

# Cabinet

## Agenda

### Members of the Cabinet:

Cllr J Fuller (Chairman)	Leader, External Affairs and Policy
Cllr K Mason Billig (Vice Chairman)	Governance and Efficiency
Cllr A Dearnley	Finance and Resources
Cllr R Elliott	Customer Focus
Cllr G Minshull	Clean and Safe Environment
Cllr L Neal	Stronger Economy
Cllr A Thomas	Better Lives

### Date & Time:

Monday 11 July 2022  
9.00 am

### Place:

To be held in the Council Chamber at South Norfolk House, Cygnet Court, Long Stratton, Norwich, NR15 2XE

### Contact:

Claire White tel (01508) 533669  
Email: [committee.snc@southnorfolkandbroadland.gov.uk](mailto:committee.snc@southnorfolkandbroadland.gov.uk)  
Website: [www.southnorfolkandbroadland.gov.uk](http://www.southnorfolkandbroadland.gov.uk)

### PUBLIC ATTENDANCE:

This meeting will be live streamed for public viewing via the following link:

<https://www.youtube.com/channel/UCZciRgwo84-iPyRImsTCIng>

If a member of the public would like to observe the meeting in person, or speak on an agenda item, please email your request to [committee.snc@southnorfolkandbroadland.gov.uk](mailto:committee.snc@southnorfolkandbroadland.gov.uk), no later than 5.00pm on Wednesday 6 July 2022.

### Large print version can be made available

If you have any special requirements in order to attend this meeting, please let us know in advance.

# AGENDA

1. To report apologies for absence;
2. Any items of business which the Chairman decides should be considered as a matter of urgency pursuant to section 100B(4)(b) of the Local Government Act, 1972. Urgent business may only be taken if, “by reason of special circumstances” (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency
3. To receive Declarations of interest from Members  
(Please see guidance – page 4)
4. To confirm the minutes from the meeting of Cabinet held on 13 June 2022  
(to follow)
5. Redenhall with Harleston Neighbourhood Plan – Consideration of Examiner’s report;  
(attached – page 6)
6. Greater Norwich Local Plan Gypsy and Traveller Focused Consultation;  
(Please note this item contains external document which may not be fully accessible)  
(attached – page 57)
7. City Deal Borrowing and the establishment of the Greater Norwich Strategic Investment Fund;  
(Please note this item contains external document which may not be fully accessible)  
(attached – page 373)
8. Regulatory Enforcement Policy  
(attached – page 422)
9. Shared Prosperity Fund Investment Plan  
(attached – page 461)
10. Economic Growth Strategy Plan  
(attached – page 472)
11. Egym Procurement  
(attached – page 492)
12. Cabinet Core Agenda;  
(attached – page 498)

### **13. Exclusion of the Public and Press;**

To exclude the public and press from the meeting under Section 100A of the Local Government Act 1972 for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act (as amended)

### **14. Garden Waste Disposal Contract Procurement;**

(NOT FOR PUBLICATION by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)

(report attached – page 500)

## DECLARATIONS OF INTEREST AT MEETINGS

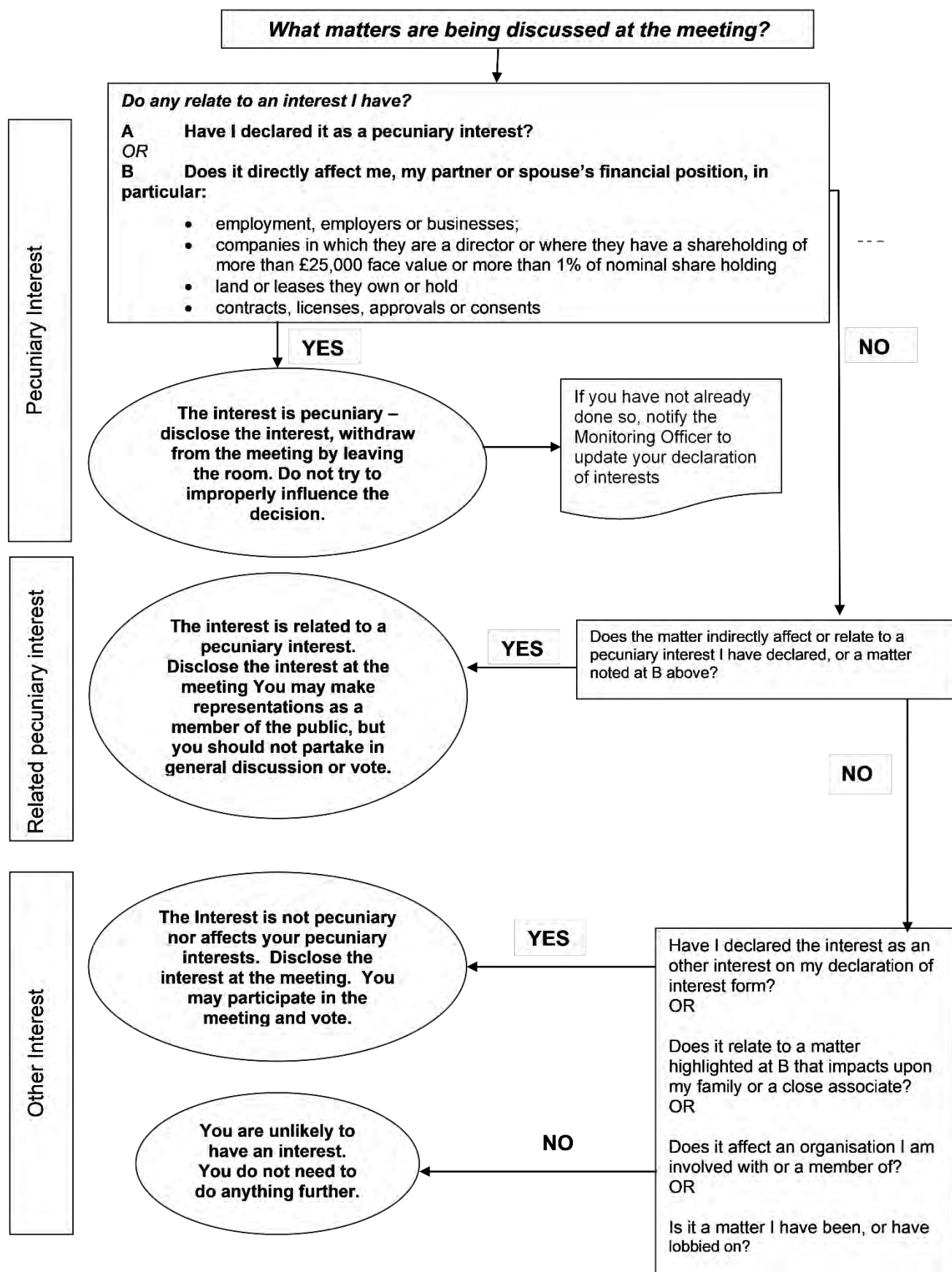
When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

<p>Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.</p>
<p>Does the interest directly:</p> <ol style="list-style-type: none"> <li>1. affect yours, or your spouse / partner's financial position?</li> <li>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</li> <li>3. Relate to a contract you, or your spouse / partner have with the Council</li> <li>4. Affect land you or your spouse / partner own</li> <li>5. Affect a company that you or your partner own, or have a shareholding in</li> </ol> <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p>
<p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.</p>
<p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>
<p>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p>

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.  
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST  
INSTANCE**



## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



## **Redenhall with Harleston Neighbourhood Plan – Consideration of Examiner’s Report**

**Report Author(s):** Richard Squires  
Senior Community Planning Officer  
(01603) 430637  
richard.squires@broadland.gov.uk

**Portfolio:** External Affairs and Policy; Stronger Economy

**Ward(s) Affected:** Harleston

### **Purpose of the Report:**

South Norfolk Council has received the independent examiner’s report in relation to the Redenhall with Harleston Neighbourhood Plan. The examiner suggests several recommended modifications to the Neighbourhood Plan and concludes that, subject to these modifications, it should proceed to referendum. South Norfolk Council should now decide whether it is satisfied with these recommendations.

### **Recommendations:**

1. Cabinet to approve each of the recommended modifications to the Redenhall with Harleston Neighbourhood Plan, as detailed within the examiner’s report, and publish a Decision Statement setting out the Council’s response and announcing the intention for the Neighbourhood Plan to proceed to a referendum.

## **1. Summary**

- 1.1 South Norfolk Council has now received the report of the independent examiner appointed to inspect the submitted Redenhall with Harleston Neighbourhood Plan (see Appendix 1). In accordance with paragraph 12 of Schedule 4B of the Town & Country Planning Act 1990, South Norfolk Council should now decide on what action to take in respect of each of the examiner's recommendations.
- 1.2 The examiner has recommended twelve modifications to the Neighbourhood Plan in order to ensure it meets the Basic Conditions of neighbourhood planning. On the basis that these modifications are made, the examiner is satisfied that the Plan should proceed to a referendum.

## **2. Background**

- 2.1 The submitted Redenhall with Harleston Neighbourhood Plan (which can be viewed [here](#)) was approved by South Norfolk Council on 4<sup>th</sup> January 2022. This was followed by a statutory six week publication period in which the Plan and its supporting documents were made available for inspection and subject to representations from the public and stakeholder bodies. This was in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.
- 2.2 During the six week publication period, which took place between 31<sup>st</sup> January and 18<sup>th</sup> March 2022, a total of twenty representations were received from fourteen different organisations/individuals (click [here](#) for details of responses). These representations were submitted, along with the Neighbourhood Plan and supporting information, to the independent examiner, Mr Derek Stebbing, the appointment of whom was confirmed by South Norfolk Council in early March.
- 2.3 The examination was conducted via written representations during April/May 2022 (the examiner deciding that a public hearing would not be required).

## **3. Current position/findings**

- 3.1 The recommended modifications are set out in the examiner's report (see Appendix 1). However, for ease of reference, all of the examiner's recommendations and the proposed responses from South Norfolk Council are set out in the Decision Statement, comprising Appendix 3 to this report.
- 3.2 Each of the recommendations involves modifying the wording of policies/ supporting text within the Neighbourhood Plan, in order to bring the document in line with the Basic Conditions of neighbourhood planning, as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. None of the Neighbourhood Plan policies have been recommended for deletion.
- 3.3 During the regulation 16 publication stage, South Norfolk Council submitted four representations relating to different elements of the submitted Plan. These representations, the examiners recommendations relating to the respective elements of the Neighbourhood Plan, and some subsequent commentary from

Council officers for the purposes of this report, are available to view within Appendix 2.

- 3.4 In reviewing the examiner's recommendations, some of which address the representations made by the Council more so than others, officers do not feel that the issues presented would necessitate a proposal by the Council to take a different view to that of the examiner. Officers are content with the recommended modifications.
- 3.5 The Redenhall with Harleston Neighbourhood Plan group has confirmed that it is satisfied with the recommended modifications of the examiner.

#### **4. Proposed action**

- 4.1 It is proposed that South Norfolk Council approves each of the examiner's recommended modifications, as detailed in his report, and authorises the Neighbourhood Plan to proceed to a referendum within the neighbourhood area.
- 4.2 Following this decision, officers will publish the Council's Decision Statement on its website and notify Redenhall with Harleston Town Council and those individuals and organisations which responded at the Regulation 16 publication stage.
- 4.3 This will fulfil South Norfolk Council's obligations in terms of paragraph 12 of Schedule 4B of the Town & Country Planning Act 1990.

#### **5. Other options**

- 5.1 South Norfolk Council could decide not to approve either one of the examiner's recommendations, should it wish, and make alternative proposals.
- 5.2 However, should the local planning authority propose to make a decision that differs from any of the examiner's recommendations (and the reason for the difference is wholly or partly as a result of new evidence or a new fact or a different view taken by the authorities about a particular fact) then the local authority:
  - (a) is required to notify all those identified in the Neighbourhood Plan consultation statement about this position and invite representations over a six week period;
  - (b) may refer the issue to an independent examination if it is considered appropriate.
- 5.3 Officers do not consider that any of the examiner's recommended modifications would prevent the Neighbourhood Plan from meeting the Basic Conditions set out in paragraph 8 of Schedule 4B of the 1990 Act.

## **6. Issues and risks**

- 6.1 **Resource Implications** – Officers will be required to publish the Decision Statement online and send a copy to the Town Council and previous consultees.
- 6.2 The preparation for and holding of the local referendum will demand a significant amount of officer time, particularly from within the Electoral Services team and, to a lesser extent, the Place Shaping team. This will be met from the existing staff resource.
- 6.3 The Council is required to pay for the referendum and this will be met from within the existing budget. The average cost of a Neighbourhood Plan referendum is approximately £4,500. It is worth noting that, to date, the Council has been able to claim £20,000 from MHCLG for each Neighbourhood Plan that has been approved to proceed to a referendum. It is anticipated that this funding will continue to be available to local planning authorities during 2022-23, although this has not yet been confirmed.
- 6.4 **Legal Implications** – The procedures highlighted within this report follow legislation set out in the Neighbourhood Planning (General) Regulations 2012 (as amended) and Schedule 4B of the Town & Country Planning Act 1990.
- 6.5 **Equality Implications** – An Equalities Impact Assessment has been completed on the submitted Neighbourhood Plan.
- 6.6 **Environmental Impact** – Habitats Regulation Assessment and Strategic Environmental Assessment Screening Reports have been produced for the Plan and agreed with the Environment Agency, Historic England and Natural England.
- 6.7 **Crime and Disorder** – The Plan is not likely to have any impacts on crime and disorder, nor is it likely to have any impacts on disadvantaged groups.
- 6.8 **Risks** – No other particular risks associated with the Neighbourhood Plan are identified.

## **7. Conclusion**

- 7.1 In accordance with the conclusions of the independent examiner, it is proposed that Cabinet agree to make the recommended modifications to the Redenhall with Harleston Neighbourhood Plan and to approve it for a referendum within the neighbourhood area.

## **8. Recommendations**

- 8.1 Cabinet to approve each of the recommended modifications to the Redenhall with Harleston Neighbourhood Plan, as detailed within the examiner's report, and publish a Decision Statement setting out the Council's response and announcing the intention for the Neighbourhood Plan to proceed to a referendum.

## **Background papers**

[Redenhall with Harleston Neighbourhood Plan – Submission Version](#)

[Redenhall w. Harleston NP Regulation 16 Consultation Responses](#)

**Appendix 1: Redenhall w. Harleston Neighbourhood Plan Independent Examiner's Report**

**Appendix 2: South Norfolk Council Reg. 16 representations and examiner responses**

**Appendix 3: Redenhall w. Harleston Neighbourhood Plan – Proposed Decision Statement**



## Report on Redenhall with Harleston Neighbourhood Development Plan 2022-2038

An Examination undertaken for South Norfolk Council with the support of Redenhall with Harleston Town Council on the November 2021 Submission version of the Plan.

Independent Examiner: Derek Stebbing BA (Hons) Dip EP MRTPI

Date of Report: 6 June 2022

## Contents

Main Findings - Executive Summary .....	3
1. Introduction and Background .....	3
Redenhall with Harleston Neighbourhood Development Plan 2022-2038 .....	3
The Independent Examiner .....	4
The Scope of the Examination .....	4
The Basic Conditions .....	5
2. Approach to the Examination .....	6
Planning Policy Context .....	6
Submitted Documents .....	7
Supporting Documents .....	8
Preliminary Questions .....	8
Site Visit .....	9
Written Representations with or without Public Hearing .....	9
Modifications .....	9
3. Procedural Compliance and Human Rights .....	10
Qualifying Body and Neighbourhood Plan Area .....	10
Plan Period .....	10
Neighbourhood Plan Preparation and Consultation .....	10
Development and Use of Land .....	12
Excluded Development .....	12
Human Rights .....	12
4. Compliance with the Basic Conditions .....	12
EU Obligations .....	12
Main Assessment .....	13
Overview .....	14
Specific Issues of Compliance .....	16
Housing and the Built Environment .....	16
Community Infrastructure .....	18
Town Centre, Business and Employment .....	21
Access .....	23
Natural Environment .....	25
Implementation .....	27
Other Matters .....	28
Concluding Remarks .....	28
5. Conclusions .....	28
Summary .....	28
The Referendum and its Area .....	28
Overview .....	29
Appendix: Modifications .....	30



## Main Findings - Executive Summary

From my examination of the Redenhall with Harleston Neighbourhood Development Plan (the Plan) and its supporting documentation including the representations made, I have concluded that subject to the modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- the Plan has been prepared and submitted for examination by a qualifying body – the Redenhall with Harleston Town Council (the Town Council);
- the Plan has been prepared for an area properly designated – the Redenhall with Harleston Neighbourhood Area, as identified on the map at page 9 of the Plan;
- the Plan specifies the period to which it is to take effect – from 2022 to 2038; and,
- the policies relate to the development and use of land for a designated neighbourhood plan area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## 1. Introduction and Background

### Redenhall with Harleston Neighbourhood Development Plan 2022-2038

- 1.1 The Parish of Redenhall with Harleston in South Norfolk district is located in the Waveney Valley close to the Suffolk border. The principal settlement in the parish is the market town of Harleston, situated in the south-west of the parish, with the smaller village of Redenhall being situated to the north of Harleston. The parish had a population of 4,541 persons at the 2011 Census, which was estimated to have grown to 5,226 persons by 2019. The number of households in the parish in 2011 was 2,176.
- 1.2 Redenhall village was recorded in the Domesday Book of 1086, whereas although Harleston did exist at that time its main origins date from the 13<sup>th</sup> century. The parish contains a large number of historic buildings, with a significant concentration of listed buildings in Harleston Town Centre, which is a designated Conservation Area.
- 1.3 Harleston is a thriving market town, with a good range of retail and community facilities. Harleston CE Primary School serves the area, with over 450 pupils, but is now at capacity. Archbishop Sancroft High School

serves pupils aged between 11 and 16 years, and also has over 450 pupils. Other children of secondary school age in the parish attend schools and colleges in Stradbroke, Eye, Bungay, Diss and Norwich.

- 1.4 Harleston is not served by rail services, the nearest station being at Diss. Local bus services connect Harleston with Diss, Beccles, Long Stratton and Norwich. There is a network of Public Rights of Way within the parish, particularly around Harleston, and part of the National Cycle Network (route 30) crosses the south of the parish.
- 1.5 The parish contains both nationally and locally designated wildlife sites. The Gawdy Hall Big Wood Site of Special Scientific Interest (SSSI), which is a large area of ancient woodland is situated to the north of Harleston town. There are three designated County Wildlife Sites and a Roadside Nature Reserve within the parish.
- 1.6 The parish has a thriving community life, with many active clubs and groups serving all age groups. There are a number of community buildings and churches within Harleston providing meeting spaces for local groups. Additionally, sports facilities are provided at a number of locations, but particularly at the Harleston Community Leisure Centre, operated by the Town Council.

### The Independent Examiner

- 1.7 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Plan by South Norfolk Council (the Council), with the agreement of the Town Council.
- 1.8 I am a chartered town planner, with over 45 years of experience in planning. I have worked in both the public and private sectors and have experience of examining both local plans and neighbourhood plans. I have also served on a Government working group considering measures to improve the local plan system and undertaken peer reviews on behalf of the Planning Advisory Service. I therefore have the appropriate qualifications and experience to carry out this independent examination.
- 1.9 I am independent of the qualifying body and the local authority and do not have an interest in any of the land that may be affected by the Plan.

### The Scope of the Examination

- 1.10 As the independent examiner, I am required to produce this report and recommend either:
  - (a) that the neighbourhood plan is submitted to a referendum without changes; or
  - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or

(c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

1.11 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) (**'the 1990 Act'**). The examiner must consider:

- Whether the plan meets the Basic Conditions.
- Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) (**'the 2004 Act'**). These are:
  - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
  - it sets out policies in relation to the development and use of land;
  - it specifies the period during which it has effect;
  - **it does not include provisions and policies for 'excluded development'**; and
  - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
- Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) (**'the 2012 Regulations'**).

1.12 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

### The Basic Conditions

1.13 **The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act.** In order to meet the Basic Conditions, the neighbourhood plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;

- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with and not breach European Union (EU) obligations (under retained EU law)<sup>1</sup>; and
- meet prescribed conditions and comply with prescribed matters.

1.14 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the **Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations')**.<sup>2</sup>

## 2. Approach to the Examination

### Planning Policy Context

- 2.1 The Development Plan for this part of South Norfolk Council not including documents relating to excluded minerals and waste development, consists of the adopted Joint Core Strategy (JCS) prepared by the Greater Norwich Development Partnership (GNDP) (comprising a partnership of Broadland District Council, Norwich City Council, Norfolk County Council and South Norfolk Council); and two parts of the adopted South Norfolk Local Plan (SNLP), comprising the Site Specific Allocations and Policies Development Plan Document (SSAPD) and the Development Management Policies Development Plan Document (DMPD), both of which were adopted in 2015. The adopted Development Plan Documents all cover the period up to 2026.
- 2.2 The JCS is the strategic element of the Development Plan covering the period from 2008 to 2026 and was initially adopted in March 2011, and then subsequently adopted again in January 2014 following amendments to the Broadland part of the Norwich Policy Area. It sets out the spatial planning vision and objectives and strategy for the spatial development and growth of the Norwich Policy Area. It also sets out the scale of housing and employment development required within the Policy Area over the Plan period. It contains a suite of 23 strategic policies, the most important of which in respect of Harleston is Policy 13 (Main Towns) which states, inter alia, that Harleston will accommodate 200-300 new dwellings during the period 2008-2026. The village of Redenhall is covered by Policy 17 (Smaller rural communities and the countryside) which sets out the types of development that will be permitted at small settlements situated within the countryside. The adopted SSAPD has defined the settlement

<sup>1</sup> The existing body of environmental regulation is retained in UK law.

<sup>2</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

boundary for Harleston (at Map 008) and makes seven site allocations (Policies HAR1-HAR7) for residential, employment and mixed-use development, and for open space, within the settlement boundary.

- 2.3 The adopted JCS will be replaced in due course by the emerging Greater Norwich Local Plan (GNLP) being prepared by the Greater Norwich Development Partnership (GNDP), and which was submitted for examination in July 2021. For villages in South Norfolk, the SSAPD will be replaced in due course by the emerging South Norfolk Village Clusters Housing Allocation Plan.
- 2.4 The Basic Conditions Statement (at pages 5-32) provides an assessment of how the policies proposed in the Plan have regard to national policy and are in general conformity with the relevant strategic policies in the adopted JCS and SNLP and have taken account of the emerging GNLP. Whilst there is no legal requirement for the Plan to be in general conformity with the strategic policies in the emerging GNLP, PPG advises that it is important to minimise conflicts.<sup>3</sup> Having been adopted between 2014 and 2017, the JCS and the SNLP provide a relatively up-to-date strategic planning context for the Neighbourhood Plan, and this has enabled the Neighbourhood Plan and its policies to be prepared.
- 2.5 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 20 July 2021. All references in this report are to the 2021 NPPF and its accompanying PPG.

### Submitted Documents

- 2.6 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Redenhall with Harleston Neighbourhood Development Plan 2022-2038 Submission Version (November 2021) and its Appendices;
  - the Strategic Environmental Assessment Screening Report (August 2021);
  - the Habitats Regulations Assessment Screening Report (July 2021);
  - the Basic Conditions Statement (November 2021);
  - the Consultation Statement (November 2021); and
  - all the representations that have been made in accordance with the Regulation 16 consultation.<sup>4</sup>

<sup>3</sup> PPG Reference ID: 41-009-20190509

<sup>4</sup> View at: <https://www.southnorfolkandbroadland.gov.uk/emerging-neighbourhood-plans-south-norfolk/redenhall-harleston-neighbourhood-plan>

## Supporting Documents

- 2.7 I have also considered the various supporting documents to the submission Plan, including:
- Harleston Design Guidance and Code (AECOM) (June 2021);
  - Redenhall with Harleston Housing Needs Assessment (AECOM) (February 2021); and
  - Redenhall with Harleston Data Profile (February 2021);

## Preliminary Questions

- 2.8 Following my appointment as the independent examiner and my initial review of the draft Plan, its supporting documents and representations made at the Regulation 16 stage, I wrote to the Council and the Town Council on 4 April 2022<sup>5</sup> seeking further clarification and information on four matters contained in the submission Plan, as follows:
- firstly, with regard to the emerging GNLP Housing Allocations referenced on page 7 of the submission Plan, I sought confirmation from the Council that the content of paragraphs 1.20 on page 7 and 5.1.6 on page 31 in the Plan remains accurate and up to date with regard to the proposed GNLP housing allocation sites at Briar Farm, Harleston and land south of Spirkett Lane, Harleston;
  - secondly, with regard to the South Norfolk Site-Specific Housing Allocations (2015) referenced on page 6 of the submission Plan, I sought confirmation from the Council regarding the current planning status of the Housing Allocation sites HAR1 (Land off Mendham Lane – 120 dwellings) and HAR3 (Land at former Howard Rotovator Works – 29 dwellings). My assumption was that they are now either developed or constitute part of the deliverable housing commitment. In relation to that point, I also welcomed clarification, and a more detailed breakdown of the sites and dwelling numbers that constitute the deliverable housing commitment of 727 dwellings referenced at paragraph 5.1.4 on pages 30/31 in the Plan. From my own calculation of the data, it amounted to a commitment of 731 dwellings, and I also sought confirmation that the planning permission granted in July 2020 for 46 dwellings should be added to the deliverable housing commitment to then total either 773 or 777 dwellings for the Plan area;
  - thirdly, with regard to Policy RWH9, I noted from the draft policy and from Appendix D that two school playing fields (site nos. 22 and 23) are identified as proposed Local Green Spaces. I therefore requested that the Qualifying Body advise me whether there is any additional use of these playing fields by the local community for non-school purposes, other than that identified at Appendix D in the submission Plan; and

<sup>5</sup> View at: <https://www.southnorfolkandbroadland.gov.uk/emerging-neighbourhood-plans-south-norfolk/redenhall-harleston-neighbourhood-plan>

- fourthly, with regard to sustainable development, I noted that the submission Plan states, **in the Vision on page 26, that “Development will be sustainable ....”**. However, apart from that reference and a reference within Objective No. 2, I considered that the Plan does not presently contain a sufficiently clear statement or policy which addresses the national requirement to contribute to the achievement of sustainable development, as it applies to the Plan area. I therefore invited the Qualifying Body to consider providing some suitable text in order to address this point, either as a statement for inclusion in Section 4 (possibly as a new paragraph 4.5) or as a specific policy for inclusion in the Plan.

2.9 The Council and the Town Council provided me with responses to the matters raised as listed above on 20 April 2022 and 25 April 2022 respectively.<sup>6</sup> I have taken full account of the additional information contained in these responses as part of my assessment of the draft Plan, alongside the documents listed at paragraphs 2.6 and 2.7 above.

### Site Visit

2.10 I made an unaccompanied site visit to the Neighbourhood Plan Area on 26 April 2022 to familiarise myself with it and visit relevant sites and areas referenced in the Plan, evidential documents and representations.

### Written Representations with or without Public Hearing

2.11 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections and comments regarding the Plan and presented arguments for and against the **Plan’s suitability to** proceed to a referendum. I am satisfied that the material supplied is sufficiently comprehensive for me to be able to deal with the matters raised under the written representations procedure, and that there was not a requirement to convene a public hearing as part of this examination. In all cases, the information provided has enabled me to reach a conclusion on the matters concerned.

### Modifications

2.12 Where necessary, I have recommended modifications to the Plan (PMs) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications in full in the Appendix.

<sup>6</sup> View at:

<https://www.southnorfolkandbroadland.gov.uk/downloads/download/56/redenhall-with-harleston-neighbourhood-plan>

### 3. Procedural Compliance and Human Rights

#### Qualifying Body and Neighbourhood Plan Area

- 3.1 The Plan has been prepared and submitted for examination by Redenhall with Harleston Town Council. An application to the Council for the Parish of Redenhall with Harleston to be designated a neighbourhood planning area was made on 22 September 2020<sup>7</sup> and was approved by the Council in November 2020, following public consultation.
- 3.2 The designated Neighbourhood Area comprises the whole of the Parish of Redenhall with Harleston. The designated area is shown on the map at page 9 in the submission Plan. The Redenhall with Harleston Neighbourhood Plan is the only neighbourhood plan in the designated area.
- 3.3 Redenhall with Harleston Town Council is the Qualifying Body for the preparation of the Plan. The preparation of the Plan has been led by a Steering Group, which was established in October 2020, with up to 12 members comprising Town Councillors, a number of local residents and other interested members of the community.

#### Plan Period

- 3.4 The draft Plan specifies (on the front cover) the period to which it is to take effect, which is for the period 2022 to 2038. The Plan period encompasses the remaining part of the plan period for the adopted JCS and SNLP (up to 2026) and the plan period for the emerging GNLP (up to 2038).

#### Neighbourhood Plan Preparation and Consultation

- 3.5 The Consultation Statement and its Appendices sets out a comprehensive **record of the Plan's preparation and its associated** engagement and consultation activity between Autumn 2020 and Autumn 2021. The decision to undertake the preparation of the Neighbourhood Plan was taken in Summer 2020, with three initial workshops for Steering Group members being held in October 2020. The preparation of the Plan and the associated community engagement and consultation has involved four stages, as follows:
- Stage 1: Initial work and key issues consultation (Autumn/Winter 2021).
  - Stage 2: Further data collection and consultation (Spring 2020/21).
  - Stage 3: Pre-submission consultation on the draft Neighbourhood Plan (Regulation 14) (Summer 2021).

<sup>7</sup> View at: <https://www.southnorfolkandbroadland.gov.uk/emerging-neighbourhood-plans-south-norfolk/redenhall-harleston-neighbourhood-plan>



- Stage 4: Submission to the Council; Regulation 16 consultation; examination; referendum and adoption (Autumn 2021 to Winter 2022)
- 3.6 Stage 1 included an **online 'Placecheck'** application between October 2020 and March 2021 during which residents and others were invited to identify issues and matters within the Plan area that they liked, disliked or wished to see improved, and to provide written comments. A total of 103 comments were received during this period, which were used to inform the objectives of the Plan. The responses are summarised at Appendix 4 to the Consultation Statement. During this stage the Steering Group also carried out engagement with many organisations and stakeholders in the area, developed the draft vision, aims and objectives for the Plan, prepared and carried out a survey of local businesses, compiled a data profile for Redenhall with Harleston and carried out character appraisal studies of the built areas of the parish to inform the Redenhall with Harleston Design Guidance and Code.
- 3.7 During Stage 2, work was focused on data collection and surveys. A Housing Needs Assessment report was prepared by AECOM in February 2021, a Household Survey was distributed to every household in the parish, generating 575 responses which were used to inform various parts of the draft Plan, and the Redenhall with Harleston Design Guidance and Code was prepared by AECOM in June 2021. The responses to the Household Survey are set out at Appendix 5 to the Consultation Statement.
- 3.8 Work during Stage 3 focused on preparing the Regulation 14 draft Plan for public consultation, which was undertaken between 24 July and 10 September 2021. A total of 203 responses were received to the Regulation 14 consultation and Appendix 6 to the Consultation Statement contains a comprehensive record of the responses received and the amendments made to the draft Plan following those responses. The consultation was accompanied by extensive local publicity across the parish with an exhibition being held at the Swan Hotel in Harleston at the start of the consultation period. Various statutory and non-statutory consultees were contacted separately, including the Council, Norfolk County Council, adjoining Parish Councils and utility providers.
- 3.9 Stage 4 comprised the finalisation of the draft Submission Plan and supporting documents, following the Regulation 14 consultation, and the formal submission of the draft Plan to the Council for examination.
- 3.10 The Consultation Statement provides a full record of the consultation and engagement work that was undertaken during the preparation of the Plan. This includes the actions that were taken to amend or modify the draft Plan following consultation responses **at key stages in the Plan's** preparation, particularly at Appendix 6e and 6f which record the amendments that were made to the draft Plan following the Regulation 14 consultation.

- 3.11 The Town Council duly resolved at its meeting held on 24 November 2021 to submit the Plan to the Council for examination under Regulation 15, and the Plan was then formally submitted shortly thereafter. Regulation 16 consultation was then held for a period of six weeks from 5 February to 18 March 2022. I have taken account of the 20 responses then received, as well as the published Consultation Statement. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the Plan, that has had regard to advice in the PPG on plan preparation and engagement and is procedurally compliant in accordance with the legal requirements.

### Development and Use of Land

- 3.12 Subject to a recommendation to modify criterion b) of Policy RWH7 (see PM4 below), I am satisfied that the draft Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

### Excluded Development

- 3.13 From my review of the documents before me, the draft Plan does not include policies or proposals that relate to any of the categories of excluded development.<sup>8</sup>

### Human Rights

- 3.14 Neither the Council nor any other party has raised any issues concerning a breach of, or incompatibility with Convention rights (within the meaning of the Human Rights Act 1998). From my assessment of the Plan, its accompanying supporting documents and the consultation responses made to the Plan at the Regulations 14 and 16 stages, I am satisfied that the Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. I consider that none of the objectives and policies in the Plan will have a negative impact on groups with protected characteristics. Many will have a positive impact.

## 4. Compliance with the Basic Conditions

### EU Obligations

- 4.1 The Council issued a Strategic Environmental Assessment (SEA) Screening Report in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 ('the SEA Regulations') in August 2021, and this was prepared on the basis of the pre-submission draft policies contained in the draft Plan that was the subject of Regulation 14

<sup>8</sup> The meaning of 'excluded development' is set out in s.61K of the 1990 Act.

consultation in July-September 2021. This Screening Report is submitted alongside the draft Plan and concluded (at Section 5) that the policies in the pre-submission draft Plan are not likely to have significant environmental effects on the environment, and therefore a full SEA is not considered to be required. The Screening Report was the subject of consultation with the Environment Agency, Natural England and Historic England during June/July 2021.

- 4.2 I have considered the SEA methodology set out in the Screening Report (at Section 4) and process by which the Plan was duly screened to determine whether the Plan is likely to have significant environmental effects, bearing in mind also that the policies in the adopted JCS and the SNLP, were subject to sustainability appraisal at the relevant stages. Overall, I am satisfied that a proportionate approach has been taken and that the Plan was screened to take full account of any potential effects upon interests of environmental, landscape, historic and heritage importance.
- 4.3 The Plan was also screened by the Council in order to establish whether the Plan required HRA under the Habitats Regulations. There are four sites of European importance within 20 kilometres of the Plan area boundary, those being the Broadland Ramsar site (at Geldeston, approximately 17.5 kilometres to the north-east of Harleston), The Broads Special Area of Conservation (SAC) (also at Geldeston), the Waveney & Little Ouse Valley Fens SAC site (at South Lopham and Redgrave, approximately 18 kilometres west of Harleston) and the Redgrave & South Lopham Fens Ramsar site (also at South Lopham and Redgrave). The HRA Screening Assessment, which is contained within the Screening Report (at Section 4), concluded (at Section 5) that the draft Plan does not include any proposals that would be likely to adversely affect the integrity of the European sites or in combination with other projects and plans and that a full HRA Appropriate Assessment of the Plan is not required. I have noted that Natural England's response, dated 21 June 2021, has not raised any concerns regarding the necessity for an HRA and that Natural England agrees with the conclusions of the Screening Report.
- 4.4 Therefore, I consider that on the basis of the information provided and my independent consideration of the SEA and HRA Screening Reports and the Plan itself, I am satisfied that the Plan is compatible with EU obligations under retained EU law.

## Main Assessment

- 4.5 **The NPPF states (at paragraph 29) that “Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan” and also that “Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies”.** The NPPF (at paragraph 11)

also sets out the presumption in favour of sustainable development. It goes on to state (at paragraph 13) that neighbourhood plans should support the delivery of strategic policies contained in local plans; and should shape and direct development that is outside of these strategic policies.

- 4.6 Having considered above whether the Plan complies with various legal and procedural requirements, it is now necessary to deal with the question of whether it complies with the remaining Basic Conditions (see paragraph 1.13 of this report), particularly the regard it pays to national policy and guidance, the contribution it makes to sustainable development and whether it is in general conformity with strategic development plan policies.
- 4.7 I test the Plan against the Basic Conditions by considering specific issues **of compliance of the Plan's** 23 policies, which address the following themes: Housing and the Built Environment; Community Infrastructure; Town Centre, Business and Employment; Access; and, Natural Environment. As part of that assessment, I consider whether the policies in the Plan are sufficiently clear and unambiguous, having regard to advice in the PPG. A policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.<sup>9</sup> I recommend some modifications as a result.

## Overview

- 4.8 The Plan is addressing the period from 2022 to 2038 and seeks to provide a clear planning framework to allow development within Redenhall with Harleston to take place in an appropriate way for the parish, whilst supporting and managing growth. It is intended to provide clarity on what will be expected from development proposals, give confidence to prospective investors and ensure that the impact of development is **anticipated and addressed by the Plan's policies and requirements**. Section 5 of the Plan contains specific policies in respect of each of the themes listed above.
- 4.9 Section 1 of the Plan provides an introduction to the Plan following the designation of the parish as a Neighbourhood Area in November 2020 and includes a synopsis of the neighbourhood planning process undertaken in Redenhall with Harleston. It also describes the relevant spatial and strategic planning context for the Greater Norwich area, South Norfolk and Redenhall with Harleston.
- 4.10 Section 2 contains a short history of Redenhall with Harleston parish and relevant key data about the parish. It includes a map of the designated area (on page 9).

<sup>9</sup> PPG Reference ID: 41-041-20140306.

- 4.11 Section 3 provides a full description of how the Plan has been prepared since 2020, and the four stages of community engagement and consultation which are summarised at paragraph 3.5 above.
- 4.12 Section 4 sets out the vision and objectives for the Plan. The vision for the future of the parish **is that** *"Harleston will continue to be a small, thriving and attractive market town with a community feel. It will have a range of housing types and tenures to suit all ages and incomes, supported by appropriate infrastructure and employment opportunities. Development will be sustainable, well designed, and suitably located, integrated and connected. The surrounding area will remain rural, and the natural environment and local heritage will be protected. The area will continue to be a desirable place to live, work and visit for current and future generations".*
- 4.13 The Plan contains seven objectives, as follows:
- to ensure that new housing development is of an appropriate mix that meets the current and future needs of the town;
  - to achieve high quality, well-designed and environmentally sustainable new development which complements the distinctive character and heritage of Redenhall with Harleston;
  - to ensure that the provision of community infrastructure meets the needs of the whole community and keeps pace with new housing growth;
  - to reinforce the important function of Harleston Town centre as a viable, successful, accessible and attractive centre for residents and visitors;
  - to support new employment opportunities and encourage existing underused or unused employment sites to move forward;
  - to ensure new developments provide transport connections both to the town and to the wider countryside and to encourage safe and healthy access for pedestrians and cyclists within the development; and,
  - to protect and enhance the landscape setting of the town and the important natural assets of the surrounding rural parish and improve green infrastructure now and in the future.
- 4.14 The Basic Conditions Statement (at Sections 4 and 5) describes how the Plan, and its objectives and policies, has regard to national policies contained in the NPPF and contributes to the achievement of sustainable development. Section 6 sets out how the Plan, its vision, objectives and policies, contribute to the achievement of sustainable development. As noted in paragraph 2.4 above, pages 6-26 of the Basic Conditions Statement **set out how each of the Plan's** 23 policies are in general conformity with the strategic policies in the adopted JCS and the SNLP, whilst pages 26-32 **set out how the Plan's policies** relate to the Regulation 19 submission version of the emerging GNLP.

- 4.15 As noted at paragraph 2.8 above, upon my initial assessment of the Plan, I noted that, with regard to sustainable development, the submission Plan states, in the vision on page 26, **that “Development will be sustainable ....”**. **However, apart from that reference and a reference within** objective No. 2, I considered that the Plan does not presently contain a sufficiently clear statement or policy which addresses the national requirement to contribute to the achievement of sustainable development, as it applies to the Plan area. I therefore invited the Qualifying Body to consider providing some suitable text in order to address this point, either as a statement for inclusion in Section 4 (possibly as a new paragraph 4.5) or as a specific policy for inclusion in the Plan, which could be considered as a potential modification. The Town **Council’s response** on this matter proposes a new paragraph (4.5) to be added to Section 4, to precede the objectives listed above. I consider that this addition addresses the matter satisfactorily, and I therefore recommend modification PM1 accordingly.
- 4.16 I consider that overall, subject to the further modifications that I recommend to specific policies below, that individually and collectively the **Plan’s policies will contribute to the achievement of sustainable patterns of** development. There are also a number of detailed matters which require amendment to ensure that the policies have the necessary regard to national policy and are in general conformity with the strategic policies of the Council’s **Development Plan**. Accordingly, I recommend modifications in this report in order to address these matters.

#### Specific Issues of Compliance

- 4.17 I turn now to consider each of the proposed policies in the draft Plan, which are contained in Section 5 of the Plan, and I take into account, where appropriate, the representations that have been made concerning the policies.

#### Housing and the Built Environment

- 4.18 Section 5.1 of the Plan addresses the theme of housing and the built environment in the Plan area and contains four policies (Policies RWH1-RWH4). **Two of the Plan’s objectives cover this theme, and these are to** ensure that new housing development is of an appropriate mix that meets the current and future needs of the town, and to achieve high quality, well-designed and environmentally sustainable development which complements the distinctive character and heritage of Redenhall with Harleston.
- 4.19 Policy RWH1 (Housing Mix) addresses the issue of housing mix, including the provision of affordable housing, in new residential developments in the Plan area. It states that proposals for a range and mix of all housing sizes, in order to maintain a balanced and inclusive community and meet local needs (both current and future) will be supported. The policy is supported by the findings of the Housing Needs Assessment undertaken by AECOM and by the results of community consultation during the preparation of

the Plan. I am satisfied that the policy is fully justified and is appropriately drafted, and that it provides suitable guidance for the assessment of development proposals within the Plan area.

- 4.20 Policy RWH2 (High Quality Design) seeks to promote a high quality of design for all new developments in the Plan area. The policy is informed by the Harleston Design Guidelines and Code which was prepared by AECOM in June 2021, and which is an addendum to the Plan. The preparation of this supporting document is consistent with the latest Government policies to secure good design, particularly in respect of producing a Design Code for the local area. Again, I am satisfied that the policy is justified by its supporting evidence and studies and is appropriately drafted, and that it provides, together with the Harleston Design Guidelines and Code, suitable guidance for the assessment of development proposals within the Plan area.
- 4.21 Policy RWH3 (Heritage Protection) addresses the protection of the historic environment in the Plan area, including the Conservation Area for Harleston which includes most of the Town Centre and which contains a substantial number of listed buildings, shown on Figure 5 at page 12. The policy takes account of the Conservation Area Character Appraisal and Guidelines produced by the Council in 2016 and states that development proposals affecting the Conservation Area should be consistent with the principles set out in that document and with the Harleston Design Guidelines and Code. I consider that the policy is well drafted and provides appropriate guidance for the consideration of proposals which might affect the historic environment of the Plan area. I recommend a minor amendment to the text of the policy in order to include a reference to Figure 5, and this is addressed by recommended modification PM2.
- 4.22 Policy RWH4 (Non-designated Heritage Assets) identifies 13 buildings and structures within the Plan area which are proposed as non-designated heritage assets. The location of the buildings and structures is shown on Figure 13, which precedes the policy. The policy states that development proposals should avoid harm to these heritage assets having regard to their character, important features, setting and relationship with surrounding buildings and uses. Appendix C to the Plan contains more detailed information and an appraisal of each of the proposed buildings or structures.
- 4.23 I visited each of the proposed non-designated heritage assets during the course of my site visit, and in all cases I consider that their identification as such assets is appropriate and justified, taking into account the advice on this subject published by Historic England. I noted that, in most cases, the assets are well preserved and retain much of their historic interest.
- 4.24 I consider that the policy and its supporting justification, including Appendix C, is appropriate and suitably drafted, providing clear and relevant guidance for the protection of the non-designated heritage assets



and the assessment of any development proposals which might affect them.

- 4.25 With recommended modification PM2, **I consider that the draft Plan's** section on Housing and the Built Environment and its accompanying policies (RWH1-RWH4) is in general conformity with the strategic policies of the JCS and SNLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

#### Community Infrastructure

- 4.26 Section 5.2 of the Plan addresses the theme of community infrastructure within the Plan area and contains five policies (Policies RWH5-RWH9). **One of the Plan's objectives covers this theme which is to ensure that** the community infrastructure provision meets the needs of the whole community and keeps pace with new housing growth. The introduction to this section notes that planning of new development must go hand in hand with planning for the community services and facilities that need to be in place to support development and meet the needs of residents.
- 4.27 Policy RWH5 (Community Infrastructure and Growth) states that new development will be supported if it can be demonstrated that sufficient supporting infrastructure (physical, medical, educational, green and digital) will be made available to meet the needs of that development. It further states that where a need for new infrastructure is identified to meet the needs of new development, developers should provide for or support its delivery in order to maintain the quality of life for the community.
- 4.28 I am satisfied that the underlying principles justifying the policy reflect the **Plan's objectives and the** results of community engagement. The policy will also assist in contributing to the achievement of sustainable development in the Plan area. I consider that the policy is appropriately drafted and that it provides suitable guidance for the assessment of development proposals within the Plan area.
- 4.29 Policy RWH6 (New Community Infrastructure) states that development proposals that provide for community space(s), that support health and social care services, new or improved education provision, meeting spaces, community cafés and other community infrastructure will be supported in principle. Proposals that would enable the wider future community use of existing buildings will also be supported.
- 4.30 This policy again reflects the results of community engagement during the preparation of the Plan, and a desire for shared spaces and facilities to maximise potential access to community infrastructure. This is in line with national policies to promote social integration and ensure that community facilities and services are not only safeguarded but also enhanced for the benefit of the community as a whole. I recommend one



minor amendment to the text of the policy in order to improve its clarity for users of the Plan, and this is addressed by recommended modification PM3.

- 4.31 RWH7 (Protection of Existing Community Facilities) states that development proposals which would result in the loss of an existing community building or facility will be supported under the following circumstances. These are where it can be demonstrated that the need for the building, use or facility no longer exists; or where the facility is no longer viable and has been previously offered to the community at market rates in order to ensure its retention; or where it can be determined that suitable and accessible alternative provision exists elsewhere; or, finally, where an existing facility is being replaced by a new facility as a result of new development.
- 4.32 I have given careful consideration to this policy. In terms of the fundamental objective justifying this policy, which is to protect the provision of existing community facilities within the Plan area wherever possible, the policy itself is detailed and therefore somewhat lengthy. In particular, criterion b) of the policy extends beyond land-use planning matters and relates more to the ownership and/or the sale of facilities. I consider that the policy should be amended to ensure that it only addresses planning matters relating to the provision of community facilities, and such necessary amendments are addressed by recommended modification PM4.
- 4.33 RWH8 (New Play Areas, Open Spaces and Sports Provision) states that proposals for new or improved sports and leisure facilities in Harleston will be supported, **with particular support being given to new children's play** areas and spaces, allotments, community orchards, new wildlife areas and outdoor meeting spaces. It is clear that, with the development of over 700 new homes in the Plan area up to 2038, there will be increased demands placed upon the provision of open spaces, sports and leisure facilities and that well-designed and accessible new facilities will be required to meet the needs of the expanding community.
- 4.34 I consider that the reasoning for the policy is justified and that it indicates the type of facilities for which there is likely to be an increasing need over the Plan period, and that this will enable future development proposals to be assessed appropriately.
- 4.35 RWH9 (Local Green Spaces) proposes the designation of 23 Local Green Spaces within the Plan area, which are very largely within the urban area of Harleston. They are identified on Figure 15, with full descriptions and justification for their designation being at Appendix D to the Plan. I visited each of the proposed Local Green Spaces during the course of my site visit.
- 4.36 As noted at paragraph 2.8 above, upon my initial assessment of the Plan, I noted from the draft policy and from Appendix D that two school playing

fields (site nos. 22 and 23) are identified as proposed Local Green Spaces. I therefore requested that the Qualifying Body advise me whether there is any additional use of these playing fields by the local community for non-school purposes, other than that identified at Appendix D to the Plan. The Town Council responded on 25 April 2022 advising that Archbishop Sancroft High School playing fields (site no. 23) are hired to some local groups such as a football club and a running club but that Harleston C.E. Primary Academy playing field (site no. 22) is not presently used by local groups, although it is hoped to offer it for use in 2023. I have taken account of this response in my assessment of the policy and the proposed Local Green Spaces.

4.37 During the course of my site visit, I observed that the 23 proposed Local Green Spaces fall into four categories. Firstly, the sites at Bullfinch Drive, Doune Way, Harvest Way, Henry Ward Road, Wilderness Lane, Robin Way, Nelson Close, Cranes Meadow/Wilderness Lane and Frere Road (site nos. 2, 3, 7, 8, 9, 10, 19 and 21 respectively) are all green spaces that are used by their local communities for a variety of informal and formal recreational activities. In the case of site no. 9, it comprises the principal open space for the town of Harleston, with intensive use of a wide range of facilities. Secondly, the sites at Needham Road/Dove Close, Green Lane, Harvest Way (ponds and green area), Rushall Road, The Common, Titlow Road, The Dell, Dove Close/Shotford Road, Shotford Road/Needham Road, Jays Green, Church View and Cranes Meadow/Wilderness Lane (site nos. 4, 5, 6, 11, 12, 13, 14, 15, 16, 17, 18 and 20) are all areas of green space, generally less well used for recreational purposes, but more important as green areas contributing to the setting of nearby developments or forming green buffers and routes between areas of built development. Thirdly, as noted above, the school playing fields of the Harleston C.E. Primary Academy School and the Archbishop Sancroft High School (site nos. 22 and 23 respectively) form a further category. Finally, the World War II air crash site, memorial and woodland at Green Lane (site no. 1) commemorates a tragic accident.

4.38 I have assessed the proposed designation of each Local Green Space against the criteria set out in the NPPF (at paragraph 102), which states that the Local Green Space designation should only be used where the green space is:

- "a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land."*

*In addition, paragraph 101 states that Local Green Space should be capable of enduring beyond the end of the Plan period.*

- 4.39 In that national policy context, I am satisfied that, of the sites listed above, site nos. 1-21 inclusive all justify their designation as proposed Local Green Spaces. However, in the case of the two school playing fields (site nos. 22 and 23), I consider that such a designation could impose a **policy constraint upon the Education Authority's ability to plan for** improvements at each school over the Plan period. I therefore recommend that both of these sites be deleted from the policy and from Figure 15 and Appendix D in the Plan.
- 4.40 With regard to the policy text, and specifically in relation to managing development within a Local Green Space, this should be consistent with those for Green Belts (NPPF paragraph 103), and development should not be approved except in very special circumstances. Therefore, I recommend that the policy text as drafted be modified to have due regard to national policy, since there is no reasoned justification provided that points to any departure from this approach. It is therefore my conclusion that, having regard to NPPF paragraphs 101-102 and the guidance in the PPG<sup>10</sup>, the 21 sites (site reference nos. 1-21) identified within the Plan should be designated as Local Green Spaces and that the policy (as proposed to be modified) meets the Basic Conditions. Recommended modification PM5 addresses the necessary amendments to Policy RWH9 and other parts of the Plan.
- 4.41 With recommended modifications PM3-PM5, I consider that the draft **Plan's section on Community Infrastructure** and its accompanying policies (RWH5-RWH9) is in general conformity with the strategic policies of the JCS and SNLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

#### [Town Centre, Business and Employment](#)

- 4.42 Section 5.3 of the Plan addresses the theme of Harleston town centre, business and employment within the Plan area and contains five policies (Policies RWH10-RWH14). **Two of the Plan's objectives cover** this theme, and these are to reinforce the important function of Harleston Town Centre as a viable, successful and attractive centre for residents and visitors, and to support new employment opportunities and encourage existing underused or unused employment sites to come forward. The introduction to this section notes that the NPPF encourages planning policies and decisions to support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation.
- 4.43 Policy RWH10 (Town Centre Vitality and Viability) states that in order to reinforce and underpin the important function of Harleston Town Centre as a viable and attractive commercial centre, proposals for new retail, leisure and town centre uses will be supported within the Town Centre Area as

<sup>10</sup> PPG Reference ID: 37-011-20140306.

defined in the adopted SNLP. The defined Town Centre Area is shown on Figure 16. The policy goes on to state that the retention of existing retail uses will be supported but that proposals that would involve the change of use of an existing town centre building to a non-town centre use within the Town Centre Area will not be supported. It also states that, outside the Town Centre Area, proposals that involve the change of use from Employment Use Classes E(g), B2 and B8 to a retail or leisure use will not be supported.

- 4.44 I consider that the policy and its supporting justification, including the responses to the Household Survey and a Business Survey, is appropriate and suitably drafted, providing clear and relevant guidance for the assessment of proposals within the Town Centre Area and beyond.
- 4.45 Policy RWH11 (Town Centre Enhancement) addresses the provision of measures which will lead to the enhancement of the Town Centre environment for the benefit of businesses and users of the facilities within the Town Centre, particularly pedestrians and cyclists. It states that development proposals that would result in public realm improvements, such as the creation of outdoor spaces for people to meet and socialise, will be supported.
- 4.46 I consider that the policy and its objective to secure the enhancement of Harleston Town Centre is appropriate, and consistent with national policy guidance. The policy is suitably drafted providing clear guidance for the assessment of development proposals which would enable the objective to be achieved.
- 4.47 Policy RWH12 (Small Scale, Day-to-Day Retail in New Developments) supports the provision of new small scale retail facilities, including convenience shops, as part of proposals for major new residential developments. Subject to a recommended amendment to recognise **that such retail facilities could form part of a 'neighbourhood hub'** alongside other community facilities, I consider that the policy meets the Basic Conditions, providing suitable guidance for the assessment of proposed major new residential developments where new local retail provision is desirable. Recommended modification PM6 addresses the amendment of the policy text.
- 4.48 Policy RWH13 (Existing Employment Sites) states that proposals for new employment development within Uses Classes B2, B8 and E(g) will be expected to conform with the employment land allocations contained in the adopted JCS (site refs. HAR5, HAR6 and HAR7). These allocations are listed at paragraph 5.3.12, and the Plan does not contain any additional allocations of land for employment or business uses, although it is noted that the emerging GNLP does contain one further allocation of land for mixed-use development.
- 4.49 Subject to one amendment, for clarity, I consider that the policy is appropriately drafted and provides suitable guidance for the

development of the three sites allocated for employment or mixed-use development in the adopted JCS. Recommended modification PM7 addresses the amendment to the policy text.

- 4.50 Policy RWH14 (New Live-Work Units) addresses the issue of live-work units and states that proposals for appropriately located new live-work units will be supported provided they are of a size and scale appropriate to the character of the area, they have good accessibility to the Town Centre and would not adversely affect the amenities of adjoining users. Development proposals should include provision of sufficient car parking consistent with the adopted Norfolk County Council parking standards.
- 4.51 The policy is intended to recognise that there may be a future demand for live-work units in the Plan area as a result of changes to traditional patterns of employment. Live-work units can provide greater flexibility to accommodate a range of small businesses, thereby providing additional opportunities for employment generation.
- 4.52 I consider that the policy and its supporting justification (at paragraphs 5.3.15 and 5.3.16) is appropriate and suitably drafted, providing clear and relevant guidance for the assessment of development proposals which include live-work units.
- 4.53 With recommended modifications PM6 and PM7, I consider that the draft **Plan's** section on Town Centre, Business and Employment and its accompanying policies (RWH10-RWH14) is in general conformity with the strategic policies of the JCS and SNLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

#### [Access](#)

- 4.54 Section 5.4 of the Plan addresses the theme of access within the Plan area and contains four policies (Policies RWH15-RWH18). **One of the Plan's** objectives covers this theme which is to ensure that new developments provide transport connections both to the town and to the wider countryside and to encourage safe and healthy access for pedestrians and cyclists within new development. The introduction to this section notes that, as with many market towns, Harleston does have various traffic issues, with congestion occurring at peak times particularly in the historic core of the town. The policies in this part of the Plan seek to address the planning implications arising from traffic generation, parking and accessibility linked to development proposals in the Plan area.
- 4.55 Policy RWH15 (Traffic Generation and Safety) seeks to ensure that development proposals maximise the opportunities for sustainable transport, including walking and cycling, prioritising these modes as far as possible. In proposals for major new development, measures should be included to address and mitigate potential impacts upon highway and pedestrian safety. Where such impacts cannot be mitigated, with

resultant increases in traffic generation and adverse impacts upon highway safety, the policy states that development proposals will not be supported.

- 4.56 Subject to one minor grammatical correction<sup>11</sup>, I consider that the policy is appropriately drafted and provides appropriate guidance for the assessment of development proposals, particularly in respect of seeking to promote sustainable modes of transport. Recommended modification PM8 addresses the minor correction to the policy text.
- 4.57 Policy RWH16 (Pedestrian and Cycle Connectivity) seeks to promote and improve pedestrian and cycling accessibility within the Plan area, and states that all new developments should contribute to the health and wellbeing of residents through the provision of safe and attractive pedestrian and cycle routes and crossings within development sites. Large scale developments should seek to achieve the integration of new pedestrian and cycle links with the existing network, particularly to the Town Centre, other parts of Harleston and to the wider countryside.
- 4.58 This policy is consistent with national policy guidance seeking to promote walking and cycling as sustainable modes of transport, particularly in respect of the associated benefits for health and wellbeing. I am satisfied that the policy is appropriately drafted and that it provides clear guidance for the assessment of development proposals.
- 4.59 Policy RWH17 (Protection and Enhancement of Existing Public Rights of Way) seeks to protect existing Public Rights of Way where they might be affected by development proposals, and also achieve suitable enhancements, such as new routes, connections, improved surfaces and/or signage, as a result of new developments in the Plan area.
- 4.60 Figure 17 (at page 67) illustrates the existing network of Public Rights of Way and those parts of the National Cycle Network which are within the Plan area. I consider that the policy should make a reference to Figure 17, to enable future users of the Plan to better understand some of the potential requirements of the policy as they might affect development proposals. I therefore recommend modification PM9 to address this matter.
- 4.61 Policy RWH18 (Parking) states that parking provision (including cycle parking and motorcycle parking) for all new development in the Plan area must be in accordance with the adopted parking standards of Norfolk County Council. The policy then includes criteria for the good design of parking areas for both residential and non-residential developments.
- 4.62 Although the policy requirement for all new development to make **provision for parking in accordance with Norfolk County Council's adopted**

<sup>11</sup> Modifications for the purpose of correcting errors is provided for in Paragraph 10(3)(e) of Schedule 4B to the 1990 Act

parking standards is not strictly necessary, I am satisfied that the policy is justified by the additional guidance that it includes for the design and layout of parking areas as part of development proposals, particularly in relation to the principles contained in the Redenhall with Harleston Design Guidance and Code.

- 4.63 With recommended modifications PM8 and PM9, I consider that the draft **Plan's section on Access** and its accompanying policies (RWH15-RWH18) is in general conformity with the strategic policies of the JCS, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

#### Natural Environment

- 4.64 Section 5.5 addresses the theme of the natural environment in the Plan area and contains five policies (Policies RWH19-RWH23). One of the **Plan's objectives covers this theme which is to protect and enhance the** landscape setting of the town and the important natural assets of the surrounding rural parish, now and in the future. The introduction to the section notes that the parish sits within two landscape character types as set out in the South Norfolk Landscape Character Assessment, the Waveney Rural River Valleys (Character Area A5) and the Waveney Tributary Farmland (Character Area B4). The Waveney Rural River Valleys are characterised particularly by wide, flat, valley floodplains, whilst the Waveney Tributary Farmland is characterised by a large-scale open landscape, predominantly comprising arable farmland, with scattered areas of woodland, mature hedgerow trees and a variety of wildlife habitats.
- 4.65 Policy RWH19 (Landscape Character and Town Gateways) is a lengthy policy containing guidance for the assessment of development proposals in the context of the landscape characteristics of the area. It goes on to identify seven Town Gateways, which are listed in the policy and shown on **Figure 19, on the periphery of the urban area of Harleston where 'green gateways' or substantially undeveloped 'entrances' to the town currently** exist. The policy seeks to maintain, and where appropriate enhance, these gateways, without detracting from highway safety and visual amenity, and minimising the need for additional lighting. I visited each of the proposed Town Gateways during the course of my site visit.
- 4.66 Although the policy is encompassing two distinct issues, I am satisfied that the policy is appropriate in that it is addressing, in broader terms, the potential impacts of development proposals on the landscape character of the Plan area. It identifies and seeks to protect **the 'green gateways' that** clearly do provide an effective transition between the countryside surrounding Harleston and the urban development within the town. I recognise that this is also reinforced by some of the important views identified in Policy RWH20.

- 4.67 Overall, I am satisfied that the policy is well drafted, and provides clear guidance for the assessment of development proposals, particularly those at the edge of the existing urban area of Harleston, where the impacts of development upon the surrounding countryside are likely to be greatest.
- 4.68 Policy RWH20 (Important Public Views) sets out 13 locations within the Plan area where there are important public local views and vistas, which are shown in photographs at Figure 21 and by notation on Figure 20. The policy states that development proposals that might affect the identified views and vistas should ensure that they take account of the view or vista concerned, and that developments which would have an unacceptable or adverse impact on the landscape or character of the areas covered by those views and vistas will not be supported.
- 4.69 I have assessed each of the views and vistas during the course of my site visit and consider that they all justify inclusion within the policy.
- 4.70 Policy RWH21 (Natural Assets) is also a lengthy policy and states that development proposals will be expected to protect and enhance existing ecological networks and wildlife corridors. It goes on to state that development proposals will be supported where they provide a net gain in biodiversity. It also sets out potential mitigations where some loss or damage to natural assets is unavoidable with more detailed guidance on new and replacement tree planting and landscaping design. It concludes by stating that proposals for all new buildings should incorporate measures to protect and enhance wildlife species, such as swift bricks, hedgehog doors and insect bricks.
- 4.71 I am satisfied that the policy sets out appropriate guidance for the protection and enhancement of the natural assets found within the Plan area. However, the policy lacks any direct references to the source materials that will enable users of the Plan to be able to interpret the extent to which the policy might impact upon specific development proposals. I therefore recommend a modification to the policy to provide suitable key references for accessing natural environment data, and this is addressed by recommended modification PM10.
- 4.72 Policy RWH22 (Climate Change and Flood Risk) is a lengthy policy addressing the important issues of climate change and sustainability and flood risk. With regard to climate change and sustainability, the policy encourages the incorporation of energy efficiency measures, renewable energy sources, grey water recycling, electric charging points and other features all with the objective of improving energy efficiency and reducing carbon emissions as part of proposals for new development in the Plan area. With regard to flood risk, the policy states that all new development (including minor development) is required to use sustainable drainage systems, such as SuDS and drainage lagoons, to protect against pollution and to provide drainage and wider amenity, recreational and biodiversity benefits. It goes on to state that all development proposals should demonstrate how flooding and drainage impacts will be mitigated. Nine



locations within the Plan area, and which are shown on Figure 24, are identified within the policy where there have been incidences of localised flooding.

- 4.73 Norfolk County Council, as Lead Local Flood Authority (LLFA), and the Waveney, Lower Yare and Lothingland Drainage Board have made representations concerning the issues of drainage and flood risk that are covered by the policy. In both cases, I consider that the policy can be suitably amended to provide signposts to the regulatory requirements of both bodies as they affect the drainage and flood risk measures that should be taken account of in the planning of new developments within the Plan area. I therefore recommend proposed modification PM11 accordingly. Subject to that modification, I consider that the policy is justified and appropriately drafted and has regard to current national policy and guidance particularly in respect of its promotion of measures to address climate change.
- 4.74 Policy RWH23 (Landscape Buffers and Pollution) states that proposals for new development should mitigate against pollution problems, including noise and air pollution impacts. To that end, the policy states that major developments close to the A143 road should include substantial green buffers and tree planting between proposed residential developments and the A143 road, not only to mitigate against noise and air pollution but also to provide recreational walks for local residents in that area.
- 4.75 I am satisfied that the policy is justified and provides appropriate guidance for the mitigation of potential pollution. It is clear that a number of sites close to the A143 road will be developed during the Plan period, as shown on Figure 3 in the Plan, and the more detailed guidance for the provision of landscape buffers and tree planting in developments near that road is appropriate.
- 4.76 With recommended modifications PM10 and PM11, I consider that the **draft Plan's** section on Natural Environment and its accompanying policies (RWH19-RWH23) is in general conformity with the strategic policies of the JCS, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

## Implementation

- 4.77 Section 6 of the Plan sets out details for the implementation of the Plan and its policies, with the Town Council working in partnership with the Council and Norfolk County Council. It also sets out a commitment for the Town Council to undertake formal reviews of the Plan, in consultation with the local community and the Council, to ensure that the Plan remains current and is an effective planning tool to deliver sustainable growth. I am satisfied that this section addresses the issues of implementation, monitoring and review adequately.

## Other Matters

- 4.78 The Council has drawn my attention to the need to make various minor corrections to parts of the Plan mainly relating to site allocations in the adopted JCS and SNLP, in order to reflect the latest position. I consolidate those amendments as recommended modification PM12.
- 4.79 Appendix B to the Plan includes two potential community projects that were identified during the various consultative stages in the preparation of the Plan. These do not constitute land-use planning policies and have not formed part of my examination of the Plan.
- 4.80 As an advisory comment, when the Plan is being redrafted to take account of the recommended modifications in this report (on the assumption these may be accepted), it should be re-checked for any typographical errors and any other consequential changes, etc.

## Concluding Remarks

- 4.81 I conclude that, with the recommended modifications to the Plan as summarised above and set out in full in the accompanying Appendix, the Redenhall with Harleston Neighbourhood Plan 2022-2038 meets the Basic Conditions for neighbourhood plans.

## 5. Conclusions

### Summary

- 5.1 The Redenhall with Harleston Neighbourhood Plan 2022-2038 has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard to all the responses made following consultation on the Plan, and the supporting documents submitted with the Plan together with the Town Council and Council's responses to my preliminary questions.
- 5.2 I have made recommendations to modify certain policies and other matters to ensure that the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

### The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. I conclude that the Redenhall with Harleston Neighbourhood Plan 2022-2038, as modified, has no policy or proposal which I consider to be significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring

the referendum to extend to areas beyond that boundary. I therefore recommend that the boundary for the purposes of any future referendum on the Plan, should be the boundary of the designated Neighbourhood Plan Area.

## Overview

- 5.4 It is clear that the Redenhall with Harleston Neighbourhood Plan is the result of much hard work undertaken since 2020 by the Town Council, its Neighbourhood Plan Steering Group and the many individuals and stakeholders who have contributed to the preparation and development of the Plan, all within a commendably swift timeframe of production and appropriate engagement. In my assessment, the Plan reflects the land use aspirations and objectives of the Redenhall with Harleston community for the future planning of their parish up to 2038. The output is a Plan which should help guide the **area's** development over that period, making a positive contribution to informing decision-making on planning applications by South Norfolk Council.

*Derek Stebbing*

Examiner

## Appendix: Modifications

Proposed modification number (PM)	Page no. / other reference	Modification
PM1	Page 27	<p><u>Section 4 - Vision and Objectives</u></p> <p>Add new paragraph 4.5 to read as follows:</p> <p><b>"The overarching aim of the Redenhall</b> with Harleston Neighbourhood Plan is to contribute to the achievement of sustainable development as outlined in the NPPF. Sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Achieving sustainable development through planning requires the balancing of three interdependent and overarching objectives:</p> <ul style="list-style-type: none"> <li>a. An economic objective - ensuring that sufficient land of the right type is available in the right location to build a strong, responsive economy which is supported by the right infrastructure;</li> <li>b. A social objective - ensuring the sufficient number, type and quality of homes and jobs are provided to meet identified needs in inclusive, healthy communities;</li> <li>c. An environmental objective - ensuring mitigation and adaptation to climate change, protecting the natural and built environment, enhancing biodiversity, and supporting the move to a low carbon economy.</li> </ul> <p>These broad, high-level objectives, along with the seven specific Objectives set out below, are reflected throughout the Plan. The policies in this Neighbourhood Plan guide development proposals and decisions, taking account of these objectives and local circumstances and reflect the character, needs and opportunities of the area. The approach supports the delivery of sustainable</p>

Proposed modification number (PM)	Page no./ other reference	Modification
		development in a positive way, so that opportunities to secure net gains across <b>each objective can be taken.”</b> (As contained in the Town Council’s response dated 25 April 2022). <sup>12</sup>
PM2	Page 41	<u>Policy RWH3 – Heritage Protection</u> Amend first sentence of policy text to read: <b>“The special character of Harleston Conservation Area, as shown on the map at Figure 5 (page 12), and its setting will be preserved and enhanced.”</b>
PM3	Page 49	<u>Policy RWH6 – New Community Infrastructure</u> Amend second paragraph of policy text to read: <b>“Where development proposals result in land or buildings being offered for future community use, the Town Council will consult with the community in order to establish the most appropriate uses for that land or buildings.”</b>
PM4	Page 50	<u>Policy RWH7 – Protection of Existing Community Facilities</u> Delete the text of criterion b) of the policy text in full, and replace with the following text: <b>“b. It can be demonstrated that the facility is no longer economically viable, or”</b> .
PM5	Page 55	<u>Policy RWH9 – Local Green Spaces</u> Delete the sites listed as Nos. 22 and 23 from the list of sites in the text of the policy, and from Figure 15 and Appendix D.

<sup>12</sup> View at

<https://www.southnorfolkandbroadland.gov.uk/downloads/file/4598/responses-to-examiners-questions-from-south-norfolk-council-and-qualifying-body>

Proposed modification number (PM)	Page no./ other reference	Modification
		<p>Delete the final paragraph of text in the policy wording, and replace with the following text:</p> <p><b>"Policies for managing development within a Local Green Space should be consistent with those for Green Belts."</b></p> <p>Delete the site notated as No. 25 from Figure 15.</p>
PM6	Page 61	<p><u>Policy RWH12 – Small Scale, Day to Day Retail in New Developments</u></p> <p>Add new 3rd sentence to policy text as follows:</p> <p><b>"New retail provision in such development areas could form part of a 'neighbourhood hub' containing other local facilities, such as health care and community buildings."</b></p>
PM7	Page 62	<p><u>Policy RWH13 – Existing Employment Sites</u></p> <p>Insert the word <b>"within"</b> between <b>"development"</b> and <b>"Use"</b> in the first sentence of policy text.</p>
PM8	Page 66	<p><u>Policy RWH15 – Traffic Generation and Safety</u></p> <p>Insert full stop <b>after the word "traffic"</b> in the 3rd line of the 2nd paragraph of policy text.</p>
PM9	Page 69	<p><u>Policy RWH17 – Protection and Enhancement of Existing Public Rights of Way</u></p> <p>Add new 3rd paragraph to the text of the policy, to read as follows:</p> <p><b>"The existing network of Public Rights of Way and those parts of the National Cycle Network within the Plan area are shown on Figure 17."</b></p>
PM10	Pages 85 and 86	<p><u>Policy RWH21 – Natural Assets</u></p> <p>Add new 7th paragraph of text to the policy, to read as follows:</p> <p><b>"Information on natural environment data within the Plan area is obtainable from the Defra Magic website and from</b></p>

Proposed modification number (PM)	Page no./ other reference	Modification
		<p>the Norfolk Biodiversity Information <b>Service.”</b></p> <p>Insert footnote 13 <a href="http://magic.defra.gov.uk/">http://magic/defra.gov.uk/</a></p> <p>Insert footnote 14 <a href="http://www.nbis.org.uk/">http://www.nbis.org.uk/</a></p>
PM11	Pages 89 and 90	<p><u>Policy RWH22 – Climate Change and Flood Risk</u></p> <p>Add the following additional text to the 7th paragraph of policy text:</p> <p><b>“All proposals for new development</b> within the Plan area should take account of the advice and guidance on surface water drainage and the mitigation of flood risk obtainable from Norfolk County Council (as Lead Local Flood Authority) and the Waveney, Lower Yare and Lothingland Drainage Board (as statutory Drainage Board for the Plan area). All development proposals will be required to secure the necessary consents and approvals from those <b>bodies.”</b></p>
PM12	Various	<p>The following minor corrections should be made:</p> <p>Paragraph 1.18 - 33 dwellings were developed at Site HAR3.</p> <p>Paragraph 1.20 – planning permission was granted on 31 March 2022 for the development of 40 residential units at Site HAR5 (Station Hill), and the site should therefore be removed from Figure 3.</p> <p>Paragraph 5.1.4 – the final sentence should be updated to include the recent above-mentioned commitment.</p> <p>Paragraph 5.1.6 – Redenhall with Harleston is identified as a Main Town in the settlement hierarchy of the adopted JCS and in the <b>emerging GNLP, and not as a ‘Market Town’.</b></p> <p>Paragraph 5.1.6 – 4th line – the reference to the JCS should be replaced by the SNLP.</p> <p>Paragraph 5.1.6 – 3rd sentence is incorrect. The emerging GNLP does not specify a</p>

Proposed modification number (PM)	Page no./ other reference	Modification
		<p>specific housing requirement for Redenhall with Harleston but does identify two additional allocations (totalling 555 units) as referenced in the 4<sup>th</sup> sentence.</p> <p>Paragraph 5.3.12 – delete first sentence, and replace with:</p> <p>“The adopted Site Specific Allocations Policy Document identified specific sites for employment or mixed-use development.”</p>



### Redenhall with Harleston Neighbourhood Plan – South Norfolk Council Reg. 16 representations and examiner responses

Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
Policy RWH7: Protection of Existing Community Facilities	<p>As noted previously by South Norfolk Council, during the Reg. 14 consultation, criterion (b) of this policy seeks to impose a condition that cannot be implemented through a planning policy. Planning policy sets out requirements for the development and use of land, whereas this criterion relates to the ownership of property. Although it is noted that the Neighbourhood Plan seeks a stronger directive for the community ownership of facilities, the Government's Assets of Community Value legislation provides the legal framework within which communities have the opportunity to bid for the purchase of a community asset.</p> <p>In addition, to ensure that the policy is unambiguous and that decision makers are able to clearly apply it in the consideration of development proposals (in accordance with NPPF paragraph 16 (d)), the Council feels it is necessary to include an explanation within the supporting text as to how this policy should operate alongside Policy 3.16 ('Improving the level of community facilities') of South Norfolk Council's Development Management Document (2015).</p>	<p>I have given careful consideration to this policy. In terms of the fundamental objective justifying this policy, which is to protect the provision of existing community facilities within the Plan area wherever possible, the policy itself is detailed and therefore somewhat lengthy. In particular, criterion b) of the policy extends beyond land-use planning matters and relates more to the ownership and/or the sale of facilities. I consider that the policy should be amended to ensure that it only addresses planning matters relating to the provision of community facilities, and such necessary amendments are addressed by recommended modification <b>PM4</b>.</p> <p><b>Modification PM4:</b> Delete the text of criterion b) of the policy text in full, and replace with the following text:</p> <p><b>"b. It can be demonstrated that the facility is no longer economically viable, or".</b></p>	<p>The examiner has addressed the matter raised within the first part of the Council's representation.</p> <p>However, the examiner has not considered it necessary to add in the further detail as suggested by the Council in the second part of its representation. This means that the Council will need to exercise its planning judgement in respect of the implementation of the policy alongside the Development Management Document Policy 3.16.</p> <p>On balance , whilst not all of the Council's recommendations have been incorporated by the examiner, it is considered acceptable to progress the Neighbourhood Plan in line with the examiner's recommendations.</p>

Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
Policy RWH9: Local Green Spaces	<p>The Council notes the amendment that has been made to this policy in response to previous comments relating to the designation of school playing fields. Despite these amendments, the Council would raise again that school playing fields are not considered to be suitable for listing as proposed Local Green Space. The Council's concern is that, with the inclusion of these elements, it would not be appropriate to make the plan due to inconsistency with the NPPF and the related requirements of section 8(2)(a) of Schedule 4B of the Town &amp; Country Planning Act 1990.</p> <p>In his report of April 2020 into the proposed Taverham Neighbourhood Plan (adopted May 2021), the independent examiner appointed made the following comments regarding school playing fields that were proposed as Local Green Spaces:</p> <p>'(...)Site Nos. 14, 26, 30 and 32 are all school playing fields (...).Paragraph 94 (now Para. 95) of the NPPF states that local planning authorities should give great weight to the need to create, expand or alter schools through the preparation of plans, and the designation of the respective playing fields as Local Green Spaces could place limitations on the possible future expansion of the schools concerned (...). I therefore recommend modification PM7(a) to delete (these)</p>	<p>In <i>(the)</i> national policy context, I am satisfied that, of the sites listed above, site nos. 1-21 inclusive all justify their designation as proposed Local Green Spaces. However, in the case of the two school playing fields (site nos. 22 and 23), I consider that such a designation could impose a policy constraint upon the Education Authority's ability to plan for improvements at each school over the Plan period. I therefore recommend that both of these sites be deleted from the policy and from Figure 15 and Appendix D in the Plan.</p> <p>With regard to the policy text, and specifically in relation to managing development within a Local Green Space, this should be consistent with those for Green Belts (NPPF paragraph 103), and development should not be approved except in very special circumstances. Therefore, I recommend that the policy text as drafted be modified to have due regard to national policy, since there is no reasoned justification provided that points to any departure from this approach. It is therefore my conclusion that, having regard to NPPF paragraphs 101-102 and the guidance in the PPG, the 21 sites (site reference nos. 1-21) identified within the Plan should be</p>	<p>The examiner has addressed the matter raised within the Council's representation.</p>

Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
	<p>proposed Local Green Spaces (...) from the Policy and accompanying material in the draft Plan.'</p>	<p>designated as Local Green Spaces and that the policy (as proposed to be modified) meets the Basic Conditions. Recommended modification <b>PM5</b> addresses the necessary amendments to Policy RWH9 and other parts of the Plan.</p> <p><b>Modification PM5:</b> Delete the sites listed as Nos. 22 and 23 from the list of sites in the text of the policy, and from Figure 15 and Appendix D.</p> <p>Delete the final paragraph of text in the policy wording, and replace with the following text:</p> <p><b>"Policies for managing development within a Local Green Space should be consistent with those for Green Belts."</b> Delete the site notated as No. 25 from Figure 15.</p>	

Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
<p>Policy RWH10: Town Centre Vitality and Viability</p>	<p>South Norfolk Council re-iterates its comments made during the Reg. 14 consultation stage that this policy would benefit from the introduction of a minimum marketing period, in order to reduce the possibility of there being long term vacant units within the town.</p> <p>The Council suggests a minimum period of six months, in line with its minimum marketing period under Policy 3.16 ('Improving the Level of Local Community Facilities') of the Development Management Policies Document (2015).</p> <p>As currently worded, this policy would result in undue restrictions being placed on vacant town centre buildings that could potentially be brought back into appropriate use. In addition, excessive restrictions can prevent the effective use of land. Preventing the effective use of land is contrary to paragraph 119 of the NPPF which states that: 'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.'</p>	<p>I consider that the policy and its supporting justification, including the responses to the Household Survey and a Business Survey, is appropriate and suitably drafted, providing clear and relevant guidance for the assessment of proposals within the Town Centre Area and beyond.</p>	<p>The examiner has not considered it necessary to recommend any modifications to the policy, as suggested by the Council in its Regulation 16 response.</p> <p>On reflection, given the policy states that <i>'the retention of existing retail uses within the town centre will be supported'</i> (rather than setting out the proposals that would involve the loss of an existing retail use should be refused), it is considered acceptable to progress the Neighbourhood Plan in line with the examiner's recommendations. This is because the adoption of the policy should not prevent applications being determined in line with Policy 3.16 where the development plan is considered as a whole.</p>

Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
Policy RWH12: Small Scale, Day to Day retail in New Developments	The Council would simply note that, outside of the town centre, the authority would only expect larger, more strategic schemes to support an element of retail provision and that this would need to be additionally determined by a consideration of retail provision within the wider area. Therefore, whilst the Council does not object to the policy, it would simply note that the provision of retail on this basis would not be viable in the majority of circumstances.	<p>Subject to a recommended amendment to recognise that such retail facilities could form part of a 'neighbourhood hub' alongside other community facilities, I consider that the policy meets the Basic Conditions, providing suitable guidance for the assessment of proposed major new residential developments where new local retail provision is desirable.</p> <p>Recommended modification <b>PM6</b> addresses the amendment of the policy text.</p> <p><b>Modification PM6:</b> Add new 3rd sentence to policy text as follows:</p> <p><b>"New retail provision in such development areas could form part of a 'neighbourhood hub' containing other local facilities, such as health care and community buildings."</b></p>	The examiner has not considered it necessary to reflect the point made by the Council in its Regulation 16 response. However, given this was presented as an issue to note rather than an objection, it is considered acceptable to progress the Neighbourhood Plan in line with the Inspector's recommendations.

### **South Norfolk Council**

### **Redenhall with Harleston Neighbourhood Plan - Decision Statement**

#### **1. Summary**

Following an independent examination, South Norfolk Council has received the examiner's report relating to the Redenhall with Harleston Neighbourhood Plan. The report makes a number of recommendations for making modifications to policies within the Neighbourhood Plan. South Norfolk Council has made a decision to approve each of the examiner's recommendations and to allow the Neighbourhood Plan to proceed to a referendum within the neighbourhood area.

#### **2. Background**

Following the submission of the Redenhall with Harleston Neighbourhood Plan to South Norfolk Council in November 2022, the Neighbourhood Plan was published in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 and representations invited. The publication period took place between 31<sup>st</sup> January and 18<sup>th</sup> March 2022.

The local planning authority, with the approval of Harleston Town Council, subsequently appointed an independent examiner, Mr Derek Stebbing, to conduct an examination of the submitted Neighbourhood Plan and conclude as to whether it meets the Basic Conditions (as defined by Schedule 4B of the Town and Country Planning Act 1990) and consequently whether the Plan should proceed to referendum.

The examiner's report concludes that, subject to making certain recommended modifications, the Neighbourhood Plan meets the basic conditions for neighbourhood planning and should proceed to a Neighbourhood Planning referendum within the adopted neighbourhood area.

#### **3. Decision**

Having considered each of the recommendations in the examiner's report and the reasons for them, South Norfolk Council has decided to approve each of the examiner's recommended modifications. This is in accordance with section 12 of Schedule 4B to the Town and Country Planning Act 1990. The Council considers this decision will ensure that the Neighbourhood Plan meets the basic conditions.

The following table sets out the examiner's recommended modifications, the Council's consideration of those recommendations, and the Council's decision in relation to each recommendation.

Subject to the modifications approved by South Norfolk Council, as set out in the table below, the Council is satisfied that the Neighbourhood Plan should proceed to a referendum within the neighbourhood area, in accordance with part 12(4) of Schedule 4B of the Town & Country Planning Act 1990.

