

Greater Norwich Local Plan

Regulation 18 Draft Plan Consultation

Response Form

Thank you for responding to the Regulation 18 Draft Plan Consultation on the emerging Greater Norwich Local Plan.

The current consultation runs from. **29th January to 16th March 2020.**

It covers the **Strategy and Site Allocations**. We need to get views on these documents to help us draw up the version of the plan which will be submitted to the Planning Inspectorate.

When commenting on a policy or site, please include the site reference(s) in your comments.

If you have any questions relating to the consultation please contact the Greater Norwich Local Plan team on 01603 306603 or email gnlp@norfolk.gov.uk

It is easier to respond online at www.gnlp.org.uk . If you cannot do this, please use this form to respond to the consultation on new, revised and small sites.

Consultation documents are available from www.gnlp.org.uk. There are also supporting documents which provide information on our policies and sites which may help you to make your comments.

Hard copies of the documents are available at consultation "Deposit Points" at:

- County Hall, Martineau Lane, Norwich (main reception);
- City Hall, St Peters Street, Norwich (2nd floor reception);
- Broadland District Council, Thorpe Road, Thorpe St Andrew (main reception);
- South Norfolk Council, Cygnet Court, Long Stratton (main reception).

Submitting your Response Form

Responses should be submitted by email to gnlp@norfolk.gov.uk or completed hard copy forms should be sent to:

*Greater Norwich Local Plan Team
PO Box 3466
Norwich
NR7 7NX*

**All submissions should be made no later than 5pm on
Monday 16th March 2020.**

1a. Contact Details	
Title	Mr
First Name	Matthew
Last Name	Thomas
Job Title (where relevant)	Planner
Organisation (where relevant)	CODE Development Planners
Address	17 Rosemary House Lanwades Business Park Kentford
Post Code	CB8 7PN
Telephone Number	01223 290138
Email Address	matthewthomas@codedp.co.uk

1b. I am...	
Owner of the site <input type="checkbox"/>	Parish/Town Council <input type="checkbox"/>
Developer <input type="checkbox"/>	Community Group <input type="checkbox"/>
Land Agent <input type="checkbox"/>	Local Resident <input type="checkbox"/>
Planning Consultant <input checked="" type="checkbox"/>	Registered Social Landlord <input type="checkbox"/>
Other (please specify):	

1c. Client/Landowner Details (if different from question 1a)	
Title	Mr
First Name	Ben
Last Name	Turner
Job Title (where relevant)	Managing Director
Organisation (where relevant)	Ben Burgess
Address	c/o CODE Development Planners
Post Code	
Telephone Number	
Email Address	

Please make your comments below. You can comment on more than one policy or site on this form. Please clearly state the reference number of the policy or site your comments refer to.

Policy or site reference	Comments
GNLPO604R	<p>1 Introduction</p> <p>1.1 These representations have been prepared by CODE Development Planners on behalf of Ben Burgess in response to the Greater Norwich Local Plan Regulation 18 consultation, March 2020. (GNLP). The representations have been compiled following a review of the draft Strategy and Site Allocations documents and supporting evidence base, with consideration as to whether the GNLP as currently drafted meets the four tests of soundness. We are concerned that there is insufficient recognition of the need for large single occupier employment sites and these representations, therefore, set out our concerns on this aspect of the plan. Further concern arises from the statement that, "<i>The site is also subject to a planning application by Ben Burgess agricultural machinery (reference 2018/2631) and would be better dealt with through the development management process.</i>" (Village Clusters Non-Residential Assessment Booklet, 2020, Pg.34)</p> <p>1.2 The main focus of the representations is to demonstrate that insufficient evidence has been produced and assessed relating to the specific needs of agricultural machinery sector and the sectors which require sites suitable for single users. These</p>

