

## PART B - Representation

(You can comment on any part of the plan (paragraph, table, diagram, policy or map) but please complete a separate form for each representation you wish to make).

### 3. To which part of the Local Plan does this representation relate?

(Paragraph, table/diagram, policy, map etc)

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### 4. Do you consider the Local Plan is:

|                                      |     |    |
|--------------------------------------|-----|----|
| Legally compliant                    | Yes | No |
| Sound                                | Yes | No |
| Complies with the Duty to co-operate | Yes | No |

(Please tick as appropriate)

### 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.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments

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(Please continue on a separate sheet if necessary)

# Cringleford Parish Council: Response to Greater Norwich Local Plan

## Summary

- Cringleford Parish Council challenges the GNLP's Regulation 19 proposals for the Parish of Cringleford on the grounds of Soundness and Lack of Compliance with the Duty to Cooperate.
- The GNLP has not taken into consideration biodiversity or the changing economic environment when considering its proposals for our Parish.
- The GNLP has ignored Government, Local and its own most recent documents in formulating its proposals.
- There are no net gains in the proposals for Cringleford.
- The GNLP has ignored comments of the Parish made under Regulation 18 and is proposing a 32% increase over planned residential dwellings without providing evidence of need for the additional housing in Cringleford.

## 1 Soundness

Cringleford Neighbourhood Development Plan (CNDP) states the number of additional residential dwellings that would be acceptable to its parishioners as its contribution to the Joint Core Strategy to be 1200, a number identified as being able to be absorbed into Cringleford Village whilst maintaining its semi-rural/urban fringe position South of the River Yare. There are currently 1300 that have planning permission and the GNLP proposes 1710, an uplift of 42% on the original number or 32% over the current number with permissions.

What reasonable alternatives were explored? Although mentioned in the introduction of the GNLP, there is no significant evidence for the recognition of the recent changing economic environment of the city of Norwich or the use of potential brownfield sites therein. Cringleford Parish is included under the heading of Urban Fringe, but increased development brings with it the very real potential of Cringleford being subsumed into the general 'Greater Norwich Sprawl', thus losing its current, semi-rural appearance.

### 1.1 Changing economic environment

The following statement is taken from The Interim Report of the Building Better, Building Beautiful Commission, July 2019:

*"Policy Proposition 13: revisiting 'boxland'. As long-term retail demand and shopping habits change, local policy should encourage authorities to work with investors on the redevelopment of low-density single use commercial space, retail parks and large format supermarkets ('boxland') into mixed 'finely-grained' developments of homes, retail and commercial uses which can support and benefit from public transport. "*

The GNLP appears to take no note of this proposition. This document refers to the change in working practices yet the GNLP appears to focus on 'retail' as one of the key areas for growth. In Point 6 of the GNLP it states "Retail remains the largest provider of employment in the area. Norwich is rated as the 13th best performing retail centre nationally and our market towns also have a strong local retail offer". With many of the well-known names of our high streets disappearing as a result of the pandemic, there is no reference to reallocating vacant retail/commercial for housing. It would appear, therefore, that the authors of the GNLP have

ignored the outcome of their own most recent research included in their Evidence Base where it clearly indicates a re-think is needed for the use of the city high streets.<sup>1</sup>

The GNLP states for Norwich in its Introduction:

“The Norwich urban area is at the top of the GNLP settlement hierarchy. As the most accessible and sustainable location in the area, Norwich benefits from a high level of accessibility to a broad range of local and sub-regional services and facilities. In this Local Plan, Norwich will retain that prime position and be promoted for a significant share of housing and economic development in the GNLP. The area within the city boundary is largely built up and no large-scale greenfield sites remain available to allocate. Therefore, Norwich’s potential for the delivery of new housing and economic development will be reliant on the use of previously developed land and premises, increasing densities and housing-led regeneration and renewal, particularly in the city centre.”

However, in its most recent evidence<sup>1</sup>, paragraph 6.7. states:

“In line with changes in national planning policy, revisions to policy to move away from rigid quantitative retail unit thresholds and, instead, encourage a wider range of land uses in town centres.”

