

## JOINT CORE STRATEGY – NEXT STEPS

**Portfolio Holder:** Planning  
**Wards Affected:** Blofield with South Walsham, Brundall, Drayton North, Drayton South, Hellesdon North West, Hellesdaon South East, Horsford and Felthorpe, Old Catton and Sprowston West, Plumstead, Spixworth with St Faiths, Sprowston Central, Sprowston East, Taverham North, Taverham South, Thorpe St Andrew North West, Thorpe St Andrew South East, Wroxham

### 1 SUMMARY

- 1.1 Following the receipt of the Judgment and High Court Order which remitted parts of the Joint Core Strategy (JCS), and set out what would need to have been done to have avoided such an Order, a process for undertaking that work was reported to Place Shaping Committee in May and subsequently, the proceedings of that reported to Cabinet. Updates were given to Place Shaping Committee on 5 July 2012.
- 1.2 A further report was taken to Place Shaping Committee on 25 July 2012 which described the work that had been undertaken, the Sustainability Appraisal Report and its outcomes. The report invited a recommendation as to whether, in light of the findings of the Sustainability Appraisal, the JCS as originally submitted remained the correct strategy and, if so, that the remitted part of the Strategy should be published and comments invited on the “soundness” of the Strategy as a precursor to its submission to the Secretary of State for Independent Examination.
- 1.3 Following a resolution from Broadland, Norwich and South Norfolk Councils, the Joint Core Strategy “Proposed Submission Documents” were published. The period of publication finished on 2 November 2012.
- 1.4 This report, and its appendices, provides a summary of the main issues raised during the publication period. Members must now consider the representations that have been made and determine, in light of the representations made, how to proceed.

### 2 KEY DECISION

- 2.1 This is a key decision and has been published in the Forward Plan.

### 3 INTRODUCTION

- 3.1 Members will be aware that in August 2012 Broadland District Council,

Norwich City Council and South Norfolk Council resolved to publish the Proposed Submission Documents, which included the Joint Core Strategy “Proposed Submission Content” under Regulation 19 of the Town and County Planning (Local Planning) (England) Regulations 2012 as a precursor to its submission to the Secretary of State for Independent Examination.

- 3.2 The “Proposed Submission Documents” were published on 10 August 2012. The publication period ended on 2 November 2012. The publication process provided an opportunity for the Public and other Stakeholders to make comments in respect to the “Soundness” of the Plan.

## **4 THE ISSUES**

- 4.1 Members must now consider the representations that were made in response to the publication of the “Proposed Submission Documents” and resolve whether or not to submit the plan to the Secretary of State for Independent Examination.
- 4.2 In order to be “Sound” a plan must be prepared in accordance with the Duty to Cooperate and other legal and procedural requirements. It must have been “Positively Prepared”, “Justified”, “Effective” and be “Consistent with National Policy”. These requirements are set out in paragraph 182 of the National Planning Policy Framework.

## **5 DISCUSSION**

- 5.1 Appended to this report is the GNDP Board report considered at the meeting of that Board on 13 December 2012 and its accompanying appendices. These appendices comprise the Report of Representations (including Regulation 22(1) (c) Statement and the Joint Core Strategy for Broadland, Norwich and South Norfolk: Proposed Submission Document).
- 5.2 This report provides:
- a brief overview of the Regulation 19 process;
  - a summary of the key issues raised and the conclusions of Broadland, Norwich, South Norfolk and Norfolk County Council Officers, in regards to the significance of those issues;
  - a brief explanation of why the proposed submission content is considered to be “Sound”;
  - a lists of submission documents that will be sent to the Secretary of State subject to an appropriate resolution from the three local planning authorities (Broadland, Norwich and South Norfolk)
  - details of the next steps.

- 5.3 For the sake of brevity, the information set out in the report has not been repeated here. Therefore Members are requested to consider the content of the appended GNDP Board report.
- 5.4 Furthermore, a copy of the “Proposed Submission Documents”, representations made in response to the publication of those “Proposed Submission Documents” and the response of Broadland, Norwich, South Norfolk and Norfolk County Council Officers to those representations has been made available in the Members Room.
- 5.5 On 11 December 2012 the Communities Secretary laid before Parliament an Order to revoke the East of England Plan. This Order is expected to take effect from 3 January 2013.
- 5.6 As a result of the Order, Local Plans no longer need to be in conformity with the East of England Plan. This includes the requirement to be in conformity with the regional housing targets. Notwithstanding the above, Broadland District Council remains obligated to plan for the full and objectively assessed needs for market and affordable housing<sup>1</sup>.
- 5.7 The Secretary of State originally stated his intention to revoke the East of England Plan with immediate effect in July 2010. Whilst this initial revocation was ultimately found to be unlawful following legal challenge, the impending expectation that this statement would be issued provoked the Independent Inspectors who examined the original JCS submission to ask the GNDP to explain why the housing numbers put forward in the JCS were justified in the context of local evidence in late 2009. This led to the production of the Topic Paper: Homes & Housing (2009), which set out a range of evidence concerning the local need and demand for housing.
- 5.8 An update of the Topic Paper entitled Homes and Housing (2012) has been produced alongside the JCS proposed submission content and sets out a range of local evidence which supports the conclusion that the housing numbers set out in the JCS remain consistent with the objectively assessed need for market and affordable housing. The updated Topic Paper: Homes & Housing (2012) is attached at appendix 2 to this report.

## **6 PROPOSED ACTION**

- 6.1 Members are asked to consider carefully the representations that were made in response to the publication of the “Proposed Submission Documents”.
- 6.2 If Members agree that, having considered all the representations, the

---

<sup>1</sup> Paragraph 47, National Planning Policy Framework (2012)

approach set out in the “Proposed Submission Documents” is “Sound” then the appropriate course of action would be to submit the Submission Documents, as detailed in paragraph 3.2 of the GNDP Board Report, to the Secretary of State for Independent Examination.

## 7 RESOURCE IMPLICATIONS

- 7.1 **Finance:** the costs of preparing the JCS proposed submission content are shared by the three local planning authorities. This report has no additional direct financial implications beyond existing budgets. However, a resultant Public Examination will have costs associated with the Inspector(s), support and accommodation, which will be funded from the Local Plans Budget that draws from Broadland’s Equalisation Reserve.
- 7.2 **Staff:** The proposed submission content is being developed with existing staffing resources in the four authorities and the GNDP.
- 7.3 **Property:** Some of the authorities’ land holdings could be affected by the JCS but this must not influence planning decisions.

## 8 LEGAL IMPLICATIONS

- 8.1 **Planning Regulations:** The Regulations which accompany the preparation of a Development Plan Document must be adhered to. Failure to consider the Regulations and proceed in accordance with them could result in either the document being found unsound or subject to a legal challenge.
- 8.2 Legal advice has been sought throughout the process, including that of Counsel. As a consequence, it is believed that the process which has been followed is legally compliant and sound. Therefore the risk of any such legal challenge being successful is considered minimal.
- 8.3 **Human Rights:** The process of engagement undertaken throughout the JCS process has ensured that any potential impacts have been properly considered.
- 8.4 **Equality Impact Assessment (EqIA):** An Equalities Impact Assessment of the JCS proposed submission has been completed and no detrimental impacts identified.
- 8.5 **Communications:** The GNDP has developed a Communications Strategy. In line with this, the GNDP has kept relevant parties informed of progress throughout the process of developing the Joint Core Strategy and the proposed submission content, and has invited responses at each key stage of the process. The evidence studies and supporting information has been made available on the GNDP web-site and at each of the Council’s offices.

All respondents to the Proposed Submission Document and all the general and specific bodies will be kept informed of the next stages of the JCS process.

8.6 **Health and Safety:** None.

8.7 **Section 40, Natural Environment & Rural Communities Act 2006:** The JCS has to deliver significant growth within an environmentally sensitive context. The implications for the local environment are addressed in the Strategy and through the evidence base including the Sustainability Appraisal and Appropriate Assessment.

8.8 **Section 17 – Crime and Disorder Act:** As a high level strategy, the JCS proposed submission content has limited direct impact on crime and disorder.

## 9 CONCLUSION

9.1 Having considered and taken account of all the implications of recent evidence and representations, as set out in the GNDP Board Report and supporting appendices, it is suggested that the JCS proposed submission document is sound.

9.2 The decision to submit must be based on the existing evidence. This is considered to be sufficiently robust to demonstrate the soundness of the overall strategy.

## 10 RECOMMENDATION

10.1 The Council is **RECOMMENDED** to agree that:

Having taken account of the information in this report and representations received during the publication period, Broadland District Council resolves:

- (1) that the Proposed Submission Document is considered to be legally compliant and sound;
- (2) that the “Joint Core Strategy for Broadland, Norwich and South Norfolk: proposed submission document” and supporting documents should be submitted to the Secretary of State under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and
- (3) to delegate authority to the Head of Planning, in consultation with the Planning Portfolio Holder, to approve the detail of technical documents if required to be submitted alongside the JCS.

Phil Courtier  
Head of Planning

---

---

**Background Papers**

None.

For further information on this report call Paul Harris on (01603) 430444 or e-mail [paul.harris@broadland.gov.uk](mailto:paul.harris@broadland.gov.uk).



## Broadland Equality Assessment

|   |   |
|---|---|
| <b>Name of Policy</b>                         | Joint Core Strategy for Broadland, Norwich and South Norfolk - Submission Content |
| <b>Name of Officer responsible for Policy</b> | GNDP  |
| <b>Date of Assessment</b>                     | 06 December 2012  |

### Aims of Policy (a brief summary)

The aim of the Policy, which forms one part of the Joint Core Strategy, is to establish the appropriate form and distribution of development with the Broadland part of the Norwich Policy Area.

### 1. Has the policy/procedure/strategy addressed one or more of the Equality Duty

**Aims?** (Please provide a narrative explanation as to how your document relates to each aim of the Equality Duty – for instance does your document demonstrate that the Council is adhering to any or each of the aims?)

Does it “Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act”

See attached Diversity Impact Assessment

Does it “Advance equality of opportunity between people who share a protected characteristic and those who do not”

See attached Diversity Impact Assessment

Does it “Foster good relations between people who share a protected characteristic and those who do not”

See attached Diversity Impact Assessment

### 2. Which protected characteristics does this Policy impact: (please tick all that apply)

|            |                                     |                            |                          |                     |                          |
|------------|-------------------------------------|----------------------------|--------------------------|---------------------|--------------------------|
| Age        | <input type="checkbox"/>            | Sexual Orientation         | <input type="checkbox"/> | Pregnancy/Maternity | <input type="checkbox"/> |
| Disability | <input type="checkbox"/>            | Civil Partnership/Marriage | <input type="checkbox"/> | All of the Above    | <input type="checkbox"/> |
| Race       | <input checked="" type="checkbox"/> | Religion or Belief         | <input type="checkbox"/> | None of the Above   | <input type="checkbox"/> |
| Sex        | <input type="checkbox"/>            | Gender Reassignment        | <input type="checkbox"/> |                     |                          |

### 3. Does the content of the document impact one protected group more than others?

(Please describe how it impacts the protected characteristic group more than others and whether this is negatively or positively)

A diversity impact assessment has been produced as part of the production of the Joint Core Strategy. This identified that the strategy as a whole might have a high relevance on race and medium relevance on age. Clearly, the Proposed Submission Content only forms part of the wider JCS and does not have any significant bearing on Policy 4: Housing, which remains adopted is the policy which has the principal impact in regard to these protected characteristic. Further explanation of impacts are given in the Diversity Impact Assessment for the JCS. It should be noted that Policy 10, to which the majority of the proposed submission content relates, does include, as part of the remaining adopted parts of that policy, that major development locations should give "serious consideration to the provision of sites for Gypsies and Travellers".

**4. Are there any vulnerable groups that have not been identified that are relevant?**

No.

**5. Are there any sources of evidence that have provided information on what impact your policy/procedure/strategy could have upon the protected groups?**

(Possible sources of evidence are research reports, consultation activities, public surveys etc...) Please also describe what information is required to demonstrate the community or customer need for what this document is proposing

A range of baseline information as set out within the Diversity Impact Assessment have provided information on what impact policies could have. In addition, consultation undertaken as part of the plan preparation process has identified a number of issues. These are also set out in the Diversity Impact Assessment. However, as set out above, the Proposed Submission Content relates to only a limited part of the wider plan, the main impacts identified related to the adopted part of the plan which does not form part of the Proposed Submission Content.

**6. Demonstrate where you have engaged individuals or groups, both internally or externally, during the development of this policy (include who you have consulted).**

If the document is Government driven indicate how you have communicated this fact to those who are likely to be impacted.

The Statement of Consultation and Position Statement set out the consultation undertaken at different stages of the plan making process. The Diversity Impact Assessment identifies key issues that were raised during that consultation in regards to equality and diversity.

**7. How has this engagement influenced the development of this policy? (if not, why not)**

Have you undertaken any analysis of the information gathered from engagement and made any changes to the document?

The responses to consultation have been taken into account during the preparation of the Joint Core Strategy. This is reflected in policies which seek to address the issues identified within the Diversity Impact Assessment. As a strategic level document further, and more detailed, assessment are likely to be more relevant in subsequent document or at the application stage.

**8. Will it have a significant effect on how other organisations operate in terms of equality?**

Yes  No

**9. Have you worked with partner organisations to develop this policy and if so what has been their role?**

The production of the JCS, including the Proposed Submission Content, was undertaken by the GNDP. This is an informal partnership between Broadland, Norwich, South Norfolk and Norfolk County Council and has ensured that cross boundary issues related to these authorities have been taken into account. The Statement of Consultation and Statement of Compliance with the Duty to Cooperate explain how other important organisations have been involved and consulted during the production of the JCS, including the proposed submission content.



**10. Have you set up a monitoring/evaluation process to check the successful implementation of the policy/procedure/strategy?**

Yes  No

**11. Please explain how you will resolve any issues or gaps identified during this assessment.** (If you are unable to resolve the issues highlighted during this assessment please explain why and what alternative steps you can take)

Key Actions related to the issues identified are explained in the Diversity Impact Assessment.

**Signed by evaluator:** \_\_\_\_\_

**Signed by responsible head of department:** \_\_\_\_\_

Please send your completed forms to [strategycommunityhousing@broadland.gov.uk](mailto:strategycommunityhousing@broadland.gov.uk) to be reviewed and stored in accordance with our legal duty. You may also wish to contact the Strategy Community & Housing Team if at any time you need assistance filling in your assessment.

## Joint Core Strategy Proposed submission of the remitted parts following the legal challenge to the Joint Core Strategy

### Summary

The Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) was adopted in March 2011. A legal challenge to the adoption of the JCS was received from Stephen Heard, Chairman of Stop Norwich Urbanisation. High Court Judge Mr Justice Ouseley ruled that parts of the Joint Core Strategy concerning the Broadland part of the Norwich Policy Area, including the North East Growth Triangle (a total of 9,000 dwellings) should be remitted for further consideration and that a new Sustainability Appraisal for that part of Broadland in the NPA be prepared. Following the remittal of that part of the adopted Joint Core Strategy, Broadland District Council, Norfolk County Council, Norwich City Council and South Norfolk Council considered a range of reasonable alternatives to the growth strategy and resolved that one of these alternatives be taken forward to pre-submission. Members must now consider the representations made on the document. Taking account of all the issues raised in the representations, it is considered that none have been made that demonstrate that the document is not legally compliant and sound. It is therefore recommended that the text published at the pre-submission stage be submitted unaltered to the Secretary of State for independent examination.

### Recommendation

**Having taken account of the information in this report and representations received during the publication period, the Greater Norwich Development Partnership Board considers it appropriate for the local planning authorities to submit the remitted parts of the Joint Core Strategy to the Secretary of State unchanged from the originally submitted version. The Greater Norwich Development Partnership Board recommends to the constituent authorities;**

- 1. That the Proposed Submission Document is considered to be legally compliant and sound; and**
- 2. That the “Joint Core Strategy for Broadland, Norwich and South Norfolk: proposed submission document” and supporting documents should be submitted to the Secretary of State under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012;**
- 3. To delegate authority to an appropriate Director, in consultation with the appropriate portfolio holder, to approve the detail of technical documents required to be submitted alongside the JCS.**

### 1. Background

- 1.1 The Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) was adopted in March 2011. A legal challenge to the adoption of the JCS was received on 3 May 2011 from Stephen Heard, Chairman of Stop Norwich Urbanisation. High Court Judge, Mr Justice Ouseley made his judgment on 24 February 2012 and

published his final Court Order on 25 April 2012.

- 1.2 Mr Justice Ouseley found that parts of the Joint Core Strategy concerning the Broadland part of the Norwich Policy Area (the NPA), including the North East Growth Triangle (a total of 9,000 dwellings) should be remitted for further consideration and that a new Sustainability Appraisal for that part of Broadland in the NPA be prepared.
- 1.3 On 19 July 2012 the Greater Norwich Development Partnership (GNDP) Board considered a report on a draft “proposed submission” version of the proposed submission content of the Joint Core Strategy (JCS). That report set out the result of the legal challenge to the adopted JCS and the work undertaken to address the judgment. It described the process of considering for pre-submission publication the proposed submission content, including selection of reasonable alternatives within the Sustainability Appraisal (SA) and the comparable assessment of the reasonable alternatives.

It was recommended that constituent authorities approve the JCS proposed submission documents. The constituent authorities subsequently approved these, and agreed it for publication under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 to allow representations on legal compliance and soundness to be made.

- 1.4 The consultation period has now ended and the representations received have been considered. The GNDP authorities must now consider whether any of the representations to the proposed submission and the supporting background evidence including the draft SA or new evidence that has emerged call into question the legal compliance or soundness of the document.
- 1.5 The remainder of this report outlines the proposed submission publication process, issues and evidence from representations received to the Proposed Submission document. More detail is included in Appendix 1 and a complete set of Submission documents is available in the Members’ Rooms. All documentation is also available at [www.gndp.org.uk](http://www.gndp.org.uk).

#### **Representations under Regulation 20 (pre-submission publication)**

- 1.6 The Regulation 19 Publication representations period ran from 10 August 2012 until 8 October 2012 (a period of 8 weeks), and was then extended further to 2 November 2012 (a total period of 12 weeks). During this period, copies of the Proposed Submission content and all accompanying documents were made available on the GNDP website and for inspection at the offices of the local planning authorities and Norfolk County Council.
- 1.7 It was drawn to officers’ attention that Hoveton Parish Council’s contact details were out of date and as a result they had not received notification of the consultation. Separate arrangements were made with Hoveton Parish Council to extend the period within which they could respond to ensure that they were given the statutory minimum 6 week period from their notification to provide a response. Support was offered to discuss and explain the consultation material. A representation has been received from Hoveton Parish Council and taken account in recommendation to the GNDP Board.
- 1.8 In total, 478 organisations and individuals made a total of 99 different representations on the JCS proposed submission document. 401 individuals made an identical representation regarding the impacts of increased traffic in Wroxham

and these have been treated as a single issue for the purposes of this report. 13 representations were received outside the specified period. In the circumstances, it was considered appropriate to take these late representations into account as well.

- 1.9 Issues beyond the scope of the JCS raised through the representations, for example in relation to locally specific subjects more appropriately dealt with in other plans, have not been reported. Issues relating to the adopted JCS are covered where directly related to the proposed submission version of the plan or the SA.

## 2 **Key issues raised**

- 2.1 A wide range of issues relating to the Joint Core Strategy (JCS) were raised in the representations. This section of the report provides Members with a brief summary of the important issues raised in the representations and an officer response. Appendix 1, the Report of Representations (including the Regulation 22 (1) (c) Statement), sets out, amongst other things, a more detailed analysis of the issues in Table 3 of that document. A comprehensive list of representations with an officer response and the original representations are available for inspection via the GNDP website ([www.gndp.org.uk](http://www.gndp.org.uk)). A hard copy of the representations will also be placed in the Members' room at each of the three GNDP local planning authorities.
- 2.2 A number of representations stated that the proposed submission version of the plan does not effectively address the issue of overall **housing numbers**. This consideration is dealt with as Issue 5 in Table 3 in the Report of Representations. The judgment did not remit the housing numbers and no alternative analysis supported by evidence has been submitted to demonstrate that a lower level of housing provision is justified. In addition, a Homes and Housing Topic Paper was prepared as part of the reconsideration of the remitted part of the plan and is available on the GNDP website, [www.gndp.org.uk](http://www.gndp.org.uk) and in Members' rooms. This confirmed that the JCS housing targets remain valid. This Topic Paper was provided as a supporting document at the publication stage, and it has been further revised since then to take account of emerging information and clarified where necessary. These updates have not affected the overall conclusion that the adopted JCS housing targets remain appropriate and justified. The RSS currently remains in force and despite the recent history of disappointing housing delivery it would be inappropriate to pursue a full review and increase uncertainty without good reason to do so.
- 2.3 In relation to **housing delivery**, which is dealt with as Issue 6 in table 3 in the Report of Representations, respondents have raised concerns that the plan does not provide sufficient certainty about housing delivery in the first five years. The JCS, and the stance taken by the Greater Norwich Development Partnership (GNDP) authorities when planning applications are submitted, is considered to support the release of sustainable sites. Changes to the JCS in this respect would add considerable delay to adoption without significantly improving the likelihood of early delivery of housing and timely delivery of infrastructure within the plan period.
- 2.4 Some representations raised issues relating to **local democracy**, relating to compliance with the High Court judgement; the consultation process and transparency in decision making. These are dealt with as Issues 1, 2 & 3 in table 3 in the Report of Representations. Officers, having taken legal advice, are confident that the requirements of the High Court judgment have been met and appropriate consultation undertaken, following the requirements of planning regulations. The

decisions to publish, submit and adopt the JCS will continue to be considered by locally elected councillors who are directly accountable to their constituents.

- 2.5 Issues of **legal probity** have been made in representations. These are not considered to be substantiated and do not affect the basis of the decision on the content of the plan. Although this is referenced as Issue 4 in the Report of Representations, issues of probity are being addressed separately.
- 2.6 A number of **new alternative strategies for growth** have been proposed in representations. These alternatives are varied, providing different views on the concentration of growth and on its potential location. The alternatives proposed are:
- Disperse growth more widely across the area;
  - Focus more growth in Norwich;
  - Use potential development sites along the Drayton Road
  - Focus more of the development south/south west of Norwich (either in combination with a reduced scale development to the north east or with no development to the north east).
  - Relocate Norwich airport and develop it for housing;
  - Focus growth around Acle.

These alternatives are considered as Issues 7 to 13 in table 3 in the Report of Representations. None of these could be considered to have raised new Reasonable Alternatives that should have been tested through SA.

- 2.7 The **Sustainability Appraisal** itself was criticised for lacking proportionate evidence and for not dealing with all options equally, as required by the SEA Directive. These are considered as Issues 14 & 15, found in table 3 in the Report of Representations. The SA was carried out by independent specialist consultants, with input from legal advisors. Officers consider the work carried out by the SA consultants to be comprehensive and in compliance with the requirements of the SEA Directive.

## 2.8 **Conclusions from representations**

Having considered all the representations, it is considered that the joint approach set out in the JCS is the most appropriate means of dealing with development pressures locally to 2026. The adoption process for the remitted part of the JCS should be continued, and there is no case to review or withdraw the JCS at this time. Therefore there is no need to alter the conclusion previously reached by Members that the proposed submission content represents the most appropriate strategy when considered against all reasonable alternatives. Appendix 1 to this report, the Report of Representations (including the Regulation 22 (1) (c) Statement) includes, as Appendix 8, a schedule of the Submission Content.

## 2.9 **Examining Local Plans**

The National Planning Policy Framework sets out requirements for preparation of a development plan in relation to;

- Duty to Cooperate
- Legal and procedural requirements
- Soundness.

## 2.10 **Duty to Cooperate**

The Duty only applies to the parts of the JCS which were remitted by the High Court Order. The Submission Content is considered to have been prepared consistent with the Duty. A Statement of Compliance with the Duty to Co-operate has been produced and is included in the submission documents listed in paragraph 3.2.

## 2.11 **Legal and procedural requirements**

The submission content has been prepared in accordance with all relevant legal and procedural requirements. Legal advice has guided preparation of the submission.

## 2.12 **Soundness**

The NPPF sets out 4 tests of soundness.

### *Positively Prepared*

A positively prepared plan must be evidence based. The JCS is supported by a wider evidence base. The evidence related to the remitted parts has been reviewed and updated where necessary, including consideration of overall housing and employment requirements in the NPA and the distribution of growth.

### *Justified*

To be justified the strategy must be the most appropriate when considered against reasonable alternatives. The Sustainability Appraisal report details the staged approach to establish and evaluate reasonable alternatives. The SA together with the other parts of the evidence base informed the decision to select the most appropriate strategy.

### *Effective*

To be effective the plan must be deliverable. The JCS was informed by evidence that looked at infrastructure requirement and delivery. Policy 20 and Appendix 7 provide for the implementation of the key infrastructure requirements necessary to support development.

The local infrastructure plan & programme (LIPP) provides a means of updating and identifying any changes to infrastructure and how it will be delivered. The most recent update of the Infrastructure Plan and Programme, February 2012, is available as part of the evidence base of the Joint Core Strategy Submission Content.

### *Consistent with National Policy*

The Joint Core Strategy Submission Content is consistent with national policy including the current requirement to be in compliance with the East of England Plan. An NPPF Compatibility Self Assessment Checklist has been produced to evidence this and is included in the submission documents listed in paragraph 3.2.

## 3. **Submission documents**

3.1 The submission comprises the documents listed in paragraph 3.2. Where necessary the documents have been updated to reflect moving from the pre-submission publication stage to submission. The Joint Core Strategy Proposed Submission remains as published at the pre-submission stage and no modifications are proposed.

3.2 The submission documents are:

1. Joint Core Strategy for Broadland, Norwich and South Norfolk, highlighting

the submission content.

2. Regulation 19 Publication and Sustainability Appraisal Consultation Document (including the schedule of proposed submission content)
3. Sustainability Appraisal Report
4. Policies Maps
5. Statement of Compliance with Statements of Community Involvement and Position Statement
6. Statement of Consultation and Position Statement
7. Report on representations – (including Regulation 22 (1) (c) Statement)
8. Summary of Representations made under Regulation 20 with Officer Response
9. Copies of all Representations made in accordance with Regulation 20
10. Habitats Regulation Assessment and Position Statement
11. Diversity and Equality Impact Assessment and Position Statement
12. Local Development Schemes for Broadland, Norwich and South Norfolk
13. Community Strategies Position Statement
14. Homes and Housing Topic Paper
15. NPPF Compatibility Self Assessment Checklist
16. Statement of Compliance with the Duty to Co-operate

3.3 Copies of these documents are available in the Members' rooms and on the GNDP website, [www.gndp.org.uk](http://www.gndp.org.uk). Also available on the GNDP website is the evidence base for the Joint Core Strategy.

#### 4. Alternative Options

4.1 Members could agree to recommend that the JCS is not submitted. This is not recommended as

- The JCS is already supported by a significant body of evidence and it is never possible to resolve all areas of uncertainty.
- No significant new issues have emerged from representations.
- It would cause significant delay in the implementation of much needed policies and the delivery of housing and economic growth.
- It would leave the area open to speculative applications.

#### 5 Conclusion

5.1 Having considered and taken account of all the implications of recent evidence and representations, Members need to confirm that the JCS proposed submission is sound. The GNDP can then advise the constituent authorities that the JCS proposed submission content should be submitted to the Secretary of State. While it is the statutory responsibility of the three Local Planning Authorities to submit the document, the Recommendation of this report includes specific reference to the County Council to ensure that it is clear that submission is supported by all four

Councils involved in the production of the JCS.

- 5.2 The decision to submit must be based on the existing evidence. This is considered to be sufficiently robust to demonstrate the soundness of the overall strategy.

## 6 Next Steps

- 6.1 The indicative timetable for the next steps is outlined below:

| <b>Cabinets and Councils consider Submission</b> |                                    |
|--|------------------------------------|
| 8 January 2013                                   | Broadland District Council Cabinet |
| 15 January 2013                                  | Broadland District Council         |
| 14 January 2013                                  | Norwich City Council Cabinet       |
| 29 January 2013                                  | Norwich City Council               |
| To be confirmed                                  | South Norfolk Council Cabinet      |
| To be confirmed                                  | South Norfolk Council              |
| 7 January 2013                                   | Norfolk County Council Cabinet     |
| 4 February 2013                                  | Submission                         |
| w/c 1 April 2013                                 | Pre-Hearing meeting                |
| w/c 13 May 2013                                  | Examination in Public Hearings     |
| w/c 14 June 2013                                 | Inspectors' report                 |
| July/ August 2013                                | Adoption                           |

## 7 Resource Implications

- 7.1 **Finance:** Costs of preparing the JCS proposed submission content are shared by the three local planning authorities. This report has no additional direct financial implications beyond existing budgets. However, the Public Examination in summer 2013 will have costs associated with the Inspector(s), support and accommodation.
- 7.2 **Staff:** The JCS proposed submission content is being developed with existing staffing resources in the four authorities and the GNDP.
- 7.3 **Property:** Some of the authorities' land holdings could be affected by the JCS but this must not influence planning decisions.
- 7.4 **IT:** None

## 8. Other Implications

- 8.1 **Legal Implications:** The Regulations which accompany the preparation of a Development Plan Document are being adhered to. Failure to consider the Regulations and proceed in accordance with them could result in either the document being found unsound or a legal challenge.
- 8.2 **Human Rights:** The process of engagement undertaken throughout the JCS process has ensured that any potential impacts have been properly considered.
- 8.3 **Equality Impact Assessment (EqIA):** An Equalities Impact Assessment of the JCS proposed submission has been completed, and no detrimental impacts identified.
- 8.4 **Communications :** The GNDP has developed a Communications Strategy. In line



with this, the GNDP has kept relevant parties informed of progress throughout the process of developing the Joint Core Strategy and the proposed submission content, and has invited responses at each key stage of the process. The evidence studies and supporting information has been made available on the GNDP web-site and at each of the Council's offices. All respondents to the Proposed Submission Document and all the general and specific bodies will be kept informed of the next stages of the JCS process.

8.5 **Health and safety implications** : None

8.6 **Section 40, Natural Environment & Rural Communities Act 2006:** The JCS has to deliver significant growth within an environmentally sensitive context. The implications for the local environment are addressed in the Strategy and through the evidence base including the Sustainability Appraisal and Appropriate Assessment.

8.7 **Section 17 – Crime and Disorder Act** As a high level strategy the JCS proposed submission content has limited direct impact on crime and disorder.

9. Risk Implications

9.1 A further legal challenge could be made to the document. However, it is believed that the process followed is legally compliant and sound, and so a challenge should not be successful.

