The Planning Inspectorate

Report to South Norfolk Council

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

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO THE SOUTH NORFOLK LOCAL PLAN (SITE SPECIFIC ALLOCATIONS & POLICIES DOCUMENT, DEVELOPMENT MANAGEMENT POLICIES DOCUMENT AND WYMONDHAM AREA ACTION PLAN)

Document submitted for examination on 16 April 2014

Examination hearings held between 21 October 2014 and 12 August 2015

File Refs: PINS/L2630/429/2, 3 & 4

Abbreviations Used in this Report

DM MM	Development Management Policies Document Main Modification
DMPD	Development Management Policies Document
CIL	Community Infrastructure Levy
Framework	National Planning Policy Framework
GTLP	Gypsies and Travellers Local Plan
JCS	Joint Core Strategy for Broadland, Norwich and South Norfolk
LSAAP	Long Stratton Area Action Plan
MM	Main Modification
NPA	Norwich Policy Area
NSBLPZ	Norwich Southern Bypass Landscape Protection Zone
PCPA 2004	Planning and Compulsory Purchase Act 2004
PPG	The government's Planning Practice Guidance
SA	Sustainability Appraisal
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SOCG	Statement of Common Ground
SPD	Supplementary Planning Document
SITES MM	Site Specific Allocations and Policy Document Main Modification
SSAPD	Site Specific Allocations and Policy Document
WAAP	Wymondham Area Action Plan
WAAP MM	Wymondham Area Action Plan Main Modification

This report is accompanied by two appendices. Appendix 1 contains the main modifications to policies and supporting text. Appendix 2 contains the main modifications as expressed on the policies map.

Non-Technical Summary

This report concludes that the Site Specific Allocations and Policy Document (SSAPD), Development Management Policies Document (DMPD) and the Wymondham Area Action Plan (WAAP) provide an appropriate basis for the planning of the District, subject to a number of main modifications being made.

South Norfolk Council has specifically requested that I recommend any modifications necessary to enable the plan to be adopted. All of the main modifications were proposed by the Council and I have recommended their inclusion after considering the representations from other parties on these issues. In some limited cases I have amended the wording where necessary.

The purposes of the recommended main modifications can be summarised as follows. However, the list is not intended to be an exhaustive summary of all the modifications.

- To commit to an early review of the plans.
- To set out which policies in the existing development plan are superseded.
- To clarify the approach regarding the housing requirement.
- To set out the policy approach regarding post 2008 commitments, to show these sites on the policies map and, where appropriate, to amend the development boundary.
- To confirm that housing for older people will be monitored against the housing requirement.
- To make it clear that the figure of 2,200 dwellings in Wymondham is a *minimum* target.
- To include the housing trajectories in the plan and to delete a table setting out projected rates of development on allocated sites.
- To amend the development boundaries to include existing development which can reasonably be regarded as falling within a settlement.
- To amend the development boundaries in some settlements to exclude land which has more affinity with the surrounding countryside.
- To add an explanation of how proposals in areas of flood risk will be considered.
- To amend the strategic gap boundaries in relation to Wymondham, Hethersett and Cringleford.
- To make it clear that a CIL is now in place.
- To clarify the objectives of the DMPD and the relationship with neighbourhood plans and to delete an incorrect reference to the status of the plan.
- To amend various policies to ensure that they are clear, effective and consistent with national policy, including in respect of wind turbines.
- To amend various policies to remove unreasonably restrictive or onerous requirements and to ensure appropriate flexibility.
- To amend the supporting text to various policies to explain their purpose and to clarify how they will be applied.
- To delete policies and policy criteria which unnecessarily duplicate other policies.
- To delete policy references which could confer development plan status on supplementary planning documents and other documents which are not part of the plan.
- To delete Policy DM 3.1 on housing quality.

- To delete Policy DM 4.1 on energy efficiency and allowable solutions.
- To amend the Norwich Southern Bypass Landscape Protection Zone to ensure consistency within the plans by excluding land which is developed or allocated for development and to include land at Colney Hall which is not proposed as a development allocation.
- To amend the allocation boundaries of WYM 3 and 4 to exclude small areas of land that may not be deliverable.
- To amend the supporting text to WYM 4 to clarify the potential elements that could make up a care community.
- To amend the tables and related text in the SSAPD to reflect the correct housing numbers.
- To amend various site allocation policies to reflect the existence of planning permissions.
- To extend various site allocations to reflect the grant of planning permission and to make consequential changes to development boundaries.
- To delete allocation POR 5 and to show the site as a housing commitment.
- To correct various mapping errors on the Policies Map.

Introduction

1. This report contains my assessment of the Site Specific Allocations and Policy Document (SSAPD), Development Management Policies Document (DMPD) and the Wymondham Area Action Plan (WAAP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). These three plans are collectively referred to in this report as the South Norfolk Local Plan or 'the plans'.

2. The report considers whether the preparation of these plans has complied with the duty to co-operate and whether they are sound and compliant with the legal requirements. To be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.[1]

3. The DMPD provides development management policies which will apply across South Norfolk. The WAAP sets out allocations and policies for the town of Wymondham and the SSAPD does the same for the rest of South Norfolk with the exception of Cringleford and Long Stratton, which are, respectively, covered by an adopted neighbourhood plan and an emerging area action plan.

4. My report is divided into six main sections. The first and second deal with the duty to cooperate and cross cutting issues which relate to two or three of the plans. The remaining sections deal with the DMPD, WAAP, SSAPD and legal compliance in turn.

5. The starting point for the examination is the assumption that the local authority has submitted plans which it considers to be sound. The basis for the examination is the submitted draft plans which were published for consultation (November 2013).[2]

6. In accordance with section 20(7C) of the 2004 Act, the Council has requested that I recommend any main modifications necessary to rectify matters that make the plans unsound or result in them not being legally compliant and so incapable of being adopted.[3] These main modifications are identified in bold in the report (**DM MM, WAAP MM** and **SITES MM**) and are set out in full in the Appendices.

7. The main modifications that are necessary for soundness and legal compliance for the most part relate to matters which were discussed at the Examination hearings.[4] Following the hearings, the Council prepared a schedule of proposed main modifications and carried out a sustainability

[1] Para 182 of the Framework
[2] Documents C41, C61 and B122
[3] Council letters dated 6 April and 8 May 2014
[4] A limited number of modifications were advanced by the Council following the hearings. For example, during the preparation of modifications, the Council identified a number of mapping errors on the policies map.

appraisal of them.[5] The schedule and SA have been subject to public consultation and I have taken the responses into account.

8. I have made a small number of amendments to the detailed wording of some main modifications, mainly to ensure conformity with national policy or clarity of wording. However, none of these amendments undermine the participatory processes and sustainability appraisal that have been undertaken. Where appropriate, I have highlighted these amendments in the report.

9. The Council has also prepared a list of *Additional Modifications.* These are changes which do not materially affect the policies in the Plan.[6] They are made by the Council on adoption and are also sometimes referred to as 'minor modifications.' Some of these changes address points that were raised in my Issues and Questions and which may have been discussed at the hearings. However, the Council is accountable for any such changes and they do not fall within the scope of the examination.[7] Consequently, for the most part, they are not referred to in this report. In addition, the Council may also need to make some minor editing changes, for example, to re-number policies and paragraphs.

Assessment of Duty to Co-operate

10. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council has complied with the duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation and the duty to cooperate.

11. There has clearly been very close cooperation over an extended period between the three Greater Norwich District Councils[8] and the County Council in the preparation of the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS). This work was carried out by the Greater Norwich Development Partnership[9] and various inter-authority working groups. It involved assembling evidence, agreeing strategic priorities and developing policies to address the needs of the wider area. Various joint studies have been produced on key strategic issues and these informed the preparation of the Joint JCS.[10]

12. The four Councils have worked together to agree the Greater Norwich City Deal.[11] This identifies a need for some £440 million of investment in strategic projects to help deliver the levels of development set out in the JCS and explains that funding will come from shared CIL receipts, access to borrowing from the Public Works Loan Board, the government (eg through the Highways Agency) and other sources.

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[5] Documents E36 and E37
[6] S23(3)(b) of the PCPA 2004
[7] 2.4 & 4.7 of Examining Local Plans Procedural Practice (The Planning Inspectorate – December 2013)
[8] Norwich, Broadland and South Norfolk Councils
[9] Now the Greater Norwich Growth Board
[10] As set out in Annex 2 to Document C8
[11] Document D5

13. Joint working continues, including on implementing the City Deal. In addition, consideration is currently being given, through officer and member forums, to the timescales and format for local plan reviews and further joint working.[12] Joint work with neighbouring authorities is also underway on the preparation of a new joint Strategic Housing Market Assessment (SHMA).[13] The adoption of a CIL[14] which was prepared jointly by the three Councils[15] working with the County Council provides further evidence of close cooperation.

14. It is also clear that the Council has constructively engaged with other neighbouring authorities and the various bodies prescribed in the regulations.[16] Overall, I am not aware of any significant outstanding issues relating to strategic matters and cross-boundary issues. Consequently, the legal duty to cooperate has been satisfied along with the relevant policy requirements in the Framework.[17]

Assessment of Soundness – cross cutting issues

Main Issues

15. 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 plans depend. These are dealt with throughout the report.[18]

16. Representations on the submitted plan have been considered insofar as they relate to soundness. However, they are not reported on individually. In particular, I have not referred to every argument advanced in the representations or at the hearing sessions. Nor have I referred to every proposed alternative allocation suggested by representors ('omission sites'), every potential site considered through the plan-making process or every suggested change to development boundaries or policies.

General approach and coverage

Are the plans consistent with the Joint Core Strategy? Are all necessary topics covered? Is the plan period justified? Should there be a commitment to an early review?

17. The policies contained in a local plan must be consistent with the adopted development plan.[19] In this case, the three plans are intended to help deliver the strategy set out in the JCS by providing more detailed development management policies and by allocating sites for

[12] Council's statement on issue 2 and Document B102
[13] Council's letter dated 30 June 2014 (answer to question 9)
[14] Document D7
[15] South Norfolk, Broadland and Norwich City
[16] As set out in Annex 3 to Document C8
[17] Framework – including paras 178-181
[18] The ordering and phrasing of issues and the headings used vary from those set out in my *Issues and Questions* for the Examination
[19] Regulation 8(4) of The Town and Country Planning (Local Planning) (England) Regulations 2012

development.[20] The need to implement the strategy in the JCS justifies the preparation of a number of subsidiary plans at this stage, rather than a new single Local Plan.

18. The JCS was originally adopted in March 2011. However, as a result of a legal challenge, parts of the JCS within Broadland district were remitted for further consideration. Following examination, the JCS was found sound subject to modifications and it was adopted in January 2014.

19. The JCS sets out the overall requirements for development in South Norfolk, Norwich and Broadland and how this should be distributed. A significant part of South Norfolk falls within the Norwich Policy Area (NPA). The JCS explains that this area is strongly influenced by the presence of Norwich and generally comprises the fringe and first ring of villages around Norwich, extending out to Wymondham and Long Stratton. The JCS seeks to concentrate development here. Subject to modifications, the three plans are consistent with the JCS. However, I will consider this in more detail through-out the report.

20. In addition to the three plans considered in this report, the Cringleford Neighbourhood Plan[21] was adopted in February 2014 and the Long Stratton Area Action Plan (LSAAP) and the Gypsies and Travellers Local Plan (GTLP) are currently under preparation. The LSAAP was submitted for examination in March 2015 and consultation on issues and options for the GTLPA took place in Autumn 2014 along with a call for sites. The timetable for both these documents is set out in the Local Development Scheme.[22] Taken together, these six plans should ensure that all necessary topics and areas will be adequately covered by development plan policies and there is no compelling reason why any of the matters covered in these other plans should be covered in the three documents which are before me. Planning for minerals and waste is the responsibility of the County Council.

21. The plan period runs to 2026. Consequently, on adoption, the three plans might only have a lifespan of around 11 years or less. Although the Framework prefers a 15 year plan period, this lesser timescale is justified because it aligns with the end date for the JCS. Indeed, the PPG accepts that plans can be found sound where local planning authorities have not been able to identify sites or broad locations for growth in years 11-15.[23]

22. However, much of the evidence which underpins the JCS is now some years old, including in relation to the overall requirements for housing, employment and retail development. Consequently, consideration should be given to the preparation of a development plan that covers a period beyond 2026. In this context, as noted above, work has started on the

[20] For example, JCS Policy 10 specifically refers to the preparation of an Area Action Plan for Wymondham and to a Site Specific Policies Development Plan Document.
[21] Document D8
[22] Document D41
[23] ID 3-027-20140306

preparation of a new SHMA.[24]

23. The government's Planning Practice Guidance states that most local plans are likely to require updating at least every five years and that they may be found sound conditional upon a review within five years of adoption.[25] For the reasons set out above, a modification committing the Council to an early review along these lines is necessary. **(DM MM5, WAAP MM27 & SITES MM2)**

Should the plans list superseded development plan policies?

24. The regulations require that, where a local plan is intended to supersede another policy in an adopted development plan, this must be stated and the superseded policy should be identified.[26] Modifications are required to achieve this. **(DM MM73, WAAP MM29 & SITES MM49)**

Does the approach regarding Supplementary Planning Documents (SPD) comply with the Regulations?

25. The regulations[27] make it clear that development management policies which are intended to guide the determination of applications for planning permission should be set out as local plan policy. The Framework also indicates that policies on local standards should be in the plan.[28]

26. However, a number of policies in the plans require compliance with an SPD or other standalone documents. This would give development plan status to documents which are not part of the plan and which have not been subject to the same process of preparation, consultation and examination. This would not be compliant with the regulations. Instead, where SPD are prepared, they should be used to provide more detailed advice and guidance on the policies in the plan.[29] A number of modifications are required to address this matter and these are referred to in the specific sections of this report which relate to relevant policies.

Policies map

27. The Policies map is comprised of four different sets of maps which each show different designations and allocations.[30] Although the designations shown are in themselves reasonably clear, this makes the plans difficult to use. The Council is proposing *additional modifications* to rectify this by showing most designations and allocations on one map base using a consistent legend. While these presentational changes are not necessary to achieve soundness, they will considerably improve the usability of the plans.

[24] Council's letter of 30 June 2014 (answer to question 9)
[25] ID 12-008-20140306
[26] Regulation 8(5)
[27] Regulations 2 and 5
[28] Para 174 of the Framework
[29] PPG ID 12-028-20140306
[30] WAAP Proposals Map, SSAPD inset maps, maps within the DMPD and the district wide Local Plan Policies Map.

Is the monitoring framework adequate?

28. The monitoring framework set out in the plans is adequate and the Council has confirmed that it will review the indicators it uses on a regular basis.[31] Furthermore, there is no compelling reason why all indicators must be set out in the plan itself. Overall, there is no compelling reason why monitoring carried out by means of an annual report would not be effective, including in respect of any potential effects on heritage assets.

Is the approach taken towards the housing requirement and objectively assessed need justified?

Housing requirement and objectively assessed need

29. The JCS sets out the housing requirement for the Broadland, Norwich and South Norfolk areas from 2008 to 2026.[32] Within the Norwich Policy Area (NPA) the overall requirement for South Norfolk (described as *new commitment to 2026*) is 13,156 dwellings. This is comprised of a *current commitment 2008* of 4,156, with 9,000 to be provided from *new allocations to 2026*.

30. Outside the NPA, the total *new commitment to 2026* for South Norfolk is 2,368-2,908 with 1,328 from *current commitment 2008* and 1,040-1,580 from *new allocations.* To achieve the overall housing requirement figure of 36,820 for the JCS area, it is only necessary for the lower figures in these ranges to be achieved*.*

31. These JCS figures have been used by the Council to determine the amount of land that needs to be identified and brought forward for new housing. This is a valid approach given that the WAAP and SSAPD are both required by the regulations to be consistent with the JCS.[33]

32. The Council considers that the housing requirement in the JCS can still be regarded as representing a full objective assessment of need.[34] However, this is not a matter for me to consider in an examination of subsidiary plans which are intended to implement the JCS and to be consistent with it. Any new objective assessment of need and subsequent re-assessment of the housing requirement would need to be carried out through a review of the JCS taking into account recent household projections as appropriate.[35] This approach has been endorsed by the Courts[36] and the Inspector examining the Norwich City Site Specific Policies Local Plan reached a similar conclusion.[37] However, to provide clarity the plans should include a clear statement that, taken collectively, they are intended to meet the housing

[31] Council's statement on Issue 2 – question 23a
[32] JCS Policy 4 and housing allocations table on page 43
[33] Regulation 8(4) – Town and Country Planning (Local Planning) (England) Regulations 2012
[34] Council's statement on Issue 3 (question 26), Council's letter of 19 June 2014 and Documents D4 and E34
[35] For example, DCLG 2012-based Household Projections: England 2012-2037 – Document E34
[36] Gladman Development Limited v Wokingham Borough Council [2014] EWHC 2320 (Admin)
[37] Document E33 – paras 35 and 36

requirement set out in the JCS. **(DM MM2, WAAP MM1 & SITES MM1)**

Current commitment 2008 – is the approach taken in the plans justified?

33. During the examination there was some discussion about whether the *current commitment 2008* of 4,156 for the NPA had been correctly established in the JCS, including in terms of the yield from small sites and whether a lower figure should be used instead. However, the 2008 commitment was based on a monitoring report published in December 2008[38] and the JCS was subsequently found sound following examination. Furthermore, as noted above, it is not my role or that of subsidiary plans to review the housing requirement in the adopted JCS or the evidence which justified it. Consequently, this matter does not justify planning for a higher requirement from allocations than is set out in the JCS.

34. Most of the 2008 commitment sites, both within and outside the NPA, have been developed, are under development or have planning permission.[39] With the exception of two sites, the Council considers the remainder to be developable or deliverable within the JCS plan period.[40] In broad terms I have no compelling reason to conclude otherwise. Since 2008 there have been some gains and losses in the numbers relating to specific sites as planning permissions have been granted and sites developed. However, there is no overall shortfall to make up in respect of these commitment sites.[41]

35. A limited number of undeveloped 2008 commitment sites have been carried forward as allocations in the WAAP and SSAPD where development had not started by March 2013 and/or there was no planning permission in place.[42] However, these have not been double counted in the overall assessments of housing numbers.[43]

36. The *2008 current commitment* sites are listed in the WAAP but not in the SSAPD. While in presentational terms, this may be inconsistent it is not a soundness issue given the development progress that has been made on most of these sites.[44]

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[38] As set out in Document E9
[39] As of March 2013 - Document D10
[40] Document D10a sets out the position for each site in terms of deliverability and developability. The two sites referred to are Roundwell Works, Easton/Costessey (30 units) and Saffron Barn, Long Stratton (13 units). See also Council's letter of 19 August 2014 (answer to question 15)
[41] Document 10a - In the NPA, completions from 2008-13 and commitments at March 2013 add up to c4,758 dwellings compared to the JCS figure for 2008 commitments of 4,156. Outside the NPA the completions between 2008-13 and commitments at March 2013 add up to 2,030 dwellings compared to the JCS figure of 1,328
[42] Sites POR4, POR7, WYM1 and WYM2 – Council's letter of 19 August 2014 – answer to question 20
[43] As set out in Document D10 – page 11 for the calculations of net contribution to supply from sites WYM1 and WYM 2 and page 5 for POR 4 and POR7
[44] As set out in Document D10

Is the supply and distribution of housing consistent with the JCS, positively prepared, justified and effective?

Post 2008 commitments – is the approach justified?

37. In addition to the *2008 commitments* and *new allocations* in the plans, the Council's housing supply includes permissions which have been granted since the JCS base date on non-allocated sites (i.e. *post-2008 commitments*). For example, in Wymondham, the supply in the Area Action Plan is comprised of three allocations (WYM 1-3) and several post 2008 commitments.[45] Overall the WAAP indicates that the latter will deliver some 1,061 dwellings out of the JCS minimum requirement of 2,200 from new allocations in Wymondham.

38. It has been put to me by objectors that these post-2008 commitments should be regarded as windfall development which should not be counted towards meeting the JCS allocation requirement. I accept that the JCS does not include any specific allowance for windfalls and that it defines a windfall site as one where planning permission is granted during the plan period but which is not identified in the plan. However, there is a difference between hypothetical windfall development which might come forward between now and the end of the plan period and sites which already have planning permission. In particular, the latter sites are far more likely to be developed. Indeed, the Framework states that such sites should be considered deliverable unless there is clear evidence to indicate otherwise.[46] In contrast, the Framework takes a more cautious approach about allowances for future windfalls.[47]

39. Furthermore, many of the *post-2008 commitments* were granted planning permission to help address a shortfall in the 5 year supply of housing land based on the JCS requirement.[48] Therefore, it is implicit that these sites were permitted to help deliver that requirement and it is logical that they should be regarded as contributing to it.

40. In terms of the site selection process it is possible that some of the post-2008 commitment sites may perform only as well as, or even potentially less well, than some alternative sites, including those advanced by objectors. However, this does not mean their contribution to the housing supply should be discounted and given these sites have planning permission it would not be feasible to replace them with omission sites.

41. The post-2008 commitment sites in Wymondham are listed in the WAAP, specifically shown on the Policies Map[49] and included within the development boundaries. This is reasonable given that these sites will contribute to meeting the housing requirement. However, the same

[45] The post-2008 commitments are set out in para 5.11 of the WAAP and in Document D10 – pages 10-11
[46] Framework – footnote 12
[47] Framework – para 48
[48] Council's statement on Issue 4 – answer to question 41
[49] As 'Post 2008 Permitted Housing Sites'

approach has not been taken in the SSAPD. For consistency and clarity, it should be.

42. Consequently, in cases where the post 2008 commitments form an extension to an existing allocation, the Council has advanced modifications to extend the allocation boundary and to revise the policy text. In some cases consequential changes are required to the development boundary. These changes are set out in the relevant sections of the report dealing with the SSAPD allocations.

43. Where the post 2008 permissions relate to separate non-allocated sites which have not been developed, the Council has proposed modifications to list the site and permission in the plan, to show the sites on the policies map and, where appropriate, to amend the development boundary. **(SITES MM6 & SITES MM53)** However, it is not necessary to show every small windfall permission as a modification and the approach taken to exclude permissions for less than 5 dwellings is proportionate and pragmatic.

44. As these post-2008 commitments form an important component of the supply of housing land, the plans should make it clear that the renewal of permissions on these sites will be supported in principle, unless there is some specific conflict with another policy in the plan that would justify refusal. **(DM MM18, DM MM19, WAAP MM9 & SITES MM6)**. The proposed supporting text makes it clear that variations to permissions will also be supported in principle, provided the divergence is not significant. This provides an appropriate level of flexibility.

45. In addition, modifications are required to correct mapping errors on the Policies Map relating to the physical extent of two of the listed post 2008 commitments sites in Wymondham. This is to ensure that the policies map correctly reflects the extent of the relevant planning permissions. **(WAAP MM8)**

46. In a plan-led system, it is not ideal that a significant proportion of the housing supply should come from sites which have been granted permission during the plan-making process, but which have not been specifically advanced as allocations. However, it is an inevitable consequence given that the plans are being examined several years after the JCS base date and in circumstances where permissions have been granted in recent years to help ensure that there is a 5 year supply of housing land.

47. Overall, the approach set out above in the main modifications is a pragmatic one. Given that the post 2008 commitments have planning permission, there are no reasonable alternatives to test through Sustainability Appraisal in relation to these main modifications. However, many of the sites have already been considered through the SA of the plans.[50]

[50] For example, the Council has confirmed that 7 of the 9 para 5.11 sites in the WAAP have been subject to SA – Document E32

Overall housing provision in the NPA and rural areas – will the plan ensure that the JCS requirement can be met?

48. Within the NPA, the Council's analysis as of March 2013 showed that the development plan, when taken as a whole,[51] should be capable of delivering around 13,655 dwellings between 2008 and 2026.[52] These figures include 2008 commitments, allocations and post 2008 commitments. However, taking into account recent completions and planning permissions this figure had risen to around 14,046 by March 2014.[53] This is higher than the overall JCS *new commitment* of 13,156. Outside the NPA, the equivalent figure, as of March 2013, is around 3,174 dwellings against the JCS *new commitment* of 2,368-2,908. There has been a small net gain through permissions since then.[54] The achievement of these figures would have the effect of significantly boosting the supply of housing in order to meet the needs of the area.[55]

49. This is based on an assumption that the majority, if not all, of the allocations and commitments will come forward. This is reasonable given that the majority of sites have planning permission or active promoters or have already been built or started.[56] Consequently, most sites appear to be deliverable or developable within the plan period and I am not aware of any insurmountable barriers to development. The risk of non-delivery is, therefore, low.

50. Nevertheless, the safety margin above the requirement is fairly small, particularly within the NPA (14,046 v 13,156). For comparison, the recently examined Norwich Local Plan provides for a supply of 11,000 against the JCS requirement of 8,592.[57] However, there are factors which may provide some flexibility.

51. The JCS and the three plans do not include any specific allowance for windfall planning permissions coming forward between now and the end of the plan period. However, excluding sites specifically permitted to help provide a 5 year supply of housing, windfalls within the NPA averaged around 80/year between 2001 and 2013 and 55/year if garden land is excluded.[58] This is based on conversions, affordable housing exception sites and other redevelopment. If this trend were to continue, it could equate to

[51] Including the SSAPD, WAAP, Cringleford Neighbourhood Plan and Long Stratton AAP (subject to the latter being found sound when examined).
[52] Document D10a and Council's letter of 19 August 2014 (answers to questions 32 and 33)
[53] Document D10a (page 8) – this total is the sum of completions to March 2013 and commitments at that date, allocations and the net gain of 391 from permissions granted between April 2013 and 2014
[54] Council's Statement on Issue 5 question 76 and Document D10a. This shows a net gain of 47 to this figure based on planning permissions between April 2013 and March 2014
[55] NPPF – paras 47 and 14
[56] As set out in the final column (deliverability/developability) of the table in Document D10a. By the end of April 2014, within the NPA, some 2,857 dwellings had been delivered and a further 6,631 dwellings had planning permission. Outside the NPA 1,297 dwellings had been delivered and a further 1,082 had planning permission – Council's statement on Issue 5 – question 76.
[57] Para 42 of Document E33
[58] Council's letter of 19 August 2014 – answer to question 68

around 600 additional dwellings in the NPA between 2014/15 and 2025/26. The underpinning work for the JCS also indicates some potential for windfalls[59] and Appendix 6 to the JCS sets out a windfall assumption for the JCS area.[60] While future windfall development cannot be predicted with certainty, it is likely that some will take place, particularly within the development boundaries to settlements.[61]

52. The PPG advises that housing provided for older people, including in residential institutions (Class C2), should be counted towards the housing requirement.[62] This type of housing has not generally been included in the supply totals referred to above. However, given that there are specific allocations for this type of housing, it is possible that some development will come forward (for example, at WYM 3 and 4 in Wymondham). This could make a contribution to the supply of housing, even if the number of units in care homes is discounted by 50%, as suggested by the Council on the basis that not all places taken up in this type of housing will inevitably free up an existing dwelling).[63] The Council has advanced modifications to confirm that such housing will be counted in future. **(WAAP MM3 & SITES MM5)**

53. There is no specific density policy in the plans and it strikes me that the Council has made fairly conservative assumptions about the potential yields from some allocated sites in the SSAPD, even taking into account the need to make land available for landscaping and infrastructure. This is illustrated by looking at sites COS1, EAS1 and HET4 where the density would be around just 16-18 dwellings per hectare. There is nothing in the SSAPD to indicate that the numbers specified for individual housing allocations are seen as maximum figures and some of these sites may be capable of delivering more housing than is assumed in the plan, without leading to an unacceptable form of development or any other adverse effects. Consequently, given the policies generally refer to an approximate number of houses, there is some flexibility about the total numbers of dwellings that could be provided. However, there is no clear justification for varying these approximate numbers for any particular site or for setting minimum density requirements or limits.

54. The allocations and commitments in the plan as a whole exceed the minimum JCS targets and the plans being examined make an appropriate contribution towards the overall JCS housing requirement. Consequently, and given there is some degree of flexibility, it is not necessary to advance modifications to increase the supply of housing by introducing more allocations, by providing reserve sites or through extending development boundaries. However, given the relatively small safety margin, it is important that a clear commitment is made to an early review of the plan. This will help ensure that an adequate supply of housing land is maintained

[59] Document B55 - Topic Paper Homes and Housing (August 2012)
[60] The total shown is 4,875 through windfalls
[61] For example, in Council's letter of 19 August 2014, the answer to question 25 explains that in the SSAPD some sites which were too small to allocate (i.e. less than 5 units capacity) have been included within the development boundary.
[62] ID 3-037-20140306
[63] Council's letter of 30 June 2014 answer to question 62

towards end of the plan period and beyond. **(DM MM5, WAAP MM27 & SITES MM2)**

Distribution of housing to the named growth locations in the NPA – is this consistent with the JCS?

