

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended)**

**APPLICATION BY WESTON HOMES PLC AND  
COLUMBIA THREADNEEDLE INVESTMENTS**

**NORWICH CITY COUNCIL REFERENCE – 18/00330/F**

**PINS REFERENCE – APP/G2625/V/19/3225505**

**Peter Luder BA(Hons) MUP MRTPI  
Appendices to Proof of Evidence  
and Summary  
Housing Supply; Local Plan  
Compliance; Planning Balance**

**For**

**Hybrid Planning Application**

**At**

**ANGLIA SQUARE, NORWICH**

**Weston  
Homes**



# Appendix 1:

## S.106 Planning Obligations Summary

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**ANGLIA SQUARE, NORWICH ("the Land")  
S106 PLANNING OBLIGATIONS SUMMARY**

**BETWEEN NORWICH CITY COUNCIL ("the Council"), SACKVILLE UK PROPERTY SELECT II (GP) NO 3 LIMITED ("the First Owner"), SACKVILLE UK PROPERTY SELECT II NOMINEE (3) LIMITED ("the Second Owner"), WESTON HOMES PLC ("the Developer") and THE ROYAL BANK OF SCOTLAND PLC ("the Mortgagee").**

**The agreement relates to a hybrid (part full/part outline) planning application ref 18/00330/F for redevelopment of the Land**

***The Applicant has prepared this summary of the terms of the Agreement, as an appendix to Peter Luder's proof, for ease of reference and to assist the Inspector and other parties. It has been submitted to the Council for approval but a response was not received prior to the deadline for submission of proofs.***

***Wording in square brackets denotes points not yet agreed between the parties or provisions not yet issued by the Council.***

The First and Second Owners own the freehold interest in part of the Land with Title Numbers NK9149, NK317490 and NK458921. The Developer has entered into the Agreement for Lease of that part of the Land with the Owners. The Mortgagee has a charge over the part of the Land comprising title number NK458921.

The Trustees of The Surrey Chapel (Norwich) Trust own the freehold interest in part of the Land with Title Number NK48629. The Owners entered into an option agreement in relation to that part of the Land with the Trustees and have agreed to assign the benefit of this option agreement to the Developer. Eastern Power Networks Plc own the freehold interest in the remaining part of the Land with Title Number NK347840. The Owners entered into an option agreement in relation to that part of the Land and have agreed to novate this to the Developer.

The Owners covenant not to Commence the Development until they have acquired the interests in the Land which they do not currently own freehold and have entered into a deed of adherence confirming that part of the Land will be bound by the S106 Agreement.

**Contributions**

Additional Affordable Housing Contribution (to be agreed as part of any Viability Reassessment) to be used for off-site Affordable Housing;

Car Club Contribution of £115,000 in three instalments.

Green Infrastructure Contribution (£50 per Dwelling up to a maximum of £62,500) to mitigate impact on European designated sites for any Phase if granted CIL Exceptional Circumstances Relief to be paid prior to Occupation of any Dwelling in that Phase.

Under the Flyover Works Contribution of [£240,000] to be paid if the Under the Flyover Works are not carried out together with an Under the Flyover Maintenance Contribution if the Council is to maintain the Under the Flyover Area.

[Contributions are index-linked and are to be repaid if not spent within 5 years.]

## **Affordable Housing**

A minimum of 120 dwellings (9 x 3 bedroom houses and 111 x 1 bedroom flats), meeting National Space Standards, 85% of which to be provided as Social Rented Housing and 15% as Affordable Rented Housing (or other Intermediate Housing to be agreed if the Target Value cannot be achieved). The Owners must obtain approval of the Affordable Housing Scheme prior to Commencement of Development including the identity of the Provider (if possible) and timetable for provision and no Occupation of any Market Housing Unit can take place in any Phase in which there is Affordable Housing unless a contract for sale has been exchanged with the Provider for that Affordable Housing. Occupation levels of the Market Housing Units and the Substantial Implementation of Blocks E, F and J are restricted by requirements in respect of the approval of the Affordable Housing Schemes and the provision of the Affordable Housing. Providers are required to enter into a Nominations Agreement with the Council in respect of the Affordable Housing Units.

