



The Planning Inspectorate

Report to Broadland District Council

by Louise Crosby

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 17 May 2016

**PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)
SECTION 20**

**REPORT ON THE EXAMINATION INTO BROADLAND DISTRICT GROWTH
TRIANGLE AREA ACTION PLAN**

Document submitted for examination on 11 February 2015

Examination hearings held between 14 and 23 July 2015

File Ref: PINS/R2610/429/3

Abbreviations Used in this Report

AA	Appropriate Assessment
AMR	Annual Monitoring Report
JCS	Joint Core Strategy for Broadland, Norwich and South Norfolk
DM DPD	Broadland Development Management DPD
LDS	Local Development Scheme
MM	Main Modification
RPA	Rural Policy Area
SA	Sustainability Appraisal
SA DPD	Site Allocations DPD
SAC	Special Area of Conservation
SCI	Statement of Community Involvement
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPA	Special Protection Area
SUE	Sustainable Urban Extension
NPA	Norwich Policy Area

Non-Technical Summary

This report concludes that the Broadland Growth Triangle Area Action Plan provides an appropriate basis for the planning of the District, providing a number of main modifications are made to the Plan. Broadland District Council has specifically requested me to recommend any modifications necessary to enable the Plan to be adopted.

All of the modifications to address this were proposed by the Council and I have recommended their inclusion after considering the representations from other parties on these issues.

The Main Modifications can be summarised as follows:

- Additional text is proposed to clarify the position with the Plan period and explain about the planned review of the Broadland Local Plan;
- A change to wording in relation to heritage assets to ensure consistency with the Framework;
- Some additional wording in relation to green infrastructure is necessary in various parts of the Plan, including the monitoring framework, in accordance with the Appropriate Assessment;
- A number of changes to wording to provide greater detail about infrastructure requirements, including the Norwich Distributor Road and the orbital link road for clarity and to take account of updated positions;
- GT 1 – clarification is provided about which allocated sites the mixed use ratio applies to, that it is negotiable, and the sites which must be 'masterplanned';
- Policy GT 2 – confirmation of the types of development that will be permitted within the defined areas of landscape setting;
- Policy GT 7 – further information about open space and landscape requirements on this site are provided;
- Policy GT 14 – update to reflect an extant planning permission and a slight change to the boundary and annotation of the associated Plan;
- Policy GT 16 – changes to policy wording and associated text in the Plan to reflect the cancellation of the Eco-Towns Supplement to PPS1;
- Policies GT 19 & GT 21 – additional information in relation to SUDs and flood risk and changes to the likely timescales for development on site GT 21;
- Deletion of Policy GT 20 – reserve sites policy;
- Site GT 22 – additional information regarding landscaping and the likely timescales for development;
- Some map changes are necessary to correct the route of the green infrastructure corridor;
- Some additional wording is necessary to make reference to DM DPD policy CSU5 which relates to surface water drainage;
- An updated housing trajectory will replace that in the submission version of the Plan.

Introduction

1. This report contains my assessment of the Broadland Growth Triangle Area Action Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the submitted draft plan December 2014 which is the same as the document published for consultation in August 2014.
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report **(MM)**. In accordance with section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound or not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The Main Modifications that are necessary for soundness and legal compliance all relate to matters that were discussed at the Examination hearings. Following these discussions, the Council prepared a schedule of proposed main modifications and carried out sustainability appraisal and this schedule has been subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report.
5. Following the close of the hearing sessions it came to my attention that the Council and the Greater Norwich Growth Board (GNGB), in producing their latest Annual Monitoring Report (AMR), had changed their position on the buffer to be applied to the 5 year land supply requirement in the Norwich Policy Area (NPA) i.e. parishes close to Norwich, from 5% to 20%. In addition, in the AMR the buffer was not applied to the previous undersupply accumulated since the start of the plan period. Consequently the Council published an updated position statement in relation to their housing land supply methodology. I sought the views of those who had made representations in relation to this issue previously on this revised position statement and have taken their responses into consideration.

Assessment of Duty to Co-operate

6. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation.
7. It is clear from the evidence before me, including the Duty to Co-operate document, that the Council has engaged constructively with relevant bodies prescribed in s110 of the Localism Act 2011, together with other

organisations, to ensure that cross boundary issues are properly coordinated and addressed.

8. There has been close collaboration between the Greater Norwich District Councils and Norfolk County Council on the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS). Various joint studies dealing with cross-boundary issues in Greater Norwich have been produced. They cover matters such as housing, gypsies and travellers, employment, transport, infrastructure, habitats and the environment, historic assets and viability evidence in relation to CIL. The Greater Norwich Development Partnership has now been replaced by the Greater Norwich Growth Board and this will carry forward its work.
9. In terms of the wider area the Norfolk Strategic Planning Group, which includes representatives from the County's planning authorities, meets on a regular basis to consider core issues. Regarding on-going cooperation a county-wide Norfolk Strategic Planning (Member) Group was set up in 2014. This comprises elected Members of all of the planning authorities in Norfolk, together with representatives of statutory bodies, such as the Environment Agency.
10. There are no outstanding issues relating to strategic matters or cross boundary issues. On the basis of these findings I conclude that the Duty to Co-operate has been met.

Assessment of Soundness

Preamble

11. The Plan allocates sites to meet the development requirements of Broadland District, within the Growth Triangle area, set out in the JCS in the period to 2026. This Plan together with the adopted Development Management Plan DPD (DM DPD), the Site Allocations DPD (SA DPD) and the already adopted JCS will replace planning policies within The Broadland District Local Plan (Replacement) (2006). The Plan provides allocations for development within the Growth Triangle area and the SA DPD covers the remainder of the District.
12. The Council has sought to respond in a positive manner to representations received from the public and stakeholders at all stages of the plan making process. Where possible the Council has sought to resolve soundness issues by appropriate changes to policies or supporting text. This approach has continued throughout the Examination and consequently a number of representations have been satisfactorily addressed. Constructive engagement is an essential ingredient of the local plan system and the Council has entered into the spirit of this.