Section	Examiner's recommendation	Council consideration of recommendation	Council decision
Section 4 – Vision & Objectives	<p>Add new paragraph 4.5 to read as follows:</p> <p><i>“The overarching aim of the Redenhall with Harleston Neighbourhood Plan is to contribute to the achievement of sustainable development as outlined in the NPPF. Sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Achieving sustainable development through planning requires the balancing of three interdependent and overarching objectives:</i></p> <p><i>a. An economic objective - ensuring that sufficient land of the right type is available in the right location to build a strong, responsive economy which is supported by the right infrastructure;</i></p> <p><i>b. A social objective - ensuring the sufficient number, type and quality of homes and jobs are provided to meet identified needs in inclusive, healthy communities;</i></p> <p><i>c. An environmental objective - ensuring mitigation and adaptation to climate change, protecting the natural and built environment, enhancing biodiversity, and supporting the move to a low carbon economy.</i></p> <p><i>These broad, high-level objectives, along with the seven specific Objectives set out below, are reflected throughout the Plan. The policies in this Neighbourhood Plan guide development proposals and decisions, taking account of these objectives and local circumstances and reflect the character, needs and opportunities of the area. The approach supports the delivery of sustainable development in a positive way, so that opportunities to secure net gains across each objective can be taken.”</i></p>	<p>The Council agrees with the examiner that the inclusion of this paragraph will demonstrate that the Plan addresses the national requirement to contribute to the achievement of sustainable development.</p>	<p>Accept examiner's recommended modification.</p>

Section	Examiner's recommendation	Council consideration of recommendation	Council decision
Policy RWH3 – Heritage Protection	Amend first sentence of policy text to read: <i>“The special character of Harleston Conservation Area, as shown on the map at Figure 5 (page 12), and its setting will be preserved and enhanced.”</i>	The Council agrees with this modification as it will help to improve the clarity of the policy for developers and decision-makers.	Accept examiner's recommended modification.
Policy RWH6 – New Community Infrastructure	Amend second paragraph of policy text to read: <i>“Where development proposals result in land or buildings being offered for future community use, the Town Council will consult with the community in order to establish the most appropriate uses for that land or buildings.”</i>	The Council agrees with this modification as it will help to improve the clarity of the policy for developers and decision-makers.	Accept examiner's recommended modification.
Policy RWH7 – Protection of Existing Community Facilities	Delete the text of criterion b) of the policy text in full, and replace with the following text: <i>“b. It can be demonstrated that the facility is no longer economically viable, or”.</i>	The Council agrees that this recommendation is required in order that the policy solely addresses planning matters.	Accept examiner's recommended modification.
Policy RWH9 – Local Green Spaces	Delete the sites listed as Nos. 22 and 23 from the list of sites in the text of the policy, and from Figure 15 and Appendix D.  Delete the final paragraph of text in the policy wording, and replace with the following text: <i>“Policies for managing development within a Local Green Space should be consistent with those for Green Belts.”</i>  Delete the site notated as No. 25 from Figure 15.	The Council agrees that the deletion of the two specified sites and the amendment to the final paragraph are required in order to ensure the policy is in accord with the NPPF. In addition, the amendment to Figure 15 will help to improve clarity.	Accept examiner's recommended modification.



Section	Examiner's recommendation	Council consideration of recommendation	Council decision
Policy RWH12 – Small Scale, Day to Day Retail in New Developments	Add new 3rd sentence to policy text as follows: <i>“New retail provision in such development areas could form part of a ‘neighbourhood hub’ containing other local facilities, such as health care and community buildings.”</i>	The Council agrees with the examiner's recommended modification, as it addresses good practice as detailed within the NPPF and national planning guidance.	Accept examiner's recommended modification.
Policy RWH13 – Existing Employment Sites	Insert the word “ <i>within</i> ” between “development” and “Use” in the first sentence of policy text.	The Council agrees with this modification as it will help to improve the clarity of the policy for developers and decision-makers.	Accept examiner's recommended modification.
Policy RWH15 – Traffic Generation and Safety	Insert full stop after the word “traffic” in the 3rd line of the 2nd paragraph of policy text.	The Council agrees with this modification as it will help to improve the clarity of the policy for developers and decision-makers.	Accept examiner's recommended modification.
Policy RWH17 – Protection and Enhancement of Existing Public Rights of Way	Add new 3rd paragraph to the text of the policy, to read as follows: <i>“The existing network of Public Rights of Way and those parts of the National Cycle Network within the Plan area are shown on Figure 17.”</i>	The Council agrees with this modification as it will help to improve the clarity of the policy for developers and decision-makers.	Accept examiner's recommended modification.

Section	Examiner's recommendation	Council consideration of recommendation	Council decision
Policy RWH21 – Natural Assets	<p>Add new 7th paragraph of text to the policy, to read as follows:</p> <p><i>“Information on natural environment data within the Plan area is obtainable from the Defra Magic website and from the Norfolk Biodiversity Information Service.”</i></p> <p>Insert footnote 13 <a href="http://magic.defra.gov.uk/">http://magic.defra.gov.uk/</a></p> <p>Insert footnote 14 <a href="http://www.nbis.org.uk/">http://www.nbis.org.uk/</a></p>	The Council agrees with this modification as it will help to improve the clarity of the policy for developers and decision-makers.	Accept examiner's recommended modification.
Policy RWH22 – Climate Change and Flood Risk	<p>Add the following additional text to the 7th paragraph of policy text:</p> <p><i>“All proposals for new development within the Plan area should take account of the advice and guidance on surface water drainage and the mitigation of flood risk obtainable from Norfolk County Council (as Lead Local Flood Authority) and the Waveney, Lower Yare and Lothingland Drainage Board (as statutory Drainage Board for the Plan area). All development proposals will be required to secure the necessary consents and approvals from those bodies.”</i></p>	The Council agrees that the examiner's recommended modifications will help to improve the clarity of the policy for developers and decision-makers.	Accept examiner's recommended modification.

Section	Examiner's recommendation	Council consideration of recommendation	Council decision
Various	<p>The following minor corrections should be made:</p> <p>Paragraph 1.18 - 33 dwellings were developed at Site HAR3.</p> <p>Paragraph 1.20 – planning permission was granted on 31 March 2022 for the development of 40 residential units at Site HAR5 (Station Hill), and the site should therefore be removed from Figure 3.</p> <p>Paragraph 5.1.4 – the final sentence should be updated to include the recent above-mentioned commitment.</p> <p>Paragraph 5.1.6 – Redenhall with Harleston is identified as a Main Town in the settlement hierarchy of the adopted JCS and in the emerging GNLP, and not as a 'Market Town'.</p> <p>Paragraph 5.1.6 – 4th line – the reference to the JCS should be replaced by the SNLP.</p> <p>Paragraph 5.1.6 – 3rd sentence is incorrect. The emerging GNLP does not specify a specific housing requirement for Redenhall with Harleston but does identify two additional allocations (totalling 555 units) as referenced in the 4<sup>th</sup> sentence.</p> <p>Paragraph 5.3.12 – delete first sentence, and replace with:</p> <p><i>“The adopted Site Specific Allocations Policy Document identified specific sites for employment or mixed-use development.”</i></p>	<p>The Council agrees with this modification as it will help to improve the clarity of the policy for developers and decision-makers.</p>	<p>Accept examiner's recommended modification.</p>

#### 4. Next Steps

This Decision Statement and the examiner's report into the Redenhall with Harleston Neighbourhood Plan will be made available at:

- [www.southnorfolkandbroadland.gov.uk](http://www.southnorfolkandbroadland.gov.uk)
- **Harleston Library** – Swan Lane, Harleston, IP20 9AW (Open Mon & Fri: 11:30-19:00; Wed: 10:00-19:00; Sat: 11:30-16:00)
- **South Norfolk Council offices** – South Norfolk House, Cygnet Court, Long Stratton, Norwich, NR15 2XE (normal opening times: 8:15am to 5pm Monday to Friday. Closed weekends and Bank Holidays)

**N.B the offices are open for pre-booked appointments only**

If you wish to make an appointment to view the documents, please contact the Place Shaping Team on (01508) 533805

South Norfolk Council is satisfied that with the modifications it has approved, as detailed above, the Redenhall with Harleston Neighbourhood Plan should proceed to a referendum within the neighbourhood area, in which the following question will be posed:

**‘Do you want South Norfolk Council to use the Neighbourhood Plan for Redenhall with Harleston to help it decide planning applications in the neighbourhood area?’**

Further information relating to the referendum will be published by South Norfolk Council in due course.

## **Greater Norwich Local Plan Gypsy and Traveller Focused Consultation**

**Report Author:** Adam Banham  
Principal Planning Policy Officer  
01603 223229  
adam.banham@norfolk.gov.uk

**Portfolio:** Planning

**Ward(s) Affected:** All

### **Purpose of the Report:**

This report seeks Cabinet approval to undertake a public consultation about the possible allocation of Gypsy and Traveller sites in the Greater Norwich Local Plan (GNLP). The Gypsy and Traveller Focused Consultation contains three possible sites for allocation and creates another opportunity for landowners to put forward land that they want to promote – but only land for use as Gypsy and Traveller pitches. The proposed consultation would run between 25<sup>th</sup> July and 7<sup>th</sup> September and the results would then be considered by the independent inspectors who are running the examination of the GNLP.

### **Recommendations:**

It is recommended that Cabinet:

- approves a Focused Consultation on the Greater Norwich Local Plan (GNLP) proposed Gypsy and Traveller sites; and
- agrees to delegate authority to the Assistant Director of Planning, in consultation with the Leader and Portfolio Holder for Planning, to agree consultation materials prior to the public consultation.

## **1. Summary**

- 1.1 In resolving to submit the Greater Norwich Local Plan for independent examination, Council agreed to “proactively identify and bring forward sufficient Gypsy and Traveller sites to meet identified needs in accordance with the criteria-based policies of the current and emerging Development Plans”.
- 1.2 During the examination of the GNLP, the appointed inspectors have indicated that they would require Gypsy and Traveller accommodation needs to be addressed through the allocation of sites. The allocated sites would need to appropriately provide specific deliverable sites for the 5 years between April 2022 and March 2027; and provide developable sites for the 5 years from April 2027 to March 2032; and, if possible, the 5 years from April 2032 to March 2037. Thereby bringing the GNLP in accordance with the expectations set out in paragraph 68 of the National Planning Policy Framework (NPPF).
- 1.3 No potential Gypsy and Traveller sites were proactively submitted to the GNLP for consideration prior to its submission for independent examination. Subsequently officers have undertaken a process of extensive proactive engagement and site assessment to identify suitable allocation sites.
- 1.4 This report seeks Cabinet’s agreement to undertake a Focused Consultation on three potential Gypsy and Traveller allocation sites that have been identified from this work. Furthermore, to ensure that the best and most appropriate sites are being chosen, the consultation gives landowners another chance to submit land for inclusion in the GNLP but this would be strictly limited to the promotion of Gypsy and Traveller sites.
- 1.5 The results of the Focused Consultation will be submitted to the independent inspectors who will take decisions about which Gypsy and Traveller sites to include in the GNLP. Based on discussions that have taken place at the GNLP examination hearing sessions so far, officers conclude that the appointed independent inspectors are highly likely to allocate Gypsy and Traveller sites in their consultation on the Main Modifications. This Main Modifications consultation is due to happen later in 2022 and represents one of the final steps in getting the GNLP to adoption.

## **2. Background**

- 2.1 No sites for Gypsies and Travellers were submitted for consideration through the GNLP plan-making process between 2016 and its submission in July 2021. Three sites were submitted via the consultation for the South Norfolk Village Clusters Housing Allocations Plan in September 2021 but are not considered suitable allocation sites due to their past planning history.
- 2.2 When Council considered the possible submission of the GNLP in July 2021 it resolved specifically to “commit to proactively identify and bring forward

sufficient Gypsy and Traveller site to meet identified needs in accordance with the criteria-based policies of the current and emerging Development Plans”. This allowed the Gypsy and Traveller accommodation issue to be addressed through the examination hearings without adding undue additional delay to plan adoption.

- 2.3 The Greater Norwich Local Plan (GNLP) was submitted for independent examination on 30 July 2021. Mike Worden BA (Hons) Dip TP MRTPI and Thomas Hatfield BA (Hons) MA MRTPI are the inspectors appointed to carry out the examination of the GNLP. The role of the inspectors is to undertake an independent assessment of the overall “soundness” of the Local Plan and to verify that it satisfies the relevant statutory and regulatory requirements for its preparation. “Soundness” being the tests under paragraph 35 of the NPPF that the plan is positively prepared, justified, effective, and consistent with national policy.
- 2.4 As part of the submission of the plan, the councils formally requested that the appointed inspectors recommend such modifications to the plan as may be necessary to ensure legal compliance and soundness, in accordance with Section 20 (7C) of the Planning and Compulsory Purchase Act 2004 (as amended). Public hearings into matters arising from the Inspectors’ review took place during February and March 2022 and further sessions are being reconvened. For the Gypsy and Traveller site allocations public hearings are scheduled for the autumn.

### **3. Current position/findings**

- 3.1 During the GNLP hearing sessions held so far, the inspectors indicated that they would require Gypsy and Traveller accommodation needs to be addressed through site allocations. In accordance with the expectations set out in paragraph 68 of the National Planning Policy Framework, the allocated sites should be able to deliver the required number of pitches for Gypsies and Travellers between April 2022 and March 2027; provide land with a reasonable prospect that it can be viably developed within the next 5-year timeframe from April 2027 to March 2032; and, if possible, the 5 years from April 2032 to March 2037.
- 3.2 Deciding how many Gypsy and Traveller pitches are required is a matter for the councils by gathering evidence. This evidence is then tested as part of the independent examination of the plan. Recently updated evidence has now been produced by RRR Consultancy on behalf of the councils. This evidence is being shared with the interested stakeholder. The evidence will then be submitted to the inspectors along with any further representations on it. As necessary, this evidence may then be the subject of discussion at the forthcoming reconvened autumn hearing sessions.
- 3.3 The new Gypsy and Traveller Accommodation Assessment (GTAA) shows that the Greater Norwich area requires a total of 50 residential Gypsy and Traveller pitches between 2022/23 and 2037/38, in addition to 27 pitches that already have planning permission but are yet to be constructed. Of the 50

pitches required between 2022/23 and 2037/38, it is anticipated at least 18 pitches should be identified through the local plan to satisfy the inspectors that plan-making guidance is being met as per the [Planning Policy for Traveller Sites](#) ('PPTS').

- 3.4 The definition used in the PPTS concentrates on Gypsies and Travellers who continue to travel and it is for those families that the 18 pitches would be allocated through the GNLP. The remaining 32 pitches identified relate to persons who ethnically identify as Gypsies and Travellers but who have ceased to travel. The PPTS does not specifically require local authorities to meet the needs of Gypsy and Travellers who have permanently ceased to travel. However, the criteria-based policy set out with Policy 5 of the GNLP allows for further windfall sites to come forward in suitable locations and those pitches could accommodate Gypsies and Travellers of ethnic background who have ceased to travel, as appropriate.

#### 4. Proposed action

- 4.1 Three possible sites have been identified for inclusion in the Gypsy and Traveller Focused Consultation from 25<sup>th</sup> July and 7<sup>th</sup> September. A permutation of these sites is needed to fulfil the requirement of providing 18 pitches as site allocations; or all three sites could be allocated in full to provide 24 pitches which could count towards the overall need of 50 pitches. The three sites are:
- 4.2 **Cawston: GNLP5004, Land off Buxton Road, Eastgate, for approximately 4 pitches.** This is the only privately owned site promoted. The landowner put the site forward in winter 2021/22 when they became aware sites were still being sought for inclusion in the GNLP. The landowner has also stated their willingness to make the land available and as a relatively unconstrained greenfield site there is no reason why development could not come forward quickly.
- 4.3 **Costessey: GNLP5007, Land off Bawburgh Lane, north of New Road and east of A47. Incorporation of a Gypsy and Traveller Site into the Costessey Contingency Site, for approximately 18 pitches.** This site is a variation of the contingency site GNLP0581/2043, which measures 62 ha, and is being promoted as a residential-led urban extension of approximately 800 homes. Norwich City Council is a part owner in the land promoted as GNLP0581/2043 and would enable a Gypsy and Traveller site to be developed as part of the urban extension. However, a key issue is timing, as every effort will be necessary to accelerate this site's delivery, in terms of planning, finance, construction and its management arrangements. This is so the site can help provide the 10 pitches required by March 2027 to meet the 5-year PPTS need, and the further 8 pitches required for the PPTS need over years 6-10 up to March 2032.
- 4.4 **Wymondham: GNLP5005 Wymondham Recycling Centre, Strayground Lane, for approximately 2 pitches.** This site is owned by Norfolk County Council and is currently used as Wymondham Recycling Centre. Norfolk



County Council has announced its intention to move the recycling centre to another location and when this happens GNLP5005 could become available for redevelopment as a Gypsy and Traveller site.

- 4.5 The Focused Consultation on possible sites to provide residential pitches for Gypsies and Travellers is currently planned to take place between 25<sup>th</sup> July and 7<sup>th</sup> September 2022. It will give the opportunity for all interested groups and individuals to have their say on the proposed sites. The comments made will then be available for the inspectors to consider when deciding on which sites to go forward as allocations within the GNLP.
- 4.6 The three sites listed as part of the consultation represent the best and only alternatives that are currently known about, but this might change if landowners use the opportunity of the forthcoming consultation to put forward new land for Gypsy and Traveller sites. Giving this opportunity is important for demonstrating that all available sites have been considered throughout the plan-making process.
- 4.7 The full content of the Focused Consultation is provided in the five appendices that accompany this report. These documents are:
  - Appendix A: Gypsy and Traveller Focused Consultation Document
  - Appendix B: Gypsy and Traveller Site Assessment Booklet
  - Appendix C: Sustainability Appraisal of the Greater Norwich Local Plan Gypsy and Traveller Sites and Policies, by Lepus Consulting
  - Appendix D: Habitats Regulations Assessment of published Proposed Submission Greater Norwich Local Plan – Gypsy and Traveller Sites Addendum, by The Landscape Partnership
  - Appendix E: Housing and Economic Land Availability Assessment (HELAA) Addendum IV (June) 2022
- 4.8 The GNLP has been prepared with regard to the Public Sector Equality Duty, as defined by the Equality Act 2010, and this consultation represents a further positive step in meeting the Public Sector Equality Duty. Gypsies and Travellers are a key ethnic minority in the area and making specific site allocations will give added assurance that this group's housing needs are addressed in line with the requirements of the PPTS (Planning Policy for Travellers Sites).
- 4.9 Publicity relating to the consultation will be undertaken where appropriate in line with the Communications Protocol agreed by the Greater Norwich Development Partnership (GNDP) Board in 2017, updated in 2019. Cllr Shaun Vincent, as chair of the GNDP, will be the nominated spokesperson for all media. All media responses will be co-ordinated by the communications lead for the project, Broadland & South Norfolk Joint Marketing and Communications team, in liaison with other partners.
- 4.10 In the interests of efficiency, and continuing the successful approach taken at previous consultations, respondents will be encouraged to respond online, although written responses will also be accepted either by post or via

email. The GNLP team will facilitate anonymous comments in line with its previous approach, which was for them to be made via district councillors.

- 4.11 After the consultation closes in September, it is anticipated that the inspectors will hold a further hearing session. This will likely be in October during which time the inspectors will decide which sites are included in the Main Modifications consultation, and, subject to the outcome of consultation, are likely to be required to form part of the GNLP if adopted.
- 4.12 The consultation on Main Modifications arising from the examination is expected to be held over the winter 2022/23. Following this, the inspectors will produce a report including the main modifications required to make the plan sound. The councils will then have the choice to adopt the GNLP with the inclusion of inspectors' main modifications.
- 4.13 Given the time that has elapsed, the addition of the Focussed Consultation on Gypsy and Traveller sites, and the deferral of some hearing sessions means that adoption of the plan is likely to be at the end of April 2023, rather than September 2022 as previously anticipated.

## **5. Other options**

- 5.1 If consultation is not undertaken on the potential allocations sites it will prevent the inspectors from undertaking a subsequent consultation on modifications likely to be necessary for the soundness of the GNLP. Therefore, choosing not to agree to undertake the proposed consultation carries a strong likelihood of the GNLP being found unsound. Officers do not consider that there is evidence to justify this option as reasonable.
- 5.2 Rather than seeking to enable the inspectors to modify the plan, and to allocate sites to meet the needs of Gypsy and Travellers, the GNLP could propose that a single-issue review is undertaken. However, it is not certain that the inspectors would accept this approach.
- 5.3 Moreover, even if it were to be acceptable in principle, officers have undertaken an extensive investigation into potential site for Gypsy and Travellers and it is considered unlikely that the site options to be contained within any single-issue plan would differ significantly from those proposed here. The production of a single-issue plan would also entail further time, cost and risk. The failure to allocate sites for Gypsies and Travellers in the GNLP would also continue the current absence of a 5-year land supply for Gypsy and Traveller Sites, which will impact on the Council's decision-making process. Therefore, officers would caution against this approach.

## **6. Issues and risks**

- 6.1 Failure to consult on, and enable the allocation of, sufficient sites for Gypsy and Traveller accommodation is likely to carry a significant risk that the GNLP will be found unsound.

- 6.2 The timely adoption of the GNLP is an important element in ensuring that the councils continue to maintain an up-to-date development plan. Maintaining an up-to-date development plan is important to ensure that the identified development needs of Greater Norwich are effectively met and so that the councils can continue to give full weight to their planning policies in the determination of planning applications.
- 6.3 **Resource Implications** – The Focussed Consultation will be undertaken within the current GNLP officer resource and covered by the existing GNLP budget.
- 6.4 **Legal Implications** – The Council is obligated by the Planning and Compulsory Purchase Act 2007, as amended by the Town and Country Planning (Local Planning) (England) Regulations 2012, to produce a local plan. In preparing its local plan, the Council must be consistent with policies in the National Planning Policy Framework, and take into account government's Planning Policy for Traveller Sites (PPTS). The consultation is required by the GNLP inspectors and consequently relates to the regulatory framework associated to plan-making. Associated to plan-making are statutory requirements for Sustainability Appraisal and Habitat Regulations Assessment which are also being followed as part of this focused consultation.
- 6.5 **Equality Implications** – The GNLP has been prepared with regard to the Public Sector Equality Duty, as defined by the Equality Act 2010. This consultation represents a positive step in meeting the Public Sector Equality Duty.
- 6.6 **Environmental Impact** – A Sustainability Appraisal and Habitat Regulations Assessment has been undertaken alongside the site assessment process to ensure that the environmental impacts of proposed site allocations are fully understood.
- 6.7 **Crime and Disorder** – This report does not have any direct implications for the Council's crime and disorder considerations.
- 6.8 **Risks** – See paragraph 4.3 above. For the Costessey Contingency Site particularly it is important that sites can be delivered quickly enough to meet the requirement for 10 pitches by March 2027 and a further 8 pitches by March 2032. It should be noted that concerns have been raised that the delivery of GNLP5007 may be contingent on wider highway improvement to New Road beyond that which might typically be expected for a site of this size.

## 7. Conclusion

- 7.1 It is recommended that Cabinet gives approval for the Gypsy and Traveller Focused Consultation to go ahead, as it forms an important part in the examination of the GNLP. Allocating sites for Gypsies and Travellers through

the Main Modifications of the GNLP is necessary for addressing identified accommodation needs and forms part of getting a sound plan for adoption.

## **8. Recommendations**

- 8.1 It is recommended that Cabinet:
- approves a Focused Consultation on the Greater Norwich Local Plan (GNLP) proposed Gypsy and Traveller sites; and
  - delegate authority to the Assistant Director of Planning, in consultation with the Leader and Portfolio Holder for Planning, to agree consultation materials prior to the public consultation.

### **Background papers**

The document for the Greater Norwich Local Plan Gypsy and Traveller Focused consultation will be provided for Cabinet.

Supporting documents to the consultation are:

- Appendix A Gypsy and Traveller Focused Consultation Document
- Appendix B Gypsy and Traveller Site Assessment Booklet
- Appendix C Sustainability Appraisal of the Greater Norwich Local Plan Gypsy and Traveller Sites and Policies, by Lepus Consulting
- Appendix D Habitats Regulations Assessment of published Proposed Submission Greater Norwich Local Plan – Gypsy and Traveller Sites Addendum, by The Landscape Partnership
- Appendix E Housing and Economic Land Availability Assessment (HELAA) Addendum IV (June) 2022

Of relevance, but not part of the consultation, is the Gypsy and Traveller Accommodation Assessment (GTAA) that has been provided to stakeholders and is going to the inspectors in early July. A draft of the GTAA is available, [B8.3](#).

Finalised documents that are part of the GNLP's examination evidence library that relate to Gypsies and Travellers are:

- [B8.1](#) Caravans and Houseboats Study (October 2017), October 2017, RRR Consultancy Ltd
- [B8.2](#) Gypsy and Travellers Addendum, January 2021, RRR Consultancy Ltd
- [D3.6](#) Topic Paper - Policy 5 Homes, September 2021
- [D3.7](#) Topic Paper - Policy 5 Homes - Appendices A to D, September 2021
- [D5.4](#) Inspectors' Matters Issues and Questions (Part 1) - GNLP letter on Matter 6 (Homes) Issue 3: Gypsies and Travellers, Travelling, 4 January 2022
- [D5.4A](#) Inspectors' response letter regarding sites for Gypsies and Travellers, 19 January 2022

# The Greater Norwich Local Plan

## Gypsy and Traveller Focused Consultation

25 July – 7 September 2022

### ENVIRONMENT



### HOMES



### INFRASTRUCTURE



### COMMUNITIES



### DELIVERY



### ECONOMY



[www.gnlp.org.uk](http://www.gnlp.org.uk)



Working with  
**Norfolk County Council**



**NORWICH**  
City Council



**Broadland**  
District Council  
*Community at heart*



**South Norfolk**  
COUNCIL

# Site Policies for Gypsy and Traveller Permanent Residential Pitches Focused Consultation

## Contents

Introduction .....	2
Context .....	2
Calculating the Need for Pitches.....	2
Meeting the Need for Pitches .....	3
Finding Sites to Allocate .....	3
Consideration of Equalities Issues.....	4
Responding to this Consultation .....	4
Future Work in Allocating Gypsy and Traveller Sites.....	4
Cawston .....	5
Policy GNLP5004 Land off Buxton Road, Cawston .....	5
Costessey .....	7
Policy GNLP5007 Land off Bawburgh Lane, north of New Road and east of A47 Incorporation of a Gypsy and Traveller Site into the Costessey Contingency Site Allocation .....	7
Wymondham .....	9
Policy GNLP5005 Wymondham Recycling Centre, Strayground Lane, Wymondham.....	9

## Introduction

1. In July 2021 the Greater Norwich Development Partnership (the 'Partnership') submitted the Greater Norwich Local Plan ('GNLP') for independent examination. During this examination process, which included hearing sessions in February and March 2022, the two inspectors appointed on behalf of the Secretary of State, Mike Worden and Thomas Hatfield, indicated that more should be done to address Gypsy and Traveller accommodation needs.
2. This document responds by considering 3 possible sites to provide residential pitches for Gypsies and Travellers. This consultation also creates a further opportunity for landowners to propose more sites for Gypsies and Travellers.

## Context

3. In February 2022, there were 139 permanent authorised Gypsy and Traveller pitches in Greater Norwich, consisting of 85 authorised private pitches (including 27 potential with planning permission and 4 vacant), 44 local authority owned pitches, and 10 transit pitches (although the latter are currently not occupied). Also, the 2011 Census shows there were 354 Gypsies and Travellers living in the area, representing 0.09% of the total population.
4. The July 2021 submission of the GNLP to the Secretary of State says that across the Greater Norwich area, a further 64 pitches for Gypsies and Travellers will be required by the end of the plan period in 2038.
5. Since then, the Partnership has kept its requirement under review and has continued working with RRR Consultancy ('RRR') to produce a new Gypsy and Traveller Accommodation Assessment ('GTAA'), which was finished in June 2022. This new evidence, coupled with recent planning permissions, has resulted in an additional ethnic need of 50 Gypsy and Traveller pitches being identified in Greater Norwich to 2038, of which 29 pitches are required to satisfy the area's obligations under planning policy for travellers statement.

## Calculating the Need for Pitches

6. The latest GTAA from RRR summarises the need for Gypsies and Travellers in Table 1 below. It includes all accommodation need as of 2022, including any which may have been identified by previous GTAA's but remained unfulfilled by May 2022. Table 1 divides the pitch requirement between two groupings, firstly reflecting those that identify as ethnic Gypsies and Travellers; and, secondly, identifying those Gypsies and Travellers that lead a nomadic lifestyle which fits the Government's definition under the Planning Policy for Traveller Sites ('PPTS'), August 2015.<sup>1</sup>

<sup>1</sup> Ministry of Housing, Communities & Local Government, Planning Policy for Traveller Sites, August 2015 <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

Table 1: Gypsies and Travellers Pitch Requirement

Years	Plan Years	Ethnic Gypsy and Travellers	Planning Policy for Travellers Sites ('PPTS'), August 2015
1-5	22/23 – 26/27	28	10
6-10	27/28 – 31/32	10	8
11-15	32/33 – 36/37	10	9
16-16	37/38	2	2
Years 1-16		50	29

### Meeting the Need for Pitches

7. The Partnership can use its land-use planning functions to find pitches by both granting planning permissions and allocating sites in the GNLP. The Partnership has a strong track-record in granting planning permission for Gypsy and Traveller sites, and to bolster this supply, the intention is to allocate at least 18 pitches in the GNLP as well. Doing so also satisfies national planning policy guidance, which says at paragraph 10 of the PPTS that local plans should identify a 5-year supply of deliverable sites, as well as developable sites or broad locations for growth over the next 6-10 years.
8. Allocating sites complements Policy 5 of the GNLP which contains a criteria-based approach that will enable the approval of suitably located “windfall” sites to continue. It is anticipated that the continued delivery of windfall sites, coupled to allocating at least 18 pitches via the GNLP, will ensure the delivery of the 29 new pitches needed by 2037/38, with the potential for achieving, or at least substantively achieving, in the region of 50 pitches if rates of windfall repeat the levels seen historically.

### Finding Sites to Allocate

9. The reason the submitted GNLP did not allocate sites for Gypsies and Travellers was because landowners did not promote any, despite the Partnership’s efforts to seek sites at previous stages of plan-making. This work included the ‘Call for Sites’ in 2016 when the GNLP began, followed by Regulation 18 consultations in 2018 and 2020, but none were proposed. Hence why the GNLP was submitted in July 2021 without specific sites for Gypsies and Travellers.
10. The Partnership has kept searching for sites and during late 2021 and early 2022 3 sites were identified as reasonable alternatives for public consultation. Two are in public ownership and the other one was put forward by a private landowner who became aware in early 2022 that a further opportunity existed to promote Gypsy and Traveller sites for inclusion in the local plan.



## **Consideration of Equalities Issues**

11. The GNLP has been prepared with regard to the Public Sector Equality Duty, as defined by the Equality Act 2010, and an Equalities Impact Assessment (EqIA) accompanies the submission draft of the plan ([A10](#)). This latest work, through this Focused Consultation, represents a further positive step in meeting the Public Sector Equality Duty, because Gypsies and Travellers are a key ethnic minority in the area and making specific site allocations will give added assurance that this group's housing needs are addressed.

## **Responding to this Consultation**

12. Each of the 3 sites is accompanied by consultation questions to allow respondents to express their support or objection to sites, as well as giving the opportunity to make comments. These comments will be published on the GNLP website and will be used in assessing which sites are progressed as allocations.
13. Ideally, consultation responses should be submitted online at [www.gnlp.org.uk](http://www.gnlp.org.uk). However, written responses can also be made on a response form that can be requested by telephoning 01603 306603 or emailing [gnlp@norfolk.gov.uk](mailto:gnlp@norfolk.gov.uk).
14. Consultees are also encouraged to read the supporting documents to this consultation prior to responding, which are the:
- Gypsy and Traveller Site Assessment Booklet
  - Sustainability Appraisal of the Greater Norwich Local Plan Gypsy and Traveller Sites and Policies, by Lepus Consulting
  - Habitats Regulations Assessment of published Proposed Submission Greater Norwich Local Plan – Gypsy and Traveller Sites Addendum, by The Landscape Partnership
  - Housing and Economic Land Availability Assessment (HELAA) Addendum IV (June) 2022
15. These supporting documents, which are also available for respondents to comment upon, consider the constraints of the 3 proposed Gypsy and Traveller sites – such as access to local facilities, landscape impact, and ecological impact, amongst other things. This public consultation is therefore an opportunity to better understand the constraints of the 3 sites, to find out if there are other issues, and to learn what can be done to address these constraints.

## **Future Work in Allocating Gypsy and Traveller Sites**

16. Once this Focused Consultation closes on 7<sup>th</sup> September 2022 the comments received will be considered as part of the ongoing examination of the GNLP. If during the consultation new Gypsy and Traveller sites are proposed they too will be given due consideration and a decision made about their inclusion in the GNLP. The Gypsy and Traveller sites that are selected will then be combined with a further public consultation – known as the 'Main Modifications' – which will proceed the adoption of the GNLP that is anticipated to be in 2023.

## Cawston

### Policy GNLP5004 Land off Buxton Road, Cawston

This site is located in the hamlet of Eastgate, to the south-east of Cawston, along the Buxton Road. There are relatively few properties nearby, although there is one property next to the western boundary. Along the frontage is a mature tree, a hedgerow, and a gateway wide enough for a vehicular access, with fencing to mark the side and rear boundaries. The site is greenfield land.

#### Policy GNLP5004

**Land off Buxton Road, Cawston (0.12 ha) is allocated for a permanent residential Gypsy and Travellers Site. The site will accommodate approximately 4 residential Gypsy and Traveller pitches.**

The development will be expected to address the following site-specific matters:

1. Access via Buxton Road. Any trees or hedgerow lost to form the access or visibility splay should be compensated for with new planting within the development.
2. Additional landscaping and hedgerow should be provided to enhance screening and to create separation to adjoining properties.
3. Archaeological investigations should be undertaken prior to development.

# CAWSTON

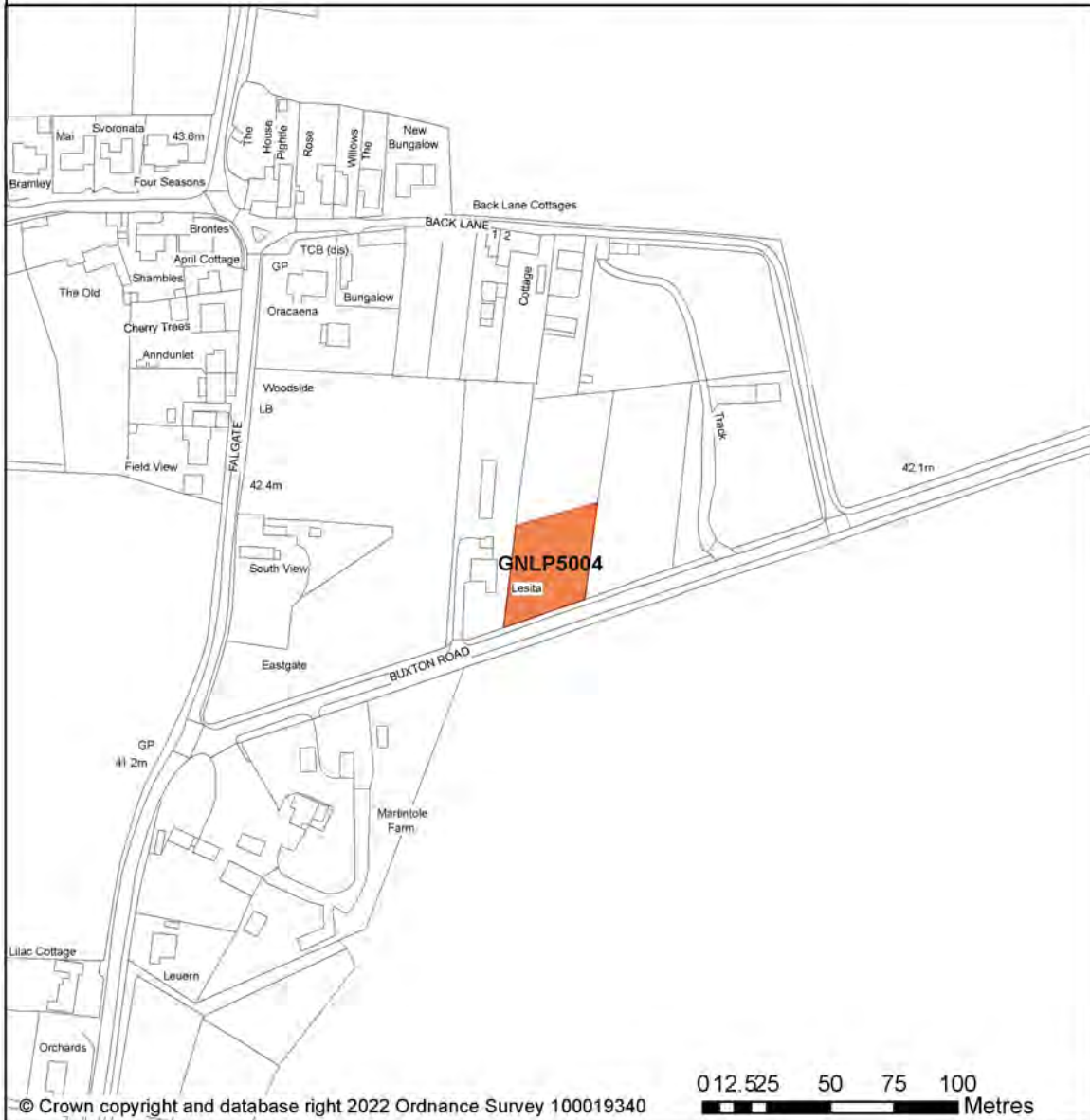
## GREATER NORWICH LOCAL PLAN GYPSY AND TRAVELLER FOCUSED CONSULTATION

SITE REFERENCE: GNLP5004

LOCATION: Land off Buxton Road, Eastgate

DESCRIPTION: 4 residential pitches for Gypsies and Travellers

SITE AREA: 0.12 ha



### Key

Proposed Gypsy and Traveller Site

Scale at A4:

1:2,131

N



Date: 24/03/2022

## **Costessey**

### **Policy GNLP5007 Land off Bawburgh Lane, north of New Road and east of A47 Incorporation of a Gypsy and Traveller Site into the Costessey Contingency Site Allocation**

62 ha of land off Bawburgh Lane (north of New Road and east of the A47 at Costessey) is a contingency option for developing an urban extension of approximately 800 homes in the submitted GNLP. Part of the site is publicly owned, and it is proposed that if development of the urban extension comes forward, approximately 1 ha of this area could be made available for a residential Gypsy and Traveller site.

The policy text for the Costessey Contingency Site can be found in the Regulation 19 Publication Stage of the GNLP ([8. Costessey Contingency Site | GNLP](#)). The proposal here is to modify the proposed contingency allocation by adding an additional criterion to include: "Provision of a 1 ha Gypsy and Traveller site, providing approximately 18 pitches." If included, the precise location of the Gypsy and Traveller site within the Contingency Site will be determined as part of the overall design and master-planning of the urban extension.

#### **Policy GNLP5007**

##### **Land off Bawburgh Lane, north of New Road and east of A47**

**If the Costessey Contingency Site is allocated for housing development, approximately 1 ha of land at this site will be allocated for a Gypsy and Traveller Site providing approximately 18 pitches.**



# COSTESSEY

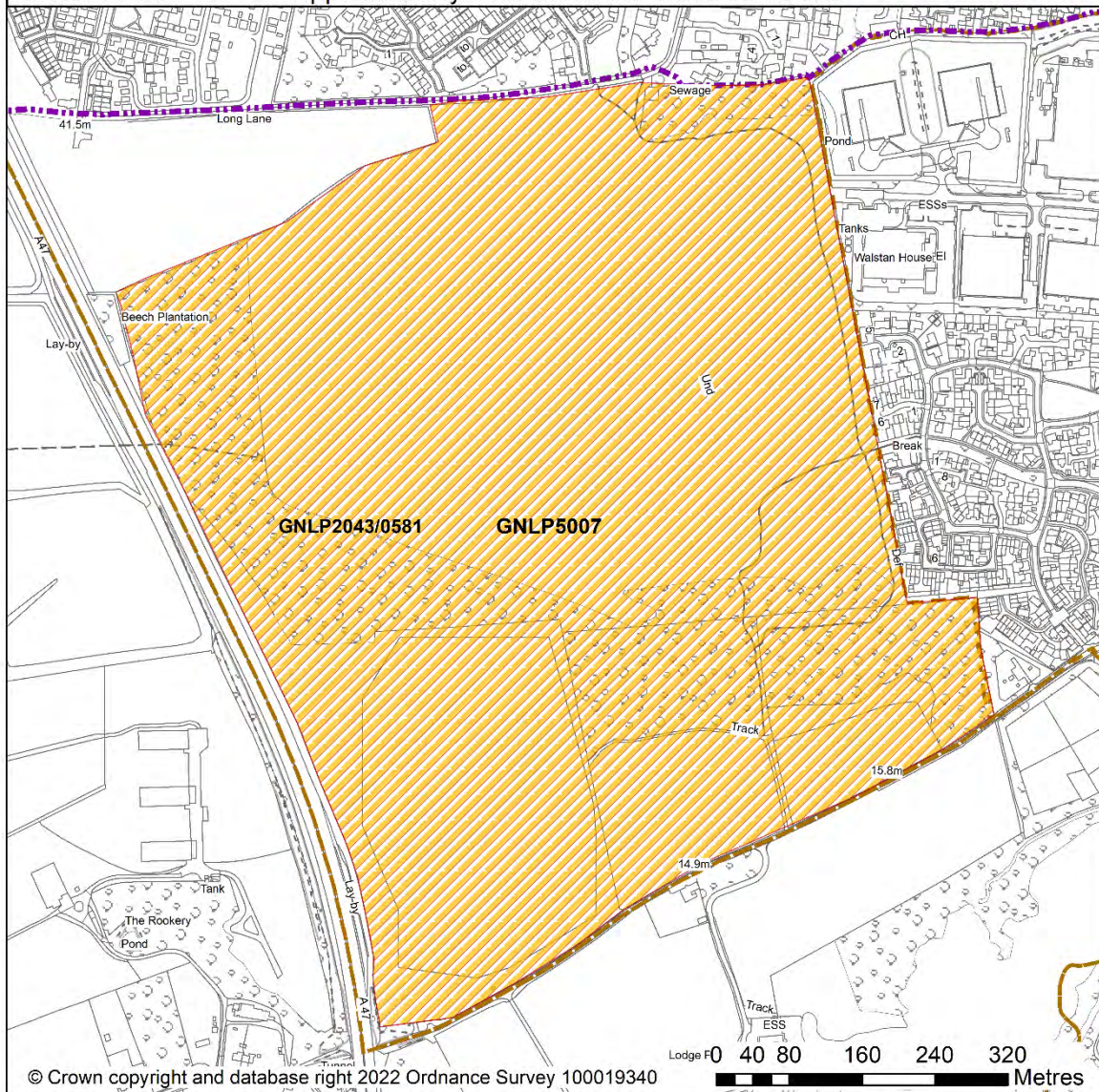
## GREATER NORWICH LOCAL PLAN GYPSY AND TRAVELLER FOCUSED CONSULTATION

**SITE REFERENCE:** GNLP5007

**LOCATION:** Land off Bawburgh Lane, north of New Road and east of the A47

**DESCRIPTION:** 18 residential pitches for Gypsies and Travellers as part of a residential-led urban extension of approximately 800 homes. Development of GNLP5007 is dependent on the allocation of the entire site, which has been previously consulted upon as contingency site GNLP0581/2043.

**SITE AREA:** Approximately 1 ha within the entire 62 ha site



Scale at A4:  
1:6,000

Date: 09/06/2022

## Wymondham

### **Policy GNLP5005 Wymondham Recycling Centre, Strayground Lane, Wymondham**

This is a publicly owned piece of land that is expected to become vacant due to the decision to close Wymondham Recycling Centre. Strayground Lane is a quiet country lane that connects to the built edge of Wymondham to the north via Whartons Lane. To the south Strayground Lane provides access to a small number of properties. There is mineral extraction activity along Strayground Lane and the Recycling Centre site is located next to an established business – Gary Cooper Paving. Therefore, redevelopment will require consideration of these present neighbouring activities, as well land adjacent as historic landfill.

#### **Policy GNLP5005**

**Land off Strayground Lane, currently the Wymondham Recycling Centre, Wymondham (0.07 ha), is allocated for a residential Gypsy and Traveller site. The site will accommodate approximately 2 residential Gypsy and Traveller pitches.**

The development will address the following specific site matters:

1. Access should be via Strayground Lane and should use the existing vehicular access for the waste recycling facility. Improvements should be made to the passing bays along Strayground Lane, and an adequate visibility splay should be ensured at the junction of Whartons Lane with London Road (B1172).
2. A contaminated land assessment is required, and any mitigation must be completed prior to development.
3. An ecological survey is required.
4. Pollution mitigation measures with respect to water quality is required as within the catchment of groundwater source protection zone (III)



# WYMONDHAM

## GREATER NORWICH LOCAL PLAN GYPSY AND TRAVELLER FOCUSED CONSULTATION

SITE REFERENCE: GNLP5005

LOCATION: Wymondham Recycling Centre - off Strayground Lane

DESCRIPTION: 2 Residential pitches for Gypsies and Travellers

SITE AREA: 0.07 ha



- Proposed Gypsy and Traveller Site
- Settlement Boundary

Scale at A4:  
1:2,000



Date: 09/06/2022

**Appendix B**  
**Greater Norwich Local Plan (GNLP) Gypsy**  
**and Traveller Focused Consultation:**

# **Gypsy and Traveller Site Assessment Booklet**

June 2022

## **Contents**

Introduction .....	2
PART 1 .....	3
Stage 1: List of Sites .....	3
Stage 2: HELAA Comparison Table.....	4
Stage 3: Summary of Informal Consultee Comments.....	6
Stage 4: Discussion of Submitted Sites .....	16
Stage 5: Shortlist of Reasonable Alternative Sites for Full Consultation .....	18
Part 2.....	19



## Introduction

This document outlines the methodology undertaken to assess the Gypsy and Traveller sites submitted for consideration into the Greater Norwich Local Plan ('GNLP') during late 2021 and early 2022. It forms part of the background evidence to the 'Gypsy and Traveller Focused Consultation', which is set to take place during summer 2022.

The purpose of this booklet is to explain the assessment work behind the 3 sites that are proposed as Gypsy and Traveller sites. The process here is much like the other settlement-based booklets for the site allocations in the Part 2 'Sites Plan' of the GNLP, but there are differences this time around. Due to how the focus is upon a handful of Gypsy and Traveller sites only, and because this booklet is being prepared in spring 2022 whilst the GNLP is going through examination.

Work on this booklet began in spring 2022 and its completion is not anticipated until autumn 2022, when decisions get made on which Gypsy and Traveller sites to incorporate into the GNLP as allocations. Table 1 below shows how the process for completing this booklet is divided into 2 parts and will be split into what is expected to be 10 stages.

Table 1: Stages in Completing the Gypsy and Traveller Site Assessment Booklet

<b>Part 1: Spring 2022</b>
Stage 1: List of Sites
Stage 2: HELAA Comparison Table
Stage 3: Summary of Informal Consultee Comments
Stage 4: Discussion of Submitted Sites
Stage 5: Shortlist of Reasonable Alternative Sites for Full Consultation
<b>Part 2: Autumn 2022</b>
Stage 6: Summary of Comments from the Gypsy and Traveller Focused Consultation
Stage 7: List of New and Revised Gypsy and Traveller Sites Proposed
Stage 8: HELAA Comparison Table of New and Revised Gypsy and Traveller Sites Proposed
Stage 9: Discussion of Alternative New and Revised Gypsy and Traveller Sites Proposed
Stage 10: Conclusions on the Gypsy and Traveller Sites for Allocation

## PART 1

### Stage 1: List of Sites

Stage 1 is a list of the Gypsy and Traveller sites being considered and includes basic information such as address and site size. Having this list serves to make it clear what land is being considered.

Site Reference	Site Area (ha)	Address	Parish	Number of Pitches
GNLP5004	0.12	Land off Buxton Road, Eastgate	Cawston	4
GNLP5005	0.07	Wymondham Recycling Centre, Strayground Lane	Wymondham	2
GNLP5007	1	Land off Bawburgh Lane, north of New Road and east of the A47, Costessey (Contingency Site)	Costessey	18
Total	1.19			24

## **Stage 2: HELAA Comparison Table**

Stage 2 incorporates into the site assessment the findings of the Housing and Economic Land Availability Assessment (HELAA). This work is a screening process that determines if a site is so constrained as to rule out further assessment and can help too in identifying constraints that will need addressing further. Those sites deemed suitable through the HELAA process are automatically put forward for inclusion in the Sustainability Appraisal. The Sustainability Appraisal (which incorporates the requirements of Strategic Environmental Assessment) helps to guide and influence the plan-making process. To complete the Sustainability Appraisal the Partnership works with Lepus Consulting, and their findings on each of the Gypsy and Traveller sites will be published alongside this booklet as part of the summer 2022 public consultation.

	Categories													
Site Reference	Site access	Access to services	Utilities Capacity	Utilities Infrastructure	Contamination/ ground stability	Flood Risk	Market attractiveness	Significant landscapes	Sensitive townscapes	Biodiversity & Geodiversity	Historic environment	Open Space and GI	Transport & Roads	Compatibility with neighbouring
Gypsy and Traveller Sites – Permanent Residential Pitches														
GNLP5004	Green	Amber	Green	Green	Green	Green	Green	Amber	Green	Amber	Green	Green	Green	Green
GNLP5005	Amber	Amber	Green	Green	Amber	Green	Green	Amber	Green	Amber	Green	Green	Green	Amber
GNLP5007	Amber	Amber	Amber	Green	Green	Amber	Green	Amber	Amber	Amber	Green	Green	Green	Green

### **Stage 3: Summary of Informal Consultee Comments**

Stage 3 is a summary of informal comments received from professionals working for Anglia Water, Norfolk County Council Ecology, Highways, Lead Local Flood Authority, and South Norfolk/Broadland Council Planning Department, Environmental Health, Natural England. Undertaking this work has provided an initial basis on which to undertake assessment of the sites.

<b>Site Reference:</b>	GNLP5004
<b>Address:</b>	Land off Buxton Road, Cawston
<b>Ha:</b>	Approx. 0.12 Ha
<b>Proposal:</b>	Permanent residential Gypsy and Traveller Site. The site is to accommodate approximately 4 residential Gypsy and Traveller pitches.

<b>CURRENT USE OF SITE:</b>	<b>BROWNFIELD/GREENFIELD:</b>
Vacant	greenfield site

**CONSTRAINTS IDENTIFIED IN THE HELAA:**

Amber Constraints in HELAA  
Access to services, Significant landscapes, Biodiversity and Geodiversity

**HELAA Conclusion**

This greenfield site off Buxton Road in the hamlet of Eastgate, south-east of Cawston, is 0.12 ha in size, and could likely accommodate 4 permanent residential Gypsy and Traveller pitches.

The initial highways advice is that a suitable vehicular access is likely to be achievable, subject to demonstrating an acceptable visibility splay but that this might require the removal of hedgerow. Locationally, GNLP5004 is slightly disconnected to local services. As for example, the distance to Cawston Primary School is 1.7 km. However, as this is a relatively small development proposal it will not to lead to a significant increase in traffic on local roads or a significant increase in unsustainable travel patterns.

There are no known constraints relating to utilities capacity, contamination or ground stability issues. Anglian Water has stated water supply and water recycling connections will be addressed at the time a site comes forward because it is a development for fewer than 10 dwellings. The site is within Flood Zone 1, so is at low risk of fluvial flooding, and no surface water flooding risk has been identified.

In terms of sensitive landscape and biodiversity, Cawston and Marsham Heaths SSSI is located approximately 1 km from the site, and there are a further four SSSIs within a 5 km radius -- Booton Common SSSI, Buxton Heath SSSI, Alderford Common SSSI and Swannington Upgate Common SSSI and it is in a 'green' impact risk zone for Great Crested Newts. However, Natural England has not raised an objection to this site.

Whilst only measuring 0.12 ha it is noted that GNLP5004 is Grade 2 agricultural land which would result in a minor loss of high value agricultural land. Furthermore, developing GNLP5004 would not mean a loss of open space, and neither is the site situated along a strategic green infrastructure corridor.

Cawston Conservation Area, which includes a number of Grade I and II listed buildings, is approximately 1.6 km west of the site, and so no adverse impact is expected on heritage assets. But initial advice from the Historic Environment Team is that the site is close to an area of Roman Settlement. Therefore, further archaeological investigation will be necessary.

As to neighbouring and adjoining uses, there are residential properties to the north of the site along Back Lane, a field to the east, agricultural land on the south side of Buxton Road, and a home to the west. So how GNLP5004 could be developed to fit within its surroundings most appropriately will need consideration, but nevertheless the principle of development is considered acceptable.

Overall, GNLP5004 is considered suitable for the land availability assessment, subject to achieving an acceptable visibility splay and undertaking site investigations. But also, as with many locations, recent announcements about nutrient levels in river basin catchments will have to be addressed if GNLP5004 is developed.

The exact process for how GNLP5004 could be developed as a Gypsy and Traveller site is yet to be decided, but it is considered that options exist for bringing the site forward, and there is no reason to doubt that GNLP5004 is in a location that would be attractive to the Gypsy and Traveller community as a suitable site.

#### **CONSULTEE COMMENTS:**

##### **Highways**

Subject to demonstrating acceptable visibility, incl. removal of hedges. Remote from local community, no walking route to catchment school.

##### **Development Management**

This site is located next to an existing bungalow with other scattered dwellings around, agricultural land, narrow road with no footpaths, trees and hedgerows to the frontage which will probably need to go. Grade 2 agricultural land. Really poor connectively to any services. This one I feel would have an impact on the form and character of the area/landscape impact associated with 4 pitches, unsustainable location.

##### **Environmental Health**

(Green) The site is unlikely to be contaminated.

##### **Lead local Flood Authority**

Few or no constraints. Standard information required at a planning stage.

##### **Environment Services – Ecology**

GNLP5004: Cawston and Marsham Heaths SSSI is located approximately 1 km from the site. The site is within an a SSSI Impact Risk Zone. Within a 5 km radius there are a further four SSSIs - Booton Common SSSI, Buxton Heath SSSI, Alderford Common SSSI and Swannington Upgate Common SSSI. The site comprises an area of rough grassland and scrub (Street view). Located on grade 2 agricultural land. It is not on a Strategic GI corridor and green impact risk zone for great crested newts. Nutrient Neutrality will need to be considered and an HRA is likely to be required (11/04/22).

**Natural England**

Acceptable – This is subject to the caveat that we have only assessed these proposed sites against statutory designated sites and protected landscape.

**Historic Environment Services**

The site is close to area of Roman settlement.

**Anglian Water**

For sites of less than 100 homes and certainly less than 50 units Anglian Water would address water supply and water recycling connections at the time those sites came forward.

**PLANNING HISTORY:**

20191685 -- Erection of Dwelling with Associated Works (Outline) (Appeal Dismissed)



<b>Site Reference:</b>	GNLP5005
<b>Address:</b>	Land off Strayground Lane, known as the Wymondham Recycling Centre, Wymondham
<b>Ha:</b>	Approx. 0.07 ha
<b>Proposal:</b>	Permanent residential Gypsy and Traveller site. The site is to accommodate approximately 2 residential Gypsy and Traveller pitches.

<b>CURRENT USE OF SITE:</b>	<b>BROWNFIELD/GREENFIELD:</b>
Land used as Recycling centre	Brownfield

#### **CONSTRAINTS IDENTIFIED IN THE HELAA:**

Amber Constraints in HELAA  
Site Access, Access to services, Contamination/ground stability, Significant landscapes, Biodiversity and Geodiversity, Compatibility with neighbouring uses.

#### **HELAA Conclusion**

Site GNLP5005 measures 0.07 ha and is currently used as Wymondham Recycling Centre. The landowner intends to close this facility, and thus an opportunity exists to redevelop it for approximately 2 residential Gypsy and Traveller pitches. However, the site is not likely to become available until 2025 at the earliest.

GNLP5005 has a vehicular access onto Strayground Lane that serves the existing recycling centre. Strayground Lane is not to a good standard, there is no footpath, and the passing bays may require improvement; but the proposed use will generate less traffic than the existing recycling centre. Strayground Lane is a quiet lane in character and so opportunity exists for pedestrians and cyclists to use this route to access facilities in Wymondham.

The lack of footpath provision along Strayground Lane is a constraint in accessibility terms, but GNLP5005 is close to some facilities in Wymondham. There is a local shop approximately 700 m away, the closest GP surgery is approximately 900 m, and Browick Road Primary School is approximately 1 km. This means that GNLP5005 has adequate access to schools and facilities for people to meet their daily needs.

In respect to heritage constraints GNLP5005 presents no substantive concerns, as the nearest listed building (Grade II 'Ivy Green Villa') is 300 m away and separated by the industrial area along Chestnut Drive. Environmental considerations will need further assessment such as an ecological survey, as GNLP5005 is approximately 50 m from undeveloped areas along the Bays River, which is lowland fens priority

habitat, and GNLP5005 partly overlaps the Bays River Meadows North County Wildlife Site. GNLP5005 is at low risk of flooding as within Flood Zone 1, and within the catchment of a groundwater Source Protection Zone (Zone III) as such pollution mitigation measures with respect to water quality will be required but none of these factors rules out development potential.

Whilst not prohibiting possible development there are other points to consider due to past and present neighbouring uses. Immediately adjoining GNLP5005 to the west and south is the Gary Cooper Paving company that will pose considerations in terms of vehicle movements, noise, and possibly dust. The site abuts sections which overlap with a historic landfill site that will need investigation for possible further contamination. Immediately to the north-east, east, and south are various planning consents dating back to the 1990s for a gravel quarry, stockpiling aggregates, and landfilling of inert waste (references include C/92/7023 and C/94/7016).

Overall, GNLP5005 is considered suitable for the land availability assessment, subject to achieving mitigation measures, and provided the site can be appropriately converted from a recycling centre to a permanent residential site. But also, as with many locations, recent announcements about nutrient levels in river basin catchments will have to be addressed if GNLP5005 is developed.

The exact process for how GNLP5005 could be developed as a Gypsy and Traveller site is yet to be decided, but it is considered that options exist for bringing the site forward, and there is no reason to doubt that GNLP5005 is in a location that would be attractive to the Gypsy and Traveller community as a suitable site.

#### **CONSULTEE COMMENTS:**

##### **Highways**

Strayground Lane is not a good standard, however proposed use will generate less traffic, passing bays may require improvement. No walking route to local facilities.

##### **Development Management**

Existing recycling centre and Gary Cooper's Paving Business – The site has an existing use for storage of vehicles plant and equipment for a paving business and there is existing hard standing, buildings and storage bays on site given change of use in 2005 from scrapyard. CWS encroaches into top part of site and bound to the west, B2 – Tiffey Tributary Farmland,

With Nutrient Neutrality in mind under 2021/0607 the EA advised: This site is located above Principal, Secondary A and Secondary (undifferentiated) Aquifers (Chalk, Alluvium and Lowestoft Formations respectively) and the application overlies WFD groundwater body and is also in a WFD drinking water protected area and is adjacent to Bays River which leads to the River Tiffey. The site is considered to be of moderate to high environmental sensitivity.

In terms of landscape impact, the current uses need to be considered, and probably not significantly harmful when taking that into account, equally the uses close to the site. Poor connectivity.

**Environmental Health**

(Amber) Unable to confirm that contamination matters can be mitigated without site investigation.

**Lead local Flood Authority**

Few or no constraints. Standard information required at a planning stage. There is an EA Main River near the western site boundary.

**Environment Services- Ecology**

GNLP5005: There are no designated sites within 1 km radius. The only designated site within a 5 km radius is Lower Ashwellthorpe Woods SSSI some 3.7 km away, beyond the A11. The Bays River Meadow North CWS appears to be located within the proposed boundaries of the site. It is recommended the site avoid the CWS and provides a minimum 10 m buffer between the site and CWS. The proposed Gypsy and Traveller site comprises Wymondham Recycling Centre (hardstanding) surrounded by mature trees/hedges. It is partly within the amber risk zone for Great Crested Newts. It is on a Strategic GI corridor. Nutrient Neutrality will need to be considered and an HRA is likely to be required (11/04/22).

**Natural England**

Acceptable – This is subject to the caveat that we have only assessed these proposed sites against statutory designated sites and protected landscape.

**Anglian Water**

For sites of less than 100 homes and certainly less than 50 units Anglian Water would address water supply and water recycling connections at the time those sites came forward.

**PLANNING HISTORY:**

Adjacent Land -- C/92/7023 – Gravel Extraction  
Adjacent Land -- C/94/7016 – Restoration of Gravel Pit  
C/7/1993/7014 -- Household Waste Centre  
Adjacent Land -- 2005/1121 -- Change of use from scrapyard to paving contractors yard & replacement of existing portacabins  
Adjacent Land -- 2021/0607 -- Erection of steel building 18.3m x 13.7m x 5.8m for maintenance and storage in relation to existing site use

<b>Site Reference:</b>	GNLP5007
<b>Address:</b>	Land off Bawburgh Lane, north of New Road and east of A47 (within contingency site GNLP0581/2143)
<b>Ha:</b>	Approximately 1 ha (within a 62ha urban extension site)
<b>Proposal:</b>	Provision of a 1 ha Gypsy and Traveller site, providing approximately 18 pitches

<b>CURRENT USE OF SITE:</b>	<b>BROWNFIELD/GREENFIELD:</b>
Vacant	greenfield site

#### **CONSTRAINTS IDENTIFIED IN THE HELAA:**

##### **Amber Constraints in HELAA**

Site access, Access to services, Utilities Capacity, Flood Risk, Significant landscapes, Sensitive townscapes, Biodiversity & Geodiversity

#### **HELAA Conclusion**

Site GNLP5007 is a variation of the contingency site GNLP0581/2043, which measures 62 ha, and is being promoted as a residential-led urban extension of approximately 800 homes. The variation as proposed by GNLP5007 is to incorporate approximately 1 ha for Gypsies and Travellers accommodation into the urban extension. The exact location of the Gypsy and Traveller site within GNLP0581/2043 is yet to be determined and will be considered as part of master-planning the overall urban extension.

The inclusion of a Gypsy and Traveller site represents a small-scale change in the context of an entire urban extension. Varying GNLP0581/2043 with the incorporation of a 1 ha Gypsy and Traveller site into the overall 62 ha site has little effect on the land availability assessment scoring, and all the constraints previously identified continue to apply. Given the size of GNLP0581/2043 some constraints are to be expected, but it is considered that these issues can be mitigated through a comprehensive master-planning exercise.

There is a band of land that has surface water flood risk through the middle and a northern part of GNLP0581/2041. GNLP0581/2041 is also in the Norwich Southern Bypass Protection Zone and adjacent to the A47 there could be amenity concerns from disturbance caused by traffic. Other constraints include overhead power lines, an adjacent contaminated site, landscape impacts, townscape impacts, and the potential for protected species being on-site.

Site GNLP0581/2041 was considered suitable for inclusion in the land supply assessment, and that conclusion remains the same with inclusion of a Gypsy and Traveller site into the overall proposal for an urban extension. But also, as with

many locations, recent announcements about nutrient levels in river basin catchments will have to be addressed if GNLP5007 is developed.

The exact process for how GNLP5007 could be developed as a Gypsy and Traveller site is yet to be decided, but it is considered that options exist for bringing the site forward, and there is no reason to doubt that GNLP5007 is in a location that would be attractive to the Gypsy and Traveller community as a suitable site.

## **CONSULTEE COMMENTS**

### **Highways**

Subject to detail regarding access

### **Development Management**

Don't feel we need to comment on this as it forms part of the residential-led urban extension of approximately 800 dwellings and policy are fully aware of the ins and outs of that site.

### **Environmental Health**

(Green) may be localised areas of contamination – would expect to see SI with any application.

### **Lead local Flood Authority**

Few or no constraints. Standard information required at a planning stage. There is an onsite flow path in the 3.33%, 1.0% and 0.1% AEP events, ranging from minor through to moderate/major. The flow path is located in the east of the site. Comparative to the site size, the flow path affects only a small area and a large percentage of the site still remains developable. We advise this is considered in your site assessment.

### **Environment Services – Ecology**

GNLP5007: Within a 1 km radius of the site there are no designated sites. The River Wensum SSSI and SAC is circa 1.7 km north of the site at Costessey. It is located within a SSSI Impact Risk Zone. Sweetbriar Road Meadows SSSI is circa 3.7 km away, beyond the inner ring road of Norwich. The site comprises of several agricultural fields, woodland and hedges. It is bounded to the west of the A47, and to the east and north by Cringleford. It is on a Strategic GI corridor and is identified as grade 3 agricultural land. Nutrient Neutrality will need to be considered and an HRA is likely to be required (11/04/22).

### **Natural England**

Acceptable – This is subject to the caveat that we have only assessed these proposed sites against statutory designated sites and protected landscape.

### **Anglian Water**

For sites of less than 100 homes and certainly less than 50 units Anglian Water would address water supply and water recycling connections at the time those sites came forward.

<b>PLANNING HISTORY:</b>
2015/1275 -- Screening opinion for proposed development of ground mounted solar photovoltaic panels and associated works.

## Stage 4: Discussion of Submitted Sites

Stage 4 provides opportunity for a comparative discussion of the sites, and to bring together the information from both the Land Availability Assessment and the Sustainability Appraisal to understand if any sites stand out as more or less favourable than others. Comparing the sites will help too in understanding if any combinations work better or not, such as by providing a geographical spread of Gypsy and Traveller sites across the Greater Norwich area.

Overall, there is nothing about the 3 sites that should rule out for further consultation. Neither is there anything about the 3 sites in combination that present difficulty, as they are well spread geographically, with 1 in Broadland district and 2 in South Norfolk district. The one Broadland site, GNLP5004 at Eastgate, is the most rural of the three sites. Whereas by contrast, GNLP5007 at Costessessy is well-connected to the urban fringe of Norwich; and, GNLP5005 is situated on the edge of Wymondham.

The three sites range distinctly too in their size with GNLP5007 having the potential to make the biggest contribution of 18 pitches, but having smaller sites is helpful too. It provides an element of choice for Gypsy and Traveller families, both in the size and location of sites, and could facilitate sites coming forward as a mixture of pitches for rent or for private sale.

As individual sites the following points are drawn from the first 3 stages of this assessment booklet:

GNLP5004 (Buxton Road, Eastgate) performed relatively well against the HELAA criteria, scoring 11 'greens' and 3 'ambers'. The consultee comments point out that the site is remote from services, that it could have a negative impact on the form and character of the area, and that there could be some archaeological interest. Whilst nothing can be done to address the distance to facilities in a rural location, other constraints are manageable by requiring extra trees and hedgerow for landscaping, and to undertake archaeological investigations prior to development beginning.

GNLP5005 (Wymondham Recycling Centre) performed less well than GNLP5004, scoring 8 'greens' and 6 'ambers'. The consultee comments highlighted the various constraints, which include highways constraints along Strayground Lane, flood risk, the ecological constraints of partly overlapping the Bays River Meadow County Wildlife Site, the contaminated land issue from the former landfill site, the compatibility of neighbouring uses from the adjacent business (Gary Cooper Paving), and the quarry uses further along Strayground Lane. Whilst GNLP5005 faces several constraints mitigations appear to be available, such as by requiring a contaminated land assessment, ecological assessment, and pollution mitigation measures with respect to water quality prior to the site's redevelopment.

GNLP5007 (Costessey Contingency Site) performed comparatively well, scoring 7 'greens' and 7 'ambers'. The consultee comments point out some constraints to do with surface water flood risk, and there are woodland areas and hedgerows across

the site. Such constraints are to be expected of such a large-scale greenfield site, but there is ample opportunity to understand and mitigate against the constraints. Because if GNLP5007 is allocated for Gypsies and Travellers it will be as part of the Contingency Site GNLP0581/2043, and all the challenges of the site will be addressed as part of master-planning this urban extension.



## **Stage 5: Shortlist of Reasonable Alternative Sites for Full Consultation**

Stage 5 is the culmination of the first part of this booklet up to spring 2022 and is to document the sites going forward for full public consultation.

All 3 sites identified at Stage 1 are considered suitable to go forward for public consultation in summer 2022, having been assessed through Stages 1 to 4 of this booklet, and considering the findings of the Land Availability Assessment, the Sustainability Appraisal, and the Habitats Regulation Assessment. Sites GNLP5004, GNLP5005, and GNLP5007 are considered suitable for allocation, subject to public consultation and further assessment.

## Part 2

To be completed from autumn 2022.

# Sustainability Appraisal of the Greater Norwich Local Plan Gypsy and Traveller Sites and Policies

## Addendum to the Regulation 19 SA Report

June 2022



# Sustainability Appraisal of the Greater Norwich Local Plan Gypsy and Traveller Sites and Policies

## Addendum to the Regulation 19 SA Report

LC-806	Document Control Box
Client	Greater Norwich Development Partnership
Report Title	Sustainability Appraisal of the Greater Norwich Local Plan Gypsy and Traveller Sites and Policies: Addendum to the Regulation 19 SA Report
Filename	LC-806_GNLP_G&T_SA_8_230622LB.docx
Date	June 2022
Author	RI
Reviewed	LB
Approved	ND

# About this report & notes for readers

Lepus Consulting Ltd (Lepus) has prepared this report for the use of Greater Norwich Development Partnership. There are a number of limitations that should be borne in mind when considering the conclusions of this report. No party should alter or change this report whatsoever without written permission from Lepus.

© Lepus Consulting Ltd

This SA Report is based on the best available information, including that provided to Lepus by the Council and information that is publicly available. No attempt to verify these secondary data sources has been made and they have been assumed to be accurate as published. This report was prepared between April and June 2022 and is subject to and limited by the information available during this time. This report has been produced to assess the sustainability effects of the Gypsy and Traveller Site Allocations and

Policies and meets the requirements of the SEA Directive. It is not intended to be a substitute for an Environmental Impact Assessment (EIA) or Appropriate Assessment (AA).

Client comments can be sent to Lepus using the following address.

Eagle Tower,  
Montpellier Drive  
Cheltenham  
Gloucestershire  
GL50 1TA

Telephone: 01242 525222

E-mail: [enquiries@lepusconsulting.com](mailto:enquiries@lepusconsulting.com)

[www.lepusconsulting.com](http://www.lepusconsulting.com)

# Contents

<b>1</b>	<b>Introduction.....</b>	<b>1</b>
1.1	Context .....	1
1.2	Greater Norwich.....	2
1.3	Gypsy and Traveller Accommodation Needs Assessment .....	4
1.4	Integrated approach to SA and SEA.....	4
1.5	Best Practice Guidance .....	5
1.6	Sustainability Appraisal .....	6
1.7	GNLP Gypsy and Traveller Sites and Policies .....	7
1.8	Signposting for this report.....	8
<b>2</b>	<b>Methodology .....</b>	<b>9</b>
2.1	Assessment of Reasonable Alternatives.....	9
2.2	Significance.....	11
2.3	Impact sensitivity.....	11
2.4	Impact magnitude .....	11
2.5	Distances .....	12
2.6	Limitations of predicting effects .....	12
2.7	Assessment assumptions .....	13
<b>3</b>	<b>Pre-mitigation site assessments.....</b>	<b>25</b>
3.1	Introduction .....	25
3.2	Site GNLP5004 – Land off Buxton Road, Eastgate.....	26
3.3	Site GNLP5005 – Wymondham Recycling Centre, Strayground Lane .....	31
3.4	Site GNLP5007 – Land off Bawburgh Lane, north of New Road and east of the A47, Costessey (Contingency Site) .....	37
<b>4</b>	<b>Assessment of site policies .....</b>	<b>43</b>
4.1	Preface .....	43
4.2	Site Policy GNLP5004 .....	43
4.3	Site Policy GNLP5005 .....	44
4.4	Site Policy GNLP5007 .....	45
<b>5</b>	<b>Mitigation and residual effects .....</b>	<b>47</b>
5.1	Overview .....	47
5.2	SA Objective 1 – Air Quality and Noise .....	48
5.3	SA Objective 2 – Climate Change Mitigation and Adaptation .....	48
5.4	SA Objective 3 – Biodiversity, Geodiversity and Green Infrastructure .....	49
5.5	SA Objective 4 – Landscape.....	50
5.6	SA Objective 5 – Housing.....	51
5.7	SA Objective 6 – Population and Communities .....	51
5.8	SA Objective 7 – Deprivation .....	51
5.9	SA Objective 8 – Health.....	52
5.10	SA Objective 9 – Crime.....	53
5.11	SA Objective 10 – Education .....	54
5.12	SA Objective 11 – Economy .....	55
5.13	SA Objective 12 – Transport and Access to Services.....	56
5.14	SA Objective 13 – Historic Environment .....	57
5.15	SA Objective 14 – Natural Resources, Waste and Contaminated Land .....	57
5.16	SA Objective 15 – Water .....	58
5.17	Post-mitigation site assessments .....	59
5.18	Recommendations.....	60
<b>6</b>	<b>Preferred Options .....</b>	<b>61</b>
6.1	Reasonable alternatives.....	61
6.2	Site identification and screening.....	61

6.3	Selection and rejection of reasonable alternative sites .....	61
6.4	Reasonable alternative policies.....	62
<b>7</b>	<b>Next steps.....</b>	<b>63</b>
7.1	Consultation .....	63
<b>Appendix A: SA Framework.....</b>		<b>64</b>

## Figures

<b>Figure 1.1:</b> District boundaries within Greater Norwich and location of proposed three Gypsy and Traveller sites. ....	3
<b>Figure 3.4:</b> Location of proposed Gypsy and Traveller Site GNLP5004. ....	26
<b>Figure 3.5:</b> Location of proposed Gypsy and Traveller Site GNLP5005. ....	31
<b>Figure 3.7:</b> Location of proposed Gypsy and Traveller Site GNLP5007. ....	37

## Tables

<b>Table 1.1:</b> Timeline of SA documents in relation to the GNLP stages of preparation.....	6
<b>Table 1.2:</b> Reasonable alternative sites considered within this SA report .....	7
<b>Table 2.1:</b> Guide to scoring significant effects.....	10
<b>Table 2.2:</b> Geographic scales of receptors .....	11
<b>Table 2.3:</b> Impact magnitude.....	12
<b>Table 2.4:</b> Assumptions for each SA objective. ....	13
<b>Table 3.1:</b> Pre-mitigation impacts of each site identified in the SA Report .....	25
<b>Table 6.1:</b> Reasons for selection of each reasonable alternative Gypsy and Traveller site .....	62

# Abbreviations

<b>ALC</b>	Agricultural Land Classification
<b>AQMA</b>	Air Quality Management Area
<b>DEFRA</b>	Department for Environment, Food and Rural Affairs
<b>DLUHC</b>	Department for Levelling Up, Housing and Communities
<b>EA</b>	Environment Agency
<b>GNDP</b>	Greater Norwich Development Partnership
<b>GNLP</b>	Greater Norwich Local Plan
<b>GP</b>	General Practice
<b>GTAA</b>	Gypsy and Traveller Accommodation Assessment
<b>ha</b>	Hectare
<b>HRA</b>	Habitats Regulations Assessment
<b>IRZ</b>	Impact Risk Zone
<b>km</b>	Kilometre
<b>LCA</b>	Landscape Character Area
<b>LCT</b>	Landscape Character Type
<b>LVIA</b>	Landscape and Visual Impact Assessment
<b>m</b>	Metre
<b>MHCLG</b>	Ministry for Housing, Communities and Local Government
<b>MSA</b>	Mineral Safeguarding Area
<b>NHS</b>	National Health Service
<b>NPPF</b>	National Planning Policy Framework
<b>ODPM</b>	Office of the Deputy Prime Minister
<b>PPG</b>	Planning Policy Guidance
<b>PPP</b>	Plan, Policy and Programme
<b>PRoW</b>	Public Right of Way
<b>SA</b>	Sustainability Appraisal
<b>SAC</b>	Special Area of Conservation
<b>SEA</b>	Strategic Environmental Assessment
<b>SPA</b>	Special Protection Area
<b>SPZ</b>	Source Protection Zone
<b>SSSI</b>	Site of Special Scientific Interest



---

# Executive Summary

## About this report

- E1 The Greater Norwich Development Partnership (GNDP) are in the process of preparing the Greater Norwich Local Plan (GNLP), which will include allocations and policies to meet the accommodation needs of Gypsies and Travellers.
- E2 As part of the GNLP process, a Sustainability Appraisal (SA) is being undertaken that incorporates the requirements of Strategic Environmental Assessment (SEA). The purpose of SA/SEA is to help guide and influence the Plan making process for the GNDP by identifying the likely sustainability effects of various reasonable alternative options.
- E3 The Greater Norwich Gypsy and Traveller Accommodation Assessment (GTAA) Report (June 2022)<sup>1</sup> has been prepared to assess the accommodation needs of Gypsies and Travellers and Travelling Showpeople within the Plan area, through a review of secondary information, surveys and interviews. The GTAA found that 50 Gypsy and Traveller pitches are required over the Plan period to 2038.
- E4 The GNLP was submitted to the Secretary of State for independent examination on 30<sup>th</sup> July 2021, with examination hearings held between February and March 2022. The Inspectors stated that a focussed consultation on proposed Gypsy and Traveller sites and policies within the GNLP is required. This SA report therefore comprises an appraisal of the three reasonable alternative sites and related policies proposed within the GNLP for Gypsies and Travellers within the Plan area.
- E5 SA is the process of informing and influencing the preparation of a Local Plan to optimise its sustainability performance. SA considers the social, economic and environmental performance of the Plan.

---

<sup>1</sup> RRR Consultancy Ltd (2022) Greater Norwich Gypsy and Traveller Accommodation Assessment Report, June 2022. Available at: <https://www.gnlp.org.uk/sites/gnlp/files/2022-06/Greater%20Norwich%20GTAA%20Final%20Report%20June%202022.pdf> [Date Accessed: 21/06/22]

---

## Summary findings

- E6 A total of three reasonable alternative sites proposed for permanent Gypsy and Traveller pitches have been identified across Greater Norwich. These three sites have been assessed within this SA report, based on the same methodology that has been used throughout the SA process for the assessment of housing, employment and mixed-use sites.
- E7 The SA has identified a range of positive and negative potential impacts of the reasonable alternative sites on the objectives within the SA Framework. Negative impacts were mainly related to issues associated with the development being situated outside of sustainable target distances to services such as schools and healthcare facilities, and the potential for threats or pressures to environmental assets including biodiversity features, watercourses and the loss of ecologically or agriculturally valuable soil associated with development on previously undeveloped land. Positive impacts were identified relating to the provision of pitches to contribute towards meeting accommodation needs for Gypsies and Travellers, and the location of the sites away from areas of fluvial flood risk.
- E8 Some (but not all) of these negative impacts may be mitigated through policy and site design.
- E9 The GNLP has proposed all three sites for allocation within the emerging GNLP 'Site Policies for Gypsy and Traveller Permanent Residential Pitches Focused Consultation' document. Each site has an accompanying site policy which has been prepared to address site-specific issues alongside the proposed allocation.
- E10 The three reasonable alternative Gypsy and Traveller sites perform similarly overall in the SA. Following consideration of policy mitigation, the SA has identified residual positive, negligible and negative effects against some SA Objectives.
- E11 The best performing option could be identified as Site GNLP5005, because after the potential mitigating influence of the GNLP policies is taken into account, it scores positively overall for the most SA Objectives. However, the assessment of this site has also identified the potential for minor negative impacts across several SA Objectives.
- E12 There is a degree of uncertainty regarding the impacts of all sites on biodiversity (SA Objective 3) owing to the emerging mitigation strategy regarding nutrient neutrality issues within Norfolk. Furthermore, at this stage, the impacts that could arise at Site GNLP5007 are uncertain for some SA Objectives as the exact location of the Gypsy and Traveller pitches within the wider Costessey Contingency Site are unknown at the time of writing.
- E13 Where relevant, the SA has identified some recommendations to enhance or strengthen the proposed site allocation policies.

## Next steps

- E14 This SA Report has been prepared as an addendum to the Regulation 19 SA Report, and will undergo a 6-week public consultation period between July and September 2022.
- E15 This SA Report is subject to a focused consultation alongside the 'Site Policies for Gypsy and Traveller Permanent Residential Pitches Focused Consultation' document, the Gypsy and Traveller Site Assessment Booklet, HELAA Addendum and the HRA.
- E16 Following the consultation period, responses will be considered by the Councils to inform the emerging GNLP as the examination stage progresses.

**This page is deliberately blank.**

# 1 Introduction

## 1.1 Context

- 1.1.1 Lepus Consulting is conducting the Sustainability Appraisal (SA) process for the Greater Norwich Local Plan (GNLP), including Gypsy and Traveller sites and policies, on behalf of Greater Norwich Development Partnership (GNDP) which includes Broadland District Council, Norwich City Council and South Norfolk Council.
- 1.1.2 The Submission Version of the GNLP was submitted to the Secretary of State for independent examination on 30<sup>th</sup> July 2021. Between 1<sup>st</sup> February and 22<sup>nd</sup> March 2021, the GNDP underwent public consultation on the Regulation 19 Pre-Submission Draft Version of the GNLP<sup>2</sup>, with examination hearings held between February and March 2022. This version of the GNLP was supported by a Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) report<sup>3</sup>, which satisfied the requirements of an ‘Environmental Report’ as per the SEA Regulations<sup>4</sup> (from here on referred to as the Regulation 19 SA Report).
- 1.1.3 SA is the process of informing and influencing the preparation of a Local Plan to maximise sustainability value. SA is integrated with the SEA process so that the requirements of both assessments are prepared simultaneously. The purpose of SA/SEA is to help guide and influence the plan-making process for GNDP by identifying the likely environmental, social and economic effects of various reasonable alternative sites and policies.
- 1.1.4 This document comprises an Addendum to the Regulation 19 SA Report<sup>5</sup>, focusing on the assessment of proposed Gypsy and Traveller sites, which has been prepared in order to address a request made by the Planning Inspectors during the examination.
- 1.1.5 The GNDP have identified three reasonable alternative Gypsy and Traveller sites within South Norfolk and Broadland Districts, with potential pitch delivery ranging from two to 18 pitches per site. Additionally, the Councils have prepared site allocation policies which seek to facilitate the allocation of the three identified Gypsy and Traveller sites and their development management within the emerging GNLP, as follows:
- Policy GNLP5004;
  - Policy GNLP5005; and
  - Policy GNLP5007.