The Affordable Housing Units and the Additional Affordable Housing Units [and the Additional Affordable Housing Contribution] together shall not be required to exceed the Affordable Housing Cap (being a maximum of 23% of the total number of Dwellings or a figure equivalent to 23% as determined by the Viability Reappraisal) with each Phase containing the maximum amount of Affordable Housing that its viability supports.

## **Viability Reappraisal**

A Demolition and Construction Programme must be approved prior to the First Implementation of the Development with no Occupation of the Development until the Substantial Implementation of Phase 1 has been achieved.

If there has been a Substantial Delay to implementation of the Development and it has not occurred by the Substantial Implementation Target Date ([36] months from the grant of planning consent) or a [delay to the commencement of any Phase for 2 years], a Viability Reassessment (an update of the Viability Assessment submitted with the application for the Development to assess whether the Development achieves the Developer Profit Margin Percentage of 18.5%) is required prior to any further Dwellings being Occupied.

If that assessment (subject to assessment by an External Consultant if required) concludes that Additional Affordable Housing Units can be provided an Additional Affordable Housing Scheme must be approved and such units provided, and any Additional Affordable Housing Amount due, (a sum which is available in excess of the Developer Profit Margin Percentage, to be shared on a 60/40 split between the Council and the Owners, to be used for the Provision of Affordable Housing by way of additional Affordable Housing Units or an Additional Affordable Housing Contribution where the Surplus Profit is insufficient to provide any or any whole number of Additional Affordable Housing Units, provided that such sum will not exceed the Affordable Housing Cap) is to be provided or paid prior to Occupation of more than 50% of the remaining Open Market Housing in that Phase.

A Viability Reassessment must be submitted with the Reserved Matters Applications for Phases 2 and 3 of the Development.

If no Viability Reassessment was received in the 6 months beforehand, and approved thereafter, a Viability Reassessment is required to be approved prior to the Occupation of 50% of the Market Housing Units and any Additional Affordable Housing Contribution paid. A Viability Reassessment is required to be approved and any Additional Affordable Housing Contribution paid prior to the Occupation of 90% of the Market Housing Units.

### **Employment and Skills Strategy**

Terms to optimise the local labour supply chain and procurement, to offer training, to liaise with the Council's economic development team and to engage with Secondary Schools during construction of the Development.

### **Anglia Square Management Plan**

An Anglia Square Management Plan is to be submitted for approval prior to Commencement of Development, including arrangements for engagement with existing businesses, for the construction period, to permit where practicable continued occupation and access until vacant possession is required with temporary signage and to keep tenants informed of the progress of the Development

### **Under the Flyover Works**

A scheme for public realm works (in accordance with planning application ref 18/00956/F [or such other approved scheme]) to be completed within [18] months of Commencement of Development or payment of the Contribution in the alternative. To be maintained by the Owners, or by the Council if agreed, in which case the Maintenance Contribution is payable.

### **Discounted Commercial Units**

A Commercial Management Workspace Plan is to be approved including specification; Discounted Market Rent terms for the Discounted Commercial Units to enable their Occupation by SMEs; and marketing and management strategies. All existing [SME] tenants of non-retail and other Class A units are to be offered first refusal of these units. The implementation of the management plan is to be monitored and alternative arrangements agreed if there is low demand for the units or if the management plan is not operating effectively.

### **Public Access**

[No detail on permissive routes yet received from the Council]

### **Trees landscaped within Highway**

[No detail yet received from the Council]

### **Community Development**

[Sustainable Communities Strategy under negotiation]

### **Monitoring of car and cycle parking (now replaced by draft condition 9)**

### **Car Club spaces**

[No detail yet received from the Council, but 5 no. spaces are shown in a layby on Edward Street, on ground level landscape masterplan, and location of remaining 2 spaces to be agreed with NCC as part of scheme to be approved ]

## Appendix 2:

### Extracts from Sales Brochure for Fletton Quays, Peterborough

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introducing...



AT

# FLETTON QUAYS

PETERBOROUGH

Weston Homes at Fletton Quays offers a modern collection of one, two and three bedroom apartments. This multimillion pound redevelopment of Peterborough's South Bank offers high quality new homes, a luxury hotel and sky bar, restaurants, shops and offices. Fletton Quays is set to become the most desirable and central Riverside destination in the city. Infusing the immediacy of city living with the contemporary desire for comfort and style, the apartments at Fletton Quays are truly aspirational.





