

**Joint Core Strategy for Broadland, Norwich and South Norfolk
Regulation 19 Publication and Sustainability Appraisal Consultation -
Addressing the Judgment of Mr Justice Ouseley in Heard v Broadland District
Council, South Norfolk Council and Norwich City Council:
Proposed Submission Content**
Report by Director of Planning and Strategy

Summary:	This report advises members of the contents of the current consultation on the Joint Core Strategy for the Greater Norwich Area. The report outlines the implications of the document for the Broads area. The closing date for comments is advertised as 8 October 2012.
Recommendation:	That members raise no objections and that the comments outlined in Section 5 of the report be forwarded as the Authority's official response.

1 Introduction

- 1.1 The Joint Core Strategy has been prepared by the three councils of Broadland, Norwich and South Norfolk as part of their Local Development Frameworks, working together with Norfolk County Council as the Greater Norwich Development Partnership.
- 1.2 This document is the Regulation 19 Publication and Sustainability Appraisal consultation and was published on the 10 August 2012. Representations are invited under Regulation 20 of the Town and Country (Local Planning) (England) Regulations 2012 and can be made until 8 October 2012. The full consultation documentation and supporting documents can be viewed online as follows: www.gndp.org.uk .
- 1.3 At the time of writing this report it is understood that the deadline for receipt of comments may be extended by 7 days due to the Public Notice not appearing in the Press as required. This is understood to be a failure of the newspaper in question and not the GNDP partnership.

2 Background

- 2.1 Members may recall that the Joint Core Strategy (JCS) was adopted in March 2011 after an Examination in Public that took place in November/December 2010. A legal challenge to the adoption of the JCS was launched in May 2011 by the Chairman of Stop Norwich Urbanisation (SNUB) on two grounds. High Court Judge, Mr Justice Ouseley made his Judgement in February 2012 and published his final order in April 2012. Mr Justice Ouseley found that those parts of the JCS concerning the Broadland part of the Norwich Policy Area (NPA) including the North East Growth Triangle (a total of 9,000 dwellings) should be remitted for further consideration and that a new Sustainability Appraisal for that part of Broadland in the NPA be prepared. The challenge on the second ground in relation to the Norwich Northern Distributor Road failed. Appendix A shows the extent of the NPA for members' information.
- 2.2 The document, currently the subject of public comment, has been produced to address the Judgement made by Mr Justice Ouseley. It is not a review of the whole JCS, it is a reconsideration of only those parts of the JCS which were remitted by the Judgement and the Court order. The remainder of the JCS remains intact and in force. The GNDP has undertaken further work to reconsider the remitted parts of the JCS on the basis that failure to do so would make it very hard to control development that could spring up piecemeal based on speculative planning applications.
- 2.3 The JCS requires 37,000 homes and 27,000 jobs to be delivered to 2026. The Court order does not affect the overall policies in the plan, the total housing numbers or the distribution of housing and employment other than that in the Broadland part of the Norwich Policy Area. The distribution for South Norfolk and Norwich City Council remains the same.
- 2.4 The Court Order includes a schedule identifying the parts of the JCS to be remitted and the action to be taken by the Councils to bring the remitted parts of the JCS to a position where they can be submitted for Examination in Public by an Independent Inspector. This document is also known as the "JCS Repair".

3 The Sustainability Appraisal Report and Reasonable Alternatives for the Distribution of 9,000 Homes

- 3.1 Work has been undertaken by the GNDP that verifies the need for 9,000 new homes. It is a statutory requirement that all DPDs must undergo a Sustainability Appraisal (SA). This involves identifying the likely effects of a DPD on the economy, the community and the environment with a view to avoiding and mitigating adverse impacts and maximising positive ones. The SA must also meet the requirements of the Strategic Environmental Assessments (SEA) required by the European Directive 2001/42/EC.

3.2 As part of the “repair” process the GNDP have identified that a floating small sites allowance of 2,000 homes is appropriate for the Broadland part of the NPA leaving 7,000 new homes to be appropriately located within the NPA.

4 Current Proposals for the Remaining 7,000 Homes

4.1 Three reasonable alternatives have been identified for the location of the remaining 7,000 homes:

- Alternative 1 – The remitted part of the JCS
 - 7,000 in the combined NE (inside and outside) sector (rising to 10,000 beyond the plan period) including 25 hectares of employment land at Rackheath.
- Alternative 2 – Growth Focused in the NE, inside the line of the Northern Distributor Road
 - 7,000 in the North East (inside NDR) sector (rising to 10,000 beyond the plan period) including 25 hectares of employment land at Broadland Business Park or Norwich International Airport in addition to those in the adopted policies of the JCS.
- Alternative 3 – Growth Focused in South West with the balance in the Broadland part of the NPA
 - 4,600 in South West (making a total of 7,000 at this location in the plan period, rising to 10,000 beyond when combined with growth identified in the adopted JCS.
 - 2,400 across the Broadland part of the NPA made up of two small scale locations of at least 1,000 each in North East sector (inside NDR) and North West Sector.
 - An additional 25 hectares of employment land in association with large scale housing development in the South West or at Norwich Airport.

5 Assessment of Options

5.1 After assessing the options the GNDP have concluded that the most appropriate option is in fact the same one as originally proposed in the JCS.

5.2 Members may recall that when considering previous iterations of the JCS, the main Broads Authority concerns were around water infrastructure – impacts on quantity and quality and the provision of green infrastructure. The Broads Authority has not previously objected to the scale of growth proposed in the Broadland part of the NPA and there would appear to be no justification for doing so at this stage. The previous concerns in relation to the findings of the water cycle study were addressed at the EIP specifically by Anglian Water and therefore there are no outstanding issues relating to water provided that the infrastructure delivery and timing as outlined in the JCS remains good. This is also the case with green infrastructure. The high priority given to delivering appropriate green infrastructure in the north east of Norwich – known as the

“Broads buffer” was welcomed at the time of the previous JCS consultations and again, provided that this remains the GNDP commitment, there is not considered sufficient justification to warrant objections at this stage.

Background papers: None

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Appendices: Appendix A – Map of the Norwich Policy Area