

**GREATER NORWICH
LOCAL PLAN
EXAMINATION**

**MATTER 10: HOUSING
ALLOCATIONS**

HEARING STATEMENT

Noble Foods Ltd

8 February 2022

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MATTER 10: HOUSING ALLOCATIONS

Introduction

- 1.1 This Hearing Statement for Matter 10 has been prepared by Carter Jonas on behalf of Noble Foods Ltd to respond to the Inspectors questions for the site allocations. This Statement relates to the allocation at land south of Le Neve Road in Marsham (Ref GNLP2143). Noble Foods Ltd object to this allocation, and has requested that an alternative allocation is made in Marsham at land at Fengate Farm (Ref. GNLP3035). The land at Fengate Farm is adjacent to the settlement boundary for the village, and contains vacant and unused buildings and areas of hardstanding associated with a former poultry unit. The former poultry use ceased in 2011 and the buildings were damaged by fire in early 2020.
- 1.2 Noble Foods Ltd submitted representations to the pre-submission draft Greater Norwich Local Plan (draft GNLP) that address the issues raised in Matter 10 and the allocation at land south of Le Neve Road in Marsham. The relevant Id. numbers for those representations are as follows:
 - Allocation at land south of Le Neve Road Marsham (GNLP2143) – Rep Id. 23566
 - Sustainability Appraisal findings for GNLP2143 and GNLP3035 – Rep Id. 23569
 - Alternative allocation at land at Fengate Farm Marsham (GNLP3035) – Rep Id. 23568
- 1.3 Noble Foods Ltd's representations to draft GNLP were accompanied by a number of technical reports as follows: Heritage Report (Orion Heritage); Landscape Appraisal (FPCR); Access Appraisal (SLR); and Preliminary Ecological Appraisal (The Landscape Partnership). The Heritage Report and Landscape Appraisal include a comparison of the potential impacts from development on the preferred Le Neve Road site and the alternative Fengate Farm site. The Access Appraisal and Ecological Appraisal are focused on the Fengate Farm site, to demonstrate that there are no constraints to development associated with these matters.
- 1.4 The Inspectors Guidance Note (at Paragraphs 16 to 18) explains that omission/alternative sites will not be considered at the examination hearing sessions. However, in the case of Marsham, the Councils have selected a greenfield site as a preferred housing allocation that has adverse impacts on heritage assets and high impacts on landscape character. In comparison, a vacant and unused derelict site (not previously developed land but not a greenfield site either) located on the edge of the village is available for redevelopment, with no significant impacts on heritage assets or landscape character, and no other constraints. As set out below, the decision to identify land south of Le Neve Road as a preferred allocation is not consistent with national policy or policies in draft GNLP. There is an outstanding objection to the Le Neve Road allocation from Historic England because of the adverse impacts on heritage assets, and whilst efforts have been made to agree modifications to address those objections, this does not take into account that a suitable site with no significant impact on heritage assets is available in Marsham; no objections have been raised at any stage of the process by Historic England or the Council's Conservation Officer to development at the Fengate Farm site. In these circumstances it would be unreasonable to ignore the fact that a substantially better site is available in Marsham, which the evidence indicates should be allocated for housing in preference to land off Le Neve Road. It cannot be an acceptable outcome for draft GNLP to contain no strategy for the redevelopment of a vacant and unused derelict site on the edge of Marsham. It is suggested that the site selection process for the preferred allocation in Marsham and the decision to not allocate a vacant and unused derelict site in the village should be assessed in more detail in the hearing

sessions for Matter 10. It is considered that the Inspectors should include a site visit to Marsham as part of the examination process, if not already planned, to view the preferred allocation at le Neve Road but also to view the land at Fengate Farm; Marsham is not a large settlement, the sites are in close proximity to one another, and both sites are accessible via the main vehicular entrance to the village from A140 Norwich Road.

