

PART A - Personal details*

**(If an agent is appointed, you only need to complete the Title, Name and Job Title/Organisation (if applicable) boxes in 1) below but complete the full contact details of the agent in 2).*

	1. Personal Details	2. Agents Details (if applicable)
Title	MR	
First Name	ANDREW	
Last Name	CAWDRON	
Job Title (where relevant)	R./B.A. (rtd)	
Organisation (where relevant)		
Address		
Post Code		
Telephone Number		
Email Address		

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)

ALL (See attached representation documents)

4. Do you consider the Local Plan is:

Legally compliant	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Sound	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Complies with the Duty to co-operate <i>UNSURE AS S.N.D.C. HAVE NOT YET COMPLETED.</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

(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

Legal items.

- (i) changes between consultation documents.*
- (ii) inclusion of the Norwich Wensum Link as legal assessment by Norfolk Head of Law made in 2016 is still current*

Soundness.

- (i) housing numbers and excess buffer contrary to latest Government advice.*
- (ii) insufficient carbon target setting to match Government target requirements.*
- (iii) sustainability issues relating to location of sites and transport solutions.*

(Please continue on a separate sheet if necessary)

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.

As attached documents
 GNLP Reg 19 Consultation March 2021 (2 pages)
 GNLP
 Greater Norwich Reg 19 Consultation GNLP Team, County Hall
 (9 pages)

(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)

No, I do not wish to participate in hearing session(s)	<input type="checkbox"/>
Yes, I wish to participate in hearing session(s)	<input checked="" type="checkbox"/>

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

Representation by interested members of the Public is a part of our democratic process in establishing policies and plans.

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:	
<ul style="list-style-type: none"> 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. See our Privacy notice at www.gnlp.org.uk for information on how we managed your personal information.	
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 A. M. Cawdron	DATE 19th March 2021

Your completed form should be returned to the Greater Norwich Local Plan team no later than 5pm on Monday 22nd 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 or phone us on 01603 306603.

Greater Norwich Local Plan Reg 19 Consultation March 2021

GNLP Team, County Hall, Martineau Lane, Norwich NR1 2DH

I have the following response to the Regulation 19 consultation response, broadly relating to Paragraph 35 of the National Planning Policy Framework and the examination and soundness of Local Plans; The Plan has been published in order for representations to be made on it before submission to the Planning Inspectorate. In the absence of an 18D consultation responses have become limited to aspects of the plan being legally non-compliant or unsound. The Plan is unsound for the following reasons:-

- (a) Section 4 – The delivery of growth and addressing climate change. Policy 1. The GNLP should actively contribute to the mitigation of and adaptation to climate change. The GNLP should adopt policies which will reduce green house gas emissions, e.g. by reducing vehicle dependency or setting dwelling carbon target standards above those of the current Building Regulations.
- (b) Policy 1. The GNLP should not increase the total number of dwellings beyond the necessary minimum and should not include the increase made between Regulation 18 consultations and this consultation. Is this change legal or fair? The effective contingencies include both the excess 22% buffer and windfall sites, which demonstrate that an increase to the “minimum” is not required. Further, the Office for National Statistics in their Household Projection assessments 2018 project that 95% of household increase in the period will be 1 person or 2 person no dependant households. Suburban housing estates are the wrong solution.
- (c) Policy 2. The GNLP should be positively prepared and should be consistent with achieving sustainable development. We do not consider the increased numbers mentioned or their location to be sustainable. There exist greater opportunities in Norwich for dwellings and reduced reliance should be placed upon new greenfield sites adjoining Towns, Key Service Centres and Village Clusters, all of which tend to become ‘dormitory’ estates demanding vehicular access for employment, schools or medical facilities and therefore carbon positive.
- (d) Policy 3. The natural environment remains unprotected and aspirations for “bio-diversity” net gain cannot be achieved by planting 100 twigs to replace a 100 year old oak. Ecology systems are time dependant and not resistant to disruption, interruption, sterile periods (e.g. during construction) and later minimal, spaced at intervals, landscaping.
- (e) Policy 5. There should be an objective that addresses the ongoing failures to deliver ‘affordable’ housing. The cynical use of value assessments by developers to reduce the numbers of affordable dwellings should be resisted.
- (f) Policy 4 Strategic Infrastructure. There is little acknowledgement within the plan that medical facilities in Norfolk are stretched, GP’s are in reduced numbers, police forces are barely coping, ambulance staff are not being reinforced and teachers are not being retained. Despite this, the stated ambitions are to increase employment numbers and add 118,000 people to the population, acknowledged to be mostly from inward migration into the County. Add the consequent increased vehicle journeys and there is no enhancement or improvement to the environment or quality of life for the existing and indeed future residents. Acres of productive farmland in one of the most climatically advantaged counties are being sacrificed and the County is acknowledged as a water stress area. The final draft of the Water Study (January 2021) demonstrates significant upgrades to waste and supply are required to match such demand. There is NO capacity for increased surface water flows, which must imply that future flooding will increase as an issue. The Sustainability Appraisal, (largely a repeat of that available at Regulation 18C) states that these growth aspirations will have a significantly negative impact on air, noise and light pollution to the

detriment of well being, (SA1) climate change, (SA2), biodiversity and natural resources, waste and contaminated land, (SA14).

