

**Item 4 - Application no 22/00879/F Carrow Works, King Street, Norwich
Response from the Applicant**

FOR THE RECORD
REQUEST FOR DEFFERAL

Dear Sarah,

We have reviewed your report and your recommendations for refusal and acknowledge that there have been persistent delays with aspects of the application, which have made it difficult for the Council to assess and progress. As you will appreciate these delays have been brought about as a direct result of the financial turbulence caused by a succession of adverse economic events, which have impacted on the majority of mixed-use developments across the UK, including Anglia Square. The impact of Covid, market instability, inflation, and significant increases in interest rates, have made bringing forward complex projects such as Carrow Works much more expensive in every way.

Despite this, a new entity unconnected to Fuel, has been identified with the requisite track record, skill set and funds to drive this key component of the East Norwich Masterplan forward bringing a fresh approach and working in consultation with the Council to deliver a high-quality scheme for Norwich. This party has been introduced to the Council and its status as above has been confirmed.

What is clear from your report is that the fundamental principles of the proposed development is supported, and although there are areas of disagreement, the application and the ENMP are very much aligned and, the report sets out a clear way forward for these differences to be addressed. As you, your Planning Team and the Strategic Planning Team of Graham Nelson and Ian Cherie are fully aware, the Applicant paid a significant proportion of the ENMP costs and engaged fully with all parties during its compilation, providing detailed information on key aspects of the ENMP throughout the entire masterplanning process. The Applicant's subsequent Carrow Works Hybrid Application mirrored the vast majority of the ENMP's relevant sections save a number of points of discussion and negotiation. These can still be resolved through the provision of supplementary technical reports and negotiation with reference to a viability assessment.

The four key areas to be address with the Council are:-

1. House type and tenure; This is a part outline planning application, and the associated areas can be detailed in full in the usual way as the phases come forward.
2. Scope of work to historic structures and associated uses; This detailed aspect of the hybrid application can be negotiated with reference to the long-term preservation of the structures, without the requirement for public funding and, by way of minimising works to the Grade 1 Listed Buildings to bring them back in to use where possible.
3. Traffic access and impact; The current site access matters can be resolved with full engagement from County Highways and provision of further technical information.
4. Unfettered access across the site for pedestrians and cyclists; To include a new footbridge and unfettered access to the underpass under the Railway. Both these points were clearly shown within the application and can be subject to further detailing by both planning conditions and pre-commencement work. The installation of a suitable pedestrian and cycle bridge has been discussed in principle with the adjacent owners on the north side of the River Wensum and structural support can be provided from both ownerships.

The new party and its consultants, taking the project forward, will prepare and submit the required additional technical information and submissions required by the Council and work in consultation with the Council to resolve all outstanding issues.

In view of the above, there seems little to be gained by moving to a possible vote for refusal - especially now there is a clear analysis of the areas that require addressing.

We had agreed to restart the negotiations in February with the parties agreeing to a PPA, but that meeting was overtaken by events. There is now a genuine opportunity to engage meaningfully with the incoming entity afresh on the application.

We believe that it is in everyone's interest that this important mixed-use scheme comes forward as soon as possible to act as a catalyst for further regeneration and to enable Norwich to meet its housing need, particularly with the demise of Anglia Square and, given the site's employment potential and community benefits. The points set out in the recommendation for refusal provide a clear basis for a Statement of Common Ground and the attached response (please see 20240319 CW Response to RR) addresses these and offers to find a negotiated solution as appropriate. The majority of the points cited in your report as not being addressed, have in fact been subject to discussion between the Applicant and the Council during 3 years of planning negotiations on the Carrow Works site and during the ENMP process. Obviously, we can provide multiple emails from ourselves and planning consultants, Icen Projects, including the final raft of objections to the ENMP (please see attached, outstanding objections 12.4.22) which substantiate this position, illustrate our full engagement and considerable efforts to submit a largely compliant application in line with the ENMP. The final 4 points outlined above remain the main outstanding issues to be agreed via negotiation and these are not unusual matters, given the outline nature of the application and all the associated complication of such a substantial and involved site.

We would request a deferral allowing time for the new party (should they wish to) to immediately address the issues clearly set out in the Officer's report to Committee and agree a PPA to detail the position. It is clear that a position on most points could be agreed as a 'Statement of Common Ground' and then this would leave the main points highlighted above to be dealt with by way of technical reports on access and via a Financial Matrix to resolve issues relating to social housing, financial contributions and the Listed Buildings.

The new party has the capacity, funding and skill set to achieve a planning permission for the redevelopment of the Carrow Works site. As we have consistently stated during the entire planning and ENMP process, Carrow Works does not require external grant on infrastructure to be developed and nor will it fetter the delivery of adjoining sites. If the Council agrees to a deferral as requested by way of this email, further options then remain as to the best approach to then bring the Carrow Works development forward as an exemplar scheme, addressing the issues highlighted in the shortest timescale, which will galvanise further regeneration across Norwich, provide much needed housing and jobs and set the standard for high quality, deliverable, sustainable development.

We respectfully await the Committee's decision and hope they will agree to a deferral.

Regards,

Jeremy Fooks

For and on behalf of
Fuel Properties (Norwich) Limited

The Council's report clearly states at Para 202 "a mixed-use redevelopment of this previously developed 'brownfield' site can be considered an appropriate use for the site." This statement is fully in line with the upcoming adoption of the East Norwich Masterplan, and the subject application is in adherence with the ENMP save for only a few areas of disagreement. These areas have been addressed in detail by the applicant previously. All matters including the areas of disagreement defined in the report and required supplementary information, can now be dealt with either through negotiation or by submitting new or adjuncts to existing technical reports.