---

<sup>2</sup> GNLP (2021) Regulation 19 Publication Information. Available at: <https://www.gnlp.org.uk/regulation-19-publication-part-1-strategy/regulation-19-publication-information-not-part-plan> [Date Accessed: 06/08/21]

<sup>3</sup> Lepus Consulting (2021) Sustainability Appraisal and Strategic Environmental Assessment of the Greater Norwich Local Plan (Volumes 1-3) January 2021. Available at: <https://www.gnlp.org.uk/regulation-19-publication/evidence-base> [Date Accessed: 06/08/21]

<sup>4</sup> The Environmental Assessment of Plans and Programmes Regulations 2004. Available at: <https://www.legislation.gov.uk/uksi/2004/1633/contents/made> [Date Accessed: 20/06/22]

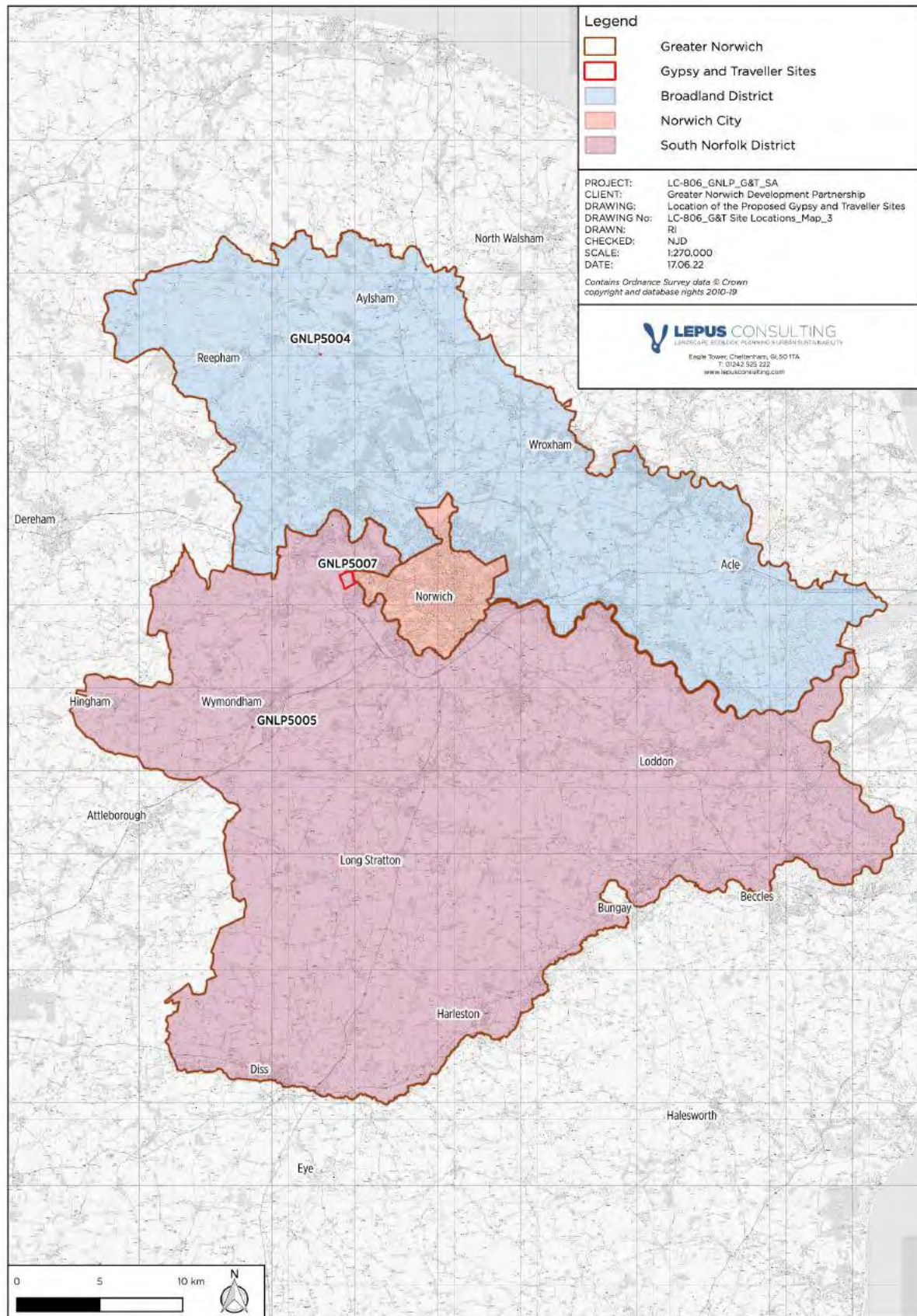
<sup>5</sup> Lepus Consulting (2021) Sustainability Appraisal and Strategic Environmental Assessment of the Greater Norwich Local Plan. Volume 2 of 3: Regulation 19 SA Report. Available at: [https://www.gnlp.org.uk/sites/gnlp/files/2021-01/LC-663\\_Vol\\_2of3\\_GNLP\\_SA\\_Reg19\\_20\\_250121LB\\_compressed%20Jan%202021.pdf](https://www.gnlp.org.uk/sites/gnlp/files/2021-01/LC-663_Vol_2of3_GNLP_SA_Reg19_20_250121LB_compressed%20Jan%202021.pdf) [Date Accessed: 14/04/22]

- 1.1.6 This SA report has appraised these three reasonable alternative sites and the accompanying site policies in terms of sustainability performance using the SA Framework as set out in **Appendix A**. This will help the GNDP to identify potential mitigation or improvements which could be made to the policies at this stage, in order to help ensure the GNDP have chosen the most sustainable options.

## 1.2 Greater Norwich

- 1.2.1 Lepus Consulting has been commissioned by the GNDP to review the GNLP Gypsy and Traveller sites and policies, through the SA process. The GNDP are working with Norfolk County Council and consist of the following:
- Broadland District Council;
  - Norwich City Council; and
  - South Norfolk District Council.
- 1.2.2 Greater Norwich comprises the three districts of Norwich, Broadland and South Norfolk (see **Figure 1.1**). The districts of Broadland and South Norfolk are predominantly rural in nature, with isolated towns and villages separated by large areas of open farmland. The Broads National Park, a nationally important landscape, is located to the east of the Greater Norwich Local Plan area. The Broads is a visually and culturally distinctive part of Norfolk. The River Yare, River Bure and River Waveney form the district boundaries between Broadland and South Norfolk.
- 1.2.3 The city of Norwich is a major regional centre for employment, tourism and culture and is Norfolk's highest-ranking retail centre. Within the district there are numerous primary and secondary educational facilities. Besides schools, there are a number of higher and further education centres, including the University of East Anglia, Norwich University College of the Arts, City College and Easton College.
- 1.2.4 The GNLP will guide development across the three districts up to 2038, providing both strategic policies and site allocations to meet demand for housing and employment, Gypsy and Traveller pitches, as well as other land use matters. It is being produced by the three councils of Broadland, Norwich and South Norfolk, supported by Norfolk County Council. It takes the adopted Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk, which covers all three districts from 2008 up to 2026, as its starting point.





**Figure 1.1:** District boundaries within Greater Norwich and location of proposed three Gypsy and Traveller sites.

### 1.3 Gypsy and Traveller Accommodation Needs Assessment

- 1.3.1 The Greater Norwich Gypsy and Traveller Accommodation Assessment (GTAA) Report (June 2022)<sup>6</sup> has been prepared to assess the accommodation needs of Gypsies and Travellers and Travelling Showpeople within the Plan area, through a review of secondary information, surveys and interviews.
- 1.3.2 In accordance with planning policy for traveller sites<sup>7</sup>, Gypsies and Travellers are defined as *“persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such”*.
- 1.3.3 Travelling Showpeople are defined as *“members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above”*<sup>8</sup>.
- 1.3.4 When taking into account this new evidence alongside recent planning permissions, the GTAA found that 50 Gypsy and Traveller pitches are required by the end of the Plan period in 2038.

### 1.4 Integrated approach to SA and SEA

- 1.4.1 The requirements to carry out SA and SEA are distinct, although it is possible to satisfy both obligations using a single appraisal process.
- 1.4.2 The European Union Directive 2001/42/EC<sup>9</sup> (SEA Directive) applies to a wide range of public plans and programmes on land use, energy, waste, agriculture, transport and more (see Article 3(2) of the Directive for other plan or programme types).
- 1.4.3 The objective of the SEA procedure can be summarised as follows: *“the objective of this Directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development”*.

---

<sup>6</sup> RRR Consultancy Ltd (2022) Greater Norwich Gypsy and Traveller Accommodation Assessment Report, June 2022. Available at: <https://www.gnlp.org.uk/sites/gnlp/files/2022-06/Greater%20Norwich%20GTAA%20Final%20Report%20June%202022.pdf> [Date Accessed: 21/06/22]

<sup>7</sup> MHCLG (2015) Planning policy for traveller sites. Available at: <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites> [Date Accessed: 22/04/22]

<sup>8</sup> Ibid

<sup>9</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 (SEA Directive). Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=EN> [Date Accessed: 22/04/22]



- 1.4.4 The Directive has been transposed into English law by the SEA Regulations (SI no. 1633). Under the requirements of the SEA Directive and SEA Regulations, specific types of plans that set the framework for the future development consent of projects must be subject to an environmental assessment. Therefore, it is a legal requirement for the GNLP to be subject to SEA throughout its preparation.
- 1.4.5 SA is a UK-specific procedure used to appraise the impacts and effects of development plans in the UK. It is a legal requirement as specified by s19(5) of the planning and Compulsory Purchase Act 2004<sup>10</sup> and should be an appraisal of the economic, social and environmental sustainability of development plans.
- 1.4.6 The present statutory requirement for SA lies in The Town and Country Planning (Local Planning) (England) Regulations 2012<sup>11</sup>. SA is a systematic process for evaluating the environmental consequences of proposed plans or programmes to ensure environmental issues are fully integrated and addressed at the earliest appropriate stage of decision-making.

## 1.5 Best Practice Guidance

- 1.5.1 Government policy recommends that both SA and SEA are undertaken under a single sustainability appraisal process, which incorporates the requirements of the SEA Directive. This can be achieved through integrating the requirements of SEA into the SA process. The approach for carrying out an integrated SA and SEA is based on best practice guidance:

- European Commission (2004) Implementation of Directive 2001/42 on the assessment of the effects of certain plan and programmes on the environment<sup>12</sup>;
- Office of Deputy Prime Minister (2005) A Practical Guide to the SEA Directive<sup>13</sup>;
- Ministry of Housing, Communities and Local Government (2018) National Planning Policy Framework (NPPF)<sup>14</sup>;
- Ministry of Housing, Communities and Local Government (2018) Planning Practice Guidance (PPG)<sup>15</sup>; and

---

<sup>10</sup> Planning and Compulsory Purchase Act 2004. Available at: <https://www.legislation.gov.uk/ukpga/2004/5/contents> [Date Accessed: 22/04/22]

<sup>11</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012. Available at: <http://www.legislation.gov.uk/uksi/2012/767/contents/made> [Date Accessed: 22/04/22]

<sup>12</sup> European Commission (2004) Implementation of Directive 2001/42 on the assessment of the effects of certain plan and programmes on the environment. Available at: [http://ec.europa.eu/environment/archives/eia/pdf/030923\\_sea\\_guidance.pdf](http://ec.europa.eu/environment/archives/eia/pdf/030923_sea_guidance.pdf) [Date Accessed: 22/04/22]

<sup>13</sup> Office of Deputy Prime Minister (2005) A Practical Guide to the SEA Directive. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7657/practicalguidesea.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf) [Date Accessed: 22/04/22]

<sup>14</sup> Ministry of Housing, Communities and Local Government (2021) National Planning Policy Framework. Available at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2> [Date Accessed: 22/04/22]

<sup>15</sup> Ministry of Housing, Communities and Local Government (2019) Planning practice guidance. Available at: <https://www.gov.uk/government/collections/planning-practice-guidance> [Date Accessed: 22/04/22]

- Royal Town Planning Institute (2018) Strategic Environmental Assessment, Improving the effectiveness and efficiency of SEA/SA for land use plans<sup>16</sup>.

## 1.6 Sustainability Appraisal

- 1.6.1 The preparation of the GNLP has been supported by a sustainability appraisal process. This document is a component of the SA of the GNLP, comprising the SA of Gypsy and Traveller sites and policies.
- 1.6.2 SA is the process of informing local development plans to maximise their sustainability value and is a statutory requirement when preparing development plan documents. The SA process provides a soundness test for development plan documents, the key objective of which is to promote sustainable development.
- 1.6.3 The SA process has followed the Local Plan making process on an iterative basis. Consequently, there are several SA documents that have been prepared. The Regulation 19 SA Report meets the requirements of the SEA Regulations and all earlier work is clearly referenced in the Regulation 19 SA Report and is available on the GNLP website<sup>17</sup>. **Table 1.1** sets out the iterative timeline of the Local Plan and SA/SEA processes.

**Table 1.1: Timeline of SA documents in relation to the GNLP stages of preparation**

Date	Local Plan Stage	Sustainability Appraisal
March 2017		<b>SA Scoping Report (GNDP)</b> Identified the scope for the SA, set out the context, 15 SA Objectives and approach of the assessment.
January to March 2018	<b>Stage A Regulation 18 Consultation of Site Proposals, Growth Options and the Interim Sustainability Appraisal</b>	<b>Interim Sustainability Appraisal (GNDP)</b> This report assessed the GNLP options for growth, which included six options for the spatial strategy and policy options.
October to December 2018	<b>Stage B Regulation 18 Site Proposals Addendum and HELAA Addendum</b>	No SA report prepared.
January to March 2020	<b>Stage C Regulation 18 Draft Strategy consultation</b> Draft strategy including vision, objectives and strategic policies, a sites document and supporting evidence documents.	<b>Regulation 18C SA Report (Lepus)</b> This report assessed 285 reasonable alternative sites and eleven draft strategic policies.
February to March 2021	<b>Publication Draft Plan</b> The GNLP is split into two documents: The Strategy and Site Allocations. The Strategy Document sets out the profile of Greater Norwich, the Plan vision and objectives, and the strategic policies. The Site Allocations	<b>Regulation 19 SA Report (Lepus)</b> The Regulation 19 SA Report summarised the SA process to date and helped inform the examination stage of the preparation of the GNLP. The Regulation 19 SA presented the findings of the sustainability appraisal of the GNLP, which is composed principally of twelve

<sup>16</sup> Royal Town Planning Institute (2018) Strategic Environmental Assessment, Improving the effectiveness and efficiency of SEA/SA for land use plans. Available at: <http://www.rtpi.org.uk/media/2668152/sea-sappracticeadvicefull2018c.pdf> [Date Accessed: 22/04/22]

<sup>17</sup> Greater Norwich Local Plan. Available at: <https://www.gnlp.org.uk/growing-stronger-communities-together> [Date Accessed: 20/06/22]

Date	Local Plan Stage	Sustainability Appraisal
	Document sets out the site allocations of the GNLP.	strategic policies and 138 site policies. This report also contained an assessment of an additional 107 reasonable alternative sites.
September 2021		<b>Consultation response: Addendum to the Regulation 19 SA/SEA Report (Lepus)</b> The Addendum sought to address consultation responses related to the SA/SEA received by the GNLP during the Regulation 19 consultation, specifically in relation to the testing of reasonable alternatives and selection process for the chosen spatial strategy and distribution of growth in the Plan area.
December 2021		<b>Inspectors' Initial Questions: Reasonable Alternatives for Housing Number Options. Addendum to the Regulation 19 SA/SEA Report (Lepus)</b> Prepared in response to the Inspectors' Initial Question 7 which asked for an addendum to the SA to be produced, relating to the housing growth numbers, and addressing "both smaller and minimal supply buffers as 'reasonable alternatives'".
June 2022		<b>Note in response to Inspectors' questions relating to the Sustainability Appraisal of potential development Sites (Lepus)</b> An SA note has been prepared to address site specific issues raised in representations made in writing or in person at the EiP Part 1 Hearings.
July to September 2022	<b>Site Policies for Gypsy and Traveller Permanent Residential Pitches Focused Consultation</b> The consultation document sets out three possible sites to provide residential pitches for Gypsies and Travellers.	<b>SA of the GNLP Gypsy and Traveller Sites and Policies: Addendum to the Regulation 19 SA/SEA Report (Lepus)</b> This SA Addendum presents the assessment of three Gypsy and Traveller sites and site allocation policies.

## 1.7 GNLP Gypsy and Traveller Sites and Policies

1.7.1 The GNLP have identified three reasonable alternative Gypsy and Traveller sites, listed in **Table 1.2**.

**Table 1.2: Reasonable alternative sites considered within this SA report**

Site Reference	Site Name	Area (ha)	Proposed No. of Pitches
GNLP5004	Land off Buxton Road, Eastgate	0.12	4
GNLP5005	Wymondham Recycling Centre, Strayground Lane	0.07	2
GNLP5007	Land off Bawburgh Lane, north of New Road and east of the A47, Costessey (Contingency Site)	1ha of the 62.33ha larger site at Costessey	18

- 1.7.2 All three reasonable alternative sites are allocated for development within the GNLP. Three Gypsy and Traveller Site policies have been prepared by the Councils which set out requirements for the development proposals: Policies GNLP5004; GNLP5005; and GNLP5007. These site-specific policies have been assessed within **Chapter 4** of this report.

## 1.8 Signposting for this report

- 1.8.1 **Chapter 2** of this report sets out the methodology used to present and assess the findings of the SA process.
- 1.8.2 **Chapter 3** of this report presents the findings of the appraisal of the three reasonable alternative Gypsy and Traveller sites, pre-mitigation.
- 1.8.3 **Chapter 4** of this report presents the assessment of Gypsy and Traveller site policies.
- 1.8.4 **Chapter 5** of this report outlines the potential mitigating influence of GNLP policies and post-mitigation assessment of the three reasonable alternative Gypsy and Traveller sites.
- 1.8.5 **Chapter 6** sets out the site identification process that has been undertaken and the reasons for rejection and selection of each reasonable alternative site.
- 1.8.6 **Chapter 7** outlines the next steps of the SA process.

## 2 Methodology

### 2.1 Assessment of Reasonable Alternatives

- 2.1.1 The purpose of this document is to provide an appraisal of the GNLP development proposals and policies prepared by GNPD in line with the SEA Regulations.
- 2.1.2 Regulation 12 of the SEA Regulations<sup>18</sup> states that the Environmental Report “*shall identify, describe and evaluate the likely significant effects of the environment of – (a) implementing the plan or programme; and (b) reasonable alternatives taking into account the objectives and geographical scope of the plan or programme*”.
- 2.1.3 Each of the sites and policies appraised in this report has been assessed for their likely impacts on each SA Objective of the SA Framework. The SA Framework is presented in its entirety in **Appendix A**.
- 2.1.4 The SA Framework is comprised of SA Objectives and decision-making criteria. Acting as yardsticks of sustainability performance, the SA Objectives are designed to represent the topics identified in Schedule 2 of the SEA Regulations<sup>19</sup>. Including the SEA topics in the SA Objectives helps ensure that all environmental criteria of the SEA Regulations are represented. Consequently, the SA Objectives reflect all subject areas to ensure the assessment process is transparent, robust and thorough.
- 2.1.5 It is important to note that the order of SA Objectives in the SA Framework does not infer prioritisation. The SA Objectives are at a strategic level and can potentially be open-ended. In order to focus each objective, decision-making criteria are presented in the SA Framework to be used during the appraisal of policies and sites.
- 2.1.6 A single value from **Table 2.1** is allocated to each SA Objective for each site and policy. Justification for the score is presented in an accompanying narrative assessment text. The assessment of a significant effect is in accordance with the SEA Regulations which states that, where feasible, effects considered should include “*short, medium and long-term effects, permanent and temporary effects, positive and negative effects, and secondary, cumulative and synergistic effects*”.

---

<sup>18</sup> The Environmental Assessment of Plans and Programmes Regulations 2004. Regulation 12. Available at: <https://www.legislation.gov.uk/uksi/2004/1633/regulation/12/made> [Date Accessed: 16/05/22]

<sup>19</sup> Biodiversity flora and fauna; Population; Human health; Soil; Water; Air; Climatic factors; Material assets; Cultural heritage (including architectural and archaeological heritage); and Landscape.

**Table 2.1:** Guide to scoring significant effects

Significance	Definition (not necessarily exhaustive)
<b>Major Negative</b> --	<p>The size, nature and location of a reasonable alternative would be likely to:</p> <ul style="list-style-type: none"> <li>• Permanently degrade, diminish or destroy the integrity of a quality receptor, such as a feature of international, national or regional importance;</li> <li>• Cause a very high-quality receptor to be permanently diminished;</li> <li>• Be unable to be entirely mitigated;</li> <li>• Be discordant with the existing setting; and/or</li> <li>• Contribute to a cumulative significant effect.</li> </ul>
<b>Minor Negative</b> -	<p>The size, nature and location of a reasonable alternative would be likely to:</p> <ul style="list-style-type: none"> <li>• Not quite fit into the existing location or with existing receptor qualities; and/or</li> <li>• Affect undesignated yet recognised local receptors.</li> </ul>
<b>Negligible</b> 0	Either no impacts are anticipated, or any impacts are anticipated to be negligible.
<b>Uncertain</b> +/-	It is entirely uncertain whether impacts would be positive or adverse.
<b>Minor Positive</b> +	<p>The size, nature and location of a reasonable alternative would be likely to:</p> <ul style="list-style-type: none"> <li>• Improve undesignated yet recognised receptor qualities at the local scale;</li> <li>• Fit into, or with, the existing location and existing receptor qualities; and/or</li> <li>• Enable the restoration of valued characteristic features.</li> </ul>
<b>Major Positive</b> ++	<p>The size, nature and location of a reasonable alternative would be likely to:</p> <ul style="list-style-type: none"> <li>• Enhance and redefine the location in a positive manner, making a contribution at a national or international scale;</li> <li>• Restore valued receptors which were degraded through previous uses; and/or</li> <li>• Improve one or more key elements/features/characteristics of a receptor with recognised quality such as a specific international, national or regional designation.</li> </ul>

2.1.7 When selecting a single value to best represent the environmental performance of the relevant SA Objective, the precautionary principle is used. This is a worst-case scenario approach. If a positive effect is identified in relation to one criterion within the SA Framework (see the second column of the SA Framework in **Appendix A**) and a negative effect is identified in relation to another criterion within the same SA Objective, the overall score will be negative for that objective.

2.1.8 The assessment considers, on a strategic basis, the degree to which a location can accommodate change without detrimental effects on known receptors (identified in the baseline).

## 2.2 Significance

- 2.2.1 Where an environmental impact has been identified, the significance of effect has been categorised as minor or major. **Table 2.1** lists the significance matrix and explains the terms used. The nature of the significant effect can be either beneficial or adverse depending on the type of development and the design and mitigation measures proposed.
- 2.2.2 Each reasonable alternative site that has been identified in this report has been assessed for its likely significant effect against each SA Objective in the Framework, as per **Table 2.1**. Scores are not intended to be summed.
- 2.2.3 It is important to note that the scores are high level indicators. The narrative assessment text which details the key decision-making criteria behind each awarded score should always read alongside the score. Assumptions and limitations in **Table 2.4** and **section 2.7** offer further insight into how each score was arrived at.
- 2.2.4 Significance of effect is a combination of impact sensitivity and magnitude.

## 2.3 Impact sensitivity

- 2.3.1 Impact sensitivity is measured through consideration as to how the receiving environment will be impacted by a plan proposal. This includes assessment of the value and vulnerability of the area, whether or not environmental quality standards will be exceeded, and if impacts will affect designated areas or landscapes.
- 2.3.2 A guide to the range of scales used in the impact significance matrix is presented in **Table 2.2**. For most receptors, sensitivity increases with geographic scale.

**Table 2.2:** *Geographic scales of receptors*

Scale	Typical criteria
International/ national	Designations that have an international aspect or consideration of transboundary effects beyond national boundaries. This applies to effects and designations/receptors that have a national or international dimension.
Regional	This includes the regional and sub-regional scale, including county-wide level and regional areas.
Local	This is the district and neighbourhood scale.

## 2.4 Impact magnitude

- 2.4.1 Impact magnitude relates to the degree of change the receptor will experience, including the probability, duration, frequency and reversibility of the impact. Impact magnitude is determined based on the susceptibility of a receptor to the type of change that will arise, as well as the value of the affected receptor (see **Table 2.3**).

**Table 2.3: Impact magnitude**

Impact magnitude	Typical criteria
High	<p>Likely total loss of or major alteration to the receptor in question;</p> <ul style="list-style-type: none"> <li>• Provision of a new receptor/feature; or</li> <li>• The impact is permanent and frequent.</li> </ul>
Medium	<p>Partial loss/alteration/improvement to one or more key features; or</p> <p>The impact is one of the following:</p> <ul style="list-style-type: none"> <li>• Frequent and short-term;</li> <li>• Frequent and reversible;</li> <li>• Long-term (and frequent) and reversible;</li> <li>• Long-term and occasional; or</li> <li>• Permanent and occasional.</li> </ul>
Low	<p>Minor loss/alteration/improvement to one or more key features of the receptor; or</p> <p>The impact is one of the following:</p> <ul style="list-style-type: none"> <li>• Reversible and short-term;</li> <li>• Reversible and occasional; or</li> <li>• Short-term and occasional.</li> </ul>

## 2.5 Distances

2.5.1 Where distances have been measured, these are ‘as the crow flies’ from the furthest edge of the site unless specified otherwise. Site end users require access to a range of facilities and amenities. Some distances that are considered to be sustainable in this regard are based on Barton, Grant and Guise (2010) Shaping Neighbourhoods for Local Health and Global Sustainability<sup>20</sup>.

## 2.6 Limitations of predicting effects

2.6.1 SA is a tool for predicting potential significant effects. Predicting effects relies on an evidence-based approach and incorporates professional judgement. It is often not possible to state with absolute certainty whether effects will occur, as many impacts are influenced by a range of factors such as the design and the success of mitigation measures.

2.6.2 The assessments in this report are based on the best available information, including that provided to us by GNDP and information that is publicly available. The assessment of reasonable alternatives is somewhat limited in terms of available data resources. For example, up to date ecological surveys and/or landscape and visual impact assessments have not been available. Every attempt has been made to predict effects as accurately as possible.

<sup>20</sup> Barton, H., Grant, M. & Guise, R. (2010) Shaping Neighbourhoods: For local health and global sustainability, January 2010.



- 2.6.3 SA operates at a strategic level which uses available secondary data for the relevant SA Objective. Sometimes, in the absence of more detailed information, forecasting the potential impacts of development can require making reasonable assumptions based on the best available data and trends. However, all reasonable alternatives must be assessed in the same way.

## 2.7 Assessment assumptions

- 2.7.1 A number of assumptions are inherent to the appraisal process for specific SA Objectives (see **Table 2.4**). These should be borne in mind when considering the assessment findings.

**Table 2.4: Assumptions for each SA objective.**

SA Objective	Assessment Assumptions/Methodology
<b>1. Air Quality and Noise:</b> Minimise air, noise and light pollution to improve wellbeing.	<p>Exposure of new residents to air pollution has been considered in the context of development proposal location in relation to established Air Quality Management Areas (AQMAs) and main roads. It is widely accepted that the effects of air pollution from road transport decreases with distance from the source of pollution i.e. the road carriageway. The Department for Transport (DfT) in their Transport Analysis Guidance (TAG) consider that, “beyond 200m from the link centre, the contribution of vehicle emissions to local pollution levels is not significant”<sup>21</sup>. This statement is supported by Highways England and Natural England based on evidence presented in a number of research papers<sup>22 23</sup>. A buffer distance of 200m has therefore been applied in this assessment.</p> <p>The proximity of a development proposal in relation to a main road (defined as a motorway or A-road) determines the exposure level of site end users to road related air and noise emissions<sup>24</sup>. In line with the DMRB guidance, it is assumed that site end users would be most vulnerable to these impacts within 200m of a main road. This distance has therefore been applied throughout this assessment to both existing road and rail sources.</p> <p>Development proposals located within 200m of a main road would be expected to have a minor negative impact on local residents’ exposure to air and noise pollution.</p> <p>Development proposals located over 200m from a main road would be expected to have a negligible impact on local residents’ exposure to air and noise pollution.</p> <p>Development proposals located within 200m of a railway line would be expected to have a minor negative impact on local residents’ exposure to noise pollution and vibrations.</p> <p>Development proposals located over 200m from a railway line would be expected to have a negligible impact on local residents’ exposure to noise pollution and vibrations.</p>

<sup>21</sup> Department for Transport (2022) TAG unit A3 Environmental Impact Appraisal. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/825064/tag-unit-a3-environmental-impact-appraisal.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/825064/tag-unit-a3-environmental-impact-appraisal.pdf) [Date Accessed: 22/06/22]

<sup>22</sup> Bignal, K., Ashmore, M & Power, S. (2004) The ecological effects of diffuse air pollution from road transport. English Nature Research Report No. 580, Peterborough.

<sup>23</sup> Ricardo-AEA (2016) The ecological effects of air pollution from road transport: an updated review. Natural England Commissioned Report No. 199.

<sup>24</sup> Design Manual for Roads and Bridges (2019) Sustainability & Environment Appraisal: LA 105 Air quality. Available at: <https://www.standardsforhighways.co.uk/dmrB/search/10191621-07df-44a3-892e-c1d5c7a28d90> [Date Accessed: 22/06/22]

SA Objective	Assessment Assumptions/Methodology
<p><b>2. Climate Change Mitigation and Adaptation:</b> Continue to reduce carbon emissions, adapting to and mitigating against the effects of climate change.</p>	<p>Due to the extent and nature of the development (Gypsy &amp; Traveller pitches) it is assumed that development proposals would have a negligible impact on the generation of air pollution in the Plan area.</p> <p><b>Carbon Emissions</b></p> <p>At this stage, the nature and design of Gypsy and Traveller pitches which could be developed at each site is unknown. Therefore, increases in greenhouse gas (GHG) emissions as a result of the construction and occupation of dwellings is unknown.</p> <p>Due to the extent and nature of the development (pitches for Gypsies &amp; Travellers) it is assumed that development proposals would have a negligible impact on Greater Norwich's contributions to climate change.</p> <p><b>Fluvial Flooding</b></p> <p>The level of fluvial flood risk present across the Plan area is based on the Environment Agency's flood risk data<sup>25</sup>, such that:</p> <ul style="list-style-type: none"> <li>• Flood Zone 3: 1%+ chance of flooding each year;</li> <li>• Flood Zone 2: 0.1% - 1% chance of flooding each year; and</li> <li>• Flood Zone 1: Less than 0.1% chance of flooding each year.</li> </ul> <p>It is assumed that development proposals will be in perpetuity and it is therefore likely that development will be subject to the impacts of flooding at some point in the future, should it be situated on land at risk of fluvial flooding.</p> <p>Where development proposals coincide with Flood Zone 2, a minor negative impact would be expected. Where development proposals coincide with Flood Zone 3 (either Flood Zone 3a or 3b), a major negative impact would be expected. Where development proposals are located within Flood Zone 1, a minor positive impact would be expected for climate change adaptation.</p> <p><b>Surface Water Flooding</b></p> <p>Areas determined to be at high risk of surface water (pluvial) flooding have more than a 3.3% chance of flooding each year, medium risk between 1% and 3.3%, and low risk between 0.1% and 1% chance.</p> <p>Development proposals located in areas at low and medium risk of surface water flooding would be expected to have a minor negative impact on pluvial flooding. Development proposals located within areas at high risk of surface water flooding would be expected to have a major negative impact on pluvial flooding.</p> <p>Where development proposals are not located in areas determined to be at risk of pluvial flooding, a negligible impact would be expected for climate change adaptation.</p> <p>It is assumed that development proposals will be in perpetuity and it is therefore likely that development would be subject to the impacts of flooding at some point in the future, should it be situated on land at risk of surface water flooding.</p>
<p><b>3. Biodiversity, Geodiversity and Green Infrastructure:</b> Protect and enhance</p>	<p>Where a development proposal is coincident with, adjacent to or located in proximity to an ecological or geological receptor, it is assumed that negative effects associated with development will arise to some extent. These negative effects include those that occur during the construction phase and are associated with the construction process and construction vehicles (e.g. habitat loss, habitat fragmentation, habitat degradation, noise,</p>

<sup>25</sup> Environment Agency (2013) Flood Map for Planning Risk. Available at: <http://apps.environment-agency.gov.uk/wiyby/cv/151263.aspx>  
[Date Accessed: 22/06/22]

SA Objective	Assessment Assumptions/Methodology
the area's biodiversity and geodiversity assets and expand the provision of green infrastructure.	<p>air, water and light pollution) and those that are associated with the operation/occupation phases of development (e.g. public access associated disturbances, increases in local congestion resulting in a reduction in air quality, changes in noise levels, visual disturbance, light pollution, impacts on water levels and quality etc.).</p> <p>Negative impacts would be expected where the ecological or geological designations listed above may be harmed or lost as a result of proposals. The assessment is largely based on a consideration of the proximity of a site and the attributes and qualities of the receptor in question.</p> <p>For the purposes of this assessment, impacts on priority habitats protected under the 2006 NERC Act<sup>26</sup> have been considered in the context of Natural England's publicly available Priority Habitat Inventory database<sup>27</sup>. It is acknowledged this may not reflect current local site conditions in all instances.</p> <p>It is assumed that construction and occupation of previously undeveloped greenfield land would result in a net reduction in vegetation cover and Green Infrastructure in the Plan area. Development proposals which would be likely to result in the loss of greenfield land are therefore expected to contribute towards a cumulative loss in vegetation cover. This would also be expected to lead to greater levels of fragmentation and isolation across the wider ecological network, such as the loss of habitat stepping-stones and corridors. This can restrict the ability of ecological receptors to adapt to the effects of climate change. The loss of greenfield land is considered under the Natural Resources objective (SA Objective 14) in this assessment.</p> <p>It should be noted that no detailed ecological surveys have been completed by Lepus to inform the assessments made in this report.</p> <p>Protected species survey information is not generally available for the sites within the Plan area. It is acknowledged that data is available from the local biological records centre. However, it is noted that this data may be under-recorded in certain areas. This under-recording does not imply species absence. As a consequence, consideration of this data on a site-by-site basis within this assessment would have the potential to skew results – favouring well recorded areas of the Plan area. As such, it has not been possible to assess impacts on protected species in a fair and consistent basis at the site level using primary survey data.</p> <p>It is anticipated that the GNLP will require detailed ecological surveys and assessments to accompany future planning applications. Such surveys will determine on a site-by-site basis the presence of Priority Species and Priority Habitats protected under the NERC Act.</p> <p>It is assumed that the loss of biodiversity assets, such as ancient woodland or an area of priority habitat, are permanent effects.</p> <p>It is assumed that mature trees and hedgerows will be retained where possible.</p> <p>Natural England has developed Impact Risk Zones (IRZs) for each SSSI unit in the country. IRZs are a Geographical Information System (GIS) tool which allow a rapid initial assessment of the potential risks posed by development proposals to: SSSIs, SACs, SPAs and Ramsar sites. They define zones around each site which reflect the particular sensitivities of the features for which it is notified and indicate the types of development</p>

<sup>26</sup> Natural Environment and Rural Communities Act 2006. Available at: <http://www.legislation.gov.uk/ukpga/2006/16/contents> [Date Accessed: 22/06/22]

<sup>27</sup> Natural England (2021) Priority Habitat Inventory (England). Available at: <https://data.gov.uk/dataset/4b6ddab7-6c0f-4407-946e-d6499f19fcd6/priority-habitat-inventory-england> [Date Accessed: 22/06/22]

SA Objective	Assessment Assumptions/Methodology
	<p>proposal which could potentially have adverse impacts<sup>28</sup>. It should be noted that IRZ classifications are regularly updated by Natural England, and although were correct at the time of writing, may have since been amended.</p> <p>Where development proposals coincide with a Habitats site, a SSSI, NNR, LNR, CWS, CGS or ancient woodland, or are adjacent to a Habitats site, SSSI or NNR, it is assumed that development would have a permanent impact on these nationally important biodiversity and geodiversity assets, and a major negative impact would be expected.</p> <p>Where development proposals coincide with priority habitats, are adjacent to an ancient woodland, LNR, CWS or CGS, are located within a SSSI IRZ which states to “<i>consult Natural England</i>” or are located in close proximity to a Habitats site, SSSI, NNR, LNR or stand of ancient woodland, it is assumed that development would have an impact on these biodiversity and geodiversity assets, and a minor negative impact would be expected.</p> <p>There are numerous Habitats sites located within and in close proximity to the Plan area and various Zones of Influence, primarily relating to nutrient impacts, coincide with the Gypsy and Traveller sites. Advice relating to nutrient neutrality issues has been published in March 2022 by Natural England<sup>29</sup> and DLUHC<sup>30</sup>, which affects a large proportion of the GNLP area, for which a mitigation strategy is currently being developed. The emerging HRA<sup>31</sup> has assessed the potential effects of the Gypsy and Traveller sites in further detail.</p> <p>Where a development proposal would not be anticipated to impact a biodiversity or geodiversity asset, a negligible impact would be expected for this objective.</p>
<p><b>4. Landscape:</b> Promote efficient use of land, while respecting the variety of landscape types in the area.</p>	<p>Impacts on landscape will be largely determined by the specific layout and design of development proposals, as well as the site-specific landscape circumstances. Detailed proposals for each development are uncertain at this stage of the assessment.</p> <p>Furthermore, this assessment comprises a desk-based exercise which has not been verified in the field. Therefore, the nature of the potential impacts on the landscape are, to an extent, uncertain. However, there is a risk of negative effects occurring, some of which may be unavoidable. As such, this risk has been reflected in the assessment as a negative impact where a development proposal is located in close proximity to sensitive landscape receptors. The level of impact has been assessed based on the nature and value of, and proximity to, the landscape receptor in question.</p> <p>Where a development proposal would not be anticipated to impact a local or designated landscape, a negligible impact would be expected for this objective.</p> <p><b>The Norfolk Coast and Suffolk Coast and Heaths AONBs:</b></p>

<sup>28</sup> Natural England (2022) Natural England's Impact Risk Zones for Sites of Special Scientific Interest, 08 June 2022. Available at: <https://data.gov.uk/dataset/5ae2af0c-1363-4d40-9d1a-e5a1381449f8/ssi-impact-risk-zones> [Date Accessed: 22/06/22]

<sup>29</sup> Letter from Natural England to LPA Chief Executives & Heads of Planning, County Council Chief Executives and Heads of Planning, EA Area and National Team Directors, Planning Inspectorate, Natural Resources Wales (Cross border sites only) & Secretary of State for Department for Levelling Up Housing & Communities (DLUHC). Advice for development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitats sites. 16 March 2022.

<sup>30</sup> Letter from DLUHC to Chief Planning Officers and Local Planning Authorities affected by nutrient pollution. NUTRIENT POLLUTION: NEUTRALITY, SUPPORT AND FUNDING. 16 March 2022. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1061531/Chief\\_Planner\\_Letter\\_about\\_nutrient\\_pollution\\_March\\_2022.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1061531/Chief_Planner_Letter_about_nutrient_pollution_March_2022.pdf) [Date Accessed: 17/06/22]

<sup>31</sup> The Landscape Partnership (2022) Habitats Regulations Assessment of published Proposed Submission Greater Norwich Local Plan – Gypsy and Traveller sites Addendum for Greater Norwich Development Partnership, June 2022.

SA Objective	Assessment Assumptions/Methodology
	<p>The Suffolk Coast and Heaths AONB is located, at its closest point, approximately 3km south east of the Greater Norwich boundary. Parts of the Norfolk Coast AONB are located approximately 8km to the north and east of Greater Norwich. It is not anticipated that the proposed development of Gypsy and Traveller Sites at any of the identified sites would impact either of these AONBs, and as such, they have not been considered further in this report.</p> <p><b>Discordant with LCA:</b></p> <p>Baseline data on Landscape Character Areas (LCAs) within the Plan area are derived from the Broadland Character Assessment Supplementary Planning Document (SPD)<sup>32</sup> and South Norfolk Landscape Character Assessment<sup>33</sup>. Key characteristics of each LCA have informed the appraisal of each development proposal against the landscape objective. Given that the detailed nature of the landscape in relation to each development proposal is unknown, the assessment of impact is based on the overall landscape character guidelines and key characteristics. Development proposals which are considered to be potentially discordant with the guidelines and characteristics provided in the published landscape character assessment would be expected to have a minor negative impact on the landscape objective.</p> <p><b>The Broads National Park:</b></p> <p>The Broads is an area covering approximately 303km<sup>2</sup> of low-lying wetland with National Park status. It is located to the east of Greater Norwich and follows the River Yare into Norwich City. None of the proposed Gypsy and Traveller sites are located within, or within close proximity to, the Broads and as such a negligible impact would be anticipated at all sites.</p> <p><b>Views:</b></p> <p>Development proposals which may alter views of a predominantly rural or countryside landscape experienced by users of the Public Rights of Way (PRoW) network and/ or local residents would be expected to have minor negative impacts on the landscape objective.</p> <p>Potential views from residential properties are identified through reference to aerial mapping and the use of Google Maps<sup>34</sup>.</p> <p>It is anticipated that the GNLP will require developers to undertake Landscape and Visual Impact Assessments (LVIAs) to accompany any future proposals, where relevant. The LVIAs should seek to provide greater detail in relation to the landscape character of the development proposals and its surroundings, the views available towards the development, the character of those views and the sensitivity and value of the relevant landscape and visual receptors.</p> <p><b>Urbanisation of the Countryside:</b></p> <p>Development proposals which are considered to increase the risk of future development spreading further into the wider landscape would be expected to have a minor negative impact on the landscape objective.</p>

<sup>32</sup> Broadland District Council (2013) Landscape Character Assessment Supplementary Planning Document (SPD). Available at: [https://www.broadland.gov.uk/downloads/download/167/landscape\\_character\\_assessment\\_supplementary\\_planning\\_document\\_spd](https://www.broadland.gov.uk/downloads/download/167/landscape_character_assessment_supplementary_planning_document_spd) [Date Accessed: 22/06/22]

<sup>33</sup> Land Use Consultants (2001) South Norfolk Landscape Assessment. Available at: <https://www.south-norfolk.gov.uk/residents/planning/planning-policy/landscape-character-assessments> [Date Accessed: 22/06/22]

<sup>34</sup> Google Maps (2022). Available at: <https://www.google.co.uk/maps> [Date Accessed: 22/06/22]

SA Objective	Assessment Assumptions/Methodology
<b>5. Housing:</b> Ensure that everyone has good quality housing of the right size and tenure to meet their needs.	It is assumed that there will be no net loss of existing lawful Gypsy and Traveller pitches. Sites put forward for the development of additional pitches for Gypsies and Travellers are expected to make a minor positive contribution to fulfilling the identified accommodation needs.
<b>6. Population and Communities:</b> Maintain and improve the quality of life of residents.	<p><b>Local Services:</b></p> <p>In accordance with Barton et al.'s sustainable distances<sup>35</sup>, proposed development which is located within 600m of a local service, such as a post office or a convenience store, would be expected to provide site end users with access to essential services. Development proposals located within this target distance would be expected to have a minor positive impact on this objective. Development proposals located outside this target distance would be expected to have a minor negative impact on this objective.</p> <p><b>Local Landscape Designations:</b></p> <p>The local landscape designations dataset has been provided by the GNDP. This includes areas of multi-functional green infrastructure and community buildings such as playing fields, allotments and other communal spaces which would be expected to help improve the quality of life for local residents.</p> <p>Development proposals which would situate site end users within 600m of a local landscape designation would be likely to have a minor positive impact on this objective.</p> <p><b>Overall:</b></p> <p>Development proposals which would locate site end users within 600m of both an open greenspace and a local landscape designation would be expected to have a major positive impact for this objective.</p>
<b>7. Deprivation:</b> To reduce deprivation.	The purpose of this objective is to help redress deprivation issues across the Plan area. None of the site proposals assessed in this report will be expected to redress these issues. At this stage, it is assumed that development proposals at all of the reasonable alternative sites would have a negligible impact for this objective.
<b>8. Health:</b> To promote access to health facilities and promote healthy lifestyles.	<p><b>Green Network:</b></p> <p>Development proposals have been assessed in terms of their access to the local PRoW networks and public greenspace. In line with Barton et al.<sup>36</sup>, a sustainable distance of 600m has been used for the assessments. Development proposals that are located within 600m of a PRoW/public greenspace would be expected to have a minor positive impact on residents' access to a diverse range of natural habitats. Development proposals located over 600m from a PRoW/public greenspace could potentially have a minor negative impact on residents' access to natural habitats, and therefore have an adverse impact on the physical and mental health of local residents.</p> <p><b>Air Quality:</b></p> <p>It is assumed that development proposals located in close proximity to main roads would expose site end users to transport associated noise and air pollution. In line with the DMRB guidance, it is assumed that receptors would be most vulnerable to these impacts</p>

<sup>35</sup> Barton, H., Grant. M. & Guise. R. (2010) Shaping Neighbourhoods: For local health and global sustainability.

<sup>36</sup> Barton, H., Grant. M. & Guise. R. (2010) Shaping Neighbourhoods: For local health and global sustainability, January 2010



SA Objective	Assessment Assumptions/Methodology
	<p>located within 200m of a main road<sup>37</sup>. Negative impacts on the long-term health of residents would be anticipated where residents would be exposed to air pollution.</p> <p>Development proposals located within 200m of a main road would be expected to have a minor negative impact on local residents' exposure to air pollution. Development proposals located over 200m from a main road would be expected to have a minor positive impact on local residents' exposure to air pollution.</p> <p>Air Quality Management Areas (AQMA) are considered to be an area where the national air quality objective will not be met. No proposed Gypsy and Traveller sites are located within, or within 200m of, an AQMA.</p> <p><b>Health Facilities:</b></p> <p>In order to facilitate healthy and active lifestyles for existing and new residents, it is expected that the GNLP should seek to ensure that residents have access to NHS hospitals, GP surgeries, leisure centres and a diverse range of accessible natural habitats and the surrounding PRoW network. Sustainable distances to each of these necessary services are derived from Barton et al.<sup>38</sup>.</p> <p>Adverse impacts are anticipated where the proposed development would not be expected to facilitate active and healthy lifestyles for current or future residents.</p> <p>For the purposes of this assessment, accessibility to a hospital has been taken as proximity to an NHS hospital with an A&amp;E service. Distances of development proposals to other NHS facilities (e.g. community hospitals and treatment centres) or private hospitals has not been taken into consideration in this assessment. The two NHS hospitals with an A&amp;E department in close proximity Greater Norwich are Norfolk and Norwich University Hospital and James Paget University Hospital.</p> <p>Development proposals located within 5km of one of these hospitals would be expected to have a minor positive impact on the access of site end users to emergency health services. Development proposals located over 5km from one of these hospitals would be likely to have a minor negative impact on the access of site end users to emergency health care.</p> <p>There are numerous GP surgeries located across the Plan area. Development proposals located within 800m of a GP surgery would be expected to have a minor positive impact on the access of site end users to this essential health service. Development proposals located over 800m from a GP surgery would be likely to have a minor negative impact on the access of site end users to essential health care.</p> <p>Access to leisure centres can provide local residents with opportunities to facilitate healthy lifestyles through exercise. Development proposals located within 1.5km of a leisure centre would be expected to have a minor positive impact on the access of site end users to these facilities. Development proposal located over 1.5km from a leisure centre would be likely to have a minor negative impact on the access of site end users to these facilities.</p> <p><b>Overall</b></p> <p>Development proposals which would locate site end users in close proximity to one of the listed NHS hospitals, a GP surgery and a leisure centre would be expected to have a major positive impact for this objective.</p>

<sup>37</sup> Design Manual for Roads and Bridges (2019) Sustainability & Environment Appraisal: LA 105 Air quality. Available at: <https://www.standardsforhighways.co.uk/dmrb/search/10191621-07df-44a3-892e-c1d5c7a28d90> [Date Accessed: 22/04/22]

<sup>38</sup> Barton, H., Grant, M. & Guise, R. (2010) Shaping Neighbourhoods: For local health and global sustainability, January 2010

SA Objective	Assessment Assumptions/Methodology
	Development proposals which would locate site end users away from the listed NHS hospitals, a GP surgery and a leisure centre would be expected to have a major negative impact for this objective.
<b>9. Crime:</b> To reduce crime and the fear of crime.	The purpose of this objective is to help reduce crime rates in the local area. It is not possible to assess the impacts of residential site proposals on local crime prevention or crime rates. At this stage, it is assumed that development proposals at all of the reasonable alternative sites would have a negligible impact for this objective.
<b>10. Education:</b> To improve skills and education.	<p>It is assumed that new residents in the Plan area require access to primary and secondary education services to help facilitate good levels of education, skills and qualifications of residents.</p> <p>In line with Barton et al.'s sustainable distances<sup>39</sup>, for the purpose of this assessment, 800m is assumed to be the target distance for travelling to a primary school and 1.5km to secondary schools. All schools identified are publicly accessible state schools.</p> <p>It is recognised that not all schools within Greater Norwich are accessible to all pupils. For instance, independent and academically selective schools may not be accessible to all. Local primary schools may only be Infant or Junior schools and therefore not provide education for all children of primary school age. Some secondary schools may only be for girls or boys and therefore would not provide education for all. This has been considered within the assessment.</p> <p>At this stage, there is not sufficient information available to be able to accurately predict the effect of new development on the capacity of local schools, or to incorporate local education attainment rates into the assessment.</p> <p>Development proposals which would locate site end users within the target distances of a primary school or secondary school would be expected to have a minor positive impact for this objective.</p> <p>Development proposals which would locate site end users outside of the target distances of a primary or secondary school would be expected to have a minor negative impact for this objective.</p> <p>Development proposals which would locate new residents within the target distance to both a primary and secondary school would be expected to have a major positive impact on the education objective.</p> <p>Development proposals which would locate new residents outside of the target distance to both a primary and secondary school would be likely to have a major negative impact on the education objective.</p>
<b>11. Economy:</b> Encourage economic development covering a range of sectors and skill levels to improve employment	<p><b>Employment Opportunities:</b></p> <p>It is assumed that, in line with Barton et al.'s sustainable distances<sup>40</sup>, new residents should be situated within 5km of key employment areas to ensure they have access to a range of employment opportunities capable of meeting their needs. Key employment areas are defined as locations which would provide a range of employment opportunities from a variety of employment sectors, including retail parks, industrial estates and major local employers. No further study has been undertaken to identify all employment areas.</p>

<sup>39</sup> Barton, H., Grant. M. & Guise. R. (2010) Shaping Neighbourhoods: For local health and global sustainability, January 2010.

<sup>40</sup> Barton, H., Grant. M. & Guise. R. (2010) Shaping Neighbourhoods: For local health and global sustainability, January 2010



SA Objective	Assessment Assumptions/Methodology
opportunities for residents and maintain and enhance town centres.	<p>Development proposals which would locate site end users within the target distances of a key employment area would be expected to have a minor positive impact for this objective. Development proposals which would locate site end users outside the target distances to a key employment area would be expected to have a minor negative impact for this objective.</p> <p><b>Employment Floorspace:</b></p> <p>An assessment of current land use at all sites has been made through reference to aerial mapping and the use of Google Maps<sup>41</sup>.</p> <p>Development proposals which could result in a net decrease in employment floorspace would be expected to have a negative impact on the local economy.</p>
<p><b>12. Transport and Access to Services:</b></p> <p>Reduce the need to travel and promote the use of sustainable transport modes.</p>	<p><b>Public Transport:</b></p> <p>In line with Barton et al.'s sustainable distances, site end users should be situated within 2km of a railway station and 400m of a bus stop offering a frequent service. Bus service frequency and destination information was obtained from Google Maps<sup>42 43</sup>.</p> <p>In order for a positive impact to be anticipated with regard to access to public transport, consideration has been given to the proportion of a development proposal within the target distance of these key transport services. To be sustainable, the bus stop should provide users with hourly services.</p> <p>Development proposals located within the target distance to a railway station or bus stop would be expected to have a minor positive impact on local transport and accessibility. Development proposals located outside of the target distance to a railway station or a bus stop would be expected to have a minor negative impact on transport and accessibility.</p> <p><b>Pedestrian Access:</b></p> <p>Development proposals have been assessed in terms of their access to the surrounding footpath network. In order for a positive impact to be anticipated with regard to pedestrian access, consideration has been given to safe access to and from the development e.g. footpath. Safe access is determined to be that which is suitable for wheelchair users and pushchairs.</p> <p>Development proposals which would be expected to provide site end users with adequate access to the surrounding footpath network would be expected to have a minor positive impact on pedestrian access. Development proposals which would not be anticipated to provide adequate access would be expected to result in a minor negative impact on pedestrian access.</p> <p><b>Road Access:</b></p> <p>Development proposals have been assessed in terms of their access to the surrounding road network. Development proposals which would be likely to provide site end users with adequate access to the surrounding road network would be expected to have a minor positive impact on road access. Development proposals which would not be anticipated to provide adequate access would be expected to have a minor negative impact on road access.</p>

<sup>41</sup> Google Maps (2022). Available at: <https://www.google.co.uk/maps> [Date Accessed: 14/04/22]

<sup>42</sup> Google Maps (2022). Available at: <https://www.google.co.uk/maps> [Date Accessed: 14/04/22]

<sup>43</sup> Live departure boards available from Google Maps have been used to assess the frequency of services at bus stops within the Plan area. These are obtained from local bus timetables.

SA Objective	Assessment Assumptions/Methodology
	<p><b>Overall:</b></p> <p>Development proposals which would locate site end users in close proximity to all the above receptors would be expected to have a major positive impact for this objective.</p> <p>Development proposals which would locate site end users away from all the above receptors would be expected to have a major negative impact for this objective.</p>
<p><b>13. Historic Environment:</b> Conserve and enhance the historic environment, heritage assets and their setting, other local examples of cultural heritage, preserving the character and diversity of the area's historic built environment.</p>	<p>Impacts on heritage assets will be largely determined by the specific layout and design of development proposals, as well as the nature and significance of the heritage asset. There is a risk of adverse effects occurring, some of which may be unavoidable. As such, this risk has been reflected in the assessment as a negative impact where a site is in close proximity to heritage assets.</p> <p>Adverse impacts are recorded for options which have the potential to have an adverse impact on sensitive heritage designations, including Listed Buildings, Scheduled Monuments (SM), Registered Parks and Gardens (RPG), and Conservation Areas.</p> <p>It is assumed that where a designated heritage asset coincides with a site proposal, the heritage asset will not be lost as a result of development (unless otherwise specified by the GNLP). Adverse impacts on heritage assets are predominantly associated with impacts on the existing setting of the asset and the character of the local area, as well as adverse impacts on views of, or from, the asset.</p> <p><b>Setting:</b></p> <p>Development which could potentially be discordant with the local character or setting, for example, due to design, layout, scale or type, would be expected to adversely impact the setting of nearby heritage assets that are important components of the local area. Views of, or from, the heritage asset are considered as part of the assessment of potential impacts on the setting of the asset.</p> <p><b>Designated Features:</b></p> <p>No proposed Gypsy and Traveller sites coincide with a designated heritage asset.</p> <p>Where the development proposal lies adjacent to, or in close proximity to, a Listed Building, Conservation Area, SM, or a RPG, an adverse impact on the setting of the asset would be likely, to some extent, and a minor negative impact may therefore be expected.</p> <p>Where development proposals are not located in close proximity to any heritage asset, or the nature of development is determined not to affect the setting or character of the nearby heritage asset, a negligible impact would be expected for this objective.</p> <p>It is anticipated that the GNLP will require a Heritage Statement to be prepared to accompany future planning applications, where appropriate. The Heritage Statement should describe the significance of any heritage assets affected by the proposals, including any contribution made by their settings.</p> <p>It is assumed that desk-based assessments will be required on a site-by-site basis for planning proposals which could potentially impact archaeological features. At this stage of the Plan preparation process there is no data available to indicate areas of archaeological potential within Greater Norwich, and as such no assessment has been carried out with regard to archaeology at present.</p>

SA Objective	Assessment Assumptions/Methodology
<p><b>14. Natural Resources, Waste and Contaminated Land:</b> Minimise waste generation, promote recycling and avoid the sterilisation of mineral resources. Remediate contaminated land and minimise the use of the best and most versatile agricultural land.</p>	<p><b>Previously Developed Land:</b></p> <p>In accordance with the core planning principles of the NPPF<sup>44</sup>, development on previously developed land will be recognised as an efficient use of land. Development of previously undeveloped land and greenfield sites is not considered to be an efficient use of land.</p> <p>Development of an existing brownfield site would be expected to contribute positively to safeguarding greenfield land in Greater Norwich and have a minor positive impact on this objective.</p> <p>Development proposals situated on previously undeveloped land would be expected to pose a threat to soil within the site perimeter due to excavation, soil compaction, erosion and an increased risk of soil pollution and contamination during construction.</p> <p>In addition, development proposals which would result in the loss of greenfield land would be expected to contribute towards a cumulative loss of ecological habitat. This would be expected to lead to greater levels of habitat fragmentation and isolation for the local ecological network restricting the ability of ecological receptors to adapt to the effects of climate change. The loss of greenfield land has therefore been considered to have an adverse effect under this objective.</p> <p>For the purpose of this report, a 20ha threshold has been used based on available guidance<sup>45</sup>. Development proposals which would result in the loss of less than 20ha of greenfield land would be expected to have a minor negative impact on this objective. Development proposals which would result in the loss of 20ha or more of greenfield land would be expected to have a major negative impact on this objective.</p> <p><b>Agricultural Land Classification:</b></p> <p>The Agricultural Land Classification (ALC) system classifies land into five categories according to versatility and suitability for growing crops. The top three grades, Grades 1, 2 and 3a, are referred to as the Best and Most Versatile (BMV) land<sup>46</sup>.</p> <p>Adverse impacts are expected for options which would result in a net loss of agriculturally valuable soils. Development proposals which are situated on Grade 1, 2 or 3 ALC land, and would therefore risk the loss of some of the Plan areas BMV land, would be expected to have a minor negative impact for this objective.</p> <p>Development proposals which are situated on Grade 4 and 5 ALC land, or land classified as 'urban' or 'non-agricultural' and would therefore help prevent the loss of the Plan areas BMV land, would be expected to have a minor positive impact for this objective.</p> <p><b>Household Waste:</b></p> <p>At this stage, the nature and design of pitches or plots at each site is unknown. Therefore, increases in waste and consumption of resources as a result of the construction and occupation of dwellings is unknown.</p>

<sup>44</sup> Ministry of Housing, Communities and Local Government (2021) National Planning Policy Framework. Available at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2> [Date Accessed: 22/04/22]

<sup>45</sup> Natural England (2009) Agricultural Land Classification: protecting the best and most versatile agricultural land. Available at: <http://publications.naturalengland.org.uk/publication/35012> [Date Accessed: 22/04/22]

<sup>46</sup> Natural England (1988) Agricultural Land Classification of England and Wales: Revised criteria for grading the quality of agricultural land (ALC011). Available at: <http://publications.naturalengland.org.uk/publication/6257050620264448?category=5954148537204736> [Date Accessed: 14/04/22]

SA Objective	Assessment Assumptions/Methodology
	<p>Due to the extent and nature of the development (pitches for Gypsies &amp; Travellers) it is assumed that development proposals would have a negligible impact on Greater Norwich's waste and resources.</p>
<p><b>15. Water:</b> Maintain and enhance water quality and ensure the most efficient use of water.</p>	<p><b>Groundwater:</b></p> <p>The vulnerability of groundwater to pollution is determined by the physical, chemical and biological properties of the soil and rocks, which control the ease with which an unprotected hazard can affect groundwater. Groundwater Source Protection Zones (SPZs) indicate the risk to groundwater supplies from potentially polluting activities and accidental releases of pollutants. As such, any development proposal that is located within a groundwater SPZ could potentially have an adverse impact on groundwater quality.</p> <p><b>Watercourses:</b></p> <p>Construction activities in or near watercourses have the potential to cause pollution, impact upon the bed and banks of watercourses and impact on the quality of the water<sup>47</sup>. An approximate 10m buffer zone from a watercourse should be used in which no works, clearance, storage or run-off should be permitted<sup>48</sup>. In this assessment, a 200m buffer zone was deemed appropriate.</p> <p>Development proposals located within 200m of a watercourse would be expected to have a minor negative impact on local water quality.</p> <p><b>Water Consumption:</b></p> <p>It is assumed that development proposals will be in accordance with the national mandatory water efficiency standard of 125 litres per person per day, as set out in the Building Regulations 2010<sup>49</sup>.</p> <p>It is assumed that all Gypsy and Traveller site proposals in the GNLP will be subject to appropriate approvals and licensing for sustainable water supply from the Environment Agency.</p>

<sup>47</sup> World Health Organisation (1996) Water Quality Monitoring - A Practical Guide to the Design and Implementation of Freshwater Quality Studies and Monitoring Programmes: Chapter 2 – Water Quality. Available at: <https://apps.who.int/iris/handle/10665/41851> [Date Accessed: 14/04/22]

<sup>48</sup> Department of Agriculture, Environment and Rural Affairs (no date) Advice and Information for planning approval on land which is of nature conservation value. Available at: <https://www.daera-ni.gov.uk/articles/advice-and-information-planning-approval-land-which-nature-conservation-value> [Date Accessed: 22/04/22]

<sup>49</sup> The Building Regulations 2010. Available at: <http://www.legislation.gov.uk/uksi/2010/2214/contents/made> [Date Accessed: 22/04/22]

## 3 Pre-mitigation site assessments

### 3.1 Introduction

- 3.1.1 The process which has been used to appraise reasonable alternative sites is sequenced through two stages. Firstly, sites are assessed in terms of impacts on the baseline without consideration of mitigation. Secondly, the appraisal findings are further assessed in light of any relevant mitigation that is available through for example, emergent local plan policies.
- 3.1.2 The pre-mitigation assessment provides a baseline assessment of each site and identifies any local constraints. The pre-mitigation assessment does not consider mitigating factors such as local plan policy. The purpose of this stage is to identify the impacts that would need to be overcome for development to optimise sustainability performance.
- 3.1.3 **Table 3.1** presents a summary of the pre-mitigation impacts identified for each of the three Traveller and Gypsy sites. The pre-mitigation assessments of the three reasonable alternative sites proposed for Gypsy and Traveller pitches are presented in full in **sections 3.2 to 3.5** and should be read in conjunction with **Table 3.1**.

**Table 3.1:** Pre-mitigation impacts of each site identified in the SA Report

Site Reference	SA Objective														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	Air Quality & Noise	Climate Change Mitigation & Adaptation	Biodiversity	Landscape	Housing	Population & Communities	Deprivation	Health	Crime	Education	Economy	Transport	Historic Environment	Natural Resources	Water
GNLP5004	0	+	-	0	+	-	0	--	0	--	-	-	0	-	-
GNLP5005	-	+	--	0	+	-	0	-	0	--	-	-	0	-	-
GNLP5007	+/-	--	-	-	+	+/-	0	-	0	+/-	+	-	-	-	-

- 3.1.4 The SA assessments of these three reasonable alternative sites identified positive, negligible, minor negative and major negative impacts for the SA objectives (pre-mitigation). The SA found that the proposed development at the majority of the sites would be expected to have minor negative or negligible impacts.

### 3.2 Site GNLP5004 – Land off Buxton Road, Eastgate

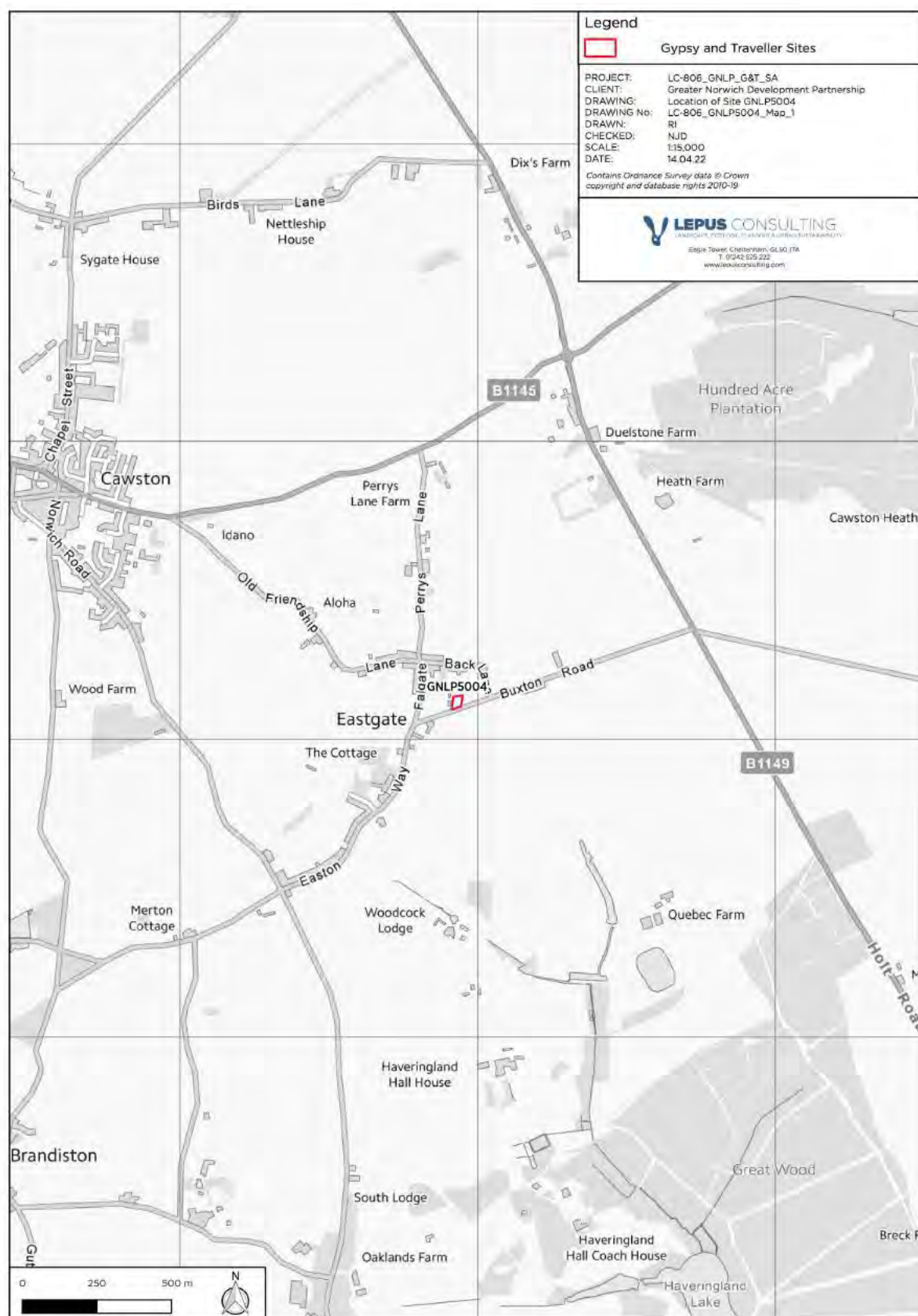


Figure 3.1: Location of proposed Gypsy and Traveller Site GNLP5004.

**Site GNLP5004: Site information and overall scores per SA Objective (pre-mitigation)**

Site Name							Area (ha)				Proposed No. of Pitches			
Land off Buxton Road, Eastgate							0.12				4			
SA Objective														
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Air Quality & Noise	Climate Change Mitigation & Adaptation	Biodiversity	Landscape	Housing	Population & Communities	Deprivation	Health	Crime	Education	Economy	Transport	Historic Environment	Natural Resources	Water
0	+	-	0	+	-	0	--	0	--	-	-	0	-	-

### SA1: Air Quality and Noise

- 3.2.1 **Air and Noise Pollution:** Site GNLP5004 is proposed for small-scale development (four Gypsy and Traveller pitches), and is situated away from major sources of air and noise pollution. A negligible impact on local air quality and noise would be expected.

### SA2: Climate Change Mitigation and Adaptation

- 3.2.2 **Fluvial flooding:** Site GNLP5004 is located wholly within Flood Zone 1. Therefore, a minor positive impact would be expected at this site, as the proposed development would be likely to locate site end users away from areas at risk of fluvial flooding.

### SA3: Biodiversity, Geodiversity and Green Infrastructure

- 3.2.3 **Habitats sites:** Site GNLP5004 is located approximately 2.3km from 'Norfolk Valley Fens' SAC and 12.8km from 'Broadland' SPA and Ramsar. It is uncertain at this stage whether development of the site would be likely to impact these Habitats sites, and any potential impacts will be identified within the upcoming HRA for the proposed Gypsy and Traveller sites. This includes the potential for nutrient impacts related to waste water discharge from new developments, which may contribute towards worsening of water quality of rivers or wetland habitats associated with the Broads SAC and Ramsar which are in an unfavourable condition due to elevated and exceeded nutrient thresholds.



- 3.2.4 **SSSI IRZ:** Site GNLP5004 is located within a Nutrient Impact Area, within an IRZ which states that *“for new development with overnight accommodation Reg 63 of the Conservation of Habitats and Species Regulations 2017 must be applied and additional measures required. LPA to refer to Natural England’s Nutrient Neutrality advice”*. A minor negative impact on the features for which nearby SSSIs have been designated could potentially occur as a result of the proposed development at this site.

#### **SA4: Landscape**

- 3.2.5 **Landscape Character:** Site GNLP5004 is located within the LCA ‘Cawston Tributary Farmland’. Some key characteristics of this LCA include the mosaic of arable fields, woodland and parkland, and landscape setting of villages and notable buildings. Due to the expected small-scale development (four Gypsy and Traveller pitches) situated in a small enclosed field, it is not anticipated that development proposals would be discordant with this LCA. Therefore, a negligible impact on the landscape character would be expected.

#### **SA5: Housing**

- 3.2.6 **Provision of Pitches:** Site GNLP5004 is proposed for the development of four Gypsy and Traveller pitches. Therefore, the proposed development at this site would be expected to have a minor positive impact by helping to satisfy the identified accommodation needs in the Plan area.

#### **SA6: Population and Communities**

- 3.2.7 **Local Services:** The nearest local shop to Site GNLP5004 is Cawston Post Office and Store, located approximately 1.4km from the site, outside of the sustainable target distance. Therefore, the proposed development at this site could potentially have a minor negative impact on the access of site end users to local services.

#### **SA7: Deprivation**

- 3.2.8 See **Table 2.4**, ‘SA7: Deprivation’.

#### **SA8: Health**

- 3.2.9 **NHS Hospital:** The closest hospital with an A&E department to Site GNLP5004 is Norfolk and Norwich University Hospital, located approximately 16.3km from the site. The proposed development at Site GNLP5004 could potentially restrict the access of site end users to this facility. Therefore, a minor negative impact on access to healthcare could be expected.
- 3.2.10 **GP Surgery:** Site GNLP5004 is located approximately 1.2km from the closest GP surgery, ‘Dr Harrison K & Partners’, outside of the sustainable target distance. The proposed development at this site could potentially restrict the access of site end users to healthcare facilities and therefore a minor negative impact could be expected.



- 3.2.11 **Leisure Facilities:** The closest leisure centre to Site GNLP5004 is 'Victory Swim and Fitness Leisure Centre', located approximately 14.8km from the site. Site GNLP5004 is located outside of the target distance to this leisure facility, and therefore a minor negative impact on the health and wellbeing of site end users would be expected.
- 3.2.12 **Main Road:** Site GNLP5004 is located over 200m from a main road. The proposed development at this site would be expected to have a minor positive impact on health, as site end users would be located away from main roads and associated air pollution.
- 3.2.13 **Green Network:** Site GNLP5004 is located within 600m from the PRoW network. Therefore, a minor positive impact would be expected at this site as the proposed development would be likely to provide site end users good access to outdoor space and a diverse range of natural and semi-natural habitats, which is known to have physical and mental health benefits.
- 3.2.14 As Site GNLP5004 is located outside the target distance to an NHS hospital, GP surgery and leisure centre, the proposed development at this site would be expected to have a major negative impact on the health and wellbeing of site end users.

### SA9: Crime

- 3.2.15 See **Table 2.4**, 'SA9: Crime'.

### SA10: Education

- 3.2.16 **Primary/Secondary School:** Site GNLP5004 is located approximately 1.1km from the closest primary school, Cawston CE Primary School. The site is also located approximately 5.3km from the closest secondary school, Reepham High School and College. Therefore, as the site is located outside the sustainable target distance to both primary and secondary schools, a major negative impact on the access of site end users to education would be expected.

### SA11: Economy

- 3.2.17 **Primary Employment Location:** Site GNLP5004 is located in a rural area, with the closest primary employment locations being the market towns of Reepham and Aylsham, over 5km from the site and outside of the sustainable target distance. Therefore, the proposed development at this site could potentially have a minor negative impact on the access of site end users to employment.

### SA12: Transport and Access to Services

- 3.2.18 **Bus Stop:** Site GNLP5004 is located within the target distance to bus service '42', Reepham to Norwich route; however, this only provides two services per day. Therefore, the proposed development at this site could potentially have a minor negative impact on the access of site end users to bus services.

- 3.2.19 **Railway Station:** Site GNLP5004 is located outside the target distance to a railway station, with the nearest being North Walsham Railway Station situated over 14km to the north east. The proposed development at this site would be likely to have a minor negative impact on the access of site end users to rail services.
- 3.2.20 **Pedestrian Access:** Site GNLP5004 currently has poor access to the surrounding footpath network and therefore the proposed development at this site could potentially have a minor negative impact on local accessibility.
- 3.2.21 **Road Network:** Site GNLP5004 is well connected to the existing road network. The proposed development would therefore be expected to provide site end users with good access to existing roads, resulting in a minor positive impact on accessibility.

### SA13: Historic Environment

- 3.2.22 **Heritage Assets:** The development proposed at Site GNLP5004 would be unlikely to significantly impact any surrounding heritage assets, and therefore, would be expected to have a negligible impact on the local historic environment.

### SA14: Natural Resources, Waste and Contaminated Land

- 3.2.23 **Previously Developed Land:** Site GNLP5004 is located upon 0.12ha of previously undeveloped land. Therefore, the development of this site could have a minor negative impact on natural resources due to the loss of less than 20ha of previously undeveloped land. This negative impact would be associated with an inefficient use of land and the permanent and irreversible loss of ecologically valuable soils.
- 3.2.24 **ALC:** Site GNLP5004 is situated upon ALC Grade 2 land which represents some of Greater Norwich's BMV land. Therefore, a minor negative impact would be expected as a result of the proposed development at this site, due to the loss of this important natural resource.

### SA15: Water

- 3.2.25 **SPZ:** Site GNLP5004 coincides with the catchment (Zone III) of a groundwater SPZ. The proposed development at this site could potentially increase water contamination within this SPZ, resulting in a potential minor negative impact on local groundwater resources.

### 3.3 Site GNLP5005 – Wymondham Recycling Centre, Strayground Lane

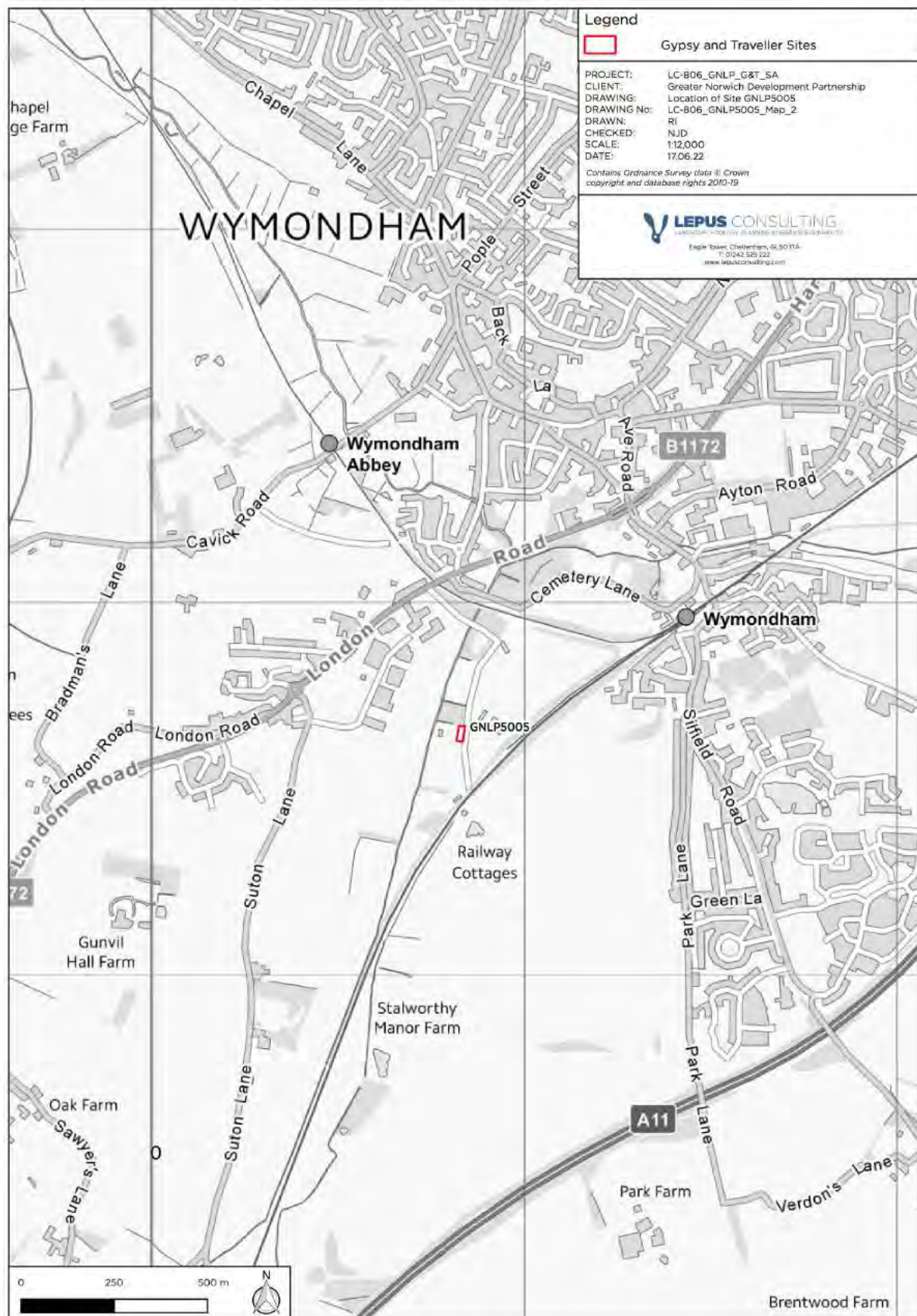


Figure 3.2: Location of proposed Gypsy and Traveller Site GNLP5005.

**Site GNLP5005: Site information and overall scores per SA Objective (pre-mitigation)**

Site Name							Area (ha)				Proposed No. of Pitches			
Wymondham Recycling Centre, Strayground Lane							0.07				2			
SA Objective														
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Air Quality & Noise	Climate Change Mitigation & Adaptation	Biodiversity	Landscape	Housing	Population & Communities	Deprivation	Health	Crime	Education	Economy	Transport	Historic Environment	Natural Resources	Water
-	+	-	0	+	-	0	-	0	-	-	-	0	-	-

### SA1: Air Quality and Noise

- 3.3.1 **Railway Line:** Site GNLP5005 is located within 200m of a railway line, therefore the proposed development at this site could potentially expose site end users to higher levels of noise pollution and vibrations associated with this railway. A minor negative impact would be expected.

### SA2: Climate Change Mitigation and Adaptation

- 3.3.2 **Fluvial flooding:** Site GNLP5005 is located wholly within Flood Zone 1. Therefore, a minor positive impact would be expected at this site, as the proposed development would be likely to locate site end users away from areas at risk of fluvial flooding.

### SA3: Biodiversity, Geodiversity and Green Infrastructure

- 3.3.3 **Habitats sites:** Site GNLP5005 is located approximately 7.8km from 'Norfolk Valley Fens' SAC, 17.6km from 'Breckland' SPA and 20km from 'Broadland' Ramsar. It is uncertain at this stage whether development of the site would be likely to impact these Habitats sites, and any potential impacts will be identified within the upcoming HRA for the proposed Gypsy and Traveller sites. This includes the potential for nutrient impacts related to waste water discharge from new developments, which may contribute towards worsening of water quality of rivers or wetland habitats associated with the Broads SAC and Ramsar which are in an unfavourable condition due to elevated and exceeded nutrient thresholds.

- 3.3.4 **SSSI IRZ:** Site GNLP5005 is located within a Nutrient Impact Area, within an IRZ which states that *“for new development with overnight accommodation Reg 63 of the Conservation of Habitats and Species Regulations 2017 must be applied and additional measures required. LPA to refer to Natural England’s Nutrient Neutrality advice”*. A minor negative impact on the features for which nearby SSSIs have been designated could potentially occur as a result of the proposed development at this site.
- 3.3.5 **County Wildlife Site:** The north of Site GNLP5005 coincides with a section of ‘Bays River Meadows North’ CWS. It is noted that part of this section of the CWS within the boundary of Site GNLP5005 comprises hardstanding associated with Wymondham Recycling Centre; however, a section along the northern site boundary remains undeveloped. The proposed development at this site could potentially result in direct adverse impacts on this CWS, and therefore a major negative impact on biodiversity could be expected.
- 3.3.6 **Priority Habitats:** The north of Site GNLP5005 coincides with approximately 0.01ha of lowland fens priority habitat. Therefore, the proposed development at this site could potentially result in the partial loss or degradation of this habitat, and therefore, have a minor negative impact on the overall presence of priority habitats in the Plan area.

#### **SA4: Landscape**

- 3.3.7 **Landscape Character:** Site GNLP5005 is located within the LCA ‘Tiffey Tributary Farmland’. Some key characteristics of this LCA include large scale arable farmland, water bodies, sparse settlements and long views. Due to the expected small-scale development (two Gypsy and Traveller pitches) situated on a partially developed site, it is not anticipated that development proposals would be discordant with this LCA. Therefore, a negligible impact on the landscape character would be expected.

#### **SA5: Housing**

- 3.3.8 **Provision of Pitches:** Site GNLP5005 is proposed for the development of two Gypsy and Traveller pitches. Therefore, the proposed development at this site would be expected to have a minor positive impact by helping to satisfy the identified accommodation needs in the Plan area.