THE MASTER PLAN

# FLETTON QUAYS

PETERBOROUGH



Established in January 2015, Peterborough Investment Partnership (PIP) is an innovative partnership between Peterborough City Council and GB Strategic Land Fund (GBSLF). By enabling the development of surplus land in the Council's ownership, PIP is helping to support and sustain the growth and regeneration of Peterborough by creating new jobs, retail, housing and leisure facilities, and by generating reinvestment back into the city.

In 2015, Peterborough Investment Partnership brought forward plans for a £120 million development to regenerate the 6.4 hectare site. The submitted plans included 358 high-quality homes, 166,000ft<sup>2</sup> of office space, a multi-storey carpark, the landmark Hilton Garden Inn, and restaurant and leisure space to further improve the city's and local area's night-time offering. New cycle and pedestrian links, public realm and a dedicated ecology area were also to be incorporated. Two Grade II listed railway sheds on site will be refurbished as part of the project, with the bigger engine shed being incorporated into the larger of two office schemes.

Fletton Quays has been designed to have a positive and long-lasting impact on the city centre and Peterborough more widely, attracting new businesses and residents to the city, boosting the economy and contributing to an improved environment for all to enjoy. Today, a multi-decade dream is becoming a reality.





# the specification

The homes at Fletton Quays are fitted with Weston Homes' exacting high standards and come with a choice of fixtures and fittings\* to personalise the space to suit your taste. With quality designer products the homes at Fletton Quays will be a truly special place to live.

## designer kitchens

- Zanussi stainless steel electric fan oven
- Zanussi ceramic hob and Caple stainless steel chimney extractor
- Zanussi integrated fridge/freezer, washer/dryer and dishwasher
- Choice of designer units by Oakwood Kitchens\*
- Choice of quartz stone worktops and upstands\*
- Stainless steel splashback to hob
- Fascino stainless steel sink with oversized single bowl and integrated removable chopping board
- Fascino designer curved tap with clipped hose-spray extension
- Fascino instant boiling water tap
- Integrated stainless steel soap dispenser

\* Choices from developer's range and subject to stage of construction.

**ZANUSSI**

 **Electrolux**



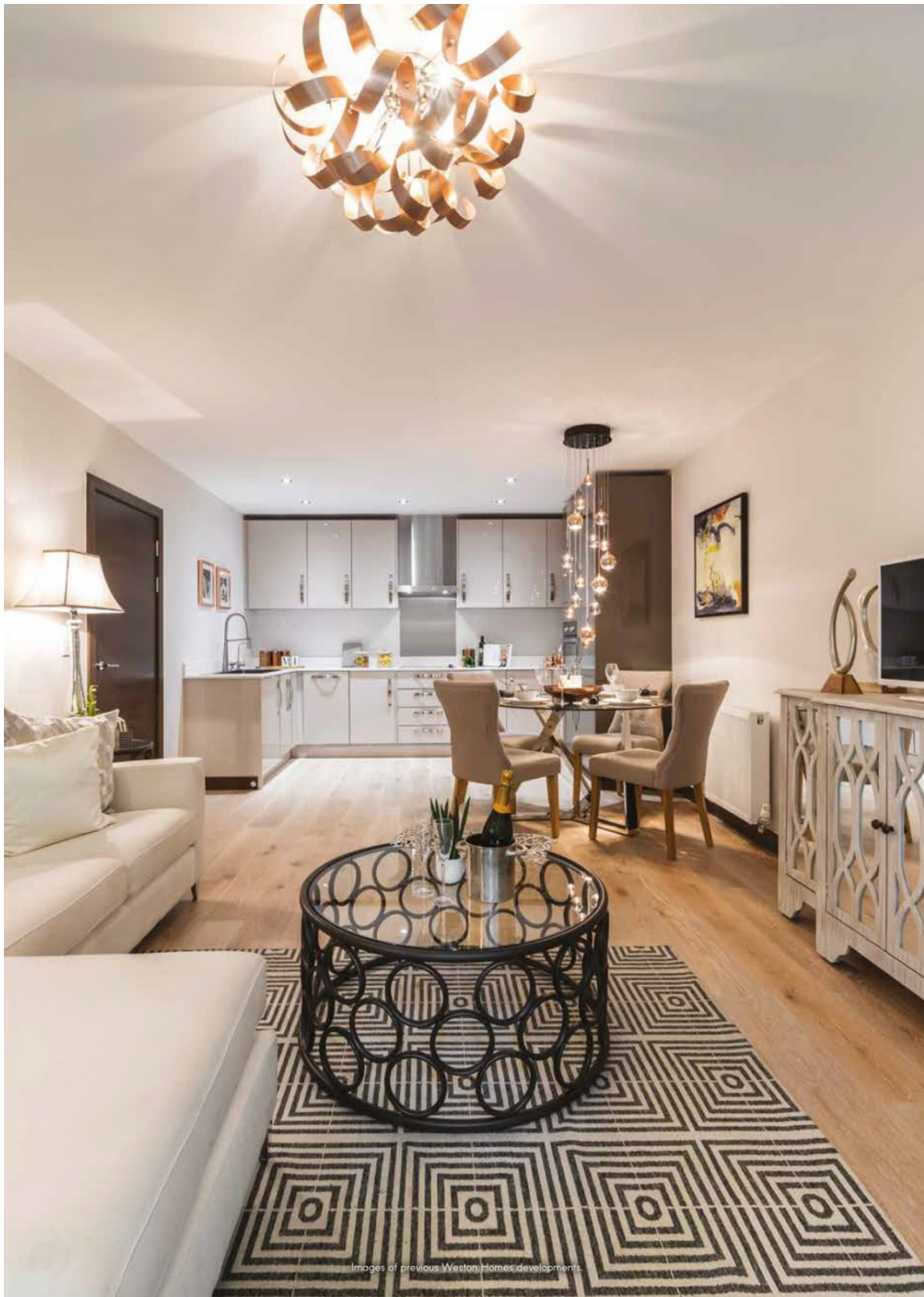
**OAKWOOD**  
KITCHEN DESIGN CONSULTANTS LTD