Recommendation

#### **Recommendation**

**Having taken account of the information in this report and representations received during the publication period, the Greater Norwich Development Partnership Board consider it appropriate for the local planning authorities to submit the remitted parts of the Joint Core Strategy to the Secretary of State unchanged from the originally submitted version. The Greater Norwich Development Partnership Board recommend to the constituent authorities;**

- 1. That the Proposed Submission Document is considered to be legally compliant and sound; and**
- 2. That the “Joint Core Strategy for Broadland, Norwich and South Norfolk: proposed submission document” and supporting documents should be submitted to the Secretary of State under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012;**
- 3. To delegate authority to an appropriate Director, in consultation with the appropriate portfolio holder, to approve the detail of technical documents required to be submitted alongside the JCS.**

#### **Appendices**

Appendix 1 Report on Representations – (Including Regulation 22 (1) (c) Statement)

## Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

| <b>Name</b>     | <b>Telephone Number</b> | <b>Email address</b>   |
|-----------------|-------------------------|--|
| Richard Doleman | 01603 223263            | <a href="mailto:richard.doleman@norfolk.gov.uk">richard.doleman@norfolk.gov.uk</a> |

## Item 5: Appendix 1

Joint Core Strategy for Broadland, Norwich and South Norfolk  
Addressing the Judgement of Mr Justice Ouseley in Heard v  
Broadland District Council, South Norfolk District Council and  
Norwich City Council

Report on Representations – (including Regulation 22  
(1) (c) Statement)

DRAFT

## **Contents**

- Purpose of this document
- Introduction
- Joint Core Strategy Proposed Submission Publication
- Statement of the total number of representations
- Summary of the main issues raised
- Representations not duly made
- GNDP responses to the main issues raised in representations

## **Purpose of this document**

- i. To comply with planning regulations, a statement must be produced setting out who has been invited to comment on the plan at its stages of preparation and how these have shaped the preparation of a plan. This is called a Regulation 22 (1) (c) statement and has to be submitted alongside the plan.
- ii. This is the statement to accompany the submission of the remitted parts of the Joint Core Strategy for Broadland, Norwich and South Norfolk. As this statement deals with the representations on the plan made at the pre-submission stage, it only sets out those things which were required at that stage under Regulation 22 (1) (c) (v) and (vi).
- iii. In addition to the requirements of the regulations, this statement includes the Councils' responses to the main issues raised. The responses have been included to demonstrate transparency and allow others to understand the Councils' considerations of the issues raised. These responses can be found in Table 3 on page 11 of this document.

## Introduction

1. This statement forms part of a suite of documents which must be submitted to the Secretary of State to comply with Regulation 22 (1) of the Town and Country Planning (Local Planning) (England) Regulations 2012.
2. The requirements in Regulation 22 (1) (c) relate to both consultations undertaken during the preparation of the plan (Regulation 18) and the proposed submission publication (undertaken in accordance with Regulations 19 and 20). However, this is a unique situation in that the Submission content of the Joint Core Strategy (JCS) addresses the order of High Court Judge Mr Justice Ouseley which remitted parts of the JCS to the Regulation 19, Publication stage. Therefore the Regulation 18 (formerly Regulation 25) consultation is outside the scope of this Statement, having been reported on at earlier stages in the preparation of the JCS and taken through examination in November/December 2010.
3. Under Regulation 22 (1) (c) this statement will set out:
  - If representations were made in accordance with Regulation 20
  - The number of representations made
  - A summary of the main issues raised in the representations.
4. The Greater Norwich Development Partnership (GNDP), although not required by regulation, has produced responses to the main issues raised. A summary of the main issues and responses can be found in Table 3 on page 11.
5. Under Regulation 22 (1) (d) the local planning authorities are also required to submit copies of any representations made in accordance with Regulation 20 to the Secretary of State. Copies of all representations received will be submitted as part of the submission documentation. Additionally, all representations are available to view on the GNDP online consultation system, which is accessible from the GNDP website.
6. A copy of this statement is available on the GNDP website at [www.gndp.org.uk](http://www.gndp.org.uk) and at the offices of Broadland District Council, Norfolk County Council, Norwich City Council and South Norfolk Council.
7. The submission content of the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) will be formally submitted to the Secretary of State on the 4th February 2013.

## Joint Core Strategy Proposed Submission Publication

### Background

8. The proposed submission document was produced to address the Judgment made by Mr Justice Ouseley in the High Court on 24 February 2012, in the case of Heard v Broadland District Council, South Norfolk Council and Norwich City Council. It is important to understand that this was not a review of the whole JCS; it was a reconsideration of only those parts of the JCS which were remitted by the Judgment and Court Order.
9. The JCS was adopted in March 2011. A legal challenge to the adoption of the JCS was received on 3 May 2011 from Stephen Heard, Chairman of Stop Norwich Urbanisation. High Court Judge Mr Justice Ouseley made his judgment on 24 February 2012 (Appendix 1) and published his final order on 25 April 2012 (Appendix 2).
10. Mr Justice Ouseley found that those parts of the JCS concerning the Broadland part of the Norwich Policy Area (NPA) including the North East Growth Triangle (a total of 9,000 dwellings) should be remitted for further consideration and that a new Sustainability Appraisal for that part of Broadland in the NPA be prepared.
11. The remitted parts of the JCS were treated as only having been taken up to the Regulation 19: Publication of a Local Plan Stage (previously known as the 'pre-submission stage'), and not having been examined or adopted. Broadland District Council, Norwich City Council and South Norfolk Council, together with Norfolk County Council, have continued to work together as the Greater Norwich Development Partnership (GNDP) to undertake further work to reconsider the remitted parts of the JCS.
12. The Regulation 19 Publication representations period ran from 10 August 2012 until 8 October 2012 (a period of 8 weeks), and was then extended further to 2 November 2012 (a total period of 12 weeks). During this period, copies of the Proposed Submission content and all accompanying documents were made available for inspection at the offices of the local planning authorities, Norfolk County Council, and at all libraries in the three districts
13. It was drawn to the GNDP's attention that Hoveton Parish Council's contact details were out of date and as a result they had not received notification of the consultation. Separate arrangements were made with Hoveton Parish Council to extend the period within which they could respond to ensure that they were given the statutory minimum 6 week period from their notification to provide a response. Support was offered to discuss and explain the

consultation material. A representation has been received from the Hoveton Parish Council and taken account in recommendation to the GNDP Board.

14. The consultation methods used for the Regulation 19 Proposed Submission Publication are set out in Table 1 below. In compliance with regulations, the table also sets out who has been invited to comment on the plan. A soundness self assessment of the Regulation 19 Publication, using the Planning Advisory Service (PAS) toolkit format, can be found at Appendix 3.

**Table 1**

| <b>Consultation method, audience and purpose</b>   | <b>Availability</b>   |
|--|---|
| <p><b>Joint Core Strategy Proposed Submission Content</b><br/>           The Proposed Submission document sets out the work done to address the High Court Judgment and Order. It includes the schedule of content and is supported by the other publication documents</p>   | <p>A Statement of Representations Procedure including a list of all Regulation 19 Publication documents, and details of where they were available to view, is at Appendix 4</p> <p>All documents and the full evidence base can be viewed at <a href="http://www.gndp.org.uk">www.gndp.org.uk</a></p> |
| <p><b>Press Notices and Advertisements</b><br/>           Notices and adverts were placed in local papers on 10 August 2012 to announce the commencement of the publication period to the general public. Further adverts were placed on 14 September 2012 to raise awareness of the extension to the deadline for comments.</p>   | <p>Appendix 5 details the papers and dates of publication, as well as including scanned copies of each notice/advert.</p>   |
| <p><b>Letters / Emails</b><br/>           To inform people already on the database of the Regulation 19 Publication, and to fulfil the Councils' obligations to consult specific and general consultation bodies under Regulation 19 of the Town and County Planning (Local Planning) (England) Regulations 2012.</p> <p>A letter went to all parish and town councils in the three districts, all</p> | <p>Copy of letters at Appendix 6</p>  |



|   |   |
|---|---|
| <p>neighbouring authorities, statutory consultees and a range of other interest groups including site promoters and landowners, housing associations, local businesses, service providers and other previously identified interested parties. In total approx 9,000 organisation and individuals were notified.</p> <p>Due to a delay in the date of publication of the notice in the local press, the deadline for responses was extended. A further letter was sent to all contacts advising of this.</p> |   |
| <p><b>Libraries</b><br/>Copies of all publication documents were available to view at all libraries in the three districts</p>  | <p>A list of all libraries is at Appendix 7</p> |

15. Throughout the Publication period a dedicated web page was available for information. All publication documents were available to view and download via this page.

**Statement of The Total Number Of Representations Made As Required Under Regulation 22 (1) (c) (v)**

16. In total, 478 organisations and individuals made a total of 99 different representations on the JCS proposed submission document. 401 individuals made an identical representation regarding the impacts of increased traffic in Wroxham and these have been treated as a single issue for the purposes of this report.
17. This submission consists of wording and diagrams that were remitted from the adopted joint core strategy. These are captured in a schedule attached as Appendix 8) Table 2 below summarises by schedule reference the number and nature of representations received. As can be seen from the table the majority of representations are in the 'other' category as they did not directly relate to the proposed parts for submission.

Table 2

| Schedule Reference | Support   | Object    | Comment   | Total Reps |
|--------------------|-----------|-----------|-----------|------------|
| PS-1               | 1         |           |           | 1          |
| PS-2               |           |           | 1         | 1          |
| PS-4               | 1         |           |           | 1          |
| PS-7               | 1         | 1         |           | 2          |
| PS-8               |           | 1         |           | 1          |
| PS-9               | 1         |           |           | 1          |
| PS-10              | 1         | 1         |           | 2          |
| PS-11              |           |           | 1         | 1          |
| PS-13              |           | 1         |           | 1          |
| PS-14              |           | 1         |           | 1          |
| PS-15              | 1         |           |           | 1          |
| PS-18              | 1         | 1         |           | 2          |
| PS-19              | 1         | 1         |           | 2          |
| PS-21              |           | 1         |           | 1          |
| PS-25              | 1         |           |           | 1          |
| PS-31              |           | 1         | 1         | 2          |
| Other              | 21        | 42        | 15        | 78         |
| <b>TOTAL</b>       | <b>30</b> | <b>51</b> | <b>18</b> | <b>99</b>  |

18. This statement covers representations directly related to the plan making process, proposed submission content and its Sustainability Appraisal (SA). Issues beyond the scope of the JCS raised through the representations, for example in relation to locally specific subjects more appropriately dealt with in other plans, have not been reported. Issues relating to the adopted JCS are covered where directly related to the proposed submission version of the plan or the SA.

**Summary of main issues raised in the Representations as required under Regulation 22 (1) (c) (v)**

19. Paragraphs 19 to 27 of this report set out the issues raised in representations. GNDDP responses to these issues are in table 3 on page 11 below.

**Local Democracy**

20. A number of representations challenge the legal compliance of the proposed submission content raising issues relating to local democracy. These challenges relate to:
- Compliance with the High Court Judgment

- The consultation process
- Transparency in the decision making structures.
- Legal probity

### **Housing numbers**

21. A number of representations stated that the proposed submission version of the plan does not effectively address the requirements of the High Court judgement, most importantly in relation to the retention of the overall housing numbers and by implication the figure of 9,000 dwellings for Broadland. Some have stated that changes in the economy should have been reflected in reduced housing targets and that forecasts for new housing demand have been consistently wrong as evidenced by the lack of delivery of housing numbers in comparison with targets since 2008. Respondents have suggested that a review or withdrawal of the JCS is required as a result of this.

### **Housing Delivery**

22. Some respondents have raised concerns that the plan does not provide sufficient certainty about housing delivery in the early years of the plan. As a consequence, respondents have suggested that additional policy wording needs to be added to the plan to explain under what circumstances sites will be released to stimulate the delivery of housing early in the plan period.

### **The distribution of housing growth**

#### **The choice of Alternative 1**

23. A number of respondents expressed the view that Alternative 1 (a major location for sustainable growth to the North-East of Norwich, with a lesser allowance for smaller sites across the remainder of the Broadland part of the Norwich Policy Area) is not the most sustainable strategy possible. The scale and location of development are stated as having been pre-determined in order to improve the traffic case and provide a source of funding for the Northern Distributor Road (NDR) and Postwick Hub.
24. Some have stated that Alternative 2 (as Alternative 1 but with major growth to the north-east of Norwich confined within the route of the NDR) is more appropriate than Alternative 1, mainly because it would extend less into the countryside and have less of a negative effect on the Broads. Others have stated that alternative strategies (see below) would be more effective. A number of respondents have stated that particular alternatives of their own

suggestion, would perform better in relation to minimising greenhouse gas emissions.

### **Alternative Strategies for Growth**

25. A number of alternative strategies for growth have been proposed in representations. These alternatives are varied, providing different views on the concentration of growth and on its potential location. The alternatives proposed are:
- Disperse growth more widely across the area;
  - Focus more growth in Norwich;
  - Use potential development sites along the Drayton Road
  - Focus more of the development south/south west of Norwich (either in combination with a reduced scale development to the north east or with no development to the north east).
  - Relocate Norwich airport and develop it for housing;
  - Focus growth around Acle.

### **Sustainability Appraisal**

26. The SA was criticised firstly for lacking proportionate evidence and secondly for not dealing with all options equally, as required by the Directive. A representation stated that the SA has insufficient evidence in relation to the loss of high grade agricultural land, long term water resources, surface water flood risk, biodiversity, green infrastructure and the economy.
27. The methodology used to assess options was criticised firstly as inequitable as different options were not subject to equal scrutiny. Secondly, the methodology was criticised for screening out reasonable alternatives such as strategic growth split between non-adjacent sectors.

### **Overall conclusion**

28. GNDP responses to the issues raised are set out in Table 3 on page 11. Having considered all the representations, it is considered that the joint approach set out in the JCS is the most appropriate means of dealing with development pressures locally to 2026. The adoption process for the remitted part of the JCS should be continued, and there is no case to review or withdraw the JCS at this time. Therefore there is no need to alter the conclusion previously reached by Members that the proposed submission content represents the most appropriate strategy when considered against all reasonable alternatives.

### **Representations not duly made**

29. 13 representations were received outside the advertised period, and are therefore not technically valid. However, two of these were received following correspondence with the authorities and agreement to accept a response past the deadline due to exceptional circumstances. 11 responses were further postcards, identical to others received, and have been accepted and added to the respondents for the representation in question. All have been included in the numbers in the table earlier in this document.

DRAFT

**Table 3**  
**Joint Core Strategy: GNDP Responses to the main issues raised in representations**

| <b>Policy/Area of Challenge</b> | <b>Issue (number)</b>  | <b>GNDP response</b>  |
|---------------------------------|--|---|
| <b>Local democracy</b>          | <p><b>1. Compliance with the High Court Judgment</b><br/>           The proposed submission document has not kept faith with the spirit of the JCS High Court Judgment and requires a full re-evaluation of the principles of the strategy</p> | <ul style="list-style-type: none"> <li>• Legal advice has been sought throughout the process and there is confidence that both the spirit and the letter of the judgment have been followed. The judge specifically remitted the strategy in the North-East Growth Triangle (NEGT) and the Broadland part of the NPA only. The strategy was remitted to a late stage of plan making. The judgment required a revised SA to be produced to consider alternatives through the SA process, rather than requiring a full re-evaluation of the strategy as a whole.</li> </ul> |

| Policy/Area of Challenge | Issue (number)   | GNDP response   |
|--------------------------|--|---|
|                          | <p><b>2. Approach to Consultation</b><br/>           The process is complex and poorly explained and the views of local people previously given have been ignored, including a “vote of no confidence” taken at a public meeting in Rackheath.</p> | <ul style="list-style-type: none"> <li>• Explanatory materials, including a non-technical summary of the SA , were provided as part of the publication of the proposed submission document in order to make an inherently complex process resulting from the legal challenge and consequent high court order as clear as possible.</li> <li>• The GNDP authorities are aware of a “vote of no confidence” taken at a public meeting in Rackheath. Since that vote was taken the Rackheath Community Trust has been established and a Community Engagement Officer has been seconded from Broadland District Council to the trust to help co-ordinate public engagement in the area.</li> <li>• Public opinion has been taken account of and weighed against other material planning considerations. Decisions to publish, submit and adopt the JCS have been and will be considered by locally elected councillors, in accordance with national regulations.</li> </ul> |

| Policy/Area of Challenge      | Issue (number)  | GNDP response   |
|-------------------------------|---|---|
|                               | <p><b>3. Transparency in decision making</b><br/>The GNDP's decision making has largely been carried out behind closed doors and with a lack of public engagement. This has led to it being unclear which other considerations beyond the SA have been taken into account in selecting alternative one.</p> | <ul style="list-style-type: none"> <li>The GNDP Board is not a decision making body. It makes recommendations to Broadland District Council, Norwich City Council and South Norfolk Council concerning the JCS. Each district council's meetings have been held in public throughout the JCS process, with committee papers available publicly as normal. The GNDP Board has held meetings in public throughout the preparation of the revised SA</li> <li>Paragraph 6.5.4 of the SA sets out other considerations that were taken into account, specifically identifying the deliverability of new development to meet soundness requirements and the potential to provide homes with the necessary services. The reason for Broadland District Council, Norwich City Council and South Norfolk Council's choice of Alternative 1 was clearly set out within the relevant Council Committee papers and minutes.</li> </ul> |
|                               | <p><b>4. Legal probity</b><br/>Issues of legal probity raised in representations are not directed at the proposed submission content.</p>   | <ul style="list-style-type: none"> <li>These issues lie beyond the scope of the proposed submission. They are being responded to separately and have not been addressed in this statement.</li> </ul>   |
| <p><b>Housing Numbers</b></p> | <p><b>5. Housing numbers</b><br/>The proposed submission version of the plan does not effectively address the requirements of the High Court judgement, most importantly in relation to the retention</p>   | <ul style="list-style-type: none"> <li>Section 4.2 of the SA main report refers to the Topic Paper: Homes and Housing. This paper demonstrating why the JCS housing targets remain valid was provided to support the publication period. The paper has since been revised to take account of emerging information and clarified where necessary.</li> </ul>   |



| Policy/Area of Challenge | Issue (number)  | GNDP response   |
|--------------------------|---|---|
|                          | <p>of the overall housing numbers and by implication the figure of 9,000 for Broadland. Changes in the economy should have been reflected in reduced housing targets and that forecasts for new housing demand have been consistently wrong as evidenced by the lack of delivery of housing numbers in comparison with targets since 2008. A review or withdrawal of the JCS is required as a result of this.</p> | <p>These updates have not affected the overall conclusion that the adopted JCS housing targets remain appropriate and justified for the reasons set out in the SA main document on page 32:</p> <ul style="list-style-type: none"> <li>• The Court Order did not remit the totals so did not require an examination of the housing totals;</li> <li>• Local evidence presented at the Examination in Public, which is considered to remain valid, supported the level of housing being proposed;</li> <li>• The latest updates of the East of England forecasting model support the planned levels of jobs and housing growth; and,</li> <li>• The housing numbers proposed in the Regional Spatial Strategy remain.</li> </ul> <ul style="list-style-type: none"> <li>• In relation to recent low housing delivery, this is a reflection of current economic circumstances rather than of low housing demand or a lack of long term need.</li> <li>• As a result of the above considerations, in particular that the judgement did not remit the housing numbers and no alternative analysis supported by evidence has been submitted to demonstrate that a lower level of housing provision is justified, it is therefore concluded that the overall housing figures remain appropriate.</li> <li>• The joint approach set out in the JCS remains the most appropriate means of dealing with development</li> </ul> |

| Policy/Area of Challenge | Issue (number)  | GNDP response  |
|--------------------------|---|--|
|                          |   | pressures to 2026 and it would be inappropriate to pursue a full review and increase uncertainty without a good reason for doing so.   |
| <b>Housing delivery</b>  | <p><b>6. Housing delivery</b></p> <p>The plan does not provide sufficient certainty about housing delivery in the first five years. As a consequence, additional policy wording needs to be added to the plan to explain under what circumstances sites will be released to stimulate the delivery of housing early in the plan period.</p> | <ul style="list-style-type: none"> <li>• There remains an existing stock of planning permissions for homes in the NPA (6,872). These are deliverable within the early years of the plan period. The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development, and makes it clear how applications for residential development should be dealt with in the absence of a five year supply of sites for housing. Therefore further local policy is unnecessary.</li> <li>• In recognition of the current land supply position in the NPA (3 years), Broadland District Council has adopted an Interim Policy Statement. The statement explains a number of key considerations that may be applied to development proposals in advance of the adoption of site specific allocations. The purpose of this is to give confidence to developers to come forward with applications on appropriate sites in advance of the adoption of the JCS submission content and subsequent site specific documents.</li> <li>• There are a number of housing sites, including within the North East Growth Triangle (NEGT), which have been granted planning permission, or where a resolution has been made to grant planning permission ahead of the site allocations process. This is a manifest example that the GNDP authorities are not frustrating the early release of sustainable sites</li> </ul> |

| Policy/Area of Challenge | Issue (number) | GNDP response  |
|--------------------------|----------------|--|
|                          |                | <p>for housing. There is no phasing of growth in the JCS beyond that imposed by the provision of infrastructure. Further delay in the adoption of the plan risks undermining the timely delivery of such infrastructure and therefore makes early delivery less likely. The JCS strategy as a whole, and the submission content, makes an allowance for smaller sites, which are not reliant on significant upfront investment in infrastructure and therefore should be able to be delivered earlier in the plan period. Revisions to the plan, causing further delay in getting the strategy adopted, would have knock on effects to the adoption of subsequent site specific allocations. Further evidence that the pragmatic approach of the GNDP authorities is working in support of delivering early applications for planning permission is provided by the recent (October 2012) submission of an application for 3,500 homes in North Sprowston and Old Catton, which is within the NEGTS, along with a number of other applications across the GNDP authorities.</p> <ul style="list-style-type: none"> <li>•</li> <li>• The JCS, and the stance taken by the GNDP authorities when planning applications are submitted, is considered to support the release of sustainable sites. Further changes would add additional delay without significantly improving the likelihood of early delivery of housing and timely delivery of infrastructure within the plan period.</li> </ul> |

| Policy/Area of Challenge       | Issue (number)  | GNDP response  |
|--------------------------------|---|--|
| Distribution of housing growth | <p><b>7. Alternative One</b></p> <p>Alternative one (a major location for sustainable growth to the North-East of Norwich, with a lesser allowance for smaller sites across the remainder of the Broadland part of the NPA) is not the most sustainable strategy possible, particularly in relation to minimising greenhouse gas emissions. The scale and location of development are viewed as having been determined in order to improve the traffic case and provide a source of funding for the Northern Distributor Road (NDR) and Postwick Hub.</p> <p>Alternative two (as Alternative 1 but with major growth to the north-east of Norwich confined within the route of the Northern Distributor Road) is more appropriate, mainly because it would extend less into the countryside and have less of a negative effect on the Broads.</p> | <ul style="list-style-type: none"> <li>• Sections 6.2 and 6.3 of the SA main report (most particularly page 78) provide the evidence to support the conclusion made by Members that Alternative 1 is the most appropriate strategy. The rationale for Members drawing this conclusion and for rejecting alternatives one and two were set out in the relevant council reports referenced in 6.3.2 of the SA main report. This rationale is also repeated in section 6.4 on page 80 of the SA main report.</li> <li>• Members concluded , based on the findings of the SA as set out on page 78, that the more intense form of development associated with Alternative 2 could have adverse impacts on the landscape, urban form and amenity and that alternative 1 could be better planned to create places that function better provide green spaces to link environmental assets into green corridors. Members also concluded that alternative 2 (pages 78 and 80) would be less likely to be able to deliver the necessary amount of homes within the plan period. Whilst the SA concluded that alternative 2 performed better than alternative 1 in that it would not extend close to the Broads, it also concluded the inclusion of a “buffer zone” in the proposals for Alternative 1 between development and the Broads, as supported by the Habitats Regulations Assessment and required by the proposed submission document, would mitigate direct effects</li> </ul> |

| Policy/Area of Challenge | Issue (number)   | GNDP response   |
|--------------------------|--|---|
|                          |  | <p>on the Broads habitats (page 78). In relation to climate change, the SA concludes that Alternative 1 narrowly outperforms Alternative 2 as it would better promote public transport use, thus reducing greenhouse gas emissions (page 63/4 and 78).</p> <ul style="list-style-type: none"> <li>The choice of alternative one has been supported by a number of respondents. This includes the Broads Authority (subject to the implementation of water and green infrastructure needs set out in the Joint Core Strategy being met), developers, parish councils and members of the public. In addition, English Heritage, the Environment Agency and Natural England have made representations stating they have no comment to make on the proposed submission content.</li> </ul> <p>It is not considered that substantive or convincing evidence has been put forward that would lead to a different conclusion to that made in the SA, that Alternative 1 is the most appropriate alternative.</p> |
|                          | <p><b>8. Greater dispersal of growth</b><br/>Growth should be dispersed to villages and market towns, as well to coastal settlements</p> | <ul style="list-style-type: none"> <li>The dispersal of growth to market towns and villages outside the NPA, such as Diss and Aylsham, or to coastal settlements beyond Greater Norwich, lie outside the geographical scope of the SA and revised submission of the JCS. This is set out in paragraph 4.1.1 on page 30 of the SA main report. This is a consequence of the fact that the High Court order did not remit the housing numbers</li> </ul>  |

| Policy/Area of Challenge | Issue (number)  | GNDP response   |
|--------------------------|---|---|
|                          |   | <p>or the geographical limitation to their delivery within the NPA.</p> <ul style="list-style-type: none"> <li>• Full consideration was given to the potential for dispersal of the housing numbers within the NPA as part of the process of identifying reasonable alternatives in the SA. The appraisal concluded that there is no scope for further dispersal to South Norfolk or Norwich (see below), and that the appropriate level of dispersal within the Broadland part of the NPA was 2,000, which forms part of the proposed submission plan. All other growth would need to be dealt with through strategic scale development within the NPA to ensure sustainable access to transport, employment, services and facilities. The detail behind these conclusions is set out in 4.5 &amp; 4.6 of the SA and Appendices E, F, G &amp; H of its technical annex.</li> </ul> |
|                          | <p><b>9. Focus more growth in Norwich</b><br/>More growth should be focussed on Norwich as brownfield sites are available in the city</p> | <p>The ability of Norwich to accommodate additional housing development was evaluated as part of the SA main report at 4.5.13 (page 35) and detailed in Appendix E of the SA technical annex. This sets out that the emerging Norwich Site Allocations Plan has confirmed the evidence of the earlier Strategic Housing Land Assessment which informed the original JCS. There is capacity for 3,000 dwellings in the city in addition to the 5,500 that are currently allocated or have planning permission. No additional capacity could reasonably be considered to exist beyond the 8,500 dwellings already planned for</p>   |

| Policy/Area of Challenge | Issue (number)  | GNDP response  |
|--------------------------|---|--|
|                          |   | Norwich without undermining the supply of land for other uses necessary to retain Norwich's role as a regional centre and to ensure a good quality of life for its residents.  |
|                          | <p><b>10. Use development sites along the Drayton Road.</b><br/>The potential to develop housing at the Royal Norwich golf course and Hellesdon Hospital was proposed.</p>  | These sites may be suitable to accommodate part of the "small sites allowance" for the Broadland part of the NPA which is proposed in the draft plan but they would not provide sufficient capacity for strategic scale growth.  |
|                          | <p><b>11. Focus more of the development south/south west of Norwich.</b></p> <p>Additional development to the south of Norwich, through either a new settlement to the south or through additional expansion to the south west, around Cringleford / Hethersett / Wymondham. Some respondents suggested that this could be tied in with a reduced scale development to the north east; others suggested that no development should occur to the north east.</p> <p>The south west corridor was viewed as having advantages for development due to its proximity to employment sites around Norwich Research Park, access to good public transport links to the city centre and access to existing road and rail</p> | <ul style="list-style-type: none"> <li>• The potential for additional strategic growth in these locations was considered in section 4.9 of the SA main report.</li> <li>• The south sector was not considered to be suitable for strategic scale development as a consequence of its poor relationship to strategic employment, limited scope for public transport enhancements and limited accessibility of services and facilities, including high schools. The reasons for this decision are explained in brief in table 4.2, which can be found on page 44, of the SA main report published alongside the Proposed Submission Documents. A detailed appraisal of the development potential of the sector is included in Appendix L of the technical annex of the SA referred to above, specifically see pages 269 to 270, 296 to 297 and 343 to 344 of the technical annex.</li> <li>• The south west (Cringleford and Hethersett) and Wymondham are promoted for strategic growth in</li> </ul> |

| Policy/Area of Challenge | Issue (number)  | GNDP response   |
|--------------------------|---|---|
|                          | <p>infrastructure.</p> <p>A combination option comprising the north east and south west, with 3,500 dwellings in the north east and 1,500 additional dwellings in the south west was proposed, leaving additional dwellings to be provided beyond 2026.</p> | <p>the adopted JCS. The SA identified a number of issues relating to additional growth in Cringleford and Hetherset. Specific concerns included high school capacity, the deliverability of development and the impact upon the form and character of settlements. These are explained in the Sustainability Appraisal Main Report published alongside the Proposed Submission Documents within the Appraisal of Reasonable Alternatives (see objective ENV1, Table 6.1, pages 62 to78). The reasons why Reasonable Alternative 3, which related to additional growth in the south-west sector beyond adopted JCS levels, was discounted are explained in paragraph 6.5.3 of the SA main report (this can be found on page 79 and 80).</p> <ul style="list-style-type: none"> <li>• The SA also confirms that growth in Wymondham should be limited to the 2,200 dwellings in the adopted JCS. Development beyond this level would exceed the capacity for expansion of the existing high school. 7,000 to 10,000 additional new homes would be required to support a new high school. This level of growth would be likely to have such a significant detrimental impact upon the setting and historic character of the town that it would be inappropriate. The reasons for this decision are explained in brief in table 4.2, which can be found on page 43, of the SA main report published alongside the Proposed Submission Documents. A detailed appraisal of the</li> </ul> |



| Policy/Area of Challenge | Issue (number)   | GNDP response  |
|--------------------------|--|--|
|                          |  | <p>development potential of the sector is included in Appendix L of the Technical Annex of the SA referred to above, specifically see pages 269 to 270, 281 to 282, 296 to 297, 309 to 310, 343 to 344 and 361 to 362 of the technical annex. An analysis of Wymondham and the South-West Sector as a combination sector can be found on pages 365 to 368 of the technical annex.</p> <ul style="list-style-type: none"> <li>• The “combination option” which does not provide sufficient dwellings to meet the overall housing requirements to 2026 can not be regarded as a “reasonable alternative” (see section 4.2 of the SA main report and the Homes and Housing Topic Paper).</li> <li>• Therefore, whilst fully considered in the SA, it is concluded that the NPA south of Norwich is unsuitable for significant further development beyond that set out in the proposed submission document.</li> </ul> |
|                          | <p><b>12. Relocation of Norwich International Airport</b><br/>Norwich International Airport could be relocated to the former RAF base at Coltishall, freeing brownfield land for development on the edge of Norwich.</p> | <p>In the absence of clear and deliverable proposals for the relocation of Norwich International Airport, it is not considered that such an alternative could be considered reasonable, particularly as the owners have recently proposed significant aviation related development at the airport.</p>   |
|                          | <p><b>13. Focus growth around Acle</b><br/>Proposed strategic growth along the Yare Valley, and in particular at Acle. This is predicated on enhancements to the existing railway line with light rail extensions at</p> | <ul style="list-style-type: none"> <li>• Deliverability of this transit system has not been evidenced or tested. This contrasts with the adopted NATS strategy which has been subject to SEA. This includes a package of deliverable</li> </ul>  |