How bad does it have to be before the plan looks at alternatives based upon a real job market and housing need?

(g) Section 7.4. The GNL.P removes South Norfolk Village Clusters from the Plan as their allocation study is not yet complete. How can this be sound for a GNL.P incorporating South Norfolk District Council?

(h) Policy 4, Transport "improvements." The GNL.P does not demonstrate how "modal shift" from car use is to be made. For example, improvements to the "spokes of the wheel" could be argued to be essential to this ambition and sustainability gain.

The radial roads that lead out from the centre of the City into the suburbs to allow safe cycling, walking and public transport routes require improvement. Many of these roads particularly to the North East of the City and the "Growth Triangle" remain rural roads without footpaths or the widths for a safe cycle route. We refer to the Plumstead Road, the Salhouse Road, the Buxton Road, the North Walsham and the Wroxham Road as classic examples. It is however a City wide suburban challenge. The Rail Halt near the Broadland Business Park has been touted for over twenty years without any significant progress and investment and improvements to rail halts near expanding areas, Blofield/Brundall for example, should be given greater emphasis, all to reduce dependency upon the private car, van and truck.

(i) Policy 4. The Norwich Western Link Road. Where resources should have been provided to existing networks as above, instead a policy has been made to provide a new dual carriageway link across the protected Wensum River Valley to link the end of the newly constructed Broadland Northway to the proposed to be dualled section of the A47. In sustainability assessment terms this is a "major negative". In cost terms it increases Norfolk County Council risk and long term Debt. In Climate terms it is incompatible with policy. In real need terms it has failed to be justified. It does not have planning consent. The inclusion of the NWL in the plan is therefore unsound.

(j) Future Proofing the GNL.P. The Plan is to provide planning policy for the period to 2038. As stated earlier in our response, we consider the lack of a proactive series of proposals to reduce the level of carbon emissions to be unsound given the gravity of the potential responses to Climate Change and the challenges to bio-diversity and our surrounding ecology. The primary problem is the acceptance of the relentless level of growth, the second the acceptance of the level of private car use (which is also a major factor in air quality problems), the third is that resources continue to be stripped from exhaustible reserves and the fourth is that there is no end vision. When will the loss of growing land be seen as a grand failure to husband a precious natural resource?

A. M. Cawdron RIBA (retd)
Parish Councillor Plumsteads Thorpe End Ward

Greater Norwich Regulation 19 Consultation. GNLP Team, County Hall.

Introduction

1. Comments have been invited under Reg. 19 on the **soundness** of the Greater Norwich Local Plan (GNLP) prior to submission to the Planning Inspectorate.
2. **Soundness** is defined as:
 - 2.1. **Positively prepared:** The plan should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
 - 2.2. **Justified:** The plan should be the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence.
 - 2.3. **Effective:** The plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
 - 2.4. **Consistent with national policy:** The plan should enable the delivery of sustainable development in accordance with the policies in the National Policy Framework.
3. I apologise for still being alive, but the responses upon soundness relate to genuine concerns for the future of Greater Norwich/Norfolk as envisaged by this unending growth agenda. There are a number of issues illustrated by this GNLP that are not sincerely addressed
4. (a) The Proposal adopts the same old philosophy to preparing the Plan. It implies acceptance of historic solutions throughout and fails to address the consequences of those solutions of which we are increasingly aware.
5. (b) We know we are using more of the planetary resources than we can afford to use, so why are population growth and continued development considered acceptable, the more particularly as this plan relies upon inward migration from other parts of the UK to the detriment of other competing authorities.
6. (c) We are killing the bio-diversity and ecosystems of the planet for future generations by e.g. inter alia, agro-chemical warfare and excessive carbon emissions. Paying lip-service to targets without active solutions is unsustainable.
7. (d) Diminishing the supply of agricultural land in a currently friendly climate area is an illogical activity. One is destroying the vital resource of soils, workability and climate possibility to provide for a concrete and profit agenda which one cannot eat.
8. (e) GNNDP should examine the Waste profile of our activities and include for diminishing consumerism, reducing waste from plastics, clothing, household goods and activities like building/refurbishment and place zero carbon targets on development. It is now time critical and should be formalised.
9. (f) The whole ethos of the 'fringe' areas, towns and service villages is unsustainable in terms of human connectivity to work and services, as so much is on the "beyond a good walk" limit, (the NE Growth Triangle being the prime example). At three miles out from Norwich City Centre on green field sites of quality agricultural land, creating "abandoned" dormitory suburbs without centres or services and all accessible only by personal transport, thereby adding to the traffic volumes.
10. (g) Let us consider a radical approach. Instead of presuming for further development, let us take the alternative approach, which is NOT to develop unless it can be proven that the three tenets of the NPPF (and the future of the planet), are demonstrated beyond doubt. Economic, Social and Environmental **benefit** must be given **equal** importance, with a controlling bias towards the Environment.
11. There are several reasons the Draft Plan in Reg. 19 may be considered unsound including **Legitimacy, Discrepancy, Use of housing contingencies, Deliverability, Sustainability, Climate change and Carbon reduction, Affordable housing, infrastructure Roads, Norwich Western Link Road and Legal compliance.**

