

Exploratory Meeting – notes by the Inspectors to accompany the agenda

1 Infrastructure

Preliminary soundness concerns arise around GNDP's response to Q1&2 of the Inspectors' questions to GNDP about whether the JCS adequately defines the degree of criticality of the 80 items of infrastructure identified in Appendix 7. The JCS identifies all of these items as 'critical' either to the strategy as a whole or to the delivery of particular named growth locations.

On the other hand, certain documents in the evidence base give mixed messages about this criticality

For example, the Infrastructure Study (INF1) categorises some costs (eg education at table 6-41, community facilities at table 9-20 and utilities at table 12-7) under different headings ie 'critical, essential, and desirable'. It is unclear how far the 'critical' items in Appendix 7 coincide (or not) with items identified as critical/essential/desirable (or unclassified) in INF1 – or indeed what the precise interrelationship is between the items in the Appendix and those in INF1. Can this interrelationship be clarified, and would such clarity require change to the Appendix or any other part of the JCS?

Another example – doc H1 (Stage 8 of the SHLAA) at 2.10 says that rail improvements at Rackheath are important but not critical to delivering growth, so their implementation is not a constraining factor – contrary to Appendix 7

A potential soundness issue with so many items being identified in Appendix 7 as 'critical' is that if the examination were to throw doubt on the timely deliverability of any of these 80 items the soundness of the JCS (either as a whole or in part) could be placed in jeopardy. Can the JCS be clearer about the respective degrees of criticality of the items and can it say more about what the consequences would be if any of the infrastructure items could not be delivered, or were to be delayed in delivery? This is important to the flexibility aspect of the 'effectiveness' test.

Can there be a clearer link between infrastructure provision and the phasing of the various development areas – JCS not much information on the latter??

2 Affordable Housing (AH)

Preliminary soundness concerns arise around whether the AH-related proposals of the JCS are based on robust and credible evidence meeting the requirement of PPS3 (para 29, bullet 4), that ‘Local Planning Authorities will need to undertake an informed assessment of the economic viability of any (proposed) thresholds and proportions of AH...’

This requirement is reinforced by the Blythe Valley (BV) judgement of the Court of Appeal. LJ Keene said ‘...an informed assessment of viability of any such percentage figure is a central feature of the PPS3 policy on affordable housing. It is not peripheral, optional or cosmetic. It is patently a crucial requirement of the policy’.

Specific viability testing on the current definition has only been undertaken in the case of the City of Norwich. It has not been undertaken in the case of Broadland and South Norfolk.

In the case of Norwich (document H5) the testing covered the ‘proportion’ of AH sought (40%) but did not overtly test the viability of sites down to the proposed ‘threshold’ of 5, despite this being lower than the national indicative figure of 15. The 6 sites appraised in the Drivers Jonas study were all larger than 15, ranging from 25 to 151 units.

In assessing the ‘proportion’, the study considered ‘strong & weak’ market conditions and ‘with & without’ grant scenarios. It was found that even in the peak market, full viability of the 6 schemes tested required the availability of grant. Without grant, only 3 were viable and another was marginally so. Of these 3, two were sites with possibly unusually low established use value (allotments and private sports pitches).

Even though Norwich is said to have been more than averagely successful in attracting grant it is unclear how far this relative success has extended to the JCS or Norwich Policy Areas as a whole or what grant availability will be in future.

In response to the Inspectors’ query about viability testing of AH across the JCS area (Q13), GNDP has stated that affordable housing viability testing has been undertaken in the context of the general high-level testing of AH and tariffs at part 16 of the EDAW/Drivers Jonas Infrastructure Study (document INF1), but it is unclear that this evidence is sufficiently focussed to satisfy the Blythe Valley test.

According to INF1, housing grant is likely to be necessary to meet funding gaps in the Growth Triangle (in unstated market conditions); in the Norwich and mid-South Norfolk HMAs of South Norfolk (even in strong market conditions) and in the ‘Rest of South Norfolk HMA (in weak market conditions).

INF1 p217 states “...the issue of grant support is critical to securing tariff based on an affordable housing target of 40%”.

Summary The above suggests that there is no specific evidence about the viability of a reduced threshold, or (in Broadland and South Norfolk) about the 40%

proportion, although it is clear that heavy reliance would have to be placed on grant availability. Even within Norwich it is not entirely clear that 40% AH was viable even in the unsustainable state of market boom prevailing in 2007, still less now, and particularly without grant.

Since we reached that conclusion a technical advisor, Mr Nigel Jones FRICS, has been appointed to assist us in considering the soundness of the AH policy.

We provided him with a brief setting out particular questions and have very recently received his preliminary reply, the nub of which is as follows:

Q1 Do the relevant parts of the EDAW/Drivers Jonas report (INF1) adopt a reasonable method of assessment? Does this approach provide robust and convincing evidence to underpin policy 4 and satisfy the PPS3/Blythe Valley tests?

As I have stated in my comments above, the Drivers Jonas report and the Infrastructure Needs Funding Study do not provide either robust or convincing evidence to underpin the AH policy. There must be an objective tests of viability against which any site can be considered, all testing must be on the basis of no grant funding and there must be greater geographic testing.