Matter 10 – Housing Allocation

Land South of Le Neve Road in Marsham (GNLP2143)

1. Is the allocation justified and is it supported by the evidence?

- 1.5 No. The allocation is not justified, and the evidence used to support the decision to allocate this site is not robust. The findings and scoring in the Sustainability Appraisal for historic environment objectives for the allocation are not consistent with the assessment methodology. The findings of the site assessment, heritage assessment and landscape commentary for the allocation are not robust. The concerns raised by Historic England about the allocation have not been adequately addressed. The reports prepared for Noble Foods Ltd demonstrate that the allocation would result in adverse impacts on heritage assets and high impacts on landscape character.
- 1.6 The assessment of the site in the Sustainability Appraisal Vol.2 [Doc Ref. A6.2 – see Table 6.4 at pg.83] identified the allocation as having a ‘negligible’ impact on the historic environment objective. Box 4.13 [of Doc Ref A6.2 at pg.47 to 48] provides the assessment methodology and assumptions for SA Objective 13. Historic Environment. The assessment methodology concludes that a development site adjacent to a Grade I Listed Building would permanently alter the setting of the asset and have a major negative impact, and a development site adjacent to a Grade II* or Grade II Listed Building or in close proximity to a Grade I Listed Building would adversely affect the setting of the asset and have a minor negative impact. The allocation is adjacent to the Grade I Listed All Saints Church and within close proximity of Grade II Listed Old Rectory. Therefore, in accordance with the assessment methodology, the allocation should have scored a ‘major negative’ impact for the historic environment objective. The currently identified score for the allocation of ‘negligible’ impact on the historic environment objective is clearly incorrect. It is noted that draft GNLP does not allocate any site that has a ‘major negative’ impact score. If the historic environment objective score for the allocation had been consistent with the assessment methodology then this site would not have been allocated in draft GNLP.
- 1.7 The process and outcome of the assessment of the site is described in the Marsham Booklet [Doc Ref. B1.43]. The Marsham Booklet refers to the findings of the Housing and Economic Land Availability Assessment (HELAA) [Doc Ref. B11]. The methodology for assessing the suitability of sites is provided in Appendix 1 of the Reg.18 HELAA December 2017 [Doc Ref. B11.1]. The site allocation has consistently been scored in the HELAA as ‘green’ for landscape and heritage matters, which cannot be correct and is inconsistent with the assessment criteria in the methodology. The landscape character area for the site is associated with the landscape setting of villages and the setting of churches. The allocation site forms part of the open rural setting of Marsham village and All Saints Church, and there are public footpaths adjacent to and across the site. The allocation site is of high landscape value. It is unlikely that landscape mitigation provided with development could address the visual harm to a site that derives its value from its openness. The allocation site is immediately adjacent to the Grade I Listed All Saints Church, and falls within the setting of that heritage asset. The development at the allocation site would adversely impact the setting and landmark qualities of the

church tower, and any landscape mitigation is unlikely to be able to address the impact on key views of the church tower. It is considered that the scores for the site allocation should be corrected as follows: landscape – ‘red’; and heritage – ‘red’. A corrected ‘red’ score for landscape and heritage matters at the allocation site indicate that it should not be allocated in draft GNLP.