APPLICANT'S RESPONSES TO KEY PARAGRAPHS

Para 202.

Applicant's response:

In summary this paragraph confirms that recently adopted strategic policy supports the principle of a mixed-use redevelopment on this previously developed 'brownfield' site and can be considered an appropriate use for the site.

Para 20. outstanding documentation was provided, and the application was validated in August 2023 (just over 1 year later). The application has been considered in the extremely disappointing context that since its initial submission the applicant and their project team have not been in a position to discuss, negotiate or amend their proposals in any way. This situation is reflected in the significant number of objections and comments of concern from a large number of the consultees as summarised in the 'statutory and non-statutory consultees' section from paragraph 30 onwards.

Applicant's response:

As the Council is aware, it was agreed in December 2023 at a meeting between the Applicant and the Planning Department, that a meeting would be held in February 2024, that the Council and the Applicant would agree a PPA and move the Application forward together.

Para 22. The content of the report therefore reflects this unusual, extremely unfortunate and disappointing situation and highlights areas where information is absent or deficient. The report should also be considered in the context that due to the passage of time some of the technical reports may not reflect an up-to-date position with regards to the site and surrounding baseline or relevant guidance and legislation.

Para 21. As progress on this matter remains lacking, a decision has been made by the Head of Planning and Regulatory Services to present the application to members for consideration.

Applicant's response:

The Applicant is aware that additional information and updated reports will need to be provided in the usual way for Consultees consideration, but the submission of these reports can be readily dealt with and do not in themselves represent areas of disagreement and, any concerns can be readily mitigated.

HISTORIC ASSETS

Para 19. It is also understood that some of the works proposed will require Scheduled Monument Consent from the Department for Digital, Culture, Media and Sport (DCMS), via a

CARROW WORKS RESPONSE DOCUMENT

15/03/2024 v1

process where Historic England provide advice to the government. At this time, it is understood that no such submission is with the relevant authority for determination.

Para 45. Norwich Design & Conservation says ...'the proposed development is believed to cause a high level of harm to the significance of designated heritage assets and their setting'. The proposed subdivision of Carrow Abbey and its grounds, and introduction of residential development over the ruins of Priory church would affect the evidential, historic and communal values of the monument and Abbey, and their strong interconnectedness. The accumulated harm on the significance of designated heritage assets (including the scheduled monument, grade I listed Abbey) and their setting is considered to be at the upper end of less than substantial harm.

Para 73. EH says. Objects to the application on heritage grounds because of the high level of harm that would be caused to the significance of the scheduled monument, grade I listed Carrow Abbey and other listed buildings on the site.

Para 266. All conclude that the scheme would harm the historic environment and their positions are summarised within the assessment, broken down across the site and its groups of assets below.

Applicant's response:

As the Applicant established and advised, the Historic Reports prepared by the Applicant's Consultants, Icen Projects, were submitted in full to the Council, but they were not dealt with or passed on to Historic England after review. The position with Historic England is one of negotiation, viability and design moving forward.

TRANSPORT

71. The provided Transport Assessment fails to demonstrate that the highway network would continue to operate safely without severe residual cumulative impact. The Highway Authority would therefore in accordance with NPPF paragraph 115 recommend refusal of the application.

Applicant's response:

The Applicant's Highways Consultant, Entran Limited, has continually requested engagement with County Highways but, has yet to have a meaningful response/meeting. Please see further note below.

RECOMMENDATION AND REASONS FOR REFUSAL

The Applicant's remaining comments relate to the Council's reasons for refusal as set out in Para 530 and associated subsections 1-23.

For ease of reference the Applicant has colour coded each reason for refusal listed in the Recommendation as follows: -

- **Those reasons for refusal that can be satisfied by submitting supplementary reports or, addition information as a condition of consent, are coloured GREEN.**
- **Those reasons that relate to S106 matters and Planning Gain are coloured BLUE.**

CARROW WORKS RESPONSE DOCUMENT

15/03/2024 v1

- Those reasons that relate to adopted policy but can be either readily resolved through negotiation or shown to be outweighed by the benefits of the proposal, are coloured ORANGE.
- Those that need to be addressed in any resubmission are coloured RED.

The majority of reasons are colour coded in GREEN, meaning most areas of refusal can be satisfied by way of additional information, which is readily dealt with as part of the planning process moving forward in accordance with a PPA as previously agreed.

The conditions that relate to S106 / Planning Gain, colour coded in BLUE, are a negotiation between the parties' consultants and will be resolved in the usual way via a viability appraisal and discussions with officers.

Those areas which will be subject to further negotiation have been clearly identified and subject to continuous representation and discussion over the last 3 years and, the Applicant is fully aware of those areas requiring further submission.