Legitimacy and Legal Compliance Regulation 18 consultations to Regulation 19 draft

12. There is an overarching question as to whether the GNLP public consultation process breaches the principle of fairness as R v Brent London Borough Council, ex parte Gunning (1985) and R (Moseley) v London Borough of Haringey (2014).
13. The Greater Norwich Development Partnership (GNNDP) Board papers and minutes of the meeting on 10 July 2020 make it clear that a Reg. 18 D consultation was intended from 2 November 2020 to 14 December 2020. At a subsequent Board meeting of 30 September, this was removed with progress straight to the Reg. 19 consultation.
14. The Reg. 19 v 1.7 GNLP document and the supporting studies which GNNDP Board proposes to submit for inspection, include significant changes to the subject matter on which the public were consulted in Reg. 18 contrary to provision 18 (1) (a) of the Town and Country (Local Planning) (England) Regulations 2012.

15. The paper submitted to GNDP Board meeting of 7 December 2020 states at item 8 that *“It is important to note that, as the Regulation 18 consultation stage has informed the content of the plan, the Regulation 19 stage is not a general consultation.*
16. Just how reg. 18 has informed the Reg. 19 draft is unclear, as the housing numbers now proposed were not presented in the earlier consultations and the explanation of the changes are subjective interpretations of possible growth and the Government’s policy of increased housing numbers arising from publications issued after Reg. 18.
17. Commentary under Reg. 19 is restricted to soundness only and therefore opportunity is denied for public representation concerning the **resultant increase for housing numbers** to those on which the public were specifically asked to comment in the various stages of Reg. 18 consultations.
18. The September GNDP Board meeting resolved to *“Keep the position under close review. Further information is likely to be available in the New Year on the level of housing need resulting from the standard methodology, the timing of the introduction of the new legislation and the detail of the transitional arrangements”*.
19. The number of new homes was increased from circa 40,000 to 49,000 in the Reg. 19 document submitted to and approved by the GNDP Board on 7 December 2020. The breakdown of the new figure is given Table 6¹ in the Reg. 19 v 1.7 which includes 1,296 windfalls, 2,864 new allocations plus 800 houses under policy 7.5.
20. It is evident that an increase in general allocations is now included *contrary* to the GNDP Chairman’s statement at the Board meeting of 30 September 2020 that there was a capacity in windfall sites to increase the housing numbers.
21. On 16 December 2020 the Government announced that it was rescinding its consultation proposals for calculating housing requirement numbers and that the method suggested in 2017 would continue. The issue of Reg. 19 v 1.7 post-dates this Government announcement, but persists with the increase in the buffer. The Government continuance of existing methodology confirms the projected housing need to be 40,541 and negates any necessity to revise numbers from those in the Reg. 18 consultations.
22. It is considered that account should have been taken of the most recent Government position. Inexplicably, no revisions were made to the draft to reflect the Government decision in the Cabinets of the 3 Councils in January 2021 determining that the GNLP should go to public consultation.
23. The Reg. 19 v 1.7 attempts to justify this by the inclusion at paragraph 178 that the higher buffer provides *“the potential to accommodate higher growth rates as signalled both by the Government’s “Planning for the Future” consultation and by the 2018-based projections for Greater Norwich which are somewhat higher than the 2014-based projections”*.
24. These reasons presented to Boards and Cabinets are no longer valid as the 16 December 2020 Government Response to its national consultation²
 - Confirmed that the existing methodology of calculating housing numbers would continue using the 2014-based projections; and
 - The direction of travel for higher growth rates of housing numbers was clarified as applicable to 20 specific urban areas by the addition of a 35 percent uplift in the requirements. Greater Norwich is not one of these areas.
25. This flexibility suggests that there is no need to increase the number of houses to be built way beyond the number required by the standard methodology.
26. At a subsequent Cabinet meeting of Norwich City on 11 February 2021 discussing climate change, the question was raised concerning the implications for this critical issue of increasing the buffer to 22% in the Reg. 19 draft. The response by a planning officer was that GNDP Board was in the process of commissioning an updated Housing Needs study which would be due in May 2021 and it is **expected** that this will support the housing numbers in the plan. An expectation of **future confirmation** of one of the critical aspects of the Plan *cannot* be considered as sound or justified. The public are denied the opportunity to comment on the increased arbitrary buffer.

¹ Page 47

²<https://www.gov.uk/government/consultations/changes-to-the-current-planning-system/outcome/government-response-to-the-local-housing-need-proposals-in-changes-to-the-planning-system>

27. It is suggested the modifications should be offered back to another Reg. 18 consultation, which has previously been mooted by the GNDP Board, as and when the study is available so that the public can assess what is being proposed.

