

Greater Norwich Local Plan

Inspectors Matters Issues and Questions (Part 1)

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These matters issues and questions (MIQs) relate to the first two weeks of the hearing sessions of the examination of the Greater Norwich Local Plan. They should be read in conjunction with the Inspectors initial questions to the Partnership and the Partnership's response. A hearing timetable for the first two weeks of hearing sessions has also been published.

A second set of MIQs will be issued in mid January which will relate to the second block of hearing sessions.

All of the documents can be found on the Examination page of the Greater Norwich Local Plan website.

Further information about the examination, the conduct of the hearing sessions and the format of any further written statements is provided in the Inspectors' Guidance Note.

Matter 1 – Compliance with statutory procedures and legal matters

Issue 1 Has the Partnership met the statutory duty to co-operate as set out under sections 20 (5) (c) and 33A of the Planning and Compulsory Purchase Act 2004 ?

1. Has the Council submitted robust evidence to demonstrate that the duty to cooperate has been met?
2. Have all relevant strategic matters been identified and has the process for identification been robust?
3. Has the Council carried out effective engagement with neighbouring local authorities and other prescribed bodies on all relevant strategic matters? In particular, has effective engagement taken place in respect of development within the Cambridge – Norwich corridor and the impact on infrastructure requirements?

Issue 2: Does the Sustainability Appraisal (SA) including the addendum, adequately assess the environmental, social and economic effects of the Plan in accordance with legal and national policy requirements?

1. Have the likely environmental, social, and economic effects of the Plan's policies and proposals been adequately assessed in the SA?
2. Has the Sustainability Appraisal, including the addendum, properly assessed the likely significant effects of all reasonable alternatives including a reduced housing provision buffer?
3. Have all potential site allocations been assessed on a comparable basis?
4. Is it clear how the SA has influenced the Plan and the choice of spatial strategy? Does it support the spatial strategy or is there anything in the SA which indicates that changes should be made to the plan?

Issue 3: Has the Habitat Regulations Assessment (HRA) been undertaken in accordance with the Regulations and is it robust?

1. Has the final Norfolk Green Infrastructure and Recreational Avoidance and Mitigation Strategy (GIRAMS) been approved and adopted by the respective Norfolk local planning authorities? If not, when is it anticipated that this is likely to happen?
2. Is the GIRAMS Strategy robust and is it likely to be effective?
3. The 'Interim Statement of Common Ground between the Greater Norwich Authorities and Natural England on the GIRAMS' states that: *"the Partners and other LPAs are mindful that the governance, success factors for the scheme and other process points including apportionment, joint decision-making and prioritisation still need to be finalised"*. When is it anticipated that these arrangements will be finalised?

Issue 4 Has the Plan been prepared in accordance with other legal and procedural requirements?

1. Does the Plan conform with the respective Local Development Schemes?
2. Does the Plan comply with the respective Statements of Community Involvement and have the minimum consultation requirements set out in The Town and Country Planning (Local Planning) (England) Regulations 2012 been met?
3. Does the Plan accord with Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 and national policy in respect of climate change?

Matter 2 Vision, objectives and the spatial strategy

Issue1 Have the vision, objectives and growth strategy for Greater Norwich been positively prepared, are they justified and consistent with national policy and can they be realistically achieved? Does the Plan set out a clear spatial strategy? Has the spatial strategy and overall distribution of development been positively prepared, is it justified by a robust and credible evidence base and is it consistent with national policy?

1. Does the Plan adequately set out a vision for Greater Norwich based upon the evidence?
2. Are the plan's objectives soundly based and consistent with the vision and the evidence?
3. Is the reference to clean growth and progression towards a post carbon economy based upon evidence and is it deliverable?
4. Is the focus on the expansion of internationally important knowledge based industries in the Cambridge Norwich Tech Corridor sound? What other options were considered and why were these dismissed?
5. Is the Plan strategy consistent with the requirement in the National Planning Policy Framework for plans to support appropriate measures to ensure the future resilience of communities to climate change impacts?
6. Is it clear which policies in the Plan are strategic, and which are non-strategic?

