

Woods Hardwick Planning - Representations on behalf of Gosford Ltd in respect of Policy 1 and Table 6, together with Policies 7.1 to 7.4 of Reg 19 draft GNLP

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

...continued

However, we consider that the homes delivered through policy 7.5 and the windfall allowance under E and F of Table 6 respectively should not be included within the buffer contributing to the total housing potential of the Plan. In our view, such windfall sites do not provide the required level of certainty on delivery and timing to help meet the overall housing need to be delivered by the Plan. Windfall sites do not provide a level of commitment which is comparable to allocated sites.

Paragraph 70 of the National Planning Policy Framework (NPPF) (February 2019) indicates that where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply and that any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.

The approach of the Regulation 18 Stage C draft Plan was not to include windfall sites within the total housing figure number and there would appear to be no justification for the change in approach to now include windfall sites.

Furthermore, there is no detailed consideration of the contribution of windfall sites within the Housing and Economic Land Availability Assessment (HELAA) (December 2017). The methodology at Appendix 1 to the HELAA sets out a 5-stage approach to completion of the Assessment, Stage 3 of which is assessment of potential from windfall sites; however there appears to be no further analysis in the HELAA nor the subsequent Addendums I to III. Addendum I refers to assumptions on windfall set out in the 'GNLP Topic Paper' however this is not included in evidence base section of the GNLP consultation web site.

The draft Plan acknowledges at paragraph 52 that between the adoption of the Joint Core Strategy (JCS) in 2011 and 2020 only 90% of the housing target has been delivered. In light of this historic under delivery, we consider that a clear buffer for the new Plan, excluding windfall sites, is important in providing the required certainty on housing delivery going forward having regard to policy guidance within the NPPF.

A 20% buffer added to the housing need figure of 40,541 would give rise to a housing potential figure of 48,649. Taking account of delivery of 5,240 dwellings under B of Table 6 and existing commitments of 31,452 under C, leaves 11,957 dwellings to be provided through new allocations, an uplift of 1,253 from the 10,704 currently provided for under D.

In our view, this figure should be spread proportionately across the settlement hierarchy having regard to our comments on the distribution of new housing allocations noted below.

The distribution of new housing allocations

At the time of the Regulation 18 Stage A consultation in early 2018, six growth options were set out for the distribution of new housing allocations required at that time as follows:

Option 1 – Concentration Close to Norwich

Option 2 – Transport Corridors

Option 3 – Supporting the Cambridge to Norwich Tech Corridor

Option 4 – Dispersal

Option 5 – Dispersal plus New Settlement

Option 6 – Dispersal plus Urban Growth

Our response to the consultation was that Option 4 - Dispersal was more likely to address the objective of delivering homes as it provides a wider dispersal of development and would also allow additional growth in both towns and villages which would support existing local services and community facilities.

The Interim Sustainability Appraisal (SA) (March 2018) considered the above options at paragraphs 7.5.3 to 7.6.3 and the summary of significant effects was set out at paragraphs 7.6.1 to 7.6.3. The SA described at that time how options 4 and 5 provide for a much wider dispersal of development, and in doing so increase diversity, choice and competition in the market for land, which should be beneficial for delivery. It was noted at paragraph 7.6.3 that in sustainability terms the choice between the alternatives at that stage in the assessment process appeared finely balanced with no alternative clearly better than another in SA terms.

The Regulation 18 Stage C consultation draft Plan identified a requirement for new allocations totalling 7,840 dwellings, which was split between the four areas of the settlement hierarchy at Policy 1 as follows:

Norwich Urban Area – 4,395

Main towns – 1,250

Key service centres – 515

Village Clusters - 1,680, of which:

- Remaining parts of Broadland – up to 480
- South Norfolk – a minimum of 1,200

Under the heading 'Alternative approaches', the draft Plan made reference to the six reasonable alternative growth option identified in the Stage A consultation and noted that the preferred option in the Stage C draft Plan combined a concentration of most of the development in and around Norwich and the Cambridge Tech Corridor, with an element of dispersal to villages to support thriving rural communities. It was noted that whilst detailed variations of the option may be reasonable, it was considered that the approach provided the best balance across the range of objectives of the plan.