Main Issues

13. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified a number of main issues upon which the soundness of the Plan depends. These are dealt with below. Representations on the submitted Plan have been considered insofar as they relate to soundness, but they are not reported on individually.

Is the Plan consistent with national planning policies – notably the National Planning Policy Framework (the Framework)? Does it reflect the Framework's presumption in favour of sustainable development?

14. The Framework emphasises the importance of encouraging sustainable development through enabling economic growth and promoting housing development. The Plan is in line with this approach and contains allocations that have been selected with sustainability in mind. As a result, the Plan sits comfortably with the general direction of the Framework. It is based on a clear strategy that aims to meet the housing and other development requirements of the District, as set out in the adopted JCS.
15. Also of relevance here is JCS policy 21 which specifically covers the implementation of proposals in the Broadland part of the NPA. It requires the Council to take a positive approach when considering development proposals that reflects the presumption in favour of sustainable development in the Framework.
16. One of the stated objectives of the Plan is to protect historic parks and gardens, but a Main Modification (**MM1**) is necessary to ensure that the Plan reflects the wording in the Framework and also covers heritage assets in a wider sense.
17. I conclude, therefore, that subject to this **MM** the Plan has been positively prepared and is consistent with the Framework.

Is the Plan consistent with the JCS?

18. Regulation 8(4) of The Town and Country Planning (Local Planning)(England) Regulations 2012 specifies that subject to paragraph (5) the policies contained in a local plan must be consistent with the adopted development plan.
19. The JCS was adopted in 2011 but was subject to legal challenge. As a consequence parts of the JCS concerning certain development proposals in the Broadland part of the Norwich Policy Area were remitted to Regulation 19 stage. Part of the JCS subsequently underwent public examination in 2013 and resultant amendments were adopted on 10 January 2014.
20. The JCS identifies Norwich as a main focus for growth in the East of England, for new homes and jobs, leisure, cultural and educational development. It recognises though that the economic, social and cultural influence of the city extends into the neighbouring districts, including Broadland. It notes that in the rural areas, market towns continue to provide the most sustainable focus for development. Much of Broadland District lies within the NPA. The JCS defines the NPA as 'part of the county which is centred on and strongly influenced by the presence of Norwich as a centre for employment, shopping and entertainment, generally comprising the fringe and first ring of large villages around the city of Norwich, but extending to Long Stratton and Wymondham'. The aim is to concentrate development in Broadland within the NPA, primarily in the Growth Triangle. This Plan, along with the adopted DM DPD and SA DPD, seeks to do this and deliver the growth strategy for Broadland that is set out in the JCS.

Does the Plan take appropriate account of adopted Neighbourhood Plans and emerging Neighbourhood Plans?

21. There are two adopted Neighbourhood Plans relevant to the Plan area; Sprowston NP (adopted May 2014) and Great and Little Plumstead NP (adopted July 2015). The Council has supported the Parish Councils' production of the Neighbourhood Plans, giving advice where required, for example in relation to conformity with the strategic policies of the Local Plan and relationship to the Development Plan Documents.
22. In producing this Plan the Council has had regard to the adopted Neighbourhood Plans, but they do not contain any matters that directly affect it since they do not contain any development allocations. As statutory consultees, the Parish Councils have been consulted at all stages of the Plan preparation and have not raised any concerns in relation to conflict with the Neighbourhood Plans.
23. At the time of the hearings there were a number of emerging Neighbourhood Plans, including Great & Little Plumstead (subsequently adopted) and Old Catton. Again, this latter Neighbourhood Plan does not contain any development allocations and no matters have been identified that affect this Plan. The Parish Council has been consulted at all stages of the Plan preparation and has not raised any concerns in relation to the Neighbourhood Plan.

Have the requirements of the Habitats Regulations been met? Would there be any adverse effects on European sites? Does the Plan include sufficient mitigation?

24. The Habitats Regulations Assessment (HRA) concluded that there are potential impacts from disturbance at the Broads Special Area of Conservation (SAC) and RAMSAR site and Broadland SPA although it found that any impacts would be very low. Nevertheless this invokes a requirement for impact mitigation in the form of green infrastructure/open space provision in relation to new development.
25. The policies in the adopted DM DPD will ensure the delivery of the necessary mitigation, along with funding from the Community Infrastructure Levy (CIL). This will go towards additional strategic green infrastructure for open space provision as identified in the Greater Norwich Infrastructure Plan (GNIP). Consequently there is sufficient confidence for negative impacts on site integrity, on International Sites, from the development in the Growth Triangle to be considered unlikely. This view is shared by Natural England.
26. The HRA and addendum sets out the mitigation requirements. It notes that the HRA work carried out for the JCS in 2010 established the principle for the implementation of new and enhanced open space/green infrastructure to offset the possibility of uncertainty regarding potential in combination and cumulative effects associated with impacts on International Sites from recreational disturbance. The underlying principle is that if attractive and accessible local opportunities for everyday recreational uses such as dog walking are made available then there will be a reduced need for residents to

visit International Sites. These are known as Suitable Alternative Natural Greenspaces.

27. The enhancement and expansion of the green infrastructure network across the Greater Norwich Growth Board area should ensure that additional impacts from new development on ecologically sensitive sites, particularly disturbance to bird populations from dogs, will be negligible.
28. Consequently, where appropriate, development is required to provide open space/green infrastructure to meet the daily recreational needs of new residents. This will be delivered through the application of DM DPD policies EN1 and EN3 when individual planning applications are determined. In order to be effective and justified this Plan needs to contain general information about these requirements so that it is clear to developers what will be expected of them and the importance of green infrastructure. This is remedied through a number of Main Modifications (**MMs4, 6, 7, 8, 10, 11 & 30**) in relation to the relevant site specific policies.
29. It is also important that the issues and challenges section of the Plan makes reference to the SPA, SAC and Ramsar sites. Main Modification **MM2** has been advanced by the Council to remedy this omission. These modifications are necessary for the Plan to be effective.
30. Accordingly, the HRA finds that adequate mitigation has been identified to conclude that there will not be an adverse effect on the European Sites. This has been accepted by Natural England and I too am satisfied with the mitigation.

