

Response by Barford and Wramplingham Parish Council to:

South Norfolk District Council - Village Clusters Housing Allocations Plan - Reg. 19 Pre-submission Addendum:

VCBAR1 & VCBAR2

17th September 2024

Web page: [South Norfolk District Council - Village Clusters Housing Allocations Plan - Reg. 19 Pre-submission Addendum \(oc2.uk\)](https://www.southnorfolk.gov.uk/planning-and-build/planning-and-development/village-clusters-housing-allocation-plan-reg-19-pre-submission-addendum-oc2-uk)

Contents

	Page No.
Contents	1
Introduction	1
Disclaimer	1
Form and Character	2
Services and Community Facilities	3
Settlement Limit	3
Site allocations: VCBAR1	5
Site allocations: VCBAR2	12

INTRODUCTION

The following paragraphs from the VCHAP consultation website (black font) have been annotated with the responses from Barford and Wramplingham Parish Council (BWPC), (**blue font**), and are subdivided into the questionnaire categories of legal compliance, soundness and duty to cooperate, as defined in the Representation Form Guidance Notes, available from the following website: [South Norfolk Village Clusters Housing Allocations Plan – Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](https://www.southnorfolk.gov.uk/planning-and-build/planning-and-development/village-clusters-housing-allocation-plan-reg-19-pre-submission-addendum-oc2-uk).

The responses were ratified by Barford and Wramplingham Parish Council at the parish council meeting on 17th September, 2024.

DISCLAIMER

The Barford and Wramplingham Parish Council have used their best endeavours to prepare a consultation response that is factually accurate. No liability is accepted if for any errors or omissions in this consultation response nor for any damages arising in contract, tort or otherwise from the use of any material contained in this response nor from any action or decision taken as a result the publication of it.

The material and information contained in this response represent the BWPC's views; they do not constitute legal or other professional advice.

1. Barford, Marlingford, Colton and Wramplingham

Form and character

Barford

1.1. Barford is a compact settlement on the north bank of the River Tiffey. Development has extended northwards away from the B1108 along Cock Street and Style Loke, with frontage development to the north of Church Lane and along Chapel Street/Marlingford Road. The historic centre of the village is concentrated on Cock Street and Chapel Street with later estate development situated off Chapel Street at Park Avenue and Clarke Close. The village is set in the attractive valley of the River Tiffey and is characterised by mature tree planting. The most sensitive area of the village is situated on either side of Cock Street where the Hall and its grounds on the west side and the popular plantation on the east side, positively contribute to the form and character of the village.

1.2. Barford has a good road link via the B1108 to Norwich 13km to the east and links via mainly unclassified roads to Wymondham 6km to the south.

Marlingford

1.3. The main village is located in the bottom of the Yare Valley on the outside of a bend in the river.

1.4. Marlingford village has developed along two sides of a triangle formed by Barford Road and Mill Road, which radiate towards the south-west from the junction with Marlingford Road. The junction forms the focal point of the village. To the north-east of the junction is the 'Old Hall' which is listed. The area around Old Hall has remained undeveloped which contributes to its setting.

1.5. The wedge of land between Barford Road and Mill Road occupied previously by allotments and The Common has remained undeveloped and is locally regarded as Marlingford's amenity area used for conservation and recreation. This contributes to the rural character of Marlingford as a village set in open countryside within the river valley.

Colton

1.6. Historically, the settlement of Colton developed with a number of large farms and small cottages which have been joined up by frontage development to form a distinct settlement grouping. To the south of Norwich Road the buildings are set in large grounds with trees and hedges along the road frontage. The area to the north of Norwich Road falls within the administrative area of the Broadland District Council. Development along The Street is of higher density.

Wramplingham

1.7. Located on the south bank of the River Tiffey, Wramplingham is characterised by its natural character and cluster of historic buildings around the large central pond. Development within the parish has been concentrated along Wymondham Road and The Street with the remainder of the parish displaying a dispersed settlement pattern comprising individual dwellings and farmsteads. The small scale development at Wymondham Road is linear in form and concentrated on the south side of the road.

Services and Community Facilities

1.8. Barford has a village hall and a primary school. There are several industrial and commercial units located within the centre of the village, which provide local employment opportunities. There are also regular bus services to Norwich and an infrequent service to Wymondham. Marlingford has a village hall, pub and daily bus service to Wymondham. Colton also has a pub and significant local employment opportunities.

OBJECT

Do you consider the plan to be legally compliant? NO

See other sections.

Do you consider the plan to be sound? NO

The bus service from Marlingford to Wymondham is infrequent, not daily. Why is this still incorrectly described? Have previous consultations been ignored.

See other sections also.

Does it comply with the duty to co-operate? NO

See other sections.

Settlement Limit

Barford

1.9. A Settlement Limit has been drawn to include the main built form of the settlement. A smaller Settlement Limit has been drawn around the existing properties on Church Lane to the west of the village.