**We believe the GNLP has not taken this point into consideration whatsoever when looking at developing greenfield sites for housing in Cringleford.**

## 1.2 Biodiversity

The Building Better, Building Beautiful Commission acknowledges that we are experiencing a biodiversity crisis and that the inclusion of green space needs to be included in all new development. The implication of this is not just ‘window dressing’ but genuine green space and buffer zones between settlements that are sufficient in size to ameliorate the infringement of greenfield development in urban fringe areas.<sup>2</sup>

One of the GNLP’s stated objectives for delivery on the environment says: “To protect and enhance the built, natural and historic environments, make best use of natural resources, and to significantly reduce emissions to ensure that Greater Norwich is adapted to climate change and plays a full part in meeting national commitments to achieve net zero greenhouse gas emissions by 2050.”

However, based on the number of additional homes planned for the Cringleford Parish, we struggle to see how this ‘objective’ fits with the Policy Proposition 13.

Furthermore, indicator Codes GNLP 18 – 24, from Appendix 3 of the Monitoring Framework Evidence Base, state the need via a number of mechanisms to safeguard our biodiversity. The current additional dwellings planned for sites GNLP 0307 and 0327 would, we believe, act contrary to that aim.

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<sup>1</sup> Greater Norwich Town Centres and Retail Study Update, Avison Young for GNDP, December 2020, pp. 45-6.

<sup>2</sup> The Interim Report of the Building Better, Building Beautiful Commission, p. 78. Proposition 18: biodiversity rules. “We have a **biodiversity crisis** and urgently need to aid nature recovery; at the same time many people are deprived of access to nature. Turning this round would be a crucial element of achieving beauty and supporting wellbeing. More needs to be done to build in as central elements of all planning decisions access to nature and green spaces – both existing and new – for all new and remodelled developments. This must not be negotiated out on ‘viability grounds.’” Ministry of Housing, Communities and Local Government, 2019.

### 1.3. Where are the net gains?

To quote from the Government White Paper: Planning for the Future: August 2020, Proposal 4 “It is proposed that the standard method would be a means of distributing the national housebuilding target of 300,000 new homes annually, and one million homes by the end of the Parliament, having regard to:

- the size of existing urban settlements (so that **development is targeted at areas that can absorb the level of housing proposed**);
- the extent of land constraints in an area to ensure that the requirement figure takes into account the practical limitations that some areas might face, **including the presence of designated areas of environmental and heritage value, the Green Belt and flood risk**. For example, areas in National Parks are highly desirable and housing supply has not kept up with demand; however, the whole purpose of National Parks would be undermined by multiple large-scale housing developments so a standard method should factor this in;
- the opportunities to better use **existing brownfield land for housing**, including through greater densification. The requirement figure will expect these **opportunities to have been utilised fully before land constraints are taken into account**;
- inclusion of an appropriate buffer to ensure enough land is provided to account for the drop off rate between permissions and completions as well as offering sufficient choice to the market.

To do this, planning should be a powerful tool for creating visions of how places can be, engaging communities in that process and fostering high quality development: not just beautiful buildings, but the gardens, parks and other green spaces in between, as well as the facilities which are essential for building a real sense of community. **It should generate net gains for the quality of our built and natural environments - not just ‘no net harm’.**<sup>3</sup>

We would argue that the changing face of retail in Norwich should have a positive impact on the number of dwellings required as part of the Urban Fringe (in which Cringleford is included) developments, both current and future. Monitoring Framework Indicator GNLP 12 on the theme of City Centre Retailing Floorspace “To monitor the net change in retail space in Norwich City Centre” needs to be urgently carried out given the current and future, post pandemic situation. Account needs to be taken of the potential brownfield sites becoming available. **The refurbishment or redevelopment of such sites is highly likely to reduce the need for an increase in the number of dwellings required in the parish of Cringleford** as has been pointed out in the recent update by Avison Young.<sup>4</sup>

## 2 Compliance with Duty to Co-operate

The Guidance Notes from the Planning Inspectorate state the following should be considered before making a representation on compliance with the duty to co-operate:

- Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The LPA will be expected to provide evidence of how they have complied with the duty.
- Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspector has no power to recommend modifications in this

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<sup>3</sup> Taken from Government White Paper: Planning for the Future page 32, Aug 2020.