55. Policy 9 of the JCS sets out how the 9,000 requirement from allocations within the NPA should be distributed between the five settlements within South Norfolk which are identified as the 'focus for major growth and development':

    Easton/Costessey (1,000)
    Cringleford (1,200)
    Hethersett (1,000)
    Long Stratton (1,800)
    Wymondham (2,200)

    In addition, and to complete the 9,000 total, there is a 'floating allocation' of 1,800 dwellings for *smaller sites in the NPA and possible additions to named growth locations*. These numbers are all expressed as the *minimum* number of dwellings to be delivered in each location.

56. The SSAPD includes allocations for 1,400 dwellings in Easton/Costessey and 1,226 in Hethersett.[64] In Wymondham, including the post 2008 commitments listed in the plan,[65] a little over 2,200 dwellings are planned for. Elsewhere, the adopted Cringleford Neighbourhood Plan[66] makes provision for approximately 1,200 new homes and the emerging Long Stratton Area Action Plan includes an allocation for at least 1,800 dwellings.[67] Accordingly, the minimum JCS targets for the five growth locations in the JCS would be achieved and on this basis there is no compelling justification for additional allocations in the SSAPD or WAAP.[68]

57. The WAAP refers to the figure of 2,200 dwellings as the *maximum* that can be accommodated in Wymondham. The Council has sought to justify this on the basis of local constraints. I will return to this matter later. However, treating the figure as a maximum is not consistent with JCS Policy 9 which requires a *minimum* of 2,200. Nor does it reflect the actual position in the WAAP which, taking into account allocations and post-2008 commitments, plans for something around 2,276 dwellings.[69] Consequently, to ensure consistency with the JCS, changes are necessary to refer to a *minimum* of 2,200. **(WAAP MM4 and MM9)** However, this does not mean that any further housing development in Wymondham would be unrestricted. Instead, any proposals above those planned in the WAAP would be subject to consideration against relevant plan policies, including those relating to the

[64] Including 40 places of extra care home housing at HET 2.
[65] WAAP para 5.11
[66] Document D8
[67] Policy LNGS1 - Pre-submission version – July 2014 – Document D26
[68] Subject to the examination of the Long Stratton Area Action Plan
[69] Para 5.15 of the WAAP refers to 'an over allocation of 76 dwellings' and Documents D10a and E2a refer to 2,276 sites identified and allocated in the AAP over and above the 2008 JCS commitment.

development boundary and to any relevant material considerations.

Distribution of the 'floating' 1,800 within the NPA – is this consistent with the JCS?

58. JCS Policy 9 states that the 'floating' allocation of 1,800 dwellings should be made in accordance with the settlement hierarchy and local environmental and servicing considerations. The hierarchy in the JCS sets out five tiers of settlements[70]:

    (1) Norwich urban area
    (2) Main Towns
    (3) Key Service Centres
    (4) Service Villages
    (5) Other Villages

59. The supporting text to JCS Policy 9 also states that the allocations making up the 1,800 will be dependent on the availability and suitability of sites and will reflect the form, character and service capacities of each locality.[71]

60. In calculating the overall contribution to the floating 1,800 the Council has chosen to regard any numbers provided in the main growth locations above the minimum JCS Policy 9 figures as contributing to the float. This is a reasonable approach. The size and distribution of the float has varied between 2013 and 2014 due to recent permissions on allocated and non-allocated (ie post 2008 commitments) sites. However, at both dates the overall float significantly exceeded 1,800.

61. It has been suggested by objectors that the indicated scales of development for the Key Service Centres, Services Villages and Other Villages within the NPA, as set out in JCS Policies 14 -16, should not form part of the floating 1,800.[72] This was argued on the basis that these policies state that each of these settlements "may be considered for *additional development*, if necessary to help deliver the 'smaller sites in the NPA' allowance (see Policy 9)."[73] However, the total amount of development set out in Policy 9 for the named growth locations, plus the floating 1,800, adds up to the JCS requirement of 9,000 in the NPA from allocations. It is, therefore, reasonable to regard the scale of development indicated in Policies 14-16 as forming part of the floating 1,800 rather than being additional to it. However, the policy wording does allow for the indicated scales to be exceeded, if necessary, to help ensure that the floating 1,800 is achieved.

62. As a theoretical starting point, it might be expected that the overall distribution of the 1,800 would take on the broad form of an inverted pyramid with more development towards the top of the hierarchy and less in the smaller settlements. However, the pyramidal shape will inevitably be

[70] JCS para 6.2
[71] Para 6.6
[72] For example, Policy 14 refers to 100 to 200 dwellings in Poringland/Framingham Earl and the supporting text in para 6.62 to 10-20 dwellings in the Service Villages listed in Policy 15
[73] My emphasis in *italics*

modified due to the differing numbers of settlements in each tier and the varying constraints and opportunities in each settlement. Furthermore, JCS Policy 9 refers to '*possible additions* to named growth locations'. Consequently, it is not inevitable that all growth locations will contribute to the 1,800 to the same degree or at all.

63. In the first tier of the hierarchy (the Norwich urban area) there are limits to the realistic options available. For example, few people live in Colney given that it is primarily an employment and service location.[74] Given the JCS requirement to provide for the expansion of these uses,[75] there is little scope or justification to locate further residential development here.

64. Within Cringleford, housing numbers have already been decided through the adopted Neighbourhood Plan.[76] Although this provides for the minimum allocation of 1,200 required by the JCS, it does not plan to make any contribution to the floating 1,800. This approach was informed by the Strategic Environmental Assessment of the Neighbourhood Plan which discounted options that would considerably exceed 1,200 dwellings.[77] In addition, the Examiner's report states that the Neighbourhood Plan is meeting a considerable level of housing need for a relatively small community, in a parish where 1,000 dwellings are already being constructed.[78] As a result, there appear to be no realistic options to provide significant additional housing here.

65. Consequently, within the first tier the main options for additional housing development are at Trowse and Easton/Costessey.

66. Trowse is a village on the urban fringe of Norwich. It is constrained by topography, the close proximity of the A146 and A47 roads, areas of flood risk, the village's conservation area status, the Broads Authority area and the availability of land. Consequently, taking into account other recently approved development nearby[79], the proposed allocation of 150-160 dwellings[80] represents a reasonable broad upper limit for new housing through new allocations during the plan period.

67. Easton/Costessey is identified in the JCS as a major growth location for at least 1,000 dwellings. In addition to this it will contribute over 600 dwellings to the floating 1,800.[81] This is to be achieved by very significantly expanding the settlement at Easton. Realistic options to provide significantly more development are limited, particularly given the area has already seen very significant recent housing growth at Queens Hills where a new community is still under construction. Indeed, the SSAPD refers to

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[74] Including the Norwich Research Park and hospitals – identified as a strategic employment location in JCS Policy 9
[75] JCS Policy 9
[76] Document D8
[77] Document D29
[78] Para 35 of Document D9
[79] On the May Gurney and Deal Ground sites – page 73 of SSAPD
[80] Policy TROW1 in SSAPD
[81] Document E2a

1,350 new homes being built in Costessey in the 15 years to March 2011 and 1,000 more with planning permission.[82] Furthermore, options for any significant further expansion are limited by constraints including the presence of the A47 and the landscape setting. In addition, relatively limited numbers of homes could be delivered through the alternative sites which have been suggested through the plan-making process, even if they were considered suitable. [83]

68. For these reasons, the contributions made to the float from the settlements in tier 1 are proportionate and reasonable.

69. Turning to the other tiers in the hierarchy, there is only one main town in the second tier (Wymondham). In contrast, there are three Key Service Centres (third tier) and nine Service Villages (fourth tier). In terms of the third tier, Hethersett and Poringland/Framingham Earl are sizeable settlements with a reasonable level of services and so are capable of making a significant contribution to the float, even taking into account the 1,000 dwellings specifically allocated to Hethersett as a major growth location by JCS Policy 9. In the fourth tier, some of the Service Villages (for example Mulbarton & Bracon Ash and Stoke Holy Cross) also have a level of services that reasonably justify a higher contribution to the float than the indicative totals in the supporting text to JCS Policy 15 (10-20 dwellings). The overall amount of development proposed in the third and fourth tiers is reasonable. In line with JCS Policy 16 there are only very limited opportunities for development within the fifth tier.

70. Based on the position in March 2013, including allocations and post-2008 commitments, the float amounted to 2,096 dwellings distributed broadly as follows:[84]

    Tier 1 (c45%)
    Tier 2 (c4%)
    Tier 3 (c32%)
    Tier 4 (c18%)
    Tier 5 (c1%).

71. However, by April 2014, taking into account recent planning permissions, the size of the float had increased to 2,487 with a distribution across the five tiers as follows: [8586]

    Tier 1 (c33%)
    Tier 2 (c3%)
    Tier 3 (c42%)

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[82] SSAPD page 48
[83] Document D25
[84] Documents E2a and E36/37
[85] Documents E2a and E36/37
[86] The reasons for the changes in numbers on individual sites are set out in Document D10a. For example, there is a net loss of 150 units due to a lapsed permission at Queens Hill/North of the River Tud in Easton/Costessey and in Stoke Holy Cross there has been a net gain of 48 units due to permissions on land outside allocation STO1 and on an unallocated site North of Long Lane.

Tier 4 (c21%)
Tier 5 (c1%)

72. Given the numbers of settlements in each tier, the extent to which planning permissions have already been granted and the constraints and opportunities in settlements, the overall distribution between the first, third, fourth and fifth tiers is reasonable. The remaining issue therefore lies in the second tier where, even accepting that Wymondham is the only main town, the contribution to the float could be regarded as low (c75 dwellings), particularly when compared to the amount of development in tiers three and four. The Council has sought to justify this on the basis that there are significant constraints to growth in Wymondham. I will consider this further below. However, it should be noted that the float in Wymondham would exceed the identified c75 dwellings if proposed care home and retirement housing is taken into account at WYM 3 and WYM 4, the former of which the Council estimates could contribute around 140 units.[87] These figures have not been included in the Council's supply calculations. However, if they are taken into account, this would result in a distribution which is more closely related to the town's position in the spatial hierarchy.

Distribution of the floating 1,800 to Wymondham – is this consistent with the JCS?

73. The WAAP sets out three broad constraints to housing growth: the presence of a strategic gap between Wymondham and Hethersett, the historic landscape setting of the town and Wymondham Abbey (a grade 1 listed building) and the capacity of Wymondham High School.

74. The setting of the historic town and abbey primarily affects the consideration of housing development in an arc from the north-west to the south-west of the town. However, although this is a significant constraint, it would not inevitably prevent the consideration of any development in these areas. For example, at the Preferred Options stage the Council supported an allocation for 150 houses off Preston Avenue to the south-west of the town.[88] This allocation was subsequently abandoned primarily due to the Council's concerns about secondary school capacity. The strategic gap only limits development options to the north-east.

75. Consequently, the first two constraints would not, in principle, prevent a more sizeable contribution being made to the floating 1,800. Indeed, the SA of the JCS preferred a medium growth option in Wymondham of 1,500 to 3,000, limited to 2,200 due to the limits of expansion for the High School.[89] The key issue, therefore, relates to secondary school capacity.

Secondary school infrastructure in Wymondham – what role should this play in the distribution of the floating 1,800?

76. During the examination legal opinions and advice notes were provided by

[87] Table 9.2 in Document E36
[88] Site 1151a
[89] Document B15 SA of JCS, including Table 4.2

the Council and objectors regarding the statutory duties of the County Council in terms of the provision of school places, the quality of education and the relationship between these.[90] However, notwithstanding these statutory duties, the provision and planning of education infrastructure is capable of being a material planning consideration which could legitimately influence the distribution of housing development. For example, the Inspector examining the JCS in 2013 concluded, when considering the sustainability appraisal, that allocating additional dwellings in Wymondham was not a reasonable alternative, partly because there was no clear solution to the agreed shortage of secondary school places.[91] In addition, the Inspector in the Malmesbury appeal cited by objectors considered the effect on education infrastructure to be one of the many material considerations to be weighed in the overall planning balance in that case.[92] The degree of influence that education infrastructure might have on the distribution of housing will depend upon the particular circumstances within a given area.

77. In considering this issue, it is significant that the Council is seeking to meet the overall JCS housing requirement for the NPA, the minimum allocation for Wymondham as a focus for major growth and the floating allocation of 1,800 across the NPA. Consequently, the provision of education infrastructure is not being treated as a constraint on the overall amount of housing required by the JCS, but as a factor that could influence the spatial distribution of the floating 1,800, including to Wymondham. In this context, the JCS states that the distribution of the floating 1,800 should be made with regard to servicing considerations and capacities.[93] Education is potentially one such factor.

78. The Framework attaches great importance to ensuring that a sufficient choice of school places is available. However, it also states that planning policies should aim for a balance of land uses so people can be encouraged to minimise journey lengths, including for education and that LPAs should work with other authorities and providers in relation to education infrastructure. Therefore, it is reasonable that decisions regarding the distribution of housing should have regard to the existing location and capacities of secondary schools, plans and options for their expansion and potential travel patterns for students. It is also appropriate that the development plan should seek to make the most effective use of existing and planned education infrastructure. The relationship between school places planning and the distribution of housing development is, therefore, a legitimate consideration when planning for sustainable development.

79. Consequently, I do not accept that the JCS housing requirement should be distributed with only a limited regard for existing and planned education infrastructure, leaving the County Council to take whatever steps might be necessary to discharge its statutory duty to provide places, if necessary seeking funding from developers to help achieve this via planning

[90] Documents E10, E29, E30 and E31
[91] Paras 25 and 26 – Document B2
[92] APP/Y3940/A/11/2159115 - paras 44 and 45
[93] JCS Policy 9 and para 6.6

obligations or CIL. Such an approach would not necessarily lead to a sustainable pattern of development or the effective planning of infrastructure.

80. The extent to which the planning and availability of school places might influence the distribution of housing development in the plans was the subject of much discussion during the examination hearings. This was informed by a Statement of Common Ground (SOCG) which had been prepared by the Council and objectors.[94] Unless indicated otherwise, the figures referred to below derive from the SOCG and its appendices.

81. Wymondham High School is the main secondary school serving the town. It is an Academy and so has significant control over its own admissions policy and expansion plans. Indeed, as noted above, the Inspector examining the JCS concluded that options for additional dwellings in Wymondham were not reasonable alternatives, partly on the basis that "the possibilities put forward for resolving the shortfall in secondary school places in Wymondham were not accepted by the Local Education Authority or the High School (*which is an Academy*)."[95] In this context, the school's preferences take on a particular significance when assessing options.

82. Plans are currently well advanced to expand the High School so that it would be able to accommodate students from the 2,200 new dwellings specifically required in Wymondham by the JCS. This would take the overall capacity of the school to about 2,050 students.[96] A school of this size would be at the upper end of the usual size range for a secondary school[97] and I accept the school's position that this is on the high side in terms of operational effectiveness.[98] Furthermore, the JCS accepts that on-site expansion is difficult due to the constrained site.[99] Overall, I am not persuaded that any further significant on-site expansion beyond what is now proposed would be feasible or desirable.

83. The expanded school could accommodate around 1,650 children in years 7 to 11 and around 400 in the 6th form. The Council explained at the hearing session that the availability of 6th form places is not a critical constraint to development. This is because of the wider options available to students of this age, their ability to travel further than younger children and general expectations that this may be necessary.

84. Consequently, a key question is whether, towards the end of the plan period, the expanded school would be over or under-subscribed in years 7-11. If it could be reliably be forecast that the school would be significantly under-subscribed, Wymondham could potentially make a larger contribution to the floating 1,800.

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[94] Document E11 - The SOCG also sets out the areas of disagreement as well as common ground.
[95] My emphasis in *italics* – Document B2 – para 25
[96] Wymondham High School 15 year Masterplan – Document D39 and the SOCG (Document E11)
[97] The County Council advised during the hearing sessions that there are only a few schools above this size in the country and none in Norfolk
[98] Document D32
[99] JCS para 6.22

85. As I see it, there are three main factors which could affect the availability of spaces in the expanded school. The first is the extent to which catchment students might choose to go to other schools, the second relates to assumptions about pupil multipliers from new housing and the third concerns the numbers of children likely to attend the school from the existing housing stock.

86. The Council's basic modelling[100] does not take into account the influence of Wymondham College, a state boarding school, which lies just outside the town. The SOCG indicates that the College takes around 270-280 year 7-11 students as day pupils from within the catchment of Wymondham High School.[101] I have no firm evidence to suggest that this number might significantly change over the plan period.

87. Taking into account the number of students likely to attend Wymondham College and applying the County Council's standard multiplier of 17.3 students per 100 new dwellings to planned housing development within the catchment of the school,[102] the modelling shows that the expanded school would be likely to have a significant number of surplus places in years 7-11 towards the end of the plan period.[103]

88. However, the standard multiplier may well significantly under-estimate the likely number of students seeking places at the school from within its catchment. This is because Wymondham High School is a well-regarded school (the Ofsted school report in 2013 concluded that this is a good school[104]) within a popular town (as evidenced by the various representations seeking housing allocations on omission sites, sometimes of substantial numbers). The town is therefore likely to attract significant in-migration from young families and those planning to start a family. While improvements to other less popular schools in Norfolk could increase their numbers of applicants over time, it is likely that Wymondham High School will remain attractive to parents and potential parents over the plan period.

89. Consequently, the County Council has taken into account the number of students generated from a recent development of around 300 dwellings in Wymondham. Based on school census and health registration data, the multiplier here for years 7-11 is 24.5/100 new dwellings in 2012 and 30.5/100 in 2013. I have no firm reason to doubt the overall accuracy of these figures and they tend to support the Council's position regarding the popularity of the school and the town.

90. Applying the lower of these locally derived multipliers to the amount of

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[100] As set out in the appendices to the SOCG – 1a-e
[101] Document E11
[102] The SOCG states the Council's position is that there are 2,491 planned houses within the catchment area of the school which extends beyond the boundary of the WAAP. However, the modelling uses the slightly higher figure of 2,518 which is also set out in the SOCG as the objector's position. However, the difference between the two is not significant.
[103] The modelling indicates 1,592 students in years 7-11. From this would be subtracted c270-280 students attending Wymondham College resulting in something over 300 surplus places based on a capacity of c1,650.
[104] Document D33

proposed new housing, and making the same assumptions about students attending Wymondham College, the modelling indicates that the High School could have some surplus places towards the end of the plan period.[105] However, if the higher and more recent of the two multipliers is applied, the school could be over-subscribed in years 7-11 by perhaps around 36-46 places.[106] There can be no certainty about which precise multiplier will turn out to have been the most accurate towards the end of the plan period. However, it is reasonable to have regard to locally derived multipliers and to adopt a cautious approach to avoid over-subscription. There is no clear evidence before me that more sophisticated modelling based on bedroom numbers and tenure rather than solely on dwelling numbers would yield any significantly different results.

91. The standard forecasting/modelling used by the County Council assumes that the number of students in years 7-11 from the existing housing stock will decline by 220 between 2014/15 and 2024/25 (from 1,338 to 1,118). However, the Council considers that, in reality, this drop may not be as steep due to the popularity of the school and the town. For comparison, the numbers of year 7-11s in the school went up between 2009/10 and 2013/14 from 1,303 to 1,398 and the representative for the High School at the hearing session in December advised that there are now more students in year 7 than the 242 shown in the modelling for 2014/15. It is difficult to draw any firm conclusions from these increases because it is unclear to what extent they have been driven by new dwellings or from families and potential parents moving into the existing housing stock. However, the uncertainties here also point towards adopting a cautious approach in relation to the raw outputs from the standard modelling, regardless of which precise local pupil multiplier is used.

92. Taking all of these factors into account, with currently planned levels of housing growth, I consider that, as a matter of planning judgement, there is a reasonable prospect that the extended school might be at, or close to, full capacity towards the end of the plan period. Consequently, the addition of any significant additional housing above what is now planned for could result in the school being over-subscribed. This would not be a desirable outcome, particularly for children and parents in Wymondham. This is because it would lead to some students having to travel to schools in neighbouring settlements and locations which are not their preferred choice. It would also be likely to lead to longer journeys. In contrast, a school which is under-subscribed from within its own catchment, while perhaps not ideal, is less problematic, particularly when located in a popular area.

93. Objectors have suggested that developing a split school site would allow school places to be increased. This could potentially involve relocating playing fields or the 6th form centre away from the main site. However,

[105] The modelling indicates 1,834 students in years 7-11. From this would be subtracted c270-280 students attending Wymondham College resulting in something around 86-96 surplus places based on a capacity of c1,650.
[106] The modelling indicates 1,966 students in years 7-11. From this would be subtracted c270-280 students attending Wymondham College resulting in the school being oversubscribed by around 36- 46 places based on a capacity of c1,650.

while some schools do operate from split sites, this does not automatically mean that it is a preferred or desirable solution in every case.

94. Given the limited availability of land within Wymondham and the High School's central location, it is likely that any separate playing fields would be some distance away. Even if longer lesson times and break periods were used, traveling there and back would erode the time available for physical education. Locating the 6th form on a separate site would make it more difficult for older students to act as role models, supporters and mentors for younger children.[107] In addition, the running costs for a split 6th form site are likely to be significantly higher and teachers would have to travel between the two sites, unless some worked solely in the 6th form.[108] These options would not represent an efficient or flexible use of resources and neither is supported by the High School, which in any case considers it has already planned to expand to a maximum sustainable size.

95. It was also suggested by objectors that it would be possible to develop a new secondary school, either as a replacement for Wymondham High School or as an additional school. This latter option could be seen as a possible alternative to expanding the High School, potentially resulting in two smaller secondary schools rather than one larger one. Indeed, the JCS states that resolving secondary education provision *may* require the relocation of the existing high school.[109] However, it does not require this as a solution.

96. To be viable, the development of an additional school could require a significant amount of additional housing beyond what is now proposed. Indeed, the Council considers that a new secondary school would require growth in the order of 7,000-8,000 dwellings.[110] Even if this is an over-estimate, the numbers required have the potential to exceed the scale of growth identified in the SA of the JCS as being an appropriate for Wymondham,[111] unless the two schools (i.e. the High School and the hypothetical additional school) were both to be significantly smaller in size than is currently planned for at the High School. However, this would involve re-considering the well-advanced plans to expand the High School. I am not convinced that would be a pragmatic response at this stage, even if it were to be accepted by the High School.

97. Furthermore, the existing school is in a central location and so provides good opportunities for students to walk, cycle or use public transport. Due to the limited availability of site options, it is likely that any replacement or additional school would be in a more peripheral location. Consequently,

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[107] Documents D32 and D40
[108] Document D32 and Council's letter of 19 August 2014 – question 56
[109] JCS Policy 10 and para 6.22 – my emphasis in italics
[110] Council's letter of 19 August 2014 – answer to question 59 referring to SA of JCS (Document B15)
[111] Document B15 – tables 4.2, 4.5 and 4.6. The SA identifies Wymondham as suitable for medium scale strategic growth (1,500-3,000) dwellings but rejects large scale growth (7,000-10,000) because of the impact on the setting and historic centre of Wymondham as a stand-alone market town.

there is no certainty it would provide the same locational advantages for the majority of students.[112]

98. In addition, options for a split site or a replacement or additional school would inevitably take time to plan and implement. These options would involve significantly more uncertainties and greater risks than expanding the existing school, including in relation to finance and land acquisition, even accepting that objectors have advanced potential sites in their representations. Indeed, a new school would have significant cost implications.[113] Furthermore, such options are not supported by the school and this is a significant factor given its Academy status. Accordingly, at this stage, they are not realistic or reasonable options. In contrast, the plans to expand the existing school are well advanced.[114]

99. Objectors have also suggested that if the High School becomes oversubscribed, children could travel to schools outside Wymondham. In principle, I accept that in some locations there may be a legitimate expectation that children will have to travel some distance outside their own settlement to go to a secondary school. This is likely to be the case in smaller rural villages. However, it could also apply in some larger settlements. For example, I understand from the discussion at the hearings that students in Cringleford generally travel to school in Hethersett and some to Norwich. This degree of movement is perhaps not to be unexpected in an urban/suburban location on the edge of Norwich. However, the same parental and student expectations will not necessarily apply in a sizeable and relatively self-contained market town like Wymondham, which is primarily served by one centrally located secondary school. Indeed the JCS states that Wymondham has a high degree of sustainability in its own right and greater independence from the city of Norwich[115] and Policy 10 seeks to achieve a high level of self-containment through provision of services in each major development location in the NPA.

100. I accept that some parts of north-east Wymondham are fairly close to Hethersett and there is a possibility of safe and direct cycle/pedestrian routes between the two settlements.[116] However, it is a reasonable principle that, wherever possible, journeys for students in years 7-11 should be minimised and that students should have a reasonable prospect of attending their catchment secondary school if they choose to. Such an approach has social merits in that it responds to community needs as well as benefits through minimising journeys. Indeed, the JCS states that education solutions will need to ensure that children have the opportunity to attend school local to where they live.[117] This would not necessarily be the case if some students from Wymondham had no choice but to travel to a

[112] Document D40
[113] The Council estimates £40-£50 million for a new school – Council's letter of 19 August 2014 – answer to question 57 and Document D40
[114] Documents D39 (15 year masterplan)
[115] JCS para 2.16
[116] JCS Policy 10
[117] JCS para 6.22

secondary school outside the settlement, including to Hethersett or Wymondham College Academy. If students were displaced to schools in other settlements within South Norfolk, Norwich or elsewhere they could face even longer journeys.[118] This would not be desirable or sustainable in transportation terms.

101. Furthermore, there is no certainty that these neighbouring schools would be able to accommodate students from Wymondham. For example, the SOCG indicates that the Wymondham College Academy is over-subscribed and I have not been given any firm evidence that it has certain plans to expand in order to be able to take in significantly more students from Wymondham. I appreciate that permission has recently been granted for a classroom extension at the College. However, I understand that this is to help facilitate a re-organisation of existing accommodation and not to increase capacity.[119] Consequently, while it may indicate that there is space to physically expand, it is not an indication of a firm intention to provide more places.

102. In Hethersett, proposals are being developed to expand the Academy to accommodate students from the significant levels of proposed new housing in Hethersett, Cringleford and Mulbarton. Land is available, or can be made available, to allow this to happen. However, at this stage in the school planning process, it is not certain whether there would be any surplus places over the lifetime of the plan to accommodate students from Wymondham, even if there might be now. Indeed, the County Council predicts that there will not be any spare capacity.[120] Consequently, I am not persuaded that there are currently realistic options to accommodate additional students from Wymondham outside the settlement.

103. The relative popularity of a school and settlement and the degree to which they will attract in-migration are difficult to predict. So is the effect of new housing in terms of pupils. Consequently, there are considerable uncertainties when forecasting school numbers and in applying the raw outputs from modelling exercises. In this context the Council and the County Council have adopted a cautious approach. However, there are good reasons to avoid a situation where Wymondham High School would be over-subscribed and the Council's assessments are informed by locally derived information which justifies applying a higher pupil multiplier than the standard. In this context, the degree of caution taken by the Council is reasonable.

104. Overall, options for increasing school places have been considered to an appropriate and proportionate degree and the solution in terms of expanding the High School is a reasonable one which has been adequately justified.[121] For this reason, and given the plans are seeking to provide for the overall housing numbers required by the JCS, including within the NPA,

[118] Council's statement on Issue 4 – question 49 (For example to Costessey or Attleborough Academy)
[119] Council's response to representations on main modifications
[120] Document E11 – A10.1
[121] For example, as set out in Documents B99, D3, D32, D39 and D40

there is no compelling justification for allocating more housing in Wymondham at this stage, including in respect of the floating 1,800.

105. However, as noted above, planning school places several years ahead in a popular location where a significant amount of new housing is proposed inevitably carries a degree of uncertainty. It is also the case that the higher pupil multipliers relied on by the Council are based on just one housing development in Wymondham, albeit a relatively large and recent one. Over time the assumptions about pupil multipliers may or may not prove to be accurate and trends relating to the existing housing stock and new housing may become clearer. In addition, the plan period is now well advanced and the Council has already started work on a new SHMA to assess future housing needs.