| Policy/Area of Challenge               | Issue (number)   | GNDP response   |
|--|--|---|
|  | <p>either end in Great Yarmouth (linking to the Outer Harbour) and Norwich (linking to the hospital, university and research park) with an increased frequency of service.</p> | <p>measures, including the Northern Distributor Road (NDR). The NDR will release road capacity for significant public transport enhancements capable of supporting the proposed submission. The NDR has gone through significant testing and has funding approved. The benefits resulting from the NDR are explained in the SA main report published alongside the Proposed Submission Documents within the Appraisal of Reasonable Alternatives (see objective ENV1, Table 6.1, page 62)</p> <ul style="list-style-type: none"> <li>• Strategic scale growth of the level proposed by the respondent is unlikely to be appropriate as Acle is surrounded by land within flood zone 2 to the east and north (when the effects of climate change are taken into account) and predominantly Grade I agricultural land to the west and south.</li> <li>• Irrespective of the issues described above, Acle also lies beyond the geographical scope of the plan, which is limited to the Norwich Policy Area. The geographical scope of the plan is explained in paragraph 4.1.1, page 30, of the Sustainability Appraisal Main Report published alongside the Proposed Submission Documents.</li> </ul> |
| <p><b>Sustainability Appraisal</b></p> | <p><b>14. Evidence</b><br/>The Sustainability Appraisal lacks proportionate evidence in relation to the</p>  | <ul style="list-style-type: none"> <li>• Proportionate evidence has been used in the development of the SA in accordance with the requirements of the SEA Directive. Adopted JCS</li> </ul>   |

| Policy/Area of Challenge | Issue (number)  | GNDP response  |
|--------------------------|---|--|
|                          | <p>loss of high grade agricultural land, long term water resources, surface water flood risk, biodiversity, green infrastructure and the economy.</p> <p>Representations also suggested that the SA should have been informed by a detailed 'carbon assessment'</p> | <p>policies 1, 2, 3 and 5 address each of the issues identified by the respondent. These policies were supported by baseline evidence including detailed studies and other work, which have been appropriately taken into account through SA. For example, the requirement in the adopted JCS policy 3 for development to be designed to high standards of water efficiency is the result of the findings of the Water Cycle Study and significant collaborative work between the planning authorities, the Environment Agency, Anglian Water and Natural England.</p> <ul style="list-style-type: none"> <li>• The baseline evidence, including dedicated evidence studies and more recent updates (see section 3.4 of the SA) provides sufficient and proportionate evidence to inform the SA.</li> <li>• In relation to the need for carbon assessment, the preferred and alternative approaches that were the subject of appraisal are 'strategic' in nature. Specifically, they are not defined in terms of precise locations for development or descriptions of development that would come forward. Without this knowledge, a detailed carbon assessment would need to rely overly on assumptions.</li> </ul> <p>Despite the strategic nature of the plan approaches under consideration, the SA was still able to draw conclusions regarding greenhouse gas emissions. This discussion is set out under <i>ENV6To adapt to</i></p> |

| Policy/Area of Challenge | Issue (number)   | GNDP response  |
|--------------------------|--|--|
|                          |  | <p><i>and mitigate against the impacts of climate change. (Table 6.1 page 70 of the SA report). The appraisal focused on: A) likely significantly effects on car dependency; and B) likely significant effects on the potential to design-in community level low carbon energy. In terms of (A), it was not possible to identify significant effects on the baseline, but it was possible to conclude that Alternative 3 is less than ideal. In terms of (B) it was concluded that all approaches would result in significant positive effects (it was not possible to identify relative merits).</i></p>  |
|                          | <p><b>15. Assessing options</b><br/> The methodology used to assess options was criticised as inequitable because different options were not subject to equal scrutiny.</p> <p>The methodology was also criticised for unjustly screening out potential reasonable alternatives such as strategic growth split between non-adjacent sectors.</p> | <ul style="list-style-type: none"> <li>• The methodology used is considered to be compliant with the requirements of the SEA Directive. Only reasonable alternatives need be subject to comparable assessment through the SA process, this is explained in paragraph 6.3.1 of the Main SA report that was published alongside the Proposed Submission Content.</li> <li>• The methodology involved an evidence-based and staged approach to the consideration of potential alternatives. In accordance with the SEA Directive, all potential alternatives were assessed against the adopted objectives of the JCS. The express purpose of this was to discount unreasonable</li> </ul> |

| Policy/Area of Challenge   | Issue (number) | GNDP response  |
|--|----------------|--|
|  |                | <p>alternatives and identify reasonable alternatives for further consideration. This process culminated in the identification of the only three reasonable alternatives which were available. These were then tested to a comparable level, in compliance with the SEA Directive.</p> <ul style="list-style-type: none"> <li>• The second issue raised is not regarded as accurate. The process comprehensively considered all potential growth locations and combinations of locations.</li> <li>• The SA was carried out by independent specialist consultants with legal advice. Officers consider the SA to have taken a comprehensive approach in compliance with the requirements of the SEA Directive.</li> </ul> |
| <p><b><u>Overall conclusion</u></b></p> <p>Having considered all the representations, it is considered that the joint approach set out in the JCS is the most appropriate means of dealing with development pressures locally to 2026. The adoption process for the remitted part of the JCS should be continued, and there is no case to review or withdraw the JCS at this time. Therefore there is no need to alter the conclusion previously reached by Members that the proposed submission content represents the most appropriate strategy when considered against all reasonable alternatives.</p> |                |  |



Neutral Citation Number: [2012] EWHC 344 (Admin)

Case No: CO/3983/2011

**IN THE HIGH COURT OF JUSTICE**  
**QUEEN'S BENCH DIVISION**  
**ADMINISTRATIVE COURT**

Royal Courts of Justice  
Strand, London, WC2A 2LL

Date: 24/02/2012

**Before :**

**MR JUSTICE OUSELEY**

-----  
**Between**

**HEARD**

**Claimant**

**- and -**

**BROADLAND DISTRICT COUNCIL**  
**SOUTH NORFOLK DISTRICT COUNCIL**  
**NORWICH CITY COUNCIL**

**Defendants**

-----  
**Mr R Harwood** (instructed by **Richard Buxton Solicitors**) for the **Claimant**  
**Mr W Upton** (instructed by **Sharpe Pritchard Solicitors**) for the **Defendants**

Hearing dates: 6<sup>th</sup> and 7<sup>th</sup> December 2011  
-----

**Approved Judgment**

**MR JUSTICE OUSELEY:**

1. The Claimant, Mr Heard, challenges the adoption by the Defendants of their Joint Core Strategy on 22 March 2011, a development plan document created under the Planning and Compulsory Purchase Act 2004 for their areas. The challenge is brought under s113 of that Act, on the grounds that the Joint Core Strategy, JCS, was not within the powers of the Act, or there had been a procedural failing which had prejudiced the Claimant.
2. The three Defendants are district councils: Broadland DC and South Norfolk DC which surround Norwich City Council's area to the north and south respectively. The three have co-operated to produce a Joint Core Strategy for their areas. This includes the Norwich Policy Area, NPA, which covers the whole of the City Council's area and, putting it very broadly, the parts of the other two Councils' areas which lie closer to the City.
3. Part of the JCS involves meeting the growth requirements for the NPA laid down in the Regional Spatial Strategy, RSS, as adopted in 2008; it is now the Regional Strategy. The JCS, in order to meet its statutory obligation to conform generally to the RSS, had to provide for the stipulated levels of growth; but it was for the JCS to decide where that should take place. The JCS includes, as part of its provision for the RSS requirement, major growth in an area to the north east of Norwich known as the North East Growth Triangle, predictably, NEGT.
4. Mr Heard is a resident in that area north east of Norwich which is earmarked for major growth in the JCS. He is the chairman of an action group, Stop Norwich Urbanisation, SNUB. Although opposed to urbanisation generally, Mr Heard contends that the JCS is unlawful because the Strategic Environmental Assessment, SEA, which the Councils had undertaken, did not comply with two requirements: first, that it explain which reasonable alternatives to urban growth in the North East Growth Triangle they had selected to examine and why, and second, that it examine reasonable alternatives in the same depth as the preferred option which emerged. It was not said that the examination of the preferred option was itself inadequate, nor that changes in circumstance required a further examination of previously discarded alternatives. The Defendants contended that the work they had done was sufficient for these purposes.
5. His second ground was that the Strategic Environmental Assessment was further unlawful since it did not assess the impact of a proposed new highway, the Northern Distributor Road, the NDR, or of alternatives to it. The NDR was fundamental to the achievement of the full development of the North Eastern Growth Triangle, though there was a case for it even without that development. The Defendants contended that the NDR had been adequately assessed in documents prepared by the highway authority, Norfolk County Council, and that although the JCS supported and in some ways promoted the NDR, it was not for it to assess it or to consider

alternatives to it. The County Council was part of the informal Greater Norwich Development Partnership, GNDP, with the three District Councils.

### **The legislative framework**

6. A plan such as the JCS has to be subject to what is called Strategic Environment Assessment, by virtue of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.” This has been transposed into domestic law by the Environmental Assessment of Plans and Programmes Regulations 2004 SI no.1633. Regulation 8 prohibits a plan being adopted until regulation 12, amongst others, has been complied with. Regulation 13 requires the plan, when in draft, and its accompanying environmental report to be subject to public consultation. Regulation 8 prohibits the adoption of a plan before the environmental report and the consultation response have been taken into account. These reflect requirements of the Directive. Environmental assessment is thus, as Mr Upton submitted, a process and not merely a report.
7. Regulation 12 (2) (b) requires an environmental report “to identify, describe and evaluate the likely significant” environmental effects of implementing the plan, and of “reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme”. The report has to include such of the information set out in Schedule 2 as is reasonably required although it can be provided by reference to relevant information obtained at other levels of decision-making. Item 8 in the Schedule is “an outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties...encountered in completing the information.” Mr Upton for the Defendants emphasised the word “outline”. It is not, he said, a requirement to give reasons for selecting the option eventually pursued; but one would normally expect them to emerge reasonably clearly from the assessments.
8. European Commission has provided guidance on Article 5(1) of the Directive, the equivalent of regulation 12 of the UK Regulations, as to what level of assessment is required for alternatives. Alternatives to the option being promoted should be evaluated on the same basis and to the same level as the option promoted in the plan:

“In requiring the likely significant environmental effects of reasonable alternatives to be identified, described and evaluated, the Directive makes no distinction between the assessment requirements for the drafted plan or programme and for the alternatives. The essential thing is that the likely significant effects of the plan or programme and the alternatives are identified, described and evaluated in a comparable way. The requirements in Article 5(2)



concerning scope and level of detail for the information in the report apply to the assessment of alternatives as well. It is essential that the authority or parliament responsible for the adoption of the plan or programme as well as the authorities and the public consulted, are presented with an accurate picture of what reasonable alternatives there are and why they are not considered to be the best option. The information referred to in Annex I should thus be provided for the alternatives chosen.”

9. Mr Upton suggested that it was too simplistic to say that all alternatives had to be assessed to the same degree throughout a process in which, as the Directive and Regulations envisaged, options were progressively narrowed and discarded as successive stages moved towards a preferred option. Those options discarded at earlier stages did not have to be revisited at every subsequent stage; see *City and District Council of St Albans v Secretary of State for Communities and Local Government* [2009] EWHC 1280 (Admin), Mitting J para 14.
10. The guidance also deals with what constitutes a reasonable alternative: it must be realistic, fall within the legal and geographic competence of the authority, but it otherwise depends on the objectives, and geographical scope of the plan. Alternative areas for the same development are an obvious example. The longer term the plan, the more likely it will be that it is alternative scenarios which are examined.
11. Article 1 of the Directive is relevant because it makes clear that the objective of the Directive in providing for environmental assessment is to protect the environment and integrate environmental considerations into the adoption of plans with a view to “promoting sustainable development”. This, with Article 4, which permits a national authority to integrate compliance with the Directive into national procedures, has led to the practical implementation of the Directive through the requirement in s19(5) of the 2004 Act that a plan be subject to a Sustainability Appraisal, SA, rather than through a separate document entitled an environmental report. Article 4(3) also recognises that there may be a hierarchy of plans, and that the assessment will be carried out at different levels.
12. To avoid duplication in this process, Article 5(2) permits the decision as to what information is reasonably required to take account of “the contents and level of detail in the plan ..., its stage in the decision-making process and the extent to which certain matters are more appropriately assessed at different levels in that process....” This is reflected in regulation 12 of the domestic Regulations. Mr Harwood for the Claimant submitted, and I accept, that while options can be rejected as the plan moves through successive stages, and do not necessarily require to be re-examined at each

stage, a description of what alternatives were examined and why had to be available for consideration at each stage, even if only by reference back to earlier documents, so long as the reasons there given remained sound. But the earlier documents had to be organised and presented in such a way that they could readily be ascertained and no paper chase was required to find out what had been considered and why it had been rejected; see *Save Historic Newmarket Ltd v Forest Heath District Council* [2011] EWHC 606 (Admin), Collins J, paras 17 and 40.

13. At para 40, he said, and it provides a useful summary of the test:

“40. In my judgment, Mr Elvin is correct to submit that the final report accompanying the proposed Core Strategy to be put to the inspector was flawed. It was not possible for the consultees to know from it what were the reasons for rejecting any alternatives to the urban development where it was proposed or to know why the increase in the residential development made no difference. The previous reports did not properly give the necessary explanations and reasons and in any event were not sufficiently summarised nor were the relevant passages identified in the final report. There was thus a failure to comply with the requirements for the Directive and so relief must be given to the claimants.”

### **The facts**

14. The plan-making process is rather convoluted and the sequence of documents constituting it needs to be set out. I could not readily discern it from the parties' submissions.
15. Although the way in which the NDR was treated is the subject of a separate ground, the Northern Distributor Road and the North East Growth Triangle are closely linked and it is convenient to deal with them together chronologically, though it must be noted at the outset that it is Norfolk County Council which bears statutory responsibility for the transportation strategy, and not the Defendants.
16. The County Council consulted on various Norwich Area Transportation Strategy, NATS, options in 2003. An SEA was carried out in 2004 for the NATS, voluntarily since it preceded the coming into force of the Directive; it was not itself subject to public consultation. A number of options, sieved from a larger variety, were fully considered including three which involved differing lengths of NDR, and three which involved no NDR, but improved public transport and other measures to reduce car usage instead. The preferred strategy included what then was called the three quarter NDR; the NATS had been designed to help deliver the growth that would occur in the Norwich area with or without a supportive transport infrastructure,

## Appendix 1: High Court Judgment

and to address the problems it would create. The NDR was identified as an important element to enable growth within and around Norwich; without it, developer led schemes to provide accessibility to individual developments would lead to a disjointed network. The NDR was “the only feasible solution for dealing with growth and transport problems and issues on a long-term basis.”

17. Policy 2 of the NATS, adopted in 2006, provided that an NDR would be developed for implementation in conjunction with other measures. Its precise alignment was not for decision at that stage.
18. The County Council adopted its Second Local Transport Plan in 2006 as required by the Transport Act 2000. A Strategic Environmental Assessment was undertaken for this purpose, published in 2006, and summarised in the LTP itself. It assessed the overall environmental effect of the LTP, the impact of the two potential major schemes, one of which was the NDR, and the environmental effect of the LTP with and without those major schemes. An Environmental Report was consulted on with the Provisional LTP in 2005, but it did not deal with the NDR. The rather longer SEA of 2006, which was not itself consulted on, did not assess the LTP without the NDR alone, nor alternatives to the NDR. The LTP promoted the NDR as a major scheme, describing its purpose, advantages, position in the development plan framework, and its financing status.
19. Meanwhile, other parts of the development plan process were under way. The revised Regional Strategic Strategy, RSS, had been going through its draft stages, themselves informed by a Sustainability Appraisal at two stages which incorporated a Strategic Environmental Assessment. This was adopted in May 2008, as the East of England Plan, EEP, by the Secretary of State for Communities and Local Government. It became part of the statutory development plan framework under the 2004 Act, and local development plan documents such as the JCS had to conform generally to it. It covered the period 2001-2021.
20. The EEP dealt with transportation; Policy T15 identified the Norwich area as one which was likely to come under increasing transport pressure as a result of underlying traffic growth and the RSS development strategy. Appendix A listed the NDR as one of the regionally significant investments currently programmed for the region, a Major Local Transport Plan Scheme.
21. Policy NR1 dealt with Norwich as a “Key Centre for Development and Change”, a regional focus for housing, employment and other activities: 33000 additional houses were to be provided in the NPA between 2001-2021, facilitated by LDDs prepared jointly by the three Defendants; requirements for consequential transport infrastructure “should be determined having regard to” the NATS. Policy H1 elaborated the housing strategy, setting district totals conforming to that total for the NPA parts of the three involved here.

22. During the preparation of the revised RSS, the three Defendant Councils had begun work on their Joint Core Strategy. In November 2007, the Councils issued, for public consultation, an “Issues and Options” paper. This identified the housing requirements for the NPA in the then draft EEP. The three strategic options for dealing with the required growth were dispersing growth across a large number of small scale sites, medium concentration on large estate size sites of 15-3000 units, or Larger Scale Urban Extensions and new settlements in the range 5,000-10,000 dwellings. An initial assessment of the broad locations for major growth, including the north east sectors inside and outside the NDR, was appended; a full sustainability appraisal was promised at the preferred options stage, but early indications on a comparative basis were provided under the heading “Some issues relating to potential growth locations”. Comments were sought on which broad strategy should be preferred, (Q11) and on the various major growth locations outlined, (Q12). Potential combinations for large scale growth were identified and comments sought as to which were preferred (Q13):

“As well as identifying smaller urban extensions and growth in villages, the main pattern of large-scale growth could be:

- a) concentration on the north east and south west of Norwich and at Wymondham
- b) as a) plus a fourth location for large scale growth
- c) as a) plus two or more locations for medium scale growth
- d) a different combination for major growth options
- e) a more dispersed pattern of growth (perhaps an average of 1,500 dwellings in ten locations).”

23. This document also dealt with strategic infrastructure priorities. The NDR had been identified as essential to managing the demand for travel arising from the levels of growth planned in the EEP, providing access to the potential growth areas on the north eastern fringes of Norwich and enabling traffic to be removed from the city centre and improvements to non-car based transport.

24. The Sustainability Appraisal for the Issues and Options paper assessed the different strategies for locating growth, (Q11 above). There was also an appraisal of the growth locations identified in the appendix, (Q12): north-east sector inside NDR, north-east sector outside NDR, east sector outside

## Appendix 1: High Court Judgment

NDR, and south and south west sectors; 12 sectors in all, including some combinations. The potential combinations for large scale growth, (Q13), were grouped for appraisal under two heads, which represented a concentrated option and a more dispersed option; option C was regarded as middle ground between the two and option D, a different combination of major growth areas, was not assessed at all. The responses were reported at length.

25. In August 2008, there was a technical consultation with statutory bodies on the practicalities of various major growth options in the NPA. It proposed that the planned housing should be in large scale developments concentrated in particular locations with a mixture of small scale development dispersed around the area: it put forward three options of combinations of large scale development, totalling 24000, allied to options for smaller scale development. No large scale site exceeded 6000, most were between 2-4000. The large-scale options were set out in Policy 5; no decision had yet been made on which was to be favoured. Appendices described them in more detail. Each involved development in the north-east sector with a NDR. (The 33000 units over the period 2008-2026 for the NPA included allocations and permissions as yet unbuilt, so the figure for new allocations was 24000, reduced later to 21000.)
26. In February 2009, the four authorities in the GNDP agreed on a favoured growth option as the basis for public consultation. The reports analysing why that option emerged were not before me, and are not part of the Sustainability Appraisals or Strategic Environment Assessments. Regulations requiring the production of a preferred options report had been changed.
27. The statutory public consultation did not begin until March 2009. The document included as Policy 2 what was required by the EEP for the NPA, and as Policy 5 what was by now the favoured option for providing for that growth in the NPA, a variant of the third option in the technical consultation paper, with 21000 in the larger locations, in Norwich, and in the North East Growth Triangle on each side of the NDR, moderate growth broadly to the south west of Norwich, with some sites elsewhere identified for small scale development.
28. The commentary to Policy 5 said that there was no significantly different public preference for the locations for major growth, but that the technical consultation included three more detailed options for larger growth in the NPA which were described in appendices. All required the NDR, and all involved major development in the NEGT. The favoured option, said the commentary, drew upon the consultation response and evidence, but was not specific as to what that was.
29. A draft Sustainability Appraisal was produced in April 2009. It dealt with the three original growth options in the technical consultation document of 2008, plus a variant, and with the newly favoured option. These all

## Appendix 1: High Court Judgment

included the north-east sector with NDR. It appraised the various locations for major growth in Policy 5. It did not deal with the responses to the technical consultation.

30. In August 2009, a report on both statutory consultations was published.
31. Before the JCS was submitted to the Secretary of State for examination, a Sustainability Appraisal report and the pre-submission JCS were issued for yet further public consultation in November 2009. This SA was intended to fulfil the role of the SEA under the Directive and transposing regulations.
32. This SA makes the point that it was not the first stage of SA. However, the summary of the appraisal findings states that a key task of the JCS is to develop a “spatial strategy for distributing” the housing targets set for the area by the EEP. One component was a “major urban extension to the North-East of the city, based around two or three centres either side of the proposed” NDR. The summary noted the “broadly positive sustainability effects” of this element. Another element, because it included major development at Long Stratton, had some local benefits but strategic drawbacks.
33. The SA said that it set out the legal requirements of the SEA Directive and explained how they were or would be met. Chapter 5, (it meant 3), would provide “an outline of the reasons for selecting the alternatives dealt with ...”
34. Chapter 3 entitled “Developing the Options” set out the requirement that “reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme are identified, described and evaluated.” Paras 3.3.2-3.3.3 read:
  - “3.3.2 The Pre-Submission JCS sets out the GNDPs current preferred approach in a series of draft policies. These policies represent the GNDPs preferred options, which have been selected and refined following consultation on alternative options that has occurred in the past. In particular, options were published and consulted during the ‘Issue and Options’ consultation in 2007. All options presented in the Issues and Options consultation document were also subjected to SA to establish the relative merits of options in sustainability terms and inform the identification of preferred options. The findings of the Issues and Options SA were summaries in a brochure, which is available to download from the GNDP website.

3.3.3 Following the Issues and Options consultation the GNDP were able to identify many of their preferred options. However, it transpired that there was a need to consult further on options for the spatial approach to growth. Identification of a spatial approach to growth is the single most important decision to be made by the JCS, and the decision with the most wide ranging and potentially significant sustainability implications. The section below gives further details as to how the preferred approach was developed.”

35. The “Options for the spatial approach to growth” summarised the process by which the preferred option had been arrived at. It started with the three broad strategies from the Issues and Options paper, and the five options for their spatial distribution. The three new distribution options at the technical consultation stage were then set out as above; the NEGOT was common to them all. Subsequent tables briefly rehearsed the relative sustainability merits of those three options. The preferred option was then set out; paragraph 3.3.8 said that after the technical consultation, the GNDP “were able to identify their preferred option” for the spatial distribution of growth, which had been published for public consultation. It had not changed since then, when it had been the subject of SA. It had been re-appraised as part of this SA in the “light of further clarity about its implementation”.
36. Although the later SEA checklist says section 3.2 is where the alternatives are considered along with chapter 5, the relevant passages on alternatives for this case are those which I have cited, save for the introduction to chapter 4 which refers to the directive obligation to provide an outline of the reasons for selecting the alternatives dealt with and a description of how the assessment was undertaken. Chapter 5 concerns the preferred options themselves.
37. The appraisal in the annexe to the SA is an appraisal only of the preferred options against a comprehensive array of policies. It is not an examination of alternatives.
38. It included this on Policy 8 “Access and transport”, which both sides put some reliance on:

“Recommendations

- One key area of concern relates to whether the NDR, which is promoted through this Policy, would preclude sustainable patterns of travel and transport associated with the North East Growth Triangle. It will be of great importance

to ensure that the NDR does not have this effect. It will be important to design in ambitious measures that encourage residents to meet more of their needs locally by sustainable modes of travel, and that also allow ease of access to Norwich by rapid public transport. When considering the necessity for the NDR it should be possible to assume minimal use of this road by residents of the Growth Area.”

39. Policy 8 said that the transportation system would be enhanced to develop the role of Norwich as a Regional Transport Node, particularly through the implementation of NATS, including construction of the NDR. Implementation of NATS was fundamental to the strategy, enabling the capacity which it would release in Norwich to be used for non-car modes of transport, and providing the access necessary to key strategic employment and growth locations. A corridor, 100m either side of the centre line of the current scheme, was protected and would be shown on the Broadland DC adopted Proposals Map. The NDR “is recognised” in the EEP, is a major scheme in the Local Transport Plan and is in the Department of Transport’s Development Pool. This policy was to become Policy 6 in the adopted JCS.
40. Certain changes were made to the JCS which warranted further SA on these “focussed changes”. The only point of relevance is that it is clear that the only purpose of the SA was to appraise those specific changes and not alternatives more generally.
41. The JCS was submitted in March 2010 for examination by Inspectors appointed by the Secretary of State. This was held in November and December 2010; their report to the Councils was published in February 2011, and concluded that the JCS was sound and in conformity with the EEP, but certain changes were required.
42. Issue 6 examined whether the JCS provided an appropriate and deliverable distribution of the planned growth required by the EEP for the NPA, coupled with a sustainable pattern of transport infrastructure. One of the issues was whether the distribution was sound given its asserted dependence on the NDR, which might not be built. The NEG and NDR were closely linked in this argument; the Inspectors rejected a non-NDR package of transportation interventions in para 51:

“It has been argued that a non-NDR package of NATS interventions has not been modelled and that this could conceivably produce a better overall solution. However, we are not convinced that such an option would be realistic and place weight on the DfT’s favourable ‘in principle’ assessments and the judgements which led to the NDR’s acceptance into



‘Programme Entry’ and the ‘Development Pool’, as discussed above.”

43. The Inspectors nonetheless saw the NDR as uncertain and particularly uncertain in timing. They asked whether suitable changes could be introduced to increase the resilience of the JCS in the face of this uncertainty. They thought that the JCS tended to portray the situation in terms which were too stark: no NDR, no development in the NEGТ. Changes were proposed which provided “an appropriately qualified partial alternative approach to development in North East Norwich”. Essentially, some development could take place in certain parts without an NDR, but were it not to have happened by the time that threshold had been reached, an Action Area Plan, AAP, would investigate whether any additional growth could take place in the NEGТ without it, and subject to any further development which that AAP might show to be satisfactory, there would be a complete review of the JCS proposal for the NEGТ.
44. The Inspectors rejected the argument that there should be no growth in the NEGТ with or without the NDR, but concluded, para 59:

“The AAP is the proper mechanism for carrying out the site-specific investigations, considering the alternatives and undertaking the public consultations necessary to establish the point at which non-delivery of the NDR may, or may not, become a ‘showstopper’ for further development in the growth triangle. The JCS should not go beyond its strategic role and fetter the necessary thorough investigation through the AAP by making premature commitments based on untested scenarios.”

45. They then turned to the NEGТ. After some comments about how the scale of development came to be in the EEP, the Inspectors dealt with the merits, para 72:

“Moreover, there are strong reasons to support the selection of this area as a location for a major urban extension. Fundamentally, if development is to take place at the overall scale proposed by the GNDP constituent authorities (which we have found sound), the pattern of small towns and villages in Broadlands offers no realistic alternative ‘dispersal’ options capable of accommodating such numbers in ways likely to be sustainable and capable of respecting the characters of the host settlements. There is no evidence that Norwich could accommodate more than already reflected in the JCS account of existing commitments, and it appears (from our consideration

of the South Norfolk options) that redistribution from the north of the NPA to south is not a viable option. Concentrating the proposed development at this major growth location is the most effective way of maximising its contribution to the NPA's sustainability and providing infrastructure economically."

46. After dealing with the arguments for and against other parts of the proposed distribution of growth, the Inspectors identified the next sub-issue as "Does the JCS distribution represent "the most appropriate plan when considered against reasonable alternatives?"". The question is drawn from PPS12. They said, para 90:

"With regard to the North East Norwich growth triangle, we have already concurred with GNDP's judgement that from a relatively early stage in the evolution of the JCS there has been no reasonable sustainable alternative to a substantial urban extension in that location if this scale of growth is to be accommodated."

47. They then referred to the 5 options for South Norfolk, including Long Stratton, which had been developed between May 2008 and February 2009. These had been subject to a comparative SA in February 2009. More evidence was now available. Para 94 contained this conclusion:

"We therefore conclude that South Norfolk's view that the JCS distribution represents the best overall 'political fit' is not inconsistent with judgements that it (a) represents the most appropriate plan when considered against the reasonable alternatives and (b) broadly fulfils GNDP's duty under S39 of the 2004 Act to exercise its DPD-making functions with the objective of contributing to the achievement of sustainable development."

48. Their overall conclusions on Issue 6 were in para 95:

"Our broad conclusion is that the major principles of NATS, as reflected in the JCS, represents a sound and sustainable transport strategy for the NPA. The implementation of these measures would enable the JCS to proceed with a pattern of growth which is justified, effective and consistent with national policy. This conclusion is subject to a number of necessary changes that have been discussed above. Together, these give the JCS greater resilience and effectiveness in the case of delay to, or non delivery of, the NDR by

indicating a mechanism for transparently establishing the maximum extent to which development at the growth triangle could proceed before triggering the need for review of the JCS in that respect.”

49. They recommended various changes as their analysis had foreshadowed.

50. The JCS, with the incorporation of the required changes, was adopted in March 2011. An Environmental Statement was required to accompany it by the 2004 Regulations. It had to set out, among other matters, the reasons for choosing the plan as adopted, in the light of other reasonable alternatives. It said this on that topic:

“5.1 The iterative plan making process set out above, informed by SA and consultation throughout, involved consideration of a number of reasonable alternatives.

5.2 This is particularly the case in relation to the spatial location of growth. At the Issues and Options stage ten potential growth options were put forward (plus brownfield sites in the city & suburbs). The Sustainability Appraisal was used to select options to take forward along with other evidence such as the water cycle study, public transport modelling and discussions with children’s services.

5.3 The former preferred options document considered alternatives for growth options and area-wide policies. The alternatives were assessed and captured in the SA document and remain in it as evidence of considering reasonable alternatives.

5.4 The strategy submitted to the Secretary of State has a relatively concentrated pattern of growth in Broadland, based on sustainable urban extensions and a more dispersed pattern in south Norfolk, with growth focussed on a number of existing settlements. Earlier plan drafts, supported by the SA, included options that had promoted a somewhat less dispersed pattern of growth in south Norfolk, with more limited development at Long Stratton.

5.5 Having regard to the technical evidence and public comment, the strategic preference of

the GNDP was to promote growth in Long Stratton to achieve the consequent environmental improvements to the village.

5.6 The strategy has been adopted subsequent to a formal Examination in Public. The independent Inspectors concluded that the plan is sound, subject to a number of required changes. These changes have been incorporated into the adopted strategy.”

51. The rest of the section summarised the support given by the Inspectors to the adopted strategy.

52. Policy 9 covers the growth strategy for the NPA: new allocations for a minimum of 21000 houses are to be identified across a number of locations against which the minimum number of houses in each was noted. This would be supported by construction of the NDR. Policy 10 identified the locations in the NPA for major new or expanded communities, including the NEGT on both sides of the NDR, the complete development of which required the NDR, but the scope for partial delivery, as required by the Inspectors is also reflected in the policy.

### **Ground 1: SEA and alternatives**

53. Mr Harwood’s Skeleton Argument for the Claimant contained a number of what seemed to me to be rather carping criticisms of the SEA and JCS, but he refined and improved his submissions in oral argument. He focussed wisely on the appraisal of alternatives to the NEGT, the Claimant’s area of interest.

