

Report to Date	Planning applications committee 6 November 2014	Item
Report of Subject	Head of planning services Application no 14/01235/VC Three Score Site, Land South of Clover Hill Rd, Bowthorpe	4E

SUMMARY

Description:	Variation of conditions 1, 2 and 7 of planning permission 13/02031/RM to provide for amendments to the scheme to allow for a new substation, revised level information to provide for sub-soil to be re-used on site, revised landscaping details, omission of apartment 81 and amendments to window details.	
Reason for consideration at Committee:	Major city council owned site and proposal	
Recommendation:	Approve subject to conditions	
Ward:	Bowthorpe	
Contact Officer:	Steve Fraser-Lim	
Valid Date 14/00850/F:	23 September 2014	
Applicant:	Norwich City Council	Planning Team Leader 01603 212507
Agent:	NPS Property Consultants Ltd	

INTRODUCTION

The Site & Background

1. Outline planning consent (reference 12/00703/O) was granted in July 2013 for redevelopment of the Three Score site at Bowthorpe with up to 1000 homes, including affordable housing, care home, a new village centre including at least one local shop, public open space and associated roads and infrastructure. The consent was granted following the completion of a legal agreement and the resolution of planning applications committee to approve the application on 14 March 2013.
2. Subsequently reserved matters consent (reference 13/02031/RM) was granted in March 2014 for the first phase of development being a care home to the northeast

of the site.

3. The site is predominantly uncultivated grass land and forms the last area of undeveloped land within Bowthorpe as it was initially envisaged in the 1970s.

The Proposal

4. Reserved Matters application 13/02031/RM comprised an 80 apartment dementia care and 92 flat housing with care scheme to the northeast of the site occupying block 5 and part of block 4 within the block layout approved at outline stage.
5. The scheme is arranged around a central 'village square' with the main entrance area which includes a reception, small hairdressers, shop, day care suite and open plan café dining area with a lounge, back of house facilities and offices. To the south of this village square is the dementia care element arranged in a perimeter block with a central secure garden. The dementia care elements consist of en-suite rooms with shared lounge and dining areas.
6. The housing with care elements run along the northern boundary of the block in two wings one to the west of the central access area and the other to the northeast. These benefit from a south facing aspect facing towards the tree belt in the centre of the wider site. The housing with care consists of individual 1 and 2 bed flats although there are some small communal areas.
7. The dementia care block is 2 storeys in height and the housing with care is 3 storeys in height with the exception of a small section to the northeast which is 2 storey flat roof terrace. The village square is single storey. Although the topography of the plot falls steeply to the south the finished floor levels remain the same throughout the site for ease and practicality. This does result in effectively retaining lower ground floors to the south of the dementia care and western housing with care blocks which will be visible from the footpaths to the south.
8. A central community green space is located at the front of the entrance which would provide an area of public open space and a focal point for the surrounding blocks. The roads around this are proposed to be a shared surface to promote pedestrian and cycle priority. The route to the north of the green space being the main route past the site to future development blocks and the route to the south being predominantly for access to the care facility with car parking and cycle parking in front of the entrance.
9. Following the grant of reserved matters for the first phase (13/02031/RM) more detailed design work has been undertaken and the applicants have now submitted this variation of condition application in order to make a number of amendments to the previously approved reserved matters, to include provision for a new electricity sub-station, revised level information to provide for subsoil to be re-used on site, revised landscaping details, omission of an apartment from the second floor of the dementia care unit and amendments to window details.

Equality and Diversity Issues

10. There are no significant equality or diversity issues.

Representations Received

11. The application has been advertised on site and people who formally made representations to 13/02031/RM have been notified. No letters of representation have been received.

