



GREATER NORWICH LOCAL PLAN EXAMINATION

Examination Hearing Statement for Matter 3

**Response on behalf of Pigeon Investment Management Ltd and their
Landowners**

January 2022

CONTENTS:

	Page
Introduction	2
Matter 3 – Strategy for the Areas of Growth (Policy 2)	3

1. INTRODUCTION

1.1 This Hearing Statement has been prepared by Pigeon Investment Management limited ("Pigeon") and their Landowners, in respect of a number of land interests within both Broadland and South Norfolk Districts.

1.2 Pigeon has previously submitted representations in response to the Greater Norwich Local Plan (GNLP) and the accompanying Sustainability Appraisal (SA), including the Pre-Submission Regulation 19 Publication Stage, where we submitted representations in support of the following sites:

- Land north of Brecklands Road, Brundall (GNLP0352)
- Land at Nelson Road, Diss (GNLP1045)
- Land at Walcot Green Lane, Diss (GNLP1044R)
- Land at Hethersett (GNLP4054, GNLP1023BR, GNLP4052, GNLP4052)
- Land at Dereham Road, Reepham (GNLP0353R)
- Land at Rightup Lane, Wymondham (GNLP0355)

2. 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.

Q1. 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?

- 2.1 The GNLP seeks to direct 66% to 70% of the supply of new homes to the Norwich Urban Area. As per our response to Matter 2 (Issue 2 - Housing Growth) this level of growth is unsustainable.
- 2.2 The effect of directing significant amounts of further growth to an area that is already proposed for significant levels of growth within the adopted Join Core Strategy will be market saturation.
- 2.3 As a result, notwithstanding the site-specific issues that we have referred to in our response to the Pre-Submission GNLP, the strategy is not deliverable.

Issue 2 – The Man Towns

Q2. Is Policy 7.2 otherwise justified, effective, and consistent with national policy?

- 2.4 As per our response to Matter 2, the levels of delivery proposed in the Norwich urban area are likely to be challenging to deliver. Policy 1 would require an annual delivery rate within the urban area in excess of 1,635 dwellings per annum. This requires that the level of development in the Norwich urban area alone is only slightly below that which has been achieved across the entire GNLP plan area over the last decade. This is unlikely to be realistic. If the necessary boost to housing supply is to be achieved it is likely that a greater range and choice of

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- sites across all of the sustainable settlements within the plan area will be required.
- 2.5 This is reflected in the Sustainability Appraisal which assessed a range of potential options as identified in Figure 5.3. Options 1, 2 and 3 assessed the delivery of 33,380, 32,280 and 32,080 homes respectively in Norwich urban area as compared to the 32,691 proposed in the GNLP. The Sustainability Appraisal concluded in Box 5.3 that all of these options would be harder to deliver than other options because they focus growth in locations that have already seen significant growth, have significant outstanding commitments and have experienced delivery issues.
- 2.6 The delivery of 1,635 dwellings per annum relies upon the effective operation of Policy 7.1 (The Norwich Urban Area Including Fringe Parishes) to achieve these aspirational rates of development which the Sustainability Appraisal acknowledges will be challenging.
- 2.7 In order to provide a deliverable and effective GNLP and to provide sufficient flexibility in accordance with paragraph 11a of the NPPF including to respond to the lower levels of delivery that will actually be achieved in the Norwich urban area, it will be necessary to identify a sufficient range and choice of sites by allocating more housing to some of the Main Towns and Key Service Centres.
- 2.8 The Main Towns are acknowledged to play a vital role in the rural economy, providing employment opportunities and services for their hinterlands and operating as engines of rural growth with good access to services in paragraph 346 of the GNLP. Similarly, the Key Service Centres are acknowledged to have a good range of services, with access to public transport and employment which plays a vital role in serving rural areas according to paragraph 372. These settlements therefore provide highly sustainable locations for meeting a greater proportion of growth across the GNLP area.
- 2.9 The role of such settlements is likely to have become even more integral to the sustainable operation of the GNLP area as a result of the current pandemic for a number of reasons. There has been a significant increase in home-working with workers spending their working days at home in the Main Towns and Key Service Centres with a greater reliance on local services, facilities and infrastructure. In order to support this new way of working, it will be necessary to support the delivery of new services, facilities and infrastructure including

- healthcare, sports and schools to meet the existing identified needs but also to provide for a distribution of development that supports a population capable of sustaining existing and new services and facilities.
- 2.10 Additionally, as a result of the pandemic, households are seeking homes with greater access to open space and the countryside rather than the limited opportunities provided in more urbanised areas such as Norwich. In order to respond and to provide the homes that households are seeking it would therefore be appropriate to support a greater proportion of housing in the Main Towns and Key Service Centres to both support existing and new facilities, meet the existing need for infrastructure and facilitate greater access to the recreational opportunities.
- 2.11 In order to address this, the spatial strategy should be reviewed to ensure that a sufficient number of homes are delivered to support the vitality of each of the Main Towns and Key Service Centres and to ensure that opportunities to provide supporting facilities or employment where these will enhance the sustainability of the community are considered favourably.
- 2.12 The above should also be viewed in the context that the identified housing need does not accord with national policy and guidance (see our response to Matter 2, Issue 2, Question 1). It is therefore evident that the quantitative elements of the Spatial Strategy will need to be revised to ensure that housing needs can be met across the GNLP area. Given the above, this should be achieved by directing more growth to some of the Main Towns and Key Service Centres to counterbalance the challenges of increased delivery in the Norwich Urban Area.