**FASCINO**







Images of previous Weston Homes developments.



## the specification

### luxury bathrooms & en-suites

- Fascino digitally controlled Smart Tap
- Smart Mirror with LED lighting, shaver socket, digital clock and de-mist pad
- Walnut vanity unit with integrated storage space\* and black porcelain worktop
- RAK Ceramics basin
- RAK Ceramics Hygiene+ WC with RAKRimless™ pan and soft close ergonomic design seat
- Fascino Smart Shower and Smart Bath
- Heated chrome towel rails
- Choice of RAK Ceramics porcelain wall and floor tile colour with polished and matt finishes\*
- Low-level LED strip lighting to bath

### general specification

- Forest oak doors with polished chrome ironmongery, matching wrapped door-lining, architraves and skirtings
- Choice of white oak or ebony oak strip wood flooring to entrance hall, living area, dining area, kitchen and cloakrooms\*
- Choice of carpets with underlay to bedrooms\*
- Fitted wardrobes to master bedroom\*
- Virgin Media television and telephone points to living area and master bedroom
- Gas fired heating system via radiators
- Smoke alarm and CO detectors
- Double-glazed uPVC windows
- Allocated parking space to all plots
- Audio entry system
- Sprinkler system installed to all plots

\* Choices from developer's range and subject to stage of construction.

**ZANUSSI**

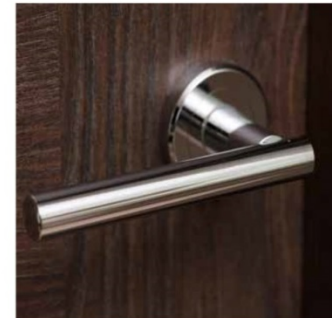
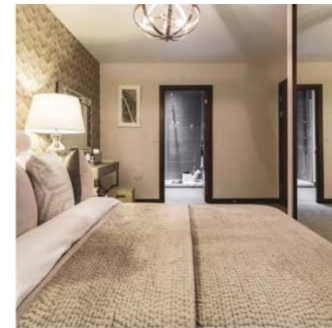
**Electrolux**