Consultation Responses

12. Natural Areas Officer – Raises concerns that the landscaping plans provide insufficient detail as to how the invertebrate mitigation measures will be implemented, and also managed over the long term. As part of previous consents a detailed report highlighting the invertebrate importance of the site was produced by expert invertebrate ecologists. The landscaping proposals do not seem to give this issue the importance it warrants. In particular, more detail is needed on the creation and management of bare ground habitat for invertebrates. Also it is not clear whether it is still proposed to bund the eastern boundary west of Bunker's (Hill) Wood to create invertebrate habitat, or if this is now to be created elsewhere within the site.
13. The Landscape General Arrangement drawing still shows bat boxes fixed to a proposed new tree. This is unfeasible (at least until c. 2045 - 50 when the tree will have grown large enough to accommodate the boxes). Alternative locations for the bat boxes need to be found, including mounting on buildings or the use of specialised 'bat bricks'.
14. The Landscape Planting Strategy needs to be revised as regards the choice of tree species in the 'Woodland Pasture' area. In addition it should be confirmed whether the buffer strip along the boundary of Bunker's Hill Wood is to be managed as grassland or as scrub/woodland.
15. General Arrangement drawing shows 3 no. bat boxes to be fixed to one proposed tree 'once fully established'. This is not practical. It would take several decades of good growth before a tree could reach sufficient stature to accommodate bat boxes. Alternative proposals for bat boxes should be provided.
16. Concerns remain that the Bowthorpe Green community garden comprises only an expanse of grass with trees around the edges and would not be sufficient to constitute a community garden.
17. Invertebrate Conservation Trust – No comments received.
18. Norfolk Wildlife Trust – No comments received.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

- Presumption in Favour of Sustainable Development
- Ensuring the Vitality of Town Centres
- Promoting Sustainable Transport
- Delivering a Wide Choice of Quality Homes
- Requiring Good Design
- Promoting Healthy Communities
- Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Conserving and Enhancing the Natural Environment
- Conserving and Enhancing the Historic Environment
- Facilitating the Sustainable Use of Minerals

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

- Policy 1: Addressing climate change and protecting environmental assets
- Policy 2: Promoting good design
- Policy 3: Energy and water
- Policy 4: Housing delivery
- Policy 6: Access and transportation
- Policy 7: Supporting communities
- Policy 9: Strategy for growth in the Norwich Policy Area
- Policy 12: The remainder of the Norwich urban area, including the fringe parishes
- Policy 19: The hierarchy of centres
- Policy 20: Implementation

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

- NE1 Protection of environmental assets from inappropriate development
- NE2 Woodland protection
- NE4 Street trees to be provided by developers
- NE7 Protection of locally designated sites of nature conservation interest
- NE8 Management of features of wildlife importance and biodiversity
- NE9 Comprehensive landscaping scheme and tree planting
- HBE4 Other locations of archaeological interest
- HBE8 Development in Conservation Areas
- HBE9 Listed Buildings and development affecting them
- HBE12 High quality of design, with special attention to height, scale, massing and form of development
- EP1 Contaminated land and former landfill sites – evaluation and treatment prior to permission
- EP5 Air pollution emissions and sensitive uses
- EP16 Water conservation and sustainable drainage systems
- EP17 Protection of watercourses from pollution from stored materials, roads and car parks
- EP18 High standard of energy efficiency for new development
- EP20 Sustainable use of materials

- EP22 High standard of amenity for residential occupiers
- SHO3 Locational conditions for new retail development – sequential test
- HOU5 Accessibility for wheelchair users
- HOU6 Contribution to community needs and facilities by housing developers
- HOU8 Committed housing development sites
- SR1 Minimum standards for provision of open space
- SR2 Provision within each sector of the City
- SR4 Provision of open space to serve new development
- SR5 Allocation of specific areas for open space
- SR7 Provision of children's equipped play space to serve development
- SR10 Bowthorpe Southern Park and Bawburgh/Colney Lakes areas
- SR11 Riverside Walks – agreement with developers to provide/maintain
- SR12 Green Links network, including provision by developers
- TRA3 Modal shift measures in support of NATS
- TRA5 Approach to design for vehicle movement and special needs
- TRA6 Parking standards – maxima
- TRA7 Cycle parking standard
- TRA8 Servicing provision
- TRA10 Contribution by developers to works required for access to the site
- TRA11 Contributions for transport improvements in wider area
- TRA12 Travel Plans
- TRA14 Enhancement of the pedestrian environment and safe pedestrian routes
- TRA15 Cycle network and facilities
- TRA16 Public transport measures to increase efficiency and attractiveness

All policies in the adopted local plan have been assessed for their compliance with the NPPF. In terms of this application none of the relevant policies have been deleted as a result of this process.

Policies HBE4, HBE9 and EP5 have been assessed as partially compliant with the NPPF. In relation to HBE4 the policy does not have NPPF paragraph 132 caveat that in exceptional circumstance development that does not meet the normal archaeological requirements may be permitted. With HBE9 the NPPF sets a stronger requirement in relation to listed buildings in a poor state of repair and with EP5 the focus of policy EP5 is on mitigating the impact of pollution-causing development and does not fully take into account the impacts of locating other forms of development close to existing sources of air pollution. None of these matters are considered to have any material impact on the assessment of the application in question. All other adopted local plan policies used in the assessment are considered to be consistent with the NPPF.

