage Catchments. Again this work is reflected in the site allocation policies. The Environment Agency, together with the County Council, has been closely involved in all this work.

28. I conclude, therefore, that sufficient regard has been paid to infrastructure delivery and flood risk.

Have reasonable alternatives been considered and has the process involved in selecting sites been robust?

29. It is clear from the submitted plan and the supporting evidence that the Council considered reasonable alternatives before identifying the allocated sites, and their proposed uses, in the SAP. During the preparation of the plan over 170 sites were considered. Those identified as being suitable for particular uses were then assessed in terms of their availability, viability and sustainability, leading to the identification of about 80 preferred sites. Sustainability appraisal informed the process throughout and the public and stakeholders were given the opportunity to comment through several rounds of consultation.
30. Consequently I believe that the Council has adopted a thorough and systematic approach in the assessment of potential development sites with the result that, with the exception of one site (i.e. Bartram Mowers) dealt with below, those selected are the most suitable and appropriate when considered against the alternatives.
31. I conclude, therefore, that reasonable alternatives have been considered and the process involved in selecting sites has been robust.

Has due regard been taken of viability considerations and are the policies sufficiently flexible to take account of changing market conditions?

32. The Council's recent Viability Study (PS3) indicates that the great majority of the residential and mixed use developments proposed in the SAP are commercially viable. It is accepted that the study shows that the viability of high density residential development in the city centre is currently likely to be marginal. However sensitivity testing suggests that such developments would become viable with a very small reduction in the affordable housing requirement or a small increase in sales values. Given recent increases in house prices such schemes may well now be viable. In reaching this view I am mindful of recent local signals, including the re-commencement of significant high density residential development, including affordable housing, on land at Kerrison Road (Policy CC17), indicating an improvement in the market. In view of this it is reasonable to continue to allocate sites for high density residential development in the city centre.
33. Furthermore it is clear that flexibility has been built into each policy in terms of the mix of uses and scale of development. This will help to encourage the delivery of beneficial development even when market conditions are difficult. Policy DM33: Planning Obligations of the DMP (as to be modified) also makes clear that a flexible approach is to be taken to development proposals, that takes account of the impact on viability of planning obligations, site specific

policy requirements, and the Community Infrastructure Levy.

34. I conclude, therefore, that due regard has been taken to viability considerations and that the policies are sufficiently flexible to take account of changing market conditions.

Housing

Is the approach to housing provision soundly based?

Housing need

35. The JCS identifies the Norwich Policy Area (defined as the Norwich urban area and the first ring of fringe villages) as the focus for major growth and development over the lifetime of the plan, with a requirement to deliver approximately 33,000 new homes in the NPA in the period from 2008 to 2026. In the city of Norwich area JCS Policies 4 & 9 require sites for at least 3,000 additional dwellings to be allocated over the plan period to accommodate this level of growth. These 3,000 dwellings are in addition to the 5,592 already committed for housing development through existing Local Plan allocations or planning permissions at the 2008 base date of the plan. JCS Policy 11 deals specifically with Norwich City Centre and indicates that a minimum of 2,750 dwellings, taking account of already committed development, will be required in the city centre between 2008 and 2026.
36. The JCS figures have been used by the Council to determine the amount of land that needs to be released for additional housing. I consider that this is the correct approach given that the SAP is required to be consistent with the adopted Core Strategy under the terms of Reg 8(4) of the Town and Country Planning (Local Planning) (England) Regulations 2012. If the overall housing requirements for the JCS area are to be re-assessed this should be in the form of a review of the JCS strategy. It is not the role of the SAP, which is clearly intended to implement and be consistent with the adopted JCS, to revisit the overall approach to the City's development needs or the strategy to deliver them.

Housing supply

37. The allocations in the SAP (taking account of the Main Modifications) amount to a total of just under 3,000 dwellings. Consequently it would appear at first sight that the amount of housing allocated in the SAP is not consistent with the JCS which requires site allocations for at least 3,000 additional dwellings. However this does not reflect the fact that some previous site allocations now have planning permission and are delivering housing. Furthermore I consider that it is necessary to take account of other likely sources of housing supply over the plan period.
38. There is a strong history of windfall development within the City with an average of 230 homes per year delivered on windfall sites in the period 2001-2013. The Council, on the basis of the lowest annual windfall delivery figure during the period 2001-2013, estimate that a minimum of 150 dwellings per year could be delivered on windfall sites. As a result the Council estimate that about 1650 additional homes could be provided on windfall sites within the City in the period to 2026. On the basis of past rates of delivery of housing on

windfall sites this appears to me to be a reasonable assessment of what is likely to happen and the inclusion of windfall figures in the housing trajectory is justified.

39. It is evident from prior approvals of the change of use of offices to residential in the City that a number of additional housing units are likely to be delivered in this way over the next few years. The allocation of the Bartram Mowers site for over 55's housing in the SAP, which is dealt with below, would add further additional dwellings. Taken together the evidence indicates that additional sources of supply would be likely to provide about another 200 dwellings in the plan period.
40. The PPG also indicates that in assessing housing land supply account can also now be taken of the provision of accommodation for students and within residential institutions (C2 housing). From the material before me it does not appear that the council has recent information on the accommodation needs of students or residential care needs. As a result it is not possible to estimate how the provision of additional bed-spaces in these sectors might release homes on to the market. Without such information I believe that the incorporation of student and institutional completions within the housing land supply calculations is unjustified.
41. When the additional sources of housing supply are taken together with the dwellings allocated in the SAP additional provision approaches 5,000 dwellings. Taking account of outstanding planning permissions, sites with a resolution to approve, sites allocated in the adopted local plans without permission, and completions since 2008 there are about another 6,350 units to add to the housing supply figures.
42. Consequently provision is made for over 11,000 dwellings between 2008 and 2026 compared to the JCS Policy 4 requirement of a minimum of 8,592 dwellings. This means that provision is about 28% higher than the JCS minimum requirement. Such a level of provision is in line with the exhortations in the NPPF to boost housing supply.
43. Given the work that the Council has carried out with regard to viability and the intentions of site owners I am confident that most of the sites allocated in the SAP are likely to be deliverable within the plan period. However experience indicates that it is unlikely that all commitments and allocations will be delivered or be developed in the form intended. In view of this there is a need for a fair degree of flexibility in the figures and this is provided for when all the various sources of housing supply are taken into account.

Five year supply of housing land in the City

44. The NPPF states that where there has been a record of persistent under delivery of housing, a buffer of 20% should be added to the housing provision figures to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land. In my view there is no evidence of persistent under-delivery of housing within the City. Rather a considerable amount of new housing has been delivered, even in the past few years when economic conditions have been challenging. Consequently I find no justification for including a buffer of 20%.

45. The Council has supplied detailed figures (31 March 2013) on the five year housing land supply position for the City including a 5% buffer. These are contained in the Addendum to the Housing Topic Paper (JD15.1): April 2013 update (Document ED25). The figures indicate that there is 7.55 years supply of housing land according to the 'Liverpool' methodology and 5.7 years if the 'Sedgefield' approach is followed. Although the annual residual requirement is higher than recent annual completion rates it is still below levels achieved when the economy was buoyant. On the basis of the information supplied I accept that there is a 5 year supply of housing land in the City in accordance with NPPF guidance.
46. In order to monitor the effectiveness of the JCS with regard to housing land provision there is a need to measure 5 year land supply across the NPA. However I do not consider that such an exercise is necessary in determining the soundness of the SAP given that provision in the SAP is consistent with the JCS requirement for Norwich city.

Housing trajectory

47. Norwich experienced unprecedented housing development in the last decade, rising annually from 2001 and peaking at over 1000 dwellings in 2007/08. Since the onset of the recession in 2008, delivery has reduced to below 400 dwellings annually in 2009/10 and in 2010/11, and fell to 280 dwellings in 2011/12. However there has been an upturn in 2012/13 with delivery in Norwich rising to 377 dwellings.
48. The housing trajectory estimates that housing delivery is expected to rise gradually in the short term to peak at similar rates to those achieved in recent years at over 1000 per year in 2016/7 and 2017/18. It is estimated that housing delivery rates are then likely to fall as the only major greenfield site in the city at Three Score is developed and brownfield opportunities are reduced. Given current improving market conditions and the work that the Council has undertaken with regard to the intentions of site owners and viability I consider that the estimates that underlie the housing trajectory are reasonably based.

Distribution

49. In line with national planning policy the JCS aims to maximise the potential for sustainable brownfield development within Norwich in order to reduce the need for greenfield development in the rest of the NPA. The examined SAP provides for a total of over 3,000 dwellings from 2008 to 2026 in the city centre compared to a minimum 2,750 dwellings requirement from the JCS. Currently of the 3,856 dwellings with permission in the city, 2,052 are on city centre sites. Consequently the distribution of housing provision is in line with both national and local planning policies.

Type and size of housing

50. JCS Policy 4 requires proposals for housing to contribute to the mix of housing required to provide balanced communities and meet local needs, including affordable housing and housing with care. Within the City there is no rigid calculation of specific numbers and sizes of dwellings required to meet local needs. Rather it is left to the developer to determine having regard to local needs, planning and housing policies, and the advice of relevant bodies. This

flexible approach accords with national guidance and has been successful in providing an appropriate supply of housing to meet the needs of the area, including a significant amount of affordable housing.

51. I conclude, therefore, that the approach to housing provision is soundly based.

Employment

Is the overall approach to employment growth soundly based?

52. Although the JCS does not contain any specific targets for additional employment land or new jobs it stresses the critical employment role of the city to the economic well-being of the area. In recognition of the important role that office development should continue to play in the area's economy JCS Policy 5 indicates that provision should be made for at least 100,000 square metres of new office floor space in the city centre. The JCS also contains a commitment to the regeneration of existing employment sites.
53. It is evident from the material submitted that the SAP, and the associated DMP, are consistent with the JCS in terms of employment policy and are based on a thorough understanding of the business needs of the City. The main components of the Council's approach in the two plans to employment growth are:
- ensuring that, wherever appropriate, employment and/or office use is included within the site allocations. Of the 78 allocated sites in the SAP, 34 (24 in the city centre and 10 in the rest of the city) contain these uses as part of the proposed mix of development;
 - allocating additional employment land, whilst accepting that certain previously designated employment sites are best re-allocated or suited to a mix of uses;
 - the safeguarding of the majority of existing employment areas, whilst providing for the redevelopment and intensification of employment uses within them;
 - identifying in the DMP an Office Development Priority Area (ODPA) in the city centre to encourage major office development on a number of key city centre sites and move towards the 100,000 square metres additional requirement;
 - including policies designed to encourage employment and business development, including small and medium size operations;
 - encouraging development at locations that are vital to the economy of the area, including the city centre, Norwich Airport and the University of East Anglia.
54. As regards viability the Viability Study indicates that small and large mixed use sites in the city centre that include an office element are likely to be viable. Although single use employment sites in suburban locations are not viable in present market conditions the study concludes that an increase in

land values of about 5% would make them viable. Consequently I consider that such sites have a reasonable prospect of delivery given current improving market conditions.

55. In my view the plans contain a comprehensive and robust set of employment policies and proposals designed to contribute to the achievement of a prosperous local economy. I conclude, therefore, that the overall approach to employment growth is soundly based.

Other Matters

Is there an effective monitoring framework?

56. At present the LP is unsound as it does not contain a monitoring framework to assess the efficacy of LP policies. Main Modification **SA-MM35** corrects this omission.
57. It is concluded that, subject to the inclusion of Main Modifications **SA-MM35**, the LP is soundly based.

Is there a need for a glossary of terms?

58. To aid understanding of the LP it is sensible to including a glossary of the terms used. Main Modification **SA-MM36** contains such a glossary.
59. It is concluded that, subject to the inclusion of Main Modifications **SA-MM36**, the LP is soundly based.

Site Specific Policies

60. A number of the site specific policies in the SAP are not specifically referred to in this report. Furthermore where policies are referred to, only particular elements are usually discussed. This is because the report focuses on those parts of the plan where there may be soundness issues.

Are the various site specific policies soundly based?

Critical Drainage Catchments

61. Recent additional evidence has led to the identification of larger critical drainage catchments. These are contained within Main Modification **PM-MM13** which amends the Policies Map in relation to DMP Policy DM5 Critical Drainage Areas/Catchment. This change, coupled with the need to require the submission of a flood risk assessment or surface water management assessment with proposals in such areas, necessitates changes to various site specific policies. The sites are CC24 (Barn Road Car park), CC26 (Pottergate car park), CC35 (Westwick Street Car park), R13 (233-277 Aylsham Road), R19 (Van Dal Shoes, Dibden Road), R20 (Former Start Rite Factory Site, 28 Mousehold Lane), R21 (Land north of Windmill Road), R22 (Starling Road), R23 (Land at Aylsham Road), R24 (165-187 Aylsham Road), R25 (Former Pupil Referral Unit, Aylsham Road), R28 (Site north of Raynham Street), R29 (Goldsmith Street), and R31 (2 sites at Hurricane Way, Airport Industrial Estate). Main Modification **SA-MM1** encompasses these changes.

62. These changes are justified on the basis that they take account of recent evidence, bring the policies into line with national policy on flood risk, and reflect the approach of the flood authorities.
63. It is concluded that, subject to the inclusion of Main Modification **SA-MM1**, Policies CC24 (Barn Road Car park), CC26 (Pottergate car park), CC35 (Westwick Street Car park), R13 (233-277 Aylsham Road), R19 (Van Dal Shoes, Dibden Road), R20 (Former Start Rite Factory Site, 28 Mousehold Lane), R21 (Land north of Windmill Road), R23 (Land at Aylsham Road), R22 (Starling Road), R24 (165-187 Aylsham Road), R25 (Former Pupil Referral Unit, Aylsham Road), R28 (Site north of Raynham Street), R29 (Goldsmith Street), and R31 (2 sites at Hurricane Way, Airport Industrial Estate) are soundly based subject to any other Main Modifications that are recommended below.

East Norwich sites

64. Policy 12 of the JCS indicates that there are major physical regeneration opportunities for mixed use development and enhanced green linkages in east Norwich.
65. The SAP seeks to implement this strategic policy for east Norwich with site allocations for the Deal Ground (Policy R10), the Utilities site (Policy R11), the Gothic Works (R12) and the Kerrison Road site (CC17). In my view the allocation policies for these four sites will secure a co-ordinated approach to the development of the area, particularly in relation to access (explained in Hearing document ED21), and ensure that comprehensive development is secured. It is also clear that viability and deliverability considerations have shaped the content and mix of uses contained in the policies.
66. I conclude, therefore, that the overall approach to the development of the East Norwich sites is soundly based, subject to any detailed recommended Main Modifications specified below.

City Centre Site Specific Allocations

Policy CC2: 84-110 Ber Street

67. The owner of this site has indicated that the site is no longer available for development within the plan period. As development on the site will not be delivered Policy CC2 is not effective and its deletion is justified. Main Modification **SA-MM2** secures its deletion from the Plan and Policies Map.
68. It is concluded that Policy CC2: 84-110 Ber Street is not soundly based and requires deletion by Main Modification **SA-MM2**.

Policy CC4: 10-24 Ber Street

69. There has been a change in ownership of the southern part of the site and this part of the site is no longer available for development. As a result the site is much smaller in area. To reflect this, the description of the site needs to be altered, the number of dwellings that could be accommodated reduced from 30 to 10, and the access arrangements clarified. As development of the southern part will not now be delivered Policy CC4 is not effective and

revisions are required. Main Modification **SA-MM3** includes these changes. This modification also refers to the need to take account of possible contamination on the site. In the interests of highway safety the access should be located close to the southern boundary of the site. The resultant modifications to the Policies Map are shown in Annex A.

70. It is concluded that, subject to the inclusion of Main Modification **SA-MM3** and the modifications to the Policies Map shown in Annex A, Policy CC4: 10-24 Ber Street is soundly based.

Policy CC9: King Street Stores

71. The CC9 allocation is located between King Street and the River Wensum and is occupied by a warehouse building and courtyard. It is allocated for a minimum of 20 dwellings.
72. I do not consider that there are grounds for the inclusion of the Wensum Sports Centre (formerly the Lincoln Ralphs Sports Hall), which lies just to the north, within an extended CC9 allocation. This centre is an extremely important sporting and leisure facility that is cherished by the local community. In addition to a sports hall there are two squash courts and other indoor spaces used for various activities. The Sports Centre is operated by a charitable association and since re-opening in November 2012 has been well-used and popular. Grant aid to improve both its external appearance and the facilities offered is currently being explored.
73. The Sports Centre is in a highly sustainable location within the south-east part of the city centre and is well-placed to serve the needs of those living in the area. The evidence available indicates that whilst Norwich has a reasonable supply of sports halls, these are operating near capacity and would be unable to accept any displaced demand if the sports hall at Wensum Sports Centre closed. There would be limited space on the site to replace the facilities lost if residential development were to be allowed, whilst cost is likely to prevent re-provision on another site, even if such a site could be found in the area.
74. In view of this there are strong grounds for the retention of the Sports Centre and the encouragement of its improvement. This approach is in line with Paragraph 70 of the NPPF which draws attention to the need to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. I have taken account of various other relevant considerations including the advantages of comprehensive regeneration of the area, the townscape benefits to the Conservation Area and the setting of nearby buildings, the unattractive appearance of the Sports Centre building, and its short term tenancy. However these matters, even if taken together, do not justify the loss of such an important local asset.
75. I conclude, therefore, that Policy CC9: King Street Stores is soundly based and the extension of the allocation to include the Wensum Sports Centre is not justified.

Policy CC11 - Land at Garden Street

76. Policy CC11 allocates this 1.08 ha site for mixed use development (i.e. about

100 dwellings and an element of small scale office/business units).

77. The County Council has identified a need for an additional primary school in the school planning area comprising Lakenham, Mancroft and Thorpe Hamlet Wards and Trowse in South Norfolk. The school is likely to be needed around 2020-2021. Whilst preliminary work by the County Council has found that the CC11 site may be suitable for such development, no detailed evidence has been produced to assess the potential of other sites in the school planning area to deliver the required provision.
78. It is considered that the site is in a good location for a primary school. It sits within a predominantly residential part of the city and is in close proximity to the city centre. Consequently it is well-placed to serve the primary educational needs of the local area and take advantage of sustainable transport links. There do not appear to be any alternative, suitable sites of this size or location in the surrounding area.
79. In the light of this and to ensure the proper planning of the area it is sensible to allow the County Council a temporary period of 4 years from adoption of the SAP to undertake an assessment of alternative school sites, establish whether a primary school is required on site CC11, and submit a planning application. This length of time is required for the County Council to complete the required work and submit a planning application. It would also be important to ensure that in the event that the site is not required for a school the policy still allows for a housing-led mixed use development. Main Modification **SA-MM4** makes the necessary changes to the Policy CC11 and the supporting text.
80. There is an identified need to retain public car parking in the area. Consequently it is reasonable and legitimate for the City Council to require school development, as with a mixed use scheme, to make provision for replacement public car parking in the vicinity of the site through direct provision or through a commuted sum to extend existing car parks.
81. It is concluded that, subject to the inclusion of Main Modification **SA-MM4** Policy CC11: Land at Garden Street is soundly based.

