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PLANNING

Document: Hearing Statement: Matter 8 - Strategic Growth
Areas Allocations
Title: Examination of the Greater Norwich Local Plan
2018-2038
Client: Welbeck Land III Limited
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Hearing Statement

Matter 8 - Strategic Growth Areas Allocations

**Statement on behalf of Welbeck Strategic Land III Limited in relation to Land
North of Tuttles 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 Tuttlles 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 Tuttlles 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 in 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 8

- 1.6 This Hearing Statement has been prepared on behalf of our client Welbeck Land in respect of Matter 8 **Strategic Growth Areas Allocations** (Policy GNLP0360/3053/R10) of the Inspector’s Matters, Issues and Questions (MIQs) for the Examination of the Greater Norwich Local Plan.
- 1.7 Welbeck Land agree with the housing numbers currently being proposed in the GNLP, but not the distribution either within the Strategic Growth Area or beyond it. It should therefore be considered ‘unsound.’
- 1.8 The Statement is intended to assist the Inspector’s review of the questions raised in Matter 8, which is due to be considered for the discussion at the Examination Hearing session on Thursday 10th February 2022.
- 1.9 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 Inspector’s during the course of the Examination.

Issue 1: East Norwich Strategic Regeneration Area (ESRA)

Question 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?

- 1.10 The draft East Norwich masterplan (stage 1) acknowledges the considerable challenges which will need addressing if the ESRA is to be delivered as proposed. These include overcoming multiple sources of flooding, complex underground infrastructure particularly on the Utilities Site (R10) such as gas, electricity and communications, the adjacent mainline railway line and associated activities, and access to the sites which is most constrained on the Deal Ground and Utilities sites.
- 1.11 It is also observed that the Utilities site is partly within the jurisdiction of the Broads Authority which creates further obstacles and possible delays with decision making which will need to be taken into account with delivery expectations.
- 1.12 The stage 1 masterplan is a high-level document. The Greater Norwich Development Partnership states that a 'stage 2' will be required to further refine the masterplan on the basis of a more detailed understanding of viability and deliverability. This will produce a supplementary planning document to support emerging GNLP policy. Stage 2 is where the key assessment on infrastructure provision, phasing, deliverability, and viability will be informed, and it is only then when it can be understood exactly how deliverable is the ESRA allocation will be.
- 1.13 This timetable is a significant concern because stage 2 will be produced after the Examination hearing sessions, and it is an important piece of work to determine whether the site is deliverable.
- 1.14 JBPL strongly agree with the Inspectors to probe the number of dwellings that this site can collectively achieve as identified in the 17 November 2022 Cabinet Meeting, and question whether even 3,469 is deliverable based on answers provided to the questions below.
- 1.15 Indeed representations by Fuel Properties who are one of the landowners within the ESRA state that the that the allocation figures for housing and employment identified should be approximate, and subject to further masterplanning work and assessment. This cautious approach gives a serious cause for concern with the jump from 2,000 homes to 4,000 homes in this area, and a better approach would be to allocate GNLP0006 as a contingency site should the number be undeliverable.

Question 2. Is the expectation that all 4,000 homes on the site can be delivered before the end of the plan period realistic and justified by the evidence?

- 1.16 Overcoming the considerable constraints on these sites is the main reason we believe delivery of 4,000 homes (leaving aside the question of whether the sites can even accommodate 4,000 homes) will not take place before the end of the plan period.
- 1.17 The Delivery Statement / Statement of Common Ground (SoCG) between the partnership and Maddox Planning (November 2021) relating to the Deal Site, in section 4 states the phasing plan indicates a five-year build-out programme, which seems overly ambitious for the delivery of 670 dwellings. This would equate to a build-out rate of 134 dwellings per year, or 2.58 houses per week.
- 1.18 The site allocation statement of common ground between the partnership and National Grid/RWE in response to question 4 alarmingly states *“the site’s deliverability relies entirely on the delivery of infrastructure to facilitate access and, as such, continuing positive discussions between National Grid, RWE, and the council and other parties to agree funding for this infrastructure is the landowner’s utmost priority. Until funding is secured, and access can be viably designed and delivered, it is not possible to confirm an accurate development start and completion date.”*
- 1.19 Furthermore the degree of technicality and significant external funding is identified in the response to question 6 which states; *“It is expected that access related constraints could be overcome with external help and contributions. However, further constraints relating to the site’s historic gasworks and power station use (enabling works, demolition, and land contamination, for example) as well as constraints on developable areas adjacent to the railway and relating to easements / PADHI zones, will require consideration in the detailed design and to be bolstered by a comprehensive suite of technical work.”*

Question 3. Is the site available and viable? Where is the evidence for this?

- 1.20 The stage 2 masterplan is expected to provide further information on this. However, it will not be available for the hearing sessions. As to the availability of the ESRA site to deliver the entire allocation, this appears to be contingent on a number of landowners and/or subsequent sales to developers. Therefore, the deliverability of this site remains questionable.

Question 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?