Emerging policies of the forthcoming new Local Plan (submission document for examination, April 2013)

Site Allocations Development Plan Document – Pre-submission policies (April 2013) –

☐ R41: Three Score, Bowthorpe

Development Management Policies Development Plan Document – Pre-submission policies (April 2013).

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM4 Providing for renewable and low carbon energy
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM8 Planning effectively for open space and recreation
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM15 Safeguarding the city's housing stock
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing
- DM33 Planning obligations and development viability

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the JCS and RLP policies above are considered to be compliant with the NPPF.

The Council submitted the Development Plan Policies local plan and Site Allocations and Site Specific Policies local plan for examination in April 2013. The examination process is now complete with the publication of the Inspector's report for each plan, dated 13th October, 2014 (available at <http://www.norwich.gov.uk/Planning/Pages/DMAndSAPoliciesPlans.aspx>). Significant weight must now be given to all the above policies, as proposed to be modified by the Inspector's reports, pending formal adoption.

Principle of Development

Policy Considerations

19. The principle of the wider redevelopment has been approved at outline stage via consent reference 12/00703/O. The subsequent reserved matters consent (reference 13/02031/RM) was granted in March 2014 for the first phase of development being a care home to the northeast of the site. The proposals are the same as this reserved matters consent, with the following changes: provision for a new sub-station; revised level information to provide for subsoil to be re-used on site to form bunds; revised landscaping details; omission of an apartment from the second floor of the dementia care unit; and amendments to window details.
20. The principle of the proposed development has therefore been established as part of these earlier consents. The differences between the current proposal and the approved reserved matters scheme would raise planning issues with regard to design and appearance, landscape and biodiversity, considered in the following

sections of the report.

21. The reserved matters have been screened under the EIA regulations as a subsequent application within the terms of the regulations (being subsequent to the approved outline consent which was subject to an environmental statement). This current variation of condition application is substantially similar to the previous Reserved Matters application and pursuant to regulation 7 of the Environmental Impact Assessment Regulations 2011 this previous opinion is considered to apply to the current proposals. The proposals are not therefore considered to represent EIA development.

Design and appearance

22. The proposed design is substantially similar to the previously approved reserved matters development, with the exception of the first floor level of the dementia care block within the centre of the site, where the building form at first floor level is altered slightly through omission of one of the rooms. Changes to the window design of both the outward and courtyard facing facades of the dementia care unit are also proposed. In addition a free standing electrical substation enclosure constructed of Glass Reinforced Plastic (GRP) is proposed on the western boundary of the site.
23. The omission of the additional unit at first floor level to the west elevation of the dementia care block will make this element of the proposals easier to construct. They would result in only a small change to the south western elevation of the dementia care unit, which would not be visible from outside the site. As such this design change would not detract unduly from the appearance of the building or surrounding area.
24. The changes to the external and courtyard facing elevations of the building comprise omission of corner breaking windows and introduction of larger more horizontally shaped windows to the main building facades. Changes to the outward facing elevations of the building would be visible from public footpaths adjoining the site to the south. The changes would result in the loss of some visual interest from the scheme and introduce a greater sense of horizontality to the building facades. However the proposed windows would relate more rationally to the rooms behind the windows and provide improved outlook and daylight to future occupiers. Overall the proposals are still considered to accord with the original design rationale appearance of the development, and would still accord with the original design rationale for the scheme.
25. The proposed substation would be visible in limited views from the proposed Bowthorpe Community Garden, and proposed footpath which adjoins the site to the west. However the enclosure is small in scale and partially screened by the proposed boundary fence and tree planting and is not considered to detract unduly from the appearance of the development. There is potential for this element to be further screened by additional planting.
26. As such the proposed substation enclosure, omission of a room and changes to the windows of the dementia care unit would not detract from the appearance of the development or wider Three Score development, in accordance with JCS

policy 2, policy DM3, and saved local plan policy HBE12.