	<p>representations also demonstrate that through the application process considerable evidence has been produced by and on behalf of Ben Burgess to demonstrate that land west of Ipswich Road, Swainsthorpe is the only site that meets the requirements for the development of the new headquarters facility. These representations also contend that in delegating the site as an issue for development management, the GNLP is considered unsound.</p> <p>1.3 Previous representations submitted in respect of the previous regulation 18 stage of the GNLP (March 2018) and the supporting suite of technical documents concerning flood risk and drainage, highways and access, habitat and landscape, and availability of utility connections and local services demonstrate that land west of Ipswich Road, Swainsthorpe (GNLP0604R) is suitable for employment use. Specifically, those representations demonstrate the need for a site for a new Ben Burgess headquarters and the ancillary components that such a relocation requires to ensure the operational efficiency and competitiveness of the business for the next generation.</p> <p>1.4 Paragraph 35 of the National Planning Policies Framework states, "Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements and whether they are sound. Plans are 'sound' if they are:</p> <ul style="list-style-type: none"> a) positively prepared – providing a strategy which, as minimum, seeks to meet the area's objectively assessed needs; b) justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence; c) effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and d) consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework." [NPPF] <p>1.5 These representations support those made during the earlier stages of the Regulation 18 consultation (March 2018), there are elements of the approach and evidence base which are not considered to be effective, justified or consistent with national policy. These representations therefore identify the specific areas of the plan and evidence base which require further clarification and/or consideration prior to the regulation 19 stage of the GNLP's preparation.</p> <p>2 Site assessment document</p> <p>2.1 The Village Clusters Non-residential Site Assessment document (January 2020) provides details of a seven-step process as to how proposed sites were assessed for allocation in the draft GNLP. Within this assessment site GNLP0604R drops out at stage 4. The reason provided in the document states "<i>This site is not considered to be suitable for allocation as evidence suggests that currently committed land is more than sufficient in quantity and quality to meet the employment growth needs in Greater Norwich. There is therefore no need to allocate any additional large-scale employment sites in the new local plan. The site is also subject to a planning application by Ben Burgess agricultural machinery (reference 2018/2631) and would be</i></p>
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	<p><i>better dealt with through the development management process.</i>” Ben Burgess contends that there is insufficient evidence to support this decision whereby the evidence produced has little consideration for the specific needs of the agricultural machinery sector.</p> <p>2.2 Ben Burgess agrees that a large quantity of employment allocations are proposed by the GNLP but contends that these are not of the right type or in the right locations to meet the operational needs of its business. Paragraph 82 of the NPPF states, <i>“Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.”</i> This is further underpinned by the National Planning Practice Guidance which states, <i>“When assessing what land and policy support may be needed for different employment uses, it will be important to understand whether there are specific requirements in the local market which affect the types of land or premises needed.”</i> It goes on to state, <i>“Strategic policy-making authorities will need to develop a clear understanding of such needs and how they might be addressed taking account of relevant evidence”</i> (paragraph 032 reference ID: 2a-032-2190722, revision date 22 07 2019).</p> <p>2.3 As part of the ongoing application process a number of supporting and informative documents have been produced on behalf of Ben Burgess. As part of the assessment for alternative sites (part 2) document produced by Harvey & Co (November 2018) section 3 provides details of the specific site requirements. In addition to providing the headquarters function of the Ben Burgess business the existing site serves south and south east Norfolk and the proposed site needs to be located to serve the same area. The new site therefore has to be located within this area to provide easy accessibility to the customer base. However, ready access is also required to the A47, which provides access to the main trunk road network. This is significant for two reasons, firstly to provide key connectivity to other branches, enabling all parts of the business to operate in a coordinated and efficient manner and secondly whilst not being so close as to undermine the existence of each depot, and to provide accessibility principally to the ports of Hull and Liverpool for deliveries from USA and Germany and exports to other parts of the world. The preferred site at Swainsthorpe has been selected as it meets these location criteria.</p> <p>2.4 Other criteria for the new site, in addition to location, also achieved at Swainsthorpe are:</p> <ul style="list-style-type: none"> (i) A minimum 5-12ha (approximately 12.35 - 29.6 acres). (ii) Layout is specific to the site and its particular set of constraints and opportunities; in respect of planning application 2018/2631 the size of the site is at the top end of the requirement stated above, at 11.51ha. (iii) For operational efficiency and competitiveness, the development needs to comprise the following: <ul style="list-style-type: none"> - Principal office and workshop building comprising a combined area of approx. 7,713sqm and - Separate storage unit totalling approx. 898sqm.