54. None of the high level options for growth in the Issues and Options Paper, (Q11), were actually chosen. The initial assessment of growth options, (Q13), did not cover two of the five options for the location of growth: 3 and 4 in the JCS SA, also denoted as C and D. D did not include growth in the NEGT. Three more specific options were put forward in the statutory technical consultation paper, but the Councils were not relying on the SA accompanying that paper. There was no analysis of why the alternatives selected at that stage only included ones with growth in the NEGT. The preferred option emerged from that process as a mixture of options 2 and 3, and the Environmental Report/SA of September 2009 dealt with it. There was no comparable assessment of reasonable alternatives considered by the three Defendants in it; the assessment of the options from the technical consultation paper was not done on the same basis as that of the preferred option. There was no explanation of the alternatives selected. It contained no cross-reference to any other paper where the identification and equivalent appraisal of alternatives could be found. Its summary was silent on that topic. It was possible that the options

considered in the Issues and Options SA were reasonable options, even the only reasonable ones considered, but the SA did not say so, and it was not obvious why every combination of options included a north east sector, especially as the NDR on which it depended was uncertain. There was no comparable assessment of reasonable alternatives against the one preferred, nor could there be one until the preferred option had been identified. It was not his argument that there was some topic of assessment which those options had failed to consider, nor did that meet his argument.

55. Mr Upton, for the Councils, took me through the evolution of the planning documents, placing considerable weight on the April 2009 SA accompanying the public consultation document, and the September 2009 SA. It was for the three Councils to decide what were reasonable alternatives in the light of the SA scoping report of December 2007 and the requirements of the RSS. A range of reasonable alternatives had been identified and assessed, in a way appropriate for the level at which the JCS was operating in the plan-making hierarchy. Many alternatives supported by SNUB were not alternatives which conformed to the RSS, and so could not be considered as alternatives at all. A wide range of options had been assessed on a comparable basis; the later document of September did not have to continue to examine so wide a range as at earlier stages as the *St Albans* case held. There really was only one sensible way to meet the growth requirements, as the Inspectors found.

### Conclusions on Ground 1

56. I accept much of what Mr Upton said as a description of the way in which the JCS had been arrived at. It could not be stigmatised as unreasonable. The JCS had been the subject of frequent public consultation. The preferred option had been properly assessed itself. A number of alternatives had been assessed.

57. I did not find it easy, however, to discern from Mr Upton's submissions how he answered the essential factual contention at the heart of Mr Harwood's submissions. Certainly it was not by showing me any document in which the outline reasons for the selection of alternatives at any particular stage were clearly being given. This is not the failing of the advocate, but in the factual material which he had to present. Nor was there any discussion in an SA, in so far as required by the directive, of why the preferred options came to be chosen. Nor was there any analysis on a comparable basis, in so far as required by the directive, of the preferred option and selected reasonable alternatives.

58. The Issues and Options Paper and its Sustainability Appraisal are in themselves perfectly sensible papers. However Option D, the different combination of growth areas, was not assessed, and the SA itself did not explain why not. There was therefore no assessment of an alternative which did not include development in the NEG, nor an explanation of why that was not a reasonable alternative, even though one which might have

## Appendix 1: High Court Judgment

been identified as an option. This was not unimportant in the light of uncertainty over the NDR and its significance for the full development of the NEGТ.

59. The statutory technical consultation produced three more options but did not itself consider any option which did not include development in the NEGТ, with an NDR. It did not describe the selection of those options.
60. There was an important report to the Councils in February 2009 which led to the selection of the preferred option; it explains why it was preferred, and could contain information as to why the options examined had been selected. But that was not produced before me, and more importantly, it was not cross-referred to or publicly available as part of any SA. By the time of public consultation in March 2009, the preferred option had been selected.
61. The April 2009 SA did not explain what alternatives had been chosen for examination; it explained the ones which had been considered but not why it was those ones which had been considered and not others. It did not explain why the preferred option had been selected. Again, the only options considered involved development in the NEGТ, and the NDR.
62. The crucial stage was the SA submitted in September 2009 in connection with the pre-submission JCS, which the Councils intended as the fulfilment of their directive obligations. It would have been open to the Councils to describe here the process of selection of alternatives for examination at each stage. They could have done this by reference to earlier documents, if earlier documents had contained the required material. But the earlier documents do not contain the required information as to why the alternatives considered had been selected. If the outline of the reasons for the selection of alternatives was not dealt with in the earlier documents, the Councils had to provide them in this document. But that is missing from the SA.
63. The SA itself only describes what has been done. It contains no further analysis of the selection of alternatives for consideration at various stages, nor for the choice of the preferred option. It contains only a brief assessment of the alternatives, and does not itself contain the explanation which it implies is in the earlier documents, but, which in fact, on this particular aspect is simply not covered in them. Crucially, it is not possible to tell from the SA itself or from earlier documents what the Councils' answer is to the Claimant's question: were the only alternatives it was thought reasonable to select ones involving development in the NEGТ, and if so -in outline- why so, especially in view of the uncertainty over the NDR, and the importance attached to the NDR in achieving the JCS with development in the NEGТ. The SA is wrong in saying that all the options in the "Issues and Options" paper were assessed.

## Appendix 1: High Court Judgment

64. I accept that the Inspectors' report contains much which is supportive of the JCS, including the statement that there was no reasonable alternative to a substantial urban extension in the NEGТ, notwithstanding problems with the NDR. But although their report evidences a view about alternatives, it is not itself part of the SA. They may be required to consider alternatives by the Secretary of State in PPS12, but that is not in fulfilment of the directive obligation or of those in the regulations. It is possible of course, as well, that such a view is affected by a lack of examination of an alternative; and it is also possible that the answer to why no non NEGТ growth scenario was considered is so obvious to a planner that it needs no explanation; it could not have been considered a reasonable alternative. But I did not receive such an explanation either from the Councils, nor does the Inspectors' conclusion suffice to answer it.
65. The final ES with the final JCS does not take matters further.
66. I conclude that, for all the effort put into the preparation of the JCS, consultation and its SA, the need for outline reasons for the selection of the alternatives dealt with at the various stages has not been addressed. No doubt there are some possible alternatives which could be regarded as obvious non-starters by anyone, which could not warrant even an outline reason for being disregarded. The same would be true of those which obviously could not provide what RS required, or which placed development in an area beyond the scope of the plan or the legal competence of the Defendants. But that is not the case here on the evidence before me, in relation to a non NEGТ growth scenario, with or without NDR, and especially with an uncertain NDR. Without the reasons for the earlier selection decisions, it is less easy to see whether the choice of alternatives involves a major deficiency.
67. I accept that the plan-making process permits the broad options at stage one to be reduced or closed at the next stage, so that a preferred option or group of options emerges; there may then be a variety of narrower options about how they are progressed, and that that too may lead to a chosen course which may have itself further optional forms of implementation. It is not necessary to keep open all options for the same level of detailed examination at all stages. But if what I have adumbrated is the process adopted, an outline of the reasons for the selection of the options to be taken forward for assessment at each of those stages is required, even if that is left to the final SA, which for present purposes is the September 2009 SA.
68. The reasons for the selection of the preferred option, as distinct from the reasons for the selection of the alternatives to be considered, have not been addressed as such either in the SA, although some comparative material is available. The parties dispute the need for these reasons. It was very surprising to me that the reason for the selection of the preferred option was not available as part of the pre-submission JCS or the accompanying

## Appendix 1: High Court Judgment

September SA, nor readily available in a public document to which the public could readily be cross-referred, with a summary.

69. This is not an express requirement of the directive or regulations, and I do not regard European Commission guidance as a source of law. However, an outline of reasons for the selection of alternatives for examination is required, and alternatives have to be assessed, whether or not to the same degree as the preferred option, all for the purpose of carrying out, with public participation, a reasoned evaluative process of the environmental impact of plans or proposals. A teleological interpretation of the directive, to my mind, requires an outline of the reasons for the selection of a preferred option, if any, even where a number of alternatives are also still being considered. Indeed, it would normally require a sophisticated and artificial form of reasoning which explained why alternatives had been selected for examination but not why one of those at the same time had been preferred.
70. Even more so, where a series of stages leads to a preferred option for which alone an SA is being done, the reasons for the selection of this sole option for assessment at the final SA stage are not sensibly distinguishable from reasons for not selecting any other alternative for further examination at that final stage. The failure to give reasons for the selection of the preferred option is in reality a failure to give reasons why no other alternatives were selected for assessment or comparable assessment at that stage. This is what happened here. So this represents a breach of the directive on its express terms.
71. There is no express requirement in the directive either that alternatives be appraised to the same level as the preferred option. Mr Harwood again relies on the Commission guidance to evidence a legal obligation left unexpressed in the directive. Again, it seems to me that, although there is a case for the examination of a preferred option in greater detail, the aim of the directive, which may affect which alternatives it is reasonable to select, is more obviously met by, and it is best interpreted as requiring, an equal examination of the alternatives which it is reasonable to select for examination along side whatever, even at the outset, may be the preferred option. It is part of the purpose of this process to test whether what may start out as preferred should still end up as preferred after a fair and public analysis of what the authority regards as reasonable alternatives. I do not see that such an equal appraisal has been accorded to the alternatives referred to in the SA of September 2009. If that is because only one option had been selected, it rather highlights the need for and absence here of reasons for the selection of no alternatives as reasonable. Of course, an SA does not have to have a preferred option; it can emerge as the conclusion of the SEA process in which a number of options are considered, with an outline of the reasons for their selection being provided. But that is not the process adopted here.
72. Accordingly, the Claimant succeeds on this ground.



**Ground 2: the absence of an assessment of the NDR in the JCS SA**

73. Mr Harwood submitted that there was a duty on the councils to have regard to the LTP under regulation 15 (1)(b) and (c) of the Town and Country Planning (Local Development)(England) Regulations 2004 SI No. 2204. The RSS required regard to be had to the NATS. It did not require the NDR. Since the NDR was part of the JCS, and was said to be “promoted” through it, the JCS SA had to include an environmental assessment of the NDR. Instead, it had been taken as part of the baseline for the assessment of other development, colloquially as a given and not as a JCS proposal; Mr Doleman, a transportation planner with the County Council, made as much clear in his witness statement. The County Council was part of the GNPD, which as a partnership would promote the NDR, with the JCS supporting its provision and protecting its alignment, opposing inconsistent development. The NDR and NEG T went together: there may have been a case put forward by the County Council for the NDR without the NEG T, but there was no case for the full NEG T without the NDR. If the NDR were undesirable, it would affect the whole growth strategy, or at least the distribution of the major growth areas. The JCS protected an alignment corridor for the preferred three-quarter length NDR, yet that had not been assessed. However, his real concern was not with alternative alignments but with alternatives to the NDR altogether. Nothing in the Inspectors’ report showed that there were no reasonable alternatives to the NDR. Given that there remains uncertainty over whether the NDR will be built, and the effect which that would have on the NEG T, there had to be alternatives to the NDR and NEG T. Those had not been considered.
74. The JCS did not cross-refer to other documents, notably the voluntary SA which accompanied the NATS, or the SA which accompanied the LTP. The NDR was not dealt with as a discrete option in them either. The voluntary NATS SA could not be equivalent to a statutory SA since the SA had not been subject to public consultation, unlike NATS itself, nor could any decision have been made in the light of consultation responses to it.
75. Mr Upton’s essential contentions were that the NATS and LTP determined what infrastructure was required to support the level of development and its location. The RS explicitly required account to be taken of the NATS, of which NDR was part. The LTP had taken the general level and distribution of growth in the draft EEP into account. Mr Upton took me through the various planning documents which showed that the NDR had been part of the baseline since at least 2007. His submission was supported by PPS 12: “Local Spatial Planning”; para 4.10 said that “the outcome of the infrastructure planning process [here the NATS and LTP] should inform the core strategy and should be part of a robust evidence base”. It recommended that those responsible for delivering infrastructure and those responsible for the core strategy align their planning processes. Para 4.28 emphasises the importance of not advancing a core strategy which depended on others for its implementation when those others had not

agreed it. No challenge had been made to the adequacy of its SEA. Incorporation into the JCS did not require a separate SEA. There was no need to duplicate or to repeat SEAs.

76. Those two plans were also the statutory responsibility of the County Council as highway and transportation authority. There were no reasonable alternatives for the District Councils to consider in promoting the JCS, since transportation was not within their statutory competence. So it had rightly been treated as part of the baseline, though the various levels of development in various locations on the NDR and on the roads leading to it would be relevant. Besides, the Inspectors had concluded that there was no reasonable alternative to the NDR. The reference in the SA of September 2009 to the NDR being promoted through the JCS was no more than a reference to its being relied on in the JCS. The detail of the route would be dealt with in the Broadland DC AAP.

### **Conclusions on ground 2**

77. The starting point to my mind is that proposing or planning the NDR is not within the remit of the JCS. It is for the highway authority to plan and promote the NDR through its plans. The NDR is outside the Defendants' legal competence. There is no substance in the suggestion that the existence of the informal GNDP alters the allocation of statutory responsibility because it includes the Defendants, and all four Councils are in harmony on this issue.

78. Of course, there are references in the JCS to the role of the NDR, and there is a relationship between the policies for accommodating growth in the JCS, and the infrastructure to support it. The promotion of the NDR, its status in the EEP, NATS and LTP, and its budgetary status, make it a relevant factor in the judgment of where growth should be. It would be unwise, if not impossible, to create a coherent strategy for any plan if the proposals for major infrastructure were ignored. It may make it unreasonable to consider alternative means of providing for growth which do not use that proposed infrastructure. That may be very relevant to how the defendants approached, albeit not explicitly, the selection of reasonable alternatives for examination. Their uncertainty may have to be planned for as well, as the Inspectors' recommended amendments showed. But none of that, including reliance on it for the selection of the preferred option, makes the NDR part of the JCS in the sense that the environmental effect of the NDR has to be assessed, growth in the NEGTS or not, as a proposal of the JCS. That does not turn the JCS into a plan or proposal for the infrastructure on which it relies.

79. True it is as well that the land use plan has to provide for safe-guarding of the corridor for the NDR, since to fail to do so could prevent its development, but that safe-guarding does not make the NDR a proposal of the plan for which alternatives and impacts have to be assessed. The fact that the JCS talks of promoting the NDR, a safeguarding and supportive role,

## Appendix 1: High Court Judgment

does not amount to its adoption by another authority or create an obligation to assess it and alternatives. It merely reflects the importance which another public body's infrastructure proposal has.

80. In so far as the concern was with alternatives to any NDR rather than with alternative NDR alignments, that did not fall within the scope of the JCS. The alignment corridor itself is not a choice made within the JCS; the corridors were assessed in the 2006 LTP. Nor is the corridor a matter of concern to the Claimant who seeks an alternative to any NDR. The effect of different alignments within the protected corridor would be for assessment when the precise line came to be chosen.
81. The Defendants were right in my judgment to treat it as part of the baseline against which the environmental effects of the growth strategy were assessed. Of course the effects of the growth may be additional to the effects of the NDR which are part of the baseline in the assessment of the strategy, but the NDR is not itself a proposal for assessment in the JCS.
82. The second reason why this ground fails is that the NDR has been subject to environmental assessment as part of the adoption of the NATS, albeit voluntarily, and as part of the LTP. Those plans have been adopted. This challenge cannot review any inadequacies in that assessment. The time for such a challenge is long past. It is not the function of the JCS to remedy any deficiencies in earlier assessments undertaken for the purposes of other plans.
83. Accordingly this ground of challenge fails.

### **Discretion**

84. Mr Upton submitted that no relief should be granted were he to lose on either of these grounds. A great deal of work had been done; the claims were in reality that the SEA had not been expansive enough on one topic. A number of alternatives had clearly been examined on a comparable basis as required. The reasons for selection and choice between alternatives and the preferred option were spelt out in a publicly available report, even though it was not part of the SEA. The Inspectors' Report gave reasons justifying the selection of the preferred option over the alternatives. The Directive had been substantially complied with. The Claimant had not been prejudiced by any procedural failings; he had put forward no realistic alternative which had been ignored.
85. Mr Harwood submitted that the failings he identified went to substance and not to procedure, and so questions of substantial compliance with procedural requirements did not arise. The obligation was to identify and explain the selection of reasonable alternatives, to assess them on a comparable basis, to consult the public about the plan and SA, and to reach a decision in the light of their responses. That was the essence of the process of environmental assessment. *Berkeley v Secretary of State for the*

*Environment* [2000] UKHL 36, [2001] 2 AC 603 also showed that a disparate collection of documents, a paper chase through which the public might find its way, did not constitute substantial compliance with Directive requirements on environmental assessment. This case was to be distinguished from *Younger Homes (Northern) v First secretary of State and Calderdale District Council* [2004] EWCA Civ 1060, Laws LJ at paras 42-47.

86. S113 of the Planning and Compulsory Purchase Act 2004, as amended by the s185 of the Planning Act 2008, gave a wide variety of powers, short of quashing the whole JCS and starting again, which should be exercised here if relief were to be granted.

### **Conclusions on discretion**

87. I am satisfied here that I should not exercise my discretion against the grant of any relief. There has been a series of failings in relation to the directive obligations. The Defendants may well be right that the option of no NEG growth is unrealistic. But I cannot regard there as being substantial compliance with the directive. I will hear submission on the precise form of relief, in the light of the powers in s113 of the 2004 Act, as amended.



**In the High Court of Justice  
Queen's Bench Division  
Administrative Court**

CO Ref: CO/ 3983/2011



HEARD

Claimant

and

**BROADLAND DISTRICT COUNCIL  
SOUTH NORFOLK DISTRICT COUNCIL  
NORWICH CITY COUNCIL**

Defendants

**Order by Mr Justice OUSELEY**

1. I have approved the Order in the form submitted with two amendments: 1 paragraph 8 is deleted since it would not be right for an order to be made in respect of the Secretary of State, a non party, let alone without notice, and without any evidence that it could be necessary. The Order therefore reflects the expectation that he will do what statute already requires him to do. 2 paragraph 9 is consequently amended by the deletion of "thereafter" and the insertion of "after that examination" after "consider".

2. I have not altered the Schedule from that submitted by the Defendants. I am grateful to Counsel for their co-operation and hard work on this.

(a) I do not accept Mr Harwood's submission on the housing totals point in item 33. It seems to me that the Defendants' proposals do not prevent full argument on the NEGT. If further changes are required by modification, so be it. The removal of the totals would put uncertainty over what was required in other areas as a minimum. The meaning of the Defendant's proposed reading of the totals, given the deletion of some components seems to me clear.

(b) I did deal with the business park in the hearing on 29 February. But I accept the arguments, if new, that this is not a NEGT dependant proposal, and it does not have to be in the NEGT. It may be relevant to whether there should be a NEGT, but that is not the point.

Signed Mr Justice Ouseley 25 April 2012

---

Sent to the claimant, defendant and any interested party / the claimants, defendants, and any interested party's solicitors on (date):

Case ref CO/3983/2011

**IN THE HIGH COURT OF JUSTICE  
QUEENS BENCH DIVISION  
ADMINISTRATIVE COURT**

**In the matter of  
Planning and Compulsory Purchase Act 2004, s.113**

**Before Mr Justice Ouseley  
29<sup>th</sup> February 2012**

**BETWEEN**

**HEARD**

**Claimant**

**- and -**

**BROADLAND DISTRICT COUNCIL  
SOUTH NORFOLK DISTRICT COUNCIL  
NORWICH CITY COUNCIL**

**Defendants**

**ORDER**

**UPON** hearing Mr Richard Harwood of Counsel for the Claimant and Mr William Upton of Counsel for the Defendants

**IT IS ORDERED THAT:**

1. The Claim be allowed;
2. The parts of the policies and text of the Joint Core Strategy for Broadland, Norwich and South Norfolk (hereafter referred to as the "JCS") set out in the schedule attached to this Order shall be remitted and be treated as not having been adopted;
3. The steps in the process that have resulted in the adoption of the remainder of the policies and text of the JCS shall be treated as having been taken;

## Appendix 2 Mr Justice Ouseley's Narrative, Court Order and Schedule

4. The steps in the plan preparation process of those parts of the JCS set out in schedule attached to this Order shall be treated as having been taken up until the pre-submission stage and not having been taken thereafter;
5. The Defendants shall prepare a Sustainability Appraisal ("SA") of those parts of the JCS identified in the schedule attached to this Order, taking into account in particular the strategic growth in the North-East Growth Triangle and the reasonable alternatives (if any) to this;
6. Following their consideration of the SA, the Defendants shall publish the relevant parts of JCS (subject to amendments, if any) and its submission documents (including the SA) under regulation 27 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended, or as repealed and replaced) before submitting the relevant parts of the JCS to the Secretary of State for examination under section 20 of the Planning and Compulsory Purchase Act 2004 and the relevant regulations;
7. Following consideration of the representations received to the Regulation 27 Publication the Defendants shall submit the relevant parts of JCS and its submission documents (including the SA and the representations received) to the Secretary of State for examination under section 20 of the Planning and Compulsory Purchase Act 2004 and the relevant regulations; alternatively, the Defendants may withdraw the remitted parts of the JCS.
8. The Defendant Councils shall consider after that examination whether or not to adopt the relevant parts of the policies and text of the JCS in the light of the Secretary of State's or Inspector's report and recommendations, pursuant to the Planning and Compulsory Purchase Act 2004 and the relevant regulations.

### **IT IS FURTHER ORDERED THAT**

9. The Defendants shall pay the costs of the Claimant in the sum of £29,000 (including VAT).

10. For the avoidance of doubt, this order encompasses the costs previously reserved in this case.

11. Permission to appeal is refused to the Defendants.

**By the Court**



**IN THE HIGH COURT OF JUSTICE  
QUEENS BENCH DIVISION  
ADMINISTRATIVE COURT**

**In the matter of Planning and Compulsory Purchase Act 2004, s.113**

**Before Mr Justice Ouseley, 29<sup>th</sup> February 2012**

**BETWEEN**

**HEARD**

**Claimant**

**- and -**

**BROADLAND DISTRICT COUNCIL  
SOUTH NORFOLK DISTRICT COUNCIL  
NORWICH CITY COUNCIL**

**Defendants**

**SCHEDULE TO THE ORDER**

The parts of the Joint Core Strategy for Broadland, Norwich and South Norfolk ("the plan") to be remitted following the High Court Judgment:

| <b>Reference</b> | <b>Part of plan</b>                                   | <b>Text/diagram for remittance (in italics) [N.B. the words in square brackets are not remitted, and are included for clarification purposes only]</b> |
|------------------|---|--|
| 1                | 01 Our Strategy – fourth paragraph under heading "The | <i>the area to the north east of the city</i><br>and   |

Appendix 2 Mr Justice Ouseley’s Narrative, Court Order and Schedule

|   |   |   |
|---|---|---|
|   | dilemmas”   | <u>for a concentration of new [development]</u>   |
| 2 | 01 Our Strategy – fifth paragraph under heading “the dilemmas”  | <u>In the case of Broadland, the historical pattern of development lends itself to further expansion with new growth locations in the parishes of Old Catton, Sprowston and Thorpe St Andrew, and the development of a low carbon community focussing on Rackheath, given its existing employment opportunities and railway line. The growth in these locations relies on the implementation of NATS.</u><br><br>and<br><br><u>By contrast.</u> |
| 3 | 04 Spatial vision: third paragraph under the heading “The spatial vision”                             | <u>[Growth will be ...] and in a very large mixed use urban extension within the Old Catton, Sprowston, Rackheath and Thorpe St Andrew growth triangle (Appendix 5)</u>   |
| 4 | 04 Spatial vision: under the heading “Climate change and sustainability” 3 <sup>rd</sup> bullet point | <u>inspired by the proposed exemplar at Rackheath.</u>  |
| 5 | 04 Spatial vision: under the heading “Working and getting around” Second bullet point                 | <u>Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle</u>   |

Appendix 2 Mr Justice Ouseley’s Narrative, Court Order and Schedule

|    |   |   |
|----|---|---|
|    |   |   |
| 6  | Key diagram –and under objective 3  | The notation of the area to the northeast of the urban area as one of the “ <i>strategic employment sites</i> ” and “ <i>major housing growth and associated facilities</i> ”   |
| 7  | 05 Area-wide policies, Policy 4 Housing Delivery: under the heading “Housing with care”   | <u>Old Catton, Sprowston, Rackheath and Thorpe St Andrew growth triangle.</u>   |
| 8  | 05 Area-wide policies, Policy 4 Housing Delivery: Table following paragraph 5.25  | <u>The figure of ‘9,000’ for the ‘New Allocations to 2026’ in the Broadland (NPA) and the total of ‘11,099’ recorded in the table for the ‘New Commitment to 2026’ in the Broadland (NPA).</u><br>[The total recorded for the NPA is not remitted.] |
| 9  | 06 Policies for Places : Introduction paragraph 6.3   | [Large-scale mixed-use developments in the Norwich Policy Area are provided...<br><u>in a major urban extension in the Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle, and ...</u>  |
| 10 | 06 Policies for places, Policy 9 Strategy for growth in the Norwich Policy Area:<br><br>2 <sup>nd</sup> & 8 <sup>th</sup> bullet points | <u>Old Catton, Sprowston, Rackheath and Thorpe St Andrew growth triangle: 7,000 dwellings by 2026 continuing to grow to around 10,000 dwellings eventually</u>  |

Appendix 2 Mr Justice Ouseley’s Narrative, Court Order and Schedule

|    |  |   |
|----|--|---|
|    |  | <u>Broadland smaller sites in the NPA: 2,000 dwellings</u>  |
| 11 | 06 Policies for places, Policy 9<br>Strategy for growth in the Norwich Policy Area:<br><br>Final bullet point:               | <u>including around 25ha of new employment land at Rackheath</u>  |
| 12 | 06 Policies for places, Policy 9<br>Para 6.7   | <u>The Old Catton, Sprowston, Rackheath and Thorpe St Andrew growth triangle incorporates land at Rackheath promoted for an eco-community under the governments Eco-towns programme and development of the rest of the area will be expected to reflect similar high standards.</u> |
| 13 | Para 6.12<br>4 <sup>th</sup> bullet point  | <u><b>Rackheath:</b> around 25ha of new employment land for a range of employment uses to strengthen the employment role of this location and provide local opportunities for the new community in this area</u>  |
| 14 | Diagram after the end of the paragraph 6.12 – Relationship between strategic growth locations within the Norwich Policy Area | Notation for major housing growth and associated facilities and strategic employment location entitled “ <i>Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle</i> ”.   |

Appendix 2 Mr Justice Ouseley’s Narrative, Court Order and Schedule

|    |  |   |
|----|--|---|
| 15 | Diagram on the following page after para 6.12, entitled “Main Housing Allocations”                         | <p><i>The notation showing 10,000 new houses to the north east of the urban area within the Norwich policy area, and</i></p> <p><i>The notation for 2,000 houses in the NPA part of Broadland. and</i></p> <p><i>The notation for the Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle</i></p>  |
| 16 | Policy 10 -- Locations for major new or expanded communities in the Norwich Policy Area:<br>first sentence | <p><u>[Major growth] in the Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle, and</u></p>   |
| 17 | Policy 10 Paragraph headed “Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle”            | <p>Heading and the two paragraphs headed <u>“Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle”</u></p>  |
| 18 | Policy 10:<br><br>Para 6.15  | <p><u>The major urban extension in the Old Catton, Sprowston, Rackheath, and Thorpe St Andrew growth triangle will provide a concentration of growth which can support local services, facilities, and infrastructure including secondary education, high quality public transport links and significant green infrastructure. An Area Action Plan and a sustainable development code are being developed. The growth triangle is proposed to accommodate 10,000 dwellings after 2026. A large part of the</u></p> <p><u>[development at Rackheath ...]</u></p> |

Appendix 2 Mr Justice Ouseley's Narrative, Court Order and Schedule

|    |                           |  |
|----|---------------------------|--|
|    |                           | and then<br><i><u>The Rackheath low carbon development remains part of this strategy.</u></i>  |
| 19 | Para 6.16 second line     | <i><u>similar</u></i>  |
| 20 | Para 6.19                 | <i><u>significant development in the growth triangle and</u></i><br>and<br><i><u>in the Old Catton, Sprowston, Thorpe St Andrew growth triangle</u></i><br>and<br><i><u>(see supporting text for Policy 20).</u></i> |
| 21 | Para 6.20 fourth sentence | <i><u>in the Old Catton, Sprowston, Rackheath, Thorpe St Andrew area</u></i><br>and<br><i><u>'a' and 'route which may be via Gurney Road/Salhouse Road'</u></i>  |
| 22 | Paragraph 6.22            | <i><u>A new secondary school is needed to serve the new community in the north east.</u></i><br>and, in the second sentence ' <i><u>more</u></i> '   |
| 23 | Diagram following         |  |

Appendix 2 Mr Justice Ouseley's Narrative, Court Order and Schedule

|    |  |  |
|----|--|--|
|    | policy 10, entitled "Green infrastructure priority areas supporting key growth locations"                  | The growth location and green infrastructure priority area to the northeast of the urban area and priority corridor A entitled "Norwich to the Broads"   |
| 24 | Policy 12 : The remainder of the Norwich urban area, including the fringe parishes: introductory paragraph | <u>[It will be expanded] through significant growth in the Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle, and smaller</u>   |
| 25 | Policy 15 Service Villages<br><br>third paragraph  | <u>and Rackheath</u>   |
| 26 | Paragraph 6.77   | <u>The Old Catton, Rackheath, Sprowston and Thorpe St Andrew growth triangle in particular will be sufficiently large to require a district centre. Preferably this will include a food store as an anchor and sufficient leisure and ancillary activities to provide for the attraction of a range of trips. This may be through building on the proposed centre at Blue Boar Lane or the creation of a second district centre elsewhere in the Growth Triangle. This will be determined through the Area Action Plan for the area.</u> |
| 27 | Policy 19, The hierarchy of centres Point 3.   | <u>within the Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle.</u><br><br>and   |

Appendix 2 Mr Justice Ouseley's Narrative, Court Order and Schedule

|    |  |  |
|----|--|--|
|    |  | <u>The Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle will be served by a district centre. This may be provided by building on the proposed district centre at Blue Boar Lane or the creation of a second district centre elsewhere in the Triangle as determined through the Area Action Plan for the Growth Triangle.</u>  |
| 28 | 07 Implementation and monitoring, Paragraph 7.16 | <u>in the growth triangle</u>  |
| 29 | Table in paragraph 7.16 first line               | <u>Growth Triangle</u><br>and<br><u>New employment allocation at Rackheath</u><br>and<br><u>Smaller sites in Broadland NPA</u>   |
| 30 | Para 7.17  | <u>Broadland District Council is committed to preparing an Area Action Plan (AAP) for the growth triangle. As part of the preparation of this AAP there will be an investigation of any potential that may exist for further growth to take place (in addition to that shown in table 1 above) without confirmation of the delivery of the NDR. This will include testing whether interim schemes and/or alternatives to the NDR could help to facilitate growth without compromising the spatial vision and objectives of the JCS. Therefore, the analysis would need to cover capacity of all infrastructure, not just road capacity, the implications of particular sites, and the nature of the proposed development</u> |
| 31 | Para 7.18  | <u>established through the AAP process</u><br>and  |



|    |   |   |
|----|---|---|
|    |   | <i>for the growth triangle</i>  |
| 32 | Appendix 5<br><i>Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle</i> | The whole appendix, including map   |
| 33 | Appendix 6 housing trajectory -- table entitled “Growth locations                       | <p>The figures in the second to fourth rows are remitted, namely the lines entitled “<i>Rackheath</i>”, “<i>Remainder of Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle (inside NDR)</i>”, and “<i>Additional smaller sites around Broadland NPA (2000)</i>”.</p> <p>The totals derived for Broadland in the first row and the Total in the last row of the table shall be read in the light of this remittal</p>   |
| 34 | Appendix 7<br>Table 1<br>Implementation Framework                                       | <p>The implementation framework lists the infrastructure required to facilitate the development promoted in the plan – so the inclusion in the list in relation to the North East Growth Triangle and the strategic housing growth identified in the part of the Norwich Policy Area in Broadland District is remitted. This applies where:</p> <p><u>In Column 2 (headed “Scheme”) where there is a reference to <i>Rackheath</i></u></p> <p><u>In Column 3 (headed “Required for growth in”) where there is a reference to <i>Old Catton, Sprowston, Rackheath and Thorpe St Andrew Growth Triangle</i>, or to ‘<i>Broadland: smaller sites in the NPA (2000 dwellings)</i>’.</u></p> |

