

Norwich and Norfolk Transport Action Group

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The Planning Inspector
c/o The Programme Officer
Claypit Hall
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31 January 2011

Dear Inspector,

NNTAG Response to the Joint Core Strategy Advertised Changes IC1 Flexibility/Resilience of the JCS re Northern Distributor Road

In submitting our comments, we would be grateful if you would also take all previous submissions by NNTAG to the Examination in Public into account.

A. Overview

NNTAG do not support the Proposed Changes to Policy 10 and Policy 20 involving the construction of Postwick Hub (or else appropriate improvements to Postwick Junction) in 2012/13 and re-timing of NDR delivery to 2016/17.

These minor adjustments do not go far enough in increasing the flexibility and resilience of the JCS because Postwick Hub, contrary to Norfolk County Council's assertions, cannot easily proceed as a stand-alone scheme. Overall, the Proposed Changes are not justified, effective or consistent with national policy. Consequently, the JCS is not sound. They do not add up to a 'partial alternative Plan B' which the GNDP was invited to consider in RF 75.

The schedule of development for the growth area demonstrates that "significant" growth can occur at least up to 2016/17. This undermines the central case of the GNDP that the JCS is dependent on NDR/Postwick Hub. Further, NNTAG believe that the growth area in its entirety is not dependent on a NDR/Postwick Hub and could take place on a more sustainable footing with a Plan B. (Ref RF 113). A Plan B could offer less expenditure on unnecessary transport infrastructure and more on affordable housing, and still deliver a very significant level of growth'.

The table on page 3 in RF 117 requires amendment. The presentation of new employment allocation at Rackheath as "constrained development" is

contradicted by Building Partnership's statement to the EiP on 16 November and 9 December that an eco-town at Rackheath is not reliant on a NDR and employment in this location can be served by rail. In relation to the Airport allocation, NNTAG indicated in RF 113 (at p4) that surplus capacity is available for airport-related development at the 48ha Norwich Airport industrial estate close to the Airport in preference to a new unsustainable site allocation on the NDR route.

NNTAG support the preparation of an Area Action Plan for working up and consulting on the detail of a Plan B, but not as a substitute for testing the principle of a Plan B within the context of the JCS at the EiP. As matters stand, the AAP process is unlikely to yield a Plan B outcome because Norfolk CC is intent on starting construction work on Postwick Hub in Spring 2012.¹

Request for a further day's hearing to consider a Plan B alternative.

The Examination session on 9 December was unsatisfactory. A full agenda gave insufficient time for objectors to put the case against the GNDP's changes or to discuss in detail an alternative Plan B; for example, Barton Wilmore were not given a chance to present their statement (RF107). Community groups sensed that the Panel had decided at the outset of the morning to accept the GNDP's amendments without hearing the evidence against. The Panel advised participants that they would consider whether to publish further changes for consultation and to reconvene for a further session. NNTAG request that a further session is held.

B. Assessment of the Soundness of the Proposed Changes

¹Norfolk County Council's latest timetable for delivering NDR/Postwick Hub is set out in their new funding application to Department for Transport submitted on 30 December 2010: Local Authority Major Schemes Development Pool: Expression of Interest: Norwich Northern Distributor Road. Section 2.3.

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| • JCS Examination in Public | Winter 2010 |
| • Postwick Public Inquiry (completed) | Summer 2011 |
| • Postwick construction start | Spring 2012 |
| • NDR planning application | Autumn 2012 |
| • Determination of NDR planning application | Winter 2012 |
| • Publish NDR CPO/SRO | Winter 2012 |
| • NDR Public Inquiry (PI) | Summer 2013 |
| • Completion of Postwick junction works | Summer 2013 |
| • NDR PI Decision | Spring 2014 |
| • NDR Site clearance works | Winter 2014 |
| • NDR Main works start | Spring 2015 |
| • NDR open to traffic | Spring/Summer 2017 |

B1 NOT JUSTIFIED

B.1.1 Not founded on a robust and credible evidence base

PPS12 requires two elements in the evidence base:

Participation: on this aspect, NNTAG and others presented a strong case to show that the GNDP had excluded the public from its meetings throughout the JCS process. In the same way, the GNDP deliberately failed to invite community groups to a workshop held with developers to discuss their suggested amendments on November. Instead, the GNDP emailed to invite us to a meeting to 'explain' the Proposed Changes, after they had been published on the web. Although this public consultation provides a chance to comment, there are no accompanying opportunities for the wider public to discuss the implications of the Proposed Changes.

