

Topic Paper: Policy 3: Environmental Protection and Enhancement

Summary: The development of Policy 3, through the various stages of the local plan process and taking account of consultation comments and evidence and assessments, is explained in this topic paper. This culminates in a consideration of the responses to the Regulation 19 Proposed Submission Greater Norwich Local Plan (GNLP). It is concluded that the policy is appropriate and “sound” in accordance with the legislative requirements. However, it is accepted that some improvements for explanation / clarification could be made through minor wording changes as “additional modifications”. In addition, there are some instances where a change is sought by an objector and, although the Greater Norwich authorities do not accept that the change is necessary, the authorities have no objection to such a change being recommended as a Proposed Modification by the Inspector if deemed to be necessary to make the Plan sound.

Purpose

1. This topic paper is part of a series of papers to provide further justification and explanation of the policy for Policy 3 Environmental Protection and Enhancement for the submission of the GNLP and its consideration at examination.
2. Policy 3 covers the protection and enhancement of both the natural environment and the built and historic environment.
3. The topic paper contains the following: a brief introductory “background” to the topic paper; a summary of the context including any legislative considerations, national planning policy, current local policies, and the main evidence sources that have guided the policy approach, including Sustainability Appraisal and Habitat Regulations Assessment; explanation of the Regulation 18 stage consultations: and the results of the Regulation 19 stage consultation. Through these it is explained how the policy approach has been developed. Reference is made to a number of evidence documents, with “links” and evidence base references provided.

Background

4. Environmental protection and enhancement are fundamental issues for local plans and so will be a significant factor in achieving two GNLP objectives:
Environment: To protect and enhance the built, natural and historic environments, make best use of natural resources, and to significantly reduce emissions to ensure that Greater Norwich is adapted to climate change and plays a full part in meeting national commitments to achieve net zero greenhouse gas emissions by 2050.

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Communities: To grow vibrant, healthy communities giving people a high quality of life in well-designed developments with good access to jobs, services and facilities, helping to close the gap between life chances in disadvantaged and other communities.

5. Current local plans, such as the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS), which was adopted in March 2011 with amendments adopted in January 2014, and Development Management Policy Local Plans contain policies on the environment, though it is an issue that is evolving and becoming more prominent. Reflecting the Government's 25 Year Environment Plan, the National Planning Policy Framework (NPPF) places great weight on protecting and enhancing the natural environment. In addition, changes to legislation are proposed through the Environment Bill, including the potential requirement for a net gain for biodiversity.
6. Information and issues are briefly set out in Section 2 of the GNLP, including for the built and historic environment; the natural environment; landscape; soils and water. Further discussion of issues is contained in the explanatory text that precedes the policy. As well as the importance of protecting the environment in general, particular issues relate to the provision of green infrastructure and the need to avoid and mitigate potential impacts on European status wildlife sites.
7. The policy seeks to address the identified issues. In doing this, it reflects national planning policy and guidance, as well as being a development of previous local planning policy approaches having regard to particular issues in the area; and takes account of opinions that were expressed through the consultation process.

Context

Proposed Legislation

8. At the time of writing there are proposed changes to legislation that will, if enacted, affect Policy 3. The Environment Bill 2020 contains a number of proposed provisions including "about targets, plans and policies for improving the natural environment; for statements and reports about environmental protection; for the Office for Environmental Protection; about waste and resource efficiency; about air quality; for the recall of products that fail to meet environmental standards; about water; about nature and biodiversity; for conservation covenants; about the regulation of chemicals; and for connected purposes". As a consequence, if the GNLP is not adopted when such changes take place it may be appropriate for Proposed Modifications to be made to update the policy.

National policy

9. In producing the GNLP the National Planning Policy Framework (NPPF) has been followed. The Regulation 19 GNLP was published under the February 2019 (NPPF) but it also accords with the NPPF update published on 20 July 2021. The NPPF sets out the policy framework within which local plans should be prepared.

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The NPPF seeks to ensure that development not only avoids harm to natural environmental assets (in a manner commensurate with their importance and level of statutory or local protection), but also requires a policy approach which actively protects, promotes, and enhances biodiversity, recommending the establishment of coherent ecological networks that are more resilient to current and future pressures.

10. The NPPF acknowledges the need to protect the local environmental assets identified in the development plan, alongside those statutorily protected sites with greater (national or international) significance. This includes recognising the intrinsic character and beauty of the countryside, and that plans should take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure. (NPPF para 174 – 182).
11. In terms of the historic environment the NPPF states that plans should set out a strategy for the conservation and enjoyment of the historic environment, taking into account: sustaining and enhancing the significance of heritage assets and having a viable use; the wider social, cultural, economic and environmental benefits; the desirability of new development contributing to local character and distinctiveness; and the opportunities created by the historic environment to improve the character of a place. (NPPF para 190).

