

**Application Referred to the Authority for Consultation:**  
**BA/2010/0419/NEIGHB The Deal Ground and Former May Gurney Site,**  
**The Street, Trowse**  
Report by Head of Development Management

<b>Summary:</b>	The Broads Authority has been consulted by Norwich City Council I on an application for mixed use development comprising approximately 680 residential units, plus commercial, retail and restaurant floorspace (Outline)
<b>Recommendation:</b>	There are a number of outstanding issues which need to be addressed, including mitigating the impact on Whitlingham Country Park, improved facilities for increasing recreational access to the water and compensating for habitat loss. Until these issues are addressed and resolved it is not appropriate for the Broads Authority to support the application.

## **1 Background**

- 1.1 In December 2010 a planning application was submitted for the redevelopment of the Deal Ground site, located on the outskirts of Norwich. A mixed-use redevelopment scheme was proposed, comprising approximately 680 residential units, 1200 m<sup>2</sup> of commercial/retail floorspace and 1210 m<sup>2</sup> of restaurant space. The application also included a marina and moorings on the River Wensum frontage and the provision of a bridge with a 10' soffit height over the River Wensum to provide a pedestrian, cycle and service link to land to the north at the Utilities site.
- 1.2 The application site fell within the areas of three separate Local Planning Authorities (LPAs) and the planning application was accordingly submitted to Norwich City Council, South Norfolk Council and the Broads Authority. The Authority would determine the application for the bridge.
- 1.3 In 2011 there were amendments to the application and the marina element and moorings were removed.
- 1.4 In 2012 there were further amendments to the application and the bridge element was removed.
- 1.5 Due to the removal of the bridge, the Broads Authority is no longer a determining authority for part of the planning application. The Broads Authority has, however, been consulted by Norwich City Council on the application which it is determining.

- 1.6 Norwich City Council have identified the site in its Site Allocations Plan for a major residential-led mixed use regeneration. The Policy (R10: The Deal Ground, Trowse) makes it clear that the development of the site will need to take place on a comprehensive basis and be co-ordinated with the development of the May Gurney site to the south and the Utilities site to the north and not prejudice development on either of these sites. It also identifies access as a key constraint to be overcome. Furthermore, the policy identifies that: "...". Development will: "...provide for sustainable accessibility and permeability through the site including ....(c) a bridge connection over the river Wensum to link to the Utilities site, to cater for vehicular traffic including cycles, emergency vehicles, and potentially buses. This should be in place prior to any substantial development of the site; ...". The Site Allocations Plan has been published for pre-submission consultation (Regulation 19) and the consultation closed in October 2012.
- 1.7 In 2012 a separate application was submitted to the Broads Authority for a pedestrian and cycle bridge with a 14' soffit height. This application was validated in February 2013. This application is pending consideration (BA/2011/0404).

## **2 The Site and Surrounding Area**

- 2.1 The application site comprises 19 hectares of land located to the east of Norwich. The site is divided into two parts of which the northern part is the Deal Ground and the south is the former May Gurney Site. Together they comprise 19 hectares of brownfield land.
- 2.2 The Deal Ground comprises 14 hectares and is located to the south of the River Wensum. It is bordered to the east and the south by the River Yare as this meanders up to the head of navigation at Trowse bridge, with Carrow Yacht Club situated at the north-east corner. To the west it is bounded by the railway line, beyond which is the Lafarge Aggregates depot. It is currently vacant.
- 2.3 The former May Gurney site forms the southern part of the application site and covers 5 hectares. This site fronts The Street at Trowse and is bordered to the north and west by the River Yare, which on the west side is at the head of navigation at Trowse bridge. Access to the Deal Ground is through the former May Gurney site, the access from which gives directly on to The Street, Trowse and thence to the roundabout at County Hall. There is planning permission for a mixed-use redevelopment scheme on this part of the site and this includes a bridge to cross the River Yare and access the Deal Ground. The air draft height of this bridge has been set at a minimum of 6'.
- 2.4 To the north of the Deal Ground, on the northern bank of the River Wensum, lies the Utilities site, which is a roughly triangular plot and comprises 12 hectares. Whilst the Utilities Site does not form part of the application site, there has been an aspiration to link this with the Deal Ground site as part of a wider regeneration project for the east of Norwich.

