

# ACCESS APPRAISAL

## Potential Residential Development Land at Fengate Farm, Marsham

Prepared for: Noble Foods Ltd.  
Client Ref:

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DRAWING

Appendix 01: Planning Application Ref: 20131533 Decision Notice

Appendix 02: Tree Report

Appendix 03: Appeal Ref: APP/K2610/A/14/2223121 Decision Notice

DRAWING

Drawing 01: Indicative Site Access Design

## 1.0 Executive Summary

Noble Foods Ltd. (the Client) is seeking to promote a site known as Fengate Farm in the emerging Greater Norwich Local Plan (Ref: GNLP3035) which has the potential capacity for up to 35 dwellings. The objective is to elevate the Site to a preferred option and draft allocation.

The Site has previously not been considered as suitable for residential development as:

- Proposed access via Fengate was not considered suitable; and
- Pedestrian access to the school is unsafe.

A Site Access Appraisal has been undertaken to consider the suitability of the site and in particular the above two concerns.

Vehicular access is now proposed via Old Norwich Road to the south-east of the site, which junctions with High Street. The access will comprise a 5.5 metre wide access road with a 2 metre wide footway, set perpendicular to the public highway, linking in with the existing transport infrastructure.

The existing highway has been reviewed and it is considered to be suitable for the proposed use, with no adverse accident history apparent.

The most direct access to the Marsham Primary School from the east is via High Street, which lacks pedestrian footways. However, there is an alternative safe access to the school via Le Neve Road and Wathen Way which means that pedestrians would not be required to walk in the carriageway.

Whilst the determined safe route between the school and the proposal site does not reflect the natural pedestrian desire-line, it does demonstrate that a safe route option is available for pupils/parents/guardians which is within a realistic walking distance.

This route could be promoted as part of a Residential Travel Plan which would be developed and implemented upon occupation of any development. There would be opportunities for the Travel Plan authors to partner with the school and other local stakeholders to further promote the safer route and dissuade parents/pupils from using the carriageway.

There may also be scope for highway improvements provided as contribution by legal agreement, which would enhance the safety of all highway users. This could be by means of improved signage or physical measures incorporated into traffic calming arrangements such as at the point of pedestrian crossing from FP31 (Figure 4-7), which could be developed alongside the local highway authority.

On the basis of the above it is concluded that the proposal site 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.

## 2.0 Introduction

SLR Consulting Ltd. (SLR) were appointed by Noble Foods Ltd. (the Client) to provide Transport Consultancy Services relating to a potential residential scheme at Fengate Farm, Marsham.

### 2.1 Background

The Client is seeking to promote a site known as Fengate Farm in the emerging Greater Norwich Local Plan.

In advance of a Regulation 19 consultation, the Client is preparing supporting evidence for the site (Ref: GNLP3035) which has the potential capacity for up to 35 dwellings. The objective will be to elevate the site to a preferred option and draft allocation.

The Fengate Farm site is a now redundant farmyard located close to the centre of the village. However, the Local Plan process does not currently consider the site as suitable for allocation, stating that:

*“The site is not acceptable in highway terms as Fengate Lane is not of a sufficient standard to accommodate development traffic and the junction with the A140 poses a safety concern. The footway connection to Marsham Primary School is not continuous and it is not possible to improve this within the constraints of the highway”.*

The Housing and Economic Land Availability Assessment (HELAA) provides further detail, stating that:

*“...Initial Highways comments indicate that no access could be achieved off Fengate. However, access off Old Norwich Road subject to highway improvements could be an option. In addition, the site is within walking distance to Marsham Primary School, although the High Street is not paved throughout, also bus stop, village hall and local PH nearby”.*

Highways comments advise that:

*“Fengate Lane is not of a sufficient standard to accommodate development traffic – narrow with no footway. Junction with A140 has a safety concern”.*

However, it then states that:

*“Access achievable via Norwich Road but footway connection to school not continuous, not possible to improve appropriately within the constraints of the highway”.*

### 2.2 Discussion with NCC Highways

SLR has engaged with Norfolk County Council Highways to discuss the potential scheme.

A response was received via a Principal Planning Policy Officer representing the Greater Norwich Local Plan Team, who provided the following response:

*“NCC Highways are of the view that a vehicular access from the development via Fengate would not be appropriate as it is not of a sufficient standard to accommodate development traffic. It is acknowledged that access to the site is now proposed to be via Old Norwich Road. Vehicular access from the development via Norwich Road may be feasible but the developer would need to demonstrate that an acceptable, technically compliant and safe layout can be achieved to overcome the concerns raised during the initial assessment of the site.*

*The principal concern regarding this site relates to the lack of achievable safe walking links between the site and the village school. The highway is highly constrained at the High Street and it would not be possible to provide an acceptable footway”.*

## 2.3 Purpose of the Report

The purpose of this Access Appraisal is therefore to assess the options for vehicular and pedestrian access to the Site, demonstrating that the site would have an appropriate means of vehicular access to Old Norwich Road, and that there are acceptable links to the Primary School.



## 3.0 The Site

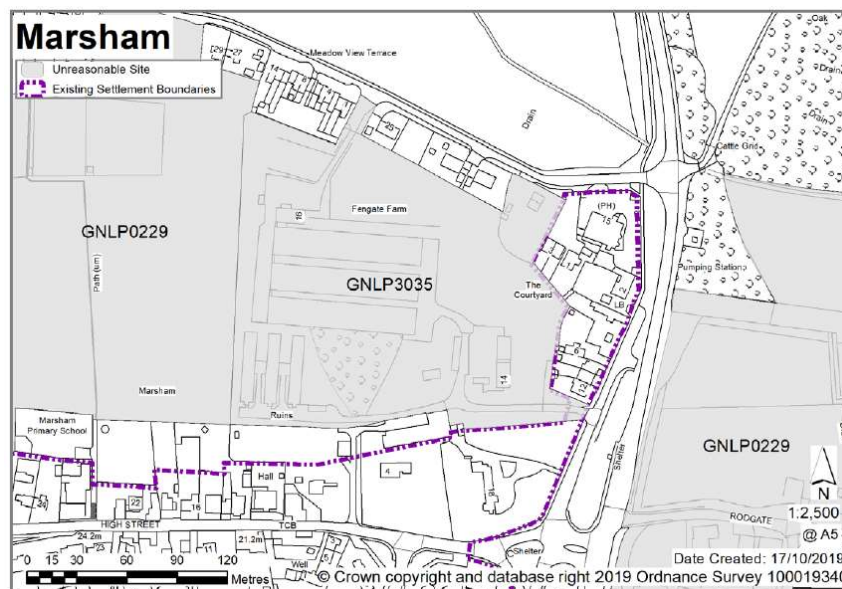
The following section provides a review of the Site as it currently exists and its recent planning history.

### 3.1 Site Location

The Site is located in the village in Marsham, a small village in Norfolk located approximately 11km north of Norwich Airport, and 2.2km south of Aylsham.

The site is located at the northern extents of the settlement envelope although close to the centre of the village. The location is shown within Figure 3-1 which is an extract of the Marsham map from the Greater Norwich Local Plan, where the site is known as GNL3035.

**Figure 3-1  
Site Location**



### 3.2 Existing Site Use

The former poultry unit is now a vacant developed site that is available for redevelopment. Currently the Site generates no vehicular traffic.

The buildings have been damaged by fire and are due to be demolished, and so they will not be reused for agricultural purposes.

### 3.3 Existing Site Access Arrangements

There are two points of access to the site.

The existing primary access is to the north served off Fengate.

The existing secondary access is to the south-east served off Old Norwich Road.

## 3.4 Site History

### 3.4.1 Proposed Residential Development (2013)

A planning application for residential development of the site was submitted in 2013. Access was proposed at the south east of the site, via an access served off Old Norwich Road (Broadland District Council application reference 20131533). The planning application was refused, the decision notice is included at **Appendix 01**.

Highways reasons for refusal relate to safe pedestrian linkage from the proposed development to the village, in particular the school, which this report seeks to address. The decision notice also states that the design of the junction with Old Norwich Road is unacceptable as it would result in the removal of a significant tree, which is a large Beech tree located on the southern corner of the entrance.

Attached at **Appendix 02** is the Site Tree Report. The report concludes that:

*'It is possible to retain the suitable existing significant surveyed trees within the site identified for the proposed development. It is possible to complete the construction phase without additional damage/stress being placed upon trees to be retained within the site if guidance detailed in this report, suitable construction methods are used and recommendations contained in BS58537:2012 are followed'.*

The application was later refused at appeal (Appeal Ref: APP/K2610/A/14/2223121). The Appeal Inspector refused the scheme on matters which not associated to access and highways. Attached at **Appendix 03** is the appeal decision notice which indicates that highways matters were not grounds for dismissal.

### 3.4.2 Promotion for GNLP

The site has previously been promoted for inclusion in the Greater Norwich Local Plan (GNLP).

Previously it was considered to be unreasonable based on the following:

*"After careful consideration it is considered unreasonable for allocation as there has been a history of planning refusals in terms of access, visual impact and residential amenity.*

*The site is not acceptable in highway terms as Fengate Lane is not of a sufficient standard to accommodate development traffic and the junction with the A140 poses a safety concern. The footway connection to Marsham Primary School is not continuous and it is not possible to improve this within the constraints of the highway".*

It was stated that Highway Authority comments indicated that no access could be achieved off Fengate Lane. However, access off Old Norwich Road, subject to highway improvements could be an option.

Comments also added that the site is within walking distance to Marsham Primary School, although the High Street is not paved throughout, also bus stop, village hall and local PH nearby.

The Council's latest assessment of the Marsham sites following the reg 18 consultation (January – March 2020) states the following:

*"Need further information from NCC Highways regarding suitability of site access. Look at highway comments made to refused planning application on this site...*

*The previously developed nature of the site is recognised but concerns still remain about vehicular access to the site and pedestrian connectivity to the school. Fengate Lane is not of a sufficient standard to accommodate development traffic and the junction with the A140 poses a safety concern regarding the intensification of traffic accessing onto a corridor of movement.*

*A Transport Statement dated July has been provided. Further discussions have taken place with the highway authority who have commented that the 2013 planning application was subject to a highway*

*holding objection that was not resolved. A subsequent application in 2015 was refused partly due to lack of highway information”.*

## 4.0 Transport Audit

A review of the local highways infrastructure and sustainable transportation options in the vicinity of the application site has been undertaken.

### 4.1 Local Highway Infrastructure

The Site is broadly located off the western edge of the A140 Norwich Road which bisects Marsham, a small village in Norfolk located approximately 11km north of Norwich Airport, 2.2km south of Aylsham.

The local highway infrastructure considered as relevant to the proposals comprises Fengate, to the north of the Site; High Street, to the south; Old Norwich Road, to the south-east; and the A140 Norwich Road, which runs north to south to the east of the site.

All of the roads identified above are discussed individually within the following sub sections.

#### 4.1.1 Fengate

Fengate comprises a rural residential cul-de-sac approximately 445 metres in length running broadly west to east from its junction with the A140 Norwich Road which runs north to south bisecting Marsham. To the west Fengate junctions with a further residential cul-de-sac bearing the same name.

The carriageway is approximately 6.5 metres wide for the first 70 metres bearing west from the A140 Norwich Road junction, beyond this point width reduces substantially to circa 3.5 metres; vehicular speed is restricted to the National Speed Limit.

Pedestrian footway is limited to the wider section of the road, with no provision beyond the 70 metre point and no street lighting is provided.

It is considered that access off Fengate, both for construction and post-development access requirements, is unachievable in context of the magnitude of development under consideration, i.e. circa 35 new dwelling houses.

#### 4.1.2 High Street

Approximately 2.7km in length, High Street runs broadly east to south-west from its junction with the A140 Norwich Road to a junction with Buxton Road.

In context of the proposals, the High Street serves to provide access to Old Norwich Road from the A140.

Figure 4-1 comprises satellite imagery taken from Google Maps and provides an overview of said junction arrangement.

**Figure 4-1**  
**Overview of Junction Arrangement**



Figure 4-2 provides a photograph of High Street at its eastern junction with the A140 Norwich Road.

**Figure 4-2**  
**High Street Junction with A140 Norwich Road**



The High Street/A140 Norwich Road junction has wide parameters sufficient to accommodate vehicular usage associated with residential development traffic and construction related traffic. The junction is lit and has splitter islands and an illuminated bollard. A 30mph speed restriction is introduced at the junction with signage on entry.

The High Street continues eastbound from the A140 junction where the Old Norwich Road forms a cross-roads.

Figure 4-3 provides a photograph of the cross-roads junction from the A140 junction.

**Figure 4-3**  
**Old Norwich Road Junction**



The Old Norwich Road junction has wide parameters and good junction intervisibility. Vehicles in the proximity and were observed as driving within the speed limit at reasonable speeds. Accident data for the junction arrangements has been reviewed at Section 4.4.

High Street comprises a semi-rural thoroughfare, often un-marked and with limited footway or lighting provision. The carriageway is of variable width, though typically in the region of 6-7 metres wide along its length, and vehicular speed is restricted to 30mph.

It is noted that footway along High Street only reaches approximately 145 metres bearing west from its junction with the A140 Norwich Road. Beyond this point pedestrians are required to walk on the highway. Figure 4-4 provides a photograph of High Street with a westbound view from the point where the footway provision ends.

**Figure 4-4**  
**The High Street, View Westbound from Footway**



From this point onwards no footway is present for a distance of approximately 160 metres.

Highway users are warned that pedestrians may be in the carriageway with signage which is visible within the upper left of the above photograph.

Figure 4-5 provides a further photograph of High Street with a westbound view.

**Figure 4-5**  
**The High Street, View Westbound from Footway**



Whilst there is no footway in place, the carriageway is of a width that two vehicles can pass and there is good forward visibility.