1.10. Much of the central part of Barford forms part of the Barford Flood Alleviation Scheme which helps to control flooding in the village. This has therefore constrained where development could be located in the village, and has resulted in areas being excluded from the Settlement Limit.

OBJECT

Do you consider the plan to be legally compliant? NO

Barford and Wramplingham Parish Council (BWPC) consider that the lack of action concerning likely flood risk downstream in Barford resulting from the development (described under Duty to Cooperate below) is in contravention to NPPF Clause 165: *Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk*

*(whether existing or future). Where development is necessary in such areas, the development should be made safe for its **lifetime without increasing flood risk elsewhere**.*

And also of relevance to clauses 166 and 167.

See also other VCHAP sections.

Do you consider the plan to be sound? NO

See other sections.

Does it comply with the duty to co-operate? NO

The Barford Flood Alleviation Scheme is unlikely to cope with the 25-30% increase in dwellings proposed under the VCHAP scheme including the 20+ houses proposed in VCBAR1. Barford and Wramplingham Parish Council is not aware of any assessment for this issue by Anglian Water (AW) or any other body (see also arguments at the end of the VCBAR1 section and within responses to VCBAR2). Whilst AW are not a prescribed body for the purpose of the duty to cooperate under s.33A PCPA and Reg 4 of the 2012 regulations, **they have been included** under the list of **Local Plan – Specific Consultation Bodies** in the South Norfolk Statement of Community Involvement, May 2017 (Updated 2022), which is specifically referred to in the VCHAP Representation Form Guidance Notes (August 2024). Flooding is and sewage pollution in Barford has become a nightmare issue for many residents. We consider that a lack of consultation with AW would make the VCHAP proposal non-compliant as defined by the VCHAP Duty to Cooperate Statement, and probably unsound as well.

Furthermore, the Barford Flood Alleviation Scheme is dependent on downstream maintenance of a network of **privately owned surface water ditches that lead to the River Tiffey**. These are largely not accessible to machinery and have to be hand dug/cleared by their increasingly elderly owners. Not all new owners understand their legal responsibilities to do so. For these reasons the network may well be operating at well below capacity even with the existing number of houses, road layout etc. We are not aware that VCHAP or key stakeholders have considered this issue which may be a defining bottleneck.

On a related note, Barford is one of approximately 20 villages in Norfolk who's sewage flooding issues are still being investigated by Anglia Water's Complex Investigation and Resolution Team. Flooding and sewage pollution is a major problem in many Norfolk villages including Barford and Wramplingham.

SUMMARY

The Barford Flood Alleviation Scheme is unlikely to cope with the 25-30% increase in dwellings proposed under the VCHAP scheme. Barford and Wramplingham Parish Council is not aware of any assessment for this issue by Anglian Water or any other body. This would make the VCHAP proposal unsound as defined by the VCHAP Duty to Cooperate Statement. The Barford Flood Alleviation Scheme is dependent on downstream maintenance of a network of **privately owned**

surface water ditches that lead to the River Tiffey. These are largely not accessible to machinery and have to be hand cleared by their increasingly elderly owners.

Marlingford

1.11. The Settlement Limit has been drawn to include the main built form of the settlement. Due to its rural character and very limited services the Settlement Limit has been drawn to allow only very limited infill development.

Colton

1.12. Due to the very limited facilities available in Colton the Settlement Limit has been drawn around the built form on Norwich Road, to allow for very limited infill development and to avoid further expansion into the surrounding countryside, preserving the rural character of the area.

Site allocations

VC BAR1

1.13. The site is located north of the B1108 between Cock Street to the east and Back Lane to the west. The eastern section of the site is a brownfield site that lies within the existing development boundary whilst the western section of the site extends into the open countryside. The existing commercial garage and the dwelling in the north area of the site will be demolished as part of the redevelopment of the site. The site is well connected by pedestrian access to the existing facilities in the village, including the village school on Chapel Street, and a regular bus service that runs between Norwich and Watton.

1.14. In both landscape and townscape terms the site can currently be considered in two distinct parts, separated by a mature tree belt running north-south through its centre. The west part of the site falls within the designated River Valley. The brownfield element to the east is in a prominent location at the junction of Cock Street and the B1108. The redevelopment of this site provides an opportunity to enhance the local townscape. The land at the west side of the site currently marks the transition between the village and the adjoining countryside, a change that is further enhanced by the rural appearance of Back Lane. The existing mature vegetation to the south and west of the site provides effective screening and enclosure of the site and will need to be retained and enhanced to minimise the visual impact of the development. The existing central tree belt should be incorporated into the site layout as far as possible to enhance the appearance of the site, although some tree loss will be necessary to enable access through the site. An arboriculture survey will be required to assess the condition of these trees.

