

Greater Norwich Development Partnership Joint Core Strategy Examination

Matter 1

A) Legal Requirements and
B) The Spatial Vision and the Spatial
Planning Objectives (JCS Parts 01 & 04,
including the Key Diagram at p29)

Written Statement on behalf of Landstock Estates Ltd
and Landowners Group

A) LEGAL REQUIREMENTS

A1 Has the JCS been prepared in accordance with the relevant Local Development Studies?

1.1 Please see covering letter regarding our position and refer to Counsel's previous legal opinions on Soundness matters.

A2 Does the evidence (including the Regulation 30(d) and 30(e) statements and the GNDP's self assessment paper) show that the JCS has been prepared in compliance with the Councils' Statements of Community Involvement?

1.2 Please see covering letter regarding our position on Soundness and refer to Counsel's previous legal Opinion on Soundness matters.

A3 Has the JCS been prepared in accordance with the requirements of the 2004 Regulations (as amended) including those concerning the publication of the prescribed documents, their local advertisement and availability for inspection, the notification of DPD bodies, and the provision of a list of superseded saved policies?

1.3 Please see covering letter regarding our position on Soundness and refer to Counsel's previous legal opinions on Soundness matters.

A4 Have Sustainability Appraisal (SA) and Appropriate Assessment (AA) been undertaken, the latter under the Habitats Directive?

1.4 Our position on the Sustainability Appraisal process has been well documented, in particular within the two legal Opinions submitted to the GNDP and our previous representations. Most recently, our representations relating to the Statement of Focussed Changes (SoFC) document (EIP 51) addressed the most recent Sustainability Appraisal update (July 2010) (EIP 53) that accompanied the SoFC document. The Inspectors also have the benefit of the GNDP's response. We have no further written submission to make at this time.

A5 Has the JCS had regard to the sustainable community strategies for the area adopted by the County Council, the City Council and the two District Councils?

1.5 Please see covering letter regarding our position on Soundness and refer to Counsel's previous legal Opinions on Soundness matters.

B) THE SPATIAL VISION AND SPATIAL PLANNING OBJECTIVES (JCS PARTS 01 & 04 AND THE KEY DIAGRAM):

B1 Are the spatial vision and objectives at part 04 of the JCS (and the strategy depicted on the key diagram at p29 of the JCS) justified, effective, and consistent with national policy?

1.6 We support the general approach of focusing development upon Norwich and the main towns where a sustainable pattern of development can best be achieved. Our concerns relate to the level of housing proposed between the settlements which is not justified, effective nor consistent with the evidence base (see submissions in respect of Matters 2 and 3) and uncertainty that the quantum of dwellings as proposed in the JCS (see trajectory) will not be secured, without adequate flexibility or contingency.

1.7 Accordingly, there are three principal areas of concern in terms of the broad spatial strategy and identification of the housing development that results (see policies 4, 9 and 10 of JCS):

- The quantum of development identified at specific settlements (e.g. Wymondham/ Long Stratton and Easton);
- The deliverability of the allocation of the growth area in light of the uncertainty surrounding the NDR and Postwick hub;
- How the 3,800 floating allocations in South Norfolk and Broadland will be addressed through subsequent DPDs and the guidance that the JCS provides;

1.8 Accordingly, our comments here overlap with those set out in our statements in respect of Matters 2 and 3 and 4.

Delivery of NE Norwich (Growth Area)

1.9 There are currently significant risks associated with North East Norwich:

- The potential failure of the Postwick Hub works which are due to be heard at a Public Inquiry sometime after the Autumn Spending Review if funding for this scheme is approved; and
- That the NDR is not delivered and is subject to the Autumn Spending Review due on 20th October 2010.

- 1.10 As set out in our response to Matters 3 and 4 we consider that an alternative strategy could be adopted, whereby either:
- The JCS makes provision for the identification of reserve sites at this time to accommodate any future delay in the delivery of NDR or;
 - That the allocations in the JCS are reviewed in light of the Inspectors' findings as to the soundness of the scale of the development proposed at NE Norwich for example.
- 1.11 The GNDP has conceded that the capacity of the Growth Area is limited to a 3,200 new dwelling allocation in advance of the NDR (paragraph 45 and 46 EIP 51). There is however an alternative scheme, based upon a link road or similar that can provide for an increase capacity. The alternative scheme has in part been tested as part of the JCS and was eluded to in the SoFC (para 26 EIP 51)
- 1.12 The issues are about the capacity of the North East Norwich growth area under the 'non NDR scenario' and the process by which any shortfall is identified and reallocated within the NPA. The Examination will test the delivery of the NE Norwich allocation and whether:
- The level of development should be reduced now to reflect uncertainty in delivery and allocations should be increased elsewhere in the NPA to overcome this reduction; or
 - Whether a contingency needs to be built into the JCS now; or
 - Whether any under provision can be addressed through subsequent DPDs and a reserve site DPD or similar.
- 1.13 We would respectfully submit that there are two approaches that could be adopted, which are not mutually exclusive:
- i) Redistribute the housing allocation at suitable locations based on the evidence base¹. This would require reductions at either unsuitable locations or areas at risk of non-delivery; and/or
 - ii) Introduce a policy of reserve site allocations or identification to provide for flexibility or contingency to the JCS.