What alternatives to the sites in the Plan have been considered?

31. The Council has gone through various stages of consultation and public engagement in selecting sites for this Plan. This process informed the selection of the most appropriate sites to meet the objectives of the Plan as well as those of the JCS and national planning policy. The sites which reached the latter stages of the process were subject to sustainability appraisal, as set out above. The Council also considered comments made by representors at the various stages of the plan making process.
32. It is clear from the submitted Plan and the supporting evidence that reasonable alternative sites were considered before finalising the Plan. Overall I find that the Council has adopted a robust and systematic approach to allocating sites in the Growth Triangle and that alternative sites to those in the Plan have been given appropriate consideration.

Should the Plan period (up to 2026), be made clearer in the Plan?

33. The Plan does not make clear the period it is intended to cover. Main Modification **MM27** is proposed to explain that the plan period ends in 2026, in line with the JCS. It also advises that in accordance with the JCS it makes provision for further development beyond 2026 to ensure that there is sufficient critical mass to support services and facilities, particularly the new secondary school. The further development will be taken into account in subsequent plan periods and assessing allocations through the review of the

Local Plan as a whole. The Council intends that the review will be completed by 2021.

34. Subject to this **MM** the plan is justified and effective.

Is the proposed monitoring framework likely to be effective?

35. A monitoring framework is included in the Plan, but a Main Modification (**MM15**) is proposed to ensure that green infrastructure provision is effectively monitored. This is very important because the need for such provision is identified in the HRA. Amendments are also identified by the Council to take account of the deletion of policy GT 20 and changes to policies GT 21 and GT 22 which I shall deal with in more detail below. These are covered by **MM51**. These Main Modifications are necessary for the Plan to be effective.

Is the Plan justified by robust and up to date evidence on housing, employment, retail and flood risk?

36. The Plan is supported by an extensive evidence base. A great deal of the evidence was originally prepared to inform the production of the JCS which commenced in 2006. The majority of the JCS was adopted in 2011, with the part relating to the Broadland Norwich Policy Area adopted in 2014. The evidence base was therefore compiled over a long period of time, with various pieces of evidence added and updated over this period. The Plan should be consistent with the JCS and so this evidence base is relevant. Additionally, specific evidence has been gathered for this Plan. This includes documents such as a viability study, sustainability appraisals and habitat regulations assessments. Taken together, the evidence documents provide a sound underpinning for the Plan. As such I conclude that the policies in the Plan are based on a robust and up-to-date evidence base.

Whether there should be a commitment to an early review of the Plan?

37. A new Strategic Housing Market Assessment (SHMA) has been completed and was published in January 2016. It was prepared jointly with the 3 Districts in the greater Norwich area (Broadland, Norwich and South Norfolk), as well as Breckland, North Norfolk and the Broads Authority. The SHMA is part of the evidence base for this review and will include working with other local authorities in accordance with the Duty to Cooperate. This will lead to the preparation of a new local plan to 2036, covering 3 local authority areas; namely Broadland, Norwich and South Norfolk.
38. Given the development requirements are currently set by a JCS based on evidence which, in part, dates back to 2006 and that a new SHMA is being prepared, a commitment to an early review is necessary. Main Modification **MM27** is proposed to the text in the Plan to set out the Council's commitment to a review of the whole Broadland Local Plan. This modification is necessary to make the Plan justified and effective.

Whether the infrastructure requirements of the Plan have been fully considered?

39. The main infrastructure requirements that are required to deliver the scale of development envisaged by the JCS were considered as part of that process and were tested through the examination. Main Modification **MM3** is proposed to the supporting text to policy GT 1: Form of Development to provide information about important infrastructure that will be needed to support the proposed development in the Growth Triangle. This is needed for the Plan to be effective.

What is the position with the Orbital Link Road now that the Northern Distributor Road (NDR) has consent?

40. The NDR is a significant infrastructure project that now has consent and a shortfall in funding that existed has now been resolved through additional funding from the DfT and New Anglia LEP. The NDR is essential infrastructure that supports the planned development of the Growth Triangle. It is expected that the NDR will be open in early 2018. The NDR will significantly increase orbital connectivity across north Norwich.
41. A complete inner orbital link road between Norwich Airport Industrial Estate and Broadland Business Park is considered to be the optimal transport solution within the Growth Triangle. Parts of the orbital link road between Broadland Business Park and Plumstead Road and connections between St Faith Road and Salhouse Road are included in existing planning permissions. These road links are considered to be necessary to support these proposed developments and this is covered by **MM5**.
42. However, evidence has been provided that demonstrates that the completion of the link road between Salhouse Road and Plumstead Road is not an essential infrastructure requirement. Main Modifications (**MM5, MMs 38-40, MM52**) clarify this position and it is considered that these modifications will ensure that the plan is justified and effective. The Council now controls site GT8 and they are therefore in a position to enable the delivery of the orbital link road through this site.
43. **MMs 36-37** were consulted on by the Council. These are minor changes to the policies maps (amendments to the legends of maps 5 & 6) and not main modifications. While the submitted Plan does contain a glossary the Council are proposing the introduction of a new term 'Route for Orbital Link Road', and an explanation of what this is. This is covered by **MM16** and is necessary for the Plan to be effective.

Housing

Is the overall amount of housing provision and its distribution in the Plan consistent with the JCS? How has the actual number of dwellings allocated been arrived at? Should it be greater?

44. Policy 9 of the JCS sets out the strategy for growth in the NPA, including housing targets. A significant proportion of these homes will be provided within the Broadland part of the NPA area covered by this Plan (7000 homes

by 2026). Policy 4 of the JCS sets out the overall housing requirement for the District. This Plan allocates sites to enable the delivery of around 7,300 new homes by 2026, rising to around 10,800 thereafter. The overall amount of housing provision and its distribution is broadly in line with the JCS.