#### **SA6: Population and Communities**

- 3.3.9 **Local Services:** The nearest local shop to Site GNLP5005 is Co-op, located just over 600m from the site, outside of the sustainable target distance. Therefore, the proposed development at this site could potentially have a minor negative impact on the access of site end users to local services.
- 3.3.10 **Local Landscape Designations:** Site GNLP5005 is located within 600m from natural and semi-natural greenspace at Tolls Meadow. The proposed development at this site would therefore be likely to provide site end users with good access to this asset, and as such, result in a minor positive impact on opportunities for integration with the local community.

### SA7: Deprivation

- 3.3.11 See **Table 2.4**, 'SA7: Deprivation'.

### SA8: Health

- 3.3.12 **NHS Hospital:** The closest hospital with an A&E department to Site GNLP5005 is Norfolk and Norwich University Hospital, located approximately 9.7km from the site. The proposed development at Site GNLP5005 could potentially restrict the access of site end users to this facility. Therefore, a minor negative impact on access to healthcare could be expected.
- 3.3.13 **GP Surgery:** Site GNLP5005 is located approximately 840m from the closest GP surgery, 'Dr Watts', outside of the sustainable target distance. The proposed development at this site could potentially restrict the access of site end users to healthcare facilities and therefore a minor negative impact could be expected.
- 3.3.14 **Leisure Facilities:** The closest leisure centre to Site GNLP5005 is 'Wymondham Leisure Centre', located approximately 1.3km from the site. Site GNLP5005 is located within the target distance to this leisure facility, and therefore a minor positive impact on the health and wellbeing of site end users would be expected.
- 3.3.15 **Main Road:** Site GNLP5005 is located over 200m from a main road. The proposed development at this site would be expected to have a minor positive impact on health, as site end users would be located away from main roads and associated air pollution.
- 3.3.16 **Green Network:** Site GNLP5005 is located within 600m from the PRow network and open greenspaces, including play space and a cemetery. Therefore, a minor positive impact would be expected at this site, as the proposed development would be likely to provide site end users good access to outdoor space and a diverse range of natural and semi-natural habitats, which is known to have physical and mental health benefits.

### SA9: Crime

- 3.3.17 See **Table 2.4**, 'SA9: Crime'.

### SA10: Education

- 3.3.18 **Primary/Secondary School:** Site GNLP5005 is located approximately 960m from the closest primary school, Browick Road Primary School. The majority of Site GNLP5005 is located outside of the sustainable distance to the closest secondary school, Wymondham High Academy. Therefore, as the site is located outside the sustainable target distance to both primary and secondary schools, a major negative impact on the access of site end users to education would be expected.



### SA11: Economy

- 3.3.19 **Primary Employment Location:** Site GNLP5005 is located approximately 300m from Wymondham Business Park with many potential employment opportunities for site end users, including businesses 'Express Equine', 'Supreme Bathroom and Kitchen Centre' and 'Abbeygate Accident and Repair', in addition to those expected in Wymondham Town Centre. Therefore, a minor positive impact on the local economy would be expected.
- 3.3.20 **Employment Floorspace:** Site GNLP5005 coincides with 'Wymondham Recycling Centre'. The proposed development of this site could potentially result in the loss of any employment opportunities currently associated with this site. Therefore, a minor negative impact could be expected following development at this site.

### SA12: Transport and Access to Services

- 3.3.21 **Bus Stop:** Site GNLP5005 is located outside the target distance to a bus stop. The closest bus stop is located approximately 410m from the site on London Road and provides regular services '13', '13A', '13B' and '805', including routes to Norwich and the surrounding area. Therefore, a minor negative impact on site end users' access to these services would be expected upon development of the site.
- 3.3.22 **Railway Station:** Site GNLP5005 is located within the target distance to Wymondham Railway Station. The proposed development at this site would be likely to have a minor positive impact on the access of site end users to rail services.
- 3.3.23 **Pedestrian Access:** Site GNLP5005 currently has poor access to the surrounding footpath network and therefore the proposed development at this site could potentially have a minor negative impact on local accessibility.
- 3.3.24 **Road Network:** Site GNLP5005 is well connected to the existing road network. The proposed development would therefore be expected to provide site end users with good access to existing roads, resulting in a minor positive impact on accessibility.

### SA13: Historic Environment

- 3.3.25 **Grade II Listed Building:** Site GNLP5005 is located approximately 350m from the Grade II Listed Building 'Ivy Green Villa'. Due to this distance and intervening development (Wymondham Business Park), and the expected small number of pitches at this site, it is not anticipated that it would affect the setting of this Listed Building. Therefore, the proposed development at this site would be expected to result in a negligible impact on the historic environment.

#### **SA14: Natural Resources, Waste and Contaminated Land**

- 3.3.26 **Previously Developed Land:** Site GNLP5005 is located upon 0.07ha of primarily previously developed land; however, the site also contains an undeveloped area along the Bays River. Therefore, the development of this site could have a minor negative impact on natural resources due to the loss of less than 20ha of previously undeveloped land. This negative impact would be associated with an inefficient use of land and the permanent and irreversible loss of ecologically valuable soils.
- 3.3.27 **ALC:** Site GNLP5005 is situated upon ALC Grade 2 land which represents some of Greater Norwich's BMV land. Therefore, a minor negative impact would be expected as a result of the proposed development at this site, due to the loss of this important natural resource.

#### **SA15: Water**

- 3.3.28 **SPZ:** Site GNLP5005 coincides with the catchment (Zone III) of a groundwater SPZ. The proposed development at this site could potentially increase water contamination within this SPZ, resulting in a potential minor negative impact on local groundwater resources.
- 3.3.29 **Watercourse:** Site GNLP5005 is located approximately 70m from the Bays River. The proposed development at this site could potentially increase the risk of contamination of this watercourse, and therefore, a minor negative impact would be expected.



### 3.4 Site GNLP5007 – Land off Bawburgh Lane, north of New Road and east of the A47, Costessey (Contingency Site)



**Figure 3.3:** Location of proposed Gypsy and Traveller Site GNLP5007.

**Site GNLP5007: Site information and overall scores per SA Objective (pre-mitigation)**

Site Name							Area (ha)				Proposed No. of Pitches			
Land off Bawburgh Lane, north of New Road and east of the A47, Costessey (Contingency Site)							1ha of the 62.33ha larger site at Costessey				18			
SA Objective														
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Air Quality & Noise	Climate Change Mitigation & Adaptation	Biodiversity	Landscape	Housing	Population & Communities	Deprivation	Health	Crime	Education	Economy	Transport	Historic Environment	Natural Resources	Water
+/-	-	-	-	+	+/-	0	-	0	+/-	+	-	-	-	-

### SA1: Air Quality and Noise

- 3.4.1 **Main Road:** The A47 is located adjacent to the western boundary of Site GNLP5007, with a proportion of the site located within 200m of this main road. The proposed development at this site could potentially expose site end users to higher levels of transport associated air and noise pollution. The location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether site end users would be located within 200m of this road, and consequently whether they would be exposed to associated air pollution.

### SA2: Climate Change Mitigation and Adaptation

- 3.4.2 **Fluvial flooding:** Site GNLP5007 is located wholly within Flood Zone 1. Therefore, a minor positive impact would be expected at this site, as the proposed development would be likely to locate site end users away from areas at risk of fluvial flooding.
- 3.4.3 **Surface Water Flooding:** A large proportion of Site GNLP5007 coincides with an area determined to be at low, medium and high risk of surface water flooding. The proposed development at this site could potentially have a major negative impact on pluvial flood risk, as development could potentially locate some site end users in areas at high risk of surface water flooding, as well as exacerbate pluvial flood risk in surrounding locations.

---

### SA3: Biodiversity, Geodiversity and Green Infrastructure

- 3.4.4 **Habitats sites:** Site GNLP5007 is located approximately 1.7km from 'River Wensum' SAC and 11.1km from 'Broadland' SPA and Ramsar. It is uncertain at this stage whether development of the site would be likely to impact these Habitats sites, and any potential impacts will be identified within the upcoming HRA for the proposed Gypsy and Traveller sites. This includes the potential for nutrient impacts related to waste water discharge from new developments, which may contribute towards worsening of water quality of rivers or wetland habitats associated with the Broads SAC and Ramsar which are in an unfavourable condition due to elevated and exceeded nutrient thresholds.
- 3.4.5 **SSSI IRZ:** Site GNLP5007 is located within a Nutrient Impact Area, within an IRZ which states that *"for new development with overnight accommodation Reg 63 of the Conservation of Habitats and Species Regulations 2017 must be applied and additional measures required. LPA to refer to Natural England's Nutrient Neutrality advice"*. A minor negative impact on the features for which nearby SSSIs have been designated could potentially occur as a result of the proposed development at this site.
- 3.4.6 **Priority Habitats:** Site GNLP5007 coincides with approximately 7ha of deciduous woodland priority habitat. The location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether the proposed development would result in the loss of any priority habitat.

### SA4: Landscape

- 3.4.7 **Landscape Character:** Site GNLP5007 is located within the LCA 'Yare Valley Urban Fringe'. Some key characteristics of this LCA include the wide, flat floodplain, recreational landscape and green buffer between the river valley and Norwich City. The proposed development at this site could potentially result in a small-scale erosion of this green buffer and may alter wide views, and therefore, have a minor negative impact on the local landscape character.
- 3.4.8 **Views for Local Residents:** Site GNLP5007 extends outside the outskirts of Norwich City, adjacent to Bowthorpe and Chapel Break, and the proposed development at this site has the potential to alter views experienced by local residents of surrounding dwellings to some extent. Therefore, a minor negative impact on the local landscape would be expected.
- 3.4.9 **Urbanisation of the Countryside:** Site GNLP5007 comprises previously undeveloped land and is located outside of Bowthorpe on the outskirts of the city of Norwich. Therefore, the proposed development at this site could potentially contribute towards the urbanisation of the countryside. A minor negative impact on the local landscape would be expected.

### SA5: Housing

- 3.4.10 **Provision of Pitches:** Site GNLP5007 is proposed for the development of 18 Gypsy and Traveller pitches. Therefore, the proposed development at this site would be expected to have a minor positive impact by helping to satisfy the identified accommodation needs in the Plan area.

---

## SA6: Population and Communities

- 3.4.11 **Local Services:** The nearest local shop to Site GNLP5007 is Co-op, located approximately 600m from the site at its closest point; however, the majority of the site is located outside of the sustainable target distance to this shop. The location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether site end users would be located within the sustainable target distance to local services.
- 3.4.12 **Local Landscape Designations:** A proportion of Site GNLP5007 is located within 600m of local landscape designations including amenity open space at Harts Lane and New Road, and informal open spaces in Chapel Break. The location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether site end users would be located in areas with good access to these assets, and consequently the opportunities for integration with the local community that they may provide.

## SA7: Deprivation

- 3.4.13 See **Table 2.4**, 'SA7: Deprivation'.

## SA8: Health

- 3.4.14 **NHS Hospital:** The closest hospital with an A&E department to Site GNLP5007 is Norfolk and Norwich University Hospital, located approximately 2.5km from the site, within the sustainable target distance. The proposed development at Site GNLP5007 would be expected to provide site end users with good access to this healthcare facility and therefore a minor positive impact would be expected.
- 3.4.15 **GP Surgery:** The closest GP surgeries to Site GNLP5007 are 'Dr Lockett and Partners', 'Roundwell Medical Centre' and 'Bowthorpe Health Centre'. A proportion of the site, to the east, is located within the target distance to one or more of these GP surgeries however the majority of the site lies outside of this target distance. The location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether site end users would be located within the sustainable target distance to GP surgeries.
- 3.4.16 **Leisure Facilities:** The closest leisure centre to Site GNLP5007 is 'Riverside Leisure Centre', located approximately 6.8km from the site. Site GNLP5007 is located outside of the target distance to this leisure facility, and therefore a minor negative impact on the health and wellbeing of site end users would be expected.
- 3.4.17 **Main Road:** Site GNLP5007 is located partially within 200m of a main road, the A47. The proposed development at this site could potentially expose site end users to higher levels of transport associated air pollution. The location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether site end users would be located within 200m of this road, and consequently whether they would be exposed to associated air pollution.

- 3.4.18 **Green Network:** Site GNLP5007 is located partially within 600m of various open greenspaces, including play spaces and playing fields. However, a proportion of the site lies outside of this sustainable target distance. The location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether site end users would be located within 600m of outdoor spaces for recreation and exercise and consequently the health benefits they provide.

#### **SA9: Crime**

- 3.4.19 See **Table 2.4**, 'SA9: Crime'.

#### **SA10: Education**

- 3.4.20 **Primary School:** Site GNLP5007 is located approximately 500m from Chapel Break Infant School and approximately 720m from the The Bawburgh School (primary school), at its closest point. However, the majority of the site is located outside of the target distance to these facilities. The location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether site end users would be located within the sustainable target distance to primary schools.
- 3.4.21 **Secondary School:** The majority of Site GNLP5007 is located within 1.5km of Ormiston Victory Academy, however, a proportion of the site in the south west is situated outside of this sustainable target distance. The location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether site end users would be located within the sustainable target distance to secondary schools.

#### **SA11: Economy**

- 3.4.22 **Primary Employment Location:** Site GNLP5007 is located approximately 740m from Bowthorpe Employment Area in the outskirts of Norwich City, which would be expected to provide a range of employment opportunities for site end users and is within the sustainable target distance. Therefore, a minor positive impact on the local economy would be expected.

#### **SA12: Transport and Access to Services**

- 3.4.23 **Bus Stop:** The majority of Site GNLP5007 is located outside the target distance to a bus stop that provides a regular service. A small proportion of the site, in the east, is located within 400m of bus stops in Chapel Break providing regular services. The location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether site end users would be located within the sustainable target distance to bus services.
- 3.4.24 **Railway Station:** Site GNLP5007 is located outside the target distance to a railway station, with the nearest being Norwich Railway Station situated over 7km to the east. The proposed development at this site would be likely to have a minor negative impact on the access of site end users to rail services.



- 3.4.25 **Pedestrian Access:** Site GNLP5007 currently has good access to the surrounding footpath network in some locations (namely to the east and northern edges); however, the remainder of the site has poor connectivity for pedestrians. The location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether site end users would be located in areas with good local accessibility.
- 3.4.26 **Road Network:** Site GNLP5007 is well connected to the existing road network at the site edges. However, the location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether site end users would be located in areas with good connectivity to the surrounding road network.

### SA13: Historic Environment

- 3.4.27 **Grade II\* Listed Building:** At its closest point, Site GNLP5007 is located approximately 270m from Grade II\* Listed Building 'Lodge Farmhouse'. The location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether the development would be situated in an area with potential to affect the setting of the Listed Building.

### SA14: Natural Resources, Waste and Contaminated Land

- 3.4.28 **Previously Developed Land:** Site GNLP5007 is located upon 62.33ha of previously undeveloped land, with the net area for the proposed Gypsy and Traveller pitches comprising approximately 1ha. Therefore, the development of this site could have a minor negative impact on natural resources due to the loss of less than 20ha of previously undeveloped land. This negative impact would be associated with an inefficient use of land and the permanent and irreversible loss of ecologically valuable soils.
- 3.4.29 **ALC:** The majority of Site GNLP5007 is situated upon ALC Grade 3 land which could potentially be some of Greater Norwich's BMV land. A small proportion in the south of the site is situated upon ALC Grade 4 land, which is considered to be poor quality agricultural land. The location of the Gypsy and Traveller pitches within the wider site boundary is unknown at the time of writing, and as such, it is uncertain whether the development would be situated on Grade 3 or 4 land and consequently whether the development would have positive or negative effects on the conservation of BMV land.

### SA15: Water

- 3.4.30 **SPZ:** Site GNLP5007 coincides with the outer zone (Zone II) and catchment (Zone III) of a groundwater SPZ. The proposed development at this site could potentially increase water contamination within this SPZ, resulting in a potential minor negative impact on local groundwater resources.

## 4 Assessment of site policies

### 4.1 Preface

4.1.1 The following sections of this chapter provide an appraisal of the three site policies which have been prepared by the GNLP alongside each of the proposed Gypsy and Traveller sites. Each of the policies appraised in this report have been assessed for their likely impacts on each SA Objective of the SA Framework. The SA Framework is presented in its entirety in **Appendix A**.

4.1.2 Each appraisal includes a SA impact matrix that provides an indication of the nature and magnitude of effects. Assessment narratives follow the impact matrices for each site policy, within which the findings of the appraisal and the rationale for the recorded impacts are described.

4.1.3 The assessment of the site policies presented within **sections 4.2 to 4.5** has drawn on the relevant site assessment findings as presented in **Chapter 3**.

### 4.2 Site Policy GNLP5004

#### Box 4.1: Policy GNLP5004

**Land off Buxton Road, Cawston (0.12 Ha) is allocated for a permanent residential Gypsy and Travellers Site. The site will accommodate approximately 4 residential Gypsy and Traveller pitches.**

The development will be expected to address the following site-specific matters:

1. Access via Buxton Road. Any trees or hedgerow lost to form the access or visibility splay should be compensated for with new planting within the development.
2. Additional landscaping and hedgerow should be provided to enhance screening and to create separation to adjoining properties.
3. Archaeological investigations should be undertaken prior to development.

Site Policy GNLP5004														
SA Objective														
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Air Quality & Noise	Climate Change Mitigation & Adaptation	Biodiversity	Landscape	Housing	Population & Communities	Deprivation	Health	Crime	Education	Economy	Transport	Historic Environment	Natural Resources	Water
0	+	-	0	+	-	0	--	0	--	-	-	0	-	-

- 4.2.1 Policy GNLP5004 sets out three site-specific requirements for the development of Gypsy and Traveller Site GNLP5004. The policy seeks to ensure separation of the site from adjoining properties (i.e. those on Buxton Road) through the use of hedgerows and landscaping, and that new hedgerows replace those that may be lost through the development of access to the site. Additionally, development of the site must ensure prior appropriate archaeological investigations are undertaken.
- 4.2.2 Through seeking to screen the site from nearby properties using hedgerows and landscaping, the policy would help to provide privacy for existing local residents and conserve the surrounding landscape to an extent. Additionally, archaeological investigations prior to the development of the site would help to identify below ground assets that have not yet been discovered.
- 4.2.3 It is deemed that although there are potential benefits regarding Site Policy GNLP5004, such as regarding the biodiversity, landscape and historic environment SA Objectives, the site policy is unlikely to have any significant effect on identified impacts for the site overall (outlined within **Chapter 3**).
- 4.2.4 It is recommended that Site Policy GNLP5004 provides further details regarding landscaping methods which could be used to enhance the site, as well as whether archaeological investigations will include desk or field studies.

### 4.3 Site Policy GNLP5005

#### Box 4.1: Policy GNLP5005

##### Policy GNLP5005

**Land off Strayground Lane, currently the Wymondham Recycling Centre, Wymondham (0.07 ha), is allocated for a residential Gypsy and Traveller site. The site will accommodate approximately 2 residential Gypsy and Traveller pitches.**

The development will address the following specific site matters:

1. Access should be via Strayground Lane and should use the existing vehicular access for the waste recycling facility. Improvements should be made to the passing bays along Strayground Lane, and an adequate visibility splay should be ensured at the junction of Whartons Lane with London Road (B1172).
2. A contaminated land assessment is required, and any mitigation must be completed prior to development.
3. An ecological assessment is required.
4. A flood risk assessment or drainage strategy is required.



Site Policy GNLG5005														
SA Objective														
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Air Quality & Noise	Climate Change Mitigation & Adaptation	Biodiversity	Landscape	Housing	Population & Communities	Deprivation	Health	Crime	Education	Economy	Transport	Historic Environment	Natural Resources	Water
-	+	--	0	+	-	0	-	0	--	-	-	0	-	-

- 4.3.1 Policy GNLG5005 sets out site-specific requirements for the development of Gypsy and Traveller Site GNLG5005 which regard the provision of access to the site, as well as the various assessments to be undertaken prior to the development of the site.
- 4.3.2 The site policy seeks to prepare the development of the site through requiring a contaminated land assessment, which would help to ensure that site-end users would not be exposed to harmful contaminants which may be potentially present at the site. Additionally, flood and drainage assessments would help to ensure the appropriate drainage of storm water from the site to avoid any exacerbation of surface water flooding. An ecological assessment of the site could help to further identify potential impacts and required mitigation related to the 'Bays River Meadows North' CWS and lowland fens priority habitat which coincides with the site.
- 4.3.3 It is deemed that although there are potential benefits regarding Site Policy GNLG5005, such as regarding the climate change mitigation and adaptation, health and biodiversity SA Objectives, the site policy is unlikely to have any significant effect on identified impacts for the site overall (outlined within **Chapter 3**).
- 4.3.4 It is recommended that Site Policy GNLG5005 provides specific wording in relation to the protection of the CWS and retention of priority habitat within the site, as well as protection of the Bays River from construction/end use related pollution. The policy could also include the use of vegetation to help reduce exposure to noise pollution impacts related to the railway line located within 200m of the site.

## 4.4 Site Policy GNLG5007

### Box 4.1: Policy GNLG5007

#### Policy GNLG5007

#### Land off Bawburgh Lane, north of New Road and east of A47

If the Costessey Contingency Site is allocated for housing development, approximately 1 ha of land at this site will be allocated for a Gypsy and Traveller Site providing approximately 18 pitches.

Site Policy GNLP5007														
SA Objective														
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Air Quality & Noise	Climate Change Mitigation & Adaptation	Biodiversity	Landscape	Housing	Population & Communities	Deprivation	Health	Crime	Education	Economy	Transport	Historic Environment	Natural Resources	Water
+/-	-	-	-	+	+/-	0	-	0	+/-	+	-	-	-	-

- 4.4.1 Policy GNLP5007 sets out details of Gypsy and Traveller Site GNLP5007 which regard the number of pitches and overall area to be allocated to the site within the Costessey Contingency Site.
- 4.4.2 The policy at present contains no specific site requirements for the development of the site, regarding issues such as flood risk, biodiversity and landscape, as the specific location of the site has not been confirmed. Therefore, Policy GNLP5007 at present is unlikely to result in any significant difference compared to the identified impacts for the site overall (outlined within **Chapter 3**).
- 4.4.3 It is recommended that, once the specific site location has been agreed, the policy reflects the potential impacts of developing the site and ways to mitigate these issues.

## 5 Mitigation and residual effects

### 5.1 Overview

- 5.1.1 The sustainability appraisal of the three reasonable alternative Gypsy and Traveller sites against baseline sustainability information has identified a number of adverse effects associated with the SA Objectives in the SA Framework (see **Appendix A**). The purpose of this chapter is to consider if and how these effects can be mitigated by applying the mitigation hierarchy.
- 5.1.2 The first stage of the mitigation hierarchy is to consider if the adverse effect can be avoided. This may be possible by withdrawing the potential site allocation.
- 5.1.3 For allocations which are likely to remain on the basis that the plan makers consider their inclusion to be necessary, mitigation measures should be explored to reduce the overall significance of effect. If it is not possible to mitigate identified adverse effects, these will remain as 'residual effects' at the end of the SA process.
- 5.1.4 One way to reduce adverse impacts identified against baseline receptors is to consider the potential mitigating effects of planning policies. **Tables 5.1 – 5.14** list the identified adverse impacts according to SA Objective, as discussed within **Chapter 3**, and list development management policies from lower tier plans (i.e. which have already been adopted) that might reasonably be expected to help mitigate identified adverse effects. The plans in question have been prepared by Broadland District Council<sup>50</sup> and South Norfolk Council<sup>51</sup>.
- 5.1.5 Attributes of Site Policies GNLP5004, GNLP5005 and GNLP5007 as discussed in **Chapter 4**, alongside other emerging GNLP Strategic Policies, could also potentially help to mitigate some of the minor negative impacts that have been identified as a result of some of the development proposals.
- 5.1.6 Each table has three columns. Column one lists the adverse effect, column two lists relevant policies and the final column indicates the extent to which these policies would be expected to mitigate each identified adverse effect.
- 5.1.7 It is important to demonstrate the amount of mitigation that may be required to ensure a site can optimise sustainability performance. The level of intervention that may be required to facilitate effective mitigation varies and can help determine the eventual choice of preferred option in the plan. Sites which require low levels of intervention are likely to be preferable to sites that require complex and potentially unviable strategies.

---

<sup>50</sup> Broadland District Council (2015) Development Management DPD. Available at: [https://www.broadland.gov.uk/downloads/file/1118/development\\_management\\_dpd\\_adopted](https://www.broadland.gov.uk/downloads/file/1118/development_management_dpd_adopted) [Date Accessed: 22/04/22]

<sup>51</sup> South Norfolk Council (2015) South Norfolk Local Plan, Development Management Policies Document. Available at: <https://www.south-norfolk.gov.uk/residents/planning/planning-policy/adopted-south-norfolk-local-plan/development-management-policies> [Date Accessed: 22/04/22]

## 5.2 SA Objective 1 – Air Quality and Noise

5.2.1 **Table 5.1** presents the identified adverse impacts on air quality and noise and the likely impacts post-mitigation.

*Table 5.1: Identified adverse impacts and potential mitigation for SA Objective 1 - Air Quality and Noise*

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>Exposure to air and noise pollution from main roads</b>	GNLP Policy 2 seeks to protect air quality and minimise pollution, which includes the provision of electric vehicle infrastructure. Policies EN4 (Broadland) and DM3.14 (South Norfolk) seek to ensure that development proposals do not result in an unacceptable impact on air quality or noise pollution. Policy DM3.3 (South Norfolk) seeks to ensure that proposals for new Gypsy and Traveller sites are not approved where there are unsafe localised pollution levels.	These policies would not be expected to fully mitigate the impacts of transport associated emissions from new development on health for development proposals located in close proximity to main roads.
<b>Exposure to noise pollution and vibrations from railway lines</b>	Not addressed within GNLP strategic policies or district DM policies.	These policies would not be anticipated to mitigate potential adverse impacts on noise pollution and vibrations at development proposals located in close proximity to railway lines.

## 5.3 SA Objective 2 – Climate Change Mitigation and Adaptation

5.3.1 **Table 5.2** presents the identified adverse impacts on climate change mitigation and adaptation, and the likely impacts post-mitigation.

*Table 5.2: Identified adverse impacts and potential mitigation for SA Objective 2 – Climate Change Mitigation and Adaptation*

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>Risk of surface water flooding</b>	GNLP Policy 2 would be anticipated to mitigate the risk of surface water flooding that may arise as a result of development, through the requirement for development to incorporate sustainable drainage measures and contribute to the green infrastructure cover. Policies CSU5, EN1, EN3 (Broadland), DM1.4, DM4.2 and DM4.4 (South Norfolk) would be expected to ensure development proposals alleviate the risk of surface water flooding. Policy DM3.3 (South Norfolk) would ensure that Gypsy and Traveller sites include the provision of satisfactory foul and surface drainage.	Overall, these policies would be expected to mitigate the risk of surface water flooding and would seek to prevent the exacerbation of surface water flood risk in surrounding areas.

## 5.4 SA Objective 3 – Biodiversity, Geodiversity and Green Infrastructure

5.4.1 **Table 5.3** presents the identified adverse impacts on biodiversity, geodiversity and green infrastructure and the likely impacts post-mitigation.

**Table 5.3:** Identified adverse impacts and potential mitigation for SA Objective 3 – Biodiversity, Geodiversity and Green Infrastructure

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>Threats or pressures to Habitats sites (SAC, SPA, Ramsar sites)</b>	<p>GNLP Policy 3 seeks to address impacts of visitor pressure caused by residents of new development on Habitats sites. The policy would be expected to ensure that developments provide, or provide funding for, significantly higher amounts of appropriate amenity green infrastructure to protect Habitats sites identified within the HRA.</p> <p>Policies EN1, EN3 (Broadland), DM1.4, DM3.8, DM4.2 and DM4.4 (South Norfolk) could potentially help to safeguard and enhance biodiversity including at internationally designated sites.</p> <p>Policy DM3.3 (South Norfolk) would ensure that Gypsy and Traveller developments are not permitted where sites designated at international or national levels will be unacceptably harmed.</p>	<p>These policies alone would not be expected to mitigate potential adverse impacts on Habitats sites.</p> <p>The emerging HRA found that, subject to satisfactory policy modification with respect to nutrient neutrality, the Gypsy and Traveller sites will have no adverse effect upon the integrity of Habitats sites alone or in combination. As this policy wording has not yet been finalised, the impacts on these Habitats sites remain uncertain for the purpose of this SA report at the time of writing</p>
<b>Threats or pressures to SSSIs</b>	<p>GNLP Policy 2 would seek to ensure that development proposals contribute towards green infrastructure network, and GNLP Policy 3 aims to ensure development does not result in harm to designated assets of the natural environment.</p> <p>Policies EN1, EN3 (Broadland), DM1.4, DM3.8, DM4.2 and DM4.4 (South Norfolk) could potentially help to safeguard and enhance biodiversity including at SSSIs.</p> <p>Policy DM3.3 (South Norfolk) would ensure that Gypsy and Traveller developments are not permitted where sites designated at national levels will be unacceptably harmed.</p>	<p>At the time of writing, it is uncertain whether the policies would be expected to mitigate potential adverse impacts on SSSIs associated with Nutrient Impact Zones.</p>
<b>Threats or pressures to other designated and non-designated biodiversity sites and habitats (CWS and Priority Habitats)</b>	<p>GNLP Policy 2 would contribute towards the protection and enhancement of the green infrastructure network.</p> <p>GNLP Policy 3 aims to conserve and enhance the natural environment, including priority habitats, networks and species, ancient trees and woodlands, geodiversity, avoid harm to designated or non-designated assets and ensure development proposals result in biodiversity net gain.</p> <p>Policies EN1, EN3 (Broadland), DM1.4, DM3.8, DM4.2 and DM4.4 (South Norfolk) could potentially help to safeguard and enhance biodiversity including at designated and non-designated biodiversity sites.</p>	<p>These policies would be expected to mitigate adverse impacts of development proposals on designated and non-designated biodiversity assets.</p>

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
	Policy DM3.3 (South Norfolk) would ensure that Gypsy and Traveller developments are not permitted where sites designated at national or county levels will be unacceptably harmed.	

## 5.5 SA Objective 4 – Landscape

5.5.1 **Table 5.4** presents the identified adverse impacts on landscape and the likely impacts post-mitigation.

**Table 5.4:** Identified adverse impacts and potential mitigation for SA Objective 4 - Landscape

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>Threaten or result in the loss of rural and locally distinctive landscape character</b>	<p>GNLP Policies 2 and 3 would be expected to contribute towards mitigating negative impacts associated with development on Greater Norwich's locally distinctive landscape character and seek to conserve and enhance the special qualities of the built, historic and natural environment.</p> <p>Policies EN2, GC4 (Broadland), DM1.4, DM2.1, DM2.3, DM2.6, DM2.7, DM2.8, DM2.9, DM3.3, DM3.4, DM3.5, DM3.8, DM3.9, DM4.5, DM4.6 and DM4.9 (South Norfolk) seek to protect and enhance the local landscape character and distinctiveness of the surrounding environment.</p> <p>Policy DM3.3 (South Norfolk) sets out various criteria to help ensure that proposed Gypsy and Traveller sites integrate with existing settlements and do not have significant adverse impacts on the local landscape.</p>	These policies would be anticipated to mitigate adverse impacts on the landscape character at all of the potential development sites.
<b>Change in views experienced by existing local residents</b>	<p>GNLP Policies 2 and 3 would be expected to mitigate impacts on views experienced by local residents, to some extent, through ensuring that development takes account of the setting and character of the local area.</p> <p>Policies EN2, GC4 (Broadland), DM2.8, DM3.8 and DM4.6 (South Norfolk) would be expected to protect visual amenity and ensure development proposals incorporate designs which enhance appearance and retain important views.</p> <p>Policy DM3.3 (South Norfolk) would be expected to ensure that Gypsy and Traveller development is sited and designed to integrate into the local landscape including screening by vegetation or landform, and that development has regard to the amenity of nearby properties.</p>	These policies would be expected to mitigate the impact of development on views experienced by local residents.
<b>Increase risk of urbanisation of the countryside</b>	GNLP Policy 3 seeks to conserve and enhance the natural environment, by ensuring that new development is located and designed to enhance local character and sense of place, taking account of local design guidance. GNLP Policy 2 would be expected to help reduce the likelihood of urbanisation of the countryside and coalescence by maintaining strategic gaps.	These policies may help to reduce some of the negative impacts associated with transition of new development into the countryside.

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
	<p>Policies EN2 (Broadland) and DM4.7 (South Norfolk) seek to protect strategic gaps between settlements.</p> <p>Policies GC4 (Broadland), DM1.3, DM3.13, DM4.4 and DM4.6 (South Norfolk) would be expected to ensure that new development is of an appropriate scale and form to retain the character of the surrounding area.</p> <p>Policy DM3.3 (South Norfolk) seeks to ensure that the scale of Gypsy and Traveller sites does not dominate the nearest settled community.</p>	<p>However, due to the rural and undeveloped context in which affected proposed Gypsy and Traveller sites are situated, aforementioned policies would not be expected to fully mitigate these impacts.</p>

## 5.6 SA Objective 5 – Housing

5.6.1 No adverse impacts on housing anticipated.

## 5.7 SA Objective 6 – Population and Communities

5.7.1 **Table 5.5** presents the identified adverse impacts on population and communities and the likely impacts post-mitigation.

**Table 5.5: Identified adverse impacts and potential mitigation for SA Objective 6 – Population and Communities**

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>Limited access to local services and facilities</b>	<p>GNLP Policy 2 seeks to provide safe and sustainable access to on-site and local services including schools, healthcare, shops, leisure/community facilities and libraries. This policy also would be expected to help promote inclusive and safe communities, through providing access to these services and opportunities for social interaction.</p> <p>GNLP Policy 4 would be expected to provide transport improvements including improved bus, cycling and walking networks through the Transport for Norwich Strategy.</p> <p>Policies CSU2, CSU3, R1 (Broadland), DM1.2, DM2.4, DM2.5 and DM3.16 (South Norfolk) seek to protect existing community facilities from loss and encourage the development of new shops and facilities in local centres.</p> <p>Policies DM3.3 (South Norfolk) and H6 (Broadland) would be expected to ensure future residents of the proposed Gypsy and Traveller sites are not overly isolated from settlements and can access facilities to meet their daily needs.</p>	<p>These policies would be expected to mitigate the adverse impact on restricted access to local services and facilities and would help to promote community cohesion.</p>

## 5.8 SA Objective 7 – Deprivation

5.8.1 The SA process has not identified any significant adverse impacts on deprivation as a result of the development of reasonable alternative sites. However, measures outlined in policies could potentially enhance the sustainability performance under this objective (see **Table 5.6**).



**Table 5.6: Identified adverse impacts and potential mitigation for SA Objective 7 – Deprivation**

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>No significant adverse impacts on deprivation anticipated</b>	<p>GNLP Policy 2 promotes the development of inclusive, resilient and safe communities.</p> <p>Policy GC4 (Broadland) seeks to create sustainable, inclusive and mixed communities, and Policy DM3.8 (South Norfolk) promotes inclusive design.</p> <p>Policies DM3.3 (South Norfolk) and H6 (Broadland) seek to ensure that Gypsy and Traveller sites are not overly isolated from existing settlements and Policy DM3.3 promotes integration with the surrounding community.</p>	These policies would be anticipated to have a minor positive impact on deprivation across Greater Norwich.

## 5.9 SA Objective 8 – Health

5.9.1 **Table 5.7** presents the identified adverse impacts on health and the likely impacts post-mitigation.

**Table 5.7: Identified adverse impacts and potential mitigation for SA Objective 8 – Health**

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>Limited access to NHS hospital</b>	<p>GNLP Policy 2 would be expected to ensure that development provides safe and sustainable access to existing healthcare facilities.</p> <p>GNLP Policy 4 seeks to deliver improvements to healthcare infrastructure and improved public transport, which could potentially improve site end users' access to NHS hospitals.</p> <p>Policies TS1, TS2, CG4, H5 (Broadland), DM3.8 and DM3.10 (South Norfolk) would be expected to improve connections to public transport and incorporate travel plans where required. These policies could potentially provide improved bus links to NHS hospitals.</p>	These policies would not be expected to fully mitigate the existing restricted access to these services, especially in terms of providing sustainable connections for rural areas of Greater Norwich to NHS hospitals.
<b>Limited access to GP surgery</b>	<p>GNLP Policy 2 would be expected to ensure that development provides safe and sustainable access to existing healthcare facilities.</p> <p>GNLP Policy 4 seeks to deliver improvements to healthcare infrastructure and improved public transport, which could potentially improve site end users' access to GP surgeries.</p> <p>Policies CSU2, CSU3 (Broadland), DM1.2 and DM3.16 (South Norfolk) seek to ensure community facilities including healthcare are provided and avoid the loss of existing facilities.</p> <p>Policies TS1, TS2, CG4, H5 (Broadland), DM3.8 and DM3.10 (South Norfolk) would be expected to improve connections to public transport and incorporate travel plans where required. These policies could potentially provide improved bus links to healthcare facilities.</p>	These policies would not be expected to fully mitigate the restricted access to GP surgeries in the smaller, more rural settlements in South Norfolk and Broadland.



Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
	Policies DM3.3 (South Norfolk) and H6 (Broadland) would be expected to ensure future residents of the proposed Gypsy and Traveller sites are not overly isolated from settlements and can access facilities to meet their daily needs, which could potentially include GP surgeries.	
<b>Limited access to leisure facilities and services</b>	<p>GNLP Policies 2 and 4 would be expected to improve access to existing leisure services through provision of safe and sustainable transport links.</p> <p>GNLP Policy 6 seeks to promote leisure industries including through the green infrastructure network, sustainable tourism initiatives, and additional leisure facility provision in Norwich city centre outlined in GNLP Policy 7.1.</p> <p>GNLP Policy 3 would be expected to provide additional opportunities for leisure and recreation through the provision of amenity green infrastructure.</p> <p>Policy RL1 (Broadland), DM2.4, DM2.5, DM2.9 and DM3.15 (South Norfolk) would be expected to provide recreational space and support the development of leisure proposals in appropriate locations.</p> <p>Policies TS1, TS2, CG4, H5 (Broadland), DM3.8 and DM3.10 (South Norfolk) would be expected to improve connections to public transport and incorporate travel plans where required. These policies could potentially provide improved bus links to leisure facilities.</p>	These policies would not be expected to fully mitigate the existing restricted access to these services within more rural areas.
<b>Exposure to air pollution from main road</b>	<p>GNLP Policy 2 seeks to protect air quality, which includes the provision of electric vehicle infrastructure.</p> <p>Policy EN4 (Broadland) and DM3.14 (South Norfolk) seek to ensure that development proposals do not result in an unacceptable impact on air quality or noise pollution.</p> <p>Policy DM3.3 (South Norfolk) seeks to ensure that proposals for new Gypsy and Traveller sites are not approved where there are unsafe localised pollution levels.</p>	These policies would not be expected to fully mitigate the impacts of transport associated emissions from new development on health for development proposals located in close proximity to main roads.

## 5.10 SA Objective 9 – Crime

- 5.10.1 The SA process has not identified any significant adverse impacts on crime as a result of the development of reasonable alternative sites. However, measures outlined in policies could potentially enhance the sustainability performance under this objective (see **Table 5.8**).

**Table 5.8: Identified adverse impacts and potential mitigation for SA Objective 9 – Crime**

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>No significant adverse impacts on deprivation anticipated</b>	<p>GNLP Policy 2 promotes the development of inclusive, resilient and safe communities.</p> <p>Policies GC4 (Broadland), DM3.8 and DM4.9 (South Norfolk) seek to create safe environments by using designs</p>	These policies would be anticipated to have a minor positive impact on crime across Greater Norwich.

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
	which address crime prevention and the safety of communities.	

## 5.11 SA Objective 10 – Education

5.11.1 **Table 5.9** presents the identified adverse impacts on education and the likely impacts post-mitigation.

*Table 5.9: Identified adverse impacts and potential mitigation for SA Objective 10 - Education*

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>Limited access to primary schools</b>	<p>GNLP Policy 7.1 would support the development of a new primary school in Norwich and would be expected to ensure school capacity is increased throughout the Plan area in order to meet the identified needs.</p> <p>GNLP Policy 2 would be expected to provide improved safe and sustainable access to local schools across the Plan area.</p> <p>GNLP Policy 7.4 seeks to ensure that safe routes to schools are provided in rural communities, and along with GNLP Policy 7.5, seeks to ensure that any windfall development will be limited by the capacity of local primary schools.</p> <p>Policies CSU2, CSU3 (Broadland) and DM3.16 (South Norfolk) would also be expected to encourage the siting of new residential development in areas with good access to primary education, and the provision of new community facilities which could potentially include new primary schools.</p> <p>Policy DM3.3 seeks to ensure Gypsy and Traveller sites are located in areas with convenient access to schools, and seeks to ensure that consideration is given to the capacity of local infrastructure and that measures are put in place to address any lack of capacity.</p>	<p>These policies would be expected to improve access to primary schools, to some extent. However, detail about new primary schools and the capacity of existing primary schools is unknown. Until further detail is available, adverse impacts on sustainable access to primary education cannot be ruled out, particularly for development in rural settlements in Broadland and South Norfolk. Therefore, these policies would not be expected to fully mitigate this impact at this stage of the Plan preparation.</p>
<b>Limited access to secondary schools</b>	<p>GNLP Policy 4 provides a new high school in the North East growth area and would be expected to ensure school capacity is increased throughout the Plan area in order to meet the identified needs.</p> <p>GNLP Policy 2 would be expected to provide improved safe and sustainable access to local schools across the Plan area, and GNLP Policy 7.4 seeks to ensure that safe routes to schools are provided in rural communities.</p> <p>Policy CSU3 (Broadland) would be expected to help ensure development proposals have good access to secondary education.</p> <p>Policies TS1, TS2, CG4, H5 (Broadland), DM3.8 and DM3.10 (South Norfolk) would be expected to improve connections to public transport and incorporate travel plans where</p>	<p>These policies would be expected to mitigate poor access to secondary schools through delivering a new secondary school in Norwich and improving public transport across the Plan area.</p>

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
	<p>required. These policies could potentially provide improved bus links to secondary schools.</p> <p>GNLP Policy 4 would also be expected to improve access to higher education, through the implementation of a cross valley bus link between University of East Anglia and Norwich Research Park.</p> <p>Policy DM3.3 seeks to ensure Gypsy and Traveller sites are located in areas with convenient access to schools, and seeks to ensure that consideration is given to the capacity of local infrastructure and that measures are put in place to address any lack of capacity.</p>	

## 5.12 SA Objective 11 – Economy

5.12.1 **Table 5.10** presents the identified adverse impacts on the economy and the likely impacts post-mitigation.

**Table 5.10: Identified adverse impacts and potential mitigation for SA Objective 11 - Economy**

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>Net loss of employment floorspace</b>	<p>GNLP Policy 6 seeks to improve employment opportunities across the Plan area in order to meet the identified need. It would be anticipated that this would mitigate any loss of employment floorspace as a result of residential development proposed with the GNLP, through the retention of a range of existing small and medium scale employment sites and encouraging provision of small-scale business opportunities in residential and commercial developments.</p> <p>GNLP Policy 2 could help to provide opportunities for working at home through allowing the delivery of broadband and fibre optic networks.</p> <p>Policies E1, E2, H4 (Broadland), DM2.1, DM2.2 and DM2.3 (South Norfolk) would be expected to ensure that existing employment sites are protected and that new employment opportunities are provided in line with local needs, including the promotion of home working.</p>	These policies would be expected to ensure that any loss of active employment floorspace would be mitigated.
<b>Limited access to primary employment location</b>	<p>GNLP Policy 4 would be expected to provide improved safe accessibility and infrastructure links to key employment areas including the Cambridge Norwich Tech Corridor and town centres and promote the growth of Norwich International Airport.</p> <p>GNLP Policy 6 seeks to meet the identified employment need and provide a range of small, medium and start-up business opportunities, as well as encourage the provision of local working opportunities within new and existing developments.</p> <p>Policy DM2.1 (South Norfolk) would be anticipated to ensure accessible employment opportunities are provided alongside new</p>	Overall, these policies would be expected to mitigate restricted access to employment opportunities throughout the Plan area.

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
	development. Furthermore, through seeking to encourage home working (Policy H4 in Broadland and DM2.3 in South Norfolk) this would contribute towards a reduced need to travel to work.	

## 5.13 SA Objective 12 – Transport and Access to Services

5.13.1 **Table 5.11** presents the identified adverse impacts on transport and access to services and the likely impacts post-mitigation.

**Table 5.11: Identified adverse impacts and potential mitigation for SA Objective 12 – Transport and Access to Services**

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>Limited access to bus stops</b>	GNLP Policy 4 would be expected to improve access to bus stops through the implementation of the Transport for Norwich Strategy, including improvements to the bus network, developing the Park and Ride system, and providing a new cross valley bus link to the University of East Anglia. Policies TS1, TS2, CG4, H5 (Broadland), DM3.8 and DM3.10 (South Norfolk) would be expected to improve connections to public transport and incorporate travel plans where required.	These policies would be expected to mitigate restricted access to bus services and ensure that all residents have adequate public transport accessibility.
<b>Limited access to train stations</b>	GNLP Policy 4 promotes the enhancement of rail services, including improved journey times to London and Cambridge, and the East-West Rail Link. Improved bus links could potentially provide better connections to railway stations. Policies TS1, TS2, CG4, H5 (Broadland), DM3.8 and DM3.10 (South Norfolk) would be expected to improve connections to public transport and incorporate travel plans where required.	These policies would be expected to improve access to railway stations for development proposals within or in the outskirts of settlements which contain an existing railway station. However, these policies would not be anticipated to fully mitigate the restricted access to railway stations in many of the smaller, more rural settlements in Broadland and South Norfolk.
<b>Lack of safe pedestrian access / access to road network</b>	GNLP Policy 2 promotes safe and sustainable access to on-site and local services and facilities, and GNLP Policy 4 would be expected to improve the cycling and walking network, within the Transport for Norwich Strategy. Policies TS2, TS3, TS6 (Broadland), DM1.2, DM3.8, DM3.10 and DM3.11 (South Norfolk) would be likely to provide safe pedestrian access for all new development and promote highway safety and accessibility. Policy DM3.3 (South Norfolk) would ensure that proposed Gypsy and Traveller sites meet suitable access requirements to the site.	These policies would be expected to mitigate adverse impacts on accessibility, as they would provide improved access to the road, PRoW and cycle networks and facilitate pedestrian access to local facilities.

## 5.14 SA Objective 13 – Historic Environment

5.14.1 **Table 5.12** presents the identified adverse impacts on the historic environment and the likely impacts post-mitigation.

**Table 5.12: Identified adverse impacts and potential mitigation for SA Objective 13 – Historic Environment**

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>Alteration of character or setting of a Listed Building</b>	<p>GNLP Policy 3 seeks to ensure that development proposals do not result in harm to designated and non-designated heritage assets or their historic character and continued or new uses are provided for heritage assets which retain their historic significance. GNLP Policy 2 would be expected to ensure that landscaping measures are incorporated within new developments which consider local characteristics and enhance local landscape, including that of heritage assets.</p> <p>Policies EN2, GC4 (Broadland), DM1.4, DM2.10 and DM4.10 (South Norfolk) would also be expected to ensure that heritage assets including Listed Buildings and their settings are preserved and enhanced in line with their significance. These policies would also help to ensure that development proposals have regard to the character and appearance of the surrounding historic environment within Conservation Areas.</p> <p>Policy DM3.3 (South Norfolk) would help to ensure that proposed developments for Gypsy and Traveller sites do not have a significant impact on heritage assets and their settings and promotes good screening using vegetation and/or landform.</p>	These policies would be expected to mitigate negative impacts on the character and setting of Grade I, Grade II* and Grade II Listed buildings.

## 5.15 SA Objective 14 – Natural Resources, Waste and Contaminated Land

5.15.1 **Table 5.13** presents the identified adverse impacts on natural resources, waste and contaminated land and the likely impacts post-mitigation.

**Table 5.13: Identified adverse impacts and potential mitigation for SA Objective 14 – Natural Resources, Waste and Contaminated Land**

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>Loss of greenfield sites, land with an ecological or landscape value</b>	<p>GNLP Policy 2 promotes resource efficiency, and GNLP Policy 3 seeks to protect high quality agricultural land.</p> <p>Policies GC4 (Broadland, DM1.4 and DM3.3 (South Norfolk) seek to encourage the efficient use of land and environmental resources, including prioritising development on previously developed land.</p> <p>Policy DM3.3 (South Norfolk) states that there is a preference for Gypsy and Traveller sites located on previously developed land or previously occupied agricultural yards and hard-standings.</p>	All proposed sites for development of Gypsy and Traveller pitches in Greater Norwich comprise (wholly or partially) previously undeveloped land. These policies would not be expected to fully mitigate the loss of greenfield land.

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>Loss of best and most versatile soils</b>	GNLP Policy 2 promotes resource efficiency, and GNLP Policy 3 seeks to protect high quality agricultural land. Policies DM2.8, DM2.9 and DM2.12 (South Norfolk) seek to ensure that high quality agricultural land is protected.	These policies would not be expected to mitigate the loss of ALC Grades 2 and 3 land in Greater Norwich.

## 5.16 SA Objective 15 – Water

5.16.1 **Table 5.14** presents the identified adverse impacts on water and the likely impacts post-mitigation.

**Table 5.14:** Identified adverse impacts and potential mitigation for SA Objective 15 - Water

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
<b>Risk of contamination of groundwater Source Protection Zones</b>	GNLP Policy 2 seeks to protect water quality and support a catchment approach to water management, including the use of sustainable drainage in order to meet high water efficiency requirements. GNLP Policy 3 seeks to conserve and enhance the natural environments, including increasing the provision of green infrastructure, which could potentially help to protect the quality of groundwater. Policies EN4, CSU5 (Broadland) and DM3.14 (South Norfolk), would be expected to ensure that all new developments include sustainable drainage, and that groundwater quality and aquifers are protected from pollution. Policy DM3.3 (South Norfolk) would ensure that Gypsy and Traveller sites include the provision of satisfactory foul and surface drainage, water supply and utilities.	Together, these policies would be expected to mitigate negative impacts associated with development on nearby groundwater SPZs.
<b>Risk of contamination of watercourses</b>	GNLP Policy 2 seeks to protect water quality and support a catchment approach to water management, including the use of sustainable drainage in order to meet high water efficiency requirements. GNLP Policy 3 seeks to conserve and enhance the natural environments, including increasing the provision of green infrastructure, which could potentially help to protect the quality of watercourses, and reduce the likelihood of pollutants entering watercourses. Policy 7.1 seeks to ensure development near the River Wensum is in accordance with the River Wensum Strategy which would be expected to prevent the worsening of water quality at this river. Policies EN1, EN4, CSU5 (Broadland) and DM1.4, DM2.9, DM3.14, DM4.2 (South Norfolk) would be anticipated to ensure that development proposals do not result in a deterioration of water quality.	These policies would not be expected to fully mitigate the potential adverse impacts on the contamination of some watercourses.

Identified adverse impact	Potential mitigating influence of GNLP strategic policies and adopted Local Plan DM policies	Commentary: Will the policies mitigate the identified adverse effects?
	Policy DM3.3 (South Norfolk) would ensure that Gypsy and Traveller sites include the provision of satisfactory foul and surface drainage, water supply and utilities.	

## 5.17 Post-mitigation site assessments

5.17.1 Following careful consideration of the mitigating effects of the GNLP strategic policies, Gypsy and Traveller site policies and adopted Local Plan DM policies on the assessment findings, the post-mitigation assessment findings for the three reasonable alternative Gypsy and Traveller sites considered in this report have been presented in **Table 5.15**.

5.17.2 The post-mitigation impacts indicate the optimal sustainability performance of each Gypsy and Traveller site, based on information available at the time of writing.

**Table 5.15: Post-mitigation impacts of each site identified in the SA Report**

Site Reference	SA Objective														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	Air Quality & Noise	Climate Change Mitigation & Adaptation	Biodiversity	Landscape	Housing	Population & Communities	Deprivation	Health	Crime	Education	Economy	Transport	Historic Environment	Natural Resources	Water
GNLP5004	0	+	+/-	0	+	0	+	--	+	-	0	-	0	-	0
GNLP5005	-	+	+/-	0	+	+	+	-	+	-	+	+	0	-	-
GNLP5007	+/-	+	+/-	-	+	0	+	-	+	+/-	+	-	0	-	0

5.17.3 The three reasonable alternative Gypsy and Traveller sites perform similarly overall in the SA. All options have been identified as resulting in negative impacts on some SA objectives, although the majority of these are considered to be minor.

5.17.4 The best performing option could be identified as Site GNLP5005, because after the potential mitigating influence of the GNLP policies is taken into account, it scores positively overall for the most SA Objectives. However, the assessment of this site has also identified the potential for minor negative impacts across several SA Objectives.

5.17.5 A major negative impact has been identified for Site GNLP5004 under SA Objective 8, owing to its rural location outside of sustainable target distances to healthcare facilities. As such, this site could be identified as the worst performing out of the three, as it is the only site with a major negative impact post-mitigation; although, the majority of SA Objectives have been identified as negligible or minor positive for this site.



- 5.17.6 There is a degree of uncertainty regarding the impacts of all sites on biodiversity (SA Objective 3) owing to the emerging mitigation strategy regarding nutrient neutrality issues within Norfolk. Furthermore, at this stage, the impacts that could arise at Site GNLP5007 are uncertain for some SA Objectives as the exact location of the Gypsy and Traveller pitches within the wider Costessey Contingency Site are unknown at the time of writing.

## 5.18 Recommendations

- 5.18.1 The proposed site allocation policies currently provide an overview of requirements to be taken into account upon development of the site. **Paragraphs 4.2.4 and 4.3.4** outline recommendations to enhance and strengthen Site Policies GNLP5004 and GNLP5005. No such details have been made available for GNLP5007 at this stage; the SA recommendations for this site can be found at **paragraph 4.4.3**.



## 6 Preferred Options

### 6.1 Reasonable alternatives

- 6.1.1 The SEA Regulations require that the SEA process considers “*reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme*” (Regulation 12) and gives “*an outline of the reasons for selecting the alternatives dealt with*” (Schedule 2).
- 6.1.2 The SEA process must record how reasonable alternatives were identified, described, and evaluated. The plan makers must identify all reasonable alternatives, providing an explanation as to their provenance and qualities that qualify them as reasonable.
- 6.1.3 The findings of the SEA can help with refining and further developing these options in an iterative and on-going way. The SEA findings do not form the sole basis for decision-making; other studies, the feasibility of the option and consultation feedback will also contribute to the decision of identifying a preferred option.

### 6.2 Site identification and screening

- 6.2.1 GNLP’s identification of reasonable alternative sites for Gypsy and Traveller sites has been carried out through a ‘Call for Sites’ exercise in 2016 and various Regulation 18 consultations carried out during the plan making process. However, prior to submitting the GNLP for independent examination in July 2021 no Gypsy and Traveller sites had been submitted for consideration.
- 6.2.2 Of the three sites now identified for consideration, two are in public ownership and the other was put forward by a private landowner who became aware in early 2022 that a further opportunity existed to promote Gypsy and Traveller sites for inclusion in the local plan.

### 6.3 Selection and rejection of reasonable alternative sites

- 6.3.1 Following consideration of the SA information, in addition to other evidence base documents, all three reasonable alternative Gypsy and Traveller sites have been selected for allocation in the emerging GNLP.
- 6.3.2 **Table 6.1** presents an outline of the reasons for selecting each of the sites, provided by the Councils, in accordance with the requirements of the SEA Regulations.

**Table 6.1: Reasons for selection of each reasonable alternative Gypsy and Traveller site**

Site Reference & Name	Selected/rejected	Outline reason (provided by the Councils)
GNLP5004 – Land off Buxton Road, Eastgate	Selected	This is a greenfield site which could provide 4 pitches for Gypsies and Travellers and does not have any major constraints to make the site unsuitable for development, therefore subject to achieving an acceptable visibility splay and undertaking site investigations as per the findings of the site assessment process GNLP5004 is considered suitable for allocation, subject to public consultation and further assessment.
GNLP5005 - Wymondham Recycling Centre, Strayground Lane	Selected	This site is a brownfield site currently used as Wymondham recycling centre. The landowner intends to close this facility, and thus an opportunity exists to redevelop it for 2 residential Gypsy and Traveller pitches, therefore subject to achieving mitigation measures with respect to water quality and possible contamination as per the findings of the site assessment process GNLP5005 is considered suitable for allocation, subject to public consultation and further assessment.
GNLP5007 - Land off Bawburgh Lane, north of New Road and east of the A47, Costessey (Contingency Site)	Selected	This is a greenfield site being promoted as part of a residential led urban extension of approximately 800 homes site (ref: GNLP0581/2043). GNLP5007 is a variation of the contingency site which would provide 18 pitches for Gypsies and Travellers. The exact location of the Gypsy and Traveller site within the contingency site is yet to be determined and will be considered as part of master-planning exercise for the overall urban extension.

## 6.4 Reasonable alternative policies

- 6.4.1 The Councils have confirmed that they do not believe there to be any reasonable policy alternatives.
- 6.4.2 Each of the three proposed site policies within the ‘Site Policies for Gypsy and Traveller Permanent Residential Pitches Focused Consultation’ document are deemed necessary in order to ensure that the proposed meeting of identified needs is addressed in the most sustainable way and that sites are deliverable, with policy criteria to address site-specific requirements. The Councils believe that a ‘do nothing’ approach for assessing these proposed site policies would not reflect the objective evidence.

## 7 Next steps

### 7.1 Consultation

- 7.1.1 This SA Report is subject to a six-week focused consultation alongside the GNLP 'Site Policies for Gypsy and Traveller Permanent Residential Pitches Focused Consultation' document, the Gypsy and Traveller Site Assessment Booklet, HELAA Addendum and the HRA.
- 7.1.2 Following the consultation period, responses will be considered by the Councils to inform the emerging GNLP as the examination stage progresses.

# Appendix A: SA Framework

## Appendix A: SA Framework

Theme	Over-arching Objective	Decision making criteria for site allocations and general policies	Suggested indicators	Suggested targets
<b>Air Quality and Noise (ref: SA1)</b>	Minimise air, noise and light pollution to improve wellbeing.	<ul style="list-style-type: none"> <li>Will it have a significant impact on AQMAs in Norwich city central and Hoveton?</li> <li>Will it minimise impact on air quality?</li> <li>Will it minimise the impact of light and noise pollution?</li> </ul>	Concentration of selected air pollutants: a) NO <sub>2</sub> b) PM <sub>10</sub> (particulate matter)	Decrease
<b>Climate Change Mitigation and Adaptation (ref: SA2)</b>	Continue to reduce carbon emissions, adapting to and mitigating against the effects of climate change.	<ul style="list-style-type: none"> <li>Will it minimise CO<sub>2</sub> emissions?</li> <li>Will it support decentralised and renewable energy generation?</li> <li>Will it minimise the risk of fluvial or surface water flooding?</li> </ul>	CO <sub>2</sub> emissions per capita	Reduction in emissions
			Sustainable and renewable energy capacity permitted by type	Year on year permitted capacity increase
			Number of planning permissions granted contrary to the advice of the Environment Agency on either flood defence or water quality grounds	Zero
<b>Biodiversity, Geodiversity and Green Infrastructure (ref: SA3)</b>	Protect and enhance the area's biodiversity and geodiversity assets and expand the provision of green infrastructure.	<ul style="list-style-type: none"> <li>Will it minimise impact on designated sites and important species and habitats?</li> <li>Could it provide opportunities for bio- or geo-diversity enhancement?</li> <li>Could it contribute to green infrastructure networks?</li> <li>Will it help minimise the impact on air quality at designated sites?</li> <li>Will it ensure that current ecological networks are not compromised and future improvements in habitat connectivity are not prejudiced?</li> </ul>	Net change in Local Sites in "Positive Conservation Management"	Year on year improvements
			Percentage of SSSIs in: a) favourable condition; b) unfavourable recovering; c) unfavourable no change; d) unfavourable declining; or e) destroyed/ part destroyed.	95% of SSSIs in 'favourable' or 'unfavourable recovering' condition
			Number of Planning Approvals granted contrary to the advice of Natural England or Norfolk Wildlife Trust (on behalf of the County Wildlife Partnership) or the Broads Authority on the basis of adverse impact on site of acknowledged biodiversity importance.	None
			Percentage of allocated residential development sites, or sites permitted for	Minimise

Theme	Over-arching Objective	Decision making criteria for site allocations and general policies	Suggested indicators	Suggested targets
			development of 10 or more homes, that have access to a semi-natural green space of at least 2ha within 400m.	
			Length of new greenway (defined as a shared use, car-free off-road route for a range of users and journey purposes) provided as a consequence of a planning condition, S106 obligation or CIL investment.	Increase
			Total hectares of accessible public open space (cumulative) provided as a consequence of a planning condition, S106 obligation or CIL investment within the plan period	Equal to or above current local plan requirements.
<b>Landscape (ref: SA4)</b>	Promote efficient use of land, while respecting the variety of landscape types in the area.	<ul style="list-style-type: none"> <li>Will it minimise impact on the landscape character of the area, including the setting of the Broads?</li> <li>Will it enable development of previously developed land?</li> <li>Will it make efficient use of land?</li> </ul>	Percentage of new and converted dwellings on Previously Developed Land	18% to 2026 (based on JCS housing allocations, update in line with GNLP)
			Number of Planning Approvals granted contrary to the advice of the Broads Authority on the basis of adverse impact on the Broads Landscape	None
<b>Housing (ref: SA5)</b>	Ensure that everyone has good quality housing of the right size and tenure to meet their needs.	<ul style="list-style-type: none"> <li>Will it ensure delivery of housing to meet needs in appropriate locations?</li> <li>Will it deliver affordable housing and other tenures to meet needs?</li> <li>Will it ensure a variety in the size and design of dwellings, to meet a range of circumstances and needs?</li> </ul>	Net housing completions	Meet or exceed annual trajectory requirements
			Affordable housing completions	tbc
			House completions by bedroom number, based on the proportions set out in the most recent Sub-regional Housing Market Assessment	Figures within 10% tolerance of the Housing Market Assessment Requirements
			Starter Homes completions	20% of homes delivered are starter homes
<b>Population and Communities (ref: SA6)</b>	Maintain and improve the quality of life of residents.	<ul style="list-style-type: none"> <li>Will it enhance existing, or provide new community facilities?</li> </ul>	No indicators for provision of community facilities have been identified	

Theme	Over-arching Objective	Decision making criteria for site allocations and general policies	Suggested indicators	Suggested targets
		<ul style="list-style-type: none"> <li>Will promote integration with existing communities?</li> </ul>		
<b>Deprivation (ref: SA7)</b>	To reduce deprivation.	<ul style="list-style-type: none"> <li>Will it help to reduce deprivation?</li> </ul>	Indicator and targets from IMD to be identified	
<b>Health (ref: SA8)</b>	To promote access to health facilities and promote healthy lifestyles.	<ul style="list-style-type: none"> <li>Will it maximise access to health services, taking into account the needs of an ageing population?</li> <li>Will it promote healthy lifestyles?</li> <li>Will it avoid impact on the quality and extent of existing assets, such as formal and informal footpaths?</li> </ul>	Percentage of physically active adults	Increase percentage annually or achieve percentage above England average
			Indicator and target for access to health facilities to be identified	
<b>Crime (ref: SA9)</b>	To reduce crime and the fear of crime.	<ul style="list-style-type: none"> <li>Will it help design out crime from new development?</li> </ul>	Indicator and target for crime reduction to be identified	
<b>Education (ref: SA10)</b>	To improve skills and education.	<ul style="list-style-type: none"> <li>Will it enable access to education and skills training?</li> </ul>	Indicator and target for access to education facilities to be identified	
<b>Economy (ref: SA11)</b>	Encourage economic development covering a range of sectors and skill levels to improve employment opportunities for residents and maintain and enhance town centres.	<ul style="list-style-type: none"> <li>Will it promote Greater Norwich as a regional economic centre?</li> <li>Will it promote employment land provision to support existing and future growth sectors?</li> <li>Will it promote a range of employment opportunities?</li> <li>Will it promote vibrant town centres?</li> <li>Will it promote the rural economy?</li> </ul>	Amount of land developed for employment by type	118ha B1 & 111ha B2 / B8 2007 to 2026 (split into five-year tranches, based on JCS targets - update in line with GNLP targets)
			Annual count of jobs by BRES across the Plan area	Measure against GNLP annualised jobs targets (2,222 p.a in JCS.)
			Employment rate of economically active population	Increase
			Percentage of workforce employed in higher occupations	Annual increase of 1%
<b>Transport and Access to Services (ref: SA12)</b>	Reduce the need to travel and promote the use of sustainable transport modes.	<ul style="list-style-type: none"> <li>Does it reduce the need to travel?</li> <li>Does it promote sustainable transport use?</li> <li>Does it promote access to local services?</li> <li>Does it promote road safety?</li> </ul>	Percentage of residents who travel to work: a) By private motor vehicle; b) By public transport; c) By foot or cycle; or d) Work at, or mainly at, home.	Decrease in a), increase in b), c) and d).

Theme	Over-arching Objective	Decision making criteria for site allocations and general policies	Suggested indicators	Suggested targets
		<ul style="list-style-type: none"> <li>Does it promote strategic access to and within the area?</li> </ul>	IMD Access to services and housing	Increase the number of LSOAs in the least deprived 50% on the IMD for access to housing and services
<b>Historic Environment (ref: SA13)</b>	Conserve and enhance the historic environment, heritage assets and their setting, other local examples of cultural heritage, preserving the character and diversity of the area's historic built environment.	<ul style="list-style-type: none"> <li>Does it enable the protection and enhancement of heritage assets, including their setting?</li> <li>Does it provide opportunities to reveal and conserve archaeological assets?</li> <li>Could it benefit heritage assets currently 'at risk'?</li> </ul>	Percentage of Conservation Areas with appraisals	Year on year increase
			Heritage at risk – number and percentage of <ul style="list-style-type: none"> <li>a) Listed buildings; and</li> <li>b) Scheduled Ancient Monuments.</li> </ul> on Buildings at Risk register	Year on year reduction
<b>Natural Resources, Waste and Contaminated Land (ref: SA14)</b>	Minimise waste generation, promote recycling and avoid the sterilisation of mineral resources. Remediate contaminated land and minimise the use of the best and most versatile agricultural land.	<ul style="list-style-type: none"> <li>Does it contribute to the minimisation of waste production and to recycling?</li> <li>Does it safeguard existing and planned mineral and waste operations?</li> <li>Will it help to remediate contaminated land?</li> <li>Does it avoid loss of the best and most versatile agricultural land (grades 1-3a)?</li> <li>Will there be adequate provision for waste and recycling facilities?</li> </ul>	Number of planning permissions granted on non-allocated sites on class 1, 2 or 3a agricultural land	Zero
			Percentage of land allocated for development, or subject to an extant planning permission of 5 or more dwellings that is identified as Grade I or II agricultural land value.	Minimise
			Minerals and waste indicators and targets tbc	
			No indicators for contaminated land have been identified	
<b>Water (ref: SA15)</b>	Maintain and enhance water quality and ensure the most efficient use of water.	<ul style="list-style-type: none"> <li>Will it maximise water efficiency?</li> <li>Will it minimise impact on water quality?</li> <li>Will it impact on water discharges that affect designated sites?</li> <li>Will it contribute to achieving the River Basin Management Plan actions and objectives?</li> </ul>	Water efficiency in new homes	All new housing schemes to achieve water efficiency standard of 110 litres/person/day (lpd) No indicators for water infrastructure have been identified.
			See also flood section (Number of planning permissions contrary to the advice of the Environment Agency on either flood defence or water quality grounds)	



Habitat Regulations Assessments

Sustainability Appraisals

Strategic Environmental Assessments

Landscape Character Assessments

Landscape and Visual Impact Assessments

Green Belt Reviews

Expert Witness

Ecological Impact Assessments

Habitat and Ecology Surveys



© Lepus Consulting Ltd

Eagle Tower

Montpellier Drive

Cheltenham

GL50 1TA

T: 01242 525222

E: [enquiries@lepusconsulting.com](mailto:enquiries@lepusconsulting.com)

[www.lepusconsulting.com](http://www.lepusconsulting.com)

CHEL TENHAM



Lepus Consulting  
Eagle Tower  
Montpellier Drive  
Cheltenham  
Gloucestershire GL50 1TA

t: 01242 525222  
w: [www.lepusconsulting.com](http://www.lepusconsulting.com)  
e: [enquiries@lepusconsulting.com](mailto:enquiries@lepusconsulting.com)

### **Habitats Regulations Assessment of published Proposed Submission Greater Norwich Local Plan – Gypsy and Traveller sites Addendum**

for

Greater Norwich Development Partnership

June 2022

Status: Issue

The Landscape Partnership Ltd is a practice of Chartered Landscape Architects, Chartered Town Planners and Chartered Environmentalists, registered with the Landscape Institute and a member of the Institute of Environmental Management & Assessment & the Arboricultural Association.

The Landscape Partnership Limited  
Registered Office:  
Greenwood House  
15a St Cuthberts Street  
Bedford  
MK40 3JG.  
01234 261315  
Registered in England No 2709001

Quality Management	
<b>Project:</b>	Greater Norwich Local Plan HRA
<b>Project No:</b>	E16845
<b>Report title:</b>	Habitats Regulations Assessment of published Proposed Submission Greater Norwich Local Plan
<b>Status:</b>	Issue
<b>Date of last revision:</b>	21 <sup>st</sup> June 2022

	Report Author:	Reviewed by:	Approved by:
<b>Author:</b>	Nick Sibbett CEcol CEnv CMLI MCIEEM	Dr Jo Parmenter CEcol CEnv MCIEEM MIEMA	Dr Jo Parmenter CEcol CEnv MCIEEM MIEMA
<b>Job title:</b>	Associate	Director	Director

Client Details	
<b>Client:</b>	Greater Norwich Development Partnership
<b>Client Address:</b>	County Hall   Martineau Lane   Norwich   NR1 2DH

Contact Details
<p>The Landscape Partnership Ltd</p> <p>Greenwood House   15a St Cuthberts Street   Bedford   MK40 3JG <b>Tel:</b> 01234 261315</p> <p>92 St Faith's Lane   Norwich   NR1 4NE <b>Tel:</b> 01603 230777</p> <p>The Granary   Sun Wharf   Deben Road   Woodbridge   IP12 1AZ <b>Tel:</b> 01394 380509</p> <p>Ensign House (E&amp;F)   Tavern Quay   Sweden Gate   Surrey Quays   London   SE16 7TX <b>Tel:</b> 020 3092 4141</p> <p>The Landscape Partnership Ltd is a practice of Chartered Landscape Architects, Chartered Ecologists and Chartered Environmentalists, registered with the Landscape Institute and a member of the Institute of Environmental Management &amp; Assessment &amp; the Arboricultural Association.</p> <p><b>Registered Office:</b>  Greenwood House  15a St Cuthberts Street  Bedford  MK40 3JG  Registered in England No 2709001</p>

Quality standards
<p>This report is certified BS 42020 compliant and has been prepared in accordance with The Chartered Institute of Ecology and Environmental Management's (CIEEM) Technical Guidance Series '<i>Ecological Report Writing</i>' and Code of Professional Conduct.</p> <p>The copyright of this document rests with The Landscape Partnership. All rights reserved.</p>

## Contents

<b>Non-technical summary</b>	<b>1</b>
<b>1 Introduction</b>	<b>3</b>
1.1 The plan being considered and context	3
1.2 The Greater Norwich Local Plan (GNLP)	3
1.3 What are the Habitats Regulations?	4
1.4 Habitats Regulations Assessment process	4
1.5 Why is Appropriate Assessment required?	5
1.6 European sites	6
1.7 Iteration and consultation	7
<b>2 European sites potentially affected</b>	<b>8</b>
2.1 European sites	8
2.2 Other relevant Plans or Projects potentially affecting these sites	18
<b>3 Likely significant effects of Greater Norwich Local Plan proposed allocations for Gypsy and traveller sites on European sites</b>	<b>20</b>
3.1 The sites being assessed	20
3.2 Necessary or connected with management of European sites?	20
3.3 Likely significant effects which might arise from policies and allocations within Greater Norwich Local Plan	20
3.4 Conclusion of assessment of likely significant effect ('screening' stage)	21
3.5 Introduction to the Appropriate Assessment	21
<b>4 Appropriate Assessment of proposed Gypsy and Traveller sites</b>	<b>22</b>
4.1 Assessment of construction impacts on any European site	22
4.2 Increased recreational pressure: potential impacts.	22
4.3 European sites unlikely to be affected by recreational impacts	23
4.4 European sites potentially affected by recreational impacts	24
4.5 Increased pressure on water resources	27
4.6 Pollution impacts: Waste water discharge	29
4.7 Pollution impacts: Additional traffic movements increasing emissions to air	29
4.8 Increased urbanisation of the countryside	33
4.9 Avoidance and mitigation for potential impacts of the proposed Gypsy and traveller sites	35
4.10 Assessment of proposed allocations for Gypsy and traveller sites	38
<b>5 Conclusions</b>	<b>39</b>
5.1 The Greater Norwich Local Plan with the proposed Gypsy and Traveller site allocations, acting alone	39
5.2 The Greater Norwich Local Plan in combination with other plans or projects	39
5.3 Overall conclusion	39

## Figures

1. European site locations

## Appendices

1. Conservation Objectives for European sites
2. Gypsy and traveller sites being assessed
3. Nutrient Neutrality information relevant to all affected European sites
4. Nutrient Neutrality information for The Broads SAC / Ramsar
5. Nutrient Neutrality information for River Wensum SAC

## Non-technical summary

The Landscape Partnership was commissioned by the Greater Norwich Development Partnership to undertake a Habitat Regulations Assessment (HRA) of proposed allocations for Gypsy and Traveller sites, as an addition to the Greater Norwich Local Plan (GNLP). This report is a Habitats Regulations Assessment of that addition to the GNLP. There are two proposed site allocations for Gypsy and Traveller pitches, with two and four pitches respectively and a contingency allocation of 18 pitches at the Costessey contingency housing allocation site.

Impacts considered for the proposed distribution of pitches include water cycles (use and disposal); air pollution, especially from new roads and an increase or change in the pattern of distribution of road users; water pollution or enrichment resulting from discharge to water; and the impacts of increased visitors to European sites. In addition to considering the potential impacts of the growth proposed by the Gypsy and Travellers sites, other development in the GNLP area and the wider area was also considered for in-combination impacts.

No allocations will be within or close to any European site such that there would be construction impacts such as land-take or disturbance from the construction activities, and there will be no allocations within 1.5km of a European site so there would be no direct recreational impacts.

Natural England has advised all Local Planning Authorities in Norfolk that large developments (defined as fifty houses or more) include green space which is proportionate to its scale to minimise any predicted increase in recreational pressure to designated sites, by containing the majority of recreation within and around the developed site. No evidence has been provided to support the threshold of 50 or more dwellings, and it is assumed that each and every new home could potentially have an identical impact. Greater Norwich Local Plan requires all residential development to provide green infrastructure. If a development site is too small to provide green infrastructure on site, a contribution secured by S106 to green infrastructure elsewhere will be required. This requirement applies to Gypsy and Traveller sites as well as to standard housing.

The Green Infrastructure and Recreational Impact Avoidance Strategy (GIRAMS) proposes a tariff based payment taken from residential, and other relevant accommodation e.g. tourist accommodation, that will be used to fund packages of avoidance and mitigation measures to be delivered at Habitat Sites. Mitigation comprises a team of Rangers to influence visitor behaviour, signage, monitoring, a dog project, delivery of strategic mitigation projects, and various other measures. A tariff payment of £185.93 per dwelling (Gypsy and Traveller Pitch) has been set. The GIRAMS measures will be sufficient that the assessment is able to ascertain no adverse effect upon the integrity of any European site from the in-combination effects of residential developments across the plan area and beyond.

A new Country Park has been created by Broadland District Council between Felthorpe and Horstead, which is being designed and managed to attract a larger number of recreational visitors. It will also act to reduce visitor pressure on European sites by providing an attractive alternative destination for countryside visits.

There would be no impact on European sites from water abstraction as there would be no additional abstraction to meet water needs in the Local Plan area, including the Gypsy and Traveller sites.

On 16<sup>th</sup> March 2022, Natural England advised that Wensum SAC and The Broads SAC were being harmed by excess nitrate and phosphate in the water. New residential development would need to demonstrate that it would not exacerbate the existing problem by adding further nitrate and phosphate from sewage and run-off to these SAC sites. This requirement applies to Gypsy and Traveller pitches as well as to standard dwellings. The proposed pitch allocations are therefore in the same situation as housing allocations with respect to Nutrient Neutrality; all pitch allocations are within the catchments of either the River Wensum SAC or The Broads SAC / Ramsar. At the time of writing, it is anticipated that modification to the strategic policies of the GNLP will be made to be available for an Examination hearing. Policy amendments are expected to tie the delivery of housing growth more tightly to nutrient levels impacting on internationally protected habitats, including, as appropriate, a county-wide mitigation strategy. The availability of a mitigation strategy will affect the timing of the delivery of housing sites and Gypsy and Traveller pitches as opposed to the principle of their development.

Subject to satisfactory policy modification with respect to Nutrient Neutrality, it is ascertained that the proposed allocations for Gypsy and Traveller sites will have no adverse effect upon the integrity of any European site acting alone, in combination with other development in the GNLP or any other plan or project.



## 1 Introduction

### 1.1 The plan being considered and context

- 1.1.1 Broadland District Council, Norwich City Council and South Norfolk Council, working with Norfolk County Council and Broads Authority, are working together to prepare the Greater Norwich Local Plan (GNLP). This will replace the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS), which was adopted in March 2011, and other more recently adopted 'lower tier' Development Plan Documents. The three local Planning Authorities have come together to form the Greater Norwich Development Partnership to deliver the GNLP.
- 1.1.2 The submission draft Greater Norwich Local Plan, and its Habitats Regulations Assessment, were Examined by Inspectors in February and March 2022. The Examination hearings were carried out virtually using internet video calls and the recordings of the hearing can be found at <https://www.youtube.com/channel/UCdRKsvFkvWzVLWhEQwY0x0w/videos> (accessed on 7th May 2022).
- 1.1.3 The Inspectors have not yet reported on the Examination. However, various questions have been asked by them of the Greater Norwich Development Partnership, including a question about recent issues regarding Nutrient Neutrality. The question, and the Greater Norwich development Partnership's response, is available on the Examination website<sup>1</sup>.
- 1.1.4 This document is an Addendum to the Greater Norwich Local Plan Habitats Regulations Assessment dated July 2021. Since the Examination hearings, the Greater Norwich Development Partnership has proposed sites to be allocated for Gypsy and Traveller pitches, and a potential allocation for Gypsy and Traveller pitches within the contingency housing allocation at Costessey. **This addendum assesses the impact on European sites of the proposed allocations for Gypsy and Traveller pitches.** The methodology of the assessment is similar to that in the July 2021 HRA, with the exception of assessment of waste water impacts. It is assumed that the impact of one Gypsy and Traveller site is similar to that of one house used by the settled community; there is no evidence to the contrary.
- 1.1.5 It is considered that there is a need for 50 Gypsy and Traveller pitches within the Plan period<sup>2</sup>. Windfall sites may arise in addition to allocations, to meet demand.

### 1.2 The Greater Norwich Local Plan (GNLP)

- 1.2.1 The Submission Draft Greater Norwich Local Plan (GNLP) Strategy document follows previous iterations of the emerging Greater Norwich Local Plan. It provides the broad strategy for growth in Greater Norwich from 2018 to 2038 and supporting thematic policies.
- 1.2.2 The draft plan identifies where growth needed to 2038 should be built. There are plans in place already which identify locations for around 80% of the new homes, along with new jobs, green spaces and additional infrastructure (Section 1.2 above). The main locations include brownfield sites in Norwich, the major urban extension to its north-east, expanded strategic employment sites such as the Norwich Research Park and growth at most of our towns and larger villages. This plan provides additional sites in these areas to create new communities and support growth of the economy, as well as sites in villages to support rural services.
- 1.2.3 When adopted, the GNLP will supersede the current Joint Core Strategy and the Site Allocations documents in each of the three districts except for the smaller villages in South Norfolk that will be addressed through a new South Norfolk Village Clusters Housing Allocations Local Plan; and the Diss, Scole and Burston area, for which a Neighbourhood Plan is being produced which will allocate sites in these locations. The GNLP will not replace existing adopted Area Action Plans for Long Stratton, Wymondham and the Growth Triangle (NEGT) or Neighbourhood Plans, though in some cases additional allocations are made through the GNLP in these areas. The GNLP will also not amend existing adopted Development Management policies for the three districts except in

---

<sup>1</sup> <https://www.gnlp.org.uk/local-plan-examination-local-plan-examination-document-library-d-post-submission-examination/d5> accessed on 7th May 2022

<sup>2</sup> RRR Consultancy Ltd (June 2022) Greater Norwich Gypsy and Traveller Accommodation Assessment.

circumstances where limited policy changes, identified in this plan, are required to implement the strategy.

### 1.3 What are the Habitats Regulations?

- 1.3.1 The Conservation of Habitats and Species Regulations 2017 (as amended) generally follow the Birds Directive and Habitats Directive but unlike the Directives there is no role for the European Union; the UK Government has taken that role following the end of the Brexit transition period on 31<sup>st</sup> December 2020. The following paragraphs consider the case in England only, with Natural England given as the appropriate nature conservation body.
- 1.3.2 Special Protection Areas and Special Areas of Conservation are defined in the regulations as forming a national network of 'European sites'. The Regulations regulate the management of land within European sites, requiring land managers to have the consent of Natural England before carrying out management. Byelaws may also be made to prevent damaging activities and if necessary land can be compulsorily purchased to achieve satisfactory management.
- 1.3.3 The Regulations define competent authorities as public bodies or statutory undertakers. Competent authorities are required to make an appropriate assessment of any plan or project they intend to permit or carry out, if the plan or project is likely to have a significant effect upon a European site. The permission may only be given if the plan or project is ascertained to have no adverse effect upon the integrity of the European site. If the competent authority wishes to permit a plan or project despite a negative assessment, imperative reasons of over-riding public interest must be demonstrated, and there should be no alternatives to the scheme. The permissions process would involve the Secretary of State and the option of consulting the European Commission. In practice, there will be very few cases where a plan or project is permitted despite a negative assessment. This means that a plan such as the Greater Norwich Local Plan has to be assessed, and the assessment must either decide that it is likely to have no significant effect on a European site or ascertain that there is no adverse effect upon the integrity of the European site.

