

Inspector Roy Foster and Assistant Inspector Mike Fox



17 June 2010

16197/A3/AW/djg

Dear Inspectors

**GREATER NORWICH DEVELOPMENT PARTNERSHIP JOINT CORE STRATEGY  
RESPONSE TO GNDP LETTER TO INSPECTORS DATED 8<sup>th</sup> JUNE 2010**

I refer to the letter dated 8<sup>th</sup> June 2010 sent by the GNDP to yourselves responding to your Note dated 24<sup>th</sup> May 2010 setting out your Conclusions from the Exploratory Meeting held on 13<sup>th</sup> May 2010.

As you are aware, this Practice has provided a response to the Exploratory Meeting process on 11<sup>th</sup> May 2010 setting out the ongoing concerns of our Clients' team relating to the GNDP's approach to the JCS. Our response focused on some outstanding soundness issues that were identified by yourselves, and formed the content of discussions at the Exploratory Meeting. The latest response provided by the GNDP (8<sup>th</sup> June 2010) raises yet further concerns which we feel are necessary to bring to your attention at this moment in time.

**A Timeframes**

The GNDP letter sets out that a further consultation will, if deemed necessary by the GNDP, take place from 19<sup>th</sup> July – 30<sup>th</sup> August 2010 with findings being presented to various committees of the GNDP and Councils throughout September 2010. The letter proposes that a pre-hearing meeting (PHM) could therefore take place on 18<sup>th</sup> October with the hearings commencing a week later on 25<sup>th</sup> October 2010. This timeline gives inadequate opportunity to prepare evidence between the PHM and the Examination in Public (EiP) and is a wholly untenable programme.

The "Local Development Frameworks Examining Development Plan Documents: Procedure Guidance August 2009 (2nd Edition)" sets out in paragraphs 3.6 – 3.9 the appropriate timeframes and manner in which to conduct the pre-hearing meetings, the content and deadline for the submission of statements by participants and the proposed timetable for the hearing. In all, the PHM should take place approximately 6 weeks in advance of the opening of the EiP.



Given that from receipt of the GNDP's findings (early October 2010) the Inspectors are likely to require 2 weeks to consider these findings and prepare for the PHM and both sides 4 weeks to prepare their additional statements and a further 2 weeks for the Inspectors to familiarise themselves with those statements. Realistically, some 8 weeks must elapse between the submission date of the GNDP's further findings to the opening of the EIP. It is therefore unlikely that the EIP can commence before the beginning of December 2010.

## **B. Guidance released by the Coalition Government**

As you will be well aware, in the last few weeks a number of Ministerial statements have been released by the newly formed Coalition Government relating to the proposed abolition of the Regional Spatial Strategies (DCLG (Eric Pickles) letter dated 27<sup>th</sup> May 2010) and likely cuts in infrastructure funding (DfT letter, 10<sup>th</sup> June 2010). Subsequent guidance has been released by PINS addressing these statements and how it impacts upon LDFs entitled 'Advice produced by The Planning Inspectorate for use by its Inspectors'.

The latest guidance from PINS on JCS matters suggests, in Annexe B Paragraph 1 of the Advice, that:

*"The first guiding principle in development plan work is where possible to ensure that housing and other sessions that respond directly to RS policy do not proceed immediately, or that space is provided for relevant issues to be revisited before the examination is closed. PINS will monitor this advice and amend it as soon as a Ministerial statement providing greater clarity on the status of RS policy is issued"*  
(our underline)

It is our understanding that the GNDP do not intend to rely on the housing provision figure contained within the East of England Plan (RS) but rather their own Strategic Housing Market Assessment (SHMA), which was carried out in 2007 and updated in 2009, and reflects the housing requirement for the area. Upon reviewing these documents, it is evident that the figures contained in the RS are fortuitously supported by the SHMA. Given that the GNDP supported the RS and the housing figures contained within it, we do not think the housing numbers will be in conflict with the "Pickles" statement nor the PINS Advice as the figures have been accepted at the local level already.