Policy CC18: Former Hunters Squash Club, Edward Street

82. As the development on this site has now been completed it needs to be removed from the SAP. Main Modification **SA-MM5** deletes Policy CC18 from the plan.
83. It is concluded that as the development on the Policy CC18: Former Hunters Squash Club site has been delivered it requires deletion by Main Modification **SA-MM5**.

Policy CC19a: Barrack Street

84. Policy CC19a allocates the site for a comprehensive mixed use development of offices, housing and a hotel.
85. In view of the uncertainty about the viability of a hotel on the site it is considered that the policy should be made more flexible in this regard. Consequently Main Modification **SA-MM6** makes it clear that a hotel could be

included as part of the development, subject to viability. A number of other changes relating to the provision of a public square, flood risk, the consent of the Environment Agency, and contamination are required to delete unnecessary detail and provide clarity on the development of the site. These modifications will make for an effective policy.

86. It is concluded that, subject to the inclusion of Main Modification **SA-MM6** Policy CC19a: Land at Barrack Street is soundly based.

Policy CC19b: Whitefriars

87. Policy 19b allocates the site for office development.
88. This site is identified by JCS Policy 11 as being within an area of change suitable for commercial development. The site also lies within the Office Development Priority Area (ODPA) as defined by Policy DM19 of the DMP. Given this, and the sustainable location close to bus routes and the railway station, the site is well-suited for office development. However it is considered that greater flexibility in the policy to allow ancillary uses related to office development such as small scale retail, café uses, and some housing, may help the delivery of development. A simple change in the policy wording to refer to 'office-led mixed use development' is, therefore, considered justified. Two other changes relating to flood risk and the consent of the Environment Agency are required to provide clarity on the development of the site. Main Modification **SA-MM7** covers these points.
89. It is concluded that, subject to the inclusion of Main Modification **SA-MM7** Policy CC19b: Whitefriars is soundly based.

Policy CC23: Duke's Wharf, Duke Street (Former EEB offices)

90. Policy CC23 allocates this site for a mix of uses including offices, and potentially a residential scheme of up to 30 dwellings, small scale retail units, food and drink uses, professional services, and an hotel. The policy is designed to be flexible because a range of uses is potentially appropriate in this sustainable city centre location. Furthermore such an approach is likely to facilitate delivery of this brownfield site.
91. It is considered that to increase the likelihood of its development the uses deemed appropriate on the site should also include Class D1 use (Non-residential institutions). This would be in line with recent initiatives in the city centre, including the grant of university status for the College of Art, which may lead to the provision of additional educational facilities. Such an approach would also accord with the NPPF and JCS which both strongly support the expansion of schools and further education and training facilities. Four other changes relating to the description of the site, flood risk and the consent of the Environment Agency, and conversion and demolition, are required to provide clarity on the development of the site. Main Modification **SA-MM8** covers these points.
92. It is concluded that, subject to the inclusion of Main Modification **SA-MM8**, Policy CC23: Duke's Wharf, Duke Street (Former EEB offices) is soundly based.

Policy CC25: Norfolk House, Exchange Street

93. As a new higher education facility has been completed on the site the CC25 allocation needs to be removed from the plan. Main Modification **SA-MM9** deletes Policy CC25 from the plan.
94. It is concluded that as the Policy CC25: Norfolk House, Exchange Street site is no longer available it requires deletion by Main Modification **SA-MM9**.

Policy CC28: Fire Station, Bethel Street

95. As a sixth form free school has been provided on the site the CC28 allocation needs to be removed from the plan. Main Modification **SA-MM10** deletes Policy CC28 from the plan.
96. It is concluded that as the Policy CC28: Fire Station, Bethel Street site is no longer available it requires deletion by Main Modification **SA-MM10**.

CC29: Chantry Car Park

97. Policy CC29 allocates the site for a mix of uses including retail / café / leisure / art / entertainment uses on the ground floor and mixed uses (including retail and/or offices) on upper floors.
98. This allocation enables the intensification of retail and leisure uses in a highly sustainable location next to the Chapelfield shopping centre. This approach is in line with the St Stephens masterplan which provides overall guidance on the area's development. I consider that the policy provides an appropriate amount of guidance given the site's sensitive location within the historic heart of the city centre. Consequently I find no justification for an increased amount of flexibility in the policy wording.
99. It is concluded, therefore, that Policy CC29: Chantry Car Park is soundly based.

Policy CC31: St Stephens Street

100. Policy CC31 allocates the site for a comprehensive mixed use scheme to include primarily retail development, office and residential uses on upper floors and a new pedestrian link to the bus station from St Stephens Street.
101. The Council's aim of securing comprehensive development across this important and prominent city centre site merits strong support and accords with the JCS. However the information submitted indicates that a comprehensive scheme may not be viable in current market conditions. Consequently it is sensible to revise the policy to refer specifically to the need to take account of viability and provide a clear policy direction in the event that comprehensive development proves unviable. In particular there is a need to identify which parts of the site, including existing buildings, will be suitable for retail, office or housing uses. Main Modification **SA-MM11** addresses this point.
102. As the principles inherent in the St Stephens Street Area Masterplan are reflected in the policy there is no need to refer specifically to the masterplan in

the policy.

103. It is concluded that subject to the inclusion of Main Modification **SA-MM11**, Policy CC31: St Stephens St is soundly based.

Policy CC32: Land and buildings at the junction of St Stephens Street and Westlegate

104. As the principles inherent in the St Stephens Street Area Masterplan are reflected in the policy there is no need to refer specifically to the masterplan in the policy.

105. It is concluded that Policy CC32: Land and buildings at the junction of St Stephens Street and Westlegate is soundly based.

Policy CC33: Westlegate Tower

106. As this site is currently being developed for 19 housing units and A1 retail and A3 restaurant uses the CC33 allocation needs to be removed from the plan. Main Modification **SA-MM12** deletes Policy CC33 from the plan.

107. It is concluded that as the site is being developed Policy CC33: Westlegate Tower requires deletion by Main Modification **SA-MM12**.

Remainder of the City

Policy R2: Norfolk Learning Difficulties Centre, Ipswich Road

108. At present one of the requirements of Policy R2 is for the site to be considered with the former garage to the north to enable a more comprehensive, co-ordinated scheme. As the garage site is under different ownership and is separated from the allocation by a public footpath such a stipulation may prejudice the implementation of development on the R2 site. Consequently in order to make for a more effective policy Main Modification **SA-MM13** deletes the reference to the former garage site.

109. It is concluded that, subject to the inclusion of Main Modification **SA-MM13**, Policy R2: Norfolk Learning Difficulties Centre, Ipswich Road is soundly based.

Policy R3: Hall Road District Centre

110. The relationship of the Hall Road retail park to the Hall Road District Centre is discussed in the report on the DMP in relation to Policy DM25 – Use and removal of restrictive conditions on retail warehousing and other retail premises.

Policy R4: Hewlett Yard, Hall Road

111. Hewlett Yard is now included on the extended local list of buildings of architectural and historic interest adopted by the Council in January 2014. Main Modification **SA-MM14** brings the status of the site up-to-date.

112. It is concluded that, subject to the inclusion of Main Modification **SA-MM14**, Policy R4: Hewlett Yard, Hall Road is soundly based.

Policy R5: Part of school playing field of Hewett School

113. This site, which lies within the Hewett school campus, is allocated for a family and community support centre for students and the local community. The development would involve the loss of disused hard tennis courts and grassland not used for sport for a number of years.
114. The Norwich Open Space Needs Assessment 2007 indicates that the minimum standard for outdoor sports space in this part of the city is met. Since then significantly improved sports facilities have been provided on the nearby all-weather football and hockey pitches. The remaining extensive school playing fields will continue to provide a wide range of sports pitches and facilities, including grass tennis courts. In the light of this I consider that the benefits to the local community of the proposed facility outweigh the retention of disused sports facilities. This finding broadly accords with local and national planning policy.
115. The boundary of the allocation requires amendment on the Policies Map to reflect the completed adjoining development. Main Modification **PM-MM12** and the associated **Annex O**, contains this boundary change.
116. It is concluded, therefore, that subject to the inclusion of Main Modification **PM-MM12**, Policy R5: Part of school playing field of Hewett School is soundly based.

Policy R8: John Young's Ltd., 24 City Road

117. Policy R8 currently requires the retention and conversion to residential use of the Victorian building in the north-east corner of the site.
118. Whilst it is considered that this Victorian building has some limited heritage interest it has been extensively altered and extended and is, therefore, neither statutorily listed nor on the city council's local list. Consequently it is unreasonable for Policy R8 to insist on its retention and conversion, although this is a desirable aspiration. In recognition of the increased scope for new development on the site the number of dwellings is changed to a minimum of 45 dwellings. Main Modification **SA-MM15** includes the necessary changes.
119. It is concluded that, subject to the inclusion of Main Modification **SA-MM15**, Policy R8: John Young's Ltd., 24 City Road is soundly based.

Policy R10: The Deal Ground, Trowse

120. This site now has outline planning permission for a mixed use development, including up to 670 dwellings and a range of commercial uses. When this application was determined regard was paid to adjacent land uses in particular the minerals aggregate depot and processing plant and railhead. It was found, on the basis of detailed reports and assessments, that there was no justification for resisting development on the basis of noise, dust or odour pollution. Furthermore the permission demonstrates that it was held that the future of adjoining land uses would not be threatened by the permitted scheme.

121. Given this it would be inequitable at this stage to modify Policy R10 to require further work to be carried out with regard to noise, dust and odour pollution. It is not the function of a local plan to introduce further controls on a site once a scheme has been approved and material considerations addressed. Rather the appropriate approach is to ensure that the reserved matters are carefully assessed, having regard to the conditions attached to the outline planning permission. Clearly it will also be necessary for the appropriate authorities to ensure over the coming years that any controls over the operation of adjacent land uses are complied with.
122. The proposed bridge over the River Wensum between the Deal Ground site and the Utilities site (R11) is a key element in the development of these two sites and the wider area. Policy R10 indicates that the vehicular use of this bridge shall be restricted to emergency vehicles, cycles and potentially buses. I consider this limitation to be appropriate as general vehicular access from the Deal ground through the Utilities site to Kerrison Road/ Carrow Road area would be likely to cause unacceptable highway effects, including high levels of congestion, in this part of the city. Matters of detailed design of the bridge, such as specific clearance height, are detailed matters for the Broads Authority as navigation authority when determining planning applications for the river. It is understood that the approved scheme for the bridge is in line with the Authority's requirements.
123. It is concluded that Policy R10 The Deal Ground, Trowse is soundly based. Consequently Proposed Main Modification SA-MM16 is not taken forward.

Policy R11: Utilities Site, Cremorne Lane

124. Policy R11 currently states that the mixed use development of the site should provide in the region of 100 dwellings.
125. It is considered that to provide greater flexibility and allow more housing to be secured on the site if deemed appropriate, the policy should be revised to a minimum of 100 dwellings. Main Modification **SA-MM17** makes this change. For the sake of clarity this modification also replaces the term 'residential moorings' with the 'public moorings and/or private moorings serving new residential development' and refers to the need to involve the Environment Agency with regard to various matters affecting the site. There is no need to refer specifically to the site's suitability for leisure, cultural and or educational facilities as such uses are not precluded by the policy.
126. It is concluded that, subject to the inclusion of Main Modification **SA- MM17**, Policy R11: Utilities Site, Cremorne Lane is soundly based.

Policy R12: Kerrison Road/Hardy Road, Gothic Works

127. The current wording of Policy R12 implies that the proposed access through the site to Site R11 is only for emergency vehicles. However the intention is to enable people and vehicles to use this access point to leave the R11 site in the event of an emergency and for servicing that site. Main Modification **SA-MM18** makes this clear. In my view general vehicular access through the site to the Policy R11 site would be likely to cause unacceptable highway effects, including high levels of congestion, in this part of the city.

128. There is insufficient justification at the present time for including a bus drop-off point on the site although I am sure that the Council would react positively to such a proposal if it were to be demonstrated that the benefits of such a scheme outweighed any drawbacks.
129. For clarification the proposed modification also refers to the need to involve the Environment Agency with regard to various matters affecting the site.
130. It is concluded that, subject to the inclusion of Main Modification **SA-MM18**, Policy R12 Kerrison Road/Hardy Road, Gothic Works is soundly based.

Policy R13: 233-277 Aylsham Road

131. This site is in 4 land ownerships. One of the landowners has confirmed that they intend to develop their land separately with 4 dwellings, whilst another has confirmed that there is no intention to develop their industrial units within the plan period. To reflect this and ensure an effective policy Main Modification **SA-MM19** excludes these 2 areas, reduces the number of dwellings to be accommodated accordingly, makes it clear that a mix of flats and houses would be appropriate, and recognises that account needs to be taken of the potential noise from the retained industrial units. In the interests of clarity this Modification also refers to flood risk and contamination. The resultant modifications to the Policies Map are shown in **Annex B**. These modifications are required to produce an effective policy.
132. It is concluded that, subject to the inclusion of Main Modification **SA-MM19** and the modifications to the Policies Map shown in **Annex B**, Policy R13: 233-277 Aylsham Road is soundly based.

Policy R14: Chalk Hill Works, Rosary Road

133. As this site is currently being developed for 28 dwellings the Policy R14 allocation needs to be removed from the plan. Main Modification **SA-MM20** deletes Policy R14 from the plan.
134. It is concluded that as the R14: Chalk Hill Works, Rosary Road site is currently being developed this allocation requires deletion by Main Modification **SA-MM20**.

Policy R15: Gas Holder at Gas Hill

135. This site is adjacent to the chalk scarp face and consequently to ensure an effective policy there is a need to protect and enhance its geo-diversity value. Main Modification **SA-MM21** changes the policy accordingly. For clarification this modification also refers to the need to involve the Environment Agency because of the site's location within Source Protection Zone 1.
136. It is concluded that, subject to the inclusion of Main Modification **SA-MM21**, Policy R15: Gas Holder at Gas Hill is soundly based.

Policy R16: Land east of Bishop Bridge Road

137. This site is adjacent to the chalk scarp face and consequently to ensure an effective policy there is a need to protect and enhance its geo-diversity value.

Main Modification **SA-MM22** amends the policy accordingly. For clarification this modification also refers to the need to involve the Environment Agency because of the site's location within Source Protection Zone 1. It also makes clear that development of the site will depend on the successful decommissioning of the gasholder and revocation or surrender of its hazardous substance consent.

138. It is concluded that, subject to the inclusion of Main Modification **SA-MM22**, Policy R16: Land east of Bishop Bridge Road is soundly based.

Policy R17: Land at Ketts Hill/Bishop Bridge Road

139. This site is adjacent to the chalk scarp face and consequently to ensure an effective policy there is a need to protect and enhance its geo-diversity value. Main Modification **SA-MM23** changes the policy accordingly. For clarification this modification also refers to the need to involve the Environment Agency because of the site's location within Source Protection Zone 1.

140. It is concluded that, subject to the inclusion of Main Modification **SA-MM23**, Policy R17: Land at Ketts Hill/Bishop Bridge Road is soundly based.

Policy R18: 124-128 Barrack Street

141. The western part of the site (124 Barrack Street) has been redeveloped to provide a dentist surgery and associated parking. To ensure an effective policy this part of the site should be removed from the allocation and the number of proposed housing units reduced from 30 to 15. This, together with a number of other consequential amendments, is included within Main Modification **SA-MM24**. The resultant modifications to the Policies Map are shown in Annex C.

142. It is concluded that, subject to the inclusion of Main Modification **SA-MM24** and the modifications to the Policies Map shown in **Annex C**, Policy R18: 124-128 Barrack Street is soundly based.

Policy R19: Van Dal Shoes, Dibden Road

143. This site is now included on the extended local list of buildings of architectural and historic interest adopted by the Council in January 2014. Main Modification **SA-MM25** brings the status of the site up-to-date.

144. It is concluded that, subject to the inclusion of Main Modification **SA-MM25**, Policy R19: Van Dal Shoes, Dibden Road is soundly based.

Policy R20: Former Start Rite Factory Site, 28 Mousehold Lane

145. This site is allocated for redevelopment for about 40 dwellings.

146. I do not consider that the Policy R20 site should be allocated for a mix of uses, including a food store. A foodstore on the site would have a significant impact on the viability and vitality of the defined centre at Sprowston Road/Shipfield, which lies close-by. The retail function of the Sprowston Road/Shipfield centre has recently been reinforced by the construction of a new foodstore, its re-categorisation as a district centre, and enlargement of its boundaries. Consequently allowing retail development on the Policy R20 allocation would

be in conflict with national and local retail policies.

147. It is concluded that Policy R20: Former Start Rite Factory Site, 28 Mousehold Lane is soundly based.

Policy R21: Sprowston Road/Land north of Windmill Road

148. On the southern part of this site an Aldi food store has opened for trading and work has commenced on building 9 residential units. To ensure an effective policy this part of the site should be removed from the allocation and the number of proposed housing units reduced accordingly from 25 to 10. This, together with a number of other consequential amendments, is included within Main Modification **SA-MM26**. The resultant modifications to the Policies Map are shown in Annex D.

149. It is concluded that, subject to the inclusion of Main Modification **SA-MM26** and the modifications to the Policies Map shown in **Annex D**, Policy R21: Sprowston Road/Land north of Windmill Road is soundly based.

Policy R28: Site north of Raynham Street

150. Although the explanatory text to Policy R28 refers to the opportunity to improve the currently unattractive strategic Dolphin Path pedestrian and cycle link there is no specific reference to this in the policy wording. Main Modification **SA-MM27** makes good this omission and is required to ensure that Policy R28 is comprehensive and effective.

151. It is concluded that, subject to the inclusion of Main Modification **SA-MM27**, Policy R28: Site north of Raynham Street is soundly based.

Policy R31: Two sites at Hurricane Way, Airport Industrial Estate

152. Policy R31 allocates these two sites for light industrial development and/or for small business use.

153. It is considered that the southern part of Site B (the eastern part) is suited to residential development given the adjoining areas of housing to the south and west and would allow for a planned interface between employment and residential uses. A masterplan would be required to guide development on the sites. Such an approach accords with national guidance and the JCS.

154. Proposed Main Modification **SA-MM28** specifies that the housing on Site B would be dependent on funding regeneration. This requirement is considered unnecessary given the policy already specifies the associated improvements required. As the masterplan will determine the appropriate number of dwellings on the site Proposed Modification SA-MM28 is in need of revision to make it clear that 30 units is an assumption to be used for calculating the site's contribution to the JCS housing requirement.