45. As can be seen from the figures above a buffer does exist above the requirement and this is necessary to provide some flexibility should some sites not come forward or indeed not yield as many dwellings as expected. However, the Plan also contains 2 'reserve sites' – Policy GT 21: White House Farm (north east) and GT 22: Land east of Broadland Business Park (north site). Both sites are around 20ha in size. Policy GT 20: Reserve Sites, says that, 'if the monitoring for 2019/20 indicates a significant shortfall in the stock of planning permissions then the strategic reserve sites that have been identified will be released for development'. It then defines what is meant by a significant shortfall.
46. While the Plan does allocate sufficient land to accommodate more than the number of dwellings required by the JCS targets, the degree of overprovision is quite small. Moreover, the Framework advocates the need to 'boost significantly the supply of housing'. It also encourages the provision of 'choice and competition in the market for land'.
47. The promoters of 'reserve site' GT22: Land east of Broadland Business Park (North Site) have provided convincing evidence to show that this site could be developed before 2020. The promoters of GT21: White House Farm expect development to begin in 2020. Both sites have been subject to sustainability appraisal testing and been found to be acceptable in that regard and so it is not the case that there are sites that are more sustainable than these that should come forward first. Therefore it seems to me that these sites should come forward as soon as possible, especially considering the time it would take after 2020 to get homes built on these sites given that neither would be likely to have a planning permission at that point.
48. This will help significantly boost the overall supply of housing as well as contributing towards the 5 year supply. It will also provide the developers of these large sites the certainty they need to do the necessary preliminary work, such as commissioning reports and obtaining planning permission. The Council have advanced a Main Modification (**MM33**) that will delete policy GT 20: Reserve sites. This will result in consequential amendments to the Housing Trajectory (**MM26**) and policies GT 21 (**MM34**) and GT 22 (**MM35**). These Main Modifications are required for soundness.

Is it assumed that all sites, both commitments and allocations, will be developed during the Plan period? Are all these sites likely to be developed? What account is taken of windfalls? What rate of windfall development is anticipated over the Plan period?

49. In addition to the sites allocated within this Plan and the SA DPD, it is expected that previous commitments and windfalls will be developed over the Plan period. In terms of meeting the housing requirement set out in Policy 4 of the JCS, this Plan and the SA DPD allocate sites to meet this amount of housing. New windfall developments are not required to meet the housing requirements of the JCS. Further windfall development does however provide

further flexibility to contributing to the overall housing land supply across the District.

50. In the past (2008-2014) windfalls across the District have averaged 75 per year. This was during a period of recession. Windfall development normally occurs inside settlement limits and so can reduce over the Plan period as the 'gaps' within settlements are gradually filled. Nevertheless, based on past performance and the fact that the housing market is becoming more buoyant again it seems likely that a significant amount of residential development will arise in this way each year and thus help boost the supply of housing in the District.

Should the Plan make provision for the level of housing in The Greater Norwich City Deal, which is higher than the level set by the JCS?

51. A City Deal is an agreement between the Government and a city. It gives the city and its surrounding area certain powers and freedom to take charge and responsibility of decisions that affect their area; do what they think is best to help businesses grow; create economic growth; and decide how public money should be spent. In the Greater Norwich Area this will include targeted enterprise and innovation initiatives, investment in strategic infrastructure and a Local Enterprise Partnership skills programme.
52. While the Greater Norwich City Deal has an ambition of accelerating planned growth within the Growth Triangle, the actual target set for this Plan is by the JCS. The challenge set by the City Deal is to create the conditions necessary to deliver 10,000 homes by 2026. However this is not to be confused with providing for the requirement identified through the JCS. So while this Plan makes provision for in excess of 10,000 homes beyond 2026, the City Deal Challenge may also be met. Importantly this Plan is sound on the basis of its allocation to meet the targets handed it by the JCS.

Will the Plan, along with the Site Allocations DPD, sufficiently address the previous under-delivery of housing in the Norwich Policy Area?

53. It is undisputed that there has been an under-delivery of housing in the NPA in recent years. The matter of past under-delivery (before the JCS plan period) was considered by the JCS Inspector and this was built into the JCS housing targets. He found that the previous under-delivery should be provided over the Plan period and the targets reflect this. This Plan has been written on that basis. Clearly the under-delivery has continued to occur since the JCS examination, but the allocated number of dwellings across the NPA will address the previous under-delivery. Moreover the ability of sites covered by policies GT 21 and GT 22 to be delivered earlier than originally planned will help with the supply of houses in the NPA.

Will the allocated sites help ensure that the housing requirement is delivered in line with the annual target in the trajectory?

54. The low rate of house building in recent years means that it has not kept pace with the housing requirement target set out in the JCS and consequently there is now a backlog of unmet housing requirements in the NPA from the start of the JCS period. This must be considered against the backdrop of the national

decline in house building in recent years as a result of the economic recession. There are signs that this is changing and also having an adopted SA DPD in place, along with this Plan, will be likely to increase confidence in the housing market in this District. This in turn should result in an increase in house building.

55. A housing trajectory is included in the Plan. Although trajectories can become out of date quite quickly it is important to have one in the Plan so that it is clear how many dwellings each site is expected to yield and at what point in the Plan period. This will help measure performance against targets. It should also be reviewed and updated annually in the AMR.
56. Some changes to the housing trajectory are proposed through Main Modification **MM26**. This will ensure that it represents the most up to date position and also reflects the changes to policies GT 21 and GT 22 (now policies GT20 and GT21 respectively, following the deletion of policy GT20), set out above. Overall the allocated sites, including sites GT21 and GT22 which can now be brought forward as soon possible, will help to ensure that housing delivery is in line with the trajectory.

Will the Plan help deliver a 5 year supply of housing?