Figure 4-6 provides a photograph of Marsham Primary School which is located on the northern side of High Street.

**Figure 4-6**  
**Marsham Primary School**



Yellow school keep clear road markings are provided on the carriageway and a guardrail protects the school stepped access.

The school is also linked by footway to the west and a public footpath to the south which routes through to George Edwards Close and Wathen Way. This is considered in detail within Section 5.3.1.

The Department for Transport (DfT) recorded traffic volumes on High Street at the section where no footways are present (Count Point 807682). The DfT online database states that the Average Annual Daily Traffic (AADT) flow for 2019 was 994 movements of which 5 would be classified as HGV.

#### 4.1.3 Old Norwich Road

Old Norwich Road to the north of High Street currently comprises a residential cul-de-sac approximately 140 metres in length running broadly south to north from a priority junction with High Street. It was the former alignment of the Norwich Road which was bypassed as part of an improvement scheme.

Figure 4-7 provides a photograph of the Old Norwich Road from the High Street.

**Figure 4-7**  
**Old Norwich Road from High Street Junction**



The road has a width of approximately 6 metres with a footway along the western edge. There is a turning head towards the north of the road to allow vehicles to turn and exit in a forward gear.

Figure 4-8 provides a photograph of Old Norwich Road approximately half-way along its length, with a view north.



**Figure 4-8**  
**Old Norwich Road**



Figure 4-9 provides a photograph of Old Norwich Road with a view south.

**Figure 4-9**  
**Old Norwich Road**



#### **4.1.4 A140**

In context of the Site, the A140 runs for approximately 29km between the northern extents of Norwich and a junction with the A149 in the vicinity of Cromer; the A140 passes through Marsham to the east of the Site. It constitutes the sole strategic road as relevant to the Site.

The Department for Transport (DfT) recorded traffic volumes on the A140 approximately 1.75km to the south of the High Street junction (Count Point 16663). The DfT online database states that the Average Annual Daily Traffic (AADT) flow for 2019 was 13,482 movements of which 482 would be classified as HGV.

In the vicinity of the Site, the A140 is known as Norwich Road and presents as a major thoroughfare operating a single lane in either direction with a speed restriction of 50mph. The northbound and southbound lanes are separated by white hatching in the vicinity of the application site.

Figure 4-10 provides a photograph of the A140 through Marsham at the point of the junction with High Street.

**Figure 4-10**  
**A140 Norwich Road**



Pedestrian provision comprises a single footway with adequate lighting provision. The footway flanks the western edge of the carriageway in the vicinity of the application site. At a point approximately 150 metres north from the junction with Fengate, the footway provision ceases on the western side and continues on along the eastern side of the carriageway.

A pedestrian crossing refuge is provided comprising kerbed raised tables with illuminated bollards, and is set within central white hatching.

The A140 Norwich Road is considered suitable to cater for all vehicular usage associated with either construction or post-development traffic.

## 4.2 Sustainable Transport Review

### 4.2.1 General

The following section considers the area surrounding the application site with regards to sustainable transport amenity and permeability, to ascertain whether the application site can be considered to be appropriately and safely accessible by means other than the private car.

It is considered that Marsham has the capacity for sustainable growth in transport terms with several desirable amenities accessible to all residents without the need for private car usage.

The following amenities and services have been identified within Marsham and are easily accessible from the application site: Marsham Village Hall, Marsham Primary School, All Saints Church, the Velocity Strength and Fitness gym, and The Plough Public House. It is also noted that various employment units are located on the Norwich Old Road.

## 4.2.2 Pedestrian

The assessment has considered the accessibility of the Site to local amenities by foot and the quality of the surrounding pedestrian environment.

Pedestrian amenity is of a standard in keeping with the semi-rural nature of Marsham. Footways in the immediate vicinity of the application site are often only provided on one side of the carriageway however they do tend to be of a sufficient width for safe travel, level, and maintained in a good state of repair; street lighting provision is similarly limited in places but is considered to be in keeping with the rural nature of Marsham.

Figure 4-11 provides a photograph of the footway which links Old Norwich Road in with the wider pedestrian network on the High Street.

**Figure 4-11**  
**Old Norwich Road Footways**



To the west of Old Norwich Road a pedestrian crossing location is marked with dropped kerb and tactile paving. Figure 4-12 provides a photograph of the crossing which links in which the footway provided on Le Neve Road and Wathan Way.

**Figure 4-12**  
**High Street Crossing**



To the East, access across the A140 is assisted by a pedestrian refuge island to the north of the High Street junction. The crossing is uncontrolled, it provides dropped kerbs and tactile paving. Figure 4-13 provides a photograph of the crossing.

**Figure 4-13**  
**A140 Pedestrian Crossing**

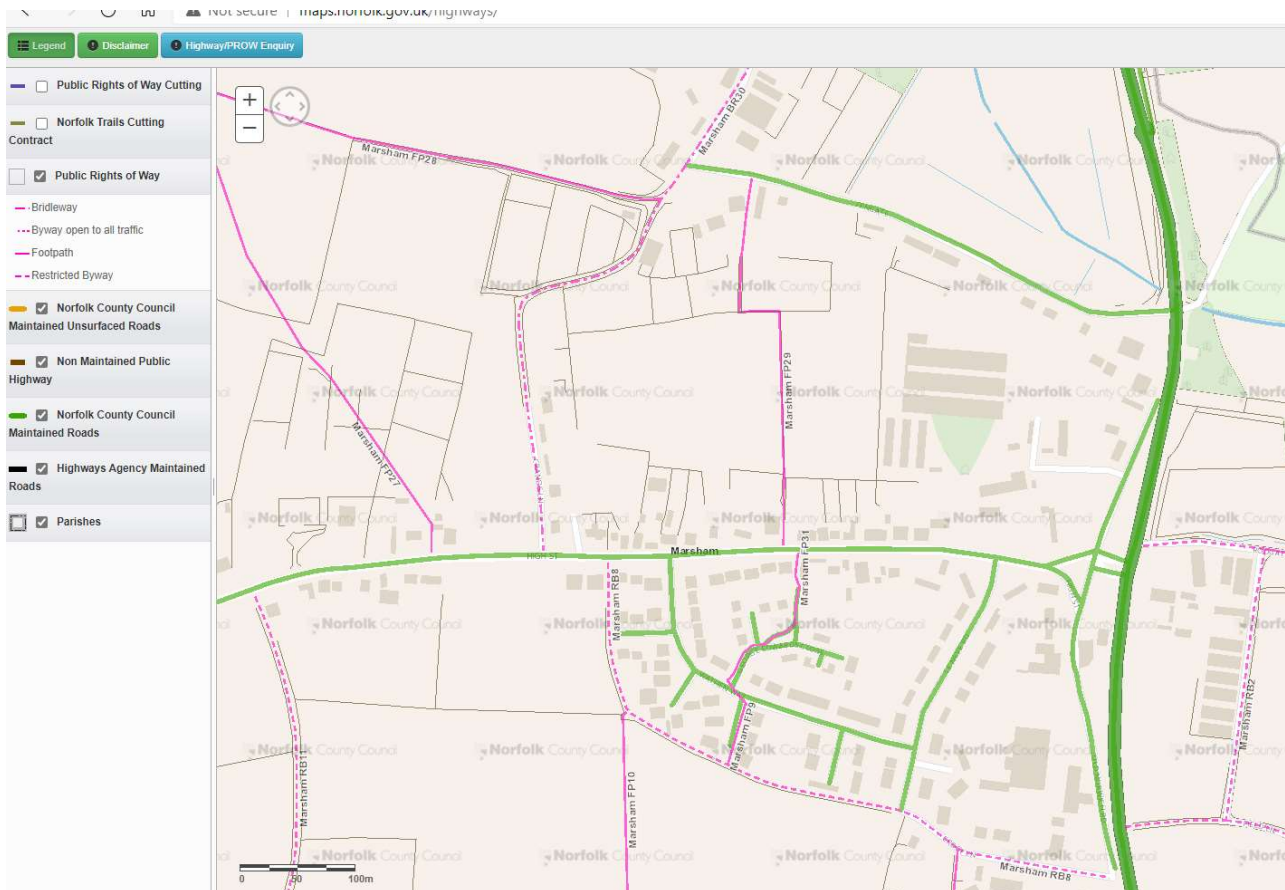


It is noted that footway along High Street only reaches approximately 145 metres bearing west from its junction with the A140 Norwich Road. Beyond this point pedestrians are required to walk within the carriageway. This would be the most direct route to the primary school from the Site. Signage warns drivers that pedestrians may be walking in the carriageway.

## PROW

A review of local Public Rights of Way (PROW) has been undertaken using the interactive map available on Norfolk County Council's website. Figure 4-14 provides a screen shot of the PROW in the area and how they relate to the local highway network.

**Figure 4-14**  
**Public Rights of Way**



Of note is FP31 which routes between High Street and George Edwards Close, providing a link through to the Primary School. Continues northbound from the school is FP29 which provides a route through to Fengate Lane across arable fields.

It is considered that pedestrian infrastructure in the area is of a good standard with footways and street lighting provided in most locations. Whilst there is limited pedestrian provision on High Street, it is noted that there are other routes to access Marsham Primary School which do not require pedestrians to walk in the carriageway.

### 4.2.3 Cycle

In terms of cycle infrastructure, there are no official routes within immediate proximity of the application site, although it is observed in general that the roads are wide enough and have sufficient visibility to safely accommodate cyclists.

It is also reasonable to assume that cyclists using the local highways would equip their cycles with lights and wear appropriate safety gear, e.g. crash helmet, high visibility/reflective clothing.

## 4.3 Public Transport Provision

### 4.3.1 Bus

Bus accessibility is measured by reference to the number and frequency of services available within acceptable walking distance from the site. Acceptable walking distance is considered to be up to 400 metres in the case of accessing bus based public transport. This distance equates to a 5 minute walk time assuming an average walk speed of 80 metres per minute.

The nearest bus stops to the application site are 'The Green' stops which are located on the A140 Norwich Road within circa 50 metres of its junction with High Street. Both stops are situated in close proximity to the site and easily accessible in a walk time of under 1 minute.

The 'adj. The Green' stop which serves northbound services (stop ID: nfodgdtm) benefits from a large brick-built shelter with seating along with a flag-post marker and encased timetable information. A photo of the stop is provided in Figure 4-15.

**Figure 4-15**  
**The 'adj. The Green' Bus Stop**



The 'opp. The Green' stop which caters for southbound services (stop ID: nfodgdtm) also offers a brick-built shelter for waiting passengers along with a mounted bus flag and timetable information. A photo of the southbound stop is provided in Figure 4-16.

**Figure 4-16**  
**The 'opp. The Green' Bus Stop**




The following bus services are available from 'The Green' stops:

- 3** – Wroxham to Aldborough;
- 43** - Norwich City Centre to Reepham;
- 43A** - Norwich City Centre to Aylsham;
- 43B** – Hevingham to Aylsham;
- 44A** – Norwich City College to Sheringham;
- 56** – Easton College to Sheringham; and
- X40/X44** – Norwich City Centre to Sheringham.

The most relevant of the above services, i.e. that which provides a comprehensive service across the entire working week, is the X44 service which operates between Norwich City Centre and Sheringham. A summary of the X44 service is provided in Table 4-1.

**Table 4-1**  
**Summary of X44 Bus Service**

Service Number & Operator	Bus Stop & Stop ID Code	Route	Hours of operation	Approximate Frequency	First & last buses at stop
X44 	adj. The Green nfodgdtm	Norwich City Centre - Sheringham	Mon to Fri	Every 30 mins (approx.)	First bus: 09:10 Last bus: 18:14
			Sat	Every 30 mins (approx.)	First bus: 10:11 Last bus: 18:11
			Sun	Every 60 mins (approx.)	First bus: 10:36 Last bus: 18:33
	opp. The Green nfodgdtm	Sheringham - Norwich City Centre	Mon to Fri	Every 50 mins (approx.)	First bus: 06:39 Last bus: 17:38
			Sat	Every 30 mins (approx.)	First bus: 08:09 Last bus: 17:38
			Sun	Every 60 mins (approx.)	First bus: 09:03 Last bus: 17:23

#### 4.3.2 Rail

The nearest mainline rail station in proximity of the application site is Norwich Rail Station which is located circa 16km south of the site. Whilst it is possible that the station may be accessed via bus, it is considered unlikely that this potential for a multi-modal commute would be utilised for the purposes of a daily travel by residents of the proposed development given the distances involved and likely travel times.

#### 4.4 Road Safety

Accident Data for the local highway network has been obtained from the website [www.crashmap.co.uk](http://www.crashmap.co.uk). CrashMap uses data collected by the police about road traffic crashes occurring on British roads where someone is injured. This data is approved by the National Statistics Authority and reported on by the Department for Transport each year.

The data includes all incidents from 2005 up to the end of 2019 and is updated as soon as the latest data is released by the Department for Transport at the end of September every year.