Research/fact finding: submissions by NNTAG et al have challenged the need for a NDR/Postwick Hub. For example, the GNDP accept that significant development can occur without these schemes. Also, the evidence does not support the GNDP case that a NDR would create road space for sustainable transport alternatives in NATSIP and accommodate growth. Indeed, as NNTAG has highlighted, NATS IP would increase traffic on radial roads in north-east Norwich by 4% in 2031 compared with Do-Minimum. (RF 92)

B.1.2 Not the most appropriate strategy when considered against the reasonable alternatives.

PPS12 requires the local planning authority to seek out and evaluate reasonable alternatives. The GNDP did not do this in drawing up their response to RF 75. The JCS examination is the only forum where reasonable transport alternatives can be properly considered within the context of the JCS. This will not be possible at a public inquiry into a NDR planning application.

Evidence presented by NNTAG indicates that NATS IP based around a NDR/Postwick Hub would not solve, on a long term basis, congestion nor create road space for sustainable transport. Indeed, the NDR would generate traffic, aided by weak car parking policies and inadequate travel behaviour measures.

The A47 west bound is identified as a pressure point in the Statement of Common Ground agreed by Norfolk CC, Highways Agency et al. Yet Postwick Hub would add even more capacity at this junction at a time when the Government has withdrawn the A47 North Burlingham dualling scheme.

There is no need for a NDR/Postwick Hub.

Barton Wilmore submitted proposals to the EiP for incremental improvements to Postwick Junction in conjunction with an inner link as far as Wroxham Road. Other developers and environmental groups endorsed the principle of this possible Plan B.

Lothbury Trust has since signalled its intention to submit a new planning application for the second phase of Broadland Business Park, 600 dwellings at Brooke Farm and a link road to Plumstead Road East.²

Last year, Lothbury sought outline permission to develop 57 hectares of farmland on the edge of Dussindale, Thorpe St Andrew, but withdrew the application ahead of a meeting of the council's planning committee due to a pending legal challenge to Broadland Gate/Postwick Hub. The Highways Agency did not express opposition to the Lothbury application and as a consequence withdraw its Article 14 Direction at Postwick Junction.

Should Broadland District Council fail to determine the second application within the deadline, it would be open to Lothbury to appeal against non-determination.

Planning consent would facilitate the link road between Postwick Interchange and Plumstead Road East as required by the Local Plan and unlock housing and employment land. It would undermine the GNDP's case for Postwick Hub.

NNTAG has put forward a similar Plan B to the Barton Wilmore concept, but on an alignment which avoids Thorpe Woodlands. A partial alternative Plan B as part of an integrated transport strategy would be cheaper, more effective and facilitate public transport closer to where people live.

B2. NOT EFFECTIVE

B.2.1 Delivery of NDR/Postwick Hub is uncertain

Delivery is dependent on a number of factors outside the JCS such as the Postwick Hub draft orders public inquiry, funding and the outcome of Lothbury's forthcoming planning application.

There is no guarantee of funding from the Department for Transport and other public agencies. Also, it is debatable whether public funding could be replaced by other sources such as Pooled Section 106 funds to be replaced by the 27. Community Infrastructure Levy. Developers have stated that the growth area is

² Demands for 600 Norwich homes to be built, Eastern Evening News, 27 January, 2011

not dependent on a NDR and they may not support a County bid to divert limited funds to expensive road infrastructure at the expense of affordable housing and community infrastructure provision.

B.2.2 Not Flexible

The Proposed Changes run counter to PPS12 which advises relying unnecessarily on a review of the plan as a means of handling uncertainty (4.46).

Postwick Hub

PPS12 also says that plans should be able to show how they will handle contingencies. The Proposed Changes do not allow for non-completion of Postwick Hub or an equivalent design which incorporates a NDR connection.

