

Application for Determination

Parish	Ditchingham
Reference	BA/2012/0005/FUL Target date 18 April 2012
Location	The Maltings, Pirnhow Street, Ditchingham
Proposal	To create 92 houses and 13 residential apartments with 216 car parking spaces. All buildings and ancillary structures on the North side of Alma Beck to be demolished with the original silk mill building to be retained and converted.
Applicant	P J Livesey
Recommendation	Approve subject to conditions and S106 Agreement

1 Description of Site and Proposals

- 1.1 The application site is the site of the former Ditchingham Maltings. The site covers 3.5ha in total and is situated to the south east of the village centre of Ditchingham. The site's boundaries are defined by the A143 Yarmouth Road to the north, by Pirnhow Street to the south and Ditchingham Dam to the west. The site consists of buildings on the western part of the site with a large area of undeveloped land forming the eastern part of the site. There are two main buildings in the western half of the site of which the main malthouse building is a brick building with some substantial concrete additions situated in the north western sector of the site, whilst the former silk mill building is situated in the south western corner of the site, running parallel to Pirnhow Street. The silk mill building was substantially damaged by a fire during the late 1990's and both buildings are in a very poor state of repair and structurally unsound. To the east of the silk mill building there is a complex of silos and tanks. Until relatively recently there was one disused dwelling on the site situated between the silk mill building and Pirnhow Street. An IDB drain, referred to as 'Alma Beck' within the application documentation, bisects the centre of the site, running east – west. There is a substantial group of self seeded mature trees running along the northern boundary of the site screening the site from the A143 Yarmouth Road, otherwise the vegetation on the site is limited to remnants of scrub vegetation and trees around the Beck in the eastern half of the site.
- 1.2 Access to the site has historically been at two points, firstly off Ditchingham Dam, between the A143 roundabout and humpbacked bridge at the entrance to Bungay, and secondly off Pirnhow Street, some 180m to the east of the junction of Pirnhow Street and Ditchingham Dam.

- 1.3 The site is situated outside the development boundaries of both Ditchingham and Bungay and is surrounded by agricultural land. A group of cottages are situated opposite the site on the western side of Ditchingham Dam. The Maltings Pavilion Sports and Social Club is situated opposite the site on the southern side of Pirnhow Street, with Alma Cottages being located approximately 170m to the east of the principal site entrance along Pirnhow Street. The site is located approximately 1km to the north of the centre of the town of Bungay and 1km to the southwest of the centre of Ditchingham.
- 1.4 The site is situated with Flood Zone 3 of the Environment Agency's Flood Risk Maps.
- 1.5 The site is predominantly within the Broads Authority's Executive Area, however there is a narrow strip of land in the northern half of the site adjacent to the A143 which is situated within South Norfolk Council's jurisdiction. Within the proposed scheme this area is to be developed for on-site parking and landscaping, with all the proposed residential units situated on land falling within the Broads Authority's Executive Area. South Norfolk Council has confirmed that on this basis it has delegated the planning powers for the determination of this planning application to the Broads Authority.
- 1.6 The proposed development comprises a total of 105 residential units, concentrated at the western end of the site, with 216 on-site parking spaces equating to two parking spaces per dwelling unit. Most of the buildings on the site have deteriorated to such an extent that they are no longer capable of re-use or refurbishment and will therefore be demolished. The two malthouse buildings that comprise part of the silk mill building in the south western corner of the site are the only buildings that are capable and worthy of retention and reuse and it is proposed to convert these buildings to provide 7 apartments. The loading dock and ancillary buildings which currently form part of the old silk mill building will be demolished to improve visibility at the junction of Pirnhow Street with Ditchingham Dam. The development proposes to retain the original front wall and arched features of the remaining part of the silk mill building, that runs parallel to Pirnhow Street, and to build them up to create a terrace of three storey town houses. All other residential units on the site will be new build construction.
- 1.7 Two terraces of two storey 'cottages' will be built to the east of the silk mill building, fronting Pirnhow Street. All these properties will have rear gardens extending down to the beck. Car parking for these terraces and the converted silk mill building will be provided at the frontage along a one way driveway and around a parking court with a single entrance and exit of Pirnhow Street.
- 1.8 To the east of the roadside terraces the existing site access off Pirnhow Street will be re-opened and used as the main site entrance, with a new bridge over Alma Beck. A terrace of cottages will be sited at right angles to Pirnhow Street on the site of the former tank storage areas. This row of houses will act as a 'gateway' feature along the entrance road. Parking for these units will be provided in two car parking areas positioned on either side of the main site

access road. The driveway turns westwards into the site to the north of the beck and provides access to two parallel rows of two storey properties. The frontages of these properties will face towards each other across the roadway and parking areas so that all houses can have private rear gardens. The gardens of the southern terrace of properties will extend down to the beck. Gaps between these rows of houses will provide vehicle access to the car parking areas on the northern side of these houses.

- 1.9 Set back from the Ditchingham Dam site entrance and arranged around a central courtyard, a landmark building incorporating 6 three storey townhouses and 6 apartments will be constructed. At three storeys high, and measuring approximately 11.5m to the ridge, the scale and mass of this building has been designed to reflect the bulk and massing of the former industrial buildings at this western end of the site. A row of two storey cottages will be constructed in the lee of the bridge. Vehicular access to this area of the site will be via the existing access point off Ditchingham Dam.
- 1.10 In total 105 residential units will be created and they will comprise a mix of units as follows:
- 28 two bed houses
 - 56 three bed houses
 - 8 four bed houses
 - 13 two bed apartments
- 1.11 The buildings will be constructed using a limited pallet of materials to include natural slate and pantile roofs with predominantly red brick walls with small areas of timber cladding or render to pick out accents. Simple timber casement windows will be painted white to reflect traditional 'cottage' windows and doors in the Broads area.
- 1.12 Approximately two thirds of the site will be developed for the residential buildings as above, whilst the remaining one third of the site (approximately 1ha) at the eastern end will remain undeveloped and will be landscaped to provide an area of open space with recreational and ecological value. Communal outdoor space will be provided including an informal area for play and a new public access route for pedestrians, cyclists and horse-riders will be created along the southern side of the beck between Pirnhow Street and Alma Bridge. The area will be actively managed to enhance its ecological value and particular attention will be given to the treatment of Alma Beck to improve its landscape character and wildlife value.
- 1.13 A new footpath will be constructed along the Pirnhow Street frontage of the site which will link into the pedestrian route to be provided through the site. The existing pedestrian footbridge across the beck at Ditchingham Dam will be moved and reinstated close to the road bridge, to allow people to walk safely through the site from Pirnhow Street to Ditchingham.
- 1.14 There will be two main points of vehicular access into the site. The principal access will be off Pirnhow Street and uses the existing site access; this would

give access to the majority of the units and the parking. The secondary access will utilise the existing access off Ditchingham Dam at approximately 50m south of the roundabout at the A143 and this would give access to the apartment block and 21 parking spaces only. In addition, there is a further access off Pirnhow Street which gives access only to a row of 44 car parking spaces which runs parallel to Pirnhow Street; this access is the one-way system with an in- and an out- point on Pirnhow Street.

2 Site History

- 2.1 Full planning permission was granted in February 2003 for the conversion of the malting and buildings to 54 residential units and 64 sheltered housing apartments and wardens flat. This also included demolition of existing dwelling and erection of dwelling (E97/01/1384/F).
- 2.2 Approval was given for an amendment to Condition 8 of the previous planning permission E97/01/1384/F to permit surface water drainage works to be carried out prior to first occupation of the site and amendment to Condition 16 to insert 'Unless otherwise agreed in writing with the Local Planning Authority' at the beginning of the Conditions (BA/2007/0290/COND).
- 2.3 Approval was granted for a variation to Condition 3 of existing planning permission E97/01/1384/F for additional demolition works to existing buildings (BA/2008/0206/COND).

3 Consultation

- 3.1 A large number of statutory bodies and stakeholders were consulted on this application. The following sets out a summary of the responses received. Copies of the full response of the District Member, Parish Council, Environment Agency, Highways Authority and Norfolk County Council's Planning Obligations team are set out at Appendices 2, 3, 4, 5 and 6 respectively. All responses received on the application can be viewed on the Broads Authority website at www.broads-authority.gov.uk by following the links from the Planning pages to Public Access and using the reference BA/2012/0005.
- 3.2 District Member - In respect of the S106 Agreement, I wish to support the developer's preference that financial contributions should be used to directly benefit the community in Ditchingham. Although disappointed that agreement cannot include affordable housing, given the proven need within the ward, the developer's commercial arguments that this is not possible are accepted. Highway and pedestrian benefits of the scheme and landscape proposals are welcomed.

In respect of design, the scale, height and massing of the proposed development reflects the existing cluster of buildings. Proposed materials reflect historic character of the Maltings. Windows are to be wood and painted white. It is recommended that conditions should be imposed to ensure initial

materials and colours of doors and windows are retained to maintain integrity of development.

I wish to strongly support PJ Livesey's application.

See Appendix 2.

- 3.3 Ditchingham Parish Council - Supports the application. Recommends condition covering improvement to junction including provision of mini-roundabout. S106 monies should be used for public facilities not affordable housing.

See Appendix 3.

- 3.4 Environment Agency - No objections, subject to conditions. See Appendix 4.

- 3.5 Highways Authority - No objections subject to conditions. See Appendix 5.

- 3.6 Norfolk County Council - Planning Obligations - No objections. Detailed comments made regarding the S106 contributions. See Appendix 6.

- 3.7 Broads Society - No objections.

- 3.8 Bungay Town Council - Approval recommended.

- 3.9 Anglian Water - No objection.

- 3.10 Internal Drainage Board - No objections. Comment that will continue to liaise directly with applicant regarding future maintenance of Alma Beck.

- 3.11 Norfolk Historic Environment Service - No objection, subject to conditions

- 3.12 South Norfolk Council - Planning Committee Members resolved to support the application subject to the following:

The inclusion of an affordable housing 'clawback' provision in any Section 106 legal agreement, should the future financial viability of the scheme permit.

Any residual financial contribution (to be agreed by the Broads Authority) should be made available to Ditchingham Parish Council, to be spent within the local community

- 3.13 South Norfolk Council Environmental Health and Site Contamination - No objections, subject to conditions.

- 3.14 Highways Agency - The site is remote from the Strategic Road Network. Therefore the Highways Agency on behalf of the Secretary of State has no comment.

- 3.15 Open Spaces Society - No objections. Seeks provision of legal Public Right of Way and village green.

4 Representations

- 4.1 Eleven representations have been received on this planning application. The representations are all supportive of this site being redeveloped with the predominant view being that the proposed residential development of the site is a well thought out scheme that will deliver a high quality development. One comment was received that expressed disappointment at the proposed internal layout of the units fronting Pirnhow Street.
- 4.2 One representation stated that they considered the proposed 105 units to be excessive and that they would prefer to see a mixed use development on the site with the north of the site developed for some form of light industry and the south of the site being developed for housing.
- 4.3 Some concern has been raised in one representation that not more of the buildings are to be converted and that where possible materials from the demolished buildings should be reused.
- 4.4 Two representations have been received which cite pedestrian safety along Pirnhow Street as a concern and hope that this development might lead to improved pedestrian access to the whole of Pirnhow Street. A separate representation declares that it is clear from the plans that consideration has been given to safe access for vehicles and pedestrians.
- 4.5 Two of the representations received are concerned with highway safety and the effect additional traffic, generated by this proposal, will have on Pirnhow Street and on the junction between Ditchingham Dam and Pirnhow Street.

5 Policies and Guidance

- 5.1 The National Planning Policy Framework (NPPF) is a material consideration in the determination of this application.
- 5.2 The development plan comprises the Broads Core Strategy adopted September 2007 and Development Management Policies DPD adopted November 2011. The following policies are relevant:

5.3 **Broads Core Strategy adopted September 2007**

[Core Strategy \(Adopted Sept 2007\).pdf](#)

CS1 – Landscape

CS4 – Creation of New Resources

CS5 – Historic and Cultural Environments

CS7 – Environmental Protection

CS8 – Responses to Climate Change

CS18 – Rural Sustainability

CS20 – Development within Environment Agency's Flood Risk Zones

CS21 – Developer Contributions
CS24 – Residential Development and the Local Community.