The Regulation 19 draft Plan now provides new allocations totalling 10,704 dwellings, split across the settlement hierarchy as follows:

Norwich Urban Area – 6,672

Main towns – 1,655

Key service centres – 695

Village Clusters - 1,682, of which:

- Remaining parts of Broadland – 482

- South Norfolk – a minimum of 1,200

The SA (January 2021) indicates at paragraph 5.4.12 that as part of further work undertaken during Regulation 18C, the Councils considered a seventh spatial strategy, which is an amalgamation of the six previously considered options and that this was considered in the Regulation 18C draft strategy as set out above. Paragraph 5.4.16 of the SA states that the growth strategy set out in the Regulation 19 draft Plan is the same as that presented in the Regulation 18C draft Strategy. It notes that Policy 1 sets out the same strategy but has been updated to reflect the most up to date figures in relation to housing provision. It further indicates that as there has been no change in the spatial strategy since the Regulation 18C SA, the SA findings remain the same.

However, it will be noted from the above that whilst the overall housing allocation figure has increased by approximately 37% from 7,840 to 10,704, the uplift of 2,864 dwellings has not been distributed proportionately to reflect the spread of allocations in Regulation 18 Stage C consultation draft Plan. There has been no increase in the minimum allocation figure for the South Norfolk Village Clusters and an increase of only two dwellings in the remaining parts of Broadland. Meanwhile, the remainder of the areas within the hierarchy have had an increase in their allocation as follows:

Norwich Urban Area – approx. 51% increase from 4,395 to 6,672 dwellings

Main towns – approx. 32% increase from 1,250 to 1,655 dwellings

Key service centres – approx. 30% increase from 515 to 695 dwellings

In terms of the overall percentage of the allocation, the change across the hierarchy has been as follows:

Norwich Urban Area – an increase from approximately 56% to 62% of the overall allocation

Main towns – remains approximately the same at around 16%

Key service centres – remains approximately the same at around 6.5%

Village Clusters – a decrease from approximately 21.5% to 15.5%

It can be seen from the above that the increased allocation has been skewed towards the Norwich Urban Area at the expense of the Village Clusters.

The village clusters comprise settlements which are currently categorised in the Joint Core Strategy as services villages, other villages, smaller rural communities and the countryside. The Core Strategy identifies 60 service villages or equivalent and 39 other villages and the village clusters therefore account for a large proportion of the settlements within Greater Norwich. National planning policy at paragraph 69 of the NPPF advises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. We consider it is important that the increase in allocations is distributed more evenly across the hierarchy to ensure diversity, choice and competition in the market for land and to safeguard the delivery of the increased new allocations overall. Such an approach will also allow continued support for local services and community facilities in the village clusters and in doing so will ensure support for thriving rural communities.

Having regard to the above, and assuming that the new allocations figure was to remain the same as currently set out at D of Table, we would consider that the distribution of new allocations should be as follows to accord with the percentage proportionate distribution at the time of Regulation 18 Stage C consultation:

Norwich Urban Area – 5,994 (56%)

Main towns – 1,713 (16%)

Key service centres – 696 (6.5%)

Village Clusters – 2,301 (21.5%) split proportionately:

- Remaining parts of Broadland - 658
- South Norfolk – a minimum of 1,643

Meanwhile, with the application of a buffer of 20% to the minimum housing needs figure and exclusion windfall sites in line with our comments above, a new allocations figure of 11,957 would be spread across hierarchy as follows (in accordance with the above percentages):

Norwich Urban Area – 6,696 (56%)

Main Towns – 1,913 (16%)

Key service centres – 777 (6.5%)

Village Clusters – 2,571 (21.5%) split proportionately:

- Remaining parts of Broadland – 735
- Village Clusters – a minimum of 1,836

Having regard to the above reasons, we consider that the that the plan is unsound when considered against criteria b) to d) of paragraph 35 of the NPPF as follows:

b) the Plan is not justified in so much that it doesn't provide an appropriate strategy for the provision and distribution of housing growth;

c) the Plan is not effective in that there is a currently a risk that the required housing need will not be delivered over the plan period; and

d) the Plan is not consistent with national policy in that there is a risk that it will not deliver sustainable development to meet required housing need in accordance with the policies of the Framework.