Issue 2 Housing Growth

1. Is the identified need of around 40,550 new homes as set out in Policy 1, soundly based and does it accord with national planning policy and guidance?
2. Is the settlement hierarchy set out in Policy 1 appropriate and consistent with the evidence?
3. Are all of the settlements listed in the correct level within the hierarchy?
4. Is the distribution of growth in line with the settlement hierarchy justified by the evidence?
5. To what extent does the distribution of housing sites across the settlement hierarchy reflect a policy down approach or one of site availability or previous commitments/allocations?
6. Is the identification of a supply buffer of 22% against the housing requirement justified?
7. Is the figure of 1,200 homes assigned to the South Norfolk Village Clusters Housing Site Allocations Local Plan justified?

Issue 3 Economy

1. Is the identified need for around 360 hectares of employment land supported by robust and credible evidence?
2. Does the evidence clearly support that the development of 360 hectares will aid the delivery of 33,000 additional jobs?
3. Do the key strategic employment locations set out in Policy 7.1 and Policy 6, together support the vision and objectives of the Plan?
4. Are the key strategic employment locations consistent with the spatial distribution of growth set out in the Plan?
5. Is the hierarchy of centres as set out in Policy 6 justified by the evidence and consistent with the spatial strategy? Is Policy 6 in respect of development proposals within centres clear and effective?

Matter 3 Strategy for the Areas of Growth

Issue 1 The Norwich Urban Area including the fringe parishes

A number of sites referred to in this policy including East Norwich Strategic Regeneration Area and Anglia Square will be the subject of separate sessions within the hearing programme.

1. Is the approach set out in Policy 7.1 to focus development in the city centre, in strategic regeneration areas in East Norwich, the Northern City Centre and at strategic urban extensions and urban locations justified by the evidence and consistent with the overall vision, objectives and spatial strategy of the Plan? Is this strategy deliverable?
2. Does Policy 7.1 support the city centre's role as a key driver of the Greater Norwich economy and is it consistent with national policies for ensuring the vitality of town centres?
3. Do the sites listed in the East Norwich section of Policy 7.1 on page 106 of the Plan, form part of the East Norwich Strategic Regeneration Area as defined on the proposals map, other allocations on the proposals map, or potential sites for future development? For example is 'Land East of Norwich City FC' site reference CC16 in the Plan?
4. Do sections 1-3 of Policy 7.1 need to be modified in order to reflect the recent introduction of Class E within the Use Classes Order? Are these sections consistent with national policy?
5. Does Policy 7.1 need to be modified to replace references to primary and secondary retail frontages with 'Primary Shopping Areas'?
6. Do the site-specific requirements in Policy 7.1 relating to the East Norwich Strategic Regeneration Area duplicate those set out in Policy GNLP0360/3053/R10?

Issue 2 The Main Towns

1. Policy 7.4 (relating to Village Clusters) includes an exception sites policy for affordable housing led development, but Policy 7.2 (relating to Main Towns) does not. What is the reason for this approach and is it justified?
2. Is Policy 7.2 otherwise justified, effective, and consistent with national policy?

Issue 3 The Key Service centres

1. Policy 7.4 (relating to Village Clusters) includes an exception sites policy for affordable housing led development, but Policy 7.3 (relating to Key Service Centres) does not. What is the reason for this approach and is it justified?
2. Is Policy 7.3 otherwise justified, effective, and consistent with national policy?

Issue 4 Village Clusters

1. Is Policy 7.4 in respect of additional sites justified and effective? Is there a limit to how many such schemes could be allowed within one village?
2. Is it clear what the 'Greater Norwich Local Plan Sites Plan' referred to in the policy is? Is this simply the Greater Norwich Local Plan ie the submitted plan?
3. How does this policy relate to Policy 7.5?
4. Would Policy 7.4 encourage new dwellings to be constructed in locations that are poorly served by public transport, services, and facilities? Would it be consistent with national policy in this regard?
5. Will this policy apply in the area covered by the South Norfolk Villages Clusters Housing Allocations Local Plan?
6. Has any allowance been made within the housing trajectory for such windfall sites?
7. Is Policy 7.4 otherwise justified, effective, and consistent with national policy?