5.4 **Development Management Policies DPD adopted November 2011**
[DMP DPD - Adoption version.pdf](#)

DP1- Natural Environment
DP2 – Landscape and Trees
DP3 – Water Quality and Resources
DP4 – Design
DP6 – Re-use of Historic Buildings
DP7 – Energy Generation and Efficiency
DP22 – Residential Development within Defined Development Boundaries
DP23 – Affordable Housing
DP28 – Amenity
DP 29 – Development on Sites with a High Probability of Flooding
DP30 – Developer Contributions.

- 5.5 Although both the Core Strategy and Development Management Policies DPDs (DMP DPD) were written prior to the introduction of the National Planning Policy Framework it is considered that the Policies within these two documents are not inconsistent with the National Planning Policy Framework and are therefore still relevant.

6 **Assessment**

- 6.1 The main issues to consider in determining this application are: the principle of the development; the layout and design of the scheme; impact on the landscape; impact on highways; impact on ecology; impact on flood risk; impact on archaeology; impact on utilities and infrastructure; site contamination; and provision of open space, affordable housing and S106 contributions.

Principle of development

- 6.2 Development Plan policies for the development of new residential housing are set out in Policy DP22 of the adopted Development Management Policies DPD which states:

“New residential development will only be permitted within defined development boundaries and must be compatible with other policies of the Development Plan. Such development will normally be limited to individual dwellings or groups of no more than five dwellings.

Outside the defined development boundaries, new residential development will not be permitted except in the circumstances defined in Policies DP21, DP23, DP24 and DP26.”

The exceptions are identified as conversion of buildings (DP21), affordable housing (DP23), replacement dwellings (DP24) and essential workers

dwellings (DP26). It is not considered that the proposal here is for any of these development types and these exceptions do not, therefore apply.

- 6.3 The site is situated outside the Development Boundaries of both Ditchingham and Bungay. On this basis, the redevelopment for residential purposes is contrary to Policy DP22 of the Development Management Policies DPD (DMP DPD).
- 6.4 Planning law requires that decisions on planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise. In this case there are a number of other material considerations which are relevant and these must be given careful consideration, particularly given the scale of the proposal here.
- 6.5 The first material consideration is the NPPF which came into effect on 27 March 2012. The emphasis in the NPPF is on achieving sustainable development and balancing the need for development, particularly housing development, with the protection of the environment, including the landscape of the Broads. With respect to housing, the NPPF takes a positive approach to delivery, but does this primarily through a focus on the need for LPAs to allocate housing through the plan-making process; it is relatively silent on unallocated sites such as this. It does, however, identify that in making allocations and decisions on planning applications that LPAs should:
- “encourage the effective use of land by re-using land that has been previously developed, providing that it is not of high environment value” (paragraph 111).
- 6.6 With regard to the issue of the protection of landscapes such as the Broads, however, it states at paragraph 116 that:
- “Planning permission should be refused for major development in designated areas such as these [the Broads] except in exceptional circumstances and where it can be demonstrated that they are in the public interest...”
- with one of the tests against which any such application should be assessed being:
- “any detrimental effect on the environment, landscape and recreational opportunities, and the extent to which this can be moderated...”
- 6.7 Furthermore, the NPPF is robust in its protection of the cultural landscape and heritage assets and places considerable emphasis on the desirability of retaining such assets and putting them to viable uses.
- 6.8 In this case, whilst the application site is not allocated for housing and is outside of the development boundary and is within the protected landscape of the Broads, it is a substantial primarily brownfield site, which is not of high environmental value and which is in a sustainable location. Furthermore, as a consequence of its current poor condition there are public interest benefits which would accrue from its redevelopment. The re-use of the silk mill building

is consistent with the objectives of national guidance in that it would safeguard a building of cultural heritage value thorough re-use. On this basis, the proposal is considered to be in accordance with the NPPF and this is a significant material consideration.

- 6.9 The second material consideration is that, notwithstanding the site being located outside of any development boundary, it is in a sustainable location given its proximity to Bungay and Ditchingham. Both settlements provide a number of local services and both are within walking distance of the site. Furthermore, the details of this scheme will see improvements made to existing pedestrian links in the area which will strengthen the site's sustainability and improve access locally. It is noted that sustainability lies at the heart of the NPPF which sets a presumption in favour of such development.
- 6.10 The third material consideration is the extant scheme for a residential conversion on this site, as detailed at 2.1 above. This scheme has been implemented, technically, and could therefore be completed. There is therefore a development precedent here and the site has already been deemed suitable for residential development. This is a material consideration. It is noted that the scheme proposed in the current application offers improvements over the extant scheme, not least in its deliverability.
- 6.11 The final material consideration is the emerging policies which are being developed through the Site Specifics Policies DPD. The NPPF advises at para 216 that weight may be given to emerging policies, with the level of weight depending on the stage of preparation, the extent to which there are unresolved objections and the degree of consistency of those policies with the NPPF. The LPA is currently preparing its Site Specifics Policies DPD and undertook consultation on the Issues, Options and Preferred Options for the Draft Site Specific Policies DPD from 23 February – 5 April 2012. The proposed draft policy for this site states:

“DRAFT POLICY: BUN/DSSP-b: Ditchingham Maltings:

This site is allocated for either:

- a) housing development which secures the refurbishment of the silk mill building , and includes landscaping, open space for residents, and interpretation of the history of the site; or
- b) renewed use for industrial purposes of the existing built upon part of the site only.”

No responses were received in respect of the draft policy. Whilst this document is only in the early stages of the adoption process, weight can be given to it in the determination of this planning application, particularly given the lack of objection and conformity with the NPPF.

- 6.12 In conclusion, although the site is outside of the development boundary and is therefore contrary to DP22, it is considered that there are significant and

substantial material considerations which weigh in favour of the principle of the development. On balance it is considered that it is acceptable in principle.

Layout and design of the scheme

- 6.13 Policy DP4 (Design) of the DMP DPD seeks to ensure that all development is of a high design quality which integrates effectively with its surroundings, reinforces local distinctiveness and landscape character and preserves or enhances cultural heritage. This scheme is considered to be in accordance with this Policy. The fundamental concept for the layout of this development is to concentrate the new residential development on the previously developed area of the site around the retained silk mill building which will be the main focal point of the scheme. The eastern third of the site will remain undeveloped and will be landscaped to provide an area of communal open space with pedestrian linkages created to help the assimilation of the site into the surrounding area. This 1 ha area will also be planted and managed to increase the wildlife/ecological value of the site with particular emphasis being placed on the treatment of Alma Beck to increase its contribution to wildlife habitats in the area.
- 6.14 In terms of access and circulation into and around the site, the existing entrances from Ditchingham Dam and Pirnhow Street will be widened to satisfy highway requirements. The internal roadways have been designed on a cul-de-sac arrangement and there will be no vehicular access through the site from one entrance to the other to enhance the amenity of the site. The proposed car parking areas relate well to the residential units they are designed to serve, with a number of localised areas rather than being concentrated in one part of the site, and will integrate well into the scheme.
- 6.15 The built development will result in the retention and reuse of the silk mill building which makes a significant contribution to the character of the area and to its cultural heritage. The proposed conversion of the silk mill building takes a sensitive approach and retains the key features to the south aspect to Pirnhow Street, which is the most visible façade. This is welcomed. Whilst it is regrettable to a degree that the remaining buildings on the site are to be demolished, it is considered that given their condition and poor appearance they are of less value in terms of heritage and do not make positive contribution to the landscape; on balance it is acceptable for them to be demolished. Overall, the layout of the site and the mass and form of the proposed groupings of residential units are of a scale appropriate to the site and complement the restored silk mill building. The simple forms of the terraces and their repetition are considered to reflect the industrial heritage of the site. The inclusion of a landmark building incorporating 6 three storey townhouses and 6 apartments on the north western corner of the site will reflect the bulk and massing of the former industrial buildings at this western end of the site. The detailing of the units and the proposed pallet of materials will ensure that the newly constructed units will respect the industrial heritage of the site and complement the character of the older dwellings surrounding the site. It is recommended that a condition be included on any consent

granted requiring the submission and approval of material samples prior to the commencement of development.

- 6.16 Policy DP28 (Amenity) of the DMP DPD requires all new development, including alterations and extensions to existing buildings, to provide the occupiers/users with a satisfactory level of amenity. It is acknowledged that the proposed development is relatively intensive, accommodating 105 units on the previously developed area of the site. However the layout of the proposed development ensures that each residential unit will enjoy a high degree of residential amenity with no issues of overlooking or loss of privacy. Each dwelling unit will have access to a private area of open space and occupiers of the apartments will have access to communal areas of open space. It is considered that the proposed scheme meets the requirements of DP28.
- 6.17 The northern boundary of the site is defined by the A143, so potentially there would be impacts from traffic. The Environmental Health Officer is satisfied that there will not be an issue with air quality arising from traffic pollution on the A143 at the proposed dwellings. Furthermore he is satisfied that the distance of the proposed dwellings from the road and the modern design and construction methods that will be used for the dwellings will ensure that there will be no issue with traffic noise within the dwellings.
- 6.18 Policy DP7 (Energy Generation and Efficiency) of the DMP DPD requires the residential units on this site to be constructed to meet at least Code Level 3 of the Code for Sustainable Homes and for 10% of the predicted energy requirements for the development to come from decentralised and renewable or low carbon sources. This application is supported by an Energy Statement which confirms the sustainable design and construction techniques that will be explored at the detailed design stage of the scheme to ensure that each of the units will achieve Code 3 compliance. It is recommended that conditions be imposed on any consent that is granted requiring the submission and approval of relevant certification at the detailed design stage and following practical completion of the scheme to confirm that the dwellings have in fact been constructed to achieve Code Level 3 for Sustainable Homes. The Energy Statement also confirms that at least 10% of the predicted energy requirements will be met from decentralised and renewable or low carbon sources. The methodology used relies on firstly achieving energy savings through the use of thermal improvements to the fabric of the buildings, followed by the use of other clean energy solutions to ensure the energy needed is supplied as efficiently as possible. These energy efficiency measures will ensure that the houses will meet the carbon emission standards required by this Policy. It will however be necessary for some photovoltaic panels to be added to the roofs of the apartment buildings, including the silk mill building, to achieve the required overall 10% contribution from low or zero carbon technologies. On the basis of this information it is concluded that this scheme also satisfies the requirements of the NPPF in terms of meeting the challenge of climate change.

Highways

- 6.19 As stated at 2.1 above, there is an extant consent on this site which is capable of implementation. It has been agreed with Norfolk County Council as Highways Authority that the baseline position for the consideration of any traffic/highway implications resulting from this new development will include the traffic movements which would arise from the extant permission. The Transport Statement that has been submitted in support of this planning application therefore considers the net difference in traffic movements from the revised development against this baseline position. In order to assess a worst case scenario the Transport Statement assumes that 100% of the traffic will pass through the A143/B1332 roundabout. The table below illustrates the difference in traffic movements at this junction when comparing the baseline and proposed cases:

Land Use	AM Peak	PM Peak	Daily Two Way
Background Traffic (Two Way)	699	847	8,581
Extant Permission (Two Way)	41	41	430
Baseline Position	740	888	9,011
Background Traffic (Two Way)	699	847	8,581
Private Residential Proposal (Two Way)	50	62	547
Proposed Total	749	909	9,128
Difference between extant and proposed	9	21	117
Percentage Impact on Baseline Position	1.2%	2.4%	1.3%

- 6.20 This report concludes that the vehicle movements which would be generated by the proposed residential units above those which would be generated by the extant permission will have a negligible impact on the local highway network. On this basis, the Highways Authority do not have an objection to the application.
- 6.21 In response to the application two representations were received which cited concerns about the effect that the additional traffic, generated by this development, would have on Pirnhow Street itself and on the junction between Pirnhow Street and Ditchingham Dam. Ditchingham Parish Council also recommended that a condition be imposed requiring the construction of a mini roundabout at the junction between Ditchingham Dam and Pirnhow Street to improve traffic safety in this area. In response to these comments the applicant provided some additional information and the matter was considered at length by the Highway Authority. The Highway Authority concluded that there is no justification for the introduction of mitigation measures along Pirnhow Street as, whilst some cars might travel to and from the site via Pirnhow Street, the majority of cars will access the wider highway network via the A143 roundabout. With regard to the requested mini-

roundabout, it was concluded that this would be inappropriate at this junction because for this feature to operate safely there needs to be equal traffic flows on each arm of the roundabout and this is not the case here. Furthermore the characteristics of Ditchingham Dam, with the hump backed bridge and the narrowing of the road, operate to have a calming effect on traffic speeds in this area. In conclusion the Highways Authority have no objection to this proposal and various standard conditions have been recommended for inclusion on any consent granted.

