

**From:** Andrew Wilford [mailto:andrew.wilford@bartonwillmore.co.uk]  
**Sent:** 07 May 2010 17:57  
**To:** POServices  
**Cc:** gdtubl@paston.co.uk; dturner@landstockestates.co.uk; Lee Newlyn;  
Jonathan.Cage@createconsultingengineers.co.uk; John Pugh-Smith; steve.hinsley@Tetlow-  
king.co.uk  
**Subject:** GNDP Joint Core Strategy Exploratory Meeting & Pre-Hearing Meeting - 13th May  
2010

Dear Mr Osborn

I refer to your email dated 06 May 2010 forwarding the Inspectors' agenda for the EM/PHM and set of notes to accompany the EM agenda.

As the Inspectors are aware this practice has submitted significant representations, supported by two Opinions from Counsel, which have clearly prompted and led to specific reference in the Inspectors' Initial Soundness Questions on Options and an audit trail (see Question 7 etc.). We also remain most concerned that the GNDP's Response, not just to these questions, but to many others are over generalised or do not answer the specific question posed by the Inspectors, or, are capable of misleading if left uncorrected. Furthermore, the GNDP Response, in answer to questions 1 & 2 respectively, refers to and admits to a wholly new document, the Integrated Development Programme (IDP), which has not yet been published, simply that a draft of which "will be available to the Inspectors prior to the examination".

Whilst noting that the primary purpose of the EM is for the Inspectors to discuss matters further with GNDP representatives, we believe that the same principles of fairness continue to apply. Not only does this mean allowing Third Parties to be present but also, as in the case of our clients, permitting representations to be made on behalf of them both in writing and orally at the EM.

Given the current timescale leading up to next Thursday's meeting I am attaching a short Response Note highlighting our professional team's continuing concerns in respect of the six issues upon which the Inspectors have focussed regarding preliminary soundness concerns. We believe that it may assist the Inspectors in framing further questions. It is also our clients' current intention to have the relevant members of the professional team available at the EM, together with Counsel, to assist the Inspectors on specific issues should this be necessary. These will be Lee Newlyn (Barton Willmore - planning), Stephen Hinsley (Tetlow King - affordable housing), Jonathan Cage (Create Consulting Engineers - Infrastructure) and John Pugh-Smith (39 Essex Street Chambers - Counsel).

We also believe it is necessary for the Inspectors to set some further procedural guidelines and timescales at the EM/PHM that will re-introduce some certainty as to whether the Full Examination will proceed, when, and, in its final form. Our Clients are not alone in having to reserve significant resources (with consequent time and cost implications) for an exercise which may yet be abandoned.

Yours sincerely

**Andrew Wilford**  
Senior Planner

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**GREATER NORWICH DEVELOPMENT PARTNERSHIP JOINT CORE STRATEGY  
EXAMINATION**

**EXPLORATORY MEETING**

**13 May 2010 - 10.00am at Kings Centre, Norwich**

**BARTON WILLMORE RESPONSE NOTE**

**1. Infrastructure**

**Expert Specialist - Jonathan Cage BEng (Hons) MSc CEng MICE MIHT of Create Consulting Engineers**

- 1.1 Given the recent Audit Commission Report (EIP8) [March 2010] remarked (para. 44) that the detailed priorities were only "*beginning to be translated into an Integrated Development Programme*" (IDP), what confidence can the Inspectors have that the necessary work into criticality has been sufficiently undertaken, let alone exposed to public scrutiny and comment? We note that the first draft of the IDP has yet to be published.
- 1.2 Where is a summary of the specific views of the various infrastructure providers (and a copy of their letters)?
- 1.3 We draw attention to five examples that demonstrate the uncertainty of key pieces of infrastructure that are required to be delivered to realise the objectives of the JCS.

**i) Long Stratton Bypass**

- 1.4 It is now evident that NCC Highways (a provider of 'critical' infrastructure) does not have sufficient funding in place to deliver the Long Stratton bypass and expects the current planning permission to lapse in Summer 2010 (**Appendix 1**). It is clear NCC could be solely reliant upon developer funding for the Long Stratton Bypass which now requires a new route and subsequent planning permission. This brings into serious question the ability to deliver (a) the bypass and (b) the proposed 1,800 dwellings at Long Stratton. The provision of the bypass is the main planning benefit that would be gained as a result of development at Long Stratton. Without the benefit of the bypass, Long Stratton should not be considered as a sustainable

location for large scale of development. There are limited employment opportunities, resulting in most of the residents having to commute to Norwich. There is also limited capacity at the sewage treatment works in Long Stratton and these works necessary to accommodate additional sewage will not be completed until at least 2017.