Current local policies

12. At a local level, the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) which was adopted in March 2011 with amendments adopted in January 2014, sets out the current strategic planning approach. The Spatial Vision (Chapter 4) includes the connection of open space and wildlife habitats across urban areas and the countryside; for Norwich to be a greener city; for heritage to be retained and promoted; and for the rural area to retain its distinctive character, recognising the importance of the Broads and wildlife habitats.
13. Relevant spatial planning objectives include Objective 1 on climate change; Objective 8 on protecting and enhancing the character and culture of the area; Objective 9 on protecting and enhancing the natural and built historic environment; and Objective 11 on encouraging healthy and active lifestyles.
14. These are applied through Policy 1 Addressing climate change and protecting environmental assets; and in general terms through the Policies for Places that deal with the different levels of settlement. These strategic policies are taken forward in more detail through policies in the adopted Development Management Policies Local Plans and other supporting documents of the three planning authorities.

Evidence

15. Section 2 of the GNLP is a “Spatial Profile” of the Greater Norwich area, this summarises information on the main social, economic and environmental issues

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and includes references to supporting information. This follows from a similar portrait produced for the Reg 18A Growth Options consultation in January 2018. It identifies key trends and issues which the GNLP aims to take account of and address. The section of particular interest is: Environmental Assets (the built and historic environment, the natural environment, landscape, soils and water). Further discussion is contained in the supporting explanatory text that precedes Policy 3.

16. The Greater Norwich Green Infrastructure Study (2020) ([B7.1](#)) expanded on earlier work produced under the JCS (Greater Norwich Green Infrastructure Strategy / Study (2007) and GI Delivery Plan (2009)). This provides a high degree of detail on existing green infrastructure, which has been significantly improved since production of the initial strategy documents over a decade ago, and potential opportunities for further enhancement.
17. In addition, all the local planning authorities in Norfolk, together with national and local wildlife organisations, have produced a Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) (March 2021) ([B6.1](#)). This assesses and proposes measures to address potential impacts on the European wildlife sites that might arise from recreational pressure caused by new residential developments. A GIRAMS Interim Statement of Common Ground between the Greater Norwich Authorities and Natural England ([B6.2](#)) has been produced, setting out an agreed position for the adoption of the GIRAMS.
18. Such evidence adds to the existing more general information such as landscape character assessments, conservation area appraisals, listed buildings, the Norfolk Historic Environment Record, SSSI and County Wildlife sites information, Norfolk Biodiversity Partnership, etc.
19. This evidence was taken into account in drafting the policy. Monitoring of the Plan will be undertaken, and information provided on this in the Annual Monitoring Reports. The Green Infrastructure Study and the specific measures arising from it will also be monitored and evaluated over time, including through the work of the Greater Norwich Growth Board, as will the GIRAMS in conjunction with the other partners in the Norfolk Strategic Planning Group. Such monitoring will input into the next review of the Plan.

Sustainability Appraisal (SA)

20. The Sustainability Appraisal was developed through a series of stages, with account being taken of this in the related GNLP stages. The Interim Sustainability Appraisal (2018) ([B23.2](#)) was an early high-level assessment of the issues to be addressed in the GNLP (as set out in the GNLP Growth Options consultation document). It considered the proposed GNLP objectives and policy topics and evaluated these against the objectives of the sustainability appraisal framework. Relevant to Policy 3 are the objectives for Communities and Environment. The conclusions relating to these are set out in Appendix 1 to this Topic Paper.

21. Particular “topic” or thematic policies are: Climate change and Environment (in relation to green infrastructure and landscape). Extracts relating to these are also set out in Appendix 1.
22. In particular, the Interim SA identified issues that could be addressed within the policy themes to mitigate adverse effects and maximise beneficial ones. Relevant aspects were:
- Climate change - ensuring that climate change considerations run through all of the strategic and topic-based policies of the plan (9.18)
 - Environment – minimising recreational impacts on wildlife sites through the location of development; and for the characteristics of SANGs (Suitable Alternative Natural Greenspace identified to address potential impacts on European status wildlife sites) to be identified, and for policy to be consistent with strategies and investment plans (9.21); the benefits of landscape policy could be maximised through integration of identified areas, GI strategy and planned mitigation measures for recreational impacts (9.23)
 - Communities - ensuring the development is distributed, as far as is practicable within any chosen distribution, so as to create the best relationship between new development and opportunities to live healthy lifestyles; and, as far as practicable, consistency between the policy and external policies, strategies and promotional activities (9.26).
23. The results of the Interim SA were taken into account in producing the draft policies for the next stage of the process, Reg 18C and the consultation on a draft Plan.
24. The **Regulation 18C Sustainability Appraisal Report** ([B23.3](#)) put forward a number of recommendations in relation to proposed Policy 3 in the Reg 18C Draft Plan consultation. These recommendations, together with the GN authorities’ responses to them, are set out in Appendix 2. This resulted in revisions being made to the policy and supporting text in relation to:
- clarification of wording, including on the protection from harm to designated and non-designated natural assets, and that regard should be given to the level of importance of the asset. Also, that a target for biodiversity net gain should be stated
 - revisions to the policy and supporting text clarifying the role and importance of green infrastructure, including reference to green infrastructure strategies
 - revisions to the policy and supporting text clarifying the relationship between development and the delivery of green infrastructure
 - revisions to the policy and supporting text to clarify the position relating to heritage, including requiring a heritage impact assessment if significant impacts might arise.
25. These revisions went forward into the GNLP Reg 19 Proposed Submission version.