The information available for each incident states when it happened, at what time of day, how serious the incident was, how many vehicles were involved, how many casualties there were, what type of road it took place on and weather conditions. Casualty severity is classified as fatal, serious or slight, as defined below:

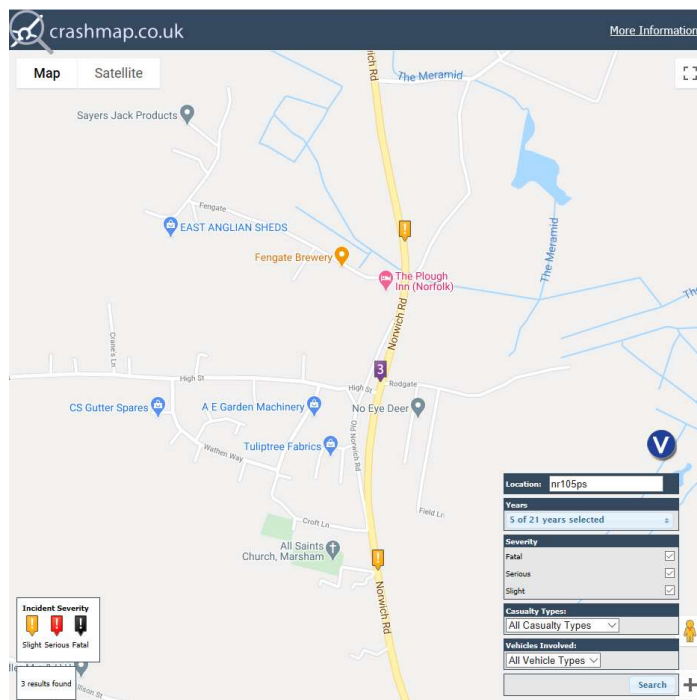
- **fatal** (a crash resulting in a death);
- **serious** (detention in hospital; includes paralysis, fractures and severe lacerations); and
- **slight** (includes whiplash, sprains and minor lacerations).

Whilst the data obtained from the CrashMap website is rudimentary it provides an indication of any trends that have developed in terms of highway safety issues. It is therefore concluded that there are no relevant existing highway safety concerns at or in the proximity of the Site.

Figure 4-17 comprises a screenshot of the results returned by the Crash Map website for the vicinity of the application site.



**Figure 4-17**  
**Screenshot from CrashMap Website**



©CrashMap 2021

The screenshot above shows that five (5) incidents were recorded during the most recent five-year period on the highway within the study area, all of which were recorded on the A140. Three of the incidents occurred at the High Street/A140 junction, one to the north of the junction and one to the south of the junction.

The number of incidents is not considered to be a concern considering the high traffic volume on the A140 and study parameters.

No incidents were recorded on High Street in the proximity of the school or within the area where no footway is provided.

No incidents were recorded at the High Street/Old Norwich Road junction.

As such highway safety is not considered to be an issue in the vicinity, nor is it likely to be adversely affected by the proposals.

## 5.0 Access Design Consideration

### 5.1 Vehicular Traffic Generation Potential

An initial review using the industry standard software TRICS indicates that a 35 dwelling scheme located with the characteristics of the proposal site could generate in the region of 70 arrivals and 70 departures across the day.

During the AM peak period (0800-0900hrs) the data suggests that the site could generate 3 arrivals and 11 departures.

During the PM peak period (1600-1700hrs) the data suggests that the site could generate 3 arrivals and 11 departures.

Upon consideration of the site audit and on-site observations, this level of vehicular traffic is unlikely to cause any junction capacity concerns.

### 5.2 Proposed Site Access

Site access is proposed via Old Norwich Road. The site access is shown within **Drawing 01**.

The proposed access would have a width of 5.5 metres and a 2 metre wide footway, set perpendicular to the public highway for the first 15m.

Junction visibility to the north and south are adequate with a 43 metre splay visible from a 2.4 metre setback. The Indicative Site Access shows the swept-path requirements of a large Refuse Collection Vehicle (RCV) demonstrating that such vehicles could access/egress without any issues.

The Old Norwich Road/High Street junction is considered as appropriate to serve the proposed development with a suitable carriageway width and standard entry/exit radii.

Vehicular movements to/from the site would usually be from/to the east or west. It is very unlikely that vehicles would go straight ahead, where the junction layout would be less favourable.

A review of the accident data indicates that there are no safety issues at the Old Norwich Road junction.

The junctions which facilitate this linkage are considered to be viable to support both construction traffic and post-development traffic to and from the site.

Fengate to the north could provide access on foot/cycle and could also be used as a means for emergency access.

A planning application for residential development of the site was submitted in 2013 where access was proposed via Old Norwich Road (Broadland District Council application reference 20131533. The planning application was refused, the decision notice is included at **Appendix 01**.

The decision notice referred to the unacceptable removal of a significant tree, which is a large Beech tree located on the southern corner of the entrance. However, a Tree Report, attached at **Appendix 02**, has concluded that It is possible to complete the construction phase without additional damage/stress being placed upon trees providing suitable construction methods are used and recommendations contained in BS58537:2012 are followed. Whilst the application was later refused at appeal the scheme was not refused on matters relevant to access and highways.

### 5.3 Sustainable Transport Access

The Site is linked into the surrounding pedestrian infrastructure with a footway at the site access which connects with Old Norwich Road. The Old Norwich Road then links in with wider Marsham providing access on foot to available public transport, facilities and amenities.

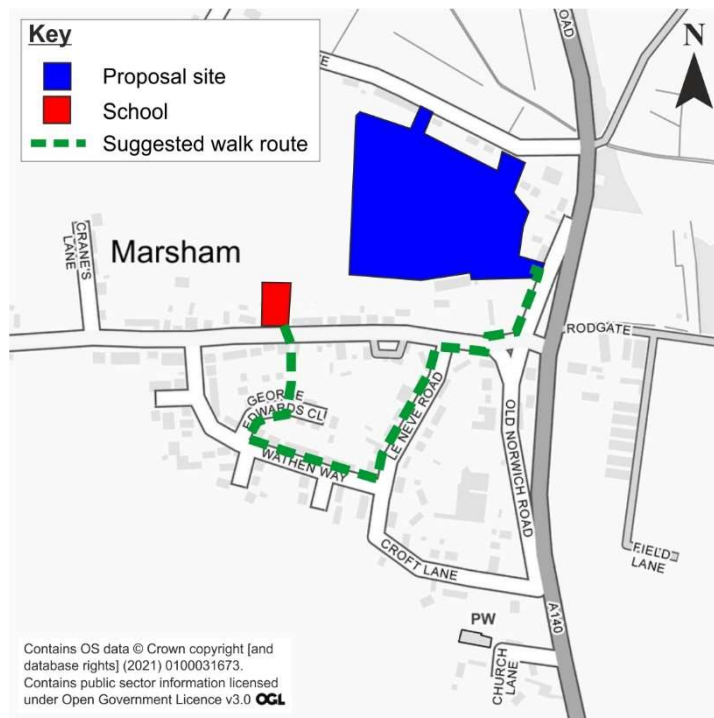
### 5.3.1 Access to the Primary School

The most direct access to the Marsham Primary School from the east is via High Street which, as determined in Section 4, currently lacks footways.

However, it is noted and determined there is an alternative, safe, access route to the school via Le Neve Road and Wathen Way which if used would provide a route to the Primary School from the site without the need for pedestrians to walk in the carriageway.

Figure 5-1 illustrates the route.

**Figure 5-1**  
**Safe Route to School**



The most direct route via High Street would be approximately 325 metres from the site access.

The recommended safer route would be approximately 650 metres from the site access.

Whilst this is a doubling of the distance, it is an increase of approximately 325 metres which, based on an average walking speed of 80 metres per minute, equates to an additional 4 minutes journey time.

The above route therefore presents a safe option for parents and pupils to travel to the school, with only an additional 4 minutes walking time.

This route would be promoted as part of a Residential Travel Plan which would be developed and implemented upon occupation of any development.

The following provides a more detailed consideration of the recommended primary school route, described from the Site to the school.

Pedestrians would route via Old Norwich Road, cross High Street at the crossing point shown at Figure 3-12 and then route south via Le Neve Road a street lit residential road where footway flanks both sides of the carriageway, as shown at Figure 5-2.

**Figure 5-2**  
**Le Neve Road – Northbound View**



From Le Neve Road, pedestrians would turn right onto Wathan Way which also has street lit footway on both sides of the carriageway, shown at Figure 5-3.

**Figure 5-3**  
**Wathan Way Junction – Westbound View**



Continuing westbound/north-westbound pedestrians would approach George Edwards Close via a good standard of street-lit footway, as shown within Figure 5-4.

**Figure 5-4**  
**Approach to George Edwards Close**



Pedestrians would then turn right into George Edwards Close and route via the pedestrian route (FP31) past the playground and through the gate, the pedestrian route is shown within Figure 5-5.

**Figure 5-5**  
**George Edwards Close**



Figure 5-6 shows the gate on the FP31 pedestrian route which is also protected by barriers.

**Figure 5-6**  
**FP31 Gate**



The pedestrian route then meets High Street diagonally opposite the school entrance, where pedestrians would just be required to cross the road to access the primary school. This is understood to be a route through for many exiting school pupils.

Figure 5-7 shows the crossing location between FP31 and the school.

**Figure 5-7**  
**FP31 / High Street Location**



FP31 is understood to be a route through for many exiting school pupils. Whilst the existing situation is considered acceptable and no incidents have been recorded at this location, there may be scope to improve pedestrian crossing, potentially with the integration of a traffic calming feature which would benefit all highway users.

Additionally, rather than cutting through via FP31, pupils/parents could route via the Wathen Way junction, which would add a further 100 metres to the distance.

### **5.3.2 Primary School Access Conclusion**

All residential catchment from the east of the school would be under the same constraints as the proposal site.

A review of the accident data indicates that there have been no incidents within the most recent 5 years available on record. Nevertheless, it is recognised that children walking to school in the carriageway is not optimal.

It is suggested that the above recommended route to the primary school from the east is promoted as part of a Residential Travel Plan developed and implemented upon occupation of any residential development.

There may be opportunities for the Travel Plan authors to partner with the school and other local stakeholders to further promote the safer route and dissuade parents/pupils from using the carriageway.

There may also be scope for highway improvements to be provided as contribution by legal agreement, which would enhance the safety of all users.

This could be by means of improved signage or physical measures incorporated into traffic calming arrangements such as at the point of pedestrian crossing from FP31 (Figure 5-7), which could be developed alongside the local highway authority.

## 6.0 Summary and Conclusion

The Client is seeking to promote a site known as Fengate Farm in the emerging Greater Norwich Local Plan (Ref: GNLP3035) which has the potential capacity for up to 35 dwellings. The objective is to elevate the site to a preferred option and draft allocation.

The Site has previously not been considered as suitable for residential development as:

- Proposed access via Fengate was not considered suitable; and
- Pedestrian access to the school is unsafe.

A Site Access Appraisal has been undertaken to consider the suitability of the sites and in particular the above two concerns.

Access is now proposed via Old Norwich Road to the south-east of the site, which junctions with High Street. The access will comprise a 5.5 metre wide access road and a 2 metre footway which links in with the existing transport infrastructure.

The existing highway has been reviewed and it is considered to be suitable for the proposed use, with no adverse accident history apparent.

The most direct access to the Marsham Primary School from the east is via High Street, which lacks footways. However, there is an alternative safe access to the school via Le Neve Road and Wathen Way which means that pedestrians would not be required to walk in the carriageway. The above route therefore presents a safe option for parents and pupils to travel to the school, with only an additional 4 minutes walking time.

This route would be promoted as part of a Residential Travel Plan which would be developed and implemented upon occupation of any development. There would be opportunities for the Travel Plan authors to partner with the school and other local stakeholders to further promote the safer route and dissuade parents/pupils from using the carriageway.

There may also be scope for highway improvements provided as contribution by legal agreement, which would enhance the safety of all highway users. This could be by means of improved signage or physical measures incorporated into traffic calming arrangements such as at the point of pedestrian crossing from FP31 (Figure 4-7), which could be developed alongside the local highway authority.

On the basis of the above it is concluded that the proposal site is suitable for residential development with safe vehicular and pedestrian access to the primary school.



## APPENDIX 01

### Planning Application 20131533 Decision Notice



www.broadland.gov.uk

Application Number  
20131533



Harrison Pitt Architects  
29 Castle Hill  
Lancaster  
LA1 1YN

**Date Of Decision :** 03 February 2014  
**Development :** Demolition of Existing Poultry Buildings and Erection of 36 No. Dwellings, to Include 7 No. Affordable, Provision of Amenity Space, Allotments, New Vehicular Access and Associated Works  
**Location :** Fengate Farm, Fengate, Marsham, NR10 5QZ  
**Applicant :** Noble Foods Ltd  
**Application Type:** Full Planning

### **Town & Country Planning Act 1990**

The Council in pursuance of powers under this Act **REFUSES PLANNING PERMISSION** for the development referred to above for the following reasons:-

This application has been considered against the National Planning Policy Framework (NPPF) and the development plan for the area, this being the Joint Core Strategy (JCS) 2011 and the Broadland District Local Plan (Replacement) 2006. The policies particularly relevant to the determination of this application are Policies 2, 4 and 16 of the JCS and Policies GS1, GS3, ENV2, ENV5, ENV8, HOU7, TRA4 and TRA14 of the Broadland District Local Plan (Replacement) 2006. The Site Allocations DPD (Preferred Options) is also a material consideration.

The NPPF sets out that the purpose of the planning system is to contribute towards achieving sustainable development and at the core of the NPPF is a presumption in favour of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

Policy 16 of the JCS refers to Marsham as an 'Other Village' in the settlement hierarchy where only infill or small groups of dwellings will be permitted within the defined settlement boundaries. This is because the village has very few local services and is not a sustainable location for significant new development.

Policy GS1 states that new development will normally be accommodated within the settlement limits and outside of these boundaries development would not normally be permitted. Furthermore, Policy HOU7 states that permission for housing outside settlement limits will not normally be given unless the dwelling is connected with agriculture, forestry, organised recreation, tourist facilities or for the expansion of existing institutions. The proposal is clearly outside of the defined settlement limit for Marsham and the dwellings proposed are not for any of the uses defined in Policy HOU7.

In addition the site has been considered in the preparation of the District's Site Allocation Development Plan Document and has not been taken forward as a Preferred Option for future development.