### 1.4 Habitats Regulations Assessment process

- 1.4.1 A Habitats Regulations Assessment is a step-by-step process which is undertaken in order to determine whether a project or plan will have a likely significant effect (LSE) upon a European site. Before a competent authority can authorise a proposal, they must carry out an Appropriate Assessment of a plan or project in line with procedure detailed in the Habitats Regulations. The whole procedure is called a Habitats Regulations Assessment, with the Appropriate Assessment being part of one of four stages necessary to complete an HRA. The results of the HRA are intended to influence the decision of the competent authority when considering whether or not to authorise a proposal.

#### ***Stages of Habitats Regulations Assessment***

- 1.4.2 *Stage One of the HRA is 'Screening'.* Plans or projects will be investigated for their potential to have a likely significant effect upon a European site. If the plan is likely to have a significant effect, and is not connected to the management of the site, an Appropriate Assessment is required. Proposals that are found not likely to have a significant effect upon a European site will be 'screened out' at this stage and no further investigation will be required.
- 1.4.3 *Stage Two of the HRA is the 'Appropriate Assessment and the Integrity Test'.* The plan-making authority must undertake an Appropriate Assessment which seeks to provide an objective and scientific assessment of how the proposed Local Plan may affect the qualifying features and conservation strategies of European sites. The whole plan must be assessed, but a 'scoping' exercise helps decide which parts of the plan have potential to give rise to significant effects and therefore where assessment should be prioritised. Natural England is an important consultee in this process and the public may also be consulted.
- 1.4.4 The UK Government accepts the definition for the 'integrity' of a site as *'the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which the site is (or will*

*be) designated.* Other factors may also be used to describe the ‘integrity’ of a site. The plan-making authority must ascertain, using scientific evidence and a precautionary approach, that the plan will not adversely affect the integrity of a European site, prior to adopting the plan. Information provided in the Appropriate Assessment will be used when considering the Integrity test.

- 1.4.5 *Stage Three of the HRA is ‘Imperative reasons of overriding public interest and compensatory measures’.* If the Competent Authority determines that there are imperative reasons of overriding public interest notwithstanding adverse impacts upon the integrity of the European site, and there are no alternatives, the plan may be given effect. In this case, the plan-making authority must notify the Secretary of State at least 21 days before authorisation; the Secretary of State may give a direction prohibiting the plan from being given effect. It is unlikely that this stage would be reached.

### ***Consultations***

- 1.4.6 Natural England is a statutory consultee, and so should be consulted at the draft and final plan stage. The public may also be consulted if it is considered appropriate, for example if the appropriate assessment is likely to result in significant changes to the plan. In practice, Natural England has been consulted upon previous stages of the Local Plan and HRA, and the HRA has been included in previous public consultations of the emerging Local Plan.

### ***Iterations and revision***

- 1.4.7 The process is iterative; the conclusions of an earlier assessment may result in changes to the plan, and so a revision of the assessment would be required. If the revised assessment suggests further plan changes, the iteration will continue.
- 1.4.8 Iterative revisions typically continue until it can be ascertained that the plan will not have an adverse effect on the integrity of any European site.
- 1.4.9 There are further provisions for rare cases where over-riding public interest may mean that a land-use plan may be put into effect, notwithstanding a negative assessment, where there are no alternatives to development, but these provisions are not expected to be routinely used.

### ***Guidance and good practice***

- 1.4.10 This report has taken account of published guidance and good practice. A key source of information which summaries of legislative requirements, good practice guidance and case law (Tyldesley and Chapman 2013, regularly updated)<sup>3</sup> has been used during the writing of this report.

## **1.5 Why is Appropriate Assessment required?**

- 1.5.1 The appropriate assessment process is required under the Conservation of Habitats and Species Regulations 2017 (as amended). Regulation 105 states that
- (1) Where a land use plan—
    - (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
    - (b) is not directly connected with or necessary to the management of the site,
 the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site’s conservation objectives.
  - (2) The plan-making authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specify.

<sup>3</sup> Tyldesley, D., & Chapman, C. (2013). *The Habitats Regulations Assessment Handbook*. DTA Publications Ltd

(3) The plan-making authority must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate.

(4) In the light of the conclusions of the assessment, and subject to regulation 107, the plan-making authority must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).

(5) A plan-making authority must provide such information as the appropriate authority may reasonably require for the purposes of the discharge by the appropriate authority of the obligations under this chapter.

(6) This regulation does not apply in relation to a site which is—

(a) a European site by reason of regulation 8(1)(c); or

(b) a European offshore marine site by reason of regulation 18(c) of the Offshore Marine Conservation Regulations (site protected in accordance with Article 5(4) of the Habitats Directive).

1.5.2 The plan-making authorities, as defined under the Regulations, are Broadland District Council, Norwich City Council and South Norfolk District Council and the appropriate nature conservation body is Natural England.

1.5.3 This report is the assessment carried out on behalf of these three local authorities under Regulation 105. At Regulation 19 Submission Draft stage, this report determines any changes required so that the GNLP may progress to being adopted in due course.

## 1.6 European sites

1.6.1 European sites (also known as Natura 2000/N2K sites) are sites that have been classified or designated by Defra/Welsh Ministers or Natural England/Natural Resources Wales, as Special Protection Areas (SPA) for those sites where birds are the special interest feature, and Special Areas of Conservation (SAC) where the habitats or species (other than birds) are the reason for designation.

1.6.2 Wetlands of International Importance, designated under the Ramsar Convention, are not European sites. There may often be considerable overlap between the special interest features and boundaries of Ramsar sites, with European sites. However, for the purposes of planning and development, Government policy in the National Planning Policy Framework states that Ramsar sites should be treated equally/in the same way as European sites. The same applies for sites under consideration for designation including potential Special Protection Area (pSPA), Site of Community Importance (SCI), Candidate Special Area of Conservation (cSAC) and proposed Ramsar sites. In summary, although Appropriate Assessment only legally applies to European sites, National Planning Policy provides further obligations to ensure that all those sites previously mentioned are subject to assessment. Therefore, for the purposes of this report, the term 'European site(s)' refers to all sites under assessment.

1.6.3 As the interest features of the Ramsar sites are usually very similar to the interest features of the SPA and / or SAC designations, both geographically and ecologically, the assessment below, for clarity does not always repeat Ramsar site names. The assessment does however consider Ramsar sites fully, and if an assessment for a Ramsar site was found to differ from that for the respective SPA / SAC, this would be clearly identified.

1.6.4 European Marine Site (EMS) is a term that is often used for a SPA or SAC that includes marine components (i.e. land/habitats up to 12 nautical miles out to sea and below the Mean High Water Mark). A European Marine Site does not have a statutory designation of its own but is designated for the same reasons as the relevant SPA or SAC, and because of this they are not always listed as a site in their own right, to save duplication. For the purpose of this document, an EMS is referred to as an Inshore SPA (or SAC) with Marine Components and it will be made clear if an SPA/SAC has marine components.

## 1.7 Iteration and consultation

- 1.7.1 An interim Habitats Regulations Assessment (HRA)<sup>4</sup> was published in January 2018. It is available on Greater Norwich Development Partnership's website<sup>5</sup>. It identifies in detail how internationally designated ecological habitats and wildlife sites in the wider area, including the Broads and the Norfolk coast, would be potentially impacted by recreational pressures likely to be generated by growth in Greater Norwich. It looked at 22 strategic growth options.
- 1.7.2 This report was issued to stakeholders, and a meeting was held with stakeholders on 3<sup>rd</sup> April 2018. Attendees were John Hiskett (Norfolk Wildlife Trust) and Andrea Kelly (Broads Authority) with Nick Sibbett (The Landscape Partnership (TLP)) and Paul Harris (Broadland District Council) representing Greater Norwich Development Partnership.
- 1.7.3 A second stakeholder meeting was held on 28<sup>th</sup> March 2019. Attendees were Nick Sibbett (TLP, for Greater Norwich Development Partnership), Paul Harris (Broadland District Council, for Greater Norwich Development Partnership), Mike Jones (Norfolk Wildlife Trust), Kate Warwick (Environment Agency), Louise Oliver (Natural England), and Philip Pearson (RSPB).
- 1.7.4 Anglian Water representatives were unable to attend the stakeholder meetings but provided advice by email.
- 1.7.5 A Habitats Regulations Assessment for the Regulation 18 Draft Plan dated December 2019 was published in January 2020. It was open for public consultation with the draft Local Plan from 29 January - 16 March 2020. Comments on the HRA were received from Natural England and Norfolk Wildlife Trust. Comments on the Local Plan relating to HRA issues were also received from RSPB. Concerns were expressed on a number of topics such as whether the Local Plan policies were strong enough to prevent harm to European sites, over-reliance on studies not yet completed including Water Cycle Study and Green Infrastructure Recreation Avoidance Strategy, and impact of the Norwich Western Link Road.
- 1.7.6 A Habitats Regulations Assessment for the Regulation 19 Submission Draft Plan dated December 2020 was published in February 2021. It was open for public consultation with the Proposed Submission Draft Local Plan from 1<sup>st</sup> February 2021 – 22<sup>nd</sup> March 2021. At that time the Habitats Regulations identified that the Water Cycle Study and GIRAMS were in draft stage. The Regulation 19 version (July 2021) of the HRA was amended following completion of the Water Cycle Study and updating the position of the GIRAMS for adoption by the local planning authorities.

---

<sup>4</sup> Interim Habitats Regulations Assessment of Greater Norwich Local Plan Issues and Options stage, The Landscape Partnership, December 2017

<sup>5</sup> [https://gnlp.jdi-consult.net/documents/pdfs\\_14/reg.18\\_gnlp\\_interim\\_hra.pdf](https://gnlp.jdi-consult.net/documents/pdfs_14/reg.18_gnlp_interim_hra.pdf)

## 2 European sites potentially affected

### 2.1 European sites

2.1.1 A search using Natural England's Interactive 'Magic Map'<sup>6</sup> revealed that a number of European sites lie within, near or partially within the Greater Norwich area, i.e. the land within Broadland District Council (outside the Broads Authority area), South Norfolk District Council or Norwich City Council areas. Each European site is listed below with a brief description of its qualifying features and is shown on Figure 01. Because some of the European sites cross Local Planning Authority boundaries and because some of the European Sites are made up of component Sites of Special Scientific Interest (SSSI) which are located in different Planning Authority areas, no attempt has been made to differentiate those European sites and Ramsar sites which lie within the plan area, which lie within the boundaries of Broadland District, South Norfolk District and Norwich City Council areas and which are within Local Authority Districts beyond these.

2.1.2 Component Sites of Special Scientific Interest forming the European sites, and the European site Conservation Objectives, are presented in Appendix 1.

<b>River Wensum SAC</b>		
<b>Site description summary</b>	<b>Qualifying features<sup>7</sup></b>	
<p>A calcareous lowland river considered one of the best areas in the UK for <i>Ranunculus fluitans</i> and <i>Callitriche-Batrachium</i> vegetation. Also significant for the presence of Brook Lamprey, Bullhead and Desmoulin's whorl snail. One of the best areas in the UK for the native White-clawed Crayfish.</p> <p>At the upper reaches, run-off from calcareous soils rich in plant nutrients feeds beds of submerged and emerged vegetation characteristic of chalk streams. Lower, the chalk is overlain by boulder clay, resulting in aquatic plant communities more characteristic of rivers with mixed substrates.</p>	3260	Water courses of plain to montane levels with the <i>Ranunculus fluitans</i> and <i>Callitriche-Batrachium</i> vegetation
	7210	Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i>
	91E0	Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)
	1092	<i>Austropotamobius pallipes</i> (White-clawed (or Atlantic steam) Crayfish)
	1163	<i>Cottus gobio</i> (Bullhead)
	1096	<i>Lampetra planeri</i> (Brook Lamprey)
	1016	<i>Vertigo moulinsiana</i> (Desmoulin's whorl snail)

<b>Norfolk Valley Fens SAC</b>		
<b>Site description summary</b>	<b>Qualifying features<sup>8</sup></b>	
<p>A series of valley-head spring-fed fens, typified by black-bog-rush - blunt-flowered rush <i>Schoenus nigricans</i> - <i>Juncus subnodulosus</i> mire. There are also transitions to reedswamp, other fen and wet grassland types, and gradations from calcareous fens into acidic flush communities. Plant species present include marsh helleborine <i>Epipactis palustris</i>, narrow-leaved marsh-orchid <i>Dactylorhiza traunsteineri</i>, and alder <i>Alnus glutinosa</i> which forms carr woodland in places</p>	4010	North Atlantic wet heaths with <i>Erica tetralix</i>
	4030	European dry heaths
	6210	Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (*important orchid sites)
	6410	Molinia meadows on calcareous, peaty, or clayey-silt-laden soils (Molinion caeruleae)

<sup>6</sup> <http://magic.defra.gov.uk/home.htm>

<sup>7</sup> Taken from the Natura 2000 Standard data form for site UK0012647 River Wensum SAC dated 25-01-16.

<sup>8</sup> Taken from the Natura 2000 Standard data form for site UK0012892 Norfolk Valley Fens SAC dated 25-01-16.



by streams. Marginal fens associated with pingos-pools originating from the thawing of large blocks of ice at the end of the last Ice Age support several large populations of Desmoulin's whorl snail <i>Vertigo moulinsiana</i> .	7150	Depressions on peat substrates of the Rhynchosporion
	7210	Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae
	7230	Alkaline fens
	91E0	Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)
	1355	<i>Lutra lutra</i> (Eurasian Otter)
	1166	<i>Triturus cristatus</i> (Great Crested Newt)
	1014	<i>Vertigo angustior</i> (Narrow-mouthed whorl snail)
	1016	<i>Vertigo moulinsiana</i> (Desmoulin's whorl snail)

<b><i>The Broads SAC/ Broadland SPA, Ramsar</i></b>		
<b>Site description summary</b>	<b>SAC qualifying features<sup>9</sup></b>	
<p>A low-lying wetland complex connecting the Bure, Yare, Thurne, and Waveney River systems. Wetland habitats form a mosaic of open water, reedbeds, carr woodland, grazing marsh, and fen meadow, with an extensive network of medieval peat excavations. The Site boasts a rich array of flora and fauna.</p> <p>The SPA is designated for supporting a number of rare or vulnerable (Article 4.1) Annex I bird species during the breeding season. In addition, the SPA is designated for supporting regularly occurring migratory (Article 4.2) species during the breeding season and over winter.</p>	3140	Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp.
	3150	Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation
	6410	Molinia meadows on calcareous, peaty, or clayey-silt-laden soils (Molinion caeruleae)
	7140	Transition mires and quaking bogs
	7210	Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae
	7230	Alkaline fens
	91E0	Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)
	4056	<i>Anisus vorticulus</i> (Little whorlpool ram's-horn snail)
	1903	<i>Liparis loeselii</i> (Fen Orchid)
	1355	<i>Lutra lutra</i> (Eurasian Otter)
	1166	<i>Triturus cristatus</i> (Great Crested Newt)

<sup>9</sup> Taken from the Natura 2000 Standard data form for site UK0013577 The Broads SAC dated 25-01-16.

	1016	Vertigo moulinsiana (Desmoulin's whorl snail)
	<b>SPA qualifying features<sup>10</sup></b>	
	A056	Anas clypeata (Shoveler) (over winter)
	A050	Anas penelope (Wigeon) (over winter)
	A051	Anas strepera (Gadwall) (over winter)
	A021	Botaurus stellaris (Bittern) (breeding)
	A081	Circus aeruginosus (Marsh Harrier) (breeding)
	A082	Circus cyaneus (Hen Harrier) (over winter)
	A037	Cygnus columbianus bewickii (Bewick's Swan) (over winter)
	A038	Cygnus cygnus (Whooper Swan) (over winter)
	A151	Philomachus pugnax (Ruff) (over winter)
	<b>Ramsar qualifying features<sup>11</sup></b>	
	H7210	Calcareous fens with Cladium mariscus and species of the Caricion davallianae Calcium-rich fen dominated by great fen sedge (saw sedge).
	H7230	Alkaline fens Calcium-rich springwater-fed fens.
	H91E0	Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) Alder woodland on floodplains, and the Annex II species
	S1016	Vertigo moulinsiana (Desmoulin's whorl snail)
	S1355	Lutra lutra (Eurasian Otter)
	S1903	Liparis loeselii Fen Orchid
		Cygnus columbianus bewickii, NW Europe (Tundra (Bewick's) Swan)
		Anas penelope (Eurasian Wigeon)
		Anas strepera strepera (Gadwall)
		Anas clypeata (Shoveler)

<b>Breydon Water SPA/Ramsar/SPA (Marine)</b>		
<b>Site description summary</b>		<b>SPA qualifying features<sup>12</sup></b>
An inland tidal estuary at the mouth of the River Yare and its confluence with the Rivers Bure and Waveney. Extensive areas of mud-flats form the only tidal flats on the east Norfolk coast. The Site also features much	A037	Cygnus columbianus bewickii (Bewick's (Tundra) Swan) (over winter)
	A151	Philomachus pugnax (Ruff) (concentration)

<sup>10</sup> Taken from the Natura 2000 Standard data form for site UK9009253 Broadland SPA dated 25-01-16.

<sup>11</sup> Taken from the Ramsar Information Sheet for Broadland dated 21-09-94.

<sup>12</sup> Taken from the Natura 2000 Standard data form for site UK9009181 Breydon Water SPA dated 25-01-16.



<p>floodplain grassland, which lies adjacent to the intertidal areas. It is internationally important for wintering waterbirds, some of which feed in the Broadland Ramsar that adjoins this site at Halvergate Marshes.</p> <p>This SPA is part of the Breydon Water European Marine Site.</p>	A140	Pluvialis apricaria (Golden Plover) (over winter)
	A132	Recurvirostra avosetta (Avocet) (over winter)
	A193	Sterna hirundo (Common Tern) (breeding)
	A142	Vanellus vanellus (Northern Lapwing) (over winter)
		Waterbird assemblage
<b>Ramsar qualifying features<sup>13</sup></b>		
Internationally important waterfowl assemblage (greater than 20000 birds)		
Over winter the site regularly supports internationally important numbers of: Bewick's Swan <i>Cygnus columbianus bewickii</i> and Lapwing <i>Vanellus vanellus</i>		

<b>Great Yarmouth North Denes SPA</b>		
Site description summary	Qualifying features <sup>14</sup>	
<p>Low dunes stabilised by marram grass <i>Ammophila arenaria</i> with extensive areas of grey hair-grass <i>Corynephorus canescens</i>. The Site supports important numbers of little tern <i>Sterna albifrons</i> that feed in waters close to the SPA.</p> <p>This SPA is part of the Great Yarmouth North Denes European Marine Site (EMS).</p>	A195	Sterna albifrons (Little Tern) (breeding)

<b>Winterton – Horsey Dunes SAC</b>		
Site description summary	Qualifying features <sup>15</sup>	
<p>The only significant area of dune heath on the east coast of England, which occur over an extremely base-poor dune system, and include areas of acidic dune grassland as an associated acidic habitat. These acidic soils support swamp and mire communities, in addition to common dune slack vegetation, including creeping willow <i>Salix repens</i> subsp. <i>argentea</i> and Yorkshire fog <i>Holcus lanatus</i>. The drought resistant grey hair-grass <i>Corynephorus canescens</i> is characteristic of open areas.</p>	2110	Embryonic shifting dunes
	2120	Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes")
	2150	Atlantic decalcified fixed dunes ( <i>Calluno-Ulicetea</i> )
	2160	Dunes with <i>Hippophae rhamnoides</i>
	2190	Humid dune slacks
	1166	<i>Triturus cristatus</i> (Great Crested Newt)

<sup>13</sup> Taken from the Ramsar Information Sheet for Breydon Water dated Feb 2000.

<sup>14</sup> Taken from the Natura 2000 Standard data form for site UK9009271 Great Yarmouth North Denes SPA dated 25-01-16.

<sup>15</sup> Taken from the Natura 2000 Standard data form for site UK0013043 Winterton – Horsey Dunes SAC dated 25-01-16.

<b>Paston Great Barn SAC</b>		
<b>Site description summary</b>	<b>Qualifying features<sup>16</sup></b>	
Nationally, this is an extremely rare example of a maternity roost of barbastelle bats <i>Barbastella barbastellus</i> in a building. A 16th century thatched barn with associated outbuildings. The maternity colony inhabits many crevices and cracks in the roof timbers.	1308	Barbastella barbastellus (Barbastelle bat) (permanent population)

<b>Overstrand Cliffs SAC</b>		
<b>Site description summary</b>	<b>Qualifying features<sup>17</sup></b>	
Vegetated soft cliffs composed of Pleistocene clays and sands, subject to common cliff-falls and landslips. Vegetation undergoes cycles whereby ruderal-dominated communities develop on the newly exposed sands and mud, succeeded by more stable grassland and scrub vegetation. In areas where freshwater seepages occur there are fen communities and occasional perched reedbeds. The diverse range of habitats support a large number of invertebrate species.	1230	Vegetated sea cliffs of the Atlantic and Baltic Coasts

<b>Waveney &amp; Little Ouse Valley Fens SAC</b>		
<b>Site description summary</b>	<b>Qualifying features<sup>18</sup></b>	
Calcareous fen containing extensive beds of great fen-sedge <i>Cladium mariscus</i> . Purple moor-grass – meadow thistle <i>Molinia caerulea</i> – <i>Cirsium dissectum</i> fen-meadows, associated with the spring-fed valley fen systems, occur in conjunction with black bog-rush – blunt-flowered rush <i>Schoenus nigricans</i> – <i>Juncus subnodulosus</i> mire and calcareous fens with great fen-sedge. Grazed areas of fen-meadow are more species-rich, and frequently support southern marsh-orchid <i>Dactylorhiza praetermissa</i> .	6410	Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae)
	7210	Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae
	1016	Vertigo moulinsiana (Desmoulin's whorl snail)

<sup>16</sup> Taken from the Natura 2000 Standard data form for site UK0030235 Paston Great Barn SAC dated December 2015.

<sup>17</sup> Taken from the Natura 2000 Standard data form for site UK0030232 Overstrand Cliffs SAC dated December 2015.

<sup>18</sup> Taken from the Natura 2000 Standard data form for site UK0012882 Waveney and Little Ouse Valley Fens SAC dated December 2015.

<b>Redgrave and South Lopham Fens Ramsar</b>	
<b>Site description summary</b>	<b>Qualifying features<sup>19</sup></b>
<p>An extensive area of spring-fed valley fen at the headwaters of the River Waveney which supports a variety of fen plant community types, including <i>Molinia</i>-based grasslands, mixed sedge-fen, and reed-dominated fen. Small areas of wet heath, willow carr, and birch woodland also occur, and the Site is known to support the fen raft spider <i>Dolomedes plantarius</i>.</p>	<p>The site is an extensive example of spring-fed lowland base-rich valley, remarkable for its lack of fragmentation.</p>
	<p>The site supports many rare and scarce invertebrates, including a population of the fen raft spider <i>Dolomedes plantarius</i>. This spider is also considered vulnerable by the IUCN Red List.</p>
	<p>The site supports many rare and scarce invertebrates, including a population of the fen raft spider <i>Dolomedes plantarius</i>. The diversity of the site is due to the lateral and longitudinal zonation of the vegetation types characteristic of valley mires.</p>

<b>Breckland SPA/SAC</b>	
<b>Site description summary</b>	<b>SPA qualifying features<sup>20</sup></b>
<p>A gently rolling plateau underlain by cretaceous chalk bedrock covered with thin deposits of sand and flint. The climate and free-draining soils has produced dry heath and grassland communities. Pingos with biological interest occur in some areas. The highly variable soils of Breckland, with underlying chalk being largely covered with wind-blown sands, have resulted in mosaics of heather-dominated heathland, acidic grassland and calcareous grassland that are unlike those of any other site. Breckland is the most extensive surviving area of the rare sheep's fescue – mouse-ear hawkweed – wild thyme <i>Festuca ovina</i> – <i>Hieracium pilosella</i> – <i>Thymus praecox</i> grassland type. A number of the water bodies within the site support populations of amphibians, including great crested newts <i>Triturus cristatus</i>.</p>	<p>A133      Burhinus oedicnemus (Stone Curlew) (breeding)</p>
	<p>A224      Caprimulgus europaeus (Nightjar) (breeding)</p>
	<p>A246      Lullula arborea (Woodlark) (breeding)</p>
	<b>SAC qualifying features<sup>21</sup></b>
	<p>2330      Inland dunes with open Corynephorus and Agrostis grasslands</p>
	<p>3150      Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation</p>
	<p>4030      European dry heaths</p>

<sup>19</sup> Taken from the Ramsar Information Sheet for Redgrave and South Lopham Fen Ramsar dated May 2005.

<sup>20</sup> Taken from the Natura 2000 Standard data form for site UK9009201 Breckland SPA dated December 2015.

<sup>21</sup> Taken from the Natura 2000 Standard data form for site UK0019865 Breckland SAC dated December 2015.

	6210	Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites)
	91E0	Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)
	1308	<i>Barbastella barbastellus</i> (Barbastelle bat)
	1166	<i>Triturus cristatus</i> (Great Crested Newt)

<b>Benacre to Easton Bavents Lagoons SAC/Benacre to Easton Bavents SPA</b>	
<b>Site description summary</b>	<b>SAC qualifying features<sup>22</sup></b>
<p>Situated on the east coast of Suffolk, this site includes semi-natural broadleaved woodland, tall fen vegetation, shingle, dunes and grassland, saltmarsh and coastal lagoons. The habitats are important for breeding, wintering and passage birds.</p> <p>There are a series of percolating lagoons that have formed behind shingle barriers and are a feature of a geomorphologically dynamic system. The site supports a number of specialist lagoonal species.</p> <p>The SPA is part of the Benacre to Easton Bavents European Marine Site.</p>	1150 Coastal lagoons
	91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)
	<b>SPA qualifying features<sup>23</sup></b>
	A021 <i>Botaurus stellaris</i> (Bittern) (breeding)
	A081 <i>Circus aeruginosus</i> (Marsh Harrier) (breeding)
	A195 <i>Sterna albifrons</i> (Little Tern) (breeding)
<b>Component SSSI/s<sup>24</sup></b>	
Pakefield to Easton Bavents SSSI	Covers 735.45ha and contains 51 units. 48.73% of area in Favourable condition, 38.98% of area in Unfavourable-Recovering condition, 8.73% of area in Unfavourable-No change condition, 3.11% Unfavourable-Declining condition, 0.45% of area Partially destroyed.
<b>SAC Conservation Objectives<sup>25</sup></b>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;	<ul style="list-style-type: none"> <li>The extent and distribution of qualifying natural habitats</li> <li>The structure and function (including typical species) of qualifying natural habitats, and</li> <li>The supporting processes on which qualifying natural habitats rely.</li> </ul>
<b>SPA Conservation Objectives<sup>26</sup></b>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving	<ul style="list-style-type: none"> <li>The extent and distribution of the habitats of the qualifying features</li> </ul>

<sup>22</sup> Taken from the Natura 2000 Standard data form for site UK0013104 Benacre to Easton Bavents Lagoons SAC dated December 2015.

<sup>23</sup> Taken from the Natura 2000 Standard data form for site UK9009291 Benacre to Easton Bavents SPA dated December 2015.

<sup>24</sup> Condition status taken from Natural England data on 17<sup>th</sup> June 2019.

<sup>25</sup> Taken from Natural England's European Site Conservation Objectives for Benacre to Easton Bavents Lagoons SAC dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice.

<sup>26</sup> Taken from Natural England's European Site Conservation Objectives for Benacre to Easton Bavents SPA dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice, and should be used in conjunction with the Regulation 35 Conservation Advice Package for the EMS.

the aims of the Wild Birds Directive, by maintaining or restoring;	<ul style="list-style-type: none"> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul>
--	--

<i>Dew's Ponds SAC</i>		
Site description summary	Qualifying features <sup>27</sup>	
A series of 12 ponds located in rural East Suffolk, in formerly predominantly arable land. Great Crested Newt has been found in all ponds. Some of the arable land has been converted to grassland and there are also hedgerows and ditches.	1166	Triturus cristatus (Great Crested Newt)

<i>The Wash and North Norfolk Coast SAC (inshore)</i>		
Site description summary	Qualifying features <sup>28</sup>	
The Wash is the largest embayment in the UK and is connected to the North Norfolk Coast via sediment transfer systems. Together The Wash and North Norfolk Coast form one of the most important marine areas in the UK and European North Sea coast, and include extensive areas of varying, but predominantly sandy, sediments subject to a range of conditions. Communities in the intertidal include those characterised by large numbers of polychaetes, bivalve and crustaceans. Subtidal communities cover a diverse range from the shallow to the deeper parts of the embayments and include dense brittlestar beds and areas of an abundant reef-building worm ('ross worm') Sabellaria spinulosa. The embayment supports a variety of mobile species, including a range of fish, otter Lutra lutra and common seal Phoca vitulina. The extensive intertidal flats provide ideal conditions for common seal breeding and hauling-out.	1110	Sandbanks which are slightly covered by sea water all the time
	1140	Mudflats and sandflats not covered by seawater at low tide
	1150	Coastal lagoons
	1160	Large shallow inlets and bays
	1170	Reefs
	1310	Salicornia and other annuals colonizing mud and sand
	1320	Spartina swards (Spartinion maritimae)
	1330	Atlantic salt meadows (Glaucopuccinellietalia maritimae)
	1420	Mediterranean and thermo-Atlantic halophilous scrubs (Sarcocornetea fruticosi)
	1364	Halichoerus grypus (Grey Seal)
This SAC is part of The Wash and North Norfolk Coast European Marine Site.	1355	Lutra lutra (Eurasian Otter)
	1365	Phoca vitulina (Harbour/Common Seal)

<i>North Norfolk Coast SPA (marine)/SAC (inshore)/Ramsar</i>		
Site description summary	SAC qualifying features <sup>29</sup>	
Important within Europe as one of the largest areas of undeveloped coastal habitat of its	1150	Coastal lagoons

<sup>27</sup> Taken from the Natura 2000 Standard data form for site UK0030133 Dew's Ponds SAC dated December 2015.

<sup>28</sup> Taken from the Natura 2000 Standard data form for site UK0017075 The Wash and North Norfolk Coast SAC dated December 2015.

<sup>29</sup> Taken from the Natura 2000 Standard data form for site UK0019838 North Norfolk Coast SAC dated December 2015.

<p>type, supporting intertidal mudflats and sandflats, coastal waters, saltmarshes, shingle, sand dunes, freshwater grazing marshes, and reedbeds. Large numbers of waterbirds use the Site throughout the year. In Summer, the Site and surrounding area are important for breeding populations of four species of tern, waders, bittern <i>Botaurus stellaris</i>, and wetland raptors including marsh harrier <i>Circus aeruginosus</i>. In Winter, the Site supports large numbers of geese, sea ducks, other ducks and waders using the Site for roosting and feeding. The Site is also important for migratory species during the Spring and Autumn.</p> <p>This SAC is part of the North Norfolk Coast European Marine Site.</p> <p>The SPA is designated for supporting a number of rare or vulnerable (Article 4.1) Annex I bird species during the breeding season. In addition, the SPA is designated for supporting regularly occurring migratory (Article 4.2) species during the breeding season and over winter.</p> <p>This SPA is part of The Wash and North Norfolk Coast European Marine Site (EMS).</p>	1220	Perennial vegetation of stony banks
	1420	Mediterranean and thermo-Atlantic halophilous scrubs ( <i>Sarcocornetea fruticosi</i> )
	2110	Embryonic shifting dunes
	2120	Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes")
	2130	Fixed coastal dunes with herbaceous vegetation ("grey dunes")
	2160	Dunes with <i>Hippophae rhamnoides</i>
	2190	Humid dune slacks
	1355	<i>Lutra lutra</i> (Eurasian Otter)
	1395	<i>Petallophyllum ralfsii</i> (Petalwort)
	1166	<i>Triturus cristatus</i> (Great Crested Newt)
	<b>SPA qualifying features<sup>30</sup></b>	
	A040	<i>Anser brachyrhynchus</i> (Pink-footed Goose) (over winter)
	A050	<i>Anas penelope</i> (Wigeon) (over winter)
	A021	<i>Botaurus stellaris</i> (Bittern) (breeding)
	A675	<i>Branta bernicla bernicla</i> (Dark-bellied Brent Goose) (over winter)
	A143	<i>Calidris canutus</i> (Red Knot) (over winter)
	A081	<i>Circus aeruginosus</i> (Marsh Harrier) (breeding)
	A132	<i>Recurvirostra avosetta</i> (Avocet) (breeding and over winter)
	A195	<i>Sterna albifrons</i> (Little Tern) (breeding)
	A193	<i>Sterna hirundo</i> (Common tern) (breeding)
	A191	<i>Sterna sandvicensis</i> (Sandwich Tern) (breeding)
	WATR	Waterfowl assemblage
	<b>Ramsar qualifying features<sup>31</sup></b>	
	<p>The site is one of the largest expanses of undeveloped coastal habitat of its type in Europe. It is a particularly good example of a marshland coast with intertidal sand and mud, saltmarshes, shingle banks and sand dunes. There are a series of brackish-water lagoons and extensive areas of freshwater grazing marsh and reed beds.</p>	

<sup>30</sup> Taken from the Natura 2000 Standard data form for site UK9009031 North Norfolk Coast SPA dated December 2015.

<sup>31</sup> Taken from the Ramsar Information Sheet for North Norfolk Coast dated 13-06-08.

	Supports at least three British Red Data Book and nine nationally scarce vascular plants, one British Red Data Book lichen and 38 British Red Data Book invertebrates.
	98462 waterfowl peak count in winter (assemblages of international importance)
	<i>Sterna sandvicensis</i> (Sandwich Tern) (breeding)
	<i>Sterna hirundo</i> (Common Tern) (breeding)
	<i>Sterna albifrons</i> (Little Tern) (breeding)
	<i>Calidris canutus</i> (Red Knot) (over winter)
	<i>Anser brachyrhynchus</i> (Pink-footed Goose) (over winter)
	<i>Branta bernicla bernicla</i> (Dark-bellied Brent goose) (over winter)
	<i>Anas penelope</i> (Wigeon) (over winter)
	<i>Anas acuta</i> (Pintail) (over winter)

<b><i>Southern North Sea cSAC (offshore and inshore)</i></b>		
<b>Site description summary</b>	<b>Qualifying features<sup>32</sup></b>	
<p>The Southern North Sea site has been recognised as 'an area of predicted persistent high densities of harbour porpoise'. Therefore, the Southern North Sea site has been submitted to the EU and is a candidate for designation as an Inshore and Offshore SAC for the Annex II species, Harbour Porpoise.</p> <p>The Southern North Sea site extends down the North Sea from the River Tyne, south to the River Thames. The aim of the SAC is to support the maintenance of harbour porpoise populations throughout UK waters (the Southern North Sea supports higher number of porpoises compared to many other parts of their UK range). Seasonal differences in the use of the site by harbour porpoises which show the elevated densities of the species in some parts of the site compared to others during the summer and winter, have been identified. The main threats to harbour porpoise are from incidental catch, pollution and noise/physical disturbance.</p>	1351	<i>Phocoena phocoena</i> (Harbour Porpoise)

<b><i>Outer Thames Estuary SPA (marine)/Outer Thames Estuary Extension pSAC (marine)</i></b>		
<b>Site description summary</b>	<b>Qualifying features<sup>33</sup></b>	
This SPA is entirely marine and is designated because its habitats support 38% of the Great British population of over-wintering Red-throated Diver <i>Gavia stellata</i> , a qualifying species under Article 4.1 of the Birds	A001	<i>Gavia stellata</i> (Red-throated Diver) (over winter)

<sup>32</sup> Taken from the Natura 2000 Standard Data Form for Site UK0030395 Southern North Sea SCI dated January 2017.

<sup>33</sup> Taken from the Natura 2000 Standard Data Form for Site UK9020309 Outer Thames Estuary SPA dated December 2015.



<p>Directive. The Outer Thames Estuary SPA covers vast areas of marine habitat off the east coast between Caister-on-Sea, Norfolk in the north, down to Margate, Kent in the south. The habitats covered by the SPA include marine areas and sea inlets where Red-throated Diver is particularly susceptible to noise and visual disturbance e.g. from wind farms and coastal recreation activities. Threats from effluent discharge, oil spillages and entanglement/drowning in fishing nets are significant.</p> <p>The addition of two new protected features and associated boundary amendments was consulted on in January to July 2016. The proposed extension would afford protection for Little tern and Common tern foraging areas, enhancing protection already afforded to their feeding and nesting areas in the adjacent coastal SPAs (Foulness SPA, Breydon Water SPA and Minsmere to Walberswick SPA).</p>		
---	--	--

<b>Haisborough, Hammond and Winterton SAC</b>		
<b>Site description summary</b>	<b>Qualifying features<sup>34</sup></b>	
The site lies off the north east coast of Norfolk and contains a series of sandbanks as well as Sabellaria spinulosa reefs. Small numbers of Harbour Porpoise are regularly observed within the site boundary and a large colony of breeding Grey Seal is known adjacent to the site.	1110	Sandbanks which are slightly covered by sea water all the time
	1170	Reefs
	1364	Halichoerus grypus (Grey Seal)
	1351	Phocoena phocoena (Harbour Porpoise)

## 2.2 Other relevant Plans or Projects potentially affecting these sites

- 2.2.1 In addition to the potential impact that Greater Norwich Local Plan may have upon the nearby European sites described above, other plans/documents/guidance may also impact upon these sites, in particular the plans of the neighbouring local planning authorities. The most relevant documents are likely to be those concerned with planning policy and infrastructure provision.
- 2.2.2 The neighbouring local authorities as well as those that contain European sites within the Zone of Influence of the Greater Norwich Growth Area are listed below. Their planning policy documents, including adopted and emerging Local Plans are likely to be the most relevant when considering potential for cumulative impacts upon European sites.
- Broads Authority
  - Breckland Council
  - Borough Council of King's Lynn & West Norfolk
  - North Norfolk District Council
  - Great Yarmouth Borough Council
  - East Suffolk Council
  - Mid Suffolk District Council

<sup>34</sup> Taken from the Natura 2000 Standard data form for site UK0030369 Haisborough, Hammond and Winterton SAC dated December 2015.



- West Suffolk Council
- South Holland District Council
- Boston Borough Council
- East Lindsey District Council
- Norfolk County Council – Minerals site specific allocations DPD
- South Norfolk Village Clusters Housing Site Allocations Local Plan in progress. This plan will include sites for a minimum of 1,200 homes in addition to the 1,392 already committed in the village clusters.

2.2.3 Plans or projects connected with infrastructure planning and management also have potential to impact European sites, whether alone or in combination. Such plans are listed below and will need to be considered further in the report.

- Greater Norwich Water Cycle Study
- Green Infrastructure Strategy (2007) and Green Infrastructure Delivery Plan (2009)
- River Basin Management Plan for the Anglian Water Basin District (2015)
- North East Norwich Growth Triangle Green Infrastructure Delivery Plan (2016)
- East Broadland Green Infrastructure Delivery Plan (2015)
- West Broadland Green Infrastructure Project Plan (2018)
- Norwich River Wensum Green Infrastructure Strategy (not currently available)
- Green Infrastructure sections of the Wymondham Area Action Plan (2015)
- Green Infrastructure sections of the Long Stratton Area Action Plan (2016)

2.2.4 A proposed Norwich Western Link Road is proposed by Norfolk County Council which is working towards a planning application and subsequent construction. Greater Norwich Local Plan recognises the existence of the proposed road but does not promote the road or take part in decision-making regarding the road's construction. See <https://www.norfolk.gov.uk/roads-and-transport/major-projects-and-improvement-plans/norwich/norwich-western-link/> for further details.

2.2.5 Anglian Water's 2019 Water Resource Management Plan outlines how Anglian Water will maintain a sustainable balance between water supplies and demand over the next 25 years. It describes how it proposes to maintain that balance by investing in demand management – metering and water efficiency for example – and developing new water resources. No new boreholes or increase in abstraction from existing boreholes are explicitly proposed.

2.2.6 Anglian Water's Long Term Water Recycling Plan (September 2018) sets out a long term strategy to identify the need for further investment by Anglian Water at existing water recycling centres or within foul sewerage catchments to accommodate the anticipated scale and timing of growth. Growth in Greater Norwich as well as in the remainder of the area served by Anglian Water is included in this plan.

### 3 Likely significant effects of Greater Norwich Local Plan proposed allocations for Gypsy and traveller sites on European sites

#### 3.1 The sites being assessed

3.1.1 The proposed allocations for Gypsy and Traveller sites are included in Appendix 2. The allocations are listed in the table below.

Reference	Address	Parish	Number of proposed pitches
GNLP5004	Land off Buxton Road	Eastgate Cawston	4
GNLP5005	Wymondham Recycling Centre	Wymondham	2
GNLP5007	Costessey Contingency Site	Costessey	18

#### 3.2 Necessary or connected with management of European sites?

3.2.1 It is considered that the Gypsy and Traveller site proposed allocations are not necessary for, or connected with, the nature conservation management of any European sites.

#### 3.3 Likely significant effects which might arise from policies and allocations within Greater Norwich Local Plan

3.3.1 There are a number of potential impacts arising from policies and allocations within the Local Plan. These include

- Increased recreational pressure: trampling of vegetation or disturbance to birds, or providing difficulties in site management for example.
- Increased pressure on water resources: The new homes and businesses would require a reliable source of drinking water which could affect wetlands from increased abstraction.
- Pollution impacts: Waste water discharge from new developments, including foul water discharges may reduce the water quality of rivers or wetlands.
- Pollution impacts: Additional traffic movements increasing emissions to air such as Nitrogen oxides NO<sub>x</sub> and Sulphur dioxide SO<sub>2</sub> which have the potential to result in adverse impact upon vegetation or water quality.
- Increased urbanisation of the countryside: predation by cats, fly-tipping, increase in arson, vandalism of European site infrastructure such as fences, disturbance of livestock, etc.

3.3.2 There are no direct land-take impacts on any European site in the allocations.

3.3.3 Impacts arising from any of the above factors upon a designated European site could occur result from development of a single large housing site, for example in the immediate vicinity of Norwich; or through a combination of dispersed developments including the Gypsy and Traveller sites elsewhere in the Growth Area. Some European sites would be more vulnerable to recreational pressure whilst others might be more sensitive to other types of impacts. In isolated incidences, a European designated site may be sensitive to several different types of impact, for example both recreational pressure and an impact upon water resources.

3.3.4 There may be cumulative effects of a large number of smaller developments. For example, the recreational impact on European sites of a small residential development may in itself have imperceptible impact, but the total recreational impact of a number of residential developments could be significant.

### **3.4 Conclusion of assessment of likely significant effect ('screening' stage)**

- 3.4.1 It is concluded that the proposed allocations for Gypsy and Traveller sites, as part of the Regulation 19 Submission Draft Local Plan, may be likely to have a significant effect upon one or more European sites. The Local Plan is not necessary for, or connected with, nature conservation management of European sites. It is concluded that an appropriate assessment of impacts is necessary.

### **3.5 Introduction to the Appropriate Assessment**

- 3.5.1 This appropriate assessment considers impacts of the Gypsy and Traveller sites individually and collectively, and in the context of the whole plan. Cumulative impacts with other plans or projects are then considered.

## 4 Appropriate Assessment of proposed Gypsy and Traveller sites

### 4.1 Assessment of construction impacts on any European site

- 4.1.1 No allocations are within or close to any European site, so there would not be any construction impacts such as land-take or disturbance from the construction activities.

### 4.2 Increased recreational pressure: potential impacts.

- 4.2.1 Recreational use of a European site has the potential to:

- Cause damage to soils and vegetation through trampling and erosion;
- Cause disturbance to sensitive species, particularly ground-nesting birds and wintering wildfowl.
- Cause eutrophication as a result of dog fouling;
- Cause littering, giving rise to potential animal mortality, nutrient enrichment and small-scale pollution
- Prevent appropriate management or exacerbate existing management difficulties, for example grazing being restricted.

- 4.2.2 Different types of European sites are subject to different types of recreational pressures and have different vulnerabilities. Studies across a range of species have shown that the effects from recreation can be complex. Recreational pressure is likely to be generated by an increase in residents associated with the new housing but less so for employment development.

#### *Trampling pressure and mechanical/abrasive damage*

- 4.2.3 Most types of terrestrial European site can be affected by trampling, which in turn causes soil compaction and erosion, depending upon soil conditions, or changes to the vegetation. Motorcycle scrambling and off-road vehicle use can cause serious erosion, as well as disturbance to sensitive species but significant impacts can also arise from walkers, cyclists and horses, resulting in reduction in vegetation cover.

- 4.2.4 Studies in a variety of vegetation types have shown that low-growing, mat-forming grasses appear most resistant to trampling, while tall forbs (non-woody vascular plants other than grasses, sedges, rushes and ferns) were considered least resistant. Cover of hemicryptophytes and geophytes (plants with buds below the soil surface) was heavily reduced after two weeks of trampling pressure, but had recovered well after one year and as such these were considered to have resilience in respect of trampling pressure. Chamaephytes (plants with buds above the soil surface) were least resilient to trampling.

- 4.2.5 In practice this can mean changes to the vegetation community compromising the viability of taller growing fragile plant species in favour of species which have a leaf rosette which lies flat to the ground and often leading to a loss of rarer, more vulnerable plant species in favour of more robust, common species.

- 4.2.6 Dune habitat and other coastal ecosystems, heathlands and wetlands are amongst the most sensitive to trampling and erosion, whereas woodlands and meadowlands are more robust.

#### *Eutrophication*

- 4.2.7 Walkers with dogs contribute to pressure on sites through nutrient enrichment via dog fouling and the total volume of dog faeces deposited on sites can be surprisingly large. For example, at Burnham Beeches National Nature Reserve over one year, Barnard<sup>35</sup> estimated the total amounts of urine and faeces from dogs as 30,000 litres and 60 tonnes respectively. Nutrient-poor habitats such as heathland, chalk grassland and certain types of fen vegetation are particularly sensitive

---

<sup>35</sup> Barnard, A. (2003) Getting the Facts - Dog Walking and Visitor Number Surveys at Burnham Beeches and their Implications for the Management Process. *Countryside Recreation*, 11, 16 - 19

to the fertilising effect of inputs of phosphates, nitrogen and potassium from dog faeces. Most impacts occur close to paths.

#### *Disturbance*

- 4.2.8 The deleterious effect of disturbance on birds stems from the fact that the birds are expending energy unnecessarily and the time they spend responding to disturbance is time that is not spent feeding. This can adversely affect the 'condition' and ultimately survival of the birds. In addition, displacement of birds from one feeding site to others can increase the pressure on the resources available within the remaining sites, as they have to sustain a greater number of birds. Disturbance of ground-nesting birds may result in the bird leaving the nest and exposing the eggs or chicks to predators or bad weather. Disturbed areas become unavailable for nesting even though the habitat may otherwise be suitable.
- 4.2.9 Walkers with dogs have potential to cause greater disturbance to fauna as dogs are less likely to keep to marked footpaths and move more erratically and this has been shown by number of studies, with birds flushing more readily, more frequently, at greater distances and for longer periods of time when dogs are present, particularly off-lead.
- 4.2.10 Where increased recreational use is predicted to cause adverse impacts on a site, avoidance and mitigation should be considered. Avoidance of recreational impacts at European sites involves location of new development away from such sites or provision of an alternative recreational resource.

#### *Site management*

- 4.2.11 Public access can cause conflict between people and habitats in terms of compromising effective site management. Dogs, rather than people, tend to be the cause of many management difficulties, notably by worrying grazing animals or necessitating moving cattle away from footpaths.

### 4.3 European sites unlikely to be affected by recreational impacts

- 4.3.1 It is not likely that there would be a significant effect from recreational impacts on seven European sites. These sites are tabulated below, and the reasons why recreational impact is considered unlikely are given in the second column.

European site	Reason for no recreational impact
Paston Great Barn SAC	Small site with no public access
Overstrand Cliffs SAC	More-or-less vertical cliff which, although open to the public, in practice is rarely walked upon
Dews Pond SAC	Small site with no public access
Southern North Sea cSAC	Offshore site with no pedestrian access and low levels of dispersed recreational boating activity
Outer Thames Estuary SPA / pSAC extension	Offshore site with no pedestrian access and low levels of dispersed boating activity
Haisborough, Hammond and Winterton SAC	Offshore site with no pedestrian access and low levels of dispersed boating activity
River Wensum SAC	Aquatic interest is not affected by bankside recreation and public access to the river is in any case very limited. Boating is very limited in the SAC but encouraged downstream beyond the SAC in Norwich

## 4.4 European sites potentially affected by recreational impacts

4.4.1 European sites potentially affected by recreational impacts are tabulated below. Distances from development at which recreational impacts might occur are summarised from Panter and Liley's 2016 visitor study in Norfolk<sup>36</sup>. Most visits are for dog walking or walking with no dog.

European site	Potential recreational impact
Norfolk Valley Fens SAC	<p>These are a group of small scattered fens, some with limited value for walking / dog walking except for very local users, and varied access arrangements and parking facilities. Those fens with public access but no car park are likely to be visited by those within 1km only.</p> <p>Buxton Heath, Holt Lowes and Marsham Heath all have car parks, and some other sites might have informal roadside parking even if no car park exists. The median distance travelled by car to these sites is 3 – 6km although few people resident in the area travel further than 2km.</p>
The Broads SAC / Broadland SPA/Ramsar	<p>Many of the habitats present in the designated sites of the broads are wet or very wet and unlikely to be favoured for recreation, with public usage almost entirely restricted to well managed nature reserves which feature boat-trails, footpaths and boardwalks. Most car parks serving the Broads / Broadland are located in villages, where walking is not the prime attraction, or associated with nature reserves where visitors are well managed. Recreational impact might occur where there is a large car park providing access to habitat used by SPA birds where a nature conservation organisation is not managing the land as a nature reserve, but these locations are rare. Such localised examples might, for example include minor disturbance to bird species on Halvergate by people walking out from public car parks in Yarmouth (anecdotal evidence), but such usage is restricted for the most part to long-distance walkers along the footpath and there is no access to habitats at marsh level. Although few people may walk along the riverside adjacent to Halvergate Marshes, each walker could create significant disturbance (Andrea Kelly, meeting on 3<sup>rd</sup> April 2018). Other recreational impact would occur where development is within walking distance of a Broadland site, such as in adjacent or close-by villages, with, again, access being restricted to floodbank footpaths.</p> <p>Where people drive from home to a car park on the Broads, the median distance travelled is up to 28km although few people resident in the area travel further than 5km.</p> <p>The number of boats on the Broads is controlled by Broads Authority, a Competent Authority under the Habitats Regulations. Boat numbers are out of the control of the Greater Norwich Development Partnership. Currently the Broads Authority does not limit the number of boat licences it issues, and the number of licences is declining.</p>
Breydon Water SPA / Ramsar	Although a 'coastal' site, this is not an attractive site for family recreational purposes as access requires either a

<sup>36</sup> Panter, C., & Liley, D. (2016). Visitor Surveys at European Protected Sites across Norfolk during 2015 and 2016. Footprint Ecology

European site	Potential recreational impact
	boat trip or a walk from Great Yarmouth Railway Station or from public parking within the town in order to gain access it. There are very limited circular walk opportunities, the only option including crossing and then walking alongside the busy A47 for a short distance. There are few visitors, who almost all come by car, and the median distance travelled is 12km although few people resident in the area travel further than 5km.
Great Yarmouth North Denes SPA	This site has an attractive beach in association with other coastal amenities. Car parks, including free beach-front parking, are readily available but appear to be used by holiday-makers because the median distance travelled by those who come from home is just 1km.
Winterton – Horsey Dunes SAC	The site has an attractive beach and circular walk options including a long-distance trail taking in the fragile dune system, with other major attractions including the seal colony. Car parks are readily available. Visitors do not keep to paths and can walk anywhere on or behind the dunes. The median distance to various parts of this site is up to 44km at Horsey Gap although visitor numbers are very low above a distance of 5km from home.
Waveney and Little Ouse Valley Fens SAC	<p>The Redgrave and South Lopham Fen component of the SAC is attractive to many visitors, and visitors are actively encouraged by the landowner and site manager, Suffolk Wildlife Trust. A modest increase in visitors would be acceptable as paths through the site are routed so as to avoid vulnerable habitats. Sensitive vegetation away from the path network is in any case avoided by visitors as usually wet or uncomfortable to walk on.</p> <p>Other component fens are small, and scattered fens, with limited value for walking / dog walking except for very local users, and varied access arrangements and parking facilities. Where parking exists, there is usually a managed access scheme in place. Those fens with public access are likely to be regularly visited by those living within 2km, similar to the Norfolk Valley Fens. There is no visitor data.</p>
Redgrave and South Lopham Fen Ramsar	The Redgrave and South Lopham Fen component of the SAC is attractive to many visitors, and visitors are actively encouraged by the landowner and site manager, Suffolk Wildlife Trust. A modest increase in visitors would be acceptable as paths through the site are routed so as to avoid vulnerable habitats. Sensitive vegetation away from the path network is in any case avoided by visitors as usually wet and uncomfortable to walk on. As above, the fen with public access is likely to be regularly visited by those within 2km only, similar to the Norfolk Valley Fens. There is no visitor data.
Breckland SPA / SAC	Research has shown that even at honeypot sites, nesting of woodlark and nightjar continues. Modest increases in recreation are unlikely to affect these species. Nesting sites for stone-curlew are either closed for public access (heathland sites) in the nesting season, or are on farmland

European site	Potential recreational impact
	<p>with no public access so disturbance would not occur. No likely recreational effect except in circumstances where a large increase in visitors to a little-disturbed part of the SPA would occur such as a large allocation adjacent to Breckland.</p> <p>Trampling of SAC vegetation is generally low, with visitors from distance often visiting a few honeypot visitor centres outside the SAC e.g. High Lodge visitor centre, West Stow Heath Country Park.</p> <p>Median distances travelled by people coming from home vary from 23 – 47km but visitor rates are low above 10km distant.</p>
Benacre to Easton Bavents SAC / SPA	<p>Despite being remote from towns and villages, and with limited parking, this site is (in the experience of the report authors) already very popular with, and vulnerable to disturbance effects from visitors travelling from Norwich and Broadland towns and villages. The visitors then use several local circular walking routes, including a long-distance trail, which take in sections of coastal reedbed, heathland and dune systems. Some increase in recreational effect could occur as a consequence of major development in the southern Broads area or from site allocations in close proximity.</p> <p>There is no data on distance travelled but it could be reasonably similar to other eastern coastal sites with a 10km threshold distance.</p>
The Wash and North Norfolk Coast SAC	<p>The site is an attractive and accessible coast designated for marine and intertidal habitats / species. Car parks are readily available. The median distance travelled from home varies from 2km to 30km for most parts of this site, with Morston (S) having a median distance of 41km; but visitor rates are lower for residents living over 14km distant.</p>
North Norfolk Coast SPA / SAC / Ramsar	<p>The site is a very attractive and accessible coast with a range of habitats and landscapes, and including a variety of circular walk options and a long-distance path. Car parks are readily available. Car parks are readily available. The median distance travelled from home varies from 2km to 29km for most parts of this site, with Morston (S) having a median distance of 41km but visitor rates are very low for residents beyond 14km.</p>

- 4.4.2 The Green Infrastructure and Recreational Impact Avoidance Strategy (GIRAMS) uses this data to set impact risk zones for each European site.
- 4.4.3 Using the Local Plan documents available at the time, Panter and Liley (2016) estimated the increase in visitor numbers from the housing allocated at that time. The Local Plan documents used were



- Broadland District Council Site Allocations DPD (Adopted 2016)
- Broadland District Council Growth Triangle Area Action Plan (Adoption Imminent at that time)
- Norwich City Site Allocations Plan (Adopted 2014)
- South Norfolk Council Site Allocations and Policies Document (Adopted 2015)
- South Norfolk Council Wymondham Area Action Plan (Adopted 2015)
- Breckland Site Specific policies and Proposals (Adopted 2012)
- North Norfolk Site Allocations (Adopted 2011)
- Great Yarmouth Borough Council, Awaiting Development Policies and Site Allocations DPD, Previous allocations used (2001)
- Borough Council of King's Lynn and West Norfolk Preferred Options for Detailed Policies and Sites 2013, not yet adopted at that time

4.4.4 Key findings relating to housing change, links to allocated new housing at that time and implications included:

- A 14% increase in access by Norfolk residents to the sites surveyed (in the absence of any mitigation), as a result of new housing during the current plan period.
- The increase will be most marked in the Brecks, where an increase of around 30% was predicted. For the Broads the figure is 14%; 11% for the East Coast; 9% for North Norfolk; 15% for Roydon & Dersingham; 28% for the Valley Fens and 6% for the Wash (note these figures relate to the surveyed access points only and to visits by Norfolk residents).

4.4.5 With a median dog walk length of around 3km, it is considered that a housing allocation within 1km of a European site access point (i.e. a site freely available for public entry / use) is likely to result in an increased visitor use of that European site, especially for regular dog walking, by people walking to the European site. Housing allocations greater than 1km distant are less likely to generate increased visitor use from people walking to that site, and above 1.5km distance there is likely to be little or no increased visitor use by people walking to the entry point. European sites with car parking provision would be likely to experience impacts resulting from development within a larger radius as described in the table above.

4.4.6 For parts of the North Coast, the Broads, and parts of the East Coast, the links between an increase in local housing and recreation impacts are less clear as these sites attract a high number of visitors coming from a wide geographical area, both inside and outside Norfolk. There are therefore likely to be pressures from overall population growth both from within the county and further afield.

4.4.7 Visitor access to European sites by the Greater Norwich Local Plan allocations compared to the 2016 study would be an increase in visitors because of the additional allocations in the GNLP and also bearing in mind completed housing development since the study. The distribution of the allocations in Greater Norwich are such that the European sites likely to have the larger increases in visitor numbers would be The Broads / Broadland, Winterton – Horsey Dunes, Norfolk Valley Fens (Marsham Heath), and North Norfolk Coast SPA / SACs / Ramsar.

## 4.5 Increased pressure on water resources

4.5.1 The new homes would require a reliable source of drinking water. Proposed employment facilities would need a source of water for the domestic needs of the employees, and might also need water for manufacturing or other industrial processes such as washing.

4.5.2 The east and southeast of England have been identified by Environment Agency in 2013 as a region which is currently experiencing considerable pressure on water resources with the deficit situation within both the Essex and Suffolk Water and the Anglian Water areas being considered to be 'serious' at the present time due to limited water resources and high levels of demand. This

situation is unchanged across 4 different future growth and climatic scenarios<sup>37</sup> and the study concluded that both the Anglian Water area and Essex and Suffolk Water areas are currently experiencing 'Serious Stress', this being the highest level.

- 4.5.3 The Environment Agency has advised the Secretary of State that the areas classified as under 'Serious Stress' should be designated as 'Areas of serious water stress' for the purposes of Regulation 4 of the Water Industry (Prescribed Condition) Regulation 1999 (as amended).
- 4.5.4 Anglian Water (AW), in its 2019 Water Resources Management Plan has identified the relevant Resource Zones (RZ) to this Greater Norwich Local Plan area as being Norwich and the Broads, Norfolk Rural, and the North Norfolk Coast. The AW assessment takes into account planned and predicted growth and climate change. All Resource Zones are forecast to be in deficit (i.e. not enough water being available) to 2045 prior to measures in the plan intended to prevent the deficit being implemented.
- 4.5.5 Pressure on water resources resulting in reduction in water levels or flow in groundwater-fed wetlands, and in streams, rivers and waterbodies would be a likely consequence of increased water demand requiring greater water abstraction from groundwater or surface water. Surface water abstraction could have a direct impact upon water levels and stream flow; groundwater abstraction would potentially lead to reduced flows in any watercourses which derive a significant proportion of their water from spring flow and also reduced surface and sub-surface flow through fen and mire habitats. Wetland European sites which are dependent upon a groundwater source may become too dry to support special interest features.
- 4.5.6 Water resources in the region are already under considerable pressure. For example, Environment Agency's Review of Consents work in 2009 resulted in the closure of a Public Water supply borehole in the vicinity of Sheringham and Beeston Regis Commons SSSI (part of the Norfolk Valley Fens SAC). A Public Water Supply borehole at Ludham in the vicinity of Catfield Fen (part of the Broads SAC) was closed in March 2021 to prevent further negative impact upon the flora and fauna of this groundwater-fed site<sup>38</sup>.
- 4.5.7 Abstraction at a future major water supply borehole, could potentially give rise to an impact upon designated groundwater dependant wetland sites more than 10km away, depending upon the depth of the borehole, the nature of the strata from which abstraction is taking place and its relationship with local wetland sites. It is assumed that any future borehole might be as much as 10km from any proposed development location.
- 4.5.8 Depleted riverine flows may also result in an increased number, and severity of, saline incursion events and will also increase the concentration of pollutants and nutrients possibly to above set targets. Ground water abstraction from near-surface aquifers can also lead to saline incursion into the aquifer resulting in damage to coastal wetland sites, which receive a proportion of their irrigating water from groundwater.
- 4.5.9 A new body, Water Resources East (WRE) has been set up to address water demand deficit. It brings together partners from a wide range of industries including: water, energy, retail, the environment, land management and agriculture, to work in collaboration to manage these challenges, building on the area's unique opportunities for sustainable future growth, and pioneering a new approach to managing water resources.
- 4.5.10 Anglian Water's 2019 Water Resource Management Plan outlines how Anglian Water will maintain a sustainable balance between water supplies and demand over the next 25 years. It describes how it proposes to maintain that balance by investing in demand management – metering and water efficiency for example – and developing new water resources. Anglian Water's 2019 Water Resources Management Plan indicates that it will manage water resources by 'managing demand' from existing and proposed customers (ie supplying less water per customer) and by transferring water from other areas, with no increase in abstraction and no new abstractions. No new

<sup>37</sup> Environment Agency and Natural Resources Wales. 2013. Water Stressed Areas Final Classification  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/244333/water-stressedclassification-2013.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/244333/water-stressedclassification-2013.pdf)

<sup>38</sup> <https://www.anglianwater.co.uk/news/anglian-water-completes-scheme-to-protect-unique-norfolk-environment/>

boreholes or increase in abstraction from existing boreholes are explicitly proposed and so there would be no impact on the water resources available to European sites.

#### 4.6 Pollution impacts: Waste water discharge

- 4.6.1 Reduction of water quality, from increased discharges of sewage and surface water drainage, or from pollution incidents, either during, or after, construction has potential to impact upon riparian and wetland European sites downstream of a settlement. The types of habitat which might be sensitive to that change would depend very much upon the nature and scale of the impact.
- 4.6.2 It is assumed that waste water discharge from developments, including foul water discharges, would be treated, however may give rise to elevated levels of nitrates, and, depending upon whether phosphate stripping equipment is in place, phosphate, downstream of the discharge point. There is also potential for chemical spillages, or STW failure, to lead to discharge of untreated effluent.
- 4.6.3 Anglian Water is currently in the process of finalising a Long Term Water Recycling Plan which will set out a long term strategy to identify the need for further investment by Anglian Water at existing water recycling centres or within foul sewerage catchments to accommodate the anticipated scale and timing of growth. Anglian Water has a statutory duty to prevent pollution from sewage, so whilst there is a theoretical risk from water recycling centres there is also a mechanism in place to prevent the risk. Permits issued by Environment Agency are set for each water recycling centre and are specific to ensure sufficient water quality at the discharge point.
- 4.6.4 The impacts of water pollution would depend entirely on the nature of the effluent or chemicals being released and whether the release is slow or sudden, but may potentially result in consequences such as fish kill, extinction of invertebrate taxa, which are more sensitive to pollution or changes in Biological Oxygen Demand (BOD), loss of taxa of water plants which require low nutrient levels or eutrophication of floodplain fen habitats. These impacts could potentially affect Annex II European designated species such as white clawed crayfish, Desmoulins whorl snail, brook lamprey or bullhead, directly or indirectly and may also result in the loss of Annex I habitats such as *Ranunculus fluitantis* and *Callitriche-Batrachion* vegetation.

#### 4.7 Pollution impacts: Additional traffic movements increasing emissions to air

- 4.7.1 The main airborne pollutants of concern in the context of their potential to give rise to adverse impacts upon European sites are oxides of nitrogen (NO<sub>x</sub>), ammonia (NH<sub>3</sub>) and sulphur dioxide (SO<sub>2</sub>).
- 4.7.2 The primary pollutants SO<sub>2</sub>, NO and NO<sub>2</sub> are oxidised in the atmosphere to form SO<sub>4</sub><sup>2-</sup> and NO<sub>3</sub><sup>-</sup> respectively, while NH<sub>3</sub> reacts with these oxidised components to form NH<sub>4</sub><sup>+</sup> (ammonium). These pollutants known as aerosols can travel long distances, and together with primary pollutants can be deposited in the form of wet or dry deposition<sup>39</sup>.
- 4.7.3 The Air Pollution Information System (APIS) provides a useful summary of the main pollutants, the effects they have on vegetation and other features for which European sites might be designated. Concentrations and deposition of air pollutants are assessed against a range of criteria to protect both human health and the environment. Environmental criteria include critical loads<sup>40</sup> for nitrogen deposition (kg Nitrogen ha<sup>-1</sup> year<sup>-1</sup>) and acid deposition and critical levels for ammonia (µg m<sup>-3</sup>), sulphur dioxide (µg m<sup>-3</sup>), nitrogen dioxide (µg m<sup>-3</sup>), and ozone (ppb hours). There are some critical loads for heavy metals but these are not currently used to assess impacts. There are no critical levels or loads for other pollutants but in some cases there are other assessment criteria such as environmental quality standards (EQS) and environmental assessment levels (EAL) which are not relevant to the present study.
- 4.7.4 NO<sub>x</sub> can have a directly toxic effect upon vegetation, but in addition to this, higher concentrations of NO<sub>x</sub> or ammonia within the atmosphere will lead to greater rates of nitrogen deposition to

<sup>39</sup> <http://www.apis.ac.uk/starters-guide-air-pollution-and-pollution-sources>

<sup>40</sup> [http://www.apis.ac.uk/overview/issues/overview\\_Cloadslevels.htm](http://www.apis.ac.uk/overview/issues/overview_Cloadslevels.htm)

soils, leading to an increase in soil fertility, which can have a serious deleterious effect on the quality of semi-natural, nitrogen-limited terrestrial habitats. Most SAC sites are designated for the vegetation they support, and this is generally vegetation which would respond adversely to nutrient input, including increased input of Total Nitrogen. Both SO<sub>2</sub> and NO<sub>x</sub> can lead to acid deposition and acidification of vegetation.

4.7.5 Housing development would be likely to give rise to increased levels of NO<sub>x</sub> arising from increased vehicle movements. Ammonia release is generally associated with increased numbers of agricultural livestock and certain industrial processes, including the production of energy from waste, and is unlikely to arise as a direct consequence of the Great Norwich Growth Plan.

4.7.6 The table below summarises the main airborne pollutants and discusses the mechanisms by which these might potentially impact upon European sites.

Pollutant	Source	Potential effects on European sites	Significance
Sulphur Dioxide SO <sub>2</sub>	SO <sub>2</sub> emissions are overwhelmingly influenced by the output of power stations and industrial processes that require the combustion of coal and oil, and to a lesser extent, motor vehicles.	Both wet and dry deposition of SO <sub>2</sub> acidifies soils and freshwater, and consequently alters the species composition of vegetation and hence associated animal communities. Some habitats will be more at risk than others depending on soil type and buffering capacity. The significance of impacts depends on levels of deposition and the sensitivity of the habitat.	It is not anticipated that the development of the Growth Area would necessitate construction of new power-producing facilities and the demographic of local industry is unlikely to shift towards the types of processes which would result in high levels of combustion.  Total SO <sub>2</sub> emissions have decreased substantially in the UK since the 1980s and SO <sub>2</sub> deposition is not considered to have potential to give rise to significant effects on vegetation and is not considered to be a significant factor in the context of this study
Ammonia (NH <sub>3</sub> )	Ammonia is released following decomposition of animal wastes. Levels will increase with expansion in numbers of livestock and certain specific industrial processes, including the production of energy from waste	Ammonia can give rise to an adverse effect on vegetation through deposition and the consequent eutrophication of vegetation, leading to changes in the species composition of vegetation and hence associated animal communities. Some habitats will be more at risk than others depending on the ability of the vegetation type to 'absorb' nutrients without adverse change taking place.	The nature of the industries associated with employment allocations in the Greater Norwich Growth Area are as yet uncertain, do not provide a clear source of ammonia emissions.  Significant release of NH <sub>3</sub> is unlikely to arise as a direct consequence of the Great Norwich Growth Plan and is not considered to be a significant factor in the context of this study.
Nitrogen oxides (NO <sub>x</sub> )	Nitrogen oxides (nitrates (NO <sub>3</sub> ), nitrogen dioxide (NO <sub>2</sub> ) and nitric acid (HNO <sub>3</sub> )) are produced through combustion processes. About one quarter of the UK's emissions are from power	Deposition of nitrogen oxides can lead to both soil and freshwater acidification. Some habitats will be more at risk than others depending on soil type and buffering capacity. Mosses, liverworts and lichens, which received their	It is not anticipated that the development of the Growth Area would necessitate construction of new power-producing facilities, but domestic and commercial heating and vehicle emissions could potentially

Pollutant	Source	Potential effects on European sites	Significance
	stations, one-half from motor vehicles, and the rest from other industrial and domestic combustion processes.	nutrients directly from the atmosphere are particularly vulnerable to elevated NOx levels and grey dune and heathland ecosystems are perhaps the most sensitive.  In addition, NOx can cause eutrophication of soils and water. This alters the species composition of plant communities and hence associated animal communities. Some habitats will be more at risk than others depending on ability of the vegetation type to 'absorb' nutrients without adverse change taking place.	be substantial given the number of proposed homes. The significance of impacts will depend on the background level, levels of deposition and the sensitivity of the habitat. NOx contributes to total N deposition – see below.  Traffic-generated air pollution operates close to roads but falls off to almost nothing at a distance of 200m from the road <sup>41</sup> .
Total Nitrogen (N)	The pollutants that contribute to nitrogen deposition derive mainly from NOx and NH3 emissions.	Species-rich plant communities with relatively high proportions of slow-growing perennial species, bryophytes and lichens are most at risk from N eutrophication, due to its promotion of competitive and invasive species which can respond readily to elevated levels of N at the expenses of slow-growing species. The eventual impacts include changes in species composition, reduction of plant diversity, loss of sensitive species and an increased rate of succession in wetland ecosystems.	The significance of impacts will depend on levels of deposition and the sensitivity of the habitat, however background levels of Total N deposition across east Norfolk and north Suffolk is typically already within the critical load range for many of the sensitive habitats in the area <sup>42</sup> and in some instances exceed the upper end of the range <sup>43</sup> . Total N is considered to be a potential significant factor in the context of this study for developments in close proximity to European sites with nutrient sensitive vegetation.  Across the UK there has been a continued decline in Nitrogen Oxides since 1974, with emissions in 2017 being around half those in 2000 <sup>44</sup> .
Ozone (O <sub>3</sub> )	A secondary pollutant generated by photochemical reactions from NOx and volatile organic compounds (VOCs). These are mainly	Concentrations of O <sub>3</sub> above 40 ppb can be toxic to wildlife. Increased ozone concentrations may lead to a reduction in growth and altered species composition in	Background levels in the region are typically below 30ppb <sup>45</sup> . Significant combustion of oil and coal is unlikely to arise as a direct consequence of the Great

<sup>41</sup> <http://www.standardsforhighways.co.uk/ha/standards/dmr/vol11/section3/ha20707.pdf>

<sup>42</sup> <http://www.pollutantdeposition.ceh.ac.uk/content/nitrogen-compounds>

<sup>43</sup> <http://www.apis.ac.uk/search-location>

<sup>44</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/778483/Emissions\\_of\\_air\\_pollutants\\_1990\\_2017.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/778483/Emissions_of_air_pollutants_1990_2017.pdf)

<sup>45</sup> <https://uk-air.defra.gov.uk/assets/documents/reports/aeqeg/aeqeg-ozone-report.pdf>

Pollutant	Source	Potential effects on European sites	Significance
	released by the combustion of fossil fuels. Reducing ozone pollution is believed to require action at international level to reduce levels of the precursors that form ozone.	seminatural plant communities.	Norwich Growth Plan and O <sub>3</sub> is not considered to be a significant factor in the context of this study.

- 4.7.7 The distance over which additional traffic movements might give rise to emissions to air such as Nitrogen oxides NO<sub>x</sub> which have the potential to result in adverse impact upon vegetation or water quality is closest to the road network and that, for NO<sub>x</sub>, levels have fallen to the background level within 200m of the road.
- 4.7.8 A Natural England literature search study<sup>46</sup> into the effects of specific road transport pollutants, found that, combining evidence from two fumigation experiments and a transect study suggests that NO<sub>x</sub> is the key phytotoxic component of exhaust emissions. While no new papers relating to roadside buffer zones were identified from recent literature, one group of researchers noted that based on their data and the literature, new road building and road expansion should avoid a buffer zone of up to 100–200m from sensitive sites, particularly those where bryophytes are an important component of habitats.
- 4.7.9 It is therefore surmised that the area affected by traffic emissions to air can be assumed to closely follow existing road corridors within the Growth Area and it is also assumed that any future road construction would be largely within the Growth Area.
- 4.7.10 The vegetation communities occurring within the study area and potentially at risk from atmospheric nitrogen deposition are as follows. It can be seen that dune systems are particularly vulnerable.

Habitat type (EUNIS code)	Critical load (CL) range (kgN/ha/yr)
<b>Marine habitats</b>	
Mid-upper saltmarshes (A2.53)	20-30
Pioneer & low-mid saltmarshes (A2.54 and A2.55)	20-30
<b>Coastal habitats</b>	
Shifting coastal dunes (B1.3)	10-20
Coastal stable dune grasslands (grey dunes) (B1.4)	8-15
Coastal dune heaths (B1.5)	10-20
Moist to wet dune slacks (B1.8)	10-20
<b>Inland surface waters</b>	
Dune slack pools (permanent oligotrophic waters) (C1.16)	10-20

<sup>46</sup> <https://publications.naturalengland.org.uk/file/5064684469223424>

Habitat type (EUNIS code)	Critical load (CL) range (kgN/ha/yr)
Permanent dystrophic lakes, ponds and pools (C1.4)	3-10
<b>Mire, bog and fen habitats</b>	
Valley mires, poor fens and transition mires (D2)	10-15
Rich fens (D4.1)	15-30
<b>Grasslands and tall forb habitats</b>	
Non-Mediterranean dry acid and neutral closed grassland (E1.7)	10-15
Low and medium altitude hay meadows (E2.2) (includes floodplain grazing marsh)	20-30
<i>Molinia caerulea</i> meadows (E3.51)	15-25
<b>Heathland, scrub &amp; tundra</b>	
<i>Erica tetralix</i> dominated wet heath (lowland)	10-20
Dry heaths (F4.2)	10-20
<b>Forest habitats (general):</b>	
Broadleaved woodland (G1)	10-20

- 4.7.11 Nitrogen oxide pollution could affect European sites within 200m of new roads, existing roads where daily traffic flows will change by 1,000 AADT or more; or Heavy Duty Vehicle (HDV) flows will change by 200 AADT or more; or daily average speed will change by 10 km/hr or more; or peak hour speed will change by 20 km/hr or more.

## 4.8 Increased urbanisation of the countryside

- 4.8.1 This class of impacts is closely related to recreational pressure in the sense that both types of impact arise from having an increased human population close to protected wildlife sites. The list of such impacts is extensive, but some of the more significant ones include the following:

### *Predation impacts from domestic pets*

- 4.8.2 Predation by domestic cats can potentially affect small mammals, birds, amphibians and reptiles and results in injury, mortality and elevated levels of disturbance.
- 4.8.3 A survey undertaken in 1997 found that nine million British cats brought home 92 million prey items over a five-month period<sup>47</sup>.
- 4.8.4 A large proportion of domestic cats are found in urban situations, and thus increasing urbanisation is likely to lead to increased cat predation. Domestic cats will potentially range up to 5km from home, although 60% of forays are over a distance of less than 400m<sup>48</sup> and the typical average distance for hunting excursions is around 375m<sup>49</sup> according to 20<sup>th</sup> century studies.

<sup>47</sup> Woods, M. et al. 2003. Predation of wildlife by domestic cats *Felis catus* in Great Britain. *Mammal Review* 33, 2 174- 188

<sup>48</sup> Barratt, D.G. (1997). Home range size, habitat utilisation and movement patterns of suburban and farm cats *Felis catus*. *Ecography* 20 271-280

<sup>49</sup> Turner, D.C. & Meister, O. (1988). Hunting behaviour of the domestic cat. In: *The Domestic Cat: The Biology of Its Behaviour*. Ed. Turner, D.C. and Bateson, P. Cambridge University Press.



4.8.5 There have been two studies of cat ranging behaviour published in more recent years. These used GPS collars on cats in a village<sup>50</sup> and in Reading<sup>51</sup>. Both studies found that cats within the village and in urban / suburban areas of Reading has smaller home ranges than expected, with most cats in the village featured in the BBC study rarely leaving the village. The cat which roamed furthest in the BBC study went no more than 186m from its home.

4.8.6 The Reading study found that cats in dense urban areas travelled up to 79m, in suburban areas up to 141m and in town edge areas up to 148m. The suppression of cat travelling distances in areas of higher housing density suggests that as urban development progresses into the countryside, the cats on the former development edge would reduce their range in response to expansion of development into the area of countryside they formerly visited.

4.8.7 The predation impact of cats is therefore not cumulative as the introduction of 'new' cats because new development generally results in a reduction of 'existing' cats' range. The recent research suggests that even a 400m buffer zone from European in relation to cat predation may be over-precautionary and the 1km separation from allocations is adequate to prevent cat predation on qualifying features of European sites.

#### *Fly-tipping*

4.8.8 Fly-tipping tends to take place only a short distance from development and affects land alongside or close to highways<sup>52</sup>; often the terminus of a minor dead-end road, or adjacent to laybys on busier routes. The distance travelled will vary, but is likely to be usually less than 10km from source. Material dumped in this way is typically either household waste, including 'white goods' and green waste, tyres, or small-scale commercial waste. Depending upon the locality and nature of tipping, there may be harm to watercourses through pollution, damage to sensitive vegetation and in the case of green waste tipping in a woodland or wetland near to home, the release of alien invasive plant species into the wild; the species being dumped often being the more vigorous and hence potentially more invasive garden plants.

4.8.9 A 2016 report by Yorkshire Wildlife Trust<sup>53</sup> found that the greatest amount of fly-tipping and anti-social behaviour on its nature reserves, and theft from their nature reserves, were greatest when there were settlements within 100m. Where there were nature reserves 1km+ distant from the nearest settlement, these activities were still recorded but much less often.

#### *Lighting*

4.8.10 Light pollution can affect the foraging and commuting activities of bat species, although there may be minor impacts upon bird behaviour.

- The slower flying broad winged species, which include Barbastelle (a European site designated feature of Paston Great Barn SAC) generally avoid street lights<sup>54</sup> and well-lit areas.
- It is thought that insects are attracted to lit areas from further afield and this may result in adjacent habitats supporting reduced numbers of insects. This is a further impact on the ability of the light avoiding bats to be able to feed.
- Artificial lighting is thought to increase the chances of bats being preyed upon<sup>55</sup>. Many avian predators will hunt bats which may be one reason why bats avoid flying in the day. Observations have been made of kestrels (diurnal raptors) hunting at night under the artificial light along motorways. Lighting can be particularly harmful if used along commuting corridors such as river corridors, tree lines and hedgerows used by bats.

<sup>50</sup> BBC 'The Secret Life of Cats' at <https://www.bbc.co.uk/news/science-environment-22567526> and <https://www.bbc.co.uk/news/science-environment-22821639> both accessed on 16th December 2020

<sup>51</sup> Hugh J. Hanmer, Rebecca L. Thomas and Mark Fellowes (2017) Urbanisation influences range size of the domestic cat (*Felis catus*): consequences for conservation. *Journal of Urban Ecology*, 2017, 1-11

<sup>52</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/595773/Flytipping\\_201516\\_statistical\\_release.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/595773/Flytipping_201516_statistical_release.pdf)

<sup>53</sup> Rylatt, Garside and Robin (2017) Human Impacts on Nature Reserves – The Influence of Nearby Settlements. Yorkshire Wildlife Trust.

<sup>54</sup> [http://www.bats.org.uk/data/files/bats\\_and\\_lighting\\_in\\_the\\_uk\\_\\_final\\_version\\_version\\_3\\_may\\_09.pdf](http://www.bats.org.uk/data/files/bats_and_lighting_in_the_uk__final_version_version_3_may_09.pdf)

<sup>55</sup> [http://www.bats.org.uk/data/files/bats\\_and\\_lighting\\_in\\_the\\_uk\\_\\_final\\_version\\_version\\_3\\_may\\_09.pdf](http://www.bats.org.uk/data/files/bats_and_lighting_in_the_uk__final_version_version_3_may_09.pdf)



- 4.8.11 These urbanisation impacts are most likely to occur when a European site is within 1km of a settlement and therefore an allocation within 1km of a European site might increase urbanisation effects.

## 4.9 Avoidance and mitigation for potential impacts of the proposed Gypsy and traveller sites

### *Locational mitigation*

- 4.9.1 Proposed Gypsy and Traveller sites allocations are all over 1km from any European site. This avoids for any potential land-take impacts during construction, cat predation, air pollution (no polluting factories are allocated but in any case if they arise would be subject to project-level HRA), urbanisation of the countryside, and recreational impacts of people walking to a European site to start a greenspace walk.
- 4.9.2 With a median dog walk length of around 3km, it is considered that a Gypsy and Traveller allocation within 1km of a European site access point (i.e freely available for public entry / use) is likely to result in an increased visitor use of that European site, especially for regular dog walking, by people walking to the European site. Allocations greater than 1km distant are less likely to generate increased visitor use from people walking to that site, and above 1.5km distance there is likely to be little or no increased visitor use by people walking to the entry point. The size of an allocation is also related to potential impact, with an allocation of, say, 100 dwellings likely to generate more visitor use of a European site than an allocation of 10 dwellings at the same distance.
- 4.9.3 The proposed Gypsy and Traveller sites are all over 1.5km from the nearest European sites, and most are significantly further. This avoids the likelihood of direct recreational impact arising from walks from the pitches to a European site.