26. The **SA Report on the GNLP Reg 19** ([A6.1](#)) raised a number of issues including some that potentially related to Policy 3. These were considered and the local authorities' response, the GNLP Authorities' Response to Sustainability Appraisal Residual Effects from the Reg 19 GNLP ([A6.4](#)) published with the SA report. No amendments to Policy 3 were deemed necessary.

Habitat Regulations Assessment

27. An "appropriate assessment" under the Habitat Regulations or Habitat Regulations Assessment (HRA) has been produced for the GNLP. The overall aim was to determine whether the plan would have a likely significant effect upon the integrity of any "European" status wildlife site.
28. The **HRA of the Greater Norwich Local Plan Issues and Options stage (Dec 2017)** ([B9.1](#)) was an interim assessment of the Issues and Options stage of the emerging GNLP. This focussed on direct and indirect effects of proposed housing although other matters such as transport and employment land were also assessed. The broad conclusions at this stage of relevance to Policy 3 were that:
- To alleviate recreational pressure on European sites alternative recreational opportunities should be provided. This could take the form of a new country park containing woodland, small and large waterbodies (where feasible and subject to aircraft safeguarding constraints), open grassland or potentially inland beach functions (if feasible) nearer the strategic development sites.
29. These points were taken into account in the drafting of the policy (together with Policy 2 which also references green infrastructure).
30. The interim assessment was followed by the **HRA of the Greater Norwich Regulation 18 Draft Plan (2019)** ([B9.2](#)). This considered the policies proposed at Reg 18C draft plan consultation stage. For Policy 3 the assessment concluded:
- "7.2.1 There are no pathways which could have an adverse effect upon any European site. The requirement to conserve and enhance the natural environment would not be achieved if any development was proposed which would have an adverse effect upon any European site, thus protecting all European sites from harmful development.*
- 7.2.2 Enhancement of the green infrastructure network will provide alternatives for recreational visitors to greenspaces.*
- 7.2.3 Whilst the specific mitigation proposed in connection with the plan remains in development, a requirement for tariff payments for mitigation measures to protect European sites through management of recreational pressure is likely to be required in order to secure the necessary mitigation for Policy 1 'The Growth Strategy'. Any tariff payment for mitigation can reasonably be considered to be connected with or necessary for the management of European sites.*
- 7.2.4 It is ascertained that this policy will have no adverse effect upon the integrity of any European site".*

31. Also of relevance is the assessment of proposed Policy 1 The Growth Strategy, which stated:

“5.11.1 Subject to satisfactory completion of the Green Infrastructure and Recreational Avoidance and Mitigation Strategy, , it is ascertained that this policy will have no adverse effect upon the integrity of any European site”.

32. Consequently, the inclusion of the results of the GIRAMS was deemed to be a key element for Policy 3 and this was reflected in revisions to the policy for the next stage of the GNLP, Regulation 19 Proposed Submission publication.

33. For the next stage of the plan process, the Regulation 19 Proposed Submission GNLP (2021), the HRA was updated and the **Habitats Regulations Assessment of Greater Norwich Regulation 19 Draft Plan (Dec 2020)** ([B9.3](#)) produced, including its revised recommendations. These were considered and the local authorities' response, the GNLP authorities' Response to draft HRA (Dec 2020) recommendations for Reg 19 GNLP ([B9.4](#)) was published with the HRA report. Final revisions were made to the Reg 19 GNLP, including in relation to the HRA recommendations

34. The overall conclusions of the HRA were:

“11.3 Overall conclusion

11.3.1 It is concluded that subject to satisfactory resolution of the outstanding matters listed above, there would be no adverse effect upon the integrity of any European site”.

The referred to matters relevant to Policy 3 were:

“11.1 The Greater Norwich Local Plan acting alone

11.1.1 It is ascertained that the Greater Norwich Local Plan regulation 19 Submission Draft v1.6 would have no adverse effect upon the integrity of any European site acting alone, subject to the following outstanding matters

- *Adoption of the Green Infrastructure and Recreational Impact Avoidance Mitigation Strategy to achieve mitigation for in-combination recreational effects*
- *The provision of suitable green space for developments over 50 homes*”

“11.2 The Greater Norwich Local Plan in combination with other plans or projects

11.2.1 Other Local Planning Authorities throughout Norfolk are progressing towards adopting the GIRAMS scheme to mitigate for impacts on European site. This scheme will act to ensure that in-combination effects of residential development would not have an adverse impact on the integrity of any European site”.

35. With regard to these points, at the time of publication of the Reg 19 GNLP the Norfolk Green Infrastructure and Recreational Avoidance and Mitigation Strategy

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(GIRAMS) was close to being finalised but remained subject to approval by the local planning authorities. Policy 3 applies the recommendations of the GIRAMS, in terms of the provision of adequate green space for residential developments, and the requirement of a tariff applied to residential development to fund mitigation measures for impacts arising at the European status wildlife sites. The final GIRAMS had a slightly lower tariff applied per dwelling than that included in Policy 3 (as that was based on an earlier draft of the GIRAMS) and a factual “additional modification” will need to be made to the GNLP before adoption.