Discrepancies in the Consultations

28. Both the Reg. 19 Sustainability Appraisal (SA) and the Habitats Regulations Assessment (HRA) refer to Reasonable Alternatives in the Reg. 18A consultation Growth Options Document and associated Interim SA Report.
29. The specific three questions (4, 5 and 6) on housing growth numbers offered to the public at page 19 were:
- Do you agree that the OAN for 2017-2036 is around 39,000 homes?
 - Do you agree that the plan should provide for a 10% delivery buffer and allocate additional sites for around 7,200 homes?
 - Do you agree that windfall development should be in addition to the 7,200 homes?
30. The consultation offered no alternative for housing numbers apart from the question of whether windfalls should be within or extra to the buffer.
31. The single preferred option was presented in Reg 18A as 42,887 homes (OAN as 38,988 + 10% buffer, including windfalls).
32. The 7,200 homes in the Reg. 18A questions relate to the allocation on **new sites** which are required over and above existing commitments to achieve the stated (rounded) housing target of 42,900 over the plan period.
33. Reg. 18A consultation offered 6 growth options for location distribution of the planned housing growth, all providing a total provision of **42,865** homes, including 7,200 new allocations, with a note that the final selection may be a combination of the alternatives.
34. The public were not asked specific questions on the options in the Interim SA although there was a general invitation to make representations on this separate accompanying document.
35. It is difficult to understand the logic of this section of the Interim SA as it explicitly contradicts the consultation questionnaire which states at paragraph 4.22 "*A delivery buffer lower than 10% would make it much less likely that needs would be met. A higher figure might be expected to increase the likelihood that housing need would be delivered, but it would also increase uncertainty for both housing developers and infrastructure providers, potentially risking delivery.*" [Emphasis added]
36. The subsequent Reg. 18C consultation, January to March 2020, changed the housing numbers proposed from those in Reg. 18A from circa 42,900 to 44,343 which was assumed to reflect the change of the plan period from 2017 – 2036 (19 years) to 2018 to 2038 (20 years).
37. This minor change was considered to be in line with the principles of the earlier Reg. 18A document, confirming the erroneous nature of the section in the Interim SA for a 20% buffer.
38. No further supporting SA or HRA documents accompanied the Reg. 18C consultation which must assume that a conclusion had been reached that the contradictory alternative housing numbers in the Interim SA do not apply or have been discounted.
39. Yet the final Reg. 19 SA and HRA documents give credibility to this anomalous section of the Reg. 18 suite of documents.
40. Table 6 at paragraph 158 in the Reg. 18C Strategy states that the housing numbers provide a **9% buffer** to cater for any non-delivery of sites to ensure delivery of local housing need. **The publication version of the plan will aim to provide a minimum 10% buffer** (a minimum of a further 250 homes) which is likely to be provided through a combination of additional sites proposed through this consultation and contingency sites identified in this draft plan.

Housing Buffer

41. The dictionary definition of a buffer in this context is – an extra supply of sites to prevent a shortage of land available to meet the need. In other words these allocations should act as a contingency. By including this in the plan, they become an integral part of it, thereby creating a surplus.

42. Housing provision **without** a buffer is not explored in the consultations, but may be a reasonable or the preferred alternative, particularly relative to environmental protection and climate change.
43. Both the Reg. 18 and 19 consultation proposals also note sites as a contingency outside the plan. This is a further addition to the buffer contingency in the plan.
44. The key to ensuring adequate land supply is regular robust monitoring and management practices and not a reliance on an excessive overprovision in the Plan.
45. NPPF requires policies in local plans and spatial development strategies to be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.
46. On 16 December 2020 the Government published an Indicative Housing Needs calculation for the whole of England. The annual projection for Greater Norwich is 2,008 p.a. based on the current calculation methodology, giving a projected need of 40,160 for the 20 years 2018 to 2038, a number closely aligning with the original 40,541 base housing needs in the draft plan.
47. Practically, the buffer allowance allocations and the contingency site(s) should be listed separately outside the Plan in order of environmental preference, only to be activated as necessary to maintain the five year land supply as existing commitments are built out or delayed.
48. NPPF requires that a 5 % buffer should be added as default and a maximum of 20% as a penalty for failure to meet delivery targets in the 5 year land supply calculations.
49. The only figure which requires incorporation in the GNLP is the minimum housing need over the period, which could change annually dependent upon delivery.