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	<p>(iv) Adequate external area to allow expansion in the future.</p> <p>(v) Agriculture is becoming an increasingly sophisticated and technologically advanced business. The new development must therefore provide large training rooms and educational facilities with associated parking.</p> <p>(vi) The opportunity to create a centre of excellence for farming, including access to land at which to demonstrate constantly evolving best practice farming techniques and to ensure new talent can be attracted to the industry. This site at Swainsthorpe provides such land.</p> <p>(vii) Such demonstrations involve very large machinery involved in modern farming methods, in which telematics satellites feature prominently. All farm machinery now relies on satellite technology for directional guidance and optimal operating efficiency. Also, satellite technology allows machinery faults to be reported to Ben Burgess branches without driver input. This allows immediate response, reducing the risk of a serious fault developing. This technology requires highly skilled operatives, for whom training would be undertaken on machinery at the land described above at the headquarters of Ben Burgess.</p> <p>(viii) The need for large external areas for machinery storage and demonstrations means the development will comprise a very low plot ratio. This could be as low as 17.22% if a 5ha site is developed. However, the plot ratio of the development proposed by planning application 2018/2631 is 7.48%.</p> <p>(ix) It is important to create a “destination business” which is not reliant on passing trade, but which nonetheless is prominent and visible, allowing commercial exposure and promoting the agricultural sector, in the process raising its profile to new talent.</p> <p>(x) In respect of timescale, Ben Burgess is keen to relocate as a matter of urgency. The pressures on the business increase as the market share also increases and the inadequacies of the existing site are magnified as a consequence. It is essential Ben Burgess can retain its competitive edge in light of Brexit.</p> <p>2.5 Whist some documents produced as part of the GNLP evidence base acknowledge the importance of the agriculture sector to the area, “<i>The agriculture, food and drink sector are also important, with 111,136 jobs and major brands based in the area</i>’ (Pg 9, Norfolk and Suffolk Economic Strategy, 2017). The Norfolk and Suffolk Local Industrial Strategy provides further detail to the contribution of agriculture, not just to the region but the UK as a whole producing 12% of the UK’s cereals, 16.6% of the UK’s fruit and veg and home to 8,885 businesses generating exports to the value of £569 million (Pg 18).</p> <p>2.6 A joint Employment, Retail and Town Centre Study (December 2017), prepared on behalf of Norfolk County Council, Norwich City Council, Broadland District Council and South Norfolk Council has been undertaken by GVA, with the purpose of identifying the future needs and opportunities for retail, office, industrial and warehousing floorspace across the three local authority areas. As part of this study, GVA produced the Greater</p>
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	<p>Norwich Employment Land Assessment (GNELA) to provide the technical assessment of the future demand for and supply of employment land within the Greater Norwich area. It considers the scale and nature of future employment growth, the resultant requirements for new floorspace, how suitable the existing/identified sites are for meeting this need and any quantitative or qualitative need for additional land to be identified. Despite this evidence in the Norfolk and Suffolk Economic Strategy (NSES) and Norfolk and Suffolk Local Industrial Strategy (LIS) pointing to the contribution to the region's economy, there is little assessment specific of the requirements specific to the agriculture sector and supporting industries.</p> <p>2.7 Within the GNELA agriculture is assessed within the food tech processing sector of the economy; it states:</p> <p><i>“5.27 In addition, Food, drink and agriculture are one of major employment sectors in the Greater Norwich, with most of the employment in the broad sector concentrated in the rural Broadland and South Norfolk.</i></p> <p><i>5.29 The sector comprises of two distinct groups: large scale processing companies with a number of national brands having manufacturing activities in the area, and niche, local food and drink producers, who are experiencing fast growth in their businesses.</i></p> <p><i>5.30 The Institute of Food Research (IFR) is based at Norwich Research Park. The IFR is the only publicly funded UK research institute that focuses on the underlying science of food and health to address the global challenges of food security, diet and health, healthy and ageing and food waste.</i></p> <p><i>5.31 Further, the Unilever brand Colman's, a producer of mustards and sauces, and the Britvic brand Robinson's soft drinks are based at the Carrow Works site in Norwich.</i></p> <p><i>5.32 It should be noted that the sector is defined quite narrowly and excludes those staff employed in bars and restaurants. Looking at the production end official statistics highlight about 1,200 employees over half (55%) of which are involved in food production.”</i></p> <p>2.8 Paragraph 5.32 highlights that over half of those employed in the sector are involved in the production of food. However, the GNELA does not identify the requirements of businesses such as Ben Burgess that support the agriculture industry; businesses which are pushing the UK industry to embrace world advances in technology that will make the sector and the regional economy stronger and highly skilled.</p> <p>2.9 Ben Burgess contends that the method used in the GNELA in assessing employment growth needs leading to the conclusion that GNLP0604 is not considered to be suitable for allocation as evidence suggests that currently committed land is more than sufficient in quantity and quality to meet the employment growth needs in Greater Norwich is insufficient to draw such a conclusion. Whilst it may be the case there is a surplus of employment land for typical warehouse, office and industrial uses the assessment does not take into account the specific requirements relating to the agricultural machinery sector. In doing so the plan as currently drafted is considered to fail the test</p>
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of soundness as the plan lacks sufficient evidence for such a decision, nor does it reasonably take into account the reasonable alternatives.