- 1.8 Historic England has objected to the site allocation at all stages of the emerging GNLP process, and raised concerns about the sensitivity of the site in heritage terms and the potential impact of development at the site on multiple heritage assets. At no stage in the process have the Councils taken Historic England’s concerns into account in site selection, and considered for example whether to delete the site allocation because of adverse heritage impacts and replace it with a site that has no significant impact on heritage assets elsewhere in the village (e.g, land at Fengate Farm). The Statement of Common Ground with Historic England [Doc Ref. D4.3] makes it clear that Historic England maintain an objection to the site allocation. It is acknowledged that Historic England has suggested modifications to the policy requirements for the site allocation. However, it is unlikely that development at the site could adequately address the adverse impact on the setting and landmark qualities of the church tower at the Grade I Listed All Saints Church. The suggested strong landscape buffer to the south and east of the site is not consistent with or appropriate for the current open landscape character of the site.
- 1.9 It is noted that there is a heritage statement for the site allocation [Doc Ref. B10.12], but there is no assessment of the impact of the allocation on landscape character.
- 1.10 Noble Foods Ltd instructed consultants to assess the heritage and landscape impacts of the proposed development at land south of Le Neve Road. The Heritage Report (prepared by Orion Heritage) and the Landscape Appraisal (prepared by FPCR) were submitted with representations to draft GNLP (see Rep Id. 23566).
- 1.11 It is concluded in the Heritage Report that development at the site allocation would adversely impact the setting and landmark qualities of the church tower at All Saints Church (Grade I Listed Building), and that even with landscape mitigation measures the proposed development would be perceived in key views of the church. This outcome would be contrary to Paragraphs 20(d), 130(c), 195 and 199 to 202 of the NPPF and would be inconsistent with Policies 2 and 3 of draft GNLP.
- 1.12 It is concluded in the Landscape Appraisal that development at the site allocation would have an unacceptable impact on the character and appearance of the open land that currently forms part of the setting of the village and the church, and it is unlikely that landscape mitigation would address the visual harm. This outcome would be contrary to Paragraphs 20(d), 130(c), and 170(a) of the NPPF and would be inconsistent with Policies 2 and 3 of Draft GNLP.

2. Have the environmental and other constraints to development and the implications for infrastructure been properly assessed and, where necessary, can appropriate mitigation be achieved?

- 1.13 No. As set out above, the heritage and landscape constraints to the allocation have not been properly assessed. The impact on key views of the church tower at the Grade I Listed All Saints Church and views from public footpaths would not be mitigated by landscaping as part of development at the site allocation. It is highly unlikely that an effective landscaping scheme could mitigate the visual harm resulting from development at a site that derives its value from its openness. Therefore, appropriate mitigation measures cannot be achieved to address the heritage and landscape impacts of the allocation.

3. Has the availability, viability and deliverability of the site been robustly assessed?

1.14 No comment

4. Does the evidence support the delivery of the housing units on the expected trajectory? (Document 3.2C)

1.15 No comment

5. Are the detailed policy requirements that would apply to the allocation justified and effective?

1.16 No. Bullet Point No.3, relating to policy requirements for heritage and landscape matters, would not be effective for all the reasons set out above. The site is not appropriate for allocation in draft GNLP, and it would be too late at application stage for Historic England or the Council's Heritage Officer and Landscape Officer to raise concerns about heritage and landscape impacts once the site is allocated.

Alternative Allocation – Land at Fengate Farm in Marsham (GNLP3035)

- 1.17 As set out above, the preferred housing allocation in Marsham at land south of Le Neve Road is not appropriate because of adverse impacts on heritage and landscape matters, and the allocation is not sound because the evidence informing that decision is not robust and development at this site would not be consistent with national policy. If the land south of Le Neve Road was the only or best site available in Marsham then it might be reasonable for the Councils to decide that any adverse impacts might be outweighed by the benefits associated with development. However, a vacant and unused derelict site, which is not greenfield land, is available for redevelopment at the Fengate Farm site in Marsham as an alternative to the preferred allocation. An extract from the Landscape Appraisal is provided in **Appendix 1** shows photographs of the Fengate Farm site, and highlights the current vacant and derelict status of the site.
- 1.18 The Fengate Farm site contains vacant and unused buildings and areas of hardstanding associated with a former poultry unit. The former poultry use ceased in 2011. The buildings were damaged by fire in early 2020. The site is visible from the High Street and neighbouring properties. It is considered that the promoted development at the Fengate Farm site would be consistent with Paragraphs 119, 120(d), and 174(f) of the NPPF, and the environment and homes objectives and Policy 2 of draft GNLP relating to the efficient use of land, and the reuse of vacant, under used and derelict land.
- 1.19 Noble Foods Ltd instructed consultants to assess heritage, landscape, ecological and highway/access impacts of the promoted development at the Fengate Farm site, and these reports were submitted with representations to draft GNLP. The findings of these reports are referred to in the representations to the site assessments for Marsham – see Rep Id. 23568.
- 1.20 The only reasons why the Fengate Farm site was not selected for allocation in draft GNLP was because it was considered by the Council that an access via Fengate is not suitable and that a pedestrian access from the site to the school is unsafe. The submitted Transport Access Appraisal prepared by SLR Consulting addresses these matters. In summary, the main vehicular and pedestrian access to the promoted development would be from Old Norwich Road with the access from Fengate used as an emergency and pedestrian/cycle access. It should be noted that access to the former poultry unit at the site was provided from both Old Norwich Road and Fengate, and both of those access points still exist. As demonstrated in the Appraisal, the proposed main vehicular access would be in accordance with highway design standards, the junction arrangements at Old Norwich