57. The Inspector dealing with the remitted part of the JCS, concluded at paragraph 66 of his report that whilst 'there is not a preferred answer to how past shortfalls should be handled – the two most common ways put to me were the 'Sedgefield' and 'Liverpool' approaches. In this case I agree with the Greater Norwich Growth Board that the shortfall should be added to the housing delivery target over the plan period because the JCS was only originally adopted in 2011 and it deals with that particular under-delivery over the plan period (i.e. the 'Liverpool' approach), and this Plan forms part of it'.
58. Also, a number of the housing sites are larger strategic ones, which will take some years to build out and where it may take some time before work commences on site. This makes dealing with the shortfalls over a shorter period more problematic also. Indeed, Planning Practice Guidance advises that 'local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible.' (my emphasis). Consequently, I find that in this case the Liverpool approach is the most appropriate.
59. In terms of the correct buffer, paragraph 47 of the Framework advises that local planning authorities should 'identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land'. It further advises that 20% should be added where there is evidence of persistent under-delivery of housing.
60. Planning Policy Guidance advises that identifying a record of persistent under delivery of housing involves questions of judgment for the decision maker and that the assessment of a local delivery record is likely to be more robust if a longer term view is taken, since this is likely to take account of the peaks and troughs of the housing market cycle.

61. This stance was taken by the Inspector dealing with the remitted part of the JCS. Indeed he concluded that some years before the economic downturn should be used. His findings were based on evidence provided by the Greater Norwich Growth Board and others and he concluded that a 5% buffer was the most appropriate. However, since then the under delivery has continued and so, as set out above, the GNGB in its latest AMR (2014/15), conceded that there is now a record of persistent under delivery in the NPA and accordingly they increased the buffer from 5% to 20%. I agree that this is a logical and sensible approach.
62. As set out above, Broadland housing land supply is divided into 2 categories – land within the NPA and land within the RPA (rural policy area – the rural areas outside the NPA). Historically housing land supply in the RPA has been plentiful and indeed far exceeded the target, but in the NPA the opposite is true and this is where most of the growth is focused in the JCS. The land supply situation remains the same now.
63. Essentially in the 2014/15 AMR, under the proposed Local Plans, a 5 year supply of housing land exists in the NPA part of the District if a 20% buffer is applied and the Liverpool method of calculation is used. This includes sites in the Plan and the SA DPD. However, that calculation does not add the buffer to the undersupply. Adding the buffer after the undersupply has been added to the annual housing requirement and even adding in the reserve sites produces less than a 5 year supply of housing land in the NPA part of Broadland District at the present time. I consider that this widely accepted approach to calculating housing land supply is the correct one.
64. JCS policy 22 says that if in any monitoring report produced after 2 full years from the adoption of the amendments to the Plan (January 2014), there is a significant shortfall in the 5 year supply of housing land (plus the additional buffer required by the Framework), affecting the Broadland part of the NPA, then the Council will produce a short focussed local plan which will identify and allocate additional locations within the whole NPA area for immediately deliverable housing land to remedy that shortfall, in accordance with the JCS settlement hierarchy. A significant shortfall is defined in policy 22 as being when the AMR shows there to be less than 90% of the required deliverable housing land (as defined in current national policy).
65. It may be that this policy is triggered later this year and this seems to me to be the most favourable way of addressing any shortfall in housing land supply in the NPA part of this District in the short term. The alternative would be to delay the adoption of this Plan until further sites are found. This in my experience would take time. All the while the lack of an adopted Plan, containing deliverable housing sites, would in all likelihood result in delays with the delivery of these sites because of the uncertainty this would provide for the landowners and developers. Also, putting the Plan into suspension at this late stage is unlikely to result in additional sites being brought forward significantly quicker than if the process under JCS Policy 22 were to be triggered.
66. JCS Policy 22 is a safeguard against significant problems occurring with housing land supply in the Broadland part of the NPA. Furthermore, in

reaching this view that the Council, along with local authorities, are in the process of reviewing the Local Plan (JCS). Work has started on this through the preparation of a SHMA.

67. To summarise, although the Plan will help boost the supply of housing, it is not certain that it will guarantee a 5 year supply of housing in the NPA part of the district. However, for the reasons outlined above, this does not mean that the Plan should be found unsound. I am satisfied that this Plan will provide sites that will help contribute towards the achievement of a 5 year supply of housing land inside the NPA.

Are the allocations based on a robust assessment of infrastructure requirements and their deliverability, including expected sources of funding?

68. The Plan has been produced in accordance with the Framework and having regard to relevant national planning policy guidance. It is also consistent with the JCS policies. The production of it has involved full community involvement and consultation, including of statutory undertakers and utility bodies. In addition, it has undergone sustainability appraisal through its stages as well as viability testing and engagement with landowners and developers. This collaborative approach increases the likelihood of the sites being deliverable.
69. Deliverability is also evidenced by reason of many of the allocations already having been granted planning permission, with development progressing in some cases. The process has also involved taking into account any environmental constraints, as evidenced through the Sustainability Appraisal and a Habitat Regulations Assessment.
70. The Plan policies set out 'guidelines for the development'. These include known issues identified during the production of the Plan, such as infrastructure, housing mix or environmental constraints, which will need to be considered in a development proposal. It may be that some of the improvements to infrastructure necessary for development to come forward will need to be funded by the developer either directly or through CIL.

Employment

What are the key employment land and jobs targets? What is their origin and are they justified? Is the overall amount of employment provision and its distribution in the Plan consistent with the JCS?

71. The JCS has specific employment land requirements set out for the main strategic locations, in the upper parts of the Settlement Hierarchy, with employment encouraged but no specific requirements set for the lower elements of the hierarchy. Across the whole JCS area policy 5 sets a target of at least 27,000 additional jobs in the period 2008-2026. It supports the growth of the local economy through the sustainable development of employment opportunities and requires sufficient employment land to be allocated in accessible locations to meet identified need and provide choice in accordance with JCS policies 9 to 19.