Q2 Is the report sufficiently focused on the viability of AH?

In essence the answer to this is no. I have set out in my general comments above why the viability of AH is a very complex subject but essentially it is under pinned by the issue of whether or not a landowner is incentivised to sell his land.

Q3 Does the report assume unrealistic levels of captured land value?

The captured land value is set out in the Infrastructure Needs Study. For the reasons set out above I do not believe that this is the correct way if dealing with such matters as it inputs a hypothetical figure which may or may not be sufficient to incentivise a landowner.

Q4 Does the evidence place an unrealistic emphasis on the availability of past average levels of grant per AH unit bearing in mind the policy requirement to substantially increase the proportion/quantity of AH units provided?

For the reasons set out above, any viability testing must be on the basis of a no grant scenario.

3 The NDR

Preliminary soundness concerns arise around the statement in para 5.44 of the JCS that “Implementation of the Norwich Area Transportation Strategy (NATS) including the Northern Distributor Road (NDR) is fundamental to the delivery of this strategy. Significant improvement to public transport, walking, and cycling in Norwich can only be achieved with the road capacity released by the NDR...”

Questions arise as follows:

- What would be the role and function of a distributor road from the A47 to the east of the City to the A1067 to the north-west?
- What would be the main regional and local movements that it catered for, and what would be the main aspects of relief that it afforded elsewhere?
- How, specifically, would the NDR assist in achieving significant improvements to public transport, walking and cycling, as opposed to channelling traffic (especially that from the major North East growth area) onto the new highway? What are the evidence-based benefits of the NDR to public transport? How would it relate to increased bus penetration into existing and proposed housing areas and the existing P&R schemes? How advanced/realistic are the County Council’s plans for an orbital bus route and is it dependent on the NDR?
- **Are the costings realistic and can the scheme be delivered in the timescale assumed in the JCS?**

4 The distribution of development in relation to public transport opportunities

Preliminary soundness concerns arise around whether the JCS will provide the most appropriate strategy for fulfilling the particular objective of EoE Plan policy NR1 that this major regional growth point should “achieve a major shift in emphasis across the NPA towards travel by public transport, cycling and walking”. The question therefore arises: What is the evidence that the distribution of growth in the JCS will successfully achieve this fundamental objective? Does it contribute towards measurable, sufficient and achievable modal shift targets?

Three questions relating to the deliverability of public transport, and in particular a significantly increased modal share through the implementation of BRT require evidence based answers. Firstly, how is the estimated £65 million (T3, pages 2-22 and 2-23) to be financed? Secondly, is the pattern of major housing and economic development sufficiently aligned to maximise public transport use? Thirdly, given the need to introduce high quality public transport at the outset of the implementation of major housing schemes (T3A, page 2), how realistic is this scenario?

The summary findings of the Sustainability Appraisal record that the strategy for major expansion of a number of existing communities in South Norfolk places “increased difficulty of achieving a degree of self-containment and providing attractive public transport options that encourage people to use their cars less”. The SA summary finds that growth in the A11 corridor is focussed on areas “where there should be the potential to connect to Norwich via a bus rapid transit service, although it is difficult to be completely certain about deliverability/financial viability at this stage”. Perhaps tellingly, para 2.2.57 of the SA states that none of the growth areas under the South Norfolk distribution are of sufficient size to support a turn-up-and-go bus service in 2021. However, the proposal for 4,400 dwellings on the A11 corridor at Wymondham, Hethersett and Cringleford is said at [2.2.59] to be “at the borderline” of providing a potential market sufficient in size to support the development of “Bus Rapid Transit service”. [More explanation required of what this means]

The growth proposed for Long Stratton poses particular soundness concerns. As long ago as 2007 the SA of the Issues and Options report (which identified a wide range of potential geographical locations for growth) concluded (p100) that LS “is poorly related to strategic employment sites. Even with a bypass, road access and public transport accessibility to Norwich or to the south is poor. This might constrain employment growth in the village. It does not appear to be a suitable location for further investigation for strategic growth at this time”. The SA accompanying the Issues and Options consultation arrived at comparative scores for all the potential growth locations and accorded LS a very low score – exceeding only one other location - the South East.

The SA for the JCS identifies Long Stratton as standing out “as being less suited to encouraging more sustainable patterns of travel...(as it is)... geographically isolated from Norwich and major employment locations in comparison with the other major growth locations and.....there is little potential to deliver public transport improvements that will have a realistic chance of encouraging people out of their cars.

[Long Stratton is identified in document TP9 as having only a 'relatively successful' half-hourly bus service.] The SA finds that growth here is "undoubtedly a significant negative effect of the strategy and probably the major issue that has been highlighted through this SA."

Despite this the SA states that the scale of the growth at Long Stratton (as a proportion of the total) is not such as to "place in question the overall sustainability of the JCS in terms of achieving sustainable patterns of travel...". After discussing the proposed growth as the only means of securing a bypass and its associated benefits, the SA finds it "more difficult to say whether the 'local level' benefits associated with growth at Long Stratton outweigh the more 'strategic' disbenefits. It concludes that, irrespective of the answer to that question, there must be focused efforts to mitigate negative effects and recommends that "there is justification for going further, perhaps by developing a bespoke vision for achieving an ambitious degree of self-containment within Long Stratton".