<sup>4</sup> Greater Norwich Town Centres & Retail Study Update, Avison Young, December 2020.

regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the plan.

**Hence, we challenge that the plan meets the criteria of Compliance with Duty to Co-operate under Regulation 19, and we provide the evidence below to support this.**

## **2.1 Housing Development: Evidence of Need**

The CNDP reflected the views of the parishioners concerning the size of housing developments within the village. The GNLP includes a 'housing trajectory, but on what is this based? No evidence of need is provided for additional housing in Cringleford on sites GNLP0307 and GNLP0327. There is no evidence of co-operation with Cringleford Parish Council in the arguments of the GNLP. Indeed, the reverse is the case as their comments have been ignored.

The following comments have been made by a former chair of Cringleford Parish Council, Professor J.M. Wagstaff (reproduced with permission) who was also one of the authors of the Cringleford Development Plan. His comments refer specifically to the allocation of sites in Cringleford.

“When residents approved the CNDP they were of the view that approximately 1,200 new dwellings was the maximum which they could accept for the Parish. Decisions on planning applications after the plan had been approved tended to respect this figure, though some up-lift was allowed, partly through a slight of hand with respect to the 61 dwellings un-built on the Round House Park development.

As one of the authors of the CNDP and a former chairman of the Parish Council, I dispute the interpretation put on the Parish Council's comments under the Regulation 18 Consultation. The comments on site GNLP307/037 were not intended to show support for further development. They simply recognised that Barratts original application for the whole site had been for 800 dwellings (Ref.2013/1793). The District Council gave permission for 650 for about 28 ha out of a total area of about 40 ha. The Parish Council assumed that the developers would apply to build the remaining 150 dwellings at some point in the future. It did not give its approval. In my opinion, there is no commitment from Cringleford parishioners to an up-lift of 360 dwellings mentioned under Stage 7 of the Cringleford Booklet. In addition, it seems to me outrageous that the promoters and Development Management Team should agree that the figure should be increased to 410 without, as far as I am aware, of any consultation with the parish.”

Furthermore, there has been a failure by the GNLP to recognise the impact of the proposed developments on the buffer zones between settlements as set out in MHCLG: Planning for the future, August 2020, viz: lack of sufficient actions to ensure the enhancement of biodiversity<sup>5</sup>; safeguarding of greenfield/green space and buffer zones between settlements/developments.<sup>6</sup>

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<sup>5</sup> PM's statement June 2020. “Prime minister Boris Johnson **announced the “most radical reforms of our planning system since the end of the Second World War”** during his ‘Build, build, build’ speech in the West Midlands, June 2020.

Downing Street also said a “wider range of commercial buildings will be allowed to change to residential use without the need for a planning application”, including shops which have shut down and become vacant during the pandemic. Ministers intend to bring the major changes into effect by September through legislative reform in a bid to revive high streets and **reduce the need to build on greenfield sites.**

<sup>6</sup> *Living with Beauty: Promoting health, well-being and sustainable growth, section 11, page 105.* Ministry of Housing, Communities and Local Government, 2020.

## 2.2 National Planning Policy Framework and The Cringleford Neighbourhood Development Plan<sup>7</sup>

The GNLP document fails to take into account a number of issues linked to both Government statements<sup>7</sup> with regard to the built environment and the CNDP which covers the period of 2013 to 2026. The GNLP thus fails to comply with Duty to Co-operate.

Although included as part of the evidence base, the CNDP's objections on the number of additional dwellings planned has been ignored.<sup>8</sup> This document gives the PC's response to Regulation 18 Consultation of January 2020. It shows that the GNLP and its authors have *consulted* the PC, however what it has not done is complied with the Duty to *Co-operate* regarding the PC's comments on GNLP sties 0337, 0327 and 0461.