72. JCS Policy 9 *Strategy for Growth in the Norwich Policy Area* sets out, among other things, the employment development at strategic locations. Relevant to this Plan area is an extension to Broadland Business Park of around 25ha, for a range of employment uses (to include 50,000m² of B1 uses); and new employment development to serve local needs of major growth locations, including around 25ha of new employment land at Rackheath.
73. JCS Policy 10 identifies locations for major new or expanded communities in the NPA including Old Catton, Sprowston, Rackheath, Thorpe St Andrew and includes reference to employment allocations for local needs including expansion of the Rackheath employment area already mentioned.
74. This Plan has allocated the 'key' employment sites in the Growth Triangle set out in the JCS. It also allows for smaller scale employment development in places lower down the settlement hierarchy, consistent with the relevant policies in the JCS. Where necessary I shall deal with specific employment allocations set out in this Plan below. Overall I find that the employment distribution and provision in this Plan is consistent with the JCS.

Will any significant amount of land currently used for employment purposes be lost as a result of allocations in the Plan? Will any allocations affect existing businesses? If so, where and how much?

75. None of the allocations in this Plan will lead to the loss of protected strategic employment sites or allocations defined in the JCS. Within allocations GT 7 and GT 11 there are small scale commercial enterprises and while they may be lost through redevelopment the allocations are both for mixed uses. Consequently the existing uses could remain or alternatively new ones could take their place.

How much of the land allocated for employment uses has already been built out? What are the implications of this for the future, going forward?

76. Within site GT 9 there is an area of around 18,830m² of B8 use and 1,520 m² of B1 use. The remainder of the employment allocations in the Plan are undeveloped. Importantly the allocations will fulfil the requirements of the JCS.

Retail

Is the proposed amount and distribution of additional retail floorspace consistent with the JCS and the Framework?

77. The JCS expects a new district centre to be established within the Growth Triangle. This could be provided by building on the proposed centre at Blue Boar Lane or by the creation of a second district centre elsewhere in the Growth Triangle. The type of centre anticipated here would provide for localised catchments, with an emphasis on providing for everyday needs.
78. In accordance with the JCS, policy GT 12 of this Plan identifies the location of the new district centre within the Sprowston and Old Catton development. Policy GT 4 deals with the potential district centre at Blue Boar Lane, advising that this will also be recognised as a district centre if further diversification of

uses are achieved.

Site specific policies

79. A number of the site specific policies in the Plan are not specifically referred to in this report. This is because the report focuses on those parts of it where there may be soundness issues.

Are the allocated sites appropriate and deliverable, having regard to the provision of the necessary infrastructure, affordable housing and other facilities, and taking account of environmental constraints?

80. Subject to the Council's suggested main modifications set out in the Appendix to this report, I am satisfied that all of the allocated sites are appropriate and deliverable. As set out above, consideration has been given to the necessary infrastructure.
81. This Plan makes appropriate provision for the delivery of affordable housing in accordance with the JCS. Housing delivery will be monitored in order to ensure that the Plan is effective and deliverable and I am satisfied that the Council has mechanisms for implementation, monitoring and review of the document. This would be principally through the AMR and future reviews of the Local Plan. Allocations will be monitored on an annual basis as part of the AMR to assess progress, a process which will run alongside the Council's housing trajectory in this Plan.
82. Turning now to environmental constraints, they are one of the criteria the Council has assessed sites against and this has been done through the evaluation of options in the Sustainability Report. I am content that the Council has engaged with key bodies such as English Heritage, the Environment Agency and Natural England in order to assess the deliverability of sites with regard to environmental constraints. Where relevant, the Plan identifies the relevant policies and necessary detailed requirements that are needed to ensure environmental constraints can be overcome in order for them to be considered appropriate, feasible and deliverable.

Are the detailed requirements for each of the allocations clear and justified? Have site constraints, development mix and viability considerations been adequately addressed? Are the boundaries and extent of the sites correctly defined?

83. The detailed requirements for each allocation within the Plan are considered to be sufficiently clear and justifiable taking into account the Framework, the JCS, the DM DPD and views expressed through consultation.
84. In considering each site the Council has taken account of the characteristics and the area in which they are located, not only to address constraints but to exploit opportunities. The individual allocations policies will ensure constraints are satisfactorily addressed and sustainable development is achieved that is compatible with neighbouring uses and the wider area. The requirements are justified in order to meet JCS and DM DPD policies and are considered to be clear and reasonable.

85. The guidance accompanying each allocation will provide sufficient clarity for landowners and potential developers and it highlights the key issues and potential requirements and opportunities to be considered at the planning application stage. Site constraints have been adequately addressed in the Plan.

Specific Policies

Are the policies in the Plan justified, effective and consistent with national planning policy?

Policy GT 1 – Form of Development

86. The supporting text for this policy makes little reference to the need for specific elements of important infrastructure that are included in the Plan, and necessary to support the level of growth proposed. These include a new library, new primary schools and a new high school. This omission would be remedied by the Council's Main Modification **MM3**.
87. The policy includes a ratio of uses for mixed use sites, so in the region of 1m² of employment, retail or community floorspace for each 30m² of residential development. Nevertheless, the supporting text advises that the 1:30m² is a guideline which can be exceeded. To introduce some necessary flexibility to take account of acceptable schemes where this exact ratio cannot necessarily be fully met a Main Modification (**MM28**) is proposed to change the word 'exceeded' to 'negotiated'. For clarity the Council are also proposing a Main Modification (**MM20**) to the policy wording that will make clear which of the allocations in this Plan the requirement specifically relates to.
88. Policy GT1 as currently drafted would require all sites to be masterplanned. However, JCS policy 2 requires that all major development area providing over 500 dwellings, or 50,000m² of non-residential floorspace will be masterplanned using an inclusive recognised process. This is set out in paragraph 7.6 of the Plan which also advises that masterplans for smaller allocations, less than 500 units, made through the AAP will not be subject to the requirement of JCS policy 2. This differentiation is not clearly set out in policy GT1. However this would be remedied by a Main Modification (**MM21**).
89. Subject to these Main Modifications this policy is soundly based and consistent with the JCS and the Framework.