**OAKWOOD**  
KITCHEN DESIGN CONSULTANTS LTD

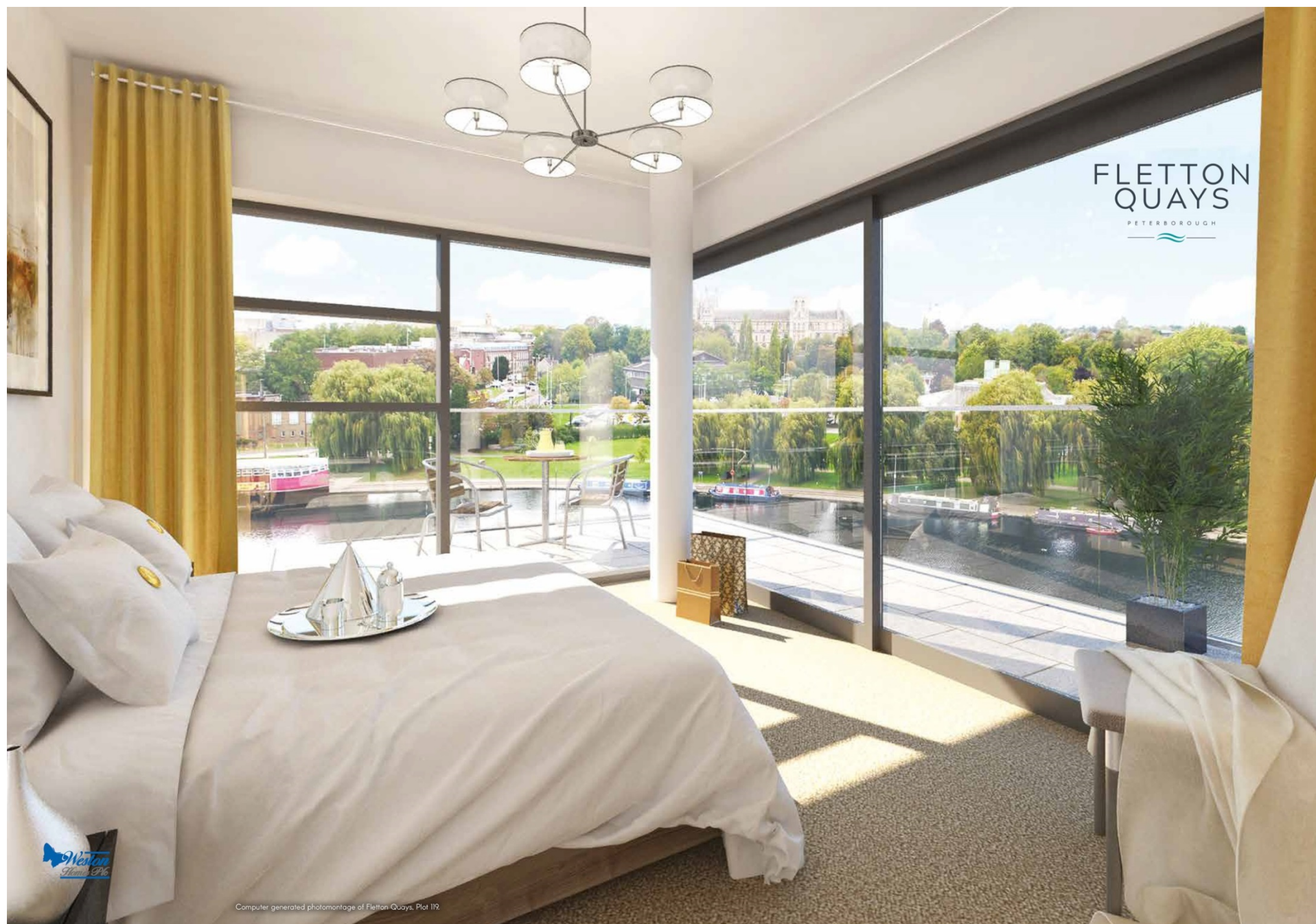


**FASCINO**













Computer generated image of Avonside House and Kitson House at Fletton Quays.



# FLETTON QUAYS

PETERBOROUGH



Appendix 3:  
Energy Statement Report RevA – Addendum  
November 2019  
Johns Slater and Haward,  
Chartered Building Services Consultants

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# Johns Slater and Haward

## Chartered Building Services Consultants

Ardennais House | 6 Sorrel Horse Mews | Grimwade Street | Ipswich | Suffolk | IP4 1LN  
Tel: (01473) 255965 Email: [engineers@jshipswich.co.uk](mailto:engineers@jshipswich.co.uk) | Web: [www.jshipswich.co.uk](http://www.jshipswich.co.uk)



Anglia Square

Hybrid Application for up to 1250 dwellings and 22,956 sq m mixed use commercial and non-residential floor space

(NCC Ref 18/00330/F)

(PINS Ref APP/G2625/V/19/3225505)

Energy Statement Report Rev A – Addendum

November 2019

Following submission of the Energy Statement Report Rev A in September 2018 to support the above hybrid planning application for the Amended Scheme, Norwich City Council, (NCC), resolved to approve the application on 6 December 2018, subject to the imposition of planning conditions and the completion of a Section 106 Planning Obligation. This was however subject to an order from the Secretary of State to not grant planning permission without the specific authorisation of the Secretary of State. Subsequently, on 21 March 2019, the Secretary of State called-in the application for his own determination, and a Local Inquiry has been arranged in this respect for January 2020.