- 6.22 The location of this site is considered by both the Transport Statement and the Highways Authority to be a sustainable location. The site is well located for walking and cycling into Bungay along Ditchingham Dam and into Ditchingham via Alma Bridge and existing crossing facilities on the A143. Furthermore, the site is well served by frequent bus services between Bungay, Norwich, Beccles, Diss and Halesworth with the nearest bus stop from which these services can be accessed being within 400m of the whole site.

Flood Risk

- 6.23 The site is situated with Flood Zone 3 of the Environment Agency Flood Risk Zone Maps, although this does not differentiate between Flood Risk Zones 3b and 3a. Policy CS20 of the Core Strategy and Policy DP29 of the DMP DPD all require development to be avoided within highest risk flood zones (taken to be both Flood Risk Zone 3a and 3b), but state that where development is necessary then that development must be made safe without increasing flood risk elsewhere. All such developments must be accompanied by a Flood Risk Assessment (FRA) and must satisfy both the Sequential Test and the Exceptions Test. This approach is supported by paragraph 100 the NPPF which follows the approach of the superseded PPS25.
- 6.24 In order to support the application and provide more detailed information on flood risk, a site-specific modelling exercise was carried out in November 2009. This report - the HR Wallingford Report - indicates that none of the dwellings will fall within the current 1 in 100 year event (Flood Risk Zone 3a or 3b), although a very limited number of dwellings to the north of Alma Beck will be affected by the 1 in 100 year event (Flood Risk Zone 3a or 3b) when modelled for climate change. Further, a very limited number of dwellings to the north of Alma Beck may be affected by the current day 1 in 1000 year event (Flood Risk Zone 2). As none of the proposed dwellings are within Flood Risk Zone 3a or 3b the proposal does not conflict with Policy CS20 of the Core Strategy or Policy DP29 of the DMP DPD.
- 6.25 In addition, the dwellings are all to be constructed with a finished floor level of 5.21m AOD which is 300mm above the 1 in 100 yr flood level and 190mm above the extreme 1 in 1000 yr flood level including climate change. Safe refuge will therefore be available within the development in all modelled flood events. The FRA also states dry access will be available in all modelled flood events so the occupants should remain safe.

- 6.26 The Environment Agency is satisfied that the information underpinning the FRA is satisfactory and has confirmed that there is no objection to the proposed development in principle. Detailed information on the volumes of flood storage area to be removed and the provision of compensatory flood storage areas to be provided is requested, as is a requirement that the compensatory flood storage area is excavated prior to the commencement of any built development. This is proposed to be covered by planning condition.
- 6.27 The proposed scheme incorporates the surface water management proposals specified in the FRA. These proposals use permeable paving materials, reduce permeable areas of buildings and hard surfaces and introduce a SUDS system that stores rainwater under paved areas which will allow infiltration and will drain, via petrol and oil interceptors as necessary, into Alma Beck. The Environment Agency has stated that they do not object to the scheme providing a detailed surface water drainage scheme is submitted for approval and that the approved scheme is completed before occupancy of any part of the proposed development.
- 6.28 Alma Beck is an IDB drain and the IDB have confirmed that the proposed surface water discharge rates are acceptable to the Board. The IDB have agreed with the applicant what needs to be done in terms of future maintenance of the drain and it is recommended that a condition be imposed on any consent that is granted requiring the submission and approval of a detailed scheme of on-going maintenance for the IDB drain.
- 6.29 This proposal has been subjected to both the Sequential Test and the Exceptions Test. It is considered that the site and the proposed development satisfy both tests.
- 6.30 One final point to be taken into consideration in determining the acceptability of this proposal in terms of flood risk is that there is an extant planning permission on this site for 118 residential units. The current scheme will result in a fewer number of residential units being created on this site.
- 6.31 It is concluded that, based on the Flood Risk Assessment, the subsequent supporting technical information, the advice received from the Environment Agency and with the imposition of the recommended conditions, this scheme will be in accordance with Paragraph 100 of the NPPF, Policy CS20 of the Core Strategy and Policy DP29 of the DMP DPD.

Landscape

- 6.32 Core Strategy Policy CS1 and DMP DPD Policy DP2 seek to ensure that any development proposed will protect, enhance and restore the distinctive landscape of the Broads. The Ditchingham Maltings site is a derelict site which has had a detrimental effect on the Broads landscape in this area for many years. There is strong community support for the redevelopment of this site as it is seen as an eyesore in the local landscape. The application has been supported by an Indicative Landscape Plan and a Landscape and Open Space Strategy which sets out how the few positive landscape features that

have survived on this site will be retained, enhanced and restored and also demonstrates that the development will incorporate networks of green infrastructure, including a new area for play, a new public route to Alma Bridge and new public amenity areas along Alma Beck.

- 6.33 There are a number of trees on the site which comprise self sown specimens as well as planted specimens. A Tree Condition Survey submitted in support of the application confirms that these trees are of varying quality and condition. The proposed scheme makes provision for the retention of as many of the established trees on the site as possible, in particular those trees along the northern boundary of the site which provide effective screening to the A143. Whilst it is regrettable that some of the trees on the site may be lost as a result of the proposed development it is not considered that this would justify refusal of planning consent. In order to keep the number of trees required to be removed to a minimum it is recommended that a condition be imposed on any consent that is granted requiring the submission of a full Arboricultural Impact Assessment, Method Statement and Tree Protection Plan in line with BS5837:2005 to ensure all trees to be retained are protected and any works within the root protection area of trees to be retained is undertaken in such a way as to mitigate any potential damage to the trees.
- 6.34 It is recommended that a condition be imposed on any consent granted which requires the submission of a full Landscaping Scheme and Management Plan for the site. This Scheme should incorporate a full planting plan to include any replacement trees required to mitigate the loss of any existing tree on the site, details of contours of the site, detail of the treatment of Alma Beck, details of hard landscaping and fencing and a programme of ongoing maintenance. It is concluded that on the basis of the information that has been provided in support of the application and with the imposition of the recommended conditions that this proposal is in accordance with Policies CS1 and DP2.

Ecology

- 6.35 The planning application has been supported by a Protected Species Survey and an Ecological Assessment. These Reports have confirmed that nine bat species are potentially active on the site, with several species confirmed roosting within buildings on the site. A European Protected Species Licence will therefore be required for the proposed demolition and renovation works of certain buildings on the site. The Ecological Assessment also provides recommendations for appropriate mitigation and compensation measures to maintain the favourable conservation status of bat species on site. The reptile survey identified a low population of common lizard. The Ecological Assessment provides a working methodology to significantly reduce the risk of killing or injuring reptiles during any planned works as well as recommendations to enhance the eastern half of the site for this species and to reduce the risk of attack from domestic pets. No evidence of water vole or otter presence was apparent although the habitat along the drainage channel was considered suitable to accommodate both species, especially commuting otter activity, as otters are known to be active in the area.

- 6.36 The Ecological Assessment recommends that a 10 year Habitat Management Plan is drawn up in conjunction with the Landscape Scheme and Landscaping Management Plan for the site to enhance the site for bats, reptiles, water voles and otters. The Habitat Management Plan will highlight the enhancement of the Alma Beck for both water voles and otters as well as enhancement of the overall biodiversity of the channel. The Habitat Management Plan will also address public access, education and enjoyment of the eastern area of the site and this would be welcomed.
- 6.37 It is considered that the protected species surveys have been carried out at the appropriate times and under the appropriate conditions to accurately establish the ecological value of the site. It is recommended that various conditions be imposed on any consent that is granted to ensure that all works are carried out on site in accordance with protected species guidelines and that the Habitat Management Plan is submitted and implemented.
- 6.38 It is considered that the information that has been provided in support of the application, the proposed methodologies for carrying out the work on site and the production of a Habitat Management Plan will all ensure that this scheme predominantly meets the requirements of the Broads Authority Strategic Objective SO3, Core Strategy Policy CS2 and DMP DPD Policy DP1. It is also in accordance with Paragraphs 117 to 119 inclusive of the NPPF, which takes a similar approach and advises that LPAs should, when determining applications, aim to enhance and conserve bio-diversity.
- 6.39 Whilst the primary objective of the above policies is to protect the conservation value of the Broads and mitigate where there would be an unavoidable impact, it is also appropriate to consider where possible how development proposals might contribute to the restoration and enhancement of bio-diversity value in order to increase their value over time. This is particularly the case on larger sites, where there is a greater chance of off-site impacts. In these cases it is appropriate to look further than simply on-site mitigation and to consider whether it is appropriate to request a biodiversity delivery payment or green infrastructure payment. This approach is set out in the adopted Planning Obligation Standards for Norfolk devised by Norfolk County Council and is supported by the Broads Authority. This approach is set out in adopted Core Strategy Policy CS2 and adopted DM DPD Policy DP30. These Standards provide a framework for calculating contributions.
- 6.40 In this case, it is considered that the scale of this scheme and the ecological value of the site justify the payment of a Green Infrastructure Levy to enhance biodiversity to compensate for any loss in wildlife habitats and enable greater benefit for local people. The amount that is suggested is £5000 which equates to £50 per additional dwelling, which is consistent with the Norfolk County Council Planning Obligation Standards. This money would be directed to Suffolk Wildlife Trust for the Share Marsh Project within the Lower Waveney Living Landscape. It is considered that this contribution would satisfy the legal tests set out in Regulation 122 of the CIL Regulations (2010) and that this matter should be included in the S106 Heads of Terms.

Archaeology

- 6.41 Policy CS6 of the Core Strategy and Policy DP5 of the DMP DPD all seek to ensure that the archaeology of the Broads is better understood, protected and enhanced. New development is expected to protect, preserve or enhance any historic or cultural feature of significance to the Broads character. This approach is supported in Part 12 of the NPPF.
- 6.42 The Norfolk Historic Environment Service has confirmed that cropmarks of enclosures and Iron Age to Roman finds recorded immediately to the south of the proposed development site indicate that there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance may be affected by the proposed development. This development proposal extends beyond the area of ground disturbance associated with the former maltings buildings and consequently the proposed groundworks and landscaping also have the potential to affect the significance of *in situ* archaeological deposits in the eastern part of the site. It is therefore recommended that a condition be imposed on any consent that is granted requiring the preparation and approval of a programme of archaeological work for the whole site before any development commences on site.
- 6.43 The standing remains of the former maltings and silk mill are considered by the Norfolk Historic Environment Service to be a heritage asset with historic interest. The WWII graffiti found on the bricks adds to the significance of the former silk mill building. It is accepted that it is not practically possible to preserve these bricks *in situ* and it is therefore recommended that a condition be imposed on any consent that is granted which requires a photographic survey of the relevant wall and graffiti prior to the hand demolition of the wall and the transfer of the bricks to the Norfolk and Suffolk Aviation Museum for display.

Utilities

- 6.44 Anglian Water has an existing water supply mains in Norwich Road/ Ditchingham Dam and Pirnhow Street. Anglian Water has confirmed that the Ditchingham Sewage Treatment Works has available capacity to deal with foul drainage from this development and that the sewerage system has available capacity to meet the demand arising from this development. Given the difference in levels in the area it will be necessary for a pumped sewer system to be established. The new pumping station will not be positioned closer than 15m to any habitable buildings.
- 6.45 The other utility providers have not responded to the consultation, but the application is supported by a Foul Drainage and Utilities Assessment which summarises responses received prior to the application being submitted. The electrical substation in the north west corner of the site does not have the capacity to serve the proposed development and it is therefore proposed to upgrade the transformer and in the process to move it slightly to suit the

layout proposed. National Grid have confirmed that there are no gas mains in the vicinity of the site, but that there is sufficient capacity within the low pressure gas main 564m to the south of the site within Norwich Road/Ditchingham Dam. BT has network cables within Norwich Road/Ditchingham Dam and Pirnhow Street and perceive no issue with providing a service to the proposed 105 units.