Policy 4 of the JCS sets out the requirements for affordable housing as 33% on sites over 16 dwellings. The application is for 36 dwellings and the Policy therefore requires 12 affordable units, as the application shows seven affordable units it does not comply with the Policy.

New dwellings in this location are therefore an inappropriate form of development in an unsustainable location contrary to the National Planning Policy Framework and to Policies 4 and 16 of the JCS, and GS1 and HOU7 of the Local Plan.

Policy 2 of the JCS and Policy ENV2 of the Local Plan require a high standard of design and it is considered that this is a poor quality scheme which falls short of the expected design quality and this would be to the detriment of the surrounding rural area.

Policies GS3 and ENV2 state that development will not be permitted where it will have an unacceptable affect on the character and appearance of the surrounding countryside. Furthermore, the site lies within a designated Area of Landscape Value (Policy ENV8) where protection is given to its scenic quality. It is considered that the size of the scheme in relation to the small size of Marsham would have an adverse impact on the visual integrity of the surrounding rural area.

In addition Policy GS3 requires residential amenity to be considered. Because of the change in site levels and the contours to the north of the site the proposed layout will have an unacceptable detrimental impact on the amenities of the existing properties due to over-looking and loss of privacy.

The proposal would, therefore, be contrary to Policy 2 of the JCS and Policies GS3, ENV2 and ENV8 of the Local Plan.

Policy TRA4 of the Local Plan states that new development should provide adequate pedestrian access links to local facilities and TRA14 states that development will not be permitted where it would endanger highway safety. The proposal has not adequately demonstrated that there is a safe pedestrian link from the proposed development to the village, in particular the school, as there is a question over land ownership. The design of the junction with Old Norwich Road is unacceptable as it would result in the removal of a significant tree. The proposed development would, therefore, be detrimental to pedestrian and highway safety. For these reasons, the scheme is contrary to Policies TRA4 and TRA14 of the Local Plan and the removal of the tree is contrary to Policy ENV5 which seeks to protect trees and other natural features.

Having regard to all matters raised this application is considered to be an inappropriate form of development and as such is considered to conflict with the National Planning Policy Framework and with Policies 2, 4 and 16 of the Joint Core Strategy and with Policies GS1, GS3, ENV2, ENV5, ENV8, HOU7, TRA4 & TRA14 of the Broadland District Local Plan (Replacement) 2006.

The Local Planning Authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.

Signed

A handwritten signature in black ink, appearing to read 'P. Courtier', written in a cursive style.

Mr P Courtier

Head of Planning

Broadland District Council, Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich,  
NR7 0DU

## **Information relating to appeals against the decision of the Local Planning Authority.**

If you are aggrieved by this decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Any appeal must be made within **6 months** of the date of this notice unless the proposed development is for minor commercial development (shop fronts and similar) in which case any appeal must be made within **12 weeks** of the date of this notice.

However if an enforcement notice has been served for the same or substantially the same development within the period of two years before this application was made, or subsequently, then the period within which an appeal can be lodged is reduced to **28 days** from the date of this decision or 28 days from the serving of the enforcement notice, whichever is the later.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

### **Purchase Notices**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

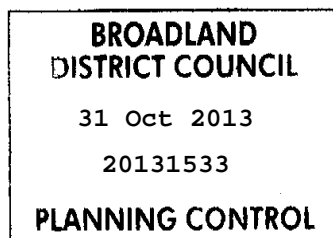
## APPENDIX 02

### Tree Report

Yew Tree and Gardens

Client: Noble Foods Ltd.  
– Fengate Farm, Marsham  
Norwich, Norfolk.

Tree Report for Mixed Development



Prepared by  
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## TREE SURVEY

### 1. Site

#### **a. Site Description**

The survey site comprises of an area of former poultry farm located at Fengate Farm, Fengate, Marsham, Norwich, Norfolk.

This surveyed area consists of areas of mixed hard surfacing, former agricultural buildings and significant sections of unmaintained scrub / weed cover. Tree stock within the site is predominantly located adjacent to the site boundaries with the exception of a small number of self-seeded examples within the central site and groups of Hybrid Cypress forming screening belts. Non-native types predominate within the site with a higher frequency of native species being found adjacent to the site boundaries or off site in adjacent properties.

The site is bounded to the North, East and South by adjacent residential gardens and to the West by agricultural land. See Appendix 1, Appendix 2 and Appendix 3 for detailed tree list, site layout detail and images.

#### **b. Survey Details**

The site was surveyed on 08/10/13, tree heights were estimated via use of clinometer (Suunto PM-5), measurements of DBH taken at 1.5m height and crown spread was taken by ground measurements. The position of trees and crown extents are estimated from site location plan. All images were taken at the date with Samsung S4/Nikon L3. Sun positions were estimated on site via Sun Surveyor software. Weather conditions were bright with light winds.

All surveying of tree stock on the site was carried out visually from the ground only. Where ivy cover was encountered on trees then only limited visual checking of structure and potential defects was possible.

At the time of surveying all trees were recorded on standard tree record sheets, see Appendix 1: Tree Schedule. Trees were surveyed throughout the entire site, detailed individual details were recorded for all significant trees within the existing site. Where larger numbers of smaller trees were encountered in the survey area these are included as a Group record which includes the approximate height range and maximum Diameter at Breast Height (DBH) of trees within the group, these groups are referred to by group i.e. Group 2 (G2).

The surveyed trees are categorized by the standard retention categories as defined in BS5837:2012. Such retention categories seek to inform the design process of trees which may be worthy of consideration for inclusion within the proposed development. All work recommendations relate to trees within the context of the current site layout and usage.

Trees requiring removal to facilitate the proposed development or are unsuitable for retention are indicated in red on the Tree Location Plan and are further identified in the work recommendation section of the Tree Schedule.

## 2. Existing Structures and Proposed Development

### a. Existing Structures

At the time of survey there are a number of permanent structures in the surveyed area, these structures consist of the former poultry farm buildings and associated areas of hard surfacing. A number of domestic dwellings are adjacent to the surveyed site, these adjacent properties have a variety of structures within their gardens which are typical of residential uses.

### b. Proposed Development

The current development proposal undergoing design consideration is for the demolition of the existing agricultural buildings and the subsequent construction of a number of domestic dwellings with associated access routes, allotments, playground, public open space and landscaping.

## 3. Tree Preservation Orders and Conservation Areas

### a. Site Description

The site is not located within a Conservation Area. At the time of the report the central site is not covered by active Tree Preservation Orders.

## 4. Tree Constraints

### a. Overview

The need to survey and report on the condition and useful life expectancy of existing trees is intended to inform the design process and accompany a planning application for the proposed development.

### b. Proposed Development

As can be seen from Appendix 1; Tree Schedule, Appendix 2; Tree Location Plan and Appendix 3: Images; surveyed trees are distributed throughout the site but are predominately located adjacent to the site boundaries.

Trees within the surveyed site can be assigned to a number of areas as follows:

Trees adjacent to the Northern boundary; OST3, OSG2, OSG3.

Trees adjacent to the Eastern boundary; H2, OST2.

Trees adjacent to the Southern boundary; G1, H1/OSG1, G4, G5, OST4

Trees adjacent to the Western boundary; T4, T5, T6, H3

Trees within the central site areas; G2, T1, T3, G3, H4, T7

**4b continued**

**With regards to trees adjacent to the Northern boundary:**

The tree stock within this area is predominantly comprised of garden and ornamental varieties which vary in size from smaller juvenile plantings to established examples.

These tree references are all located off-site within adjacent residential gardens.

Due to the size and location of the surveyed trees in this area and their relative position in relation to the proposed development no influence will be placed upon them by the development and they will be unaffected by it.

Above ground issues are covered in Sections 4c and 6 of this report.  
See Appendix1: Tree Schedule, Appendix2: Tree Location Plan, Appendix3: Images

**With regards to trees adjacent to the Western boundary.**

Again, all surveyed trees within this area are located off-site. As such it should be possible to retain all tree references within any proposed development.

Above ground issues are covered in Sections 4c and 6 of this report.  
See Appendix1: Tree Schedule, Appendix2: Tree Location Plan, Appendix3: Images

**With regards to tree adjacent to the Southern boundary.**

Tree group G1 and hedge group H1 with associated off-site tree group OSG1 are located adjacent to the Southern boundary. Tree group G1 being a group of mature Norway Spruce are likely to require retention in any proposed development to maintain site screening along this boundary. The pre-existing access route in this area coupled with a calculated RPA (Root Protection Area) of 6.0m mean that this group may be successfully retained within any development.

Similarly groups G4 and G5 afford significant site screening along the Southern boundary. Due to their location and calculated RPA's it should be possible to retain these groups within any development. We would suggest that a program of replacement planting and/or a reduction in height of group G4 may be advisable due to their poor form and the potential of this variety for failure in high winds.

Off-site tree OST4 is a mature Beech which is located adjacent to the public highway and the existing site entrance. Due to the presence of existing tarmac surfaces in this area it should be possible to continue the usage of this site access within any development without additional stress being placed upon OST4.

Above ground issues are covered in Sections 4c and 6 of this report.

See Appendix1: Tree Schedule, Appendix2: Tree Location Plan, Appendix3: Images

14/10/2013

#### **4b. continued**

##### **With regards to trees adjacent to the Western boundary**

Tree references along this boundary are of native types and would appear to represent the remaining members of a field hedge boundary. Within this area are two Oaks, T4 and T6, with the latter being a significant tree. Tree reference T5 is most likely to have developed from Elm suckers within hedge line, previous development of these suckers would seem to be following a common pattern of growth followed by decline in semi/early maturity due to *Ophiostoma novo-ulmi* (Dutch Elm Disease).

Above ground issues are covered in Sections 4c and 6 of this report.

See Appendix1: Tree Schedule, Appendix2: Tree Location Plan, Appendix3: Images

##### **With regards to trees within the central site boundary**

With the exception of tree group G3, trees within the central site are either plantings of Hybrid Cypress varieties intended for screening of the existing agricultural buildings (G2, H4) or self-seeded examples which have grown in poor positions amongst the unused buildings (T1, T2, T3). None of these tree references would be suitable for inclusion in a development of the site. Their removal would not represent a significant loss within the immediate or wider landscape.

Tree group G3 is a group of mature Pines, these trees have the potential to contribute to the proposed development in the form of a small woodland group. As such it should be possible to retain the group within the proposed development once having removed any unsuitable or damaged trees within it.

Above ground issues are covered in Sections 4c and 6 of this report.

See Appendix1: Tree Schedule, Appendix2: Tree Location Plan, Appendix3: Images

**c. Existing structures**

As previously noted there are a number of existing structures within the surveyed area, these structures are not currently in use and do not therefore exert an influence upon existing trees within the site or vice versa.

A number of surveyed trees are unsuitable for long term retention irrespective of any proposed development due to a combination of identified defects.

As previously stated in Section 4b of this report, consideration should be given to a reduction in height of group G4 in order to reduce the potential risk of failures within this group in high wind speeds.

All other trees are located at a sufficient distance from structures in adjacent properties and therefore do not require consideration of works within the existing site usage

Recommendations for works and monitoring are contained in Appendix 1: Tree Schedule.

## 5. Tree Constraints – Development

Due to the nature of the proposed development and the location of the surveyed trees it should be possible to retain all suitable surveyed tree references and also ensure protection of same during the construction process.

Tree Protection Fences will be required for the development phase, suggested positions for same are indicated on Appendix 2; Tree Location Plan.

A suitable detailed Method Statement may be required at a future date for any improvement works to the existing surfaces in the proximity of the RPA of OST4, this may adequately be covered by the conditioning of the same during the planning process.

An indicative list of recommended practices during construction phase is listed below:

Once installed tree protection must remain in place and be observed at all times.

No fires within 10m of the crown of any retained trees.

Soil levels in rooting areas to be retained with minimal level changes, no greater than 300mm.

No cement mixing/washout to take place within 15m of any retained trees.

No chemicals, bitumen etc to be stored within 10m of any retained trees.

Any spillage of fuel, chemicals or contaminated water occurring within 2m of the root protection areas to be reported to project supervisor.

No additional underground services have been indicated to us at this time but they may be safely routed along the proposed access routes, if additional services require routing through the root zones of trees for retention then appropriate sub-surface or micro-tunneling methods should be used. See BS3857:2012

## 6. Tree Constraints - Proposed Development and Juxtaposition with Trees

Due to the nature of the proposed development and the location of trees within the site no significant above ground issues should be created by retained trees.