36. After the Reg 19 publication an updated HRA report was published ([A7](#)) in July 2021. This had regard to the latest situation on the GIRAMS, including a proposed Statement of Common Ground with Natural England. The conclusions of the HRA were:

“11.1 The Greater Norwich Local Plan acting alone -

11.1.1 It is ascertained that the published Greater Norwich Local Plan regulation 19 Proposed Submission Draft would have no adverse effect upon the integrity of any European site acting alone, subject to the adoption of the Green Infrastructure and Recreational Impact Avoidance Mitigation Strategy to achieve mitigation for in-combination recreational effects. Monitoring of improvements to water recycling centres is necessary to review the progress on improvements needed in the next five years.

11.2 The Greater Norwich Local Plan in combination with other plans or projects -

11.2.1 Local Planning Authorities throughout Norfolk are progressing towards adopting the GIRAMS scheme to mitigate for impacts on European site. This scheme will act to ensure that in-combination effects of residential development would not have an adverse impact on the integrity of any European site.

11.3 Overall conclusion –

11.3.1 It is concluded that subject to GIRAMS adoption and monitoring of progress towards water recycling improvements there would be no adverse effect upon the integrity of any European site”.

37. Hence, the finalisation and adoption of the GNLP is dependent on the prior approval and adoption of the GIRAMS by the Norfolk local planning authorities in order to comply with the HRA. A joint interim statement with Natural England on the GIRAMS issue has been produced ([A6.2](#)).

Regulation 18 Consultation

Regulation 18A Growth Options and Site Proposals Consultation (Jan to March 2018)

38. Details of the Reg 18A consultation are set out in the “Greater Norwich Local Plan Statement of Consultation” ([A8.1](#)). This included asking a series of questions on

issues relating to growth. Summaries of the consultation responses are set out in the Statement of Consultation Appendix 3b Growth Options and Rep summaries GNPD ([A8.5](#)). Relevant ones to Policy 3 are:

Question 7 “Are there any infrastructure requirements needed to support the overall scale of growth?” The need for Green infrastructure was identified by some respondents, with Natural England commenting that it was essential for the growth and needed to be of the right type and in the right place.

Question 53 “How should nature conservation and Green Infrastructure be covered in the GNLP? Option NC1 – Require housing developments to provide additional green space on-site to address the impact of housing growth on designated nature conservation sites (reasonable alternative) Option NC2 – Require housing developers to make payments so that impacts on the designated nature conservation sites are addressed”. A total of 78 separate responses were received to this. 45 respondents supported option NC1, 10 respondents selected option NC2 and 23 respondents selected neither option but provided other suggestions and comments.

In general, there was largely support for the adequate provision of open space for developments; and for development to address its impacts on wildlife etc; and for important wildlife areas to be protected. Natural England preferred a single broader policy that allowed for a mix of measures from both of the possible options.

Question 54 “Do you think any changes should be made to the Green Infrastructure network?” A total of 64 separate responses were received. Of these, 44 considered changes to the green infrastructure network were necessary, 15 did not. Five respondents did not answer either Yes or No but provided additional comments.

Natural England supported the continued development of the GI network incorporating new information and cascading the network down to a more local level, though questioned GI provision to-date and the effectiveness of monitoring, and emphasised that green infrastructure must be protected, well planned and managed. The Environment Agency supported the provision of new green infrastructure but emphasised that existing features should be protected as well. Historic England referenced the historic interest that green infrastructure areas might have, and the role GI can play in enhancing and conserving the historic environment.

Question 55 “Which of these options do you favour (for landscape protection)? Option LA1 – Retain the current South Norfolk Local Plan approach, extending the principles to those parts of Broadland closest to Norwich, including the route of the Norwich Northern Distributor Road. Option LA2 – Retain the general current approach to landscape protection in the current three separate local plans”. Sixty-four responses were received with about two thirds in favour of option LA1. A

number of those that supported the option wanted to see more consideration of river valley protection incorporated in a policy. The Wensum, Waveney and Tud were specifically identified. Others argued against applying a protection policy to a road, as done in South Norfolk. Natural England supported retaining and extending the South Norfolk approach.

39. The drafting of the policy for the Reg 18C Draft Plan took into account the responses to the Reg 18A consultation, generally resulting in the refinement or sometimes merging of options to produce an appropriate suggested policy wording.

Regulation 18C Draft Plan consultation (January to March 2020)

40. The draft Policy 3 Environmental Protection and Enhancement addressed the twin themes of “built and historic environment” and “natural environment”. As a strategic policy it was intended to be at a relatively “high level” and to set the context for the more detailed development management type policies in other local plans of the Greater Norwich authorities. Policies on the subject are already in place in the authorities' Development Management local Plans. The proposed new strategic policy would add to these and be a steer for any future revisions to the DM policies
41. Details of the Reg 18C consultation are set out in the “Greater Norwich Local Plan Statement of Consultation” ([A8.1](#)). This included asking a series of questions on general points and relating to individual policies. Summaries of the consultation responses are set out in the Statement of Consultation Appendix 6 Reg 18C Strategy and Evidence Reps summaries GNDP ([A8.10](#)). Relevant ones to Policy 3 are:

Question 20 - *Do you support, object, or have any comments relating to the built and historic environment?* 10 Support, 4 Object, 5 Comments. Historic England's comments included that development management policies should be reviewed and included in the Plan; that a strategic policy was not detailed enough on the historic environment; brownfield development was welcomed but subject to the impact on the historic environment; there should be a tall buildings and massing strategy / policy; suggested some detailed wording changes and that the natural environment should be dealt with in a separate policy.