Site Contamination

- 6.46 Site investigations have been carried out which confirm that the site is contaminated and that there is asbestos within the buildings. Paragraph 120 of the NPPF states that where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner. The application is supported by a number of documents that confirm the extent of the contamination and make recommendations as to how the site should be cleaned up. This information has been reviewed by the Environmental Health Officer who has agreed with the content of the reports and the recommendations made at this stage. Conditions are recommended for inclusion on any planning consent and would require further investigative work to be carried out and for a remediation scheme to be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The other recommended conditions require the implementation of the approved remediation scheme and for suitable action to be taken in the event any further contamination is discovered during the construction process.
- 6.47 The Environment Agency has also commented on the contamination of this site and is keen to ensure that the proposed development does not cause pollution of Controlled Waters and that the Controlled Waters are protected. The Environment Agency has also recommended various conditions for inclusion on any planning consent that is granted.

Affordable housing and S106 contributions

- 6.48 It is recognised that development can place additional pressures on physical infrastructure, social facilities and green infrastructure and Core Strategy Policies CS21 and CS24 and DMP DPD DP30 make provision for the LPA to require contributions from developers to contribute to the costs of these. This approach is also set out in the NPPF. These monies are required through a Planning Obligation. Planning Obligations should only be sought where they meet the following tests:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 6.49 The value of contribution sought is guided by the revised Norfolk County Council Planning Obligation Standards which sets out a tariff in terms of contributions for education, libraries, fire hydrants and green infrastructure.

Further detail on the provision of affordable housing within a scheme is addressed by Policy DP23 of the DMP DPD. This Policy states that the provision sought will be in accordance with the adopted standards of the relevant District Council. In this case South Norfolk Council requires 33% of the housing provided on a site of this size to be affordable.

- 6.50 Whilst the Planning Obligations Standards and Policy DP23 set the baseline for contributions, Policy DP30 of the DMP DPD states that reduced contributions, where necessary (for example due to the exceptional costs of redeveloping a particular site) will be negotiated on an 'open book' basis based on the financial viability of the scheme. In this case, the applicant has provided a detailed viability appraisal in support of this proposal which demonstrates that the viability of the proposed development is marginal and seeks to justify a substantially reduced package of affordable housing and S106 contributions than relevant planning policies seek to provide.
- 6.51 This viability appraisal goes to the heart of what can be achieved both on and off-site in terms of infrastructure and community benefits and must be carefully considered. Whilst the current market conditions are noted, plus the high costs inherent in developing a site such as this, the LPA must be confident that it has achieved the best outcome for the community and must not depart from agreed Planning Obligation Standards unless fully justified. The viability appraisal has been reviewed by an independent suitably qualified professional surveyor on behalf of the LPA. He confirms that based on the information submitted, assumptions made and the complexity of the proposed development, the conclusion of the viability appraisal is considered to be a fair indication of the likely outcome.
- 6.52 On this basis the applicant has confirmed that the development itself as proposed cannot generate any S106 payments. However they have offered a total sum of £130,000 from other sources to be made available for contributions to highway works, library provision and community facilities. A letter of undertaking for the Broads Authority's and Norfolk County Council's legal fees, plus indicating their willingness to enter into a S106 Agreement for the payment of £130,000 has been received. In addition, they have indicated their willingness to include an uplift clause, whereby should the value of the development increase during the construction and marketing phase the LPA can renegotiate the value of the contributions and any additional contributions paid can be used for the provision of affordable housing probably via a commuted sum. This is a standard mechanism and can give some comfort to an LPA where a low level of contribution is proposed.
- 6.53 Given that the offered contribution is significantly less than what is required under the terms of the policies, it must be decided both whether the proposed contribution is acceptable in principle and then how best to use the money. Considering the second point, Norfolk County Council, South Norfolk Council, Ditchingham Parish Council and the Ditchingham community have all been consulted. Norfolk County Council has confirmed that it does not require a contribution for education but it does require a library contribution and the provision of one fire hydrant on site, together with the payment of a monitoring

fee. South Norfolk has indicated that £130,000 would only provide two affordable housing units on site. The Council acknowledges that the scheme will deliver some lower cost open market housing and has therefore accepted that affordable housing will only be provided on this site if there is an increase in the overall profitability of the scheme and a claw back provision in the S106 Agreement generates additional funding. South Norfolk has also agreed that any residual financial contribution (to be agreed with the Broads Authority) should be made available to Ditchingham Parish Council, to be spent within the local community. Ditchingham Parish Council and the District Member for Ditchingham have confirmed that whilst they are disappointed that there will be no provision of affordable housing within this scheme that on this occasion they would want any money available to be used to directly benefit the community of Ditchingham.

- 6.54 The scheme includes the provision of a significant area of public open space in the eastern area of the site which will be used for passive recreation. It will provide a new public access route along the southern side of the beck for pedestrians, cyclists and horse riders. Play and recreation provision will take the form of a secured Local Area of Play (LAP) for young children, enclosed by a low hedge and located close to the main pedestrian route for informal surveillance. There is insufficient space on the site to provide additional recreation and play facilities for older children and South Norfolk Council have confirmed that they have no budget for adoption and maintenance of new play areas and equipment. This area will therefore be included in the S106 Agreement as an area of public open space that will be maintained by a Management Company. The Bungay and District Sports Association facilities are located opposite the site and it is considered appropriate for these to be used by the future occupiers of this development. On this basis the Chairman of the Sports Association has made a representation requesting that a sum of £40,000 of the S106 monies be identified for the Sports Association for them to surface an existing area for sport and to purchase an adjacent additional area from the Ditchingham United Charities to make the space more suitable for sporting activities.
- 6.55 The Open Spaces Society has provided a consultation response which strongly suggests that any planning approval is subject to various conditions which require the public route to be created through the eastern half of the site to be legally dedicated as a permanent definitive public bridleway or restricted byway and all the amenity spaces to be voluntarily registered as village green to secure permanent public interest in these facilities. However this is not considered necessary in this case as the area could be retained for public access and use in perpetuity in the S106 Agreement. Furthermore the developers intend to manage this area as a combined public open space and enhanced wildlife habitat area and the designation of the area as a village green would not provide for this dual use.
- 6.56 The following draft Heads of Terms are based on the outcome of these consultations and indicates what could be achieved from the £130,000. It is understood that the applicant has indicated that they are in general agreement with the Draft Heads of Terms:

- Library Provision - £6,300.
- Payment to Suffolk Wildlife Trust for mitigation of habitat loss - £5,000.
- Payment of £40,000 to South Norfolk Council to administer for Bungay and District Sports Association for improvement to sporting facilities.
- Payment of £78,100 to South Norfolk Council to administer for Ditchingham Parish Council for improvements to community facilities.
- Clause stating that if Ditchingham Parish Council / Bungay and District Sports Association does not spend the money within 5 years of signing S106 Agreement that instead of it being repaid to the developer it is transferred to South Norfolk Council to finance the provision of affordable housing via a commuted sum with a further 5 year window in which the money could be spent before any unspent money would have to be returned to the developer.
- Uplift clause requiring any increase in profit revenue to be advised and additional S106 contributions paid for the provision of affordable housing – probably via a commuted sum.
- Preparation of Landscape Management Strategy and Habitat Management Strategy.

6.57 The payment of Norfolk County Council's £600 Monitoring Fee would be paid on commencement of development and would be dealt with by condition. The provision of the fire hydrant on site would also be dealt with by condition. It is also proposed to make the removal of the WWII bricks and their transference to the Norfolk and Suffolk Aviation Museum a condition.

6.58 Having set out what could be provided by the offered monies, it is necessary to consider the policies and it must be decided whether the proposed contribution is acceptable in principle. Whilst the actual amount of money available for S106 contributions is significantly less than is required by policies, the economic situation must be acknowledged and accepted. Whilst no affordable housing would be provided it is noted that the scheme will deliver a residential development which will include a mixture of sizes and types of houses and apartments which will respond to the need for small 'starter' homes for young people and a variety of family houses and a package of improvements for the community of Ditchingham. Furthermore, in addition to the above features this scheme will see the retention and reuse of the silk mill building, plus highway improvements including making substantial improvements to highway safety on Ditchingham Dam and Pirnhow Street, including a new pedestrian footbridge by Ditchingham Dam and new pedestrian footpath along Pirnhow Street.

6.59 It is also noted that this site has been empty for decades and that previous schemes which were proposed in a stronger market suffered too from issues of viability. The condition of the buildings is deteriorating, particularly the more important ones, and there is a strong risk that further delay pending a more favourable economic climate in order to deliver better community and infrastructure benefits would result in their loss. Draft Policy BUN/DSSP-b (see 6.11 above) would then see the site allocated for industrial use. This

would not deliver the benefits above, although, if such an employment use were to come forward this would offer its own advantages.

- 6.60 Taking all the above into account, on balance, it is considered that the overall benefits of the scheme are sufficient to outweigh the reduced contributions proposed.

7 Conclusion

- 7.1 It is concluded that this scheme will result in the removal of a long standing eyesore on the Broads landscape and will see the retention and reuse of the silk mill building as part of a well designed, high quality residential scheme. The scheme will deliver a mix of dwellings to meet a variety of housing requirements together with a substantial area of public open space.
- 7.2 The site is a very complex site to develop and it is concluded that the proposed scheme satisfactorily addresses all the constraints imposed by the site. It is acknowledged and accepted that given the complexities of the site it is a very expensive site to develop and this coupled with the economic situation that currently exists means that the financial viability of the whole scheme is marginal. It is therefore accepted that the scheme will not be able to deliver the percentage of affordable housing that would usually be expected on a scheme of this size. However the overall package of improvements and contributions is considered to be satisfactory and will be a direct benefit to the area and the Ditchingham community.
- 7.3 Although the site sits outside the development boundary and is therefore contrary to Policy DP22 of the DMP DPD it is concluded that there are substantial material considerations in this instance which justify approving this scheme as a Departure from this Policy. It is recognised that the adopted policies in the Broads Core Strategy and the Development Management Policies DPD need to be consistently applied and that proposals should be in accordance with the relevant development plan policies. However in this case the circumstances surrounding this proposal are exceptional. Whilst the proposal is contrary to DM DPD Policy DP22, it is not considered that it is in conflict with the general direction of the other policies of the development plan nor that it undermines the objective of good planning or the objectives of the development plan; the scheme is also considered to be in accordance with the NPPF; it is not considered that it would set an undesirable precedent in this regard. On this basis it is considered that the proposal is acceptable and it is recommended that it be approved as a Departure application.
- 7.4 If it is resolved to approve the application it will have to be re-advertised as a Departure.

8 Recommendation

8.1 Subject to no new issues being raised as a result of the re-advertisement, it is recommended that this scheme be approved subject to the following conditions and to a S106 Agreement:

1. Standard time limit condition.
2. Development to be fully in accordance with submitted plans and technical documentation i.e. FRA, Arboricultural Report, Protected Species Survey, Transport Statement etc.