Norfolk CC and Highways Agency assert that “subject to statutory processes there are no showstoppers to delivery of the Postwick Interchange proposals”.³ They maintain that Postwick Hub project can be de-coupled from the NDR and delivered as a separate scheme. This position does not stack up. The Department for Transport advises that

*“For the purposes of prioritising investments, the NNDR as approved in December 2009 and the CIF scheme at Postwick Hub are being considered as a single scheme given their interdependencies”.*⁴

Postwick Hub is not a stand-alone project but an integral part of the NDR and indeed it has not been modelled as a stand alone scheme.⁵

³ Statement of Common Ground between Norfolk County Council Broadland District Council, South Norfolk Council, Norwich City Council and the Highways Agency, GNDP, Joint Core Strategy, Examination in Public, November 2010, paragraph 5.8. RF40.

⁴ Letter dated 9 November 2010 from Charlie Sunderland, Regional & Local Major Projects Division, DfT to Mike Jackson, Director of Environment, Transport and Development, Norfolk County Council. RF 32.

⁵ Although Postwick Hub has been presented by Norfolk County Council and the Highways Agency as a stand-alone scheme, the traffic modelling and appraisal work undertaken in the Full Business Case was predicated on a NDR⁵. Similarly, a separate NDR Major Scheme Business Case⁵ incorporated the Postwick Hub scheme, although the NDR link was shown as single carriageway and not dual standard as is now the case. The traffic assessment for Broadland Gate/Postwick Hub planning application did test a stand-alone junction. The Highways Agency requested a sensitivity test which modelled the Greater Norwich Joint Core Strategy growth plans to 2031 including a NDR, but the results have not been made available for independent assessment. According to the NDR Programme Entry conditions letter to Norfolk County⁵, the County is required to develop a new and updated traffic model on a Productions and Attraction basis, prior to any Public Inquiry into the scheme and before the Council can proceed to submit a Business Case for Conditional or Full Approval to the Department. NNTAG assumes that this requirement applies to Postwick Hub, given its acknowledged interdependency on NDR.

The case advanced for the Postwick Interchange Orders is based on the full NDR; the Orders are not justified without a NDR. There can be no public inquiry into the Postwick Interchange Orders without a presentation of an up to date and full justification of the NDR, of which they are part. On this basis, an Orders inquiry would be inappropriate and Postwick Hub cannot proceed as a separate scheme.

In any case, Postwick Hub has not been subject to public consultation.⁶

In deciding to hold a public inquiry into the draft Postwick slip and side road orders, the Secretaries of State said that they

“are satisfied that in the circumstances of this case the remaining objections raise issues of such significant public importance that they should be debated publicly at a local inquiry and that an inquiry is likely to produce significant new information relevant to their decision.”⁷

Furthermore, Postwick Hub, without a NDR in place, would be *“significantly over-engineered and it is doubtful it would offer value for money”*,⁸ in the judgment of the Department for Transport.

The preparation of a Plan B at this stage would offer greater flexibility.

Also, the JCS would be made more flexible by giving priority to A47 Thickthorn and Longwater Junctions and not to A47 Postwick Junction. Currently, the JCS gives undue prominence to Postwick Junction which it does not merit. Instead, greater benefit could be obtained earlier from giving earlier priority to Thickthorn and Longwater junctions in view of their growth trajectories and need to develop public transport along the A11 corridor into Norwich. Not to do so, would miss an opportunity for re-balancing the plan.

B3 NOT CONSISTENT WITH NATIONAL POLICY

⁶ The public has not been consulted on Postwick Hub as promoted. Closure of the off-slip road to Norwich East at Postwick Junction was not shown in a public exhibition of plans for Broadland Gate/Postwick Hub held by Norfolk County Council and Ifield in October 2008, nor in the planning application of January 2009. Instead, the closure proposals first appeared in August 2009 as an amendment to the planning application. The Highways Agency failed to stage a public exhibition for gauging public comments alongside the draft road orders published in late 2009. Closure of the off- and on-slip roads at Postwick Junction and their replacement by a lengthy side road would cause considerable inconvenience to many travellers.

⁷ Letter dated 2 August 2010 from Will Wiseman, Government Office for the East Midlands to unnamed parties advising of the Secretaries of State decision to hold a public inquiry into A47 Postwick Interchange slip and side roads orders.