Issue 5 Small scale windfall housing development

1. To what geographical area would Policy 7.5 apply? Would it apply to land on the edges of Village Clusters, Key Service Centres, or Main Towns? Would it apply to land within the South Norfolk Village Clusters Housing Site Allocations Local Plan?

2. Would Policy 7.5 encourage new dwellings to be constructed in locations that are poorly served by public transport, services, and facilities? Would it be consistent with national policy in this regard?
3. What does 'positive consideration will be given to self and custom build' mean in the context of the policy? Is this necessary? Is this justified? Is this an effective approach?
4. Is the policy effective in the way in which it would work? Is it justified that the policy allows 100% market housing?
5. Are the caps on development within each parish capable of operating effectively in the event that multiple applications are lodged around the same time?
6. Is the assumed contribution of 800 dwellings from this source justified?

Issue 6 Preparing for new settlements

1. Policy 7.6 does not relate to provision in this Plan and as paragraph 395 states this Plan identifies enough sites to meet current needs. On this basis, is Policy 7.6 justified? What justification is there for any reference at all to proposals which may or may not form part of a future plan?
2. The supporting text to Policy 7.6 indicates that, whilst there are enough sites to meet needs in this plan period, the delivery of new settlements may occur from 2026 onwards. This is only 4 years from the adoption of this Plan. Does the evidence support that delivery could really be that soon after the adoption of this plan? What effect would this have on land supply in the plan period given that a significant buffer has already been included in the housing provision in the Local Plan including a contingency site.

Matter 4 Sustainable Communities and the environment.

Issue 1 Is Policy 2 justified, effective and consistent with national policy?

1. Is Policy 2 clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals?
2. Is the term 'as appropriate' sufficiently clear as to what kind and scale of development proposals Policy 2 would apply to? P62 of the Plan indicates that the policy would apply to minor developments. Is this all minor developments? If not, which ones would it apply to?
3. Does Policy 2 apply to all applications or only those that fall within the thresholds identified within sections i-iv of the Policy?
4. Are the indicative minimum residential densities of 25 per hectare in the Plan area and 40 per hectare in Norwich justified and deliverable? Are they supported by the requirements on individual site allocations? Is it effective to describe minimum net densities as 'indicative' and does this imply that they are optional?
5. Is it clear what purposes Strategic Gaps are intended to serve and how development proposals within them will be assessed?
6. Is the proposed modification to Table 8 (in response to comments made by Natural England) justified? In order to be effective, should this be moved to the policy wording itself?
7. Is it justified to require housing development to meet the higher optional standard for water efficiency, and non-residential development to meet the BREEAM "Very Good" water efficiency standard, or any equivalent successor?
8. Is it justified for Policy 2 to refer to a future optional water efficiency standard when any such standard, and the conditions for its adoption, are currently unknown?
9. Is it justified for Policy 2 to require new development to provide a 19% reduction against Part L of the 2013 Building Regulations? The policy states that it will apply to "all new development" – is this justified?
10. Is it justified for Policy 2 to require 'appropriate' non-housing development of more than 500 square metres to meet the BREEAM "Very Good" energy efficiency standard, or any equivalent successor? How will it be determined whether a proposal is 'appropriate' in this regard?
11. The explanatory text states that master planning using a community engagement process will be required on sites for more than 500 dwellings or 50,000 square metres. However, the policy wording does not refer to this requirement. The policy wording does however refer to master planning being encouraged on larger sites and particularly for proposed developments of 200 dwellings or 20,000 square metres

- plus. Should the policy be modified to address this inconsistency? Does the policy need to be made clearer in this regard to be effective?
12. Is it clear what form any master planning and community engagement is expected to take? Has any such requirement been considered in the assumed lead-in times for the delivery of larger sites?
 13. Is the requirement for developments of more than 100 dwellings to be accompanied by a delivery statement justified and effective? How would this work in situations where planning permission is secured in outline, or with the intention of disposing the land to a developer?
 14. Is Policy 2 and the Plan in general, consistent with the provisions of the National Planning Policy Framework in respect of climate change?
 15. Have all of the proposed requirements in Policy 2 been subject to viability testing?