The 'Main Areas of Difference' relate to the following areas of the Application: -

- **Housing mix and tenure**
The Council's comments relating to housing mix and tenure are not appropriate given the Applicant's submission is a Hybrid Application and it was agreed with the Council that these areas were to form part of the Outline component of the application and will therefore be dealt with in detail as each phase is submitted. Each phase will be controlled by conditions and design including the detailed Design Code already submitted.
- **Absence of affordable housing**
The Applicant and Council have discussed Affordable Housing in detail over the last 3/4 years. The position on Affordable Housing and S106 contributions is subject to agreement with reference to a Financial Viability Matrix and negotiations between the Applicant, the Council and their respective consultants. The Applicant has submitted its viability statement, which clearly shows a loss position, however in such circumstances there can still be negotiation, compromise or solutions found. Over the last 3 years the Applicant has continuously offered the Council the option of an affordable provision through a Unilateral Undertaking and associated planning drawings. This would enable the delivery of affordable housing close to Policy Levels using grant funding. In fact, the Council's Planning KC has previously opined on this position on a development site in Welwyn Garden City in Hertfordshire and approved the use of the UU and Planning Drawings to successfully deliver 33% affordable on a site that could not viably deliver any. The Applicant would propose the same solution at Carrow Works.
- **Disagreement on the changes and use of Listed Buildings**
The Applicant's proposed changes and use of the Listed Buildings is subject to negotiations with Council and Historic England with reference to financial restraints relating to the long-term use and maintenance of the buildings and associated structures and engagement in these matters take time. The Applicant's Listed Buildings Application and reports were not reviewed or passed on to Historic England for a

CARROW WORKS RESPONSE DOCUMENT

15/03/2024 v1

considerable time before they were aware of the submission. The Applicant has no issue discussing and negotiating the appropriate future use of the Listed Buildings. However, the Local Authority Conservation Officer has been intransigent both in terms of agreeing a viable and sustainable use and, allowing enabling development within the curtilage of the Listed buildings, which would be in accordance with the ENMP, which clearly shows development in the grounds of the Listed Assets.

- **Access concerns to Bracondale Road A1054**

The Applicant's Highways Consultants have addressed the Council's highways concerns and the issues have been dealt with efficiently and properly. However there has been a significant lack of engagement on these matters by County Highways combined with attempts by the Council to impose alternative solutions which are either legally (because of Title restrictions) or physically (due to considerable level changes of 30 feet) undeliverable. The Applicant's position has been clear from day one on highways matters and documented in detail.

The above matters have been clearly explained and detailed during the planning process to date and from inception and throughout the ENMP process. These points and associated objections have been recorded in emails and responses from Icen Planning Consultants and the Applicant directly in consultation with the Council on numerous occasions.

Recommendation 530. To refuse application no. 22/00879/F Carrow Works, King Street for the following reasons:

1. **The application fails to deliver many of the requirements of the site-specific policy that are necessary to ensure a highly sustainable mixed-use community is delivered at East Norwich. Many of the deficiencies in the application would also prejudice future development and restrict options across the remainder of the ENSRA due to the poor connectivity and limitations to movement that would arise as a result. The application is therefore contrary to policy GNLP7.1 and GNLPSTR.01 of the Greater Norwich Local Plan 2024.**

The Applicant has stated in writing and demonstrated through its Masterplanning of the site, that it's proposed scheme would not fetter or inhibit the future development of adjoining sites within the ENMP and full access through Carrow Works would be offered and where viable would be enabled. Access via primary routes through the site including a new River front walk, the provision of a new pedestrian and cycle bridge and unfettered access to the underpass, all form key components of our proposals.

2. **In the absence of any contrary evidence, the housing types proposed and particularly the predominance of flats is not consistent with the Greater Norwich Local Housing Needs Assessment. This along with the total lack of affordable housing results in an unsustainable housing development proposal, whereby the mix of dwellings by type and tenure fail to promote the creation of a mixed, diverse, inclusive and equitable community, contrary to GNLP 5, GNLPSTR.01 of the Greater Norwich Local Plan 2024, and policy DM1, DM12 of the Development Management Policies Local Plan 2014 and the National Planning Policy Framework (2023).**

As the Applicant has stated, whilst the submitted Hybrid Application does not provide this level of detail as it has been incorporated in the agreed Outline component of the application, the Applicant has provided a Design Code that specifically references the local vernacular and, phasing plans have been submitted.

The development mix, house types and other Living Sector uses i.e flats, PRS, Student, Retirement and residential conversions will all be subject to detailed applications submitted in accordance with the Conditions of the Hybrid Application consent and forementioned Design Code.

The Applicant has provided the Council and informed the ENMP of its phasing plans and development mix coming forward in the first phase. Given sales rates in Norwich, the delivery period is likely to be in the order of 10 years. Reflecting market demand can be readily dealt with by way of resubmission, which will inform the final mix delivered. Again, the Applicant would like to reiterate that these elements of the scheme are in the agreed Outline components of the Application.

As stated previously the Applicant has submitted its viability statement and has offered to provide Affordable housing via a UU given the position of negative land value.

3. In the absence of a detailed economic strategy of proposed non-residential uses and their location across the site and the contributions that these will make to job creation, together with a demonstration of how the retail and leisure and office uses can be achieved without impacting on existing town centre use provision or office accommodation on sites designated for such uses nearby or encouraging car dependency for access, it is not possible to conclude that the non-residential uses proposed would comply with the detail set out within policy GNLP4, GNLP6, GNLPSTR.01 of the Greater Norwich Local Plan 2024 and policy DM1 of the Development Management Policies Local Plan 2014.

4. An Appropriate Assessment has concluded that insufficient information has been submitted to demonstrate that this proposal would not result in an increase in nitrate and/or phosphate levels which would further adversely affect the current unfavourable status of the Broads Special Area of Conservation. In adopting a precautionary approach, the Local Planning Authority is not satisfied that the proposal will not adversely affect the integrity of this habitats site and the application is contrary to Regulation 63 of the Conservation of Habitats and Species Regulations 2017; policy GNLP3 of the Greater Norwich Local Plan 2024; policy DM6 of the Development Management Policies Local Plan 2014; and paragraphs 8, 11, 180, 186 and 188 of the National Planning Policy Framework (2023).