1.15. Technical discussions with the Highways Authority have identified a number of on- and off-site highway works that will be necessary to ensure ongoing highway safety, including a single point of access into the site from Cock Street only. The existing garage access onto the B1108 will be closed. Other works that have been identified include improvements to the Cock Street/B1108 junction at the south-east corner of the site, a frontage footway along Cock Street and the provision of a pedestrian footway through the site connecting Cock Street to Back Lane to the west.

OBJECT

Do you consider the plan to be legally compliant? NO

See other sections.

Do you consider the plan to be sound? NO

Extra traffic generated by VCBAR1 particularly in conjunction with traffic generated from VCBAR2 will create more difficulties at the junction between Cock street and the B1108. This local knowledge has been highlighted in previous consultations.

See other sections.

Does it comply with the duty to co-operate? NO

See other sections.

1.16. The Cock Inn lies directly opposite the site, south of the B1108. The supporting Heritage Impact Assessment (HIA) has identified that the redevelopment of the garage site offers an opportunity to enhance the setting of this non-designated heritage asset. Sayers Farm, a listed building, lies to the south-west of the site. Retention of the existing hedgerow along the south and west boundaries will mitigate the impact of new development in this location. The HIA also notes that the B1108 creates a separation between the listed building and its setting and the site, further reducing the impact of development in this location.

1.17. Wider surface water flowpaths within the settlement have been identified however discussions with the Lead Local Flood Authority have confirmed that they do not affect the development of this site which lies north-west of these areas. However the Stage 2 identifies a high susceptibility to groundwater flooding, which combined with the nearby flowpaths, will require further investigation.

1.18. Whilst Anglian Water have measures in place to deal with river water ingress into the local sewer system, early discussions are recommended to identify preferred connection solutions.

1.19. An area of 0.76ha of land is allocated for approximately 20 dwellings which is considered to be a reasonable area to allow for the constraints and infrastructure requirements noted above to be incorporated into the site layout and design, whilst also reflecting the context of the site.

Policy VC BAR1: Land at Cock Street and Watton Road

0.76ha of land is allocated for approximately 20 dwellings.

The developer of the site will be required to ensure:

- Vehicular access into the site to be from Cock Street only, with the existing site access onto the B1108 to be closed;**
- On and off-site highway works to include improvements to the Cock Street/ B1108 junction, a frontage footpath along Cock Street and a pedestrian link through the site to create a linkage between Cock Street and Back Lane;**
- Submission of an arboricultural survey to determine the condition of the central tree belt and to inform a site layout and design that incorporates these trees as far**

as possible, as well as the protection of these trees during the construction phase of development;

- Retention, protection and enhancement of the existing vegetation and mature trees along the south and west boundaries of the site in order to minimise the visual impact of the site and protect the setting of Sayer's Farm;
- Site layout and design to have regard to the nearby heritage assets with particular consideration to be given to the setting of The Cock Inn; A Phase 1 and Phase 2 contamination survey be undertaken to determine the presence of any on-site contamination resulting from the former garage use of the site and to identify appropriate remediation works; and
- A site-specific Flood Risk Assessment addressing the high susceptibility to groundwater flooding and the nearby surface water flows.

OBJECT

Do you consider the plan to be legally compliant? NO

1) Car-dependency and lack of sustainability

S19(1A) PCPA requires Local plans to include “policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change.”

The site (like many of the other villages in the VCHAP proposal) is located a long distance from many services such as shops and surgeries, secondary schools, and larger centres of employment. This **precludes the use of cycling to access these services**, and rather than contributing to mitigation of and adaptation to climate change makes the new development car and therefore carbon dependent, which is contrary to the following:

(a) NPPF Clause 89:

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and **exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport)**. The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

(b) Joint Core Strategy for Broadland, Norwich and South Norfolk:

“2.8 We have to plan places and design and renovate buildings so they are more energy efficient and less carbon dependent, where walking and cycling is an option for many more journeys....”

(c) Walking, wheeling and cycling strategy for Norfolk, 2004:

“To create a healthier and greener Norfolk by enabling people to walk, wheel and cycle more often...”

See also comments concerning loss of employment under Soundness, and flooding under duty to cooperate.

Note also, the increase in traffic using the Cock Street – B1108 junction will worsen the situation for residents that have to cross the B1108 to access the west-bound bus stop.

Do you consider the plan to be sound? NO

The proposed VCHAP development is not sound as defined in NPPF paragraph 35: it is neither positively prepared, justified, effective, nor consistent with national policy .

Particulars:

(1) **Non-deliverability (c.f. NPPF §16(b)): Page 167 of the Site Assessment Document** describes VC BAR1 incorrectly. **The site VCBAR1 is, according to the land owner, not available for development** and is not a “specific, deliverable site for five years following the intended date of adoption” – see §69 NPPF.