Deliverability

50. The Reg. 18 Stage C noted that “The plan promotes a pro-active approach to delivery through only allocating housing sites where a reasonable prospect of delivery, taking account of policy requirements in this plan, can be evidenced”. A footnote is added to this statement that “The housing allocations in this draft plan will only be carried forward to the submission version of the plan, if evidence is presented to show that they **will** be delivered by 2038”.
51. This certainty has been downgraded in the Reg. 19 documents to a **reasonable prospect of delivery**.
52. There is no certainty of delivery in the GNLP either annually or over the timescales of the plan. Historically, speed of overall housing delivery is dictated by the market, with the exception of periods, in the distant past, when there were large numbers of subsidised council housing built.
53. By proposing land to provide a 22% to 31% overprovision, purely as a contingency, the Plan would lead to planning applications to reserve the changed land status and value, but not necessarily lead to estates being built out.
54. The Delivery Statement at page 39 of the Reg. 19 draft plan that “*Where delivery cannot be demonstrated to be in accordance with agreed delivery plans for individual sites, the authorities will, as appropriate, make use of their legal powers to bring about strategically significant development, including compulsory purchase*” is intriguing. Whilst laudable to ensure that housing builds are met, as a solution this is a difficult exposure to the public purse, particularly as failure to deliver may be caused by a loss of market demand.
55. Paragraph 171 of NPPF notes that “*Plans should: distinguish between the hierarchy of international, national and locally designated sites; **allocate land with the least environmental or amenity value, where consistent with other policies in this Framework**; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.*”[Emphasis added].
56. There is no evidence in the Reg. 19 Sustainability Appraisal that land allocation has been selected as of the least environmental value or that there is a hierarchy of sustainability compliance.
57. The Interim Sustainability Appraisal noted “*Due to the range of alternatives (sic sites) under consideration, and therefore possible permutations for the final plan, it is not reasonably practical at*

this stage to undertake an overall assessment of the impact of the Plan at this stage. This assessment will be undertaken for the purposes of the Sustainability Appraisal that accompanies the pre-submission version of the GNLP.”

58. However, most of the assessments in the proposed final SA are reproductions of the tables in the Interim SA and the hierarchy sustainable impact is still absent.
59. What would have been advantageous in the most recent Sustainability Appraisal to enable proper, fair public scrutiny, would be a clear statements of additional benefits and/or adverse sustainability and environmental implications.

Sustainable Development

60. The Glossary definition given in the Reg. 19 documents on page 131 is
*“A term mostly derived from the 1987 Brundtland Report. Interpretation varies, but typically the term means meeting economic and social goals **without undermining the environment**, as well as meeting needs of the present without compromising the environment for future generations. In 2015 the United Nations agreed 17 Sustainable Development Goals to be reached by 2030. The UK is amongst the countries leading the delivery of the Sustainable Development Goals.”*
61. Also note the context of the more up to date 2019 NPPF Section 15 requires that policies and decisions should **contribute to** and **enhance** the natural and local environment.
62. Changes to the NPPF in the current Government public consultation go further in proposing changes to paragraph 11a) that *“all plans should **promote a sustainable pattern of development** that seeks to: meet the development needs of their area; align growth and infrastructure; **improve the environment; mitigate climate change (including by making effective use of land in urban areas)** and adapt to its effects”* replacing the emphasis in the current NPPF that plans should **positively seek opportunities to meet the development needs of their** area, and be sufficiently flexible to adapt to rapid change.
63. Reg. 19 Policy 3 places environmental protection and enhancement onto individual development proposals, but adds an overriding dominant factor of benefits and minimising harm, (without explanation of what is considered to be a benefit.).
64. There are two specific policies in the GNLP relating to enhancement of the environment namely:
64.1. At least 10% net biodiversity gain (on or off site).
64.2. Addressing the potential detrimental impact of visitor pressure caused by residents on sites protected under the Habitats Regulations, “by the payment of a contribution towards the cost of mitigation measures at the protected sites (as determined under the Norfolk Green infrastructure and Recreational Impact Avoidance and Mitigation Strategy, plus an allowance for inflation); and ‘the provision or enhancement of adequate green infrastructure, either on the development site or nearby, to provide for the informal recreational needs of the residents as an alternative to visiting the protected sites. This will equate to a minimum of 2 hectares per 1,000 population and will reflect Natural England’s Accessible Natural Greenspace Standard.
65. The above reference to Natural England Accessible Natural Greenspace Standard does not mention the remainder of the quoted section namely;
 - no person should live more than 300m from their nearest area of natural green space;
 - there should be at least one accessible 20ha site within 2km from home;
 - there should be one accessible 100ha site within 5km;
 - there should be one accessible 500ha site within 10km.
66. The purpose of this model is to guide local authorities in identifying the **current level of provision** of accessible natural green space and to assist with the setting of local standards and targets. The GNLP fails in its assessment of how the current environment equates to these standards nor provides any plans for any rebalance necessary.
67. The government study in 2011 of areas noted the classification of the three districts comprising Greater Norwich as: Norwich – Urban: Broadland – Urban with significantly rural: South Norfolk – Mainly rural
68. The present GNLP collects the different geographical classifications into a single entity with a single sustainability policy which risks losing much of the rural classification. The sustainability of the environment is inadequate in the plan in consideration of the diverse nature across the 3 districts and the **equal standing given to the environment** in the NPPF to those of economic and social objectives.