106. It will, therefore, be necessary to review the planning and provision of school places in the light of any new housing requirement that extends beyond the current plan period and as planned housing development comes forward, including in Wymondham, Hethersett and Cringleford. This would allow appropriate long term decisions to be made about the location of new housing having regard to the planning of school places (and vice versa). This is a further matter which justifies an early review of the plan, particularly given the potentially lengthy lead in times necessary to plan for additional school places, should they be needed. **(DM MM5, WAAP MM27 & SITES MM2)** I have amended the detailed wording of this modification to help clarify the roles of the Council, the Local Education Authority and other school place providers. However, this does not significantly alter the content of the modifications.

107. During the examination, the Council proposed a change to the plan to include a policy regarding secondary education capacity at Wymondham High School. The draft policy sought to set out an approach regarding proposals for housing development in and around Wymondham which would significantly exceed what is planned for in the WAAP. This was subject to consultation as a potential main modification **(DM MM53 & DM MM54)**. Having very carefully considered the representations received and the discussion at the hearing sessions on 10 December 2014 and 12 August 2015, I have decided not to recommend this change as a main modification.[122] In large part this is because I am not convinced it is necessary to achieve soundness, having regard to paragraph 182 of the Framework. In particular, there is no need for the plan to include policies that strive to cover all eventualities and potential issues, even in circumstances where a particular factor may have had an influence on the spatial distribution of housing. Indeed, I can see no good reason why any relevant issues that might arise in relation to school places planning cannot be adequately considered as a material consideration when determining a particular planning application, should they arise. If appropriate, this could take into account the underlying approach to school places planning which has

[122] Accordingly, to ensure consistency in numbering there will be no main modifications DM MM53 or DM MM54. I have also made consequential amendments to WAAP MM9 and SITES MM6 to remove references to this 'draft policy'.

informed the plan, including as set out in paragraph 5.7 of the WAAP.

108. Furthermore, as drafted, the policy is in danger of setting up a potential contradiction within the plan because it accepts the possibility of providing school places within 3 miles of new housing in Wymondham. Depending on the location of any relevant new housing in Wymondham, this could, for example, include Hethersett Academy. In contrast, the spatial approach in the plan is, in part, founded on the principle that children should have the option of attending their own catchment school, in this case Wymondham High School. I also have concerns about how the policy would be applied in practice. This is because the policy and supporting text provide little information about how an assessment of school places would be carried out or the basis of any assumptions to be used in what is a somewhat complex area. It is doubtful, therefore, whether the policy complies with the Framework's requirement that only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan. The policy is, therefore, unlikely to be effective.

109. Nor am I convinced that the proposed policy threshold of 20 dwellings or the definition of a 'reasonable distance' as being within 3 miles have been adequately justified. While I appreciate that the latter has been informed by the requirement to fund school transport, it strikes me that a 'reasonable distance' in planning terms might vary from one location to another, depending on local circumstances.

Sustainability appraisal of the floating 1,800

110. Given the large number of settlements in the NPA, and the even larger number of potential sites assessed through the Sustainability Appraisal process, there are inevitably very many options for the distribution of the floating 1,800. In this context, and given the broad parameters set by the JCS, there is unlikely to be any one correct answer in terms of the precise spatial distribution. Instead a number of potential distributions could be consistent with the JCS. The Council has considered alternatives for the distribution of the 1,800 through an addendum to the SA which was prepared following the close of the first set of hearing sessions in December 2014.[123]

111. At the stage the addendum was prepared, the number of reasonable alternatives had been significantly reduced by the extent to which planning permissions have been granted on housing allocations and on other sites. However, it is appropriate to base the addendum appraisal on existing circumstances rather than on a theoretical position which might have applied previously. The appropriate level of growth in settlements was also considered through the preparation of the JCS and WAAP.[124]

112. I appreciate that the addendum SA has been subject to some criticism. However, the explanation of the methodology and assumptions used are

[123] Documents E36 and E37
[124] Sustainability Appraisal Documents D28, B15-18, B57 and C43

adequate and the broad sustainability criteria and assessments are appropriate in an exercise which is intended to assess broad options for the spatial distribution of 1,800 dwellings between settlements.

113. In Wymondham, the addendum looked at various growth options from 0 to 800 dwellings. This upper figure is a reasonable one for a town of this size, given that it is already accommodating around 2,200 homes under JCS Policy 9 and that the SA of the JCS considered Wymondham suitable for small or medium level potential growth, equating to between 1,000 and 3,000 dwellings.[125]

114. In considering options for growth the addendum appraised specific parcels of land to the north and south-west of Wymondham. There was discussion at the hearing session in August 2015 about how the extent, boundaries and dwelling numbers for these parcels had been arrived at. However, it seems to me that the SA could equally well have looked at broad location options within and around the settlement. Overall, therefore, I am not persuaded that any adjustments to the precise boundaries of parcels or the dwelling numbers attached to them would necessarily have led to significantly different overall conclusions. I appreciate that there are differences of opinion about the conclusions reached on individual parcels of land against the various SA criteria and objectives. However, in general terms, I am satisfied that reasonable planning judgements have been applied.

115. It has been put to me that the SA should have specifically considered various alternatives for providing more secondary school places, including through the use of lower pupil multipliers, further expansion of the existing school, provision of an additional school or increasing school capacity in neighbouring settlements. However, given the conclusions I have reached above about education, I am not persuaded that these are reasonable alternatives that should inevitably have been assessed through the SA process. Indeed, the PPG advises that the SA does not need to be done in any more detail, or using more resources, than is considered appropriate for the content and level of detail in the plan. In addition, the Courts have found that the planning authority has a substantial area of discretion as to the extent of the inquiries which need to be carried out to identify the reasonable alternatives which should be examined in greater detail.[126]

116. The addendum SA concludes that any additional growth in Wymondham is negative in terms of access to secondary school education and that the scale of the negative effects is correlated to the scale of growth. This is not an unreasonable position to have arrived at and it aligns with my overall conclusions on this matter as set out in this report.

117. Finally, I can see no reason why the main modification referring to the figure of 2,200 dwellings to be provided in Wymondham as a *minimum*

[125] Document B15
[126] Ashdown Forest Economic Development Llp v Secretary of State [2014] EWHC 406 (admin) – para 90

rather than a *maximum* **(WAAP MM4 and MM9)** inevitably justifies any significantly different approach in the SA or the plan. This is because setting a minimum figure does not inevitably indicate that it is appropriate to exceed that figure by any given amount. In any case, the SA has considered options to increase the numbers of houses beyond that minimum figure by up to 800.

Conclusion on the floating 1,800

118. For the reasons outlined above, I am satisfied that reasonable alternatives for the distribution of the floating 1,800 have been considered in a proportionate manner. I accept that allocating more land for housing in Wymondham could bring advantages, for example, by providing more affordable housing. However, such benefits are outweighed by the potential negative effects in relation to secondary education. Overall, therefore, having regard to the spatial hierarchy and service constraints and capacities in Wymondham and the various matters discussed above, the overall distribution of the 1,800 is consistent with the JCS, including the requirement Wymondham in JCS Policy 10 to resolve secondary education provision.

Education infrastructure elsewhere – is the approach justified?

119. The education constraints applying in Wymondham do not appear to arise to the same degree elsewhere in South Norfolk. The secondary school at Poringland (Framingham Earl High School) is currently at capacity partly because it takes students from out of catchment. However, I understand that it would be capable of accommodating students from within its own catchment, including from planned housing growth, because out of catchment students could, if necessary, be accommodated at their own catchment schools where surplus capacity exists.[127]

120. In Cringleford, students would attend their catchment school in Hethersett (which is proposed for expansion), unless parental preference led them to schools within Norwich.[128] Elsewhere, the Council's Technical Paper[129] indicates that schools would be able to accommodate the proposed housing growth or could be expanded to do so. Where necessary, site specific policies within the plan make appropriate provision for education infrastructure.[130] Overall the plans comply with JCS Policy 7 which requires that provision is made for sufficient, appropriate and accessible education opportunities.

Housing distribution outside the named growth locations – is this consistent with the JCS?

121. JCS Policies 13 to 16 cover settlements which are not named growth locations and indicate the appropriate level of development in each.

[127] Document D3 and discussion at the hearing sessions
[128] Document D3 and discussion at the hearing sessions
[129] Document D3
[130] For example, TROW 1

However, they provide for some degree of flexibility based on local circumstances and, specifically within the NPA, to help deliver the requirement for the floating 1,800. In broad terms the distribution of housing development planned for in the SSAPD is consistent with these policies. However, I will consider this in more detail in the sections relating to specific settlements.

Conclusion on the supply and distribution of housing

122. For the reasons outlined above the supply and distribution of housing is consistent with the JCS and in this respect the plan has been positively prepared and is justified and effective.

Housing delivery – will the policies and allocations in the plan deliver the housing requirement in the JCS?

Are the annual house building targets justified?

123. Based on the JCS *new commitment to 2026* the annualised house building target within the NPA is 731 dwellings/year over the plan period from 2008. However, using this annualised figure, there was a shortfall in delivery of 1,470 dwellings, between 2008 and 2014.[131] Recovering this over the remaining lifetime of the JCS would increase the annual requirement to around 853 and to 896 including a 5% buffer.[132] However, the Council's housing trajectory assumes significantly higher rates of annual delivery over the next few years ranging from 1,254 to 1,571 dwellings/year between 2015/16 and 2019/20.[133] On this basis the shortfall would be recovered more quickly. This would be closer to the preference in the PPG that past undersupply should be dealt with in the first 5 years of the plan period, where possible.[134]

124. The projected rates of development on individual sites have been informed by discussions with site promoters and by standardised assumptions about average build rates and the time taken to commence development once outline planning permission has been granted.[135] In general terms I have no strong reasons to doubt the validity of these overall assumptions. However, it is likely that, in reality, there will be individual variations from such standardised forecasting.

125. For example, on the larger more strategic sites, securing reserved matters approvals, discharging pre-commencement conditions and putting in place any required strategic infrastructure may result a longer lead in time than is anticipated by the Council. However, the position on individual sites can be difficult to quantify and, conversely, there may be some sites where development could come forward faster than is anticipated by the Council.

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[131] Document D44b
[132] As required by Framework para 47 (although this would be brought forward from later in the plan period)
[133] Document D44b
[134] PPG ID 3-035-20140396
[135] Document D44b

For example, the PPG advises that on the largest sites an allowance should be made for several developers to be involved.[136] Overall, rates of delivery are affected by a range of complex factors, including developer intentions and preferences about timing.

126. Progress can be gauged by looking at some specific examples, although this inevitably is just a sample of the many allocated and committed sites.[137] The allocation in Costessey at COS 1 has full planning permission for 495 dwellings and development is underway on site. Consequently, the dwelling numbers anticipated by the Council over the next few years have a realistic chance of being achieved.[138] The same applies to the 'commitment' sites at Carpenters Barn and Norwich Road/Spinks Lane in Wymondham (c625 dwellings in total) where reserved matters applications have been approved and the developer anticipates completions on site during 2015/16. However, in Hethersett, although the allocation for around 1,080 houses has planning permission, a reserved matters application has only recently been submitted for the highways layout. The achievement of 60 dwellings in 2015/16 may therefore be optimistic.

127. Looking at this in the round, over the next few years, there is some prospect that delivery within the NPA may fall below the high levels forecast by the Council (ie 1,254-1,571 dwellings/year). Nevertheless, given that many sites have planning permission and/or active promoters, there is a reasonable prospect that something around or above the annual target of 896/year could be achieved. Furthermore, I am not persuaded that providing additional allocations or replacing allocated sites with omission sites would inevitably significantly increase delivery in the next few years because there is no clear indication that such sites could be delivered significantly faster. For these reasons, it is likely that the historic shortfall within the NPA will be recovered by something closer to the 'Liverpool' approach (shortfall recovered over the lifetime of the plan) than to 'Sedgefield' (shortfall recovered in the first five years). In the circumstances, this is a reasonable, realistic and pragmatic approach, particularly given the reliance on larger strategic sites and the target of 896 is justified.

128. Outside the NPA, the annual target deriving from the JCS is around 131-161 units/year between 2008 and 2026. The total number of housing completions up to 2014 exceeded the minimum and maximum figures in this range.[139] Accordingly, there is no shortfall to recover. Taking into account delivery since 2008, the minimum annual requirement to the end of the plan period in the rural area would be 89 dwellings or 94 including a 5% buffer.[140] The trajectory shows that this would be exceeded over the next few years. Based on past performance, the availability of sites and the

[136] ID 3-023-20140306
[137] Based on information in Document D10a and the Council's response to representation on proposed main modifications
[138] As set out in Document D44b
[139] Document D44 (table in para 2.7)
[140] Appendix 4 to Document D44b

reliance on smaller allocations, this is a realistic assumption.

129. To provide clarity the housing trajectories for the NPA and rural area should be set out in the plans along with a clear indication of the annual targets. **(WAAP MM5 & SITES MM8)**

130. The detailed table (8.2) in the SSAPD sets out forecast rates of development on allocated sites. This is likely to become out of date relatively quickly and so would be best presented in an annual monitoring report. It should, therefore, be deleted from the plan. **(SITES MM7**)

Will the policies and allocations in the plan provide for a five year supply of deliverable housing sites?

What is the correct housing market area?

131. In some recent appeal decisions, Inspectors have considered the availability of a 5 year supply of housing land over the entire NPA (i.e. across the wider JCS area).[141] This is reasonable in the context of decision-making on planning applications. However, the plans being examined here are confined to South Norfolk. They are also premised on meeting the spatial distribution of housing set out in the JCS which breaks down the total requirement from commitments and allocations into figures for each local planning authority area. Accordingly, in terms of plan making, it is reasonable to assess whether the plans will help provide a 5 year supply in the NPA and the rural areas *within* South Norfolk.

Buffer

132. The Framework requires that where there has been a record of persistent under delivery of housing, a buffer of 20% should be added to the five year supply (rather than the usual 5%). As noted above, there has been some shortfall in delivery since 2008 within the NPA based on the housing requirement in the JCS. However, this largely coincided with the recent economic downturn and it is, therefore, appropriate to take a longer term view as indicated in the PPG.[142] Over the period between 2000 and 2008 there was no significant shortfall within South Norfolk against the annual requirement set out in the Norfolk Structure Plan, either within or outside the NPA, which applied over this period.[143] Overall, this (ie 2000-2014) is a reasonable period over which to consider the issue of potential under-supply. Looked at in this context, a buffer of 20% is not necessary. The JCS Inspector reached a similar conclusion.[144]

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[141] For example, appeal reference: APP/G2625/A/13/2195084 (Document D37)
[142] PPG – ID 3-035-20140306 "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"
[143] Council's statement on Issue 5 – question 69 – tables showing completions and requirement between 2000/01 and 2007/08 within NPA and Rural Area. The requirement for the South Norfolk District in the Structure Plan (combined inside and outside the NPA) was 567 dwellings/year.
[144] Document B2 para 64 "a cumulative over-delivery in all the years from 2000/01 to 2009/10"

Five year supply

133. The Council's analysis shows that in 2015/16, within the NPA, there will be around 7.8 years of supply based on an annual target of 896/year.[145] Outside the NPA, the supply would be around 13.99 years based on an annual target of 94.[146] However, such calculations cannot be expected to be precise and I have concluded above that development on some sites within the NPA may not come forward at quite the pace forecast by the Council. Nevertheless, many of the undeveloped allocated and committed sites in the SSAPD and WAAP have planning permission and active promoters and so, for the most part, can be considered deliverable.[147] I have also concluded that the annual target of 896 is likely to be achieved. Consequently, there is a reasonable prospect that there will be a five year supply of land which is capable of being developed at the point the plans are adopted[148] and for some years thereafter.

134. However, it should be noted that not all of the supply within the South Norfolk part of the NPA is contained in the plans which I am examining. This is because sites are also contained in the emerging Long Stratton AAP and the adopted Cringleford Neighbourhood Plan. However, I am satisfied the plans being examined here should make an appropriate contribution to a rolling 5 year supply.

135. If development occurs at the rates forecast by the Council, the housing trajectories show that the numbers of dwellings built each year would significantly decline towards the end of the plan period. For example, within the NPA, the trajectory shows completions of only 230 in 2023/24 and, outside the NPA, no completions are forecast in 2020/21. However, this does not mean that there would be no five year supply of housing against the JCS requirement. Instead it indicates that the JCS housing requirement would very largely have been met and the annual house building target reduced accordingly.[149] As a result, even assuming that the rates of development forecast over the over the next few years could be optimistic, it is likely that there could be relatively few opportunities for house building towards the end of the plan period on allocated or committed sites. This is a further indication that the plans should be subject to an early review to cover a timescale that extends beyond 2026 and to reflect any revised assessment of need. **(DM MM5, WAAP MM27 & SITES MM2)**

136. The JCS includes a policy that would trigger a requirement to produce a short, focussed Local Plan in the event that there is a significant shortfall in the five year supply of housing affecting the Broadland part of the NPA.[150] However, it is not necessary to introduce a similar policy into the South Norfolk plans because the circumstances are different. In Broadland a significant amount of development in the Growth Triangle is dependent on

[145] Appendix 2 to Document D44b. This corrects an arithmetical error in an earlier version.
[146] Appendix 4 to Document D44b. This corrects an arithmetical error in an earlier version.
[147] Document 10a
[148] Assumed for this purpose to be financial year 2015/16
[149] The 'managed delivery target' in Appendices 2 and 4 to Document D44b
[150] JCS Policy 22

the construction of the Northern Distributor Road and other infrastructure. In contrast, housing development in South Norfolk will be more dispersed and is not reliant on similar infrastructure being put in place. There is, therefore, less risk in terms of delivery.

Will the plan provide for specific housing needs?

137. The plans allocate a range of smaller and larger allocations (from 5 houses to over 1,000) across many settlements in the top four tiers of the settlement hierarchy. There is also some prospect of limited infill and windfall development within settlement boundaries. Consequently, there will be opportunities for volume and local house builders and for individuals to develop sites to meet the needs of the market and different groups in the community in many settlements. In addition Policy DM 3.2 seeks to ensure new housing contributes to the requirements of different households. Requirements for affordable housing are set out in JCS Policy 4 and the approach to rural 'exception' sites is set out in Policy DM 3.3. Overall, this should help ensure that needs are met.

Are the development boundaries to settlements justified, effective and positively prepared?

138. The spatial form of settlements across South Norfolk varies and choices about the precise locations of boundaries are not always straightforward. This is particularly so where development is more dispersed towards the edge of settlements and where there are outlying groups of buildings which are physically separated from the main built up areas. However, boundaries have generally been drawn to include the main concentrations of built development and, in most cases, reasonable judgements have been made about what to include and exclude. Development allocations are generally included within the boundaries. This is logical.

139. In some locations, parts of rear gardens have been excluded from the boundaries, as have historic buildings set within open land. This is to help protect the character and appearance of settlements and the setting of heritage assets. This is a reasonable approach.

140. However, some changes are required to make the plans sound. For example, as noted earlier in the report, the post-2008 housing commitments should be shown within the development boundaries to reflect the reality of these permissions. **(SITES MM6 & SITES MM53)**

141. The boundaries also tend to exclude affordable housing built under rural exception policies. However, in some cases, such development can now reasonably be regarded as forming part of the built settlement. There are examples of this in several locations, including Diss, Scole and Yelverton. In such locations the boundaries should be re-drawn to ensure the plan is effective. **(SITES MM52)**

142. The boundaries also exclude significant areas of built development,

including some existing housing areas, which fall within Flood Zones 2 and 3. This applies in a large number of settlements. However, the JCS[151] and national policy/guidance provide a robust framework for making decisions where flood risk is an issue. Accordingly, this is not a sound reason for excluding development which, in all other respects, can logically be regarded as falling within a settlement. Consequently, the Council has advanced modifications to include such areas within the development boundaries along with relevant consequential changes to the supporting text. **(WAAP MM28 & SITES MM51)** For the same reason a development boundary is now proposed in Langley, where none was previously. **(SITES MM48)**

143. These modifications are necessary to ensure that 'countryside' policies are not inappropriately applied to development proposals in locations which should reasonably be regarded as forming part of the main built fabric of settlements. However, for clarity, the approach to flood risk should be made clear in the plans. **(DM MM12)**

144. There are some other specific locations where the development boundaries are not justified and changes are required. I will cover these in the relevant sections in the SSAPD. However, I have not specifically referred to every case where parties have made representations to alter boundaries. Policy DM 1.3 sets out the overall approach to development proposals inside and outside the defined development boundaries. I will consider this in the section on the DMPD.

Are the strategic gaps justified, effective, positively prepared and consistent with the JCS?

145. JCS Policy 10 refers to strategic gaps around Wymondham and Hethersett and the Council commissioned a report (the 'CBA report') to assess options and recommend boundaries.[152] This advises that the defined gaps should only include land that is strictly necessary to fulfil the essential purpose of the gap – i.e. visual and physical separation between settlements.[153] DMPD Policy 4.8 sets out the two proposed gaps shown on the policies map, between Hethersett and Wymondham and Cringleford and Hethersett.

Gap between Hethersett and Wymondham

146. To the south-west of Hethersett the boundary of the gap closely follows the developed edge of the settlement. It is also logically defined in the area to the south of Norwich Road and to the north of the A11.

147. To the north-east of Wymondham, decisions about the definition of the boundary are perhaps less clear cut. While the Elm Farm Business Park marks the start of the town when approaching from the east along Norwich Road, it stands at the end of a long ribbon of development. Therefore,

[151] JCS Policy 1 – 4th bullet point
[152] Document B148/B163 - South Norfolk Local Landscape Designations Review Strategic Gaps / Important Breaks (Chris Blandford Associates).
[153] Para 3.4.7

while this ribbon logically falls outside the gap, it would not necessarily be appropriate for the business park to mark the overall western extent of the gap further to the north or to the south of Norwich Common (B1172).

148. To the north of Elm Farm Business Park the boundary has been appropriately drawn to exclude the housing commitments at 'Carpenters Barn' and 'Land North of Norwich Common' from the gap.[154] However, the field to the north of 'Carpenters Barn' does not need to be included within the gap. Although this land can be seen from some locations within the gap, it does not lie directly between the two settlements and so does not need to be kept open to achieve physical and visual separation. Instead the boundary should be redrawn so it runs from the north-eastern part of 'Carpenters Barn' towards the southern extent of the linear tree belt known as 'The Wong.' **(DM MM71)** This substantial landscape feature justifiably forms the western boundary of the gap in this location.

149. The allocation for the relocation of the Rugby Club (Policy WYM 14) lies immediately to the east of 'Carpenters Barn' and 'Land North of Norwich Common' (and is referred to as 'Carpenters Farm' in the CBA report). I accept that development on this site might not be readily visible from some vantage points within the gap due to intervening planting along field boundaries. However, this is not an unusual circumstance in a relatively flat landscape and there are many vantage points where the full extent of the gap between Wymondham and Hethersett will not be visually apparent. Consequently, I do not accept a proposition that land should only be included within the strategic gap, if it is visible across much of its extent. In this case, despite the presence of the Elm Farm Business Park, the 'Carpenters Farm' site makes a significant contribution to the maintenance of the gap between settlements and the overall sense of openness within it. This is because of the extent and open character of the site and its relationship with the proposed housing development to the west and the open land to the east.

150. Built development on the 'Carpenters Farm' site would, therefore, have the potential to significantly intrude into the gap. This would be readily apparent from various locations along the surrounding permissive footpaths. However, as a general point, I am not convinced that visibility from a public vantage point is necessarily an essential prerequisite for including land within a gap. I appreciate that the site is proposed in the plan for rugby club use (WYM 14). However, the development of playing fields and ancillary features could, if suitably designed, retain an adequate sense of openness. Consequently, the allocation is consistent with the strategic gap designation.

151. To the south of Norwich Road, Spinks Lane marks a noticeable divide between the more urban land in Wymondham to the west, including an undeveloped commitment site, and the open countryside to the east which can logically be regarded as forming part of the strategic gap.

[154] Place name terminology used is as referred to in Figure 4.4 of the CBA report (B163)

Gap between Hethersett and Cringleford

152. To the east of Hethersett, the boundary to the gap logically follows the edge of development along Church Fields.[155] However, immediately to the east of allocation HET1, the field to the north of Back Lane has been excluded from the gap, even though the predominantly undeveloped land immediately to the north and south has been included. Built development such as housing on this land, even if subject to careful landscape planting and master-planning as part of a wider strategic development, would nevertheless represent a significant intrusion into the gap. I appreciate that the visual envelope of this land is constrained by the dense linear planting along the east side of Colney Lane and that built development might not be visible from along the B1172. However, as noted above, a degree of visual containment is not unusual in a relatively flat landscape with strong planting to field boundaries. Consequently, I do not accept that a site only has a significant role in protecting the openness between settlements where it is widely visible across the gap. In this case, the local effects of built development on the land in question would have a significant effect on the sense of spaciousness within the gap and this would be apparent from nearby stretches of Colney Lane and Back Lane. Consequently, the boundary should be re-drawn so that Burnthouse Lane forms the western edge of the gap, as recommended in the original CBA report and the subsequent additional response.[156] **(DM MM70)**

153. I appreciate that the field in question forms part of a larger parcel of land with planning permission for 1,196 dwellings and associated uses.[157] However, this permission is subject to a condition which states that no dwellings should be built on the land in question unless it is excluded from the strategic gap in the development plan.[158] Consequently, there is no firm commitment to housing here and the existence of the permission does not provide a robust justification for excluding this land from the gap. The modification has some limited potential to affect the amount of housing delivered in Hethersett. However, there is adequate flexibility in the plan to cover some loss of yield from this permission. Furthermore, given the size of allocation HET 1, it is possible that there may be an opportunity to achieve a higher density within the allocated site than is assumed in the plan, without harmful effects.[159] For the reasons outlined above, it would not be appropriate to extend the boundary of the HET1 allocation onto this land in order to reflect the planning permission for housing.

154. I understand that the permission referred to above also involves the use of some of this land for an access road and playing fields.[160] This is not

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[155] As referred to in Figure 5.4 of the CBA report
[156] Document E27
[157] Document E17. The permission primarily relates to allocation HET1.
[158] Condition 29
[159] The site is allocated for approximately 1,080 dwellings and is about 68 ha in area. Accordingly, the assumed density in the plan is around 16 dwellings/ha.
[160] Strategic Gap Analysis submitted with representation from Bidwells on the proposed main modification and Council's response to representations on the main modifications – the land is referred to as 'Phase 2'

affected by the condition which only precludes dwellings. Accordingly, the main modification would not prevent the delivery of these parts of the scheme. However, subject to careful design, an access road, playing fields and ancillary structures are capable of maintaining an adequate sense of openness and so need not compromise the function of the strategic gap. Because the main modification would not affect the delivery of the proposed access road to HET 1, I can see no reason why there would be any significant additional effects in terms of traffic on local roads or in Little Melton.

155. The strategic gap to the west of Cringleford significantly encroaches into the area allocated for housing in the adopted Cringleford Neighbourhood Plan. To ensure that the plans are consistent, the boundary of the gap should be amended so that it follows the western edge of the housing allocation in that plan. **(DM MM70)**

Other potential gaps

156. The CBA report also considered the possibility of designating a strategic gap between Easton and Costessey. However, the gap between these settlements has already been significantly eroded by the development of the Longwater employment area and it would be further reduced by the housing development necessary to help meet the JCS targets for this major growth location. Consequently, there is no justification for a defined strategic gap in this location. Nor am I persuaded that there is a clear justification for one in any other locations where sufficient control will be provided through other development plan policies, including that relating to development boundaries.

157. The approach to development proposals within the gap is set out in Policy DM 4.8 and I will deal with this in the section on the DMPD.

Conclusion

158. Subject to modifications, the strategic gaps are justified, effective, positively prepared and consistent with the JCS.

Has the housing site selection process been based on a sound process of sustainability appraisal and the testing of reasonable alternatives?

159. The Strategic Housing Land Availability Assessment (SHLAA)[161] dates back to the preparation of the JCS. However, the Framework states that the purpose of a SHLAA is to establish realistic assumptions about the availability, suitability and economic viability of land to meet the identified need for housing over the plan period.[162] The SHLAA performed this role by considering whether sites were potentially available to meet the requirement identified in the JCS. Furthermore, given the Council has considered a very large number of site options through its site selection process, the absence of a more recent SHLAA is not a significant flaw.

[161] Document B41
[162] Framework para 159

160. It is clear that, through a process of Sustainability Appraisal, the Council has assessed the suitability for allocation of a very large number of sites against an extensive set of criteria.[163] Given the large number of settlements and the even larger number of site options, this has clearly been a very considerable undertaking. However, it has been undertaken in a reasonably systematic way.[164]

161. The Council's SA methodology and execution has been subject to a degree of criticism from objectors. I accept that, the justifications for the 'colour coded 'scorings' for some sites against the various SA criteria could have been clearer, as could the brief summary comments for each site. However, the reasons that led to decisions to allocate or reject sites have been expanded upon, summarised and clarified in subsequent documents.[165] In overall terms, the reasons for decisions are reasonably clear.