Landscaping and biodiversity impacts

27. The site sits within the wider Three Score development, which comprises open sward grassland which provides important habitat for invertebrates such as bees and wasps. Landscape proposals as part of application 13/02031/RM were considered to be particularly important in mitigating impacts on biodiversity as a result of the construction of the extra care home.
28. The landscape design of this application is substantially similar to that previously approved as part of application 13/02031/RM. The approved scheme included a woodland pasture area to the south of the site incorporating two infiltration ponds, and a communal garden area in the eastern corner of the site, incorporating meadow and shrub planting, and two infiltration swales.
29. The landscape plan now proposed is almost the same as this previously approved scheme, but with a change in levels across the site so that the woodland pasture area is raised to form earth bunds within the southern and eastern landscaped areas. An infiltration pond is omitted from the woodland pasture area. These changes would allow a greater proportion of soil to be retained on site. An ecology report submitted with the application considers that provision of bunding would increase the value of mitigation proposals by providing slopes to create hot microclimates; scrapes and vertical faces; gradients in environmental conditions, a greater range of plant species and greater disturbance to create bare patches of soil. The report states that changes would increase the biodiversity value of the proposed landscaping and would better support invertebrate species.
30. The amended landscaping proposals have been reviewed by the Councils landscape and natural areas officers. A number of detailed comments have been provided including that further information is provided with regard to the management of bunded areas, provision of bat boxes and tree pits. In addition suggestions have been made that the planting strategy should be amended to take account of the different climatic conditions created by the bunding.
31. Overall it is considered that the proposed landscaping proposals would help to mitigate impacts upon biodiversity and would still be similar to the landscape strategy of the approved scheme. As such the proposals would be broadly in accordance with policy JCS1, saved local plan policies and policy DM6. However further discussions are taking place with the applicant with regard to the detailed landscape and biodiversity issues raised and members will be updated in due course.

Planning obligations and CIL

32. Relevant planning obligations have been secured via a S106 agreement linked to the outline planning consent. These include commuted sums to off-site improvements of open space including Bunkers Hill Wood, Earlham and Bowthorpe Marshes, Bowthorpe Historic Park and the Yare Valley. Education contributions, library contributions, transport contributions and affordable housing. The Bunkers Hill Wood contribution (£57,000) is linked to the commencement of development in blocks 4, 5 or 7 and therefore will be payable on commencement

of this phase. There will also be a transport (£25,957.80 index linked) and library contribution (£5,520.00 index linked) payable for this phase for the housing with care element only, no other contributions are triggered by this phase.

33. The outline consent was granted before the adoption of CIL and therefore the scheme is not CIL liable.

Local Finance Considerations

34. Under section 143 of the Localism Act the council is required to consider the impact on local finances. It is a material consideration when assessing this application. The benefits from the finance contributions for the council however must be weighed against the above planning issues. In this case the financial considerations include council tax and new homes bonus. The development is not CIL liable as detailed above. Balanced against the need to provide housing and ultimately the development was approved.

Drainage

35. The proposals would make some changes to the arrangements for surface water drainage. However details of drainage across the site are a conditional requirement of the outline planning permission and will be considered fully at this stage.

Conclusions

36. The principle of development has been accepted as part of the outline consent. This case relates to changes to the previously approved reserved matters of layout, scale, external appearance and landscaping for the first phase of development being a care facility to the northeast corner of the site. The changes proposed as part of this application when considered in comparison to the approved reserved matters scheme, are not considered to detract unduly from the appearance of the development, and would provide suitable landscaping which would mitigate impacts upon biodiversity. The recommendation is therefore to approve the application subject to the conditions outlined in the recommendation below.