69. Concerning biodiversity the study states “*Biodiversity Net Gain (BNG) will still require the application of the mitigation hierarchy to avoid, mitigate or compensate for biodiversity losses on any sites within the GNL. BNG will operate in addition to these approaches, with the aim of ensuring that definite improvements to biodiversity are delivered.*”³
70. Avoidance of biodiversity harm should be the principle consideration before deciding whether mitigation is acceptable. Clarity is required in the GNL that biodiversity net gain will be implemented in the locality of and appropriate to each development. It is unacceptable to degrade the environment of any area on the assumption that another will be improved as compensation. Clarity is also required as to the continued maintenance or management of these green space areas.

Climate Change and Carbon Reduction

71. Returning to the 22% - 31% buffer overprovision, it is evident that any excess house building above need will slow the path to zero carbon. Climate change reduction locally, nationally and globally should be of primary overriding consideration, but the implications of overprovision of land for this internationally agreed necessity is not addressed in the draft Reg. 19.
72. Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 requires that: “*development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change*”.
73. The vision of the GNL includes the statement at paragraph 131 that “*our plan will have helped to achieve reductions in our greenhouse gas emissions to contribute to the national zero emission target by 2050.*” Where is the evidence of this?
74. Whilst the GNL Climate Change Statement states that it will “*have an effective monitoring regime to ensure evidence on reducing carbon dioxide emissions, recorded against the Climate Change Act and other key national statutory and policy frameworks*”, it does not include clear evidence-based carbon reduction targets, which are needed for the GNL to demonstrate how it will meet its legal obligations..
75. There is no mention of the December 2020 target announced by the Government for a carbon emissions reduction of at least 68% by 2030 compared to 1990 levels.
76. Carbon emission reductions for the three Authorities from 2005 to 2018⁴ were:
 Broadland - 23% reduction (1.77% average annually)
 Norwich - 42% reduction (3.23% average annually)
 South Norfolk – 20% reduction (1.54% average annually)
77. The data from 2005 would suggest that Broadland and South Norfolk will need to accelerate the speed of reduction to 2030 if they are to meet this Government target.
78. It is acknowledged that rural areas have higher levels of emissions than the national average which may require stricter measures and which should be addressed in the plan. Both Broadland and South Norfolk have recorded slight increases in carbon emissions between 2005 and 2018 for transport. Transport emissions are a critical area which needs to be addressed, particularly noting that transport is 36% and 53% of the total emissions for Broadland and South Norfolk respectively against the national average of 36%.
79. There are no specific proposals in the GNL outlining how this carbon emissions imbalance from transport will be resolved or that levels will not be further increased by the location proposals for housing and employment in the plan. It is inevitable that the site allocations will increase transport use rather than encourage a modal shift to other forms of transport as is the stated ambition of the GNL.
80. Reliance on the switch to electric vehicles for transport emission reductions will assist over the longer term, but this will still be partial up to 2030 . Volumetrically, housing placement on GNL sites will lead to larger traffic quantity and pressure on all county road infrastructure.

Affordable Housing

81. The Affordable Housing Need is stated at paragraph 271 of Reg. 19 v 1.7 as 11,030 being 28% of the overall housing need as established in the 2017 SHMA Report. Assuming the affordable housing

³ Page 5 of Greater Norwich Green Infrastructure Study

⁴ UK local authority and regional carbon dioxide emissions national statistics: 2005-2018

percentages will apply to the 22% buffer of allocations above the defined overall housing need, mathematics determines that the number of affordable housing units will exceed the need by 2,427 if all the sites are developed over the period.

82. The Plan does not indicate the reduced number of affordable homes which will result from the reductions in Neighbourhood plans and committed sites with approved lower percentages of affordable housing.
83. All this data should be readily available to the GNDP and the plan should show the numbers of affordable houses which will be provided against this policy for meeting the overall housing need target and how this will be managed in scenarios where the overall need is not being met and if annual completions are nearer to the target including the 22% buffer.
84. Without this study comparing potential extra affordable homes if the buffer is built out and reductions from Neighbourhood plans and lower approved numbers in existing commitments, the policy on affordable homes is meaningless.

Infrastructure Roads

85. The plan is short of information as to the effect on transport anticipated from the correlation for housing and employment sites.
86. Paragraph 294 of Reg.19 reports the conclusion of the Employment Town Centre and Retail study (GVA 2017) and the Avison Young 2020 addendum in that *“although Greater Norwich has enough employment land overall, most of this is out-of-centre and is **neither the preferred location for some growth sectors nor the most sustainable place for high intensity employment / office growth**”*.
87. The paragraph adds that *“there is a risk that this may lead to new such development going to **less sustainable** locations with serious impacts on the vitality of the city centre and undermining policies to encourage modal shift. Therefore, it is essential that this plan ensures that high density employment uses are concentrated in highly accessible locations in particular the city centre, and that loss of existing floorspace in the city centre is resisted”*. [Emphasis added]
88. This reality is not adequately addressed in the plan with the majority of employment locations at the cardinal points on the edges of the urban fringe and 13% only in the city centre, which will not resolve this risk or reduce reliance on the car for commuting.
89. Policy 4 in the draft Reg. 19 v 1.7 notes that *“Transport improvements will support and embrace new technologies and develop the role of Norwich as the regional capital, support strategic growth in the Cambridge Norwich Tech Corridor, improve access to market towns and rural areas and promote sustainable and active transport”*.
90. The statement is made that it will be achieved by Implementation of the Transport for Norwich Strategy including:
 - significant improvements to the bus, cycling and walking networks to promote modal shift;
 - developing the role of the park and ride system;
 - changing attitudes to travel;
 - delivery of the Norwich Western Link road
91. There is little substance in how these will be achieved.
92. The specific inclusion of the Norwich Western Link as part of the GNLP is unjustified as this new road does not have planning consent and is environmentally and ecologically damaging, with no effective mitigation being possible. There appears to be an implication that planning consent is a given.