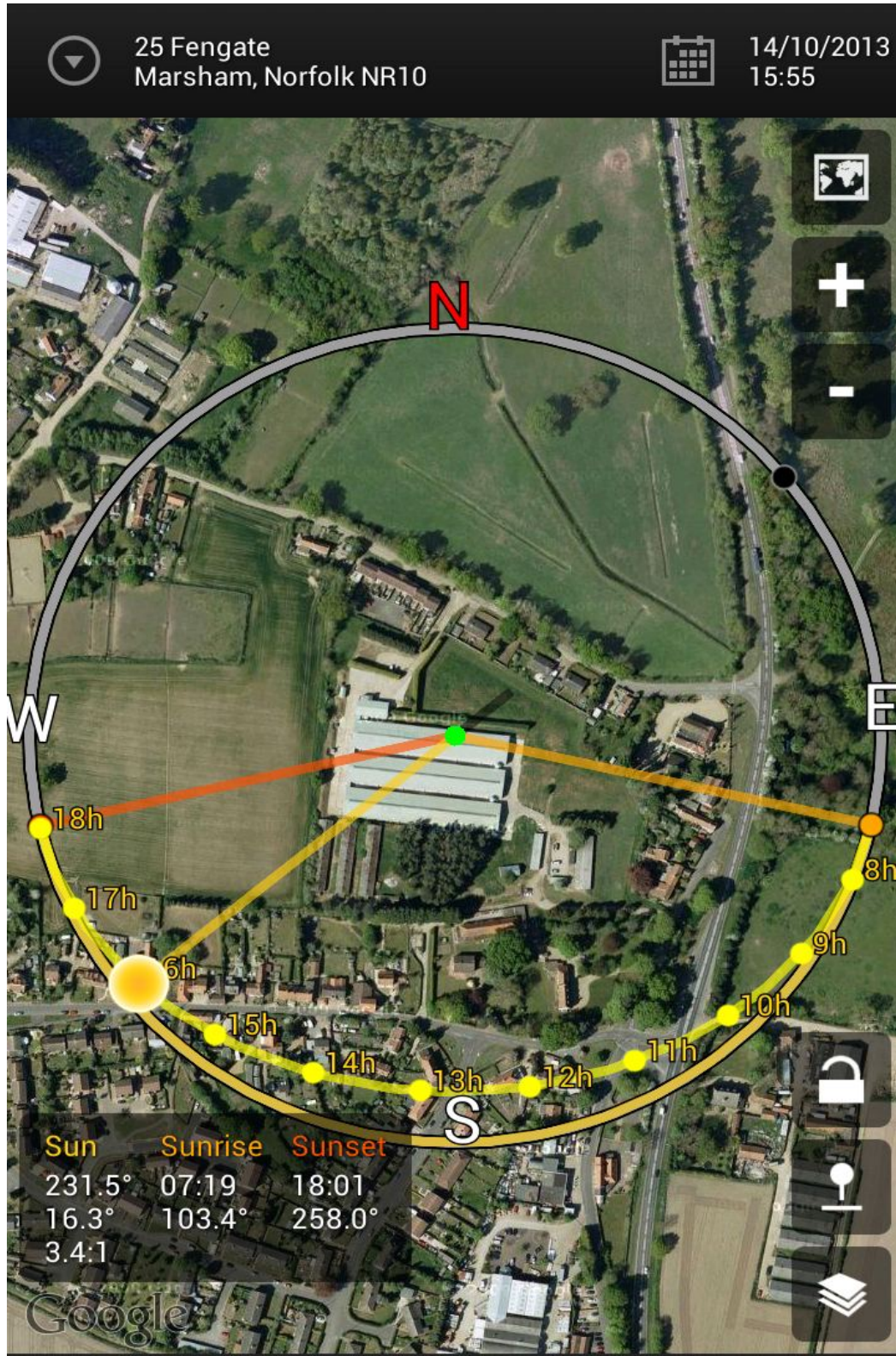
The position of all significant trees towards the boundaries of the site and their distance from the proposed development mean that no significant issues of over shading or shadowing will be created. Tree group G3 will require the removal of suppressed individuals, leaning examples and any individual members with significant damage prior to use of the area as amenity woodland.

The retention of established, mature groups and individual trees adjacent to the site boundaries should not lead to future pressure upon these trees from the residents of any development upon the central site and should serve to enhance the overall landscape and screening of any development.

See Appendix1: Tree Schedule, Appendix2: Tree Location Plan, Appendix3: Images.

14/10/2013

Sun Track in relation to site



## 7. Proposed Tree Planting

At the time of this survey a requirement for replacement planting has not been identified in direct relation to the proposed development. An opportunity exists within any future landscaping plan for the planting of additional appropriate species to enhance the tree stock within the site to and begin a replacement planting for unsuitable trees which require removal in any development.

## 8. Scope of brief

Carry out a survey of trees within the site in accordance with BS5837:2012 and collect data in order to advise the development designer of key issues relating to trees, with options and strategies. Prepare a Report with associated data, site plans and imagery, in order to facilitate consideration of the tree issues both for existing structures and the proposed development.

## 9. Supporting Information

Location plan from HPA. Scale 1:500 @ A1

## 10. Conclusions

*It is concluded that*

It is possible to retain the suitable existing significant surveyed trees within the site identified for the proposed development. It is possible to complete the construction phase without additional damage/stress being placed upon trees to be retained within the site if guidance detailed in this report, suitable construction methods are used and recommendations contained in BS5837:2012 are followed.

## 11. Recommendations

*It is recommended that*

The design and layout of the proposed development reflects the guidance contained within this report both for the management of trees for retention and the protection of same during the proposed development phase and that due consideration is given to the position of any development in relation to retained trees and the removal of trees which are unsuitable for long term retention from the site prior to any development.



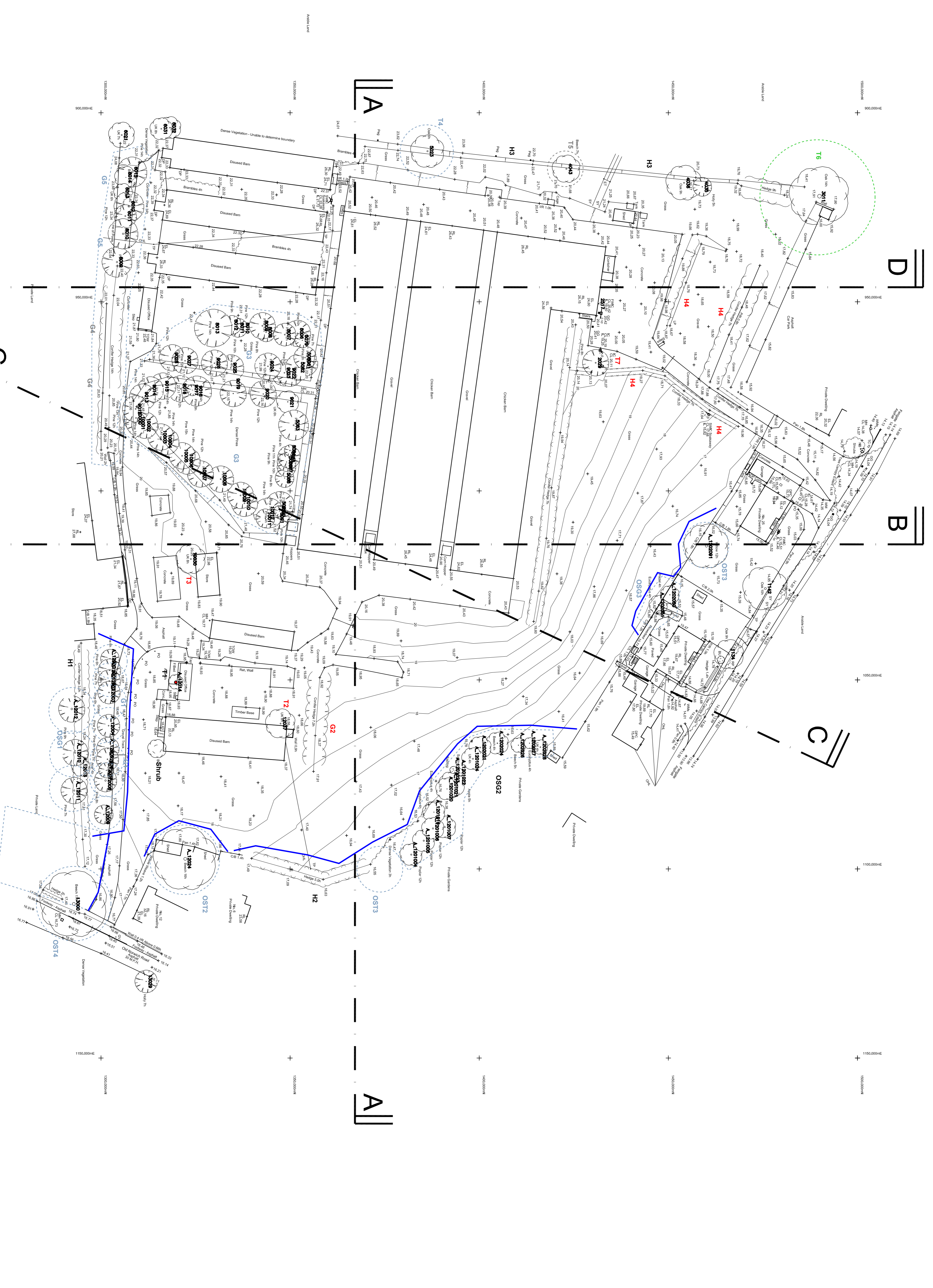
Tree Ref.	Species	Height (est) m	Spread (est) m NSEW	Age Class	Vigour	DBH (mm)	Condition/Comments	BSS837 Current Cat	Work Recommendations	RPA r	BS 5837 Proposed Cat
T1	Sorbus aria	9	4	m	n	320	Single stem Rowan, rooting under edge of concrete - poor form	C3	will require removal in context of development	na	U
G1	Picea abiesx9	17	4	m	n	<395	Single stemmed Norway Spruce group growing adjacent to boundary	B3	regularly monitor condition - retain in context of development - site screening	4.4	B3
H1/OS G1	Mix hedge / Pinus sylvestris	6 and 20	6	m	n	500 est	Boundary hedge line and off site Pine group	B3	regularly monitor condition - retain in context of development - site screening	6	B3
OST2	Fagus sylvatica Purpurea	20	8	m	n	800 est	Single stem Copper Beech	B1	regularly monitor - retain in context of development	9.2	B1
H2	Cm Ps Sn Ca	5	2	m	n	na	Mixed off site hedge	B3	regularly monitor - retain in context of development - site screening	na	B3
OST3	Fraxinus excelsior	22	10	m	n	400 x2 est	Codominant stem Ash adjacent to boundary	C1	regularly monitor - retain in context in development	5.7	C1
G2	Chamaecyparis lawsoniana	18	4	m	n	450	Unmaintained screening line	C1	will require removal in context of development	5.4	U
T2	Salix caprea	12	8	m	n	na	Multi stem Goat Willow, growing from corner of building	U	will require removal in context of development	na	U
OSG2	Garden trees	11	4	m	n	350 est max	Mixed garden group off site	C1	regularly monitor - retain in context in development		C1
T3	Fraxinus excelsior	14	5	em	n	na	Multi stem Ash growing adjacent to building	U	will require removal in context of development	na	U
G3	Pinus sylvestris	max 22	4 to 5	m	n	<435	Group of pines, mixed sizes, N edge poor with poor tapers and leaning examples	B1	regularly monitor - retain in context in development - site screening. Remove poor examples / deadwood, thin out	4.8	B1

Tree Ref.	Species	Height (est) m	Spread (est) m NSEW	Age Class	Vigour	DBH (mm)	Condition/Comments	Current Cat	Work Recommendations	RPA r	BS 5837 Proposed Cat
G4	X Cupressocyparis leylandii	28	5	m	n	<400	Line of Leylandii adjacent to boundary, previous failures witgin crowns, included bark unions	C1	regularly monitor - retain in context in development - site screening. At risk of further failures / windthrow	4.4	C1
G5	Pinus sylvestris	<20	4	m	n	<440	Group of 4 x Pines adjacent to boundary	B3	regularly monitor - retain in context in development - site screening	4.8	B3
T4	Quercus robur	14	8	m	n	600 est	Single stem Oak on boundary line	B1	regularly monitor - retain in context of development - site screening	7.2	B1
T5	Ulmus procera	14	6	m	n	400 est	Elm probably developed from suckers in hedge line	C1	regularly monitor - retain in context of development - site screening	4.4	C1
H3	Lapsed hedge	<3	<2	sm	n	na	Lapsed hedge along boundary	C1	regularly monitor condition - retain in context of development - enhance with planting	na	C1
T6	Quercus robur	22	11	m	n	1200+	Single stem Oak in hedge line, corner boundary	A1	regularly monitor - retain in context in development	15	A1
T7	X Pinus sylvestris	10	4 w	m	n	305	Single stem Pine, unbalanced crown	C1	will require removal in context of development	3.7	U
H4	Cupressocyparis leylandii Chamaecyparis lawsoniana	6	3	m	n	na	Internal cypress screening hedges	C1	will require removal in context of development	na	U
OST3	Salix X sepulcralis Chrysocoma	15	6	m	n	500 est	Weeping Willow, off site in adjacent garden	B3	regularly monitor - retain in context in development	6	B3
OSG3	Mixed garden trees	<8	2	j sm	n	200 est	Mixed group adjacent boundary - offsite	B3	regularly monitor - retain in context in development	2.4	B3
OST4	Fagus sylvatica	20	8	m	n	900 est	Offsite Beech tree adjacent to public highway	B	regularly monitor - retain in context in development	10.8	B1

Project Title: Fengate, Marston  
Date of Survey: 08/10/2013  
Surveyor: A. Wood  
Date Plan Created: 14/10/2013

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- Key**
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- Scale: 1:500  
Date: 14/10/2013