5. An Appropriate Assessment has concluded that insufficient information has been submitted to demonstrate that this proposal would not result in an increase in recreational disturbance due to the impact of additional visits to Special Areas of Conservation (SACs and SPAs) in the Wash, Norfolk Coast and the Broads. There is a lack of a mechanism to secure payment of the RAMS (Recreational Access Mitigation Strategy) tariff, together with insufficient new on-site and enhancement of off-site green infrastructure provision both in terms of quantity and function to meet the informal recreational needs of the new residents. In adopting a precautionary approach, the Local Planning Authority is not satisfied that the proposal will not adversely affect the integrity of these habitats sites and the application is contrary to Regulation 63 of the Conservation of Habitats and Species Regulations 2017; policy GNLP3 of the Greater Norwich Local Plan 2024; policy DM3, DM6 and DM8 of the Development Management Policies Local

CARROW WORKS RESPONSE DOCUMENT

15/03/2024 v1

Plan 2014; and paragraphs 8, 11, 180, 186 and 188 of the National Planning Policy Framework (2023).

6. The lack of certainty of mitigation to prevent adverse effects on the integrity of habitats site could cause significant, permanent negative impacts on the environment of international scale as identified within the Environmental Statement. The application is therefore contrary to policy GNLP3 of the Greater Norwich Local Plan 2024; policy DM3, DM6 and DM8 of the Development Management Policies Local Plan 2014; and paragraphs 8, 11, 180, 186 and 188 of the National Planning Policy Framework (2023).

The Applicant is able to address the above issues readily via new reports, surveys and standard planning conditions and believes these matters should not constitute a reason for refusal.

7. The individual buildings comprising the application site are distinguished by their significant architectural and historic interests; moreover, the group value of all heritage assets deriving from their links and associations with each other and this unique context, further reinforces their significance. The proposals have been found to result in high levels of harm to the setting and significance of a number of designated and non-designated heritage assets. The high levels of individual and cumulative harm caused is 'less than substantial harm', which is without clear and convincing justification and is not sufficiently outweighed by public benefits, and as such the application is contrary to policy GNLP3, GNLP7.1 and GNLPSTR.01 of the Greater Norwich Local Plan 2024; policy DM9 of the Development Management Policies Local Plan 2014, paragraphs 201, 203, 205 -208 of the NPPF and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The position relating to the Listed assets is well documented and it was agreed between Icenis's historic building team and the Council which buildings would be utilised/retained and which buildings would be demolished. This was considered by the parties with reference to the Historic England Report on Listings. As the Council is aware, the negotiations with Historic England are ongoing and as always subject to The Financial Matrix Statement on reuse of these buildings which will show the route to safeguard the future of these assets for the next 100 years.

8. The fundamentals of the application surrounding heritage and access and movement remain to be resolved, it cannot be concluded that the design of the development fully respects or enhances the character and context of the local area or delivers a beautiful and well-designed exemplar of high quality, high density and locally distinctive design which respects its context and setting. Outstanding issues surrounding heritage impacts will have implications for the interrelated land use, demolition, proposed heights, and public open space outline parameters plans. The outstanding access and movement matters will greatly impact on the access and movement outline parameters plan and as site access is demonstrated across all of the parameter plans it impacts on these also. In addition, the detailed Design Code is based on key layout principles set out on a Regulatory Plan which takes information from the outline parameters plans which are not considered acceptable. The application is therefore contrary to policy GNLP2, GNLP3 and GNLPSTR.01 of the Greater Norwich Local Plan 2024; policy DM3 of the Development Management Policies Local Plan 2014 and the design principles as set out in section 12 of the National Planning Policy Framework (2023).

The Applicant is able to address the above issues on resubmission and again reiterates that the Application is a Hybrid with the majority in Outline and will therefore require

subsequent, Detailed Planning Applications on each phase, with reference to the Design Code, to be agreed between the Applicant and Council.

9. The access proposed at the A1054 Bracondale / Martineau Lane roundabout is unsatisfactory to serve the proposed development by reason of inappropriate design contrary to current guidance and would be to the detriment of highway safety, contrary to policy GNLP7.1 and GNLSTR.01 of the Greater Norwich Local Plan 2024; policy DM30 of the Development Management Policies Local Plan 2014 and, NPPF paragraph 8 and Section 9 of the National Planning Policy Framework (2023).

Access to the site has been subject to discussion over the last 3 years. The current access arrangement is completely unfettered and can be used 24/7 with thousands of traffic movements without restriction if required and is fully compliant in planning and legal terms. Our Traffic consultants have dealt with all issues raised on this matter and if more information is required it can be dealt with.

10. The proposed development includes a new access at A1054 Bracondale, a strategic road that carries significant traffic movements. The vehicular movements associated with the use of the access would lead to conflict and interference with the passage of through vehicles and introduce a further point of possible traffic conflict, being detrimental to highway safety, contrary to policy GNLP7.1 and GNLSTR.01 of the Greater Norwich Local Plan 2024; policy DM30 of the Development Management Policies Local Plan 2014 and paragraph 8 and Section 9 of the National Planning Policy Framework (2023).

The Applicant's Highways Consultants have designed a viable additional exit on to the Bracondale road but there has been insufficient engagement with County Highways. The alternatives offered by the Councils are not viable or deliverable, either on a legally basis (because of title restrictions) or on a physically basis (due to substantial level differences of 30ft over a very short distance).

The Applicant has communicated these constraints both during the ENMP process and throughout the current application. This has detailed numerous times in correspondence but has been clearly ignored with very little communication from County Highways or engagement with the Council to agree a deliverable position.