¹ For example Wymondham has been tested by the GNDP through the SEA/SA process as capable of accommodating 4,000 dwellings (JCS 3 Pages 37-38 Pre-Submission SA Report September 2009). Further evidence within the SHLAA also demonstrates a sufficient number of suitable sites to deliver a higher level of growth)

Revised Allocation of Growth between Settlements

- 1.14 In terms of additional allocations, we propose in response to Matters 2 and 3 that Wymondham should accommodate at least 4,000 dwellings and as set out in our previous representations to the JCS (Pre-Submission Reps – December 2009) is a suitable location for a greater level of growth (circa 6,500 dwellings beyond 2026). A growth level of 4,000 dwellings has been tested through the SEA/SA (pp37-38 and table 3.3) (JCS 3) and Wymondham's status as the only Main Town within the NPA and therefore a logical, suitable and sustainable settlement to accommodate a higher level of growth than currently proposed in the JCS. Accordingly, the current 2,200 dwellings proposed allocation should be increased by a further 1,800 units
- 1.15 The need for revised allocations could arise for instance:
- a) If the Inspectors consider settlements such as Long Stratton etc unsuitable for the currently proposed level of growth; and/or
 - b) If the Inspectors are concerned that North East Norwich will not deliver the quantum of development proposed.
- 1.16 Options a) and b) would require re-wording to policies 9, 10 and 14 (i.e. where specific growth figures are set out) as well as the plan on p60. Option a) would not affect the overall distribution of housing in the NPA (as the overall quantum in South Norfolk remains the same) and would be consistent with the evidence base and broad spatial strategy, but would overcome some apparently critical and significant infrastructure and delivery issues (as set out in Matters 02, 03, 04 and 05 and 10).
- 1.17 Policy 9 bullet point amendments for option a) for example could be as follows:

Policy 9: Strategy for Growth in the Norwich Policy Area

- Norwich City Council: 3,000 dwellings
- Broadland Smaller Sites in the NPA: 2,000 dwellings
- South Norfolk Smaller Sites in the NPA and possible additions to named growth locations: ~~1,800~~ 1,750 dwellings
- Old Catton, Sprowston, Rackheath and Thorpe St Andrew Growth Triangle: 7,000 dwellings by 2026 continuing to grow to around 10,000 dwellings eventually
- Easton/Costessey: 1,000 dwellings
- Cringleford: 1,200 dwellings
- Hetherset: ~~1,000~~ 500 dwellings
- Long Stratton: ~~1,800~~ 50 dwellings¹
- Wymondham: ~~2,200~~ 4,000 dwellings
- Poringland: 500 dwellings

Note - underlined text is proposed additional/amended text.

¹ Para 4.5 Appendix 6 EIP 86 GNDP Response to EM Conclusions Issue 3 (inc. footnote)

- 1.18 Option a) set out above provides for a more balanced distribution of housing amongst the Main Town (Wymondham) and the 3 Key Service Centres in the NPA in South Norfolk District. This amended policy is flexible within the framework of the evidence base. Please note we have not set out the required changes to polices 10 and 14 in these Matters but the figures would be repeated in the amendments to these policies.

Reduction of Dwelling Yield at NE Norwich

- 1.19 Given the question marks relating to the delivery of North East Norwich and the acceptance that only 3,200 units can be delivered from the growth area without the NDR but with Postwick (EIP 51 – Statement of Focused Changes paragraphs 26, 45, 46, and 47 July 2010), a further amendment to the table on p43, and policy 9 and 10 of the JCS could be explored. This option would see the 7,000 dwellings reduced to either 3,600 units (based on the implementation of Plan B as set out in matter 03) or to 3,200 units as set out in the Statement of Focused Changes paragraphs 26, 45, 46, and 47 assuming no NDR. This would require the redistribution of either 3,400 units or 3,800 units across the NPA. Wymondham has the capacity to increase to 4,000 dwellings overall. Because of the level of growth that may be required to be accommodated elsewhere, other settlements may require increased growth figures.
- 1.20 Policy 9 bullet point amendments for option b) could be as follows:

Policy 9: Strategy for Growth in the Norwich Policy Area

- Norwich City Council: 3,000 dwellings
- Broadland Smaller Sites in the NPA: 2,000 dwellings
- South Norfolk Smaller Sites in the NPA and possible additions to named growth locations: 1,800 dwellings
- Old Catton, Sprowston, Rackheath and Thorpe St Andrew Growth Triangle: ~~7,000~~ 3,200 or 3,600 dwellings by 2026 ~~continuing to grow to around 10,000 dwellings eventually~~
- Easton/Costessey: 1,000 dwellings
- Cringleford: 1,200 dwellings
- Hethersett: 1,000 dwellings
- Long Stratton: 1,800 dwellings
- Wymondham: ~~2,200~~ 4,000 dwellings
- Poringland 500 dwellings
- New Allocation 1,500 or 1,100¹

¹ This is on the basis Wymondham accommodates 1,800 and Poringland 500 units from the remaining 3,400 in NE Norwich. The new allocation can be made in BDC in a phased growth pattern based on the likelihood of committed funding of the NDR as and when the supply in NE Norwich is less than 5 years circa 2021.