155. It is concluded that, subject to the inclusion of Main Modification **SA-MM28** (as revised), Policy R31: Two sites at Hurricane Way, Airport Industrial Estate is soundly based.

Policy R32: The Paddocks, Holt Road

156. Policy R32 allocates this site for airport operational uses to enable the further expansion of the airport. The policy indicates that the need for the land for operational uses will be established by means of the impending masterplan to be prepared by the airport authority.

157. It is accepted that as the site lies between the airport and the A140 Holt Road it is well-suited to possible airport use. However as the policy stands it is too open-ended and could lead to long-term uncertainty about the future of this piece of land. The airport authority has confirmed that work is to commence on the preparation of the airport masterplan in 2015. Given this it is reasonable to modify the policy to allow a period of 2 years from the adoption of the SAP for the masterplan to establish whether the site is required for airport operational purposes. In the event that the site is not required in view of the location of the site on the edge of the built-up area, near to other employment uses and next to a principal road it would be appropriate for general needs employment uses, which may or may not be airport related. Main Modification **SA-MM29** revises the policy accordingly and is required to make the policy effective. It is anticipated that in order to minimise the number of accesses onto the A140 access to any development would be from Gambling Close. However the modification does not rule out alternatives, including direct access from Holt Road, if it can be demonstrated that there is no significant impact on highway safety.

158. It is concluded that, subject to the inclusion of Main Modification **SA-MM29**, Policy R32: The Paddocks, Holt Road is soundly based.

Policy R35: 120-130 Northumberland Street

159. This housing allocation provides for a cycle and pedestrian link between Armes Street and Bramfield Close. As the site is in several ownerships it needs to be developed comprehensively. I consider that a cycle and pedestrian link through the site is reasonable and would help the safe and free movement of cyclists and pedestrians through the area. Consequently this element of the policy is justified.

160. It is concluded, therefore, that Policy R35: 120-130 Northumberland Street is soundly based.

Policy R39: Mile Cross Depot

161. This 3.65 ha site is allocated for mixed use development to include a minimum of 75 dwellings and small business workshop units. I consider that the figure of a minimum of 75 dwellings is based on a careful appraisal of the capacity of the site and its constraints. The density is in line with the SAP's strategic aim of promoting medium/high density housing development on brownfield sites in edge of city locations.

162. It is concluded, therefore that Policy R39: Mile Cross Depot is soundly based.

Policy R42: Earlham Hall

163. The current policy specifies that the proposed new building in the former

nursery garden and redundant glasshouse area should be a maximum of 7000 square metres, whilst the proposed new building on the former depot should be a maximum of 3000 square metres.

164. These floor space figures have been determined on the basis of the likely capacity of the site taking account of the need to protect heritage assets and landscape features. In order to provide some flexibility and to avoid being overly precise it is considered that these figures should be approximate rather than maxima. This would make for a more effective and realistic policy that takes account of the sensitive nature of the site. Main Modification **SA-MM30** makes the required change and also clarifies matters with regard to flood risk on the site.

165. It is concluded that, subject to the inclusion of Main Modification **SA-MM30**, Policy R42: Earlham Hall is soundly based.

Policy R43: Former Blackdale School, University of East Anglia

166. At present no mention is made in the policy of the need to take a coherent and co-ordinated planning approach to this site and the importance of involving English Heritage, UEA and the City Council. Furthermore there is no reference in the policy of the regard that should be paid to Lasdun's original vision for the development of the university. These are significant omissions from the policy that are rectified by Main Modification **SA-MM31**. The revised wording would allow for the possibility of different forms of supplementary guidance for the site rather than a purely design-led masterplan.

167. The current policy requires this campus extension to be linked to the university district heating network. It is considered, however, that in determining whether the proposed development should be so linked account needs to be taken of feasibility considerations. Main Modification **SA-MM31** also secures this change and would make Policy R43 more capable of delivery.

168. It is concluded that, subject to the inclusion of Main Modification **SA-MM31**, Policy R43: Former Blackdale School, University of East Anglia is soundly based.

Policy R44: Land between Suffolk Way and Bluebell Road, University of East Anglia

169. At present no mention is made in the policy of the need to take a coherent and co-ordinated planning approach to this site and the importance of involving English Heritage, UEA and the City Council. Furthermore there is no reference in the policy of the regard that should be paid to Lasdun's original vision for the development of the university. These are significant omissions that are rectified by Main Modification **SA-MM32**.

170. The current policy requires this campus extension to be linked to the university district heating network. It is considered, however, that in determining whether the proposed development should be so linked account needs to be taken of feasibility considerations. Main Modification **SA-MM32** also secures this change and would make Policy R43 more capable of delivery.

171. I consider that as site allocations R42 and R43 are brownfield sites they should

be developed before the Policy R44 allocation, which is greenfield. This would accord with one of the fundamental aims of the SAP to secure the efficient use of previously developed land. Furthermore although the transport impact of sites R42 and R43 have been assessed a more rigorous review of transport impacts would be required if the R44 allocation is brought forward. Notwithstanding this if highway and environmental matters can be satisfactorily addressed and the two brownfield sites are shown not to be appropriate for the intended use the Council can take a pragmatic view to the release of the Policy R44 site.

172. It is concluded that, subject to the inclusion of Main Modification **SA-MM32**, Policy R44: Land between Suffolk Way and Bluebell Road, University of East Anglia is soundly based.

Policy R46: Land at Pointers Field

173. As the development on this site is nearing completion it needs to be removed from the SAP. Main Modification **SA-MM34** deletes Policy R46 from the plan.
174. It is concluded that Policy R46: Land at Pointers Field is not soundly based and requires deletion by Main Modification **SA-MM34**.

Are additional site specific housing allocations justified?

175. As part of the examination I have had regard to whether any housing sites in addition to those included in the SAP should be identified. It is clear from my assessment of housing land supply earlier in the report that I consider that sufficient provision has been made to meet overall housing requirements. Consequently additional sites for general needs housing are not required. However there are particular factors, including the brownfield nature of a substantial portion of the land and various associated benefits, favouring the release of the Bartram Mowers site for an over 55's housing scheme.

Land west of Bluebell Road, Bartram Mowers Ltd.

176. The development of this sustainably located and partly brownfield site for over-55s housing, which could include assisted-living, extra care housing, would meet an identified local and city-wide need for this type of accommodation. Improved housing choice in this part of the city would result. The existing uses on the site mean that there is already built development within this part of the Yare Valley. A housing allocation here would enable the creation of an extensive area of publicly accessible open space within the valley and provide opportunities for enhancing biodiversity. Cringleford would still be separated from the edge of Norwich by a substantial area of undeveloped land. I conclude that the considerable benefits associated with the scheme outweigh the visual harm that would result. Utilising brownfield land and meeting identified housing needs, together with providing access to green space and enhancements to biodiversity are all important components of national planning policy. The need to meet the accommodation needs of older people is also recognised in the JCS and is inherent in national policy.
177. Given its sensitive location built-development needs to be limited to the previously developed land on the north-western part of the site and the field to the south-east. It is vital that the layout, height and appearance of the

buildings, and the associated open areas and landscaping, are carefully designed to minimise the impact of the development on the character of the Yare Valley and important views. Such matters should be determined in an agreed masterplan based on landscape and visual appraisals, topographical and level surveys, and ecological studies. The appropriate number of dwellings for the site will arise as a result of this work. Specifying the number of units and the areas where the height of development is to be restricted would be too prescriptive at this stage. The material before me indicates that satisfactory access can be provided to the site and that the amount of traffic generated would not have an unacceptable impact on the surrounding road network.

178. Main Modification **SA-MM33** allocates this site for development and specifies the approach that needs to be taken to its development. Main Modification **PM-MM15 (Annex S)** amends the Policies Map accordingly.
179. It is concluded that apart from the allocation of the Bartram Mowers site for over-55s housing, in accordance with Main Modification **SA-MM33** and **PM-MM15 (Annex S)**, there is no justification for the release of any additional site specific housing allocations.

Assessment of Legal Compliance

180. The SA that accompanied the pre-submission plan reflected the contents of the draft Regulation 19 SAP. The draft plan contained a few more sites than the pre-submission plan. The SA accompanying the submission plan reflects the allocations in the plan. During the Examination the SA has been revised to ensure that it appraises the contents of the SAP as proposed to be modified.

181. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS		
Local Development Scheme (LDS)		The SAP is identified within the approved LDS. The SAP has been prepared in accordance with the listing and description in the LDS.
Statement of Community Involvement (SCI) and relevant regulations		The SCI at the time of submission was that adopted in March 2010. Subsequent to submission a new SCI was adopted in July 2013. Consultation has been compliant with the requirements within these documents, including the consultation on the post-submission proposed 'main modification' changes (MM)
Sustainability Appraisal (SA)		SA has been carried out appropriately and is adequate.
Appropriate Assessment (AA)		The Habitats Regulations AA Screening Report (December 2010) sets out why AA is not necessary.
National Policy		The SAP complies with national policy except where indicated and modifications are recommended.
Sustainable Community Strategy (SCS)		Satisfactory regard has been paid to the SCS.
Public Sector Equality Duty (PSED)		The SAP complies with the Duty.
2004 Act (as amended) and 2012 Regulations.		The SAP complies with the Act and the Regulations.

Overall Conclusion and Recommendation

182. The SAP has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.
183. The Council has requested that I recommend Main Modifications to make the Plan sound or legally compliant and capable of adoption. I conclude that with the recommended Main Modifications set out in the Appendices the Norwich Site Allocations and Site Specific Policies Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Christopher Anstey

Inspector

This report is accompanied by 2 Appendices containing the Main Modifications. Appendix 1 contains the Main Modifications to the policies and text of the SAP, whilst Appendix 2 (which includes Annexes A-U) contains the Main Modifications to the Policies Map.

Main modifications to Regulation 19 Site Allocations and Site Specific Policies plan

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
SA-MM1	Various	Various (CC24, CC26, CC35, R13, R19, R20, R21, R22, R23, R24, R25, R28, R29, R31)	This modification applies to the following allocations and inserts a new paragraph at the end of the explanatory text and the new sentence to the end of each policy to reference Critical Drainage Catchments. This modification is in two parts, the first relates to sites of <i>under</i> 1ha (SA-MM1a) and the second relates to sites of <i>over</i> 1ha (SA-MM1b): SA-MM1a: Sites under 1ha: CC24: Barn Road car park CC26: Pottergate car park CC35: Westwick Street car park R19: Van Dal Shoes, Dibden Road R20: Former Start Rite Factory Site, 28 Mousehold Lane R21: Land North of Windmill Road R22: Starling Road R24: 165-187 Aylsham Road R25: Former Pupil Referral Unit, Aylsham Road Explanatory text: <u>The site lies within a critical drainage catchment as identified on the Policies Map. Therefore development proposals involving new buildings, extensions and additional areas of hard surfacing should ensure that adequate and appropriate consideration has been given to mitigating surface water flooding in accordance with policy DM5.</u>

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			Policy: <u>'A surface water management assessment should be submitted with any application proposing development in accordance with this allocation. The assessment should show how the proposed development:</u> a) <u>would not increase the vulnerability of the site, or the wider catchment, to flooding from surface water run-off from existing or predicted water flows; and</u> b) <u>would, wherever practicable, have a positive impact on the risk of surface water flooding in the wider area.'</u> SA-MM1b: Sites over 1ha: R13: 261-277 Aylsham Road R23: Land at Aylsham Road R28: Site North of Raynham Street R29: Goldsmith Street R31: Two Sites at Hurricane Way, Airport Industrial Estate <i>NB for these sites any existing reference to the need for a flood risk assessment will be deleted and replaced by the following text:</i> Explanatory text: <u>'Since the site is over 1ha a flood risk assessment is required and appropriate mitigation measures shall be provided as part of the development. As the site also lies within a critical drainage catchment as identified on the Policies Map, a surface water management assessment should be included in the flood risk assessment. Development proposals involving new buildings, extensions and additional areas of hard surfacing should ensure that adequate and appropriate consideration has been given to mitigating surface water flooding in accordance with policy DM5.'</u> Policy: <u>'A flood risk assessment including a surface water management assessment should be submitted with any application proposing development in accordance with this allocation. The assessment should show how the proposed development:</u> a) <u>would not increase the vulnerability of the site, or the wider catchment, to flooding from surface water run-off from existing or predicted water flows; and</u> b) <u>would, wherever practicable, have a positive impact on the risk of surface water flooding in the</u>

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			<u>wider area.'</u>
SA-MM2	49-51	CC2/84-110 Ber Street	Delete policy and supporting text, and delete site from policies map.
SA-MM3	55-58	CC4/10-14 Ber Street	Amend supporting text as set out below, and amend policies map to reflect reduction in site size (see plans at annex A) and re-insert requirement for access to be located as close to the southern boundary of the site as possible <u>with a vehicular access to be provided across the site to join with the site to the rear of 6-8 Ber Street.</u> Policy change: 'Policy CC4: 10 to 24 14 Ber Street – mixed use development The site at 10-24 14 Ber Street is allocated for redevelopment for a mix of uses including: • Retail or complementary uses in A2, A3. (at ground floor level) • Office development; • Residential uses on upper floors (a minimum of 30 10 dwellings). The development must be designed to : • be well integrated with the sites to the north and south, which currently has planning permissions • be integrated to the site to the south • strengthen the building line along Ber Street • enhance the setting of the listed and locally listed buildings in the vicinity • respect the topography of the area • be accessed from Ber Street towards the southern end of the site.' Supporting text: 'CC4: 10 – 24 14 Ber Street Description

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			The site is 0.25 <u>0.1</u> hectare in size and is located on the eastern side of Ber Street and is close to the junction with All Saints Green and Golden Ball Street. It comprises a range of uses, including open storage, warehouse, residential and retail units <u>vacant building at number 10 with the site of 12-14 adjacent, previously used as open storage land.</u> This site is on the fringe of the primary shopping area. It has an open, incoherent street frontage and the buildings are dated and of poor quality with a mix of building sizes and character. No 10 is dated and of poor quality, and the site of number 12-14 comprises open storage land. The Council's City Centre Conservation Area Appraisal (CCCAA) identifies the buildings on the site as 'negative buildings', detracting from the character of the conservation character area. There are a number of listed and locally listed buildings directly opposite the site on the west side of Ber Street. Ber Street has been a major route out of the City since at least the 12th century, and is thought to have originally been a Roman Road. Its use as a cattle drove to the old cattle market adjacent to the Castle is reflected in its unusual width. Today, following bomb damage during the Second World War and subsequent redevelopment, the street is fragmented in character, with remnants of its earlier character apparent but with much mid 20th century local authority housing. The <u>wider</u> area is predominantly residential with some office development, and other commercial uses along Ber Street. Explanatory text The Joint Core Strategy promotes the city centre as the main focus in the sub-region for retail, leisure and office development, with housing and educational development also adding to the vibrancy of the centre. The key diagram for the city centre identifies the site as being within an 'area of change' where the focus of change is through mixed use development (including commercial, <u>retail</u> and residential). Redevelopment of this site for a mix of uses including residential, offices and retail will help deliver the Joint Core Strategy's wider policy objectives by contributing to the improved vibrancy

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			of this part of the city centre and strengthening the city's sub-regional role. In this location, a mix of appropriate commercial uses could successfully link with the promoted regeneration of the Westlegate and Timberhill areas. Development of the site must address a number of constraints including its location within the city centre conservation area and the area of main archaeological interest, and its location adjacent to listed buildings and <u>possible contamination</u>. The development of the site provides an opportunity to deliver a vibrant mixed use site fronting Ber Street, which will contribute positively to the character of the street, and will remove 'negative' buildings which currently detract from its streetscape and character. The St Stephens Street Outline Masterplan promotes redevelopment of the site for a mix of uses, including retail uses at ground floor level along Ber Street, with residential units and private gardens to the rear of the site at ground floor level, and with residential uses on upper floors. It proposes that the scale of buildings on the site should be 3 storeys to reflect the scale of surrounding development. The site is suitable for around 30 <u>10</u> dwellings as part of a mixed use development, with some retail and/or office development along the Ber Street frontage, and an element of office development residential above and to the rear. Development must enhance the setting of the neighbouring listed buildings and reflect its location in the city centre conservation area. Its design must re-instate a strong building line along the street frontage, whilst respecting the area's important topography and neighbouring uses. Opportunities for provision of on-street parking and servicing on Ber Street should be considered (including if appropriate provision of a car club space). Vehicular access to the site should provide access to car parking only via a carriage arch off Ber Street. The site is suitable for car free housing given its sustainable location and the provision of a car club space on Ber Street would be welcomed. <u>An access across the site to the development to the rear of 6-8 Ber Street is required and any entrance point onto Ber Street should be located towards the southern boundary of the site.</u> The development must also enhance the public realm and streetscape in line with the St Stephens

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			Street Outline Masterplan. An archaeological investigation will be required prior to development. Deliverability The site was formerly part of Local Plan allocation for housing development of 30 dwellings in mix with retail, office, or leisure uses. This site is owned by Norwich City Council and is suitable and available for development within the plan period.'
SA-MIM4	81-85	CC11/Garden Street	Amend policy and supporting text as follows: <u>POLICY CC11: Land at Garden Street – mixed use development (with temporary option for primary school development)</u> Land at Garden Street is allocated for housing led mixed use development including: • in the region of 100 dwellings; • an element of small scale office/business units to cater for small businesses. Replacement public parking spaces will be provided as part of the scheme. Vehicle access should be via Garden Street and not off Rouen Road. <u>For a period of 4 years from adoption of the plan, an option for development of the site for a primary school will be considered. This will be dependent on production of a detailed study by Norfolk County Council, agreed with Norwich City Council, by the end of 2016 assessing whether this is the most appropriate site for such development in the school planning area. If the study shows:</u> • <u>that an alternative site is more suitable for the primary school, the temporary option for school development will cease to apply from January 2017;</u> • <u>that the Garden Street site is the most suitable school site, a planning application will be</u>

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			<u>submitted by Spring/Summer 2018.</u> <u>School development would be required to make provision for replacement public car parking in the vicinity of the site through direct provision or a commuted sum to extend existing car parks.</u> <u>School development would have to implement the car parking standards for educational development in this part of the city centre, providing one operational car parking space per ten classrooms.</u> <u>Any development must be designed to protect neighbour amenity, protect and enhance the wooded ridge to the east and south of the site, and to provide enhanced landscaping, green infrastructure and improved pedestrian and cycle links through the site. An archaeological assessment is required prior to development. A flood risk assessment and any necessary flood mitigation measures are required.</u> Description The site includes land on both sides of Garden Street and is 1.08 hectares in size. The site contains a surface car park and light industrial buildings, mainly used for motor related businesses. The conservation area appraisal identifies the buildings on the site as 'negative buildings', detracting from the character of the conservation area. The site is surrounded by a mix of uses, predominantly residential flats and some office and light industrial buildings. The site is partially surrounded to the east and south by the Ber Street wooded ridge which is an ecological link and a publicly accessible open space. This part of the city centre is a very mixed area with a combination of industrial and residential uses. There is a large housing area set back from the main streets, mostly in cul-de-sacs off Rouen Road. The houses are in blocks, often surrounded by empty green spaces and parking areas or garage blocks. This layout provides very little visual enclosure to the street, with few buildings directly fronting onto it. The repetitive design together with the lack of detailing of much of this housing forms a contrast with the remaining traditional properties. A large section of the west side of Rouen Road is surface car parking, again providing no enclosure. Normandie Tower, a large

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			residential tower block, is to the south of the site. Explanatory text The Joint Core Strategy promotes the city centre as the main focus in the sub-region for retail, leisure and office development, with housing and educational development also adding to the vibrancy of the centre. The key diagram for the city centre identifies the site as being within an 'area of change' where the focus of change is through mixed use development including small scale offices/business units and residential development. This area is identified as an area of change and development will positively contribute to the regeneration of the Ber Street and Rouen Road area. Development will also present an opportunity to improve the townscape of Rouen Road and enhance green infrastructure. Development must address the site's main constraints which include its location in the City Centre conservation area and area of main archaeological interest, its topography with land sloping down to the south east of the site and its location adjacent to the Ber Street wooded ridge. Ground conditions are a potential constraint as this is the site of former chalk workings. Long leases on some of the existing light industrial units may also be a constraint. Relatively high density development is possible in this highly accessible city centre site. The large surface car park, although presenting a negative view along Rouen Road, serves an important function in this part of the city centre and public parking should be incorporated into redevelopment, possibly by incorporating it into the lower levels with a visual curtain of active frontage to the street. Redevelopment should also cater for the needs of small businesses in the city centre area by providing small business units as part of the comprehensive development. The design principles of the development should establish street frontages onto Rouen Road and Thorn Lane. It should also enhance the adjacent Ber Street wooded ridge, and provide for enhanced green infrastructure and landscaping within the site and links to the proposed Norwich Cycle Network which runs along this section of Rouen Road. Vehicular access should be taken from Garden Street, not onto Thorn Lane.