- 2.5 Together, the Deal Ground and Utilities sites have been identified as strategically important and with the potential to provide major mixed use, sustainable development to help to meet the Greater Norwich Development Partnership (GNDP) growth agenda in term of new housing and jobs and to regenerate east Norwich. Both sites suffer from a range of potential constraints, including contamination, access and flood risk and are in fragmented ownership.

### **3 The Planning Application**

- 3.1 The planning application on which the Broads Authority has been consulted is for a mixed use redevelopment comprising the construction of a maximum of 670 residential units (594 on the Deal Ground site and 76 on the May Gurney site), a Local Centre comprising 9 commercial units totalling 1,265 sq m within the May Gurney site, a restaurant dining quarter and a public house comprising 5 commercial units totalling 1,210 sq m within the Deal Ground site, landscaping measures to provide bio-swales, wetland habitats adjacent to the Carrow Abbey Marsh CWS plus access road, pedestrian and cyclist infrastructure.
- 3.2 The built development would be located to the western side of the site, with the eastern part of the site, much of which is a County Wildlife Site, to be retained as open space and to provide flood storage capacity.
- 3.3 The entire 14 hectare site is divided into three separate areas for development, linked by a spine road which would run on a broadly north-south alignment within the western part of the site. The three separate areas are:
- Wensum Riverside: this would be located at the north end of the site, adjacent to the River Wensum and would comprise a range of buildings set broadly in squares along the riverside, with central courtyards and accesses between the blocks. These buildings would be set back between 9m – 15m from the river frontage and would be 5 – 8 storeys in height. This area would accommodate approximately 400 residential units, plus riverside bars and restaurants. The buildings would be taller at the river frontage in order to create a gateway to the urban area beyond, with car parking in the courtyards and at ground level below the buildings where these are elevated. There would also be some terraced houses of 2/3 storey to the south-east part of the site.
  - Marsh Reach: this would be located in the western part of the central area of the site and would comprise terraced housing set along individual roads running perpendicular to the spine road and separated by swales. The buildings would be 2 and 3 storeys in height, of a broadly traditional design and would accommodate approximately 180 units. To the south-east would be an eight storey apartment block, which has been designed to create a landmark in this part of the site, and which would accommodate 24 flats.

- May Gurney: this would be located at the southern end of the site, to the south and east of the River Yare and adjacent to The Street Trowse. It would comprise two-storey buildings set either side of an access road on a north-south alignment. The buildings would comprise commercial and mixed uses on the east side of the main access road frontage, with housing behind this and on the west side totalling approximately 90 new dwellings. This area would link to the remainder of the application site via a fixed vehicular bridge over the River Yare.
- 3.4 In terms of the treatment of the river's edge, this would be softened with planting and a footpath would run parallel to the river. The most recent amendments to the application show mooring pontoons running parallel to the river's edge and vessels moored to these pontoons, however the application documents make no reference to this. Clarification has been sought from the agent as to the status of these drawings and the proposed use of any moorings.
- 3.5 It is noted that the design of the scheme has been driven largely by constraints, including flood risk, the need to protect the County Wildlife Site and contamination.

## **4 Consultation Responses**

- 4.1 Although the Broads Authority is not the determining LPA for this planning application, it has sought the views of key Broads stakeholders on the development in order to be able to consider these in the preparation of the formal response. The views of the stakeholders who have been consulted are as follows:

### **4.2 Broads Society**

- 4.2.1 A large development in this location would be visible not only from Whitlingham Country Park but also from a distance in the low lying landscape.. There are important views to the city from Whitlingham Broad. Further drawings in the form of perspectives or photomontages are required in order to full assess the impact of the larger scale buildings on these views.
- 4.2.2 The taller buildings along the riverside will have a considerable impact when viewed from the water, particularly as there will be an abrupt transition from a comparatively rural landscape to an urban development without any intermediary stage. We would therefore suggest that this consideration be taken into account when the height of the buildings is under consideration.
- 4.2.3 We would also urge that a proportion of moorings provided should be available for public use.