⁸ Letter dated 27 March 2009 from the Department for Transport to Norfolk County Council on Community Infrastructure Fund – Spending Decisions, page 1, para 4.

The effects of the Proposed Changes are not consistent with national planning policy guidance on the need to integrate land use planning and transport to reduce carbon emissions (PPS1 and PPS1 Supplement on Climate Change); and promote more sustainable transport choices, promote accessibility and reduce the need to travel especially by car (PPG13 on Transport).

As NNTAG has indicated, NDR/Postwick Hub would have a number of deleterious effects in this respect by encouraging reliance on car use, increasing journey length, encouraging orbital travel by car between strategic housing to the north-east of Norwich and strategic employment sites to the south-west. These effects are underlined by the County Council's own modeling which shows the NDR as adding 6% to Norfolk's emissions from day one of opening.

Overall, we are disappointed that environmental sustainability arguments have been given little traction by the Examination thus far. Despite evidence to the EiP, the Proposed Changes with their emphasis on process and funding show no recognition of these, despite national policy.

C. NNTAG Concerns if Proposed Changes are Adopted

We are concerned about the Examination process ending without considering a Plan B for several reasons:

i) The JCS, once adopted with a NDR/Postwick Hub at its heart, will form the planning framework for Greater Norwich and district plans. The adopted JCS will set out a planning framework for the NDR as indicated by Norfolk County Council to the Department for Transport:

*“The completion of the Joint Core Strategy and its adoption in March 2011 sets out a clear planning framework for the NDR that further strengthens its viability and deliverability”.*⁹

At a planning application inquiry into a NDR, NNTAG are concerned that firstly, the planning case for a NDR and secondly, alternative transport strategies to NATS IP within the context of the JCS, will be deemed to have been considered at the JCS examination which is not the case.

The Panel may address the planning justification for a NDR/Postwick Hub in its report on the JCS examination. However, the Proposed Changes suggest that the Panel is more focused on addressing the availability of funding for a NDR than whether an acceptable case has been made in planning terms.

⁹ Application submitted by Norfolk County Council for Department for Transport on 30 December 2010: Local Authority Major Schemes Development Pool: Expression of Interest: Norwich Northern Distributor Road. Section 2.3.

ii). The construction of Postwick Hub or improvements to Postwick Junction incorporating a NDR connection, timetabled by Norfolk CC to start in Spring 2012 would pre-determine the outcome of NDR planning inquiry, timetabled for Summer 2013. The Proposed Changes and scheme timetable would deny the public the right to test the case for a NDR and route alignment which would be largely fixed by Postwick Hub design, contrary to the principles of natural justice.

iii) If construction of Postwick Hub goes ahead as planned, but the NDR link between Postwick Hub and A140 or even A1067 is not built, the 'Hub' will be "significantly over-designed" as described by Department for Transport.

iv) The Proposed Changes which stipulate a review of the JCS in the event of the NDR not being delivered by 2016/17 would burden residents with considerable uncertainty and cause long term blight along the NDR corridor.

v) Norfolk CC might use the re-timing of a NDR to 2016/17 as an excuse to delay investment in sustainable elements in NATS IP, given that the JCS depicts public transport, walking and cycling as dependent on the NDR for their implementation:

"Significant improvement to public transport, walking and cycling in Norwich can only be achieved with the road capacity released by the NDR which also provides necessary access to key strategic and employment growth locations". (5.44)

"Transport infrastructure required to implement NATS, deliver growth and support the local economy will include:

- construction of the NDR to provide strategic access, significantly improve quality of life and environmental conditions in the northern suburbs and nearby villages and provide capacity for comprehensive improvements for buses, cycling and walking as well as facilitating economic development".

Policy 9: Strategy for Growth in Norwich Policy Area

Already, RF 117 is keeping alive Norfolk CC's hopes for NDR/Postwick Hub and encouraging further expenditure on the scheme; for example, the County will take £750,000 in 2010/2011 from the Integrated Transport Budget for NDR preparatory work such as modelling.

We look forward to hearing the outcome of the consultation.

Yours sincerely,

Denise Carlo
Chair, NNTAG