(2) **Loss of employment:** Currently, **four businesses with about a dozen employees operate out of the garage which is located on the VCBAR1 site. Historically, there has long been business activity of this type in this location. Loss of this local employment goes against the delivery of sustainable development.** There is no overriding economic, environmental or community benefit from redevelopment or change to another use which outweighs the benefit of the current lawful use continuing. The businesses are well-supported by the local residents of Barford and Wramplingham. Hence: the proposed VCBAR1 development is in contravention of the following:

(a) The stated aims of the JCS, specifically Policy 15: Service Villages:

“Small-scale employment or service development appropriate to the scale and needs of the village and its immediate surroundings will be encouraged. Existing local shops and services will be protected.”

(b) NPPF: Clause 88:

Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;

(c) JCS P46 Policy 5 The Economy: to expand jobs: Policy DM2.2: “Policy DM 2.2 Protection of employment sites in the South Norfolk Local Plan – Development Management Policies Document 2015.

1) The Council will safeguard sites and buildings allocated for Business Class and other Employment Uses. Proposals leading to the loss of sites and buildings to another use will be permitted where the new use continues to provide employment and is supportive to that particular employment area.

2) The Council will safeguard all other land and buildings currently in or last used for an Employment Use (both inside and outside Development Boundaries). Proposals leading to the loss of such sites and buildings will be permitted where:

a) The possibility of re-using or redeveloping the site / premises for a range of alternative business purposes has been fully explored and it can be demonstrated that the site or premises is no longer economically viable or practical to retain for an Employment Use;

Or

b) There would be an overriding economic, environmental or community benefit from redevelopment or change to another use which outweighs the benefit of the current lawful use continuing.”

(d) This proposal also directly contravenes Clauses 81-85 of the NPPF:

“Clause 81: “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”

Clause 84: Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;”

Does it comply with the duty to co-operate? NO

1) Sewage treatment and flood risk:

Flooding is and sewage pollution in Barford has become a nightmare issue for many residents.

According to the VCHAP Water Cycle Study for Barford by the consultancy firm AECOM Ltd., circa 74 extra houses will be built in Barford as a result of the GNLP and proposed VCHAP policies. This will reduce the available headroom of the Barford Water Recycling Centre to only 7%. BWPC are of the view that the AECOM study is almost certainly a desktop study and unlikely to have involved any site visits by one of their Engineers to discuss problems occurring locally. The study is limited to treatment of foul water only and based on Dry Water Flow. In order for this study to have any relevance or practical use, other than for the Planners to justify their VCHAPS proposals , consideration MUST be given to storm water flows,

BWPC has, for decades, reported to Anglian Water that regardless of the Dry Weather Flow (DWF) capacity of the waste water (sewerage) systems, during (regular) heavy rain, the system as it stands cannot cope, and sewage is released into the environment. Until about a year ago, it came up in gardens, sometimes in houses. BWPC understands that non return valves have been fitted in some parts of the network, but during heavy rain, sewage now comes up in the road. BWPC wishes the Planning Inspector to recognise that an increase in Barford housing by about 25-30% will increase the frequency by which the system is overwhelmed, and increase the sewage release unless suitable and substantial mitigating

Barford and Wramplingham Parish Council VCHAP consultation response

engineering solutions are included to ensure no additional flow enters the existing system during times of high rainfall.

BWPC considers that increasing the sewage load to within only a few percent of the maximum is neither sensible nor sound. BWPC considers that the 7% headroom figure is meaningless when considering the full picture of real surface flows during wet weather.

BWPC also wishes the Planning Inspector to be aware that Anglia Water (AW) have informed the Parish Council that:

“We are not currently in a position to share a response to this consultation and unlikely to finalise our response prior to the consultation closing date owing to current workloads and intervening consultation priorities. As you may already know, the Council has produced a Water Cycle Study and a Level 2 Strategic Flood Risk Assessment to inform their plan which are also published on their website. A Statement of Consultation has also been produced and summarises previous comments made in relation to previous stages of the Plan. Our response to the Regulation 18 Focussed Consultation regarding the two sites proposed in Barford referenced below - indicated that there is current capacity at the Barford Chapel Street water recycling centre to accommodate the proposed growth, but this may be impacted by cumulative growth from other commitments. We suggested that a policy requirement should be included for both allocations to require early engagement with Anglian Water to ensure that there is adequate capacity, or capacity can be made available, in the wastewater network.” [quoted from email to BWPC Clerk]

BWPC are concerned that AW appear happy to promote extra housing, which suggests they accept that continued sewage pollution is acceptable. BWPC is not satisfied that the assessment by Anglian Water in respect of there being “adequate capacity” is reasonable or rational having regard to the information given above.

Whilst AW is not a prescribed body for the purpose of the duty to cooperate under s.33A PCPA and Reg 4 of the 2012 regulations, **they have been included** under the list of **Local Plan – Specific Consultation Bodies** in the South Norfolk Statement of Community Involvement, May 2017 (Updated 2022), which is specifically referred to in the VCHAP Representation Form Guidance Notes (August 2024).