162. Furthermore, SA should be seen as a process which is intended to help ensure that the sustainability credentials of sites are considered on a reasonably consistent basis. Such assessments inevitably rely on input from many different people and organisations. Given the extent of the task, there may well be some errors and inconsistencies in the scoring of individual criteria. There may also be findings which might helpfully have been expanded upon, made clearer or have been more focused on significant matters. However, this does not inevitably mean that the site selection process is fundamentally flawed or that the wrong sites have been allocated.

163. In addition, planning decisions about site allocations are made on the basis of professional judgement and not on a mechanistic adding up of scores for each SA criteria. Indeed, some criteria might carry more weight than others, perhaps because they relate to a significant constraint (for example, flood risk) or because they deal with important principles regarding the location of development (for example, proximity to services).[166] In overall terms, the housing site selection process has been adequate and reasonable alternatives have been taken into account.

164. The SA has considered the effects on landscape through an assessment against criteria relating to areas of open land, river valleys, the southern by-pass landscape protection zone and important spaces. This was informed by officer site visits.[167] Furthermore, given the rural nature of South Norfolk, there are relatively few opportunities to re-use previously developed land.[168] Consequently, the scale of the growth required by the JCS necessitates the use of significant amounts of greenfield land around

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[163] Documents C23 and C43
[164] Document D1 explains the process and approach
[165] Documents D1 and D25 and Council's letter of 3 July 2014 ('Response to Inspector's questions 98 and 99 – Alternative sites – Regulation 19 reps')
[166] Document D1 – para 5.16
[167] Document D1
[168] This can readily be seen by reference to the assessment against the brownfield/greenfield criterion in the completed site assessment tables in the SA for both the WAAP and SSAPD – Documents C23 and C43

the edge of settlements. In this context, the SA criterion relating to the proximity to the settlement boundary is particularly relevant. Overall, while conclusions relating to the landscape and visual effects could have been more clearly set out and more detailed, looking at the totality of the evidence available, I am satisfied, that the assessments were adequate.

165. The Council has considered the contribution sites would make to the achievement of a sustainable pattern of development by assessing proximity to a number of key services, including a primary school, high school, primary health care, day to day retail provision, local employment opportunities and the availability of frequent public transport to a larger settlement.[169] This is reasonable and I can see no reason why the facilities assessed under this criterion should be confined to the four which were used in the JCS to define Service Villages.[170]

166. An assessment of agricultural land value has been factored into the SA. However, given the rural nature of the district, the extent and spatial distribution of development required by the JCS and the need to meet other sustainability criteria, it is inevitable that a substantial proportion of the housing allocations will be on agricultural land. Nevertheless, in overall terms and taking these constraints into account, there is no firm evidence to indicate that higher value agricultural land[171] has been unnecessarily used at the expense of poorer quality land.

167. The effects on heritage assets, flood risk and biodiversity are covered by appropriate criteria in the SA and have been adequately assessed. The plans contain suitable policies to ensure that heritage issues are appropriately considered and advice was sought from English Heritage.[172] There is no firm evidence that the potential presence of archaeological remains on any sites might prejudice development. The Council has advised that none of the allocated sites fall within areas of higher flood risk (zones 2 and 3)[173] and a Strategic Flood Risk Assessment has been carried out.[174]

168. The 'scores' in the SA for 'transport view' are based on comments provided by the highway authority (Norfolk County Council). However, the reasons for the colour codings could have been more clearly explained, although findings about access are sometimes referenced in the summary comments. Nevertheless, I am satisfied that all the proposed allocations are capable of being safely accessed and that they would not put any unacceptable strain on the surrounding highway network.

169. I appreciate that highway concerns have been raised about a number of sites, particularly in villages served by country roads and lanes. Inevitably,

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[169] The Council has confirmed that the reference in the SA (Documents C23 and C43) to an assessment against four core services is an error – Document E21 and D1
[170] JCS – para 6.60
[171] The best and most versatile agricultural land as defined in the Framework
[172] Now 'Historic England'
[173] Council's letter of 19 August 2014 – answer to question 93 and Document D1
[174] Documents B78 and B79

in these locations many existing roads will not be to the same standard as those in urban areas. For example they may be narrow and lacking in footways. In places forward visibility around corners and bends can be limited. In addition, some roads may be subject to localised parking pressures at certain times of day, for example around schools at drop-off and pick-up times. However, these circumstances are not unusual in rural locations and many people currently live in these areas without being exposed to undue risk. In this context, the amount of housing development proposed in rural settlements, including the 'key service centres' and 'service villages' is not excessive and is unlikely to cause any significant specific or cumulative highway safety problems for motorists, pedestrians or other road users. Furthermore, I am not aware of any remaining significant concerns from the highway authority on any of the proposed allocations or about the overall amount of development proposed in any settlement.

170. As noted previously, most of the proposed allocations have planning permission and/or active promoters. Other than those specifically considered in this report, I am not aware of any significant concerns about delivery, including in respect of access, drainage and school places. Where there are infrastructure constraints, it is likely that these can be overcome during the development process. In this regard, site allocation policies generally set out relevant criteria.

171. Many allocations would adjoin existing housing. However, there is no reason why carefully designed development on these sites would result in any significant harmful reduction in the living conditions enjoyed by neighbours. Policies in the plan, including those in the DMPD, provide an appropriate framework to help ensure that this is the case.

172. During the preparation of the plan the Council considered many site options, including sites advanced by objectors. In some cases, the performance of some of these alternative sites might be comparable with those of some allocated sites. However, I am not convinced that the merits of any of the suggested omission sites are of such significance that there is a clear case that they should replace an allocated site or sites. Overall, the allocations in the WAAP and SSAPD are justified and I am not persuaded that there are any significant factors which indicate that any of these allocations should be deleted. I will consider this in more detail in subsequent sections.

Employment – is the overall approach taken in the Plan sound and consistent with the JCS? Has the site selection process been based on a sound process of sustainability appraisal and the testing of reasonable alternatives?

173. The allocations in the plans are broadly consistent with the requirements set out in the relevant JCS Policies[175] and should help proactively drive and support sustainable economic development as required by the

[175] Including JCS Policies 5, 9, 13, 14, 15 and 16

Framework.[176]

174. There have been some criticisms from objectors that the amount of land allocated is based on the requirements set out in JCS Policies which are informed by studies which date back some years.[177] Therefore, representors have, argued that the opportunity should have been taken to review these requirements and the site allocations that follow from them, in line with the Framework.[178] However, the role of subsidiary plans is to be consistent with the JCS. Consequently, any reconsideration of the need for employment land should to be carried out as part of a review of the JCS. Nevertheless, this is a further matter which justifies an early review. **(DM MM5, WAAP MM27 & SITES MM2)**

175. The assessment of site options has been carried out using the broadly same SA methodology and process as for housing.[179] This is reasonably robust and I have no reason to doubt that reasonable options were considered within relevant settlements.

Retail - is the overall approach taken in the Plan sound and consistent with the JCS? Has the site selection process been based on a sound process of sustainability appraisal and the testing of reasonable alternatives?

176. The allocations in the plans are broadly consistent with the JCS[180] and the Retail Study which underpinned it. [181] The approach taken in Wymondham, including in relation to the town centre has also been informed by a more recent study.[182] The site selection process and methodology are broadly the same as for housing and employment and appear reasonably robust.[183] Appropriate provision has been made within relevant housing allocation policies for small scale retail/community development where significant amounts of housing development are being proposed.[184]

Planning contributions and CIL – is the overall approach taken in the Plan justified?

177. The Council's CIL was adopted in February 2014 after the date of the proposed submission draft plans.[185] However, there is no risk of double charging given that the Regulation 123 list makes clear the infrastructure that is to be funded through CIL. [186] Consequently, no modifications are required to policies. However, for clarity, the plans should make it clear

[176] Framework para 17
[177] As set out in Document D12
[178] Framework para 22
[179] Documents C23 and C43
[180] For example, in relation to JCS Policies 10, 13, 14 and 15 and Diss (para 6.38 of the JCS) and Harleston (para 6.41 of the JCS)
[181] Documents B67-69
[182] Document B145 – Wymondham Retail Study
[183] Documents C23 and C43
[184] For example, Policies EAS1 and WYM3
[185] Document D11
[186] Document D7

that a CIL is now in place. **(DM MM3 & 6, WAAP MM2 & SITES MM3)**

178. Several policies in the plans require contributions to be made towards infrastructure in relation to the development of specific sites. In some cases these refer to 'contributions' without specifying the mechanism.[187] In others it is stated that the contribution should be made via S106 or via the Community Infrastructure Levy (CIL).[188] The Council takes the view that this wording provides a safeguard should CIL be abandoned at some point during the lifetime of the plan.[189] This is a somewhat cautious approach, but not unsound.

Viability – are the development allocations in the Plan deliverable?

179. The Plan Wide Viability Study[190] concludes that the majority of residential typologies are viable and that these sites will deliver the majority of the planned growth. Indeed, many of the proposed sites have planning permission and/or active site promoters and so are likely to be deliverable or developable.[191] Sites which were not actively promoted were generally screened out of the site selection process.[192] In addition, JCS Policy 4 also allows for a reduction in affordable housing requirements should sites be unviable.

180. The Study concludes that there is limited viability for B1, B2 and B8 development, except for offices within the NPA. This is broadly consistent with the CIL which sets only a nominal charge for B1, B2 and B8 development.[193] However, this does not necessarily mean that no commercial development will come forward or that sites should not be allocated to meet the needs identified in the JCS. For example, existing commercial uses may seek to expand or re-locate, even in circumstances where speculative development may not be viable. Indeed, the Viability Study indicates that some B1, B2 and B8 development was completed in 2011-12.[194] I accept that it might be the case that in the current economic climate some allocated sites for commercial uses may remain vacant for a while. However, it is important to provide opportunities for employment development for a range of users and to seek to achieve a reasonable balance between housing and employment development.

Is the approach to infrastructure planning justified?

181. The JCS sets out the infrastructure requirements necessary for delivery of growth[195] and the 2012 Local Investment Plan and Programme[196] sets out the key projects. As noted above, the recent Greater Norwich City Deal will

[187] For example, Policy HET1
[188] For example, Policy WYM3
[189] Council's letter of 30 June 2014 – answer to question 114
[190] Document C9
[191] Document D10a
[192] Document D1
[193] Document D11
[194] Document C9 para 9.8
[195] Appendix 7 to the JCS
[196] Documents B71 and B72

help ensure that the necessary infrastructure is put in place, including in relation to improvements to strategic road junctions.[197] Adequate consideration has been given to the provision of school places[198] and other necessary infrastructure,[199] including where necessary through policy requirements.

Assessment of Soundness - Development Management Policies Document (DMPD)

Are the policies in the DMPD soundly based (i.e. positively prepared, justified, effective and consistent with national policy) and consistent with the JCS?

Overview

182. Subject to the main modifications outlined below the policies in the DMPD are soundly based and broadly consistent with the JCS. Consequently, they should provide a comprehensive framework for considering development proposals. It is clear from the SA that the Council considered reasonable alternatives before finalising the policies in the DMPD.[200]

183. However, in some cases, although the broad intent of the policies is clear, the drafting is not precise enough to be effective in terms of development management and in others a strict interpretation of the policy wording could result in unduly onerous requirements. There are also examples where the supporting text does not adequately explain the purpose of the policy hampering effectiveness. A number of the modifications set out below are intended to remedy these deficiencies. Some changes also seek to ensure consistency across various policies by referring to 'significant' rather than 'serious' effects. I can see no reason why the use of this term might lessen protection for heritage assets, particularly given the control provided by national policy and Policy DM Policy 4.11 (subject to modification).

Introductory sections

184. The introduction to the plan states that countryside and heritage assets will be conserved. The Council has advanced a modification to correct an omission by making it clear that this objective also applies to biodiversity and geodiversity. **(DM MM1)**

185. Para 0.34 incorrectly implies that only the policy wording in the plan has statutory development plan status. A modification is necessary to correct this. **(DM MM4)**

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[197] The Thickthorn (A11) and Longwater (A1074) junctions on the A47 which are intended to enable growth in Cringleford, Hethersett, Easton/Costessey and elsewhere

[198] Several allocations require the provision of education infrastructure (for example, EAS 1 and TROW1) and the overall position regarding secondary schools is set out in Document D3

[199] For example, as set out in JCS Appendix 7, Documents D2, D5, D6, D7 and the Council's letter of 30 June 2014 (answers to questions 8 and 117)

[200] Document C64

186. The text explaining the relationship between neighbourhood development plans and strategic policies in the Local Plan is not entirely consistent with the Framework. This should be corrected. **(DM MM7)**

Economic dimension

Policy DM 1.1 (sustainable development)

187. The policy sets out a positive approach to achieving sustainable development and the Council's intention to work proactively with applicants so that, where possible, development proposals can be approved.

188. However, the reference in DM 1.1 d) ii to *international and national advice and guidance* is unclear and arguably wrong. The reference should be to *national policy and guidance*. **(DM MM8)** The bullet points following the policy provide a link to a model policy on the national Planning Portal which no longer exists. For clarity, this should be deleted. **(DM MM9)**

Policy DM 1.2 (planning obligations)

189. This policy sets out the Council's overall approach to securing infrastructure that is not funded through CIL. The policy refers to the Framework test of necessity but not to the requirements that obligations must be directly related to the development and fair and reasonably related in scale and kind. This should be corrected by a modification. In addition, to ensure effectiveness, it is necessary to define *sustainable development* in this context and to provide a more precise reference to meeting the requirements set out in neighbourhood plans. **(DM MM10)**

Policy DM 1.3 (sustainable location)

190. This policy sets out the overall approach to development proposals inside and outside of defined development boundaries. The overall stance taken is reasonable, sufficiently precise and will help achieve a sustainable pattern of development.

191. However, the wording in DM 1.3 2) c) should refer more specifically to relevant development management policies. **(DM MM15)** In addition, the supporting text needs to explain more clearly why the aim is to focus development within the defined boundaries **(DM MM 11 & 14)**, the broad types of development that might be appropriate in the countryside, the circumstances where schools and other community development might be accepted outside boundaries **(DM MM13 & 14)** and the approach to flood risk within development boundaries **(DM MM12)**.

Policy DM 1.4 (environmental quality)

192. This is a wide ranging policy setting out the Council's overall approach to environmental quality and local distinctiveness. As a result it touches upon the historic and natural environment, recycling and renewable energy. Whilst rather broad brush and aspirational, it is not unsound.

193. The policy does not set out any specific standards and the term 'take all

reasonable opportunities' in criterion d) indicates that the requirements would be applied flexibly having regard to the scale and nature of proposals. However, the phrasing of criteria vi and vii is somewhat muddled and needs amending to ensure effectiveness **(DM MM 17)**. In addition, supporting text should be added to confirm that, where relevant, proposals should have regard to the character of the neighbouring Broads area. **(DM MM16)**.

Policy DM 2.1 (employment and business development)

194. This policy sets out comprehensive criteria to assess proposals for employment and business development, including on allocated sites and in the countryside. The approach regarding the uses that might be allowed on employment sites is reasonably flexible.

195. However, as drafted, it is unclear whether all three sub-criteria in DM 2.1 7) must be met before proposals for new sites in the countryside would be supported. Requiring all three would be overly restrictive and the approach should be clarified. **(DM MM21)**

196. The Framework (para 25) states that the sequential approach should not be applied to applications for small scale rural offices. Criterion 8) reflects this approach and defines size thresholds for new offices of 500 sq m near Diss and Wymondham and 200 sq m elsewhere. The higher thresholds for the two named settlements are appropriate given that they are a focus for employment development. The term 'near' is adequately defined. However, the supporting text should be amended to clarify the relationship between criteria 7) and 8). **(DM MM20)**

Policy DM 2.2 (protection of employment sites)

197. Policy criterion 1) seeks to safeguard allocated employment sites and buildings for employment uses as defined in the glossary to the plan. This is a reasonable approach given that these sites have generally been allocated to help meet the requirements set out in the JCS. The criterion also refers to protecting 'permitted' sites and buildings. However, the intent of this wording is unclear given that criterion 2) relates to all other land and buildings in, or last used for, employment use. This ambiguity should be resolved. **(DM MM22)**.

198. Criterion 2) introduces greater flexibility with regard to non-allocated employment land and buildings. In particular, it allows alternative uses if employment use is not viable or practical or if other uses would bring significant benefits. This degree of flexibility is appropriate.

Policy DM 2.3 (working at home)

199. The policy provides a reasonable framework for considering the potential effects of proposals to work from home. The Council takes the view that the policy is necessary given the number and type of home enterprises that are proposed in the district. I have no reason to disagree.

Policy DM 2.4 (location of main town centre uses) and Policy DM 2.5 (changes of use in town and local centres

200. These policies provide an appropriate framework for assessing proposals and should help protect the vitality and viability of town and local centres. The overall intent is to be supportive of development for main town centre uses (as defined in the glossary) within centres, subject to the scale of development being consistent with the location within the hierarchy set out in the policy. This hierarchy is consistent with JCS Policy 19. This is an appropriate stance.

201. The Town Centre Areas appear to reflect the main concentrations of town centre uses and the Primary Shopping Areas in Diss and Harleston reflect the main concentrations of A1 uses within these centres. The boundaries appear to be appropriately defined on the policies map and I saw nothing on my site visits to suggest any revisions are necessary.

202. Policy DM 2.4 sets out the requirement for retail impact assessment (1000 sq m near Diss and Wymondham and 500 sq m elsewhere). In line with the JCS, these thresholds are lower than the default figure of 2,500 sq m set out in the Framework.[201] However, accepting retail development of up to the national default threshold without any impact assessment could increase the risk of trade being inappropriately diverted from other centres. It could also exceed or represent a significant proportion of the additional floorspace identified for these settlements.[202] Harleston falls within the same tier of the retail hierarchy as Diss and Wymondham. However, it is a smaller settlement with a smaller centre. A lower threshold for impact assessment is, therefore, appropriate.

203. Policy DM 2.4 also sets thresholds for the sequential test (500 sq m near Diss and Wymondham and 200 sq m elsewhere). The Framework does not refer to any threshold. However, given the size and role of the centres in South Norfolk, thresholds of this size are reasonable and proportionate. As with impact assessment, the relative size of Harleston justifies a lower threshold than for Diss and Wymondham. The term 'near' is appropriately defined in the supporting text.

204. It is important to note that the thresholds for sequential and impact assessment do not necessarily preclude development above those levels. Instead they merely require that retail impacts and the availability of sequentially preferable sites are assessed in order to inform decision making.

205. Policy DM 2.5 requires that, within the defined Primary Shopping Areas in Diss and Harleston, development proposals should not result in less than 60% of the ground floor units being available for A1 uses. Elsewhere, within the defined town centres to these settlements, the figure is reduced to 50%. This is a reasonable approach and should help protect the vitality

[201] JCS para 6.72 refers to "…consideration of a lower threshold for impact assessments than the national threshold …"
[202] Council's statement on Issue 24 question 210

and viability of these centres, whilst ensuring that there is an appropriate level of flexibility regarding non-A1 uses. Establishing the precise % figures is a matter of judgement, albeit one that has been informed by a survey of the current uses in these centres.[203] The requirement relates to the percentage of ground floor units, rather than overall floorspace. This is a pragmatic approach in terms of development management.

206. The plan identifies an indicative 'heritage triangle' in Diss. This is a distinctive and attractive part of the centre characterised by a number of specialist shops and uses. The Town Council is keen to support this area and public funding is available to encourage footfall and tourism. Some of the triangle lies outside the Primary Shopping Area where the policy requires that 50% (rather than 60%) of the units need be retained in A1 use. However, the Council advised at the hearing that only around 54% of the units are currently in retail use. Consequently, raising the target to 60% would have the effect of precluding most if not all changes from A1 use. This would be unduly restrictive and could stifle beneficial development. Furthermore, the application of criterion (3) a) would prevent any harmful concentration of non-A1 uses. Consequently, raising the percentage target for A1 uses is not necessary to protect the vitality, viability or character of the triangle or to secure its regeneration.

207. However, three modifications are needed to these policies. Firstly, Policy DM 2.4 should make it clear that the third tier of the hierarchy relates to groups and individual shops in service villages and smaller settlements which are not specifically defined in the plan (or on the policies map). **(DM MM23)** Secondly, a change is needed to make it clear that a suitable mix of shops and services should be provided where new centres are required by site specific policies in the SSAPD **(DM MM24)**.[204] And thirdly, Policy DM2.5 should be revised to ensure it relates to all A1 uses and to remove ambiguous wording in criterion (5). **(DM MM25)**

208. The potential effect of retail and other town centre proposals on heritage assets is adequately covered by Policy DM 4.11 and a specific reference does not need to be added to this policy. The recent changes to the Town and Country Planning (General Permitted Development) Order do not justify any changes to these policies. Depending on their nature, proposals for garden centres, nurseries and farm shops could stand to be considered under this policy or others in the plan such as DM 2.1. This is appropriate.

Policy DM 2.6 (food, drink and takeaways)

209. Overall, the policy provides an appropriate framework to assess proposals for food, drink and takeaway uses. However, as drafted it states that *typical opening hours*[205] will be imposed through planning conditions. This is too prescriptive as the need for any restrictions on opening hours will

[203] Council's statement on Issue 24 question 214

[204] An example of where this would apply is Policy EAS1 in the SSAPD where a new village centre is required as part of an allocation for approximately 900 dwellings.

[205] The supporting text refers to closing times between 22.30 and 23.30 depending on the day and location.

depend on an assessment of local factors, for example relating to the existing noise environment and the proximity to housing. A modification is necessary to correct this by making it clear restrictions will be applied, *where necessary*. **(DM MM26)**

Policy DM 2.7 (agricultural and forestry development)

210. The policy sets out appropriate criteria to assess proposals for agricultural and forestry development. Broadly speaking, they are sufficiently clear, including in terms of proposals for development for agricultural or forestry contractors. However, the term 'necessary' in criterion a) is not adequately explained. A modification is required to clarify that this is not intended to be an onerous requirement and that a brief description of the development will usually be sufficient. **(DM MM27)** In addition, the reference to the development being necessary for the purpose of agriculture and forestry *within the farm unit* fails to recognise that a farming enterprise might reasonably relate to more than one farm unit. This could unduly constrain farming enterprises and a modification is necessary to delete this reference. **(DM MM28)**

Policy DM 2.8 (equestrian and other small rural land based activities)

211. This policy sets out appropriate criteria to assess proposals for equestrian uses and for the change of use of agricultural land to residential use. However, the policy title is misleading and the use of the term 'residential curtilage' is incorrect in this context given that it refers to a legal concept rather than a use of land. In addition, the drafting generally lacks sufficient clarity in terms of impacts. These matters should be corrected. **(DM MM29)**

Policy DM 2.9 (rural tourist and other recreational proposals)

212. This policy sets out broadly appropriate criteria for assessing such proposals. However, as drafted criteria (1) is overly restrictive in that it could be taken to mean that a proposal would only be justified where the location is unique and special *and* the proposal is necessary to the continued viability and enhancement of an existing attraction. This approach should be amended. In addition, the omission of the word 'not' in the 3rd bullet of (1) has the effect of reversing the intended meaning and this should be corrected. **(DM MM30)**

Policy DM 2.10 (conversion and re-use of buildings in the countryside)

213. The policy sets out appropriate criteria to assess such proposals. It reflects the preference in Policy 5 of the JCS for the re-use of rural buildings for commercial uses. However, it does not preclude residential use subject to specific criteria being met and so is suitably flexible.

Policy DM 2.11 (agricultural and other occupational dwellings in the countryside)

214. This sets out a generally appropriate framework for considering such proposals. However, amendments are needed to the supporting text explain the purpose of the 'financial test' and how it will be applied, **(DM MM31)** to clarify the policy approach with regard to established and new

enterprises and to delete the footnote referring to being within 'sight and sound' which has not been justified. **(DM MM32)**

Policy DM 2.12 (tourist accommodation)

215. This policy generally sets out appropriate criteria for assessing proposals for tourist accommodation. However, a modification is required to remove ambiguous policy wording. **(DM MM33)** The potential effect of such proposals on the character of the area is adequately covered by other policies (for example, DM 1.4 and 3.9) and so specific criteria do not need to be added.

Social dimension

Policy DM 3.1 (housing quality)

216. The policy requires that the gross internal floorspace of dwellings should comply with the detailed requirements set out in the supporting text. However, this is not consistent with the Government's approach to housing standards which allows the use of new national technical standards only if they address a clearly evidenced need and where the impact on viability has been considered.[206] This can be most readily rectified by deleting the policy and supporting text. **(DM MM34 and 35)**. However, some of the supporting text to Policy 3.1 relates to the achievement of the design principles set out in Policy 3.9 and so should be moved to later in the plan. **(DM MM44)**

Policy DM 3.2 (meeting housing requirements and needs)

217. As drafted the policy could be taken to mean that all housing developments should include a range of dwelling types to meet the requirements of different households. However, while larger sites might reasonably be expected to provide a mix of house types and sizes, it is not necessarily feasible or essential on smaller sites. Therefore, modifications are needed to the policy and supporting text to clarify what will be sought and to explain where the latest information on housing requirements can be found. **(MM DM36 & 37)**. A modification is also necessary to prevent sites being artificially divided to avoid or reduce the amount of affordable housing required under JCS Policy 4 and to avoid setting out requirements which duplicate JCS policy. **(MM DM37)**

218. The plans before me (DMPD, SSAPD and WAAP) do not include a policy which specifically relates to the use of mobile homes or caravans as permanent residential accommodation. However, these plans do not need to include a policy to cover all potential development types and any such proposals could be adequately considered against relevant local and national policies, for the time being at least. I appreciate that the national planning policy definition of gypsies and travellers has recently changed.[207] However, I have explained my approach regarding the assessment of housing needs earlier in this report. Accordingly, the question of whether or

[206] Written statement to Parliament – Planning update March 2015 and Updated PPG (para 9 on Climate Change)
[207] Updated version of Planning Policy for Traveller Sites published on 31 August 2015

not this change might have any effect on an assessment of needs is a matter for the Council to consider in the early review of the Local Plan or potentially through the continuing preparation of the Gypsies and Travellers Local Plan, should the Council consider that to be appropriate.

Policy DM 3.3 (meeting rural housing needs)

219. This policy sets out an appropriate approach to proposals for the provision of affordable housing on rural exception sites. The criteria are sufficiently clear.

Policy DM 3.4 (sites for gypsies and travellers)

220. As noted above, the Council is preparing a separate development plan document to allocate sites for gypsies and travellers. This policy is designed to provide a framework to allow consideration of proposals which come forward on non-allocated sites. Overall, the general approach and criteria are reasonable.

221. The policy criteria are divided into two types. The first are 'key considerations' that will be treated flexibly in the event there is a lack of alternative sites and a lack of 5 year supply. The degree of flexibility is adequately explained in the supporting text. The second are requirements. In this context, it is not appropriate to refer to 'the safety of occupants' as a consideration rather than a requirement. Amendments are also necessary to clarify ambiguous policy wording, to more clearly set out the approach where there are capacity problems in terms of infrastructure and services, to set out an approach to flood risk which is consistent with the Framework and to be clearer about the balancing judgement that will applied in decision making in the absence of a 5 year supply of sites and/or alternative sites. **(DM MM38)**

222. The Council has confirmed that the reference to a 'suitable route of access' could refer to safety and/or amenity issues.[208] This is acceptable.

Policy DM 3.5 (residential extensions)

223. This seeks to ensure that residential extensions and conversions are built to a good design and do not cause unacceptable impacts. The criteria are generally reasonable and sufficiently clear. However, the policy inappropriately confers development plan status on an SPD. It also includes a reference to *amenity* in criteria e) which lacks clarity. This could potentially be interpreted as duplicating criterion b) or, alternatively, as unnecessary attempt to protect occupants from the effects of their own extensions. These matters should be corrected. **(DM MM 40)**

224. The supporting text refers to circumstances where permitted development rights may be removed. However, the PPG advises that this should only be in exceptional circumstances.[209] A modification is necessary to make this

[208] Council's statement on Issue 25 question 245
[209] PPG ID 21a-017-20140306

clear. **(DM MM39)**.