11. The proposed development does not adequately provide on and off-site facilities for pedestrians / cyclists / people with disabilities (those confined to a wheelchair or others with mobility difficulties) to encourage walking and cycling/wheeling to connect with and permeate through the site and link with adjacent sites and local services, contrary to policy GNLP4, GNLP7.1 and GNLSTR.01 of the Greater Norwich Local Plan 2024; policy DM3, DM12, DM13, DM28, DM30, DM31 and DM32 of the Development Management Policies Local Plan 2014 and paragraph 8 and Section 9 of the National Planning Policy Framework (2023).

The routes of access through the site for vehicular and pedestrian access including a bus service are clearly demonstrated and would be part of the overall consent and dealt with by detailed phasing plans and conditions .

12. The proposal fails to demonstrate that improved public transport access to the site can be achieved, to maximise sustainable transport opportunities which together could lead to reduced car dependency and a corresponding reduced level of car parking provision across the

site. The application is therefore contrary to policy GNLP4, GNLP7.1 and GNLPSTR.01 of the Greater Norwich Local Plan 2024; policy DM1, DM3, DM12, DM13, DM28, DM30, DM31 and DM32 of the Development Management Policies Local Plan 2014 and paragraph 8 and Section 9 of the National Planning Policy Framework (2023).

This has clearly been dealt with in all areas and can be reinforced on resubmission.

13. The proposal does not provide adequate access for all modes and would be likely to give rise to conditions detrimental to safe sustainable development in transport terms, contrary to policy GNLP4, GNLP7.1 and GNLPSTR.01 of the Greater Norwich Local Plan 2024; policy DM3, DM12, DM13, DM28, DM30, DM31 and DM32 of the Development Management Policies Local Plan 2014 and paragraph 8 and Section 9 of the National Planning Policy Framework (2023)

This has clearly been dealt with in all areas and can be reinforced on resubmission.

14. The application is not supported by sufficient highways and transport information, including a travel plan and parking strategy to demonstrate that the proposed development will not be prejudicial to the safe and satisfactory functioning of the highway or that the proposed development represents a sustainable form of development, contrary to policy GNLP4, GNLP7.1 and GNLPSTR.01 of the Greater Norwich Local Plan 2024; policy DM3, DM12, DM13, DM28, DM30, DM31 and DM32 of the Development Management Policies Local Plan 2014 and paragraph 8 and Section 9, including paragraph 115 of the National Planning Policy Framework (2023).

These are mostly standard conditions on phasing and pre-commencement of site works.

15. There is no provision within the application for social infrastructure in the form of a serviced site for a two form entry primary school on this strategic development site. The application is therefore contrary to policy GNLP4, and GNLPSTR.01 of the Greater Norwich Local Plan 2024 and paragraph 99 of the NPPF which requires sufficient choice of school places with great weight given to the creation, expansion or altering schools to meet the needs of existing and new communities. The application is also contrary to policy DM1 which requires provision to be made for enhanced and accessible education opportunities.

The Applicant's Education Consultant has conclusively shown that a school provision is not required at this stage as there are plenty of school spaces currently available. The Applicant has advised the Council from day one and during the ENMP process, that a school taking up 1-3 acres was not appropriate in any event and if a school was required, it in should be accommodated in a modern multi-purpose building, which the Applicant would fully endorse if there was a genuine need established. The Applicant has also stated that the position could be reviewed in future phases with each phase subject to a new Financial Matrix. The Applicant also notes that the ENMP now incorporates it's view that if required, a school could be incorporated in a modern multi-purpose building as now shown within the ENMP. Carrow Works represents one of several locations which may be suitable for such a building including the Council's own site at Carrow House.

16. There is currently no provision within the application for improvements to health care infrastructure in the form of provision of land for a health facility sufficient to serve the East Norwich development as a whole. The application is therefore contrary to policy GNLP4,

CARROW WORKS RESPONSE DOCUMENT

15/03/2024 v1

GNLP7.1 and GNLSTR.01 of the Greater Norwich Local Plan 2024. The application is also contrary to policy DM1 which requires provision to be made for improved health and well-being opportunities and NPPF paragraph 97 which requires decisions to provide social, recreational and cultural facilities and services the community needs, ensuring an integrated approach to their location.

The Applicant has advised that if there is an established need for a specific medical use on the Carrow Works site this could be accommodated subject to viability assessment, noting that Carrow Works represents one of several locations which may be suitable for such a building or use .

17. The application does not provide sufficient information to allow the impact of height and associated impacts on daylight and sunlight on residential amenity of existing and future occupiers of the development or on areas of private and public amenity space including riverside paths to be determined. In the absence of this information, it must be concluded that the application is contrary to policy DM2, DM3, DM12 and DM13 of the Development Management Policies Local Plan 2014; and paragraph 135(f) of the National Planning Policy Framework (2023).

18. The application does not provide sufficient information to fully assess the impact of noise on residential amenity of future occupiers of the development. It is therefore not possible to determine whether mitigation measures are required to secure an appropriate standard of amenity for the occupiers of the new development without prejudicing the continued operation of the adjacent safeguarded mineral railhead site to the east. In the absence of this information, it must be concluded that the application is contrary to policy GNLP2, GNLP7.1 and GNLSTR.01 of the Greater Norwich Local Plan; policy DM2, DM3, DM11 and DM13 of the Development Management Policies Local Plan 2014; policy CS16 of the Norfolk Minerals and Waste Core Strategy 2011; criterion (f) of paragraph 135 and paragraph 191 and 216(e) of the National Planning Policy Framework (2023).