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			<u>Norfolk County Council has identified that there is a need for an additional primary school in the school planning area. This area broadly covers Lakenham, Mancroft and Thorpe Hamlet wards and includes Trowse in South Norfolk. The school is likely to be needed around 2020 to 2021. Whilst early work has identified that the Garden Street site <i>may</i> be suitable for such development, no detailed evidence has been produced to assess the potential of other sites in the school planning area to deliver the required provision.</u> <u>Therefore the policy includes a temporary option for consideration for development for school use for 4 years after adoption of the plan. This would enable a sufficient lead in time for a new school, if needed on this site, to be in place by 2020/21. To enable this, a planning application would have to be submitted by the April 2018.</u> <u>It would also enable the site to be developed for housing led mixed use development during the plan period if it is not required for school development. If the study produced by Norfolk County Council by the end of 2016 shows that an alternative site is more suitable for the primary school, the temporary option for school development will cease to apply from January 2017.</u> <u>If a school were to be permitted on the site, replacement public car parking would be required in the vicinity as there is a need to retain car parking provision in this part of the city centre. The replacement public parking could be provided either through direct provision or through a commuted sum to extend existing car parks.</u> <u>School development would have to implement the car parking standards for educational development in this part of the city centre required by Policy DM31 "Car parking and Servicing" and set out in appendix 3 of the Development Management policies plan, providing one operational car parking space per ten classrooms.</u> <u>Given its location, an archaeological investigation will be required prior to development of the site. Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development.</u>

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			Deliverability The land is owned by the City Council and available for redevelopment in the plan period.
SA-MM5	107-109	CC18/Former Hunters Squash Club, Edward Street	Delete policy, supporting text and remove from policies map.
SA-MM6	110-113	CC19a/Barrack Street	6.1 Amend policy CC19a as follows: "POLICY CC19a Barrack Street Land at Barrack Street is allocated for a comprehensive mixed use development to include: • offices (with ancillary retail uses); and • housing (in the region of 200 dwellings) together with associated public open space and playspace provision; and a hotel. <u>Subject to viability, development could also include a hotel as part of the mix.</u> The development should: • Integrate and enhance the cycle link as part of the scheme; • Provide access to the river and riverside walk; and • Respect the setting of the city wall and the adjacent conservation area and; and provide a public square to enhance the setting of the city wall." 6.2 Amend text as follows: in the 4th paragraph of explanatory text: add "<u>The site is also over 1 hectare in size.</u>" after " ... Flood Zone 3a." 6.3 Amend text as follows: after the end of the 4th paragraph, add "<u>The site may also be subject to possible contamination.</u>" 6.4 Amend text as follows: add a new paragraph after the 4th paragraph: "<u>This site lies adjacent to</u>

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			<u>the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."</u>
SA-MM7	114-116	CC19b/Whitefriars	7.1 Amend the first sentence of policy CC19b as follows: <u>"Land at Whitefriars is allocated for office led mixed use development."</u> 7.2 Amend text as follows: In the 4th paragraph of the explanatory text, add <u>"and is over 1 hectare in size" after " ... Flood Zone 2"</u> 7.3 Amend text as follows: Add a new paragraph after the 4th paragraph: <u>"This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency. The site may also be subject to possible contamination."</u>
SA-MM8	126-129	CC23/Duke's Wharf	8.1 Amend second sentence of policy CC23 (following the 2 bullet points) as follows: <u>"Uses falling within Class D1 (non-residential institutions) and hotel use may also be acceptable on this site. Hotel use may also be acceptable on this site."</u> 8.2 Amend text as follows: under Description (paragraph 1, second line) to replace "derelict" with <u>"vacant"</u>, for clarification. 8.3 Amend text as follows: move existing fifth paragraph to follow on from new paragraph detailed below in 8.4 and make amendments as follows: <u>"The site is adjacent to the river Wensum and Part of it the site falls within flood zones 2 and 3."</u> 8.4 Amend text as follows: Add a new paragraph after the end of the second paragraph of the

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			explanatory text: <u>"This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."</u> 8.5 Amend text as follows: Add new fourth sentence to paragraph 3 of explanatory text for clarification: <u>"Development proposals that retain and convert the building on the Duke Street frontage will be given favourable consideration."</u> Also add new sentence to end of paragraph 3 for clarification: <u>"Demolition would need to be clearly justified on the grounds of the quality of any new development, although the demolition of the former Eastern Electricity Board offices is likely to be acceptable."</u>
SA-MM9	134-137	CC25/Norfolk House	Delete policy and supporting text, and amend policies map accordingly.
SA-MM10	144-146	CC28/Fire Station, Bethel Street	Delete policy, supporting text and remove from policies map.
SA-MM11	154-157	CC31/ St Stephens Street	DELETE the policy and text and replace with the following: CC31: St Stephens Street Description The site is located in the St Stephens Street area and is 1.5 hectares in size. The site mainly comprises shops along St Stephens Street and two seven-storey towers which are currently empty but were previously used as offices. The site also contains the grade II* listed Bignold House on Surrey Street, and a multi-storey car park on the corner of St Stephens Street and Queens Road. The site is surrounded by a wide range of uses. The bus station is located immediately east of this site adjoining the inner ring road. The recent Chapelfield shopping mall development opposite is the largest retail development in Norwich and also contains residential apartments.

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			The wider St Stephens area is almost exclusively in retail use, although service industries (banks, estate agents, etc) and restaurants, cafés and bars are also spread throughout. Some buildings are in office use above ground floor level. The area contains the majority of large department stores, shopping malls and national chains in the city centre. St Stephens Street is the major route into the city from the south-west. As a result the street is busy with both pedestrians and traffic and is characterised by large buildings or blocks of buildings. While many of the buildings on the site date from the mid to late 20th century, it includes historic buildings and the area is also important archaeologically. The main routes are wide with spaces often at the junction of streets, indicating the former market uses of the area. The adopted Norwich Area Transportation Strategy (NATS) includes the removal of general traffic from St Stephen's Street and the designation of nearby Surrey Street as a strategic cycle route. The City Centre Conservation Area Appraisal identifies the majority of buildings on the site as 'negative buildings', including the two tower blocks; the view towards the St Stephens roundabout from St Stephen Street is also identified as a 'negative vista'. However the street frontage on St Stephens Street is defined as 'positive', and the north part of the site also contains some listed and locally listed buildings. Explanatory text The Joint Core Strategy identifies the Stephen's Street area as an area of change requiring comprehensive regeneration. It states that the St Stephen's area will be developed for mixed uses in accordance with the St Stephen's Street Area Outline Masterplan, to promote retailing, offices and housing and to create an improved pedestrian environment. The development of this site has the potential to make a significant contribution to the regeneration of the wider area. It presents an opportunity to secure major enhancement of the St Stephen's gateway area through creation of a high quality streetscape, with a more attractive public realm and pedestrian friendly environment.

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			Development proposals should address the site's constraints which include its location in the city centre conservation area and area of main archaeological interest; its location as a gateway site to the city centre, the need for major demolition, and existing shop leases and parking arrangements. The St Stephen's Street Outline Masterplan sets out indicative plans for development of the site as part of the overall regeneration of the area. The "high intervention" scheme put forward in the masterplan proposes eventual demolition of a significant part of the site including the two towers and some shops, and redevelopment for 250 dwellings, 8,270 m2 of offices, 470 m2 of retailing and 92 underground parking spaces. Retail uses are promoted at street level with a mix of uses on upper floors. A new pedestrian linkage is proposed, from St Stephens Street to the Bus Station to improve accessibility; this could potentially include a new public open space to act as a focal point in the scheme, subject to viability. Scale of development would vary, ranging from 3 – 4 storeys along the St Stephen's Street frontage up to 7-storey at its junction with the inner ring road. <u>The council's aim is the comprehensive development of this site to reflect its potential as a focus for city centre mixed use regeneration including housing, the expansion of employment and provision of appropriate main town centre services and facilities. However the policy also allows for incremental development to take place if it can be demonstrated that a comprehensive scheme is not viable, to allow for the re-use and redevelopment of the existing buildings on the site. Any proposals must demonstrate consistency with the other policies in the development plan, with particular emphasis on achieving a high quality of design and amenity.</u> <u>Development should also take account of the City Centre Conservation Area Appraisal. Given that development is likely to be phased due to existing long leases on some shops, a development brief should be produced to guide subsequent planning applications.</u> As the site is more than 1 hectare in size, a flood risk assessment and appropriate mitigation measures will be required. In addition an archaeological assessment will be required prior to development.

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			Deliverability The entire site and buildings are in a single ownership by Aviva Investors. The landowner has expressed their intention to bring the development forward during the plan period. The site is therefore suitable and available for development. <u>POLICY CC31 St Stephens Street</u> <u>The St Stephens Street site is allocated for a comprehensive mixed use development, which is to include:</u> <u>• primarily retail development at ground floor level;</u> <u>• office and residential uses on upper floors.</u> <u>The development mix would be subject to viability but the development will provide a minimum of 250 dwellings and include a new pedestrian link to the bus station from St Stephens Street.</u> <u>If comprehensive mixed use development can be demonstrated not to be viable, then the re-use and redevelopment of the existing buildings on the site will be acceptable, to allow for:</u> <u>• the expansion of retail activities through reconfiguration of the current service yard and removal of the existing vacant building to the rear of 35-57 St Stephens Street adjacent to the bus station;</u> <u>• The refurbishment and re-use of the two tower blocks for a mixture of offices, residential or student accommodation, consistent with other policies of the development plan; and</u> <u>• The provision of a new pedestrian link to the bus station from St Stephens Street subject to technical and financial viability considerations.</u>
SA-MM12	162-165	CC33/Westlegate Tower	Delete policy and supporting text, and delete site from policies map.
SA-MM13	179-182	R2/Norfolk Learning Difficulties Centre	Amend policy by deleting second paragraph linking development of site to the former garage site:

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			Developers should investigate the potential for developing the site together with the former garage site to the north to enable a more comprehensive, co-ordinated scheme.
SA-MM14	186-189	R4/Hewett Yard, Hall Road	Amendment of paragraph 1 of the explanatory text and the policy wording to update reference to locally listed buildings: Paragraph 1 of explanatory text: “Hewett Yard was originally constructed in the 1940s during World War Two as a local civil defence HQ and ambulance station, the latter role continuing in peacetime. The buildings were adapted as lock up garages and low cost accommodation for small businesses in the early 1980s. The site operates with benefit of planning permission for light industrial and warehousing use dating from 1982. In recognition of its early civil defence role in the local community the buildings <u>are it is proposed for inclusion on the council's expanded local list of buildings of architectural and historic interest. If confirmed as locally listed and are therefore subject to the requirements of it would then be subject to development management policy DM9 which will requires justification for the loss of a locally identified heritage asset and providing (in the event of redevelopment) for the appropriate recording of the heritage interest of the site and its inclusion in the Heritage Environment Record. Some form of on site heritage interpretation is also likely to be required.</u> Policy DM7 provides for the protection of trees along the southern and as appropriate the western boundaries. Policy wording: POLICY R4: Hewett Yard, Hall Road Hewett Yard, Hall Road is allocated for housing development. In the region of 20 dwellings will be provided. Development will: • take vehicular and pedestrian access from Hall Road (seeking, where practicable, to rationalise the number of separate vehicular access points serving the site and adjoining sites);

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			• retain and enhance the established tree belt along the Hall Road frontage and safeguard the Tree Preservation Order trees alongside the southern boundary of the site during construction; • address any identified need for decontamination and remediation of the site; and • provide for the recording of the heritage significance of existing [locally listed] buildings and include appropriate heritage interpretation within the site. A noise assessment is required, and design must mitigate the impact on future residents of traffic noise and noise from neighbouring uses.
SA-MM15	195-197	R8/John Youngs Ltd, City Road	Amend policy R8 as follows: POLICY R8: John Youngs Limited, 24 City Road 24 City Road is allocated for housing development. In the region of <u>A minimum of 45 dwellings</u> will be provided. Development will: • provide a pedestrian/cycle link between Hall Road and City Road; • have vehicular access from City Road; • convert the Victorian building in the north-east corner of the site for residential uses, as part of the comprehensive development of the site; • protect trees along the southern boundary and enhance the landscape setting of the site; and • protect and enhance the setting of St Mark's Church and graveyard. <u>Consideration should be given to retaining and converting the Victorian building in the north-east corner of the site for residential uses as part of the comprehensive development of the site, subject to viability.</u>

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			Amend second paragraph of the explanatory text as follows: “Development proposals must address the site’s constraints. On site constraints include trees along the southern boundary, possible contamination and the need for demolition of existing buildings. The Victorian building in the north of the site is of some conservation value <u>has some heritage interest</u> although it has been extensively altered and extended and consequently it is <u>neither statutorily listed nor on the city council’s local list</u>. If viable, the option of retaining the <u>building and converting it for residential purposes may be considered</u> and should be retained and converted as part of comprehensive redevelopment of the site.
SA-MM16	201-208	R10/Deal Ground	<i>Proposed Main Modification deleted. Retain wording of Policy R10 as submitted.</i>
SA-MM17	209-215	R11/Utilities site	17.1 Amend third bullet point of policy as follows: • “Provide a mix of uses to include housing, employment and power regeneration from renewable sources. The housing element should provide in the region <u>a minimum</u> of 100 dwellings;” <i>Reason: this change is proposed in response to an objection (6566-2). A minimum figure is necessary to enable the contribution of the site to the JCS housing target to be quantified. The change also corrects a minor typo (power ‘generation’ rather than ‘regeneration’).</i> 17.2 Amend 8th bullet point in policy R11 to replace the term “residential moorings” with “<u>public moorings and/or private moorings serving new residential development</u>”. 17.3 Amend text as follows: At the end of the third paragraph of the description, delete the words “National Park” and replace with “<u>Authority area</u>”. 17.4 Amend text as follows: After the last paragraph of the explanatory text, add an additional paragraph: “<u>Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be</u>

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			<u>required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u> 17.5 Amend text as follows: <u>"A permit is required for the power generation element of the development from the Environment Agency. It is recommended that developers engage in early discussions with the Agency on this matter."</u> 17.6 Amend text as follows: <u>"This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."</u>
SA-MM18	216-221	R12/Kerrison Road / Hardy Road, Gothic Works	18.1 Amend third paragraph of policy R12, second sentence, to read: <u>"The development will also require reservation of sufficient land within the scheme to enable emergency vehicle access for vehicles in the event of an emergency and for servicing, to be achieved from Hardy Road to the Utilities site (R11)."</u> Also amend ninth paragraph of explanatory text for R12 on page 203 of SA5, to read: <u>"The development will also require reservation of sufficient land within the scheme to enable emergency vehicle access for vehicles in the event of an emergency and for servicing, to be achieved from Hardy Road to the Utilities site (R11)"</u> 18.2 Amend text as follows: Add a new paragraph before the fourth to last paragraph of the explanatory text: <u>"This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."</u> 18.3 Amend text as follows: In the fourth last paragraph, add <u>"The site is over 1 hectare in size."</u> after " ... Flood Zone 3a."

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			18.4 Amend text as follows: In the explanatory text, add an additional paragraph: " <u>Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment.</u> "
SA-MM19	222-224	R13/233-277 Aylsham Road	19.1 Amend policy, supporting text, and site plan (see annex B for site plan). Policy change: Policy R13: 233261- 277 Aylsham Road The site of 1.49 <u>1.00</u> hectares is allocated for housing development, to provide in the region of 75 <u>50</u> dwellings. The development could also include starter employment units. Design of the development must mitigate the noise impact from Aylsham Road and <u>adjacent existing businesses</u>. A noise assessment will be required. Design must alsocreate a street frontage to Aylsham Road. Supporting text change: Description The site is in the north of the city and is 1.49 <u>1</u> hectares just under <u>1</u> hectares in size. It is currently occupied by a range of industrial units and motor sales and repair <u>uses car rental company and convenience store</u>. The site has a frontage to Aylsham Road to its west, and borders the rear gardens of housing in Palmer Road to the north-east and recent housing development at Copenhagen Way to the east.

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			A Bingo Hall and its car park is north-west of the site, beyond which is a large site allocated for comprehensive development (R23). <u>To the south west are a number of small industrial units, used for car repairs, MOT testing, paint sprayers and other similar businesses.</u> Aylsham Road is a busy radial road with a mixture of business, residential and retail uses, including a range of local services and shops in the Aylsham Road local and district centres neighbouring the site. Explanatory Text Development presents the opportunity to contribute to regeneration of the Aylsham Road area. Since this is a highly accessible location on a bus-rapid-transit <u>public transport</u> corridor, housing development should be of medium to high density to meet the requirements of Joint Core Strategy policies promoting higher density development close to local services and public transport. <u>A mix of flats and houses would be an appropriate form of development on this site.</u> Development could also include starter employment units. If such small scale business units are included, the development must be carefully designed to ensure there is no conflict between housing and business uses. The development should be designed both to create an attractive frontage to Aylsham Road and to minimise noise for residents from the road and <u>any potential noise from adjacent existing businesses.</u> Trees on the frontage should be retained if this is feasible, with the existing access from Aylsham Road being used. Deliverability The site is in multiple <u>dual</u> ownership. However, it is being actively promoted for development and is therefore suitable and available for development during the plan period.