### *Recreational impacts. Provision of green infrastructure*

- 4.9.4 Natural England has advised all Local Planning Authorities in Norfolk (letter of 2019 within the GIRAMS report) that large developments (defined as fifty houses or more) include green space which is proportionate to its scale to minimise any predicted increase in recreational pressure to designated sites, by containing the majority of recreation within and around the developed site. This advice applies across the whole of Norfolk because Natural England considers that development of this scale anywhere in the county could have a likely significant effect on a European site.
- 4.9.5 No evidence has been provided to support the threshold of 50 or more dwellings, and it is considered that each and every new home may have an identical impact. Greater Norwich Local Plan requires all residential development to provide green infrastructure, in Policy 3. The requirement is not restricted to 50 or more dwellings as advised by Natural England. If a development site is too small to provide green infrastructure on site, a contribution secured by S106 to green infrastructure elsewhere will be required.
- 4.9.6 Policy 3 applies to Gypsy and Traveller pitches in the same way as it does to standard dwellings.

### *Recreational impacts. In-combination effects of all housing developments*

- 4.9.7 The Green Infrastructure and Recreational Impact Avoidance Strategy (GIRAMS) proposes a tariff based payment taken from residential, and other relevant accommodation e.g. tourist accommodation, that will be used to fund package of avoidance and mitigation measures to be delivered at Habitat Sites. This consists of a team of Rangers to influence visitor behaviour, signage, monitoring, a dog project, providing strategic mitigation projects, and various other tasks. A tariff payment of £185.93 per household in place across Norfolk to provide enough money to pay for the mitigation works. The GIRAMS has been finalised for adoption by the local planning authorities and contributions are currently being collected by Norwich City Council<sup>56</sup>,

<sup>56</sup> [https://www.norwich.gov.uk/info/20017/planning\\_applications/1181/supporting\\_plans\\_and\\_documentation](https://www.norwich.gov.uk/info/20017/planning_applications/1181/supporting_plans_and_documentation) accessed on 7th May 2022

Broadland District Council<sup>57</sup> and South Norfolk Council<sup>58</sup>. This applies to Gypsy and Traveller pitches in the same way as it does to standard dwellings

- 4.9.8 It is considered that the GIRAMS measures described above would be sufficient that the assessment is able to ascertain no adverse effect upon the integrity of any European site, subject to the adoption of the GIRAMS and its implementation by the local planning authorities.

***Provision of new Country Park***

- 4.9.9 Broadland Country Park was created by Broadland District Council between Felthorpe and Horstead and opened in March 2021<sup>59</sup>. This location is close to the Norwich Growth Triangle, and the site is being designed and managed to attract a larger number of recreational visitors. The Country Park will reduce visitor pressure on European sites by providing an attractive alternative.

***Air pollution***

- 4.9.10 No new roads are proposed in the Plan within 200m of any European site, and the siting of proposed allocations further than 1km from any European site indicates that road traffic associated with the developments would be sufficiently distant from European sites that there would be no pollution impacts.

***Water resource use***

- 4.9.11 A water cycle study by AECOM (March 2021) as evidence for the Greater Norwich Local Plan looked in detail into how new development can be supplied with water.
- 4.9.12 Anglian Water Services plans for the long term provision of water supplies through a five yearly planning cycle, through the production of statutory Water Resource Management Plans (WRMP). The WRMP sets out how changes in demand for water and changes in available water in the environment will be managed, including measures to manage how much water customers use (demand management) and measures to provide new sources of supply to current and future customers. The Anglian Water WRMP (2019) indicates that through the introduction of strategic demand management options and supply side schemes within the supply areas serving Greater Norwich Authorities, adequate water supplies will be available up to 2045 and will cater for the proposed levels of growth. No new abstraction from the environment is proposed
- 4.9.13 The Water Cycle Study confirms that Anglian Water's measures to improve efficiency of existing homes and businesses, reducing leakage by mending leaky watermains, and new homes being designed to be water-efficient, will mean that no new abstractions are required. Local Plan Policy 2 'Sustainable Communities' includes a requirement for housing development to meet the 'Building Regulations part G (amended 2016) water efficiency higher optional standard' which requires a calculated use of 110l per day.
- 4.9.14 Consequently it is clear that there would be no impact on European sites from water abstraction as there would be no additional abstraction to meet water needs.

***Waste water discharge – 2021 GNLP HRA information, now superseded***

- 4.9.15 The Water Cycle Study which forms part of the evidence base for the Local Plan (AECOM March 2021 Greater Norwich Water Cycle Study) looked in detail at discharge issues, including any risk of European sites having an increased nutrient loading. The report's summary states that

*The WCS has identified that there are several WRCs within the study area that do not have sufficient capacity to treat all additional wastewater flows from the proposed level of growth within their catchments (Acle, Aylsham, Barnham Broom, Beccles, Ditchingham, Freethorpe, Long Stratton, Whitlingham Trowse, and Wymondham). The study also identified that some WRCs have capacity but using that capacity may impact significantly on the water quality and ecology of watercourses receiving the treated discharge (Cantley, Saxlingham and Woodton). Finally, future discharge volumes from Reepham and Foulsham WRC were also assessed,*

<sup>57</sup> <https://www.southnorfolkandbroadland.gov.uk/planning-applications/apply/3> accessed on 7 May 2022

<sup>58</sup> <https://www.southnorfolkandbroadland.gov.uk/planning-applications/apply/4> accessed on 7 May 2022

<sup>59</sup> <https://www.southnorfolkandbroadland.gov.uk/broadlandcountrypark> accessed on 7th May 2022

*irrespective of capacity, due to their discharge within the River Wensum Special Area of Conservation (SAC). Water quality and ecological assessments have been undertaken for these future discharges focusing on demonstrating what is required to ensure no increase in pollution load as a result of growth.*

*The assessment has shown that subject to the revision of discharge permits and the implementation of the necessary treatment process upgrades (using conventional treatment technologies), changes in water quality as a result of additional discharge can be managed to ensure there is no overall increase in pollutant load, and no adverse change in water quality or connected water dependent ecologically protected sites as a result of growth.*

*However, the analysis has demonstrated that treatment upgrades required to deliver this outcome will be significant for several of the WRCs and this will require substantial investment from AWS over the longer term. This may affect phasing of development (up to 2025) in some locations of the study area, and longer term to 2030 in some cases. Key locations where this has been considered in the development of policy include Long Stratton, Wymondham and Whitlingham. It will be a requirement in these locations for development to demonstrate that there is sufficient capacity at WRC before that development can proceed.*

*Through their Water Recycling Long-term Plan, AWS have already identified a potential need for planned investment to upgrade WRC capacity at Aylsham, Long Stratton and Woodton in the plan period as well as increased drainage capacity at Whitlingham and Wymondham.*

4.9.16 The July 2021 Habitats Regulations Assessment of the Greater Norwich Local Plan said that it was necessary to make improvements to Water Recycling Centres at Foulsham WRC and Reepham WRC to avoid an increase in nutrient discharge into River Wensum SAC, together with revised discharge permits from Environment Agency. This is not immediately necessary but would be required by 2025.

4.9.17 It is necessary to make improvements to Water Recycling Centres at Aylsham WRC (which are already programmed) and at Whitlingham Trowse WRC to avoid an increase in nutrient discharge into Broadland SAC/Ramsar, together with revised discharge permits from Environment Agency for those WRCs. This is not immediately necessary but would be required by 2025. Beyond 2025, if the improvements are not made, a moratorium on growth would be needed until the measures are in place.

4.9.18 Policy 4 of the Greater Norwich Local Plan committed the Greater Norwich planning authorities to working with utilities providers, to improve waste-water management including at Whitlingham Trowse WRC. This gave confidence in 2021 that the need for the improvements will be progressed.

#### ***Waste water discharge – 2022 update for Nutrient Neutrality***

4.9.19 On 16<sup>th</sup> March 2022, Natural England wrote to partner Councils within Greater Norwich Development Partnership to advise that River Wensum SAC and The Broads SAC were being harmed by excess nitrate and phosphate in the water. The origin of these plant nutrients is from agricultural run-off, urban run-off (e.g. from fertilised gardens and dog fouling), treated water from Water Recycling Centres, and others. New residential development would need to demonstrate that it would not exacerbate the existing problem by adding further nitrate and phosphate from its sewage and run-off. Advice on the principles relevant to all affected European sites is included in Appendix 3, detailed advice is provided in Appendix 4 for The Broads SAC / Ramsar and in Appendix 5 for River Wensum SAC. A calculator spreadsheet was also provided by Natural England to facilitate calculation of nutrient change from the current land use.

4.9.20 This advice applies to Gypsy and Traveller pitches as well as to standard dwellings. The proposed pitch allocations are therefore in the same situation as housing allocations with respect to Nutrient Neutrality; all pitch allocations are within the catchments of either the River Wensum SAC or The Broads SAC / Ramsar. Site-specific assessments and solutions may be proposed, and a strategic solution is being sought by partner Councils within Greater Norwich Development Partnership. At the time of writing, it is anticipated that modification to the strategic policies of the GNLP will be

made by 1<sup>st</sup> June 2022, to be available for an Examination hearing<sup>60</sup>. Policy amendments are expected to tie the delivery of housing growth more tightly to nutrient levels impacting on internationally protected habitats, including as appropriate, a county-wide mitigation strategy. The availability of a mitigation strategy will affect the timing of the delivery of housing sites and Gypsy and Traveller pitches as opposed to the principle of their development.

#### **4.10 Assessment of proposed allocations for Gypsy and traveller sites**

- 4.10.1 Subject to satisfactory policy modification with respect to Nutrient Neutrality, it is ascertained that the proposed allocations for Gypsy and Traveller sites will have no adverse effect upon the integrity of any European site.
- 4.10.2 This conclusion is made for the proposed allocations individually and collectively, including the contingency allocation in Costessey.

---

<sup>60</sup> <https://www.gnlp.org.uk/local-plan-examination-local-plan-examination-document-library-d-post-submission-examination/d5>  
accessed on 7th May 2022

## 5 Conclusions

### 5.1 The Greater Norwich Local Plan with the proposed Gypsy and Traveller site allocations, acting alone

- 5.1.1 It is ascertained that the published Greater Norwich Local Plan regulation 19 Proposed Submission Draft together with additional allocations for Gypsy and Traveller sites would have no adverse affect upon the integrity of any European site acting alone, subject to satisfactory policy modification with respect to Nutrient Neutrality.

### 5.2 The Greater Norwich Local Plan in combination with other plans or projects

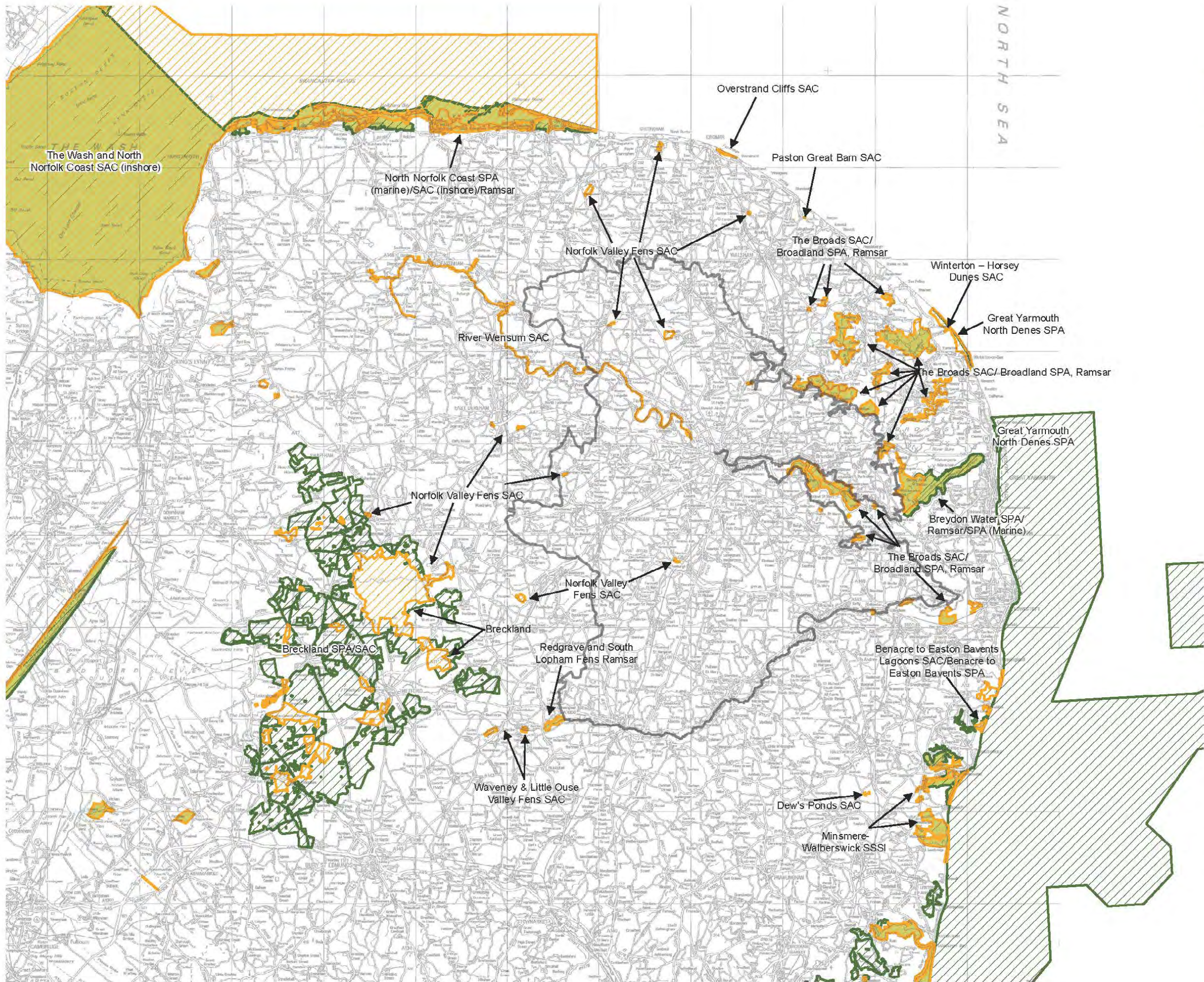
- 5.2.1 It is ascertained that the published Greater Norwich Local Plan regulation 19 Proposed Submission Draft together with additional allocations for Gypsy and Traveller sites would have no adverse affect upon the integrity of any European site, subject to satisfactory policy modification with respect to Nutrient Neutrality, in combination with any other Local Plan or other projects.

### 5.3 Overall conclusion

- 5.3.1 It is concluded that **subject to policy modification with respect to Nutrient Neutrality** there would be no adverse affect upon the integrity of any European site.

*Figure 01*





## Key

-  Greater Norwich Boundary
-  Special Areas of Conservation
-  Special Protection Areas
-  RAMSAR

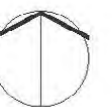
E16845 Greater Norwich Local Plan

## European site locations

Figure 01

Scale 1:400,000 @ A3

August 2017





## *Appendix 1*



# European sites

<i>River Wensum SAC</i>		
Site description summary	Qualifying features <sup>61</sup>	
<p>A calcareous lowland river considered one of the best areas in the UK for Ranunculus fluitans and Callitriche-Batrachion vegetation. Also significant for the presence of Brook Lamprey, Bullhead and Desmoulin's whorl snail. One of the best areas in the UK for the native White-clawed Crayfish.</p> <p>At the upper reaches, run-off from calcareous soils rich in plant nutrients feeds beds of submerged and emerged vegetation characteristic of chalk streams. Lower, the chalk is overlain by boulder clay, resulting in aquatic plant communities more characteristic of rivers with mixed substrates.</p>	3260	Water courses of plain to montane levels with the Ranunculus fluitans and Callitriche-Batrachion vegetation
	7210	Calcareous fens with Cladium mariscus and species of the Caricion davallianae
	91E0	Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)
	1092	Austropotamobius pallipes (White-clawed (or Atlantic steam) Crayfish)
	1163	Cottus gobio (Bullhead)
	1096	Lampetra planeri (Brook Lamprey)
	1016	Vertigo moulinsiana (Desmoulin's whorl snail)
Component SSSI/s <sup>62</sup>		
River Wensum SSSI	Covers 385.96ha and contains 55 units. 11.05% of area in Favourable condition, 47.70% of area in Unfavourable-Recovering condition, 41.25% of area in Unfavourable-No change condition.	
Conservation Objectives <sup>63</sup>		
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;	<ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>	

<i>Norfolk Valley Fens SAC</i>		
Site description summary	Qualifying features <sup>64</sup>	
A series of valley-head spring-fed fens, typified by black-bog-rush - blunt-flowered	4010	North Atlantic wet heaths with Erica tetralix

<sup>61</sup> Taken from the Natura 2000 Standard data form for site UK0012647 River Wensum SAC dated 25-01-16.

<sup>62</sup> Condition status taken from Natural England data on 3 December 2019.

<sup>63</sup> Taken from Natural England's European Site Conservation Objectives for River Wensum SAC dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice.

<sup>64</sup> Taken from the Natura 2000 Standard data form for site UK0012892 Norfolk Valley Fens SAC dated 25-01-16.

<p>rush <i>Schoenus nigricans</i> - <i>Juncus subnodulosus</i> mire. There are also transitions to reedswamp, other fen and wet grassland types, and gradations from calcareous fens into acidic flush communities. Plant species present include marsh helleborine <i>Epipactis palustris</i>, narrow-leaved marsh-orchid <i>Dactylorhiza traunsteineri</i>, and alder <i>Alnus glutinosa</i> which forms carr woodland in places by streams. Marginal fens associated with pingos-pools originating from the thawing of large blocks of ice at the end of the last Ice Age support several large populations of Desmoulin's whorl snail <i>Vertigo moulinsiana</i>.</p>	4030	European dry heaths
	6210	Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (*important orchid sites)
	6410	Molinia meadows on calcareous, peaty, or clayey-silt-laden soils (Molinion caeruleae)
	7150	Depressions on peat substrates of the Rhynchosporion
	7210	Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i>
	7230	Alkaline fens
	91E0	Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)
	1355	<i>Lutra Lutra</i> (Eurasian Otter)
	1166	<i>Triturus cristatus</i> (Great Crested Newt)
<p><b>Component SSSI/s<sup>65</sup></b></p>	1014	<i>Vertigo angustior</i> (Narrow-mouthed whorl snail)
	1016	<i>Vertigo moulinsiana</i> (Desmoulin's whorl snail)
Badley Moor SSSI	Covers 18.33ha and contains 4 units. 100% of area in Favourable condition	
Booton Common SSSI	Covers 8.19ha and contains 1 unit. 100% of area in Unfavourable-Recovering condition.	
Buxton Heath SSSI	Covers 67.32ha and contains 1 unit. 100% of area in Unfavourable-Recovering condition.	
Coston Fen, Runhall SSSI	Covers 7.11ha and contains 1 unit. 100% of area in Unfavourable-No change condition.	
East Walton and Adcock's Common SSSI	Covers 62.41ha and contains 3 units. 100% of area in Unfavourable-Recovering condition.	
Flordon Common SSSI	Covers 9.91ha and contains 2 units. 19.57% of area in Favourable condition, 80.43% of area in Unfavourable-Recovering condition.	
Foulden Common SSSI	Covers 139ha and contains 7 units. 24.74% of area in Favourable condition, 61.51% of area in Unfavourable-Recovering condition, 13.75% of area in Unfavourable-Declining condition.	
Great Cressingham Fen SSSI	Covers 14.33ha and contains 1 unit. 100% of area in Unfavourable-Recovering condition.	
Holt Lowes SSSI	Covers 49.91ha and contains 2 units. 30.07% of area in Favourable condition, 69.93% of area in Unfavourable-Recovering condition.	

<sup>65</sup> Condition status taken from Natural England data on 3<sup>rd</sup> December 2019.

Potter & Scarning Fens, East Dereham SSSI	Covers 6.20ha and contains 2 units. 100% of area in Unfavourable-Recovering condition.
Sheringham and Beeston Regis Commons SSSI	Covers 24.94ha and contains 2 units. 100% of area in Unfavourable-Recovering condition.
Southrepps Common SSSI	Covers 5.57ha and contains 1 unit. 100% of area in Unfavourable-Recovering condition.
Swangey Fen, Attleborough SSSI	Covers 48.39ha and contains 6 units. 44.44% of area in Favourable condition, 55.56% of area in Unfavourable-Recovering condition.
Thompson Water, Carr and Common SSSI	Covers 154.74ha and contains 11 units. 73.05% of area in Favourable condition, 22.72% of area in Unfavourable-Recovering condition, 4.24% of area in Unfavourable-Declining condition.
<b>Conservation Objectives<sup>66</sup></b>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;	<ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>

<b><i>The Broads SAC/ Broadland SPA, Ramsar</i></b>		
<b>Site description summary</b>	<b>SAC qualifying features<sup>67</sup></b>	
<p>A low-lying wetland complex connecting the Bure, Yare, Thurne, and Waveney River systems. Wetland habitats form a mosaic of open water, reedbeds, carr woodland, grazing marsh, and fen meadow, with an extensive network of medieval peat excavations. The Site boasts a rich array of flora and fauna.</p> <p>The SPA is designated for supporting a number of rare or vulnerable (Article 4.1) Annex I bird species during the breeding season. In addition, the SPA is designated for supporting regularly occurring migratory (Article 4.2) species during the breeding season and over winter.</p>	3140	Hard oligo-mesotrophic waters with benthic vegetation of Chara spp.
	3150	Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation
	6410	Molinia meadows on calcareous, peaty, or clayey-silt-laden soils (Molinion caeruleae)
	7140	Transition mires and quaking bogs
	7210	Calcareous fens with Cladium mariscus and species of the Caricion davallianae
	7230	Alkaline fens
	91E0	Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)

<sup>66</sup> Taken from Natural England's European Site Conservation Objectives for Norfolk Valley Fens SAC dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice.

<sup>67</sup> Taken from the Natura 2000 Standard data form for site UK0013577 The Broads SAC dated 25-01-16.

	4056	Anisus vorticulus (Little whorlpool ram's-horn snail)
	1903	Liparis loeselii (Fen Orchid)
	1355	Lutra Lutra (Eurasian Otter)
	1166	Triturus cristatus (Great Crested Newt)
	1016	Vertigo moulinsiana (Desmoulin's whorl snail)
	<b>SPA qualifying features<sup>68</sup></b>	
	A056	Anas clypeata (Shoveler) (over winter)
	A050	Anas penelope (Wigeon) (over winter)
	A051	Anas strepera (Gadwall) (over winter)
	A021	Botaurus stellaris (Bittern) (breeding)
	A081	Circus aeruginosus (Marsh Harrier) (breeding)
	A082	Circus cyaneus (Hen Harrier) (over winter)
	A037	Cygnus columbianus bewickii (Bewick's Swan) (over winter)
	A038	Cygnus cygnus (Whooper Swan) (over winter)
	A151	Philomachus pugnax (Ruff) (over winter)
	<b>Ramsar qualifying features<sup>69</sup></b>	
	H7210	Calcareous fens with Cladium mariscus and species of the Caricion davallianae Calcium-rich fen dominated by great fen sedge (saw sedge).
	H7230	Alkaline fens Calcium-rich springwater-fed fens.
	H91E0	Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) Alder woodland on floodplains, and the Annex II species
	S1016	Vertigo moulinsiana (Desmoulin's whorl snail)
	S1355	Lutra lutra (Eurasian Otter)
	S1903	Liparis loeselii Fen Orchid
		Cygnus columbianus bewickii, NW Europe (Tundra (Bewick's) Swan)
		Anas penelope (Eurasian Wigeon)
		Anas strepera strepera (Gadwall)
		Anas clypeata (Shoveler)

<sup>68</sup> Taken from the Natura 2000 Standard data form for site UK9009253 Broadland SPA dated 25-01-16.

<sup>69</sup> Taken from the Ramsar Information Sheet for Broadland dated 21-09-94.

Component SSSI/s <sup>70</sup>	
Alderfen Broad SSSI	Covers 21.34ha and contains 3 units. 8.65% of area in Favourable condition, 91.35% of area in Unfavourable-Recovering condition.
Ant Broads and Marshes SSSI	Covers 745.27ha and contains 35 units. 54.39% of area in Favourable condition, 39.18% of area in Unfavourable-Recovering condition.
Barnby Broad & Marshes SSSI	Covers 192.69ha and contains 24 units. 59.93% of area in Favourable condition, 40.07% of area in Unfavourable-Recovering condition.
Broad Fen, Dilham SSSI	Covers 38.43ha and contains 1 unit. 100% of area in Unfavourable-Recovering condition.
Bure Broads and Marshes SSSI	Covers 741.15ha and contains 14 units. 43.08% in Favourable condition, 46.85% in Unfavourable-Recovering condition, 10.07% in Unfavourable-No change condition.
Burgh Common and Muckfleet Marshes SSSI	Covers 121.54ha and contains 9 units. 27.72% of area in Favourable condition, 68.76% of area in Unfavourable-Recovering condition, 3.52% of area in Unfavourable-No change condition.
Calthorpe Broad SSSI	Covers 43.54ha and contains 3 units. 97.68% of area in Favourable condition, 2.32% of area in Unfavourable-Recovering condition.
Cantley Marshes SSSI	Covers 272.11ha and contains 3 units. 100% of area in Favourable condition.
Crostick Marsh SSSI	Covers 11.57ha and contains 1 unit. 100% of area in Unfavourable-No change condition.
Damgate Marshes, Acle SSSI	Covers 64.68ha and contains 10 units. 74.73% of area in Favourable condition, 25.27% of area in Unfavourable-Recovering condition.
Decoy Carr, Acle SSSI	Covers 56.01ha and contains 6 units. 70.21% of area in Favourable condition, 29.79% of area in Unfavourable-Recovering condition.
Ducan's Marsh, Claxton SSSI	Covers 3.58ha and contains 2 units. 100% of area in Unfavourable-Recovering condition.
Geldeston Meadows SSSI	Covers 13.98ha and contains 2 units. 97.18% of area in Unfavourable-No change condition, 2.82% of area in Unfavourable-Declining condition.
Hall Farm Fen, Hemsby SSSI	Covers 9.15ha and contains 1 unit. 100% of area in Favourable condition.
Halvergate Marshes SSSI	Covers 1432.72ha and contains 42 units. 72.75% of area in Favourable condition, 23.71% of area in Unfavourable-Declining condition, 3.54% of area in Unfavourable-No change condition.
Hardley Flood SSSI	Covers 49.79ha and contains 2 units. 100% of area in Favourable condition.
Limpenhoe Meadows SSSI	Covers 11.95ha and contains 1 unit. 100% of unit in Unfavourable-Recovering condition.

<sup>70</sup> Condition status taken from Natural England data on 17<sup>th</sup> June 2019.

Ludham – Potter Heigham Marshes SSSI	Covers 101.51ha and contains 6 units. 100% of area in Favourable condition.
Poplar Farm Meadows, Langley SSSI	Covers 7.55ha and contains 1 unit. 100% of area in Favourable condition.
Priory Meadows, Hickling SSSI	Covers 23.94ha and contains 2 units. 29.79% of area in Favourable condition, 70.21% of area in Unfavourable-Recovering condition.
Shallam Dyke Marshes, Thurne SSSI	Covers 69.80ha and contains 8 units. 4.44% of area in Favourable condition, 95.56% of area in Unfavourable-No change condition.
Smallburgh Fen SSSI	Covers 7.63ha and contains 1 unit. 100% of area in Favourable condition.
Sprat's Water and Marshes, Carlton Colville SSSI	Covers 57.14ha and contains 11 units. 80.48% of area in Favourable condition, 19.19% of area in Unfavourable-Recovering condition, 0.33% of area in Unfavourable-No change condition.
Stanley and Alder Carrs, Aldeby SSSI	Covers 42.68ha and contains 3 units. 100% of area in Unfavourable-Recovering condition.
Trinity Broad's SSSI	Covers 316.83ha and contains 23 units. 45.48% of area in Favourable condition, 41.98% of area in Unfavourable-Recovering condition, 12.54% of area in Unfavourable-No change condition.
Upper Thurne Broad's and Marshes SSSI	Covers 1185.93ha and contains 19 units. 63.97% of area in Favourable condition, 16.65% of area in Unfavourable-Recovering condition, 4.82% of area in Unfavourable-No change condition, 14.57% of area in Unfavourable-Declining condition.
Upton Broad & Marshes SSSI	Covers 195.44ha and contains 18 units. 7.43% of area in Favourable condition, 91.84% of Unfavourable-Recovering condition, 0.72% of area in Unfavourable-No change condition.
Yare Broad's and Marshes SSSI	Covers 744.46ha and contains 28 units. 39.22% of area in Favourable condition, 11.30% of area in Unfavourable-Recovering condition, 47.27% of area in Unfavourable-No change condition, 2.20% of area in Unfavourable-Declining condition.
<b>SAC Conservation Objectives<sup>71</sup></b>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;	<ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>

<sup>71</sup> Taken from Natural England's European Site Conservation Objectives for The Broad's SAC dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice.

SPA Conservation Objectives <sup>72</sup>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;	<ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul>

<i>Breydon Water SPA/Ramsar/SPA (Marine)</i>		
Site description summary	SPA qualifying features <sup>73</sup>	
<p>An inland tidal estuary at the mouth of the River Yare and its confluence with the Rivers Bure and Waveney. Extensive areas of mud-flats form the only tidal flats on the east Norfolk coast. The Site also features much floodplain grassland, which lies adjacent to the intertidal areas. It is internationally important for wintering waterbirds, some of which feed in the Broadland Ramsar that adjoins this site at Halvergate Marshes.</p> <p>This SPA is part of the Breydon Water European Marine Site.</p>	A037	Cygnus columbianus bewickii (Bewick's (Tundra) Swan) (over winter)
	A151	Philomachus pugnax (Ruff) (concentration)
	A140	Pluvialis apricaria (Golden Plover) (over winter)
	A132	Recurvirostra avosetta (Avocet) (over winter)
	A193	Sterna hirundo (Common Tern) (breeding)
	A142	Vanellus vanellus (Northern Lapwing) (over winter)
		Waterbird assemblage
	Ramsar qualifying features <sup>74</sup>	
	<p>Internationally important waterfowl assemblage (greater than 20000 birds)</p> <p>Over winter the site regularly supports internationally important numbers of: Bewick's Swan Cygnus columbianus bewickii and Lapwing Vanellus vanellus</p>	
Component SSSI/s <sup>75</sup>		
Breydon Water SSSI	Covers 514.40ha and contains 15 units. 100% of area in Favourable condition.	
Halvergate Marshes SSSI	Covers 1432.72ha and contains 42 units. 72.75% of area in Favourable condition, 23.71% of area in Unfavourable-Declining condition, 3.54% of area in Unfavourable-No change condition.	

<sup>72</sup> Taken from Natural England's European Site Conservation Objectives for Broadland SPA dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice.

<sup>73</sup> Taken from the Natura 2000 Standard data form for site UK9009181 Breydon Water SPA dated 25-01-16.

<sup>74</sup> Taken from the Ramsar Information Sheet for Breydon Water dated Feb 2000.

<sup>75</sup> Condition status taken from Natural England data on 17<sup>th</sup> June 2019.



Conservation Objectives <sup>76</sup>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;	<ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul>

<b>Great Yarmouth North Denes SPA</b>		
Site description summary	Qualifying features <sup>77</sup>	
Low dunes stabilised by marram grass <i>Ammophila arenaria</i> with extensive areas of grey hair-grass <i>Corynephorus canescens</i> . The Site supports important numbers of little tern <i>Sterna albifrons</i> that feed in waters close to the SPA.  This SPA is part of the Great Yarmouth North Denes European Marine Site (EMS).	A195	<i>Sterna albifrons</i> (Little Tern) (breeding)
Component SSSI/s <sup>78</sup>		
Great Yarmouth North Denes SSSI	Covers 100.75ha and contains 2 units. 100% of area in Favourable condition.	
Winterton – Horsey Dunes SSSI	Covers 426.95ha and contains 12 units. 67.92% of area in Favourable condition, 9.88% of area in Unfavourable-Recovering condition, 22.20% of area in Unfavourable-No change condition.	
Conservation Objectives <sup>79</sup>		
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;	<ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul>	

<b>Winterton – Horsey Dunes SAC</b>
-------------------------------------

<sup>76</sup> Taken from Natural England's European Site Conservation Objectives for Breydon Water SPA dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice, and should be used in conjunction with the Regulation 35 Conservation Advice Package for the EMS.

<sup>77</sup> Taken from the Natura 2000 Standard data form for site UK9009271 Great Yarmouth North Denes SPA dated 25-01-16.

<sup>78</sup> Condition status taken from Natural England data on 17<sup>th</sup> June 2019.

<sup>79</sup> Taken from Natural England's European Site Conservation Objectives for Great Yarmouth North Denes SPA dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice, and should be used in conjunction with the Regulation 35 Conservation Advice Package for the EMS.



Site description summary	Qualifying features <sup>80</sup>	
The only significant area of dune heath on the east coast of England, which occur over an extremely base-poor dune system, and include areas of acidic dune grassland as an associated acidic habitat. These acidic soils support swamp and mire communities, in addition to common dune slack vegetation, including creeping willow <i>Salix repens</i> subsp. <i>argentea</i> and Yorkshire fog <i>Holcus lanatus</i> . The drought resistant grey hair-grass <i>Corynephorus canescens</i> is characteristic of open areas.	2110	Embryonic shifting dunes
	2120	Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes")
	2150	Atlantic decalcified fixed dunes ( <i>Calluno-Ulicetea</i> )
	2160	Dunes with <i>Hippophae rhamnoides</i>
	2190	Humid dune slacks
	1166	<i>Triturus cristatus</i> (Great Crested Newt)
Component SSSI/s <sup>81</sup>		
Winterton – Horsey Dunes SSSI	Covers 426.95ha and contains 12 units. 67.92% of area in Favourable condition, 9.88% of area in Unfavourable-Recovering condition, 22.20% of area in Unfavourable-No change condition.	
Conservation Objectives <sup>82</sup>		
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;	<ul style="list-style-type: none"> <li>• The extent and distribution of the qualifying natural habitats</li> <li>• The structure and function (including typical species) of the qualifying natural habitats, and,</li> <li>• The supporting processes on which the qualifying natural habitats rely.</li> </ul>	

<b>Paston Great Barn SAC</b>		
Site description summary	Qualifying features <sup>83</sup>	
Nationally, this is an extremely rare example of a maternity roost of barbastelle bats <i>Barbastella barbastellus</i> in a building. A 16th century thatched barn with associated outbuildings. The maternity colony inhabits many crevices and cracks in the roof timbers.	1308	<i>Barbastella barbastellus</i> (Barbastelle bat) (permanent population)
Component SSSI/s <sup>84</sup>		
Paston Great Barn SSSI	Covers 0.96ha and contains 1 unit. 100% of area in Favourable condition.	

<sup>80</sup> Taken from the Natura 2000 Standard data form for site UK0013043 Winterton – Horsey Dunes SAC dated 25-01-16.

<sup>81</sup> Condition status taken from Natural England data via Magic Map on 7<sup>th</sup> March 2017.

<sup>82</sup> Taken from Natural England's European Site Conservation Objectives for Winterton-Horsey Dunes SAC dated 30<sup>th</sup> June 2014-version

2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice.

<sup>83</sup> Taken from the Natura 2000 Standard data form for site UK0030235 Paston Great Barn SAC dated December 2015.

<sup>84</sup> Condition status taken from Natural England data on 17<sup>th</sup> June 2019.

Conservation Objectives <sup>85</sup>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;	<ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of qualifying species</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>

<i>Overstrand Cliffs SAC</i>		
Site description summary	Qualifying features <sup>86</sup>	
Vegetated soft cliffs composed of Pleistocene clays and sands, subject to common cliff-falls and landslips. Vegetation undergoes cycles whereby ruderal-dominated communities develop on the newly exposed sands and mud, succeeded by more stable grassland and scrub vegetation. In areas where freshwater seepages occur there are fen communities and occasional perched reedbeds. The diverse range of habitats support a large number of invertebrate species.	1230	Vegetated sea cliffs of the Atlantic and Baltic Coasts
Component SSSI/s <sup>87</sup>		
Overstrand Cliffs SSSI	Covers 57.75ha and contains 2 units. 100% of area in Favourable condition.	
Conservation Objectives <sup>88</sup>		
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;	<ul style="list-style-type: none"> <li>• The extent and distribution of the qualifying natural habitats</li> <li>• The structure and function (including typical species) of the qualifying natural habitats, and</li> <li>• The supporting processes on which the qualifying natural habitats rely.</li> </ul>	

<i>Waveney &amp; Little Ouse Valley Fens SAC</i>		
Site description summary	Qualifying features <sup>89</sup>	
Calcareous fen containing extensive beds of great fen-sedge <i>Cladium mariscus</i> . Purple moor-grass – meadow thistle <i>Molinia caerulea</i> – <i>Cirsium dissectum</i> fen-meadows, associated with the spring-fed valley fen systems, occur	6410	Molinia meadows on calcareous, peaty or clayey-silt-laden soils ( <i>Molinion caeruleae</i> )

<sup>85</sup> Taken from Natural England's European Site Conservation Objectives for Paston Great Barn SAC dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice.

<sup>86</sup> Taken from the Natura 2000 Standard data form for site UK0030232 Overstrand Cliffs SAC dated December 2015.

<sup>87</sup> Condition status taken from Natural England data on 17<sup>th</sup> June 2019.

<sup>88</sup> Taken from Natural England's European Site Conservation Objectives for Overstrand Cliffs SAC dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice.

<sup>89</sup> Taken from the Natura 2000 Standard data form for site UK0012882 Waveney and Little Ouse Valley Fens SAC dated December 2015.

in conjunction with black bog-rush – blunt-flowered rush <i>Schoenus nigricans</i> – <i>Juncus subnodulosus</i> mire and calcareous fens with great fen-sedge. Grazed areas of fen-meadow are more species-rich, and frequently support southern marsh-orchid <i>Dactylorhiza praetermissa</i> .	7210	Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i>
	1016	<i>Vertigo moulinsiana</i> (Desmoulin's whorl snail)
Component SSSI/s <sup>90</sup>		
Blo' Norton and Thelnetham Fen SSSI	Covers 21.32ha and contains 6 units. 35.08% of area in Favourable condition, 64.92% of area in Unfavourable-Recovering condition.	
Redgrave and Lopham Fens SSSI	Covers 127.03ha and contains 4 units. 100% of area in Unfavourable-Recovering condition.	
Weston Fen SSSI	Covers 49.73ha and contains 10 units. 49.79% of area in Favourable condition, 33.02% of area in Unfavourable-Recovering condition, 17.19% of area in Unfavourable-No change condition.	
Conservation Objectives <sup>91</sup>		
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;	<ul style="list-style-type: none"><li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species</li><li>• The structure and function (including typical species) of qualifying natural habitats</li><li>• The structure and function of the habitats of qualifying species</li><li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li><li>• The populations of qualifying species, and,</li><li>• The distribution of qualifying species within the site.</li></ul>	

<b>Redgrave and South Lopham Fens Ramsar</b>	
<b>Site description summary</b>	<b>Qualifying features<sup>92</sup></b>
An extensive area of spring-fed valley fen at the headwaters of the River Waveney which supports a variety of fen plant community types, including <i>Molinia</i> -based grasslands, mixed sedge-fen, and reed-dominated fen. Small areas of wet heath, willow carr, and birch woodland also occur, and the Site is known to support the fen raft spider <i>Dolomedes plantarius</i> .	The site is an extensive example of spring-fed lowland base-rich valley, remarkable for its lack of fragmentation.
	The site supports many rare and scarce invertebrates, including a population of the fen raft spider <i>Dolomedes plantarius</i> . This spider is also considered vulnerable by the IUCN Red List.

<sup>90</sup> Condition status taken from Natural England data on 17<sup>th</sup> June 2019.

<sup>91</sup> Taken from Natural England's European Site Conservation Objectives for Waveney and Little Ouse Valley Fens SAC dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice.

<sup>92</sup> Taken from the Ramsar Information Sheet for Redgrave and South Lopham Fen Ramsar dated May 2005.

	The site supports many rare and scarce invertebrates, including a population of the fen raft spider <i>Dolomedes plantarius</i> . The diversity of the site is due to the lateral and longitudinal zonation of the vegetation types characteristic of valley mires.
<b>Component SSSI/s<sup>93</sup></b>	
Redgrave and Lopham Fens SSSI	Covers 127.03ha and contains 4 units. 100% of area in Unfavourable-Recovering condition.
<b>Conservation Objectives</b>	
n/a	

<b>Breckland SPA/SAC</b>		
<b>Site description summary</b>	<b>SPA qualifying features<sup>94</sup></b>	
A gently rolling plateau underlain by cretaceous chalk bedrock covered with thin deposits of sand and flint. The climate and free-draining soils has produced dry heath and grassland communities. Pingos with biological interest occur in some areas. The highly variable soils of Breckland, with underlying chalk being largely covered with wind-blown sands, have resulted in mosaics of heather-dominated heathland, acidic grassland and calcareous grassland that are unlike those of any other site. Breckland is the most extensive surviving area of the rare sheep's fescue – mouse-ear hawkweed – wild thyme <i>Festuca ovina</i> – <i>Hieracium pilosella</i> – <i>Thymus praecox</i> grassland type. A number of the water bodies within the site support populations of amphibians, including great crested newts <i>Triturus cristatus</i> .	A133	Burhinus oedicephalus (Stone Curlew) (breeding)
	A224	Caprimulgus europaeus (Nightjar) (breeding)
	A246	Lullula arborea (Woodlark) (breeding)
	<b>SAC qualifying features<sup>95</sup></b>	
	2330	Inland dunes with open Corynephorus and Agrostis grasslands
	3150	Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation
	4030	European dry heaths
	6210	Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites)
	91E0	Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)
	1308	Barbastella barbastellus (Barbastelle bat)
	1166	Triturus cristatus (Great Crested Newt)

<sup>93</sup> Condition status taken from Natural England data on 17<sup>th</sup> June 2019.

<sup>94</sup> Taken from the Natura 2000 Standard data form for site UK9009201 Breckland SPA dated December 2015.

<sup>95</sup> Taken from the Natura 2000 Standard data form for site UK0019865 Breckland SAC dated December 2015.

Component SSSI/s <sup>96</sup> (within SPA, SAC or both)	
Barnham Heath SSSI	Covers 78.62ha and contains 2 units. 89.45% of area in Favourable condition, 10.55% of area in Unfavourable-Recovering condition.
Barnhamcross Common SSSI	Covers 69.08ha and contains 2 units. 100% of area in Unfavourable-Recovering condition.
Berner's Heath, Icklingham SSSI	Covers 235.86ha and contains 3 units. 97.09% of area in Favourable condition, 2.91% of area destroyed.
Breckland Farmland SSSI	Covers 13392.36ha and contains 70 units. 100% of area in Favourable condition.
Breckland Forest SSSI	Covers 18125.99ha and contains 7 units. 0.09% of area in Favourable condition, 99.91% of area in Unfavourable-Recovering condition.
Bridgham & Brettenham Heaths SSSI	Covers 439.91ha and contains 6 units. 12.75% of area in Favourable condition, 87.25% of area in Unfavourable-Recovering condition.
Cavenham – Icklingham Heaths SSSI	Covers 419.01ha and contains 27 units. 30.59% of area in Favourable condition, 65.03% of area in Unfavourable-Recovering condition, 1.78% of area in Unfavourable-No change condition. 2.59% destroyed.
Cranberry Rough, Hockham SSSI	Covers 81.13ha and contains 4 units. 21.62% of area in Favourable condition, 78.38% of area in Unfavourable-Recovering condition.
Cranwich Camp SSSI	Covers 13.10ha and contains 1 unit. 100% of area in Unfavourable-Recovering condition.
Deadman's Grave, Icklingham SSSI	Covers 127.33ha and contains 6 units. 14.17% of area in Favourable condition, 83.80% of area in Unfavourable-Recovering condition, 2.03% of area in Unfavourable-Declining condition.
East Wretham Heath SSSI	Covers 141.05ha and contains 6 units. 7% of area in Favourable condition, 89.08% of area in Unfavourable-Recovering condition, 3.92% of area in Unfavourable-Declining condition.
Eriswell Low Warren SSSI	Covers 7.42ha and contains 1 unit. 100% of area in Favourable condition.
Field Barn Heaths, Hilborough SSSI	Covers 17.86ha and contains 1 unit. 100% of area in Unfavourable-Recovering condition.
Foxhole Heath, Eriswell SSSI	Covers 85.17ha and contains 1 unit. 100% of area in Favourable condition.
Gooderstone Warren SSSI	Covers 21.63ha and contains 4 units. 100% of area in Unfavourable-Recovering condition.
Grime's Graves SSSI	Covers 66.12ha and contains 3 units. 26.79% of area in Favourable condition, 73.21% of area in Unfavourable-Recovering condition.
How Hill Track SSSI	Covers 3.11ha and contains 1 unit. 100% of area in Favourable condition.
Lakenheath Warren SSSI	Covers 588.33ha and contains 11 units. 1.62% of area in Favourable condition, 63.40% of area in

<sup>96</sup> Condition status taken from Natural England data via Magic Map on 3 December 2019.

	Unfavourable-Recovering condition, 34.99% of area in Unfavourable-No change condition.
RAF Lakenheath SSSI	Covers 111ha and contains 4 units. 100% of area in Favourable condition.
Little Heath, Barnham SSSI	Covers 46.25ha and contains 3 units. 13.52% of area in Favourable condition, 2.59% of area in Unfavourable-Recovering condition, 83.89% of area in Unfavourable-Declining condition.
Old Bodney Camp SSSI	Covers 32.76ha and contains 2 units. 100% of area in Favourable condition.
Rex Graham Reserve SSSI	Covers 2.76ha and contains 1 unit. 100% of area in Favourable condition.
Stanford Training Area SSSI	Covers 4677.96ha and contains 81 units. 42.12% of area in Favourable condition, 54.71% of area in Unfavourable-Recovering condition, 3.12% of area in Unfavourable-No change condition, 0.05% of area in Unfavourable-Declining condition.
Thetford Golf Course & Marsh SSSI	Covers 122.30ha and contains 8 units. 3.12% of area in Favourable condition, 67.83% of area in Unfavourable-Recovering condition, 29.05% of area in Unfavourable-No change condition.
Thetford Heaths SSSI	Covers 270.58ha and contains 4 units. 36.32% of area in Favourable condition, 57.06% of area in Unfavourable-Recovering condition, 6.62% of area in Unfavourable-No change condition.
Wangford Warren and Carr SSSI	Covers 67.79ha and contains 5 units. 22.65% of area in Favourable condition, 77.35% of area in Unfavourable-Recovering condition.
Weather and Horn Heaths, Eriswell SSSI	Covers 133.32ha and contains 3 units. 97.77% of area in Unfavourable-Declining condition, 2.23% of area Partially destroyed.
Weeting Heath SSSI	Covers 141.75ha and contains 6 units. 40.15% of area in Favourable condition, 38.97% of area in Unfavourable-Recovering condition, 20.88% of area in Unfavourable-No change condition.
West Stow Heath SSSI	Covers 44.30ha and contains 5 units. 14.51% of area in Favourable condition, 85.49% of area in Unfavourable-Recovering condition.
<b>SPA Conservation Objectives<sup>97</sup></b>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;	<ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> </ul>

<sup>97</sup> Taken from Natural England's European Site Conservation Objectives for Breckland SPA dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice.

	<ul style="list-style-type: none"> <li>The distribution of the qualifying features within the site</li> </ul>
<b>SAC Conservation Objectives<sup>98</sup></b>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;	<ul style="list-style-type: none"> <li>The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>The structure and function (including typical species) of qualifying natural habitats</li> <li>The structure and function of the habitats of qualifying species</li> <li>The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>The populations of qualifying species, and,</li> <li>The distribution of qualifying species within the site.</li> </ul>

<b>Benacre to Easton Bavents Lagoons SAC/Benacre to Easton Bavents SPA</b>						
<b>Site description summary</b>	<b>SAC qualifying features<sup>99</sup></b>					
<p>Situated on the east coast of Suffolk, this site includes semi-natural broadleaved woodland, tall fen vegetation, shingle, dunes and grassland, saltmarsh and coastal lagoons. The habitats are important for breeding, wintering and passage birds.</p> <p>There are a series of percolating lagoons that have formed behind shingle barriers and are a feature of a geomorphologically dynamic system. The site supports a number of specialist lagoonal species.</p> <p>The SPA is part of the Benacre to Easton Bavents European Marine Site.</p>	1150 Coastal lagoons					
	91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)					
	<b>SPA qualifying features<sup>100</sup></b>					
	<table> <tr> <td>A021</td><td>Botaurus stellaris (Bittern) (breeding)</td></tr> <tr> <td>A081</td><td>Circus aeruginosus (Marsh Harrier) (breeding)</td></tr> <tr> <td>A195</td><td>Sterna albifrons (Little Tern) (breeding)</td></tr> </table>	A021	Botaurus stellaris (Bittern) (breeding)	A081	Circus aeruginosus (Marsh Harrier) (breeding)	A195
A021	Botaurus stellaris (Bittern) (breeding)					
A081	Circus aeruginosus (Marsh Harrier) (breeding)					
A195	Sterna albifrons (Little Tern) (breeding)					
<b>Component SSSI/s<sup>101</sup></b>						
Pakefield to Easton Bavents SSSI	Covers 735.45ha and contains 51 units. 48.73% of area in Favourable condition, 38.98% of area in Unfavourable-Recovering condition, 8.73% of area in Unfavourable-No change condition, 3.11% Unfavourable-Declining condition, 0.45% of area Partially destroyed.					
<b>SAC Conservation Objectives<sup>102</sup></b>						
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its	<ul style="list-style-type: none"> <li>The extent and distribution of qualifying natural habitats</li> <li>The structure and function (including typical species) of qualifying natural habitats, and</li> </ul>					

<sup>98</sup> Taken from Natural England's European Site Conservation Objectives for Breckland SAC dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice.

<sup>99</sup> Taken from the Natura 2000 Standard data form for site UK0013104 Benacre to Easton Bavents Lagoons SAC dated December 2015.

<sup>100</sup> Taken from the Natura 2000 Standard data form for site UK9009291 Benacre to Easton Bavents SPA dated December 2015.

<sup>101</sup> Condition status taken from Natural England data on 17<sup>th</sup> June 2019.

<sup>102</sup> Taken from Natural England's European Site Conservation Objectives for Benacre to Easton Bavents Lagoons SAC dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice.



Qualifying Features, by maintaining or restoring;	<ul style="list-style-type: none"> <li>The supporting processes on which qualifying natural habitats rely.</li> </ul>
<b>SPA Conservation Objectives<sup>103</sup></b>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;	<ul style="list-style-type: none"> <li>The extent and distribution of the habitats of the qualifying features</li> <li>The structure and function of the habitats of the qualifying features</li> <li>The supporting processes on which the habitats of the qualifying features rely</li> <li>The population of each of the qualifying features, and,</li> <li>The distribution of the qualifying features within the site.</li> </ul>

<b>Dew's Ponds SAC</b>	
<b>Site description summary</b>	<b>Qualifying features<sup>104</sup></b>
A series of 12 ponds located in rural East Suffolk, in formerly predominantly arable land. Great Crested Newt has been found in all ponds. Some of the arable land has been converted to grassland and there are also hedgerows and ditches.	1166 Triturus cristatus (Great Crested Newt)
<b>Component SSSI/s<sup>105</sup></b>	
Dew's Ponds SSSI	Covers 6.72ha and contains 4 units. 100% of area in Favourable condition.
<b>Conservation Objectives<sup>106</sup></b>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;	<ul style="list-style-type: none"> <li>The extent and distribution of the habitats of qualifying species</li> <li>The structure and function of the habitats of qualifying species</li> <li>The supporting processes on which the habitats of qualifying species rely</li> <li>The populations of qualifying species, and,</li> <li>The distribution of qualifying species within the site.</li> </ul>

<b>The Wash and North Norfolk Coast SAC (inshore)</b>	
<b>Site description summary</b>	<b>Qualifying features<sup>107</sup></b>
The Wash is the largest embayment in the UK and is connected to the North Norfolk Coast	1110 Sandbanks which are slightly covered by sea water all the time

<sup>103</sup> Taken from Natural England's European Site Conservation Objectives for Benacre to Easton Bavents SPA dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice, and should be used in conjunction with the Regulation 35 Conservation Advice Package for the EMS.

<sup>104</sup> Taken from the Natura 2000 Standard data form for site UK0030133 Dew's Ponds SAC dated December 2015.

<sup>105</sup> Condition status taken from Natural England data on 17<sup>th</sup> June 2019.

<sup>106</sup> Taken from Natural England's European Site Conservation Objectives for Dew's Ponds SAC dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice.

<sup>107</sup> Taken from the Natura 2000 Standard data form for site UK0017075 The Wash and North Norfolk Coast SAC dated December 2015.



<p>via sediment transfer systems. Together The Wash and North Norfolk Coast form one of the most important marine areas in the UK and European North Sea coast, and include extensive areas of varying, but predominantly sandy, sediments subject to a range of conditions. Communities in the intertidal include those characterised by large numbers of polychaetes, bivalve and crustaceans. Subtidal communities cover a diverse range from the shallow to the deeper parts of the embayments and include dense brittlestar beds and areas of an abundant reef-building worm ('ross worm') <i>Sabellaria spinulosa</i>. The embayment supports a variety of mobile species, including a range of fish, otter <i>Lutra lutra</i> and common seal <i>Phoca vitulina</i>. The extensive intertidal flats provide ideal conditions for common seal breeding and hauling-out.</p> <p>This SAC is part of The Wash and North Norfolk Coast European Marine Site.</p>	1140	Mudflats and sandflats not covered by seawater at low tide
	1150	Coastal lagoons
	1160	Large shallow inlets and bays
	1170	Reefs
	1310	Salicornia and other annuals colonizing mud and sand
	1320	Spartina swards ( <i>Spartinion maritimae</i> )
	1330	Atlantic salt meadows ( <i>Glaucopuccinellietalia maritimae</i> )
	1420	Mediterranean and thermo-Atlantic halophilous scrubs ( <i>Sarcocornetea fruticosi</i> )
	1364	<i>Halichoerus grypus</i> (Grey Seal)
	1355	<i>Lutra lutra</i> (Eurasian Otter)
	1365	<i>Phoca vitulina</i> (Harbour/Common Seal)
Component SSSI/s		
The Wash SSSI		62045.64ha of which 67.98 is favourable, and 31.61% is unfavourable recovering. 0.41% of the area is unfavourable declining.
Conservation Objectives <sup>108</sup>		
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;		<ul style="list-style-type: none"><li>• The extent and distribution of the habitats of qualifying species</li><li>• The structure and function of the habitats of qualifying species</li><li>• The supporting processes on which the habitats of qualifying species rely</li><li>• The populations of qualifying species, and,</li><li>• The distribution of qualifying species within the site.</li></ul>

<b>North Norfolk Coast SPA (marine)/SAC (inshore)/Ramsar</b>		
<b>Site description summary</b>		<b>SAC qualifying features<sup>109</sup></b>
<p>Important within Europe as one of the largest areas of undeveloped coastal habitat of its type, supporting intertidal mudflats and sandflats, coastal waters, saltmarshes, shingle, sand dunes, freshwater grazing marshes, and reedbeds. Large numbers of waterbirds use the Site throughout the year. In Summer, the Site and surrounding area are important for breeding populations of four species of tern, waders, bittern <i>Botaurus stellaris</i>, and wetland raptors including marsh harrier <i>Circus aeruginosus</i>. In Winter, the Site</p>	1150	Coastal lagoons
	1220	Perennial vegetation of stony banks
	1420	Mediterranean and thermo-Atlantic halophilous scrubs ( <i>Sarcocornetea fruticosi</i> )
	2110	Embryonic shifting dunes
	2120	Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes")

<sup>108</sup> Taken from Natural England's European Site Conservation Objectives for The Wash and North Norfolk SAC dated 30<sup>th</sup> June 2014- version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice, and should be used in conjunction with the Regulation 35 Conservation Advice Package for the EMS.

<sup>109</sup> Taken from the Natura 2000 Standard data form for site UK0019838 North Norfolk Coast SAC dated December 2015.

<p>supports large numbers of geese, sea ducks, other ducks and waders using the Site for roosting and feeding. The Site is also important for migratory species during the Spring and Autumn.</p> <p>This SAC is part of the North Norfolk Coast European Marine Site.</p> <p>The SPA is designated for supporting a number of rare or vulnerable (Article 4.1) Annex I bird species during the breeding season. In addition, the SPA is designated for supporting regularly occurring migratory (Article 4.2) species during the breeding season and over winter.</p>	2130	Fixed coastal dunes with herbaceous vegetation ("grey dunes")
	2160	Dunes with Hippophae rhamnoides
	2190	Humid dune slacks
	1355	Lutra Lutra (Eurasian Otter)
	1395	Petallophyllum ralfsii (Petalwort)
	1166	Triturus cristatus (Great Crested Newt)
	<b>SPA qualifying features<sup>110</sup></b>	
	A040	Anser brachyrhynchus (Pink-footed Goose) (over winter)
	A050	Anas penelope (Wigeon) (over winter)
	A021	Botaurus stellaris (Bittern) (breeding)
<p>This SPA is part of The Wash and North Norfolk Coast European Marine Site (EMS).</p>	A675	Branta bernicla bernicla (Dark-bellied Brent Goose) (over winter)
	A143	Callidris canutus (Red Knot) (over winter)
	A081	Circus aeruginosus (Marsh Harrier) (breeding)
	A132	Recurvirostra avosetta (Avocet) (breeding and over winter)
	A195	Sterna albifrons (Little Tern) (breeding)
	A193	Sterna hirundo (Common tern) (breeding)
	A191	Sterna sandvicensis (Sandwich Tern) (breeding)
	WATR	Waterfowl assemblage
	<b>Ramsar qualifying features<sup>111</sup></b>	
	<p>The site is one of the largest expanses of undeveloped coastal habitat of its type in Europe. It is a particularly good example of a marshland coast with intertidal sand and mud, saltmarshes, shingle banks and sand dunes. There are a series of brackish-water lagoons and extensive areas of freshwater grazing marsh and reed beds.</p> <p>Supports at least three British Red Data Book and nine nationally scarce vascular plants, one British Red Data Book lichen and 38 British Red Data Book invertebrates.</p> <p>98462 waterfowl peak count in winter (assemblages of international importance)</p> <p>Sterna sandvicensis (Sandwich Tern) (breeding)</p> <p>Sterna hirundo (Common Tern) (breeding)</p> <p>Sterna albifrons (Little Tern) (breeding)</p>	

<sup>110</sup> Taken from the Natura 2000 Standard data form for site UK9009031 North Norfolk Coast SPA dated December 2015.

<sup>111</sup> Taken from the Ramsar Information Sheet for North Norfolk Coast dated 13-06-08.

	Calidris canutus (Red Knot) (over winter)
	Anser brachyrhynchus (Pink-footed Goose) (over winter)
	Branta bernicla bernicla (Dark-bellied Brent goose) (over winter)
	Anas penelope (Wigeon) (over winter)
	Anas acuta (Pintail) (over winter)
<b>Component SSSI/s<sup>112</sup></b>	
North Norfolk Coast SSSI	Covers 7862.29ha and contains 70 units. 97.82% of area in Favourable condition, 2.18% of area in Unfavourable-Recovering condition.
<b>SAC Conservation Objectives<sup>113</sup></b>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;	<ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>
<b>SPA Conservation Objectives<sup>114</sup></b>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;	<ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul>

<b><i>Southern North Sea cSAC (offshore and inshore)</i></b>		
<b>Site description summary</b>	<b>Qualifying features<sup>115</sup></b>	
The Southern North Sea site has been recognised as 'an area of predicted persistent high densities of harbour porpoise'. Therefore, the Southern North Sea site has been submitted to the EU and is a candidate for designation as an Inshore and	1351	Phocoena phocoena (Harbour Porpoise)

<sup>112</sup> Condition status taken from Natural England data on 17<sup>th</sup> June 2019.

<sup>113</sup> Taken from Natural England's European Site Conservation Objectives for North Norfolk Coast SAC dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice, and should be used in conjunction with the Regulation 35 Conservation Advice Package for the EMS.

<sup>114</sup> Taken from Natural England's European Site Conservation Objectives for North Norfolk Coast SPA dated 30<sup>th</sup> June 2014-version 2. Should be read in conjunction with the accompanying Supplementary Advice document which provides more detailed advice, and should be used in conjunction with the Regulation 35 Conservation Advice Package for the EMS.

<sup>115</sup> Taken from the Natura 2000 Standard Data Form for Site UK0030395 Southern North Sea SCI dated January 2017.

Offshore SAC for the Annex II species, Harbour Porpoise.	
The Southern North Sea site extends down the North Sea from the River Tyne, south to the River Thames. The aim of the SAC is to support the maintenance of harbour porpoise populations throughout UK waters (the Southern North Sea supports higher number of porpoises compared to many other parts of their UK range). Seasonal differences in the use of the site by harbour porpoises which show the elevated densities of the species in some parts of the site compared to others during the summer and winter, have been identified. The main threats to harbour porpoise are from incidental catch, pollution and noise/physical disturbance.	
<b>Component SSSI/s</b>	
n/a	
<b>Conservation Objectives<sup>116</sup></b>	
The focus of the Conservation Objectives for harbour porpoise sites is on addressing pressures that affect site integrity and would include:	<ul style="list-style-type: none"> <li>• killing or injuring significant numbers of harbour porpoise (directly or indirectly);</li> <li>• preventing their use of significant parts of the site (disturbance / displacement);</li> <li>• significantly damaging relevant habitats; or</li> <li>• significantly reducing the prey base.</li> </ul>
The Conservation Objectives document also contains the following guidance:	The seasonality in porpoise distribution should be considered in the assessment of impacts and proposed management.

<b><i>Outer Thames Estuary SPA (marine)/Outer Thames Estuary Extension pSAC (marine)</i></b>	
<b>Site description summary</b>	<b>Qualifying features<sup>117</sup></b>
This SPA is entirely marine and is designated because its habitats support 38% of the Great British population of over-wintering Red-throated Diver <i>Gavia stellata</i> , a qualifying species under Article 4.1 of the Birds Directive. The Outer Thames Estuary SPA covers vast areas of marine habitat off the east coast between Caister-on-Sea, Norfolk in the north, down to Margate, Kent in the south. The habitats covered by the SPA include marine areas and sea inlets where Red-throated Diver is particularly susceptible to noise and visual disturbance e.g. from wind farms and coastal recreation activities. Threats from effluent discharge, oil spillages and entanglement/drowning in fishing nets are significant.	A001 Gavia stellata (Red-throated Diver) (over winter)

<sup>116</sup> Taken from Natural England's Harbour Porpoise (*Phocoena phocoena*) possible Special Area of Conservation: Southern North Sea Draft Conservation Objectives and Advice on Activities dated January 2016.

<sup>117</sup> Taken from the Natura 2000 Standard Data Form for Site UK9020309 Outer Thames Estuary SPA dated December 2015.

The addition of two new protected features and associated boundary amendments was consulted on in January to July 2016. The proposed extension would afford protection for Little tern and Common tern foraging areas, enhancing protection already afforded to their feeding and nesting areas in the adjacent coastal SPAs (Foulness SPA, Breydon Water SPA and Minsmere to Walberswick SPA).	
<b>Component SSSI/s</b>	
n/a	
<b>Conservation Objectives<sup>118</sup></b>	
Subject to natural change, maintain or enhance the red-throated diver population and its supporting habitats in favourable condition.	

<i>Haisborough, Hammond and Winterton SAC</i>		
Site description summary	Qualifying features <sup>119</sup>	
The site lies off the north east coast of Norfolk and contains a series of sandbanks as well as Sabellaria spinulosa reefs. Small numbers of Harbour Porpoise are regularly observed within the site boundary and a large colony of breeding Grey Seal is known adjacent to the site.	1110	Sandbanks which are slightly covered by sea water all the time
	1170	Reefs
	1364	Halichoerus grypus (Grey Seal)
	1351	Phocoena phocoena (Harbour Porpoise)
<b>Component SSSI/s</b>		
n/a		
<b>Conservation Objectives<sup>120</sup></b>		
For Annex 1 sandbanks which are slightly covered by seawater all the time:	Subject to natural change maintain the sandbanks in favourable condition, in particular the sub-features: <ul style="list-style-type: none"> <li>• Low diversity dynamic sand communities</li> <li>• Gravelly muddy sand communities</li> </ul>	
For Annex 1 Sabellaria spinulosa reefs:	Subject to natural change maintain or restore the reefs in favourable condition	

<sup>118</sup> Taken from Natural England's Draft advice under Regulation 35(3) of The Conservation of Habitats and Species Regulations 2010 (as amended) and Regulation 18 of The Offshore Marine Conservation (Natural Habitats, & c.) Regulations 2007 (as amended) for Outer Thames Estuary SPA Version 3.7 March 2013.

<sup>119</sup> Taken from the Natura 2000 Standard data form for site UK0030369 Haisborough, Hammond and Winterton SAC dated December 2015.

<sup>120</sup> Taken from JNCC and Natural England's Haisborough, Hammond and Winterton candidate Special Area of Conservation Formal advice under Regulation 35(3) of The Conservation of Natural Habitats and Species Regulations 2010 (as amended), and Regulation 18 of The Offshore Marine Conservation Regulations (Natural Habitats,&c.) Regulations 2007 (as amended). Version 6.0 (March 2013).

## *Appendix 2*

# CAWSTON

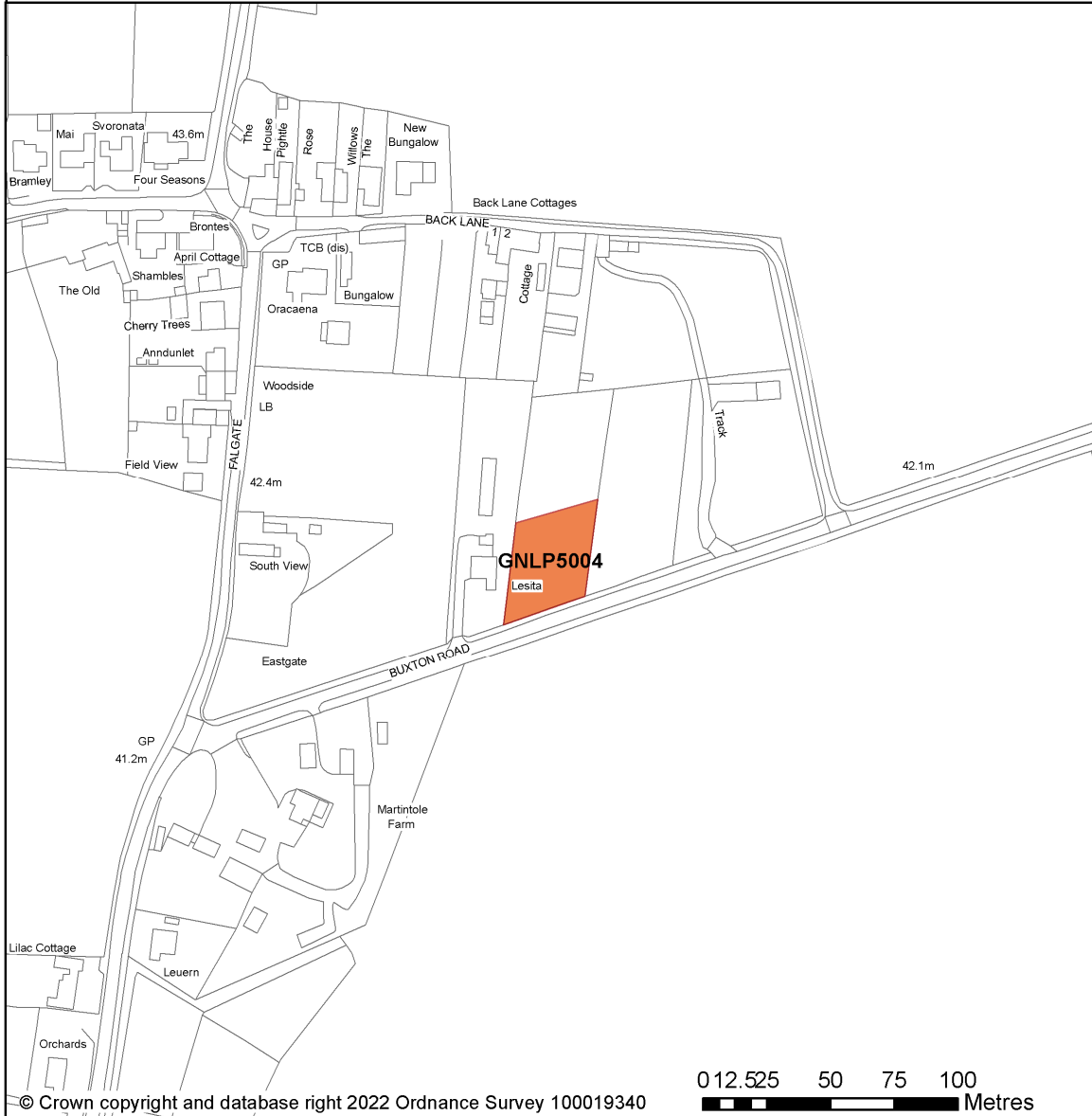
## GREATER NORWICH LOCAL PLAN GYPSY AND TRAVELLER FOCUSED CONSULTATION

SITE REFERENCE: GNLP5004

LOCATION: Land off Buxton Road, Eastgate

DESCRIPTION: 4 residential pitches for Gypsies and Travellers

SITE AREA: 0.12 ha



### Key

Proposed Gypsy and Traveller Site

Scale at A4:

1:2,131

N



Date: 24/03/2022



# WYMONDHAM

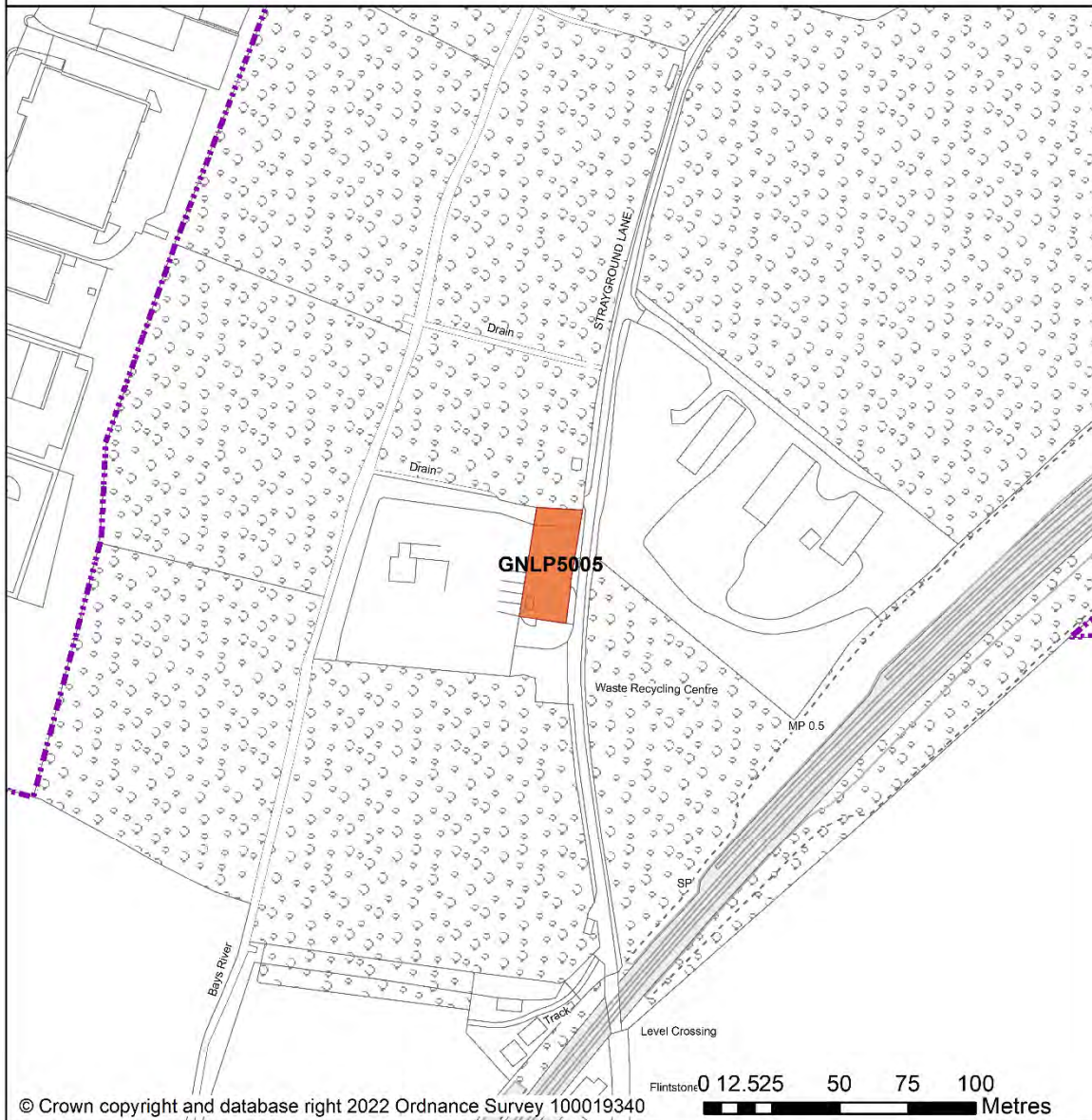
## GREATER NORWICH LOCAL PLAN GYPSY AND TRAVELLER FOCUSED CONSULTATION

SITE REFERENCE: GNLP5005

LOCATION: Wymondham Recycling Centre - off Strayground Lane

DESCRIPTION: 2 Residential pitches for Gypsies and Travellers

SITE AREA: 0.07 ha



© Crown copyright and database right 2022 Ordnance Survey 100019340

Flintstone 0 12.525 50 75 100 Metres

- Proposed Gypsy and Traveller Site
- Settlement Boundary

Scale at A4:  
1:2,000

N



Date: 09/06/2022



# COSTESSEY

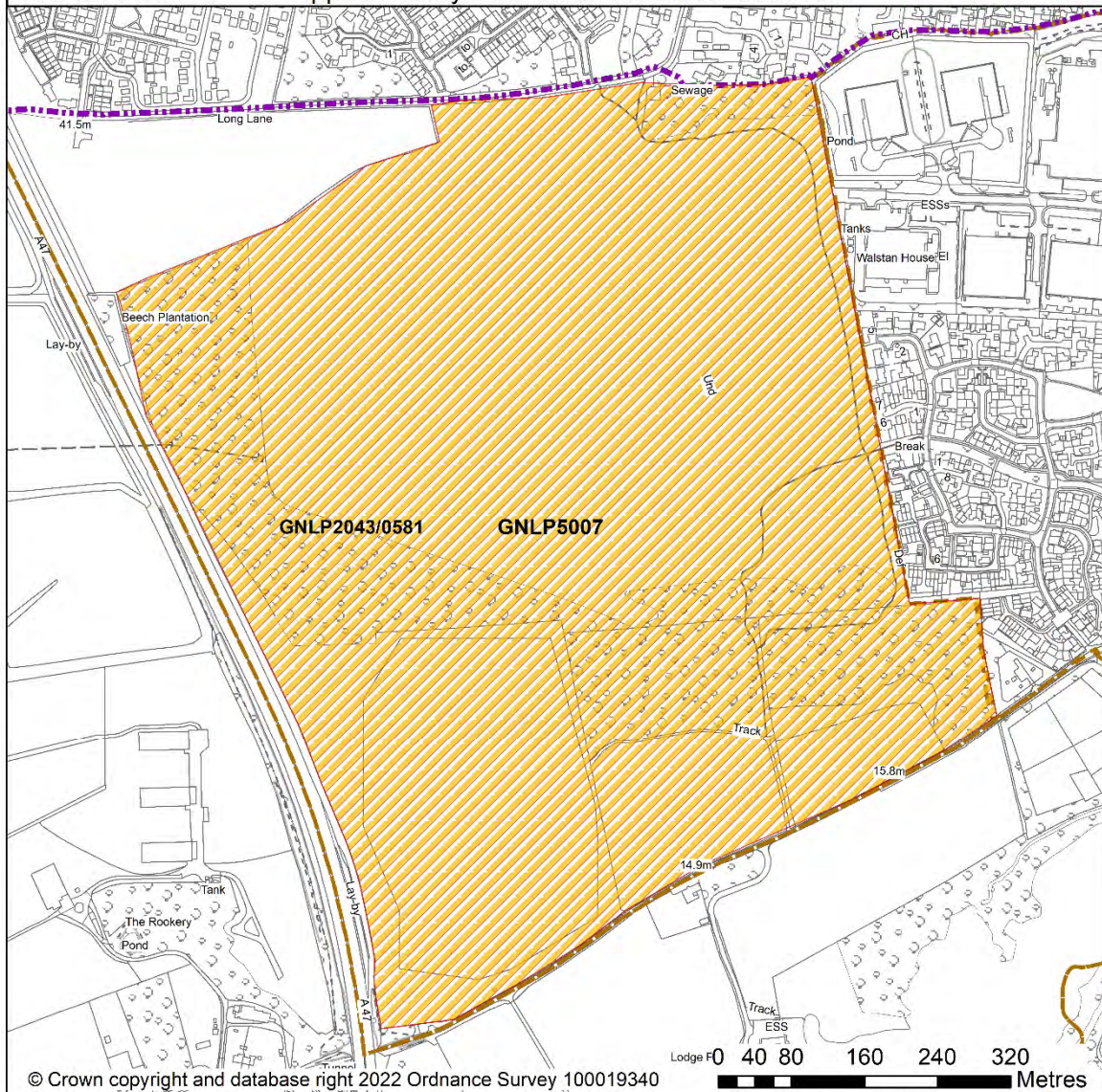
## GREATER NORWICH LOCAL PLAN GYPSY AND TRAVELLER FOCUSED CONSULTATION

**SITE REFERENCE:** GNLP5007

**LOCATION:** Land off Bawburgh Lane, north of New Road and east of the A47

**DESCRIPTION:** 18 residential pitches for Gypsies and Travellers as part of a residential-led urban extension of approximately 800 homes. Development of GNLP5007 is dependent on the allocation of the entire site, which has been previously consulted upon as contingency site GNLP0581/2043.

**SITE AREA:** Approximately 1 ha within the entire 62 ha site



Scale at A4:  
1:6,000

Date: 09/06/2022

## *Appendix 3*



# Nutrient Neutrality Generic Methodology

*Issue 1: February 2022*

## Introduction

Special Areas of Conservation (SAC), Special Protection Areas (SPA), and Ramsar sites are some of the most important areas for wildlife in the United Kingdom. They are internationally important for their habitats and wildlife and are protected under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). At some of these sites, there are high levels of nitrogen and phosphorus input to the protected water environment with sound evidence that these nutrients are causing eutrophication at these designated sites. These nutrient inputs currently mostly come either from agricultural sources or from wastewater from existing housing and other development. The resulting effects on ecology from an excessive presence of nutrients are impacting on protected habitats and species.

There is uncertainty as to whether new growth will further deteriorate designated sites, and/or make them appreciably more difficult to restore. The potential for future housing developments to exacerbate these impacts creates a risk to their potential future conservation status.

One way to address this uncertainty is for new development to achieve nutrient neutrality. Nutrient neutrality is a means of ensuring that development does not add to existing nutrient burdens and this provides certainty that the whole of the scheme is deliverable in line with the requirements of the Habitats Regulations.

This practical methodology sets out an approach to calculating how nutrient neutrality can be achieved. This methodology is based on best available scientific knowledge and will be subject to revision as further evidence becomes available. It is our advice to local planning authorities to take a precautionary approach in line with existing legislation and case law when addressing uncertainty and calculating nutrient budgets.

The information accompanying this methodology includes a brief summary of the environmental context for this nutrient neutral approach, a nutrient budget calculator, and advice on mitigation.

## Key Principles

The principles underpinning Habitats Regulations assessments are well established<sup>1</sup>. At the screening stage, plans and projects should only be granted consent where it is possible to exclude, on the basis of objective information, that the plan or project will have significant effects on the sites concerned<sup>2</sup>. Where it is not possible to rule out likely significant effects, plans and projects should be subject to an appropriate assessment. That appropriate assessment must contain complete, precise and definitive findings which are capable of removing all reasonable scientific doubt as to the absence of adverse effects on the integrity of the site<sup>3</sup>.

Natural England has been reviewing the available evidence on Habitats sites which are in unfavourable condition due to elevated nutrient levels. Where plans or projects will contribute additional nutrients to Habitats sites which are close to or already in unfavourable condition for nutrients, then a robust approach to the Habitats Regulations assessment of the effects of plans and projects is required.

Where sites are close to or already in unfavourable condition for nutrients, it may be difficult to grant consent for new plans and projects that will increase nutrient levels at the Habitats site. Nutrient

<sup>1</sup> See, amongst others Case C-127/02 *Waddenvereniging and Vogelsbeschermingvereniging* (Waddenzee); *R (Champion) v North Norfolk DC* [2015] E.K.S.C. 52 (Champion); C-323/17 *People Over Wind, Peter Sweetman v Coillte Teoranta* (People Over Wind); C-461/17 *Brian Holohan and Others v An Bord Pleanála* (Holohan); Joined Cases C-293/17 and C-294/17 *Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Other* (the Dutch Nitrogen cases);

<sup>2</sup> Case C-127/02 *Waddenvereniging and Vogelsbeschermingvereniging* (Waddenzee)

<sup>3</sup> Case 164/17 *Grace & Sweetman v An Bord Pleanála* (Grace & Sweetman)

neutrality provides a means of effectively mitigating the adverse effects associated with increased nutrients from new plans and projects, by counter-balancing any additional nutrient inputs to ensure that there is no net change in the amount of nutrients reaching the features which led to a Habitats site being designated.

Where new residential development is proposed, the additional nutrient load from the increase in wastewater and/or the change in the land use of the development land created by a new residential development can create an impact pathway for potential adverse effects on Habitats sites that are already suffering from problems related to nutrient loading. This impact pathway is shown diagrammatically in Figure 1. Habitats Regulations Assessments (HRAs) of new residential developments therefore need to consider whether nutrient loading will result in 'Likely Significant Effects' (LSE) on a Habitats site. If an HRA cannot exclude a LSE due to nutrient loading, the Appropriate Assessment will need to consider whether this nutrient load needs to be mitigated in order to remove adverse effects on the Habitats site.

For those developments that wish to pursue neutrality, Natural England advises that a nutrient budget is calculated for new developments that have the potential to result in increases of nitrogen/phosphorus entering the Habitats sites. A nutrient budget calculated according to this methodology and demonstrating nutrient neutrality is, in our view, able to provide sufficient and reasonable certainty that the development does not adversely affect the integrity, by means of impacts from nutrients, on the relevant Habitats sites. This approach must be tested through the 'appropriate assessment' stage of the Habitats Regulations assessment. The information provided by the applicant on the nutrient budget and any mitigation proposed will be used by the local planning authority, as competent authority, to make an appropriate assessment of the implications of the plan or project on the Habitats sites in question.