Pre-commencement

3. Submission of a scheme of phasing for demolition and construction.
4. Submission of materials for written approval of LPA to include details of new pedestrian and road bridge and handrails.
5. Submission of joinery details.
6. Code Level 3 Design Stage Certificate submitted for written approval of LPA.
7. Submission of full Landscaping Scheme to include: trees to be retained; confirming density and height of trees on northern boundary to be retained; additional tree planting along northern site boundary and across western half of site; size and species of specified replacement trees; details of hard and soft landscaping; fencing; for written approval of LPA.
8. Submission of full Habitat Management Plan to include details of how the habitats will be dealt with during demolition and construction as well as when site is fully developed and occupied for written approval of LPA.
9. Provision made for on-site parking for construction workers.
10. Submission of a Construction Traffic Management Plan and Access Route for approval.
11. Provision of wheel cleaning facilities.
12. Submission of a scheme for off-site highway improvement works for approval.
13. Implementation of programme of photographic recording of WWII graffiti.
14. Removal by hand of WWII bricks and transference to Norfolk and Suffolk Aviation Museum.
15. Implementation of programme of archaeological work in accordance with an approved written scheme of investigation.
16. Submission of EPS licence for Buildings 8 to 13 and Building 15 for written approval of LPA prior to any demolition work commencing.
17. A dawn survey of Building 14 is to be carried out on the morning of demolition and should bat roosting be identified an EPS licence be obtained and submitted to LPA.
18. Submission of scheme for provision of permanent bat features including bat lofts, bat bricks/tiles and long lasting woodcrete bat boxes suitable for all bat species identified using the site for written approval of LPA.

19. Licensed bat ecologist to undertake further checks of trees prior to any thinning, evidence submitted to LPA for written approval.
20. Submission of an appropriate site lighting plan to accommodate sensitivity of bats and other wildlife to artificial lights for written approval of LPA (see information attached to this email).
21. Further investigation and risk assessment to be completed and a scheme to deal with risks associated with contamination of site to be submitted for written approval of LPA.
22. Implementation of approved remediation scheme.
23. Submission of a strategy for maintenance of IDB drain (Alma Beck) for written approval of IDB and LPA.
24. Details of flood storage removal and of compensatory flood storage to be provided to be submitted for approval and compensatory storage area to be excavated prior to commencement of any built development.
25. Submission and implementation of surface water drainage scheme to include a scheme for surface water interceptors to ensure no pollution in any watercourse to be submitted and approved in writing by LPA. Scheme to be completed before occupancy of any part of the proposed development.
26. Scheme Submission of a full Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan in line with BS5837:2005 for written approval by LPA.
27. Written confirmation that any measures to ensure protection of trees to be retained during demolition and construction, as specified in the Arboricultural Report, have been implemented to be submitted to the LPA.
28. Submission of Site Waste Management Plan for written approval of LPA.

Pre-occupation

29. Construction of vehicle accesses.
30. Provision of visibility splays.
31. On-site car, car parking, servicing, loading, unloading and turning areas to be formed etc.
32. Completion of approved off-site highway improvement works.
33. Submission of a Landscape Management Plan for written approval of LPA.
34. Submission of General Site Management Plan for communal areas to be administered by the Management Company to be established for written approval of LPA.
35. Code Level 3 compliance BREEAM or equivalent certification either pre-occupation or within 6 months of practical completion (practical timing can be discussed).
36. Provision of one fire hydrant on site.
37. Implementation of landscaping scheme within first planting season following completion of the development.

Monitoring

38. All traffic associated with construction to comply with Construction Traffic Management Plan.
39. All traffic associated with construction to use wheel cleaning facilities
40. Payment of £600 Norfolk County Council Monitoring Charge.
41. Demolition works and vegetation removal undertaken outside of nesting bird season (March –September inclusive). Should works be unavoidable during this period then a nesting bird survey must be undertaken by an ecologist to ensure no nests are present up to 5 days prior to works.
42. Work to be carried out in accordance with approved Habitat Management Plan.
43. Works must follow the recommended reptile mitigation proposed in the Ecological Survey Dec 9 2011 Final report; to include a suitably experienced ecologist present during the clearance works.
44. Reports on monitoring, maintenance and any contingency action carried out in accordance with long term monitoring and maintenance plan for site contamination shall be submitted to the LPA as set out in that plan.
45. If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted a further remediation strategy, which has been approved in writing by the LPA. Remediation strategy to be implemented as approved.
46. Development to be constructed with a minimum finished floor level of 5.21 AOD.
47. Limitation on hours when demolition/construction can occur.
48. If any trees or plants that comprise part of the approved landscaping scheme die or become damaged, removed or diseased within 5 years from the completion of the development they shall be replaced in the next planting season with others of similar size and species.

9 Reason for Recommendation

- 9.1 The site is situated outside the Development Boundary and is therefore contrary to Policy DP22 of the Development Management Policies DPD and this development must therefore be considered as a Departure from this Policy. However there are significant material considerations in this case which justify the granting of planning consent contrary to this Policy. The site is a Brownfield site and is considered to be in a sustainable location. The development as proposed will result in the conversion and reuse of the silk mill building which is considered to be a landmark building which is also of cultural heritage value. Furthermore there is an extant planning permission on this site for a greater number of residential units.
- 9.2 The proposal does not undermine the objectives of good planning or the objectives of the Development Plan and is considered to be in accordance with all the other relevant Development Plan Policies in particular: Policies CS1 – Landscape; CS4 – Creation of New Resources; CS5 – Historic and Cultural Environments; CS7 – Environmental Protection; CS8 – Responses to

Climate Change; CS18 – Rural Sustainability; CS20 – Development within Environment Agency's Flood Risk Zones; CS21 – Developer Contributions; and CS24 – Residential Development and the Local Community of the Broads Authority's Core Strategy 2007-2021 and Policies DP1- Natural Environment; DP2 – Landscape and Trees; DP3 – Water Quality and Resources; DP4 – Design; DP6 – Re-use of Historic Buildings; DP7 – Energy Generation and Efficiency; DP22 – Residential Development within Defined Development Boundaries; DP23 – Affordable Housing; DP28 – Amenity; DP 29 – Development on Sites with a High Probability of Flooding; and DP30 – Developer Contributions.

- 9.3 The proposal is also considered to be consistent with the National Planning Policy Framework.

List of Appendices: APPENDIX 1 LocationPlan
APPENDIX 2 – Comments from Local District Member 12 February 2012
APPENDIX 3 – Comments from Ditchingham Parish Council 18 January 2012
APPENDIX 4 – Comments from Environment Agency 27 February 2012 and 5 April 2012
APPENDIX 5 – Highways Response 29 March 2012
APPENDIX 6 – Norfolk County Council Planning Obligations 10 February 2012

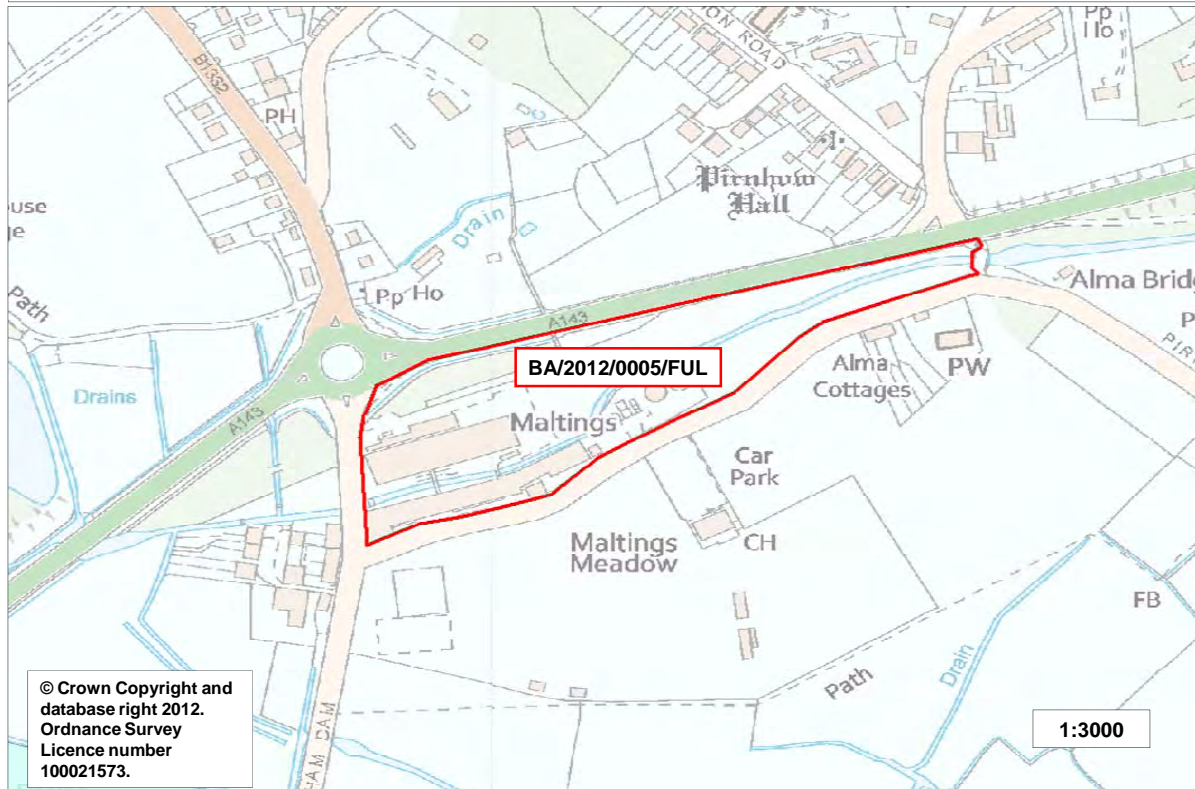
Background papers: Application Files BA/2012/0005/FUL

Author: Alison Macnab
Date of Report: 12 April 2012

APPENDIX 1

BA/2012/0005/FUL - The Maltings, Pirnhow Street, Ditchingham

Proposal to create 92 houses and 13 residential apartments with 216 car parking spaces. All buildings and ancillary structures on the North side of Alma Beck to be demolished with the original silk mill building to be retained and converted.



Alison Macnab

From: Pauline Allen [paysfarm@yahoo.co.uk]
Sent: 12 February 2012 19:52
To: Alison Macnab; Gary Hancox
Cc: Julian Green; keithweston@talk21.com; John Smith
Subject: Broads Authority Planning application: The Maltings site, Ditchingham

Broads Authority Planning application: The Maltings site, Ditchingham

There have been a number of public consultations with PJ Livesey during the Summer/Autumn 2011 and one last weekend (Feb 2012) run by the Parish Council all seeking the views of local people. I have attended these sessions and noted that they have been well supported; the overwhelming views expressed have been very supportive of the proposed scheme.

Section 106 agreement

I wish to support the company's preference that financial contributions should be used to directly benefit the community in Ditchingham. Although it is disappointing that this agreement cannot include affordable housing given the proven need within the ward, I have to accept the commercial arguments put forward by the company indicating that this is not possible. I have noted that the applicants have included highway and pedestrian benefits as well as landscape proposals and this is to be welcomed.

Design

Scale, height and massing of the proposed development reflect the existing cluster of buildings. The proposed materials also reflect the historic characteristics of the Maltings. Windows are to be wood and painted white, but to maintain the integrity of the development there should be conditions to retain the initial materials and colours of the doors and windows.

I wish to strongly support Livesey's application to develop the derelict Maltings site in Ditchingham.

Sent from my iPad



Broads Authority

The Broads - a member of the
National Park family

Dragonfly House 2 Gilders Way
Norwich Norfolk NR3 1UB

Telephone (01603) 610734

Fax (01603) 756069

Email broads@broads-authority.gov.uk

www.broads-authority.gov.uk

Mrs Alison Macnab

Planning Officer

01603 756051

alison.macnab@broads-authority.gov.uk

15 FEB 2012

Ditchingham Parish Council
Jo-an
6 Tunneys Lane
Ditchingham
Bungay
Suffolk
NR35 2RQ

Date 18 January 2012 Our ref BA/2012/0005/FUL Your ref

Dear Parish Clerk,

Application No : BA/2012/0005/FUL
Description : Proposal to create 92 houses and 13 residential apartments with 216 car parking spaces All buildings and ancillary structures on the North side of Alma Beck to be demolished with the original silk mill building to be retained and converted.
Address : The Maltings, Pirnhow Street, Ditchingham, Bungay
Applicant : Mr Andrew McMurtrie



This letter is to advise you that a planning application has been received by the Broads Authority for the above development. Copies of the submitted plans are attached for your information, and these can also be viewed on-line at www.broads-authority.gov.uk. If you wish to view documents online, please be aware that these will not be available for at least 48 hours from the date of this letter. Please note that any comments you may wish to make will be available to view on the public file and on-line.