Summary Is there evidence to conclude that the required culture change from car-borne transport to more sustainable modes, will be supported by the selected pattern of development? Could changes be made to the JCS to make it justified and effective in this respect? This would clearly require more work and consultation.

5 Selected sustainability issues

Preliminary soundness concerns arise around green infrastructure, energy efficiency and water resources.

Green infrastructure The JCS defines green infrastructure, contains two helpful diagrams at p35 (strategic green infrastructure) and p69 (green infrastructure priority areas) and gives an indication of costs in Appendix 7. However, there are concerns over how well the concept is integrated into the JCS. Does policy 1 provide a sufficiently sharply focused strategic brief on the purpose and deliverability of green infrastructure? Should it require certain future DPDs to define the geographic boundaries of strategic green corridors, and include detailed policies for the management of green infrastructure? Or are the key principles going to be covered in related DPDs, such as those addressing recreational provision or bio-diversity? (These topics do not appear to be addressed specifically in any of the South Norfolk DPDs.)

The Infrastructure Needs and Funding Study (INF1) refers to the Green Infrastructure Strategy of 2007 (ENV6), but the role and purpose of this strategy is not specified or identified in the JCS. The Green Infrastructure Strategy itself states (p6) that “The planning system provides an important framework within which different components of green infrastructure can be safeguarded and enhanced. The LPAs in the Greater Norwich Area will need to set a clear and robust planning framework for the creation, management and maintenance of greenspaces (including) general policies for greenspaces as well as policies and proposals for specific greenspaces.”

[It is also noteworthy that the key to the diagram on p35 appears incomplete: some shadings (light red, light green and pastel green) are unexplained, as are the blue corridors. Also, the words after ‘NB’ are incomplete.]

Energy efficiency (policy 3) The overall message in the PPS1 Supplement regarding energy efficiency (paras 11 and 31-32) appears to be either to keep to national targets or to demonstrate clearly the local circumstances which warrant the adoption of more ambitious targets on certain sites. In particular, there is concern whether such circumstances have been justified in relation to the requirement of policy 3 that level 4 of the Code for Sustainable Homes be reached by adoption of the JCS and code 6 by 2015. What are the clear local circumstances outside the Rackheath eco-community which would justify a more ambitious across-the-board policy demand than that contained in national policy (which is itself considered by some to be ambitious and seeks through the road-map for Building Regulations to reach zero carbon standards for homes by 2016 and for other buildings by 2019)? Should Policy 2 provide a more selective and less blanket approach to sustainable energy and carbon reduction?

Water (policy 3) Concern has been expressed by a number of official and other bodies that the proposed level of development would result in over-abstraction of rivers and the Broads, and that without commitment to a satisfactory level of waste water treatment early in the plan period, significant environmental damage could be caused to many of the watercourses. In the light of the constraints identified by the WCS in relation to completion of interceptor sewers by 2019, is the NE extension

capable of delivery within the proposed timescale and has any work been carried out in relation to the limited capacity of Long Stratton (1400) identified in the WCS? Have the likely sources of timely revenue been identified?

6 Strategic allocation of the North-East growth area

Preliminary soundness concerns arise around whether the JCS provides sound and sufficient information about the “what/where/when/how” questions concerning the planning and effective delivery of the growth triangle, given that some significant points in the GNDP reply to the Inspectors’ query (Q19) are not clearly specified or referenced in the JCS itself.

These include:

- the means by which ‘a single co-ordinated approach’ will be secured to the planning of the ‘whole area’, particularly the provision of timely, appropriately-located, equitably-financed infrastructure;
- the logic for commencing a major urban extension of 10,000 homes with a development on a detached site which then becomes progressively stitched in to the urban fabric as later development takes place on the intervening land;
- any necessary high-level strategic design steer on the number, approximate location and nature of the individual ‘quarters’, the ‘high street’, the new local centres, the secondary school, the major green spaces, the employment areas, more certain bus rapid transit corridors, and the strategic approach to cross-NDR permeability;
- the possible necessity for some form of key diagram (like that for the city centre at p73) to provide a firm strategic context for the planned SPD in terms of the above points.

Are any changes needed to the JCS to enable it to gain full effectiveness in providing a strategic (statutory) brief which is sufficiently clear to enable the development of the area to be taken forward successfully through a future SPD?

A further question arises around whether or not the “minor” post-submission change re-labelling the growth triangle a “strategic allocation” (intended to be followed up via SPD, rather than constituting a “location” to be followed up via an AAP) is appropriate for treatment as a “minor change”. Has the seemingly diagrammatic boundary in Appendix 3 provided sufficient clarity for landowners and others wishing to challenge the inclusion/exclusion of certain areas from the proposed allocation? Is there a possibility that people who may have expected to be able to challenge the exact boundaries when defined through an AAP could lose their statutory right to do so through the SPD route?