Appendix 2 Mr Justice Ouseley's Narrative, Court Order and Schedule  
Narrative, Court Order and Schedule

|    |   |   |
|----|---|---|
|    |   | The mention of " <u>Including in the growth triangle where 3,000 dwellings are proposed after 2026</u> " in the introduction to Appendix 7 .  |
| 35 | Submission proposals map amending the Broadland Proposals Map | <u>Remit the 'Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle' boundary, hatching and notation on the Amended Proposals Map for Joint Core Strategy and the 'Changes to Local Plan Proposals Map for Joint Core Strategy' for Old Catton (32A), Rackheath (33), Rackheath (34), Salhouse – Station Road (38), Spixworth (40), Sprowston (41A), (41D), (41E), Thorpe End (19), Thorpe St Andrew (44A), (44B), (44D), (44F).</u> |

**Regulation 19 Publication Legal Compliance Self Assessment**

| Activity   | Evidence provided  |
|--|--|
| <p>1. Have you prepared the sustainability appraisal report?</p> <p><b>The Act S.19(6)</b></p> <p><b>Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633</b></p>   | <p>Yes. A Sustainability Appraisal Report (SAR) for the Broadland part of the Norwich Policy Area was prepared in accordance with the directions of the High Court Order. The SAR was published alongside the Proposed Submission Content of the Joint Core Strategy.</p> <p><b>See Sustainability Appraisal Report for the Broadland part of the Norwich Policy Area following the High Court ruling of 24 February 2012.</b></p> |
| <p>2. Have you made clear where and within what period representations must be made?</p> <p><b>Regulations 19 &amp; 35</b></p>   | <p>Yes. Representations could be made between 10<sup>th</sup> August and 2<sup>nd</sup> November 2012. Details of the consultation period and where representations could be made were given on the GNDP website and Council websites, and also included in the newspaper advertisements (see 7 below).</p>  |
| <p>3. Have you made copies of the following available:</p> <ul style="list-style-type: none"> <li>• the proposed submission documents; and</li> <li>• the statement of the representations procedure?</li> </ul> <p><b>Regulation 19(a) &amp; 35</b></p>   | <p>Yes. The proposed submission documents and statement of representations procedures documents were available at the Broadland, Norwich and South Norfolk council offices. In addition these documents were made available on the GNDP website. Links to the GNDP website were made available through each of the Local Councils' websites.</p>   |
| <p>4. Have you published on your website the following:</p> <ul style="list-style-type: none"> <li>▪ the proposed submission documents?</li> <li>▪ the statement of the representations procedure?</li> <li>▪ statement and details of where and when documents can be inspected?</li> </ul> <p><b>Regulations 19(a) &amp; 35(b)</b></p> | <p>Yes. The proposed submission documents, statement of representation procedure were available on the GNDP website. Links to the GNDP website were made available from the Councils' websites.</p>  |

Appendix 3: Legal Compliance and Soundness Self Assessment

| Activity  | Evidence provided   |
|---|---|
| <p>5. Have you sent to each of the general consultation bodies and each of the specific consultation bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> <li>▪ The statement of the representations procedure;</li> <li>▪ a statement of the fact that the proposed submission document are available for inspection; and,</li> <li>▪ the places and times at which the proposed submission documents can be inspected?</li> </ul> <p><b>Regulation 19(b)</b></p> | <p>Yes. A copy of the statement of representations procedure; statement of the fact that the proposed submission document are available for inspection; and, the places and times at which the proposed submission documents can be inspected were sent to each of the general consultation bodies and each of the specific consultation bodies.</p> <p>The details of one specific consultation body (a parish council) whom information was sent to was found later to be out of date. This consultation body was afforded the opportunity to take the full statutory period and has responded to the consultation. The consultation database was subsequently checked for accuracy and none of the details of those specific or general consultation bodies who needed to be notified in accordance with the regulations were found to be out of date.</p> |
| <p>6. Have you sent to each of the general consultation bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> <li>▪ the statement of the representations procedure?</li> <li>▪ where and when the documents can be inspected?</li> </ul> <p><b>Regulation 19(b)</b></p>   | <p>See 5 above.</p>   |
| <p>7. Have you given notice by local advertisement setting out:</p> <ul style="list-style-type: none"> <li>▪ the statement of the representations procedure</li> <li>▪ where and when the documents can be inspected?</li> </ul> <p>(No Longer Required by Regulation)</p>  | <p>Public notices were placed in the following newspapers on the following dates:</p> <p>Eastern Daily Press - 10<sup>th</sup> August 2012<br/> Evening News - 10<sup>th</sup> August 2012<br/> Diss Mercury - 10<sup>th</sup> August 2012<br/> Great Yarmouth Mercury - 10<sup>th</sup> August 2012<br/> Beccles &amp; Bungay Journal - 10<sup>th</sup> August 2012<br/> North Norfolk News - 10<sup>th</sup> August 2012<br/> Norwich Advertiser - 10<sup>th</sup> August 2012<br/> Wymondham and Attleborough Mercury - 10<sup>th</sup> August 2012</p> <p>The public notice set out the statement of representation procedure and details of where and when the documents could be inspected.</p>   |

### Appendix 3: Legal Compliance and Soundness Self Assessment

| <b>Activity</b>   | <b>Evidence provided</b>  |
|---|---|
| 8. Have you requested the opinion of the regional planning body the general conformity of the development plan document with the regional spatial strategy? | <p>The Town and Country Planning (Local Development) (England) Regulations 2012 came into force on 6<sup>th</sup> April 2012. This revoked the former regulation which required a request to be made to the RPB in regards to the general conformity of the plan with the RSS.</p> <p>However, section 24 of the Act remains extant, albeit that government has stated its clear intent to revoke the RSS. The remitted text of the RSS only deals with the distribution of housing in the NEGT, not the overall quantum (which remains in line with the adopted RSS). The proposed submission documents therefore remain in general conformity with the Regional Spatial Strategy, as required by the Act.</p> |

**NPPF Soundness Tests Self Assessment Checklist**

| Key question   | Evidence provided   |
|--|---|
| <b>Positively Prepared</b>   |   |
| <p>1. Does the Plan seek to meet objectively assessed development and infrastructure requirements?</p> | <p>The scope of the draft plan relates only to the parts of the JCS which were remitted as a consequence of the High Court Order dated 30<sup>th</sup> April 2012. The draft plan provides for the delivery of the housing and employment land established within the Adopted Joint Core Strategy. Further consideration was given to the established housing figures. The results of this work confirmed that the housing figures established by the adopted JCS continue to meet the objectively assessed need for market and affordable housing. The infrastructure requirements to support development have been established and key infrastructure dependencies highlighted in policy within the draft plan.</p> <p>Appendix 7 of the adopted JCS sets out the Implementation Framework and Critical Path for the JCS Strategy. This appendix expands upon adopted policy 20 of the JCS. This appendix sets out the expected delivery body, estimated costs, funding sources for the different infrastructure schemes which are needed to support the JCS strategy, including the part of the Strategy set out in the submission content.</p> <p>The local infrastructure plan &amp; programme (LIPP) provides updates to the plan, identifying any changes to infrastructure and how it will be delivered. The LIPP will feed into a five year investment plan to direct funding in support of the strategy.</p> <ul style="list-style-type: none"> <li>▪ <b>Topic Paper: Homes and Housing (2012)</b></li> <li>▪ <b>Local Infrastructure Plan &amp; Programme (February 2012)</b></li> </ul> |
| <b>Justified</b>   |   |
| <b>Participation</b>   |   |
| <p>2. Has the consultation process allowed for effective engagement of all interested parties?</p>     | <p>The consultation undertaken during the production of the JCS as a whole met the requirements of national policy at the time, and the three SCIs of the GNDP authorities. This consistency of the process with the relevant requirements was examined at the initial Examination in Public in 2010.</p>   |

| Key question   | Evidence provided  |
|--|--|
|  | <p>The process following the receipt of the High Court Order followed the process indicated within that Order. Specifically that a further Sustainability Appraisal was produced to evaluate, in particular the NEGТ and alternatives to it, if any. The SA informed the Council’s decision which confirmed the NEGТ as the most appropriate strategy when considered against all Reasonable Alternative and therefore it was appropriate to return directly to the proposed submission, Regulation 19 stage.</p> <p>The publication of the proposed submission content was undertaken in accordance with the regulations and allowed for the public and other stakeholders to put forward their views on the draft plan, the Sustainability Appraisal that accompanied it and other documents and supporting evidence.</p> <ul style="list-style-type: none"> <li>▪ <b>Statement of Compliance with Statements of Community Involvement and Position Statement (2012)</b></li> <li>▪ <b>Statement of Consultation and Position Statement (2012)</b></li> </ul>                    |
| Research/ fact finding   |  |
| <p>3. Is the content of the development plan document justified by the evidence?</p> <ul style="list-style-type: none"> <li>• What is the source of the evidence?</li> <li>• How up to date and convincing is it?</li> </ul> | <p>The finding of the Sustainability Appraisal prepared in accordance with the High Court Order supports the conclusion that the draft plan represents the most sustainable option when considered against all reasonable alternatives. Appendix 2 of the JCS sets out the other research and fact finding studies which have informed the conclusions reached in the Sustainability Appraisal and which therefore supported its findings.</p> <p>Whilst produced to support the original submission of the Joint Core Strategy, this evidence is considered to remain robust and credible within the context of the proposed submission content. Notwithstanding the above, the Topic Paper: Homes &amp; Housing has been updated in support of the production of the Sustainability Appraisal and consideration of the draft plan in order to establish whether the housing figures set out in the Joint Core Strategy remained appropriate. Natural England, Environment Agency and Anglian Water have also, signed an addendum to the Habitat Regulations Assessment (HRA)</p> |

| Key question  | Evidence provided  |
|---|--|
|   | <p>confirming that it remained valid in the context of the proposed submission content.</p> <ul style="list-style-type: none"> <li>▪ <b>SA for the Broadland part of the Norwich Policy Area following the High Court ruling of 24 February 2012.</b></li> <li>▪ <b>Appendix 2 Joint Core Strategy (2011)</b></li> <li>▪ <b>Topic Paper: Homes and Housing (2012)</b></li> <li>▪ <b>Addendum to the Habitat Regulations Assessment (2012)</b></li> </ul>   |
| <p>4. What assumptions had to be made in preparing the development plan document?</p> <p>5. Are the assumptions reasonable and justified?</p> | <p>A significant evidence base was developed to support the production of the Joint Core Strategy and this also influenced the proposed submission content. As a consequence, the number of assumptions used during the preparation of the plan has been minimised, but where assumptions have been made, they are set out clearly in the evidence base documents (and, where appropriate, in the Joint Core Strategy itself)</p> <p>Particular assumptions are of relevance include:</p> <ul style="list-style-type: none"> <li>▪ Rates of development which can be achieved on major development</li> <li>▪ Market conditions relating to residential, commercial and retail developments (affects the rate of delivery, delivery of affordable housing, delivery of strategic employment sites and delivery of mixed used developments)</li> <li>▪ Future funding of utilities through the relevant asset management plans</li> <li>▪ Availability of mainstream, or other funding sources, for health care, adult social services and emergency services.</li> <li>▪ The introduction of a Community Infrastructure Levy.</li> </ul> <p>The delivery of any plan is underpinned by the market's ability to deliver and the proposed submission content does not seek to frustrate development through the imposition of unreasonable burdens. Key strategic infrastructure such as water supply and the NDR has progressed since the adoption of the plan, providing confidence that these</p> |



| Key question  | Evidence provided  |
|---|--|
|   | <p>will not cause an undue delay to development. It is considered reasonable to predict a recovery in the housing market in the medium and long term which will support the delivery of the housing strategy.</p> <p>The CIL for Broadland, South Norfolk and Norwich recently went through an examination and was supported by a significant body of evidence. It is considered reasonable to conclude that it can be adopted in a timely manner to support growth.</p>   |
| Alternatives  |  |
| <p>6. Can it be shown that the council's chosen approach is the most appropriate given the reasonable alternatives?</p> <p>7. Have realistic alternatives been considered and is there a clear audit trail showing how and why the preferred strategy/approach was arrived at?</p> <p>8. Where a balance had to be struck in taking decisions between competing alternatives is it clear how and why these decisions were made?</p> | <p>The process of preparing the revised submission content involved the evaluation of reasonable alternatives (taking account of the Sustainability Appraisal results). The conclusion of this report supports the Council's decision that the chosen strategy is the most appropriate and sustainable when considered against all reasonable alternatives.</p> <p>The Sustainability Appraisal Report explain clearly how reasonable alternatives were identified and explain which alternatives were discounted and why. In addition, the Regulation 22 (1) (c) Statement: The Report of Representations made under Regulation 20 explains why other alternatives put forward do not constitute Reasonable Alternatives that should have been considered through the SA process.</p> <p>The three reasonable alternatives identified were compared in order to assess which performed best when considered against the objectives of the Sustainability Appraisal Framework objectives. The conclusion and the reasons for selecting the alternative chosen is clearly spelt out in section 6.3 of the Sustainability Appraisal.</p> <ul style="list-style-type: none"> <li>▪ <b>Regulation 22 (1) (c) Statement</b></li> <li>▪ <b>Report of Representations made under Regulation 20</b></li> <li>▪ <b>SA for the Broadland part of the Norwich Policy Area following the High Court ruling of 24 February 2012.</b></li> </ul> |

| Key question   | Evidence provided   |
|--|---|
| <p>9. Does the sustainability appraisal show how the different options perform and is it clear that sustainability considerations informed the content of the development plan document from the start?</p>                        | <p>Yes. Section 6.2 of the Sustainability Appraisal compares the three reasonable alternatives identified.</p> <ul style="list-style-type: none"> <li>▪ <b>SA for the Broadland part of the Norwich Policy Area following the High Court ruling of 24 February 2012.</b></li> <li>▪ <b>Regulation 22 (1) (c) Statement</b></li> <li>▪ <b>Report of Representations made under Regulation 20</b></li> </ul>  |
| <p>10. Does the development plan document adequately expand upon regional guidance rather than simply duplicate it?</p> <p>11. Does the strategy take forward the regional context reflecting the local issues and objectives?</p> | <p>The answers to these questions need to be considered within the context of the continued presence of the Regional Strategy. Whilst the Government has expressed its intention of revoking the Regional Strategy, and recently published a Strategic Environmental Assessment of the proposed revocation of the <i>East of England Plan</i>, this intention cannot lawfully be considered in plan-making, therefore conformity of the JCS to the policies of the <i>East of England Plan</i> is still a principal consideration.</p> <p>The proposed submission content, when considered as part of the adopted JCS, is consistent with the RSS and provides a meaningful local policy interpretation of the policies of the RSS by:</p> <ul style="list-style-type: none"> <li>▪ Setting out the areas for major growth around Norwich</li> <li>▪ Promoting more sustainable modes of transport</li> <li>▪ Addressing deprivation</li> <li>▪ Promoting Norwich as a retail, employment, leisure and cultural city</li> <li>▪ Clarifying strategy employment areas</li> </ul> |
| <b>Effective</b>   |   |
| <b>Deliverable</b>   |   |
| <p>12. Has the council clearly identified what the issues are that the development plan document is seeking to address?</p> <p>13. Have priorities been set so that it is clear what the development plan document is</p>          | <p>The Vision and objectives of the adopted Joint Core Strategy remain the principal expression of the issues and priorities that the plan is seeking to address. In accordance with the SEA Directive, the Sustainability Appraisal identified Reasonable Alternatives, taking into account the objectives and geographical scope of the JCS. The chosen strategy is considered to be the most appropriate alternative to deliver the vision and</p>   |

Appendix 3: Legal Compliance and Soundness Self Assessment

| Key question   | Evidence provided  |
|--|--|
| <p>seeking to achieve?</p>   | <p>objectives of the JCS.</p> <p>The Vision and Objectives of the JCS remain adopted and do not form part of the submission content.</p>   |
| <p>14. Are there any cross-boundary issues that should be addressed and, if so, have they been adequately addressed?</p> | <p>The JCS proposed submission content was developed by the GNDP, a partnership of Broadland District Council, Norwich City Council and South Norfolk Council. This has ensured that the consideration of cross boundary issues across these three districts was at the heart of the development of the plan.</p> <p>Additionally, the JCS continued to be a matter for discussion and debate at meetings of the Norwich Strategic Planning Group, which includes officers from Breckland, Broads Authority, Great Yarmouth and North Norfolk.</p> <p>Cross boundary environmental issues were fully considered by the Habitat Regulations Assessment (HRA) 2010. A supplementary statement to the HRA, which has been co-signed by Natural England, Environment Agency and Anglian Water, has confirmed that it remains valid in the context of the submission content of the JCS.</p> <ul style="list-style-type: none"> <li>▪ <b>Statement of Compliance with the Duty to Cooperate (2012)</b></li> <li>▪ <b>Addendum to the Habitat Regulations Assessment (2012)</b></li> </ul> |
| <p>15. Does the development plan document contain clear objectives?</p>  | <p>The adopted Joint Core Strategy establishes a clear set of plan objectives derived from an understanding of local issues as identified in the Spatial Portrait for the area, and which will, if achieved, deliver the JCS vision for the Greater Norwich Area. The status of these objectives has not been affected by the High Court Order. The submission content will, if adopted, form part of the JCS. Therefore the objectives of the adopted JCS are those which are relevant to the submission content. The adopted objectives of the JCS were taken into account in establishing the reasonable alternatives which were considered in the Sustainability Appraisal produced to inform the submission content.</p>  |

Appendix 3: Legal Compliance and Soundness Self Assessment

| Key question   | Evidence provided   |
|--|---|
|  | <ul style="list-style-type: none"> <li>▪ <b>Joint Core Strategy, adopted March 2011</b></li> </ul>  |
| <p>16. Are the objectives specific to the place; as opposed to being general and applicable to anywhere?</p> <p>17. Is there a direct relationship between the identified issues and the objectives?</p> | <p>Yes. An explanation of the local relevance and specificity of the objectives is provided underneath each of the headline objectives. These explanations are consistent with the local circumstances explained by the Spatial Portrait. The objectives of the JCS were derived from the Spatial Community Strategies that had been produced by each of the GNDP partners, which in themselves were an expression of the issues which needed to be addressed in each of the districts.</p> <p>The JCS objectives do not, however, form part of the proposed submission content.</p>  |
| <p>18. Is it clear how the policies will meet the objectives?</p> <p>19. Are there any obvious gaps in the policies, with regard to the objectives of the development plan document?</p>                 | <p>The connections between the individual policies of the JCS and its spatial planning objectives are shown clearly at the end of each policy. The submission content proposes that the remitted text be reinstated and the stated connections between the policy to which that text relates and the spatial planning objectives remains consistent.</p>  |
| <p>20. Are there realistic timescales related to the objectives?</p>   | <p>Appendix 7 of the adopted JCS sets out the Implementation Framework and Critical Path for the JCS Strategy. This appendix expands upon adopted policy 20 of the JCS. This appendix sets out the expected delivery body, estimated costs, funding sources for the different infrastructure schemes which are needed to support the JCS strategy, including the part of the Strategy set out in the submission content.</p> <p>The local infrastructure plan &amp; programme (LIPP) provides updates to the plan, identifying any changes to infrastructure and how it will be delivered. The LIPP will feed into a five year investment plan to direct funding in support of the strategy.</p> <ul style="list-style-type: none"> <li>▪ <b>Local Infrastructure Plan &amp; Programme (February 2012)</b></li> </ul> |

Appendix 3: Legal Compliance and Soundness Self Assessment

| Key question  | Evidence provided  |
|---|--|
| <p>21. Are the policies internally consistent?</p>  | <p>Yes. The proposed submission content is considered to be consistent with the remainder of the Joint Core Strategy. The PSC is the same as that previously found sound. All plans have policy aims that face in different directions. The submitted text is the most sustainable option for delivering the required level of growth, integrating social, economic and environmental considerations and including mitigation appropriate for a high level strategy.</p>   |
| <p>22. Does the development plan document contain material which:</p> <ul style="list-style-type: none"> <li>• is already in another plan</li> <li>• should be logically be in a different plan</li> <li>• should not be in a plan at all?</li> </ul> | <p>The Joint Core Strategy does not contain material which is in another plan. The JCS is a strategic level document. Therefore whilst it is location specific it is not site specific and does not include detailed development management policies, which are matter more appropriately dealt with by subsidiary local plan documents. The LDS for each of the three local planning authority partners of the GNDP sets out the local plan documents which are to be produced, their scope and proposed content. This ensures, in accordance with the Act that, when taken as a whole, the local plan sets out the authorities policies relating to the use and development of land in their area.</p> <ul style="list-style-type: none"> <li>▪ <b>Norwich City Local Development Scheme (October 2012)</b></li> <li>▪ <b>Broadland District Council Local Development Scheme (December 2012)</b></li> <li>▪ <b>South Norfolk Local Development Scheme (January 2013)</b></li> </ul> |
| <p>23. Does the development plan document explain how its key policy objectives will be achieved?</p>   | <p>Appendix 7 of the adopted JCS sets out the Implementation Framework and Critical Path for the JCS Strategy. This appendix expands upon adopted policy 20 of the JCS. This appendix sets out the expected delivery body, estimated costs, funding sources for the different infrastructure schemes which are needed to support the JCS strategy, including the part of the Strategy set out in the submission content.</p> <p>The local infrastructure plan &amp; programme (LIPP) provides updates to the plan every six months, identifying any changes to infrastructure and how it will be delivered. The LIPP will feed into a five year investment plan to direct funding in support of the strategy.</p>  |

Appendix 3: Legal Compliance and Soundness Self Assessment

| Key question   | Evidence provided  |
|--|--|
|  | <ul style="list-style-type: none"> <li>▪ <b>Appendix 7 Joint Core Strategy (2011)</b></li> <li>▪ <b>Local Infrastructure Plan &amp; Programme (February 2012)</b></li> </ul>   |
| <p>24. If there are development management policies, are they supportive of the strategy and objectives?</p> | <p>The JCS does not contain Development Management Policies in a strict sense, although some policies might be considered to be hybrid policies. It is considered that the hybrid policies are supportive of the strategy and objectives. This is confirmed by the policies of the JCS being found “sound” at Independent Examination.</p> <p>The proposed submission content does not contain Development Management Policies.</p>  |
| <p>25. Have the infrastructure implications of the strategy/policies clearly been identified?</p>            | <p>Appendix 7 of the adopted JCS sets out the Implementation Framework and Critical Path for the JCS Strategy. This appendix expands upon adopted policy 20 of the JCS. This appendix sets out the expected delivery body, estimated costs, funding sources for the different infrastructure schemes which are needed to support the JCS strategy, including the part of the Strategy set out in the submission content.</p> <p>The local infrastructure plan &amp; programme (LIPP) provides updates to the plan every six months, identifying any changes to infrastructure and how it will be delivered. The LIPP will feed into a five year investment plan to direct funding in support of the strategy.</p> <ul style="list-style-type: none"> <li>▪ <b>Appendix 7 Joint Core Strategy (2011)</b></li> <li>▪ <b>Local Infrastructure Plan &amp; Programme (February 2012)</b></li> </ul> |
| <p>26. Are the delivery mechanisms and timescales for implementation of the policies clearly identified?</p> | <p>Appendix 7 of the adopted JCS sets out the Implementation Framework and Critical Path for the JCS Strategy. This appendix expands upon adopted policy 20 of the JCS. This appendix sets out the expected delivery body, estimated costs, funding sources for the different infrastructure schemes which are needed to support the JCS strategy, including the part of the Strategy set out in the submission content.</p>   |

Appendix 3: Legal Compliance and Soundness Self Assessment

| Key question   | Evidence provided  |
|--|--|
|  | <p>The local infrastructure plan &amp; programme (LIPP) provides updates to the plan, identifying any changes to infrastructure and how it will be delivered. The LIPP will feed into a five year investment plan to direct funding in support of the strategy.</p> <ul style="list-style-type: none"> <li>▪ <b>Appendix 7 Joint Core Strategy (2011)</b></li> <li>▪ <b>Local Infrastructure Plan &amp; Programme (February 2012)</b></li> </ul>   |
| <p>27. Is it clear who is going to deliver the required infrastructure and does the timing of the provision complement the timescale of the strategy/policies?</p> | <p>Appendix 7 of the adopted JCS identifies who is/are expected to be the delivery body(ies) for the different infrastructure projects which are necessary to support the proposed strategy. The LIPP, of which the most recent version was published in February 2012, expands upon this updating as necessary. The LIPP breaks down the infrastructure into spatial packages. The identified delivery timescales supports the delivery of the strategy set out in the proposed submission content.</p> <p>Anglian Water continues to actively work towards putting in place appropriate solution from a list of identified options for long term supply of water and providing adequate sewerage and water treatment capacity. Anglian Water has an identified solution for the provision of water over the first five years of the JCS trajectory. This is detailed in an Addendum to the Habitat Regulations Assessment.</p> <p>The strategy as put forwards by the submission content is consistent with the Norwich Area Transport Strategy, which identifies a number of interventions that will support the proposed strategy. The most significant proposal, in financial terms, is the NDR. Over £100m of funding has already been secured for the NDR and related junction improvements, with the remaining £40 million cost being underwritten by Norfolk County Council. Funding for additional transport interventions will be funded by a combination of CIL income and other local transport funding, which both District Councils and Norfolk County Council are committed to providing.</p> <p>The education authority remains supportive of the proposed strategy; new schools are expected to be</p> |

Appendix 3: Legal Compliance and Soundness Self Assessment

| Key question   | Evidence provided   |
|--|---|
|  | <p>funded through new development.</p> <p>EDF energy (now UK Power Networks) was involved in the production of the Infrastructure Needs &amp; Funding Study which forms part of the evidence base for the JCS. In addition, EDF energy (now UK Power Networks) attends the Norfolk County Council's Strategic Services Coordination Group, which affords the opportunity to coordinate the delivery of infrastructure and identify and resolve issues.</p> <p>Other members of the Norfolk County Council's Strategic Services Coordination Group include representatives from;</p> <ul style="list-style-type: none"> <li>- NHS Norfolk &amp; Waveney</li> <li>- Norfolk and Suffolk NHS Foundation Trust</li> <li>- Norfolk Constabulary</li> <li>- Norfolk County Council</li> <li>- Norfolk Fire and Rescue</li> <li>- Norfolk Property Services</li> <li>- New Anglia Local Enterprise Partnership</li> <li>- Anglian Water</li> <li>- UK Power Networks</li> <li>- Highways Agency</li> <li>- District Councils and the Broads Authority</li> <li>- Greater Norwich Development Partnership</li> <li>- Norfolk Strategic Registered Social Landlord Alliance</li> <li>- Environment Agency</li> </ul> |
| <p>28. Is it clear who is intended to implement each part of the strategy/ development plan document?</p> <p>29. Where actions required to implement policy are outside the direct control of the council, is there evidence of commitment from the relevant organisation to implement the policies?</p> | <p>Appendix 7 of the adopted JCS identifies who is expected to be the delivery body for the different infrastructure projects which are necessary to support the proposed strategy. The LIPP, of which the most recent version was published in February 2012, expands upon this updating as necessary. The LIPP breaks down the infrastructure into spatial packages. The identified delivery timescales supports the delivery of the strategy set out in the proposed submission content.</p> <p>There is a clear commitment from Anglian Water, the Highway Authority and the Education Authority to the delivery of Infrastructure. Other service providers, including EDF energy, Norfolk Fire &amp; Rescue and NHS Norfolk were involved in the production of the Infrastructure Needs &amp; Funding Study which forms part of the evidence base for the JCS.</p>   |



Appendix 3: Legal Compliance and Soundness Self Assessment

| Key question  | Evidence provided   |
|---|---|
|   | <p>NHS Norfolk has met with the GNDP and Broadland District Council at various points during the production of the strategy to discuss the delivery of health services. NHS Norfolk has not raised objections to the proposed strategy.</p> <p>Norfolk County Council's Strategic Services Coordination Group affords the opportunity to coordinate the delivery of infrastructure and identify and resolve issues.</p> <p>The membership of the Norfolk County Council's Strategic Services Coordination Group include representatives from;</p> <ul style="list-style-type: none"> <li>- NHS Norfolk &amp; Waveney</li> <li>- Norfolk and Suffolk NHS Foundation Trust</li> <li>- Norfolk Constabulary</li> <li>- Norfolk County Council</li> <li>- Norfolk Fire and Rescue</li> <li>- Norfolk Property Services</li> <li>- New Anglia Local Enterprise Partnership</li> <li>- Anglian Water</li> <li>- UK Power Networks</li> <li>- Highways Agency</li> <li>- District Councils and the Broads Authority</li> <li>- Greater Norwich Development Partnership</li> <li>- Norfolk Strategic Registered Social Landlord Alliance</li> <li>- Environment Agency</li> </ul> |
| <p>30. Does the development plan document reflect the concept of spatial planning?</p> <p>31. Does it go beyond traditional land use planning by bringing together – and integrating – policies for development, and the use of land, with other policies and programmes from a variety of organisations that influence the nature of places and how they function?</p> | <p>The JCS submission content should be considered within the context of the JCS as a whole. The policies of the JCS express how the spatial vision will be achieved. This includes a range of measure that will be delivered through mechanisms beyond the grant of planning permission in isolation and as such recognises the need for working across sectors and geographical boundaries and co-ordinating across different levels of government in order to achieve overall aims.</p>  |

| Key question   | Evidence provided  |
|--|--|
| 32. Does the development plan document take into account matters which may be imposed by circumstance, notwithstanding the council's views about the matter?     | Yes. Flexibility to deal with unexpected circumstances is dealt with below, See 34-36. In addition, the Growth Triangle is of sufficient scale to deal with any unexpected delays delivering component sites. The development plan is supported by an active delivery process facilitated through the LIPP; this will enable unforeseen circumstances to be managed.   |
| <b>Flexible</b>  |  |
| 33. Is the development plan document flexible enough to respond to a variety of, or unexpected changes in, circumstances?  | Paragraphs 7.10-7.18 of the adopted JCS set out how the JCS is flexible to respond to changing circumstances. For instance, there is no phasing of growth beyond that imposed by infrastructure, and paragraph 7.11 emphasises that engagement with developers is important to understand opportunities and overcome constraints. Paragraph 7.13 emphasises that “the range and scale of growth proposals across the JCS area provide significant flexibility to bring forward growth in those locations unaffected by infrastructure constraints”                                     |
| 34. Is the development plan document sufficiently flexible to deal with any changes to, for example, housing figures from an emerging regional spatial strategy? | Whilst the Government's intention to revoke the Regional Strategy has been expressed clearly, it is unlawful to take this intention into account in plan-making. Notwithstanding this, it is clear that there will not be further review or update of the RS. Whilst changes to household formation projections occur regularly, the long-term nature of the JCS policies, and the fact that housing numbers mentioned in policies are normally listed as “minimum” levels to be achieved should enable revised (increased) housing numbers to be accommodated if judged appropriate   |
| 35. Does the development plan document include the remedial actions that will be taken if the strategies/policies are failing?                                   | Partially. The complete delivery of the submission content is considered to be dependant upon the delivery of the NDR and the transport improvements which it enables. However, a limited capacity for delivery ahead of the NDR is identified within the plan and there is a specific requirement that a subsequent AAP investigate the whether there is potential beyond this level. This does not preclude the fact the critical failure in the delivery of infrastructure, e.g. non-delivery of the NDR will trigger the need for a review of the overall distributional strategy. |

| Key question   | Evidence provided   |
|--|---|
| <b>Monitoring</b>  |   |
| 36. Does the development plan document contain targets and milestones that relate to the delivery of the policies, including housing trajectories where the plan contains housing allocations? | See appendix 6, 7 and 8 of the JCS document. Little of the content of these appendices forms part of the proposed submission content.   |
| 37. Is it clear how these are to be measured and are these linked to the production of the annual monitoring report?   | <p>The monitoring report sets out the indicators, agencies, target and source. Performance against these indicators is reported annually through the AMR.</p> <ul style="list-style-type: none"> <li>▪ <b>Joint Core Strategy for Broadland, Norwich and South Norfolk: Annual Monitoring Report 2010-2011</b></li> </ul> |
| 38. Are suitable targets and indicators present (by when, how and by whom)?  | <p>The monitoring report sets out the indicators, agencies, target and source. Performance against these indicators is reported annually through the AMR.</p> <ul style="list-style-type: none"> <li>▪ <b>Joint Core Strategy for Broadland, Norwich and South Norfolk: Annual Monitoring Report 2010-2011</b></li> </ul> |
| <b>National policy</b>   |   |
| 39. Does the development plan document contain any policies or proposals that are not consistent with national planning policy?<br>40 If yes, is there a local justification?                  | <p>No</p> <ul style="list-style-type: none"> <li>▪ <b>NPPF Compliance Statement</b></li> </ul>  |
| 41 Does the development plan document contain policies that do not add anything to existing national guidance?<br>42 If so, why have they been included?                                       | No. the plan is considered only to contain relevant and necessary policies.   |

## Document title

Joint Core Strategy for Broadland, Norwich and South Norfolk: proposed submission content

## Subject matter

The most appropriate option for the distribution of housing and employment in the Broadland part of the Norwich Policy Area. This follows a legal challenge to the adoption of the Joint Core Strategy in Broadland, Norwich and South Norfolk and the resulting Judgment and Court Order which remitted the housing distribution in the Broadland part of the Norwich Policy Area, and associated employment land, to the Publication of a Local Plan (Regulation 19) stage (previously known as the pre-submission stage).