Please complete section A or B or C if your parish council have any views on the above proposed development and return this form within 21 days of the date shown above. If this is not possible or you wish to discuss the proposal before sending your comments, please contact the planning officer Mrs Alison Macnab and quote the Planning Reference **BA/2012/0005/FUL**.

A. We have no comments to make about this application ☐

B. We consider the application should be [Approved/Refused] for the following reasons: -

If permission is granted we suggest the following conditions of approval should be considered: -

Further improvements to Ditchingham Dam/Pirnhow Street junction

C. The following information/comments are also relevant to consideration of this application

Please see accompanying letter.

Signed..... *[Signature]* on behalf of Ditchingham Parish Council

Date..... *14.2.2012*



INVESTORS
IN PEOPLE

Chair: Dr Stephen Johnson
Chief Executive: Dr John Packman

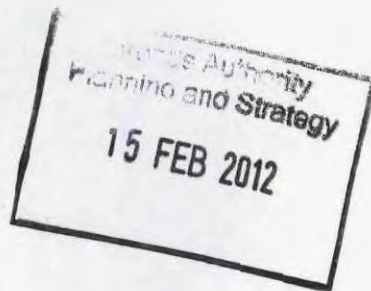
DITCHINGHAM PARISH COUNCIL

Jo-an
6 Tunneys Lane
Ditchingham
Bungay
Suffolk
NR35 2RQ

Parish Clerk: Mr John Smith

14th February 2012

Your Ref: BA/2012/0005/FUL



Dear Mrs McNab,

PROPOSALS TO DEVELOP THE MALTINGS, PIRNOW STREET, DITCHINGHAM

(This letter should be read as an attachment to the Broads Authority response form. It is being sent, initially, by Email and by Royal Mail.)

Having given careful consideration to the plans, submitted by P.J.Livesey Country Homes (Eastern) Ltd., this Council agrees **the application should be approved.**

This **unanimous** decision was reached at a Council meeting on 13th February 2012. This meeting followed the collection of Councillors' views by means of a questionnaire – a copy of the summary of responses is attached.

The Council also unanimously agreed to suggest a **condition of approval** for consideration – the improvement of the Ditchingham Dam/Pirnow Street junction. There are pre-existing concerns over safety here and, although the demolition of the end building will improve visibility, additional traffic will make matters worse. Bungay bound pedestrians, and motorists heading to the homes and businesses in Ditchingham Dam are particularly at risk. In a joint approach with the local authorities a solution such as a mini-roundabout should be considered.

The Council, and the wider community, are keen to be rid of the derelict Maltings site and most people, who have expressed a view, approve of the present plans as the best way forward. In response to the question, "Do you, in general terms support the scheme as submitted?", nine out of ten Councillors replied, "Yes," or "About right."

Six Councillors believe the number of units is about right, while four think the number too high. Seven out of ten think the mix of unit types is about right and most Councillors approve of the number of parking spaces.

Councillors appreciate that The Applicants will be making substantial improvements to highway safety on Ditchingham Dam and Pirnow Street, including a new pedestrian footbridge by Ditchingham Dam, new pedestrian footpath along Pirnow Street, and creating a new access through the development to Alma Bridge. The majority approve of the walkway under the building but about half still have some reservations about the suitability of pedestrian and vehicular access – hence the condition of approval outlined above.

Questionnaire responses show that Councillors believe sufficient attention has been paid, in the plans, to consideration of the historical context. They are split over whether there should be requirements to preserve the original external appearance of the buildings in the long-term.

No concerns were apparent over the site's relationships with the neighbouring sporting facilities.

By a large majority, Councillors believe the scheme makes sufficient provision for landscaping, biodiversity, public open spaces and amenities.

With regard to Section 106 funding:

Because NCC will not, after all, be seeking a contribution towards education, question 12 of the Councillors' questionnaire was revisited at the meeting. Of the two remaining options (support for affordable housing and community priorities) there was a substantial weighting in favour of support for community priorities as expressed by Ditchingham Parish Council

In conclusion, Councillors broadly favour the plans, as submitted, believing them to be the best option for the redevelopment of the Maltings site, which should not be left in its present state. Ditchingham Parish Council considers the application should be approved.

Signed:

Keith Weston

on behalf of the Council

Date: 14.2.2012

Mrs Alison Macnab

Broads Authority Planning Officer

Dragonfly House

2 Gilders Way

Norwich

NR3 1UB

DITCHINGHAM PARISH COUNCIL

MALTINGS QUESTIONNAIRE – SUMMARY OF RESPONSES

Ten responses were received. Where answers do not total 10, questions were not answered by all Councillors.

Q					
1.	Support in general terms	Yes	About right	No view	No
		6	3		1
2	Comfortable that site is designated wholly for residential use	8			2
3	Number of units (105)	Too many	About right		
		4	6		
4	Number of parking spaces (216)	Too many	About right	No view	Too few
		2	7		1
5a	Mix of housing types	Incl. more larger	About right	No view	Incl. more smaller
		1	7	1	1
5b	Satisfied that site is developed without usual affordable housing provision	Yes	Unsure	No view	No
		5	1		3
6a	Vehicular access adequately addressed	Yes	Unsure	No view	No
		5	2		3
6b	Pedestrian access adequately addressed	Yes	Unsure	No view	No
		4		1	5
7	Support for pedestrian walk way at Ditchingham Dam end	Yes	Unsure	No view	No
		7	2		1
8a	Sufficient reference to historical context	Yes	Unsure	No view	No
		8	1	1	
8b	Any particular historical attributes to be formally acknowledged	Yes	Unsure	No view	No
		2	1		7
9	Statement badly constructed (answers not included)	Yes	Unsure	No view	No
9a	Original external characteristics to be maintained in perpetuity	4	1	1	4
10	Scheme compatible with neighbours' (sports) activities	Yes	Unsure	No view	No
		7	2	1	
11a	Sufficient provision for landscaping & biodiversity	Yes	Unsure	No view	No
		7	1		1
11b	Sufficient provision for public open spaces & amenities	Yes	Unsure	No view	No
		8	1		1
12	(SHOWN AS A TALLY because not all Councillors ranked in the same way)	Strong	Some	Slight	None
	Support for Additional classroom at Ditchingham Primary School	111 3rd	11	1	1 3rd
	Support for Affordable housing	1111111 2nd		2nd	1
	Support for Ditchingham Parish Council community priorities	11111 2x1st	11		



F.A.O. Ms A Macnab
Broads Authority
Planning & Development
2 (Dragonfly House) Gilders Way
Norwich
Norfolk
NR3 1UB

Our ref: AE/2012/114023/01-L01
Your ref: BA/2012/0005/FUL
Date: 27 February 2012

Dear Madam

PROPOSAL TO CREATE 92 HOUSES AND 13 RESIDENTIAL APARTMENTS WITH 216 CAR PARKING SPACES ALL BUILDINGS AND ANCILLARY STRUCTURES ON THE NORTH SIDE OF ALMA BECK TO BE DEMOLISHED WITH THE ORIGINAL SILK MILL BUILDING TO BE RETAINED AND CONVERTED. THE MALTINGS, PIRNHOW STREET, DITCHINGHAM, BUNGAY.

Thank you for your consultation on the above planning application. After careful consideration of the information submitted, we wish to make the following comments:

Flood Risk

In the absence of an acceptable Flood Risk Assessment (FRA) we object to the application for the following reasons:

Reason

The FRA submitted with this application does not comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 25 (PPS 25). The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the submitted FRA fails to be supported by appropriate data and information on the flood zone locations, the surface water runoff rates and the design of the surface water system.

Technical Explanation

The site lies in Flood Zone 3, the high probability flood zone, with an annual probability of flooding of 1 in 100 years (1%). Planning Policy Statement 25 requires a Flood Risk Assessment to be submitted with planning applications for

developments in Flood Zone 3. The site is over a hectare so PPS25 requires that the Flood Risk Assessment also assesses the potential for the surface water drainage scheme to increase flood risk through the inclusion of hard surfaces.

We consider that the FRA by Canham Consulting Engineering dated December 2011 has assessed the flood risk to the site, and it is unlikely therefore that we will have any major concerns regarding this aspect of the application. We would, however, like a plan depicting each of the flood zones, both with and without climate change, superimposed over the proposed development layout with site levels marked on the plan, to fully understand the flood risk to the site. Further comments on the flood risk aspect of the proposals are provided in a section below.

However our main concern is that we feel that insufficient information has been submitted with regard to the proposed surface water system. We ask that the additional information, as detailed below, is submitted.

Surface Water System

The FRA has shown through borehole testing that the groundwater levels are too high to use solely infiltration, particularly in times of high groundwater levels. Therefore, in accordance with the priority list in paragraph F8 of PPS25 Practice Guide and part H of the Building Regulations, the FRA proposes using restricted outfalls into Alma Brook which flows through the site.

This scheme is acceptable in principle, however the supporting calculations should be submitted to justify the runoff rates proposed. The FRA has detailed the current runoff rates from the impermeable areas of the site which are said to range from 51 l/s in the 1 in 1 year rainfall event to 165 l/s in the 1 in 100 year rainfall event. The FRA also states that the equivalent greenfield runoff rate for the site of 28 l/s. Supporting calculations have not been provided to support these stated brownfield or greenfield runoff rates. Our rough estimation of the greenfield rates is significantly lower than 28 l/s and therefore calculations should be submitted to justify this rate. We highlight that the Alma Brook is an IDB drain and therefore the IDB should be contacted and should confirm in writing whether the proposed discharge rates would be acceptable.

We note that the proposal is for each area of the site to be restricted to the same rate of 4 l/s whether draining 0.06 hectares of impermeable land or 0.36 hectares of impermeable land. We suggest it would be better for a lower rate to be given to the smaller areas, to better represent the equivalent greenfield rates, and allow full utilisation of the proposed storage.

Furthermore, if groundwater levels rise high enough to preclude infiltration then they could flood the permeable paving and so reduce the storage volume available. This would not be acceptable and would increase the risk of flooding. We consider that although it is admirable for infiltration to be attempted, in this situation of potentially high groundwater levels it may be preferable for the storage to be in lined permeable paving which did not allow infiltration, to prevent high groundwater levels from flooding the storage.

In addition to the above, either at this stage or the detailed design stage, the pipe network should be modelled to show that the pipes would not flood in the 1 in 30 year rainfall event, and show what volume of flooding would occur in the 1 in 100 year rainfall event including climate change, and where the water would be stored to

prevent buildings flooding or the flow of water off site.

Flood Risk

The Alma Brook watercourse flows through the middle of the site. The Environment Agency flood map has modelled the flood risk from the River Waveney to the south and west of the site but did not specifically include the Alma Brook in the model. Consequently HR Wallingford have undertaken a remodelling of the flood risk using the previous River Waveney model but including detailed survey data for Alma Brook and the surrounding floodplain to the north of the River Waveney.

This has shown that the flood levels associated with the River Waveney would not be experienced on the site and instead the flood levels from Alma Brook would be lower. The design 1 in 100 year flood level including climate change would range from 4.37mAOD to the east of the site to 4.91mAOD to the west of the site. The extreme 1 in 1000 year flood level including climate change would range from 4.52mAOD to the east of the site to 5.03mAOD to the west of the site.

The FRA states that in all the current flood events the river would not flood, but that once climate change is applied to the flood levels then the design flood and extreme flood events would remain in banks for most of the length of the river with localised flooding to the north of the bend in the watercourse (point B). A plan showing the area of flood zones superimposed on the proposed development should be provided for each of the flood events.

The FRA states that the floor levels of the proposed buildings is to be 5.21mAOD which is 300mm above the 1 in 100 year flood level, and 190mm above the extreme 1 in 1000 year flood level including climate change. Safe refuge will therefore be available within the development in all flood events. The FRA also states that safe dry access will be available in all flood events so the occupants should remain safe.

The FRA should demonstrate whether any building or land raising will take place below the 1 in 100 year flood level including climate change, and therefore whether any compensatory flood storage is required to ensure no increase in offsite flood risk. If compensatory flood storage is required then details of the volumes required and the locations where it will be provided should be included within the flood risk assessment.