In preparation for this, a draft Statement of Common Ground, (SoCG), has been submitted to the Planning Inspectorate which included a “Table of Areas of Agreement / Disagreement”. Under the heading “Other Matters: Energy and Water”, rows 164 – 165 of the table addressed the NPPF and development plan policies relevant, and rows 166 -168 stated that the Energy Statement Report Rev A Sept 2018 “provides an appropriate and robust basis for assessing the impact of the development on the environment.” Rows 169 – 171 stated that the Committee Report from 6 December 2018 presents an accurate assessment and reasoned conclusion regarding the proposal and the impact of the development. Additionally, that the recommended planning conditions 44, 45, 46 and 47 would ensure satisfactory scheme design and appropriate measures to mitigate the impact of the development, and that in particular, no 47 provides flexibility for the development to incorporate a range of measures and technologies. This text is agreed between NCC and the Applicant, but the Norwich Society has commented that the energy efficiency measures are disappointing, and that they do not understand how no LZC system is viable for the residential dwellings.

The Energy Strategy set out in the Energy Statement Report Rev A was supported by NCC when it resolved to approve the application, in the context of Development Plan Policies JCS 3 – Energy and Water, and DM 3 – Delivering High Quality Design, and it can satisfy current Building Regulations. Nevertheless, as noted in the SoCG the proposed planning condition 47 would allow for flexibility to include alternative arrangements, and this is relevant since it is anticipated that further changes in respect of the Energy Strategy will need to be considered generally, in response to the forthcoming new Part F and Part L Building Regulations. These necessary changes could reduce the CO<sup>2</sup> emissions further, and provide a greater LZC solution for the scheme. Accordingly, Weston Homes has commissioned JSH to prepare this Addendum to take account of the changes

that could be made to the scheme, as the Building Regulations applications and Reserved Matters applications are submitted in the future for each phase, particularly in the context of Weston Homes' energy strategies on other current large scale developments.

On this basis, this Addendum considers the practicality of using communal Air Source Heat Pumps (ASHPs) for the residential units, in addition to the commercial accommodation, where it is already the proposal. This would address the fact that Part L of the Building Regulations is due to change under SAP10, which should come into force in 2020, in addition to the implications of the forthcoming ban on the installation of new gas fired boilers in new build homes from 2025, which the Government announced in March 2019.

At the time the Amended Scheme application was submitted in September 2018, flexibility was incorporated into the design, including within the "parameter plans" forming part of the Outline element of the Hybrid application. To allow for the use of communal ASHPs for the space heating of the flats in place of gas boilers, there is a plant area allowance on the roof of each block which has been taken into account in all the work covering impact on heritage assets and townscape.

The refrigerant distribution network could use the riser ducts provided for gas distribution within the building, to get to each unit.

Johns Slater and Haward do not believe that installing individual ASHPs is a viable solution on multiple floor buildings and will not be practically achievable unless the external units are sited on the balconies, which is unlikely to be acceptable. Accordingly, only the communal ASHP option could be practical to install for the residential flats. However, the 9 houses could be practically served by individual ASHPs.

The implications of using ASHPs throughout the scheme, i.e. for the commercial and residential areas, are set out below:

The commercial areas which occur at the lower levels and generally at ground floor have areas designated within the building envelope that are local to the commercial unit being served, that are intended for the proposed ASHP units. Generally, these are located in unusable areas of the proposed car parks such as inaccessible corners which occur due to the arrangement of the residential units forming the external element of the main blocks with the car parks in their centres.

Thus the ASHPs are intended to utilize the available air within the car park areas (which is continually changed with the general ambient external air to maintain acceptable air quality within the car parks) to extract or reject heat. It is envisaged that should ASHPs be proposed for the flats, the lower residential units would also utilize these designated spaces for the communal ASHP units which are available generally in the car park areas.