Policy DM 3.6 (replacement and additional dwellings) and Policy DM 3.7 (house extensions and replacement dwellings in the countryside)

225. These policies generally set out appropriate criteria to assess these proposals and they are sufficiently clear.

226. However, Policy DM 3.6 inappropriately confers development plan status on an SPG. In addition, the supporting text should make it clear that conditions removing permitted development rights will only be imposed in exceptional circumstances as specified in the PPG. Accordingly, changes are needed. **(DM MM41)**

227. Policy DM 3.7 does not seek to impose any specific size limit on replacement dwellings in the countryside. However, the policy criteria are generally sufficient to help ensure that proposals would not have unacceptable adverse effects, subject to the addition of a reference to *appearance*. **(DM MM42)**

Policy DM 3.8 (residential annexes)

228. The policy is supportive of such proposals. This will help achieve a flexible use of the housing stock to meet needs.

229. The policy states that annexes must be designed in such a way that they do not facilitate severance to form a separate dwelling and that proposals which do not conform to this will be treated as independent dwellings. However, this fails to anticipate the possibility that some residential annexes could be designed in a way that could potentially support use as either an annexe or as a separate dwelling. In such cases, the key factor will be the way the accommodation is used, rather than its specific physical design or spatial relationship. Furthermore, as noted in the policy, planning conditions can be used to prevent use as a separate dwelling. Consequently, these requirements are unnecessarily onerous and should, therefore, be deleted. **(DM MM43)**

Policy 3.9 (design principles)

230. This policy sets out appropriate criteria to ensure that proposals are well designed and improve the character and appearance of an area where opportunities arise. This complies with the Framework.[210] However, modifications are needed to clarify when a masterplan will be required, to make it clear that the various requirements set out in criterion (3) will only be required *where relevant* to the proposed development and to introduce a general criterion requiring that internal space is suitable and adaptable, given that the policy setting detailed *standards* is to be deleted. **(MM DM45)** These changes will help ensure that the policy is applied with appropriate flexibility. As noted above, some of the supporting text to the deleted Policy 3.1 is relevant here and should be retained in the plan. **(DM MM44)**

[210] For example, in para 64

Policy 3.10 (advertisements and signs)

231. This policy sets out a reasonable approach to advertisements. However, criterion (3) should be revised to make it clear that, in line with the Regulations,[211] the only relevant considerations relate to amenity and safety and to correct an unduly prescriptive approach to illuminated advertisements. A change is also required to recognise that advertisements may be located on buildings. **(DM MM46)**

Policy 3.11 (promotion of sustainable transport)

232. The policy is somewhat broad brush and aspirational in nature. It may also have little direct relevance to some smaller developments. However, that does not make it unsound and it is an appropriate aim to seek to reduce the need to travel. However, the wording in criteria (2) is somewhat unclear and appears to duplicate (1). This should be rectified by a modification making clear the approach within the NPA. **(DM MM47)**

Policy DM 3.12 (road safety and the free flow of traffic)

233. The policy states that development will not be permitted where it endangers highway safety or prevents the satisfactory functioning of the highway network. This is reasonable.

234. Criterion (2) seeks to avoid development which would cause problems along the 'corridors of movement' shown on the Policies Map. These are predominantly 'A' roads which have a strategic function in terms of journeys. It is a reasonable objective to ensure that the safe and free flow of traffic on these routes is not prejudiced and to avoid siting development where it would lead to the use of the corridors for short local journeys.

Policy DM 3.13 (vehicle parking)

235. The policy inappropriately affords the Council's separate parking standards development plan status by requiring that development proposals should comply with them. Modifications are necessary to the policy and supporting text to resolve this and to comply with recent changes to the Framework.[212] **(MM DM 48 & 49)** These changes will help avoid an inflexible application of 'standards' regardless of the circumstances.

Policy DM 3.14 (amenity, noise and quality of life) and Policy DM 3.15 (pollution, health and safety)

236. These policies set out an appropriate set of criteria for assessing the effects of proposals relating to these matters. The term 'amenity' in DM 3.14 is adequately defined in the supporting text. The 250 metre threshold relating to contaminated land in DM 3.15 reflects the Environment Agency's threshold for consultation and Policy CS7 of the Norfolk Minerals & Waste

[211] The Town and Country Planning (Control of Advertisements) (England) Regulations 2007
[212] Written statement to Parliament – Planning update March 2015

Core Strategy.[213] It is, therefore, justified.

Policy DM 3.16 (outdoor play facilities and recreational space)

237. The requirement to provide open space and outdoor play facilities is reasonable, although off-site contributions are currently covered via CIL.[214] However, the policy inappropriately elevates supplementary guidance to development plan status. This should be rectified by deleting the reference in the policy, making it clear that open space will be required relative to the scale of the development and by adding clarification to the supporting text. In addition, to ensure consistency with the Framework, a change is needed to make it clear that a loss of space (in terms of quantity or quality) will only be accepted if there is a surplus. **(DM MM50 & 51**) Finally, the term recreational open space should be defined in the Glossary **(DM MM72)**.

Policy DM 3.17 (improving the level of community facilities)

238. The main aim of this policy is to ensure that development proposals do not involve the loss of important local services or facilities. However, if strictly applied the wording in DM 3.17 (1) would require a marketing exercise before any of the many services and facilities listed in the policy could be redeveloped or change their use regardless of the circumstances or location. This would be unnecessarily onerous and overly restrictive. This can be rectified by making it clear that changes of use will be permitted if adequate other facilities exist nearby or if there is evidence that there is no reasonable prospect of continued viable use. In addition, the use of the term 'similar' in (1) is ambiguous and should be deleted. **(DM MM52)**

Environmental dimension

Policy DM 4.1 (energy efficiency, carbon compliance and allowable solutions)

239. This policy sets out the Council's approach to contributions in relation to 'allowable solutions' measures. The main purpose of the policy is to require that developers offer 'first refusal' of such contributions to the Council, if it is running a scheme. However, this ran counter to the Government's original intention that the route would be for the house builder to choose.[215] Furthermore, the Government has now confirmed that it does not intend to proceed with the zero carbon Allowable Solutions offsetting scheme.[216] Therefore, the policy should be deleted. **(DM MM55)**

Policy 4.2 (renewable energy)

240. The policy does not accurately reflect the statutory duty relating to listed buildings or the policy in the framework relating to heritage assets. In particular, it uses different terminology and fails to refer to any planning

[213] Council's statement on Issue 25 – question 263
[214] Documents D7 and D11
[215] Next steps to zero carbon homes – Allowable Solutions – Government response and summary of response to consultation – July 2014 – para 8
[216] Fixing the foundations: Creating a more prosperous nation – July 2015

balance between harm and benefits. This should be corrected, including by providing clarification in the supporting text. **(DM MM56 & 57)**

241. The Written Ministerial Statement (WMS) regarding onshore wind was published in June 2015 after the consultation on main modifications had concluded. The WMS states that Councils should only grant permission for wind turbines if the site is in an area identified as suitable for wind energy in a local or neighbourhood plan. However, as drafted Policy 4.2 would result in wind turbines being granted planning permission if the benefits outweigh any adverse impacts, even though the plan does not identify any suitable areas. Consequently, the policy is not consistent with national policy and is unlikely to be effective.

242. In these circumstances the Council considers that the appropriate response is to amend the policy and supporting text to make it clear that it does not apply to wind turbines and that such proposals will instead be considered against national policy.[217] In addition, the Council intends to consider whether there are any suitable sites for wind energy in the early review of the plan. At this late stage in the examination, the Council considers that there are no reasonable alternative approaches that should be tested through further SA work. For the same reason, and because issues relating to the potential identification of areas are being deferred to another plan, the Council takes the view that it is not necessary to carry out public consultation on this change.[218] I agree with this position. The changes are set out in the modification referred to above. This is a pragmatic and reasonable response in the circumstances.

Policy DM 4.3 (sustainable drainage and water management)

243. The policy criteria are generally appropriate and seek positive contributions to amenity and biodiversity in line with the Framework.[219] However, as drafted it could give the impression that even small developments such as house extensions must be served by separate surface and foul water systems, even in areas with combined systems. This would be unduly onerous and should be corrected. **(DM MM59)** For the same reason, the supporting text should be amended to clarify when sewage treatment capacity assessments will be required. **(DM MM58)**

Policy DM 4.4 (facilities for the collection of recycling and waste)

244. The policy sets out appropriate requirements to ensure that new development provides facilities in a planned way to ensure they are effective and well designed.

Policy DM 4.5 (natural environmental assets)

245. The policy provides an adequate framework to allow consideration of

[217] Council's letter of 24 July 2015
[218] As advised in para 4.26 of Examining Local Plans Procedural Practice – The Planning Inspectorate December 2013
[219] Framework para 118

development proposals potentially affecting natural environmental assets and defined *important local open spaces*. However, to achieve clarity it is necessary to amend the policy by inserting the missing word 'sites' in criterion a) and to make it clear in criterion b) that the important local open spaces are those specifically listed in the supporting text. **(DM MM60)** In addition, the glossary definition of 'environmental assets' needs amending to provide greater clarity. **(DM MM72)**

246. The list of *important local open spaces* is not intended to cover all open spaces that might be worthy of retention. However, for the most part, I understand that such sites are covered by other plan policies such as DM 3.16 (outdoor recreational space) and in some cases they fall outside settlement boundaries where development is constrained, in particular, by Policy DM 1.3.[220] An example of this includes the Dell allotments at Trowse.

Policy DM 4.6 (landscape character and river valleys)

247. The policy seeks to protect landscape character and requires developers to take into account the South Norfolk Landscape Assessment which sets out key characteristics, sensitivities and vulnerabilities and development considerations. [221] This is a pragmatic approach given it would be difficult to replicate the extent of the Assessment in the Plan, although the areas are shown on Map 4.6. They appear to be appropriately defined. The words 'take into account' indicate a suitable level of flexibility and so allow a proportionate approach to be taken depending on the scale and potential impact of development. The policy therefore provides an appropriate framework for considering development proposals. This broadly complies with the Framework policy on landscape areas.[222]

248. However, modifications are required to clarify the policy wording so that it refers to 'significant' rather than 'serious' adverse impacts, to amend the supporting text to confirm that the policy will have particular relevance where proposals are located in distinctive and sensitive landscape areas and to refer to the most recent Landscape Assessment. **(DM MM61 & DM MM62)** In this context, it is appropriate to for the policy to specifically mention the Rural River Valleys and Valley Urban Fringe types because of the sensitivities and vulnerabilities which tend to apply.

249. Concerns have been raised that this policy has not been respected when deciding on development allocations. Policy POR 2 in Poringland and Framingham Earl was cited as one such example. However, given the scale of the housing requirement in the JCS and the rural nature of South Norfolk, it is inevitable that many allocations will be on greenfield, rural sites beyond existing built up areas. Landscape character is, therefore, one of many considerations to be taken into account when allocating sites. Furthermore, this policy, along with others in the plans, will help ensure that any potentially adverse effects of development on allocated sites are reduced or

[220] Council's statement on Issue 26 questions 282 and 283
[221] Document B164
[222] Para 113 of the Framework

mitigated.

Policy DM 4.7 (landscape setting of Norwich)

250. This policy designates a Norwich Southern Bypass Landscape Protection Zone (NSBLPZ), Key Views (towards Norwich), and Undeveloped Approaches and Gateways (to Norwich). The broad extent of these designations is justified by underpinning evidence.[223] The policy sets out an appropriate framework for dealing with development proposals and so will help protect the landscape setting of Norwich and important views. Although most of the gateways are outside the South Norfolk boundary, they are sufficiently close to justify a cross-border approach.

251. However, some changes are needed to the extent of the NSBLPZ designation as shown on the Policies Map[224] to ensure consistency between plans and to avoid including land which is developed or allocated for development within the zone. Consequently, land should be removed from the designation where it is allocated for development in the Cringleford Neighbourhood Plan and in the SSAPD at Trowse and Keswick. Land within the development boundary at Swardeston should also be removed from the zone. In addition, land at Colney Hall is not proposed for a development allocation and, given its location, should logically be included within the zone. **(DM MM69)**

252. Some development allocations have been made on land which could, in principle, have fallen within one or more of these various designations. An example, of this is at Trowse (TROW1). However, given the scale of the development requirements in the JCS and the required spatial distribution, this is not an unreasonable position for the Council to have arrived at. Indeed, the Norwich Southern Bypass Landscape Protection Zone is one of the criteria considered in the SA in respect of site selection and so weighed in the planning balance.

Policy DM 4.8 (strategic gap)

253. I have covered the extent of the two defined strategic gaps earlier in this report. The policy itself seeks to prevent development that would erode or undermine the openness of the gaps. However, to be effective, it is necessary to add further explanation to the supporting text to outline the types of development that are likely to be permitted in principle within the gaps. **(DM MM63)**

Policy DM 4.9 (protection of trees)

254. This policy sets out an appropriate framework for the protection of trees and hedgerows. However, as drafted the third criterion of the policy refers only *protected* trees. This fails to acknowledge that there may be other trees which are worthy of safeguarding and management. This should be corrected. **(DM MM64)**

[223] Document B162 – South Norfolk Landscape Designations Review
[224] Local Plan Policies Map and Map 4.7 in the DMPD

Policy DM 4.10 (incorporating landscape into design)

255. This policy sets out criteria to ensure that appropriate landscape schemes are provided. However, changes are necessary to the policy and supporting text to make it clear that the policy requirements will only be sought where *appropriate/possible* and to ensure that hard landscape features should reflect and *where possible enhance* local character. **(DM MM65 & 66)**

Policy DM 4.11 (heritage assets)

256. As drafted, the policy wording differs from that set out in the Framework. This could give rise to difficulties of interpretation when making development management decisions. Modifications are, therefore, necessary to the policy and supporting text to ensure effectiveness and consistency with national policy. I have made some minor changes to the modifications which were consulted upon to help achieve this. **(DM MM67 & 68)**

257. It is not appropriate to require that *all* development proposals must *enhance and better reveal the significance of heritage assets*, because that may not be feasible or reasonable in all cases. Indeed, the statutory duties refer to *preserving* listed buildings and their settings and to preserving *or* enhancing the character or appearance of conservation areas. (my emphasis in italics).

258. Given that this policy, as modified, deals with heritage assets in an effective way, it is not necessary for other policies in the plan to repeat these requirements. Nor is it necessary for the policy to specifically refer to archaeological remains as they are embraced by the term 'heritage assets'. Taken with other relevant site-specific policies in the plans, this policy provides a positive strategy for the conservation and enjoyment of the historic environment as required by the Framework,[225] even though it does not specifically refer to heritage assets which are most at risk. However, the Council has indicated that it would be content to add a reference to the 'Heritage at Risk Register' in the supporting text. However, this is not essential to achieve soundness.

Assessment of Soundness - Wymondham Area Action Plan (WAAP)

Main Issues

259. Wymondham is the largest settlement in South Norfolk and is identified as a growth location in JCS Policy 9.

260. I have already covered cross-cutting matters including in relation to potential constraints to growth in Wymondham,[226] the treatment of post-2008 commitments and the distribution of housing within the NPA, including

[225] Para 126 of the Framework
[226] In connection with the strategic gap, the historic setting of the abbey and town and secondary school infrastructure

the floating 1,800. In considering the various cross-cutting matters I have concluded that there is no compelling justification to plan for more housing in Wymondham to meet the JCS housing requirement than is set out in the WAAP. Overall therefore the amount of housing development proposed is appropriate to the settlement.

261. In my *Issues and Questions* for the examination I identified three broad issues in relation to the WAAP which can be paraphrased as follows.

> What were the main factors that justified allocating sites? Are there any factors that indicate that any sites should not have been allocated or that alternative sites should have been chosen? Are the chosen sites the most appropriate option given the reasonable alternatives?
>
> Are the detailed requirements for each of the allocations clear, reasonable and justified? Have site constraints been adequately addressed? Are the site boundaries correctly defined?
>
> Are the policies sound and are the development boundaries justified, logical and consistent?

262. I will consider these in the sections below, where relevant to the particular policy.

How was the AAP boundary defined and how were the vision and objectives arrived at?

263. The boundary covered by the WAAP has been appropriately drawn to include the main built up areas of the town. Smaller outlying settlements within the larger parish of Wymondham, including Spooner Row fall outside the boundary. This is a reasonable approach given that these villages are not named growth locations in the JCS. Instead, they are appropriately covered in the SSAPD. I can see no reason why this approach would have prevented occupants of these smaller settlements from being appropriately involved in the preparation of the WAAP.

264. The vision and objectives appear reasonable and have been informed by local consultation.[227] There is no evidence of significant constraints to development in terms of flood risk or wastewater capacity. Other potentially significant constraints are covered below.

Housing

Policies WYM 1 and 2 (housing allocations at Friarscroft Lane and Old Sales Yard, Cemetery Lane)

265. These allocations for 20 and 64 dwellings respectively are both located within the urban area, reasonably close to the town centre and other services. WYM 1 is owned by the Council and the site access road has already been provided as part of the development of the adjoining doctors'

[227] As set out in the Council's answer to question 113 in the examination statement on Issue 14

surgery.[228] WYM 2 has planning permission for housing development.[229] Accordingly, although these sites are both undeveloped 2008 JCS commitments, they appear capable of being developed within the plan period.

266. The policy reference in WYM 2 to an element of commercial use in addition to housing is reasonable given the central location close to the railway station and town centre. However, the policy does not require any specific quantity of commercial development and so is reasonably flexible on what would be provided.

Policy WYM3 (housing allocation at South Wymondham)

267. Due to the limited options for providing new development within the built-up area, meeting the JCS minimum target of 2,200 for Wymondham will inevitably involve the release of significant amounts of greenfield/agricultural land. In this context, some locations around the edge of the built up area will be more capable of absorbing development without significantly adverse effects than others.

268. Site WYM3 is one such location. The bulk of the proposed allocation lies immediately to the east of the substantial existing grouping of houses and other development along and around Silfield Road and Park Lane. To the south the allocation is bordered by the A11. This is a substantial landscape feature which marks a logical boundary to the extension of the town in this direction. To the north the site adjoins existing built development around Right Up Lane and The Lizard. Consequently, although the allocation is extensive and adjoins open land around the River Tiffey to the north-east, it is relatively contained in terms of its potential wider landscape impacts.

269. The northern parts of the site are fairly close to the town centre and other services, including the railway station and the B1172 corridor. The southern parts of the site are further away. However, even here, the distances are comparable with other more outlying parts of Wymondham, particularly to the north-east. Overall, opportunities to travel by means other than a car are reasonable. In addition, the development of the site is not significantly constrained by the historic setting of the town or the abbey and it is located away from the strategic gap between Wymondham and Hethersett.

270. The site is proposed for around 1,230 dwellings and so is expected to deliver a significant proportion of the minimum 2,200 dwellings required by the JCS. Consequently, it is particularly important that it is capable of being developed within the plan period. In this context, it is significant that two separate outline planning permissions have recently been granted for up to 500 dwellings and up to 730 dwellings with associated uses and infrastructure.[230] The Framework states that such sites should be

[228] Council's statement on issue 15
[229] Document D10
[230] Refs 2011/0505/O and 2012/0371/O – Document D47 and S106 legal agreements – Documents E5 and E6

considered deliverable unless there is clear evidence otherwise.

271. A significant potential constraint to development relates to Station Road/Silfield Road where it passes underneath the railway bridge near to the train station. This road provides the main connection between the site and the rest of the town and the wider main road network. However, it is prone to flooding where it passes under the bridge and this can cause serious disruption on a regular basis. In addition, the carriageway is relatively narrow and the arrangements for pedestrians and cyclists are not ideal. Quite rightly, criteria within Policy WYM3 require these matters to be resolved, including through improved pedestrian and cycle links to the station and town centre. The potential for these constraints to be overcome was the subject of much discussion at the hearings.

272. Both the permissions referred to above are subject to conditions requiring the improvement of highway drainage between the railway bridge and the River Tiffey before any dwellings are occupied. During the hearing session, I heard that this can be achieved by altering the outfall to the River Tiffey and carrying out works to re-lay drainage pipes within the adopted highway. This is also covered in the legal agreement provided in connection with the planning permissions referred to above.[231] I have no firm reason to conclude that the works are not feasible or that they would compromise the viability of the housing development. Indeed, when I visited the site on 11 August 2015 it was clear that these works are underway and I understand they are due to be completed by mid-September.[232]

273. It was also evident from what I heard at the hearing that considerable progress has been made in resolving the access issues relating to the road under the railway bridge. This would be achieved by means of a stepped process as set out in the legal agreement.[233] Initially, this requires that no more than 149 dwellings can be started until a traffic light 'signalling scheme' and related works have been completed. This is intended to help manage traffic flows under the bridge.

274. After this, no more than 750 dwellings could be started until a 'tunnelling scheme' has been completed. This would involve the construction of a new cycle and footway route under the railway to the west of the current bridge. Once this is complete, the existing carriageway under the bridge would be widened by removing the raised pedestrian footway. Provision is also made in the agreements to cover the possibility that Network Rail may choose to implement an alternative scheme that would involve a more substantial re-construction and widening of the existing bridge (the 'bridge scheme'). I was also told that the scheme is relatively straightforward in engineering terms and could take around 6 months to complete on site. I have no firm or compelling evidence to conclude otherwise. While some height restrictions could remain for vehicles, these would be unlikely to place any significant constraint on development or access.

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[231] Document E5
[232] Council's response to representations on proposed main modifications
[233] Document E5

275. The legal agreement includes illustrative drawings for these works and planning permission has recently been granted for the pedestrian and cycle subway.[234] While the permission requires commencement within 15 years, rather than the more usual three, this does not inevitably indicate it would take that long to implement. The Council's housing trajectory predicts that building 750 dwellings (the trigger for the 'tunnelling scheme') would take around 5 years to 2019/20.[235] This is a substantial period of time for the necessary agreements and arrangements to be finalised for the 'tunnelling or bridge schemes', including with Network Rail and for the works to be carried out. This would then allow the final 480 dwellings to be built. Given the progress made so far, there is a reasonable prospect that this is achievable.

276. I have no firm evidence to indicate that these works would compromise the overall viability of the housing scheme. Furthermore, it is unlikely the site promoter would have pursued a scheme this far if this were likely to be the case. In addition, I was told at the hearing that the Greater Norwich Growth Board has agreed to provide a loan to help advance the works.[236]

277. It is not for me to comment on the detail of the works, the planning permission or the legal agreements. However, they do help demonstrate that the access constraints are capable of being overcome and that there is a reasonable prospect that a substantial part of the allocation will be deliverable, and the remainder developable, within the plan period.[237] The Council is forecasting that 50 dwellings would be developed in 2015/16, 100 dwellings in 2016/17 and 200 in each of the five subsequent years. Even if commencement were delayed, say to 2016/17,[238] this is unlikely to materially affect the availability of a 5 year supply of land across the NPA or prejudice the achievement of the JCS housing requirement within the plan period.

278. The completion of these works, as well as removing a constraint to development, would also significantly improve accessibility for existing people living and working in south Wymondham. Although carrying out works of this nature can be disruptive, this would only be for a temporary period.

279. It has been suggested by some that primary vehicle access should instead have been direct to the A11. However, an arrangement of this sort would result in a development that would not be fully integrated into the town and so is not a desirable option.

280. The permissions referred to above are subject to a planning obligation which makes provision for around 15% of the dwellings to be affordable.[239] In

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[234] Document E4
[235] Document D44b
[236] This is also referred to in the Council's statement on Issue 15 – question 127
[237] As defined in footnote 11 to para 47 in the Framework
[238] For example, to allow reserved matters applications to be approved and pre-commencement conditions discharged.
[239] Document E6

contrast, JCS Policy 4 states that the target proportion is 33% on sites of 16 dwellings or more. However, the JCS policy allows for this percentage to be reduced if the site characteristics, including infrastructure provision, would render the site unviable in prevailing market conditions. Furthermore, there is no firm evidence in front of me to indicate that the various omission sites proposed by objectors would have been capable of delivering significantly more affordable housing at the time permission was granted for this site. Even if there were, I am not convinced it would tip the balance in favour of any of the omission sites. In any case, WYM 3 now has planning permission.

281. The SA indicates that housing growth to the south has less potential for Bus Rapid Transit than development to the north or west.[240] However, given the reasonable proximity to the main bus corridors within Wymondham, this is not a matter which weighs very heavily against the site being allocated for development.

282. Policies WYM 3 and WYM 10 include criteria that will help ensure that the site is integrated into its landscape setting and that heritage assets and biodiversity interests will be adequately protected, including on the adjoining Lizard County Wildlife site.

283. Policy criteria also require the provision of improved pedestrian and cycle links, open space, retail and community facilities and a site for a new primary school, in line with JCS Policy 10. These are reasonable requirements given the size of the allocation and sufficiently clear. It is possible that the provision of a primary school could also have been secured by pooling contributions from several smaller alternative housing sites. However, there are advantages in planning for the provision of a school in connection with a single housing development of this size, in terms of deliverability, accessibility and as a community focus. The requirement for the development to include provision for a care home is consistent with JCS Policy 7 which seeks provision in Wymondham.

284. The site boundaries are generally appropriate. However, a change is needed to the Policies Map to amend the allocation and development boundary to exclude a relatively small area of land which is not included within the recent planning permissions and is not within the control of the site promoters. Accordingly, there are some uncertainties over whether it could be delivered. **(WAAP MM10)** This is unlikely to have any significant effect on the overall numbers of dwellings delivered through this allocation.

Policy WYM4 (retirement care community at Wymondham Rugby Club Site) and WYM 14 (relocation of Wymondham Rugby Club)

285. The allocation reflects a fairly recent planning permission for a retirement care community and is appropriately located for this purpose. It is also consistent with JCS Policies 4 and 7 which refer to some provision for care homes and housing with care being required in Wymondham. Given that

[240] Document C43 page 88

planning permission has been granted there is a reasonable prospect such development could come forward. However, a modification is necessary to clarify that a care community could consist of various elements, including a nursing home, retirement homes/apartments and a doctor's surgery or some mix of these and other accommodation. **(WAAP MM11)** In addition, the boundary of WYM 4 should be amended to exclude a small area of land which is not controlled by the site promoter and so which may not be deliverable. **(WAAP MM12)**

286. Policy WYM 4 makes it clear that development is dependent on the re-location of the rugby club. An appropriate site has been reserved nearby under Policy WYM 14, appears suitable for this purpose and has planning permission.[241] This should help ensure the continuity of the club. However, Policy WYM14 should be amended so that it also confirms that the new facility must be provided before the existing is lost. **(WAAP MM 21)** It is possible that other sites might prove equally suitable for re-location and this is also recognised in Policy WYM 4. The plan is therefore suitably flexible on this matter.

287. The allocation for the retirement care community (Policy WYM 4) is, in part intended to help facilitate the relocation of the rugby club. I heard at the hearing session that the club is a well-used community facility with an active junior section but that it is constrained by the number and quality of the pitches. I appreciate that relocation to a larger and better site may need some funding from enabling development and that, in this context, market housing might deliver a larger financial contribution than a care community. However, I have concluded above that there is no compelling justification to allocate more land for general housing in Wymondham in order to meet the housing requirement or to achieve an appropriate spatial distribution between settlements and the site does not have any clear cut locational advantages over the three allocated sites. Furthermore, the allocation for a retirement care community does provide some potential support for relocation. In this context, the plan is not unsound and there is insufficient justification to justify allocating the site for unrestricted housing use.

Policy criteria – Policies WYM 1, 2, 3 and 4

288. The policy criteria are generally acceptable and should help ensure that satisfactory developments are achieved without any significantly adverse effects, including on designated heritage assets, especially when considered alongside other relevant development management policies. However, in all four policies amendments are required to remove the unclear reference to 'affordability' given that JCS Policy 4 sets out the target proportions for affordable housing. In addition, the references to design and energy efficiency standards should be removed in line with recent Government policy.[242] Wording that inappropriately elevates recreational open space guidelines to development plan status should also be deleted. Amendments

[241] The planning permission is referenced in para 5.17 of the WAAP
[242] Written statement to Parliament – Planning update March 2015

are also necessary to clarify the contributions that will be required from these developments. In this regard a requirement to provide fire hydrants is unlikely to significantly increase development costs.[243] The other requirements relating to library and education provision would be covered by CIL, as they are included in the Regulation 123 list.[244] Consequently, they do not represent an additional cost to development. In addition, in relation to WYM 3, it is necessary to amend the policy to ensure that the setting of the Lizard Conservation Area is protected, and to clarify what is required in terms of the new primary school. **(WAAP MM6, 7, 10 & 12)**

Omission sites - housing

289. Representors have argued that several 'omission' sites should be allocated for housing. Indeed, some of these sites were previously proposed for housing by the Council during earlier stages of the plan making process.[245] However, I have already concluded that there is no compelling reason to allocate additional sites in Wymondham and that the three proposed allocations are all justified and capable of being developed. Accordingly, omission sites could only be preferred if they are of sufficient merit to justify replacing an allocated site.