### **4.3 Trowse with Newton Parish Council**

- 4.3.1 Considers that application should be refused. Grounds include uncertainty over long term sustainability of site (including impacts of climate change and

sea level rise), proximity of housing to bad neighbour development (existing minerals site), flood risk, inadequate highways access and capacity, inadequate parking provision, adverse impact on local services (including Trowse Stores) and landscape intrusion.

- 4.3.2 It should be noted that Trowse with Newton Parish Council advise strongly that it is not against the sustainable development of the May Gurney, Deal Ground or Utilities sites, that it recognises the sustainable development agenda set out in the GNDP Joint Core Strategy and that it is not taking a NIMBY stance. However, it considers that there are several elements of this outline proposal that are out of character and fail to mitigate their impact on the community.

4.4 Thorpe St Andrew Town Council

- 4.4.1 No objections. Section 106 funds should be allocated for a ferry crossing to connect the adjacent country park to Thorpe Marshes to enable the development of walks and pedestrian access to the two sites. The proposed new footpaths, cycle ways and pedestrian bridge are welcomed and supported.

4.5 Carrow Yacht Club

- 4.5.1 No objection. Request that their right of way is maintained at all times during the construction of buildings, roads and on completion of the site to allow their members access to the club with boat trailers and at least twice a year, a 60 ton crane

4.6 Whitlingham Charitable Trust

- 4.6.1 Response to original proposal:  
Given its location between the built up edge of Norwich and Whitlingham Country Park the above application will clearly have major implications for the Park. As the body responsible for the stewardship of the Park The Whitlingham Charitable Trust is therefore both surprised and disappointed that, despite the large volume of information supporting this outline application, there appears to have been no attempt to assess its impact on the Country Park. The Trust therefore considers that an impact study should certainly be sought from the applicants before any outline permission is contemplated.
- 4.6.2 In the absence of such an assessment the Trust requests the Council to take full account of the following initial comments on the proposed development.  
General Observations:
- 1a The Trust is aware that the principle of a mixed use development in this location has been accepted by the City Council in its Draft Site Allocations document (January 2011).

- 1b However, Trustees are very concerned that the scale of the proposed development of 680 houses, accommodating an estimated population of 1500, will have a huge effect on the Park. In view of its location adjacent to and with ready access to the Park the development could prejudice our prime objective – of providing for quiet enjoyment for local residents and visitors.

#### Visitor Pressures

- 2a In terms of access, although the application proposes no direct connection to the Park we note that the Design and Access Statement 2.4 (p72) appears to show a cycle access from the north-east corner of the application site to the Park. This must be clarified since such a link would clearly lead to the Country Park becoming an intensively used playground for the 1500 residents of the new housing complex. Even with the more circuitous link from the proposed new housing to the Park - via the planned spine road and Whitlingham Lane – the development is certain to increase substantially the pressures on the Country Park.
- 2b While this concern has been expressed on previous occasions to the City Council in the context of the Connect2 Links & Bridges Project, as well as to the applicants, no commitment has been forthcoming to provide resources to cope with the additional numbers coming to the Park as a result of changes in access. There are already serious deficiencies in the provision of facilities in the Park, which last year attracted nearly 500,000 visitors. Since there is no doubt that development on the scale proposed would add to the management costs and seriously threaten the quality of the country park environment it is essential that any planning permission should be conditional on provision of funding for continuing management costs and for permanent toilet and information facilities.

#### Aesthetic Impacts

- 3a The visual impact of the development on the Country Park will be considerable. At the northern end of the Deal Ground, where the buildings are to step up to 6, 7 & 8 storeys, the new development will face the Park directly across the River Yare. This development will detract from the open rural character of the western end of the park and be visible from much of the Great Broad and the surrounding footpath network.
- 3b The overall massing of the proposed structures adjacent to the River Wensum will also impact on the approach to Norwich by river. Such dense urbanization of the river corridor is inconsistent with the role of the Country Park as “the gateway to the Broads

#### Response to amended proposal:

- that the supporting information failed to include any assessment of the likely impact of the proposed development on Whitlingham Country Park

- that with a population of some 1500 the housing was certain to increase substantially the pressures on the Country Park
- that no commitment has been forthcoming to provide resources to cope with the additional numbers coming to the Park – and any permission should be conditional on provision of funding for extra management costs
- that the visual impact of buildings up to 8 storeys along Wensum Riverside could harm the open character of the Park as well as its role as the “gateway to the Broads”.
- The latest revisions do not appear to address the above issues and the removal of a Wensum bridge from the application is clearly a serious omission.