Policy GT 2 – Green Infrastructure

90. Green infrastructure within this District (including in the area covered by the Plan), is critical to not only provide a landscape setting to the edge of Norwich and separate the villages, but also create wildlife corridors and important wildlife habitats. This will take various forms and be provided in a variety of ways, as will the maintenance of it. This should be made clear through the introduction of a Main Modification (**MM4**) promoted by the Council.
91. Within the landscape setting designation defined on the Plan's maps, paragraph 7.12 of the Plan seeks to strictly control development, except for minor or small scale development that has a significant community benefit and

does not have a significant detrimental effect on visual amenity or heritage qualities of the historic parklands. This is unduly restrictive, particularly since there is existing sporadic development within the areas designated as landscape buffer. This tends to be isolated dwellings and farmsteads. The owners of these properties may wish to build extensions that would not undermine the aims of policy GT2. Consequently the Council have revised the wording of the policy by introducing some criteria and reflected these changes in the supporting text. These proposed Main Modifications (**MMs22 & 29**) are necessary for soundness.

92. An update to paragraph 7.19 of the Plan is necessary to refer to policy CSU5 of the DM DPD (**MM23**). An important change is also necessary to the policy wording to include reference to green infrastructure and not just open space. The Council propose Main Modification **MM30** to rectify this. All of these Main Modifications are necessary for the policy to be justified and effective.

Policy GT 3 – Transport

93. This is a general policy covering transport infrastructure such as the NDR, the orbital link road, a new cycleway and a bus rapid transport route. As a result of the change of emphasis in respect of the orbital link road that I have set out above, some changes are necessary to the policy and supporting text and these are covered by some Main Modifications (**MMs41, 42 & 43**). These are necessary for soundness.

Specific Site Allocations

Are the site allocations in the Plan justified, effective and consistent with national planning policy?

Policy GT 5 – White House Farm (south-west)

94. This is a 40ha site that already has outline planning permission which will enable the development of a new neighbourhood on the edge of the existing urban fringe of Norwich. The site is well located, close to existing employment opportunities and services and has good access to public transport. This will improve further once the bus rapid transit route nearby is completed.
95. The policy sets out what would be expected if a new planning application were to be submitted, but fails to mention the necessity for green infrastructure. The Council have advanced a Main Modification (**MM6**) to overcome this omission. This is necessary for the policy to be justified and effective.

Policy GT 6 – Brook Farm

96. Brook Farm is a 38ha site that is currently in agricultural use, but has a planning permission for a residential scheme which would provide a new neighbourhood on the edge of the existing urban fringe. The existing planning permission requires a detailed scheme for an essential road link between Peachman Way and Plumstead Road East to be submitted and approved. The ongoing link between Plumstead Road East and Salhouse Road is considered to be an optimal transport solution, but is no longer seen as essential. The

Council have proposed some changes to the explanatory text to reflect this updated position and these are covered by Main Modification **MM44**.

97. For the reasons set out above a reference is also required in this policy to ensure that it is clear that infrastructure requirements include green infrastructure. This is remedied through Main Modification **MM7**. The Main Modifications are necessary for the Plan to be effective.

Policy GT 7 – Land South of Salhouse Road

98. This policy relates to a site of around 56ha and is allocated for mixed use, including residential development. It requires a layout that enables a direct vehicular connection (part of the orbital link road) between Salhouse Road and Plumstead Road. While this link road is now aspirational it is important that it is achieved where feasible. This section is important as it would help provide a full connection between the Airport Industrial Estate and Broadland Business Park. However to get from site GT 7 to Salhouse Road, the road would have to pass through site GT 8 and this road corridor is shown on the relevant map in the Plan. However, the 2 sites are in separate ownership and are likely to be developed independently of one another. As written, policy GT 7, which is the much larger of the 2 sites could be held up or even prevented from coming forward by the much smaller site (GT 8).
99. To increase the flexibility within policy GT 7 some changes to the wording are proposed so that the requirement on the developer of that site is to 'not prevent' a direct connection rather than 'enable' a connection. This is remedied through Main Modification **MM45** and consequential changes to the explanatory text are dealt with by Main Modifications **MMs46 & 47**. In terms of road infrastructure the Council are also proposing Main Modification **MM9** to the explanatory text to clarify that the provision of extra land for the bus rapid transport corridor is across the Salhouse Road frontage.
100. As with other policies a change is proposed through Main Modification **MM8** to the policy wording to ensure that it is clear that infrastructure includes green infrastructure. Also, through **MM31** reference to a landscaped parkland buffer as well as recreational open space is changed so that the overall amount of the site taken up by landscaping and recreation open space is reduced and there is greater flexibility about how this is provided. Nevertheless the requirement for a landscape setting to Thorpe End remains and this is important. These modifications are necessary for the plan to be effective.

Policy GT 8 – Land North of Plumstead Road

101. This is a small triangular site that lies to the south of GT 7. As set out above, the intention in the Plan is for these 2 sites to be connected by a link road running from Salhouse Road to Plumstead Road. This is likely to be more onerous for the developer of this site because of the amount of land it will take up in the site and the fact that it could only come through from site GT 7 at a specific point. Again, in light of concerns that this road should be mandatory, some flexibility is introduced to the policy and explanatory text through Main Modifications **MMs48-50** to ensure that it is clear that it is aspirational, not essential. These modifications are necessary for the Plan to be justified and effective.

Policy GT 11 – Land East of Broadland Business Park

102. This 45ha site is allocated for mixed use as per policy GT1. The site is closely related to existing employment opportunities at Broadland Business Park and future opportunities at Broadland Gate.
103. The policy sets out the parameters within which the scheme for the site must be designed. While the policy makes reference to the need for infrastructure it does not mention green infrastructure which would be important on a strategic site of this size. This would be remedied by **MM10**, which is necessary for the policy to be justified and effective.