## Area covered

The Joint Core Strategy covers the area of the three local planning authorities, except for those parts for which the Broads Authority is the local planning authority.

## Period within which representations must be made

Representations can be made over an 8-week period, beginning 10 August 2012. Representations must be made no later than **5pm on 8 October 2012**.

Representations should be made electronically using the documents and response form available at the GNDP's online consultation portal, or emailed to the address below. Alternatively hard copies of representations can be submitted according to the details below.

## Representations must be sent to:

Electronically: representations can be made via the online consultation system at [www.gndp.org.uk](http://www.gndp.org.uk), or by emailing [jointcorestrategy@gndp.org.uk](mailto:jointcorestrategy@gndp.org.uk)

By post: Greater Norwich Development Partnership  
PO Box 3466  
Norwich  
NR7 7NX

## Request to be notified

Representations may be accompanied by a request to be notified at a specified address of any of the following:

- That the Joint Core Strategy proposed submission content has been submitted for independent examination
- The publication of the recommendations of any person appointed to carry out an independent examination of the Joint Core Strategy proposed submission content
- The adoption of the Joint Core Strategy proposed submission content

If you do require this notification please remember to specify your contact address on the response form.

E: [info@gndp.org.uk](mailto:info@gndp.org.uk) W: [www.gndp.org.uk](http://www.gndp.org.uk)

Jobs, homes, prosperity for local people

## Statement of where and when the documents can be inspected

The Town and Country Planning (Local Planning) (England) Regulations 2012

The period for comments on the Joint Core Strategy for Broadland, Norwich and South Norfolk proposed submission content runs for 8 weeks from 10 August to 8 October 2012.

The publication material consists of:

- Joint Core Strategy Proposed Submission Document, including a schedule of the proposed submission content.
- Joint Core Strategy for Broadland, Norwich and South Norfolk, highlighting the proposed submission content
- Sustainability Appraisal for the Broadland part of the Norwich Policy Area following the High Court Order
- Policies Maps
- Habitats Regulations Assessment Statement and
- Statement of Consultation Position Statement
- Statement of Compliance with Statements of Community Involvement and Position Statement
- Statement of Compliance with the Duty to Cooperate
- Diversity and Equality Impact Assessment and Position Statement
- National Planning Policy Framework Compatibility Self Assessment Checklist
- The full evidence base
- a Statement of the representations procedure
- comments forms for the Joint Core Strategy and Sustainability Appraisal

The publication materials including the proposed submission documents are available for inspection, during the 8-week publication period to view or download, at [www.gndp.org.uk](http://www.gndp.org.uk).

They are also available at the following locations:

|   |  |
|---|--|
| <p><b>Broadland District Council</b><br/>Thorpe Lodge, 1, Yarmouth Road,<br/>Thorpe St Andrew, Norwich,<br/>NR7 0DU<br/><br/>(Monday – Friday 8.30am to 5.00pm)</p>               | <p><b>Norwich City Council</b><br/>City Hall, St Peter’s Street,<br/>Norwich,<br/>NR2 1NH<br/><br/>(Monday – Friday 9.00am to 5.00pm)</p>                      |
| <p><b>South Norfolk Council</b><br/>South Norfolk House, Swan Lane,<br/>Long Stratton, Norfolk<br/>NR15 2XE<br/><br/>(Mon - Thurs 8.45am to 5.00pm, Fri<br/>8.45am to 4.15pm)</p> | <p><b>Norfolk County Council</b><br/>County Hall, Martineau Lane<br/>Norwich<br/>NR1 2DH<br/><br/>(Mon – Thurs 8.45am to 5.30pm, Fri<br/>8.45am to 5.00pm)</p> |

The Joint Core Strategy proposed submission content can also be viewed at:

- Broads Authority, Dragonfly House, 2 Gilders Way, Norwich, NR3 1UB
- All libraries in the three districts (details at [www.norfolk.gov.uk](http://www.norfolk.gov.uk))
- Alternatively, paper copies of the Joint Core Strategy proposed submission background and context, including a schedule of the proposed submission content and the comments form and guidance note can be obtained from each district office (details above) or by contacting the GNDP office on 01603 430144, or by email to [jointcorestrategy@gndp.org.uk](mailto:jointcorestrategy@gndp.org.uk).

E: [info@gndp.org.uk](mailto:info@gndp.org.uk) W: [www.gndp.org.uk](http://www.gndp.org.uk)

Jobs, homes, prosperity for local people

Joint Core Strategy for Broadland, Norwich and South Norfolk – Regulation 19  
Proposed Submission Publication

**Advert - Notification of consultation**

| <b>Paper</b>           | <b>Date published</b> |
|------------------------|-----------------------|
| EDP                    | 10 August 2012        |
| Evening News           | 10 August 2012        |
| Great Yarmouth Mercury | 10 August 2012        |
| Beccles Bungay Mercury | 10 August 2012        |
| North Norfolk News     | 10 August 2012        |
| Norwich Advertiser     | 10 August 2012        |
| Wymondham Mercury      | 10 August 2012        |
| Diss Mercury           | 10 August 2012        |

**Greater Norwich Development Partnership**

Joint Core Strategy for Broadland, Norwich and South Norfolk  
Regulation 19 Proposed Submission Publication\*

Friday 10 August 2012 until 5pm on Monday 8 October 2012

Broadland District Council, Norwich City Council and South Norfolk Council, working with Norfolk County Council as the Greater Norwich Development Partnership, are publishing the Joint Core Strategy for Broadland, Norwich and South Norfolk: Proposed Submission content and inviting representations between **Friday 10 August 2012 and 5pm on Monday 8 October 2012.**

The proposed submission content has been produced to address the Judgment made by Mr Justice Ouseley in the High Court on 24 February 2012, in the case of Heard v Broadland District Council, South Norfolk Council and Norwich City Council. It is important to understand that this is not a review of the whole Joint Core Strategy (JCS); it is a reconsideration of only those parts of the JCS which were remitted to the Regulation 19: Publication of a Local Plan Stage by the Judgment and Court Order.

All proposed submission documents are available to view at [www.gndp.org.uk](http://www.gndp.org.uk).

Representations on the proposed submission content can be made from **Friday 10 August 2012 to 5pm on Monday 8 October 2012** and must be received by this deadline to be considered.

For more information please contact the GNDP office on 01603 430144.

\*A formal public notice can be found in the Notices section of this paper

Jobs, homes, prosperity for local people



Joint Core Strategy for Broadland, Norwich and South Norfolk – Regulation 19  
Proposed Submission Publication

**Advert - Notification of extension to consultation**

| <b>Paper</b>           | <b>Date published</b> |
|------------------------|-----------------------|
| EDP                    | 14 September 2012     |
| Evening News           | 14 September 2012     |
| Great Yarmouth Mercury | 14 September 2012     |
| Beccles Bungay Mercury | 14 September 2012     |
| North Norfolk News     | 14 September 2012     |
| Norwich Advertiser     | 14 September 2012     |
| Wymondham Mercury      | 14 September 2012     |
| Diss Mercury           | 14 September 2012     |

**Greater Norwich Development Partnership**

Joint Core Strategy for Broadland, Norwich and South Norfolk  
Regulation 19 Proposed Submission Publication

New deadline for comments: 5pm on Friday 2 November 2012

Broadland District Council, Norwich City Council and South Norfolk Council, working with Norfolk County Council as the Greater Norwich Development Partnership recently published the Joint Core Strategy for Broadland, Norwich and South Norfolk: Proposed submission content and invited representations on this document.



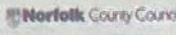
One of the documents supporting the proposed submission, PSJCS2: The Joint Core Strategy for Broadland, Norwich and South Norfolk highlighting the proposed submission content, was published without Appendix 6 and was re-published on 7 September 2012 with Appendix 6 included.

To ensure that people have sufficient time to review the full document alongside the other consultation documents, the deadline for representations has been extended. Representations on the Joint Core Strategy Proposed Submission content will be accepted until **5pm on Friday 2 November 2012.**

All proposed submission documents are available to view at [www.gndp.org.uk](http://www.gndp.org.uk).

For more information please contact the GNDP office on **01603 430144.**

Jobs, homes, prosperity for local people

Joint Core Strategy for Broadland, Norwich and South Norfolk – Regulation 19  
Proposed Submission Publication

**Public Notices - Notification of consultation**

| Paper                  | Date published |
|------------------------|----------------|
| EDP                    | 11 August 2012 |
| Evening News           | 13 August 2012 |
| North Norfolk News     | 17 August 2012 |
| Norwich Advertiser     | 17 August 2012 |
| Wymondham Mercury      | 17 August 2012 |
| Diss Mercury           | 17 August 2012 |
| Great Yarmouth Mercury | 17 August 2012 |

**PUBLIC NOTICES**

**Greater Norwich  
Development  
Partnership**

The Town and Country Planning (Local Planning) (England)  
Regulations 2012

**Broadland District Council, Norwich City Council and  
South Norfolk Council, working with Norfolk County  
Council as the Greater Norwich Development Partnership**

**Publication of a Development Plan Document and  
Statement of Representations Procedure**

Broadland District Council, Norwich City Council and South Norfolk Council, working with Norfolk County Council as the Greater Norwich Development Partnership, give notice of the publication on Friday 10 August 2012, of the Joint Core Strategy for Broadland Norwich and South Norfolk: proposed submission content

**Document title**  
Joint Core Strategy for Broadland, Norwich and South Norfolk: proposed submission content.

**Subject matter**  
The Preferred Option for the distribution of housing in the Broadland part of the Norwich Policy Area. This follows a legal challenge to the adoption of the Joint Core Strategy in Broadland, Norwich and South Norfolk and the resulting Judgment and Court Order which remitted the housing distribution in the Broadland part of the Norwich Policy Area, and associated employment land, to the Regulation 19: Publication of a Local Plan stage (previously known as pre-submission).

**Area covered**  
The Joint Core Strategy covers the area of the three local planning authorities, except for those parts for which the Broads Authority is the local planning authority.

**Period within which representations must be made.**  
Representations can be made over an 8-week period, beginning 10 August 2012. Representations must be made no later than 5pm on 8 October 2012.

Representations should be made electronically using the documents and response form available at the GNDP's online consultation portal, or emailed to the address below. Alternatively hard copies of representations can be submitted according to the details below.

**Representations must be sent to:**

Electronically: representations can be made via the online consultation system at [www.gndp.org.uk](http://www.gndp.org.uk), or by emailing [jointcorestrategy@gndp.org.uk](mailto:jointcorestrategy@gndp.org.uk)

By post: Greater Norwich Development Partnership, PO Box 3466, Norwich NR7 7NX

**Availability of documents:**

The publication materials including the proposed submission documents are available for inspection, during the 8-week publication period at the locations listed below and at all libraries in the three districts (details at [www.norfolk.gov.uk](http://www.norfolk.gov.uk)). They are also available on the GNDP's website at [www.gndp.org.uk](http://www.gndp.org.uk)

- Broadland District Council, Thorpe Lodge, 1, Yarmouth Road, Thorpe St Andrew, Norwich NR7 0DU (Monday - Friday 8.30am to 5.00pm)
- Norwich City Council, City Hall, St Peter's Street, Norwich NR2 1NH (Monday - Friday 9.00am to 5.00pm)
- South Norfolk Council, South Norfolk House, Swan Lane, Long Stratton, Norfolk NR15 2XE (Mon - Thurs 8.45am to 5.00pm, Fri 8.45am to 4.15pm)
- Norfolk County Council, County Hall, Martineau Lane, Norwich NR1 2DH (Mon - Thurs 8.45am to 5.30pm, Fri 8.45am to 5.00pm)

**Request to be notified**

Representations may be accompanied by a request to be notified at a specified address of any of the following:

- That the Joint Core Strategy has been submitted for independent examination
- The publication of the recommendations of any person appointed to carry out an independent examination of the Joint Core Strategy
- The adoption of the Joint Core Strategy

**If you do require this notification please remember to specify your contact address on the response form.**

Jobs, homes, prosperity for local people



7 August 2012

Dear consultee,

## The Town and Country Planning (Local Planning) (England) Regulations 2012

**Broadland District Council, Norwich City Council and South Norfolk Council, working with Norfolk County Council as the Greater Norwich Development Partnership**

### Publication of a Development Plan Document and Statement of Representations Procedure

I am writing to you to inform you that Broadland District Council, Norwich City Council and South Norfolk Council, working with Norfolk County Council as the Greater Norwich Development Partnership, give notice of the publication on Friday 10 August 2012, of the Joint Core Strategy for Broadland, Norwich and South Norfolk: Proposed submission content. Representations under Regulation 20 of the Town and Country (Local Planning) (England) Regulations 2012 are invited.

This proposed submission content has been produced to address the Judgment made by Mr Justice Ouseley in the High Court on 24 February 2012, in the case of *Heard v Broadland District Council, South Norfolk Council and Norwich City Council*. It is important to understand that this is not a review of the whole JCS; it is a reconsideration of only those parts of the JCS which were remitted to the Regulation 19: Publication of a Local Plan Stage (previously known as the 'pre-submission stage') by the Judgment and Court Order.

Representations can be made from **Friday 10 August 2012 to 5pm on Monday 8 October 2012** and must be received by this deadline to be considered.

A Statement of Representations procedure, explaining the process for making representations is enclosed. The proposed submission content and supporting documents can be viewed on the Greater Norwich Development Partnership website, [www.gndp.org.uk](http://www.gndp.org.uk). The Joint Core Strategy proposed submission content and other supporting documents are also available for inspection at a number of locations and a statement detailing where and when viewing is possible is also enclosed with this letter.

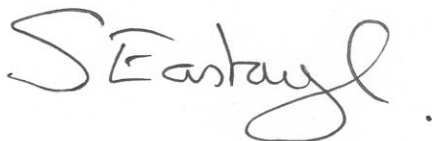
If you have any questions about the process please contact your local planning team

Broadland District Council: 01603 431133

Norwich City Council: 0344 980 3333

South Norfolk Council: 0808 168 3000

Yours faithfully



Sandra Eastaugh  
Partnership Manager

[info@gndp.org.uk](mailto:info@gndp.org.uk) W: [www.gndp.org.uk](http://www.gndp.org.uk)

Jobs, homes, prosperity for local people

30 August 2012

Dear consultee

**The Town and Country Planning (Local Planning) (England) Regulations 2012**

**Broadland District Council, Norwich City Council and South Norfolk Council,  
working with the Norfolk County Council as the Greater Norwich Development  
Partnership**

**Publication of a Development Plan Document and Statement of Representations  
Procedure: Reminder**

I would like to remind you that you still have time to comment on the *Joint Core Strategy for Broadland, Norwich and South Norfolk: Proposed Submission Content* and other proposed submission documentation, published on Friday, 10 August 2012. The period during which representations can be made under regulation 20 of The Town and Country Planning (Local Planning) (England) Regulations 2012 has been extended. This period will now end at **5.00 pm on Monday 15 October 2012**.

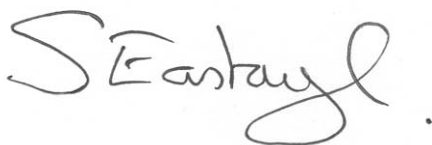
The Proposed Submission Documents and guidance on how to respond can be inspected through the GNDP website: [www.gndp.org.uk](http://www.gndp.org.uk) and at your local council offices.

Representations received after the deadline may not be permissible and therefore I would encourage you to respond early if possible.

If you have any questions about the process, please contact your local planning team:

Broadland District Council    01603 431133  
Norwich City Council        0344 980 3333  
South Norfolk Council        0808 168 3000

Yours faithfully,



Sandra Eastaugh  
Partnership Manager

**List of Libraries where the Regulation 19 documents could be viewed**

Acle Library  
Attleborough Library  
Aylsham Library  
Blofield Library  
Brundall Library  
Costessey Library  
Diss Library  
Earlham Library  
Hellesdon Library  
Hethersett Library  
Hingham Library  
Loddon Library  
Long Stratton Library  
Mile Cross Library  
Norfolk & Norwich Millennium Library  
Plumstead Road Library  
Poringland Library  
Reepham Library  
Sprowston Library  
St Williams Way Library  
Taverham Library  
Tuckswold Library  
West Earlham Library  
Wroxham Library  
Wymondham Library

Beccles Library  
Bungay Library

Appendix 8: Schedule of Proposed Submission Content

Joint Core Strategy for Broadland, Norwich and South Norfolk: Regulation 19 Publication of proposed submission content

The schedule below details the parts of the Joint Core Strategy which are published for comment between 10 August 2012 and 8 October 2012. Representations should only be made on the proposed submission content specified in this schedule.

**Note: This proposed submission schedule is the same as the schedule accompanying the court order**

| Proposed submission Reference<br>(Court schedule reference in brackets) | Section of Joint Core Strategy                                  | JCS page no. | Proposed submission text/diagram (underlined)<br>[N.B. the words in square brackets are included for clarification purposes only]   |
|---|---|--------------|---|
| PS-1<br>(1)   | 01 Our Strategy – fourth paragraph under heading “The dilemmas” | P.7          | [In assessing the evidence to help identify the most appropriate locations for growth outside of the urban area,] <u>the area to the north east of the city [and the A11 corridor to the south west perform well. This allows] for a concentration of new [development to maximise the use of existing infrastructure...]</u>   |
| PS-2<br>(2)   | 01 Our Strategy – fifth paragraph under heading “the dilemmas”  | P.7          | <u>In the case of Broadland, the historical pattern of development lends itself to further expansion with new growth locations in the parishes of Old Catton, Sprowston and Thorpe St Andrew, and the development of a low carbon community focussing on Rackheath, given its existing employment opportunities and railway line. The growth in these locations relies on the implementation of NATS.</u> |
| PS-3  | 01 Our Strategy – sixth paragraph under heading                 | P.7          | <u>By contrast, [the historic pattern of development in South Norfolk has focussed on its network of villages and market towns, such as Long Stratton and Wymondham, and has retained strategic green gaps between settlements.]</u>  |

Appendix 8: Schedule of Proposed Submission Content

| <b>Proposed submission Reference</b><br>(Court schedule reference in brackets) | <b>Section of Joint Core Strategy</b>   | <b>JCS page no.</b> | <b>Proposed submission text/diagram (underlined)</b><br>[N.B. the words in square brackets are included for clarification purposes only]  |
|--|---|---------------------|---|
| (2)  | “the dilemmas”  |                     |   |
| PS-4<br><br>(3)  | 04 Spatial vision: third paragraph  | Page 17             | [Growth will be focussed on brownfield land in the Norwich urban area] <u>and in a very large mixed use urban extension within the Old Catton, Sprowston, Rackheath and Thorpe St Andrew growth triangle (Appendix 5).</u>  |
| PS-5<br><br>(4)  | 04 Spatial vision: under the heading “Climate change and sustainability” 3 <sup>rd</sup> bullet point | Page 18             | <u>inspired by the proposed exemplar at Rackheath,</u> [zero carbon development will be the standard to be achieved through advances and innovation in the design, construction and management of sustainable communities and new buildings which improve energy efficiency and use renewable energy.]                        |
| PS-6<br><br>(5)  | 04 Spatial vision: under the heading “Working and getting around” Second bullet point                 | Page 18             | [investment at strategic and other employment locations will help create a stronger economy (including at Norwich city centre; Norwich Research Park, Hethel Engineering Centre,) <u>Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle</u> [Longwater, Wymondham and around Norwich International Airport).] |
| PS-7   | Key diagram – and under   | Page 24             | <u>The notation of the area to the northeast of the urban area as one of the “strategic employment sites” and “major housing growth and associated facilities”</u>  |

Appendix 8: Schedule of Proposed Submission Content

| <b>Proposed submission Reference</b><br>(Court schedule reference in brackets) | <b>Section of Joint Core Strategy</b>   | <b>JCS page no.</b> | <b>Proposed submission text/diagram (underlined)</b><br>[N.B. the words in square brackets are included for clarification purposes only]   |
|--|---|---------------------|--|
| (6)  | objective 3   |                     |  |
| PS-8<br><br>(7)  | 05 Area-wide policies, Policy 4 Housing Delivery:<br><br>under “Housing with care”      | Page 35             | [Mixed tenure housing with care will be required as part of overall provision in highly accessible locations. In particular provision will be required in Norwich, and the major growth locations of] <u>Old Catton, Sprowston, Rackheath and Thorpe St Andrew growth triangle</u> , [Cringleford, Hethersett, Wymondham and Long Stratton, and at Aylsham, Acle and Wroxham.] |
| PS-9<br><br>(8)  | 05 Area-wide policies, Policy 4 Housing Delivery:<br><br>Table following paragraph 5.25 | Page 37             | The figure of <u>9,000</u> for the ‘New Allocations to 2026’ in the Broadland (NPA) and the total of <u>11,099</u> recorded in the table for the ‘New Commitment to 2026’ in the Broadland (NPA).  |
| PS-10<br><br>(9)   | 06 Policies for Places:<br>Introduction<br>paragraph 6.3                                | Page 49             | [Large-scale mixed-use developments in the Norwich Policy Area are provided...]<br><br><u>in a major urban extension in the Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle, and ...</u> [at Cringleford, Easton/Costessey, Hethersett, Long Stratton and Wymondham.]   |
| PS-11  | 06 Policies for places, Policy 9  | Page 50             | 2nd bullet point<br><br><ul style="list-style-type: none"> <li>• <u>Old Catton, Sprowston, Rackheath and Thorpe St Andrew growth triangle:</u></li> </ul>  |

Appendix 8: Schedule of Proposed Submission Content

| <b>Proposed submission Reference</b><br>(Court schedule reference in brackets) | <b>Section of Joint Core Strategy</b>  | <b>JCS page no.</b> | <b>Proposed submission text/diagram (underlined)</b><br>[N.B. the words in square brackets are included for clarification purposes only]   |
|--|--|---------------------|--|
| (10)   | Strategy for growth in the Norwich Policy Area:<br>2 <sup>nd</sup> & 8 <sup>th</sup> bullet points         |                     | <u>7,000 dwellings by 2026 continuing to grow to around 10,000 dwellings eventually</u><br><br>8th bullet point <ul style="list-style-type: none"> <li>• <u>Broadland smaller sites in the NPA: 2,000 dwellings</u></li> </ul>   |
| PS-12<br><br>(11)  | 06 Policies for places, Policy 9<br>Strategy for growth in the Norwich Policy Area:<br>Final bullet point: | Page 51             | Final bullet point <ul style="list-style-type: none"> <li>• [new employment development to serve local needs of major growth locations] <u>including around 25ha of new employment land at Rackheath</u></li> </ul>  |
| PS-13<br><br>(12)  | 06 Policies for places, Policy 9<br>Para 6.7   | Page 52             | Paragraph 6.7 to read<br><u>The Old Catton, Sprowston, Rackheath and Thorpe St Andrew growth triangle incorporates land at Rackheath promoted for an eco-community under the governments Eco-towns programme and development of the rest of the area will be expected to reflect similar high standards.</u> |
| PS-14  | Para 6.12  | Page 53             | 4 <sup>th</sup> bullet point   |

Appendix 8: Schedule of Proposed Submission Content

| <b>Proposed submission Reference</b><br>(Court schedule reference in brackets) | <b>Section of Joint Core Strategy</b>  | <b>JCS page no.</b> | <b>Proposed submission text/diagram (underlined)</b><br>[N.B. the words in square brackets are included for clarification purposes only]  |
|--|--|---------------------|---|
| (13)   | 4 <sup>th</sup> bullet point   |                     | <ul style="list-style-type: none"> <li>• <u>Rackheath: around 25ha of new employment land for a range of employment uses to strengthen the employment role of this location and provide local opportunities for the new community in this area</u></li> </ul>                             |
| PS-15<br><br>(14)  | Diagram after the end of the paragraph 6.12 – Relationship between strategic growth locations within the Norwich Policy Area | Page 54             | The notation for ‘Major housing growth and associated facilities’ and ‘Strategic employment locations’ entitled <u>Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle</u>   |
| PS-16<br><br>(15)  | Diagram after para 6.12, entitled “Main Housing Allocations”   | Page 55             | <u>Notation showing 10,000 new houses to the north east of the urban area within the Norwich policy area, and</u><br><u>Notation showing 2,000 houses in the NPA part of Broadland. and</u><br><u>Notation for the Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle</u> |
| PS-17  | Policy 10 -- Locations for major new or  | Page 57             | [Major growth] <u>in the Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle, and [at Cringleford, Easton/Costessey, Hethersett, Long Stratton and Wymondham will be masterplanned as attractive, well-serviced, integrated,</u>   |



Appendix 8: Schedule of Proposed Submission Content

| <b>Proposed submission Reference</b><br>(Court schedule reference in brackets) | <b>Section of Joint Core Strategy</b>   | <b>JCS page no.</b> | <b>Proposed submission text/diagram (underlined)</b><br>[N.B. the words in square brackets are included for clarification purposes only]   |
|--|---|---------------------|--|
| (16)   | expanded communities in the Norwich Policy Area: first sentence                                 |                     | mixed use development using a recognised design process giving local people an opportunity to shape development.]  |
| PS-18<br><br>(17)  | Policy 10 Paragraph headed “Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle” | Page 57             | Heading and paragraphs as follows:<br><b><u>Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle</u></b><br><u>This location will deliver an urban extension extending on both sides of the Northern Distributor Road. Complete delivery of the extension is dependent on implementation of the Northern Distributor Road. However, there is scope for partial delivery, the precise extent of which will be assessed through the Area Action Plan. The structure of the local geography suggests that this new community will take the form of a series of inter-related new villages or quarters and will include:</u> <ul style="list-style-type: none"> <li>• <u>at least 7,000 dwellings (rising to a total of at least 10,000 dwellings after 2026)</u></li> <li>• <u>a district centre based around an accessible ‘high street’ and including a new library, education and health facilities. This may be provided by building on the proposed centre at Blue Boar Lane or by the creation of a second district centre elsewhere in the Growth Triangle. The</u></li> </ul> |

Appendix 8: Schedule of Proposed Submission Content

| <b>Proposed submission Reference</b><br>(Court schedule reference in brackets) | <b>Section of Joint Core Strategy</b> | <b>JCS page no.</b> | <b>Proposed submission text/diagram (underlined)</b><br>[N.B. the words in square brackets are included for clarification purposes only]   |
|--|---------------------------------------|---------------------|--|
|  |                                       |                     | <p><u>development will also require new local centres</u></p> <ul style="list-style-type: none"> <li>• <u>new pre-school provision and up to six new primary schools plus a new secondary school with an initial phase to open as early as possible. To facilitate early provision the early phases of development will concentrate on family housing</u></li> <li>• <u>new employment allocations for local needs including expansion of the Rackheath employment area</u></li> <li>• <u>retention of existing important greenspaces and significant levels of heathland re- creation to provide stepping stones to link Mousehold Heath to the surrounding countryside. Building design including, for example, appropriate use of ‘green roofs’ will help provide linkage between greenspaces</u></li> <li>• <u>restoring and conserving historic parkland and important woodland. A significant area north of Rackheath will be provided as green space to act as an ecological buffer zone and ensure no significant adverse impacts on the Broads SAC, Broadland SPA and Broadland Ramsar site</u></li> <li>• <u>Bus Rapid Transit to the city centre, possibly via Salhouse Road and Gurney Road, and a choice of safe and direct cycle routes to the centre</u></li> <li>• <u>safe and direct cycle and pedestrian routes, and orbital bus services, to Broadland Business Park, Rackheath employment area, airport</u></li> </ul> |

Appendix 8: Schedule of Proposed Submission Content

| <b>Proposed submission Reference</b><br>(Court schedule reference in brackets) | <b>Section of Joint Core Strategy</b> | <b>JCS page no.</b> | <b>Proposed submission text/diagram (underlined)</b><br>[N.B. the words in square brackets are included for clarification purposes only]  |
|--|---------------------------------------|---------------------|---|
|  |                                       |                     | <p><u>employment areas and to the surrounding countryside</u></p> <ul style="list-style-type: none"> <li>• <u>new rail halts at Rackheath and Broadland Business Park</u></li> <li>• <u>permeability and community integration across the Northern Distributor Road and with existing communities. This will be crucial for the successful development of the area</u></li> <li>• <u>a new household waste recycling centre.</u></li> </ul> <p><u>A single co-ordinated approach will be required across the whole area. This will be provided through the preparation of an Area Action Plan (or any future equivalent process). More detailed masterplanning will be required for each quarter.</u></p> |
| PS-19<br><br>(18)  | Policy 10:<br><br>Para 6.15           | Page<br>61          | <p><u>The major urban extension in the Old Catton, Sprowston, Rackheath, and Thorpe St Andrew growth triangle will provide a concentration of growth which can support local services, facilities, and infrastructure including secondary education, high quality public transport links and significant green infrastructure. An Area Action Plan and a sustainable development code are being developed. The growth triangle is proposed to accommodate 10,000 dwellings after 2026. A large part of the [development at Rackheath was promoted as an eco-community under the previous Government’s eco-towns programme.] The Rackheath low carbon development remains part of this strategy.</u></p>   |
| PS-20  | Para 6.16 second                      | Page                | [This makes a] <u>similar</u> [large-scale urban expansion inappropriate.]  |