#### 4.7 Yare Valley Society

- 4.7.1 Objection on grounds of detrimental environmental and visual impact on the County Wildlife Site and the Broads area and overdevelopment in this countryside location. Pleased to note that developers recognise importance of rivers and river valleys for aesthetic, landscape and recreational value; hope that cycle access will get priority.

#### 4.8 Local Residents

- 4.8.1 1 letter of objection on grounds of loss of open land adjacent to the city, inadequate road network and increased traffic generation, inadequate parking provision, design, insufficient capacity in local schools, impact on Trowse village, visual impact from Whitlingham Country Park and flood risk
- 4.8.2 Consultation was undertaken with the following stakeholders, but no response has been received by the Broads Authority, although response may have been sent directly to Norwich City Council:

Norwich Frostbite Sailing Club  
 Yare User Group  
 Norfolk Wildlife Trust  
 Colman Estate  
 County Council Member  
 District Council Member

- 4.9 A report covering the amendments to the proposal – ie the removal of the bridge from the application - was considered by the Navigation Committee in September 2012 and Members raised concerns about piecemeal consideration of the issues resulting from the removal of the bridge element, plus disappointment at the removal of facilities for boaters and the absence of opportunities to improve recreational access to the water.
- 4.10 A further report on the application for the bridge was the subject of a report to the Navigation Committee in February 2013. At that meeting Members asked for further information on the arrangements for the operation of the bridge and expressed concern over the absence of de-masting and other moorings; they

also advised that a public slipway should be provided to increase recreational opportunities.

- 4.11 A report on the outline application for the redevelopment is to be considered by the Navigation Committee on 18 April and the Planning Committee will be updated of the response verbally.

## **5 Assessment**

- 5.1 The Broads Authority is a consultee on this application, which will be determined by Norwich City Council in due course, therefore it is only appropriate to consider those matters which relate to its area and the impact on the Broads. These matters include the proposed uses on the site and their impact; the scale, mass and design of the development; the impact on the river valley and, finally, and any omissions or recommended amendments to the application.
- 5.2 The suitability of the site for the mixed use development proposed is, in policy terms, a matter for the determining LPAs, however it is appropriate for the Broads Authority to consider the likely effect of that use on the Broads and the wider area. The creation of approximately 680 residential units will create a demand for recreational space which, due to the outdoor space constraints associated with the units themselves and the restrictions on access to the wider site due to the CWS designation, is likely to be met in the immediate area by Whitlingham Country Park. Whitlingham Country Park is a facility of significant size, however it serves a wide area and currently operates at capacity (and above at peak times) and facilities such as toilets and catering provision are inadequate for the current visitor numbers. Any significant increase in visitor numbers will exacerbate this shortfall.
- 5.3 It is an accepted principle of planning that a developer should mitigate the off-site impacts of his development, however whilst this matter has been raised consistently with both the developer and Norwich City Council the application does not mention this issue, let alone address it. It is considered that it would not be appropriate for the Broads Authority to support the current application in the absence of a commitment from the developer to contribute to the facilities at Whitlingham Country Park.
- 5.4 In terms of the scale, mass and design of the development, it is acknowledged that the site is former industrial land and re-development in principle of this site is considered appropriate. The scale of the development proposed in terms of footprint to plot ratio is low with a large portion of the site given over to open space in the form of "swales". This approach helps assimilate the scheme visually with the transition to open countryside to the east. The site is a further extension of residential development from the City along the River Wensum and in this respect is on the actual interface between the dense urban grain of the city and the more village feel of the settlement of Trowse which then quickly opens out into the countryside beyond.