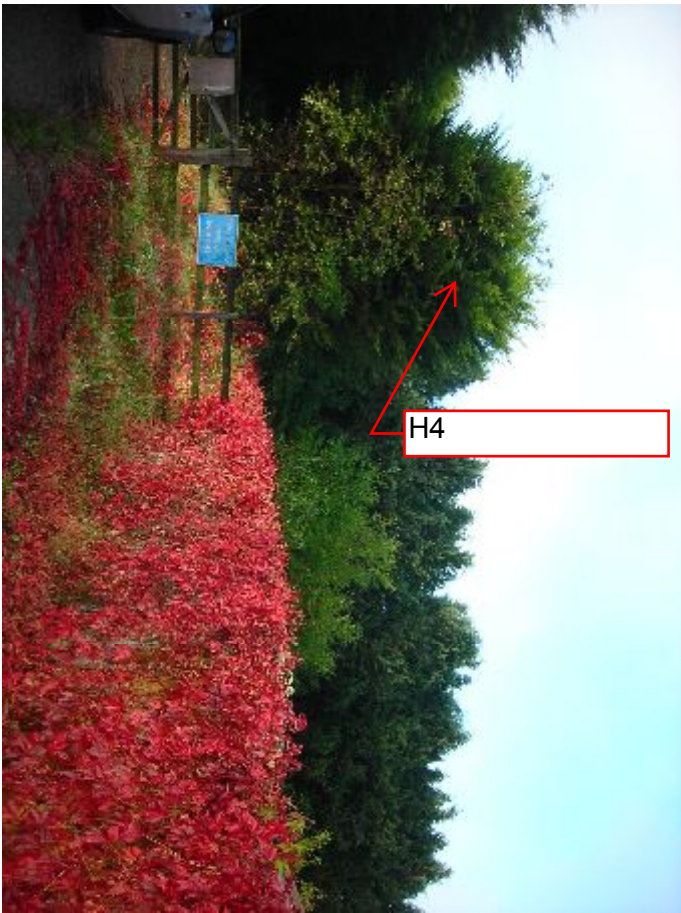
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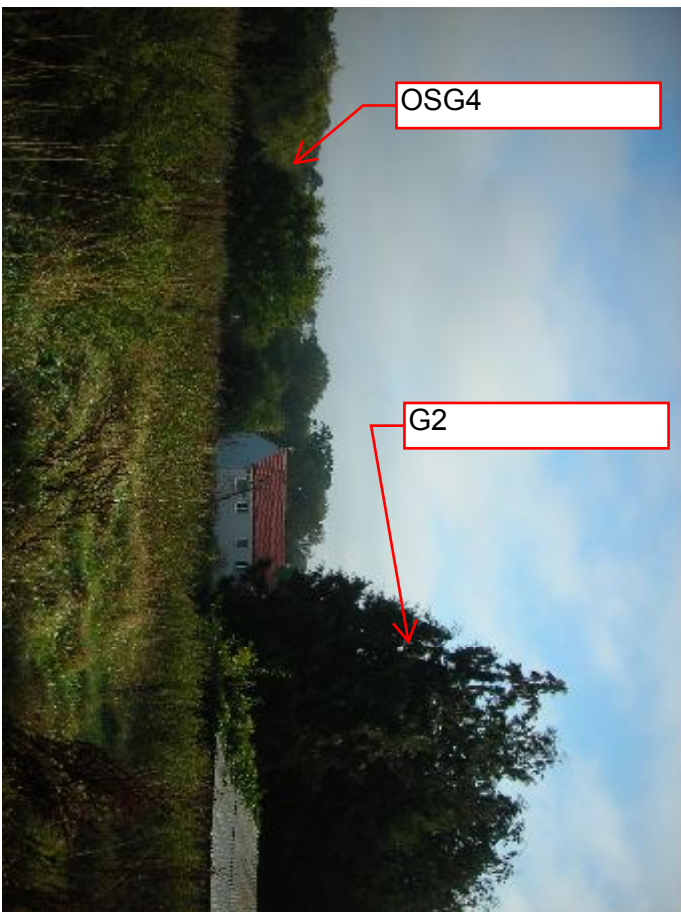
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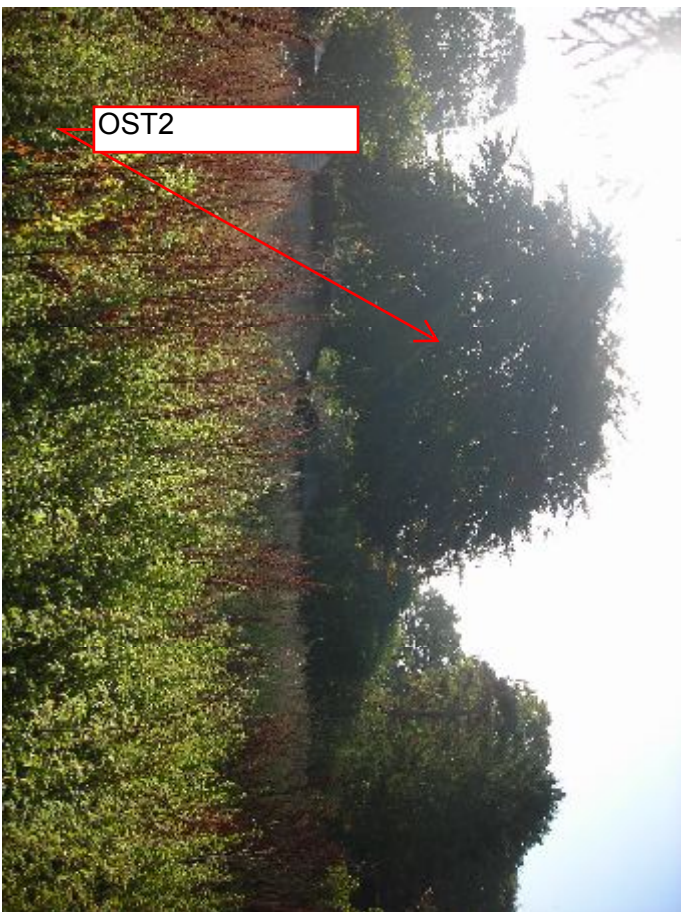
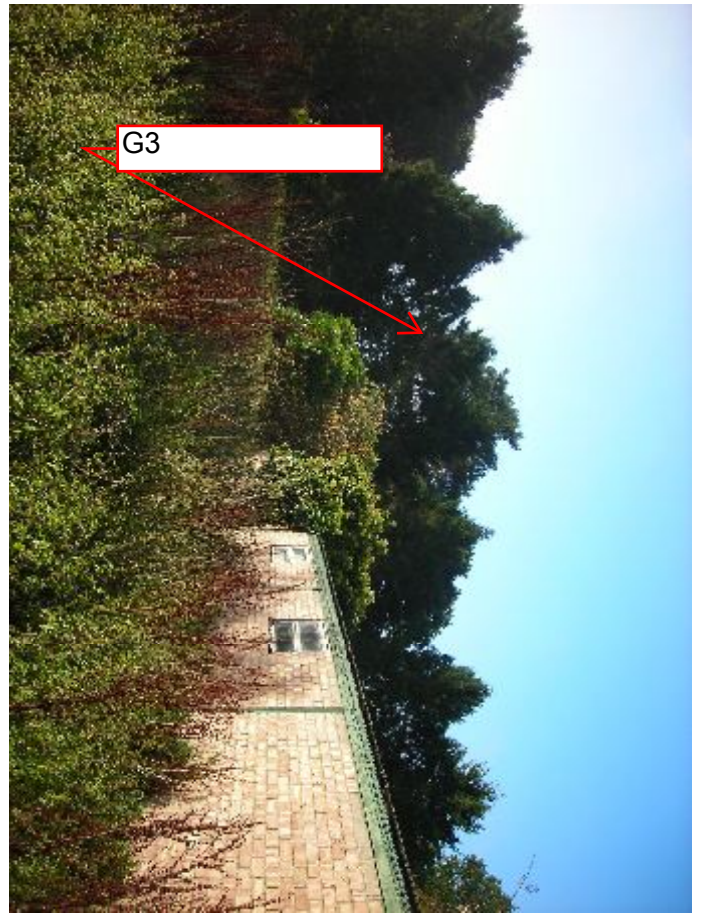
Project Title: Fengate, Marston  
Date of Survey: 08/10/2013  
Surveyor: A. Wood  
Date Plan Created: 14/10/2013

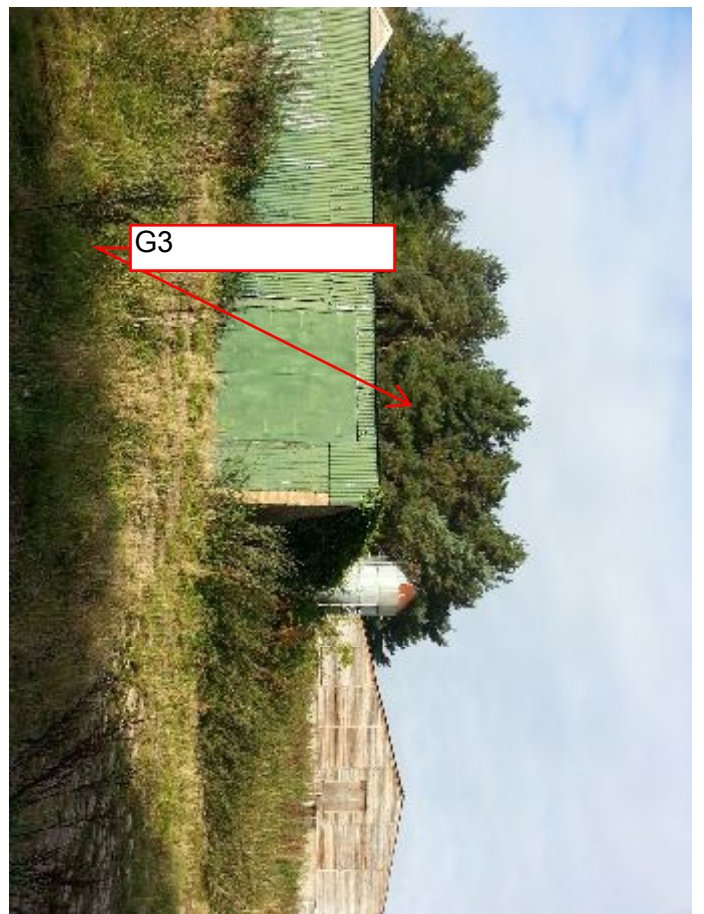
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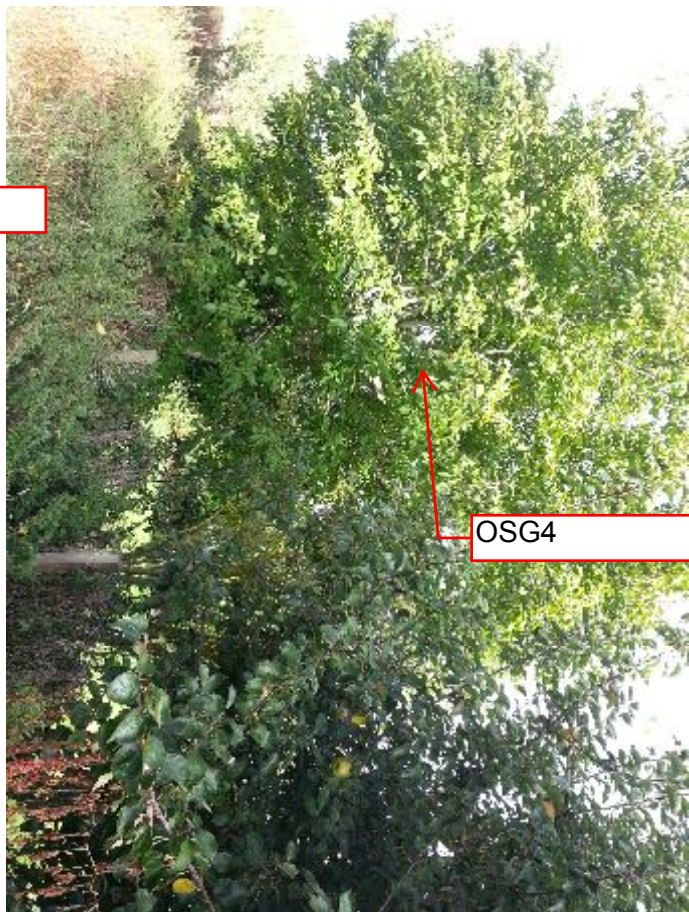