Road/High Street are suitable to accommodate the promoted development, and there are no safety issues at the Old Norwich Road/High Street junction. The most direct pedestrian access to Marsham Primary School from the east is via High Street, but this route lacks pedestrian footways. The Appraisal identified an alternative safe pedestrian route to the school of approximately 650m via Le Neve Road and Wathen Way, which means that pedestrians would not be required to walk in the carriageway – see route on Figure 5-1 in the Appraisal. It is noted that the pedestrian route between the primary school and the preferred allocation at land south of Le Neve Road also uses Le Neve Road and Wathen Way. Therefore, it is concluded that land at Fengate Farm is suitable for residential development, with vehicular access achievable via Old Norwich Road and a safe pedestrian route between the site and the primary school.

- 1.21 It is requested that land at Fengate Farm in Marsham (Policy GNLP3035) is allocated for approximately 35 dwellings. A mix of house types, sizes and tenures would be provided, including affordable housing. The main vehicular and pedestrian access would be via Old Norwich Road, with Fengate providing an emergency and pedestrian/cycle access. A contamination assessment would be required because of the previous uses at the site. The existing area of woodland in the southern part of the site would be retained. The existing trees and hedgerows at the site boundary would be retained and enhanced as part of the promoted development. A substantial landscape buffer would be provided at the northern and eastern boundaries of the site. The promoted development would provide open space and a play area, and subject to need could provide land for allotments.

APPENDICES

Appendix 1: Photographs of Fengate Farm Site



Photo Viewpoint A: Southerly view within the site from the former access off Fengate

Photo Viewpoint A
Date & time of photo: 19 Jan 2021, 09:46
Camera make & model, & sensor format:
Canon EOS 1300D
Horizontal Field of View: 87°
Direction of View: 0°, bearing from North

Printing note: To give the correct viewing distance the sheet
should be printed at a scale of 1:1 on A1. To be viewed at
comfortable arm's length.
Visualisation Type: Type 1
Projection: Cylindrical
Enlargement factor: 100%

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Photo Viewpoint B: Westerly view within the site of the derelict farm buildings



Photo Viewpoint B continued

Photo Viewpoint B
 Date & time of photo: 19 Jan 2021, 09:51
 Camera make & model, & sensor format:
 Canon EOS 1300D
 Horizontal Field of View: 87°
 Direction of View: 0°, bearing from North

Printing note: To give the correct viewing distance the sheet
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 comfortable arm's length.
 Visualisation Type: Type 1
 Projection: Cylindrical
 Enlargement factor: 100%

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Photo Viewpoint C: South westerly view within the site of the derelict farm buildings



Photo Viewpoint C continued

Photo Viewpoint C
Date & time of photo: 19 Jan 2021, 09:53
Camera make & model, & sensor format:
Canon EOS 1300D
Horizontal Field of View: 87°
Direction of View: 0°, bearing from North

Printing note: To give the correct viewing distance the sheet
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comfortable arm's length.
Visualisation Type: Type 1
Project: Cylindrical
Enlargement factor: 100%

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Photo Viewpoint D: Northerly view within the site of the derelict farm buildings



Photo Viewpoint D continued

Photo Viewpoint D
Date & time of photo: 19 Jan 2021, 09:55
Camera make & model, & sensor format:
Canon EOS 1300D
Horizontal Field of View: 87°
Direction of View: 0°, bearing from North

Printing note: To give the correct viewing distance the sheet
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Visualisation Type: Type 1
Projection: Cylindrical
Enlargement factor: 100%

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