



**James Bailey**  
**PLANNING**

**Document:** Hearing Statement: Matter 1 - Compliance with  
Statutory Procedures and Legal Matters

**Title:** Examination of the Greater Norwich Local Plan  
2018-2038

**Client:** Welbeck Land III Limited

**Date:** January 2022



## **Hearing Statement**

**Matter 1 – Compliance with Statutory Procedures and Legal Matters**

**Statement on behalf of Welbeck Strategic Land III Limited in relation to Land  
North of Tuttle Lane East, Wymondham**

**Examination of the Greater Norwich Local Plan 2018-2038**

**January 2022**

## 1. INTRODUCTION

- 1.1 On behalf of Welbeck Strategic Land III Limited (Welbeck Land), James Bailey Planning Ltd (JBPL) are instructed to submit Hearing Statements to the Greater Norwich Local Plan Examination (GNLP).
- 1.2 The site that these Statements relate to is “land North of Tuttlés Lane East, Wymondham.” This was previously assigned the site reference GNLP0006 and has been referred to as such in the course of our Hearing Statements.
- 1.3 The Regulation 18(c) GNLP document identified the town of Wymondham as having the need for a contingency of 1,000 dwellings. The site of land North of Tuttlés Lane East was identified as a reasonable alternative site which could assist with this delivery. This proposal has subsequently been removed from the pre-submission version of the Local Plan.
- 1.4 The site area is 53.68ha, with a masterplan strategy for the delivery of 700 dwellings and associated infrastructure including land for a new sixth form centre for Wymondham High School.
- 1.5 It remains the view of Welbeck Land and JBPL that the GNLP is proposing a spatial growth strategy that is fundamentally flawed, and therefore “unsound.” There is an over reliance on long standing strategic site proposals; there is a change in policy direction towards Village Clusters sites which remains unjustified; whilst there is a reduction in proposing development towards more sustainable locations, notably the GNLP’s Main Towns.

### *Matter 1*

- 1.6 This Hearing Statement has been prepared on behalf of our client Welbeck Land in respect of Matter 1 **Compliance with Statutory Procedures and Legal Matters** of the Inspector’s Matters, Issues and Questions (MIQs) for the Examination of the Greater Norwich Local Plan.
- 1.7 The Statement is intended to assist the Inspector’s review of the questions raised in Matter 1, which is due to be considered for the discussion at the Examination Hearing session on Tuesday 1<sup>st</sup> February 2022.
- 1.8 These Hearing Statements follow on from the representations made to the Regulation 19 Stage by JBPL, and to Regulation 18(c) Stage by Bidwells, on behalf of Welbeck Land. They should be referred to by the Inspectors during the course of the Examination.

**Issue 1: Has the Partnership met the statutory duty to cooperate as set out under section 20 (5)(c) and 33a of the Planning and Compulsory Purchase Act 2004?**

1.9 Welbeck Land have no comments to make on Issue 1.

**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?**

**1.10 Question 1: Have the likely environmental, social, and economic effects of the Plan's policies and proposals been adequately assessed in the SA?**

1.11 Welbeck Land have no comments to make on Question 1.

**Question 2: Has the Sustainability Appraisal, including the addendum, properly assessed the likely significant effects of all reasonable alternatives including a reduced housing provision buffer?**

1.12 Welbeck Land have no comments to make on Question 2.

**Question 3: Have all potential site allocations been assessed on a comparable basis?**

1.13 Welbeck Land does not agree that all potential site allocations have been assessed on a comparable basis.

1.14 There is limited evidence to suggest that discounted sites have been adequately compared with alternative sites, nor have they been included in the list of additional reasonable alternative site assessments for consideration.

1.15 The 11 sites listed under D.34 Wymondham have been assessed on a comparable basis, however, there has been no further development on those sites initially discounted at Regulation 18c stage.

1.16 For the purposes of viability and soundness, it should have been an essential task to revisit previously discounted sites and complete a comparative assessment, as further evidence became available through the SA process.

1.17 The Councils have not provided sufficient evidence towards the structure or process of comparison of discounted sites, nor have they entertained the publishing of the merits of discounted sites.

1.18 It cannot be agreed that the Councils have taken due diligence in assessing all sites and therefore, the evidence provided in the SA cannot lead to the production of a 'sound' or legally compliant Plan.

**Question 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?**

1.19 Welbeck Land believes the SA is not clear in how it has influenced the Plan and choice of spatial strategy.

1.20 The Councils attempt to provide reasoning and a logical timeline in the preparation of the spatial strategy. The Addendum to the Regulation 19 SA/SEA

Report – 2021, attempts to provide further evidence for the choice of spatial strategy in response to a singular representation by Rosconn Strategic Land.

- 1.21 It is explicitly stated in Paragraph 28 of the Sustainability Appraisal Volume 1, that the Spatial Strategy visualised in the GNLP Publication Draft, is the same as that in the Regulation 18c Stage.
- 1.22 Therefore, it is unclear how the spatial strategy has developed over time and refers to a number of previous reports that were published as part of the previous consultation stages. Volume 1 of the Sustainability Appraisal describes the regulation 18c spatial strategy as an “amalgamation” of the six previously considered options but fails to consider the seventh (and selected) option against the alternatives previously considered (and not discounted). The matter is revisited in the Sustainability Appraisal Addendum.
- 1.23 The Councils explicitly state in the September 2021 Sustainability Appraisal Addendum in 2.3.9:

*“The growth strategy set out in the Publication Draft Plan (2021) is as follows:*

*(a) Broadly follows the settlement hierarchy set out in Policy 1 in terms of scale of growth as this reflects access to services and jobs.*

*(b) Focusses most of the growth in locations with the best access to jobs, services, and existing and planned infrastructure in and around the Norwich Urban Area and the Cambridge Norwich Tech Corridor.”*

- 1.24 This suggests that the SA has failed to progress from the Regulation 18c stage and is providing evidence that is incompatible with the assessments and Policies presented for Examination.
- 1.25 Furthermore, it is therefore questioned why Policy 7.4 will support new allocations of 1,682 homes in Village Clusters beyond the commitment of 695 in Key Service Centres and 1,655 in Main Towns.
- 1.26 Although the figure of 1,682 homes is spread between the remaining parts of Broadland and the South Norfolk Village Clusters Housing Site Allocations Local Plan, this suggests that the spatial strategy does not in fact follow the spatial hierarchy and is a genuine risk that could be to the detriment of the character of these villages.
- 1.27 It cannot be agreed, that by providing new allocations of 1,682 homes to the Village Clusters will make for a sound plan, when the figures contrast the evidence set out in the Sustainability Appraisal.
- 1.28 It is not clear how the Partners have concluded on a hybrid spatial approach using the evidence provided in the Reg 18c SA ,or the Reg 19 SA. The Partners go on to contradict themselves in paragraph 5.2.5 of the SA

Addendum, by stating that only an element of dispersal to the villages can be considered sustainable and providing calculated figures in the Draft GNLP Part 1 that are in excess of what can be considered dispersal. With regard to the above statement the Plan cannot be deemed suitable, viable, or sound.

- 1.29 Further evidence to suggest the GNLP is not legally compliant, sound, or in accordance with the NPPF, is provided in our Hearing Statements for Matters 2, 3, and 8.

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

1.30 Welbeck Land have no comments to make on Issue 3.



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

1.31 Welbeck Land have no comments to make on Issue 4.

*January 2022*  
**JBPL**



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**PLANNING**