**ii) Postwick Hub**

- 1.5 On 16<sup>th</sup> December 2009 the Department for Transport (East) released a statement relating to the NDR and the Postwick Hub, stating: *".....Postwick Hub will deliver an improved junction at Postwick, increased park and ride capacity and provide the potential to unlock sites for up to 1,600 homes, reflecting the Government's commitment to supporting growth in Norfolk".* It continues in "Notes to Editors" by stating: *"The Postwick scheme consists of providing improvements to the junction at Postwick, enabling increased capacity of the associated Park and Ride site and providing the potential to unlock sites for 600 homes with the potential for another 1,000 homes at a later date. Norfolk is hoping to commence construction for this scheme in February 2010".*
- 1.6 The transport assessment that was prepared in support of the Postwick Hub, did not assess the impact of this being a key junction on the NDR, nor did it assess the proposed JCS growth figures. It is therefore not clear if the proposed Postwick Hub has been designed to service the NDR and the northeast growth triangle. There are also a number of side road issues which have not been addressed in the draft Orders which is now delaying construction. The local MP, Keith Simpson, has also publicly called for a Public Inquiry into the decision to proceed with the project. This delay could potentially put the allocated funding at risk. To date, no construction has commenced on the Postwick Hub. NCC has confirmed that the current delay is due to the necessary Side Road Orders not being put into place and as a result various objectors to the scheme have called for a Public Inquiry. NCC is now awaiting a decision from Central Office whether a Public Inquiry is required. NCC are concerned that previous Government commitments only covered expenditure up to 2012 which would be half way through the proposed build programme and could be prior to the outcome of any Public Inquiry (if one is required). If an Inquiry is not required then NCC are anticipating a High Court challenge over that decision. This delay demonstrates that the mechanisms for delivering this critical infrastructure project is not in place and questionable.

### **iii) Easton**

- 1.7 The proposed development of 1,000 dwellings in a settlement that only has a population of approx 1,410 people (estimated 2008) and next to no facilities, its justification for such a disproportionate level of dwellings remains an enigma. It is clearly evident from the sustainability appraisal that this location is unsustainable. It can only be assumed that the proposal to develop 1,000 dwellings here is due the existence of the Easton School of Agriculture. It is also understood there are considerable highway issues rendering the scheme unviable.
- 1.8 The proposed development at Easton will have a significant impact on the A47(T). The two junctions affected include the Ringland Road junction (which is the start of the Norwich Southern Bypass) and the Norfolk Showground Interchange. Both of these junctions are currently at capacity and development has been restricted in this area. Both junctions are constrained by third party land ownership and would involve major investment to construct a suitable access arrangement. No proposals have been developed or agreed with the Highways Agency to answer these issues. Easton has limited employment opportunities and any development located in this area will increase commuting trips to Norwich. It is also understood that there are considerable highway issues which are likely to render the scheme unviable.

### **iv) Sewerage**

- 1.9 The majority of the sewage from Norwich and its outskirts drains towards Whitlingham Sewage Treatment Works (STW), just south of the A47. It is understood that the STW has sufficient capacity to serve the proposed JCS growth areas. The main issue which needs to be addressed is the foul sewer network connecting to the works. This is of specific importance when considering the North East sector. There is inadequate capacity within the existing piped system to serve the proposed growth. This will result in the need for new strategic sewer connections to be provided from the proposed development areas to Whitlingham STW. These works would need to cross both existing railways and the River Yare. Whilst these works are technically possible, there is no current planned proposal by AWS to construct these sewers and they have stated that it is unlikely that the sewer will be provided prior to 2019. This will also be dependent on a successful bid through the AMP Programme.

### **v) Thickthorn Interchange**

- 1.10 This junction is one of the critical node points within Norfolk's highway network. It is clear from recent discussion with NCC that a practical solution has not yet been

agreed with the Highways Agency. A series of developer forums have been commenced by NCC to consider the potential impact that JCS will have on the Thickthorn Interchange. Nearly all of the key growth locations in the JCS will affect this junction and it is clear that both NCC and the HA have not yet fully addressed the proposed impact on this interchange or what measures would be required to be able to mitigate the impact of the JCS growth.