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			19.2 Amend text as follows: After the above text, add " <u>Development should also take into account possible contamination on the site.</u> "
SA-MM20	225-227	R14/Chalk Hill Works	Delete policy, supporting text and remove from policies map.
SA-MM21	228-230	R15/Gas Holder at Gas Hill	21.1 Amend final paragraph of the policy as follows: <u>'Design of the development must reflect its location adjacent to the Thorpe wooded ridge and must protect and enhance biodiversity and geodiversity.'</u> 21.2 Amend text as follows: In the explanatory text, add an additional paragraph: "<u>Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment.</u>" 21.3 Amend text to include a reference to geodiversity so that paragraph 3 of the explanatory text reads "<u>development must not have a negative impact on geodiversity or on views...</u>" . 21.4 Add text to end of 5th paragraph in explanatory text to add: "<u>As a minimum, protection and enhancement of geodiversity will include recording of geological features on site</u>".
SA-MM22	231-234	R16 Land east of Bishop Bridge Road	22.1 Amend policy as follows: "POLICY R16: Land east of Bishop Bridge Road The site east of Bishop Bridge Road (1.01 hectares) is allocated for housing development. In the region of 50 dwellings will be provided. Development will not take place prior to the revocation <u>or surrender</u> of the hazardous substance

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			consent and <u>or</u> decommissioning of the <u>site gas holder</u>. Development proposals should provide for potential future vehicular access to allocated site R17 to the north. Design of the development must reflect its location adjacent to the Thorpe wooded ridge and protect and enhance biodiversity and <u>geodiversity</u>. A noise assessment is required and the development should be designed to mitigate the impact of noise from the inner ring road." 22.2 Amend text as follows: In the explanatory text, add an additional paragraph: "<u>Development needs to ensure that the water environment is protected throughout the development of the site. The site falls within a Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment.</u>" 22.3 Amend text to include a reference to geodiversity so that paragraph 3 of the explanatory text reads "development must not have a negative impact on <u>geodiversity or on views</u> ..." 22.4 Amend text as follows: Change text and policy as suggested re current planning permission, decommissioning of gasholder rather than the site and development of whole site not being dependent on that decommissioning. Change second paragraph of explanatory text to read: "The site was formerly allocated in the Replacement Local Plan 2004 for housing development as two separate sites. The northern part of the site has a <u>part implemented planning permission</u> for 19 apartments. National Grid has put forward further extensions to the original local plan allocation to include the house at 27 Bishop Bridge Road and the gas pressure reduction station. The site is covered by the Health and Safety Executive consultation zone for the gas holder. <u>Development of the southern part of the site will depend on the successful decommissioning of the gas holder and</u>

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			revocation or surrender of its hazardous substance consent. Allocation of this site will help to secure comprehensive site development." 22.5 Add text to end of 5th paragraph in explanatory text to add: "<u>As a minimum, protection and enhancement of geodiversity will include recording of geological features on site</u>".
SA-MM23	235-237	R17 Land at Ketts Hill / Bishop Bridge Rd	23.1 Amend second bullet point of policy to read: • "Design of the development must reflect its location adjacent to the Thorpe wooded ridge, and protect and enhance biodiversity and geodiversity;" 23.2 Amend text as follows: In the explanatory text, add an additional paragraph: "<u>Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment.</u>" 23.3 Amend text to include a reference to geodiversity so that paragraph 3 of the explanatory text reads "development must not have a negative impact on <u>geodiversity or on views</u> ..." 23.4 Add text to end of 5th paragraph in explanatory text to add: "<u>As a minimum, protection and enhancement of geodiversity will include recording of geological features on site</u>".
SA-MM24	238-242	R18 124-128 Barrack Street	Amend policy, supporting text and policies map (see annex C for site plan). Policy change: Policy R18: Land at 124 <u>126-128</u> Barrack Street 124 <u>126-128</u> Barrack Street (0.23 <u>0.1</u> hectares) is allocated for housing, or a mix of housing and community uses.

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			Development will: • Reinstate a strong built frontage to Barrack Street and Anchor Close; • Take vehicular access from Anchor Close and provide pedestrian links from Barrack Street and Brewers Court; • Retain and convert the former public house at 124 Barrack Street for housing or other beneficial community use, or if this is demonstrated to be impractical and unviable, provide for its recording and inclusion on the Historic Environment Record in accordance with development management policy DM9A noise assessment will be required. Soundproofing measures will be provided for residential units fronting Barrack Street and those on Anchor Close closest to the inner ring road, which are adequate to mitigate against traffic noise. • Ensure that the disposition and height of buildings will minimise amenity impacts on existing properties; • Ensure the design takes account of any likely impacts on amenity from the proximity of the adjoining substation. • Provide adequate on-site landscaped amenity space for any flats. A minimum of 30 <u>15</u> dwellings will be provided if the site is redeveloped wholly for housing. In the event that the former public house is retained for an alternative use, a minimum of 15 dwellings will be provided on the eastern half of the <u>on</u> site. Should the consented scheme on this area of the allocation not proceed, affordable housing should be included in accordance with Joint Core Strategy policy 4. Supporting text change: Description This brownfield site of 0.23 <u>0.1</u> hectares is located on the north side of Barrack Street, between Silver Road and Anchor Close. It comprises separate adjoining sites: a former 1930s pub at number 124 subsequently converted for coroner's office use, and what remains the vacant site of a motor repair and sales trade site (126-128) with frontages to Barrack Street and Anchor Close.

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			The site lies within a mixed commercial frontage along this part of Barrack Street. The former pub has planning permission for use as a dental practice and permission for a substantial extension at the rear. The former pub building has some architectural merit but is at present neither listed nor locally listed: it is however proposed for inclusion on an extended local list. The original motor trade premises on the main road frontage have recently been demolished. The site is now largely given over to open vehicle storage, servicing and display, with post war buildings in the rear part from which the taxi office operates. <u>The motor sales site had permission for redevelopment for 15 flats, granted in April 2009. This permission has since expired.</u> Much of the immediate surrounding area to the north and east is in residential use having undergone comprehensive redevelopment for housing in the 1960s and 70s, with predominantly bungalow / single storey styles. The motor sales site has permission for redevelopment for 15 flats, granted in April 2009. The land immediately to the west includes a substation and footpath to the residential neighbourhood behind. Barrack Street is a busy and heavily trafficked single carriageway road forming part of the Inner Ring Road (A147) defining the northern edge of the city centre. The extensive former Jarrold Printers site (CC 23 19a) on the south side of Barrack Street is undergoing phased redevelopment for offices and housing. Explanatory Text The site provides the opportunity for new housing on a brownfield site with good access to employment opportunities and services in the city centre and to neighbourhood shopping facilities within the nearby large district centre focused on Anglia Square and local centre at Bishop Bridge Road. The site is close to the strategic cycle network (the “pink route”) defined in the Norwich Area Transport Strategy (NATS). There are opportunities to enhance and divert this route as part of the regeneration of the Jarrold Printers site, providing a pedestrian and cycle link to the city centre via the Peter's Bridge.

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			The principle of housing development on the eastern half of the site has already been established by virtue of the extant 2009 permission. The site is well related to the surrounding residential area and housing remains the most appropriate use for the whole site. should this partial scheme not proceed. There may be an opportunity to amalgamate the two sites for a more viable comprehensive scheme, (although they could be developed in isolation). The former Sportsman pub (dating from 1937) has been put forward for potential inclusion on the council's expanded local list of buildings of architectural and historic interest. Its inclusion would bring the building within the scope of development management policy DM9 as a locally-identified heritage asset, accordingly consideration should be given to retaining it within any development scheme, either for housing or for an appropriate alternative community use if not required for a dental surgery. The form of development on the western half of the site should respect the character of the existing building (if retained), and the design of the development scheme as a whole should reinstate a strong frontage to Barrack Street in particular, given the site's prominent location on the inner ring road, and to Anchor Close. Vehicular and cycle access should be taken from Anchor Close, including where possible access to the rear of the former pub. Pedestrian/cycle access should be taken from the Brewers Court side of the site and Barrack Street. The part of the site nearest to Barrack Street falls within flood zone 2. Therefore a flood risk assessment is required for this site and appropriate mitigation measures should be provided as part of the development. Contamination from the existing motor trade uses is likely to be an issue and this should be addressed through site investigation and appropriate remediation: account should also be taken of the need to mitigate traffic noise from the main road to protect amenities for future residents. If development is taking place at the rear of the site adjacent to properties in Brewers Court then site layout should be arranged to ensure that these lower level properties are not adversely overshadowed or overlooked. Redevelopment at No. 124 should also have regard to minimising impacts which might arise from the proximity of the sub station site to the west.

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			The site has potential for a minimum of 30 <u>15</u> units of housing. However the policy is written in a flexible way to reflect the existing permissions in place on the site; it is likely that between 15 and 30 units of housing will be provided overall. The number of housing units could be optimised if some premises were 'car-free', which would be acceptable given the site's close proximity to Anglia Square and the Barrack Street redevelopment and public transport, and the ease of cycle and pedestrian access to the city centre. Deliverability The site is in two separate <u>a single</u> ownerships. The eastern half has and has had <u>planning permission for 15 flats; the western half has permission for conversion and extension of the pub/office to provide a dental surgery. As of February 2012 neither scheme had been commenced. It is considered to be available for development within the plan period.</u>
SA-MM25	243-246	R19/Van Dal, Dibden Road)	Amendment of paragraph 2 of the explanatory text and the policy wording to the following policies to update reference to locally listed buildings. Explanatory text: The heritage significance of existing <u>locally listed</u> buildings should be recognised and assessed to consider whether they are suitable for conversion in part or as a whole. Following assessment development should involve either conversion of the existing <u>locally listed</u> buildings, which are proposed for local listing, or redevelopment if this is not practical. If redeveloping the site the heritage significance <u>of the locally listed buildings</u> should be recorded and included on the Heritage Environment Record. Some form of heritage interpretation to commemorate the former use of the site would be appropriate in redevelopment proposals. New development should be designed to integrate well with surrounding housing and to make the best of the potential for views over the city. Policy wording:

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			Policy R19: Van Dal Shoes, Dibden Road The site (0.54 hectares) is allocated for housing development. Depending on the nature of the scheme in the region of 20 to 25 dwellings will be provided on this site through conversion of existing <u>locally listed</u> buildings or new build. An assessment the heritage significance of existing buildings on-site to consider whether they are suitable for conversion in part or as a whole will be required. Development will: • Address access issues including the potential stopping up or diversion of the highway; - Provide enhanced pedestrian and cycle links to Mousehold Avenue and Gertrude Road; • Be designed to promote biodiversity links between neighbouring green spaces, and to take account of existing trees on-site and the site's prominent location.
SA-MM26	251-254	R21/Sprowston Rd / land north of Windmill Rd	26.1 Amend policy, supporting text and site plan (see annex D for site plan). Policy change: POLICY R21 Sprowston Road/Land north of Windmill Road The Land at Sprowston Road/north of Windmill Road is allocated for mixed-use development consisting of a retail food store and housing, in the region of 25 10 dwellings. will be provided as part of the scheme. Due to the nature of the site layout and constraints, a comprehensive scheme for the development of the site is required The scale of retail development should be appropriate to the needs of the area in accordance with policy DM18 and should make provision for the replacement of the existing small retail units within the site in conjunction with the development of a new retail food store. Development will be designed to:

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			- o provide pedestrian access through the site to link Templemere with Windmill Road and vehicular access arrangements to serve the site as a whole by linking in to the new access provided through the development of the adjacent site for retailing; - o ensure a high standard of amenity for residents - o protect and/or replace on site trees and provide a landscaping scheme enhance site linkages. - o Mitigate the impact of noise from road traffic. A noise assessment will be required." Supporting text change: Description The site is in the north of the city and is 1.02 <u>0.18</u> hectares in size. While the majority of the site is vacant, there are shops on part of the Sprowston Road frontage. Windmill Road links Sprowston Road and Templemere through the site via a privately owned and unsurfaced track. The site is surrounded by housing which is a mixture of 2 storey semi- detached housing and Victorian terraces. There are 3 storey flats adjacent to the north of the site. The site is also in close proximity to the Sprowston Road/Shipfield local centre. Explanatory text The site is close to a district centre with excellent public transport links. The mixed use development to the south of Windmill Road has recently seen completion of a foodstore and works have commenced on site to provide a small number of housing units. The site was allocated in the 2004 Local Plan primarily for housing development. Since the site is close to a local centre with excellent public transport links, mixed use development with retailing will bring wide regeneration benefits for this area. Development of a foodstore on the adjacent site will enlarge and strengthen the local centre so that it can better meet the area's day to day needs for top-up shopping. Housing development will additionally aid regeneration and will benefit from its location close to the centre and the

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			excellent public transport links. It is possible that the retail element may need to be delivered first to enable housing development. Development proposals must address the site's constraints. These include demolition of existing buildings undertaking ground conditions and contamination surveys and an archaeological assessment. The design of the development must take account of the differing land levels within the site, its sloping nature and on site trees, as well as the presence of a sewer below the site. It must be designed to create a frontage to the main road, whilst the layout of a mixed retail and housing scheme should be designed to ensure that noise levels are not too high for residents from within the site or arising from road traffic noise (depending on site layout). Sprowston Road is part of the major road network and is a core bus route. <u>A new access to Sprowston Road is being created as a result of the implemented permission on the adjacent site. Linking in to this new access would enable Windmill Road to be retained as an un-surfaced track offering pedestrian and cycle friendly links to Anthony Drive and Templemere. Therefore any new access to the main road must be carefully designed to minimise its impact. A single point of access from Sprowston Road to serve motorised vehicles using the site is likely to be required and, as a consequence of this, it is likely to be necessary to relocate the bus stop. This new access needs to relate positively in planning terms to the retention and re-use of Windmill Road.</u> Windmill Road offers an opportunity to provide a suitably designed and landscaped pedestrian/cycle link to Templemere and this link should be provided as part of redevelopment. The layout and design of the development must ensure that pedestrian and cycle links to and within the enlarged local centre are of high quality, including links to the blue route on the Strategic Cycle Network, to local cycle routes and to Anthony Drive. Assessment and protection of on-site trees will be required followed by a scheme of landscaping to enhance site linkages. Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development.

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			Deliverability The site is being actively promoted and is suitable for development. The site is owned by several different parties in a single ownership. Negotiations are taking place between these and there is a reasonable prospect that the proposal will be delivered as a single comprehensive development.
SA-MM27	276-279	R28/Site north of Raynham Street	Amend policy R28 to ensure consistency with policy R38 and the requirement to improve the setting of the Strategic Cycle link: Policy R28: Site north of Raynham Street The site of 1 hectare is allocated for housing development (40 dwellings minimum), subject to the provision of an acceptable and safe access to the site. The development will be designed to: • enhance the setting of neighbouring green spaces and paths, <u>including integrating the Dolphin Path into its design to improve the setting of the strategic pedestrian/cycle route and make it a more attractive link</u> • mitigate the impact of noise for future residents from the existing employment area; • respect the setting of the neighbouring listed buildings; • protect trees on or near the site, including preserved trees; • enhance biodiversity.
SA-MM28	286-289	R31/Hurricane Way	Amend first paragraph of the policy as follows: “Two sites at Hurricane Way (as identified on the proposals map as site A and site B) are allocated for light industrial development and/or for small business uses. <u>Housing development will be acceptable on the southern part of site B in accordance with an agreed Masterplan.</u> These uses must not be significantly detrimental to the amenity of adjoining neighbouring residential occupiers. A noise assessment will be required.”