Appendix 8: Schedule of Proposed Submission Content

| <b>Proposed submission Reference</b><br>(Court schedule reference in brackets) | <b>Section of Joint Core Strategy</b>                                      | <b>JCS page no.</b> | <b>Proposed submission text/diagram (underlined)</b><br>[N.B. the words in square brackets are included for clarification purposes only]  |
|--|--|---------------------|---|
| (19)   | line   | 61                  |   |
| PS-21<br><br>(20)  | Para 6.19  | Page 62             | [In particular it is necessary to allow] <u>significant development in the growth triangle and [the full implementation of the remainder of the Norwich Area Transportation Strategy. The completion of appropriate improvements at Postwick junction would allow for some development] in the Old Catton, Sprowston, Thorpe St Andrew growth triangle [in advance of the NDR] (see supporting text for Policy 20).</u> |
| PS-22<br><br>(21)  | Para 6.20 fourth sentence  | Page 62             | [The growth] <u>in the Old Catton, Sprowston, Rackheath, Thorpe St Andrew area [will require the implementation of bus priority routes into the city centre including] a [Bus Rapid Transit] route which may be via Gurney Road/Salhouse Road.</u>  |
| PS-23<br><br>(22)  | Paragraph 6.22   | Page 62             | <u>A new secondary school is needed to serve the new community in the north east.</u> [The form and location of secondary provision for growth in the west and south west is] <u>more</u> [complex and yet to be determined.]   |
| PS-24<br><br>(23)  | Diagram following policy 10, entitled "Green infrastructure priority areas | Page 64             | The 'Growth location' and 'Green infrastructure priority area' to <u>the northeast of the urban area and priority corridor A entitled 'Norwich to the Broads'</u>   |

Appendix 8: Schedule of Proposed Submission Content

| <b>Proposed submission Reference</b><br>(Court schedule reference in brackets) | <b>Section of Joint Core Strategy</b>  | <b>JCS page no.</b> | <b>Proposed submission text/diagram (underlined)</b><br>[N.B. the words in square brackets are included for clarification purposes only]  |
|--|--|---------------------|---|
|  | supporting key growth locations”   |                     |   |
| PS-25<br><br>(24)  | Policy 12: The remainder of the Norwich urban area, including the fringe parishes: 1 <sup>st</sup> paragraph | Page 69             | [It will be expanded] <u>through significant growth in the Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle, and smaller [urban extensions at Cringleford, and Easton/Costessey (Policy 10).]</u>   |
| PS-26<br><br>(25)  | Policy 15 Service Villages<br><br>third paragraph  | Page 78             | [In addition to the settlements above, Easton] <u>and Rackheath [have equivalent status to a Service Village while providing a location for significant housing growth.]</u>  |
| PS-27<br><br>(26)  | Paragraph 6.77   | Page 86             | [The proposed large-scale housing areas will provide for shops and services to meet local needs where they are not able to benefit from existing centres.] <u>The Old Catton, Rackheath, Sprowston and Thorpe St Andrew growth triangle in particular will be sufficiently large to require a district centre. Preferably this will include a food store as an anchor and sufficient leisure and ancillary activities to provide for the attraction of a range of trips. This may be through building on the proposed centre at Blue Boar Lane or the creation of a second district centre elsewhere in the Growth Triangle. This will be determined through the Area</u> |

Appendix 8: Schedule of Proposed Submission Content

| <b>Proposed submission Reference</b><br>(Court schedule reference in brackets) | <b>Section of Joint Core Strategy</b>               | <b>JCS page no.</b> | <b>Proposed submission text/diagram (underlined)</b><br>[N.B. the words in square brackets are included for clarification purposes only]  |  |   |
|--|---|---------------------|---|--|---|
|  |   |                     | <u>Action Plan for the area.</u>  |  |   |
| PS-28<br><br>(27)  | Policy 19, The hierarchy of centres<br><br>Point 3. | Page 84             | [New district centres/high streets to be established] <u>within the Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle</u> , [at Blue Boar Lane, Sprowston and Hall Road, Norwich.] <u>The Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle will be served by a district centre. This may be provided by building on the proposed district centre at Blue Boar Lane or the creation of a second district centre elsewhere in the Triangle as determined through the Area Action Plan for the Growth Triangle.</u> |  |   |
| PS-29<br><br>(28)  | 07 Implementation and monitoring, Paragraph 7.16    | Page 90             | [Subject to acceptable improvements to Postwick junction (in the form of Postwick Hub or a suitable alternative) there is significant potential for further development] <u>in the growth triangle</u> [before confirmation of delivery of the NDR.]  |  |   |
| PS-30<br><br>(29)  | Table in paragraph 7.16 first line                  | Page 90             | <b>[Location]</b>   | <b>[Level of growth supported by current evidence]</b>   | <b>[Constrained development]</b>              |
|  |   |                     | <u>Growth Triangle</u>  | [At least 1600 dwellings (plus 200 exemplar at Rackheath prior to Postwick junction improvements)] | <u>New employment allocation at Rackheath</u> |
|  |   |                     | <u>Smaller sites in</u>   | [Delivery of the smaller   |   |

Appendix 8: Schedule of Proposed Submission Content

| <b>Proposed submission Reference</b><br>(Court schedule reference in brackets) | <b>Section of Joint Core Strategy</b> | <b>JCS page no.</b> | <b>Proposed submission text/diagram (underlined)</b><br>[N.B. the words in square brackets are included for clarification purposes only]  |   |  |
|--|---------------------------------------|---------------------|---|---|--|
|  |                                       |                     | <u>Broadland NPA</u>  | sites allowance will be dealt with on a site by site basis] |  |
| PS-31<br><br>(30)  | Para 7.17                             | Page 91             | <p> <u>Broadland District Council is committed to preparing an Area Action Plan (AAP) for the growth triangle. As part of the preparation of this AAP there will be an investigation of any potential that may exist for further growth to take place (in addition to that shown in table 1 above) without confirmation of the delivery of the NDR. This will include testing whether interim schemes and/or alternatives to the NDR could help to facilitate growth without compromising the spatial vision and objectives of the JCS. Therefore, the analysis would need to cover capacity of all infrastructure, not just road capacity, the implications of particular sites, and the nature of the proposed development. [It will be essential that the growth is delivered in accordance with the overall strategy, taking account of its wider impact across the Norwich area, including a full range of infrastructure provision, services and high-quality public transport and walking / cycling provision.]</u> </p> |   |  |
| PS-32<br><br>(31)  | Para 7.18                             | Page 91             | <p>                     [Development beyond the pre-NDR threshold] <u>established through the AAP process</u> [will not be possible without a commitment to the NDR. If it becomes clear that there is no possibility of the timely construction of the NDR, a review of the JCS proposals] <u>for the growth triangle</u> [and the implications for the strategy as a whole would be triggered.]                 </p>  |   |  |
| PS-33  | Appendix 5                            | Page                | The whole appendix ' <u>Old Catton, Sprowston, Rackheath, Thorpe St Andrew</u>  |   |  |

Appendix 8: Schedule of Proposed Submission Content

| <b>Proposed submission Reference</b><br>(Court schedule reference in brackets) | <b>Section of Joint Core Strategy</b>                                     | <b>JCS page no.</b> | <b>Proposed submission text/diagram (underlined)</b><br>[N.B. the words in square brackets are included for clarification purposes only]  |
|--|---|---------------------|---|
| (32)   | <i>Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle</i> | 102                 | <u>Growth Triangle</u> , including map  |
| PS-34<br><br>(33)  | Appendix 6 housing trajectory -- table entitled "Growth locations"        | Page 105            | The figures in the second to fourth rows are published as Proposed Submission content namely the lines entitled ' <u>Rackheath</u> ', ' <u>Remainder of Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle (inside NDR)</u> ', and ' <u>Additional smaller sites around Broadland NPA (2000)</u> '.<br><br>The totals derived for Broadland in the first row and the Total in the last row of the table shall be read in the light of this Proposed Submission context. |
| PS-35<br><br>(34)  | Appendix 7<br>First paragraph   | Page 109            | [Additional infrastructure will be needed beyond this date,] <u>including in the growth triangle where 3,000 dwellings are proposed after 2026.</u>   |
| PS-36<br><br>(34)  | Appendix 7<br>Table 1<br>Implementation                                   | Page 109 - 149      | The implementation framework lists the infrastructure required to facilitate the development promoted in the plan. Under the remit of the Proposed Submission publication all references in the list in relation to the North East Growth Triangle and the strategic housing growth identified in the part of the Norwich Policy Area   |



Appendix 8: Schedule of Proposed Submission Content

| <b>Proposed submission Reference</b><br>(Court schedule reference in brackets) | <b>Section of Joint Core Strategy</b>                                  | <b>JCS page no.</b> | <b>Proposed submission text/diagram (underlined)</b><br>[N.B. the words in square brackets are included for clarification purposes only]   |
|--|--|---------------------|--|
|  | Framework  |                     | in Broadland District are published for comment. This applies where:<br><u>In Column 2 (headed “Scheme”)</u> where there is a reference to <u>Rackheath</u><br><u>In Column 3 (headed “Required for growth in”)</u> where there is a reference to <u>Old Catton, Sprowston, Rackheath and Thorpe St Andrew Growth Triangle, or to ‘Broadland: smaller sites in the NPA (2000 dwellings)’.</u>  |
| PS-37<br><br>(35)  | Proposed submission Policies map amending the Broadland Proposals* Map |                     | All instances of the <u>‘Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle’</u> boundary, hatching and notation on the Amended Proposals* Map for Joint Core Strategy and the ‘Changes to Local Plan Proposals* Map for Joint Core Strategy’ for <u>Old Catton (32A), Rackheath (33), Rackheath (34), Salhouse – Station Road (38), Spixworth (40), Sprowston (41A), (41D), (41E), Thorpe End (19), Thorpe St Andrew (44A), (44B), (44D), (44F).</u><br><br>(* in line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Proposals maps are now known as Policies maps) |

# Greater Norwich Development Partnership

## Topic Paper: Homes and Housing

Joint Core Strategy for Broadland, Norwich and South Norfolk  
Addressing the Judgment of Mr Justice Ouseley in *Heard v Broadland District Council,*  
*South Norfolk District Council and Norwich City Council*

December 2012

Jobs, homes, prosperity for local people

## Contents

|   |    |
|---|----|
| 1. Summary.....   | 4  |
| 2. Introduction .....   | 5  |
| 3. Background.....  | 5  |
| 4. Government Policy.....   | 6  |
| 5. The East of England Plan.....                                    | 7  |
| 6. Local and sub-regional evidence of need and demand.....          | 8  |
| 7. NHPAU advice .....   | 9  |
| 8. The Government’s latest population projections .....             | 9  |
| 9. Household projections.....                                       | 10 |
| 10. Dwelling requirement to support the local economy.....          | 11 |
| 11. Strategic Housing Land Availability Assessment (SHLAA).....     | 11 |
| 12. Increased supply .....  | 12 |
| 13. The role of windfall development.....                           | 12 |
| 14. Housing trajectory and deliverability.....                      | 13 |
| 15. Conclusion .....  | 13 |
| Table 1 - Comparison of JCS provision and dwelling requirement..... | 15 |
| Appendix 1 – Local and Sub-Regional Evidence .....                  | 16 |
| Appendix 2 – ONS Population Projections .....                       | 17 |
| Appendix 3 – CLG Household Projections .....                        | 19 |
| Appendix 4 – Exerts from EEFM 2012 .....                            | 20 |
| Appendix 5 – Increased Supply.....                                  | 20 |



## 1. Summary

- 1.1. This topic paper provides evidence to support the dwelling provision in Policy 4 of the Joint Core Strategy (JCS). First produced in 2010 to support the JCS examination, a draft revision was provided in July/August 2012 to support pre-submission publication of the remitted parts of the JCS. It has been further revised in December 2012 to support decisions on submission. Revisions since the original have taken account of the adoption of the National Planning Policy Framework. The Topic Paper also incorporates clarifications of the text, revised occupancy rate calculations, and information that has emerged since the original report. The latter includes, the 2011 updated Housing Market Assessment, results from the 2011 Census, and ONS interim 2011-based population projections. The ongoing release of additional data from the 2011 Census may have further implications.
- 1.2. The different projections and forecasts produce a range of estimates of housing requirement. JCS provision sits well within this range and is considered to be consistent with Government Policy. The Topic Paper concludes that provision is entirely appropriate and necessary to deliver on all reasonable estimates of need.

## 2. Introduction

- 2.1. This topic paper provides evidence to support the dwelling provision in Policy 4 of the Joint Core Strategy (JCS). It is an updated version of the paper requested and accepted by Inspectors at the first JCS examination<sup>1</sup>. It was revised to take account of new information in July/August 2012 to support the pre-submission publication and has been further revised in December 2012 to support decisions on submission. The ongoing release of additional data from the 2011 Census may have further implications.
- 2.2. The JCS requires allocations to be made to ensure that at least 36,820 new homes can be delivered between 2008 and 2026. However, the locational policies of the JCS provide a range for the scale of allocations in a number of settlements outside the Norwich Policy Area. Taking this flexibility into account, total allocations across the whole JCS area could provide for a minimum of 37,750 dwellings.
- 2.3. Forecasting the need for new housing is not an exact science and the sources of evidence identified in this paper provide a range of potential needs. The values at the lower end of the range are more likely to underestimate need, as they tend to take insufficient account of demographic trends or economic growth potential, and would not respond to the Government's commitment to boost significantly the supply of housing<sup>2</sup>. The upper end tend to be based on projections of past demographic trends that may be unrealistic and suggest levels of growth that are untenable in terms of infrastructure requirements, environmental impact and evidence of the market's ability to deliver. JCS provision falls well within the indicated range and because it is limited to allocated land, and takes no account of windfall development that takes place after the level of allocation is determined, it provides sufficient flexibility to deliver on all reasonable requirements.
- 2.4. This Topic Paper demonstrates that, irrespective of Government's continued commitment to revoke the East of England Plan, the Joint Core Strategy targets remain consistent with the National Planning Policy Framework's requirement to plan for the "objectively assessed needs for market and affordable housing"<sup>3</sup>.

## 3. Background

- 3.1. The JCS was adopted in March 2011. A legal challenge to the adoption of the JCS was received on 3 May 2011 from Stephen Heard, Chairman of Stop Norwich Urbanisation. High Court Judge Mr Justice Ouseley made his judgment on 24 February 2012 (Document LC1) and published his final order (Document LC2) on 25 April 2012.

---

<sup>1</sup> Available on the GNDP website [http://www.gndp.org.uk/our-work/joint-core-strategy/evidence-base/Topic Paper EIP70](http://www.gndp.org.uk/our-work/joint-core-strategy/evidence-base/Topic%20Paper%20EIP70)

<sup>2</sup> National Planning Policy Framework 2012, paragraph 47.

<sup>3</sup> National Planning Policy Framework 2012, paragraph 47.

- 3.2. Mr Justice Ouseley found that parts of the Joint Core Strategy concerning the Broadland part of the Norwich Policy Area, including the North East Growth Triangle (a total of 9,000 dwellings in the plan period) should be remitted for further consideration and that a new Sustainability Appraisal for these issues be prepared
- 3.3. Broadland District Council, Norwich City Council and South Norfolk Council, together with Norfolk County Council have continued to work together as the Greater Norwich Development Partnership (GNDP). The Partnership has undertaken further work to reconsider the remitted parts of the JCS.
- 3.4. The levels of housing provision required by the JCS both for the area as a whole and for the Norwich Policy Area, were not remitted and remain adopted. Consequently, the order does not require the reconsideration of housing provision. Nevertheless, this paper demonstrates why the adopted housing totals in the JCS continue to provide a sound context for the re-submission of the remitted parts of the strategy.

#### **4. Government Policy**

- 4.1. As part of the definition of the presumption in favour of sustainable development the NPPF requires that:

“Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless ... any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”
- 4.2. The core planning principles of the National Planning Policy Framework (paragraph 17) require planning to:

“proactively drive and support sustainable economic development to deliver the homes ... and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing ... needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability”
- 4.3. To deliver sustainable development the NPPF seeks “To boost significantly the supply of housing”. To achieve this “local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area” (paragraph 47).
- 4.4. Paragraph 159 requires local planning authorities to have a clear understanding of housing needs in their area. They should:
  - prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The Strategic Housing

Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:

- meets household and population projections, taking account of migration and demographic change;
  - addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and
  - caters for housing demand and the scale of housing supply necessary to meet this demand;
- prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.

4.5 The remainder of this paper demonstrates how the authorities have taken account of various measures of housing need. It also demonstrates that the JCS delivers the requirements of the NPPF as it seeks to boost housing supply significantly, supports economic growth potential and has sufficient flexibility to deal with rapid change.

## 5. The East of England Plan

5.1. Although it is still the Government's intention to revoke the East of England Plan, at the time of writing it remains in force. Moreover, the evidence that supports it will remain relevant even after revocation.

5.2. The housing targets in the adopted East of England Plan to 2026 were accepted by all the GNDP authorities subject to the provision of the necessary supporting infrastructure and jobs. For the period 2008-2026 the East of England Plan target, taking into account past completions 2001-2008, was a **minimum of 35,660 dwellings** (or 1,980 per annum).

5.3. To ensure the East of England Plan to 2026 was met, and to provide the opportunity for local choice and flexibility to meet housing need in more rural parts of the area, the GNDP partners decided to increase the provision in the JCS slightly above that required by the East of England Plan. Consequently, the JCS provision is **36,820 dwellings** (or 2,050 per annum) with 33,000 dwellings in the Norwich Policy Area. The locational policies of the JCS outside the NPA allow for a slightly higher level of growth bringing the total for the area as a whole to a potential 37,750 dwellings (or 2,100 per annum).

5.4. Prior to the decision to revoke regional strategies, a review of the East of England Plan was underway which included housing provision as put forward by constituent local authorities. For the GNDP area provision equating to 2,100 dwellings per annum was proposed. This is equivalent to the top end of JCS provision over the 18 years 2008 to 2026. However, it should be noted that the review was for the period 2011-2031, with no requirement to address any



backlog, and the GNDP proposals were made in the context of constrained delivery in much of the rest of Norfolk. More significantly they were absolutely conditional on the provision of supporting infrastructure and in particular the Norwich Northern Distributor Road.

## **6. Local and sub-regional evidence of need and demand**

- 6.1. The Strategic Housing Market Assessment (SHMA) for the GNDP area estimates a housing requirement over a period of five years. The original study (Document H2) was for the period 2006-2011 and this has been revised and updated originally for the period 2009-2014 (Document H4) and again for the period 2011-2016 (Document H7).
- 6.2. The revised study identifies a total need for housing of 2,076 per annum of which 962 would be affordable. In reaching these targets the HMA analysis includes an allowance of 1,406 affordable dwellings required to meet the backlog in 2006 and adds this to newly arising need. The backlog identified in the initial study has not been met in the intervening period and therefore the analysis in this Topic Paper assumes it remains at broadly the same level. In order to use the SHMA data to indicate need over the JCS period it is necessary to take out the affordable backlog, extrapolate the remaining annualised need over the JCS period and then add the backlog back in. This indicates a need for dwellings to accommodate 33,468 households. To convert to a dwelling requirement it is necessary to take account of un-occupied dwellings. In the 2001 Census there were 3.7% more dwellings than households. Dwellings not occupied by households include holiday homes, 2nd homes, and vacant dwellings awaiting probate or in the process of being renovated, sold or let. Assuming a need for 3.7% more dwellings than households, the HMA indicates a need for around **34,700 dwellings**. However, this total dwelling requirement is potentially an underestimate, as the SHMA analysis takes no account of demographic trends after 2011. Moreover the proportion of affordable housing would need to be around 39% of the total dwelling requirement to meet the need for affordable housing. This is extremely unlikely to be achieved as it significantly exceeds the proportion sought by Policy 4 of the JCS.
- 6.3. Policy 4 seeks a maximum of 33% affordable housing to be provided on larger sites. If an average of 33% affordable housing could be achieved across all sites, a total of around **40,650 dwellings** would be needed to address the projected need for affordable housing. Policy 4 applies lower rates to smaller sites and also recognises that the affordable housing contribution on any site can be reduced to take account of viability. This will reduce the overall proportion of affordable housing from market sites below the 33% average. While some sites will come forward for 100% affordable housing, such as rural 'exceptions' sites, this cannot be expected to redress the balance. Therefore, total growth would need to exceed 40,650 dwellings to fully meet the identified need for affordable housing. For example, if the proportion of affordable housing achieved was to be 5 percentage points lower at 28% (and this is a historically high figure) then a total of around **47,900 dwellings** would be required.

- 6.4. The level of affordable housing need in the area is strongly influenced by need arising from Norwich. It is particularly important therefore, that a high proportion of total provision is targeted on the Norwich Policy Area. This is consistent with the NPPF requirement to meet unmet need from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- 6.5. A long-term analysis of house prices has not been undertaken, as it would not be expected to be useful given the current economic climate and issues with the housing market. However the impact of house prices in relation to household incomes has formed part of both the original SHMA and the updates in 2009 and 2011.

## **7. NHPAU advice**

- 7.1. While the NHPAU has now been disbanded, its evidence, although somewhat out of date, is still available via the DCLG website. It projected requirements for the GNDP area for the JCS time frame (2008-2026) range between 43,100 and 53,800 dwellings.
- 7.2. The lower requirement is derived from 2006-based demographic projections and provides for household growth but does not include housing for existing hidden households. The upper requirement reflects the level of supply considered by the NHPAU to be required to stabilise the affordability of market housing. With the demise of the NHPAU there is no authoritative analysis of how the affordability issue has been affected by the downward pressure on house prices in the current market.
- 7.3. Because this evidence is considered to be out of date it has not been included in the final evidence comparison table (Table 1 on p15).

## **8. The Government's latest population projections**

- 8.1. The most recent full ONS population projections are 2010-based. ONS has more recently produced interim 2011-based projections for the period to 2021. These more recent projections imply slightly higher population growth. ONS projections are largely derived from trends over the previous 5 years and show what would happen in terms of population growth if these trends were to be continued forward.
- 8.2. 2010-based ONS projections for the GNDP area suggest a total population of around 430,000 people at 2026 resulting from a growth of 60,100 people from 2008. The 2011-based interim projections imply an increase of 63,150 people for the same period. In the absence of up to date household projections, a simplified method for deriving a dwelling requirement resulting from this population can be based on average occupancy rates (the average number of people per dwelling i.e. the total population divided by the total number of dwellings). The method assumes that factors such as the proportion of the population that are not household residents remain constant.

- 8.3. Occupancy rates have tended to decline over time, largely reflecting falling average household size. Between 1991 and 2001, the occupancy rate fell in all three districts. The rate for the area as a whole fell by 0.09 people per dwelling over the decade to an average of 2.24 in 2001. It is possible to calculate an occupancy rate for 2008 and also for 2011 but there are question marks around the derived dwelling stock for these two years and its compatibility with the Census (unfortunately different measures of current stock vary significantly and dwelling stock from the 2011 Census is not available at the time of writing). Assuming that stock is the sum of dwellings recorded in the 2001 Census plus subsequent net completions, the 2008 occupancy rate for the GNDP area as a whole appears to have fallen to 2.20 people per dwelling or a pro rata decline of 0.06 people per dwelling per decade. The rate appears to be 2.21 in 2011 which is a decline of 0.03 per decade from 2001 or 0.06 per decade from 1991. The 2011 Census also indicates a levelling off of the decline in the related measure of household size. There is some evidence nationally to show that migration from the EU Accession Countries post 2004 has slowed the long term downward trend with some international migrants living at considerably higher occupancy rates than current averages. In addition, and possibly of greater impact, the recent economic climate has made it more difficult for people to access finance and therefore constrained some households from forming and moving into their own homes. While these pressures for enforced sharing may not be considered to be socially acceptable or sustainable by all those affected, it is unclear if and when a return to a more pronounced downward trend will occur.
- 8.4. If the occupancy rate for the GNDP area as a whole continues to fall at the assumed 2001-2011 rate the ONS population projections imply a requirement for an additional **31,500 dwellings (2010-based) or 32,950 dwellings (2011-based) dwellings**. Alternatively a continuation of the rates of decline for 2001-2008 or 1991-2011 would imply a requirement for an additional **37,250 dwellings (2010-based) or 38,750 (2011-based)**. If the fall in occupancy rates follows the average fall between 1991 and 2008 (17 years, almost the same period as the JCS) the dwelling requirement would be **40,250 dwellings (2010-based) or 41,750 dwellings (2011-based)**. Alternatively, if rates were to fall at the 1991-2001 rate the requirement would be for **42,300 dwellings (2010-based) or 43,850 dwellings (2011-based)**.

## 9. Household projections

- 9.1. The latest CLG household projections are 2008-based. These projections are largely derived from trends over the previous 5 years and show what would happen in terms of household growth if these trends were to be continued forward.
- 9.2. CLG 2008-based household projections indicate that between 2008 and 2026 there will be an additional **44,000 households** in the GNDP area.
- 9.3. As discussed in Section 8, there are more dwellings in the area than households. In order to assess how many dwellings might be needed to

accommodate the projected increase in households the relationship between the two measures at the time of the 2001 Census can be used. At this time there were approximately 3.7% more dwellings than households in the GNDP area. If this is applied to the above then the projected increase in households would require an additional **45,650 dwellings**.

- 9.4. This estimate of housing need may now be considered to be too high as these household projections are based on ONS 2008 mid-year estimates which have since been revised downward in the indicative mid-year estimates for Norwich. However, it is not possible to understand the impact of this until new household projections are published in 2013.

## **10. Dwelling requirement to support the local economy**

- 10.1. The East of England Forecasting Model (EEFM) is a genuine economic forecasting tool currently operated by Oxford Economics with results posted on Cambridgeshire County Council's website. It is grounded in models of the international and national economy and uses local intelligence on economic structure, output, employment, population and housing to forecast each variable. The dwelling forecast applies a linear trend for occupancy ratios to economically driven increases in population. The most recent baseline forecast undertaken in spring 2012 suggests an additional **43,000 dwellings** will be needed between 2008 and 2026 to support the growth potential of the local economy. In addition, 2 further scenarios were investigated. A "lost decade" scenario assumes very low economic growth to 2017 and also forecasts a dwelling requirement of just under **43,000 dwellings**. A third scenario incorporates ONS international migration data, which is higher than in the baseline model, and produces a dwelling requirement of just over **46,000 dwellings**. A series of variants have also been run to assess the impact of official and flat occupancy ratios on the three scenarios. This results in six further potential outcomes ranging from 36,000 to 49,000 dwellings.

## **11. Strategic Housing Land Availability Assessment (SHLAA)**

- 11.1. The GNDP SHLAA Stage 8 report suggests that total constrained supply could be **42,000 dwellings** up to and beyond 2024. The GNDP target is below this constrained supply, allowing some capacity for growth provision in later plans. Moreover, many of the constraints indicated in the SHLAA can be overcome.
- 11.2. The SHLAA site threshold outside of the built-up area is one hectare, which effectively excludes garden land. Similarly the SHLAA has a density assumption of 30 dwellings per hectare and this is believed to still be a realistic density in the Greater Norwich area.
- 11.3. In the built-up area the SHLAA assumed the density of development would be 100 dwellings per hectare in the city centre and 50 dwellings per hectare in the rest of the city. The average densities for the city as a whole were about 90 dwellings per hectare between 2007 and 2010. The City's Site Allocation DPD (pre-submission publication version August 2012) demonstrates that additional allocations for 3,370 dwellings can be achieved in the City Council area,

therefore demonstrating the ability to accommodate the level of growth set out in the Joint Core Strategy.

- 11.4. In urban areas outside the built-up area of Norwich the assumption of 40 dwellings per hectare is also considered to be a reasonable assumption for an average density.

## 12. Increased supply

- 12.1. Net completions in the 10 years 2001-2011 average 1,596 dwellings per annum. If delivery continues at this rate then **28,750 dwellings** would be completed between 2008 and 2026.
- 12.2. Recent completions represent the market's ability to deliver during a period that saw a range of economic conditions. They also reflect planning policy. During the period all three Local Planning Authorities adopted Local Plans in which they made significant housing allocations. These allocations were based on a Structure Plan requirement formulated in the 1990s that equated to 1500 dwellings per annum. Therefore delivery was consistent with the strategic target. Nevertheless, the rate of completions over the last 10 years or so indicate the scale of the challenge if significantly higher rates of development are to be achieved in the longer term. The Government are expecting the planning system to boost significantly the supply of housing<sup>4</sup>. Therefore, past completions provide a context for assessing future delivery rates rather than evidence of housing need.

## 13. The role of windfall development

- 13.1. JCS provision is intended to be delivered through allocations so windfall development after allocations are identified will be additional. Reasonable assumptions about windfall development have been included in key evidence supporting the JCS. Delivery of close to 5,000 additional dwellings is illustrated (but not included in the totals) in the JCS trajectory for the GNDP area as a whole in the period after allocations are expected to be finalised. This is quite conservative compared to windfall development rates previously experienced but may be reasonable in a planning system which is intended to positively allocate sites to meet need. The potential for windfall development will also be influenced by the extent of 'development boundaries' in site specific allocations DPDs and the protection of sites for non-housing uses, as well as by development management policies relating to issues such as density, conversions and redevelopments etc. Consequently, allocations to meet the JCS provision plus windfalls could deliver in the region of **42,000 dwellings**. This amount of development is very similar to all but the highest estimates of need. Clearly windfall development will not be delivered as additional development if there is no market demand – the sites may still come forward but there would be a consequent reduction in rates of delivery on allocations.

---

<sup>4</sup> National Planning Policy Framework 2012, paragraph 47.

Consequently, windfall development provides sufficient flexibility to address uncertainty arising from the wide range of assessments of need.

## **14. Housing trajectory and deliverability**

- 14.1. Market demand, and the ability and commitment of the development industry to meet it, will largely determine whether housing trajectories are met. The degree of public investment in affordable dwellings will also play a role. The strategy enables and facilitates delivery but market conditions will determine delivery rates. At the 2008 base date the commitment was 14,000 dwellings. These will provide for much of the delivery in the early years of the plan period. Since 2008 around 5,000 dwellings have been completed and a significant number of new permissions granted. Over the plan period as a whole newly allocated sites will be the critical element for meeting the JCS housing trajectory. New allocations required by the JCS cover a wide range of scales and locations. This flexibility aids delivery.
- 14.2. Past trends indicate that, in reasonable market conditions, each of the districts can deliver significant levels of growth. The challenge to the development industry will be to ensure that strong growth rates can be maintained across all three districts at the same time.
- 14.3. The trajectories are indicative of the potential for growth and do not impose any phasing or restriction. Norwich and South Norfolk are well advanced in the production of site allocations documents indicating a strong likelihood that delivery on new allocations can be achieved in accordance with the JCS Housing Trajectory. The development of site specific policies in Broadland has been delayed as a result of the High Court Order. However, the combination of developer proposals which are coming forward in parallel with the development plan process, and the granting of permission to appropriate schemes that accord with adopted and emerging policies, indicate that across the area as a whole there is a good chance that sites can come forward in an appropriate timescale to broadly meet the JCS Housing Trajectory.