Norwich Western Link and Legal Compliance

93. Reg. 19 paragraph 138 simply notes the NWL as one of the road schemes which **will** enhance transport in Greater Norwich.
94. The support of this project by GNDP Board is confirmed by the statement in its 2020 Greater Norwich Infrastructure Plan which confirms *“The Greater Norwich authorities are **promoting** the construction of a new highway link (‘Norwich Western Link’), which will link the Broadland Northway with the A47 to the west of Norwich”*⁵. [Emphasis added]

⁵ Paragraph 3.9

95. The NWL is included in the Norfolk Infrastructure Delivery Plan (NIDP) 2017 – 2027 (latest update 2019) which is promoted by Norfolk County Council and all the local authorities of the county as partners.
96. The NIDP states that all projects included are judged on three criteria
- **Delivering significant housing and jobs growth**[Emphasis added]
 - Identified in existing plans/programmes
 - Have a committed route to delivery
97. The GNLP does not contain any reference to the NWL delivering any of the housing or jobs, unlike the existing JCS, which made the Broadland Growth Triangle dependent on the NDR.
98. At the Planning Inquiry for the NDR a link across the Wensum Valley was specifically and deliberately excluded.
99. The employment sites at Policy 3 in the 2014 adopted JCS (*within the Norwich Policy Area, Thorpe St Andrew, Longwater, Norwich Research Park, Norwich Airport, Rackheath, Hethel and Wymondham will be the focus of further jobs growth*) are basically as those now being promoted by the GNLP.
100. The only apparent change is the addition of the Food Hub at Easton, for which a Local Development Order (LDO) was granted in 2016. To date there is a single occupant, Condimentum, which is a mustard milling and mint producing facility. The LDO planning decision does not reference the need for the NWL and currently only 40% of the allowable floorspace is permitted until a direct access to the A47 is provided.
101. Norfolk County Council has published its Norfolk Transport Plan 4 draft on its website in which an explanation is made to justify the NWL as one of the priorities “*to tackle infrastructure deficit*”. The priorities include the Norwich Western Link, A140 Long Stratton Bypass, A10 West Winch Housing Access Road, full dualling of the A47 and improvements to the major rail links to London and Cambridge.
102. Policy 14 outlining plans for access to and around Norwich include the introductory paragraph “*NCC want to encourage the use of more sustainable forms of transport, such as public transport, cycling and walking, while also improving the capacity of the road network, in particular through the completion of the Norwich Western Link.*” There is no explanation as to how the NWL will encourage more sustainable forms of transport.
103. At Reg. 19 paragraph 240 the GNNDP attempts to distance itself from the HRA obligations in connection with the NWL by stating that the scheme is identified as one of Norfolk County Council priorities and in paragraph 245 that the **GNLP authorities** will only give it support “*provided that their promoters and the relevant competent authority are able to demonstrate that they would not conflict with other policies of the plan and where there would be no adverse effect on the integrity of sites protected under the Habitats Regulations Directive.*”
- The inclusion of paragraph 245 was added to the Reg. 19 document in response to the HRA Report that the NWL and other projects are outside the control of the GNNDP.
104. The text in GNNDP Response to draft HRA (Dec 2020) recommendations for Reg. 19 GNLP is “*Although the principle of the recommendation is agreed with, the suggested text is not all necessary to provide adequate clarification as the issue of the Norwich Western Link is already explained in the Plan (see para. 240). Therefore, a change has been made to the supporting text, based on the latter part of the suggested text, adding a new paragraph (245).*”
105. This raises fundamental questions of responsibility under the Habitats Regulations in preparation of strategic plans. The GNNDP appear to accept that the GNLP falls under the Habitats Regulations in that it has commissioned an overarching HRA.
106. The critical question is whether the author of the GNLP takes responsibility for all aspects of the **plan** including **projects** which are under the control of one of the partnering members of the GNNDP.
107. To a greater or lesser extent all the projects, i.e. development of the individual sites, are in the control of one or other of the partnering members and it is assumed that each LPA will ensure that the developers provide sufficient information to enable the authority to make an appropriate assessment for HRA if required.