Summary: The role of the Market Towns and Key Service Centres should be enhanced to reflect their increased role and prominence in the post-pandemic society, which can be achieved by the direction to them of the additional housing required.

Issue 3 – The Key Service Centres

Q2. Is Policy 7.3 otherwise justified, effective, and consistent with national policy?

- 2.13 Please refer to our response to Issue 3, Question 2. above.

Issue 4 – Village Clusters

Q7. Is Policy 7.4 otherwise justified, effective, and consistent with national policy?

2.14 Please refer to our response to Matter 2, Issue 2, Question 7.

Issue 5 – Small Scale Windfall Housing Development

Q2. 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?

2.15 Proposals brought forward under Policy 7.5 will inevitably be less-well served by public transport, services, and facilities, than larger sites in larger settlements, such as the Main Towns and Key Service Centres. It is therefore not clear how such applications will be assessed against 'other relevant Local Plan policies' including, for example, the first criterion of Policy 2 which requires development proposals to ensure safe, convenient and sustainable access to on site and local services and facilities including schools, health care, shops, recreation/leisure/community/faith facilities and libraries.

Summary: The way in which Policy 7.5 will be put into practice requires further explanation. Directing growth to the Main Towns and Key Service Centres represents a more sustainable approach that would accord with national policy.

Q5. Are the caps on development within each parish capable of operating effectively in the event that multiple applications are lodged around the same time?

2.16 Clearly, such caps are flawed and incapable of operating effectively.

2.17 One scenario would be where a site was approved in a parish, and a second proposal submitted that was clearly more sustainable in terms of both the location and the proposal itself. The Policy would require this second proposal to be refused planning permission.

- 2.18 Another scenario would be where two proposals were submitted consecutively, and considered at the same planning committee – as per the provisions of the policy, the proposal considered second would have to be refused; this raising the prospect that re-ordering of the committee agenda by Councillors could determine which proposal was approved and which refused.
- 2.19 However, without the proposed caps there would be the potential for ‘over-development’ as mooted in para. 389. It is thus evident that some control on the number of homes to be permitted is required, but the proposed approach is considered to be flawed.

Summary: The caps on development set out in Policy 7.5 are flawed and incapable of operating effectively.

Q6. Is the assumed contribution of 800 dwellings from this source justified?

- 2.20 It is usual practice not to include a windfall allowance for the next three years – in a 5YHLS assessment such an allowance is usually only included for Years 4 and 5 (and sometimes, if justified, Year 3).
- 2.21 The Plan states (para. 394):
- 2.22 *“... It is anticipated that this policy will lead to the delivery of around 800 homes during the plan period.”*
- 2.23 The Policy 7.5 Small Scale Windfall Housing Development Topic Paper (D3.13) includes (para. 32):
- 2.24 *“... It is estimated that a total of 800 dwellings will be provided through this policy”*
- 2.25 In short, there is no underlying assessment of the potential of such sites to deliver the proposed ‘allowance’ of 800 homes. The GNDP have ‘anticipated’ and/or ‘estimated’ that it would do so but have provided no evidential basis for this figure; hence it could just as easily be 200 homes (or less), or 1,000 homes (or more).
- 2.26 The ‘Housing Trajectory’ included at Appendix 6 of the Plan (p. 145) includes a windfall allowance from 2025/2026 onwards, but a Policy 7.5 allowance from

- 2023/2024 onwards. No explanation for the difference in approach is provided, nor is one justified.
- 2.27 In fact, the Plan does explain (para. 389), with regard to Policy 7.5 sites (our emphasis):
- "... For the purposes of this policy, the number of dwellings allowed relates to permissions granted after adoption of the plan."*
- 2.28 Assuming that the Plan is adopted in late 2022 / early 2023 – i.e. towards the end of the 2022/2023 monitoring year, usual practice would then see an inclusion of the Policy 7.5 and general windfall allowances from 2026/2027 onwards. This would (notwithstanding our comments above regarding the overall number of homes likely to be delivered under this policy) reduce the delivery from Policy 7.5 sites by three years / 162 dwellings, and from general windfall sites by one year / 100 dwellings.

Summary: The assumed contribution of 800 homes from Policy 7.5 sites is not justified and the figure should be reduced.