Question 21 - *Do you support, object or have any comments relating to the approach to the natural environment?* 12 Support, 9 Object, 17 Comment. The Environment Agency suggested updating the policy when the Environment Act is in place; clarification of greenspace; recognition of the importance of the natural environment in its own right; references to “net gain” needing updating; the potential impacts of country parks on priority habitats and they should be encouraged on agricultural land; reference to environmental legislation e.g. Water Framework Directive; encouraging brownfield development; and suggested wording on the key elements of the natural environment. Natural England suggested that the policy and supporting text needed to be much longer; it would not deliver adequate Green

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Infrastructure, it contains too much uncertainty; it needs to explain the hierarchies of site protection and mitigation; it needs to cover measures in relation to climate change adaptation, halting and reversing the loss of biodiversity; it should set out what a GI network will look like on the ground, how and where it will be delivered and the timescale with other detail on existing GI network.

Question 22 - *Are there any topics which have not been covered that you believe should have been?* 0 Support, 5 Object, 15 Comment. Historic England recommended a number of pieces of evidence on the historic environment be taken into account in the Plan; sought policies / text on heritage at risk, Historic Landscape Characterisation and Landscape Character Assessments; and wanted updated development management policies.

42. In the light of the responses received to Reg 18C, including from Historic England, Natural England, and the Environment Agency, together with matters raised through the Sustainability Appraisal, Habitats Regulation Assessment, and evidence documents, a number of substantive changes (plus other minor clarification, corrections etc) were made to draft Policy 3 and supporting text for the Regulation 19 Proposed Submission version of the Plan. The substantive changes and reasons for the changes are set out in Appendix 3 of this Topic Paper. A “tracked changes” version of the GNLP, showing the changes to the policy and text is also available ([Reg. 18C to 19 track changes.pdf \(gnlp.org.uk\)](https://gnlp.org.uk/Reg-18C-to-19-track-changes.pdf)). (N.B. an error in the tracked changes version gives the paragraph numbers of the Reg18C document as 1 less than in the actual document).
43. The changes, in summary, are in relation to:
heritage impact assessments, avoiding harm to heritage assets, having regard to the level of importance of heritage assets, ancient trees and woodlands, respecting and retaining natural assets, avoiding harm to natural assets, and having regard to the level of importance of the natural asset, the delivery of biodiversity net gain (at least 10% gain on existing), and addressing potential impacts of residential development on HRA sites, including through a tariff and provision of new or enhanced green infrastructure.
44. For the supporting text a number of updates and clarifications have been made. A key change being updating of the explanation on the GIRAMS (paragraph 192 plus new paragraphs).

Reg 19 Proposed Submission

Reg 19 Proposed Submission publication (February to March 2021)

45. The Reg 19 Proposed Submission GNLP is the intended “final” version of the Plan. It has evolved over a number of years following proper procedures. The starting point was the current local plan, primarily the Joint Core Strategy, and the policies within the National Planning Policy Framework.

46. Initial consultations looked into issues and options for the Plan, and these highlighted the importance of the environment, and the need for it to be protected and enhanced, and that this would contribute to meeting key objectives of the Plan. Further consultations held on a draft Plan (the Regulation 18C draft plan) confirmed this.
47. Evidence through the Green Infrastructure Study and GIRAMS, together with the Sustainability Appraisal and Habitat Regulations Assessment, supported the need for the Policy and gave direction to its approach in relation to promoting green infrastructure networks, and avoiding and mitigating impacts from recreational pressure on European status wildlife sites. As such, Policy 3 is a necessary and justified part of the Plan that will help guide the future development of the area and retain and enhance its environmental importance.
48. The Regulation 19 Proposed Submission GNLP was published on 1 February 2021 with the period for representations running to 22 March 2021. This stage is to allow for representations to be made on legal and “soundness” issues as set out in the legislation. A number of representations were received relating to Policy 3 or its supporting text. These can be viewed on the GNLP website at: [Regulation 19 Publication | GNLP](#). Details of the Reg 19 consultation are set out in the “Greater Norwich Local Plan Statement of Consultation” ([A8.1](#)). This includes a summary of the representations and the authorities’ response to these at Appendix 11a ([A8.19](#)). The responses include some potential minor changes proposed to be made as “additional modifications”. In addition, for some statutory bodies that have made representations Statements of Common Ground ([D4](#)) may refer to potential modifications, and in some cases may give rise to revisions to the original authorities’ response.
49. The main issues raised in the Regulation 19 stage representations were:
- The Built and Historic Environment –
1. Include more about the distinctive, unique heritage of the area to make the policy more locally specific
 2. Add reference (policy and text) to Historic Landscape Characterisation and Landscape Character Assessments
 3. Need for a historic environment topic paper, Heritage Impact Assessments of certain sites and taller buildings evidence base.
- The Natural Environment –
1. Natural England state that there are insufficient measures to ensure that adverse effects on European Sites from visitor pressure would be avoided (as GIRAMS is not adopted). Therefore, the plan is not in compliance with the Habitats Regulations
 2. Biodiversity net gain is not included in viability – not demonstrated that allocations are deliverable