Following local consultation with Parishioners this comment was included in the CNDP:

"The Greater Norwich Development Partnership's Joint Core Strategy allocates a minimum of **1,200** dwellings to the parish. This number is in **addition to the 1,000** dwellings completed or in the course of construction at Round House Park. People in Cringleford are anxious to avoid their village becoming the location for large scale housing that serves the housing needs of Norwich, but does not take account of the established role and character of the village and makes it difficult to maintain a sustainable community – economically, environmentally and socially. The additional 1,200 dwellings allocated in the Core Strategy is the maximum number which parishioners consider compatible with their vision for sustainable development in Cringleford."<sup>9</sup>

Specifically:

- Point 5.2 They wish to see the open and green character of the existing built-up area of the parish not only maintained but also enhanced.
- Point 5.3 The parish accepts the need to provide for a further 1,200 dwellings by 2026 as a contribution to meeting the demand for housing identified in the Joint Core Strategy (Policy 9). However, there is a limit to the number that is compatible with the environmental, economic and social objectives of the Plan. Residents wish to see the 'semi-rural' character of the village promoted through the adoption of appropriate building styles, low densities, and green infrastructure.
- Point HOU3 To preserve the open and green character of the village and its role in the urban/rural transition zone, net building densities should average approximately 25 dwellings per hectare (gross) across the Housing Site Allocation Area."

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<sup>7</sup> National Planning Policy Framework, 2019, Section 2, para. 13, p.9. "The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies."

Para, 14, p.9. "In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply: a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made; b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement; etc.

<sup>8</sup> Cringleford Evidence Base: Settlement Plan GNLP0307 and 0327, paragraphs 3.24, 3.25 & 3.26

<sup>9</sup> Cringleford Neighbourhood Development Plan, para 7.3

**Hence, the Parish council challenges whether the GNLP complies with the Duty to Co-operate in that none of the above views expressed by parishioners has been acted upon, or even recognised. Neither is there any reference to the statement of intent made by the Prime Minister in June 2020 regarding building on greenfield sites<sup>2</sup>.**

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matter you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(Please continue on a separate sheet if necessary)

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**At this stage further submissions may only be made if invited by the Inspector, based on matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? (Tick box as appropriate)

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| No, I do not wish to participate in hearing session(s) |  |
| Yes, I wish to participate in hearing session(s)       |  |

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.



**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary**

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**Disclaimer:**

Data Protection and Freedom of Information:

The Data Controller of this information under the General Data Protection Regulation (GDPR)2018/Data Protection Act 1998 will be Norfolk County Council, which will hold the data on behalf of Broadland District Council, Norwich City Council and South Norfolk Council. The purposes of collecting this data are:

- To assist in the preparation of the Greater Norwich Local Plan
- To contact you, if necessary, regarding the answers given in your form

The response forms received as part of the Greater Norwich Local Plan Regulation 19 publication stage will be made available for public viewing and submitted to the Secretary of State to be considered as part of a public examination by an independent planning inspector. By submitting this form you are consenting to your comments being stored by Norfolk County Council and the details being published for consultation purposes.

Once comments have been checked and verified they will be available online (with respondents' names) for others to see. Any representations which are deemed to contain offensive comments will be removed. Whilst we will include names on our website, we will remove personal contact details such as addresses, telephone numbers, emails and signatures before publishing.

Please note that anonymous comments will not be accepted as comments must be attributable for the public examination by the Planning Inspectorate.

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**Declaration**

I agree that the details within this form can be held by Norfolk County Council and that those details can be made available for public viewing and shared with Broadland District Council, Norwich City Council and South Norfolk Council for the purposes specified in the disclaimer above

**NAME**

**DATE**

**Your completed form should be returned to the Greater Norwich Local Plan team no later than 5pm on Monday 22<sup>nd</sup> March 2021.**

If you have any further questions about the ways to comment, or if you need consultation documentation in larger print, audio, Braille, or an alternative format or a different language, you can email us at [gnlp@norfolk.gov.uk](mailto:gnlp@norfolk.gov.uk) or phone us on 01603 306603.