The nutrient neutrality calculation includes key inputs and assumptions that are based on the best available scientific evidence and research. It has been developed as a pragmatic tool. However, for each input there is a degree of uncertainty. For example, there is uncertainty associated with predicting occupancy levels and water use for each household in perpetuity. Also, identifying current land / farm types and the associated nutrient inputs is based on best available evidence, research and professional judgement and is again subject to a degree of uncertainty.

It is our advice to local planning authorities to take a precautionary approach in line with existing legislation and case law when addressing uncertainty and calculating nutrient budgets. This should be achieved by ensuring nutrient budget calculations apply precautionary rates to variables and adding a buffer to the Total Nitrogen/Total Phosphorus figure calculated for developments. A precautionary approach to the calculations and solutions helps the local planning authority and applicants to demonstrate the certainty needed for their assessments.

By applying the nutrient neutrality methodology, with the buffer, to new development, the competent authority may be satisfied that, while margins of error will inevitably vary for each development, this approach will ensure that new development in combination will avoid significant increases of nitrogen/phosphorus load from entering the Habitats sites.<sup>4</sup>

A Habitats Regulations assessment must be capable of removing all reasonable scientific doubt as to the absence of adverse effects on a Habitats site. Absolute certainty is not required, but the

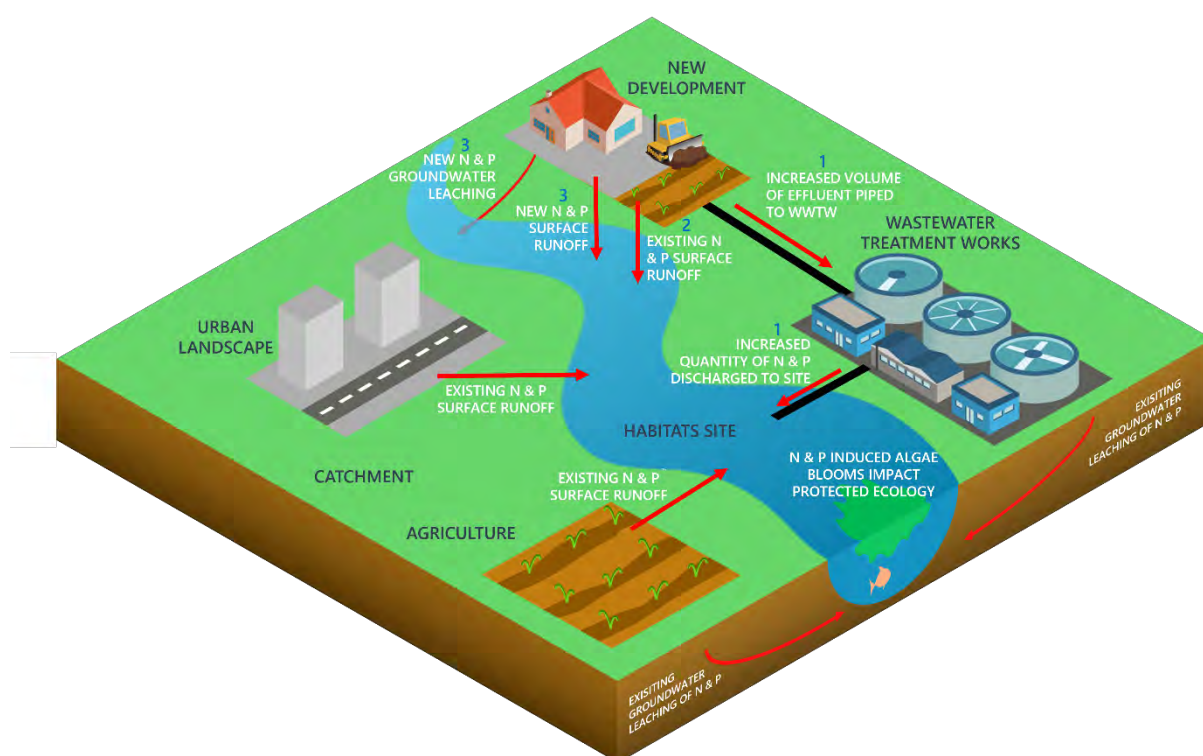
<sup>4</sup> This approach was expressly endorsed in *R (Wyatt) v Fareham BC* [2021] EWHC 1434 (Admin)



methodology used to evaluate potential adverse effects (and the measures intended to mitigate them) must effectively address any reasonable scientific doubt to achieve the required degree of certainty.

***Note: A Nutrient Budget Calculator has been issued alongside this methodology. This calculator has been pre-populated with catchment data and undertakes the calculations for each of the stages set out in this methodology on the user's behalf. It is recommended that the calculator is used to generate nutrient budgets for new development.***

Figure 1: Schematic of a water catchment system (river or coastal) showing the pathway for impact (black line) from new residential development, as well as the current sources of nutrient pollution within catchments.



## Overview of the stages of the generic nutrient budget methodology

A nutrient budget is calculated in four stages:

1. [The increase in nutrient loading to a Habitats site that results from the increase in wastewater from a new development.](#)
2. [The nutrient loading from the past/present land use of the development site.](#)
3. [The nutrient loading from the future mix of land use on the development site.](#)
4. [Calculation of the net change in nutrient loading to a Habitats site with the addition of a buffer. The net change in nutrient loading + the buffer is the nutrient budget.](#)

A brief description of the steps required within each stage of the nutrient budget follows.

### Overview of the steps in Stage 1

The Stage 1 steps and the calculation and output for each step are described in the table below.

Step	Description	Calculation	Output
<a href="#">Step 1: Calculate increase in population due to the development</a>	Calculates the additional population that will result from the development.	No. of new dwellings/units x residents per dwelling value(number of people)	Total additional population (number of people)
<a href="#">Step 2: Calculate the increase in wastewater production due to the development.</a>	The additional population results in additional water usage and therefore additional production of wastewater with its associated nutrient load.	Additional population (number of people) x daily per person water usage (litres/person/day)	Total daily water use (litres/day)
<a href="#">Step 3: Determine the concentration of nutrients in wastewater and calculate additional wastewater nutrient load.</a>	Combine the daily rate of additional wastewater by the development with the concentration of nutrients (nitrogen or phosphorus) after wastewater treatment to get the additional nutrient load that will discharge to the Habitats site.	Daily water use (litres/day) x wastewater nutrient concentration (mg/l)	Nutrient load (kg/day)

### Overview of the steps in Stage 2

The Stage 2 steps and the calculation and output for each step are described in the table below.

Step	Description	Calculation	Output
<a href="#">Step 1: Obtain nutrient export values from current land use(s)</a>	The current land use or land uses on a development site have associated levels of nutrient export that will currently impact the Habitats site. This step provides details on how to obtain nutrient export coefficients to calculate the level of nutrient export from a development site pre-development.	Various calculations depending on the land uses	Nutrient export coefficient (kg/ha/year)
<a href="#">Step 2: Calculate the annual nutrient export from current land use(s)</a>	The nutrient export coefficients obtained in Step 1 of Stage 2 are used along with areas of land under each land use to calculate the total export of nutrients from the development site pre-development.	Nutrient export coefficient (kg/ha/year) x area of land (ha)	Nutrient load (kg/year)

### Overview of the steps in Stage 3

The Stage 3 steps and the calculation and output for each step are described in the table below.

Step	Description	Calculation	Output
<a href="#">Step 1: Calculate the annual export from future land use(s)</a>	This step accounts for the nutrient export from land use on the development site after the development has been built. It uses nutrient export coefficient for land uses that were determined in Stage 2.	Nutrient export coefficient (kg/ha/year) x area of land (ha)	Nutrient load (kg/year)

### Overview of the steps in Stage 4

The Stage 4 steps and the calculation and output for each step are described in the table below.

Step	Description	Calculation	Output
<a href="#">Step 1: Calculate the nutrient budget</a>	The outputs from Stages 1-3 are combined to calculate the nutrient budget for the development.	Final Stage 1 output - Final Stage 2 output + Final Stage 3 output	Nutrient load (kg/yr) – <b>this is the nutrient budget</b>
<a href="#">Step 2: Add the buffer to the nutrient budget</a>	The nutrient budget calculated in Step 1 of Stage 4 is increased by a 20% “buffer”. to account for any residual uncertainties in the methods used to derive the various inputs to Stages 1-4 of the nutrient budget.	Nutrient budget (kg/yr) x 1.2	Nutrient load (kg/yr) – <b>this is the final output of the methodology</b>

**Note:** the following sections contain the stages and associated methodology required to calculate the nutrient budget.

## Stage 1: Calculate nutrient loading from additional wastewater

### Step 1: Calculate increase in population due to the development

#### What:

This input determines the additional population that will result from a new residential development.

#### Why:

The people living in a new residential development will generate waste-water. Wastewater is enriched in nutrients and, following treatment, if the additional wastewater discharges to a Habitats site it will increase nutrient loadings, posing risks to the ecology of the site.

#### How:

##### Selecting a robust occupancy figure

The increase in population is calculated using a residents per dwelling/unit value that is multiplied by the number of dwellings within the development.

Competent authorities must satisfy themselves that the residents per dwelling/unit value used in this step of the calculation reflects local conditions in their area. The residents per dwelling value can be derived from national data providing it reflects local conditions. However, if national data does not



yield a residents per dwelling/unit value that reflects local occupancy levels then locally relevant data should be used instead. Whichever figure is used, it is important to ensure it is sufficiently robust and appropriate for the project being assessed. **It is therefore recommended that project level Appropriate Assessments specifically include justification for why the competent authority has decided upon the occupancy rate that has been used.**

Further guidance is provided below.

### **National occupancy data**

When using national occupancy data, the Office of National Statistics (ONS) national average value for the number of residents per dwelling of 2.4 is recommended. This value is derived from 2011 census data and is subject to change when the 2021 Census becomes available. This value can be used if the Local Planning Authority is satisfied that:

- It is appropriate for the level and type of housing development that is expected to come forward in the Local Planning Authority's area (a strategic assessment should be made of the development anticipated to come forward over the Local Plan period to ensure the use of average figures will not under/over estimate the level of impact)
- It corresponds to the local average in the area (it is not likely to overestimate or underestimate occupancy)
- It is based on data that is robust and doesn't underestimate the level of impact over time.

It may not be appropriate to use the national average occupancy rate for development types which are not included in the ONS data, such as student accommodation or houses in multiple occupation. For such developments, the Local Planning Authority should specify an appropriate occupancy rate in the project level Appropriate Assessment and explain how this figure was derived.

### **Locally relevant occupancy data**

If the national average occupancy rate does not correspond with local conditions, then a locally relevant average residents per dwelling value may be more appropriate. If a Local Planning Authority decides to use a locally relevant value, that value needs to be supported by robust and sufficient evidence which should be included in the project level Appropriate Assessment. Key sources of evidence include:

- The average occupancy rate from the census for the relevant local administrative area, e.g. the county.
- The average occupation figures used by the Local Planning Authority to calculate population growth due to Local Plan development.
- The average occupation figures used by the local water company to plan for population growth and the impact on water resources and sewage treatment.

A local / regional average occupancy rate can be used provided that it is from a robust source which can show trends over a protracted period of time— such as from ONS derived data or from the annual English Housing Survey. Figures derived from data collected over short periods of time will not be acceptable as short-term data is unlikely to provide the required degree of certainty. The Local Planning Authority should ensure that any trend in occupancy rates or estimates of the average number of persons per household used will continue for perpetuity and would not underestimate the

level of impact over time. A local / regional average occupancy rate would therefore need to be based on figures over at least a 5 year period<sup>5</sup>.

Local Planning Authorities will also need to satisfy themselves that a locally derived occupancy figure is appropriate for the level and type of housing development that is expected (a strategic assessment should be made of the development anticipated to come forward over the Local Plan period to ensure the use of average figures will not under/overestimate the level of impact).

#### **Occupancy rates based on dwelling type**

Should the nature or scale of development associated with a particular project proposal suggest that the use of an average occupancy rate is not appropriate, then the Local Planning Authority may decide to adopt an occupancy rate based on the dwelling types proposed for that particular project, provided it meets the criteria outlined above. This may be appropriate where a project proposer seeks consent for a development comprising certain dwelling types (e.g. flats and small 1 and 2 bed dwellings). If the Local Planning Authority decides to adopt a local approach based on determining occupancy rate by dwelling type, that approach should be used for all planning applications, rather than reverting back to the use of an average occupancy rate. This will ensure that the Local Planning Authority doesn't inadvertently underestimate total occupancy levels (and consequently water quality impacts) across its area by applying a lower residents per dwelling/unit value for developments comprising smaller units but failing to adopt a higher residents per dwelling/unit value for developments comprising larger units or a mix of units.

#### **Consistency in applying occupancy rates**

The same occupancy rate should be used where there are several different impacts on Habitats sites which require strategic mitigation. The strategic approaches developed with local planning authorities to deal with in combination impacts on international sites elsewhere typically calculate mitigation requirements and contribution requirements based on current national average occupancy rates. Local Planning Authorities may decide to use a locally derived average occupancy rate instead, but this local occupancy rate must be used consistently across each type of impact and each Habitats site affected. Local Planning Authorities should not use different occupancy rates in their HRAs for the same dwelling types / size of units. Whilst the impacts will be different, occupancy rates will have been used to estimate the scale of impact and subsequently the scale of mitigation required on the protected sites. The types of impact will typically last in perpetuity. Care is therefore needed to ensure the adoption of an alternative occupancy rate based on an assessment of net population additions to a locality for nutrient budgeting does not undermine other existing strategic approaches, particularly where there are overlapping impacts within the locality.

#### **Advice on occupancy rates applied at Plan level**

It is not recommended to base occupancy rates on the dwelling type for strategic HRAs of plans or for identifying mitigation at a strategic scale unless the Local Planning Authority can be sufficiently certain about the exact dwelling types that will come forward for each allocation. A more precautionary approach is required which considers the overall average occupancy rate which effectively smooths out any discrepancies which are based on dwelling type.

<sup>5</sup> The figure of 5 years has been chosen as the minimum period of time over which occupancy rates can be calculated from as local plans and WRMPs are reviewed every 5 years, so represents a long enough period of time to capture any trends or changes.

Whichever value a Local Planning Authority ultimately decides to use for 'residents per dwelling/unit value', the Local Planning Authority must be satisfied that it:

- Reflects local circumstances and conditions, both across its local authority area and within the catchment of the particular Habitats site that may be adversely affected by the plan or project under consideration.
- Is based on robust data.
- Reflects trends in occupancy rates in its area over the long-term.
- Does not underestimate the scale of impact and subsequently the scale of mitigation required.

Ultimately, this can only be determined through the Local Planning Authority's appropriate assessment of the specific plan or project for which consent is sought. It is for Competent authorities to satisfy themselves that the residents per dwelling/unit value used reflects the local conditions in their area.

*Note: When 2021 Census data is available, the 2.4 value will be updated.*

#### **The input value:**

- A locally relevant persons per dwelling figure

Or

- 2.4 persons per dwelling

#### **Example – calculating additional population:**

##### The required calculation:

Number of dwellings x relevant persons per dwelling figure = *additional population*

Example scenario - A new development of 500 new homes is being constructed that contains a mix of:

- 100 one-bedroom flats
- 200 two-bedroom flats
- 100 three-bedroom semidetached houses
- 50 three-bedroom terraced affordable homes
- 50 four-bedroom detached houses

##### Calculate additional population due to the development:

500 dwellings x 2.4 persons per dwelling = **1200 persons**

*Note: the above example assumes robust strategic assessment of likely housing delivery has been undertaken, therefore given the mix of housing types an average occupancy rate has been applied.*

## Step 2: Calculate the increase in wastewater production due to the development

### **What:**

The increase in wastewater production is determined using the estimated average water use per additional head of population due to the development. The average daily water use per person is determined in accordance with water efficiency standards that are stipulated in building regulations and, subsequently, in planning permission.

### **Why:**

The water use per person is used to calculate the additional annual wastewater production due to the new development. Wastewater contains nutrients and when it is discharged from a wastewater treatment system, these nutrients are released into the environment. This release of nutrients to the environment within the catchment of a Habitats site creates a pathway for new residential development to impact the Habitats site.

### **How:**

Water efficiency standards detailed in the Buildings Regulations provide a water efficiency standard for maximum water consumption per person that needs to be achieved for a new residential development. The Building Regulations also state an optional higher water efficiency standard. This higher optional standard needs to be adopted through a Local Plan policy, which in turn requires this higher water efficiency standard to be secured through a planning condition. Some local authorities have gone further than the optional higher efficiency standard in the Building Regulations by committing an even higher water efficiency standard to Local Plan policy. This means there are three potential categories of water efficiency standard from which the water use per person can be determined depending on what planning conditions are imposed:

- The Building Regulations legal maximum water use per person standard of 125 litres/person/day should be used where no higher standard is secured through a planning condition
- The optional higher Building Regulations water use per person standard of 110 litres/person/day should be used where this is secured through a planning condition.
- A water use per person standard that is even higher than the optional higher Building Regulations water efficiency standard where this is secured through a planning condition.

Whichever water efficiency standard is selected, water usage is increased by an additional 10 litres per person per day to account for changes to less water efficient fittings throughout the lifetime of the development.

This water usage value in litres per person per day is multiplied by 365.25 in order to calculate the annual water use per person. The annual water use per person can then be multiplied by the additional population as calculated in Step 1.

### The input values:

- Building Regulations minimum standard: 125 litres/person/day (l/p/d) + 10 l/p/d = **135 l/p/d**
- Or
- Building Regulations optional higher standard: 110 l/p/d + 10 l/p/d = **120 l/p/d**
- Or
- Local Plan policy secured higher water efficiency standard < 110 l/p/d = water efficiency standard in Local Plan policy + 10 l/p/d = **TBC**
- Days in a year: 365.25 (this accounts for a leap year every four years).
- Total population: [input from Step 1](#).

### Example – calculating additional water use:

#### The required calculations:

Water efficiency standard (l/p/d) x days in a year = *annual water use per person (l/person/year)*  
Additional population x annual water use per person (l/person/year) = *increase in water use (l/year)*

#### Example scenario

- Planning permission has been granted with a condition that the development uses the Building Regulations optional higher water efficiency standard. Therefore, the water usage to be used in the budget calculations is 120 litres/person/day (110 + 10 litres/person/day = 120 litres/person/day).
- A new development results in an [increase of 1200 persons](#).
- 120 litres/person/day x 365.25 days = 43,830 litres/person/year
- 1200 persons x 43,830 litres/person/year = **52,596,000 litres/year**

### Step 3: Determine the concentration of nutrients in wastewater and calculate additional wastewater nutrient load.

#### **What:**

This input is the estimated nutrient concentration in the treated wastewater generated by the new development. It is used to calculate the total annual loading of nutrients to a designated site.

Wastewater from a new development is preferably discharged to a mains sewer for subsequent treatment at a wastewater treatment works (WwTWs). In a WwTWs, nutrients are removed by treatment processes. For some WwTWs, the removal of nutrients from wastewater is achieved by a dedicated process to comply with a permitted concentration of nitrogen or phosphorus in the treated wastewater that leaves a WwTW, ensuring that the nutrient levels will not exceed the permit limit. Other WwTWs will not have permitted limits on the concentration of nutrients in their final discharges and thus the nutrient concentrations in their discharges can be variable and may increase.

New developments in rural areas that cannot reasonably be expected to connect to a mains sewer will need to be connected to an onsite wastewater treatment system, e.g. a package treatment plant

(PTP) or septic tank. The concentration of nutrients in the treated wastewater discharged from an onsite system is variable and dependent on the type of system.

Whatever the type of sewage treatment system a new development connects to, the concentration of nitrogen or phosphorus in its treated wastewater discharge is required as the input for this step of the nutrient budget calculations.

**Why:**

The higher the concentration of nutrients in the treated wastewater discharging to a Habitats site, the greater the increase in nutrient loading and, subsequently, the greater the eutrophication risk.

**How:**

*Note: This depends on the treatment facility being used to treat the wastewater from the new development.*



## What water treatment facility is being used?



***Wastewater discharge to a WwTW:***

If the new development is connecting to mains sewerage, there is a need to first determine which WwTW the development is going to discharge to. This information can be obtained on request from the local sewerage undertaker.

The WwTW that a development is connecting to may or may not have a permit limiting the concentration of nitrogen or phosphorus in its discharge. There are four WwTWs permit scenarios that will determine the concentration of nitrogen and/or phosphorus in a WwTW discharge:

1. The WwTW has a permit controlling the concentration of nitrogen and/or phosphorus in its discharge.
2. The WwTW has a permit controlling the concentration of nitrogen and/or phosphorus in its discharge *and* this is being tightened, e.g. its allowable nitrogen and/or phosphorus concentration is being lowered between now and 2025.
3. The WwTW does not have a permit which controls the concentration of nitrogen and/or phosphorus in its discharge.
4. The WwTW does not have a permit which controls the concentration of nitrogen and/or phosphorus in its discharge *but* it is getting a permit on the allowable nitrogen and/or phosphorus concentration in its discharge between now and 2025.

*Note: the accompanying nutrient budget calculator is pre-populated with WwTW permit values. If you are completing this methodology to determine the inputs for the site-specific nutrient budget methodology for a Habitats site without a nutrient budget calculator, you will need to engage with the water company or companies within the Habitats site catchment to obtain details of WwTWs with permits, that have permits that are being tightened or that do not have permits but are getting them by 2025.*

Table 1: Lookup table for current and future nitrogen and phosphorus WwTW permit limits to use as input to Step 3 of Stage 1. This table should be completed when the nutrient budget methodology for a Habitats site is set up.

Name of WwTW	Current permit limit for total nitrogen (mg TN/l)	Current permit limit for total phosphorus (mg TP/l)	Future (2025) permit limit for total nitrogen (mg TN/l)	Future (2025) permit limit for total phosphorus (mg TP/l)

To determine the input value required for this step:

- If the WwTW that your development site is connecting to has *only* a current nitrogen/phosphorus concentration permit, go to [Part 1.3.A](#).
- If the WwTW that your development site is connecting to has a current *and* a future nitrogen/phosphorus concentration permit, go to [Part 1.3.B](#).
- If the WwTW that your development site is connecting to *has no* current nitrogen/phosphorus concentration permit, go to [Part 1.3.C](#).
- If the WwTW that your development site is connecting to has no current nitrogen/phosphorus concentration permit *but does have* a future nitrogen/phosphorus concentration permit, go to [Part 1.3.D](#).

### **Wastewater discharge to onsite wastewater treatment**

If the new development cannot connect to a WwTW and is therefore using an onsite wastewater treatment system, go to [Part 1.3.E](#).

#### **Part 1.3.A: Where a development is discharging to a WwTW with a permit**

WwTWs with permits on their nitrogen and/or phosphorus discharge concentrations are operated so that there is some headroom between the concentration in the discharge and the level that has to be met for compliance with the permit, to ensure that there will be compliance with the permit. Where there is a permit limit for Total Nitrogen or Total Phosphorus, the load calculation will use a worst case scenario that the WwTW operates at 90% of its permitted limit. A water company has the option of operating the works as close to the consent limit as practicable without breaching the consent limit. Natural England and the Environment Agency have agreed that 90% of the consent concentration limit is the closest the water company can reasonably operate the works without risk of breaching the consent limit.

Therefore, the input value for this step is the permit level multiplied by a factor of 0.9. This input value is multiplied by the annual volume of wastewater produced by the development (see [Step 2](#) in Stage 1) to determine the additional nutrient load from the new development's wastewater, which is the final output from Stage 1 of the nutrient budget methodology.

### The input value:

- Find the value of the permit limit concentration for the relevant WwTW detailed in Note: *the accompanying nutrient budget calculator is pre-populated with WwTW permit values. If you are completing this methodology to determine the inputs for the site-specific nutrient budget methodology for a Habitats site without a nutrient budget calculator, you will need to engage with the water company or companies within the Habitats site catchment to obtain details of WwTWs with permits, that have permits that are being tightened or that do not have permits but are getting them by 2025.*
- Table 1.
- Multiply this value by 0.9 to get the input value.
- Multiply the input value by the output from Step 2 to determine the final output from Stage 1.

### Example – nutrient loading from a WwTW with a permit

#### The required calculations:

$$\begin{aligned}\text{Permit limit (mg/l)} \times 0.9 &= \text{permit limit with headroom (mg/l)} \\ \text{Permit limit with headroom (mg/l)} \times \text{annual water use from development (l/year)} &= \text{nutrient load (mg/year)} \\ \text{Nutrient load (mg per year)} / 1,000,000 &= \text{nutrient load (kg/year)}\end{aligned}$$

#### Example scenario:

- A new development will discharge to a WwTW with a permit limit of 8 mg TN/l.
- The additional total annual wastewater associated with this new development is 52,596,000 litres/year (see example in [Step 2](#)).

Calculate the annual nitrogen load from the new development:

- Reduce the permit limit to 90% of 8 mg TN/l =  $8 \text{ mg TN/l} \times 0.9 = \mathbf{7.2 \text{ mg TN/l}}$
- Multiply the reduced permit limit by the annual wastewater produced by the development:  $52,596,000 \text{ litres/year} \times 7.2 \text{ mg TN/l} = \mathbf{378,691,200 \text{ mg TN/year}}$
- Divide by 1,000,000 to convert to kg per year:  $378,691,200 \text{ mg TN/year} / 1,000,000 = \mathbf{378.7 \text{ kg TN/year}}$

### Part 1.3.B: Where a development is being discharged to a WwTW with a changing permit level

Some WwTWs are scheduled for upgrades to nitrogen and/or phosphorus treatment capacity. For Water Company discharges, the upgrades are secured through the Water Companies Price Review (PR) process and set out within the Water Industry National Environment Programme (WINEP). The WINEP for PR19 requires these upgrades to be completed by 2025, although they may be programmed to be completed sooner. Therefore, there is a potential scenario where a new development begins discharging to a WwTW before the date when upgrade will be completed (which could be between now and 2025). This will generate a certain amount of additional nutrient loading to a Habitats site for a short period, followed by long period after the WwTW has been upgraded when the new development's additional nutrient load from wastewater will be lower. In this scenario, two nutrient budgets are required as follows:



1. Calculate a nutrient budget based on the wastewater nutrient loading per year over the lifetime<sup>6</sup> of the development using the *future* nitrogen and/or phosphorus permit limit.
2. Calculate a nutrient budget based on the wastewater nutrient loading per year for the period up to and including 2025 (or when the upgrade will come online) using the *current* nitrogen and/or phosphorus permit limit).

The output from the first nutrient budget can be used as the basis for the amount of nutrients that need to be removed using long-term mitigation measures. The difference between the output for the first nutrient budget per year and the higher output for the second nutrient budget per year is the amount of additional nutrients per year that need to be mitigated in the short-term, until the WwTW upgrade comes online, which can be achieved using temporary mitigation measures.

WwTWs with permits on their nitrogen and/or phosphorus discharge concentrations are operated so that there is some headroom between the concentration in the discharge and the level that has to be met for compliance with the permit, to ensure that there will be compliance with the permit. It is assumed in the calculation that the nitrogen and/or phosphorus concentration of the final effluent being discharged from a WwTW is at 90% of the permitted limit for both the current and future permit limits. Therefore, the input values for this step are the permit limits multiplied by a factor of 0.9. These input values are multiplied by the annual volume of wastewater produced by the development (see [Step 2](#) in Stage 1) to determine the additional nutrient load from the new development's wastewater, which is the final output from Stage 1 of the nutrient budget methodology.

#### The input value:

- Find the current and future values of the permit limit concentrations for the relevant WwTW.
- Multiply these values by 0.9 to get the input values.
- Multiply the input values by the output from [Step 2](#) to determine the wastewater nutrient loads for the current and future permit limits at the relevant WwTW.
- Use the wastewater nutrient loads for current and future permit limits to determine the long-term nutrient budget for mitigation and the additional nutrient load that will require short-term mitigation.

#### Example – nutrient loading from a WwTW with changing permit limits

##### The required calculations:

$$\begin{aligned} \text{Permit limit (mg/l)} \times 0.9 &= \text{permit limit with headroom (mg/l)} \\ \text{Permit limit with headroom (mg/l)} \times \text{annual water use from development (l/year)} &= \text{nutrient load (mg/year)} \\ \text{Nutrient load (mg per year)} / 1,000,000 &= \text{nutrient load (kg/year)} \end{aligned}$$

##### Example scenario

- A new development is completed on the 01/01/2022 and will discharge to a WwTW with a current permit limit of 8 mg TN/l.

<sup>6</sup> For practical purposes, development's lifetime is treated as 80-125 years. The exact period of time within this window that a nutrient budget is required for will be set by the local authority.

- This permit limit is changing to 5 mg TN/l in 2025.
- The additional total annual wastewater produced by the new development is 52,596,000 litres/year.

Two nutrient budgets are completed:

1. A budget for the lifetime of a development using the lower limit of 5 mg TN/l, with long-term mitigation measures applied to achieve nutrient neutrality for this nutrient load in perpetuity.
2. A 4-year nutrient budget covering 2022-2025 using the N permit of 8 mg TN/l. Short-term measures can be used to mitigate the additional nutrient load created whilst the WwTW has a higher permit limit.

A worked example of this scenario is as follows:

1. Long-term annual load:

Reduce the future permit limit to 90% of 5 mg TN/l =  $5 \text{ mg TN/l} \times 0.9 = 4.5 \text{ mg TN/l}$

$4.5 \text{ mg TN/l} \times 52,596,000 \text{ litres/year} = 236,682,000 \text{ mg TN/year}$

$236,682,000 \text{ mg TN/year} / 1,000,000 = 236.7 \text{ kg TN/year}$

2. 4-year annual load:

Reduce the current permit limit to 90% of 8 mg TN/l =  $8 \text{ mg TN/l} \times 0.9 = 7.2 \text{ mg TN/l}$

$7.2 \text{ mg TN/l} \times 52,596,000 \text{ litres/year} = 378,691,200 \text{ mg TN/year}$

$378,691,200 \text{ mg TN/year} / 1,000,000 = 378.7 \text{ kg TN/year}$

3. Calculate the difference between the 4-year annual load the long-term annual load

$378.7 \text{ kg TN/year} - 236.7 \text{ kg TN/year} = 142 \text{ kg TN/year}$

*Note: The outputs from the long-term annual load (1.) and the difference between the short-term (4-years in this example) annual load (3.) will be needed in [Stage 4](#) of this methodology.*

### Part 1.3.C: Where a development is being discharged to a WwTW *without* a permit

The sewerage undertaker should have been consulted in order to try and obtain an estimate for nutrient concentrations in WwTW discharges that not controlled by permit limits. These estimates should be ideally based on monitoring of the final effluent.

If a reliable estimate of the nutrient concentration in the final effluent cannot be provided, the following values should be used for total nitrogen and total phosphorus:

- Total nitrogen: 27 mg TN/l
- Total phosphorus: 8 mg TP/l

Where local WwTW data exists for a specific catchment which would suggest a lower default value, then this can be used to justify and set a more locally relevant default value.

These values should be multiplied by the total annual wastewater volume produced by the new development as identified in [Step 2](#).

**The input value:**

- If values are available for the specific WwTW effluent concentration, these should be used.
- If there is no data on the WwTW effluent concentration, use standard default of **27 mg TN/l** or nitrogen and/or **8 mg TP/l** for phosphorus or a local catchment default if there is the evidence to support one.

**Example – nutrient loading from a WwTW with no permit limit**

The required calculations:

Default nutrient concentration value (mg/l) x annual water use from development (l/year) =  
*nutrient load (mg/year)*

Nutrient load (mg per year) / 1,000,000 = *nutrient load (kg/year)*

Example scenario:

- A new development will discharge to a WwTW with no permit limit and there is no data on the WwTW effluent concentration.
- The additional total annual wastewater produced by the new development is 52,596,000 litres/year.

Annual load of nitrogen:

27 mg N/l x 52,596,000 litres/year = **1,420,092,000 mg N/year** or  
1,420,092,000 mg N/year / 1,000,000 = **1420.1 kg N/year**

Annual load of phosphorus:

8 mg P/l x 52,596,000 litres/year = **420,768,000 mg P/year**  
420,768,000 mg P/year / 1,000,000 = **420.8 kg P/year**

Part 1.3.D: Where a development is being discharged to a WwTW that is currently without a permit limit but that is being upgraded to have a permit limit in the future

In this situation the approach set out under [Part 1.3.B](#) should be followed. To determine the current WwTW effluent concentration to use for the second, short-term nutrient budget (until the WwTW permit limit comes into force), the approach set out in [Part 1.3.C](#) for discharges without a current permit limit should be followed.

### The input value:

For the period up to 2025 (or when the permit will come into force if this is earlier than 2025):

- If a value is available for the specific WwTW effluent nitrogen or phosphorus concentration, this should be used.
- If there is no data on the WwTW effluent concentration, use the standard default of **27 mg TN/l** for nitrogen and/or **8 mg TP/l** for phosphorus, or a local catchment default if there is the evidence to support one.

For the period after 2025 (or when the permit will come into force if this is earlier than 2025):

- Use the permit limit concentration nitrogen and/or phosphorus for the relevant WwTW.
- Multiply this value by 0.9 to get the input value.

### Example – nutrient loading from a WwTW with no current permit limit but that is getting a permit limit in the future

#### The required calculations:

For the period before the permit comes into force:

$$\begin{aligned} \text{Default nutrient concentration value (mg/l)} \times \text{annual water use from development (l/year)} &= \text{nutrient load (mg/year)} \\ \text{Nutrient load (mg per year)} / 1,000,000 &= \text{nutrient load (kg/year)} \end{aligned}$$

For the period after the permit comes into force:

$$\begin{aligned} \text{Permit limit} \times 0.9 &= \text{permit limit with headroom} \\ \text{Permit limit with headroom} \times \text{annual water use from development} &= \text{nutrient load (mg/year)} \\ \text{Nutrient load (mg per year)} / 1,000,000 &= \text{nutrient load (kg/year)} \end{aligned}$$

#### Example scenario:

- A new development is completed on the 01/01/2022 and will discharge to a WwTW with no current permit.
- There is no data on the WwTW effluent concentration and so the default value of 27 mg TN/l is used.
- The WwTW is getting a permit limit of 8 mg N/l in 2025.
- The additional total annual wastewater produced by the new development is 52,596,000 litres/year.

Two nutrient budgets are completed:

1. A long-term budget using the lower limit of 8 mg TN/l should be calculated, with long-term mitigation measures applied to achieve nutrient neutrality for this nutrient load in perpetuity.

2. A 4-year nutrient budget covering 2022-2025 using the default “No permit concentration” for nitrogen of 27 mg TN/l is calculated and short-term measures can be used to mitigate the additional nutrient load created whilst the WwTW has no permit limit.

A worked example of this scenario is as follows:

1. long-term annual load:

Reduce the future permit limit to 90% of 8 mg TN/l =  $8 \text{ mg TN/l} \times 0.9 = \mathbf{7.2 \text{ mg TN/l}}$

$7.2 \text{ mg TN/l} \times 52,596,000 \text{ litres/year} = \mathbf{378,691,200 \text{ mg TN/year}}$

$378,691,200 \text{ mg TN/year} / 1,000,000 = \mathbf{378.7 \text{ kg TN/year}}$

2. 4-year annual load:

$27 \text{ mg TN/l} \times 52,596,000 \text{ litres/year} = \mathbf{1,420,092,000 \text{ mg TN/year}}$

$1,420,092,000 \text{ mg TN/year} / 1,000,000 = \mathbf{1,420.1 \text{ kg TN/year}}$

3. Calculate the difference between the 4-year annual load the long-term annual load

$1,420.1 \text{ kg TN/year} - 378.7 \text{ kg TN/year} = \mathbf{1041.4 \text{ kg TN/year}}$

*Note: The outputs from the long-term annual load (1.) and the difference between the short-term (4-years in this example) annual load (3.) will be needed in [Stage 4](#) of this methodology.*

#### Part 1.3.E: Where the development is connecting to an onsite wastewater treatment system

The nutrient concentration in the final effluent should be identified through the manufacturer of the wastewater treatment technology being used.

If data on the phosphorus concentration in effluent from a treatment system is not available, a value of 9.7 mg P/l should be used for PTPs and 11.6 mg P/l for septic tanks. These figures are derived from the available literature<sup>7</sup> and represent the average of reported mean TP values stated.

If data on the nitrogen concentration in effluent from a treatment system is not available, a value of 72.9 mg TN/l should be used for PTPs and 96.3 mg TN/l for septic tanks. These figures are derived from the available literature<sup>8</sup>, and represent the average of reported mean TN values stated.

The relevant nutrient concentration value should be multiplied by the total annual wastewater volume associated with the new development as identified in [Step 2](#).

For sustained and adequate nutrient removal, on-site treatment technology needs to be regularly maintained. The LPA should therefore take steps to secure maintenance of the technology in perpetuity to ensure that the nutrient levels used in this step of the calculation are achieved. The treatment technology used should be appropriately sized in order to account for the wastewater arising from the new development and should follow the relevant building regulation standards and any EA permitting requirements.

<sup>7</sup> May & Woods (2016); O'Keeffe, et al., 2015

<sup>8</sup> Lusk et al. (2017); Gill & Mockler (2016); Richards, et al., 2016; Humphrey Jr, et al., 2013; Withers, et al., 2011

PTPs or septic tanks that discharge to ground may be able to achieve further reductions in phosphorus export from a development as a large proportion of phosphorus is retained in soil. If evidence can be provided that shows the reductions in phosphorus that are likely to be achieved by a drainage field, along with a suitable maintenance plan to ensure phosphorus reductions are maintained for the lifetime of a development, it is likely that mitigation requirements could be reduced significantly. The level of phosphorus reductions that a drainage field can achieve will be dealt with on a case-by-case basis as it depends on local soil conditions and the choice of filter media if one is used.

#### The input value:

- This input should ideally be a verified concentration of total phosphorus or total nitrogen as detailed in manufacturer specifications for a septic tank or package treatment plant.
- If a verified total phosphorus or total nitrogen concentration is not provided, the following default values should be used.
- Septic tanks
  - Total Phosphorus = 11.6 mg TP/l
  - Total Nitrogen = 96.3 mg TN/l
- Package treatment plants
  - Total Phosphorus = 9.7 mg TP/l
  - Total Nitrogen = 72.9 mg TN/l

#### Example – nitrogen loading from a PTP

##### The required calculations:

PTP effluent nutrient concentration value (mg/l) x annual water use from development (l/year) = *nutrient load (mg/year)*

Nutrient load (mg per year) / 1,000,000 = *nutrient load (kg/year)*

##### Example scenario:

- A new development of two houses will discharge to a PTP.
- The houses are built to a water efficiency standard of 120 l/person/day (see [Step 2](#)).
- The PTP has a verified TN concentration in its final effluent of 25 mg TN/l.
- The concentration of phosphorus is not provided and so the default value of 9.7 mg TP/l is used.
- The additional total annual wastewater associated with this new development is 4.8 ([the additional population](#)) x 120 l/person/day x 365.25 (days in a year) = 210,384 l/year.

##### Annual load of nitrogen:

25 mg TN/l x 210,384 litres/year = 5,259,600 mg N/year

5,259,600 mg N/year = 5.3 kg N/year

##### Annual load of phosphorus:

9.7 mg TP/l x 210,384 l/year = 2,040,725 mg P/year

2,040,725 mg P/year / 1,000,000 = 2.04 kg P/year

## Full worked example of Stage 1 calculations

Table 2 presents a full worked example of the steps required for the Stage 1 nutrient budget calculations. The example presented in this table shows how the Stage 1 output is generated when a development connects to WwTW with a permit limit that is not changing, with the numbers in the table taken from the examples shown above. For Step 4, the inputs and calculations are taken from the example in [Part 1.3.A](#). For developments where the calculations detailed in one of Parts 1.3.B-E apply, those calculations would substitute the calculations shown in Step 4 of Table 2.

*Table 2: Full worked example of the calculations required to determine the output from Stage 1 of a nutrient budget. In this example, the nutrient budget is being calculated for nitrogen.*

Step	Calculations	Explanation
Step 1	500 dwellings x 2.4 persons per dwelling = 1200 persons	Calculate additional population
Step 2	120 litres/person/day x 365.25 days = 43,830 litres/person/year	Calculate the increase in wastewater production
	1200 persons x 43,830 litres/person/year = 52,596,000 litres/year	
Step 3	8 mg TN/l x 0.9 = 7.2 mg TN/l	Reduce the adjusted permit limit to 90% of 6 mg TN/l
	52,596,000 litres/year x 7.2 mg TN/l = 378,691,200 mg TN/year	Multiply the reduced adjusted permit limit by the annual wastewater produced by the development
	378,691,200 mg TN/year / 1,000,000 = 378.7 kg TN/year	Divide by 1,000,000 to convert to kg per year – this is the final output from Stage 1.

## Stage 2: Nutrient loading from current land use(s)

### Step 1: Obtain nutrient export values from current land use(s)

#### What:

This input determines the amount of nutrients that are currently exported from your development site. These nutrients will be offset against the new nutrient load generated by your development in wastewater.

**Why:**

Not accounting for the current export of nutrients from your site would result in double counting of nutrients that were generated by previous land use *and* nutrients that will be generated by land use post-development. This will result in the nutrient budget output being an overestimate.

**How:**

Note: This depends on the current land use on your development site.



## What is the land use on your development site?

**Development in non-urban areas:**

If your development site is on agricultural land, [go to Part 2.1.A](#).

If your development site is on greenfield, greenspace or community food growing (e.g. allotments) land use(s), [go to Part 2.1.B](#).

**Development in urban areas:**

If your development is in an urban area and the mix of land uses is changing, [go to Part 2.1.C](#).

Note: If your development site is in an urban area and the ratio of land uses is not changing, both Stage 2 and Stage 3 of the methodology can be skipped. This is because the only net increase in nutrients comes from the new wastewater generated by the development.

**Example – no change in ratio of urban land use:**

Your development site is 10 ha.

The mix of current land uses pre-development are:

- 8 ha urban, e.g. houses, roads etc.
- 2 ha greenspace.

The post-development mix of land uses is:

- 8 ha urban, e.g. houses, roads etc.
- 2 ha greenspace.

The ratio of land uses remains unchanged and thus the associated nutrient export from the site also does not change.

Hence, this stage as outlined in Part 2.1.C is not required and the subsequent calculations in Stage 3 can also be omitted.

### Part 2.1.A: Obtaining nutrient export values for agricultural land use

Estimates of the nitrogen and phosphorus export from agricultural land have been derived using Farmscop<sup>er</sup>, an industry standard tool for assessing the pollution risks posed by agriculture. Farmscop<sup>er</sup> outputs values for kilograms of nitrate and total phosphorus export per hectare of farmland. These values are termed export coefficients. Using an add-on to Farmscop<sup>er</sup> called the Farmscop<sup>er</sup> Upscale tool, nitrate and total phosphorus export coefficients can be generated without requiring additional data.



***Note: The Farmscoper export coefficients are pre-populated in the accompanying nutrient budget calculator. If a nutrient budget is being undertaken without a calculator, then Farmscoper export coefficients will need to be generated for river catchments at a specific scale termed the “Operational Catchment” scale. Guidance on running Farmscoper to generate export coefficients can be provided by Natural England upon request.***

To select an export coefficient or coefficients for the agricultural land uses on your development site, you will need to collate the following information:

1. The farm type or farm types that are currently on your development site.
2. The area of the farm in hectares that is used by each farm type.
3. The Operational Catchment that your development site is located in.
4. The soil characteristics for your development site.
5. The average annual rainfall for your development site.
6. Whether your development site is in Nitrate Vulnerable Zone (NVZ).

With the exception of farm type and area for each farm type, the above information can be found online. Please see the instructions below for how to find the information listed in points 3-5. For farm type(s) and area(s), you will need to ascertain this information from the current farmer.

For farm types, Farmscoper has set categories. You need to select the farm type(s) that most accurately represents the type(s) of farming on your development site from the following list:

- Cereals
- General
- Horticulture
- Pig
- Poultry
- Dairy
- Mixed
- Less Favoured Area (LFA) Grazing
- Lowland Grazing

#### **Finding your Operational Catchment:**

- Go to: <https://environment.data.gov.uk/catchment-planning/>
- Change the “Search by” option to “Postcode” or “Coordinates” and search your sites postcode or coordinates.
- The map will show a regional view with highlighted areas.
- On the left of the page, various names will be listed under the headings “River Basin District”, “Management Catchment”, “Operational Catchment” and “Water Body”. You need to ascertain your development site’s Operational Catchment.
- If there is more than one name under the Operational Catchment heading, zoom in on the map to your development site’s location, which should be shaded blue.
- Hover the cursor over the map at your development site’s location. A name should be shown that will match one of the Operational Catchments on listed on the left of the screen. Make a note of this Operational Catchment name.

#### **Finding the soil characteristics for your site:**

- Go to: <http://www.landis.org.uk/soilscapes/index.cfm#>
- Select the “Search” tab to the right of the map.

- Search using postcode or coordinates.
- Click on the “Soil information” tab beneath “Search”.
- Make a note of the Soilscape number and description.
- Look up the farmscoper soil drainage type using the soilscape number in [Table A1](#) in Appendix 1.

#### **Finding the average annual rainfall for your site:**

- Go to: <https://nrfa.ceh.ac.uk/data/search>
- Click on any number in the “Station number” column. This will open a new tab in your browser.
- On this page, click the “Catchment info” tab.
- Change the “Select spatial data type to view” drop down to “Rainfall”.
- On the tabs beneath this drop down, select “Legend”.
- Use the interactive map to locate your development site.
- Record the annual rainfall band for your development site by comparing the colour on the map with the legend.
- Look up the farmscoper equivalent rainfall band using the site specific annual average rainfall band number in [Table A2](#) in Appendix 1.

#### **Finding out whether your development is within an NVZ:**

- Go to: <https://magic.defra.gov.uk/MagicMap.aspx>
- In the “Table of Contents” on the left of the screen, expand the entry called “Designations” by clicking on the “+” icon.
- Scroll to the bottom of the list that will appear when you expand “Designations”, “Land-Based designations” and “statutory” and check the box next to “Nitrate Vulnerable Zones”. This should colour various areas of the map.
- Using the search bar next to the “MAGIC” label, search for your development site location. You can search by postcode, or by clicking on the black arrow in the search bar, you can change to searching by grid reference or coordinates.
- If your development site is within the coloured area on the map, it is in an NVZ.

Use the information above to find your nitrate or total phosphorus export coefficients in [Table A3](#) in appendix 1.

If there is good evidence, such as the output from farm-specific Farmscoper modelling or a detailed monitoring exercise, this can be used to support a different export efficient.

#### **Part 2.1.B: Obtaining nutrient export values from non-agricultural greenfield, greenspace and community food growing land uses**

If your development site is on land that is currently under non-agricultural greenfield or greenspace land use, default values for nitrogen and phosphorus export from these land uses are provided in Table 3. Greenfield or greenspace should be interpreted as more natural greenspace, i.e. semi-natural habitats where fertilisers will not be applied and dog waste is managed. It does not include sports fields/pitches or parks where fertiliser is likely to be applied and thus should be classed as urban. As such, the values for greenspace represent the estimated background export of nitrogen and phosphorus from areas of land that do not have additional inputs of nitrogen or phosphorus from sources such as agriculture, use of fertilisers and/or pet waste. You will also need to know the area of land in hectares that is covered by greenfield or greenspace land uses.

Table 3: Use the values in this table as the export coefficients for nitrogen and phosphorus if your development site is currently under greenfield or greenspace land use.

Default export coefficients for nitrogen and phosphorus from greenfield or greenspace	
Nitrogen	3.00 kg/ha/year
Phosphorus	0.02 kg/ha/year

If there are areas of community food growing land, e.g. allotments or similar land uses, that are being removed by the development, then an agricultural land export coefficient has been determined as the most representative input to represent the nitrogen or phosphorus export from this land use. To determine this value, you need to follow the instructions in [Part 2.1.A](#) to find the Operational Catchment and annual average rainfall for your site. Then go to [Appendix 1](#) and use the Operational Catchment and annual average rainfall value to find the nitrogen or phosphorus export coefficient for the:

- “FreeDrain” (freely draining) soil characteristic
- The “General” farm type.

You will also need to know the area of your development site that is covered by community food growing land use.

#### Part 2.1.C: Obtaining nutrient export values from urban land uses

If your development site is on brownfield land, you will need to obtain nitrogen or phosphorus export coefficients for the types of pre-existing urban land use on the site. In this methodology, export coefficients have been defined for the three types of urban land use:

- Residential – urban land used for housing. This includes gardens, roadside verges, and small areas of greenspace (<0.1 hectares), as well as driveways, roads and any other hardstanding.
- Open urban – urban land that is primarily hardstanding but is not primarily used for housing or industry. This may include but, not limited to, roads, small greenspace areas, and buildings.
- Commercial/industrial – an area of land developed as a site for office space, retail parks, factories, and other industrial businesses.

You will need to classify the urban land use(s) on your development site into one of these three types and also determine the area in hectares that is covered by each type of urban land use.

Once you know the different types of urban land use on your site, the nitrogen and phosphorus export coefficients for each land use type can be obtained. To obtain these coefficients, you will need to look up the average annual rainfall for your development site. This can be found by following the instructions under the “Finding the average annual rainfall for your site” heading in [Part 2.1.A](#). Once you have the urban land use type(s) and average annual rainfall for your site, look up the corresponding urban nitrogen or phosphorus export coefficient(s) in Table 4.

*Note: an explanation of how these coefficients were calculated is provided in Appendix 2*

Where specific measures are incorporated in a development (such as permeable paving in the urban realm) with sufficient evidence to support a different nutrient event mean concentration and/or percentage of land that is impervious, then the approach set out in appendix 2 can be used to calculate a more locally specific urban export coefficient.

Table 4: Nitrogen and Phosphorus export coefficients for urban land use types.

Average annual rainfall (mm)	Residential N export coefficient (kg/ha/yr)	Commercial / industrial N export coefficient (kg/ha/yr)	Open urban N export coefficient (kg/ha/yr)	Residential P export coefficient (kg/ha/yr)	Commercial / industrial P export coefficient (kg/ha/yr)	Open urban P export coefficient (kg/ha/yr)
508 - 525	9.41	5.02	5.55	1.00	0.73	0.54
525.1 - 550	9.83	5.24	5.80	1.05	0.77	0.56
550.1 - 575	10.33	5.51	6.09	1.10	0.81	0.59
575.1 - 600	10.83	5.77	6.38	1.16	0.85	0.62
600.1 - 625	11.32	6.04	6.67	1.21	0.89	0.65
625.1 - 650	11.82	6.30	6.97	1.27	0.93	0.68
650.1 - 675	12.30	6.56	7.25	1.32	0.97	0.71
675.1 - 700	12.79	6.82	7.54	1.37	1.00	0.74
700.1 - 750	13.51	7.20	7.96	1.45	1.06	0.78
750.1 - 800	14.44	7.70	8.51	1.55	1.14	0.83
800.1 - 850	15.38	8.20	9.06	1.65	1.21	0.89
850.1 - 900	16.31	8.70	9.61	1.75	1.28	0.94
900.1 - 950	17.24	9.19	10.16	1.85	1.35	0.99
950.1 - 1,000	18.17	9.69	10.71	1.95	1.43	1.05
1,000.1 - 1,100	19.57	10.44	11.54	2.10	1.54	1.13
1,100.1 - 1,200	21.43	11.43	12.63	2.30	1.68	1.24
1,200.1 - 1,400	24.23	12.92	14.28	2.60	1.90	1.40
1,400.1 - 1,600	27.96	14.91	16.48	3.00	2.20	1.61
1,600.1 - 2,000	33.55	17.89	19.78	3.60	2.64	1.93
2,000.1 - 2,400	41.00	21.87	24.17	4.40	3.22	2.36
2,400.1 - 3,000	50.32	26.84	29.66	5.40	3.95	2.90
3,000.1 - 4,000	65.23	34.79	38.45	7.01	5.13	3.76
4,000.1 - 5,500	88.53	47.22	52.19	9.51	6.96	5.10

Step 2: Calculate the annual nutrient export from the current land use(s) on your development site

**What:**

The total annual nutrient loading from pre-existing land uses on your development site is calculated using the nutrient export coefficients determined in [Stage 2, Step 1](#).

**Why:**

As stated above, not accounting for the current export of nutrients from your site would result in double counting of nutrients that were generated by previous land use *and* nutrients that will be generated by land use post-development.

**How:**

The export coefficients identified in [Stage 2, Step 1](#) are multiplied by the corresponding land area (in hectares) for each land use. This will provide annual nutrient loading values in kg per year for each land types found within the site's boundary. If there is more than one land use within your site's boundary, the sum of these values will give the total current site's land use annual nutrient loading.

**The input value:**

- The export coefficient(s) obtained for each land use in Parts 2.1.A-C.
- The area in hectares of each land use an export coefficient has been obtained for.

**Example – annual nutrient export from current land use(s) on your development site**The required calculation:

Land use area (ha) x land use nutrient export coefficient (kg/ha/yr) = *nutrient export (kg/yr)*

Example scenario:

A new development is to be constructed on a 10-ha site that contains:

- 2 ha of dairy farming with a nitrogen export coefficient of 25 kg/ha/yr and a phosphorus export coefficient of 0.42 kg/ha/yr
- 4 ha of cereal farming with a nitrogen export coefficient of 20 kg/ha/yr and a phosphorus export coefficient of 0.32 kg/ha/yr
- 4 ha of urban open urban land with a nitrogen export coefficient of 6.67 kg/ha/yr and a phosphorus export coefficient of 0.89 kg/ha/yr

To calculate the annual nutrient export from the area of dairy farming:

- 2 ha x 25 kg N/ha/year = 50 kg N/year
- 2 ha x 0.42 kg P/ha/year = 0.84 kg P/year

To calculate the annual nutrient export from the area of cereals farming:

- 4 ha x 20 kg N/ha/year = 80 kg N/year
- 4 ha x 0.32 kg P/ha/year = 1.28 kg P/year

Four hectares of open urban land

- 4 ha x 6.67 kg N/ha/year = 26.68 kg N/year
- 4 ha x 0.89 kg P/ha/year = 3.56 kg P/year

Total annual nutrient loading from current land uses:

Nitrogen:

- 50 kg N/year + 80 kg N/year + 26.68 kg N/year = **156.68 kg N/year**

Phosphorus:

- 0.84 kg P/year + 1.28 kg P/year + 3.56 kg P/year = **5.68 kg P/year**

## Stage 3: Nutrient loading from future land use(s)

### Step 1: Calculate the annual export from future land use(s)

**What:**

Once a development site has been built, the land uses on the site will have an associated nutrient export. Stage 3 of the nutrient budget accounts for the export of nutrients from the new land use(s) on your development site.

**Why:**

If you were to only account for the nutrients that were exported by the previous land use(s) on your development site (using the steps in [Stage 2](#)), the final nutrient budget would be an underestimate of the total nutrient export from the development site and as shown in [Stage 2](#), different land uses have different associated export of nutrients. This means the final mix of land uses on a development site needs to be accounted for to provide the most accurate estimate of future nutrient export once the development is built.

**How:**

The same approaches shown in [Stage 2](#) are applied in Stage 3. Each land use on the post-development site will need to be categorised to find the relevant nitrogen or phosphorus export coefficient. As in [Stage 2](#), these export coefficients are then multiplied by the area for each land use to get an annual nutrient export for that land use. The sum of the nutrient exports for each land use is the total nutrient export from land uses on your development site. This total is the output from Stage 3 that is used in the nutrient budget calculations in Stage 4.

If your development site is incorporating greenspace or community food growing areas, please see [Part 2.1.B](#) to determine the export coefficients required for these land uses.

For the urban land uses on your development site, please see [Part 2.1.C](#) to determine the export coefficients for the relevant types of urban land use.

### The input value:

- The export coefficient(s) for each land use.
- The area in hectares of each land use an export coefficient has been obtained for.

### Example – annual nutrient export from future land use(s) on your development site

#### The required calculation:

Land use area (ha) x land use nutrient export coefficient (kg/ha/yr) = *nutrient export (kg/yr)*

#### Example scenario:

A new development is to be constructed on a 10-ha site that contains:

- 8 ha of residential land with nitrogen export coefficient of 11.32 kg/ha/yr and a phosphorus export coefficient of 1.21 kg/ha/yr
- 2 ha of greenspace with a nitrogen export coefficient of 3 kg/ha/yr and a phosphorus export coefficient of 0.02 kg/ha/yr

To calculate the annual nutrient export from the residential area:

- 8 ha x 11.32 kg N/ha/year = 90.56 kg N/year
- 8 ha x 1.21 kg P/ha/year = 9.68 kg P/year

To calculate the annual nutrient export from the area of greenspace:

- 2 ha x 3 kg N/ha/year = 6 kg N/year
- 2 ha x 0.02 kg P/ha/year = 0.04 kg P/year

Total annual nutrient loading from current land uses:

Nitrogen:

- 90.56 kg N/year + 6 kg N/year = **96.56 kg N/year**

Phosphorus:

- 9.68 kg P/year + 0.04 kg P/year = **9.72 kg P/year**

## Stage 4: Calculating the nutrient budget, including the buffer

### What:

Stage 1-3 have calculated the nutrient export from the different sources of nutrients from your development, both pre- and post-development and occupation. Each of Stages 1-3 has output an amount of nitrogen or phosphorus in kg per year. The balance, or net change, in the amount of nitrogen or phosphorus that will come from your development once built and occupied is the nutrient budget for your development.

The methodology adopts a precautionary approach to the nutrient budget calculation. To ensure robustness an additional 20% buffer is added to the final figure.

**Why:**

This final Stage of the nutrient budget methodology calculates whether your new development will result in a surplus of nitrogen or phosphorus being exported to a Habitats site. If the output of the nutrient budget calculations, including the 20% buffer, shows that the development will result in a surplus of nutrients being exported to a Habitats site, this is the amount of nutrient mitigation needed for the development to be “nutrient neutral”.

**How:**

The development’s nutrient budget = *Stage 1 output* - *Stage 2 output* + *Stage 3 output*.

The addition of the 20% buffer = *nutrient budget* x 1.2

If the outcome of the nutrient budget is zero or a negative figure, there is no need to add the precautionary buffer and no nutrient mitigation is needed.

**The input value:**

- The outputs from Stages 1-3.

**Example – Calculation of the nutrient budget and addition of the buffer.**

This example calculates a nitrogen budget using the outputs from the examples in:

- [Stage 1, Part 1.3.A](#) – 378.7 kg N/year
- [Stage 2, Step 2](#) – 156.68 kg N/year
- [Stage 3, Step 1](#) – 96.56 kg N/year

The nutrient budget calculated as:

$$378.7 \text{ kg TN/year} - 156.68 \text{ kg N/year} + 96.56 \text{ kg N/year} = \mathbf{318.58 \text{ kg N/year}}$$

The addition of the precautionary buffer is calculated as:

$$341.5 \text{ kg N/year} \times 1.2 = \mathbf{382.3 \text{ kg N/year}}$$

The final output from the nutrient budget and the amount of nitrogen to be mitigated in this example is:

$$\mathbf{382.3 \text{ kg N/year}}$$



## Appendix 1: Lookup tables for selecting Farmscoper nitrogen or phosphorus export coefficients

The following three lookup tables should be used to determine the export coefficient for the farm type or farm types on your development site.

First, use the information for “soil characteristics” as outlined in part 2.1.A to select the Farmscoper soil drainage type from Table A.1.

*Table A.1: Determine the Farmscoper equivalent soil drainage type by finding the development specific Soilscape number in the table below.*

Soilscape number	Drainage	Farmscoper soil drainage type		
		Free draining (FreeDrain)	Drained for arable (DrainedAR)	Drained for arable and grazing (DrainedArGr)
1	Naturally wet			X
2	Variable			X
3	Freely draining	X		
4	Freely draining	X		
5	Freely draining	X		
6	Freely draining	X		
7	Freely draining	X		
8	Slightly impeded drainage		X	
9	Slightly impeded drainage		X	
10	Freely draining	X		
11	Freely draining	X		
12	Freely draining	X		
13	Freely draining	X		
14	Freely draining	X		
15	Naturally wet			X
16	Surface wetness			X
17	Impeded drainage			X
18	Impeded drainage			X
19	Impeded drainage			X
20	Naturally wet			X
21	Naturally wet			X
22	Naturally wet			X
23	Naturally wet			X
24	Variable			X
25	Naturally wet			X
26	Naturally wet			X
27	Naturally wet			X

Using the information collated for “average annual rainfall” as outlined in [Part 2.1.A](#), select the relevant “Farmscoper rainfall volume equivalent” value from Table A.2.

*Table A.2: Determine the Farmscoper equivalent rainfall band by using your site-specific average annual rainfall band in the table below.*

Average annual rainfall (mm)	Farmscoper rainfall volume equivalent (mm)
508 - 525	Under600
525.1 - 550	Under600
550.1 - 575	Under600
575.1 - 600	Under600
600.1 - 625	600to700
625.1 - 650	600to700
650.1 - 675	600to700
675.1 - 700	600to700
700.1 - 750	700to900
750.1 - 800	700to900
800.1 - 850	700to900
850.1 - 900	700to900
900.1 - 950	900to1200
950.1 - 1,000	900to1200
1,000.1 - 1,100	900to1200
1,100.1 - 1,200	900to1200
1,200.1 - 1,400	1200to1500
1,400.1 - 1,600	1200to1500
1,600.1 - 2,000	Over1500
2,000.1 - 2,400	Over1500
2,400.1 - 3,000	Over1500
3,000.1 - 4,000	Over1500
4,000.1 - 5,500	Over1500

Using the Farmscoper soil drainage type and the Farmscoper rainfall volume equivalent, along with other values as outlined in [Part 2.1.A](#), select relevant export coefficient values from Table A.3.

*Table A.3: Farmscoper export coefficients for the Operational Catchments within the Habitats site catchment. This table will need to be completed when this methodology is initially set up for a Habitats site.*

Catchment	Farmscoper Farm Type	NVZ	Climate	Farmscoper Soil Drainage Term	Nitrogen export coefficient	Phosphorus export coefficient

## Appendix 2: derivation of urban nitrogen and phosphorus runoff coefficients

Research into diffuse pollution in urban environments has produced values called event mean concentrations (EMCs) that describe the average concentration of nitrogen and phosphorus in urban runoff during rainfall events. For the purposes of this methodology, the EMCs<sup>9</sup> detailed in Table A.3 were used. See [Part 2.1.C](#) for a definition of the land use types in Table A.3.

*Table A.3: EMCs for nitrogen and phosphorus for three key types of urban land use.*

Land use	Nitrogen event mean concentration (mg N/l)	Phosphorus event mean concentration (mg P/l)
Residential	2.85	0.41
Commercial/industrial	1.52	0.30
Open urban land	1.68	0.22

The EMCs were combined with a standard method for calculating urban runoff which requires only rainfall as an input. The HR Wallingford Modified Rational Method was used, as shown in equation 1.

*Equation 1*

$$L = R * Pr$$

Where:

$L$  = annual average runoff (mm)

$R$  = annual average rainfall (mm)

$Pr$  = percentage runoff (%)

$$Pr = 0.829 * PIMP + 0.078 * U - 20.7$$

$PIMP$  = the percentage of land that is impervious (whole number)

$U$  = catchment wetness index. Calculated by (use 41 if rainfall over 760 mm):

$$U = -129.5 + (0.424 * R) - (2.28 * 10^{-4} * R^2) - (4.56 * 10^{-8} * R^3)$$

For phosphorus, the value for PIMP was set as 80%, as this has been suggested as the proportion of impervious surfaces once urban creep (the paving over of pervious surfaces) reaches a maximum. The use of an 80% PIMP value, while high, accounts for the potential increases in impervious surfaces that may occur over the lifetime of a development. Research has also suggested that non-paved gardens account for between 19-27% of the entire urban area. As gardens are the primary type of permeable surface within residential areas, the use of an 80% PIMP value is considered to be precautionary as an area with 19% coverage by non-paved gardens would indicate that around 80% of the remaining urban residential area would be impermeable surfaces.

<sup>9</sup> Mitchell, G., 2005. Mapping hazard from urban non-point pollution: A screening model to support sustainable urban drainage planning. *Journal of Environmental Management*, 74(1), pp. 1-9.

For nitrogen, a value of 100% was used for PIMP. Whilst this is an unrealistic assumption in most urban environments, the use 100% for PIMP was deemed appropriate as a notable proportion of the nitrogen from pervious land within an urban environment may still leach to a Habitats site via subsurface or groundwater pathways. This is because nitrogen is much more readily transported than phosphorus, especially in dissolved form. A 100% value is deemed to be a precautionary input given the uncertainties surrounding the amount of nitrogen that is likely to leach from an urban environment via subsurface and groundwater pathways.

Date: 16 March 2022



To: LPA Chief Executives & Heads of Planning,  
County Council Chief Executives and Heads of Planning,  
EA Area and National Team Directors,  
Planning Inspectorate,  
Natural Resources Wales (Cross border sites only) &  
Secretary of State for Department for Levelling Up Housing & Communities  
(DLUHC)

**BY EMAIL ONLY**

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

Dear Sir / Madam

**Advice for development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitats sites.**

**1.0 Summary**

This letter sets out Natural England's advice for development proposals that have the potential to affect water quality in such a way that adverse nutrient impacts on designated habitats sites<sup>1</sup> cannot be ruled out.

It also provides an update to those Local Planning Authorities (LPAs) whose areas include catchments where Natural England has already advised on how to assess the nutrient impacts of new development and mitigate any adverse effects, including through application of the nutrient neutrality methodology. It includes:

- Supporting Information (Annex A) which summarises the key tools and guidance documents available and how to take account of certain issues in any Habitats Regulations Assessment (HRA)
- a national map showing the affected catchments (Annex B)
- a list of habitats sites in unfavourable condition due to nutrients, where new development may have an adverse effect by contributing additional nutrients and therefore where nutrient neutrality is a potential solution to enable development to proceed (Annex C)
- a national generic Nutrient Neutrality Methodology (attached in covering email with this letter)
- a nutrient assessment methodology decision tree (Annex D)
- a flow diagram of the HRA process (Annex E)
- guidance on thresholds for insignificant effects for phosphorus discharges to ground (Annex F)
- Natural England Area Team contacts for each habitats site and catchment (Annex G)
- Catchment Specific Nutrient Neutrality Calculators and associated Calculator Guidance (attached in covering email with this letter)
- Site specific catchment maps (attached in covering email with this letter)
- Site specific evidence documents (new catchments only - attached in covering email with this letter)
- Nutrient Neutrality Principles (attached in covering email with this letter)

<sup>1</sup> Habitat sites are sites which are protected by the Habitats Regulations and includes Special Areas of Conservation (SAC) and Special Protection Areas (SPA). Any proposals that could affect them require a Habitats Regulations Assessment (HRA). Ramsar sites are also included as these are protected as a matter of government policy and also require a HRA where proposals may affect them.

- Nutrient Neutrality – A Summary Guide to Nutrient Neutrality (attached in covering email with this letter)

**Natural England advises you, as the Competent Authority under the Habitats Regulations, to carefully consider the nutrients impacts of any new plans and projects (including new development proposals) on habitats sites and whether those impacts may have an adverse effect on the integrity of a habitats site that requires mitigation, including through nutrient neutrality.**

This letter provides advice on the assessment of new plans and projects under Regulation 63 of the Habitats Regulations. The purpose of that assessment is to avoid adverse effects occurring on habitats sites as a result of the nutrients released by those plans and projects. This advice does not address the positive measures that will need to be implemented to reduce nutrient impacts from existing sources, such as existing developments, agriculture, and the treatment and disposal of wastewater. It proposes that nutrient neutrality might be an approach that planning authorities wish to explore.

This letter is being sent to the Environment Agency (EA) and all Heads of Planning and Chief Executives for the Local Planning Authorities (LPAs) which are affected by this advice as well as the following:

- The Planning Inspectorate as the Competent Authority for appeals and local plan examinations.
- Secretary of State for the Department of Levelling Up, Housing and Communities (DLUHC) as Competent Authority for called in decisions/appeals.
- County Councils where there is a 2-tier authority.
- Natural Resources Wales (for cross border sites).

NE will also be writing to Ofwat and water companies to inform them of our advice.

## **2.0 Background**

In freshwater habitats and estuaries, poor water quality due to nutrient enrichment from elevated nitrogen and phosphorus levels is one of the primary reasons for habitats sites being in unfavourable condition. Excessive levels of nutrients can cause the rapid growth of certain plants through the process of eutrophication. The effects of this look different depending on the habitat, however in each case, there is a loss of biodiversity, leading to sites being in 'unfavourable condition'. To achieve the necessary improvements in water quality, it is becoming increasingly evident that in many cases substantial reductions in nutrients are needed. In addition, for habitats sites that are unfavourable due to nutrients, and where there is considerable development pressure, mitigation solutions are likely to be needed to enable new development to proceed without causing further harm.

In light of this serious nutrient issue, Natural England has recently reviewed its advice on the impact of nutrients on habitats sites which are already in unfavourable condition. Natural England is now advising that there is a risk of significant effects in more cases where habitats sites are in unfavourable condition due to exceeded nutrient thresholds. More plans and projects are therefore likely to proceed to appropriate assessment.

The principles underpinning HRAs are well established<sup>2</sup>. At the screening stage, plans and projects should only be granted consent where it is possible to exclude, on the basis of objective information, that the plan or project will have significant effects on the sites concerned. Where it is not possible to rule out likely significant effects, plans and projects should be subject to an appropriate assessment. That appropriate assessment must contain complete, precise and definitive findings which are capable of removing all reasonable scientific doubt as to the absence of adverse effects on the integrity of the site.

<sup>2</sup> See, amongst others Case C-127/02 *Waddenvereniging and Vogelsbeschermingvereniging* (Waddenzee); *R (Champion) v North Norfolk DC* [2015] EKC 52 (Champion); C-323/17 *People Over Wind, Peter Sweetman v Coillte Teoranta* (People Over Wind); C-461/17 *Brian Holohan and Others v An Bord Pleanála* (Holohan); Joined Cases C-293/17 and C-294/17 *Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Other* (the Dutch Nitrogen cases).

Appropriate assessments should be made in light of the characteristics and specific environmental conditions of the habitats site. Where sites are already in unfavourable condition due to elevated nutrient levels, Natural England considers that competent authorities will need to carefully justify how further inputs from new plans or projects, either alone or in combination, will not adversely affect the integrity of the site in view of the conservation objectives. This should be assessed on a case-by-case basis through appropriate assessment of the effects of the plan or project. In Natural England's view, the circumstances in which a Competent Authority can allow such plans or projects may be limited. Developments that contribute water quality effects at habitats sites may not meet the no adverse effect on site integrity test without mitigation.

Mitigation through nutrient neutrality offers a potential solution. Nutrient neutrality is an approach which enables decision makers to assess and quantify mitigation requirements of new developments. It allows new developments to be approved with no net increase in nutrient loading within the catchments of the affected habitats site.

Where properly applied, Natural England considers that nutrient neutrality is an acceptable means of counterbalancing nutrient impacts from development to demonstrate no adverse effect on the integrity of habitats sites and we have provided guidance and tools to enable you to do this.

### **3.0 Natural England's Role and Advice**

Natural England is the government's adviser for the natural environment in England. As a statutory consultee in the planning and environmental assessment processes we provide advice to planning authorities to support them in making plans and decisions that conserve and enhance the natural environment and contribute to sustainable development.

In reviewing our advice on water quality effects on habitats sites Natural England has:

- Undertaken an internal evidence review to identify an initial list of water dependent habitats sites (which includes their underpinning Sites of Special Scientific Interest) that are in unfavourable condition due to elevated nutrient levels (phosphorus or nitrogen or both). These sites are listed in Annex C. Development which will add nutrients to these sites may not meet the site integrity test without mitigation. This will need to be explored as part of the HRA. Nutrient neutrality is an approach which could be used as suitable mitigation for water quality impacts for development within the catchments of these sites (please refer to the Nutrient Neutrality – A Summary Guide for an explanation of nutrient neutrality).
- Revised our internal guidance for planning, permitting and other HRA consultations which have the potential to have water quality and in particular nutrient effects on a habitats site.

This advice applies to the following types of habitats sites:

- Special Protection Areas (SPA) designated under the Habitat Regulations 2017.
- Special Areas of Conservation (SAC) designated under the Habitat Regulations 2017.
- Sites designated under the Ramsar Convention, which as a matter of national policy are afforded the same protection as if they were designated under the Habitat Regulations 2017.
- Sites identified or required as compensatory measures for adverse effects on SPAs, SACs and Ramsar sites.

A plan or project will be relevant and have the potential to affect the water quality of the designated site where:

- It creates a source of water pollution (e.g. discharge, surface run off, leaching to groundwater etc) of either a continuous or intermittent nature or has an impact on water quality (e.g. reduces dilution).

AND

- There is hydrological connectivity with the designated site i.e. it is within the relevant surface and/or groundwater catchment.

AND

- The designated sites interest features are sensitive to the water quality pollutant/impact from the plan/project.

**For LPAs where Natural England has already provided advice on this matter:** Natural England has already provided advice to some local authorities on how to address the impacts of development which has the potential to increase nutrient emissions and adversely affect the integrity of habitats protected sites. The sites subject to this previous advice are listed in Annex C Table 1. There is an agreed approach between Natural England and these authorities on applying nutrient neutrality as a mitigation measure to enable development to proceed without causing harm to the integrity of those habitats sites (which are in unfavourable condition due to elevated nutrient levels). We have advised that a likely significant effect from development that increases these nutrients cannot be ruled out<sup>3</sup>. In the absence of evidence to the contrary, our advice has been and continues to be that all new housing development proposals (including any other additional locally specific advice which has been issued), will need to consider, via an appropriate assessment, the impact of adding to the existing nutrients levels / loads where water quality targets are not being achieved for these habitats sites. Having carried out that assessment, permission for the plan or project may only be given if the assessment allows you to be certain that it will not have an adverse impact on the integrity of the site i.e. where no reasonable scientific doubt remains as to the absence of effects<sup>4</sup>.

We are writing to your authority now to keep you updated on the development of the approach including the availability of an updated package of tools and guidance. We recommend that your authority moves to using the updated generic Nutrient Neutrality Methodology (attached) and the updated catchment calculators (attached) in preference to existing methodologies whether produced by Natural England or your own authority. Your authority will be best placed to consider how it transitions to the new tools and guidance. Natural England recognises that for some existing catchments where nutrient neutrality is being implemented and mitigation is being actively progressed, authorities may need to consider the associated practicalities of moving to the new guidance whilst recognising their role as Competent Authority. The updated generic Nutrient Neutrality Methodology and associated catchment calculators incorporates new information and evidence, which is explained in Annex A.

**For local authorities where this advice is new:** Natural England advises you, as the Competent Authority under the Habitats Regulations, to fully consider the nutrients implications on the sites identified in Annex C Table 2 when determining relevant plans or projects and to secure appropriate mitigation measures (see Annex A, para 6 for mitigation options).

When considering a plan or project that may give rise to additional nutrients within the affected catchments, you should undertake a HRA. An Appropriate Assessment will be needed where a likely significant effect (alone or in-combination) cannot be ruled out, even where the proposal contains mitigation provisions. The need for an Appropriate Assessment of proposals that includes mitigation measures intended to avoid or reduce the harmful effects of a plan or project is well established in case law<sup>5</sup>. The Competent Authority should only grant permission if they have made certain at the time of Appropriate Assessment that the plan or project will not adversely affect the integrity of a habitats site i.e. where no reasonable scientific doubt remains as to the absence of effects<sup>6</sup>.

The application of nutrient neutrality as mitigation for water quality effects from development has been tested in *Wyatt v Fareham case*<sup>7</sup>. The High Court dismissed an application for judicial review that planning permission which applied nutrient neutrality as mitigation did not satisfy the Habitats

<sup>3</sup> Natural England has agreed that for some sites it is appropriate to screen out insignificant discharges to ground of phosphorus where certain criteria are met. See Annex E for further details

<sup>4</sup> Unless the further conditions in regs. 64 and 68 apply.

<sup>5</sup> *Gladman Developments Limited v S of S for Housing, Communities and Local Government and another* [2019] EWHC 2001 (Admin)

<sup>6</sup> Unless the further conditions in regs. 64 and 68 apply.

<sup>7</sup> *Wyatt v Fareham BC* [2021] EWHC 1434 (Admin)



Regulations. The case has now been appealed. Where properly applied Natural England considers that 'nutrient neutrality' can be a robust way to mitigate nutrient impacts from development.

Your authority may wish to consider a nutrient neutrality approach as a potential solution to enable developments to proceed in the catchment(s) where an adverse effect on site integrity cannot be ruled out. For such an approach to be appropriate, the measures used to mitigate nutrients impacts should not compromise the ability to restore the designated site to favourable condition and achieve the conservation objectives (Further guidance is provided on what this means in practice in the Nutrient Neutrality Principles document, attached).

## **4.0 Plans and Projects Affected**

### **Development**

The Nutrient Neutrality Methodology enables a nutrient budget to be calculated for all types of development that would result in a net increase in population served by a wastewater system.

It covers all types of overnight accommodation including new homes, student accommodation, care homes, tourism attractions and tourist accommodation and permitted development<sup>8</sup> (which gives rise to new overnight accommodation) under the Town and Country Planning (General Permitted Development) (England) Order 2015<sup>9</sup>.

For authorities where Natural England's advice is already being applied the development types affected remain as previously advised but are summarised in Table 1 Annex C.

This advice also applies to planning applications at the reserved matters approval stage of the planning application process, and to applications for grants of prior approval and/or certificates of lawfulness for a proposed use or operation.

Tourism attractions and tourism accommodation are included in the methodology as these land uses attract people into the catchment and generate additional wastewater and consequential nutrient loading on the designated sites. This includes self-service and serviced tourist accommodation such as hotels, guest houses, bed and breakfasts, self-catering holiday chalets and static caravan sites. Other types of proposal should be considered on their individual merits, for example conference facilities that generate overnight stays.

Other types of business or commercial development, not involving overnight accommodation, will generally not need to be included in the assessment unless they have other (non-sewerage) water quality implications. For the purposes of the Methodology, it is assumed that anyone living in the catchment also works and uses facilities in the catchment, and therefore wastewater generated can be calculated using the population increase from new homes and other accommodation. This removes the potential for double counting of human wastewater arising from different planning uses.

### **Permitting**

Activities that require an environmental permit (such as waste operations, water discharge activities and groundwater activities) should be subject to an HRA where they are carried out within the catchment of a habitats site and there is a risk that they may affect water quality within that catchment.

Where a likely significant effect on the habitats site cannot be ruled out, they should be subject to an appropriate assessment. Mitigation will be required if an adverse effect on the integrity of the site cannot be ruled out, although depending on the type of permit being considered it may not be appropriate, to apply the standard nutrient neutrality methodology to such plans and projects. This would need to be considered on a case by case basis.

<sup>8</sup> Please note the condition on permitted development relating to European sites is set out in Regulation 75 of the Habitats Regulations 2017. The statutory condition on permitted development in regulation 75 only applies the HRA procedure (via regulations 76 and 77) to statutory European Sites. It therefore only applies to Special Areas of Conservation (SAC's) and Special Protection Areas (SPA's) it does not apply to Ramsar sites, proposed SAC's or potential SPA's or to sites identified, or required, as compensatory measures for adverse effects on habitats sites.

<sup>9</sup> Planning permission granted for permitted development is subject to regs. 75-78 of the Habitats Regulations.

## Other Plans and Projects

Whilst nutrient neutrality is only currently being applied to development that would result in a net increase in population served by a wastewater system, the HRA requirements will apply to any plans or projects, including agricultural or industrial plans and projects that have the potential to release additional nitrogen and / or phosphorus into the system and that require an LPAs or the EA's consent, permission or approval.

A case-by-case approach will need to be adopted for these. Early discussions with Natural England via our chargeable Discretionary Advice Service (DAS) are recommended [Natural England Discretionary Advice Service](#).

Competent Authorities must be cognisant of their duties under the Habitats Regulations when performing any of their functions. Competent Authorities may reasonably conclude that a HRA is required whenever they receive an application for any consent, approval, licence or permission for plans and projects not expressly referenced in this advice that may affect a habitats site. Natural England would welcome further discussion with you on any other types of plans and projects that you consider may have nutrients impacts.

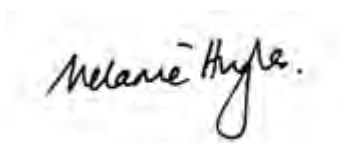
### 5.0 Supporting Information

Annex A of this letter outlines the tools and guidance documents that will support LPAs in implementing this advice. There are also a suite of documents appended to this email including the generic Nutrient Neutrality Methodology, catchment specific calculators and associated guidance, catchment maps, Nutrient Neutrality Principles, Nutrient Neutrality – A Summary Guide and site specific evidence documents. We recommend reading the Nutrient Neutrality – A Summary Guide to help your understanding of what is a complex issue. Natural England has been working closely across government departments (Defra and DLUHC) in the preparation of this support package and will continue to do so in the development of longer term solutions.