Appendix 3 - Images - Fengate, Marsham

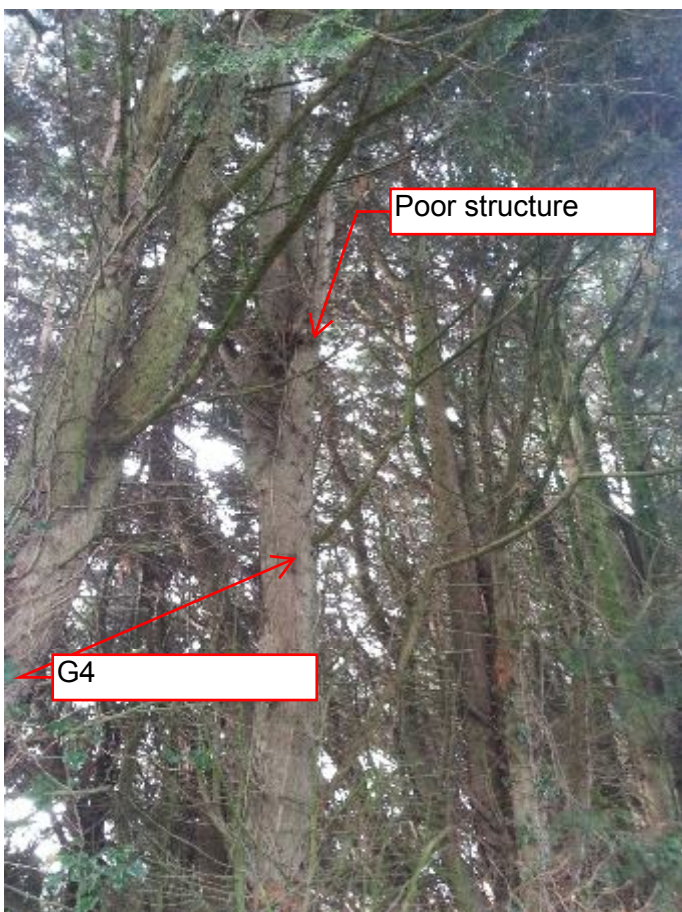
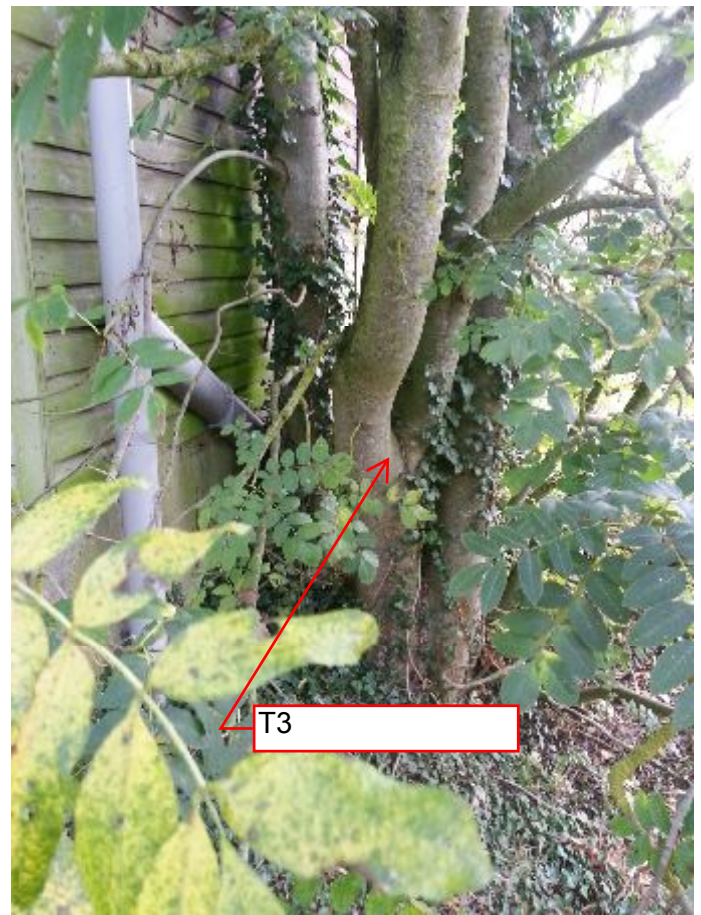
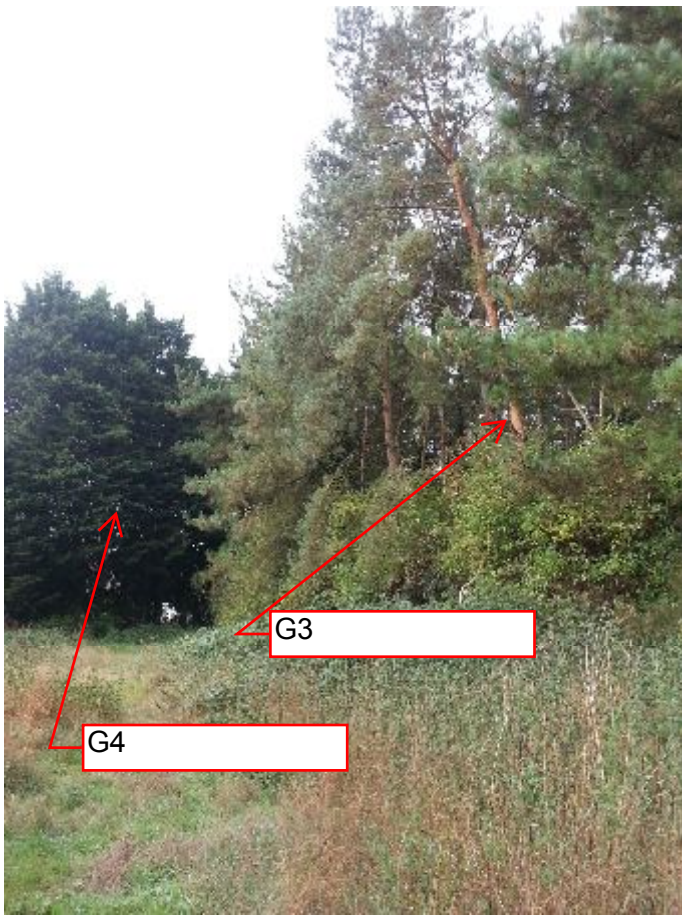


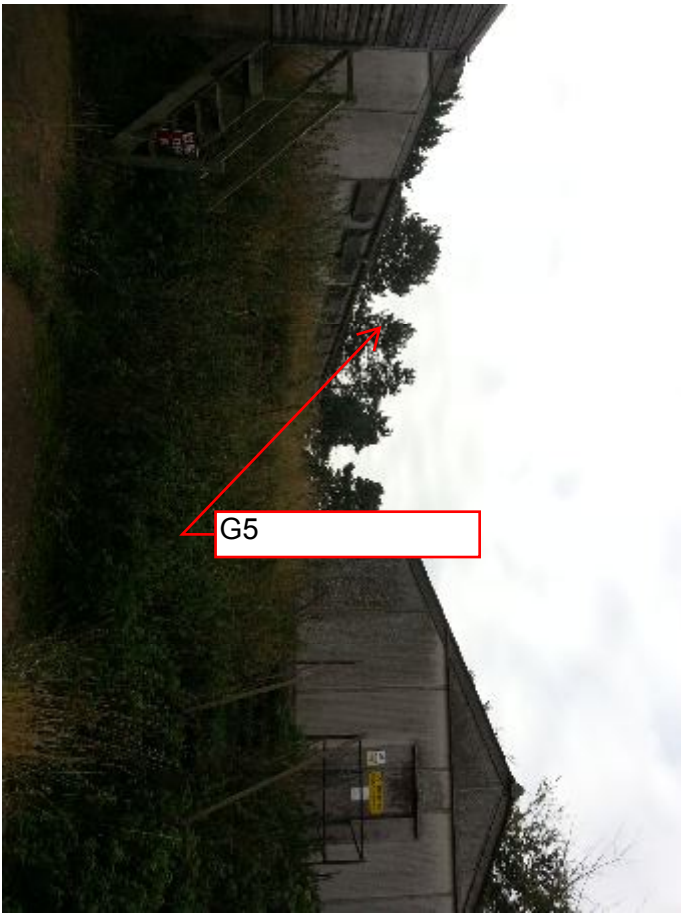


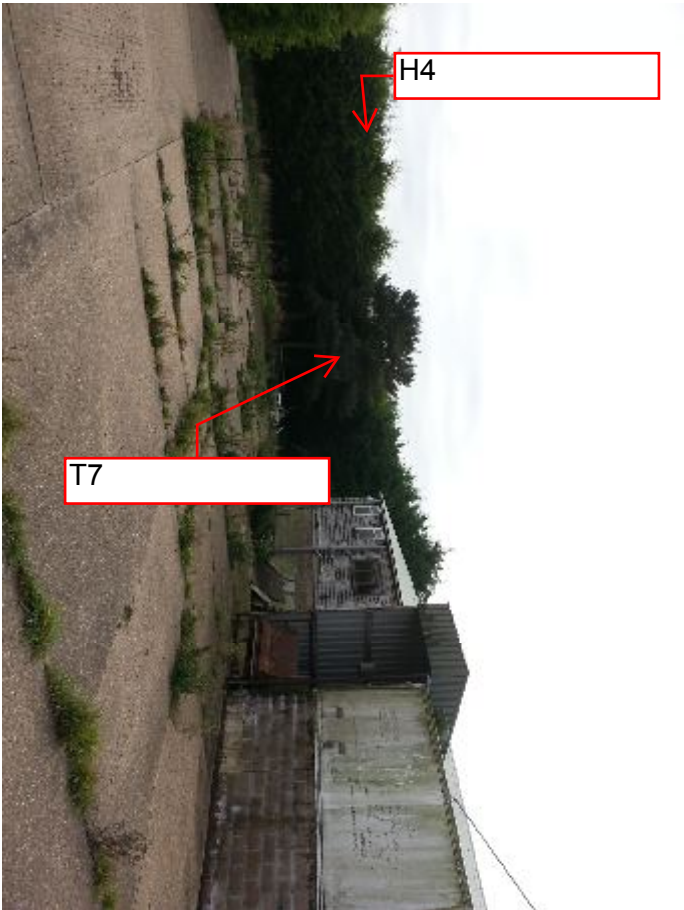
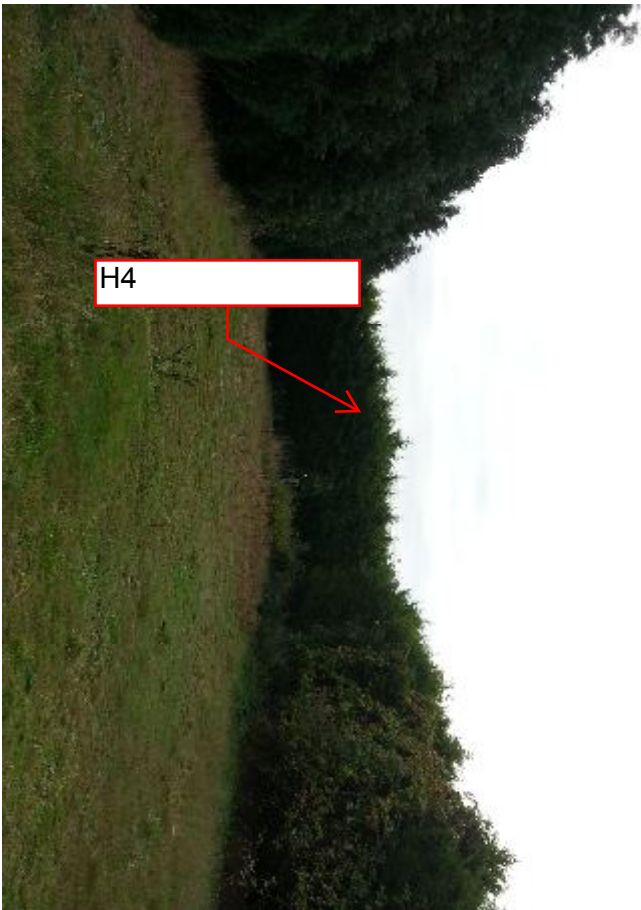














14/10/2013

## Appendix 4

### **Selected Reference List**

The Body Language of Trees by Claus Mattheck & Helge Breloer (1994) London:HMSO.  
Diagnosis of ill-health in trees by R.G. Strouts and T.G. Winter. (2000) London:HMSO  
Principles of Tree Hazard Assessment and Management by David Lonsdale.(1999) HMSO  
BS5837:2012 British Standards Institute  
Trees Their Use, Management, Cultivation and Biology Robert Watson 2006

## APPENDIX 03

Appeal Ref: APP/K2610/A/14/2223121 Decision Notice

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# Appeal Decision

Site visit made on 13 October 2014

**by Ron Boyd BSc (Hons) MICE**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 12 November 2014**

---

**Appeal Ref: APP/K2610/A/14/2223121**

**Fengate Farm, Fengate, Marsham, Aylsham, Norfolk NR10 5QZ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Noble Foods Ltd against the decision of Broadland District Council.
  - The application Ref 20131533, dated 30 October 2013, was refused by notice dated 3 February 2014.
  - The development proposed is described as demolition of existing poultry and ancillary buildings and construction of 36 dwellings with amenity space and allotments.
- 

## Decision

1. I dismiss the appeal.

## Main Issue

2. The appeal site lies in an area outside the settlement boundary for Marsham. I consider the main issue to be whether there are sufficient material considerations to justify the proposed development notwithstanding Development Plan policy restricting development in such areas.

## Reasons

3. Fengate Farm is within the Rural Policy Area of Broadland District and comprises some 0.57 hectares between Marsham High Street and Fengate. It is outside, but immediately adjacent to, the northern boundary of the village settlement boundary. It was previously used as a poultry unit. That use ceased in 2011. The site, which has some prominence in view of it rising some 3-4m above the adjoining dwellings fronting Fengate to the north east and Old Norwich Road to the east, is now vacant, but a number of disused buildings from the former business remain on the site. The proposed development would be comprise 9 five-bed, 10 four-bed and 11 three-bed market houses with 2 two-bed affordable houses and 4 affordable single bedroom flats.
4. Marsham has few facilities other than a primary school, a church, a pub and the village hall. It is served by a broadly half-hourly bus service along the adjacent A140 which runs between Norwich and Holt. It is defined in Policy 16 of the Joint Core Strategy for Broadland, Norwich and South Norfolk, adopted March 2011, with amendments adopted January 2014 (the JCS) as an Other Village, and, as such, only considered appropriate for small infill within the settlement limits. In addition, the supporting text to Policy 16 explains that in

exceptional cases a larger scale of development than that described above may be permitted where it would bring local facilities up to the level of those in a Service Village. Whilst acknowledging that the proposal does not comply with the Development Plan's Other Villages policy the appellants contend that there are a number of material considerations weighing in favour of the proposed development. I consider these below.

5. On the basis of a comparison of Marsham's limited facilities with those of a number of Service Villages the appellants argue that Marsham could just as easily have been classified as a Service Village. Service Villages are defined in the supporting text to JCS Policy 15 as being villages having a good level of services/facilities within them, or, in some cases, with some key services in other nearby settlements to which there is good potential access particularly by foot, cycle or public transport. The text further explains that allocations in Service Villages, whilst envisaged as being within the range of 10-20 dwellings may exceed 20 dwellings where a specific site is identified which can be clearly demonstrated to improve local service provision (or help maintain services under threat) and where it is compatible with the overall strategy.
6. However the appellants' simple comparison of services within villages under general headings does not provide the details likely to have informed the categorisation of the villages. Information such as to the accessibility of key services which may be in contiguous or nearby settlements, or any differentiation between extensive or minimal provision of the individual services such as the nature of food shop or frequency of public transport, has not been submitted.
7. It seems to me that Marsham most accurately meets the description of Other Villages set out in the supporting text to Policy 16 in that its residents are clearly reliant on a larger centre, presumably Aylsham, (classified as a Main Town) some 3 km to the north, to meet their everyday needs, particularly as there is no shop within the village. Whilst the bus service, which, whilst not entering the village does run adjacent to the eastern perimeter of the settlement, is a relevant material consideration, I conclude that, in view of the very limited services within the village, Marsham cannot be considered to be a sustainable location for the proposed development.
8. Notwithstanding the above, the proposed 36 dwelling development is well in excess of the 10-20 dwellings envisaged in the JCS for Service Villages. Whilst noting the criteria for exceptions beyond 20 dwellings I consider that, other than the proposed allotments and play area, it has not been clearly demonstrated how the proposal would improve local service provision. There is no shop to support, and no indication that the village school is under-utilised - indeed the Council's understanding to the contrary has not been disputed by the appellants.
9. As regards compatibility with the overall strategy of the Development Plan the proposal is outside the settlement boundary and thus contrary to Saved Policy GS1 of the Broadland District Local Plan (Replacement) 2006. I consider this Policy, along with the above mentioned JCS Policies 15 and 16, to be consistent with the National Planning Policy Framework (the Framework) in facilitating the management of patterns of growth in order to focus significant development into locations which are or can be made sustainable. I note that following the consultation process for the emerging local plan, completed in April 2014, the



previously adopted settlement boundary for Marsham has been retained, unchanged, in the Site Allocations (DPD) submission document which was submitted earlier this autumn for public examination.