## **15. Conclusion**

- 15.1. All the illustrated rates are dependent on the market's ability to deliver and the timely provision of essential infrastructure.
- 15.2. Evidence supporting the JCS demonstrates that growth in excess of that being provided for would increase significantly the likely environmental consequences of development and potentially run into even greater infrastructure constraints. There is also little or no evidence that the market could deliver higher rates of growth. A lower level of development could be artificially constraining housing delivery, with consequent impacts on economic development and housing affordability and wider 'knock-on' effects that this would have. A lower target could not deliver sufficient "affordable housing". A lower housing target is also likely to be judged in conflict with the requirement of the National Planning Policy Framework to plan for "the full, objectively assessed needs for market

and affordable housing” and “respond positively to wider opportunities for growth”<sup>5</sup>.

15.3. It can therefore be concluded that JCS provision is entirely appropriate and necessary to deliver on all reasonable estimates of need.

---

<sup>5</sup> National Planning Policy Framework 2012, paragraph 47.

**Table 1: Comparison of JCS provision and dwelling requirement derived from a range of sources**

| Source of estimate                   | Dwellings (round to 50) | Note:   |
|--------------------------------------|-------------------------|---|
| Past completions                     | 28,750                  | Based on completion rates 2001-2011, this is not an estimate of need.   |
| ONS 2010 pop projection              | 31,500                  | Occupancy rate falling at 2001-2011 rates   |
| ONS 2011 pop projection              | 32,950                  | Occupancy rate falling at 2001-2011 rates   |
| SHMA with 39%affordable              | 34,700                  | Takes no account of demographic trends after 2011. Affordable need would be an unachievable proportion                      |
| East of England Plan                 | 35,660                  | Expressed as a minimum  |
| <b>JCS provision</b>                 | <b>36,820 – 37,750</b>  | <b>Not including potential windfall development</b>   |
| ONS 2010 pop projection              | 37,250                  | Occupancy rates falling at 2001-2008 and 1991-2011 rates  |
| ONS 2011 pop projection              | 38,750                  | Occupancy rates falling at 2001-2008 and 1991-2011 rates  |
| ONS 2010 pop projection              | 40,250                  | Occupancy rates falling at 1991-2008 rates  |
| SHMA with 33%affordable              | 40,650                  | Total dwellings to deliver affordable need if 33% is affordable   |
| ONS 2011 pop projection              | 41,750                  | Occupancy rates falling at 1991-2008 rates  |
|                                      |                         |   |
| <b>JCS plus windfall</b>             | <b>42,000</b>           | <b>JCS provisions plus windfall</b>   |
| ONS 2010 pop projection              | 42,300                  | Occupancy rates falling at 1991-2001 rates  |
| EEFM 2012 baseline and “lost decade” | 43,000                  | Requirement to support local economic growth potential. Spring 2012 economic forecasts baseline and “lost decade” scenarios |
| ONS 2011 pop projection              | 43,850                  | Occupancy rates falling at 1991-2001 rates  |
| Household projections                | 45,650                  | CLG 2008 based, converted to dwellings to allow for household/dwelling ratio  |
| EEFM 2012 “high migration”           | 46,000                  | Requirement to support local economic growth potential. Spring 2012 “high migration” scenario                               |
| SHMA with 28% affordable             | 47,900                  | Total dwellings to deliver affordable need if 28% is affordable (illustrative assumption)                                   |
|                                      |                         |   |



## Appendix 1 – Local and Sub-Regional Evidence

### SHMA Calculation Updated

|  |        |               |
|--|--------|---------------|
| Total requirement per annum*   | 2,076  | a             |
| Less annualised affordable backlog**   | 300    | b             |
| Total arising requirement per annum  | 1,776  | a-b           |
| Multiply by JCS period years   | 18     | c             |
| Total requirement over JCS period  | 31,968 | c x (a-b)     |
| Add back in affordable backlog total   | 1,500  | d             |
| Total requirement including backlog  | 33,468 | c x (a-b) + d |
|  | 34,706 | e x 1.037     |
| Total requirement for dwellings (assuming 3.7% more dwellings than households as in 2001 Census) |        |               |

### Affordable Housing Element

|  |        |               |
|--|--------|---------------|
| HMA Affordable housing need per annum including backlog* (a) | 962    | a             |
| Less annualised affordable backlog**                         | 300    | b             |
| Affordable need arising per year                             | 662    | a-b           |
| Multiply by JCS period years                                 | 18     | c             |
| Affordable need arising over JCS period                      | 11,916 | c x (a-b)     |
| Add back in affordable backlog total (300 p.a. for 5 years)  | 1,500  | d             |
| Affordable need arising including backlog                    | 13,416 | c x (a-b) + d |

\* Greater Norwich Housing Market Assessment UPDATE November 2009, page 20

\*\* Affordable backlog was 1,403 in 2006; estimated at 1,500 in 2009

### Affordable Housing Delivery Rates

|  |        |
|--|--------|
| Affordable need arising in JCS period, including backlog             | 13,416 |
| If this forms 33% of completions, total completions would need to be | 40,650 |
| If this forms 28% of completions, total completions would need to be | 47,910 |

**34,706** dwellings, of which 39% would be affordable dwellings, according to Strategic Housing Market Assessment methodology, extrapolated over 18 years

**40,650** dwellings to meet affordable need, assuming 33% of completions are for affordable dwellings

**47,910** dwellings to meet affordable need, assuming 28% of completions are for affordable dwellings

## Appendix 2 – ONS Population Projections

### A) 2010-based

| <b>GNDP Indicative<br/>Population Estimate<br/>2008</b> | <b>GNDP Population<br/>Projection 2026 (2010<br/>based)</b> | <b>Increase in Population</b> |
|---|---|-------------------------------|
| 369,900   | 430,000   | 60,100                        |

|                          | <b>GNDP: Population</b> | <b>Dwellings</b> | <b>Occupancy<br/>(rounded)</b> | <b>Pro rata<br/>change<br/>over 10<br/>years</b> |
|--------------------------|-------------------------|------------------|--------------------------------|--|
| 1991 Census              | 329,799                 | 141,585          | 2.33                           |  |
| 2001 Census              | 350,773                 | 156,745          | 2.24                           | 0.09   |
| Net completions 01-08    |                         | 11,758           |                                |  |
| 2008 Indicative Estimate | 369,900                 | 168,500          | 2.20                           | 0.06   |
| Net completions 08-11    |                         | 4,140            |                                |  |
| 2011 Indicative estimate | 381,200                 | 172,640          | 2.21                           | 0.03   |

### Occupancy Rate Scenarios – rates pro rata over 18 years

|                         | <b>Occupancy<br/>rates</b>                                 | <b>Dwellings</b>   |   |   |
|-------------------------|--|--|---|---|
| Population 2026         |  |  |   |   |
| 430,000                 | 2.15   | 200,000  |   |   |
| 430,000                 | 2.09   | 205,740  |   |   |
| 430,000                 | 2.06   | 208,740  |   |   |
| 430,000                 | 2.04   | 210,780  |   |   |
|                         | <b>a) 2001-<br/>2011 rate<br/>of falling<br/>occupancy</b> | <b>b) 2001-<br/>2008 and<br/>1991-2011<br/>rate of<br/>falling<br/>occupancy</b> | <b>c) 1991-2008<br/>rate of<br/>falling<br/>occupancy</b> | <b>d) 1991-2001<br/>rate of<br/>falling<br/>occupancy</b> |
| Dwellings Based On:     | 2.15   | 2.09   | 2.06  | 2.04  |
| Total dwellings         | 200,000  | 205,740  | 208,740   | 210,780   |
| Less 2008 Stock         | 168,500  | 168,500  | 168,500   | 168,500   |
| Additional Homes Needed | 31,500   | 37,240   | 40,240  | 42,280  |

## B) Interim 2011-based

The Interim 2011-based projections incorporate data from the 2011 Census but only provide projections to 2021. The following projects forward on a straight line basis to 2026.

| <b>GNDP Indicative<br/>Population Estimate<br/>2008</b> | <b>GNDP Population<br/>Projection 2026 (2010<br/>based)</b> | <b>Increase in Population</b> |
|---|---|-------------------------------|
| 370,000   | 433,150   | 63,150                        |

|                          | <b>GNDP: Population</b> | <b>Dwellings</b> | <b>Occupancy<br/>(rounded)</b> | <b>Pro rata<br/>change<br/>over 10<br/>years</b> |
|--------------------------|-------------------------|------------------|--------------------------------|--|
| 1991 Census              | 329,799                 | 141,585          | 2.33                           |  |
| 2001 Census              | 350,773                 | 156,745          | 2.24                           | 0.09   |
| Net completions 01-08    |                         | 11,758           |                                |  |
| 2008 Indicative Estimate | 370,000                 | 168,500          | 2.20                           | 0.06   |
| Net completions 08-11    |                         | 4,140            |                                |  |
| 2011 Indicative estimate | 381,200                 | 172,640          | 2.21                           | 0.03   |

### Occupancy Rate Scenarios – rates pro rata over 18 years

| Population 2026         | Occupancy<br>rates   | Dwellings  |   |   |
|-------------------------|--|--|---|---|
| 433,150                 | 2.15   | 201,470  |   |   |
| 433,150                 | 2.09   | 207,250  |   |   |
| 433,150                 | 2.06   | 210,270  |   |   |
| 433,150                 | 2.04   | 212,330  |   |   |
|                         | <b>a) 2001-<br/>2011 rate<br/>of falling<br/>occupancy</b> | <b>b) 2001-<br/>2008 and<br/>1991-2011<br/>rate of<br/>falling<br/>occupancy</b> | <b>c) 1991-2008<br/>rate of<br/>falling<br/>occupancy</b> | <b>d) 1991-2001<br/>rate of<br/>falling<br/>occupancy</b> |
| Dwellings Based On:     | 2.15   | 2.09   | 2.06  | 2.04  |
| Total dwellings         | 201,470  | 207,250  | 210,270   | 212,330   |
| Less 2008 Stock         | 168,500  | 168,500  | 168,500   | 168,500   |
| Additional Homes Needed | 32,970   | 38,750   | 41,770  | 43,830  |

### Appendix 3 – CLG Household Projections

|   |                |     |
|---|----------------|-----|
| CLG 2008-based Estimate Households        | 165,000        | a   |
| CLG 2008-based 2026 Projection Households | <u>209,000</u> | b   |
| Difference Over 18 Years                  | 44,000         | b-a |

#### Relationship between households and dwellings at census

| <b>2001 Census</b> | <b>Households</b> | <b>Dwellings</b> | <b>%<br/>Difference</b> |
|--------------------|-------------------|------------------|-------------------------|
| GNDP               | 151,198           | 156,745          | 3.7%                    |

#### Household/dwelling relationship applied to projections

| <b>CLG 2008</b> | <b>Households</b> | <b>%<br/>Difference</b> | <b>Dwellings</b> |
|-----------------|-------------------|-------------------------|------------------|
|                 | 44,000            | 3.7%                    | 45,628           |

**45,628** dwellings to accommodate increased households, 2008-based projections

## Appendix 4 - Exerts from EEFM 2012

| EEFM Greater Norwich Baseline   |        |        |        |        |        |        |        |        |        |                         |        |        |        |         |         |         |         |         |         |
|---------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------------------------|--------|--------|--------|---------|---------|---------|---------|---------|---------|
| Table 1: Key indicators         |        |        |        |        |        |        |        |        |        | Table 1: Key indicators |        |        |        |         |         |         |         |         |         |
|                                 | 2008   | 2009   | 2010   | 2011   | 2012   | 2013   | 2014   | 2015   | 2016   | 2017                    | 2018   | 2019   | 2020   | 2021    | 2022    | 2023    | 2024    | 2025    | 2026    |
| <b>Demography</b>               |        |        |        |        |        |        |        |        |        |                         |        |        |        |         |         |         |         |         |         |
| Total population                | 378.1  | 382.8  | 389.0  | 395.5  | 401.6  | 407.4  | 412.5  | 417.2  | 421.5  | 425.6                   | 429.4  | 433.2  | 436.8  | 440.4   | 443.9   | 447.3   | 450.5   | 453.7   | 456.8   |
| Working age population          | 232.5  | 235.4  | 239.7  | 240.6  | 244.4  | 248.0  | 251.2  | 254.2  | 257.1  | 260.3                   | 263.4  | 267.2  | 271.2  | 273.1   | 274.5   | 275.8   | 277.0   | 277.8   | 278.6   |
| Migration & other changes       | 6.1    | 4.6    | 5.4    | 5.7    | 5.2    | 4.8    | 4.1    | 3.7    | 3.3    | 3.1                     | 3.0    | 2.9    | 2.8    | 2.8     | 2.7     | 2.6     | 2.6     | 2.6     | 2.6     |
| <b>Labour market</b>            |        |        |        |        |        |        |        |        |        |                         |        |        |        |         |         |         |         |         |         |
| Employees in employment         | 177.3  | 173.3  | 170.3  | 175.3  | 177.0  | 179.8  | 183.1  | 186.1  | 188.2  | 189.9                   | 191.1  | 192.0  | 192.9  | 193.6   | 194.3   | 195.0   | 195.6   | 196.2   | 196.7   |
| Self employed                   | 30.2   | 30.4   | 33.3   | 33.5   | 33.6   | 33.8   | 34.4   | 34.9   | 35.3   | 35.4                    | 35.5   | 35.7   | 35.8   | 36.0    | 36.1    | 36.2    | 36.3    | 36.4    | 36.5    |
| Total employment (jobs)         | 207.5  | 203.7  | 203.6  | 208.8  | 210.6  | 213.6  | 217.5  | 221.0  | 223.5  | 225.4                   | 226.7  | 227.7  | 228.7  | 229.6   | 230.4   | 231.2   | 231.9   | 232.6   | 233.3   |
| Total workplace employed people | 187.4  | 184.8  | 185.2  | 189.7  | 191.3  | 194.1  | 197.6  | 200.8  | 203.0  | 204.7                   | 205.8  | 206.7  | 207.6  | 208.4   | 209.1   | 209.8   | 210.5   | 211.1   | 211.7   |
| Residence employment            | 184.9  | 181.7  | 185.5  | 188.2  | 189.5  | 191.8  | 194.9  | 197.7  | 199.6  | 201.1                   | 202.1  | 202.8  | 203.6  | 204.2   | 204.8   | 205.3   | 205.8   | 206.3   | 206.8   |
| Residence employment rate       | 66.1   | 64.1   | 64.3   | 64.2   | 63.7   | 63.6   | 64.0   | 64.3   | 64.4   | 64.4                    | 64.3   | 64.2   | 64.2   | 64.0    | 64.1    | 64.0    | 63.9    | 63.7    | 63.6    |
| Net commuting                   | 2.5    | 3.1    | -0.3   | 1.4    | 1.8    | 2.3    | 2.7    | 3.1    | 3.4    | 3.6                     | 3.8    | 3.9    | 4.1    | 4.2     | 4.4     | 4.5     | 4.7     | 4.8     | 4.9     |
| Unemployment level              | 4.5    | 7.4    | 7.3    | 7.3    | 8.3    | 8.6    | 8.7    | 8.7    | 8.4    | 8.0                     | 7.7    | 7.5    | 7.5    | 7.5     | 7.5     | 7.5     | 7.4     | 7.4     | 7.3     |
| Unemployment rate               | 1.9    | 3.1    | 3.0    | 3.0    | 3.4    | 3.5    | 3.5    | 3.4    | 3.3    | 3.1                     | 2.9    | 2.8    | 2.8    | 2.7     | 2.7     | 2.7     | 2.7     | 2.6     | 2.6     |
| <b>Output</b>                   |        |        |        |        |        |        |        |        |        |                         |        |        |        |         |         |         |         |         |         |
| Total GVA                       | 7737.6 | 7299.3 | 7522.9 | 7673.9 | 7837.6 | 8061.5 | 8364.7 | 8660.6 | 8934.6 | 9192.8                  | 9444.3 | 9687.8 | 9922.9 | 10146.2 | 10371.2 | 10602.6 | 10837.4 | 11075.3 | 11316.0 |
| Labour productivity             | 37.3   | 35.8   | 36.9   | 36.8   | 37.2   | 37.7   | 38.5   | 39.2   | 40.0   | 40.8                    | 41.7   | 42.6   | 43.4   | 44.2    | 45.0    | 45.9    | 46.7    | 47.6    | 48.5    |
| GVA per capita                  | 20.5   | 19.1   | 19.3   | 19.4   | 19.5   | 19.8   | 20.3   | 20.8   | 21.2   | 21.6                    | 22.0   | 22.4   | 22.7   | 23.0    | 23.4    | 23.7    | 24.1    | 24.4    | 24.8    |
| <b>Housing</b>                  |        |        |        |        |        |        |        |        |        |                         |        |        |        |         |         |         |         |         |         |
| Households                      | 159.3  | 161.1  | 165.6  | 167.0  | 170.0  | 172.8  | 175.4  | 177.7  | 180.0  | 182.1                   | 184.2  | 186.2  | 188.2  | 190.2   | 192.2   | 194.1   | 195.9   | 197.7   | 199.5   |
| Demand for dwellings            | 165.2  | 167.0  | 171.7  | 173.2  | 176.3  | 179.2  | 181.8  | 184.3  | 186.6  | 188.9                   | 191.0  | 193.1  | 195.2  | 197.2   | 199.3   | 201.2   | 203.2   | 205.1   | 206.9   |

| EEFM Greater Norwich "Lost Decade" |        |        |        |        |        |        |        |        |        |                         |        |        |        |        |        |         |         |         |         |
|------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------------------------|--------|--------|--------|--------|--------|---------|---------|---------|---------|
| Table 1: Key indicators            |        |        |        |        |        |        |        |        |        | Table 1: Key indicators |        |        |        |        |        |         |         |         |         |
|                                    | 2008   | 2009   | 2010   | 2011   | 2012   | 2013   | 2014   | 2015   | 2016   | 2017                    | 2018   | 2019   | 2020   | 2021   | 2022   | 2023    | 2024    | 2025    | 2026    |
| <b>Demography</b>                  |        |        |        |        |        |        |        |        |        |                         |        |        |        |        |        |         |         |         |         |
| Total population                   | 378.1  | 382.8  | 389.0  | 395.5  | 401.7  | 407.6  | 412.9  | 417.7  | 422.0  | 425.9                   | 429.8  | 433.6  | 437.5  | 441.4  | 445.1  | 448.7   | 452.2   | 455.6   | 458.9   |
| Working age population             | 232.5  | 235.4  | 239.7  | 240.7  | 244.4  | 248.1  | 251.5  | 254.4  | 257.2  | 260.0                   | 262.8  | 266.6  | 270.7  | 272.8  | 274.3  | 275.8   | 277.1   | 278.1   | 279.1   |
| Migration & other changes          | 6.1    | 4.6    | 5.4    | 5.7    | 5.2    | 4.9    | 4.3    | 3.8    | 3.4    | 3.0                     | 2.9    | 3.0    | 3.1    | 3.0    | 3.0    | 2.9     | 2.8     | 2.8     | 2.8     |
| <b>Labour market</b>               |        |        |        |        |        |        |        |        |        |                         |        |        |        |        |        |         |         |         |         |
| Employees in employment            | 177.3  | 173.3  | 170.3  | 176.6  | 178.4  | 179.4  | 180.4  | 181.4  | 182.1  | 182.7                   | 183.1  | 183.6  | 184.3  | 185.2  | 186.0  | 186.8   | 187.5   | 188.2   | 188.9   |
| Self employed                      | 30.2   | 30.4   | 33.3   | 33.9   | 34.1   | 34.1   | 34.3   | 34.4   | 34.5   | 34.5                    | 34.4   | 34.5   | 34.6   | 34.8   | 34.9   | 35.1    | 35.2    | 35.3    | 35.5    |
| Total employment (jobs)            | 207.5  | 203.7  | 203.6  | 210.6  | 212.5  | 213.6  | 214.7  | 215.9  | 216.6  | 217.2                   | 217.6  | 218.0  | 218.9  | 219.9  | 220.9  | 221.9   | 222.8   | 223.6   | 224.4   |
| Total workplace employed people    | 187.4  | 184.8  | 185.2  | 191.2  | 193.0  | 194.0  | 195.1  | 196.1  | 196.7  | 197.2                   | 197.6  | 198.0  | 198.7  | 199.7  | 200.5  | 201.4   | 202.2   | 202.9   | 203.6   |
| Residence employment               | 184.9  | 181.7  | 185.5  | 189.6  | 190.9  | 191.5  | 192.3  | 193.2  | 193.7  | 194.1                   | 194.3  | 194.6  | 195.2  | 195.9  | 196.7  | 197.3   | 198.0   | 198.6   | 199.2   |
| Residence employment rate          | 66.1   | 64.1   | 64.3   | 64.7   | 64.2   | 63.5   | 63.1   | 62.8   | 62.4   | 62.1                    | 61.9   | 61.6   | 61.5   | 61.5   | 61.6   | 61.5    | 61.5    | 61.3    | 61.2    |
| Net commuting                      | 2.5    | 3.1    | -0.3   | 1.7    | 2.2    | 2.5    | 2.7    | 2.9    | 3.0    | 3.1                     | 3.3    | 3.4    | 3.5    | 3.7    | 3.9    | 4.0     | 4.2     | 4.3     | 4.5     |
| Unemployment level                 | 4.5    | 7.4    | 7.3    | 7.3    | 8.2    | 9.1    | 9.9    | 10.5   | 10.7   | 10.6                    | 10.6   | 10.7   | 11.0   | 11.1   | 11.1   | 11.1    | 11.1    | 11.1    | 11.1    |
| Unemployment rate                  | 1.9    | 3.1    | 3.0    | 3.0    | 3.4    | 3.7    | 4.0    | 4.1    | 4.2    | 4.1                     | 4.0    | 4.0    | 4.1    | 4.1    | 4.1    | 4.0     | 4.0     | 4.0     | 4.0     |
| <b>Output</b>                      |        |        |        |        |        |        |        |        |        |                         |        |        |        |        |        |         |         |         |         |
| Total GVA                          | 7737.6 | 7299.3 | 7522.9 | 7725.1 | 7901.2 | 8058.5 | 8260.3 | 8463.9 | 8664.7 | 8870.0                  | 9080.9 | 9297.5 | 9520.3 | 9748.0 | 9976.5 | 10211.2 | 10449.1 | 10690.1 | 10933.9 |
| Labour productivity                | 37.3   | 35.8   | 36.9   | 36.7   | 37.2   | 37.7   | 38.5   | 39.2   | 40.0   | 40.8                    | 41.7   | 42.6   | 43.5   | 44.3   | 45.2   | 46.0    | 46.9    | 47.8    | 48.7    |
| GVA per capita                     | 20.5   | 19.1   | 19.3   | 19.5   | 19.7   | 19.8   | 20.0   | 20.3   | 20.5   | 20.8                    | 21.1   | 21.4   | 21.8   | 22.1   | 22.4   | 22.8    | 23.1    | 23.5    | 23.8    |
| <b>Housing</b>                     |        |        |        |        |        |        |        |        |        |                         |        |        |        |        |        |         |         |         |         |
| Households                         | 159.3  | 161.1  | 165.6  | 167.0  | 170.0  | 172.9  | 175.5  | 178.0  | 180.2  | 182.3                   | 184.3  | 186.4  | 188.5  | 190.6  | 192.7  | 194.7   | 196.6   | 198.6   | 200.5   |
| Demand for dwellings               | 165.2  | 167.0  | 171.7  | 173.2  | 176.3  | 179.3  | 182.0  | 184.5  | 186.9  | 189.0                   | 191.1  | 193.3  | 195.5  | 197.7  | 199.8  | 201.9   | 203.9   | 205.9   | 207.9   |

| EEFM Greater Norwich "High Migration" |        |        |        |        | Table 1: Key indicators |        |        |        |        |        |        |         |         |         | Table 1: Key indicators |         |         |         |         |
|---------------------------------------|--------|--------|--------|--------|-------------------------|--------|--------|--------|--------|--------|--------|---------|---------|---------|-------------------------|---------|---------|---------|---------|
|                                       | 2008   | 2009   | 2010   | 2011   | 2012                    | 2013   | 2014   | 2015   | 2016   | 2017   | 2018   | 2019    | 2020    | 2021    | 2022                    | 2023    | 2024    | 2025    | 2026    |
| <b>Demography</b>                     |        |        |        |        |                         |        |        |        |        |        |        |         |         |         |                         |         |         |         |         |
| Total population                      | 378.1  | 382.8  | 389.0  | 395.6  | 402.1                   | 408.5  | 414.5  | 420.1  | 425.2  | 430.1  | 434.7  | 439.2   | 443.5   | 447.7   | 451.8                   | 455.8   | 459.6   | 463.3   | 466.9   |
| Working age population                | 232.5  | 235.4  | 239.7  | 240.8  | 244.9                   | 249.1  | 253.3  | 257.2  | 261.0  | 265.0  | 268.9  | 273.6   | 278.3   | 281.0   | 283.1                   | 285.2   | 287.1   | 288.5   | 290.1   |
| Migration & other changes             | 6.1    | 4.6    | 5.4    | 5.8    | 5.6                     | 5.4    | 5.0    | 4.6    | 4.2    | 3.9    | 3.7    | 3.6     | 3.5     | 3.4     | 3.3                     | 3.3     | 3.2     | 3.1     | 3.1     |
| <b>Labour market</b>                  |        |        |        |        |                         |        |        |        |        |        |        |         |         |         |                         |         |         |         |         |
| Employees in employment               | 177.3  | 173.3  | 170.3  | 176.6  | 179.5                   | 183.2  | 187.4  | 191.3  | 194.3  | 196.8  | 198.8  | 200.3   | 201.9   | 203.3   | 204.6                   | 206.0   | 207.2   | 208.4   | 209.6   |
| Self employed                         | 30.2   | 30.4   | 33.3   | 33.9   | 34.4                    | 34.8   | 35.6   | 36.4   | 36.9   | 37.2   | 37.5   | 37.7    | 38.0    | 38.3    | 38.5                    | 38.8    | 39.1    | 39.3    | 39.5    |
| Total employment (jobs)               | 207.5  | 203.7  | 203.6  | 210.6  | 213.9                   | 218.0  | 223.1  | 227.7  | 231.2  | 234.0  | 236.2  | 238.1   | 239.9   | 241.6   | 243.2                   | 244.8   | 246.3   | 247.7   | 249.2   |
| Total workplace employed people       | 187.4  | 184.8  | 185.2  | 191.2  | 194.3                   | 198.0  | 202.6  | 206.8  | 210.0  | 212.5  | 214.5  | 216.2   | 217.8   | 219.3   | 220.7                   | 222.2   | 223.5   | 224.8   | 226.1   |
| Residence employment                  | 184.9  | 181.7  | 185.5  | 189.6  | 192.0                   | 195.1  | 199.0  | 202.7  | 205.5  | 207.7  | 209.4  | 210.8   | 212.2   | 213.4   | 214.7                   | 215.9   | 217.0   | 218.1   | 219.2   |
| Residence employment rate             | 66.1   | 64.1   | 64.3   | 64.7   | 64.5                    | 64.7   | 65.3   | 65.9   | 66.3   | 66.5   | 66.7   | 66.8    | 66.9    | 66.9    | 67.2                    | 67.3    | 67.4    | 67.4    | 67.4    |
| Net commuting                         | 2.5    | 3.1    | -0.3   | 1.6    | 2.3                     | 3.0    | 3.6    | 4.1    | 4.5    | 4.8    | 5.1    | 5.3     | 5.6     | 5.8     | 6.1                     | 6.3     | 6.5     | 6.7     | 6.9     |
| Unemployment level                    | 4.5    | 7.4    | 7.3    | 7.3    | 8.1                     | 8.5    | 8.7    | 8.9    | 8.8    | 8.7    | 8.7    | 8.8     | 9.0     | 9.2     | 9.4                     | 9.6     | 9.8     | 9.9     | 10.0    |
| Unemployment rate                     | 1.9    | 3.1    | 3.0    | 3.0    | 3.3                     | 3.4    | 3.4    | 3.5    | 3.4    | 3.3    | 3.2    | 3.2     | 3.2     | 3.3     | 3.3                     | 3.4     | 3.4     | 3.4     | 3.4     |
| <b>Output</b>                         |        |        |        |        |                         |        |        |        |        |        |        |         |         |         |                         |         |         |         |         |
| Total GVA                             | 7737.6 | 7299.3 | 7522.9 | 7728.9 | 7954.5                  | 8228.2 | 8583.7 | 8931.1 | 9254.9 | 9562.7 | 9864.1 | 10156.7 | 10440.1 | 10713.0 | 10988.9                 | 11272.8 | 11561.4 | 11854.6 | 12151.9 |
| Labour productivity                   | 37.3   | 35.8   | 36.9   | 36.7   | 37.2                    | 37.7   | 38.5   | 39.2   | 40.0   | 40.9   | 41.8   | 42.7    | 43.5    | 44.3    | 45.2                    | 46.1    | 46.9    | 47.9    | 48.8    |
| GVA per capita                        | 20.5   | 19.1   | 19.3   | 19.5   | 19.8                    | 20.1   | 20.7   | 21.3   | 21.8   | 22.2   | 22.7   | 23.1    | 23.5    | 23.9    | 24.3                    | 24.7    | 25.2    | 25.6    | 26.0    |
| <b>Housing</b>                        |        |        |        |        |                         |        |        |        |        |        |        |         |         |         |                         |         |         |         |         |
| Households                            | 159.3  | 161.1  | 165.6  | 167.0  | 170.1                   | 173.2  | 176.2  | 178.9  | 181.5  | 184.0  | 186.4  | 188.8   | 191.1   | 193.3   | 195.5                   | 197.7   | 199.8   | 201.9   | 203.9   |
| Demand for dwellings                  | 165.2  | 167.0  | 171.7  | 173.2  | 176.4                   | 179.6  | 182.7  | 185.5  | 188.2  | 190.8  | 193.3  | 195.7   | 198.1   | 200.5   | 202.8                   | 205.0   | 207.2   | 209.3   | 211.4   |

## Appendix 5 – Increased Supply

|               | <b>Completions<br/>2001-2011<br/>(Financial Year)</b> | <b>Annual Average</b> | <b>Projected<br/>Completions<br/>2008-2026 if<br/>2001-2011<br/>rate<br/>maintained</b> |
|---------------|---|-----------------------|---|
| Broadland     | 2,870   | 287                   | 5,166   |
| Norwich       | 6,787   | 679                   | 12,222  |
| South Norfolk | 6,300   | 630                   | 11,340  |
| GNDP          | 15,957  | 1,596                 | 28,728  |

**28,728** dwellings at historic annual completion rates



For more information or if you  
require this document in another  
format or language, please phone:

01603 431133  
for Broadland District Council

0344 980 3333  
for Norwich City Council

0808 168 3000  
for South Norfolk Council

Topic Paper Homes and Housing

December 2012

The logo for IN TRAN features the word 'IN' in a bold, sans-serif font above the word 'TRAN' in a larger, bold, sans-serif font. To the right of 'IN' is a white triangle pointing upwards, and to the left of 'TRAN' is a white triangle pointing downwards. Below the text, the tagline 'communication for all' is written in a smaller, lowercase, sans-serif font.  
**IN TRAN**  
communication for all