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			Amend supporting text by adding a new sentence to the end of the fifth paragraph as follows: "Both the design and use of the sites must avoid any potential noise and amenity conflicts with housing to the south and south-west of the sites. Therefore light industrial and small business uses are promoted and landscaped buffers must be provided to existing residential development. <u>Dependent on production of a Masterplan, residential development may be suitable on the southern part of site B. Whilst the scale of development will be determined by the Masterplan, for the purposes of calculating the SAP's contribution to the JCS housing requirement an assumption has been made that the site will deliver in the region of 30 dwellings.</u>"
SA-MM29	290-295	R32/The Paddocks, Holt Road	Amend the supporting text and policy as follows: R32: The Paddocks, Holt Road Description This 4.57 hectare site comprises an area of open land situated between the airport operational area and the A140 Holt Road. Much of the site is grazing land but part toward its southern end has been in low-key sporadic use in recent years for storage of materials and commercial vehicle parking. There is low density housing along the road frontage on the opposite side of Holt Road, in Broadland district, to the west and airport operational buildings on Gambling Close to the east. The site is partly screened by a line of hedge/trees fronting Holt Road. Explanatory text This site is allocated <u>identified as suitable</u> for airport operational uses as the further development of Norwich Airport, important to economic development locally, is supported by the Joint Core Strategy. <u>However, it is also potentially suitable to meet more general employment needs which may be airport related. This is supported by policy 5 of the JCS and the recent designation of Norwich International Airport as a focus for growth and investment as part of the Greater Norwich City Deal.</u>

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			The government <u>requires strongly recommends</u> licensed airports to set out their future development proposals by preparing a masterplan. Consequently, it is expected that <u>The expectation of the city council for many years has been that the need for this site for operational uses to enable further airport expansion will would be investigated fully through the preparation of a masterplan, which will would be produced by the airport. The airport company have confirmed their intention to commence work on a masterplan in 2015.</u> <u>The major Norwich Aeropark development to the north-east (approved in 2013) is expected to accommodate a substantial amount of future operational development within the airport boundary, although the airport have not confirmed whether additional land will be required for this purpose. Equally, it would not be appropriate to delay beneficial development of the Paddocks site unreasonably if the preparation of a masterplan were delayed for any reason.</u> <u>Consequently the policy provides for two eventualities: development for airport operational purposes if a masterplan shows that the site is necessary for this, or development for general needs employment use if not. Should no masterplan be agreed within two years of the adoption of this plan, the policy allows for the release of the site for general employment purposes, subject to meeting specified access and design criteria.</u> The masterplan should incorporate a surface access strategy for the airport as a whole and this should include a comprehensive travel plan for the existing operations on site. In advance of a masterplan development proposals which come forward for this site (as for other sites within the airport boundary) would need to be accompanied by an assessment clearly setting out the relationship of the proposed development with the overall strategy for the airport in the context of future airport growth and development needs. <u>The anticipated development of the Aeropark and the proximity of a major junction with the proposed Norwich Northern Distributor Road (NDR) mean that traffic flows on the A140 are likely to remain high for the foreseeable future. Standing advice from Norfolk County Council as local highway authority is that a vehicular access direct from the A140 and additional turning</u>

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			<u>movements into and out of the site cannot be achieved without disrupting the free flow of traffic on the local highway network and potentially compromising its effectiveness as a bus rapid transport corridor. For highway safety reasons, therefore, the preferred access to the site must be is from Gambing Close rather than directly from Holt Road unless it can be demonstrated that direct access can be achieved without unacceptable transportation consequences.</u> The development's design and uses must take account of the need to protect the amenity of the residents of the housing on the opposite side of Holt Road. A noise impact assessment is likely to be required for any operational uses proposed. Development on this land will require additional screening with landscape features to site boundaries facing towards Holt Road. As the site is more than 1 hectare in size, a flood risk assessment is required. Deliverability The site is suitable and available for development within the plan period. The owner of the site proposed it for <u>an a general needs employment allocation. This is considered to be acceptable in principle but is subject to resolution of access constraints and confirmation that the site is not required for airport operational purposes. Given the potential strategic importance of the site for the expansion of airport operational needs and the availability of alternative employment sites locally, the site is allocated for airport uses, subject to masterplanning.</u> Policy R32: The Paddocks, Holt Road – Airport extension or development for general employment purposes The Paddocks, Holt Road, is allocated for either: • <u>airport operational uses, where an Airport Masterplan endorsed by the city council within two years from the adoption of this plan demonstrates that the land is required for</u>

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			<u>Airport operational purposes during the plan period, subject to the need for this land for operational purposes to enable the further expansion of the airport being investigated, and adequately demonstrated, through the development of a masterplan (or equivalent) for the airport, including a surface access strategy and Travel Plan, or,</u> <u>development for general employment purposes (use classes B1, B2 and B8) where:</u> <u>a) the agreed Airport masterplan referred to above demonstrates that the land will not be required for Airport operational purposes during the plan period, or</u> <u>b) no masterplan for the Airport has been endorsed by the city council within two years from the date of adoption of this plan.</u> <u>Proposals for development in advance of the masterplan should be accompanied by an assessment clearly setting out the relationship of the proposed development with the overall strategy for the airport in the context of future airport growth and development needs.</u> <u>Development for purposes unrelated to airport operations will only be accepted where the masterplan demonstrates conclusively that the land will not be required for operational purposes during the plan period.</u> <u>In all cases, development Development will:</u> <u>Provide vehicular access to the site only from Gambling Close, unless it can be demonstrated that satisfactory direct access from Holt Road can be achieved without unacceptable impacts on highway safety or the free flow of traffic;</u> <u>Provide appropriately for servicing, parking and other transportation requirements in accordance with the airport masterplan, surface access strategy and agreed travel plan, taking account of the need to promote sustainable transport in accordance with DM policy DM28;</u> <u>Demonstrate (through a noise impact assessment) that appropriate account has been taken of the potential impacts of noise from existing and proposed airport operations and noise generation from the development itself, in accordance with DM policy DM11;</u>

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			Incorporate suitable boundary treatment, screening to the Holt Road frontage and mitigation measures to reduce the impact of the development on the outlook and living conditions of adjoining and nearby residents, in accordance with DM policies DM2 and DM3.
SA-MM30	323-326	R42/Earlham Hall	30.1 Amend second and third bullet points of policy as follows: “provide high quality, environmentally sensitive new buildings (maximum <u>approximately</u> 7,000 square metres) in the former nursery garden and redundant glasshouse area for office, research and development and educational uses; - provide an exemplary low carbon building (maximum <u>approximately</u> 3,000 square metres) for office, research and development and educational uses on the former depot;” 30.2 Amend text as follows: After the third last paragraph of explanatory text, add “<u>Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development.</u>”
SA-MM31	327-330	R43/Former Blackdale School, UEA	Amend last bullet point in the policy, and add a final paragraph as follows: “be linked to the university district heating network <u>where possible.</u> <u>Development of this site should be guided by a coherent and coordinated planning approach that has involved English Heritage, UEA and Norwich City Council. Lasdun’s original vision should be a key consideration.”</u>
SA-MM32	331-334	R44/Land between Suffolk Walk and Bluebell Road, UEA	Amend last bullet point in the policy, and add a final paragraph as follows: “be linked to the university district heating network <u>where possible.</u> <u>Development of this site should be guided by a coherent and co-ordinated planning approach that has involved English Heritage, UEA and Norwich City Council. Lasdun’s original vision should be a key consideration.”</u>

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
SA-MM33	335-339	R45/land west of Bluebell Road, Bartram Mowers Limited	Addition of new policy and site map as follows: <u>R45 Land west of Bluebell Road, Bartram Mowers Limited</u> <u>Description</u> The 5.5 hectare site is proposed for housing for the over 55s including retirement housing and may include assisted living and/or extra care housing. This site is the area within the solid red line on the map below and shown on the Policies Map. The site is mainly brownfield, being currently occupied by Bartram Mowers' garden machinery, sales and repair business, along with a single storey building used as a nursery school, parking areas and hard standings for former greenhouses, as it was previously used for market gardening. Bartram Mowers ownership extends to 23 hectares between Bluebell Road and the River Yare. The remainder of the Bartram Mowers owned land is shown for information as the area within the red dotted line on the site plan below, though only the site allocation itself is shown on the Policies Map. Bluebell Road is to the north-east, with low density housing on the northern side, directly opposite the site. There are four dwellings south-west of Bluebell Road directly neighbouring the development site. Adjoining land in the Yare Valley is undeveloped, consisting of grazed fields of undulating topography to the north and fen adjacent to the River Yare to the west. There are a number of well-defined hedges, tree belts and groups of trees across the site, with a large tree belt with many mature trees adjacent to the A11 Newmarket Road dual carriageway to the south of the site. A footpath runs west from Bluebell Road to the north of the site linking to the Yare Valley Walk

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			<u>which follows the river. There is currently no public access to the remainder of the Bartram Mowers owned land.</u> <u>Explanatory Text</u> <u>Site R45 has been allocated for housing for the over 55s. This may include assisted living and/or extra care housing. This form of housing meets a local and city wide need. Eaton has a significantly higher proportion of elderly residents than other parts of the city and there is an identified shortage of such housing in Norwich. In addition, such housing will have a reduced transport impact on the area at peak times.</u> <u>The site is on the slopes of the Yare Valley which is identified under JCS policy 1 as a key green infrastructure corridor, providing both public access to the river and countryside along the Yare Valley Walk and important wildlife habitats. Open space neighbouring the site is protected from development as part of the Yare valley under policy DM6 and as open space under policy DM8.</u> <u>Therefore it is essential that development is sensitively designed to minimise effects on important views to and within the Yare Valley. Consequently the type, scale, density and design of housing development will be determined by a Masterplan which will assess how the development can best be designed to minimise impact on the landscape and preserve the character of the area. The Masterplan must also ensure that development will complement the site's role as a gateway to the city given its close proximity to the A11 and will cover the layout of the open space.</u> <u>Whilst the scale of development on the site will be determined by the Masterplan, for the purposes of calculating the Site Allocations Plan's contribution to the Joint Core Strategy housing requirement an assumption has been made that the site will deliver in the region of 120 dwellings. This figure is based on an assumption that the sites will be developed mainly at low densities to ensure that impact on the landscape is minimised.</u>

REF	PAGE	POLICY / SITE	MAIN MODIFICATION
			<u>The remainder of the site within Bartram Mowers' ownership, excluding the County Wildlife Site in the fen area, is proposed to become publically accessible open space, with improved pedestrian and cycle access and improvements to the Yare Valley Walk. Development proposals for the allocated site will include the provision of a new footpath from Bluebell Road to the River Yare close to the A11 Newmarket Road embankment and tree belt.</u> <u>Development must minimise impact on the fens to the west. This area forms an important habitat, consisting of fen vegetation, grazing marshes, drainage dykes, alder and willow. Bartram Mowers have recently entered into a ten year Management Agreement with Natural England for the whole of their site (17.5 hectares) not proposed for development. To protect wildlife, no additional public access should be created to the fen area apart from the new footpath close to the A11.</u> <u>A Management Plan for the open space will be provided. Arrangements for the management and future maintenance of the public open space and the protected lines of view across the site in perpetuity will be the subject of a legal agreement with the Council.</u> <u>Both the development Masterplan and the Management Plan will be produced by the developers in consultation with the Council. The brief for this work will be produced by the Council. The plans will be informed by a full landscape assessment, a visual impact assessment, topographical and levels surveys and an ecological survey.</u> <u>The existing road access onto Bluebell Road should be used to serve the development, with an additional access to the east if necessary.</u> <u>Deliverability</u> <u>The allocated site is being promoted by its owner and is suitable and available for development within the plan period.</u>

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			<u>Policy R45 Land west of Bluebell Road, Bartram Mowers Limited</u> <u>The site of 5.5 hectares is allocated for development of a housing scheme for the over 55s, which may include assisted-living and/or extra care housing.</u> <u>The development will be designed to:</u> • <u>minimise impact on the landscape of the Yare Valley and important views;</u> • <u>improve the strategic Yare Valley green infrastructure corridor, providing 17.5 hectares of public open space on land adjoining the site shown on the site plan below with a red dotted line. The public open space will provide improved pedestrian/cycle access to and within the valley, including improvements to the Yare Valley Walk. A Management Plan will be produced for the open space by the developer. A legal agreement will cover arrangements for the future management and maintenance of the open space in perpetuity;</u> • <u>protect and enhance environmental assets within and adjacent to the site, including retaining tree belts.</u> <u>In order to ensure that the setting and character of the site are respected and to minimise impact on the landscape and important views, proposals will accord with an agreed Masterplan produced by the developer following a brief set by the Council, covering the development site and adjacent open space. The Masterplan will identify the precise areas within which development will be located, maximum building heights, the number and type of dwellings and the layout of the open space.</u> <u>The Masterplan and the Management Plan for the open space will be informed by:</u> • <u>a full landscape assessment;</u> • <u>a visual impact assessment;</u>

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			• <u>topographical and levels surveys;</u> • <u>an ecological survey.</u>
SA-MM34	340-342	R46/Land at Pointers Field	Delete policy, supporting text and remove from policies map.
SA-MM35	367-385	Addition of monitoring framework at Appendix 3	Inclusion of submitted document SD14 at appendix 3 of the site allocations and site specific policies plan detailing the monitoring framework applicable to both this plan and the emerging Development Management Policies Plan. Amendment to the introductory paragraph to the monitoring framework to include reference to need to review if issues with policy implementation arise: This appendix sets out the monitoring framework for the plan through the Annual Monitoring Report (AMR). <u>Should any issues with implementation of these policies become evident through monitoring within 2 years of adoption of this plan then we will action either through seeking new evidence, implementing focused changes to this plan, or, by commencing work towards implementing a new plan.</u> Currently, an AMR for the Joint Core Strategy is produced annually with GNDP partners, with an appendix for Norwich covering issues specific to Norwich Local Plan as set out below. See Annex 1 of this document.
SA-MM36	3386-	Addition of glossary of	35.1 Inclusion of submitted document SD15 at appendix 4 of the site allocations and site specific

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	406	terms at Appendix 4	policies plan detailing the monitoring framework applicable to both this plan and the emerging Development Management Policies Plan. See Annex 2 of this document. 35.2 Addition of the following definition in the glossary: <u>Office Floorspace:</u> <u>Small and Medium Scale: Premises for small and medium scale businesses means premises which provide a net floorspace of less than 1,500sqm.</u> <u>Large Scale: Premises for large scale businesses means premises which provide a net floorspace of more than 1,500sqm.</u> 35.3 Addition of the following definition in the glossary: <u>Landmark Building:</u> A building or structure that stands out from its background by virtue of height, size or some other aspect of design.

For the main modifications to the policies map accompanying these main modifications please see: Appendix 2, the section entitled **‘Proposed main modifications to Regulation 19 Policies map’**.

Due to the size of the annexes to the policies map it has been unable to append them. To view the annexes associated with the proposed main modifications to the Regulation 19 Policies map please see the website at:

<http://www.norwich.gov.uk/Planning/Documents/InspectorsReportAppendix2AnnexesOct2014.pdf>

A number of hard copies will be able to view at the meeting.

Additional (minor) modifications to Regulation 19 Development Management Policies plan

REF	PAGE	POLICY / PARA	MINOR MODIFICATION
DM-MIN1	7	Introduction Paragraph 5	Amend paragraph 5 as follows: 5. This Development management policies plan is part of the latest stage in the council's production of its new local plan <u>for Norwich</u>. Once adopted, this plan, alongside the Site Allocations Plan, will supersede the present local plan (City of Norwich replacement local plan 2004) <u>in its entirety</u>, and will provide local strategy and policies to manage the development of Norwich up to 2026. <u>No policies in the Northern City Centre Area Action Plan or the Joint Core Strategy, which remain adopted, are superseded by the Development management policies plan or the Site Allocations Plan</u> <i>Reason: to clarify that the plan's policies, alongside those of the Site Allocations Plan, will completely supersede the City of Norwich Replacement Local Plan 2004.</i>
DM-MIN2	7	Introduction Paragraph 6	Add text following para 6, as follows: 6a. <u>Amendments to the JCS to address a legal challenge were adopted in January 2014. The amendments include a flexibility policy to promote housing delivery if necessary. policy 22. The policy requires that if there is a significant shortfall of housing supply affecting the Broadland part of the Norwich Policy Area (NPA) shown in the first two annual monitoring reports produced after adoption of the JCS, the councils will produce a focussed local plan identifying appropriate sites in the whole of the NPA to remedy the shortfall. Priority will be given to sites in Norwich ahead of those elsewhere in the NPA in accordance with the settlement hierarchy set out in paragraph 6.2 of the JCS.</u>

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			6b. <u>However, it is unlikely that such a process, if required, would identify significant new sites in Norwich to allocate for housing in addition to those already allocated through the Site Allocations Plan. This is the result partly of the need to retain land for other uses such as retailing and employment to support Norwich's role as a regional centre, and partly to ensure a good quality of life for residents, such as open spaces. It is also a consequence of the fact that rapid development in Norwich in the early years of the century means that there is a diminishing supply of land available for further housing development within the tightly bounded Norwich City Council area (7,067 dwellings were built in Norwich from 2001 to 2012, more than half of the dwellings built in the NPA).</u> 6c. <u>A significant shortfall in housing supply would nevertheless have some implications for this plan since it would need to be given substantial weight in the assessment of other proposals for new housing considered under policies DM12 and DM13 and any proposals which would result in the loss of housing or land allocated or committed for housing development (policy DM15).</u> <i>Reason: For clarification.</i> Modification to the process diagram to make clear that the Local Development Scheme, Statement of Community Involvement and monitoring reports feed into the local plan but are not part of it <i>Reason: for clarification.</i>
DM-MIN3	9	Introduction Fig 1, ("The Local Plan for Norwich") following para 12	
DM-	10	Introduction	Amend paragraph 13 as follows:

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MIN4		Paragraph 13	13. To accompany this document the council has produced a Policies Map showing where various policies of <u>this plan</u> and allocations <u>within the Site Allocations Plan</u> apply. This will form part of the formal submission on both the Development management policies and Site allocations plan. <u>It also illustrates the policies of the Northern City Centre Area Action Plan, which remains adopted.</u> <i>Reason: to clarify the scope and coverage of the Policies Map.</i> Note that there may be further consequential amendments to the Introduction to reflect the stage the plan has now reached in comparison with the Submission version of April 2013. These are not detailed separately.
DM-MIN5	43	Para 3.2	Amend paragraph 3.2 to read "<u>In accordance with NPPF recommendations, <u>local design review</u> arrangements are in place to provide assessment and support to ensure high standards of design in Norwich. Formal comments on the design aspects of current planning applications have been provided on a monthly basis by the Norwich Society (the city's main local amenity society) for many years. <u>More</u> significant development proposals may also be referred to an independent local design review panel ..."</u> <i>Reason: Clarification of the local arrangements for design review, at the request of the Norwich Society.</i>
DM-MIN6	53	DM5	In the first paragraph, delete the section heading Flooding from Rivers. <i>Reason: To make clear that the first part of the policy relates to flooding in general and not just to fluvial (or tidal) flooding.</i>

REF	PAGE	POLICY / PARA	MINOR MODIFICATION
DM-MIN7	65	DM6	Amend first sentence of policy to read <u>" ... taking particular account of the need to avoid harm to the adjoining Broads National Park Broads Authority area and other identified areas of natural environmental value ..."</u> <i>Reason: Factual correction to reflect the status of the Broads as equivalent to, but not actually, a National Park.</i>
DM-MIN8	97	Para 11.3	In the bullet point list of notifiable installations in paragraph 11.3, replace "Bayer Cropscience" with "Briar Chemicals Ltd". <i>Reason: Factual update to reflect company name change.</i>
DM-MIN9	101	Para 11.18	In paragraph 11.18, replace "the council has agreed to declare a single AQMA..." with "the council has now declared a single AQMA..." <i>Reason: Factual update.</i>
DM-MIN10	124	Para 16.2	In paragraph 16.2, replace "Bayer Cropscience" with "Briar Chemicals Ltd. (formerly Bayer Cropscience)" <i>Reason: Factual update to reflect company name change.</i>
DM-MIN11	155-6	Para 20.15	Amend the last sentence of paragraph 20.15 to read: <u>Such temporary permission would normally be granted for no longer than one year and during typically be granted for an initial period of one year although there will be scope to agree longer periods in individual</u>

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			circumstances where it is appropriate and beneficial to do so. During this time the premises should still be actively marketed for retail purposes. <i>Reason: Clarification that there may be scope for flexibility in the application of the policy, in response to an objection.</i>
DM-MIN12	157	Para 20.19	Delete the last sentence of paragraph 20.19 (commencing “The partnership is currently consulting ...”) and replace updated commentary: paragraph to read as follows: 20.19 This policy will need to be supported by regularly reviewed SPD as well as other initiatives to enhance the retailing environment and improve conditions for businesses across the city centre. The city council, through the City Centre Management Partnership, coordinated city centre management arrangements, is already effectively operating the kind of Town Team approach endorsed through the Portas Review. and smaller area retail consortia such as the Norwich Lanes are doing much to raise the profile of specialist and local independent retailing in this part of the centre. The partnership is currently consulting on proposals for a Business Improvement District (BID) covering much of the south-western part of the centre including the primary retail area and the Norwich Lanes which, if agreed, will enable further investment income to be generated to secure environmental improvements and project funding to help improve trading conditions for businesses. This will be greatly assisted by the establishment, in November 2012, of the Norwich City Centre Business Improvement District (BID). The Norwich BID covers much of the south-western part of the centre including the primary retail area and the Norwich Lanes. Aiming to “make a clear positive impact on the vitality of our city centre and the success of the businesses within it”, the declaration of the BID will enable £3m of investment income to be generated through an annual business rates levy on commercial premises, to fund a

REF	PAGE	POLICY / PARA	MINOR MODIFICATION
			<u>wide range of improvements and initiatives benefiting local business.</u>
DM-MIN13	163	Para 21.1.1	<i>Reason: Factual update.</i> In Paragraph 21.1.1, delete the second instance of “location of” in the penultimate sentence, thus: “They should also guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs; ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and ensure an integrated approach to considering the location of location of housing, economic uses and community facilities and services. ...” <i>Reason: To correct a typographical error.</i> In paragraph 22.10 second sentence, replace “the Council” with “the city council” “The city council will require any application involving the release of any community facility or land last used for community purposes to be supported by written evidence ...” a) In paragraph vi) of the list setting out possible evidence to be submitted in support of proposals, delete the words “in the case of a business” as follows: vi) In the case of a business, evidence <u>Evidence</u> that the premises has been actively marketed for a period of not less than nine months at a realistic commercial rent (or sale price) with no interest being shown from potential occupiers. Evidence might include sales literature, details of approaches, and details of offers. (It should be noted that any evidence of a commercially sensitive nature or which breaches commercial confidentiality would not be made publicly available);
DM-MIN14	176-7	Para 22.10	

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			<i>Reason: Reference to the city council made for clarification. Amendment to sub-para vi) removes a potential anomaly. Including “in the case of a business” here implies that community facilities which are <u>not</u> run as commercial businesses (for example, community halls run on a voluntary basis by religious or charitable organisations) would be exempt from the need to provide marketing evidence to justify disposal of their premises . That is not the intention, and if left unchanged would contradict paragraph c) in the Protection of Community Facilities section of the policy.</i>
DM-MIN15	179	References (for policy DM22)	In the list of references at the end of the chapter, add: • <u>National Planning Practice Guidance, CLG 2014: Health and wellbeing: Local Plans (need to address needs and opportunities for community facilities).</u> • <u>The Assets of Community Value (England) Regulations 2012</u> <i>Reason: Factual update.</i>
DM-MIN16	181	DM23	Amend the section on Late night activities as follows: Late night activities Proposals for new late night entertainment uses will only be permitted within the defined Late Night Activity Zone. <u>Where permission is required, residential Residential</u> and other noise-sensitive uses will not be permitted either within this area, or outside this area in premises where the impact of noise from late night entertainment uses (including direct impact from structural transmission) is shown to have an unacceptably harmful impact on living and/or working conditions for future occupants.

