

## Response from Barford and Wramplingham Parish Council

### DISCLAIMER

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

### Concerning Policy VC BAR1: Land at Cock Street and Watton Road

#### 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

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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.

## **What changes do you think need to be made to the plan?**

Please comply with the regulations specified above, and ensure local knowledge is sought.

## **If you wish to participate in the hearing session(s), please outline why you consider this to be necessary?**

Somebody from the Parish Council can bring local knowledge to bear.