19. The application does not provide sufficient information to fully assess the air quality impacts on the residential amenity of future occupiers of the development. It is therefore not possible to determine whether mitigation measures are required to secure an appropriate standard of amenity for the occupiers of the new development without prejudicing the continued operation of the adjacent safeguarded mineral railhead site to the east. In the absence of this information, it must be concluded that the application is contrary to policy GNLP2, GNLP7.1 and GNLSTR.01 of the Greater Norwich Local Plan 2024; policy DM2, DM3, DM11 and DM13 of the Development Management Policies Local Plan 2014; policy CS16 of the Norfolk Minerals and Waste Core Strategy 2011 and paragraph 192 of the National Planning Policy Framework (2023).

20. The application does not provide sufficient information to fully assess the green infrastructure, open space and landscaping provisions of the development. In the absence of this information, it must be concluded that the application is contrary to policy GNLP2, GNLP3 and GNLSTR.01 of the Greater Norwich Local Plan 2024; policy DM3, DM6, DM7 and DM8 of the Development Management Policies Local Plan 2014 and paragraph 88, 97, 102 and 135 of the National Planning Policy Framework (2023).

The Applicant states that these outstanding matters are readily dealt with by further reports and conditions as is the normal practice.

21. The application proposes the loss of visually significant protected trees that has not been justified as it would not result in a substantially improved overall approach to the design and landscaping of the development. The development is contrary to policy GNLP2, GNLP3 and GNLPSTR.01 of the Greater Norwich Local Plan 2024; policy DM7 of the Development Management Policies Local Plan 2014 and paragraph 136 of the National Planning Policy Framework (2023).

The Applicant refutes this statement having designed the Application around all the trees, save some minor self-seeding trees to the front of the site, and having provided all the correct surveys at this stage. This matter is easily dealt with by way of a final report and planning conditions.

22. The application does not provide sufficient information to fully assess the biodiversity impacts of the development and determine whether significant harm will result from the development taking place. It is not possible to determine whether mitigation measures are required to protect and secure an enhancement of biodiversity such that a net gain in biodiversity is achieved. In the absence of this information, it must be concluded that the application is contrary to policy GNLP3, GNLP7.1 and GNLPSTR. 01 of the Greater Norwich Local Plan 2024; policy DM3 and DM6 of the Development Management Policies Local Plan 2014; paragraph 180(d), 185 and 186 of the National Planning Policy Framework (2023).

23. The application does not provide sufficient information to demonstrate satisfactory management of flood risk from all sources and to ensure that the sustainable drainage systems proposed will operate as designed for the lifetime of the development to prevent flooding in accordance with paragraph 173 and 175 of the National Planning Policy Framework (2023); policy GNLP2, GNLP7.1 and GNLPSTR.01 of the Greater Norwich Local Plan 2024 and policy DM3 and DM5 of the Development Management Policies Local Plan 2014. Article 35(2)

Statement The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy, Town, and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) and the Conservation of Habitats and Species Regulations 2017 and other material considerations. The local planning authority has advised the applicant of the significant issues with the content of the application and deficiencies with some of the supporting information which have resulted in the reasons for refusal outlined above. There has been no further engagement from the applicant on these technical matters.

The Applicant states that these outstanding matters are readily dealt with by further reports and conditions as is the normal practice.

East Norwich SPD - previously raised comments of continued concern

	FUEL ORIGINAL COMMENT	ENMP RESPONSE	SPD VERSION ISSUED 24.3.22	FUEL POSITION
1.	Fig 22, Page 49: query the extent of “TPO sites” designation, which notionally covers about half of the east Norwich masterplan area. Need this be shown in this way?	Query raised Likely to remove info from plans	Not been removed	Please can this very unhelpful designation be removed in the final version. It is also shown on Figure 18.
2.	Fig 25 Spatial Framework Map on Page 80/81 – recommended that a key be added. Objection to siting of movement route from Carrow House running north-south through proposed family housing area to north of Carrow Abbey next to retained chimney. Objection to extent of yellow area (presumed commercial) extending either side of main east-west movement route through Carrow Works site. Unclear what the purpose of this map is for in its present form. If this is the Concept Masterplan for the SPD, it probably needs revising	Key will be added Route n-s removed Yellow is public realm It is a concept masterplan base – useful for general diagrams	Renamed masterplan concept Route n-s removed to family housing from asset Map has key added. Key No. 3 states E/W “directly aligned with underpass”	The strengthening of the need for the E/W link to be direct between the Mustard Seed building is inhibiting development parcels and decreasing viability, raising the need for public investment. A highly legible, permeable and interesting route can be delivered without this route being completely linear at this part of the site.
3.	Fig 26 Development Framework Plan Page 81/82 – whilst indicative, objection is raised to the extent of flatted accommodation over family housing shown. This diverges from the emerging application proposal and makes the 12 year delivery plan for Carrow Work undeliverable. It feels that the Development Framework is confused between the maximum capacity of the site that could be achieved through apartments vs the faster delivery	Indicative masterplan... Dwelling type mix drives capacity – and there is a benefit to capacity being high No change	Now titled “Illustrative Masterplan” Key added, with some helpful annotation. Family housing area to north of SAM now stated as “opportunities for mixed uses and housing types” Additional text emphasises that Masterplan is “one possible interpretation” of primary uses	Objection to area D identified for “opportunities for mixed uses and housing types”. Recommend that text be amended to “opportunities for mixed housing types”. There are no proposals for non-residential uses in this area. Objection to Area G. Should state “opportunity for clustering of community/ commercial uses”. The SPD recognises this area as potentially suitable for a local centre elsewhere in the document