However, a more troubling issue is the likely effects of the anticipated expenditure cuts in funding infrastructure and how these could impact on the proposals contained in the JCS. There are, according to the GNDP, a number of critical infrastructure projects that are reliant upon Government funding to deliver the objectives of the JCS. If Government funding is cutback, and schemes are not implemented (i.e. the NDR, the Postwick Junction and funding of public transport) then the JCS as a whole will fail to deliver. It is understood that an announcement is not going to be made until the Autumn Spending Review which, in effect, puts everything contained in the JCS on hold until then. In the light of further cuts to infrastructure, a further Exploratory Meeting could be necessary once this position is known.

Notwithstanding that position, at the May Exploratory Meeting, you asked for a "Plan B" in the event of the failure to deliver the currently proposed critical infrastructure projects. In this respect, the GNDP makes no reference in its 8<sup>th</sup> June letter. We consider that the GNDP should address how South Norfolk and in particular Wymondham should play a much more prominent role and assist in delivering that which is undeliverable elsewhere. If North East Norwich cannot deliver because of physical constraints and lack of government funding, the need exists to look elsewhere where those constraints do not exist and where government funding is not required.

## C Option 2A

The GNDP's letter of 8<sup>th</sup> June 2010 refers to Option 2A and that it was a short lived Option being considered at the time of the Pre-Engagement Inspectors visit but not subsequently pursued. We do not consider this to have been the case for the following reasons:

- i) On 18<sup>th</sup> December 2008, Councillor John Fuller of South Norfolk Council tabled, for the first time, at the GNDP Policy Group meeting, Option 2A, which was identified as the Option. This was ultimately adopted by the three Authorities forming the GNDP.
- ii) On 19<sup>th</sup> February 2009, Mr Phil Kirby (PK) reported to a GNDP meeting the findings contained in the report from the Pre-Engagement Inspector, Mrs Laura Graham, dated 17<sup>th</sup> February (i.e. only 2 days after its receipt). In her report, Mrs Graham referred to Option 2A and was far from satisfied that it was sound. In his report, PK recommended a revision to Option 2A and labeled it Option 2+.
- iii) It is clear, that PK had considered, digested and written a further report in less than 2 days favouring the then re-labelled Option 2+, which was the same as Option 2A, except that it omitted reference to the long term/longstop provision of Mangreen. In all other respects Option 2+ remained as Option 2A and was ultimately carried forward to the March 2009 Regulation 25 Public Consultation Document as the "Favoured Option" and then through to the submitted JCS.
- iv) The GNDP letter (8<sup>th</sup> June 2010) has suggested that the GNDP resolved Mrs Graham's concerns by dropping reference to the Mangreen proposals and, in particular, the fact that Option 2A was never promoted. However, it is evident that Option 2A was promoted without reference to Mangreen and was simply re-titled as Option 2+ and then as the "Favoured Option".

In support of its case the GNDP state in their letter:

*"A significant element of the PE Inspector's concerns were understood to be around the justification for the inclusion of the location to the south of Norwich (Mangreen area) when considered against the reasonable alternatives." (our underline).*

We consider this a flawed conclusion as the Pre-Engagement Inspector, Mrs Graham, rather than focusing on Mangreen, focused on two issues (para 21), namely:

*"For example, under a), why is the retention of strategic development gaps an overriding concern? (Urban extensions are often considered an appropriate way of accommodating new growth). Does the scale of growth proposed along the A11 corridor under Option 1 justify the conclusion that it would lead to a single urban extension? Under b), does central necessarily equal accessible, or is accessibility, particularly by public transport, a better indicator of accessibility"*

There is not one reference to 'Mangreen' in Mrs Graham's Report and therefore we question where the GNDP got the understanding that the Inspector had significant concerns about Mangreen as being the element that was unsound? We seek clarification and justification of this assertion.

**D Affordable Housing**

We have reviewed the brief that has been issued to Consultants (Drivers Jonas Deloitte) dated 1<sup>st</sup> June 2010 to undertake an Affordable Housing Viability Assessment. We consider the brief to be extensive and thorough and welcome the work being undertaken in a timely manner (between 4<sup>th</sup> June and 2<sup>nd</sup> July with the draft report to be submitted for comment to GNDP by 2<sup>nd</sup> July 2010 and final submission by 9<sup>th</sup> July). The GNDP is well aware from the paper and oral discussions surrounding the Exploratory Meeting how this exercise should now be undertaken. We wait to see how it will be practically outworked and look forward to being provided with a copy of the report at the relevant time.

Yours sincerely



**LEE NEWLYN**  
**Senior Partner**

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