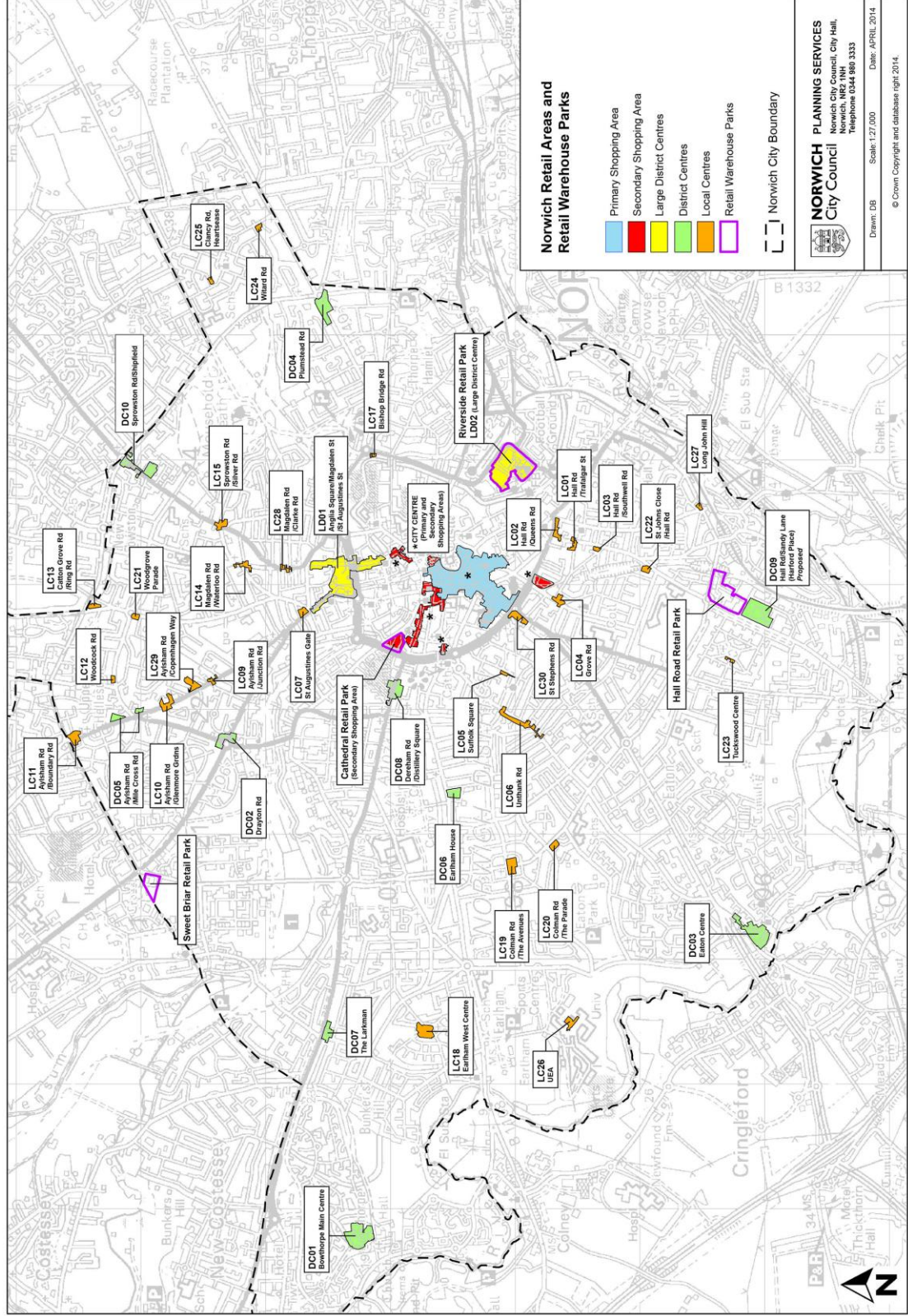
REF	PAGE	POLICY / PARA	MINOR MODIFICATION
			<i>Reason: As requested by the Inspector for clarification, to acknowledge that some residential and noise sensitive uses introduced in the Late Night Activity Zone through change of use cannot be influenced by this policy (by virtue of new permitted development rights introduced by the 2013 General Permitted Development Order).</i>
DM-MIN17	183	Paragraph 23.8	Amend the first and second sentences of para 23.8 as follows: “23.8 Late night activities are nightclubs, sex-encounter-establishments <u>sexual entertainment venues</u> and drinking establishments which routinely open beyond 12 midnight. It is acknowledged that many existing pubs and bars operate with late night licenses in locations outside the late night activity zone and, since many pubs pre-date the operation of the planning system and restrictive planning conditions on opening hours, <u>their operations</u> may be controllable only under licensing powers.” <i>Reason: To align the plan terminology with licensing definitions, and for clarification. A definition of “sexual entertainment venue” is provided in the Glossary.</i>
DM-MIN18	187	Paragraph 24.2	Amend para 24.2 as follows: 24.2 In assessing proposals for hot food takeaways the council will apply the criteria in policies DM20 and DM21 to maintain a minimum retail representation in centres and ensure their continued vitality, viability and diversity. <u>Locations within defined centres will generally be preferred over Proposals for freestanding takeaways outside centres</u> will not generally be supported as they <u>the latter</u> would tend to lead to a less accessible pattern of development, potentially attracting car borne customers into residential areas and adding to problems of noise and disturbance, parking and highway safety.

REF	PAGE	POLICY / PARA	MINOR MODIFICATION
			<i>Reason: For clarification, in response to the Inspector's concerns prior to examination</i>
DM-MIN19	195	DM26	Amend the first paragraph of the policy as follows: Policy DM26 Development at the University of East Anglia (UEA) Development within the UEA campus, as defined on the Policies Map, will be permitted providing it is for university related uses and is in accordance with the <u>UEA masterplan agreed</u> master planning documents currently in place for the University, and with any subsequent detailed guidance endorsed by the council for individual parts of the site. Development must, where relevant: <i>Reason: Change requested by the Inspector, to clarify the status of the UEA planning framework as a suite of related documents and not a single masterplan.</i>
DM-MIN20	197	Para 26.10	Amend para 26.10 to read: 26.10 Earlham Hall is a grade II star listed historic <u>house building</u> which adjoins, but does not lie within the existing or proposed university campus. <i>Reason: Factual correction – Earlham Hall was, but no longer is, a house.</i>
DM-MIN21	200-1	Para 27.5	Amend para 27.5 as follows 27.5 The government commenced a review of national aviation policy, issuing a scoping document for consultation (Developing a sustainable framework for UK aviation) in

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			March 2011 just after the JCS was adopted. It sets out the government's view that many of the provisions of the 2003 White Paper are "no longer fit for purpose ... fail to recognise the importance of addressing climate change and give insufficient weight to the local environmental impacts of aviation". The government is committed to delivering a strategy for air transport which takes The Government's <u>Aviation Policy Framework</u> was published in March 2013. It seeks to take account of the positive and negative impacts of aviation, achieves a sustainable balance between them and integrates aviation policy with wider Government objectives, including delivering sustainable economic growth, combating climate change and protecting the local environment. <i>Reason: To take account of the publication of the Aviation Policy Framework in March 2013, shortly after this plan was approved for submission.</i>
DM-MIN22	204	Following paragraph 27.14 and Alternative Options	In the list of references at the end of the chapter, Delete ▪ Developing a sustainable framework for UK aviation: Scoping document, Department for Transport, March 2011. Add ▪ <u>Aviation Policy Framework Department for Transport March 2013.</u>
DM-MIN23	206	Policy DM28	Amend clause (f) as follows: <u>f) provision is made for the inclusion of a car club parking space and car club vehicle where this</u>

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			is required, in accordance with the criteria and thresholds set out in Appendix 3.
DM-MIN24	Various	Various	<i>Reason: for clarification, and for consistency with Appendix 3.</i> Delete “Alternative Options” boxes at the end of each chapter of the plan. <i>Reason: The alternative policy options considered provided useful background to the plan making process over the course of plan preparation but are no longer necessary now that the plan has reached examination stage. They are already detailed in the Sustainability Appraisal Reports at Regulation 19 and Regulation 22 stages.</i>
DM-MIN25	285	Appendix 4 (note on District and Local centre numbering)	Amend first paragraph as follows: “Note that the omission of local centres numbered LC08 and LC16 in the above list is intentional. The Neighbourhood centres at Dereham Road/Distillery Square neighbourhood centre and Sprowston Road/Shipfield (formerly coded LC08 and LC16 respectively) has have been upgraded from local to district centre status following the completion of a larger local foodstores in 2006-recent years. ‡ The Dereham Road/Distillery Square centre is now coded DC08 and its district centre status is reflected in the retail hierarchy set out in JCS policy 19, whilst the former Sprowston Road local centre has been re-designated as a district centre with reference DC10 following development of a new local foodstore in 2013. The council has opted not to renumber the remaining local centres to enable easier comparisons with historic local centre data.
DM-MIN26	290	Appendix 4	Add plan of retail areas and retail warehouse parks at end of Appendix 4 (see Annex 1) <i>Reason: for clarification</i>

Annex 1 – Proposed minor modification DM-MIN26: Map of Norwich retail areas and retail warehouse parks.



Additional (Minor) modifications to Regulation 19 Site Allocations and Site Specific Policies plan

REF	PAGE	POLICY / SITE	MINOR MODIFICATION
SA-MIN1	9	Introduction	Add new final sentence to paragraph 1.4 of the Introduction chapter, as follows: <u>“Once adopted, the Site Allocations plan and Development Management Policies plan, along with the Joint Core Strategy and Northern City Centre Area Action Plan, will supersede the 2004 local plan in its entirety.”</u> <i>Reason: For clarification</i>
SA-MIN2	11	Introduction: Fig. 1	Modification to the process diagram to make clear that the Local Development Scheme, Statement of Community Involvement and monitoring reports feed into the local plan but are not part of it. The three boxes at the top of the diagram relating to the LDS, SCI and monitoring, are to be moved to the side of the diagram. In addition, a new arrow is also to be added to show that SPDs also feed into Neighbourhood Plans. <i>Reason: For clarification</i>
SA-MIN3	13	Introduction	Amend text in paragraph 1.13 to include reference to the adopted Northern City Centre Area Action Plan (NCCAAP) and clarify how the emerging allocations and the NCCAAP allocations are shown on the policies map: “This document should be read in conjunction with the draft Development Management Policies plan, which sets out proposed planning policies for the city council area, and

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			informs the content of the proposed site allocation policies; and the adopted Northern City Centre Area Action Plan, which makes site allocations in that area which are not included in this plan. <u>Policies and proposals from this Site Allocations Plan, the DM Policies Plan and the adopted Northern City Centre Area Action Plan are all illustrated on a combined Local Plan Policies Map which accompanies this document</u>". <i>Reason: For clarification</i>
SA-MIN4	14-15	Introduction	Amend text in bullet point 1 of paragraph 1.16 to add: <u>"A Policies Map illustrating the individual sites proposed in the Site Allocations plan and the policies in the Development Management Policies plan alongside those policies and proposals in the adopted Northern City Centre Area Action Plan which will continue to apply. And the individual sites proposed in the Site Allocations plan. The policies map forms part of the plan and must be read alongside it"</u>. <i>Reason: For clarification</i>
SA-MIN5	18	Chapter 2: Policy Context	Amend text in paragraph 2.9 to add: "Planning positively and strategically to support business, ensuring an adequate supply of land and premises for economic growth and promoting inward investment and innovation (particularly in key sectors and clusters) are emphasised in the NPPF. The guidance advises against long term protection of employment allocations stating that 'applications for alternative uses of designated land or buildings should be treated on their merits having regard to market signals such as land prices and housing affordability, and set out a clear

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			strategy and the relative need for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business different land uses to support sustainable local communities'. Allocation of land for development in this plan must take account of the strategic longer term needs and priorities in the Joint Core Strategy, including the need to support significant levels of job growth through identifying business development opportunities and (in particular) by retaining employment land for its designated purpose (JCS Policy 5)". <i>Reason: For clarification</i>
SA-MIN6	18-19	Chapter 2: Policy Context	Delete paragraphs 2.10, 2.11 and 2.12 and add two new paragraphs (2.10 and 2.11): <u>2.10 "Evidence from the Greater Norwich Gypsies and Travellers Accommodation Assessment (published August 2012) suggests an immediate requirement in Norwich between 2011 and 2016 for a maximum of 11 additional pitches. This is part of an overall five year requirement across greater Norwich for 51 pitches, the remainder being distributed between Broadland and South Norfolk. Three pitches have already been provided in Norwich so the net additional requirement is 8 pitches to 2016. There is likely to be an ongoing requirement for up to 30 additional pitches every five years in the greater Norwich area over the remainder of the plan period (i.e. a total of 60 additional pitches from 2016 to 2026), which equates to an additional 13 pitches in Norwich city (based on the same geographical distribution as the need to 2016), resulting in a total need for 21 pitches to 2026. The report indicates no requirement for additional plots for travelling showpeople".</u> <u>2.11 "Policy DM14 in the Development Management Policies Plan sets out the Council's</u>

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			<u>approach to this issue. The policy states that the existing gypsy and traveller site at Swanton Road and the travelling showpeople's site at Hooper Lane will be retained and reserved for those purposes, and that proposals for their upgrading over the plan period will be permitted where in accordance with other plan policies. In addition, the policy commits the Council to meeting the identified need for 21 additional pitches to 2026, through grant applications in 2014 which may meet some or all of this need. However if it is not possible to identify sites capable of meeting this need, the policy commits the Council to producing a short focused local plan to identify and allocate additional sites for gypsy and traveller provision to meet the identified need. If required, this plan will be commenced within one year of the adoption of the Site Allocations Plan.</u> <i>Reason: For clarification, to reflect new evidence and the revocation of the East of England Plan, and for consistency with proposed modification to policy DM14.</i>
SA-MIN7	19	Chapter 2: Policy Context	Amend paragraph 2.16 under the sub-heading 'Local policy' to state: 2.1 "The JCS was developed by the Greater Norwich Development Partnership (GNDP), a partnership of the three councils of Broadland, Norwich and South Norfolk, working together with Norfolk County Council. The JCS was adopted in March 2011 and amended in January 2014¹ and sets out a strategy for growth of the Norwich policy area. Objective 2 of the plan is 'to allocate enough land for housing, and affordable housing, in the most sustainable settlements'. <u>It provides for at least 37,000 new homes in the Plan area over the period 2008-2026 a level which</u>

¹ Consequential edit to reflect JCS adopted in 2014

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			<u>demonstrably meets fully the objectively assessed housing needs of the wider area.</u> 2.2 <u>Although overall housing growth levels proposed in the JCS remain the same as adopted in March 2011 some amendments were made to the JCS to ensure consistency with the NPPF and particularly to ensure that adequate flexibility exists to promote housing delivery if necessary. JCS policy 22 requires that if there is a significant shortfall of housing supply affecting the Broadland part of the Norwich Policy Area (NPA) the local Council's will produce a short, focussed Local Plan to identify additional locations within the NPA for immediate deliverable housing land to remedy the shortfall. If such a Plan is produced priority will be given to sites in Norwich ahead of those elsewhere in the NPA in accordance with the settlement hierarchy set out in paragraph 6.2 of the JCS".</u> <i>Reason: Made following consideration of issues raised in the Inspector's letter dated 15th May 2014.</i>
SA-MIN8	25	Chapter 3: Site selection	To add a new sub-heading and two new paragraphs following the sub-heading 'Additional stage of consultation' to state: "Soundness (pre-submission) consultation: <u>3.13a "The final stage of consultation on the plan (the Regulation 19 consultation) took place from August to October 2012. Individuals and organisations were able to comment on the soundness and legal compliance of the plan. It should be noted that prior to consultation on the Pre-submission plan, a decision was taken by members at Cabinet in</u>