3. To deliver biodiversity net gain off-site there must be a mechanism for developers to pay into a central pot that will be used to deliver biodiversity
 4. The need for GI to be met by development is not adequately defined
 5. The policy and supporting text are inadequate to protect, maintain, restore and enhance the natural environmental assets of the area
 6. Need to explain the hierarchies of site protection and mitigation.
50. These matters, and others raised in the representations, are addressed in the Greater Norwich authorities' responses as set out in Appendix 11a of the Statement of Consultation and the Statements of Common Ground (SoCG) as referred to above. One such SoCG is with Natural England ([D4.7](#)) in response to their representations on the GNLP, and this includes a joint interim statement on the GIRAMS issue ([A6.2](#)). No major modifications to the GNLP are necessary in the light of these representations, though some minor changes may be worthwhile for clarification etc.

Conclusions

51. Proper regard has been had to legislation, national policy, evidence including Sustainability Appraisals and Habitat Regulations Assessment, and the results of community engagement and consultation. Policy 3 is appropriate and "sound" in accordance with the legislative requirements, subject to adoption of the GIRAMS as referred to in the section on the Habitat Regulations Assessment. However, it is accepted that some improvements for explanation / clarification could be made through minor changes (see Appendix C Schedule of Minor Modifications to the GNLP Strategy appended to the Submission letter to the Inspectorate ([A13](#)) for changes as at submission). A tracked changes version of the policy and text showing these potential "additional modifications" is to be produced.

Appendices

Appendix 1 Interim Sustainability Appraisal (2018) Extracts

Objectives

Communities: To grow vibrant, healthy communities giving people a high quality of life in well-designed developments and good access to jobs, services and facilities.

4.6.5. It is not considered that this proposed objective would have any significant potential negative effects in relation to any of the draft SA objectives. In order to maximise the benefits of this objective it will be important to plan for a distribution of residential and economic development that meets needs and is best placed to ensure residents are well provided for in terms of services and facilities. It is also important that the distribution of development supports existing services and facilities and which more generally seeks to address key principles of good design ensuring that new development functions well, establishes a strong sense of place, responds to local character and history, creates safe and accessible environments and is visually attractive.

Environment: To protect and enhance the built and natural environment, make best use of natural resources, minimise contributors and adapt to climate change.

4.6.9. It is considered that this objective has a generally positive impact in relation to the SA objectives. These positive effects can be maximised through measures such as providing appropriate policy protection for the historic environment, key landscapes, natural resources and areas of habitat or conservation important. Also, planning for new development in a manner which avoids significant impact on these features wherever possible will be important. There are potential negative effects identified in terms of the SA objectives which seek to ensure housing needs are met and that economic development is promoted. These effects primarily relate to the possibility that housing and economic development needs may not always be met in a manner which has no impact on the objective. In order to minimise these effects, it will be important to ensure that a proportionate approach is taken to the protection of assets relative to their importance, that the potential for mitigation is explored as early as possible and that effective measures are put in place on development sites. Possible negative effect could also result if development were distributed in a manner which is inconsistent with minimising contributors to climate change, in particular with regards to the impact of travel. To minimise such impact, it will be important that the plan exploits opportunities for the use of sustainable transport as far as is practicable.

Policy themes

8.6. Climate Change

Outline of the Reasons for Selecting the Alternatives Dealt with

8.6.1. The 2004 Planning and Compulsory Purchase Act imposes a legal duty to include "Policies designed to secure that the development and use of land in the local planning authority area contribute to mitigation of, and adaption to, climate change". The GNLP's

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draft environment objective is: To protect and enhance the built and natural environment, make best use of natural resources, mitigate against and adapt to climate change.

8.6.2. As a consequence of the above there are not considered to be any other reasonable alternatives other than to include a specific policy that continues with the current JCS policy approach on climate change.

Summary of Significant Effects

8.6.3. Policy CC1 can reasonably be expected to directly address climate change mitigation in regards to carbon emissions, particularly from traffic by promoting sustainable modes of transport modes. It would also be expected to address climate change mitigation through measures such as green infrastructure and increased water efficiency. Policy CC1 would also indirectly address air pollution, by supporting reduced carbon emissions from traffic. All of these would result in significant positive effects on the baseline. It should be noted that other policies of the GNLP will directly impact on these issues also e.g. the transport policy and also that other influences, such as the local transport plan, could have a greater impact on these issues than the policies of the GNLP.

8.8. The Environment

Nature Conservation

Outline of the Reasons for Selecting the Alternatives Dealt with

8.8.8 There are potentially “cumulative” recreational impacts on SAC/SPA and Ramsar sites resulting from the scale of growth needed within Greater Norwich. It is necessary to address these impacts. The absence of a policy that addresses recreational impact on SAC/SPA sites would be unreasonable and would fail to meet legislative requirements and the environmental objective of the plan.

8.8.7. There are considered to be two principle forms of mitigation: the provision of suitable alternative natural green space, to direct additional recreational trips away from sensitive sites, or direct mitigation for SACs/SPAs and Ramsar in the form of a management and monitoring strategy to increase the resilience of sites from recreational impacts. These are the alternatives that have been considered. No other alternatives have been identified.