	FUEL ORIGINAL COMMENT	ENMP RESPONSE	SPD VERSION ISSUED 24.3.22	FUEL POSITION
	and stronger market for family housing which would accelerate regeneration of the site			
4.	Fig 28 – The Masterplan and Heritage Assets Map – objection to the urban form transitioning away from that sought in the Fuel application and objection to proposed retention of mustard seed building	Diagram no longer to show retained non-listed building	Building has been removed from plan (now Fig 18) New Fig 19 shows listed buildings in relation to illustrative masterplan. Incorrectly identified locally listed building as listed building	Factual error re locally listed building incorrectly identified as listed on Figure 19. Please can this be amended
5.	Page 92 – the future of Carrow Abbey – object to the text which states that the interconnectedness of these principal spaces is an important aspect of the building’s significance and this should be protected and where possible retained in any reuse of the building. Fuel support protecting the integrity of the building, but feel that the SPD is being too specific on this and creating policy conflict.	Responds to Historic England’s views which is an important consideration given status of the building Will review but may not change	No change to text	Objection to current position outlined. The SPD needs to ensure the integrity and protection of the building is secured through a viable and deliverable use. The text is seemingly precluding the building’s original residential use, which runs contrary to heritage objectives. The integrity of the building is best secured by residential land use, it should not be identified for a loss-generating use when the restoration and ongoing upkeep of the building is so high. The SPD is too prescriptive on the land use of the Abbey
6.	Page 98, Informal Routes across Carrow Works – query what improvements to the bridge linking gardens of Carrow House and Carrow Abbey would entail? Holding objection until costs of this are better understood .	Connection between the two listed formal gardens is important... and bridge is key in establishing this link No change	Maintains position	Fuel Properties objects to using the existing high level bridge – there are no views of the Abbey from the existing bridge and so the route is not considered to be of heritage value. Public access is being given to the Abbey area, with existing access via the steps in the northwest corner and a new improved pedestrian entrance from the south. Fuel would prefer to provide an additional access from the chimney to

	FUEL ORIGINAL COMMENT	ENMP RESPONSE	SPD VERSION ISSUED 24.3.22	FUEL POSITION
				the north of the site if additional accessibility is required, as the western part of the Abbey offers scope for high value residential to be delivered and whilst public access to the assets is supported, there should be some areas of privacy for the residents and this will be lost by public access being provided from the west.
7.	Page 100 – Carrow Works through route – object to current wording unless the deliverability question mark of this is referenced. As previously stated, Fuel do not have the benefit of a right of way by vehicle, only by foot. This is not currently legally deliverable and there is sensitivity as to the effect of a secondary access in this location on the place making value of the spaces between buildings here.	This has been explored and remains what the council consider to be an important principle Important from Highways perspective	Text now refers to improved local bus services, need for stops to be 400m apart and a stop as close as possible to Deal Ground. Fig 25 diagram leaves option open for Carrow NW or circular, though shows a bus stop in NW corner. Unclear from Fig 26 whether it is showing a tertiary vehicle route or bus access route through Carrow NW corner, but seems to be “bus/emergency access”	Fuel objects to the current approach outlined in Figures 25 and 26 and the associated text. The SPD should be showing the bus route as a circular via the main access to the south. Bus access to the north west corner inhibits placemaking and public realm potential in an area that is reliant on creating safe and vital areas of public realm, with food and beverage units interacting with the streetscape and outdoor activities. The bus route creates a pedestrian-vehicular conflict which can easily be avoided by a loop, which is arguably preferable from a bus operation perspective.
8.	Fig 34 – considered that at the present time, the plan should be identifying access via Wensum bridge to Football Ground as principal east-west connection route. Current diagram suggests King St.	Agreed Diagram will be updated	Now Fig 24 – shows pedestrian access via bridge, but indicatively showing west of site	Bridge south side location shown in location outside ownership. If it could go into Paper Mill Yard without a ransom, Fuel would support this location for the footbridge.
9.	Fig 39 – objection to ground floor land use plan for reasons previously explained. Recommended that the MP converges towards the emerging	More flexible diagram now being included	New Fig 30 “Strategic Land Use Clusters” plan has been produced, which is welcomed. However, very unhelpful diagram showing ground floor uses of indicative masterplan (Fig 31) and Clusters	Fuel strongly objects to Figs 31 and 32 and the accompanying text. If these plans are being included, the SPD should present the full assumptions

	FUEL ORIGINAL COMMENT	ENMP RESPONSE	SPD VERSION ISSUED 24.3.22	FUEL POSITION
	application scheme for Carrow Works		<p>diagram (Fig 32) included which is totally at odds with Fuel's scheme.</p> <p>Amount of non-residential looks all wrong. Includes new events and functions building next to Carrow Abbey</p> <p>Considerable prescriptive text precluding retail, despite widespread commercial floorspace across site.</p> <p>Text at LU13 indicates market analysis has informed the use quantum/mix and that it has been refined through engagement with landowners.</p>	<p>for floorspace breakdown to understand how they sit with the viability scheme assessment and assumptions. This scheme should not be shown unless viability assessment and market demand point demonstrate this being deliverable.</p> <p>Fuel also strongly objects to new events and functions building next to Carrow Abbey. The proposal totally undermines the ability of the scheme to deliver high value residential in this area, which can have a strong positive role in squaring viability and minimising public investment.</p> <p>Fuel supports the concept of ancillary commercial floorspace, but the extent shown at ground floor to the north and south of the principal East/West route and in the Abbey area is undeliverable and unproven from a financial viability and deliverability perspective. The assumptions made are unrealistic and there has been no engagement with Fuel on the commercial use strategy</p>
10.	Objection to primary school provision section. The removal of Carrow House as an option from the Stage 1 Masterplan has not been explained or justified.	Carrow House car parking being reinstated	<p>4 options now shown including Carrow House</p> <p>Figure 61 is an indicative axonometric drawing showing a fairly conventional primary school at the SE corner of the site</p>	If a building is to be accommodated on Carrow Works, there needs to be creativity on approach to format and accommodating as part of a mixed-use development building/complex
11.	Page 138 – minimum target of net zero carbon objected to. Unclear	Have to reflect national principles.	Still refers to net zero carbon being “minimum target”	Inconsistent with Local Plan, which only requires Council owned land to achieve