- 5.5 The site is separated from recent high density residential development along the river by the industrial complex comprising of the Robinsons and Unilever factory. The industrial site is lower rise than the proposed residential blocks adjacent to the river and they will consequently be both visible and an abrupt contrast from the lower rise mainly boatshed development to the east. It is noted that the buildings define an entrance the city on its eastern approach from the river and also the land at Whitlingham, and in this respect would form a gateway and there is some validity to a bold approach such as this. An alternative approach however, would be to limit the height of the buildings at the east end of the site, including the return to the south, giving a more graduated interface between city and countryside.
- 5.6 The blocks are currently shown at 7/8 storeys making them among some of the tallest anywhere along the riverside in a location fairly remote from others of this height. Clearly these blocks are proposed at this height to maximise the views back over the City and along the Yare valley and the countryside beyond, however the proposed abrupt transition from open countryside to buildings of this height will require very careful consideration at the detailed application stage and it would be wrong not to flag this fact at the outline stage.
- 5.7 It is, however, also accepted that there may be an argument for making a statement architecturally at this transitional point and it may be premature to raise a formal strong objection on these grounds at the outline stage. Clearly a more transitional approach in terms of scale has been adopted elsewhere on the site, namely at the southern interface with Trowse village. If the abrupt change in scale currently indicated on the North side is to be supported then it will require detailed design of the highest quality given the sensitivity of the site in terms of visual impact. It should also be noted that, in terms of footprint the breaks between the buildings, especially those immediately adjacent to the riverside, are welcomed
- 5.8 Overall it is concluded that given the scale and the consequent potential impact it would be premature to make formal comment in advance of the availability of the details of the scheme.
- 5.9 In terms of the effect on the river and the navigation, the development as proposed would have no significant impact, however this is because there are no elements within the scheme that relate directly to the river, other than using it as an attractive backdrop. As noted at 3.4 above, other than in an illustrative drawing there appears to be no reference to or inclusion of any mooring or other water-based recreational provision within the scheme and this is regrettable. Most of the recent riverside development thorough the city has paid scant regard to the opportunities offered by the river, either for private or public recreational use, and this development follows this trend. This is particularly disappointing here as there is an established local offer, including the Outdoor Education Centre, Norwich Rowing Club and Carrow Yacht Club, which demonstrates local demand and this site could have usefully built upon this. It is considered that it would not be appropriate for the

Broads Authority to support the current application in the absence of any facilities to provide and improve recreational access to the water.

- 5.10 Whilst the proposed development would have little impact on the river in its navigation function, in terms of its impact on the riverscape and the role of the river corridor as a habitat, the impacts would be very significant. The proposal would result in the direct loss of quiet river corridor habitat and this would have an adverse effect on species that rely on a semi-natural corridor for foraging such as kingfisher and bats. Furthermore, the development of the 8 storey apartment blocks that directly adjoin the river corridor would urbanise the remainder of the habitat and create a fragmentation and disturbance of the natural river corridor habitat. Overall this would result in isolation of the County Wildlife Site and negative impact on protected species that rely on foraging in undisturbed and linked habitats, such as bats.
- 5.11 There are a number of aspects of the scheme which would in principle be beneficial for bio-diversity, including the creation of swales and the general fen enhancement measures. However, with the uncertainties and risks around the management success and the increased level of disturbance due to the proximity of residential dwellings close to these swales it is considered that they will not be capable of supporting the high level of interest found on the fen and fen habitats in general. This is likely to be either through restrictions on management or through disturbance and fragmentation by access paths. Overall, it is considered that it would not be appropriate for the Broads Authority to support the current application due to the likely adverse impact on bio-diversity and that the developer should consider providing compensatory habitat elsewhere in the river corridor to take account of the losses that cannot be compensated for on the development site.

## **6 Conclusion and Recommendation**

- 6.1 This is a major scheme which would have a significant impact on the immediate area as well as being visible from a number of key locations within this part of the Broads.
- 6.2 There are a number of outstanding issues which need to be addressed, including mitigating the impact on Whitlingham Country Park, improved facilities for increasing recreational access to the water and compensating for habitat loss. Until these issues are addressed and resolved it is not appropriate for the Broads Authority to support the application.

Background papers: Nil

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Appendices: None