108. The situation concerning the NWL differs in that the County Council are both the Planning Authority and Promoter/Developer for the road. As a relevant competent authority it should be making appropriate assessments both for any plans it prepares as well as specific planning applications for projects it has to determine.
109. In fact NCC has already carried out an appropriate assessment on the NWL in 2005 and resuted this again in 2016 as justification to the Planning Inspectorate as to why the NDR could not cross the Wensum Valley.
110. That assessment by the then Head of Law had a four point conclusion that⁶
- *The available evidence suggests strongly that a new or widened carriageway crossing (the SAC) will have that (significant) effect.*
 - *Although a full and detailed assessment to the level required for an Appropriate Assessment had not been undertaken, the evidence currently available to the County Council suggests that a new or widened carriageway would adversely affect the integrity of the SAC.*
 - *Three potential other solutions were noted, two of which were offered to the Committee for consideration namely, (a) a scheme (in effect the purple/brown route), which utilises the existing single carriageway crossing and (b) a partial route without the brown or purple route.*
 - *Leading Counsel has advised that although there is clearly an economic and social justification for the scheme, only relatively little weight would be attached to the need to relieve congestion in the Norwich area.*
111. This conclusion would suggest that there was an absence of reasons to justify overriding the negative impacts at that time and the GNLP does not offer any new evidence to counter this extant legal opinion.
112. Regulation 7c of the Habitats Regulations notes that a competent authority includes "any person exercising any function mentioned in sub-paragraph (a) or (b)", which includes public bodies of any description. In the case of the GNLP, the GNDD is acting on behalf of all five partners and assumes the responsibility for the Habitats Regulations in the whole plan.
113. For this reason it is unacceptable to knowingly include a project subject to a current HRA negative finding and relying on one of the partners proving at some date in the future that this will be overturned.
114. Minutes of the GNDD Board meeting, of 30 September 2020 also record that "*Conflicting legal advice had been received regarding the inclusion or not of the Western Link in the Plan*".

Postscript

115. Concerns regarding the soundness of the GNLP are tempered by the potential consequences of a free-for-all land grab if the plan is rejected.
116. The residents of Greater Norwich have been badly let down in getting to this position with a plan which commenced in 2017, but which follows a "continual and expanding growth" template which may be regarded as out of date for a world in Climate Crisis.
117. A straightforward solution would be to revise the Reg. 19 draft to align with the Reg. 18 proposals for target housing numbers, justify the job numbers target as realistic, remove the NWL from the plan and tighten up the policies and provide targets for the environment and climate change before submission to the Inspector for approval.

18 March 2021
Andrew M Cowdron

⁶ See NCC/EX/65 on the Norfolk County Council website for Broadland Northway

Norfolk County Council acknowledge receipt of sealed

Envelope containing GNLP Reg 19 Response

Hand delivered by Mr A Cawdron 19th March 2021.

Front desk.

4 Appropriate Assessment of Policy 1 'The Growth Strategy'

4.1 Policy summary

4.1.1 To meet the need for around 40,541 new homes to 2038, sites are committed for a minimum of 49,492 new homes which is equivalent to a 22% housing delivery buffer above need.

4.1.2 To aid delivery of 33,000 additional jobs and support key economic sectors, 360ha of employment land is allocated and employment opportunities are promoted at the local level. Supporting infrastructure will be provided in line with policies 2 and 4. Environmental protection and enhancement measures including further improvements to the green infrastructure network will be delivered.

4.1.3 Growth is distributed in line with the settlement hierarchy to provide good access to services, employment and infrastructure. It is provided through urban and rural regeneration, along with sustainable urban and village extensions. The majority of the housing, employment and infrastructure growth is focussed in the Strategic Growth Area illustrated on the Key Diagram which includes Greater Norwich's key part of the Cambridge Norwich Tech Corridor, including the Norwich urban area, Hethersett and Wymondham and key strategic jobs sites at Hethel and the Norwich Research Park. Growth is also focussed in towns and villages to support vibrant rural communities. For more detail please see the key diagram of the Local Plan.

4.1.4 Housing commitments are distributed as follows:

Area	Existing deliverable commitment (April 2018)	New allocations (including uplift)	Total deliverable housing commitment 2018 - 2038
Norwich urban area	26,019	6,672	32,691
The main towns of Wymondham, Aylsham, Diss (with Roydon), Harleston and Long Stratton	5,151	1,655	6,806
The key service centres of Acle, Blofield, Brundall, Hethersett, Hingham, Loddon / Chedgrave, Poringland / Framingham Earl, Reepham and Wroxham	2,984	695	3,679
Village clusters in Broadland District	1,146	482	4,220
Village clusters in South Norfolk District	1,392	Minimum 1,200	
Total	36,692	10,704	47,396
Homes delivered through policy 7.5			800
Windfall allowance			1,296
Overall total			49,492

4.1.5 Policies 7.1 to 7.5 provide details of this distribution and the Sites document provides individual site policies. Individual site policies for villages in South Norfolk will be in the South Norfolk Village Clusters Housing Site Allocations Plan. Additional "windfall" housing growth will be

Delivered by hand 19/03/21

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