Evaluation of reasonable alternatives

Reasonable Alternative NC1 – Require housing developments to provide additional green space on-site (or through off-site contributions) to address the impact of housing growth on designated nature conservation sites. NC2 – Require housing developers to make payments so that impacts on the designated nature conservation site are addressed.

Summary of significant effects

8.8.8 NC1 would ensure development contributes towards green infrastructure, which would in some cases provide routes for walking and cycling supporting healthier lifestyles and mitigate of the effects of climate change. There may also be indirect significant benefits in terms of promoting walking and cycling as modes of sustainable transport as walking and cycling infrastructure could also enhance access to employment and education or services and facilities. NC1 and NC2 would both protect or enhance

nationally and internationally designated sites. NC1 and NC2 would provide for additional green infrastructure and the enhancement of existing designated sites which could maintain or enhance landscape character.

Green Infrastructure

Outline of the Reasons for Selecting the Alternatives Dealt with

8.8.9. Green infrastructure (GI) is defined in the NPPF Glossary as “a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities”. 8.8.10. Defining, protecting and enhancing a Green Infrastructure network will be a key part of meeting the overall vision for the plan as well as the environmental and community objectives. Therefore the only reasonable alternative is to include a green infrastructure policy in the plan.

Evaluation of Significant Effects Reasonable Alternative NC3

Broadly reproduce the current JCS Policy 1 elements as they relate to green infrastructure, updating the baseline information (such as the GI Map), with each allocated site setting out the details of any specific mitigation measures/improvements within its allocation policy

Summary of Significant Effects

8.8.11. NC3 would ensure development contributes towards green infrastructure, which would in some cases provide routes for walking and cycling, supporting healthier lifestyles. It would also contribute to the protection and enhancement of biodiversity, help to mitigate against the effects of climate change and maintain or enhance landscape character. There may also be indirect significant benefits in terms of promoting walking and cycling as modes of sustainable transport as walking and cycling infrastructure could also enhance access to employment and education or services and facilities.

Appendix 2 Sustainability Appraisal Report Reg 18C (Jan 2020) Extracts from Appendix C plus GN authorities' response

C.6.1.4 It is recommended that this policy could be enhanced by providing greater clarity regarding the protection of all designated biodiversity sites. Defining a target for biodiversity net gain, expressed as a percentage, would strengthen the policy. The findings of the HRA should feed into the wording of this policy, or other Development Management policies which provide specific detail regarding the identified potential impacts on European sites.

Response: It is accepted that the policy, and supporting text, would benefit from clarification of wording, including on the protection from harm to designated and non-designated natural assets, and that regard should be given to the level of importance of the asset. Also, that a target for biodiversity net gain should be stated. The findings of the HRA have been taken into account in revisions, in relation to the requirement for a contribution towards mitigation measures and green-space provision as identified in the Norfolk GIRAMS.

C.6.1.8 This policy could be improved by cross-referencing to the relevant landscape character assessments, and providing greater clarity about what is considered to be a 'valued' landscape.

Response: Landscape Character Assessments, and other related documents such as conservation area appraisals and historic character assessments etc, are available from the local planning authorities and adjoining ones. Such documents evolve over time. It is not necessary for the policy to refer to these, and such a reference would not benefit the meaning of the policy. "Valued landscape" is a general term that is a matter of degree depending on locality and opinion, as such it must be determined on a case by case basis.

Table 3.3 3. It is recommended that the findings and recommendations of the HRA be incorporated into final policies. • It is recommended that policies and site-specific masterplans seek to safeguard SSSIs within the Plan area. This will ensure compliance with the NPPF which states that development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The output of the HRA would help to shape policies. • Proposed improvements to the green infrastructure network, including the Yare Valley Green Infrastructure Corridor provides the opportunity to strengthen the connectivity between designated and non-designated sites across Greater Norwich. This will improve the resilience of ecological networks to current and future pressures, notably urban development and climate change. It is recommended that this vision be embedded into the policies within the Local Plan and that a strategy for its implementation be

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developed in more detail. This will also ensure compliance with NPPF requirements in terms of enhancing ecological networks and achieving biodiversity net gain.

Response: The findings of the HRA have been taken into account in revisions, in relation to the requirement for a contribution towards mitigation measures and green-space provision as identified in the Norfolk GIRAMS. The protection accorded to the natural environment, including priority habitats, incorporates SSSIs. Revisions to the policy and supporting text have clarified on the role and importance of green infrastructure, including reference to green infrastructure strategies.

Table 3.3 4. The proposed improvements to the green infrastructure network, including the Yare Valley Green Infrastructure Corridor, provide the opportunity to consider the character of existing recreational routes and this would assist in mitigating negative impacts on views experienced from users of the PRow network as a consequence of development.

Response: Agreed. Such measures would be taken forward under the ongoing delivery of improvements, particularly through the Greater Norwich Development Partnership. The policies in the GNLP and in other Plans assist with this from the planning perspective.