10. In the light of the above I conclude that whether the village is considered as an Other Village or Service Village, the proposal would fail to meet Development Plan requirements. It would neither satisfy the Policy 16 exceptional case requirements nor the Policy 15 criteria for more than 20 dwellings.
11. As to housing need I am satisfied, having regard to the recent Appeal APP/K2610/A/14/2213841, that this should be assessed on the basis of the rural part of Broadland District being a discrete housing market area requiring its own housing land supply assessment. The Council's Annual Monitoring Report 2012/2013 indicated that Broadland's Rural Area had a residential land supply of 9.61 years at December 2013. I therefore conclude that the Council's Policies in respect of the supply of housing in the Rural Area can be considered as up-to-date.
12. However, I note that the Council's Housing Development Manager has advised that there is a need for affordable housing in the village. JCS Policy 4 requires that for developments over 16 dwellings 33% should be affordable, which in this case would be 12 units. On the basis of a submitted Viability Report the appellant has indicated a willingness to provide 7 units and a draft 'Heads of Terms' for an Agreement under the provisions of Section 106 of the Town and Country Planning Act 1990 was submitted with the Appeal. This is insufficient to secure such provision. However, were the proposal to be otherwise acceptable, affordable housing could be secured by a planning condition and I consider the potential of the proposal to deliver some affordable housing to be a relevant material consideration.
13. The appellants contend that the previous use of the site included significant Use Class B1 and B2 elements and that the site should be considered as previously-developed 'brownfield' land. The re-use of such land, with the aim of making overall effective use of land, is a core planning principle highlighted in the Framework. However, the Council advises that there are no records of past permissions for any B1, B2 or B8 uses at the site and that the authorised use is agricultural.
14. I note that the appellants were considering applying for a Certificate of Lawfulness to demonstrate their case but I have not been advised of any such application having been made. Whilst I note the statutory declaration submitted by the appellants' former Group Technical Director I am unable, on the basis of the information before me, to conclude other than that the site is agricultural land and that its future use for any other purpose would require planning permission.
15. I have considered the points raised by the appellants in support of the scheme. Whilst there is clearly potential for improving the present abandoned appearance of the site the unimaginative estate proposed would do little to enhance the local environment or weigh in favour of the development. No evidence that the suggested footpath link from the site to the High Street could be delivered has been submitted. The proposal for allotments and public open space with a play area would require a S 106 obligation to secure provision and future maintenance arrangements.

16. Whilst I accept that screening to mitigate potential overlooking of adjoining development could be achieved through landscaping and a planning condition, I am not satisfied that the changes sought by the Highway Authority, which include some realignment of the internal estate roads in the interests of road safety, could similarly be secured. I have already referred to the bus service between Marsham and Aylsham and the intention to provide some affordable housing. Overall, I conclude that there are insufficient material considerations to outweigh the conflict with the Development Plan.
17. I have taken into account all the other matters raised in the evidence but have found nothing sufficient to outweigh my conclusions set out above which have led to my decision on this appeal. For the reasons given above I conclude that the appeal should fail

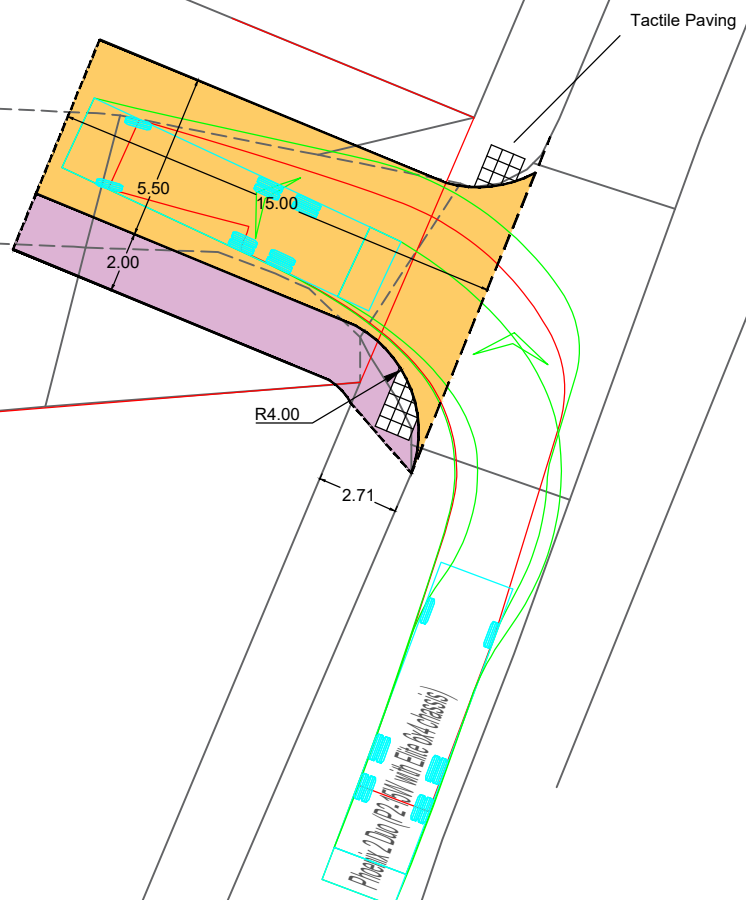
*R.T.Boyd*

Inspector

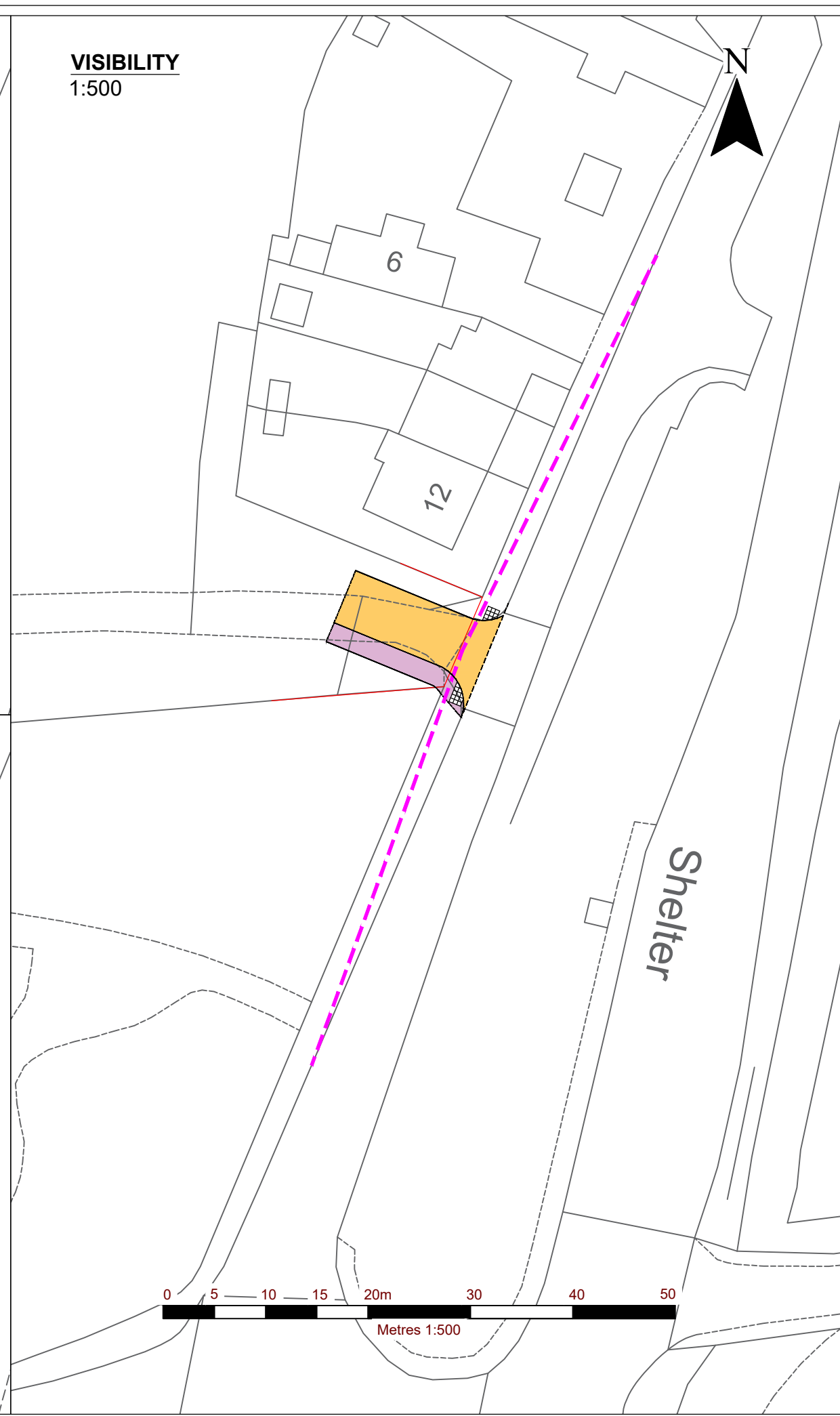
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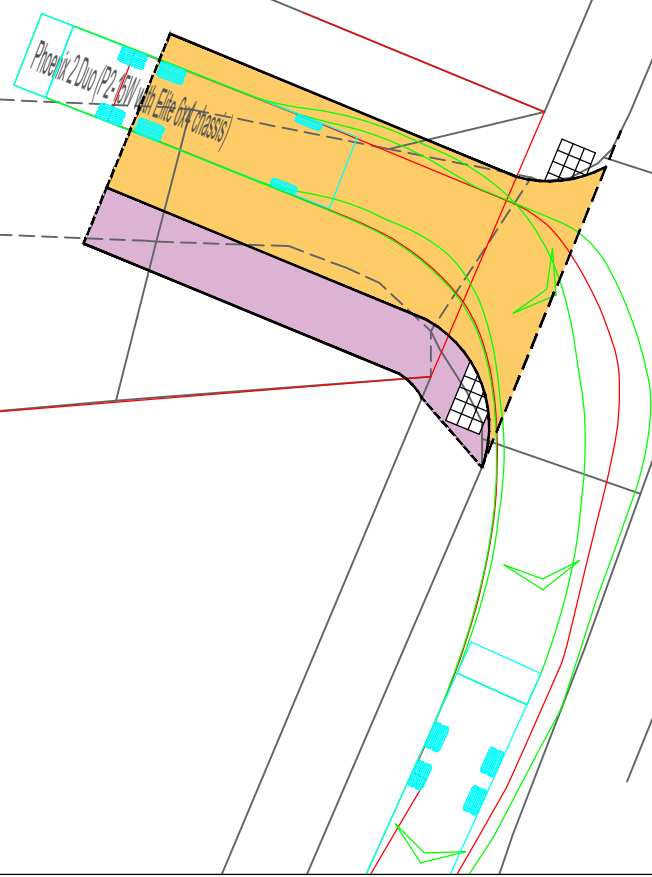
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**VISIBILITY**  
1:500




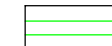
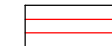


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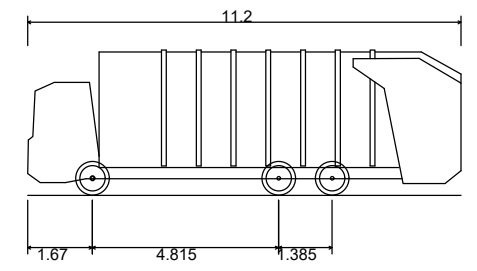


**NOTES**

**LEGEND**

-  Proposed Access
-  Proposed Footway
-  2.4 m x 43 m Visibility Splay
-  Extents of Vehicle Body
-  Extents of Vehicle Wheels

**Vehicle Details**



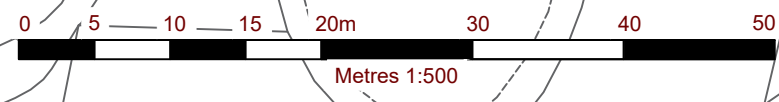
Phoenix 2 Duo (P2-15W with Elite 6x4 chassis)	11.200m
Overall Length	11.200m
Overall Width	2.530m
Overall Body Height	3.751m
Min Body Ground Clearance	0.304m
Track Width	2.500m
Lock to lock time	4.00s
Kerb to Kerb Turning Radius	9.500m

**NOBLE FOODS Ltd**

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www.slrconsulting.com

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MARSHAM  
**INDICATIVE ACCESS DESIGN**  
**418.04924.00008.001 Rev A**

Scale 1:500 @ A3	Date MARCH 2021
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418.04924.00008.001 - Indicative Access Design.dwg

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