- 1.21 The Government has recently recognised that sites allocated for residential or commercial are still being delivered on sites at risk from flood risk. This has brought about further rewording of the National Planning Policy Framework (NPPF 2021) in July 2021 regarding flood risk and a focus on ‘all sources’ of flooding (paragraph 161). The impact on the delivery of this site is considerable particular in relation to the Deal site (GNLP0360) and the Utilities site (R10).
- 1.22 Paragraph 161 of the NPPF states; *“All plans should apply a sequential, risk-based approach to the location of development, which must take into account all sources of flood risk and the current and future impacts of climate change, with the purpose being to avoid flood risk to people and property”*.
- 1.23 The NPPF then goes on to say how plans should do this, and manage any residual risk, by firstly: *“applying the sequential test and then, if necessary, the exception test.”*
- 1.24 Paragraph 162 states the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source: *“Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding”*.
- 1.25 If “all sources” of flooding are not considered at plan-making stage, then the question of whether the site in question can pass the sequential test will have to be revisited at the time of a planning application. Accordingly, it is necessary to ensure that all sources of flooding have been considered in assessing whether (a) the allocated sites are at risk of flooding and (b) whether sequentially preferable sites are available.
- 1.26 The SFRA (February 2021) in Paragraph 9.2 states about the majority of sites at fluvial risk are also at risk from surface water flooding. It provides an example of where uncertainty exists with site R38 (Three Score, Bowthorpe which is a carried over allocation for c 900 dwellings, within the Norwich urban area) which it states the site; *“presents very little present-day fluvial risk, although has a significant surface water through path through the west of the site. The impact of surface water flooding at sites such as this will need more detailed investigations undertaken as part of a site-specific Flood Risk Assessment at a later stage.”*
- 1.27 In relation to the ESRA the Level 2 SFRA states *“a carefully considered flood risk and sustainable drainage strategy covering sites GNLP0360, GNLP0353 and R10 must support early master planning and feasibility work. This will involve sacrificing some areas as functional floodplain and increasing flood storage to allow other areas of sites to be defended against fluvial flooding. There should be no overall loss of floodplain storage and the risk of flooding should not be*

increased up or downstream of the sites.” It concludes that the most suitable site from the four in the ESRA, in flood risk terms is GNLP0353 which is the Carrow Works site.

- 1.28 The key message of the Level 2 SFRA summary table is that for development to proceed it must be located outside of the area of fluvial risk. This considerably constrains parts of the allocation (e.g. 62% of the Deal Ground Site GNLP 0360 is in Flood Zone 2 or higher and 63% of the Utilities Site R10 is in Flood Zone 2 or higher). Since the changes to the NPPF, these figures must be updated to also take into account areas of pluvial risk (surface water) and hence the need for the SFRA to be updated before the sites can be allocated.
- 1.29 As there are sites elsewhere in the plan area that are not at risk of flooding, the GNLP should steer new development to areas with the lowest risk of flooding from any source to sites such as Wymondham GNLP0006.
- 1.30 For sites which are currently subject to a Sequential Test, the scope of the SFRA need to be widened to consider the flood risk posed by surface water, groundwater, and other flood sources. It is therefore our belief that just because the Deal site has outline planning permission, the changes to the NPPF now question its deliverability.
- 1.31 The Deal Ground site (GNLP0360) is essentially an ‘island site’ and requires the provision of a bridge over the River Yare to be constructed, which brings about concerns over safe emergency access and egress, as well significant costs to deliver the bridge which will be in the range of several millions of pounds.
- 1.32 The underpass beneath the railway linking Carrow Works to the Deal Ground site is a critical link that is vital to the success of the masterplan area as a whole. This underpass would link the Carrow Works site to the Deal Ground and is key to providing permeability between the sites and linking the city centre to the wider Norfolk Broads. It is understood this underpass is affected by flooding which will need further assessment regarding the contribution it will serve during times of safe access and egress in an extreme event.
- 1.33 There is significant concern regarding the substantial noise, air (smell), and light pollution generated from the Utilities site, and redevelopment of neighbouring land in this area could jeopardise the running of these crucial operational sites which support the railway.

Question 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?

- 1.34 An application for the approval of the Reserved Matters for 670 dwellings at the Deal Ground and May Gurney sites, The Street, Trowse (2011/0152/SNC) shall be made to the Local Planning Authority not later than the expiration of ten years beginning from the date of the outline permission, which would therefore run up until 12 July 2023.

- 1.35 Along with the further forms of masterplanning and community engagement, and the necessary, strategies including flooding drainage, it is expected that 2024/25 is unrealistic.

Question 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?

- 1.36 Along with the further forms of masterplanning and community engagement, and the necessary, strategies including flooding and drainage, it is expected that 2033/34 is unrealistic

Question 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?

- 1.37 No, for the reasons set out above. Applications for planning permission will dovetail with the East Norwich Masterplan, the Masterplan is expected to be adopted after the GNLP which may result in further delays.

Question 8. Does the Policy effectively ensure the protection and enhancement of heritage and other assets on or close to the site?

- 1.38 It is noted that the figures for East Norwich have doubled from 2,000 to 4,000 dwellings and once again information is lacking to support the constraints such as the absence of a Heritage Impact Assessment. To that end, the Plan must be unsound as it is not justified since it is not based on sufficient evidence.

Question 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?

- 1.39 Welbeck Land have no comments to make on Question 9.

Question 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?

- 1.40 As no costs or feasibility work has been published at this stage it is impossible to confirm how this infrastructure will be funded. This casts doubt on the allocation as a whole. Stage 2 of the masterplan work is proposed to refine the masterplan on viability and deliverability.

- 1.41 The Greater Norwich Growth Board produced a Five-Year Infrastructure Investment Plan and within this it states that the pooled CIL contributions from

the three councils (Infrastructure Investment Fund) may be one possible source of funding to assist with this. However, the level of infrastructure investment is yet to be identified.

- 1.42 If the cost of strategic infrastructure such as the bridges is to be largely funded by the promoters of the constituent parts of the ESRA then it should be evidenced that the parties have entered into a Collaboration Agreement to demonstrate deliverability. Further, it should be demonstrated that such infrastructure obligations will not undermine the viable delivery of these complex brownfield allocations.

January 2022
JBPL