## 2. **Affordable Housing**

### **Expert Specialist – Steve Hinsley BA (Hons) MRTPI of Tetlow King**

- 2.1 PPS3 recognises and allows for the prospect of setting different site thresholds and proportions of affordable housing over the plan area. Over a large plan area such as the GNDP it is not unrealistic for the process to test a variety of such options, particularly where, as is the case here, the SHMA work indicates that housing need differs considerably in the three constituent parts of the GNDP. The separate work carried out in Norwich City can in no way be representative of the other areas, and in any event that assessment has its flaws. The Drivers Jonas work specifically looks at viability testing using *site* examples: it does not provide the evidence to show that 40% is a legitimate plan-wide target. Moreover, there has been no testing whatsoever of sites between 5 and 15 units, or for that matter sites of between 15 and 25 units.
- 2.2 In addition, it must be remembered that economic viability is only one aspect of the testing of affordable housing. The setting of targets also relies on taking into account meeting needs, taking into account information from the SHMA (para 29, PPS 3). There is no evidence to show how the 40% target has been tested against information from the SHMA.
- 2.3 Significantly, the JCS fails to, *“Set an overall (i.e. plan-wide) target for the amount of affordable housing to be provided”* as required by bullet 1, para 29 of PPS3. The 40% target in the policy is an amount to be negotiated on individual sites over the proposed threshold of 5 units and not a plan-wide target. This omission itself is a fundamental flaw.
- 2.4 PPS3 also includes, as part of the testing process, a requirement for the likely levels of finance available for affordable housing to be taken account of. The references in the response by GNDP to the HCA Single Conversation and Local Investment Plans are framed in the future tense. There is no indication in the evidence base that likely future resources from the HCA have informed the policy, and the use of the

future tense indicates that any assessment is not available even today. At 3A of the Local Housing Delivery plan 2008-11 (update November 2009), when commenting on the period 2011 – 2014, SNDC report that: “There is likely to be less funding available than for 2008-11”. Despite this acknowledgement in November 2009 that future public resources are likely to fall, the higher target of 40% has remained in the plan. Given the accepted importance of public subsidy to enable viability, a reduction in this resource will have a serious impact on delivery targets. It also throws into question the assumptions about grant rates used in the Drivers Jonas work.

### **3. The NDR**

#### **Expert Specialist - Jonathan Cage BEng (Hons) MSc CEng MICE MIHT of Create Consulting Engineers**

- 3.1 The NDR is only currently proposed to run from the A47 at Postwick over to the A1067 Fakenham Road. The final section between the A47 to the west and the A1067 was dropped due to environmental issues and the lack of a suitable route. The Government have announced that it is only prepared to part fund a shorter length stopping at the A140 to the north of the Airport. This proposal will direct all traffic from the north of Norwich around the east of the City and through Postwick onto the A47(T), resulting in traffic travelling south towards the A11 all having to pass through both Postwick and Thickthorn. The Inspectors should request confirmation that the NATS has addressed this issue and that traffic models have been prepared for both key transport nodes demonstrating that these junctions have sufficient capacity to serve the proposed JCS growth. Without a complete NDR, a high level of new traffic movements will be attracted to the northeast/eastern sector, adding additional strain to both the arterial routes into the city and the interchange with the trunk road at Postwick. It is not clear if the extent of these issues has been fully considered by NCC or the Highways Agency.
- 3.2 From being involved with the consultation with local businesses that was undertaken as part of the NATS review, our clients advise that it was clear that no “what if” scenarios were considered. It is our understanding that the reason for this was that if NCC had prepared a bid for funding for the NDR/NATS and had considered a non NDR scenario, then it was highly likely that Central Government would have turned around and said that NCC did not need the money. It has therefore been an “all or nothing” strategy. There has been no testing of how growth could still be achieved without the NDR, especially in the northeast sector. The majority of the proposals in NATS rely on the deliverability of the NDR if they are to succeed. The new

BRT/Priority bus routes need the reduction in vehicle movements that would be achieved on the arterial routes following the completion of the NDR.

#### **4. The Distribution of Development to Public Transport Opportunities**

**Expert Specialist - Jonathan Cage BEng (Hons) MSc CEng MICE MIHT of Create Consulting Engineers**

4.1 Fundamentally, the comparison of the options, when tested against the emphasis on achieving a major shift towards public transport as set out by RSS Policy NR1, has not been undertaken. Had such a comparison been undertaken, it would have identified that in dispersing new development throughout the South Norfolk Area, as the favoured options seeks, would not be an outworking of RSS Policy NR1 nor of the NATS. Rather, the favoured option supported the aspiration to deliver a localised by-pass (Long Stratton) and not the regionally significant NATS programme.

4.2 As a result of the actions on the part of the GNDP and in particular SNDC, the development opportunities and the capacity to accommodate growth in Wymondham have not been reasonably examined. To demonstrate this, it should be noted that the favoured options, as set out in the text to the Preferred Options Regulation 25 Technical Consultation (pp 66-67) set out that growth was favoured to South and East of Wymondham in order to maintain the strategic gap. Notwithstanding that Wymondham was judged to be a suitable location for development of 4,000 dwellings to 2026 rising to 5,000 dwellings after 2026 (as recommend by Officers in their December 2008 report to the GNDP) the above clearly confirms the position that no evidence exists to support a gap policy of this nature and that the growth proposals for Wymondham were arbitrarily arrived at because a reasonable growth location was eliminated on day one because of a political "whim" despite its strong public transport credentials (bus and rail).

