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Sent by email only: gnlp@norfolk.gov.uk

Dear Sir or Madam

Greater Norwich Local Plan – Racecourse Plantations (aka Thorpe Woodlands), Plumstead Road East, Thorpe St Andrew NR7 9LW (Application References: 20161896) Site Reference GNLP0442

Pre-Submission Draft Plan (Regulation 19) Consultation, March 2021.

We write on behalf of our clients, the Thorpe and Felthorpe Trust (the Trust) in response to the publication of the Pre-Submission Draft of the Greater Norwich Local Plan (Regulation 19) Consultation. This response is made in respect of land at Racecourse Plantations, Plumstead Road East, Thorpe St Andrew NR7 9LW (Application References: 20161896 and site reference GNLP0442). This site was granted outline planning permission on 30th January 2019 for the following development:

The development proposed is the erection of up to 300 new homes and the creation of a New Community Woodland Park.

It should be noted that the site is also referred to as Thorpe Woodlands and lies within the parish of Thorpe St Andrew. A copy of the application site is included at Figure 1 below.

Our clients wish to object to the plan's failure to identify this site as a specific new allocation in the Pre-Submission Draft Local Plan (the Plan) and to include it as a housing allocation on the Local Plan Map or an allocation on the Thorpe St Andrew Settlement Map at paragraph 3.77 of the Plan. Furthermore, to identify it as not allocated on the Local Plan Map is extremely misleading and does not recognise its status as an existing commitment. While the text at paragraph 3.77 explains that there are no site allocations identified in Thorpe St Andrew, it does acknowledge a total commitment of 386 additional dwellings with planning permission which it considers to be a deliverable housing commitment for Thorpe St Andrew over the plan period 2018 – 2038. However, it is considered that the approach to not include it as a specific new allocation is unsound. To identify such sites on the Local Plan Map as "Not Allocated" leads to uncertainty, confusion and is clearly at odds with the certainty that the plan led system is expected to deliver.

A completed Regulation 19 publication representation form has been included to accompany this covering letter.





Figure 1: Approved Red Line Plan (dwg no 1602 PL01)

Background Policy Context

The “*presumption in favour of sustainable development*” is at the heart of the National Planning Policy Framework 2019 (NPPF). The Planning and Compulsory Purchase Act 2004 (Section 39(2)) establishes a legal requirement for Plans to be prepared with the objective of contributing to the achievement of sustainable development.

Paragraph 16 of the NPPF requires plans to be prepared positively in a way that is aspirational but deliverable (emphasis added). Paragraph 59 reminds Local Planning Authorities that the Government’s objective is to significantly boost the supply of homes (emphasis added) and that it is therefore important that a sufficient amount and variety of land comes forward where it is needed.

To achieve sustainable development, the planning system has three overarching objectives which need to be pursued in mutually supportive ways, an economic objective, a social objective and an environmental objective. The NPPF indicates that planning policies should play an active role in guiding development towards sustainable solutions.

Planning Policies are required to identify a supply of specific, deliverable sites for the first 5 years of the plan period and specific, developable sites (or locations for growth) for the next 5 to 10 years. Paragraph 72 states that: ‘*The supply of a large number of new homes can often best be achieved through planning for large-scale development, such as new settlements or significant extensions to existing villages and towns...*’

The Plan has been prepared to provide a framework to guide development and facilitate growth in the combined plan areas of Broadland District, Norwich City Council and South Norfolk Council over the period from 2018 to 2038.

The Plan has been published to allow representations to be made before it is submitted for examination. As set out in the Planning and Compulsory Purchase Act 2004 (as amended) the purpose of examination is to consider whether the plan complies with the relevant legal requirements, including the duty to cooperate, and is sound. This representation has been prepared to object to the Plans failure to include site GNLP0442 as a new allocation in Thorpe St Andrew. This strategy does not appear to have been followed consistently across the Plan area and is considered to be an unjustified approach which does not provide any certainty around the delivery of this particular site, or recognise the important contribution it can make to sustainable development.

As set out at Paragraph 35 of the NPPF for plans to be “sound” they need to be:

- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework.

These tests need to be applied in a proportionate way to ensure they are consistent with strategic relevant policies for the area. It is not considered that the strategy for Thorpe St Andrew, including the lack of new allocations is inconsistent with the tests of soundness and, as such, this part of the plan must be considered unsound. However, in order to remedy this situation if the plan were modified to include site GNLP0442 as a new allocation, the Plan could be considered sound.

Regulation 19 Publication Pre-Submission Draft Plan

At paragraph 155 of the Plan, in respect of housing, the Delivery Statement indicates that the Plan promotes a proactive approach to delivery through only allocating sites where a reasonable prospect of delivery can be evidenced with the objective of ensuring that housing needs to 2038 will be fully met.

At paragraph 267 the Plan also acknowledges the Government’s objective of significantly boosting the supply of homes.