BWPC does not accept that AW are not intending to make a response by the deadline. BWPC considers that this shortfall means the plan is **not compliant with the duty to cooperate, and neither is it legally compliant (see earlier comments also)**.

BWPC is concerned that, as seems to be the case in many other developments, the lack of enforceable safeguards will enable developers and designers to make their money and walk away from ensuing problems leaving villagers affected to pick up the pieces. Recently, we have witnessed in the UK a terrible consequence of such poor management in Planning and in the construction industry.

Note also that surface water from the area including this site already causes problems on the B1108 and also affects properties in Cock Street, Sutton's Loke (private road) and Style Loke. This has all been reported to NCC Highways and **not yet resolved**.

BWPC wish to submit the following specific requirements for inclusion in any allocation policy:

- 1) A covenant should be placed on other land adjacent (west of Back Lane) to restrict any further development on greenfield sites. The development boundary should be fixed at Back Lane.
- 2) Any sewage system should be guaranteed (and professionally evaluated and indemnified by SNDC) to maintain nutrient neutrality and not cause any flood or pollution risk to the local villages.
- 3) Flood risk from run-off should be mitigated on site and not exacerbate the existing problem of floodwater along this road that currently affects residents downhill from the proposed VCBAR1 site in "Suttons Loke" and Style Loke.
- 4) We wish for a full traffic load and traffic safety evaluation to be carried out to ensure that the extra vehicle movements, into and out of the development, and the proposed VCBAR2 site, are not going to overload the dangerous double blind-bend on the B1108.

Summary

The site specific allocation is unsound, undeliverable, not justified, and contrary to specific provisions of NPPF and local plan policies. The Parish Council object to this allocation. If approved a covenant should be placed on land adjacent to restrict further development on greenfield sites. Sewage systems should be guaranteed (and indemnified by SNDC) to maintain nutrient neutrality and not cause any flood or pollution. Flood risk from run-off should be mitigated on site to prevent flooding in "Suttons Loke" and Style Loke. A full traffic safety evaluation must be carried out to ensure road safety on the B1108 double blind-bend.

VC BAR2

1.20. The site is located north of Chapel Street and contains the current Barford and Wramplingham Village Hall, the accompanying playing field, and the recently refurbished playground. To the north is a small agricultural field, enclosed by hedging and some mature trees.

NO COMMENT

1.21. Whilst the current Village Hall is still fit for purpose, it would benefit from upgrading and there are concerns that the length of time left on the land lease will make it increasingly difficult to secure the ongoing funding to maintain and improve the facility. As such, a purpose-built new hall, constructed to the latest environmental standards and provided on a freehold basis to the community, is proposed as part of a package which also delivers new housing adjacent to the heart of the village.

OBJECT

Do you consider the plan to be legally compliant? NO

See comments under soundness particularly concerning the lack of accuracy in the Site Assessment Document.

Do you consider the plan to be sound? NO

The site specific allocation is not “sound” as defined in NPPF paragraph 35: it is neither positively prepared, justified, effective, nor consistent with national policy .

Particulars:

(1) Non-deliverability (c.f. NPPF §16(b)): the site is not a “specific, deliverable site for five years following the intended date of adoption” – see §69 NPPF and thereby non effective.

The Site Assessment document – SN6000 (VCBAR2) – the site promoter has stated that the site would be available within 5 years. However, BWPC understands that there is a 99 year lease on the Village Hall (VH) and playing field (PF) from 1961 which leaves a considerable period (circa 36 years) before it expires – well outside the 2038 cut-off date for the VCHAP. It is important for the Local Planning Authority (and the Planning Inspector) to be aware that the land for the playing field is subject to 99 year lease dated 4 October 1961 with the registered charity “Barford Playing Field and Village Hall.” The land was leased to the charity with specific charitable purposes. The Trustees hold the lease “upon trust for the purposes of a Playing Field and Village Hall for the use of the inhabitants of the Parishes of Barford and Wramplingham both in the County of Norfolk and the neighbourhood (hereinafter called the “area of benefit” without distinction of sex or political religious or other opinions and and in particular for use for meetings

lectures and classes and for other forms of recreation and leisure time occupation with the object of improving the conditions of life for the inhabitants.”

This land has since that time been used precisely for these purposes and is crucial to the amenity of the residents of both Barford and Wramplingham. Any loss of part or all of these premises would be a significant loss to the amenity of the residents of Barford and Wramplingham.

Moreoever having considered the terms of the lease held by the charity, the Parish Council considers:

- (i) That the development as proposed is not deliverable without surrender or termination of the lease and disposal of the land to the developer.
- (ii) That any such disposal would require Charity Commission approval.
- (iii) That any such disposal is of ‘designated land’.
- (iv) That any such disposal of the land would require (under the terms of the lease) a public vote of those in the area of benefit (Barford and Wramplingham) at which a majority was in favour of surrdender/disposal.