Issue 2 Is Policy 3 justified, effective and consistent with national policy?

1. Does Policy 3 provide an appropriate policy framework for the conservation and enhancement of the areas built and natural environment? Is it consistent with national policy in this regard?
2. Is Policy 3 consistent with the HRA?
3. The supporting text refers to a contribution of £205 per new home made towards mitigation measures on protected sites. Policy 3 refers to this. Does this apply to all residential development across the Plan area including single dwellings? Is it justified and how would it be implemented?
4. Map 8A sets out the Green Infrastructure Corridors in the Plan area. These are not reflected in Policy 3. How do these corridors relate to Policy 3? Should the policy include provision to preserve and enhance the Green Infrastructure Corridors?

Matter 5 Strategic Infrastructure

Issue - Is Policy 4 Strategic Infrastructure justified and effective?

1. Policy 4 identifies a number of transport schemes and projects and says that they will be brought forward to support the aims of the Plan. Is Policy 4 an effective policy or a statement of a number of transport infrastructure schemes and projects which may be implemented? Should these schemes or projects (or some of them) be listed in supporting text rather than in the policy?
2. The Partnership's response to our Initial Questions states that the Western Link Road is not necessary for the delivery of any of the proposed allocations. Should it therefore be shown on the Key Diagram?
3. To what extent are the allocations in the Plan and the level of growth and development proposed across the Plan area reliant upon the implementation of the other listed schemes? For example is the provision of the A140 Long Stratton by pass necessary for the delivery of planned growth in the Plan?
4. Are the listed transport projects compatible with the climate change policies of the Local Plan and with national policy?
5. Has the cumulative impact of the proposed level of growth on infrastructure been adequately addressed, particularly in relation to available power and water resources? Have the cross-boundary implications for this been satisfactorily addressed?
6. Will there be adequate wastewater capacity to accommodate the proposed level of growth? Could this consideration either delay or restrict the delivery of allocated sites?

Matter 6 Homes (Policy 5)

Issue 1 - is the policy for affordable housing justified, effective and consistent with the evidence and national policy?

1. Are the requirements for affordable housing set out in Policy 5 justified by the evidence?
2. Is the 33% requirement across the Plan area outside of Norwich City Centre justified by the evidence ?
3. Is the 28% requirement for Norwich City Centre justified by the evidence? What is the evidence which leads to this being a lower figure than that for the plan area?
4. Policy 5 allows for a viability assessment to be submitted at decision-making stage for brownfield sites. Is this approach justified and consistent with national policy?
5. Is the requirement for all housing development proposals to meet the Nationally Described Space Standard for internal space justified?
6. Is the requirement for purpose built student accommodation to provide the same percentages of affordable housing justified, practicable and deliverable and is it consistent with national policy?
7. Paragraph 281 of the Plan states that potentially the provision of affordable housing in relation to student accommodation could be in the form of a commuted sum and this is stated in the section of the policy under the heading 'Purpose Built Student Accommodation'. However, the section in the policy under the heading 'Affordable Housing' requires affordable housing on site other than in exceptional circumstances? Therefore is the policy sufficiently clear as to be effective?
8. Is the requirement for specialist older people's accommodation, including care homes, to provide an affordable housing contribution justified and consistent with national policy? Have these requirements been subject to viability testing?
9. Is the requirement for 10% of the affordable housing to be for affordable home ownership justified? Is this requirement sufficiently clear for the policy to be effective?
10. Are the respective affordable housing targets achievable and deliverable?
11. Does the policy sufficiently recognise the need for viability considerations? Has the impact of affordable housing requirements on the viability of schemes been robustly assessed?

Issue 2 Accessible and Specialist Housing

1. Does the Plan make adequate provision for older person's accommodation?

2. What do 'supported' and 'encouraged' mean in respect of this part of the policy? Is the policy sufficiently clear as to be effective?
3. Is the requirement of at least 20% of homes on major housing development sites to conform to the Building Regulations M4 (2)(1) standard justified?