	FUEL ORIGINAL COMMENT	ENMP RESPONSE	SPD VERSION ISSUED 24.3.22	FUEL POSITION
	why development at East Norwich should be subject to higher policy than other development in Greater Norfolk, including all the greenfield sites which have far greater potential to deliver viable development to this level	Green Members very keen following SDP discussion		net zero. Approach makes all other sites in GNLP (the 80% of sites that are greenfield) more developable than East Norwich, which is contrary to the principles set out in the NPPF of prioritising brownfield land. Furthermore, the ENMP's own viability work does not support this approach.
12.	Fig 50 essential infrastructure – unclear why community health facilities have been located on Carrow Works or the justification for these	Discussed the issue with CCG – general consensus that Carrow Works site is the favourable location for community health facilities... potentially as part of the community hub concept	Even more focus on SW corner of Carrow Works for accommodating this	Co-ordination of uses needs to be arranged carefully, the SPD should be location agnostic at this stage to allow siting of uses to ensure a resilient and sustainable community. The provision of community uses is subject to viability.

East Norwich SPD – Objections concerning additional issues raised by new additional text/diagrams inserted

SECTION OF PLAN	FUEL CONSIDERATION OF CHANGE	FUEL POSITION
Fig 13 Illustrative axonometric view of the ENSRA River Wensum waterfront, and key east-west link	Axo appears fairly low rise. Unclear whether this axo accurately reflects the site yield for Carrow Works and its distribution	Holding objection raised pending confirmation as to whether this axo is reflective of the latest masterplan scheme, as it appears fairly low density. These images should portray the Masterplan scheme if they are to be included. Otherwise, they mislead the reader as to the development assumptions of the Masterplan
Land Use Strategy Text to new Fig 30 – Strategic Land Use Clusters and associated maps Fig 31 and Fig 32	New text written to specifically preclude retail. Plans due to be removed have been retained to show almost complete street level commercial of riverside blocks.	Strong Objection is raised to the approach, as per Objection No.9 above. Less prescriptiveness is requested, with emphasis given to the Government's Class E use, which provides the flexibility for commercial floorspace to interchange between uses. The introduction of Class E is considered a valuable and positive change to the Use Classes Order that facilitates long term regeneration projects and enables opportunities to be delivered when

		market demand exist. The text as drafted is completely at odds with this. No evidence exists to justify this departure from national planning policy and it is considered that the approach will harm regeneration aspirations, with the scheme unable to respond to emerging trends and formats, such as showroom logistics retail
Fig 46 – Ground Raising Areas – 2.0m indicated	Need to understand why this is necessary in context of tunnel works and the likely extent of land raising required	<p>Holding objection raised, pending clarity as to whether land raising requirement is linked to tunnel dig out. Unclear that land raising in northeast corner is necessary at this stage</p> <p>Additional holding objection, based on viability and achievability of proposed tunnel work, with clarity sought as to whether Network Rail will engage in any sort of ransom position in respect of the tunnel works</p>
Fig 50 – Waterside East Urban Concept Plan	Text in WE19 states that routes created and framed by existing and new buildings should create a clear and direct route to the underpass connection between Carrow Works and Deal Ground.	Objection raised in respect of need for direct/linear route to east of mustard seed building. This area is the least constrained and area of the site. Furthermore, the SPD acknowledges that this area possesses the greatest scope for density and height to be achieved. It is essential for viability to maintain the existing road network and utilities and to create efficient development parcels in this location. The fixation on a linear route in this location results in a failure to unlock development parcels in an efficient way in the most developable area of the site
Fig 51 – Indicative Urban Concept Plan and WE9 text	Plan has already identified two locations for the local centre – this text identifies a third local centre along the E-W route.	Objection raised to WE9, requesting removal. The provision of local centre uses along the E-W corridor undermines the viability of the two local centre locations identified in the NW and SE corners of the site.
Fig 52 – indicative axonometric	Ground floor restaurants, bars, cafes and shops in this location at odds with emerging plan and inhibit development of F&B area in NW corner	Objection raised to extent of commercial shown in this location. It is too extensive, it exceeds the level of expected market demand and would likely result in boarded up street level facades, with the NW corner of the site the focus for such uses.
Fig 58 – indicative land use plan for carrow abbey	CA5 text indicates residential uses should predominate, but associated plan does not show this. Extent of commercial development again an	Objection raised to carrow abbey plan based on excessive non-residential development. Flexible Class E/F1 use

	issue. Text states that retail can only be limited and subject to retail policy tests	should be incorporated in a largely ancillary way to foster mixed-use development
Fig 59 – indicative axonometric for mustard seed area	Extent of commercial at ground floor of waterfront buildings is excessive	Objection raised to current axo and the extent of ground floor commercial being shown. There is no market demand for this much and it predicates the already difficult viability position
Fig 76 - phasing	Phasing plan is completely at odds with Fuel's intended phasing.	Objection raised to current phasing plan. Amendment in accordance with Fuel's phasing plan sought.