290. Several potential 'omission' sites have been advanced to the north/north-east, west, south-west and south of Wymondham. This includes land to the north of Tuttles Lane (and to the east of Spinks Lane and including the site of WYM 14), to the north of Gonville Hall, off Cavick Lane/Bradmans Road (including Site 1151a) and east of Strayground Lane. Some of these would be sizeable allocations capable of accommodating many dwellings. However, they could also be considered in smaller parcels, for example as the Council has done in the SA Addendum.[246]

291. There is no clear cut evidence to indicate that these sites would not be deliverable or developable within the plan period and various merits have been advanced in support of all of them. For example, some representations and illustrative layouts variously advance the provision of open space, sports pitches, country parks, pedestrian and cycle links and provision for primary and secondary education, local centres, employment and a cemetery.

292. In most cases, it may well be that satisfactory highway access arrangements could be provided along with reasonable access to bus services. It is also clear that, where these have been carried out, the various indicative master planning exercises have given consideration as to how the development of these sites might minimise their effect on landscape and heritage assets.

293. However, all of the locations mentioned above are predominantly greenfield

[243] Council's and County Council's statements on issue 15, response to questions 122 and 123
[244] Document D7
[245] Including Site 567 which is now proposed to be allocated for a retirement care community (Policy WYM 4), adjoining land (Site 176) and Site 1151a (off Preston Avenue)
[246] Document E36

sites which would extend development beyond the built up area, and significantly so in some cases. Generally, most of these sites are less well contained in landscape terms than WYM3. Consequently, there is a risk of a significantly greater effect on the character and appearance of the countryside surrounding the town, including through encroachment. Furthermore, the landscape to the south and south-west of the town is particularly sensitive given it provides a rural setting to the abbey and the historic town. In addition, the effect on other designated heritage assets in this arc stands to be taken into account, including at Gonville Hall. While this does not necessarily prevent development in this broad area, it is nevertheless a significant constraint. In addition, none of these sites have clear cut locational advantages over the sites which are proposed for allocation. For example, in broad terms, they are not significantly closer to the town centre or railway station.

294. Other land has also been put forward for allocation, including for example at Wymondham Delivery office and as a small extension to WYM3. In terms of the former, there appear to be no firm plans to redevelop the delivery office site and, in any case, it is located within the built-up area where any re-development proposals would be considered against appropriate plan policies intended for that purpose. As allocated, WYM3 is of sufficient size to provide the required numbers of houses and there is no clear justification for enlarging the allocation.

295. For these reasons, and taking the potential benefits into account, there is no compelling justification to allocate any of the omission sites, including in smaller parcels, in preference to any of the allocated sites. Nor is there any clear justification for pursuing an approach based on allocating more smaller sites. Other potential omission sites are also covered in the section on the development boundary below.

Employment

Overview

296. The plan includes three allocations of land. The main new allocation is WYM 5 which extends to 22ha in size. However, given the need for extensive landscape planting particularly around its periphery only around 15 ha is likely to be developable. WYM 6 and 7 represent appropriately sized extensions to existing successful employment locations.

297. This is consistent with the JCS which seeks around 20 ha of land, including a new allocation of 15 ha[247] and with the evaluation of broad options set out in the SA which concludes that these three sites are the preferred options.[248] I have no evidence to indicate that these sites are not capable of being developed or to indicate that there are any significant constraints that cannot be overcome.

[247] JCS Policy 9 refers to new general employment opportunities, including a new allocation of around 15ha and the supporting text in para 6.12 refers to around 20ha of employment land.
[248] Document C43 – pages 92-93

298. Along with the existing employment locations in the town, these sites should provide sufficient opportunities for employment development within the plan period, including for smaller users. Accordingly, there is no clear justification for allocating any additional land.

Policy WYM 5 Land at Browick Road

299. The site is located close to existing concentrations of employment uses at Ayton Road and has good access to the A11 via the adjoining roundabout junction and slip roads. It is sufficiently far away from housing to avoid potential conflicts given the intervening railway line.

300. The site is greenfield and in agricultural use. However, there are few site options which would offer similar close access to the A11. Furthermore, the site is adjoined by the railway line and housing estates to the north-west and by the A11 to the east which marks a logical boundary to the expansion of the town in this area. Consequently, it is well-contained in landscape terms and reasonably well related to existing development. In addition, it is already bisected by Browick Road.

301. The policy criteria and requirements are sufficient to ensure that the site could be developed without significantly adverse effects, including on the nearby Lizard county wildlife site. The extensive landscape buffers required are justified in this context and given that this will be a 'gateway' into the town.

Policy WYM 6 Land adjacent Chestnut Drive Business Park and Policy WYM 7 Land at Elm Farm Business Park

302. Both of these sites are reasonably well related to the main road network. WYM7 is located to the east of the settlement, but would not unduly intrude into the strategic gap between the Wymondham and Hethersett.

303. The policy criteria and requirements are generally sufficient to ensure appropriate forms of development could be achieved and potentially adverse effects mitigated. However, a requirement for buffer planting and to limit hours of use should be added to WYM 6 to ensure that the living conditions neighbours are not prejudiced. **(WAAP MM13)**

Omission sites - employment

304. I am not convinced that any alternative sites offer sufficient locational or other benefits that would justify allocation in preference to the preferred sites. This includes land off Strayground Lane and to the south of the existing industrial uses on Silfield Road, which could potentially be developed as an extension to the Bridge Industrial Estate. I accept that some of this land may previously have been developed, that there are some existing employment uses on Strayground Lane and that it might be feasible to provide a safe highway access to Silfield Road or Park Lane and/or to upgrade Strayground Lane. However, this land does not have particularly close or straightforward access to the A11. While development here could potentially bring some improvements for pedestrians and cyclists, access

along Strayground Lane would not provide a particularly direct route from south Wymondham towards the centre of the town, particularly when compared to the existing main route. Consequently, this would not justify an allocation here.

Environment

Policies WYM 8 (green infrastructure) and WYM 9, 10 and 11 (green infrastructure in the north, south and west respectively)

305. The surrounding countryside (the 'Kett's Country Landscape') provides an attractive rural setting to the town. In this context, the four policies aim to ensure that development protects and enhances green infrastructure and that the effects of development are mitigated. However, as drafted some of the policy criteria appear somewhat broad and aspirational in nature. On this basis modifications are required to clarify how they will be put into practice, including through CIL and to make it clear that the various policy requirements (including ecological links, habitat connectivity, public access, ecological assessments and so on) will only be required *where appropriate/relevant*. **(WAAP MM14, 15, 16, 17 and 18)** Criteria in other policies (for example, WYM 3) will also help achieve the plan's green infrastructure and connectivity aims.

306. Policy WYM 10 sets out an intention to bring Oxford Common into active management and to provide public access to it. It also seeks the creation of hedgerows, ponds and woodland in south Wymondham. It is very unclear whether all these projects are achievable. For example, I was told at the hearing that Oxford Common is used by a tenant farmer and that there is no formal public access. Accordingly, reference to these specific projects should be deleted and replaced with wording which indicates an intent to explore green infrastructure projects in this location. **(WAAP MM17)**

307. The River Tiffey flows through the town. To the north-west it lies well outside the development boundary and to the south-east it will pass between the proposed developments at WYM3 and WYM5. However, a sufficiently wide corridor of open land will be retained around it and both allocations include requirements for landscape buffers. Policy DM 4.6 also seeks to protect the effect on the landscape character of river valleys. Consequently, the river and its valley setting will be adequately safeguarded in line with JCS Policy 10. Finally, it is evident that relevant parties are working together to help ensure the long term delivery and maintenance of green infrastructure.[249]

Recreation

Policies WYM 12 and 13 (existing and new recreation provision)

308. Policy WYM 12 seeks to protect existing recreation and amenity land and sets out the specific circumstances when development might be permitted.

[249] Council's statement on Issue 17 Question 150

The criteria are generally appropriate. However, a change is needed to clarify the approach to development which could involve the loss of playing fields. **(WAAP MM19)**

309. Policy WYM 13 sets out the general requirements for open space for new housing development, including on WYM 3. Overall, the approach is reasonable. However, the policy inappropriately confers development plan status on separate open space standards. This needs to be corrected, particularly given the standards date back to 1994 and the Council has indicated its intention to review them.[250] Instead, it should be made clear that the open space required will be commensurate with the level of development proposed. **(WAAP MM20)**

310. The supporting text includes an assessment of open space in Wymondham against the Council's open space standards. This was carried out in 2007 and so may not be up to date. However, the date of the work is made clear in the plan and so what is presented is not factually incorrect. The Council has confirmed that it intends to carry out a new study, probably in 2015.[251] I have no reason to doubt that the Council will make development management decisions on the basis of current circumstances and no modification is required.

Policy WYM 14 (this is covered earlier along with Policy WYM 4)

Policy WYM 15 (new burial ground)

311. The plan recognises that a new burial site may be needed within 6 to 8 years. However, it does not identify any specific site. Objectors have suggested possible locations for a new burial ground, for example, land off Preston Avenue[252] or as part of a housing scheme advanced at Gonville Hall. However, I have not been provided with any comparative assessment of potential sites or their deliverability, particularly if divorced from proposed housing developments put forward as omission sites. Consequently, it would not be appropriate for me to recommend a particular site. However, the fact that possible sites have been put forward provides some indication that there is a reasonable prospect that a suitable site might be found. On this basis a criteria based policy is appropriate and the criteria would allow a suitable site to be selected.

Town centre and retail

Overview

312. The JCS refers to the expansion of the town centre and to the potential for moderate expansion to convenience and comparison shopping.[253] However, there is no specific requirement in terms of additional floorspace.

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[250] Council's statement on Issue 18 Question 156
[251] Council's statement on Issue 18 Question 157
[252] SA Site 1151a
[253] JCS Policy 10 and para 6.43

313. The Wymondham Retail Strategy 2012[254] concluded that the town centre is performing well, that there are no physical opportunities to extend the primary shopping area within the town centre and no need for any further allocations to accommodate comparison retailing. This is because the study concluded that the leakage of comparison shopping to Norwich is appropriate given Wymondham's role as a second tier centre. Furthermore, additional out of centre competition within the town could have adverse effects on the town centre, particularly over the next few years given the current economic climate and retail trends, including the growth in internet trading.[255]

314. In this context, the town centre boundaries and primary shopping area are appropriately defined and the latter reflects the main concentrations of retail uses. The retail study concluded that given the scale of the centre and the composition of uses there was no justification for defining separate primary and secondary frontages. I have no reason to disagree.

Policy WYM 16 (changes of use in town centre and primary shopping area)

315. The policy provides an appropriate framework for considering changes of use in these locations. The requirement to retain 50% of ground floor units in A1 uses with the primary shopping area and 45% in the rest of the town centre is reasonable and should help ensure the vitality of the centre is maintained without being unduly restrictive. However, changes are needed to ensure that the policy refers to all A1 uses and not just specifically to shops and to clarify the wording in criterion b). **(WAAP MM22)** The recent changes to the Town and Country Planning (General Permitted Development) Order do not justify any change to this policy.

Policy WYM 17 (historic character of town centre)

316. The overall intent of this brief policy is reasonable. However, it does little more than replicate the overall aims of national policy and Policy DM 4.11 (heritage assets) which, taken together, will provide an appropriate framework for decision making. Furthermore, WYM 17 is not as detailed as these policies and the terminology is different. To avoid unnecessary duplication and to ensure effectiveness it should, therefore, be deleted. **(WAAP MM24)** However, it is necessary for the WAAP to include text explaining the overall approach in Wymondham towards heritage matters in the town centre and to provide a cross reference to the relevant policy. **(WAAP MM23)**

317. It has been put to me that there should be a specific policy relating to the abbey and the town centre. However, I can see no reason why the potential effects on heritage assets could not be appropriately considered in against the Framework, Policy DM 4.11 and JCS Policy 2. Consequently, separate policies are not necessary to achieve soundness. Furthermore, many site specific policies within the WAAP include criteria relating to

[254] Document B145
[255] Document B145 - paras 7.8 and 7.9

heritage assets (for example, WYM 1, 2 and 3).

Policy WYM 18 (sequential approach for retail)

318. The policy supports the development of retail, service, office and other town centre uses within the town centre. This is appropriate. The policy also sets out the approach to sequential and impact assessment. In doing so it duplicates the thresholds set out in Policy DM 2.4 which I have concluded are reasonable elsewhere in this report.

Policy WYM 19 (supermarket at Norwich Road/Postmill Close)

319. The 2012 Study concluded that there was a need for additional convenience floorspace and that a site should be allocated in the most preferable edge or out-of-centre location.[256] I also understand that there was local support for a second supermarket in the town.[257]

320. The Council was unable to identify any suitable edge of centre sites and, as a result, three out of centre options were considered.[258] The allocated site was preferred because of its better connection to the town centre. I have no reason to conclude differently. In any case, a supermarket has now been built and opened on the site. Evidently, therefore, the development was deliverable and the 'more difficult' car access issues referred to in the plan have been resolved.

321. The policy criteria are somewhat academic given that the supermarket is open. However, the reference to *affordability* has little relevance in terms of retail development and so should be deleted. In addition, the references to design and energy efficiency standards should be removed in line with recent Government policy.[259] **(WAAP MM25)** I understand that the allocation does not fully reflect the area of land covered by the planning permission for the supermarket. However, I can see no compelling reason why the boundary should be amended and discrepancies of this nature do not necessarily make the plan unsound.

Accessibility and transport

Overview

322. This section of the plan provides information about walking, cycling, bus, rail and road travel. This includes Bus Rapid Transit and proposed improvements to the Thickthorn (A11/A47) road junction as referred to in JCS Policy 10. I understand that these specific projects would primarily be funded from CIL[260] and other sources.[261] However, the Council has advised that a Highway Agency study for the JCS examination concluded that the

[256] Wymondham Retail Strategy 2012 – Document B145
[257] Council's statement on Issue 19 – question 167
[258] Document B144
[259] Written statement to Parliament – Planning update March 2015
[260] Although in some cases relevant planning permissions were granted before CIL was adopted
[261] Council's statement on Issue 20 question 177

level of growth proposed in Wymondham would be unlikely to have a detrimental effect on the operation of the A11.[262] The overall approach to transport and accessibility is reasonable and specific criterion within allocation policies should help ensure the overall plan objectives are achieved.[263] Despite some local concerns, I have not been presented with any firm evidence that would justify providing more land for parking in or around the town centre.

Policy WYM 20 (new station for Mid-Norfolk Railway)

323. The Mid-Norfolk Railway Preservation Trust was established with the aim of restoring the disused railway line between Wymondham and Dereham. This policy seeks to protect land for a new station and this is necessary to help ensure that the project is successful. As with many projects of this kind, delivery is dependent on securing funding and agreements. In this context, a statement that the new station could be operational by late 2014 was optimistic. However, this does not undermine the justification for safeguarding the land.

324. The area allocated seems reasonable and I have no reason to conclude that more or less land would be justified. Nor is there any firm evidence to indicate that the scale of potential visitor numbers would justify any significant upgrading or alterations to local roads or further allocations for development.

Development boundary

325. The development boundary generally includes the main built-up areas and allocated and committed sites. This is a reasonable approach.

326. It has been argued that land to the south of Cemetery Lane and along Strayground Lane/Whartons Lane should be allocated for development and, by implication, included within the development boundary. However, despite the presence of some existing development and the urban fringe location, the area has a rural or semi-rural feel, particularly when considered in the context of the nearby cemetery and the largely undeveloped land around the River Tiffey to the north. Furthermore, there is no compelling need to allocate more land for development in Wymondham. Accordingly, there is no clear justification to amend the development boundary in this location.

327. Policy WYM 21 sets out the approach to proposals inside and outside of the development boundary. However, it duplicates Policy DM 1.3 and in doing so uses different wording. Consequently, the policy is unnecessary and to ensure effectiveness it should be deleted. **(WAAP MM26)**

Joined up strategy

328. The objectives seem reasonable and are reflected in individual policies.

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[262] Council's statement on Issue 20 question 177
[263] As set out at the top of page 53 of the WAAP

Recycling

329. JCS Policy 10 refers to the provision of an expanded waste recycling facility in Wymondham. The town is currently served by the existing facility on Strayground Lane and the WAAP does not make provision for anything additional to this. However, the statutory responsibility for waste planning lies with the County Council and not with South Norfolk Council.[264] Accordingly, the need for any additional facility is one which stands to be to be considered by the County Council, potentially through the preparation or review of a site allocations document covering waste and recycling facilities. Consequently, the omission of a site from the South Norfolk plans does not make them unsound.

Assessment of Soundness - Site Specific Allocations and Policies Document (SSAPD)

Overview and main issues

330. I have already covered cross-cutting matters relating to the treatment of post-2008 commitments and the overall distribution of housing. In considering the various cross-cutting matters I have concluded that there is no compelling justification to plan for more housing to meet the JCS housing requirement and that the overall spatial distribution is appropriate and justified.

331. In my *Issues and Questions* for the examination I raised the same three broad issues which I have already set out above for the WAAP. I also asked whether the amount of development proposed was appropriate to the settlement and its position in the spatial hierarchy. I will consider these questions in the sections below as far as they are relevant to particular policies, allocations and settlements.

332. The opening section of the plan includes tables listing the allocations and some commentary. Changes are needed to correct the number of dwellings at SCO1 and to provide the correct figures for Poringland. **(SITES MM 4 & 5)**

333. Each site allocation policy sets out criteria. In most cases it is clear that these are intended as requirements. However, for some policies the drafting is somewhat vague in its intent. For example, Policy EAS 1 refers to the need to *address* criteria. Changes are needed to ensure effectiveness and consistency. **(SITES MM50)**

334. A number of policies (eg HIN 1) require a landscape buffer of 10m in width. While landscaping is an appropriate requirement in these locations the exact measurement is overly prescriptive and a more flexible approach is required. **(SITES MM54)** It has been suggested that these policies should also allow for the landscape buffer to be provided outside the allocation boundary. This might, or might not be a possible option in some cases.

[264] Council's statement on Issue 21 question 183

However, it is not a change that would be necessary to achieve soundness.

335. Unless otherwise referred to the policy criteria are generally reasonable and should help ensure that any constraints are dealt with and that a satisfactory form of development is achieved. Similarly, allocation boundaries appear reasonable unless specifically referred to.

Easton and Costessey (Major Growth Location in the NPA)

Policies EAS 1, COS 1 and COS 2

336. Policies EAS 1 (900 dwellings) and COS 1 (500 dwellings) are intended to provide a substantial volume of housing in accordance with JCS Policy 9. This categorises Easton and Costessey as a focus for major growth and development and requires a minimum of 1,000 dwellings to be provided.[265]

337. Both allocations would involve the use of substantial areas of greenfield agricultural land. However, they are both reasonably well located in relation to existing development. EAS 1 represents an extension to the settlement of Easton and COS 1 lies to the east of the A47 where it adjoins recent housing development. Furthermore, given the constraints including the presence of the A47, there are few if any realistic options close to built-up areas which might deliver a similar quantity of development.[266]

338. Overall the policy requirements, including in terms of infrastructure and master planning, are clear and reasonable for allocations of this size. For example, EAS 1 requires the provision of a new village centre, as sought by JCS Policy 10, and both allocations require primary school provision. The reference to a post office at EAS 1 is reasonable given this currently operates from the village hall. In addition, COS 1 requires the provision of 5.5 hectares of green infrastructure which is allocated as COS 2. The allocations are both capable of being safely accessed and the policy criteria are generally sufficient to ensure that a satisfactory form of development can be achieved without harmful effects.

339. However, there is one exception to this. St Peter's Church is a listed building located immediately to the north of the western extent of EAS 1. The need to protect the setting of the church is recognised in the policy. However, changes are required to provide clarity and to ensure that the policy is effective. This can be achieved by amending the policy criteria to ensure that any application is accompanied by an assessment of the significance of the heritage asset, the extent of its setting and the contribution the setting makes to its significance. In addition, the policy needs to make it clear that sufficient open space will be retained to the south, south-east and south-west of the church in order to safeguard its setting and that of the adjoining Diocesan House and Vicarage. Although these latter buildings are not listed, they are located within attractive grounds which make a positive contribution to the character and

[265] Policy 9 requires a minimum of 1,000 dwellings in Easton/Costessey and possible additions to named growth locations to provide the float of 1,800.
[266] Documents C23 and D25

appearance of the area. **(SITES MM9)** The precise requirement for open space in this part of the site will depend in part on the outcome of the assessment of significance referred to above and it is not appropriate to attempt to identify an exact area of land in the plan. However, given the overall size of EAS1 and the assumed low development density[267], there is sufficient flexibility within the allocation to ensure that the setting of these buildings is protected without significantly reducing the overall numbers of houses that could be built. Accordingly, it is not necessary to alter the extent of the allocation.

Policy EAS 2

340. This policy safeguards an area of land for the Easton Gymnastics Club which has outgrown existing facilities at the nearby Easton College. This is a reasonable objective and the site is deliverable given that it is owned by the College.[268] However, the Policy should acknowledge that other sites might also be suitable for a gymnastics development, potentially as part of the overall master planning of EAS 1. This will provide necessary flexibility. **(SITES MM10)** It is not necessary or appropriate for the plan to specify technical gymnastics standards the facility might conform to.

Policies COS 3, COS 4 and COS 5.

341. COS 4 provides a framework for assessing proposals within the existing Longwater area which includes a mix of employment, retail and leisure uses. COS 3 allocates some 13 ha of land for employment uses at Longwater on plots which are well related to existing development. These policies will help achieve the consolidation of activity through the intensification and completion of the existing allocation as required by JCS Policy 9.

342. Generally, the policy criteria are appropriate. However, some changes are needed to ensure clarity and effectiveness. COS 3 and 4 should both be amended to clarify the 'other employment uses' that will be acceptable in principle. **(SITES MM12 & 13)** In addition, as drafted COS 4 sets out an overly onerous and inflexible approach to redevelopment. For example, it requires that *any* change of use would only be accepted if the site has been marketed for six months. This can be corrected by amending the policy so that changes of use will be allowed if appropriate marketing has taken place *or* the area is adequately served by the type of use that would be lost. **(SITES MM13)** This will help ensure that an appropriate variety and mix of uses is achieved to help serve local and wider needs, including visitors to the Royal Norfolk Showground and those who live in the surrounding areas.

343. Allocation boundaries are generally appropriate. However, a mapping error should be corrected to ensure that there is no conflict between COS3 and the adjoining County Wildlife Site. **(SITES MM11)**

344. Policy COS 5 sets out generally appropriate criteria to manage applications

[267] EAS 1 assumes a density of around 17 dwellings/ha
[268] Council's statement on Issue 28 question 28

for development at the Royal Norfolk Showground. However, as worded, the policy would prevent *any* development which would erode the open character. However, some built development may be needed to safeguard or enhance the role of site for tourism, recreation and business. Indeed, there are already some buildings on the site and the plan notes that permission has recently been granted for a hotel. This objective can be achieved by amending the policy so that it is clear that proposals which *significantly* erode openness will be resisted. **(SITES MM14)**

Omission sites

345. Several alternative sites have been advanced, including around the village of Costessey.[269] These would extend beyond the proposed development boundary and none are of sufficient size to be seen as a realistic alternative to EAS 1 or COS 1. While some of these sites might be capable of being developed none have such significant advantages that they should be preferred for allocation. Furthermore, some of these sites would significantly intrude into the landscape surrounding the village.[270] The existence of a planning permission granted at appeal on one of these sites does not alter this conclusion. Indeed, the Inspector concluded that there would be substantial environmental harm but that this would not outweigh the benefits given the serious deficiency of housing land when the appeal was determined in 2012.[271] However, given the plan is aiming to provide a 5 year supply and sufficient land to meet the JCS housing requirement, the same planning balance does not apply here.

Hethersett (Major Growth Location in the NPA)

Policies HET 1, HET 2, HET3 and HET 4

346. JCS Policy 9 identifies Hethersett as a focus for major growth with a minimum requirement of 1,000 dwellings through allocations, with potential to contribute to the floating 1,800. This would be delivered through Policies HET 1 (1,080 dwellings) and HET 4 (106 dwellings). These are both substantive greenfield allocations and HET 1 would involve the development of a large swathe of agricultural land to the north of the settlement. However, realistic options to accommodate this amount of development are limited given the strategic gaps to the east and west and the B1172 to the south which generally marks a logical southern boundary to the settlement.[272] Furthermore, relatively few site options appear to have been advanced by site promoters on land immediately to the south of Hethersett across this road.[273] Overall, there do not appear to be any alternative sites which could offer significant advantages over the preferred sites. In addition, the sites at HET 1 and HET 4 both now have planning permission

[269] For example, as advanced in representations 22499, 22793 and 22521 (sites 0750a, b and c)
[270] For example, sites 0750a and representation 22793
[271] Document E7 - Land at Townhouse Road (appeal ref APP/L2630/A/12/2170575) – the Inspector's overall conclusions including in respect of 5 year housing land supply are set out in paras 70-74.
[272] Documents C23 and D25
[273] Map 046 – Maps for Cabinet Meetings

and there is no firm evidence to indicate that they are not deliverable or developable within the plan period.[274]

347. The policy requirements, in terms of infrastructure and master planning, are reasonable for allocations of this size and sufficiently clear. For example, HET 1 requires the provision of community facilities and both allocations require school provision. Both sites appear capable of being safely accessed and the policy criteria are generally sufficient to ensure that a satisfactory form of development could be achieved without harmful effects. However, to be effective, HET4 should be amended to clarify landscaping and footpath requirements and to refer to the recent planning permission. **(SITES MM18)**

348. Policy HET 2 allocates land for extra care housing in line with JCS Policy 4 and the site is reasonably located for this use. The policy criteria are generally appropriate. However, changes are needed to make it clear that highway access to HET 2 may need to be from HET 1 and that, for this reason, the two sites should be master planned together. **(SITES MM15 &16)**

349. Policy HET 3 relates to an area of open land between allocations HET 1 and HET 4. It is unlikely to be suitable for any significant built development due to the presence of significant archaeological remains as referred to in the policy. It was clear from the discussion at the hearing that the Council's aim is to keep this land undeveloped, with the exception of an access road to HET 1 along the edge of the site, and to allow for the possibility of it being used as open space for HET 1. Although this is a reasonable approach, it is not very clearly expressed in the policy. In order to be effective, this should be rectified. **(SITES MM17)**

350. Issues relating to the strategic gaps around Hethersett have been considered earlier in my report.

Hethel

Policies HETHEL 1 and 2

351. Hethel includes the head office and factory for Lotus Cars and the Hethel Engineering Centre. HETHEL 2 allocates 20 ha of land for advanced engineering and technology and ancillary uses. This is consistent with JCS Policy 9 which identifies Hethel as a strategic employment location and requires an expansion of activity, including a technology park of this size. Despite the rural location, the site has good access to the A11. The policy criteria are reasonable and should help ensure a satisfactory form of development is achieved.

352. Policy HETHEL 1 applies to both the new allocation and the existing Lotus Cars site. It supports development for advanced engineering and technology. This is appropriate given the nature of the existing uses, the need to make best use of the location and the aim of JCS policy.

[274] Document 10a and Statement of Common Ground between the Council and Bidwells representing Hethersett Land Ltd.

Colney

Policies COL 1, COL 2 and COL 3

353. The Norwich Research Park, which includes the Norfolk and Norwich University Hospital is located in Colney. It is defined as a strategic employment location in the JCS Policy 9.

354. Policies COL 1 and COL 2 allocate around 43 ha of land for science park development. This is somewhat less than JCS Policy 9 which refers to around 55 ha. However, this higher figure was based on an assumption that the allocation would include land at Colney Hall which is not now proposed for allocation and where the net developable area would have been comparatively small. Having regard to recent outline planning applications it would appear that sufficient floorspace could be provided through the proposed allocations.[275] I have no reason to doubt this is the case. Indeed, the SOCG confirms that the allocations will provide sufficient land to meet anticipated requirements in the plan period.[276]

355. Policies COL 1 and 2 generally set out reasonable criteria to manage development in relation to the new allocations, including in terms of transport. Policy COL 3 relates to the existing hospital and science park sites and deals with the possibility of redevelopment. However, as drafted the policy requires that *any* redevelopment must comply with *all* the criteria in Policy COL 1. While this might be reasonable for any significant re-developments, it may not be appropriate for smaller scale proposals. For example, a small scale redevelopment might not justify a master planning exercise or improvements to public transport. Amendments are needed to ensure that a proportionate approach will be taken. **(SITES MM19)**

Trowse with Newton (Norwich Fringe parish within NPA)

Policy TROW 1

356. Trowse is defined in JCS Policy 12 as an urban fringe parish within the Norwich urban area. This places it in the top tier of the settlement hierarchy as set out in para 6.2 of the JCS. Policy 12 indicates that in these locations opportunities will be sought to identify land to contribute to the smaller sites allowance in Policy 9 (i.e. the floating 1,800).