2.10 Ben Burgess has undertaken considerable research into potential alternative sites, for a location of the new headquarters to satisfy operational requirements. In order to assist Ben Burgess, South Norfolk Council has proposed seven sites for consideration for the location of the proposed headquarters. The assessment of alternative sites (part 2) document submitted in support of planning application (2018/2631) reviews each of these proposed alternative sites against the requirements and concludes:

“6.1 In seeking to satisfy its requirement to relocate its head office and principal branch, Ben Burgess has undertaken a long term search for suitable alternative sites. It has also objectively and positively reviewed a range of sites proposed by South Norfolk Council. In various respects, a number of the sites do accord with certain key aspects of the requirement. However, no site would deliver every component of the requirement of Ben Burgess.

6.2 This has not been a rushed or imprecise search for a suitable site. Ben Burgess has been very careful to appraise various opportunities where they have arisen and have exercised considerable patience in waiting for the optimum site to become available. Crucially, the land at Swainsthorpe would deliver the business with a freehold site:

- (i) Of appropriate size, prominence and accessibility.*
- (ii) At an affordable price that reflects the low density nature of the proposed development.*
- (iii) That is deliverable within an acceptable timescale.*
- (iv) Allowing further investment in skills, training and employment to be undertaken.*
- (v) All within a geographical location that meets the joint requirement of access to the established customer base and connectivity to the rest of the business.*
- (vi) And with the ability to develop a low density, highly landscaped head office complex of the quality and flexibility needed by a growing and successful Norfolk company.”*

3 Primacy of development plan

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act sets the statutory basis through which planning decisions should be taken and requires applications to be *“determined in accordance with the development plan unless material considerations indicate otherwise”*. Therefore, it is for local plans to allocate sites in accordance with the test of soundness and legal requirements rather than leave such strategic decisions to the planning application process, By the very precept of legislation the planning application process has to be in accordance with the development plan. In other words, without a local plan allocation the burden to identify material considerations is on the applicant when legislation requires, that burden should be on the local planning authority under its responsibilities in preparing a legally compliant and sound plan.