However, for the taller buildings a slightly different solution is required and the existing Amended Scheme designs forming the proposals submitted for planning identify dedicated areas on each block at roof level, generally adjacent to the lift overrun provision, to accommodate communal ASHP units.

Depending on the final calculated loads it would be feasible to utilize a single duplicate ASHP pack to serve between 10 – 15 residential units, which ideally would all be at the same level, and for the larger buildings, might equate to a complete floor. The refrigeration pipework would utilize the vertical service risers originally intended for the gas distribution network to run from the roof to the floor being served and then the distribution pipework would distribute laterally at each floor through the corridor ceiling voids to the individual dwellings.

In this arrangement, heating to each dwelling would be provided by dedicated fan coil units in each primary space, provided with individual time and temperature control.

Intelligent metering would be utilized to enable each dwelling to be individually billed only for the energy used by that dwelling.

If communal ASHPs are to be used for the residential units, consideration will be given to the generation of domestic hot water by direct electric elements in highly efficient pre-insulated unvented cylinders utilizing off peak tariffs where possible. The advantage of this approach is that the communal ASHPs and primary refrigeration network would then only meet the space heating requirement and would have much less use over time with no use in summer, thus the standing system losses would be significantly lower. However, if adopting this solution were to result in issues in achieving compliance under SAP10, then communal ASHP's would also have to be used to generate the domestic hot water.

Whilst compliance with the full requirements of SAP10 will need to be met, which can only be confirmed once the new regulations are fully in place and the detailed design of the building and engineering services are completed for each dwelling type, preliminary evaluation indicates that this is a feasible approach. However, if full compliance cannot be achieved adopting this approach and currently available equipment, it is envisaged that in the timescales of the proposed development, new products and ranges of equipment will be available to meet the requirements of the marketplace to enable full compliance to be obtained.

Other options for providing an improved LZC solution for the residential element have been considered but discounted for reasons of practicality, viability or a combination of both.

Due to the size of the proposed development the construction is to be phased over about ten years and any central energy solution would therefore not be appropriate in that it would need to be built within the first phase of construction, adding to the already high initial cost of the development due to the significant enabling works necessary to demolish the existing buildings on the site and divert existing services. This effectively precludes any central energy centre utilizing CHP plant coupled to a gas boiler plant. It is noted that SAP 10 takes account of the mains losses from a central electricity generating plant, which previously was not accounted for in the energy assessment, and this will affect the viability of any single central plant solution.

Similarly the use of an adequate number of PV arrays is not possible given the nature of the proposed development with much of the available roof area dedicated to communal podia gardens for the residential units. The same situation applies to Solar Thermal which is not possible, due both to lack of suitable space and lack of connectivity to the individual residential units.

It is noted that unlike some previous revisions to Building Regulations which were sometimes abused through early and false starts being made on schemes, particularly on large developments, so that the whole development fell under the existing regulations, that the proposed transition arrangements for the new Part L and Part F are much more onerous and robust with respect to time scales and it is envisaged that effectively the whole of the proposed Anglia Square development will therefore need to comply with the new regulations and Part L compliance which will be via SAP 10.

Currently the proposed amendments to Part L and Part F of the Building Regulations are in the Consultation stage and there are two primary options for reduced CO<sup>2</sup> emissions:

Option 1: 20% CO<sup>2</sup> emission reduction compared to current standards through an enhanced building fabric specification.

Option 2: 31% CO<sup>2</sup> emissions reduction compared to current standards through technologies and a slight improvement to the building fabric specification.

Whilst it is understood that Option 2 is currently the preferred option, this has yet to be decided and clearly will significantly affect the resulting solutions to achieve compliance.

Whichever option is adopted clearly compliance with the requirements of SAP 10 will reduce the primary energy requirement of the proposed development.

The use of communal ASHPs for the residential units (in addition to the commercial units, as already proposed), would both significantly reduce the resulting CO<sup>2</sup> emissions of the proposed development over the figures included in the Energy Statement Report Rev A forming part of the Amended Scheme planning submission, (September 2018), and also provide a significant LZC solution for the residential element of the proposed development which represents nearly half of the estimated regulated energy of the total proposed development.

Eric Benton

B. Tech (Hons) C. Eng MCIBSE

Director Johns Slater and Haward