357. The potential for development in Trowse is constrained by several factors including the close presence of the A47 and A146, the River Yare, the wooded land to the north-east and the village's conservation area status. In this context, taking into account permissions for housing on other sites in the area,[277] the TROW 1 allocation for around 150-160 dwellings is towards a reasonable broad upper limit for the settlement during the plan period.

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[275] Council's statement on Issue 31 – answer to question 46
[276] SOCG between Council and others on COL 1 and COL 2
[277] The SSAPD refers to planning permissions on the Deal Ground and former May Gurney sites, including within Norwich City.

358. I appreciate that the village has relatively few services. However, it does have a village shop, a primary school and some other local facilities. It is also within a reasonable walking distance of the central areas of Norwich and so reasonably close to a wide range of shops, entertainment and other services as well as to employment opportunities. I appreciate that the walk to and from Norwich involves walking along busy roads and crossing busy junctions, for example between King Street and Bracondale and at the Martineau Lane roundabout. However, this is not unusual in urban locations and I was able to see on my site visits, including in the morning, that a number of people were making this journey on foot. In addition, there appear to be reasonable options to use public transport. Therefore, in terms of access to services this is a sustainable location.

359. Trowse was developed as a model village by the Colman family in the late 19th century and it retains much of its unique and original character. This is reflected in its conservation area status. A key issue therefore is the potential effect of housing development on the character, appearance and setting of the conservation area.

360. The allocation would result in the loss of the agricultural fields immediately to the south-west of the village. However, I can find nothing in the Conservation Area Character Appraisal (CACA)[278] that clearly indicates that the bulk of this land should be kept open and undeveloped in order to protect the setting of the village. Indeed, the sections on the form, character and setting of the village focus mainly on the model village itself, although reference is made to the importance of the woods on the steeply rising land to the north and the River Yare, common and meadows to the north-west which are not proposed for development. Furthermore, despite a review in 2010, the bulk of the fields to the south-west of the village were not included within the conservation area.

361. To the east, the allocation adjoins newer housing development on Devon Way and Charolais Close. To the west development would be separated from existing buildings in the village by the allotments. Consequently, development would be unlikely to adversely affect the character or appearance of the older parts of the village which contain the main groupings of listed buildings, buildings of townscape significance and historic railings and walls. Nor would the development intrude into any areas of open space identified on the natural character map in the CACA.

362. The CACA does refer to the need for the farmland within the Conservation Area along the south-east side of White Horse Lane to *remain so, in order that the form of the "model village" is not further 'blurred'*. However, only a relatively narrow strip of farmland on this side of the road lies within the Conservation Area and it cannot be inferred from this that the wider area of land forming TROW 1 should be kept open. Nevertheless, this does emphasise the importance of maintaining the character and appearance of this section of White Horse Lane, in relation to the setting of the village and the approach to it. As it stands, the relevant policy criterion refers to how

[278] Document D51

the development *fronts onto* White Horse Lane. This lacks clarity and could be seen as supporting built development up to the road edge. Consequently, to be effective, the policy should be modified to ensure that development is *sufficiently set back* from White Horse Lane to ensure a satisfactory appearance and to protect the character of the approach to the village. **(SITES MM21)** In addition, the precise extent of the Conservation Area in this location should be made clear on the Policies Map. **(SITES MM22)**

363. The main vehicular access would be from White Horse Lane and development of this scale would inevitably increase the volume of traffic passing through the village and the Conservation Area, primarily along White Horse Lane and the section of The Street leading to the Martineau Lane roundabout. However, the scale of this increase is unlikely to give rise to any significantly adverse effects given that these are already main routes

364. It is possible that a second access point could be adequately designed in highway safety terms. However, to protect the character of the conservation area, it is important that the proposal does not significantly increase traffic in the quieter parts of the village to the north-east of the allocation (for example, along The Street or the roads that lead off it). As it stands the policy requires that the *primary vehicular access* should be from White Horse Lane. It is, however, unclear what broad scale of development might be accepted from any *secondary* access point. To be effective, the policy should be amended to indicate that only very limited access may be possible from Hudson Avenue and, only then, if it would not harm the character and appearance of the conservation area. **(SITES MM 21)** This phrase is sufficiently precise to allow a reasoned consideration of this issue when making development management decisions.

365. The allocation adjoins existing development to the north and the A47 and A146 to the south and west. These roads have had the effect of severing the village and the proposed allocation from the wider surrounding rural landscape. Consequently, because the allocation is contained in landscape terms, any visual effects on the wider area will be limited. In addition, the development would not intrude upon the valley of the River Yare and the sense of separation between the village and the outskirts of Norwich would be retained. Due to the topography and existing landscape planting, development would not appear unduly prominent when viewed from along the A47 or A146. Consequently, there is no compelling justification to amend the *Undeveloped Approach* along the A146 as it passes the site.[279] I have considered the relationship with the *Norwich Southern Bypass Landscape Protection Zone* earlier in this report.

366. The allocation will result in more vehicles using the Martineau Lane roundabout. This is already congested, particularly during rush hours as I was able to see on my site visits. In addition, there will be further traffic from the development of the former May Gurney site and the Deal Ground, as referred to in the supporting text to the SSAPD. I appreciate from what was discussed at the hearing that improving the capacity of the roundabout

[279] Policy DM 4.7

would not be easy despite the existence of a criterion in TROW1 which makes provision for development to contribute towards such improvements. However, traffic congestion of this nature is not unusual on main approach roads and at junctions in busy urban areas and, while congestion can be inconvenient and frustrating, it is not necessarily unsafe. In any case, this disadvantage needs to be balanced against the benefits of providing additional housing in a sustainable location in accordance with the JCS. Finally on this matter, I note that the County Council, as the highway authority, has raised no objections to the allocation.

367. The policy requires 1.4 ha of land to be made available for the provision of a new primary school. This is a reasonable requirement given the amount of housing that is proposed and given that the potential to expand the existing primary school is limited due to physical constraints. The policy will help ensure that a school is provided in a location that would be accessible to all those living within the village. Furthermore, I can see no clear evidence that the re-location of the school or the creation of a larger school potentially serving a wider area need have any adverse effect on the quality of education or cause any other significant problems, including in terms of traffic. Realistic options to locate a new school elsewhere are limited, given the constraints already referred to.

368. In all other respects the policy criteria are reasonable and should help ensure that a satisfactory form of development is achieved. Despite the concerns raised, there is no firm evidence to indicate that the presence of the adjoining 'A' roads would lead to unacceptable living conditions for occupants in terms of noise.

369. Finally, I have no reason to doubt that the allocation is capable of being delivered within the plan period. Indeed, the site now has outline planning permission.[280] Taking all of the above into account, the amount of development is appropriate to the location and the site could be developed without significantly adverse effects.

Policies Map

370. The Policies Map should be amended to remove the overlap between the development boundary and the Broads Executive Area and to correct a mapping error relating to the development boundary on the northern side of the allotments. **(SITES MM22)**

Policy TROW 2

371. This policy allocates land for a park and ride site. This is appropriate given the location on the urban fringe and in a busy road corridor into Norwich. However, to be effective the plan should include some supporting text to explain the purpose of the allocation. **(SITES MM20)**

[280] Planning permissions ref 2013/0463 and 2014/0981 - SOCG between Council and Norfolk Homes

Diss (Main Town in Rural Area)

372. Diss is identified in the JCS as a main town located outside the Norwich Policy Area. JCS Policy 13 states that the town will accommodate a minimum of 300 additional dwellings, the significant expansion of town centre uses in or adjacent to the centre and employment growth to meet the needs of the town and its rural catchment. In this context, the supporting text refers to around 15 ha of employment allocations. Overall, this scale of development is unlikely to create any significant traffic problems, including in terms of congestion, and I have no reason to conclude that any of the allocated sites are not capable of being developed within the lifetime of the plan. I have covered more general issues relating to the overall need for employment land and viability earlier in this report.

Housing

373. The plan allocates four sites for housing development (Policies DIS 1, DIS 3, DIS 4, DIS 5). In addition, two mixed use allocations include some provision for housing (Policies DIS 6 and DIS 7). The Council estimates that these sites could accommodate around 230 dwellings.[281] Taking into account completions between 2008 and 2013 and commitments in 2013 on sites which are not specifically allocated and which did not form part of the JCS 2008 commitment, it is likely that something over the JCS target could be achieved during the plan period.[282]

374. The four housing allocations are all well related to the existing settlement. DIS 1 lies well within the development boundary, DIS 4 is adjoined by existing housing to the west and south and DIS 3 is adjoined by housing to the north and east. DIS 5 is a brownfield site on the eastern side of the town, part of which was previously a haulage depot. The policy criteria are reasonable and should help ensure an appropriate form of development is achieved. I have no reason to doubt that the criteria would be applied with reasonable flexibility.

Policy DIS 2

375. This policy allocates land for open space, green space and a riverside walk. This is appropriate given the location alongside the river and given that much of the site falls within flood zones 2 and 3. The scheme will in part be implemented through contributions from the mixed use developments on the adjoining sites at DIS 6 and DIS 7. However, the supporting text also indicates that any proposal for a very small amount of residential development in the part of the site within flood zone 1 would be considered on its own merits. It was clear from the discussion at the hearing that the Council's intention is for this to be 'enabling' development to help ensure the open space and riverside walk is provided. Consequently, modifications are needed to make this clear. This can be achieved by amending the policy and supporting text to make clear the scale of housing development

[281] Document D10a and E2a
[282] The various sites with planning permission listed on pages 16-17 of Document D10a

that would be acceptable, its location and the enabling purpose. **(SITES MM23 & 24)**

Employment

376. Policies DIS 8, DIS 9 and DIS 10 provide nearly 11 ha of land for employment development. This is below the figure in the supporting text to JCS Policy 9 but not significantly so. These three allocations are appropriately located on the eastern side of Diss where the main existing concentrations of employment uses are located and with reasonable access to the A-road network.

377. I appreciate that DIS 8 is located close to housing development and could, in principle, be suitable for residential development. However, it is important that the plan makes sufficient provision for employment development in line with the JCS, particularly given the role of Diss as a market town serving a large rural catchment.[283] I have not been made aware of any alternative sites that would be clearly better suited to deliver employment development than any of the three preferred sites and allocating DIS 8 for housing would mean that the plan would provide significantly less employment land than is sought by the JCS.

378. The policy criteria are generally appropriate. However, a change is needed to the first bullet point of DIS 8 to clarify that uses are restricted to B1, rather than just referring to the outline planning permission. This is appropriate given the proximity to housing. **(SITES MM25)** The Council has proposed an additional modification to delete the erroneous reference to the HSE exclusion zone.[284] However, this factual correction is not a soundness issue.

Policies DIS 6 and DIS 7

379. These policies allocate around 4 ha of land primarily for retail, leisure, offices and housing (the latter limited to 25% of the site areas). This is consistent with the JCS which identifies a potential for further comparison goods floorspace and which seeks a significant expansion of town centre uses and the mixed use redevelopment of brownfield land along Park Road.[285] Taken together these sites are located on the edge of the defined town centre area and I have not been made aware of any sequentially preferable sites. In this context the policy criteria are appropriate.

Development boundaries

380. Some minor changes are needed to the development boundary to include houses at Potash Lane/Fen which can reasonably be regarded as falling within the settlement. In addition, a discrepancy to the boundary on the eastern side of Diss should be corrected where a sizeable building has been inappropriately excluded. **(SITES MM26)**

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[283] JCS paras 6.38 and 6.39
[284] SITES AM19
[285] JCS Policy 13 and paras 6.39 and 6.75

Omission sites

381. A number of representors have advanced alternative sites or locations for housing development.[286] However, none of these have clear locational or other advantages that mean they should be allocated in preference to any of the site considered above. For example, the sites to the north of Heywood Road would involve the development of agricultural land on the edge of the settlement and development on Factory Lane or nearby sites could lead to some degree of coalescence between Diss and Roydon. Nor are these options located significantly closer to the town centre or main employment areas than the preferred sites.

Harleston (Main Town in Rural Area)

382. Harleston is identified in the JCS as a main town located outside the Norwich Policy Area. JCS Policy 13 states that the town will accommodate a minimum of 200-300 additional dwellings, limited expansion in or adjacent to the town centre and expansion based on existing employment areas. The supporting text advises that the potential for new shopping floorspace might be accommodated through modernising and extended existing premises but that small allocations will also be considered. I have no reason to conclude that any of the allocated sites are not capable of being developed within the lifetime of the plan or that there are any significant constraints that are not capable of being overcome, including in terms of drainage. Development of this scale is unlikely to lead to any significant traffic or highway safety problems.

Policies HAR 1, HAR 2, HAR 3 and HAR 4

383. The three housing allocations would provide for a little over 240 dwellings. This is consistent with the JCS. All three sites are well related to existing development and located reasonably close to the town centre and other services. HAR 2 is allocated to provide open space for HAR 1 and both policies make appropriate linkages. HAR 4 is located next to a proposed employment site (HAR 6). However, this is recognised in the plan and both policies require appropriate buffering and screening. The other policy requirements are reasonable. I am not aware of any alternative allocation options which should be preferred on their merits, including in locational terms.[287]

Policy HAR 5

384. This allocates a little over 1 ha of land for mixed use, including B1 employment uses, health and community facilities and a small-scale foodstore. This retail element is consistent with the JCS and development of this limited scale is unlikely to have any significantly adverse effects on the vitality or viability of the town centre which is within a reasonable walking distance. The floorspace limit of 270m^2 is reasonable in this context

[286] Including as set out in my Issue 33 – question 80
[287] Document D25

and I have not been made aware of any sequentially preferable sites. The unit size and the requirement for a single operator both align with the conclusions of the Retail and Town Centres Study which informed the JCS.[288] However, it should be made clear that the floorspace figure is *net* and the mix of uses should be clarified. **(SITES MM27)**

385. This Study also anticipated the possibility of a higher floor space provision of up to 820 m^2 for smaller supermarkets/discount foodstores. However, I agree with the Council that accepting this higher floor space figure for out-of-centre retail development could have an adverse effect on the vitality and viability of the town centre. Indeed, additional floorspace of this amount would exceed the size of the existing town centre supermarket.[289]

386. There may be some opportunities to provide for retail expansion within the town centre, including at the existing supermarket. However, given the town's historic character and form,[290] I have insufficient evidence to justify any particular allocation within the town centre generally or specifically in relation to the existing supermarket. Nevertheless, any planning applications seeking the expansion of existing town uses, including at the existing supermarket, would stand to be considered on their own merits against relevant national and local policy.

Policies HAR 6 and HAR 7

387. These sites provide something under 6 ha of land for employment development. This is consistent with the JCS. Both are located close to existing employment uses towards the south of the town and have good access to the A143. The policy criteria are appropriate. I am not aware of any preferable options. Limiting the uses at HAR 6 to B1 and B2 (rather than including B8) is appropriate given the proximity to existing and proposed housing.

Poringland/Framingham Earl (Key Service Centre in the NPA)

Housing – Policies POR 1, 2, 4, 5, 6 and 7

388. Poringland is identified as a key service centre in the JCS and Policy 14 refers to the allocation of land for 100-200 dwellings. However, taking into account permissions on allocated and un-allocated sites, the SSAPD in effect makes provision for a somewhat higher figure of around 470 dwellings as set out in Documents D10a and E22. This takes into account capacity on allocated sites and planning permissions on sites which are not specifically allocated for housing. In addition, some of the 2008 JCS commitment sites have not yet been fully developed, although these have not been included in this total.[291]

389. The amount of housing proposed significantly exceeds the figure stated in

[288] Document B68 – pages 145-150
[289] Council's response to representations on modifications
[290] Document B68 – para 13.119
[291] Council's statement on Issue 35 – question 99 and Document 10a

the JCS. However, JCS Policy 14 does allow for a higher number to help deliver the 'floating 1,800' and, therefore, the total housing requirement. In doing so, it sets no ceiling on numbers.[292] Furthermore, the settlement has a good range of services, including shops, GP surgeries, schools and other community facilities.[293] It is also relatively close to Norwich which offers a wider range of services and employment opportunities. On this basis, the overall numbers are justified.

390. The allocations at POR 1, POR 2, POR 4 and POR 7 are all reasonably well related to the existing settlement, taking into account its rather irregular spatial form. Planning permissions having been granted for housing on all these sites in recent years and POR 4 & POR 7 are under construction.[294] The recent permission at POR 1 has had the effect of increasing the potential yield from 200 to 250 dwellings. This should be reflected in the policy. **(SITES MM28 and MM29)** POR 6 is intended to provide open space in connection with POR 4 and 7 and the policy criteria make appropriate linkages.

391. POR 5 is allocated for a care home specialising in dementia. However, planning permission was granted for housing on the site in 2013 and development is now underway. Consequently, there is no realistic prospect of a care home being delivered. However, permission has been granted for a 40 bed dementia unit as an extension to an existing care home at Claxton which is located reasonably close to Poringland and Loddon.[295] This is consistent with JCS Policy 7 which seeks an expansion of care home provision specialising in dementia care in several locations including at '... *Loddon and/or Poringland.'* For clarity and to reflect existing circumstances, it is necessary to delete allocation POR 5 and instead to show the site as a housing commitment. **(SITES MM31 & MM6)**

Employment – Policy POR3

392. Some 4.3 ha of land is allocated at POR 3 for employment uses falling within Class B1 in line with JCS Policy 14 which promotes local employment opportunities. This is a reasonable use of the site given it is already partially occupied by two substantial communication masts and ancillary buildings.[296]

393. The site is located close to housing and an equestrian use[297] both of which are sensitive to potential noise and disturbance. To some degree neighbouring uses will be protected by limiting development to Class B1.[298] However, in order to safeguard local amenity, modifications are necessary

[292] Although para 6.6 of the JCS states that "the smaller sites will be less than the 1,000 dwellings or more identified at strategic growth locations …"
[293] Page 100 of the SSAPD and Document D25
[294] Document D10a
[295] Document E18
[296] One of the masts is shown 'inset' from the allocation
[297] Pine Lodge School of Classical Equitation
[298] Given the definition in The Town and Country Planning (Use Classes) Order 1987 – "being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit."

to remove the reference to the site being potentially suitable for B8 uses (which can be disturbing through the number of vehicle movements), to ensure that development is compatible with adjacent equestrian use (as well as with housing) and to require that an appropriate landscape buffer is provided. **(SITES MM30)** Subject to these changes, I can see no reason why the allocation would prejudice the continuing operation of the equestrian use or the living conditions of neighbours.

394. The operator of the equestrian use contends that the owner of POR 3 does not have access rights for the allocated development. However, the Council has advised that the landowner takes a different view and has noted that a conveyancing deed appears to provide a right of way at all times and for all purposes.[299] It is not for me to resolve a private legal disagreement between parties about access or the maintenance of that access. However, on the balance of the evidence available, there is insufficient reason for me to conclude that the site is not capable of being accessed or developed.

395. The site has been excluded from the development boundary. Given the sensitive location and the constraints on development this is not unreasonable and would provide additional controls in the event of any subsequent re-development proposals.

Omission sites - housing

396. Omission sites have been advanced north of Long Road (part of a former RAF camp) and at Shotesham Road to the west of POR7. Part of the former site now has planning permission and the Council is treating it as a commitment. Accordingly, it should be shown on the policies map and listed in the plan. **(SITES MM6 & 53)**

397. The site advanced at Shotesham Road would represent a significant extension of the settlement into the countryside which would affect its rural setting when approached from the west. In addition, it does not have any clear locational benefits that make it preferable to any of the allocated sites. Given that Poringland is being proposed for significantly more housing development than the 100-200 dwellings referred to in the JCS there is no clear justification for allocating additional housing land. I appreciate that the site promoter has offered to provide a mixed use development including amongst other things sustainable energy generation, employment opportunities and open space. However, this does not provide a sufficient justification for an allocation in these circumstances. I am not aware of any other potential sites which are clearly preferable to the allocated sites.

Hingham and Loddon/Chedgrave (Key Service Centres)

398. Both settlements are identified in the JCS as key service centres outside the NPA.

[299] Document E19

Housing

399. Policy HIN 1 provides for around 95 dwellings in Hingham. This is consistent with JCS Policy 14 which seeks land for approximately 100 dwellings. Development here would involve the use of greenfield agricultural land on the edge of the settlement. However, the site is adjoined by housing to the north and west and so potential wider landscape effects are relatively limited. In addition, the policy requirement to provide landscape belts on the southern and eastern boundaries will help mitigate any adverse visual effects. The site is also within a reasonable distance of the facilities in the town centre.[300] Given the location, the density proposed is appropriate.

400. Policy LOD 1 provides for approximately 200 dwellings in Loddon. This is consistent with JCS Policy 14 which seeks to allocate land for 100-200 dwellings. This site is also greenfield agricultural land on the edge of the settlement. However, it does adjoin built development to the east and south and is contained within the A146 to the west which marks a logical boundary for any extension to the settlement in this direction. Furthermore, the requirement for a landscape belt along the western boundary and the provision of natural green space to the north will help soften the visual impact of the development, including when seen from along the A146. Furthermore, a central part of the field in which the allocation would stand has already been developed for a medical centre, which is shown as being inset from the allocation.

401. In terms of location, the site is within reasonable walking distance of the town centre[301], schools and the new medical centre. Accordingly, it is likely that most occupants would make use of these facilities. Development of this scale is unlikely to create traffic or road safety problems, particularly given the policy requirements to improve the junction of George Lane and the A146 and to enhance cycle and pedestrian links to the town centre. Given that most potential site options in Loddon would be fairly close to the A146, I can see no particular reason why this site, in particular, would encourage car based commuting. Although the site is located close to the A146, I can see no reason why occupants would not be able to enjoy satisfactory living conditions, given the requirement for a landscape buffer and the relatively low assumed density.

402. The site now has planning permission, the area of which extends beyond the western allocation boundary and up to the A146.[302] Given this is now a commitment, it is necessary to amend the allocation and development boundaries to reflect the permission. In addition, for clarity, the supporting text and policy should be amended to reflect the revised site area and to refer to the permission. **(SITES MM32)** However, the overall number of dwellings remains unchanged at 200. I have not been made aware of any significant issues about school capacity in either settlement which could not

[300] Referred to in the SSAPD as the Central Business Area
[301] Referred to in the SSAPD as the Central Business Area
[302] SOCG between Council and Halsbury Homes Limited

be overcome.

Employment – Policies HIN 2 and LOD 2 and 3

403. JCS Policy 14 seeks to promote local employment opportunities in these settlements. The supporting text specifically refers to encouraging local jobs in Hingham through considering the need to expand the existing industrial estate. The JCS does not refer to any specific quantity of land.

404. Policy HIN 2 represents a logical extension to the existing Hingham Industrial Estate. Although on the edge of the settlement the site is well screened by existing planting.

405. Policies LOD 2 and LOD 3 also represent logical extensions to the existing concentrations of employment uses in the south-east of Loddon where there is good access to the A146. These allocations are consistent with the JCS. LOD 2 is in a prominent location and the requirement for a high quality design minimising visual impact and the limiting of uses to B1 and B2 is therefore appropriate.

Development boundaries

406. The development boundaries are generally appropriate. However, some changes are required in Loddon/Chedgrave to correct various mapping errors, discrepancies and inconsistencies, including in relation to the Broads Executive Area, the Express Plastics site and the town centre. **(SITES MM33 & 34)**

407. There was discussion at the hearing about whether land to the south of Hardley Road and to the east of Pits Lane in Chedgrave should be included within the development boundary and/or allocated for development. However, despite the presence of some buildings on and around this land, it has a rural feel. Nor does it offer a viable alternative to LOD 1 in size or location. Consequently, a change would not be justified.

Omission sites

408. Alternative development sites for housing have been advanced by representors. However, these do not have any clear locational advantages over the allocated sites. For example, in Hingham, using land north of Hardingham Road would extend development into the countryside. It would also be further away from the town centre than HIN 1.

409. In Loddon, some of the land to the east of High and Low Bungay Roads stands outside flood zones 2 and 3 and so could potentially be developed. This site is greenfield land but I accept that the landscape impacts would be relatively contained given the presence of surrounding development and the A146 to the south. I can see little between this site and LOD1 in terms of traffic generation in the village but I appreciate that the agricultural land quality may be better at LOD 1. However, the omission site is no closer to the town centre and is further away from the schools and new medical centre. Looking at all these factors in the round, the omission site is not clearly preferable as a residential site. Furthermore, LOD 1 now has

planning permission and there is no clear justification for bringing forward additional housing land in these settlements given the JCS target figure has been achieved. Nor is there any firm evidence that additional employment land is needed beyond the allocations at LOD 2 and 3. Consequently, while this site was allocated for employment use in the 2003 South Norfolk Local Plan this does not, in itself, justify its inclusion in this plan.

410. Alternative options to accommodate the required amount of housing in Loddon and Chedgrave are constrained by various factors, including in terms of flood risk, conservation areas and the presence of the A146. Nevertheless, I accept that there are potential options to distribute new housing between several smaller sites in preference to the larger allocation at LOD 1. However, I can see no clear benefits that would justify this option. In addition, as noted above, LOD 1 now has planning permission.

Service Villages (in the NPA)

Overview

411. The SSAPD includes nine service villages within the Norwich Policy Area. JCS Policy 15 states that, in these settlements, land will be allocated for small-scale housing development. The supporting text envisages 10-20 dwellings. The plan provides for something around these numbers in Bramerton, Surlingham and Tasburgh and so, in these settlements, is consistent with the JCS.

412. In the other 6 settlements the numbers envisaged in the JCS would be exceeded.[303] However, Policy 15 states that the service villages in the NPA may be considered for additional development to help meet the 'smaller sites allowance' in Policy 9 (ie the 'floating 1,800). The supporting text also notes that further allocations may be considered if necessary to meet the total housing provision target and to help improve or maintain local service provision and that additional development may also take place on suitable exception, infill and windfall sites. Furthermore, the JCS does not set any explicit upper limit for these settlements. Consequently, despite the indicative figures, the JCS provides considerable flexibility over the housing numbers that might be provided. In this context, it is important to note that some service villages are larger than others and have more services. Accordingly, the ability of individual settlements to accommodate additional housing will vary.

413. I have already concluded that the plans would provide sufficient housing to meet the JCS target but that the *safety margin* within the NPA is fairly small. Given this and the need to contribute to the floating 1,800, there is a sound justification for exceeding 10-20 dwellings in some of these settlements. In addition, there is a benefit in terms of providing affordable housing and potentially in safeguarding the vitality of settlements. Overall, the extent to which the JCS range is exceeded is a matter of judgement depending on the particular circumstances that apply.

[303] Documents E2a and 10a

414. JCS Policy 15 does not seek any specific allocations for employment development in these villages and none are proposed (with the exception of BRAM 1 which includes B1 use). Policy DM 2.5 seeks to protect local shops as required by JCS Policy 15.

Bramerton, Surlingham and Tasburgh

415. The housing allocations at BRAM 1, SUR 1, SUR 2 and TAS 1 are all reasonably well related to the existing development and there is no compelling requirement to add further allocations of housing land. The capacity figures appear reasonable, but in any case are approximate only and so allow some flexibility. TAS 1 allows for the expansion of the adjoining school should that be necessary.

416. There is no clear justification for any additional allocations and none of the omission sites advanced in these settlements have such significant merits that they should be allocated in preference to any of these allocations. For example, even if access arrangements could be resolved, the omission site to the north of BRAM 1 is currently open greenfield land, whereas BRAM 1 was previously occupied by buildings. In Tasburgh, the site advanced at Low Road is located well outside the development boundary and away from the main concentrations of buildings.

Little Melton

417. In addition to Policy LIT 1 (20 dwellings) planning permission has recently been granted on two further sites.[304] With these commitments, a total of around 60 additional dwellings is planned for. Given the services and facilities available in the village[305] and the proximity to Norwich this is not unreasonable and is unlikely to give rise to any significant issues in terms of highway safety or traffic, including at the village cross roads.

