
Greater Norwich Local Plan

Local Plan Examination
Hearings Statement relating to:
Matter 4 / Issue 1

On behalf of
Barratt David Wilson Homes (Eastern Counties)
& Pigeon Investment Management



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Matter 4 – Sustainable Communities and the Environment

Issue 1 – Is Policy 2 justified, effective and consistent with national policy?

Question 17. Is the application of the Policy 2 as suggested to be modified in Q16 [in the Nutrient Neutrality Mitigation Statement of Common Ground with Natural England] likely to affect the viability and deliverability of residential development in the plan area?

Yes.

(NB For the avoidance of doubt, the ‘Nutrient Neutrality Mitigation Statement of Common Ground with Natural England’ is Appendix 1 to the ‘Nutrient Neutrality Evidence Note’ ([Examination Document G2.1](#)), titled ‘Greater Norwich Local Plan – Nutrient Neutrality Evidence’, the Appendix itself being titled ‘Greater Norwich Local Plan Statement of Common Ground with Natural England [-] Nutrient Neutrality Policy’ dated January 20th 2023. For the purposes of this Statement, we have referred to Appendix 1 as the ‘Statement of Common Ground’ (SoCG).)

Policy 2 as contained in the submitted Regulation 19 version of the Greater Norwich Local Plan (GNLP) was already two pages long. With regard to this matter, the SOCG proposes amendments to both Policy 2 – ‘Sustainable Communities’ itself, and to the supporting text / reasoned justification.

The proposed amendment to the Policy is to add an additional ‘section’ (referred to as being ‘Section 10’, but given that the Regulation 19 version of the GNLP already includes 10 parts to Policy 2, it is assumed that the intention is for this additional text to be added as an 11th part) stating (emphasis added):

“10. Within the catchments of the River Wensum Special Area of Conservation (SAC), The Broads SAC and the Broadland Ramsar:

- Residential development that results in an increase in the number of overnight accommodation and*
- Non-residential development that, by virtue of its scale or type may draw people from outside the catchments of the SACs and/or generate unusual quantities of surface water and/or (by virtue of the processes undertaken) contain unusual pollutants within surface water run-off*

must provide sufficient evidence to enable the Local Planning Authority to conclude through a Habitats Regulations Assessment that the proposal will not adversely affect the integrity of sites in an unfavourable condition.”

The SoCG then proposes that:

“Supplementary text should also be included as an additional modification, explaining that the policy:

- Applies to residential developments leading to an increase in overnight accommodation and non-residential development that, by virtue of its scale or type, may draw people from outside the catchments of the SACs and/or generate unusual quantities of surface water and/or (by virtue of the processes undertaken) contain unusual pollutants within surface water run-off as per the NE advice;*

- *Only applies to those parts of Greater Norwich affected by the WMS, as southern parts of South Norfolk and Broadland are not in the affected catchments. Maps of the river catchments will be included as an appendix to the plan;*
- *Ensures that relevant permissions will only be granted with necessary nutrient mitigation in place prior to occupation and in compliance with the Habitats Regulations;*
- *Requires evidence to be submitted to the local planning authority (as the competent authority) to show that on-site or off-site mitigation has been secured and will be implemented for relevant developments prior to their occupation;*
- *States that the requirement only applies whilst the protected habitat sites are in unfavourable condition.”*

The above is only an indication of the points that the GNDP proposes be covered in supplementary (supporting) text / reasoned justification – the actual proposed text has not (yet) been tabled.

It is noted that:

- Agreement 1 in the SoCG states (emphasis added):

“The signatories agree that the Partnership and Natural England will continue to work together to provide short-, medium- and long-term solutions to the nutrient neutrality issue as identified through the county wide mitigation study which is currently being developed and through the Nutrient Mitigation Scheme which will be accredited by Natural England. The mitigation schemes will support the delivery of the Greater Norwich Local Plan housing trajectory.”

- The webpage description for Examination Document G2.2 – ‘Norfolk Nutrient Strategy Mitigation Solutions’, dated 23rd January 2023 states:

“Please note that this is a draft version of the report which will be updated over the next few weeks with the following changes:

- 1. The currently provided housing number impacted by Nutrient Neutrality will be lower than stated in the report due to double counting by the consultants which is being rectified*
- 2. The report is being updated to include further medium and long terms solutions, which will include 11 new sections on these mitigation options*
- 3. Further corrections are also being made to the short term information provided*

The updates will be signposted in the Latest News section of this website.”

Whilst an update on point (1) above was posted on 2nd March, no update has yet been published on points (2), or (3). This update ([Examination Document G2.2A](#)) confirms that:

- Of the 37,651 homes in the latest housing land supply trajectory, the GNDP expects that 23,948 of these (almost two thirds) will be “impacted” by nutrient neutrality mitigation requirements.
- A further 1,500 homes, largely on unallocated sites, are also being “held up” at planning stage.



Summary

Overall, the proposed amendments to Policy 2 impose an additional onus on applicants, as well as the GNDP. It is seemingly clear that there will be an adverse impact on the viability and/or deliverability of a majority of residential development sites in the plan area. This impact will vary by site and whilst an assessment of major sites proposed has been carried out, the means through which individual sites will secure the necessary mitigation remains unknown, thus the extent of the overall impact remains unknown.

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