#### **5. Selected Sustainability Issues**

**Expert Specialist – Lee Newlyn B.A., D.M.S. Dip Urban Design, F.R.T.P.I of Barton Willmore**

5.1 We highlight the fact that no detailed studies or further explanatory work have been undertaken of the strategic geographical boundaries of strategic green gap/ wedges although the Pre-Engagement Inspector set out clearly in her report (February 2009) areas of concern that required to be addressed as part of the ongoing

gathering of evidence and warned of the consequences of not providing sufficient justification for the favoured option.

- 5.2 For instance, areas such as North East Wymondham were never tested as potential suitable locations for growth as part of the 'reasonable alternatives'. The Regulation 25 Technical Consultation (pp 66-67) set out that growth was favoured to South and East of Wymondham in order to maintain the strategic gap. No evidence exists to support a gap policy of this nature and it is clear that the 'political imperative' towards the Green Gap/Wedge meant that the option for expanding Wymondham to the North East was not considered by the GNDDP. Front loading of specific issues would have identified that North East Wymondham is actually a suitable place to locate growth, as demonstrated by three previous Inspectors (the previous Local Plan Inspector to the SNDC Local Plan, the Pre-Engagement Inspector Laura Graham and the Norwich Common Appeal Inspector, Mary O'Rourke).

## **6. Strategic Allocation of the North-East Growth Area**

**Expert Specialist – Lee Newlyn B.A., D.M.S. Dip Urban Design, F.R.T.P.I of Barton Willmore**

- 6.1 The notion of the Old Catton/Sprowston/Rackheath/Thorpe St Andrew triangle (i.e. North East Norwich) as a strategic allocation has only been introduced by the GNDDP at the Pre-Submission stage. There is no evidence within the JCS process that identifies this triangle as a 'strategic allocation' prior to the Pre-Submission stage.
- 6.2 It is clearly evident that insufficient work has been done to move forward with a strategic allocation in North East Norwich, and represents another example of retrofitting the JCS to suit the GNDDP.
- 6.3 The inclusion of 'strategic allocations' requires specific information within the JCS relating to the identification of definitive boundaries and specific policies relating to the delivery of that strategic allocation. The area as currently defined is excessive in terms of land take and no assessment of land take requirement is evidenced as it currently contains organised recreation and sports fields inc. The Norwich School and Norwich Rugby Club. Little public consultation has taken place on specific land use in the area and consequently the identification of fixed boundaries may have to alter to retain these uses or to re-site them.



- 6.4 The boundary outlined in the growth triangle incorporates the proposed NDR of which the environmental impacts do not appear to have been fully considered in setting the boundary of the 'Strategic Allocation' as proposed. It is evident that the boundaries of the 'Strategic Allocation' have emerged on the basis of a "search area" as opposed to a specific site allocation. Through the course of the JCS process, this area has been labelled a growth location and then refined later into a 'Strategic Allocation' in desperation in view of the "pressure to deliver growth quickly" and in this case at all costs. However, as set out above, this growth is totally reliant upon the delivery of the NDR – which has no certainty will be delivered.
- 6.5 The supplementary question is therefore what happens to this urgent need if the NDR is not delivered?

## **Appendix 1**

**Andrew Wilford**

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**Subject:** FW: Long Stratton Bypass

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**From:** Parkes, Ian [mailto:ian.parkes@norfolk.gov.uk]  
**Sent:** 05 May 2010 16:36  
**To:** Jonathan Cage  
**Subject:** FW: Long Stratton Bypass

Jonathan,

The planning permission runs out in early summer 2010. As you know NCC does not have the funding and none has been identified from the region. The GNDP are working with the developer/landowner consortium to see how we can secure a developer funded bypass. This is likely to be a different scheme to the one NCC were promoting and would need to get its own planning permission. If a developer funded bypass can be agreed upon it is likely to take a few years to get going.

Hope this helps.

Regards, Ian.

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**From:** Jonathan Cage  
**Sent:** 28 April 2010 15:58  
**To:** Ian Parkes  
**Cc:** Claire Seymour  
**Subject:** Long Stratton Bypass

Hi Ian

A few weeks ago Adrian was quoted in the EDP stating that NCC had been unsuccessful in bidding for the funding to construct the proposed Long Stratton Bypass and that it was no longer being considered as part of your roads programme.

Could you confirm what the situation is with this scheme from NCC's point of view.

I would be grateful if you could come back to me as soon as possible.

Regards

Jonathan Cage  
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Create Consulting Engineers Ltd

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