418. The recent planning permission for LIT 1 extends beyond the allocation boundary to the south. Given this is now a commitment, the allocation and development boundaries should be amended on the policies map and the policy and supporting text changed to reflect the increased site area. However, there has not been any change in overall housing numbers on this site. Reference should also be made in the supporting text to the two sites with planning permission referred to above, including at Gibbs Close. **(SITES MM35)** I have explained earlier in this report why it is appropriate that commitment sites such as this are identified as such in the plan (see **SITES MM6**). Consequently, it is not necessary for them to be specifically shown as allocations.

Mulbarton/Bracon Ash

419. Bracon Ash is the smaller of the two settlements and the allocation of 20 dwellings under Policy BRA 1 is reasonable given the services and facilities available in the village and the close proximity to Mulbarton. The site is

[304] Permissions at Gibbs Close and Mill Road – Documents D10a and E2a
[305] Page 123 of SSAPD

reasonably well related to the settlement given that it adjoins housing on the opposite side of the B1113 to the west and the long rear gardens to houses on Hawkes Lane to the east. Consequently, development would not compromise the character or appearance of the area. Given the limited numbers of houses proposed there are unlikely to be any significant traffic problems. The omission site advanced to the rear of The Street and Hawkes Lane (the old nurseries site) does not have any clear locational advantages over the allocated site.

420. Policy MUL 1 proposes an allocation of 150 dwellings in Mulbarton. The site adjoins development to the north and east and is reasonably well related to the settlement and to local facilities, including the supermarket along Cuckoofield Lane. The policy notes that significant highway works may be needed to improve visibility. However, I have no reason to doubt that this would be feasible. Development of this scale is unlikely to cause any significant traffic or highway safety problems.

421. The Council has recently granted planning permission for a larger site area including land to the south of MUL1, increasing the numbers to 180.[306] This is a strong indication that the site is deliverable and, given this is now a commitment, the allocation and development boundaries should be amended to reflect this permission. In addition, for clarity, the supporting text and policy should be amended to reflect the revised site area, the increase in dwelling numbers and to refer to the permission. **(SITES MM36)** This total number of dwellings is reasonable given the extensive range of services, including shops, schools and community facilities, which are available in the village[307] and the proximity to Norwich.

Newton Flotman

422. Policy NEW 1 makes provision for 30 dwellings and, in addition, permission has been granted for 8 dwellings at Olive Avenue on a site which is located well within the development boundary. Given the size of the settlement and the good range of services available this is a reasonable number of dwellings. The NEW 1 site would extend the built form of the settlement into open fields and it would only be adjoined by existing housing on one side. However, I have not been made aware of any significantly better realistic options that might clearly be preferred.[308] The settlement is also well located on the A140 between Long Stratton and Norwich and the level of additional traffic generated is unlikely to give rise to any significant problems.

Spooner Row

423. Spooner Row is a dispersed village which includes four main separate groups of buildings. The two allocations (SPO 1 and 2) would provide for around 15 dwellings in total. In addition, planning permission has been

[306] Document 10a
[307] Page 126 of the SSAPD
[308] Document D25 and Maps for Cabinet meetings illustrating sites considered

granted for 20 dwellings at Bunwell Road and 5 dwellings at The Bungalow taking the total to a little over 40.[309] Spooner Row is a fairly small village. However, it does have a primary school and a very limited rail service. In addition, it is located fairly close to Wymondham which offers a wide range of services, including within the town centre. There is no indication that the level of development proposed would cause any unresolvable capacity problems at the local school.[310] Overall, therefore this number of new dwellings is not excessive.

424. The policy criteria for SPO 2 are sufficient to ensure that the protected tree is taken into account, that access to the playing field is not restricted and that pedestrian access to the school is improved. I appreciate that School Lane is a narrow country road and that there will be parking and vehicle movements associated with the use of the school, especially at drop-off and pick-up times. However, School Lane is not a through route and an additional 5 dwellings is unlikely to cause any significant additional problems. While I understand the County Council has raised highway concerns about a recent planning application this appears to relate to a larger site than the allocation and to more dwellings.[311] Accordingly, the considerations are not necessarily the same. The Council advised at the hearing that the site is not located in flood zones 2 or 3 (medium and high risk of flooding) and the Environment Agency plan provided during the session does not lead me to any different conclusion.[312] In this context the allocation is appropriate.

425. Both allocations would involve the use of agricultural land. However, the area lost to development would be small. Given the limited scale of development and the nature of both sites, there is unlikely to be any significantly adverse effect on wildlife and I can see no reason why either site could not be adequately drained.[313] Nor am I persuaded that any loss of hedgerows would be significant in overall terms.

426. A modification has been advanced to show the sites at Bunwell Road and The Bungalow as commitments **(SITES MM6)**. This is reasonable in the circumstances and there is no clear justification for specifically treating them as allocations.

Stoke Holy Cross

427. The plan allocates land for 75 dwellings (Policy STO 1). However, a recent planning permission on the site included land to the east beyond the allocation boundary. This has had the effect of increasing the capacity of the allocation by around 24 dwellings. In addition, the Council has recently granted planning permission on unallocated land to the north of Long Lane. This adds a further c24 dwellings. As covered earlier in this report, this

[309] Document D10a and E2a – taking into account allocations and permissions these documents indicate a total of 43 dwellings
[310] Council's statement on Issue 38 – question 146
[311] Council's response to representations on modifications
[312] Document E12
[313] Policy SPO2 includes a requirement for a sustainable urban drainage scheme

post-2008 commitment should be listed in the plan and shown on the policies map.[314] Overall, this would result in some 123 new dwellings in Stoke Holy Cross during the plan period.[315]

428. This would represent a significant increase to the numbers of houses in the village. However, the settlement has a reasonable range of services, including a small store and a primary school. It is also located fairly close to Norwich and to Framingham Earl/Poringland which offer a wider range of services. In this context, and given the location with the Norwich Policy Area, this number of houses is within a reasonable upper limit for the village and I am not persuaded that the overall number of dwellings proposed would be likely to lead to any significant traffic or highway safety problems including along the road to Poringland. While students will need to travel out of the village to secondary school, this is not an unusual occurrence in rural areas. Consequently, there is no clear justification for de-allocating the part of STO 1 which does not have planning permission.

429. In these circumstances the STO 1 allocation and the development boundary should be amended to reflect the permission and the supporting text and policy changed to reflect a correct site area and the increase in dwelling numbers. **(SITES MM37)** The policy appropriately makes provision for the expansion and improvement of the primary school and is sufficiently clear on this matter. I have no clear evidence to conclude that the site could not be adequately drained or that it could not be developed within the plan period.

430. The allocation adjoins the school and other development to the west and so has an acceptable relationship with the settlement. I have not been made aware of any alternative sites that would be better located.[316] For example, the omission site to the rear of 135 Norwich Road is located beyond the main concentration of development in the village and has no clear locational advantages over the allocated site.

Swardeston

431. Policy SWA 1 allocates land for around 30 dwellings. This is not significantly above the upper indicative range in the JCS and is reasonable given the size of the settlement and the range of facilities.[317] The allocation is adjoined on two sides by existing development and represents a logical extension to the village.

Service Villages (in the Rural Area)

Housing

432. There are a large number of service villages in the rural area of South Norfolk. JCS Policy 15 states that in each village land will be allocated for

[314] See main modification SITES MM6
[315] Documents 10a and E2a
[316] Maps for Cabinet meetings illustrating sites considered
[317] SSAPD page 143

small-scale housing development, subject to form and character considerations. The supporting text envisages this to be around 10-20 dwellings. These allocations will contribute towards meeting the JCS housing requirement through allocations outside the NPA.[318] Consequently, there is no requirement to contribute towards the floating 1,800 in the NPA. In this section I have not specifically referred to each individual settlement or allocation.

433. In most of these villages, the plan proposes allocations within the JCS range. However, in some villages permissions granted since 2008, on allocated and non-allocated sites, will have the effect of increasing the numbers above the 10-20 range. However, the supporting text to the JCS allows for additional development on suitable exception, infill and windfall sites and the scale of increase is not excessive in any village. Consequently, there is no justification on this basis for deleting any allocations. Conversely, it would not be feasible to meet the housing requirement solely by relying on small infill development or the re-use of previously developed land.

434. In some villages no specific allocations are advanced, including for example in Kirby Cane. This is generally where the Council has been unable to identify any suitable deliverable or developable sites due to local constraints or a lack of sites being advanced. This is a reasonable approach.

435. The circumstances in Ashwellthorpe are a little different. Although the Council has not advanced any allocations, there is a recent permission for 31 dwellings on a non-allocated site. The plan explains that this permission was granted to help provide a village hall and other facilities. To ensure the delivery of these requirements, the Council proposes leaving the site outside the development boundary. This is a reasonable approach in the circumstances. However, given the site is a commitment it is one of those that should be listed in the plan and shown on the policies map (see earlier discussion on main modification **SITES MM6**).

436. Overall, the level of proposed housing growth in each village is appropriate, including in relation to the existing size of the settlement and the availability of services. I appreciate that the services offered in each village may vary over time. For example, in Bergh Apton, the village shop has now closed.[319] However, given the general role of these settlements and the limited scale of proposed development, such changes do not justify deleting any allocations or amending the overall distribution of development. Nor is there any clear justification for extending the size of any of the allocations, as has been suggested in respect of DIC 1 in Dickleburgh, given that the overall JCS requirement for the rural areas would be achieved.

437. Some villages are dispersed in pattern with no central cluster of services. For example, in Bunwell there are five separate concentrations of built development with the shop located to the north/north-west and the school

[318] JCS para 5.23 1,040-1,580 new allocations to 2026 in South Norfolk (outside NPA)
[319] Council's statement on Issue 39 – question 163

to the south/south-east. Accordingly, it is reasonable to site one allocation towards the north (BUN 1) and one in the south-east (BUN 2). Furthermore, given all the service villages are relatively limited in size, the allocations tend to be reasonably close to facilities. An example of this is in Thurlton where housing allocation THL 1 is located towards the south. Nevertheless, it is reasonably close to the school and other facilities which are located towards the centre of the village to the north. Generally, therefore, sites have been allocated in appropriate locations

438. Most allocations would extend built development onto undeveloped land at the edge of the village. Much of this land is in agricultural use. However, this is inevitable given the small size of these rural villages and the limited supply of brownfield sites that might be redeveloped. Inevitably such development will alter the character of these areas to some degree. However, the allocated sites are all generally reasonably well related to the existing built form of these settlements. Consequently, given the limited scale of each allocation, development would not significantly harm the character or appearance of these villages or their rural setting.

439. This can be illustrated by looking at some specific examples. The allocation at GRE 1 in Great Moulton would reflect the extent of development on the opposite side of High Green forming a logical extension to development to the east. In Dickleburgh, DIC 1 is adjoined by housing to the west and north. ROC 1 in Rockland Saint Mary would represent a logical extension to development on Bee-Orchid Way. In Woodton, WOO 1 would involve the redevelopment of a nursery site which adjoins development to the east and south. In Thurlton, THL 1 adjoins an estate of houses on College Road to the south-east and houses along Beccles Road to the north-west. Development here would be generally reflective of the form of estate housing on College Road and Links Way to the north. In Seething, SEE 1 is adjoined to the north and south by existing development and would reflect the essentially linear form of the settlement. In Wreningham, WREN 1 lies opposite housing development on the south of Church Road and adjoins development to the east and west. In addition, all development proposals would need to comply with relevant DMPD policies on design as well as with any site specific policies, including those requiring appropriate boundary treatment (for example, at DIT 1 in Ditchingham). This should help ensure that development is successfully visually integrated into the surrounding area.

440. Highway safety is a matter of concern in some villages, including for example in Bergh Apton and Wreningham. I have already commented on the general effect of development on the rural road network. Given the limited amount of new development proposed in the service villages, it is unlikely that proposed development would cause any significant highway safety problems or materially exacerbate any existing ones. In addition, I have no reason to conclude that any individual sites could not be provided with a safe access. This applies in both the settlements referred to above.

441. I accept that in some cases allocations in these villages would be served by narrow country roads that do not include a separate pedestrian footway. An example of this is in Dickleburgh, along Harvey Lane leading to DIC 1.

However, this is not unusual in rural areas and, in this case, there are already a significant number of existing houses on Harvey Lane. Consequently, circumstances such as these do not necessarily mean that highway conditions are unsafe. Conversely, some allocations are located on busy main roads, for example BUN 2 is on the B1113. However, this does not mean that a safe access could not be provided. Indeed, several existing houses front onto the same road. Generally, I am satisfied that the allocations in these villages would not prejudice highway safety, including in Yelverton.

442. Some sites are crossed or adjoined by public footpaths (for example at SEE 1 and THL 1). However, I can see no reason why, in principle, these paths should not be accommodated successfully.

443. Drainage is also matter of local concern in a number of villages. However, I am not aware of any substantive concerns from Anglian Water. This issue was also considered in the Strategic Flood Risk Assessment which considered the suitability of various sustainable urban drainage systems in settlements across South Norfolk.[320] In this context I have no firm indication that the allocated sites could not be adequately drained, particularly given the limited scale of development.

444. Surface water drainage was discussed in some detail at the hearings in relation to BER 1 in Bergh Apton. The developer of this site has commissioned a Drainage Strategy from specialist consultants.[321] This concludes that ground conditions are not suitable for traditional soakaways due to the impermeable clay and instead a combination of rainwater harvesting, permeable surfaces, shallow swales/planting (to maximise evaporation and transpiration) and a deep bore soakaway (as a precautionary overflow) is proposed. Given the limited scale of development, I have no firm evidence to conclude that this is not a feasible solution or that sufficient land is not available to achieve it, as referred to in the policy. The report also deals with foul drainage in terms of connection to the existing foul sewer or, if that is not feasible, via on-site treatment. Again, I have no reason to doubt that a solution is not feasible. In this context, the reference to *approximately* 7 dwellings in the policy is appropriate. At Seething, SEE 1 should be amended to make reference to the need for surface water attenuation. Given the size of the site this would appear feasible. (**SITES MM44)**

445. Overall, I can see no reason why the proposed allocations should have any significantly adverse effect on biodiversity and, where appropriate, allocation policies include suitable criteria. For example, Policy BRO 2 recognises the proximity to a county wildlife site. I accept that in some cases, hedgerows might be lost. However, this is difficult to avoid when seeking housing allocations in small rural villages and I have no firm evidence that there need be any significantly adverse effects on biodiversity. In addition, proposals would need to be considered against

[320] Document B78
[321] FW Properties – Statement on Issue 39

relevant development management policies, including DM 4.9 on trees and hedgerows.

446. The effect on ecology has been a particular issue at Scole where Policy SCO 1 states that the findings of an ecological assessment could reduce the number of dwellings which could be delivered. However, I understand from the discussion at the hearings that, following ecological advice about the grassland on site, the Council is satisfied that a higher number could reasonably be achieved (15 rather than 10).[322] I have no reason to doubt this and the revised yield should be reflected in the plan. **(SITES MM43)** The modest increase in numbers should also assist in terms of deliverability and viability.

447. I am satisfied that the allocations would not harm the significance of heritage assets, their settings or any important views of them, subject to appropriate consideration being given at the planning application stage, including in Bunwell. At Wreningham, concerns have been raised about the effect of WRE 1 on the church. However, the development would be separated from the church by existing housing on Hethel Road and by a field to the west of the church. Accordingly, there is unlikely to be any significantly adverse effect on its setting. For effectiveness the conservation area boundary at Pulham St Mary should be added to the policy map. **(SITES MM42)**

448. Generally, I am not aware of any other constraints that would prevent development being provided on these sites, including in terms of school places. At Wicklewood my attention has been drawn to a wind turbine. However, given the intervening distance between the turbine and WIC 1, there is no firm evidence that it would cause any significantly adverse impact on living conditions.[323] Subject to careful consideration against other plan policies, there is no reason why any of these allocations need result in a significant adverse effect on the living conditions of neighbours.

449. The number of houses indicated for each allocation is generally appropriate and there is some flexibility on numbers given the use of the term *approximately*. However, a modification is necessary to the supporting text to explain the reason for the number of dwellings at GIL 1. **(SITES MM41)**

Employment

450. JCS Policy 15 does not specifically seek any allocations of employment land and there is only one site specific allocation within these service villages. Policy BKE 3 relates to the existing Brooke Industrial Park and sets out generally appropriate policies for any subsequent development, including on undeveloped plots. However a modification is needed to ensure adequate landscape and boundary treatment given the rural location. **(SITES MM40)**

[322] Council's statement on Issue 39, questions 192 - 194.
[323] Council's statement on Issue 39 – question 201

Development boundaries

451. I have covered several issues relating to development boundaries earlier in this report and recommended modifications. In addition, there are three further locations where the development boundaries should be amended.

452. In Barford (map 26), the houses at the end of the Golden Pightle cul-de-sac should logically be regarded as forming part of the main built up part of the settlement and so should be included within the development boundary. **(SITES MM38)**

453. In Bergh Apton (map 28) the boundary should be re-drawn so that land to the north of Cookes Road and to the east of the village hall is excluded. **(SITES MM39)** This land is undeveloped and part of it (the field next to the village hall) shares characteristics with the open agricultural land to the north and part (the area with tree cover) with the largely undeveloped land immediately to the east along the north site of Cookes Road. Consequently, this land does not logically fall within the development boundary and should be excluded from it. Apart from the village hall, Cookes Road should form the northern development boundary to the settlement.

454. In Yelverton (map 55) the settlement boundary should be re-drawn so that it follows Nichols Road to the south of the new rural exception housing built on the eastern side of Nichols Road at the junction with Bergh Apton Road. As currently drawn the boundary includes land which is open countryside and which does not logically form an infill plot within the settlement. **(SITES MM45)**

455. The development boundary in Seething has been drawn more tightly than the boundary to the Conservation Area. This is appropriate given the Conservation Area includes land with a more rural and open character. In Scole the development boundary reflects the main built-up area and there is no clear justification for extending the boundary to include undeveloped land, including in the south of the village near Bridge Road.

456. In general terms the development boundaries provide some opportunities for small scale infill development, including in settlements without allocations.

Omission sites

457. A large number of omission sites were put forward by objectors, including as listed in Issue 39 of my Matters and Issues Document (question 208). I do not intend to refer to every alternative allocation that has been advanced in these settlements or considered by the Council. However, in overall terms I am satisfied that none of these sites are of such merit, including in terms of their relationship with existing development and proximity to services that they should be allocated in addition to, or as a replacement for, any of the allocated sites. Some specific examples are considered below.

458. The omission sites advanced at Aslacton at Plantation Road to the rear of houses on Sneath Road and opposite ASL 1, and at Ketts Farm (south of Old

Road) in Great Moulton would all involve the use of greenfield sites. I accept that the Ketts Farm site is largely surrounded by development but even so I am not persuaded that the effect on the rural character of the area would be significantly less than for the preferred allocations, including ASL 1 which is a former scrapyard. Nor does it seem to me that these alternatives have any clear cut merits in terms of proximity to services given the small size of these settlements.

459. In Bergh Apton the omission sites at Church Road (2 parcels of land) and at Mill Road are located some way outside the main areas of the settlement and so are not clearly preferable to BER 1 or BER 2. The Mill Road site falls within a small grouping of buildings at Hellington Corner and given the distance from the central part of Bergh Apton there is no clear justification for including it within a development boundary. Three omission sites have been put forward in Bunwell. However, they all involve greenfield sites and none are clearly preferable to BUN 1 or 2 in terms of proximity to services or in relation to the overall form of the settlement, even if considered in smaller parcels.

460. In Dickleburgh sites along Norwich Road at Dickleburgh Moor would be some way outside the main part of the settlement and alternative sites to the south along Ipswich Road would intrude into the countryside. Part of the Chenery Travel coach depot site already falls within the development boundary which is logically drawn in this location. Given there is no need to provide additional allocations in the village there is no compelling reason to provide additional land here.

461. At Ditchingham, the omission site at Loddon Road is located close to services in the south of the village, including the shop and would adjoin the rear gardens of houses along Station Road. However, DIT 1 to the north is located close to the school and would adjoin existing housing to the south-west and south-east. DIT 1 is also larger in area. Consequently, the omission site does not have any clear merits that should result in it being preferred.

462. In Scole, the site at Belmont Grange on Bungay Road would intrude into the countryside. In comparison, SCO 1 adjoins existing development to the south and new affordable housing to the west. The site at Bungay Road is not therefore clearly preferable.

463. At Thurlton, three omission sites were put forward, including as an alternative to THL1 (20 dwellings). I accept that it might be feasible to deliver the same amount of housing from two or three smaller alternative sites and that the sites referred to below may be capable of being safely accessed and developed. However, the sites off Sandy Lane to the south and off Tithebarn Lane/Norman Close to the north would both involve the use of land with green field characteristics and neither has a significantly better relationship with existing development than THL 1. Overall, therefore these omission sites are not clearly preferable. The land to the rear of the Queens Head is already under development and, as covered earlier in this report, the Council has advanced a change to show it as a commitment site within the development boundary. **(SITES MM 6 and 53)**

464. The omission site at the crossroads junction of Chapel Hill opposite the Kings Head in Woodton is centrally located. However, it would involve the development of a prominent open field. This would result in a significant change in the rural character of this part of the village. Consequently, it is not clearly preferable to WOO1 which is occupied by nursery buildings and is reasonably centrally located. In Wortwell, the omission site to the west of the village along High Road is not clearly preferable to the more centrally located WOR 1.

465. At Wreningham, alternative sites have been advanced at the junction of Church Road and Hethel Road and at Mill Lane. The former site would be located close to All Saints Church and so would not be clearly preferable to WREN1. Nor would this site be significantly less prominent than WREN1 in visual terms. The omission site at Mill Lane is located well away from the main concentration of development in the settlement and so does not have any significant locational advantages.

466. In Yelverton the omission site to the west of Church Meadow would be less prominent than ALP 1. However, ALP 1 is centrally located between the school and the public house. Consequently, I am not persuaded that Church Meadow should be preferred. I have considered various other alternative and omission sites, including in Scole, Kirby Cane and Pulham Market but none of them have sufficient merits to clearly justify them being allocated.

Other Villages (NPA and rural area)

Allocations

467. There are a significant number of 'other villages' in South Norfolk both within and outside the NPA. JCS Policy 16 states that in these villages development boundaries will be defined to accommodate infill or small groups of dwellings. This is because these settlements have few or no local services and are therefore reliant on larger centres for everyday needs. The Council has followed this approach and has, therefore, generally avoided specific allocations for development. This is reasonable.

468. However, the JCS does not preclude allocations and housing allocations are proposed in two villages at Bawburgh (BAW 1 – 5 dwellings) and Keswick (KES 1- c10 dwellings). Given the limited scale of development proposed this is appropriate and would not harm the character or appearance of either settlement. Furthermore, the site at Keswick is now under construction and the site at Bawburgh has planning permission.[324] These sites are both in the NPA and the limited contribution to the floating 1,800 is consistent with JCS Policy 16.

469. There are two further allocations. At Bawburgh a water based country park is proposed on a former minerals site (BAW 2). The site is close to urban Norwich and the growth areas at Easton/Costessey and so is appropriately

[324] Document D10a

located. The policy criteria are reasonable. However, a modification is necessary to ensure sustainable transport links are provided to surrounding development. **(SITES MM46)** I have no reason to conclude that the proposal is not deliverable.[325]

470. Near Keswick, some 4 hectares of land is proposed for B1 uses at the junction of the B1113 with the A140 into Norwich (KES 2). This would provide an employment opportunity on a main route into Norwich opposite the existing superstore. A key aim of the allocation is to resolve the queuing problems at this junction through the provision of a new access road across the site. This is a sensible objective and is reflected in the policy criteria. Consequently, there would be a positive effect on the local highway network.

Development boundaries and omission sites

471. Generally, the development boundaries are appropriately defined and include the main concentrations of development. However, in Claxton the boundary should be amended to avoid any overlap with the Broads Executive Area**. (SITES MM47)** In Marlingford, the boundary should be adjusted to avoid an overlap with a County Wildlife Site. **(SITES MM55)**

472. Given their small size, opportunities for infill development in some of these settlements are likely to be relatively limited. In this context some objectors are concerned that a lack of development opportunities, particularly for new housing, might adversely affect the long term vitality of these villages, including at Denton, Needham and Starston. However, there is no firm evidence that introducing the prospect of further infill or small scale housing development in these locations, by relaxing or removing development boundaries, would significantly improve their sustainability. However, JCS Policy 4 and Policy DM3.3 allow for the provision of affordable housing on 'exception' sites.

473. Several omission sites have been put forward as suggested allocations. However, given the approach taken in JCS Policy 16 there is no compelling reason why allocations should be provided in these settlements. Accordingly, the omission of any of these sites does not make the plan unsound.

Smaller rural communities and the countryside

474. JCS Policy 17 states that there are some small rural settlements which are not included within JCS Policies 9 to 16. These villages tend at most to have very limited services and the Council has not sought to define development boundaries or provide allocations for development. This is an appropriate stance and accordingly, there is no justification to allocate any omission sites or to define a development boundary, including at Saxlingham Thorpe (land east of Ipswich Road).

[325] Council's statement on Issue 40 question 215

Assessment of Legal Compliance

475. The three plans have been prepared broadly in accordance with the listing, descriptions and timescales set out in Local Development Scheme.[326] The plans will only be adopted some months after the forecast date of March 2015 due to the need to prepare and consult on a number of main modifications, to carry out additional SA work and to hold a hearing session on the modifications. However, this delay is not a fundamental failing.

476. Consultation has been carried out in accordance with the Council's Statement of Community Involvement and the relevant regulations as evidenced in the various Statements of Consultation and other documents.[327] Consultation on the main modifications also met the necessary requirements. Accordingly, I am satisfied that interested parties have had sufficient opportunities to engage in the plan making process and to make representations.

477. The settlement of Spooner Row falls within the area covered by Wymondham Town Council and concerns have been raised that the preparation of separate plans for Wymondham (WAAP) and Spooner Row (SSAPD) may have prevented Wymondham Town Council from adequately representing residents of Spooner Row or for a neighbourhood plan to have been prepared. However, I can see no reason why this should have been the case and local residents and the town council appear to have had adequate opportunities to put forward their views on all aspects of the plans. Indeed, I heard from a town councillor at the hearing session dealing with Spooner Row. The issue of whether or not a neighbourhood plan should be prepared for a particular area is not one for me to consider in a local plan examination. Instead it is a matter for the town council and community to decide.[328]

478. The Council has carried out an adequate sustainability appraisal of the three plans and reasonable alternatives have been considered.[329] This work includes an addendum SA on the distribution of the floating allocation of 1,800 dwellings and on the recommended main modifications.[330] I have discussed the addendum SA and the approach to site selection in more detail earlier in the report.

479. Habitats Regulations screening reports have been carried out.[331] These concluded that significant effects are unlikely and that an Appropriate Assessment is not required. Where necessary, plan policies set out appropriate criteria to ensure habitats are protected and enhanced.[332] The Council has concluded that no further screening is required in respect of the

[326] Documents C18 and D41
[327] For example, Documents C14, C25, C26, C29, C44, C47, C49, C66, C69 and C71
[328] PPG ID 41-014&015/20140306
[329] Documents C22, C23, C24, C42, C43, C46, C63, C64 and C68
[330] Documents E36 and E37
[331] Documents C11 and C65
[332] For example, policies WYM 9-11 and DM 4.5

main modifications and I have no reason to disagree.[333]

480. The plans comply with national policy, the 2004 Act (as amended) and the 2012 Regulations, except where indicated and main modifications are recommended. Appropriate regard has been had to the Sustainable Community Strategies for South Norfolk and Norfolk County.[334] I have no reason to conclude that the Public Sector Equality Duty has not been complied with.

Overall Conclusion and Recommendation

481. The plans have a number of deficiencies in relation to soundness and legal compliance. These have been explored in the main issues set out above. I, therefore, recommend the non-adoption of the plans as submitted, in accordance with Section 20(7A) of the Act. However, the Council has requested that I recommend main modifications to make the plans sound, legally compliant and capable of adoption.[335] I conclude that, with the recommended main modifications set out in the Appendices, the Site Specific Allocations and Policy Document (SSAPD), Development Management Policies Document (DMPD) and the Wymondham Area Action Plan (WAAP) satisfy the requirements of Section 20(5) of the 2004 Act and meet the criteria for soundness in the National Planning Policy Framework.

Jeremy Youle

Inspector

This report is accompanied by the Appendices containing the Main Modifications

Appendix 1 – schedule of main modifications – text

Appendix 2 – schedule of main modifications – policy map

[333] Document E35
[334] As evidenced in the Council's Statement on issue 1
[335] Council's letter of 8 May 2014