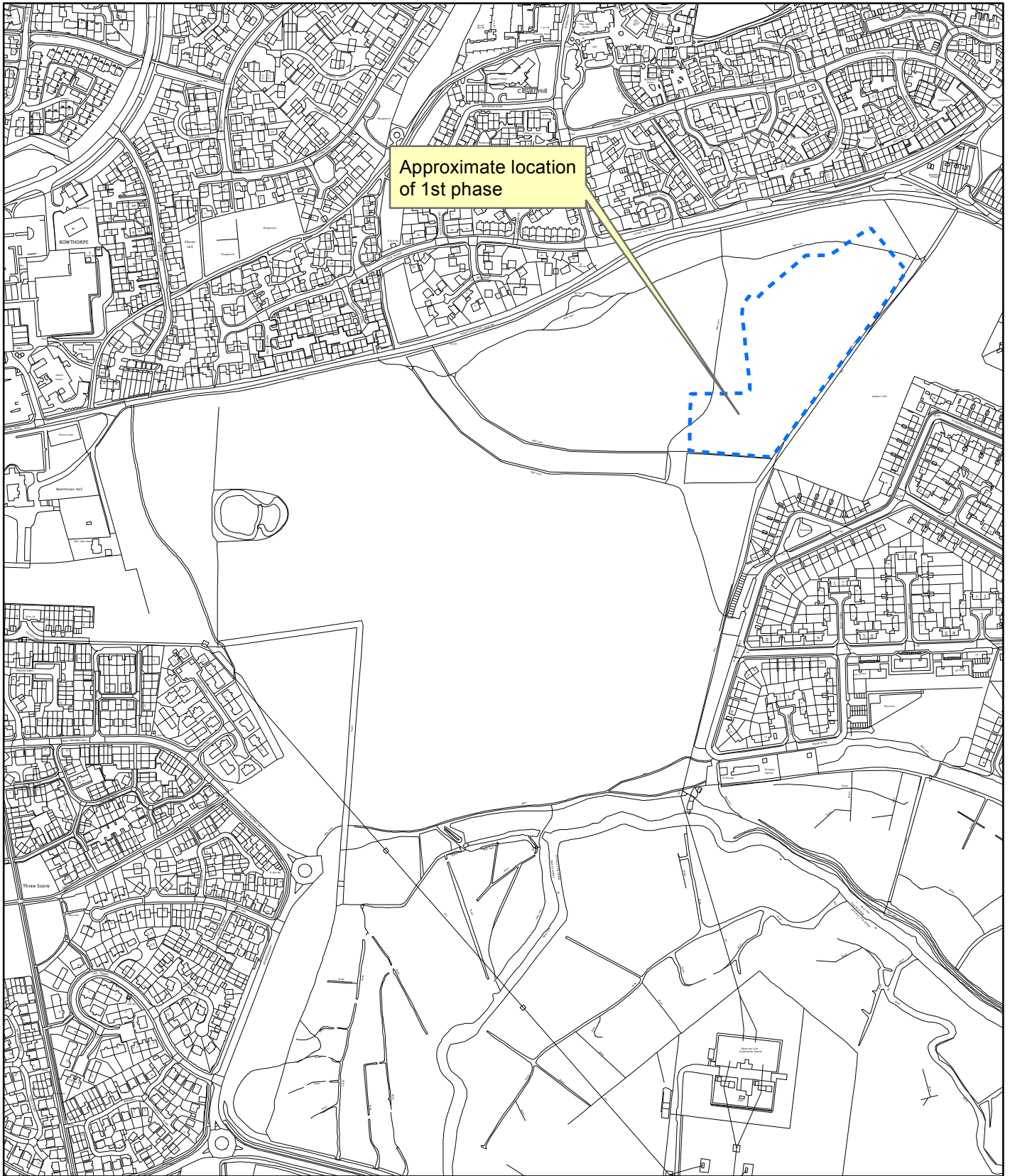
RECOMMENDATIONS

To approve Application No (14/01235/VC Three Score Site Land South Of Clover Hill Road Norwich) and grant planning permission, subject to the following conditions:

1. Landscaping in accordance with the plans submitted and further landscaping details to be agreed including:
levels, kerbs, measures to prevent vehicles entering open/green space, boundary treatment elevations, lighting details of private areas (public areas covered by condition 19 of the outline consent), hard surfacing materials.
2. Details of materials including:
Bricks, render, tiles, columns to entrance, eaves detail of entrance canopy,

windows, rainwater goods, external walls of lower ground supporting structures, bargeboard, curtain walling, substation/bin/sprinkler store details.

3. Cycle parking stand specification, numbers and location;
4. Construction access to be closed off before occupation and details of access, temporary boundary treatment to either side of temporary foot/cycle path, realignment of pavement on Clover Hill Road and restrictive access barriers;
5. Details of the cycle/foot path access to the west of the site onto Clover Hill Road including the link to the existing pavement, further AIA and AMS for the access and restrictive access barriers;
6. Tree protection in accordance with the AIA
7. Method for removal, storage and re-use of topsoil in full accordance with supplementary ecology statement;
8. Method statement for the protection of the grassland areas indicated to be protected during development to be submitted and agreed, including details for restoration should the areas be impacted during construction activity.
9. Conservation (ecology) management plan for the site.
10. Development in accordance with approved plans.



