

HEARING STATEMENT FOR

GREATER NORWICH LOCAL PLAN EXAMINATION

MATTER 4

ON BEHALF OF BARRATT DAVID WILSON HOMES (EASTERN COUNTIES)

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED) PLANNING AND COMPULSORY PURCHASE ACT 2004

Prepared by: **Ed Durrant**



Pegasus Group

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough

 DESIGN  ENVIRONMENT  PLANNING  ECONOMICS  HERITAGE

Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales
Registered Office: Pegasus House, Querns Business Centre, Whitworth Road, Cirencester, Gloucestershire, GL7 1RT

Copyright Pegasus Planning Group Limited 2011. The contents of this document must not be copied or reproduced in whole or in part without the written consent of Pegasus Planning Group Limited

Matter 4 - Sustainable Communities and the environment Issue 1**Is Policy 2 justified, effective and consistent with national policy?****Q.1. Is Policy 2 clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals?**

For developers to deliver sites there needs to be certainty around planning requirements. The inclusion of the wording “If the potential to set more demanding standards locally is established by the Government the highest standard will be applied in Greater Norwich” does not provide applicants or decision makers with clarity about how such standards are ‘established’ and when they should become material planning considerations. Moreover, it is not clear whether this statement relates to criterion 9 or all the criteria of Policy 2. If such standards do become mandatory requirements, then developers will be required to comply with them.

The principal concern with introducing a yet unknown standard, or standards, relates to viability. The only way that the councils could seek to apply a higher standard and be sure that it would not impact negatively on the viability of allocated sites would be through a review of the Local Plan. Though, there is no need for the policy to reference, or be amended to reference, mandatory standards as it would result in a duplication of national policy. The inclusion of the aforementioned sentence means that Policy 2 is ambiguous. This ambiguity could delay the determination of planning applications and the delivery of new homes.

Recommendation: Policy 2 should be amended to remove the following sentence:

If the potential to set more demanding standards locally is established by the Government the highest standard will be applied in Greater Norwich.

Policy 2 also references a requirement for electric vehicle charging points, with the supporting text confirming that further details of measures for electric charging and modern construction techniques will be set out in an SPD. Given the Government’s proposals to mandate electric vehicle charging infrastructure in new homes, new non-

residential buildings and, in some cases, when buildings are renovated¹, any specific requirement under Policy 2 and a subsequent SPD is likely to be superseded by national policy before it is adopted. Given that the reference to an SPD setting out more detailed measures adds further ambiguity to the application of Policy 2 the reference to further measures for modern construction techniques and electric vehicle charging should be deleted.

Recommendation: The wording of Table 8 of the supporting text of Policy 2 should be amended to remove the following sentence:

The policy also provides the basis for more detailed supplementary planning documents for measures to support new technologies in times of rapid change, including modern construction techniques and the use of electric and possibly hydrogen vehicles.

Q.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?

No. Without the evidence setting out why it is necessary to meet a higher standard for water efficiency for housing development, and the cost implications, this will result in a further burden to developers. As this higher standard has not been included in the Councils’ viability assessment the requirement is not justified.

Q.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?

No. This is not justified and has not been tested in the councils’ viability work. If any such standard is ‘optional’ then it should not become a planning requirement without a clear understanding of the impact that it will have on the viability of developments.

Q.9. Is it justified for Policy 2 to require new development to provide a 19%

¹ Consultation Response: EV Charge points in Residential and Non-residential Buildings – November 2021

reduction against Part L of the 2013 Building Regulations? The policy states that it will apply to “all new development” – is this justified?

The councils have a duty to ensure that the standards it sets are deliverable and will not make development proposals unviable and compromise delivery. In this case there is no evidence to demonstrate how developments that the councils’ own viability work previously showed to be unviable with a 20% reduction would subsequently be viable with a 19% reduction.

Q.15. Have all of the proposed requirements in Policy 2 been subject to viability testing?

No. In addition to the lack of evidence to support the 19% reduction against Part L of the 2013 Building Regulations, the viability work has taken no account of the costs of providing a percentage of EV charging points. Whilst Policy 2 is silent on what percentage this would have been any local aspirations will soon be superseded by national regulations requiring EV charging for all new homes². As the viability work has not included the costs of any percentage of EV charging points the mandatory requirements for all new homes must now be assessed through an updated viability appraisal.

No account is taken of the profit derived from the sale of self and custom build plots against the profit derived from the sale of market dwellings in any of the viability work that has been carried out. Whilst the 2017 Viability Study assumes that build costs for self-build will be the same as residential there is no assessment of whether the profit margin for a developer selling a self-build plot is the same as for the sale for a fully built dwelling of a comparable size.

Recommendation: A further viability assessment needs to be carried out to confirm that all the requirements of Policy 2 are deliverable.

² Consultation Response: EV Charge points in Residential and Non-residential Buildings – November 2021