- 1.21 Option b) requires the table on p43 of the JCS to be amended where the figures identified in the New Allocations to 2026 column (column h), would need to be amended to reflect the following:

District Components	New allocations to 2026
Broadland NPA	9,000 <u>6,700</u>
Broadland (outside NPA)	690 – 1080
Norwich	3,000
SN (NPA)	9,000 <u>11,300</u>
SN (Outside NPA)	1,040 – 1,580
Total	22,730 – 23,660

- 1.22 Option b) requires the re-distribution of the overall quantum of housing apportioned to Broadland District Council potentially to South Norfolk District where there is evidently less infrastructure constraints. However, this scenario does not alter the overall NPA requirement and therefore still meets the NPA housing requirement.

Flexibility and Contingency

- 1.23 If it is considered that the above amendments are too great and fall outside of the scope of the JSC and evidence base, an additional policy could be introduced to provide the mechanism to add flexibility into the plan. This approach has been successfully undertaken at previous Core Strategy examinations (Horsham District Council) and ensured the necessary flexibility is introduced into the plan. This could be achieved by the following proposed new Policy (9a) below.

Policy 9a 'Managing the Release of Housing Land'

The release of land for housing will be managed in order to deliver the overall level and nature of development indicated in Policy CP9 over the period to 2026 and to give the necessary priority to the reuse of previously developed land within built-up areas. The adequacy of housing land supply will be assessed through monitoring and will be addressed through the preparation of an Annual Monitoring Report.

Depending on the results of monitoring it may be necessary to adjust the pace of delivery of housing by bringing forward, or holding back, new development.

Through a separate AAP/DPD, additional land will be identified in the Main Towns to be held in reserve, and any release to be managed in accordance with specified criteria.

1.24 Explanatory text to this policy could read as follows:

"The primary objective is to secure a sustainable pattern of development and accordingly, the emphasis will be upon maximising the contribution to the NPA's housing needs. However, in order to ensure that sufficient land is identified to meet the annualised housing requirements in the short term and to accommodate any shortfall in the forecast rates of supply, further land may be identified under Policy 9a and held in reserve. Mechanisms will be set out for monitoring and managing the release of land, including identifying the circumstances under which such reserve land would be released."

1.25 In addition to the new policy 9a (above) additional text should be added to existing Policy 9: Strategy for Growth in the Norwich Policy Area. This additional text could be inserted after the 3rd paragraph on the left hand column of page 56 relating to the housing numbers being a minimum and should read:

"All the numbers above are the minimum number of dwellings to be delivered in each location. To ensure that the strategic requirements for the NPA are met, additional land in the Main Towns (as set out in the settlement hierarchy) within the NPA will be identified through the Site Specific Allocations DPD, or a contingency AAP/DPD, to be held in reserve and for its release to be

managed through Policy 9a 'Managing the Release of Housing Land.'

- 1.26 Following the current wording of Policy 9, an explanatory paragraph should also be added to read:

"In order to accommodate any potential shortfall in the forecast supply arising from the sources identified in Policy 9 'Strategy for Growth in the Norwich Policy Area', additional land will be identified at the Main Towns in the NPA to be held in reserve with any release managed under the terms of Policy 9a 'Managing the Release of Housing Land'".

- 1.27 We demonstrate elsewhere (matters 2, 3, 4 and 5) how and why Wymondham can and should accommodate a higher level of growth, either from the review of the allocation of development elsewhere and/or the delay or failure in delivery elsewhere.

Floating 1,800 Dwelling Allocation

- 1.28 Based on the above potential amendments, we have not commented significantly upon the 1,800 dwelling 'floating' allocation. We consider that the JCS requires specific guidance as to how this element of the JCS will be delivered in order to meet the overall spatial strategy. Amended wording will be required to Policy 14 to ensure this. Notwithstanding our concerns, as we have set out in our previous representations to the JCS, we consider Wymondham should accommodate a higher level of growth. Any contribution that Wymondham could make to meeting this 1,800 requirement would be identified through a separate DPD and subject to SEA/SA at that time

- B2 Was there adequate identification, consultation upon, and testing of 'reasonable alternative' spatial visions and strategies before the formulation of the submitted JCS? Is there a clear audit trail demonstrating the decision making process by which the spatial vision and objectives of the submitted JCS were arrived at? If (in any aspect) a balance was struck between competing spatial alternatives, is it clear how and why the selected balance was struck?**

- 1.29 Please refer to the legal Opinions on soundness.