Note to LPA – Sequential Test

PPS 25 requires that development within flood zones 2 or 3 passes the sequential test which considers whether there are any other reasonably available sites which are at a lower flood risk where the development could be sited.

In applying the sequential test, your Authority may wish to consider the information within the detailed plan requested above which should show both the location of the flood zones and the proposed development. Once this has been submitted, we will be able to provide further comments on this issue.

Advice to LPA – flood modelling

Flood Risk modelling undertaken by a third party has been used in the support of this application and the Environment Agency has applied a risk based approach to the assessment of this model. The Environment Agency has not undertaken a full

assessment of the fitness for purpose of the modelling and can accept no liability for any errors or inadequacies in the model.

Advice to applicant – Flood Defence Consent

Any culverting or works affecting the flow of a watercourse will require the prior written Consent of either the Broads IDB or the Environment Agency, under the terms of the Land Drainage Act 1991. The IDB should be contacted in the first instance. If they do not wish to issue the consent then please contact the Environment Agency. The Environment Agency resists the piping of watercourses on nature conservation and flood risk grounds and consent for such works will not normally be granted except for access crossings.

Please note, should you be minded to grant planning permission contrary to our objection please re-consult us to allow further comments/representations to be made.

Should the above objection be overcome, the following comments would apply:

Foul Drainage

We note that within paragraph 3.5 of their pre-development report (dated 13 July 2011 and referenced 1006/PA34(002) Anglian Water confirm that there is sufficient capacity within the foul water sewer to serve this development. Within their e-mail of the 1 September 2011 they also confirm that there is sufficient capacity at the waste water treatment works to accommodate 100 dwellings.

We recommend that Anglian Water are consulted on this planning application. It should be confirmed whether the advice referenced above remains valid. We also note that this application proposes 105 dwellings. It should therefore be confirmed that they have sufficient flow capacity at the waste water treatment works to treat the flows from 105 dwellings.

Any additional infrastructure required for example a new pumping station should be adopted by Anglian Water as soon as possible after completion to ensure ongoing maintenance.

Should Anglian Water confirm that there is not sufficient flow capacity at the works, we would wish to be re-consulted to allow further comments/representations to be made.

Land Contamination

We refer to the following documents prepared by HGE Ltd for the above site, provided in support of the planning application:

- “Desk Study” (reference GN11626DS, dated February 2007);
- “Preliminary Site Investigation” (reference GN11626PSI, dated September 2007);
- “Site investigation” (reference GN11626SI, dated February 2008);
- Letter report on appraisal of lead contamination (reference PP/GN11626LetRep, dated 28th February 2008); and
- Letter to South Norfolk Environmental Health concerning documents relating to contaminated land assessments undertaken (reference GN16119/CLOlet,

dated 30th September 2011).

We have previously received and reviewed copies of the Desk Study, Preliminary Site Investigation and Site Investigation documents provided, and in that regard our response to the most recent "Site Investigation" (2008) report previously received was as follows:

1. The report states that elevated levels of phenols and ammoniacal nitrogen recorded from TP101 are not thought to be representative of groundwater conditions because of an incorrect sampling method. However, we would expect that this area be re-sampled to demonstrate that the readings are indeed atypical, otherwise further consideration is required. With regard to arsenic within the groundwater it is of our opinion that levels recorded are unlikely to be of concern regarding contamination of controlled waters.

2. It is apparent that chemical analysis has identified elevated levels of hydrocarbons and PAH in soils across the site. Of primary concern are readings recorded within TP107 and TP108, south of the oldest malt house building. We would recommend that remediation be carried out in all three zones proposed (A, B and C) including along the former railway land (zone A). We would further advise that following site clearance, inspection and validation sampling of areas of reduced level and remedial excavations should be undertaken, supported by field and laboratory assessment. This should provide confidence that any residual levels of contaminants do not pose a significant risk to controlled waters, else further remediation is required.

3. We await results of the chemical analyses for lead from HDTP102 and HDTP103 in the vicinity of TP5. If elevated levels have been recorded we would suggest that this area is also remediated.

We look forward to reviewing the remediation method statement in due course.

Although comment 3. has now been addressed by the information provided in "Letter report on appraisal of lead contamination (reference PP/GN11626LetRep, dated 28th February 2008)", that has not identified any significantly elevated levels of lead that are likely to pose a risk to controlled waters, we have not previously received any further information in respect of the other comments. It is also indicated in the "Letter to South Norfolk Environmental Health concerning documents relating to contaminated land assessments undertaken. (reference GN16119/CLOlet, dated 30th September 2011)", that further investigation and assessment of contamination at the site is required to determine the requirement for any remediation in that regard.

The site is located on superficial deposits of Sand and Gravel, designated as Secondary A Aquifer, overlying Crag bedrock of Sand, designated as Principal Aquifer, is within a Groundwater Source Protection Zone 3, has a surface water course running through it, and groundwater is likely to be present at a shallow depth. Therefore, to ensure our previous comments concerning the investigations undertaken thus far are suitably addressed, and the site is subject to adequate investigation, assessment and remediation as may be necessary for the protection of controlled waters the following conditions should be appended to any planning permission granted:

Condition

Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in

writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified;
 - a. all previous uses;
 - b. potential contaminants associated with those uses;
 - c. a conceptual model of the site indicating sources, pathways and receptors;
 - d. potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To ensure that the proposed development does not cause pollution of Controlled Waters and that development complies with approved details in the interests of protection of Controlled Waters.

Informative/ advice to LPA

This condition has been recommended as the Environment Agency is satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing.

In line with the advice given in PPS23 we understand that the authority must decide whether to obtain such information prior to determining the application or as a condition of the permission. Should the LPA decide to obtain the necessary information under condition we would request that this condition is applied.

Condition

Prior to [commencement of development]/ [occupation of any part of the permitted development], a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason

To ensure that the proposed development does not cause pollution of Controlled Waters and that development complies with approved details in the interests of protection of Controlled Waters.

Condition

Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

Reason

To ensure that the proposed development does not cause pollution of Controlled Waters and that development complies with approved details in the interests of protection of Controlled Waters.

Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason

To ensure that the proposed development does not cause pollution of Controlled Waters and that development complies with approved details in the interests of protection of Controlled Waters.

Pollution Control

The applicant should be made aware of the following:

Any clean surface waters from roofs can be discharged via SUDs to the nearby watercourse. Any surface water from areas which may be contaminated, mainly consisting of the car park and roads, should first be passed through a class 1 interceptor before discharging to a watercourse.

Further guidance is available within our Pollution Prevention Guidance notes (<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>). In particular we refer the applicant to PPG 3 (for advice when deciding on an interceptor), PPG 5 (for advice when developing sites near to a watercourse) and PPG 6 (for advice regarding pollution prevention at the site).

The developer will be required to produce a Site Waste Management Plan which should be available for inspection if requested. It would be best to use a pre-determined template to ensure that all the correct information is provided. Any waste arising from the development should only be handled by a registered waste carrier and all wastes should be sent to a permitted facility.

For further advice on these issues, please contact Rachel Storr, Environment Officer, on 01473 706591.

Sustainable Construction

With new information becoming available on the impacts of climate change it is important that the new development is carried out in as sustainable manner as possible.

Energy and resource efficiency

Development should also seek to minimise the use of resources and the production of waste by incorporating, for example, passive systems using natural light, air movement and thermal mass, as well as using energy produced from renewable sources.

We would also advise that as part of any landscaping proposals thought is given to maximise potential ecological enhancement. Issues that should be considered include the planting of only native species and use of low intensity/ time of year mowing regimes. Green/brown roofs and walls may also be considered. As well as providing additional invertebrate and bird habitats, they can contribute to increasing the energy efficiency of buildings and assist in attenuating rain water flow.

Further information on sustainable development measures that could be implemented can be found in the Communities and Local Government publication, 'Code for Sustainable Homes'.

Water efficiency

Due to water pressures in the region we consider it is particularly important that water efficiency measures are incorporated into this scheme. The applicant should consider the use of water efficient systems and fittings such as dual-flush toilets; water butts; water-saving taps and showers; and appliances with the highest water efficiency rating as a minimum. Greywater recycling and rainwater harvesting should also be considered where appropriate.

Any submitted scheme should include detailed information (capacities, consumption rates, etc) on proposed water saving measures. Applicants are advised to refer to the following for further guidance:

<http://www.environment-agency.gov.uk/business/sectors/32715.aspx>,
<http://www.water-efficient-buildings.org.uk/> and
<http://www.savewatersavemoney.co.uk/>.

In light of the above comments, we suggest that your Authority considers appending a suitably worded condition to any planning permission granted which includes the issue of water efficiency.

Water Framework Directive

The WFD requires us and co-deliverers of the Directive, such as Local Authorities, to ensure that there is no deterioration in river quality in terms of water quality, ecology or hydromorphology (river flows or physical structure) and also for water bodies to improve to 'Good' status. It should be ensured that this development does not cause harm to the quality of the water environment. Wherever possible enhancements, through the development of the site should be sought.

From the plans submitted, it would appear that it is the developer's intention for the watercourse to be retained as a positive feature within the development. We would support any proposals which would aid this objective and help to ensure that the watercourse is not harmed, through both the construction and operational phases of the development.

We trust that the above comments are useful to you. Should you wish to discuss our comments further, please contact me on the number given below.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'J Bowden'.

Miss Jessica Bowden
Planning Liaison Officer

Direct dial 01473 706008

Direct fax 01473 271320

Direct e-mail jessica.bowden@environment-agency.gov.uk

cc P J Livesey Group Ltd



F.A.O. Ms A Macnab
 Broads Authority
 Planning & Development
 2 (Dragonfly House) Gilders Way
 Norwich
 Norfolk
 NR3 1UB

Our ref: AE/2012/114023/03-L01
Your ref: BA/2012/0005/FUL
Date: 05 April 2012

Dear Madam

PROPOSAL TO CREATE 92 HOUSES AND 13 RESIDENTIAL APARTMENTS WITH 216 CAR PARKING SPACES ALL BUILDINGS AND ANCILLARY STRUCTURES ON THE NORTH SIDE OF ALMA BECK TO BE DEMOLISHED WITH THE ORIGINAL SILK MILL BUILDING TO BE RETAINED AND CONVERTED. THE MALTINGS, PIRNHOW STREET, DITCHINGHAM, BUNGAY.

Thank you for your e-mail dated 29 March 2012. We have also received e-mails, both dated 29 March, from Cannon Consulting Engineers.

After careful review of the additional information submitted, we can confirm that we are able to remove our objection to this application on the grounds of flood risk subject to the conditions set out below being appended to any planning permission granted. We wish to provide the following comments:

Sequential Test

We note from your e-mail that you have applied the Sequential Test to this application and that you consider this application to pass the Test. You should ensure that you are satisfied that there are no other reasonably available sites which are at a lower flood risk where the development could be located. You should also ensure that you are satisfied that the Sequential Approach has been appropriately applied on site.

Flood Risk Assessment

We advise that the proposed development will only be acceptable if the following measures as detailed in the documents set out below are implemented and secured by way of planning conditions on any planning permission granted:

- Flood Risk Assessment (FRA) by Cannon Consulting Engineers dated March 2012 and referenced CCE/B572/FRA-Rev01
- two supplementary emails and attached information from Cannon Consulting Engineers dated 29/03/2012. and entitled 'Planning Application

Condition

The development shall be constructed with a minimum finished floor level of 5.21mAOD.

Reason

To ensure that the development remains dry in the event of flooding for the adequate protection of the occupants.

Condition

Details of the volumes of flood storage removed and provided, on a level for level basis, along with detailed plans and cross sections showing the location of the compensatory flood storage on the site for a 1 in 100 year flood including climate change shall be submitted and agreed in writing, and the compensatory flood storage area shall be excavated prior to commencement of any built development.