Issue 6 – Preparing for New Settlements

Q1. 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?

- 2.29 Contrary to paragraph 395 of the GNLP, there remain a large number of sustainable options for settlement extensions in highly sustainable locations within the GNLP area. It is therefore inappropriate to identify this particular form of growth over other growth options that will need to be considered as part of any subsequent review of the GNLP.
- 2.30 Whilst policy 7.6 acknowledges that further evidence, assessment and appraisal will be required to inform whether a new settlement is brought forward in the next Local Plan, in the absence of this evidence, the policy is not justified and should be deleted.
- 2.31 In response to representations submitted to the Plan, the Policy 1 Growth Strategy Topic Paper (D3.1) includes (Figure 11, p. 37):

"The GNLP does not allocate any of the proposed new settlements as there are currently considered to be enough sites to meet needs in and around existing settlements. ..."

2.32 But then continues:

"... However, the strategy takes account of the government's recent changes to the planning system made through the NPPF, with policy 7.6 setting out the long-term intention to bring forward a new settlement or settlements through the next strategy and sets out a timetable for that work."

2.33 Yet the Topic Paper states (para. 19):

"The 2021 NPPF requirement for plans which contain new settlements and/or substantial extensions to plan ahead for 30 years, rather than 15 years, does not apply to the GNLP which had reached the Regulation 19 publication stage when the NPPF was revised (see NPPF paragraph 22, footnote 16 and annex 1, paragraph 221)."

2.34 However, the Topic Paper goes on to state (para. 24):

"The GNLP also provides a "direction of travel" for the longer term by identifying opportunities for growth which could be taken forward to meet additional needs in the next local plan. A significant part of this long-term need is likely to be met in a future plan through the development of new settlements (see proposed policy 7.6)."

2.35 These paragraphs from the topic paper appear to be in conflict with one another and in short there is no need, justification or evidence to support the inclusion of Policy 7.6.

Summary: Policy 7.6 of the Plan is entirely unnecessary and unjustified. The Policy relates to a matter that is outside the scope of the Plan and should therefore be deleted, along with the supporting text in paragraphs 395 to 401.

Q2. 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.

2.36 The suggestion that a yet to be identified new settlement will begin to deliver new homes 4 years from the adoption of the GNLP is wholly unrealistic and at odds with studies of

- typical lead in times for large and strategic-scale schemes. For example, Lichfields Start to Finish report (February 2020), which includes 46 examples of schemes of over 1,500+ homes found that the average time taken from validation to the first dwelling being completed on schemes of 2,000+ homes is 8.4 years.
- 2.37 The Plan states (para. 400):
- "Three new settlement sites have been proposed through the GNLP (at Honingham Thorpe, Hethel and Silfield). These will be investigated along with other potential locations in the next plan, taking account of selected criteria. In order to shorten the lead in time for delivery and provide the level of certainty for investment that would allow one or more schemes to be incorporated in the new plan, comprehensive analysis of options will begin in 2021."*
- 2.38 This indicates that the GNDP are proposing to use Policy 7.6 to effectively circumvent the proper preparation of the next Local Plan. There is no certainty that the proper preparation of the next Plan will conclude that new settlements are the most appropriate strategy – as with the preparation of the current emerging Plan, they might be considered but then dismissed.
- 2.39 The Plan continues (para. 401):
- "The timetable for this work, which provides a broad indication of the authorities' intentions and may be varied to take account of changes to the planning system, is:*
- *2021 developing success criteria, site options assessment including technical consultation;*
 - *2022 following adoption of the GNLP, public consultation on site options;*
 - *2022-24 development of new Local Plan incorporating preferred site(s);*
 - *2026 onwards – delivery."*
- 2.40 There is no evidence to support a view that delivery of new settlements could commence as per the above timetable. Delivery of such would be contrary to the current emerging Plan, which makes no provision for them - the timetable above makes it clear that a new Local Plan would be required. With the current emerging Plan unlikely to be adopted until late 2022 / early 2023, and it taking between 3 to 5 years to prepare a new Local Plan (or in many cases much longer), there would be no new Plan containing new settlements adopted until approximately 2026 / 2028. Assuming that proper processes would prevent the preparation of proposals for new settlements being progressed too far ahead of a new Plan, and the timescale for then obtaining the necessary permissions and implementing these, it is considered unlikely that any new settlements would

commence delivery until approximately 2035, or later. This is all notwithstanding our comment above that there is no certainty that the proper preparation of the next Plan will conclude that new settlements are the most appropriate strategy.

Summary: There is no certainty that the proper preparation of the next Plan will conclude that new settlements are the most appropriate strategy. Notwithstanding this, there is no evidence to support a view that delivery of new settlements could commence from 2026, and it is considered more realistic that any new settlements, IF included in a new Plan, would not commence delivery until approximately 2035, or later.