Issue 3 Gypsies and Travellers, Travelling Show People and Residential Caravans

1. Is the evidence base supporting the identified need for residential pitches and Travelling Showpeople plots robust, taking into account factors such as existing provision, household growth, hidden need (those in bricks and mortar housing), unauthorised sites and encampments and any engagement with the gypsy and traveller community?
2. Is there any evidence that the need for gypsy and traveller pitches has changed since the GTAA was published in 2017?
3. Is the use of a criteria based policy justified when there is evidence of a clear need for significant pitch provision? Is this approach consistent with national policy? The Partnership is undertaking work to identify sites. Why were sites not included within the Plan? Is it just a timing issue?
4. Has a rigorous search been undertaken to identify all potential sources of gypsy and traveller sites, including areas of search?
5. Have neighbouring authorities been formally approached to ascertain whether they are able to meet the Council's unmet need for gypsy and traveller accommodation?
6. Is there compelling evidence that a criteria based policy will deliver the number of pitches in the appropriate locations to meet demonstrable need?
7. Is it justified for Policy 5 to apply criteria to Gypsy and Traveller sites, Travelling Show People sites and residential caravans that do not apply to bricks and mortar housing?
8. What does 'safe and sustainable access to schools and facilities' mean? Is this wording effective?

Issue 4 Purpose built Student Accommodation

1. What does 'will be supported' mean in the policy in relation to development proposals at UEA? Should this be 'permitted' in order that the wording of the policy would be effective in seeking to secure student accommodation?
2. Are the requirements for proposals away from the UEA campus justified and are they likely to be effective?

3. What is the status of the UEA Development Framework?

Issue 5 Self/Custom Build housing

1. Is the requirement for at least 5% of plots on sites of 40 dwellings or more to be self/custom build housing justified by the evidence and consistent with national policy? Has this requirement been subject to viability testing?
2. Is there evidence to indicate that this level of provision will be delivered?

Matter 7 - The Economy (Policy 6)

Issue 1 is Policy 6 The Economy justified and effective?

1. How would the proposed definition of 'employment uses' work in practice given the introduction of Class E within the Use Classes Order?
2. Is it justified for Policy 6 to seek to "avoid the loss of commercial premises" in centres? What definition of "commercial premises" is proposed? Is such an approach likely to be effective given the introduction of Class E and the availability of permitted development rights?

Matter 8 Strategic Growth Areas Allocations

Issue 1 East Norwich Strategic Regeneration Area

1. The report to the Cabinet of Norwich City Council on 16 November 2021 indicates that the expected number of homes on the site should be reduced to 3469. Is the capacity of 4000 homes for the East Norwich Strategic Regeneration Area realistic and justified by the evidence?
2. Is the expectation that all 4000 homes on the site can be delivered before the end of the plan period realistic and justified by the evidence?
3. Is the site available and viable? Where is the evidence for this?
4. What works need to be undertaken to commence development on the site and then to progress the site through its delivery phases? To what extent do the sites constraints such flood risk, contamination, heritage, adjoining uses, and landscape features impact upon the deliverability of the site over the plan period and the total likely yield?
5. Does the evidence support the position that 100 homes will be delivered on site in the 2024/25 period? When is commencement expected? What are the key stages that have to be met? Does the evidence support that lead in time?
6. Does the evidence support the housing trajectory for the site which includes a delivery of 500 homes in 2031/32 and 2033/34? What assumptions regarding infrastructure delivery, site assembly, and lead-in times have been made?
7. Does Policy GNLP P03060/3053/R10 provide an effective framework for the delivery and proper planning of the East Norwich Strategic Regeneration Area? Is the Policy consistent with the overall vision and objectives of the Plan and with national policy?
8. Does the Policy effectively ensure the protection and enhancement of heritage and other assets on or close to the site?
9. Does the Policy effectively ensure that the site will be developed to maximise sustainable transport options in accordance with Chapter 9 of the National Planning Policy Framework?
10. How will key pieces of infrastructure within the site be delivered, including those that cross ownership boundaries (such as bridges across the River Wensum and River Yare)? How will these pieces of infrastructure be funded?