Reason

To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

Condition

A surface water drainage scheme, shall be implemented in accordance with the revised FRA and appendices; dated March 2012 and referenced CCE/B572/FRA-Rev01 by Cannon Consulting Engineers. The scheme shall ensure that surface water run-off does not exceed the greenfield run-off rate. The scheme shall also ensure that storage shall be provided on the development site for the volume of surface water produced up to the 1% annual probability of occurrence rainfall event (including allowances for climate change as stated in Table B.2 of PPS25). The scheme shall be completed before occupancy of any part of the proposed development. The following scheme details shall be submitted and agreed in writing prior to commencement of development:

- Plans, with finished site levels marked on, which show the route that flooding surface water would take from each storage structure in the event of high river levels and a surcharged outfall, along with details and drawings demonstrating that the flow would be contained within the preferred route and will not flood any buildings.
- Plans and details of the pipe network, and calculations to demonstrate that the network would not flood in the peak duration 1 in 30 year rainfall event, and calculations to detail any volumes of flooding in the peak duration 1 in 100 year rainfall event including climate change.
- Plans showing the location of any flooding pipes, and details of where the water would be stored on site to prevent any flowing into the watercourse or flooding buildings.
- Details of who would adopt and maintain the surface water drainage system for the lifetime of the development along with a maintenance schedule to detail the proposed frequency of each maintenance action.

Reason

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

Technical Explanation

We previously objected on the grounds of insufficient information on the surface water drainage scheme and the compensatory flood storage. Further information has been submitted to address these issues. The information is sufficient to demonstrate the acceptability of the principle of the proposed measures in enough detail to enable us to recommend that conditions on surface water drainage and compensatory storage are appended to the planning permission (if granted). The following sets out our comments on the information submitted:

Surface Water Drainage

An email from Cannon Consulting Engineers dated 29/03/2012, and attached surface water calculations was received as supplementary information. This addressed our previous objections. We previously asked for clarification on the reasons for the equal division of outfall rates between the unequal areas of the site. The email has clarified this and we consider the reasoning to be acceptable.

We previously requested that the outfalls are modelled as surcharged since the watercourse is at risk of flooding. The email states that it is considered that the chance of the watercourse flooding and the chance of heavy rainfall on the site which causes a large surface water event are mutually exclusive and not linked at all, so the risk of both occurring at the same time is very low. We consider that the two events could be linked so the risk may not be as low as is stated.

The outfalls have been modelled as not draining, and the system has been modelled to see how the surface water from the site would drain. This shows that the water would percolate back through the permeable surfaces and flow into the watercourse at rates from each area which range between 3.7 l/s to 8.8 l/s. The IDB should confirm whether they would accept such rates of additional surface water flows entering the watercourse in the event of a flood within the watercourse. The FRA shows that the rates are comparable to the existing runoff rates from the impermeable areas of the existing site in the 15 minute storm, so should not increase flood risk above the existing.

The email has not clarified whether the flooding surface water would flow through paths and roads to reach the river and how it would be ensured that no properties would be affected by the flows. The plan of the proposed surface water scheme shows that the pipes are located in areas of open space and roads so, providing that the land above the pipes naturally slopes in the direction of the pipe falls, then the surface water should flow through open spaces and roads to reach the river and so not cause any risk of properties flooding. At the detailed design stage, the flow paths would need to be detailed on a plan showing the future site levels, and it would need to be demonstrated that the predicted flows would be able to be contained in these flow paths and not flow elsewhere or flood properties.

The email details that the make up of the pipe networks will be provided at the detailed design stage so this information should be included as a condition on any planning permission granted.

Compensatory Flood Storage

The email and plan from Cannon Consulting Engineers shows the areas of flood storage being lost, and at what levels, and then details how these areas would be

compensated by lowering areas of land downstream, at the equivalent flood levels.

Further cross-section and volume details will be required at the discharge of conditions stage.

We trust that the above comments are useful. Should you have any further queries, please contact either myself on the number given below or Sarah Palmer, Development and Flood Risk Engineer, on 01473 706721.

Yours faithfully

A handwritten signature in black ink, appearing to read 'J Bowden'.

Miss Jessica Bowden
Planning Liaison Officer

Direct dial 01473 706008

Direct fax 01473 271320

Direct e-mail jessica.bowden@environment-agency.gov.uk

cc P J Livesey Group Ltd



Environment, Transport, Development
County Hall
Martineau Lane
Norwich
NR1 2SG

Mrs A Macnab
Broads Authority
Dragonfly House
2 Gilders Way
NORWICH
NR3 1UB

NCC general enquiries: 0344 800 8020
Textphone: 0344 800 8011

cc Mr T Tomkinson CC

Your Ref: BA/2012/0005/FUL
Date: 29 March 2012

My Ref: ETD9/8/12/0005
Tel No.: 01603 223273
Email: mike.rayner@norfolk.gov.uk

Dear Mrs Macnab

**Proposal to create 92 house and 13 apartments with 216 parking spaces etc
The Maltings Pirnhow Street Ditchingham**

Thank you for your consultation.

This site is subject of a planning permission, partially implemented, relating to the conversion of the maltings to 64 sheltered apartments and the silkmill to 54 residential units. This application seeks to substitute 54 residential units for the permitted sheltered accommodation.

The site is bounded on all sides by highways with the principal accesses being taken from Pirnhow Street, and a further one utilising an existing access to Ditchingham Dam. It is considered that whilst some local journeys may travel south along Pirnhow Street, the majority of movements will access the wider highway network via the A143 roundabout abutting the north-east corner of the site. Consequently, it is considered that there is no need for the introduction of mitigation measures in Pirnhow Street as suggested by one consultee, particularly as the highway alignment and the bridges on the County boundary have a calming effect. The suggestion that a mini roundabout be provided at the Ditchingham Dam/Pirnhow Street junction is considered inappropriate since, for such a feature to operate safely, there needs to be equal traffic flows on each arm. The characteristics, here, tend to have a calming effect on traffic.

The site is well related for walking and cycling into Bungay, along Ditchingham Dam, and to Ditchingham via Alma Bridge and existing crossing facilities on the A143 by the junction with Yarmouth/Station Roads. The nearest bus stops are in Hollow Hill Road and Loddon Road.

The traffic generated by the development permitted, under E97/01/1384/F, has been accepted as not having a material impact upon the operation of the surrounding highway

Continued.../

network and the study, updated for this application, predicts a similar outcome, which the Highway Authority accepts.

If your Committee resolves to grant consent, please include the following conditions:

SHC 08 Prior to the first occupation of the development hereby permitted the vehicular accesses shall be provided and thereafter retained at the positions shown on the approved plan (drawing number 096-00-1001A) in accordance with a construction specification to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

SHC 20 Prior to the first occupation of the development hereby permitted the visibility splays indicated on the approved plan (drawing number B572 Figure 3) shall be provided to each side of the accesses where they meet the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

SHC 24 Prior to the first occupation of the development hereby permitted the proposed on-site car and cycle parking, servicing, loading, unloading and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for these specific uses.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

SHC 28 Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off-street parking during construction in the interests of highway safety.

SHC 29A Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to

Continued.../

and approved in writing with the Local Planning Authority in consultation with Norfolk County Council as Highway Authority, together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

SHC 29B For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interests of maintaining highway efficiency and safety.

SHC 30A No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To prevent extraneous material being deposited on the highway.

SHC 30B For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided referred to in Part A.

Reason To prevent extraneous material being deposited on the highway

SHC 39A Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway improvement works as indicated on drawing number B572 Figure 3 have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

SHC 39B Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed.

Inf. 1 It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway

Continued.../

Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich. Please contact Mike Rayner tel 01603 223273 or mike.rayner@norfolk.gov.uk.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

If required, street furniture will need to be repositioned at the Applicants own expense.

I hope this is of assistance.

Yours sincerely

MDR

Engineer Highways Development management
For Director of Environment, Transport and Development



Environment, Transport, Development
County Hall
Martineau Lane
Norwich
NR1 2SG

NCC general enquiries: 0344 800 8020

Textphone: 0344 800 8011

cc J Blackwell – Children's Services

cc T Prince – Children's Services

cc J Walker – Cultural Services

cc A Macnab – Broads Authority

cc P Bond – Norfolk Fire Service

cc M Tracey - ETD

Please ask for: Laura Waters

Date: 10 February 2012

My Ref:

P.DEV.1.08.03

Tel No.:

01603 222731

Email:

laura.waters@norfolk.gov.uk

Dear Mrs Macnab

Planning Obligations: Proposed Residential Development

The Maltings, Ditchingham, Bungay

Application No. BA/2012/0005/FUL

Thank you for consulting the County Council on the potential infrastructure, service and amenity requirements arising from this proposal.

The comments attached are made "without prejudice" and are an officer-level response to your consultation. The contributions sought are based on 105 dwellings.

It should be noted that the attached comments are only valid for six months from the above letter date and therefore the County Council would expect to be re-consulted if the proposal is not determined in this period. The contribution figures are given on the basis that they will be index linked from the time the application is determined by committee in order to maintain their value in real terms.

The infrastructure, service and amenity requirements arising from new development are set out in the County Council's adopted Planning Obligations Standards. The County Council would raise an objection if the attached list of requirements were not satisfactorily dealt with in a legal agreement with the applicant.

Continued.../

Potential County Council Planning Obligations - Proposed Housing Development

Address: The Maltings, Ditchingham, Bungay (105 Dwellings)

Application No. BA/2012/0005/FUL

Date: 10 February 2012

Monitoring Charge

The County Council will seek a charge towards the administration of the S106 agreements (i.e. covering monitoring of S106 agreements – undertaking sites visits and chasing up any payments outstanding). The charge will be levied at a rate of £300 per obligation on all schemes involving the phasing of payments. Where the contribution is payable on commencement no monitoring charge will be sought for the particular obligation.

On major strategic housing sites (typically over 1,000 dwellings), a higher charge may be sought to reflect the complexities of the S106 and the additional work involved in monitoring the agreement.

The monitoring charge will be payable on commencement of the development.

Therefore based on the contributions sought below the County Council would be seeking a monitoring charge of **£ 600**. In addition a transport monitoring charge may be sought as part of any legal agreement.

Education

- 1.1 It is understood that the proposed development of 105 dwellings comprises 92 no. multi-bed houses and 13 no. multi-bed flats. The County Council does not seek education contributions associated with 1-bed units and only seeks 50% contributions for multi-bed flats. Therefore in net education terms this represents the equivalent of 99 dwellings, which will generate:

1. Nursery School – 8 children (3 – 5);
2. Primary School – 25 children (5 – 11);
3. High School – 14 children (11 – 16);

- 1.2 The current situation at local schools is as follows:

School	Capacity	Numbers on Roll (Sept 2011)	Spare capacity No. of places
Nursery Provision (3-5)	488	161	+327
Ditchingham Primary School (5- 11)	116	103	+13

library service particularly in relation to library stock, such as books and information technology. This stock is required to increase the capacity of the library. It has been calculated that a development of this scale would require a total contribution of **£6,300** (i.e. £60 per dwelling).

- 3.2 Should you have any queries with the above comments please call John Walker (Cultural Services) on 01603 223900 or email on john.walker@norfolk.gov.uk

Environment

- 4.1 The proposal indicates that the eastern part of the site will be unaffected by the development itself other than to provide a link path. Consideration will need to be given to what type of path and path surface will be provided and how this will be maintained.
- 4.2 Should you have any queries with the above comments please call David Mills on 07774 216882 or email on david.mills@norfolk.gov.uk
- 4.3 The County Council will be seeking £50 per dwelling towards green infrastructure. This is required in order to fund mitigation measures to overcome the impacts arising from the proposal on sensitive habitats in the area. This will fund improvements to the following protected areas, which lie within 2 km of the proposed development:
- CWS 130 Broome Heath
 - CWS 2148 Bath Hills Wood & Vineyard Wood
 - SSSI Broom Heath Pit

The contributions will be used locally to fund the provision of:

- New alternative areas for public access, to reduce pressure on existing semi-natural habitats;
- Buffer habitat adjacent to existing semi-natural habitats and sites;
- Infrastructure in the form of fences or ditches to restrict access to sensitive habitats and sites;
- New habitats to compensate for the indirect loss from this development and the cumulative effects of other proposed and potential development ; and
- Restoration and/or improved management of existing semi-natural habitats in the vicinity.

Total green infrastructure costs = **£5,250**

- 4.4 Should you have any queries with the above comments please call Heidi Thompson on 01603 222773 or email on heidi.thompson@norfolk.gov.uk