

External Memo: Technical Advice Note

To	Mike Burrell, Norwich City Council
From	Neil Davidson, Lepus Consulting
Subject	Greater Norwich Development Plan Sustainability Appraisal; Draft SA of Proposed Modifications to Policy 2
Code	LC-663
Date	17 th March 2023
CC	Laura Beveridge, Lepus Consulting



Summary

This short technical note has been prepared to inform examination in public hearings for the Greater Norwich Local Plan. The appraisal concerns proposed changes to Policy 2 of the GNL. The contents of this note will form part of the subsequent Main Modifications SA Report which will be prepared in due course, once the Inspectors have concluded the substantial part of the EiP and are content to proceed with Main Modifications.

Nutrient Neutrality

1. A recent ministerial direction signalled changes in the approach to the assessment of development proposals in catchments where water bodies (which are protected sites under the Habitats Regulations) are in unfavourable condition due to nutrient pollution. Due to this, the GNL authorities have been asked to resolve the situation before the GNL plan making process is concluded.
2. Consequently, the GNL authorities and Natural England have carefully prepared a solution to the challenge of nutrient neutrality. The approach takes the form of a revised policy in the submitted version of the GNL; Policy 2 (Sustainable Communities) has been expanded to incorporate firmer protection against potential impacts on water quality. A Statement of Common Ground between the GNL authorities and Natural England commits the authorities to

operating alongside the revised policy once it has been examined by the Inspectors responsible for the EIP of the GNLP.

3. The proposed changes are presented in Box 1.

Box 1: Extract from the statement of common ground dated (January 20th 2023) between constituent GNLP local councils and Natural England concerning Nutrient Neutrality Policy

The signatories agree that the following text, proposed to be added as section 10 of Policy 2 of the GNLP strategy, should be considered by the Inspectors as a potential main modification to the plan:

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.

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.

Sustainability of the proposed changes to Policy 2

4. Appendix C2 of the SA Report (January 2021) presented sustainability appraisal findings for Policy 2 of the Pre-Submission R19 Version of the GNL. The findings concluded that the policy would perform positively for all SA Objectives, either on a minor or major positive basis.
5. The introduction of modified text which seeks to further protect water quality and ultimately European protected sites such as the River Wensum Special Area of Conservation (SAC), the Broads SAC and the Broadland Ramsar will, if anything, improve the SA performance value for biodiversity. However, the overall score remains as minor positive since the introduction of strategic development at the scale of the GNL will bring challenges to biodiversity albeit that the plan includes positive mitigation mechanisms to try and ensure that there is no net loss of biodiversity.
6. The modified text will also improve water quality and if anything, improve the SA performance value for water. However, for the same reasons as those cited for biodiversity, the SA objective for water remains as a minor positive score. Water consumption and challenges for water supply associated with climate change during the plan period will presents challenges for the water resource overall, despite the strong policy wording that is presented in the GNL.
7. It is concluded that the proposed changes to Policy 2 will lead to sustainability benefits. The overall evaluation of Policy 2 as presented in the R19 SA Report remains unchanged.
8. **Figure 1** presents a reproduction of the SA findings in the January 2021 SA Report.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Air Quality & Noise	Climate Change Mitigation & Adaptation	Biodiversity, Geodiversity & GI	Landscape	Housing	Population & Communities	Deprivation	Health	Crime	Education	Economy	Transport & Access to Services	Historic Environment	Natural Resources, Waste & Contaminated Land	Water
+	++	+	+	+	++	+	+	+	+	+	++	+	+	+

Figure 1: Sustainability Appraisal scoring from the Regulation 19 SA Report (January 2021, pC8).