The definition of ‘deliverable’ is contained in Annex 2 of the NPPF and indicates that:

'...sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.'

it goes on to identify that in particular;

'b) where a site has outline planning permission (emphasis added) for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.'

Clearly, the Trust's land now has outline planning permission for major development and there are no significant constraints which mean it cannot deliver housing completions within the next five years. Furthermore, Paragraph 67 of the NPPF requires local authorities to identify a supply of specific, deliverable sites for years 1 to 5 of their plan period. Accordingly, it is considered that the Trust's land should be an allocation in the Plan. We also consider that the settlement boundary should be amended so that it includes both the development site and the new Community Woodland Park, which is an integral part of the outline planning permission and will form an important Green Infrastructure asset for the local community. For a major development site of 300 units to simply remain as a commitment, does not provide the necessary certainty that the Plan should be delivering.

Paragraph 15 of the NPPF recognises that the planning system should be genuinely plan led and provide a positive vision for the future of each area. Paragraph 16 goes on to indicate that plans should contain policies that are clearly written and unambiguous, so it is evident how a decision-maker should react to development proposals. The choice not to allocate the site is clearly contrary to this objective. It appears that for some reason the choice has been made to only include allocations which are brought forward from earlier versions of the Plan, including sites which have not necessarily come forward, even though planning permission has been granted. It would seem a questionable strategy to rely on such sites, rather than sites which have recently gained permission and are considered to be deliverable. This approach and failure to formally recognise and allocate commitments which contribute to the plan's delivery strategy, is unjustified and ineffective, making the plan not sound.

As set out above, the Trust object to the failure of the Plan to positively allocate this particular site. This strategy for Thorpe St Andrew does not seem to be consistent with other settlements where previous allocations and sites with planning permission have been included as allocations.

The accompanying Thorpe St Andrew Booklet contained in the Evidence Base, identified that site GNLP0442 could be considered as 'a reasonable alternative' and notes that its development for 300 homes has been allowed on appeal. However, at the Stage 7 – Settlement Based Appraisal of Reasonable Alternative Sites the Booklet concluded that, as the site was allowed on appeal it will therefore be counted in commitments and it would not be appropriate for it to count as an allocation. The assessment concluded that no sites were to be identified as preferred options in Thorpe St Andrew, but a total of 354 additional dwellings with planning permission was to be included as a deliverable commitment for Thorpe St Andrew. This figure includes the 300 dwellings that site GNLP0442 will deliver.

Policy 7.1 –The Norwich Urban Area Including the Fringe Parishes; sets out that the area will provide 30,500 additional homes and sites for a significant increase in jobs, including around 257 ha of undeveloped land allocated for employment use. To achieve this, the Policy lists the existing deliverable commitments and new allocations. For Thorpe St Andrew, the existing commitments are listed as 386 with no new allocations identified.



Given the size and scale of site GNLP0442, it could easily be included as a new allocation instead of a commitment. From the point of view of the Policy this would simply mean redistributing the 300 new homes number from the existing deliverable commitment column to the new allocations. The site could then be moved from Appendix B – Tables of Unallocated Sites with Reasons for Rejection into Appendix A – Tables of Allocated Sites with Reasons for Allocation. This would paint a much clearer picture of the intention of the plan and its approach to housing delivery.

The site is deliverable, suitable, and achievable and will deliver much needed new market and affordable housing in a sustainable location on the Norwich Fringe. The Plan and accompanying Maps should be amended to make it clear that this is a housing site which is included as part of the Plan's Delivery Strategy.

Conclusion

Paragraph 16 of the NPPF requires plans to be prepared positively in a way that is aspirational but deliverable. Paragraph 59 reminds Local Planning Authorities that the Government's objective is to significantly boost the supply of homes and that it is therefore important that a sufficient amount and variety of land comes forward where it is needed.

It is considered that the failure of the Plan to identify Site GNLP0442 as a specific new allocation in the Plan and to not include it as a housing allocation on the Local Plan Map or an allocation on the Thorpe St Andrew Settlement Map does not provide any certainty around the Plan's delivery strategy. Furthermore, to specifically refer to it as 'not allocated' on the Local Plan Map is extremely misleading and does not recognise its status as an existing commitment. While Policy 7.1 includes a total commitment of 386 additional dwellings with planning permission for Thorpe St Andrew which includes site GNLP0442 over the plan period 2018 – 2038 this approach is not considered clear enough for the plan to be considered sound.

We consider that it is necessary to participate at the Oral part of the Examination in order to demonstrate to the Inspector the reasons and evidence which we consider show why the Pre-Submission Draft Plan fails to meet the necessary tests of soundness, as set out above. These are matters of significant importance to our client, and we wish to participate at the Oral part of the Examination in order that the Inspector can fully test the appropriateness of the Council's position in comparison to our client's evidence.

I trust the above is self-explanatory but should you require any additional information regarding any of the above, please do not hesitate to contact me.

Yours sincerely,

Adam Davies
Senior Associate Director
Strutt & Parker

Enc. Regulation 19 Publication Representation Form.