Based on representations which have been made to it at Parish Council meetings, the view of the Parish Council is that a vote in favour of surrender or disposal for currently considered plans is highly unlikely.

(2) Innacuracies within the Site Assessment Document

The whole SiteAssessment document for VCBAR2 is unsound. Apart from the short conclusion, BWPC do not believe the rest of this Site Assessment document has been reviewed or revised to reflect the new proposed location of the development; it is still dated June 2023. It is therefore misleading and unsound. When originally written as part of the Regulation 18 Consultation, the document focussed on the area which is now proposed to remain the playing field and location for the village hall. Comment after comment is relevant only to the development being on the site of the existing village hall and playing field and not the green-field site of open agricultural land to the north. The so termed ‘northern part of the site’ on which the development is now proposed, was not part of the original proposal, other than being the proposed location of the replacement playing field, and hence not covered by this document.

BWPC questions the wisdom of trying to develop the village of Barford with an excess of houses, across two unsound sites.

Does it comply with the duty to co-operate? NO

See earlier comments concerning lack of accuracy in the Site Assessment Document and the problems with consultation of stakeholders (Anglian Water) in later comments.

SUMMARY

The site specific allocation is not “sound” as defined in NPPF paragraph 35: it is neither positively prepared, justified, effective, nor consistent with national policy. The site is unlikely to be available within 5 years. There is a 99 year lease (36 years remaining) which

requires (unlikely) agreement by the villagers and the Charity Commission before it is surrendered. The site assessment descriptions are inaccurate and out of date and therefore misleading.

1.22. The site is well located within Barford in terms of townscape and relationship to services. It is proposed to retain the playground, replace the current village hall, improve the existing playing pitch, and to keep these grouped together in the southern part of the site, whilst allocating approximately 40 dwellings in the northern part of the site. Keeping the community facilities at the southern end of the site has several benefits. Principal amongst these is the combined use of the facilities. This also ensures the playing field remains in close proximity to the Primary School (for school use), retains the parking close to Chapel Street for school drop off and pick-up times (reducing on-highway parking close to the school), and allows the south-east corner of the site to remain free from development helping to preserve the setting of the Listed farmhouse and associated barns.

OBJECT

Do you consider the plan to be legally compliant? NO

1) Flood risk

BWPC consider that the lack of action concerning likely flood risk downstream in Barford resulting from the development (described under Duty to Cooperate below) is in contravention to NPPF Clause 165: *Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*

Probably relevance to clauses 166 and 167 also.

See also other VCHAP sections.

2) SNC is required to provide a Sustainability Appraisal.

The Sustainability Appraisal is not accurate and probably misleading:

- Higher growth given good links to Wymondham and Norwich. Links to Wymondham are on narrow, unclassified roads, already beset with potholes. This reflects a lack of local knowledge by AECOM Ltd.
- Full of repetitions, as if that is enough to justify such excessive development.
- What is meant in clause 6.3.59 by “possible in-combination biodiversity benefits at Barford?” Building on such a scale on agricultural fields will reduce biodiversity.
- Clause 9.2.3 states: “BAR2 (Village hall, Barford, 40 homes) is the other key site that is delivering new community infrastructure, namely a replacement village hall and an improved playing pitch.” The text is “bigging up” the replacement VH as a “new village

hub.” HOWEVER: the playing pitch will not be improved. It will be diminished by an estimated 20-40% in area by a roadway to access the housing development. This will prevent, for example, cricket matches from being held ever again. Furthermore, the new VH, which is stated to be “as least as good as,” takes no account of the probably 25% increase in village size, or in the required internal furnishing/appointment of the VH facilities. Thus, the statement is misleading, and therefore not compliant.

3) Site assessment document

The document is confusing and not fit for purpose.

Page 7: Assertion of flood risk as green is incorrect and misleading. We do not agree there is low risk of surface water flooding in Barford, which will be exacerbated by runoff from a new development. The village has been beset with flooding problems for decades and had to have a flood alleviation zone built – the capacity of which has not been considered for this big development.

4) Car-dependency (lack of soundness also)

The site is located a long distance from many services such as shops and surgeries, secondary schools, and larger centres of employment. This precludes the use of cycling to access these services, and makes the new development car and therefore carbon dependent, which is contrary to the following:

(i) NPPF Clause 89:

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and **exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).** The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

(ii) Joint Core Strategy for Broadland, Norwich and South Norfolk:

2.8 We have to plan places and design and renovate buildings so they are more energy efficient and less carbon dependent, where walking and cycling is an option for many more journeys....

(iii) Walking, wheeling and cycling strategy for Norfolk, 2004:

“To create a healthier and greener Norfolk by enabling people to walk, wheel and cycle more often...”