	<p>3.2 In the context of legislation, Ben Burgess finds it a serious flaw in the legality and soundness of the plan in relation to the reasons given for the site's categorisation as an unreasonable site is stated as, "<i>The site is also subject to a planning application by Ben Burgess agricultural machinery (reference 2018/2631) and would be better dealt with through the development management process.</i>" Paragraph 15 of the NPPF states that "<i>the planning system should be genuinely plan led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.</i>" In choosing to delegate the decision to development management, the plans drafted would fail to be consistent with national policy and therefore fail against the tests of soundness.</p> <p>3.3 If the GNLP team does not consider the Swainsthorpe site to be appropriate and evidence to justify such a conclusion can be produced there still remains the issue that the GNLP has currently drafted does not allocate a site suitable for Ben Burgess' and similar businesses requirements.</p> <p>4 Conclusion</p> <p>4.1 Ben Burgess contends that as currently drafted the GNLP would fail when considered against the legal requirements and the tests of soundness in accordance with paragraph 35 of the NPPF. Previous representations have been submitted demonstrating that the proposal for a new Ben Burgess headquarters on land west of Ipswich Road, Swainsthorpe is deliverable and would constitute sustainable economic development. In the absence of an allocation in respect of land west of Ipswich Road, Swainsthorpe the GNLP does not explain how, in accordance with paragraph 82 of the NPPF, how the locational requirements of the particular sector within which Ben Burgess operates has been address. Ben Burgess wishes to engage with officers of the GNLP team ahead of the regulation 19 stage of the GNLP to identify reasonable alternatives.</p> <p>4.2 These representations contend that in the context of those previously made, and examination of the draft GNLP strategy and site allocations documents and supporting evidence base, the GNLP does not fulfil the necessary requirements. The evidence base fails to consider the specific requirements associated with the industry in order to justify the claim "<i>evidence suggests that currently committed land is more than sufficient in quantity and quality to meet the employment growth needs in Greater Norwich</i>". The decision to designate to development management contradicts the very foundation of a policy led planning system.</p> <p>4.3 On the basis of the above Ben Burgess contend that land west of Ipswich Road, Swainsthorpe should be considered as a preferred option in the GNLP and failure to do so would render the plan unsound.</p>
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Please add additional sheets if necessary

Disclaimer

Data Protection and Freedom of Information

The Data Controller of this information under the General Data Protection Regulation (GDPR)2018/Data Protection Act 1998 will be Norfolk County Council, which will hold the data on behalf of Broadland District Council, Norwich City Council and South Norfolk Council. The purposes of collecting this data are:

- to assist in the preparation of the Greater Norwich Local Plan
- to contact you, if necessary, regarding the answers given in your form

The response forms received as part of the Greater Norwich Local Plan Regulation 18 Consultation will be made available for public viewing. By submitting this form you are consenting to your comments being stored by Norfolk County Council, and the details being published for consultation purposes.

Once comments have been checked and verified they will be available online (with respondents' names) for others to see. Any representations which are deemed to contain offensive comments will be removed from the consultation site. Whilst we will include names on our website, we will remove personal contact details such as addresses, telephone numbers, emails and signatures before publishing.

If you wish to comment but feel that you have a strong reason for your identity to be withheld from publication, you can contact your District Councillor who will put forward your comments as appropriate. Please note that where you submit your views in writing to your local District Councillor, this is described as "lobbying" and the local member will be obliged to pass these on. The local District Councillor will be required to provide your details to the GNLP where they will be stored for their records.

Please note, however, that if you subsequently wish to comment as part of the formal Regulation 19 stage of the Greater Norwich Local Plan (due to take place in 2020) comments must be attributable for the public examination by the Planning Inspectorate.

See our Privacy notice here <http://www.greaternorwichlocalplan.org.uk/> for information on how we manage your personal information.