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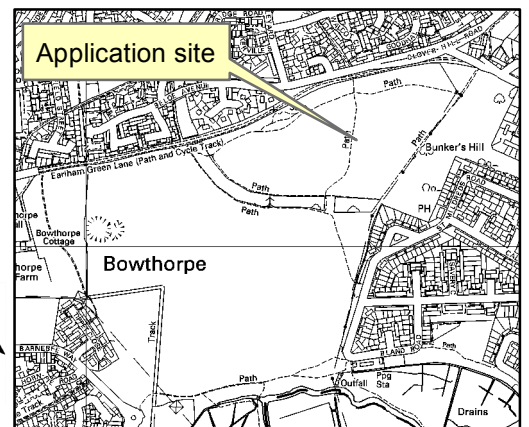
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 Site Address Three Score site Bowthorpe

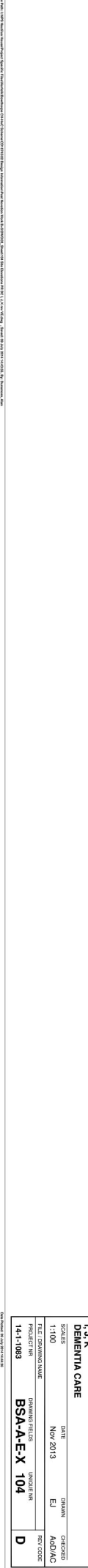
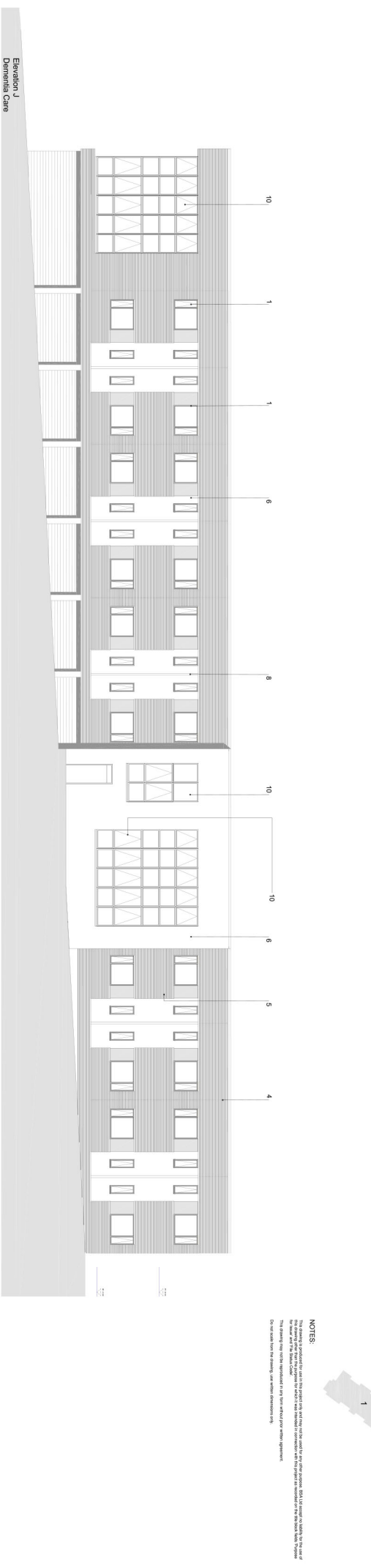
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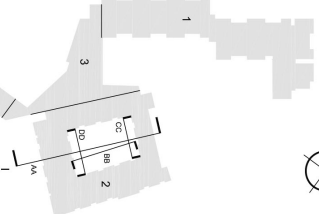


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Elevation AA
Dementia Care Courtyard

Elevation CC
Dementia Care Courtyard

Elevation BB
Dementia Care Courtyard

Elevation DD
Dementia Care Courtyard

Issues for Contractors Proposals as VE Proposal 5A			
B	REVISED BY: AD	CHECKED BY: AC	DATE: 08/07/20
	Levels and print information revised		
A	REVISED BY: EJ	CHECKED BY: AOD	DATE: 10/11/13
	DATE: 10/11/13	DATE: 10/11/13	

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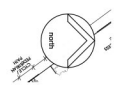
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CLIENT	NORSE CARE LTD
PROJECT	THREE SCORE, BOWTHORPE HOUSING WITH CARE AND DEMENTIA CARE SCHEME

TITLE			
ELEVATIONS AA, BB, CC, DD DEMMENTIA CARE COURTYARD			
SCALES	DATE	DRAWN	CHECKED
1:100	Nov 2013	EJ	AoD/A
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