Do you consider the plan to be sound? NO

See arguments for non compliance with duty to cooperate, and legal compliance.

Does it comply with the duty to co-operate? NO

1) Sewage treatment and flood risk:

Flooding and sewage pollution in Barford has become a nightmare issue for many residents.

According to the VCHAP Water Cycle Study for Barford by the consultancy firm AECOM Ltd., circa 74 extra houses will be built in Barford as a result of the GNLP and proposed VCHAP policies. This will reduce the available headroom of the Barford Water Recycling Centre to only 7%. BWPC are of the view that the AECOM study is almost certainly a desktop study and unlikely to have involved any site visits by one of their Engineers to discuss problems occurring locally. The study is limited to treatment of foul water only and based on Dry Water Flow. In order for this study to have any relevance or practical use, other than for the Planners to justify their VCHAPS proposals, consideration MUST be given to storm water flows,

BWPC has, for decades, reported to Anglian Water that regardless of the Dry Weather Flow (DWF) capacity of the waste water (sewerage) systems, during (regular) heavy rain, the system as it stands cannot cope, and sewage is released into the environment. Until about a year ago, it came up in gardens, sometimes in houses. BWPC understands that non return valves have been fitted in some parts of the network, but during heavy rain, sewage now comes up in the road. BWPC wishes the Planning Inspector to recognise that an increase in Barford housing by about 25-30% will increase the frequency by which the system is overwhelmed, and increase the sewage release unless suitable and substantial mitigating engineering solutions are included to ensure no additional flow enters the existing system during times of high rainfall.

BWPC considers that increasing the sewage load to within only a few percent of the maximum is neither sensible nor sound. BWPC considers that the 7% headroom figure is meaningless when considering the full picture of real surface flows during wet weather.

BWPC also wishes the Planning Inspector to be aware that Anglia Water (AW) have informed the Parish Council that:

"We are not currently in a position to share a response to this consultation and unlikely to finalise our response prior to the consultation closing date owing to current workloads and intervening consultation priorities. As you may already know, the Council has produced a Water Cycle Study and a Level 2 Strategic Flood Risk Assessment to inform their plan which are also published on their website. A Statement of Consultation has also been produced and summarises previous comments made in relation to previous stages of the Plan. Our response to the Regulation 18 Focussed Consultation regarding the two sites proposed in Barford referenced below - indicated that there is current capacity at the Barford Chapel Street water recycling centre to accommodate the proposed growth, but this may be impacted by cumulative growth from other commitments. We suggested that a policy requirement should be included for both allocations to require early engagement with Anglian Water to ensure that there is

adequate capacity, or capacity can be made available, in the wastewater network.” [quoted from email to BWPC Clerk]

BWPC are concerned that AW appear happy to promote extra housing, which suggests they accept that continued sewage pollution is acceptable. BWPC is not satisfied that the assessment by Anglian Water in respect of there being “adequate capacity” is reasonable or rational having regard to the information given above.

Whilst AW are not a prescribed body for the purpose of the duty to cooperate under s.33A PCPA and Reg 4 of the 2012 regulations, **they have been included** under the list of **Local Plan – Specific Consultation Bodies** in the South Norfolk Statement of Community Involvement, May 2017 (Updated 2022), which is specifically referred to in the VCHAP Representation Form Guidance Notes (August 2024).

BWPC does not accept that AW are not intending to make a response by the deadline. BWPC considers that this shortfall means the plan is not compliant with the duty to cooperate, and neither is it legally compliant (see earlier comments also).

2) Surface Water Drainage:

The Barford Flood Alleviation Scheme is dependent on downstream maintenance of a network of privately owned surface water ditches that lead to the River Tiffey. These are largely not accessible to machinery and have to be hand dug/cleared. Some owners do not understand their legal responsibilities to do so. Therefore the network may be operating at well below capacity even with the existing number of houses, road layout etc. Barford is one of approximately 20 villages in Norfolk who's sewage flooding issues are still being investigated by Anglia Water's Complex Investigation and Resolution Team.

3) Lack of enforceable safeguards

BWPC is concerned that, as seems to be the case in many other developments, the lack of enforceable safeguards will enable developers and designers to make their money and walk away from ensuing problems leaving villagers affected to pick up the pieces. Recently, we have witnessed a terrible consequence in the UK of such poor management by Planners and the construction industry.

SUMMARY

The development will likely cause flooding (surface and foul water) downstream thereby contravening NPPF Clause 165; the plan fails the duty to cooperate by failure to engage with Anglian Water; the Sustainability Appraisal is inaccurate and probably misleading; the Site Assessment Document consideration of flood risk is misleading; the development will increase car dependency and is in contravention of NPPF Clause 89, the JCS and the Cycling Strategy for Norfolk; it will also reduce the current playing field considerably and is thus unsound.