Policy GT 12 – North Sprowston and Old Catton

104. GT 12 is a 144ha site with an outline planning permission for new homes, employment space, shops, services, cafes, restaurants and drinking establishments, hotel accommodation, 2 primary schools and community space (including a health centre, library and community halls and an energy centre). The provision of a district centre here is a requirement of the JCS. While not part of this planning permission the intention is to site the new secondary school here that will be required to meet the demands of the new housing proposed here and in the wider area. However, that will require the relocation of the existing Sprowston Park and Ride.
105. The last section of the policy wording does not make it clear that infrastructure includes 'green infrastructure'. The Council have advanced a Main Modification (**MM11**) to remedy this omission and it is necessary for the Plan to be effective.

Policy GT 14 – Land East of Buxton Road

106. This 6.5ha site will link in with GT 12 and is allocated for residential development. The Council propose Main Modification **MM24** to update this policy to reflect a planning permission that has been granted and another to correct an error with the northern boundary of the site (**MM25**). They are necessary for the Plan to be effective.

Policy GT 15 – Land North of Repton Avenue

107. This 15ha site is allocated for a mix of uses and provides an opportunity to complete new orbital road links across the Growth Triangle. The proposed link road will potentially pass through this site and therefore changes in text are necessary to clarify the requirement of the policy. Main Modifications **MMs12&13** make such clarifications and are necessary for the Plan to be effective.

Policy GT 16 – North of Rackheath

108. This is a 160ha site that is allocated for mixed use development to include residential development and employment uses. The site is located to the north of Rackheath village and is closely related to the area identified as an eco-town under previous government policy expressed in the now cancelled

Planning Policy Statement 1 Eco-Town supplement. In terms of the cancellation of the supplement, clearly the Council would no longer be able to expect the specific standards set out in that document, such as zero carbon emissions.

109. Nevertheless, many of the general principles and some of the standards relating to the form, nature and operation of the development are maintained through either the adopted policies of the JCS, the DM DPD or this Plan. To deal with this matter and to reflect concerns raised that the allocation is unduly restrictive to the optimal masterplanning of the site, the Council has re-drafted the policy through Main Modification **MM32** and made changes to the relevant parts of the introductory text of the Plan through **MM19**. It includes a number of changes necessary to ensure that it accords with the most up to date national planning policy and makes reference to green infrastructure.
110. The scale of development proposed here has been questioned by some local residents and also whether it would be better to expand existing settlements rather than create a new one. However this matter was examined in detail through the JCS examination process. It was also tested through the sustainability appraisal that was prepared for that Plan.
111. Also of importance is that the number of dwellings needed in this area will require a range of additional services. Such services will need a certain number of dwellings to support them. Research and work done for the JCS found that around 3000 dwellings would be likely to have sufficient critical mass to support approximately 2 new primary schools, a General Practitioners surgery, a good standard of bus service and the potential for employment opportunities. District centres will be delivered as part of this development in accordance with the JCS requirements. This allocation is consistent with the meeting of the issues and challenges of the JCS.
112. Maps 2 & 3 of the Plan show the extent of the site covered by policy GT16, as modified by MM32, wrongly. The route of the Green Infrastructure corridor which passes through it is drafted incorrectly. The Council have prepared revised Plans and these are dealt with under Main Modifications **MMs17 & 18**. They are necessary for the Plan to be effective.

Policy GT 19 – Land South of Green Lane East

113. South of Green Lane East is this 7ha site which is allocated for residential development. There have been concerns expressed by local residents that the future occupiers of this site could be adversely affected by road traffic noise from the NDR. However the owners of this site have commissioned acoustic reports which have found that any noise impacts from the NDR can be mitigated against.
114. In terms of flood risk it is important that specific attention is paid to surface water flows here, to prevent increased flood risk, and developers need to be made aware of this. This would be remedied by Main Modification **MM14**, which would provide additional information about the need to incorporate SUDs into the development and the need for engagement with the Norfolk

County Council in their capacity as lead flood risk authority. Subject to this Main Modification this policy is justified and effective.

Policy GT 21 – White House Farm (North East)

115. For the same reasons I have set out in relation to Policy GT 19 a Main Modification is necessary to satisfactorily deal with the matter of surface water drainage. All of these necessary changes are covered by **MM34** and are required for the Plan to be effective.

Policy GT 22 – Land East of Broadland Business Park (North Site)

116. Since this site can also now come forward as soon as possible consequential changes to the policy and supporting text are necessary for soundness. Main Modification **MM35** covers this and is necessary for the Plan to be effective.

Omission sites

117. A number of alternative/additional sites are being promoted. Some of these were considered by the Council previously and discounted and others have only recently come forward.

118. While reference was made to some of these sites in the sustainability appraisal for the Plan at the Preferred Options stage and at the submission document stage the Council chose the sites based on a number of criteria, including which performed best in terms of sustainability. Clearly not all sites could be allocated in the Plan since the amount of housing has to be in accordance with the targets set in the JCS. There is no clear evidence that any of the omission sites are significantly better than the allocated sites.

In any event, as set out in my report above, I am satisfied that the Council have allocated sufficient sites to ensure that they can meet their housing targets handed down by the JCS. Moreover, regular monitoring will assess whether that is the case and if any additional sites need to be added in the future this will be done as part of a formal review. As such, it is not necessary at the present time to allocate any further sites. The exclusion of the sites from the Plan does not necessarily prevent them being brought forward as windfall sites, provided they are in locations where housing development is supported in the plan.

Assessment of Legal Compliance

119. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Broadland Growth Triangle Area Action Plan is identified within the approved LDS April 2015 which sets out an expected adoption date of November 2015. The Growth Triangle Area Action Plan's content and timing are broadly compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in April 2006 and updated in October 2008. Consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes (MM) .
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report sets out that the Plan may have some negative impact, and a full assessment should be undertaken. This was carried out in August 2014 and Natural England are satisfied with the outcome.
National Policy	The Plan complies with national policy except where indicated and modifications are recommended.
2004 Act (as amended) and 2012 Regulations.	The Plan complies with the Act and the Regulations.

Overall Conclusion and Recommendation

120. The Plan has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

121. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix to this report the Growth Triangle Area Action Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Louise Crosby

Inspector

This report is accompanied by the Appendix containing the Main Modifications.