Declaration	
I agree that the details within this form can be held by Norfolk County Council and that those details can be made available for public viewing and shared with Broadland District Council, Norwich City Council and South Norfolk Council for the purposes specified in the disclaimer above.	
Name	Date 16 March 2020

Greater Norwich –Regulation 18 Draft Local Plan Response Form

FOR OFFICIAL USE ONLY	
Response Number:	
Date Received:	

Your completed form should be returned to the Greater Norwich Local Plan team **no later than 5pm on Monday 16 March 2020.**

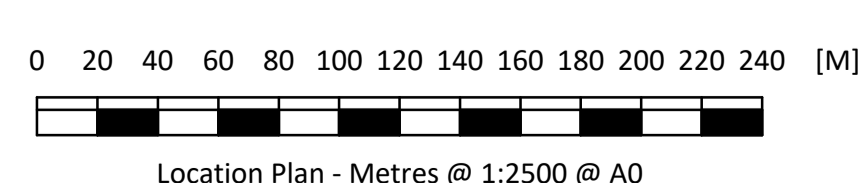
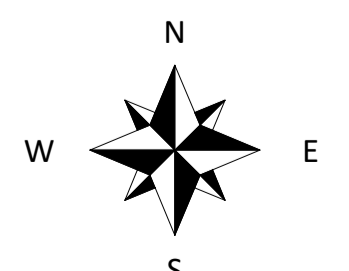
If you have any further questions about the ways to comment, or if you need consultation documentation in large print, audio, Braille, an alternative format or a different language, you can email us at gnlp@norfolk.gov.uk or phone us on 01603 306603.

LAND WEST OF IPSWICH ROAD (A140), SWAINSTHORPE, NORWICH



ORDNANCE SURVEY LOCATION PLAN WITH
OVERLAY OF SITE TOPOGRAPHICAL SURVEY

Station Name	Easting	Northing	Height (m)	Station Identifier
17488001	022176.021	301001.796	26.112	Top Nail & Washer
17488011A	022176.261	301001.076	18.826	Top Nail & Washer
17488012	022176.511	301000.527	22.094	Top Nail & Washer
17488013	022176.761	301000.078	22.094	Top Nail & Washer
17488014	022177.011	301000.527	22.094	Top Nail & Washer
17488015	022177.261	301000.978	22.094	Top Nail & Washer
17488016	022177.511	301001.429	22.094	Top Nail & Washer
17488017	022177.761	301001.880	22.094	Top Nail & Washer
17488018	022178.011	301002.331	22.094	Top Nail & Washer
17488019	022178.261	301002.782	22.094	Top Nail & Washer
17488020	022178.511	301003.233	22.094	Top Nail & Washer
17488021	022178.761	301003.684	22.094	Top Nail & Washer
17488022	022179.011	301004.135	22.094	Top Nail & Washer
17488023	022179.261	301004.586	22.094	Top Nail & Washer
17488024	022179.511	301005.037	22.094	Top Nail & Washer
17488025	022179.761	301005.488	22.094	Top Nail & Washer
17488026	022180.011	301005.939	22.094	Top Nail & Washer
17488027	022180.261	301006.390	22.094	Top Nail & Washer
17488028	022180.511	301006.841	22.094	Top Nail & Washer
17488029	022180.761	301007.292	22.094	Top Nail & Washer
17488030	022181.011	301007.743	22.094	Top Nail & Washer
17488031	022181.261	301008.194	22.094	Top Nail & Washer
17488032	022181.511	301008.645	22.094	Top Nail & Washer
17488033	022181.761	301009.096	22.094	Top Nail & Washer
17488034	022182.011	301009.547	22.094	Top Nail & Washer
17488035	022182.261	301009.998	22.094	Top Nail & Washer



Rev.	Date	Description
A	15.03.2018	GNP Reg18 submission material
B	20.03.2018	GNP Reg18 submission material
C	11.03.2020	GNP Revised Submission

K GARNHAM DESIGN
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Project - Land West of Ipswich Road (A140), Swainsthorpe, Norwich.	Client - For Ben Burgess Holdings Limited
Scale - 1:2500 @ A0	Drawing Number - 1472
Drawn By - James	Sheet Number - 1
Date - 11.03.2020	Revision Number - C

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