1.23. Development of the site will need to maintain continuity of use of all of the community facilities throughout construction.

1.24. Development of the site will utilise the existing access to the Village Hall, subject to the provision of acceptable visibility splays. A 2.0m wide footway will be required on the site frontage, with a crossing point to the footways on the south of Chapel Street. The developer of the site will also need to work with the Highways Authority to promote a 20mph speed limit via the Traffic Regulation Order process.

1.25. The tree belt which bisects the site east/west will need to be retained and enhanced as far as possible, as will the vegetation on the perimeter of the site, which will help integrate the development into the surrounding countryside.

1.26. The site is at the head of a significant existing surface water flow-path, and development of the site will need to investigate the opportunities for alleviating flooding elsewhere in the village, where appropriate enhancing the existing Barford Flood Alleviation Scheme.

1.27. To the south-east of the site is the listed School Farmhouse. Retention of the playing field in its existing location will allow for the setting of the farmhouse, and the barns to the rear, to retain a more open agricultural feel. An archaeological desk-based assessment should be provided to inform any planning application, with on-site investigation prior to commencement of development if appropriate.

1.28 An area of 4.94ha of land is allocated for approximately 40 dwellings, to the north of the bisecting tree line, and a replacement village hall with car parking, retention of the existing playground and an improved playing pitch, south of the bisecting tree line. This is considered to be a reasonable area to allow for the constraints and infrastructure requirements noted above to be incorporated into the site layout and design, whilst also reflecting the context of the site.

Policy VC BAR2: Land at Chapel Street

4.94ha of land is allocated for approximately 40 dwellings to the north of the bisecting tree line, and a replacement village hall with car parking, retention of the existing playground and an improved playing pitch, south of the bisecting tree line.

The developer of the site will be required to ensure:

- Delivery of a new village hall close to the existing playground, of a function equal to or better than the existing hall, with sufficient parking and constructed to the latest environmental standards, and provided freehold to the community;**
- Continuity of use of a village hall and the other community facilities throughout construction of the development;**
- Enhancement of the existing playing field, particularly to address existing flooding/drainage problems which currently limit its use;**
- Protection, retention and enhancement of the bisecting tree line which runs east/west across the site and of vegetation on the site boundaries;**

- **Assessment of the opportunities arising from the site being at the head of a surface water flow-path, to alleviate flood-risk within the village and implementation of the outcomes of this assessment;**
- **Access using the existing village hall entrance, subject to provision of acceptable visibility splays; and**
- **2.0m wide footway on the site frontage, with safe crossing points to the footways on the south of Chapel Street.**

The developer of the site will also undertake to work with the Highway Authority to promote an appropriate 20mph speed limit via the Traffic Regulation Order process.

OBJECT

Do you consider the plan to be legally compliant? NO

See earlier comments (relating to para 1.21, 1.22) concerning the increase in risk of downstream flooding, car dependency in relation to addressing climate change, and inaccuracies in the Sustainability Appraisal document. Many of these criticisms reflect a lack of soundness also.

Regarding bullet points 1 and 3: the playing pitch will not be improved. It will be diminished by an estimated 20-40% in area by a roadway to access the housing development. This will prevent, for example, cricket matches from being held ever again. Furthermore, the new VH, which is stated to be “as least as good as,” takes no account of the probably 25% increase in village size, or in the required internal furnishing/appointment of the VH facilities. Thus, the statement is misleading, and therefore not compliant.

BWPC believes The majority of residents of Barford and Wramplingham want to retain the village hall and playing area in its current form and in its current location for the charitable purposes for which that land was leased.

Do you consider the plan to be sound? NO

See earlier comments (relating to para 1.21, 1.22) concerning the unlikely deliverability of the site due to the 99-year lease and the need for village approval; and inaccuracies in the Site Assessment documentation.

Concerning the first bullet point of Policy VC BAR2: Land at Chapel Street above, Barford and Wramplingham Parish Council consider that if the land is allocated, the freehold of the new Village Hall, carpark, play area, and the whole of the playing field site should be gifted to the Villages of Barford and Wramplingham to ensure a sustainable future for these amenities.

Does it comply with the duty to co-operate? NO

See earlier comments (relating to para 1.21, 1.22) concerning the lack of capacity of the foul water system to deal with current levels of sewage during wet weather, which will be exacerbated by increasing the houses by such a large number, and the lack of any response before the closing deadline by Anglian Water reflecting a lack of duty to cooperate.

SUMMARY

The site specific allocation is not “sound” as defined in NPPF paragraph 35: it is neither positively prepared, justified, effective, nor consistent with national policy. The site is unlikely to be available within 5 years. There is a 99 year lease (36 years remaining) which requires (unlikely) agreement by the villagers and the Charity Commission before it is surrendered. The development will increase car dependency, will reduce the current playing field considerably, and is likely to exacerbate current drainage problems (surface and foul water) and flood risk.