

26 May 2010
Our ref: LA8.1

Sandra Easthaugh
Greater Norwich Development Partnership
Manager
P O Box 3466
Norwich
NR7 7NX



Norfolk & Suffolk
Government Team
Dragonfly House
2 Gilders Way
Norwich
NR3 1UB

Dear Ms Easthaugh

Response to the inspectors' conclusions from the exploratory meeting to discuss the JCS

After attending the exploratory meeting on 13 May 2010, we have recently received a document outlining the conclusions of the inspectors, preceding the Examination in Public of the Greater Norwich Development Partnership's Joint Core Strategy.

As stated in our earlier correspondence, Natural England welcomes the inclusion of policies in the JCS that provide for the protection and enhancement of nationally and internationally designated wildlife sites, and biodiversity; and the comprehensive vision for green space provision. We have also raised some significant concerns about the timely and appropriate provision of the requisite infrastructure, required to prevent adverse effects to designated sites.

The inspectors' conclusions were that, according to the PINS guidance, 'the key infrastructure items required to enable delivery of the major developments in the DPD need to be firmly and clearly identified in the DPD itself and their implementation shown to be reasonably assured' (page 1). We would add to this the statutory obligations of the Habitats Regulations Assessment¹ for this plan, which will require the secured provision of elements of water and green infrastructure in order to enable a conclusion of no adverse effect on European designated site integrity.

The inspectors call for 'critical path evidence' to be supplied by the GNDP, linking phases of development to the infrastructure necessary for their implementation, including – where relevant – evidence of the sign up of providers and funders. The inspectors state that 'Proposals in DPDs are unlikely to prove sound if the relevant providers have not indicated that there is a reasonable prospect that linked infrastructure can be completed on time' (page 2). This evidence will also be required to be legally compliant with the Habitats Regulations, bearing in mind that the plan must additionally be assessed 'alone and in combination' with other plans and projects, such as the committed and anticipated development outside the GNDP's boundary, referred to by the inspectors in their final paragraph on infrastructure.

Earlier in the consultation process, we endorsed the GNDP's statement that – since 'In many areas existing infrastructure is at, or near capacity ..., significant investment in green infrastructure waste and water infrastructure' are 'fundamental requirements' (JCS, page 11). Without them, it is clear that the scale of growth proposed in this document is untenable, and would not meet the Regulation 61 tests of the Habitats Regulations. The findings of the draft Norwich Water Cycle Study indicate the degree to which growth in this region is dependent upon water supply and sewage disposal infrastructure being in place *before* development begins.

¹ *Conservation (Natural Habitats &c) Regulations 1994 (as amended 2010)*

We also expressed our support the wording of your *Policy 3*, which accords with the regional approach:

'The release of land for development will be dependent on there being sufficient water infrastructure to meet the additional requirements arising from the new development and to ensure that water quality is protected or improved, with no significant detriment to areas of environmental importance. ... This water infrastructure will be upgraded as required and be **operational in time to meet the demands of any development.**' (JCS, page 39)

At the same consultative stage, we were pleased to note the inclusion of the following wording under *Policy 20*: 'It is not the intention of this JCS to permit housing growth to outstrip and be developed in advance of supporting employment and **a full range of hard and soft infrastructure**' (JCS, page 93). However, we advised that *without* the full range of hard and soft infrastructure required, we consider that the plan would be found to be unsound under examination.

We also welcomed the provision for review of the whole strategy (page 94), should a critical shortfall in implementing the requisite infrastructure be identified.

In order for Natural England to provide support to the GNDP at the forthcoming Examination in Public, you will need to satisfy us that the Appropriate Assessment has been completed, it is robust, and no adverse effect on site integrity can be concluded for all of the Natura 2000 sites. This will only be achieved if the critical infrastructure for waste water, water supply and green infrastructure have been demonstrably secured, and are both timely and fully funded. We would therefore ask that, in undertaking the 'critical path' evidence, you explicitly indicate the infrastructure required by the HRA and hence prevent adverse effect on integrity. This transparency is crucial in establishing the soundness of your plan.

Please contact me if you have any questions about the content of this letter or would like to discuss these further.

Yours sincerely

Helen Ward
Planning and Conservation Adviser
Norfolk and Suffolk Government Team
Tel: 0300 060 1994
helen.ward@naturalengland.org.uk

cc. Inspector Roy Foster
Assistant Inspector Mike Fox