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			<u>July 2012 to omit two sites from the plan: R6 (former Lakenham Sports and Leisure Centre) and R45 (land west of Bluebell Road). A further site CC09 (King Street Stores and adjacent Lincoln Ralphs sports centre) was amended by Cabinet, to remove the Lincoln Ralphs Sport Centre site from the allocation”.</u> <u>3.13b “A total of 141 representations were received to this period of consultation. The representations and the council’s responses to them are set out in the Statement of Consultation and Publicity, which is part of the submission documentation evidence base and is available on the council’s website”.</u> <i>Reason: To factually update the plan.</i>
SA-MIN9	25	Chapter 3: Site selection	Amend paragraph 3.19 to add: <u>“The full evidence base is set out on the Council’s website and will form part of the supporting documentation to inform the independent public examination into both plans (in 2013)”.</u> <i>Reason: For clarification</i>
SA-MIN10	26	Chapter 3: Site selection	Amend paragraph 3.20 to add: <u>“The evidence base also takes account of representations made at the various stages of consultation of the plan, as set out above. These are detailed in the Council’s Statement of Consultation and Publicity, one of the background documents for this consultation plan”.</u>

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			<i>Reason: For clarification</i>
SA-MIN11	26	Chapter 3: Site selection	Amend text in paragraph 3.23 to add: “The viability studies undertaken to support the introduction of a Community Infrastructure Levy (CIL), anticipated to be in place by late 2012 adopted in July 2013, are key pieces of evidence to support the growth proposed in the JCS and have helped shape the Council’s approach to viability issues in the Site Allocations and Development Management Policies Plans”. <i>Reason: To reflect the adoption of the Community Infrastructure Levy (CIL)</i>
SA-MIN12	27	Chapter 3: Site selection	Amend paragraph 3.25 to add: “The initial viability study is supplemented by a report setting out further evidence from local developers to test the impact of CIL on viability. <u>Supplementary reports deal variously with viability issues around provision and build costs of flats in Norwich, the impact of garages on the sale price of new build housing and the viability of large scale convenience goods based retail development.</u> The <u>main</u> report examined a range of local scenarios to illustrate the impact of various assumptions on residual land value. It concludes concluded that in most cases the proposed residential CIL charges can <u>could</u> be accommodated whilst still allowing the full requirement for affordable housing to be delivered and a viable residual land value retained. Collectively, the studies and supplementary evidence have been considered at examination and have informed the final CIL charging schedule. There is likely to be an early review of the CIL charges, after an initial operating period of two to three years, during which the CIL impacts can be further evaluated and any implications of

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			changed market conditions incorporated”. <i>Reason: To reflect the adoption of the Community Infrastructure Levy (CIL)</i>
SA-MIN13	27	Chapter 3: Site selection	Addition of the following text after paragraph 3.25: <u>The Council published a further viability assessment in November 2013 which assessed the viability of different typologies of sites in the Site allocations plan and whether policies in the DM policies plan would adversely affect the viability of development of these sites. It concluded that the majority of the residential and mixed use allocations would be viable; the viability of high density residential development in the city centre would be more marginal (though increasingly viable with a small uplift in sales values), and that employment development would currently be unviable. However, this reflects the current national and regional picture and likely market improvements should greatly improve the viability of employment development. In addition, the study showed that policies in the DM policies plan would not adversely affect the viability of development proposed in the Site allocations plan.</u> <i>Reason: for clarification</i>
SA-MIN14	27	Chapter 3: Site selection	Amend text in the first sentence of paragraph 3.28 to add: ”When considering planning applications which involve a planning obligation, the Council takes <u>has taken</u> a flexible approach through its adopted planning obligations prioritisation framework which sets out the relative priorities for the delivery of planning obligations in the event that these, in combination, will have a significant impact on viability and

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			deliverability”. <i>Reason: For clarification</i>
SA-MIN15	29-30	Chapter 3: Site selection	To delete paragraphs 3.37, 3.38 and 3.39 and add a new paragraph: 3.34 <u>“A further stage of sustainability appraisal was undertaken by the same consultants to accompany the Pre-Submission plan consulted upon between August and October 2012 and was further reviewed for submission in the light of the generally minor changes made to the plan in response to that consultation. An addendum to the Pre-Submission SA report was produced following the public examination to take account of any main modifications to the plan, and an environmental statement summarising the input of SA into plan making will be produced when the plan is adopted.”</u> <i>Reason: For clarification</i>
SA-MIN16	31	Chapter 4: Monitoring	To add the following text to the end of paragraph 4.3: <u>“In addition the Council monitors a number of local indicators set out in the AMR which provide the basis for the local plan monitoring framework”</u> <i>Reason: For clarification</i>
SA-MIN17	31	Chapter 4: Monitoring	To include reference to the NCCAAP in the final bullet point of paragraph 4.4: <u>“Progress on delivery of individual site allocations in this plan and in NCCAAP the Northern</u>

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			<u>City Centre Area Action Plan”</u> <i>Reason: For clarification</i>
SA-MIN18	32-34	Chapter 5: Consultation on the Pre-Submission version	To delete Chapter 5 of the regulation 19 plan relating to consultation on the emerging plan. <i>Reason: No longer required</i>
SA-MIN19	35	Chapter 6: Introduction to the site specific policies	To add the following text to the end of paragraph 6.2: <u>“Five city centre sites which appeared in the Pre-submission plan have not been carried forward into this plan: CC2 (84-110 Ber Street), CC18 (Former Hunters Squash Club Edward Street), CC25 (Norfolk House, Exchange Street), CC28 (Fire Station, Bethel Street), and, CC33 (Westlegate Tower). These sites have either changed hands and the new owner has clarified that the site is not available for development in the plan period, the Council has been advised that the site will not be delivered within the plan period, or development in accordance with a planning permission has been commenced on site.”</u> <i>Reason: For clarification</i>
SA-MIN20	37	Chapter 6: Introduction to the site specific policies	To amend paragraph 6.10 to add: “Please note that site R34 (land at Northumberland Street) was not carried forward into the pre-submission plan as the landowner has recently clarified that he no longer wishes to develop the site. In addition, following consideration at Cabinet in July 2012 the Council decided to remove two other sites from the Pre-submission plan: R6 (the former Lakenham

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			Sports Ground) and R45 (Land west of Bluebell Road). <i>Reason: For clarification</i>
SA-MIN21	56-59	CC5/ Rose Lane/Mountergate	Amend text as follows: After the last paragraph of the explanatory text, add an additional paragraph: <u>"Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u> <i>Reason: For clarification</i>
SA-MIN22	63-66	CC7/St Anne's Wharf and adjoining land	Amend text as follows: Add a new paragraph to the explanatory text: <u>"This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."</u> <i>Reason: For clarification</i>
SA-MIN23	63-66	CC7/St Anne's Wharf	Amend text as follows: In the last paragraph of the explanatory text, replace the sentence

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		and adjoining land	<u>"Therefore a flood risk assessment and appropriate mitigation measures will be required."</u> with <u>"Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development."</u> <i>Reason: For clarification</i>
SA-MIN24	63-66	CC7/St Anne's Wharf and adjoining land	Amend text as follows: In the explanatory text, add an additional paragraph: <u>"Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u> <i>Reason: For clarification</i>
SA-MIN25	67-70	CC8/Land at Hobrough Lane, King Street	Amend text as follows: Add a new paragraph to the explanatory text: <u>"This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."</u> <i>Reason: For clarification</i>

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SA-MIN26	67-70	CC8/Land at Hobrough Lane, King Street	Amend text as follows: After the 7th paragraph, add "<u>Development should also take into account possible site contamination.</u>" <i>Reason: For clarification</i>
SA-MIN27	67-70	CC8/Land at Hobrough Lane, King Street	Amend text as follows: In the explanatory text, add an additional paragraph: <u>"Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u> <i>Reason: For clarification</i>
SA-MIN28	71-73	CC9/King Street Stores	Amend text as follows: To add a new paragraph to the explanatory text: <u>"This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."</u> <i>Reason: For clarification</i>
SA-MIN29	71-73	CC9/King Street	Amend text as follows: In the explanatory text, add an additional paragraph:

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		Stores	<u>"Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u> <i>Reason: For clarification</i>
SA-MIN30	71-73	CC9/King Street Stores	Amend text in paragraph 4 of the explanatory text to remove the reference to conservation area consent and replace with the following <u>"Any demolition would require conservation area consent planning permission"</u>. <i>Reason: To reflect changes in planning legislation.</i>
SA-MIN31	74-76	CC10/144-162 King Street	Amend text as follows: In the explanatory text, add an additional paragraph: <u>"Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u> <i>Reason: For clarification</i>

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SA-MIN32	77-79	CC11/Land at Garden Street	Amend text as follows: In the third paragraph of the explanatory text add "<u>possible contamination</u>" after "... main archaeological interest," <i>Reason: For clarification</i>
SA-MIN33	77-79	CC11/Land at Garden Street	Amend text as follows: In the explanatory text, add an additional paragraph: <u>"Development needs to ensure that the water environment is protected throughout the development of the site. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u> <i>Reason: For clarification</i>
SA-MIN34	80-82	CC12/Land at Argyle Street	Amend text as follows: In the explanatory text, add an additional paragraph: <u>"Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u>

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			<i>Reason: For clarification</i>
SA-MIN35	83-85	CC13/Site at Wherry Road	Amend text as follows: Add a new paragraph to the explanatory text: <u>"This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."</u> <i>Reason: For clarification</i>
SA-MIN36	83-85	CC13/Site at Wherry Road	Amend text as follows: In the explanatory text, add an additional paragraph: <u>"Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u> <i>Reason: For clarification</i>
SA-MIN37	86-88	CC14/Land at Lower Clarence Road	Amend text as follows: In the explanatory text, add an additional paragraph: <u>"Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the</u>

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			<u>water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u> <i>Reason: For clarification</i>
SA-MIN38	89-91	CC15/Busseys Garage Site, Thorpe Road and Lower Clarence Road	Amend text as follows: In the explanatory text, add an additional paragraph: <u>"Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u> <i>Reason: For clarification</i>
SA-MIN39	92-95	CC16/Norwich Mail Centre, 13-17 Thorpe Road	Amend text as follows: In the explanatory text, add an additional paragraph: <u>"Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u>

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			<i>Reason: For clarification</i>
SA-MIN40	96-99	CC17/Land adjoining Norwich City Football Club, Kerrison Road	Amend text as follows: A new paragraph to be added to the explanatory text to address watercourse issue and flood risk assessment requirement: <u>"This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."</u> <i>Reason: For clarification</i>
SA-MIN41	96-99	CC17/Land adjoining Norwich City Football Club, Kerrison Road	Amend text as follows: Following the above, add <u>"Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development."</u> <i>Reason: For clarification</i>
SA-MIN42	96-99	CC17/Land adjoining Norwich City Football Club, Kerrison Road	Amend text as follows: In the explanatory text, add an additional paragraph: <u>"Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water</u>

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			<u>environment."</u> <i>Reason: For clarification</i>
SA-MIN43	109-111	CC20/14-154 Oak Street	Amend text as follows: After the end of the last paragraph of the explanatory text, add "<u>In addition development may need to address possible contamination issues.</u>" <i>Reason: For clarification</i>
SA-MIN44	112-114	CC21/Furniture Store, 70-72 Oak Street	Amend text as follows: After the end of the second last paragraph of the explanatory text, add "<u>In addition development may need to address possible contamination issues.</u>" <i>Reason: For clarification</i>
SA-MIN45	115-117	CC22/Oak Street and Sussex Street Commercial Sites, 160-162 Oak Street	Amend text as follows: After the end of the second last paragraph of the explanatory text, add "<u>In addition development may need to address possible contamination issues.</u>" <i>Reason: For clarification</i>
SA-MIN46	160-162	CC35/Westwick Street Car Park	Amend text as follows: Add a new paragraph after the second last paragraph of the explanatory text: <u>"This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."</u>

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			<i>Reason: For clarification</i>
SA-MIN47	171-173	R3/Hall Road District Centre	Amend text as follows: Amend last line of final sentence in 'deliverability' text to delete reference to housing so that it ends " ...commercial, <u>leisure and community</u> and residential uses, with 231 dwellings." <i>Reason: To reflect recent proposals for the site and the fact that the previous consent has expired.</i>
SA-MIN48	178-180	R5/Part of school playing field of Hewett School	Amend text as follows: Add a new paragraph after the last paragraph of the explanatory text: "<u>Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development.</u>" Amend site area in supporting text to reflect correction to site boundary. <i>Reason: For clarification</i>
SA-MIN49	189-195	R10/Deal Ground	Amend text as follows: Amend first sentence of third bullet point of explanatory text on page 191, for clarification: "Need to manage the transport impact of the development on the strategic highway network, and <u>on the nearby village of Trowse</u>, and provide for ..." <i>Reason: For clarification</i>

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SA-MIN50	189-195	R10/Deal Ground	Amend text as follows: Make a minor change for clarification to bullet point 2 in explanatory text as follows: "Any new bridge or bridges should allow adequate clearance for river craft and provide river moorings and <u>de-masting points</u> along the River Wensum." <i>Reason: For clarification</i>
SA-MIN51	189-195	R10/Deal Ground	Amend the first paragraph of the introduction as follows: "... Adjoining the site to the west is an operational minerals aggregate depot and processing plant <u>railhead and asphalt plant</u>, situated alongside and served from the railway. This railhead site is safeguarded in the adopted Norfolk Minerals Local Plan and emerging Minerals and Waste development Framework and <u>land is reserved for the potential extension of the facility</u> under Core Strategy Policy CS16 in the adopted Minerals and Waste Core Strategy (September 2011). <u>The railhead currently receives the majority of crushed rock deliveries for Norfolk. It benefits from deemed consent and is not subject to any restrictions to operating hours, noise limits etc. The asphalt plant has the benefit of permanent planning permission (ref. C/4/2010/4003), which contains conditions regarding noise limits, operational hours etc.</u>" <i>Reason: For clarification</i>
SA-MIN52	189-195	R10/Deal Ground	Amend text as follows: Amend 1th paragraph on page 203 as follows: "... This was prepared jointly by Norwich City Council, Norfolk County Council in <u>its capacity as the Highway Authority</u>, South Norfolk Council and the Broads Authority, and was published in 2009 and updated in August 2010...."

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			<i>Reason: For clarification</i>
SA-MIN53	189-195	R10/Deal Ground	Amend 6th paragraph of the explanatory text as follows: 'A revised outline planning application (reference 12/00875/O) for the redevelopment of the Deal Ground and adjacent May Gurney site was submitted to the three relevant planning authorities (South Norfolk and the Broads Authority in addition to the City Council) in April 2012. <u>This application was granted outline permission on 12 July 2013, with all matters reserved except access.</u>' <i>Reason: Factual update.</i>
SA-MIN54	189-195	R10/Deal Ground	Amend text as follows: Add a new paragraph after the last paragraph of the explanatory text: <u>"This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."</u> <i>Reason: For clarification</i>
SA-MIN55	189-195	R10/Deal Ground	Amend text as follows: In the explanatory text, add an additional paragraph: <u>"Development needs to ensure that the water environment is protected. The site falls</u>

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			<u>within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u> <i>Reason: For clarification</i>
SA-MIN56	189-195	R10/Deal Ground	Amend 8th bullet point in policy R10 to replace "and/or residential moorings" with "<u>public moorings and/or private moorings serving new residential development</u>". <i>Reason: There is a general expectation within saved RLP policy TVA3, emerging policy DM28 of the Norwich DM Policies Plan and policies DP12, DP16 and DP25 of the adopted Broads Authority DM Policies DPD that opportunities should be taken to improve access to waterways through development and to make appropriate provision for public and private moorings, where these are well-located and do not impede river navigation. It is acknowledged that there may be some confusion over the term "residential moorings" which within the Broads plans refers to moorings serving permanent residences on the river, such as houseboats. These would not be accepted here: consequently it is suggested that the term should be amended as proposed. The provision of such moorings would be encouraged but not required.</i>
SA-MIN57	222-225	R18/124-128 Barrack Street	Addition of the following text after paragraph 3 of description to R18: <u>The adjacent site is used as a dental practice and has recently had a large extension to the rear. The surgery was a former public house, and is locally listed.</u>

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			<i>Reason: for clarification</i>
SA-MIN58	238-240	R23/Land at Aylsham Road	Amend text as follows: After the last paragraph of the explanatory text, add: " <u>Development should also take into account possible site contamination.</u> " <i>Reason: For clarification</i>
SA-MIN59	241-243	R24/165-187 Aylsham Road	Amend text as follows: After the last paragraph of the explanatory text, add: " <u>Development should also take into account possible site contamination.</u> " <i>Reason: For clarification</i>
SA-MIN60	268-270	R33/Heigham Water Treatment Works	Amend text as follows: Add a paragraph after the last paragraph of the explanatory text: " <u>This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency</u> ". <i>Reason: For clarification</i>
SA-MIN61	268-270	R33/Heigham Water Treatment Works	Amend text as follows: After the second paragraph of the explanatory text, add " <u>Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development.</u> "

REF	PAGE	POLICY / SITE	MINOR MODIFICATION
			<i>Reason: For clarification</i>
SA-MIN62	268-270	R33/Heigham Water Treatment Works	Amend text as follows: After the third paragraph, add "<u>Development should take into account possible site contamination.</u>" <i>Reason: For clarification</i>
SA-MIN63	290-293	R41/Three Score, Bowthorpe	Amend text as follows: In the explanatory text, add an additional paragraph: <u>"Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."</u> <i>Reason: For clarification</i>
SA-MIN64	244-246	R25: Former Pupil Referral Unit, Aylsham Road	Delete reference to Norfolk County Council as owner of the site from paragraph 1 of the explanatory text and paragraph 1 of the Deliverability text: Explanatory text "Development of this site will bring a redundant County Council site back into use; housing development is suitable on this brownfield site located within a predominantly residential area".

REF	PAGE	POLICY / SITE	MINOR MODIFICATION
			Deliverability "The site is a new allocation owned by Norfolk County Council and is suitable and available for development within the plan period". <i>Reason: To reflect new ownership status.</i>
SA-MIN65	307-317	Appendix 1: Sites not carried forward into this plan	To add reference to site CC2 into Appendix 1 (Sites not carried forward into this plan). Reason: For clarification
SA-MIN66	307-317	Appendix 1: Sites not carried forward into this plan	To add reference to site CC18 into Appendix 1 (Sites not carried forward into this plan). Reason: For clarification
SA-MIN67	307-317	Appendix 1: Sites not carried forward into this plan	To add reference to site CC25 (MO61) into Appendix 1 (Sites not carried forward into this plan). <i>Reason: For clarification</i>
SA-MIN68	307-317	Appendix 1: Sites not carried forward into this plan	To add reference to site CC28 into Appendix 1 (Sites not carried forward into this plan). Reason: For clarification
SA-MIN69	307-317	Appendix 1: Sites not carried forward into this plan	To add reference to site CC33 into Appendix 1 (Sites not carried forward into this plan). Reason: For clarification

REF	PAGE	POLICY / SITE	MINOR MODIFICATION
SA-MIN70	307-317	Appendix 1: Sites not carried forward into this plan	To add reference to site R6 into Appendix 1 (Sites not carried forward into this plan). <i>Reason: For clarification</i>