Table 3.3 4. • It is noted that Policy 7.1 seeks to improve green linkages between the city centre and Whitlingham Country Park. The potential of creating green linkages to other Country Parks within the Plan area could be explored further through policy. • Landscape and green infrastructure enhancement should be sought through policy development by providing more detail regarding the protection of existing green infrastructure assets and the quantity and types of green infrastructure expected to be provided by new developments. The GNLP could consider the use of a Green Infrastructure Standard, such as 'Building with Nature'⁶². • Delivery of the green infrastructure and landscape policies should be strengthened by providing greater clarity regarding the funding mechanisms for the delivery, management and maintenance of green infrastructure associated with new development. • Regulation 18 Draft Plan Policies could be strengthened to promote initiatives for landscape/green infrastructure enhancement, for example, by promoting working with stakeholders on green infrastructure enhancement initiatives, including bids for funding. The delivery of green infrastructure could be included as part of the 'Delivery Statement'. • Landscape Character Policy could be included in Policy 3 so that it relates to all development including non-housing development.

Response: The GNLP is concerned with land-use and development, and its policies do not deal with wider issues such as the promotion of initiatives. These are more appropriately dealt with through other measures and strategies such as the Greater Norwich Green Infrastructure Strategy, delivery plans and the Greater Norwich Development Partnership investment plans etc. Information on these is obtainable elsewhere, and it would not be appropriate for the GNLP to go into detail explaining such

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measures. However, revisions have been made to the policy and supporting text clarifying the relationship between development and the delivery of green infrastructure. Policy 3 applies, in general, to all developments where appropriate, but there are additional requirements applied to residential development to address the impacts that may arise from recreational pressure on HRA sites.

Table 3.3 8. Proposed improvements to the green infrastructure network, including the Yare Valley Green Infrastructure Corridor, provides the opportunity to create places for active and healthy lifestyles. It is recommended that this vision be embedded into the policies within the Local Plan and that a strategy for its implementation be developed in more detail, and that reference is made to resisting the loss of existing green infrastructure where possible.

Response: See comments to Tables 3.3.4. The policy requires the conservation and enhancement of natural assets, that would include green infrastructure, and revisions expand on this.

Table 3.3 11. • It is recommended that green infrastructure delivery related to employment as well as housing development is incorporated within policies.

Response: Policy 3 applies, in general, to all developments where appropriate, but there are additional requirements applied to residential development to address the impacts that may arise from recreational pressure on HRA sites.

Table 3.3 13. • Greater emphasis in the accompanying wording in the Plan regarding the irreplaceable nature of the historic resource and that the level of conservation should be proportionate to the significance of the asset. • Where a site proposal could potentially impact a heritage asset, a Heritage Statement could be required, proportionate to the significance of the asset. This would provide a site-specific assessment of the impact of a proposal on the heritage asset, and thereby help to conserve or enhance the local historic environment.

Response: Revisions have been made to the policy and supporting text to clarify the position relating to heritage, this includes requiring a heritage impact assessment if significant impacts might arise.

Table 3.3 14. • It is noted that Policy 3 states high quality agricultural land would be protected. It is recommended that specific policy wording is included which sets out the protection afforded to Best and Most Versatile agricultural land and mitigation measures where such land is likely to be lost. • It is recommended that a site-specific ALC study is

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carried out for all sites to determine whether the proposed development would result in the loss of BMV soil.

Response: The policy requires the conservation and enhancement of natural assets, including high quality agricultural land and soils, reflecting NPPF para 170. “Best and most versatile” agricultural land is defined in the glossary to the NPPF. The policy applies to all developments in principle and would be considered for applications for planning permission and addressed at that time if appropriate.

Appendix 3

Policy 3 and supporting text – summary of changes from Reg18C to Reg 19

Policy 3 – Environmental Protection and Enhancement

Summary of substantive changes

<u>Paragraph Number/ Policy</u>	<u>Summary of changes</u>	<u>Reason for changes</u>
178	Add reference to historic assets below ground and make correction.	Clarification in response to comments
179	Add reference to guidance for considering heritage issues, assessments, and the consideration of setting and views of assets, including potential impact of tall buildings	Clarification in response to comments, including from Historic England, and SA comments.
182	Rewording of explanatory text	Clarification in response to comments
183	Add reference to restoring historic assets at risk	Clarification in response to comments from Historic England
185 / 186	Minor wording changes for clarification.	Clarification of explanatory text.
187	Amendment to wording to better explain biodiversity net gain situation.	Correction in response to comments, including from Natural England.
188	Minor wording changes to explanatory text	Updating and corrections to text.
191	Minor wording changes to explanatory text	Updating and clarifications to text
192	Updating and further explanatory text on the approach to green infrastructure provision and mitigation of impacts on wildlife sites.	Updating and explanation in response to comments, including from Natural England, and SA comments

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193	Updating of explanatory text, including a new paragraph explaining the Greater Norwich Green Infrastructure Study.	Updating
194	Updating and corrections to explanatory text	Updating and corrections responding to comments.
Policy 3	Clarifications and amendments to policy wording, particularly in relation to heritage impact assessments, avoiding harm to heritage assets, having regard to the level of importance of heritage assets, ancient trees and woodlands, respecting and retaining natural assets, avoiding harm to natural assets, and having regard to the level of importance of the natural asset, the delivery of net biodiversity gain (at least 10% gain on existing), and addressing potential impacts of residential development on HRA sites, including through a tariff and provision of new or enhanced green infrastructure.	Clarification and revisions in response to comments, including from Natural England and Historic England, and SA comments.