The Planning Advisory Service will be hosting detailed teach ins and Q&A sessions on nutrient neutrality and we therefore strongly advise joining these as a first step to understanding the issue and as an opportunity to raise questions. Please follow the link for further details: [Nutrient neutrality and the planning system | Local Government Association](#)

Area Team contacts have been provided in Annex G as an initial point of contact for informal discussions. However, should you have any detailed or technical questions concerning this advice, please contact [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk) marked for the attention of the relevant Area Team. Please ensure that any formal consultations are also sent to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours faithfully,



Melanie Hughes

Sustainable Development Programme Director

## ANNEX A: Supporting Information

This Annex summarises the key information and tools that are available to enable LPAs to implement Natural England's advice contained in this letter. It also explains how to take account of the following issues in any HRA:

- Habitats sites which are in unfavourable condition due to nutrients
- Use of permitted Wastewater Treatment Works (WwTW) headroom
- Summary of the updated generic Nutrient Neutrality Methodology
- Status of the National Nutrient Methodology and Calculators
- Mitigation options
- Forthcoming tools and guidance

### 1.0 Available Tools and Guidance

To help competent authorities take account of these water quality issues and develop strategic solutions, Natural England has provisionally developed the following tools and guidance:

1. A national generic Nutrient Neutrality Methodology (attached)
2. A national map showing the affected catchments (Annex B)
3. Table 1 listing the habitats sites that Natural England has previously advised are in unfavourable condition due to excessive nutrients and will require a HRA and where nutrient neutrality is a potential solution to enable development to proceed (Annex C).
4. Table 2 listing the additional habitats sites which are in unfavourable condition due to excessive nutrients which will require a HRA and where nutrient neutrality is a potential solution to enable development to proceed (Annex C).
5. A nutrient assessment methodology decision tree (Annex D)
6. A HRA Flow chart (Annex E)
7. Thresholds for insignificant levels of phosphorus discharges to ground (Annex F)
8. Area Team contacts for each habitats site and catchment (Annex G)
9. Catchment specific Nutrient Neutrality Calculators and associated Calculator Guidance
10. Detailed catchment specific maps (attached)
11. Evidence summary for each habitats site (new catchments only) including, brief site description, habitats site designated water dependent features, names of component SSSIs where relevant and summary of water quality data including targets and exceedances (attached).
12. Nutrient Neutrality Principles (attached)
13. Nutrient Neutrality – A Summary Guide to Nutrient Neutrality

**The Nutrient Neutrality Methodology** is a national generic methodology which can be used for all affected catchments and sites (as listed in Annex C). The methodology can be used for both phosphorus and nitrogen. It provides a framework and a set of agreed "input values" to enable a nutrient budget to be determined for any development draining into a habitats site. These values are based on updated information and evidence; Natural England considers that they are suitably precautionary<sup>10</sup> and address impacts in perpetuity to remove risks to site integrity beyond reasonable scientific doubt. The nutrient budget calculated should form part of the Appropriate Assessment (AA) of any HRA produced to address nutrient impacts on affected habitats sites.

**The HRA Flow Chart** summarises the key stages in the HRA process and the questions which need to be answered in relation to the habitats site and the proposed development at the screening and the appropriate assessment stages.

**Guidance on Thresholds for Insignificant Effects from Phosphorus Only.** This identifies the conditions which must be met to enable the effects of phosphorus, where it discharges to ground, to be considered as being insignificant. Where best available evidence indicates that these

<sup>10</sup> Precautionary values are used for key variables and an additional buffer is applied in stage 4 of the methodology.

conditions are met, Natural England's advice is that a conclusion of no LSE, either alone or in combination, for phosphorus can be reached. Note this does not apply to nitrogen.

**The Catchment Calculators** have been developed for each designated habitats site and its catchment. They enable nutrient budgets to be calculated for phosphorus and nitrogen. The calculators will be in an Excel spreadsheet format. There will be an associated guidance document for each calculator.

**Site Specific Catchment Maps** show the extent of the affected catchment. Natural England advises that a HRA of water quality impacts on the habitats sites is undertaken for developments that are within, or discharge to, Wastewater Treatment Works (WwTW) that are within these catchments.

**Evidence Summary for each habitats site.** This document includes the site name and site details including reasons for designation, nutrient pressure (i.e. whether it is nitrogen, phosphorus or both), water quality evidence and information on the underpinning Sites of Special Scientific Interest (SSSIs) for the habitats site.

**Nutrient Neutrality Principles.** These set out the key principles which must be met for nutrient neutrality to be an effective mitigation measure which can be relied upon to enable development to proceed that would otherwise adversely affect the integrity of habitats sites.

## **2.0 Where a Habitats Site is Currently Unfavourable Due to Nutrients**

Where a site is considered unfavourable due to exceeded nutrient levels and there is the possibility of further nutrient loading from a new plan or project, Natural England advises that Competent Authorities need to carefully consider the circumstances where plans or projects can be authorised. In many cases, an Appropriate Assessment (AA) is likely to be the appropriate stage to consider these matters more thoroughly.

Where the plan or project will (or it cannot be ascertained that it will not) contribute additional significant nutrients, alone or in-combination directly to, or upstream of, any unfavourable location which is important for maintaining or restoring the sensitive designated interest features, then Natural England advises that either there is a Likely Significant Effect (LSE) or a LSE cannot be ruled out and therefore, an Appropriate Assessment should be undertaken. We advise that as the Competent Authority you should consider the implications of relevant case law in any HRA. Annex F identifies "Thresholds for Insignificant Effects" for phosphorus discharges to ground.

## **3.0 Use of Permitted Wastewater Treatment Works (WwTW) Headroom**

Headroom (flow or quality) in WwTW discharge permits has largely come about due to decisions being made by the Competent Authority based on taking a 'fair share' approach that relies on proportionality (i.e. relying on action by each sector to achieve favourable conservation status) and/or through water companies significantly over-performing on their permits. In many situations, headroom has been eroded as the habitats site water quality objectives have become more stringent, or there is new available information since the last AA of the permit.

Competent Authorities who wish to rely on the reasoning or conclusions in previous AA should consider the age of the AA, its robustness and whether evidence or circumstances have changed and therefore whether additional consideration is needed. Careful consideration will be needed where the habitats site feature is unfavourable due to elevated nutrient levels and plans or projects contribute further loading. Competent Authorities should consider:

- Any changes to the habitats site nutrient objectives or related ecological objectives since the AA was undertaken.
- Any new relevant information since the AA e.g. change to site condition, information on how measures relied on in the AA have performed.

- Whether the previous AA complies with current legal requirements as a result of any changes to Case law.
- Whether any measures taken into account in the AA can be still be safely relied on to deliver the anticipated effects so that no reasonable scientific doubt remains as to their efficacy and delivery. For example, if a decision on a permit was based on another sector (such as agriculture) also delivering reductions to enable the site to achieve the water quality objectives, those measures to be taken on other sectors should be sufficiently certain so that they can lawfully be considered in an AA.

The preferred approach is to have a strategic plan which considers what is required from all sources (e.g. Diffuse Water Pollution Plan /Nutrient Management Plan) based on the latest evidence, is sufficiently certain and can therefore be used to identify and enable the development of WwTW headroom that can be used for growth, which competent authorities can then rely on to inform their AA. However due to the difficulties with providing sufficient certainty in these plans this may not be possible in the short to medium term for some habitats sites and may remain a longer term aim.

#### 4.0 Updated Nutrient Neutrality Methodology

This new methodology incorporates updated information as detailed below. For those authorities which are currently implementing nutrient neutrality Natural England recommends that they move to applying the updated methodology (attached) and the catchment calculators (attached) in preference to any existing methodologies whether produced by Natural England or your own authority.

- The Generic Methodology includes the latest version of Farmscoper (version 5) which includes more up to date values for the various variables. The updated approach also uses the actual outputs rather than averaged values from Farmscoper for detailed farm types broken down by rainfall, drainage and Nitrate Vulnerable Zones. The benefit of taking the detailed farm types approach is that it offers a more specific budget calculation for the actual nutrient losses from the development or mitigation land to be taken into account.
- The Generic Methodology covers all potential different situations on water usage that might occur across the full range of catchments.
- It provides a more consistent approach for dealing with onsite wastewater treatment systems.
- Pet waste is not considered in the greenspace export coefficient as this type of waste is taken into account in the urban surface water run off element of the calculator.
- The new methodology uses a different approach for calculating the urban export co-efficient so that it is applicable across the country. The values take into account the type of urban land and development site specific rainfall. This results in export values that will be specific to the rainfall at the location within the catchment.

#### 5.0 Status of the National Nutrient Methodology and Calculators

Natural England is issuing the National Generic Methodology (and the associated catchment calculators) to provide Local Planning Authorities with the tools to progress nutrient neutrality as a potential mitigation solution to enable development that would otherwise adversely affect the integrity of habitats sites to proceed. However, at present this guidance **should be considered as provisional** due to the outstanding appeal to the Court of Appeal in **Wyatt v Fareham BC** [2021] EWHC 1434 (Admin), which although not concerned with the National Generic Nutrient Neutrality Methodology, could impact on certain elements contained within the Methodology because that case considers a similar (but not identical) earlier methodology for the Solent region. The Court of Appeal has granted permission for the appeal to be heard. The dates of the hearing are 5<sup>th</sup> and 6<sup>th</sup> April 2022. The outcome of the appeal hearing is not known. Nevertheless, Natural England is encouraged that the Judge in the High Court upheld Natural England's nutrient neutrality approach in principle and has responded to the Judge's comments in the Methodology. Natural England

intends to review this Methodology following judgement in the appeal in **Wyatt** which may require amendments to be made to the Methodology.

## 6.0. Mitigation Options

Mitigation to enable development to proceed within the affected catchments of the designated sites listed in Annex C can include nutrient neutrality as an option to avoid either permanent, or temporary increases in nutrients on the affected sites. Suitable mitigation measures might include constructed wetlands, land use change or retrofitting of Sustainable Urban Drainage systems (SUDs). Such measures must be effective for the duration of the impacts. In the case of new housing the duration of the impact is typically taken as in perpetuity, with the costs of maintaining, monitoring and enforcing mitigation calculated for a minimum of 80 – 125 years. It does not, however, follow that mitigation is not needed after that period, but rather the expectation is the mitigation will continue indefinitely (e.g. through securing appropriate permanent land use change).

There may be circumstances in which it is possible to define the 'lifetime of the development' more precisely, for example where consent is sought for the construction and use of a temporary structure that will be removed after a fixed period. In those circumstances, a Competent Authority may require mitigation to be maintained for a shorter period providing the Competent Authority is certain that adverse impacts on the integrity of a habitats site will not occur after the mitigation is removed. In those circumstances, a bespoke nutrient budget will be required, and early discussions with Natural England via our chargeable DAS are recommended [Natural England Discretionary Advice Service](#).

Natural England has identified that nutrient neutrality is an option which can be used to mitigate the impacts of excess nutrients from development for the majority of sites listed in Annex C. However, there may be instances where due to the nature of the habitats site and/ or the location and scale of development it may not be appropriate to apply nutrient neutrality, as doing so would compromise the ability to restore the site to favourable conservation status in the long term, or it may not be possible to identify mitigation which will enable the development to be nutrient neutral. Situations where this is more likely to apply are explained in Annex C.

The extent of these nutrient neutrality constraints will be site and often development specific so will need to be considered on a case-by-case basis. Natural England recommends that Competent Authorities should carefully consider whether it is possible to allocate development in catchments or parts of catchments of sites which are likely to have significant constraints in being able to apply nutrient neutrality. Where nutrient neutrality cannot effectively mitigate the nutrient impacts of new developments, then consent should only be granted where other mitigation can effectively prevent an adverse effect on the integrity of site.

When consulting Natural England on proposals with the potential to affect water quality resulting in nutrient impacts on habitats sites, please ensure that a Habitats Regulations Assessment is included which has been informed by the Nutrient Neutrality Methodology (attached). Further guidance on the process is provided by the Decision Tree (Annex D) and HRA flow Diagram (Annex E) Without this information Natural England will not be in a position to comment on the significance of the impacts or the scope of any mitigation which may be required. For large scale developments, Natural England may provide advice on a cost recovery basis through our Discretionary Advice Service

All queries in relation to the application of this methodology to specific applications or development of strategic solutions will be treated as pre-application advice and therefore subject to chargeable services.

## 7.0 Forthcoming Tools and Guidance

**Natural England's SSSI Impact Risk Zones** will also be updated to include the affected catchments.



Annex B: National Map of Catchments



European protected sites requiring nutrient neutrality strategic solutions  
**Nutrient neutrality SSSI catchments**

- SSSI subject to nutrient neutrality strategy
- Nutrient neutrality SSSI catchment

Produced by Defra Spatial Data Science  
© Defra 2021, reproduced with the permission of Natural England, <http://www.naturalengland.org.uk/copyright>.  
© Crown Copyright and database rights 2021. Ordnance Survey licence number 100022021.



**Annex C: Habitats sites in unfavourable condition and where nutrient neutrality has been identified as a potential mitigation solution to enable development to proceed.**

**Table 1: Existing sites in unfavourable condition due to excessive nutrients which require a Habitats Regulations Assessment (HRA) and where nutrient neutrality is being deployed as mitigation.**

<b>Habitats Site &amp; Catchment</b>	<b>LPA Affected</b>	<b>Nutrient</b>	<b>Summary of Development Types Affected</b>	<b>Nutrient Neutrality Methodology and Calculator produced by Natural England or LPA*.</b>
<b>Poole Harbour SPA / Ramsar</b>	Dorset Council Bournemouth, Christchurch and Poole Council	Nitrogen and Phosphorus	Additional development that will result in a net increase in population served by a wastewater system, including new homes, student and tourist accommodation	Nitrogen Reduction in Poole Harbour Supplementary Planning Document (SPD)
<b>The Solent</b>	Basingstoke and Deane Borough Council Chichester District Council East Hampshire District Council Eastleigh Borough Council Fareham Borough Council Gosport Borough Council Havant Borough Council Isle of Wight Council New Forest District Council New Forest National Park Authority Portsmouth City Council South Downs National Park Authority Southampton City Council Test Valley Borough Council Wiltshire Council Winchester City Council	Nitrogen for existing catchment (River Itchen includes Phosphorus and Nitrogen. See River Itchen in Table 2 for further details)	Additional development that will result in a net increase in population served by a wastewater system, including new homes, student and tourist accommodation	Methodology and Calculator developed and provided by Natural England.
<b>River Avon SAC</b>	Bournemouth Christchurch and Poole Council	Phosphorus	Additional development that will result in a net increase in population served by a	Interim Phosphate Calculator



	Dorset Council New Forest District Council New Forest National Park Authority Test Valley Borough Council Wiltshire Council		wastewater system, including new homes, student and tourist accommodation	
<b>River Camel SAC</b>	Cornwall Council	Phosphorus	<ul style="list-style-type: none"> <li>Additional development that will result in a net increase in population served by a wastewater system, including new homes, student and tourist accommodation.</li> <li>Additional locally specific advice</li> </ul>	Phosphate Calculator developed by consultants on behalf of Local Planning Authority
<b>Stodmarsh SAC/Ramsar</b>	Ashford Borough Council Canterbury City Council Dover District Council Folkestone and Hythe District Council Maidstone Borough Council Swale Borough Council	Nitrogen and Phosphorus	Additional development that will result in a net increase in population served by a wastewater system, including new homes, student and tourist accommodation.	Methodology and Calculator developed and provided by Natural England.
<b>River Wye SAC (only applies to the River Lugg component)</b>	Herefordshire Council Malvern Hills District Council	Phosphorus	Additional development that will result in a net increase in population served by a wastewater system, including new homes, student and tourist accommodation.	Phosphate Calculator developed by consultants on behalf of Local Planning Authority
<b>Somerset Levels and Moors Ramsar</b>	Dorset Council Exmoor National Park Mendip District Council Mid Devon District Council Sedgemoor District Council Somerset West and Taunton District Council South Somerset District Wiltshire Council	Phosphorus	<ul style="list-style-type: none"> <li>Additional residential and commercial development that will result in a net increase in population served by a wastewater system, including new homes, student and tourist accommodation.</li> <li>Additional locally specific advice</li> </ul>	Methodology and calculator developed by consultants on behalf of Local Planning Authority

\*Note: Nutrient neutrality calculators have been provided for all the catchments listed above, even where there is an existing nutrient neutrality calculator .

**Table 2: Additional habitats sites in unfavourable condition due to excessive nutrients which require a Habitats Regulations Assessment (HRA) and where nutrient neutrality is a potential solution to enable development to proceed.**

<b>Habitats site &amp; Catchment</b>	<b>LPA Affected</b>	<b>Nutrient</b>
Chesil and the Fleet SAC/SPA	Dorset Council	Nitrogen and Phosphorus
Esthwaite Water Ramsar	South Lakeland Council	Phosphorus
Hornsea Mere SPA	East Riding of Yorkshire Council	Nitrogen and Phosphorus
Lindisfarne SPA/Ramsar	Northumberland County Council	Nitrogen
Oak Mere SAC	Cheshire West and Chester Council	Phosphorus
Peak District Dales SAC	Derbyshire Dales District Council High Peak Borough Council Peak District National Park Authority	Phosphorus
River Axe SAC	Dorset Council East Devon District Council Somerset West & Taunton Council South Somerset District Council	Phosphorus
River Clun SAC	Herefordshire Council Shropshire Council	Nitrogen and Phosphorus
River Derwent & Bassenthwaite Lake SAC (only applies to catchments of Bassenthwaite Lake (River Derwent and Tributaries SSSI unit 1) and River Marron (unit 124 of River Derwent and Tributaries SSSI).	Allerdale Borough Council Copeland Borough Council Eden District Council Lake District National Park	Phosphorus
River Eden SAC	Allerdale Borough Council Carlisle City Council Durham County Council Eden District Council Lake District National Park Northumberland County Council Northumberland National Park Richmondshire District Council South Lakeland Council	Phosphorus
River Itchen SAC (part of Solent Catchment)	Basingstoke and Deane Borough Council East Hampshire District Council Eastleigh Borough Council Winchester City Council	Nitrogen and Phosphorus
River Kent SAC (only applies to catchments of units 104 and 111 of River Kent SSSI)	Eden District Council Lake District National Park South Lakeland Council	Phosphorus
River Lambourn SAC	Swindon Borough Council Vale of White Horse District Council West Berkshire Council Wiltshire Council	Phosphorus
River Mease SAC	East Staffordshire Borough Council Hinckley and Bosworth Borough Council Lichfield District Council North Warwickshire Borough Council	Phosphorus

	North West Leicestershire District Council South Derbyshire District Council	
River Wensum SAC	Borough Council of King's Lynn and West Norfolk Breckland Council Broadland & South Norfolk Council North Norfolk District Council Norwich City Council	Phosphorus
Roman Walls Loughs SAC	Northumberland County Council Northumberland National Park Authority	Phosphorus
Rostherne Mere Ramsar	Cheshire East Council	Nitrogen and Phosphorus
Teesmouth & Cleveland Coast SPA/Ramsar	Darlington Borough Council Durham County Council Eden District Council Hambleton District Council Hartlepool Borough Council Middlesbrough Council North York Moors National Park Redcar and Cleveland Borough Council Richmondshire District Council Stockton-on-Tees Borough Council	Nitrogen
The Broads SAC/Ramsar (only the following are included: <ul style="list-style-type: none"> <li>• Bure Broads and Marshes SSSI</li> <li>• Trinity Broads SSSI</li> <li>• Yare Broads and Marshes SSSI</li> <li>• Ant Broads and Marshes SSSI</li> <li>• Upper Thurne Broads and Marshes SSSI</li> </ul>	Borough Council of King's Lynn and West Norfolk Breckland Council Broadland & South Norfolk Council Great Yarmouth Borough Council North Norfolk District Council Norwich City Council The Broads Authority	Nitrogen and Phosphorus and
West Midlands Mosses SAC (only catchments of Abbots Moss SSSI and Wynbunbury Moss SSSI are included)	Cheshire East Council (Wynbunbury) Cheshire West and Chester Council (Abbots)	Nitrogen and Phosphorus

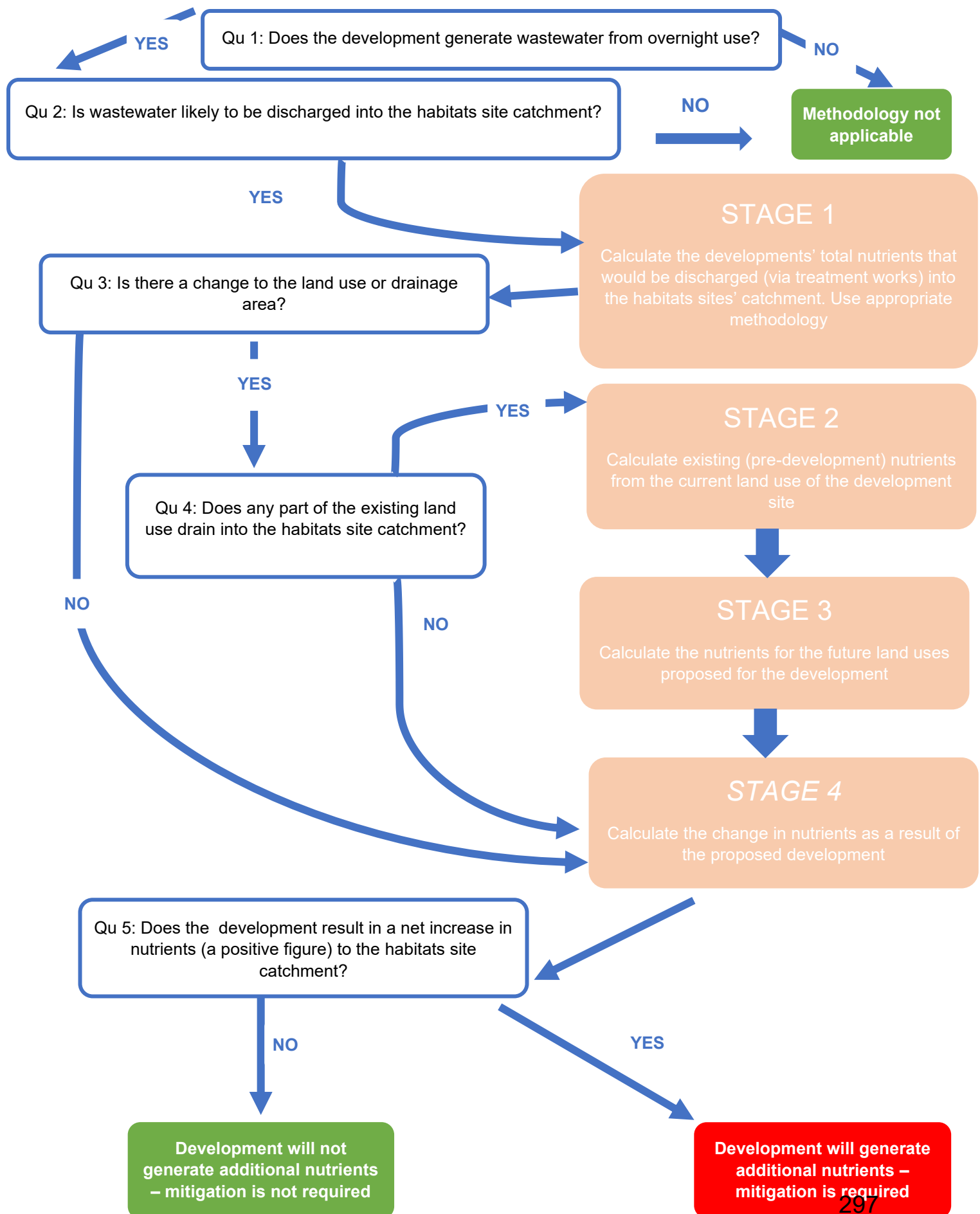
### **Situations where Nutrient Neutrality may not be an appropriate Mitigation Measure**

- Lake or wetland sites and particularly those with long residence times or which have a limited or no outflow. For these types of sites nutrients will accumulate over time and therefore they are particularly vulnerable to even small increases in nutrients which will further hinder restoration. Where one of these sites is already unfavourable due to nutrient enrichment it is also likely that current sources of nutrients will need to be reduced to restore the site and therefore using these measures for nutrient neutrality would undermine the ability to restore the site.
- Where the development impact is direct to a habitats site terrestrial wetland habitat rather than to surface water. In these circumstances the mitigation would need to be

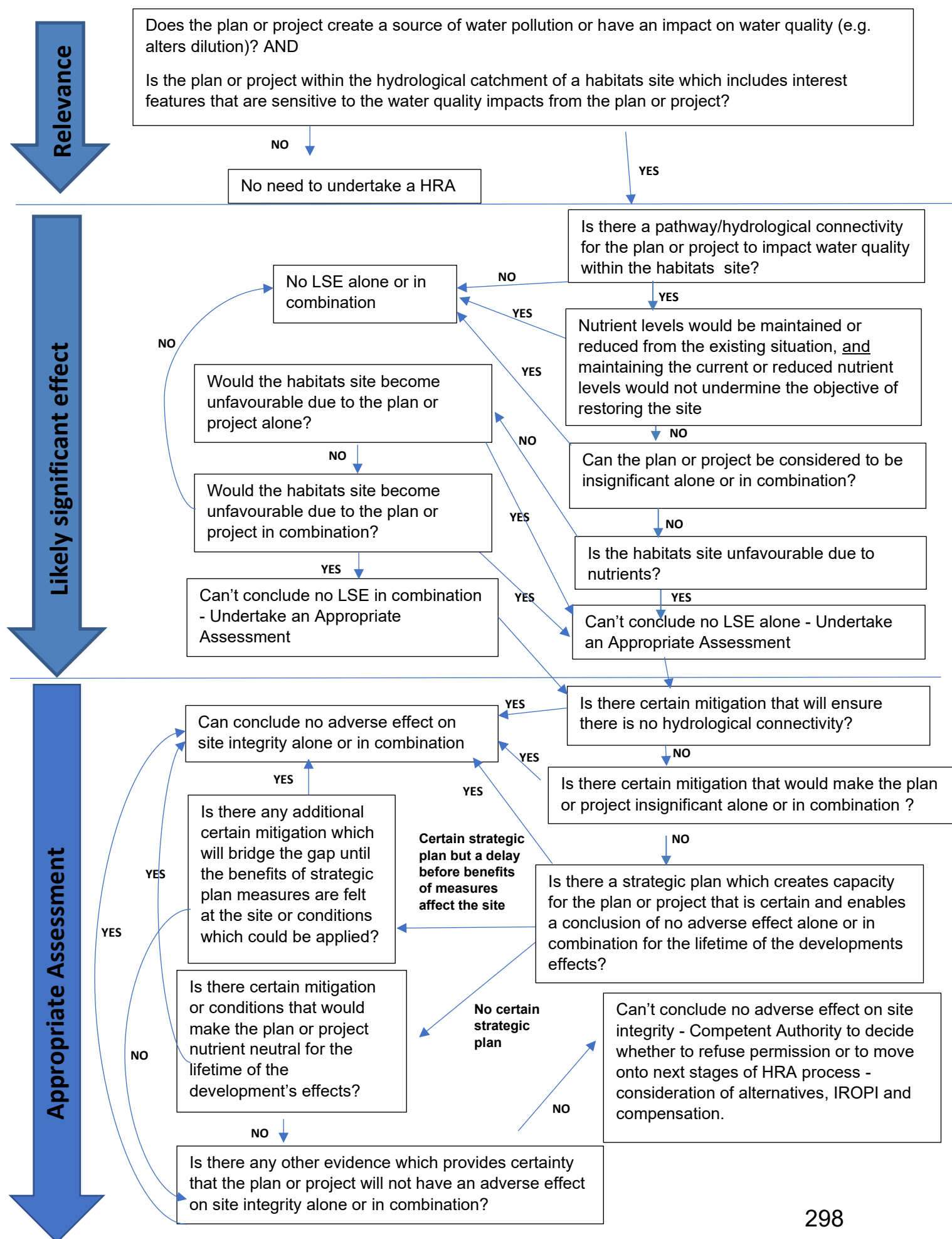
at the exact same location where the development is having its effect on the site, as reductions in nutrients in other locations of the wetland would not neutralise the effect of the development. Therefore, potential mitigation options will likely be very limited.

- Where the development impact is via groundwater discharging direct to a habitats site terrestrial wetland habitat rather than to groundwater discharging to surface water. In these circumstances there will be variation in the effectiveness of measures depending on their location within the groundwater catchment compared to development. This means measures may need to be located in the same part of the groundwater catchment to ensure that it would neutralise the nutrient increase from the development before it reaches the site, thereby constraining the area where mitigation could be targeted to a smaller area.
- Development (particularly larger developments) in the headwaters of a catchment. In these circumstances the area upstream of the development where nutrient neutrality mitigation can be located will be restricted to a small area, providing much more limited and perhaps in some cases no feasible opportunities for mitigation through nutrient neutrality, although other mitigation measures may be possible.
- Habitats sites with small catchments. Again, there will be a much more limited area where mitigation can be targeted thereby limiting potential nutrient neutrality mitigation opportunities.
- Where widespread and/or large-scale uptake of measures are needed to restore the habitats site or part of the site (e.g. identified in the DWPP or NMP) thereby significantly constraining the measures available for counterbalancing additional nutrient inputs in a way which will not undermine site restoration.

## Annex D: Nutrient Assessment Methodology for Development which Generates Wastewater Decision Tree



## Annex E: Flow Diagram of HRA Process for Consultations Contributing Nutrients



## **Annex F: Thresholds for Insignificant Effects – Phosphorus Discharges to Ground**

Waddenzee established that an Appropriate Assessment (AA) is required where there is a “probability or a risk” of a significant effect on the site concerned. In light of the precautionary principle, a plan or project is likely to have a significant effect if the risk cannot be excluded on the basis of objective evidence. Any site specific rationale or thresholds to demonstrate the insignificance of effects would need to ensure that the risk of Likely Significant Effect (LSE) (alone or in combination) can be excluded. Where evidence is not currently available or it is uncertain, it would be more appropriate to take the plan or project through to AA for further consideration. It may still be possible to conclude no adverse effect on site integrity (alone or in combination) in the AA through further consideration as to the specific facts of the case in question and/or through consideration of appropriate mitigation.

Natural England currently considers that it is difficult to make robust arguments around generic standardised thresholds for levels of water quality impacts that exclude the risk of likely significant effects (alone or in combination) for all sites and situations. There are a number of different factors that are variable between sites which can influence the risk of cumulative effects and the sensitivity and vulnerability of the site and therefore what might be significant.

### **Thresholds for insignificant levels of phosphorus discharges to ground**

Natural England considers that there is an exception to this position on generic thresholds in relation to discharges of phosphorus to ground.

Any plan or project which requires planning permission, Building Regulations approval or an environmental permit from the Environment Agency must comply with the requirements of those regulatory regimes as well as what is needed to meet the Habitat Regulations. For example, all of these regimes require that developments should be connected to the public foul sewerage network wherever this is reasonable. This includes areas where the Habitats Regulations apply and any need to reduce nutrient inputs in those areas should not lead to the installation of non-mains foul drainage systems in circumstances where connection to the public foul sewer would otherwise be considered reasonable. Any plan or project then connecting to mains would still need to also be compliant with Habitat Regulations.

### **Summary of evidence**

Septic tank systems or package treatment plants that discharge to ground via a drainage field should pose little threat to the environment, because much of the P discharged is removed from the effluent as it percolates through the soil in the drainage field<sup>11</sup>. The risk of water pollution by these types of discharges to ground depends on a range of factors that affect their success or failure and can be summarised by three key factors<sup>12</sup>:

1. improper location
2. poor design
3. incorrect management

<sup>11</sup> Robertson WD, Van Stempvoort ER & Schiff SL. 2019. Review of Phosphorus attenuation in groundwater plumes from 24 septic systems.

<sup>12</sup> MAY, L., PLACE, C., O'MALLEY, M. & SPEARS, B. 2015. *The impact of phosphorus inputs from small discharges on designated freshwater sites*. Natural England Commissioned Reports, [NECR 170](#).

Phosphorus is removed from the effluent within the drainage field through retention in the soil through sorption within the aerated soil zone and mineral precipitation. How much phosphorus is removed will depend on the soil type and phosphorus characteristics, mineral content, pH, texture, and the hydraulic loading rate. P sorption can be reversed and P desorption can occur in certain conditions e.g. change in redox conditions<sup>13</sup>. For the drainage field to work effectively the drainage field needs to have acceptable year round percolation rates which will be influenced by the soil type, as if they drain too quickly or too slowly effective phosphorus removal will not take place. In addition if infiltration rates are lower than the loading rate of the effluent into the drainage field then hydraulic failure can occur which results in the effluent being discharged over the soil surface. Therefore correct design of the system is important. The Building Regulations<sup>14</sup> set out design and construction standards for septic tanks, package treatment plants and drainage fields. In relation to drainage fields they include the need for a percolation test, a method for how this should be undertaken and the minimum and maximum percolation values ( $V_p$ ) which ensure that the drainage field effectively removes pollutants. This is then used to calculate the size of the drainage field required for the size of the household it will be serving.

Robertson et al (2019)<sup>8</sup> found that the carbonate mineral content of the drainage field sediments can also affect the P retention within the drainage fields and therefore the distance any P plume extends. Calcareous sediments having very high P retention (average 97%), with plumes not extending beyond 10m and non-calcareous sediments showing greater variability and having a lower P retention (average 69%) with some of the P plumes extending beyond 15m up to 100m in one case.

The evidence has shown that it is the aerated drainage field sediments which provides a key function in terms of removing the phosphorus from the effluent before it enters a receiving water body (surface or groundwater). Any enhanced connectivity to a water body, which short circuits this process, is probably one of the main factors that causes pollution of habitats sites (and other water dependent sites) by these systems<sup>15 16</sup>. Therefore it will be important that the drainage field is sited far enough away from any watercourse, ditch, drain etc. as well as that it is not in a location where the groundwater is high enough that comes into connection with this aerated zone. Fractured rock or fissured geology could also short circuit this process. In addition seasonal flooding can wash out the contents of the tanks. Slope also affects the way the drainage field functions, with steeper slopes having a higher risk of run off.

<sup>13</sup> Mary G. Lusk, Gurpal S. Toor, Yun-Ya Yang, Sara Mechtensimer, Mriganka De

& Thomas A. Obreza. 2017. *A review of the fate and transport of nitrogen, phosphorus, pathogens, and trace organic chemicals in septic systems*, Critical Reviews in Environmental Science and Technology, 47:7, 455-541,

<sup>14</sup> [Building Regulations, Drainage and Waste disposal](#) (2015), Document H, Section H2.

<sup>15</sup> MAY, L., WITHERS, P.J., STRATFORD, C., BOWES, M., ROBINSON, D. & GOZZARD, E. 2015. *Development of a risk assessment tool to assess the significance of septic tanks around freshwater SSSIs: Phase 1 – Understanding better the retention of phosphorus in the drainage field*. Natural England Commissioned Reports, [NECR171](#)

<sup>16</sup> MAY, L., DUDLEY, B.J., WOODS, H. & MILES, S. 2016. *Development of a Risk Assessment Tool to Evaluate the Significance of Septic Tanks Around Freshwater SSSIs*. [NECR 222](#)



There is also some evidence that density (i.e. number) of these types of systems in an area also has a bearing on the risk of pollution. In general, lower densities of tanks tend to cause less contamination of downstream water bodies than higher densities of tanks.

### Proposed thresholds

Small discharges to ground i.e. less than 2m<sup>3</sup>/day<sup>17</sup> that are within the surface or groundwater catchment of a designated site will present a low risk that the phosphorus will have a significant effect on the designated site where certain conditions are met:

- a) The drainage field is more than 50m from the designated site boundary (or sensitive interest feature)<sup>18</sup> **and**;
- b) The drainage field is more than 40m from any surface water feature e.g. ditch, drain, watercourse<sup>19</sup>, **and**;
- c) The drainage field in an area with a slope no greater than 15%<sup>20</sup>, **and**;
- d) The drainage field is in an area where the high water table groundwater depth is at least 2m below the surface at all times<sup>21</sup> **and**;
- e) The drainage field will not be subject to significant flooding, e.g. it is not in flood zone 2 or 3 **and**;
- f) There are no other known factors which would expedite the transport of phosphorus<sup>9</sup> for example fissured geology, insufficient soil below the drainage pipes, known sewer flooding, soil/geology type and its ability for P sorption/mineralisation or presence of conditions would cause remobilisation phosphorus, presence of mineshafts, etc **and**;
- g) To ensure that there is no significant in combination effect, the discharge to ground should be at least 200m from any other discharge to ground<sup>22</sup>.

<sup>17</sup> A limit of 2m<sup>3</sup>/day is used based on this being the size used for discharges to ground in the General Binding Rules and is representative of the size of the majority of the septic tanks investigated within [NECR171](#), from which most of the criteria are based.

<sup>18</sup> 50m is the distance as which no measurable phosphorus signal was detected at this distance (NECR171 and NECR222). Robertson *et al* (2019) also found that the majority (although not all) of plumes did not extend further than this distance

<sup>19</sup> 40m is the distance that represents a low risk, based on there was a weak phosphorus signal this distance for some of the small discharges (NECR171 and NECR222) This is a slightly less precautionary value than the 50m distance to the Habitats site as there will be the capacity for further attenuation and dilution before the site.

<sup>20</sup> 15% is the slope that represents a low risk based on the methodology outlined in NECR222.

<sup>21</sup> 2m is the groundwater depth that represents a low risk, based on very low levels being detected in soil at depth below this (NECR171 and NECR222)

<sup>22</sup> The 200m is based on the 50m distance where no measurable phosphorus signal was detected (NECR171) for each septic tank. So for two drainage field areas not to overlap they need to be at least 100m apart. A safety factor of two is then applied to ensure that in the long term there will be the certainty that the effective drainage field phosphorus retention areas don't overlap. This then also takes account of the greatest distance that Robertson *et al* (2019) found a plume to extend which was 100m to ensure there would be no overlap. It also ensures that the maximum density of these systems is no more than one for every 4ha (or 25 per km<sup>2</sup>), as identified in NECR170.

A GIS layer is available from NE<sup>23</sup> which looks at conditions b, c and d above only, for the whole of England. Where this layer indicates that there is a low risk, then the three conditions (b, c & d) above can be considered to be met. Where there is a high or medium risk identified, then one or more of the three conditions (b, c & d) will not be met. This GIS layer can be shared with the EA and Local Authorities with the relevant data licence via our GI team, but not with developers due to the terms in the data licence. If site specific monitoring/modelled data is presented for conditions b, c or d which provides greater certainty than the national dataset used to produce the risk map, then this can override the risk map. It may be time consuming and/or costly to undertake site-specific monitoring that provides certainty for some of the conditions such as groundwater depth, due to the inherent variability over time and therefore the need for any monitoring to cover a long enough time period (several years) and to a sufficient frequency to determine the highest groundwater depth. So it is acceptable to rely on modelled or national dataset where these are the best available data and scientifically robust.

To consider the other three conditions (a, e and f) other data sources will need to be considered. Condition a can be looked at through using the designated site data layer<sup>24</sup> and calculating the distance from the site boundary. Condition e can use the EA flood risk maps (<https://flood-map-for-planning.service.gov.uk/>). Condition f should make use of any sewer flood data, information on local geology and soils, groundwater phosphorus concentration monitoring within the catchment or other local information which it is readily available. Elevated concentrations of phosphorus in groundwater would indicate phosphorus transport being short circuited e.g. through fissures, that it is not being effectively retained within the drainage field or it is being remobilised. It can be assumed that phosphorus is being effectively retained and not remobilised unless there is existing evidence at the discharge location or within the wider catchment which suggest that this may be occurring in the same conditions to those present at the location of the proposed discharge. Such evidence could include investigations, known soil or geological conditions or groundwater water quality (P) data from similar soil/geological conditions.

As not all of the phosphorus will be retained by the soil, condition g is to ensure that there is no in combination or cumulative effect from a number of these discharges in an area which together could add up to have a significant effect.

If conditions a to g are all met this represents a low risk that phosphate will reach the site, and not zero risk (i.e. not that no phosphorus from the discharge will ever reach the site in all cases). There will be further processes of dilution and attenuation between the drainage field and the site, which will provide further reduction and the current evidence would suggest that the scale of any inputs from these sources would not be significant.

Where best available evidence indicates that these conditions are met, Natural England advice is a conclusion of no LSE alone or in combination for phosphorus can be reached in these circumstances. Where uncertainty remains so LSE cannot be ruled out or evidence exists that there is a risk of phosphate from small discharges to ground causing a significant effect to a designated site (e.g. from SAGIS modelling or monitoring investigations), then Natural England advice is that there is a LSE or LSE cannot be ruled out and an AA should

<sup>23</sup>. The dataset LPAs can [request the GIS layer](#) for the England sewage discharge risk map from Natural England. The dataset is called - Small\_Sewage\_Discharge\_Risk\_Zone\_Map\_For\_England (Dissolved).

<sup>24</sup> The Special Protection Area (England), Potential Special Protection Area (England), Special Areas of Conservation (England), Possible Special Areas of Conservation (England), Ramsar (England) and Proposed Ramsar (England) data layers can be download from [Natural England Open Geodata portal](#)

be undertaken. Where evidence is presented which provides certainty that there will be no LSE even though these conditions are not met e.g. better local information, then Natural England's advice may be no LSE, but would be determined on a case by case basis.

The Competent Authority, as the decision maker, will need to determine whether it agrees with NEs advice.

For developments which allow for increases in the number of people that will be served by an existing discharge to a drainage field, it will be important to consider whether the existing system has sufficient capacity in its design to accommodate the increase, without increasing the risk of pollution.

The evidence underpinning these thresholds will be periodically reviewed and the thresholds will be amended as necessary to take account of any new evidence.

This approach does not apply to nitrogen as it does not get taken up by the soil like phosphorus.

Further work is necessary to review the evidence and determine if it is possible to establish any other generic insignificance thresholds for other development or discharge types. It may also be possible to develop site specific insignificance thresholds.

### Annex G: Natural England Area Team Contacts

Habitat Site	Area Team	Area Team Manager	Additional Area Team contact
Oak Mere SAC	Cheshire and Lancashire	Ginny Hinton ginny.hinton@naturalengland.org.uk	Petula Neilson Bond
Rostherne Mere RAMSAR			
West Midlands Mosses SAC			
Estwaite Water Ramsar	Cumbria	Helen Kirkby helen.kirkby@naturalengland.org.uk	Helen Smith
River Derwent & Bassenthwaite Lake SAC			
River Eden SAC			
River Kent SAC			
River Axe SAC	Devon, Cornwall and Isles of Scilly	Wesley Smyth wesley.smyth@naturalengland.org.uk	Denise Ramsay for LPAs in Devon and Simon Stonehouse for LPAs in Somerset
River Camel SAC			Denise Ramsay
Peak District Dales SAC	East Midlands	Vicky Manton victoria.manton@naturalengland.org.uk	Ian Butterfield
River Mease SAC			
River Wensum SAC	Norfolk and Suffolk	Helen Dixon helen.dixon@naturalengland.org.uk	Jack Haynes
The Broads SAC/Ramsar			
Lindisfarne SPA/Ramsar	Northumbria	Christine Venus christine.venus@naturalengland.org.uk	Lewis Pemberton Andrew Whitehead
Roman Walls Loughs SAC			

Teesmouth & Cleveland Coast SPA/Ramsar			
Stodmarsh SAC/Ramsar	Sussex and Kent	James Seymour james.seymour@naturalengland.org.uk	Sue Beale
Solent	Thames Solent	Allison Potts allison.potts@naturalengland.org.uk	Becky Aziz
River Itchen SAC		Please contact the Thames Solent Team for developments in Hampshire and Isle of Wight and the Kent and Sussex Team for developments in Chichester and Wessex Team for developments in Wiltshire.	Becky Aziz
River Lambourn SAC			Amy Kitching
River Avon SAC	Wessex	Rachel Williams rachel.williams@naturalengland.org.uk	Tom Lord
Somerset Levels & Moors Ramsar			
Chesil and the Fleet SAC/SPA			
Poole Harbour SPA Ramsar			
River Clun SAC	West Midlands	Emma Johnson emma.johnson@naturalengland.org.uk	Hayley Fleming
River Lugg (part of River Wye SAC)			
West Midland Mosses SAC			
Hornsea Mere SPA	Yorkshire and Lincolnshire	Paul Duncan paul.duncan@naturalengland.org.uk	Hannah Gooch



## Nutrient neutrality principles and use of Diffuse Water Pollution Plans (DWPPs) and Nutrient Management Plans (NMPs)

### Nutrient Neutrality Principles

Nutrient neutrality is a means of ensuring that a plan or project does not add to existing nutrient burdens so there is no net increase in nutrients as a result of the plan or project (i.e. it “consumes its own smoke”). Where nutrient neutrality is properly applied and the existing land use does not undermine the conservation objectives<sup>1</sup>, Natural England considers that an adverse effect on integrity alone and in combination can be ruled out.

Where neutrality measures are needed, the purpose of these mitigation measures is to avoid impacts to the designated sites, rather than compensating for the impacts once they have occurred.

There are a number of principles that any nutrient neutrality mitigation would need to meet in order for it to meet the requirements of the Habitat Regulations. Natural England’s advice is that any neutrality measures relied on in an Appropriate Assessment (AA) should:

1. Have scientific certainty that the measures at the time of the AA will deliver the required reduction to make the plan or project ‘neutral’.
  - The competent authority should explain in its AA how any measures relied upon are certain at the time of assessment. Natural England considers that references to ‘certainty’ in the context of a HRA means that **“no reasonable scientific doubt remains as to the absence of such effects”**. Absolute certainty is not required; a competent authority could be certain that there would be no adverse effects even though, objectively, absolute certainty is not proven.
  - For some types of mitigation, particularly those that are more novel or complex, there will be uncertainty as to the exact effectiveness the mitigation may deliver. One approach to ensure sufficient certainty may be to apply a precautionary efficacy value based on the evidence and/or providing greater mitigation than is required. Were a precautionary figure is used, monitoring of the mitigation measure may provide evidence and therefore certainty in a higher efficacy at a point in the future, which at that point could then be relied upon in an AA for future development. There may be instances where reasonable scientific doubt remains around the effectiveness of a mitigation measure (e.g. an extremely novel form of mitigation) In such instances it

<sup>1</sup> See Annex 1.

may not be possible to use this type of mitigation until further evidence is collected to provide the sufficient level of certainty e.g. the measure is put in place and the efficacy monitored before it is relied upon in an AA.

2. Have practical certainty that the measures will be implemented and in place at the relevant time when the AA is undertaken, e.g. secured and funded for the lifetime of the development's effects.
  - The competent authority should explain in its AA how any measures relied upon are certain at the time of assessment. There may be different ways to achieve this certainty. One common method of ensuring full implementation of measures that are relied on in an AA would be for the measures to be secured through legally binding obligations that are enforceable.
  - Mitigation must be in place for the lifetime of the proposed development so in most cases this will be in perpetuity. We generally define in perpetuity between 80-125 years, however, it does not follow that mitigation is not needed after that period.
3. Be preventive in nature so as to avoid effects in the first place rather than offset or compensate for damage. This applies both temporally and spatially.
  - Temporally:
    - Consideration will need to be given as to (i) when the measures will come online and into effect and (ii) when the pollutants come online as the impact may be phased and take place over the lifetime of a development, rather than on day one. It may be that a range of measures may be needed to address impacts over time.
    - There may be cases where nutrient neutrality is not, at first, achieved because there is a time lag between the initial effects from the plan or project at the Habitats site compared to the benefits of neutrality measures (on-site or off-site) being felt at the Habitats site. One option is to consider whether bridging measures or reasonable restrictions on occupation or phasing could close that time lag so that neutrality can be achieved.
  - Spatially:
    - Consideration will need to be given as to the location of any mitigation relative to where the development will have its impact on the Habitats site to ensure that it avoids any increase in nutrients within the site. The mitigation measure will need to be upstream of the location where the development site run off and wastewater input will have its effect on the Habitats site. This means if the wastewater/run off is direct to (i.e. within) the Habitats site boundary the measures will need to be upstream of this location. If the discharge is indirect i.e. upstream in the catchment of the Habitats site, then the mitigation measures can be up or downstream within the catchment, as long as it will provide the offsetting before the point at which the development impacts the Habitats site.
    - There may be cases where it is not possible to provide mitigation on land outside of the development, because it will not actually remove the impact from the development. For example, a terrestrial wetland

(e.g. fen/bog) where there is a direct discharge to the wetland which is not to open water but to the wetland itself, then there may be no or very limited ability to avoid this localised impact, due to there being no or very limited other sources which contribute to this exact location.

4. Not undermine the objective of restoring the site to favourable condition by making the 'restore' objective appreciably more difficult or prejudicing the fulfilment of that objective.
  - For example, where there is only a limited pool of measures available for addressing an existing exceeded threshold and these are used to enable growth rather than bring the site into favourable condition, this may undermine the 'restore' objective. The key question would be whether, in fact, there is actually a limited pool of measures in the relevant circumstances.
  - Additionally, the implementation of mitigation measures through nutrient neutrality should not prevent the implementation of future measures under Articles 6(1) and 6(2) of the Habitats Directive (incorporated through Regulations 9(1) and 9(3) of the Habitats Regulations) aimed at restoring the site to favourable conservation status in the long term. This may be the case where, for example, proposed off-site mitigation land has been earmarked for the implementation of positive measures designed to improve the conservation status of the site and this opportunity for improvement in the quality of the site would be lost if the land were instead used for mitigation for a specific project.
5. Not directly use or double count measures that are already in place or must be put in place to protect, conserve or restore the site (to meet article 6(1) and (2) requirements) in order to justify new growth.
  - For example, those measures that have been identified in a Diffuse Water Pollution Plan (DWPP) or Nutrient Management Plan (NMP) as needed to restore the site (such as wastewater treatment work upgrades that do not take account of growth) cannot also be used as mitigation for development<sup>2</sup>.
6. Be carefully justified together with calculations of the change in the nutrient contribution before and after the development taking account of any mitigation on land outside the development.
  - Over-estimating the existing nutrient contribution from development land or mitigation land outside the development site and/or under-estimating the nutrient contribution from the development to reduce the scale of nutrient reduction mitigation needed to meet 'nutrient neutrality' would not satisfy the precautionary requirements of the Habitats Regulations. The national generic nutrient neutrality methodology sets out how calculations can be undertaken.

<sup>2</sup> These improvements under article 6(1)(2) obligations (accessed through regulation 9 of the Habitats Regulations) may give context to the environmental condition of the site. At the time of AA, where these measures can be accurately and soundly established to change the baseline, Natural England considers that the impact of the plan or project can be considered against that changed baseline.



- To be able to take account of WwTW upgrades in any NN calculations, the upgrades need to have been agreed and funded through the water companies Periodic review process. Those that have already been agreed as part of the Water Industry National Environmental Program (WINEP) for PR19 and will therefore be implemented by end of 2024 can be taken into account and have been included within the NN calculators.
7. Ensure that there is no real risk that the existing land use, which may be maintained by neutrality (or an improvement), undermines the conservation objective to 'restore' the site to favourable condition. This applies to the existing land use at the development site and at any off-site mitigation land. See Annex 1 for further details.

Mitigation within the development site should ideally be considered first to minimise the contribution from the development itself, but where it is not possible to provide or secure the necessary mitigation in this way, then mitigation on land outside the development can be considered.

### **Use of Diffuse Water Pollution Plans and Nutrient management plans**

Natural England's experience to date is that the current DWPPs/NMPs may not necessarily provide sufficient certainty to enable a conclusion of no adverse effect on site integrity where plans or projects contribute additional nutrient loading, particularly where there is a lack of clarity on:

- The efficacy of measures to deliver the required reductions in nutrient levels, including whether all necessary measures have been identified to bring the site into favourable condition with respect to water quality. Although a precautionary approach to the identification of the measures needed could enable there to be greater certainty e.g. by assuming worst case efficacy or adding a % increase or safety factor to address residual uncertainties; and/or
- Whether the plan creates sufficient environmental capacity below the water quality objectives for the new development; and/or
- The mechanisms for delivery, the required uptake and how their implementation is secured.

In such cases, it may be possible to further develop the DWPPs/NMPs to move them to a place where they do have sufficient certainty in the future to rely on them in an AA, as a longer term solution.

Whilst current DWPP/NMPs may not be sufficiently certain to rely on in a HRA so nutrient neutrality is not needed, they can still be important in informing adoption of nutrient neutrality for a given scheme. They will help to provide an understanding of the risk of the development undermining actions by others to deliver the restore target e.g. whether there are indeed only a limited pool of measures available and whether maintaining the current nutrient contribution of the development and any avoidance land will undermine site restoration.

## **Annex 1 - Ensuring Nutrient Neutrality does not sustain a nutrient contribution that will undermine the achievement of the restore objective.**

The basis of nutrient neutrality is that there is no increase from the existing nutrient contribution at a Habitats site as a result of the plan or project. Where a Habitats site is already unfavourable, there is the potential that making a fresh decision under the HRA process to sustain the current nutrient contribution could mean that development may inadvertently undermine the achievement of the restore objective by others.

When determining whether nutrient neutrality is appropriate for certain types of plans or projects in a particular catchment, consideration should be given to the existing land use contribution which may be maintained under nutrient neutrality. This applies to the existing land use at the development site and at any off-site mitigation land. In some cases, there may be no real risk that the existing land use undermines the conservation objective to restore the site to favourable condition. Under the HRA authorisation regime (e.g. regulation 63), developers are not responsible for achieving the restore objectives of the site. Instead, competent authorities must ensure, prior to giving their authorisations, that their plans or projects do not undermine the achievement of the conservation objectives.

However, where there is a real risk that the existing land use would undermine the conservation objective to restore the site to favourable condition, then plans or projects which lock in high nutrient sources may need to do more to reduce the contribution from the existing land use to a level which is compatible with restoration (e.g. where reductions in existing land use from those types of plans or projects are needed across the catchment).

Before authorising a plan or project, competent authorities must be certain that an adverse effect on site integrity can be ruled out. Therefore, competent authorities should be considering in their AAs whether or not the plan or project will hinder achievement of the conservation objectives. In addition, Natural England will advise competent authorities where it considers that to be credible evidence that the existing land use contributions represent a real risk to compromising the restore objectives in a meaningful way. The DWPP/NMP may provide useful evidence for both the competent authority and Natural England to understand where this may be the case and what nutrient levels may be needed to achieve favourable condition from different sources e.g. agricultural land or existing private discharges etc.

# Nutrient Neutrality

## A summary guide

This document has been produced by Natural England, Defra and DLUHC to provide a non-technical summary of nutrient neutrality for water quality. This is supplementary to Natural England's formal advice and guidance.

## Nutrient Pollution

Nutrient pollution is a big environmental issue for many of our most important places for nature in England. In freshwater habitats and estuaries, increased levels of nutrients (especially nitrogen and phosphorus) can speed up the growth of certain plants, disrupting natural processes and impacting wildlife. This process (called 'eutrophication') damages these water dependent sites and harms the plants and wildlife that are meant to be there. In technical terms it can put sites in 'unfavourable condition'\*. The sources of excess nutrients are very site specific but include sewage treatment works, septic tanks, livestock, arable farming and industrial processes.

*\*What is unfavourable condition? In this context, a site in 'unfavourable condition' is not being adequately conserved and/or the results from monitoring show that important features of the site are not meeting all the mandatory site-specific targets*

## Nutrient pollution and development

Where sites are already in unfavourable condition, extra wastewater from new housing developments can make matters worse and undermine ongoing efforts to recover these sites. However, when development is designed alongside suitable mitigation\* measures, that additional damage can often be avoided.

*\*What is mitigation? In this context, we mean action taken to stop nutrient pollution impacting sites. This could be onsite – preventing nutrient pollution directly from the development in question, or offsite – reducing nutrients from other sources that affect the site overall.*

## Nutrient pollution and the law

Many of our most internationally important water dependent places (lakes, rivers, estuaries, etc) are designated as protected under the [Conservation of Habitats and Species Regulations 2017 \(as amended\)](#). We call these 'Habitats Sites'.

When competent authorities\* assess projects and planning applications, they must consider whether the plan or project is likely to have significant effects on the Habitats Sites. They do this using the Habitats Regulations Assessment (HRA), made up of several distinct stages of assessment which must be undertaken in accordance with this legislation.

*\*What is a competent authority? In this context, a competent authority includes planning decisions-makers such as Local Planning Authorities (LPAs), the Planning Inspectorate and the Secretary of State. It also includes all government departments, public bodies (such as the Environment Agency and Ofwat), Statutory Undertakers (such as water companies) and persons holding public office.*

When a planning application is submitted where significant environmental effects cannot be ruled out, a competent authority (usually the LPA or Environment Agency) must make an appropriate assessment of the implications of the plan or project for that site, taking account of the site's conservation objectives. If the appropriate assessment cannot rule out damage due to nutrient pollution, planning permission would be denied under this legislation unless mitigation to reduce or eliminate the impact can be put in place.

Natural England has reviewed the available evidence on Habitats Sites that are in unfavourable condition due to high nutrient levels. Where plans or projects will contribute additional nutrients to these sites, then a robust Habitats Regulations Assessment is required in accordance with well-established principles. This may highlight the need for new solutions to inform sustainable development to protect these sites.

## **Nutrient neutrality – a proposed approach**

Natural England has issued advice highlighting the need to carefully consider the nutrients impacts of any new plans and projects on internationally protected Habitats Sites, and whether mitigation is needed to protect sites from additional nutrient pollution. This falls under Natural England's statutory duties and is part of a coordinated cross departmental response by government, supported by Defra and DLUCH.

Natural England's advice comes with tools and guidance to help developments demonstrate that they do no harm, so that they can go ahead. We call this approach 'nutrient neutrality'. The methods created by Natural England use the latest evidence and bespoke catchment calculators to assess the site's current nutrient status and the likely impact of any new development. This allows competent authorities and developers to identify the level of mitigation required to cancel out the additional nutrient pollution expected from a particular project.

**Development plans can be considered 'nutrient neutral' where they can demonstrate that they will cause no overall increase in nutrient pollution affecting specified Habitats Sites.**

With this vital information, developers can deliver projects that demonstrate zero net increase in nutrient levels within the catchments of these Habitats Sites (or "nutrient neutrality"), allowing competent authorities to make more informed planning decisions.

This approach is not mandatory and, if they prefer, competent authorities can determine their own solutions as appropriate. Nutrient neutrality is intended to be an interim solution whilst we return Habitats Sites to favourable condition.

## **Multiple benefits**

Suitable mitigation measures might include constructed wetlands, changes in land management or retrofitting Sustainable Urban Drainage systems within the catchment of the impacted site(s). This means that nutrient damage to Habitats Sites will not be made worse through these developments, allowing nature recovery plans to start reversing existing damage. Importantly, development that can mitigate nutrient impacts and demonstrate nutrient neutrality will be permitted, assuming it passes all other planning requirements.

On top of this, many mitigation measures will involve a shift towards low nutrient loading practices such as creation of new wetlands, woodland or grasslands. This provides the additional benefit of creating new spaces for nature and recreation as well as offering potential new income streams for landowners.

Whilst nutrient neutrality will not solve all the challenges facing our freshwater systems, in areas where nutrient neutrality has already been implemented the method has been shown to help identify solutions for the joint pressures of meeting new housing demands, whilst protecting our most important sites for wildlife.

## **Natural England's role**

Natural England's role in the planning process is an advisory one, to help LPAs make good and robust decisions.

One of Natural England's statutory roles is to provide advice about the environmental impacts of plans or projects on sites which are important for nature. This advice takes account of the relevant legislation and case law which seeks to protect, conserve and enhance the environment.

The LPA decides whether to grant or refuse planning permission; Natural England can advise on impacts and help identify solutions to nutrient pollution through tools like nutrient neutrality. The LPA must have regard to Natural England's advice.

For planning applications that directly or indirectly result in additional nutrient loading which would, alone or in combination, have a significant effect on sensitive sites (which are already unfavourable because of nutrients, or the development would make it unfavourable), an appropriate assessment is needed. 'Nutrient neutrality' is one approach which can be used to mitigate harmful impacts.

## **Implications for Local Planning Authorities**

Natural England has advised LPAs in relevant catchments that they should undertake Habitats Regulations Assessments (HRA) of all development proposals which may give rise to additional nutrients entering their catchments, in line with the requirements of the Conservation of Habitats and Species Regulations 2017.

Where developments may fail the tests of an appropriate assessment based on nutrient pollution, LPAs may choose to use nutrient neutrality to counterbalance nutrient impacts.

Natural England understands there are challenges in securing necessary mitigation and is working with a range of stakeholders and partners to develop practical solutions. The Department for Levelling Up, Housing and Communities (DLUHC) and the Planning Advisory Service (PAS) have funded additional staff to support developers and LPAs with identifying and securing mitigation. There are also examples of successful mitigation projects from areas already using a nutrient neutrality approach, such as the government-backed nitrogen credit trading pilot project in the Solent. This pilot is testing whether creation of a more transparent and efficient catchment market can speed up the supply of nature-based mitigation to unlock housing development.

## **Implications for Developers**

Under this updated advice, developments are more likely require Habitats Regulations Assessments. Where developments would fail the requirements of the appropriate assessment, developers may be asked to take action to mitigate impacts through nutrient neutrality such as:

- building additional mitigation into their plans onsite,
- working with the LPA to arrange for mitigation offsite, or
- purchasing nutrient credits via a nutrient trading scheme (where other landowners in the catchment have taken action to reduce their nutrient load)

Nutrient neutrality provides a mechanism by which development that would otherwise be prohibited on the grounds of nutrient pollution may be given consent if mitigation is put in place. Using nutrient neutrality, developers only pay for mitigation required to counteract nutrients generated by their development.

## **Further information and support**

For developers – Please contact your Local planning Authority or access Natural England's discretionary advice service (DAS) for further information

For Local Planning Authorities - Please refer to the formal advice and guidance sent to your planning team.

- The Planning Advisory Service (PAS) is running a series of introductory workshops for LPAs. Please follow the link for further details: [Nutrient neutrality and the planning system | Local Government Association](#)
- Natural England is undertaking further research on the effectiveness of mitigation in different scenarios and developing additional tools to support implementation of nutrient neutrality mitigation

## **What actions is government taking?**

(Information provided by Defra)

In the short term, nutrient neutrality will ensure that pollution at Habitats Sites is not made worse by development. However, the Government recognises the importance of going beyond this to tackle the underlying causes of nutrient pollution and is taking steps to improve the state of our Habitats Sites. This includes:

- Increasing compliance with regulations that protect the environment from agricultural pollution.
- Encouraging farmers to go above and beyond to reduce, prevent and reverse pollution via three new Environmental Land Management schemes
- Providing increased advice and support to farmers so that they can improve their nutrient management practices.
- Proposing legally binding targets under the Environment Act for reduced nutrient loads from both agriculture and wastewater.
- Making clear through the Strategic Policy Statement to Ofwat that water companies should “prioritise improvements to Habitats Sites” within the next price review period, focussing particularly on the need to “address nutrient pollution”.

Interventions such as these will help our Habitats Sites recover and flourish in the longer term, enabling nature recovery and sustainable development

## *Appendix 4*





European protected sites requiring nutrient neutrality strategic solutions

Scale: 1:330,000

### Component SSSIs of The Broads SAC

- Local Authorities
- SSSI subject to nutrient neutrality strategy
- Nutrient neutrality SSSI catchment



# Nutrient Budget Calculator Guidance Document

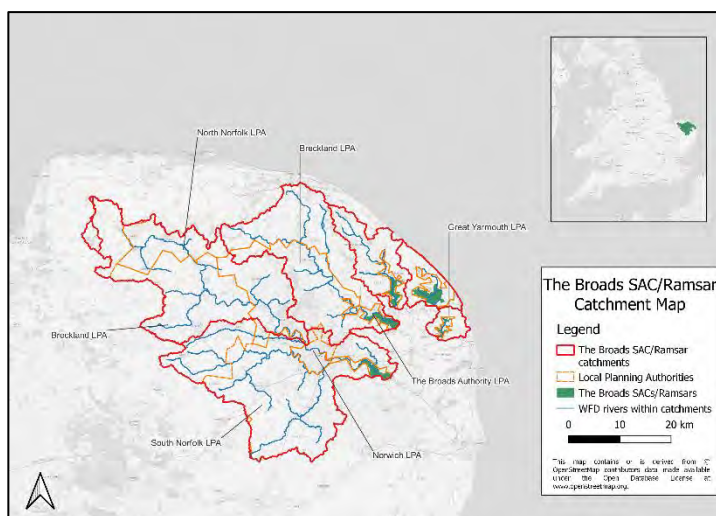
Guidance for completion of a nutrient budget using the nutrient budget calculator tool



## The Broads Special Area of Conservation (SAC) and Broadland Ramsar

The Broads SAC and Broadland Ramsar site are Habitats sites with water pollution and eutrophication considered a threat to its condition.

The fens of the Broads, located in East Anglia, contain several examples of naturally nutrient-rich lakes. Although artificial, having been created by peat digging in medieval times, these lakes and the ditches in areas of fen and drained marshlands support relict vegetation of the original Fenland flora, and collectively this site contains one of the richest assemblages of rare and local aquatic species in the UK.



The SAC and Ramsar are designated for several different significant habitats, including habitats made up of a range of important aquatic plant species from groups including stoneworts, pondweeds, water-milfoils and water-lillies. The sites are also a stronghold of little whirlpool ram's-horn snail and Desmoulin's whorl snail in East Anglia. The range of wetlands and associated habitats also provides suitable conditions for otters.

Increased levels of nitrogen and phosphorus entering aquatic environments via surface water and groundwater can severely threaten these sensitive habitats and species within the sites. The elevated levels of nutrients can cause eutrophication, leading to algal blooms which disrupt normal ecosystem function and cause major changes in the aquatic community. These algal blooms can result in reduced levels of oxygen within the water, which in turn can lead to the death of many aquatic organisms including invertebrates and fish.

The habitats and species within the site that result in designation as a SAC and Ramsar site are referred to as 'qualifying features.' Not all of these qualifying features will be sensitive to changes in nutrients within the sites. When completing an HRA involving nutrient neutrality, the Competent Authority (normally Local Planning Authority for developments) must identify and screen out qualifying features that are not sensitive to nutrients via a Habitats Regulations Assessment. Developers will be asked to submit information to support this process.

More detailed information on the qualifying features of the SAC and Ramsar and details of water quality data highlighting the current nutrient problems in the site are available in the Natural England The Broads SAC and Broadland Ramsar site evidence summary.

## The requirement for Nutrient Neutrality

Special Areas of Conservation (SAC), Special Protection Areas (SPA), and Ramsar sites are some of the most important areas for wildlife in the United Kingdom. They are internationally important for their habitats and wildlife and are protected under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). At some of these sites, there are high levels of nitrogen and phosphorus input to the protected water environment with sound evidence that these nutrients are causing eutrophication at these designated sites. These nutrient inputs currently mostly come either from agricultural sources or from wastewater from existing housing and other development. The resulting effects on ecology from an excessive presence of nutrients are impacting on protected habitats and species.

There is uncertainty as to whether new growth will further deteriorate designated sites, and/or make them appreciably more difficult to restore. The potential for future housing developments to exacerbate these impacts creates a risk to their potential future conservation status.

One way to address this uncertainty is for new development to achieve nutrient neutrality. Nutrient neutrality is a means of ensuring that development does not add to existing nutrient burdens and this provides certainty that the whole of the scheme is deliverable in line with the requirements of the Habitats Regulations.

## Key Principles

The principles underpinning Habitats Regulations Assessments are well established<sup>1</sup>. At the screening stage, plans and projects should only be granted consent where it is possible to exclude, on the basis of objective information, that the plan or project will have significant effects on the sites concerned<sup>2</sup>. Where it is not possible to rule out likely significant effects, plans and projects should be subject to an appropriate assessment. That appropriate assessment must contain complete, precise and definitive findings which are capable of removing all reasonable scientific doubt as to the absence of adverse effects on the integrity of the site<sup>3</sup>.

Natural England has been reviewing the available evidence on Habitats sites which are in unfavourable condition due to elevated nutrient levels. Where plans or projects will contribute additional nutrients to Habitats sites which are close to or already in unfavourable condition for nutrients, then a robust approach to the Habitats Regulations Assessment (HRA) of the effects of plans and projects is required.

Where sites are close to or already in unfavourable condition for nutrients, it may be difficult to grant consent for new plans and projects that will increase nutrient levels at the Habitats site. Nutrient neutrality provides a means of effectively mitigating the adverse effects associated with increased nutrients from new plans and projects, by counter-balancing any additional nutrient inputs to ensure that there is no net change in the amount of nutrients reaching the features which led to a Habitats site being designated.

Where new residential development is proposed, the additional nutrient load from the increase in wastewater and/or the change in the land use of the development land created by a new residential development can create an impact pathway for potential adverse effects on Habitats sites that are already suffering from problems related to nutrient loading. This impact pathway is shown diagrammatically in Figure 1. HRAs of new residential developments therefore need to consider whether nutrient loading will result in 'Likely Significant Effects' (LSE) on a Habitats site. If an HRA cannot exclude a LSE due to nutrient loading, the Appropriate Assessment (AA) will need to consider whether this nutrient load needs to be mitigated in order to remove adverse effects on the Habitats site.

<sup>1</sup> See, amongst others Case C-127/02 *Waddervereniging and Vogelsbeschermingvereniging (Waddenzee)*; *R (Champion) v North Norfolk DC* [2015] EKC 52 (Champion); C-323/17 *People Over Wind, Peter Sweetman v Coillte Teoranta (People Over Wind)*; C-461/17 *Brian Holohan and Others v An Bord Pleanála (Holohan)*; Joined Cases C-293/17 and C-294/17 *Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Other* (the Dutch Nitrogen cases);

<sup>2</sup> Case C-127/02 *Waddervereniging and Vogelsbeschermingvereniging (Waddenzee)*

<sup>3</sup> Case 164/17 *Grace & Sweetman v An Bord Pleanála (Grace & Sweetman)*

For those developments that wish to pursue neutrality, Natural England advises that a nutrient budget is calculated for new developments that have the potential to result in increases of nitrogen/phosphorus entering the international sites. A nutrient budget calculated according to this methodology and demonstrating nutrient neutrality is, in our view, able to provide sufficient and reasonable certainty that the development does not adversely affect the integrity, by means of impacts from nutrients, on the relevant internationally designated sites. This approach must be tested through the AA stage of the HRA. The information provided by the applicant on the nutrient budget and any mitigation proposed will be used by the local planning authority, as competent authority, to make an AA of the implications of the plan or project on the Habitats sites in question.

The nutrient neutrality calculation includes key inputs and assumptions that are based on the best available scientific evidence and research. It has been developed as a pragmatic tool. However, for each input there is a degree of uncertainty. For example, there is uncertainty associated with predicting occupancy levels and water use for each household in perpetuity. Also, identifying current land / farm types and the associated nutrient inputs is based on best available evidence, research and professional judgement and is again subject to a degree of uncertainty.

It is our advice to local planning authorities to take a precautionary approach in line with existing legislation and case law when addressing uncertainty and calculating nutrient budgets. This should be achieved by ensuring nutrient budget calculations apply precautionary rates to variables and adding a buffer to the Total Nitrogen/Total Phosphorus figure calculated for developments. A precautionary approach to the calculations and solutions helps the local planning authority and applicants to demonstrate the certainty needed for their assessments.

By applying the nutrient neutrality methodology, with the buffer, to new development, the competent authority may be satisfied that, while margins of error will inevitably vary for each development, this approach will ensure that new development in combination will avoid significant increases of nitrogen load from entering the internationally designated sites.<sup>4</sup>

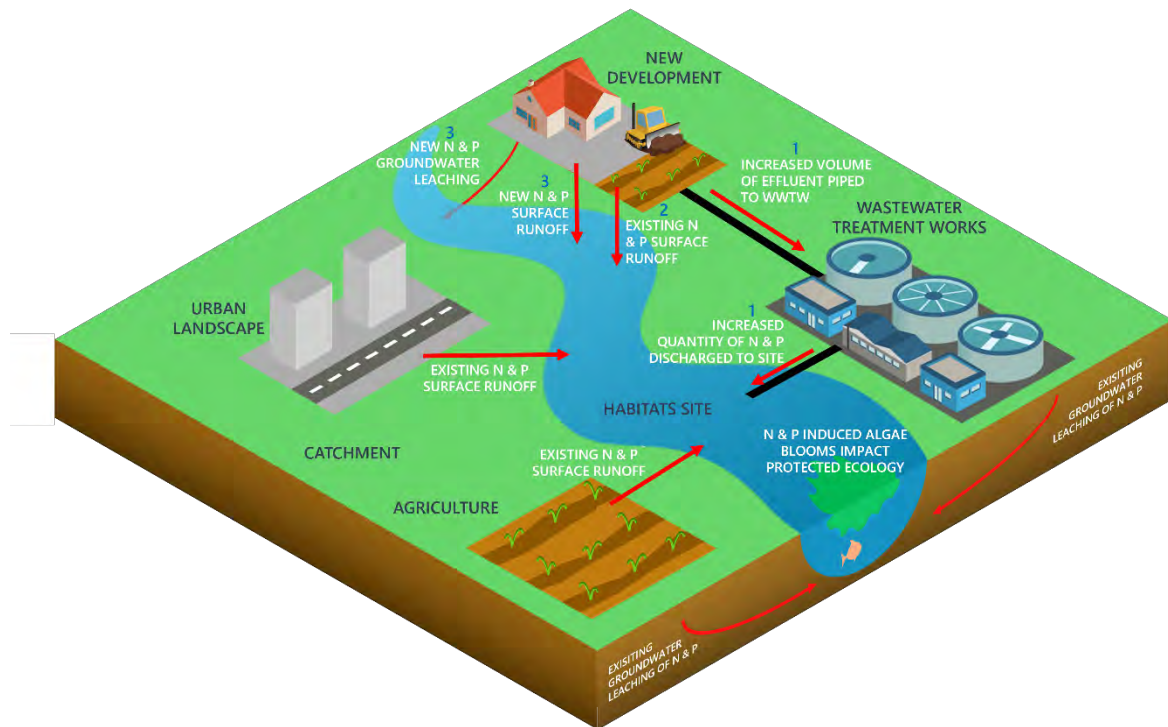
A HRA must be capable of removing all reasonable scientific doubt as to the absence of adverse effects on a Habitats site. Absolute certainty is not required, but the methodology used to evaluate potential adverse effects (and the measures intended to mitigate them) must effectively address any reasonable scientific doubt to achieve the required degree of certainty.

The first step in an AA that is applying nutrient neutrality is to understand whether a development will cause additional nutrient inputs to the Broads SAC and Broadland Ramsar site. This requires calculation of the amount of nutrients a new residential development will create, otherwise known as a nutrient budget.

If a nutrient budget shows that a new development will increase the nutrient input to the Broads SAC and Broadland Ramsar site and it is not possible to conclude no adverse effect on site integrity alone or in combination, then this is the amount of nutrients that require mitigating on an annual basis to achieve nutrient neutrality and therefore enable a conclusion of no adverse effect on site integrity to be reached.

<sup>4</sup> This approach was expressly endorsed in *R (Wyatt) v Fareham BC* [2021] EWHC 1434 (Admin)

Figure 1: Diagram demonstrating the potential nutrient impact pathways from a new development to a Habitats site. An increase in nitrogen and phosphorus availability in aquatic ecosystems can lead to various problems, such as algae blooms, which can have detrimental impacts on the ecology of a Habitats site.



## What is this guidance for?

This guidance document accompanies the Broads SAC and Broadland Ramsar site nutrient budget calculator. The nutrient budget calculator is used to calculate the change in nutrient input from a new residential development to the Broads SAC and Broadland Ramsar site. The calculator can be used to inform an AA which is looking to apply nutrient neutrality to show whether a new development will require nutrient mitigation and if so, the amount of nitrogen and phosphorus loading that requires counterbalancing through mitigation measures to enable a conclusion of no adverse effect on site integrity, alone or in combination.

The guidance document contains the following:

- Step-by-step instructions on how to collect the specific data required as inputs to the tool.
- Instructions on how to use the tool.

## Who is the guidance for?

This guidance is for anyone who needs to complete a nutrient budget calculation to support an AA of residential development in the Broads SAC and Broadland Ramsar site catchment. The tool is primarily aimed at developers who need to complete a nutrient budget calculation to support a planning application and Local Planning Authorities who need to understand the mitigation requirements for future development or assess planning applications. It could also be used by communities or environmental groups wanting to understand the impacts of a local development on the nutrient inputs to the Broads SAC and Broadland Ramsar site.

## Summary of how the calculator works.

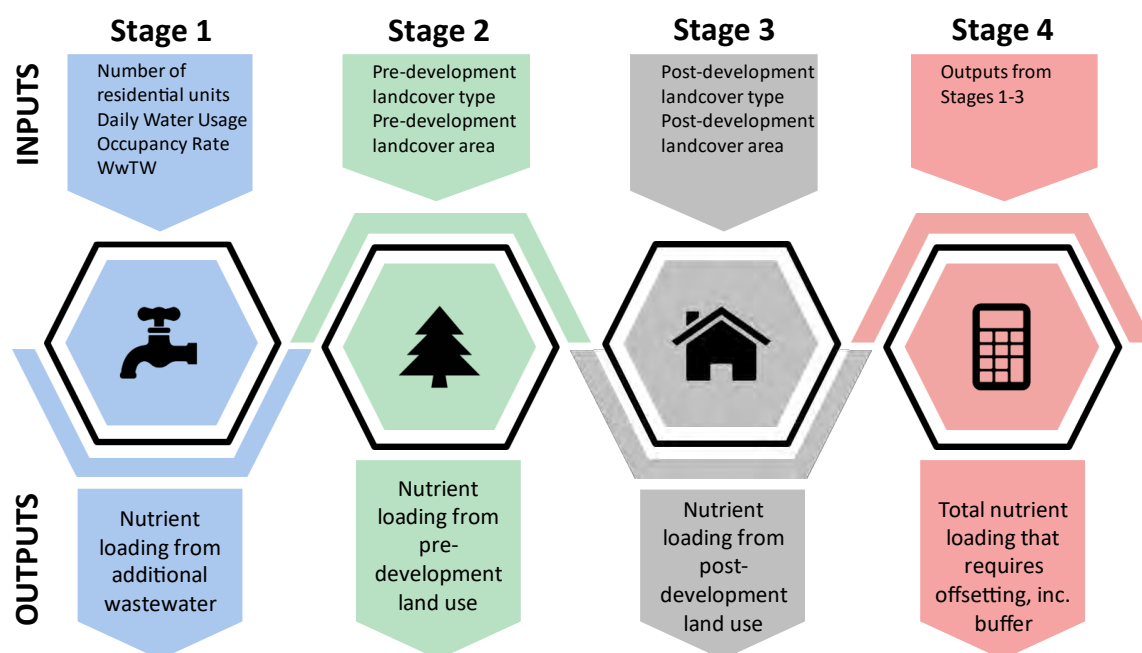
### Overview

The nutrient budget calculator requires a set of inputs in order to calculate a new development's nutrient budget. The calculations are completed in four stages:

1. Calculate the increase in nutrient loading that comes from a development's wastewater.
2. Calculate the pre-existing nutrient load from current land use on the development site.
3. Calculate the future nutrient load from land use on the development site post-development.
4. Calculate the net change in nutrient loading from the development to the Broads SAC and Broadland Ramsar site with the addition of a buffer. The net change in nutrient loading + the buffer is the nutrient budget.

These key inputs and outputs for each stage can be shown schematically in Figure 2.

*Figure 2: Schematic showing the key inputs and outputs associated with each stage of the nutrient budget calculation methodology*



*Note: the values that come pre-entered in this tool have been chosen based on research to select inputs that meet the HRA tests of beyond reasonable scientific doubt, best available evidence, in perpetuity and were chosen in accordance with the precautionary principle. It is highly inadvisable to edit the values in this tool without a sufficient evidence base to justify any changes.*



## Data Collection and preparation

The nutrient budget calculator requires a set of inputs as shown in Figure 2. This section does not provide instructions on how to gather development specific information, such as the number of properties being constructed, as this should be known by the developer and should be detailed in the planning application. The subsections below provide guidance on how to identify certain inputs that are needed to complete the calculations for each stage of the nutrient budget calculations. The information required is available from free to access data sources<sup>5</sup>. Most of the required inputs are for factors that are specific to the location of a development site or the hydrological catchment of the Broads SAC and Broadland Ramsar site.

**The instructions below are divided by the stage where the data will be required. We advise that you collect and note down this data before starting to input information into each stage of the nutrient budget calculator.**

**Stage 2 & 3: Instructions for finding the Operational Catchment that the development is located within**

- Go to this link: <http://environment.data.gov.uk/catchment-planning/>
- Search the location by place name, postcode etc. This will give a high-level view of the area. Use the zoom feature to find the exact location of the development.
- Click on the light blue area on the map in which the development is located. This will bring the user to the Operational Catchment page
- Make a note of the name of the Operational Catchment and select it from the dropdown list in the 'Catchment' cell when you get to this part of the calculator tool.

**Stage 2: Instructions for finding the soil drainage type associated with the predominant soil type within the development site**

- Go to this link: <http://www.landis.org.uk/soilscapes/#>
- Find your development site location on the map by using the search bar on the right side of the map in the 'Search' tab. Searching a location should generate a pop-up window in which you can view the soil information by clicking 'View soil information'. If this is not an option then click on the relevant soil type on the map and click on the 'Soil information' tab on the right-hand side of the map, below the 'Search' tab.
- The 'Soil drainage type' value can be found in the 'Soil information' under the title 'Drainage:'
- Make a note of this soil type and select the relevant soil drainage type from the drop-down list in the 'Soil drainage type' cell when you get to this part of the calculator tool.

**Stage 2: Instructions for finding the annual average rainfall that the development site will receive**

- Go to this link: <https://nrfa.ceh.ac.uk/data/station/spatial/34002>
- This link will bring the user to the Tas at Shotesham flow gauge catchment information page.
- Click on the dropdown list next to the title 'Select spatial data type to view:' on the left of the map and select 'Rainfall'.
- Select the Legend tab.
- Zoom in on the map to find the location of the development and find the corresponding rainfall range from the Legend. Note that you cannot search this map using location information and will need to 'surf' around the map to find your development site location.
- Make a note of the relevant rainfall band for your site and use it to select this rainfall band from the drop-down list in the 'Average annual rainfall' cell when you get to this part of the calculator tool.

<sup>5</sup> Correct at the time of writing. These data sources are available from websites that currently have government funding but it should be noted that these datasets may become unavailable if funding is removed.

## Stage 2: Instructions for finding out whether the development is in a Nitrate Vulnerable Zone (NVZ)

- Go to this link <http://mapapps2.bgs.ac.uk/ukso/home.html?layers=NVZEng>
- Enter the location of the development site in the search bar.
- Once the area has been located, click on the map where the development is located to find out if it is within an NVZ.
- Make a note of this information. It will be needed to select 'Yes' or 'No' from the 'Within Nitrate Vulnerable Zone (NVZ)' cell when you get to this part of the calculator tool.

*Note: some of the values you select above will also be used in the Stage 3 calculations, however you only need to add the above details to the table in Stage 2 of the calculator and the required values for stage 3 will be carried through automatically.*

## How to use the calculator:

### General tips

- The key below shows the colour coding used to highlight which cells need to be completed.
- When a cell is selected, instructions on how to fill out the cell that is selected are shown.
- Some cells will have values pre-populated, like the 'Water usage' input. The instructions for each cell will detail if an alternative value can be used.
- It is advisable to retain a default copy of this calculator tool workbook which has not had any development details added. "Save as" a new copy each time you calculate a budget for a new development in case any of the default values in the in the workbook get overwritten and are needed again.

#### Key:

	Values to be entered by the user
	Fixed or calculated values
	Lookup tables

<b>Water usage</b> (litres/person/day):	120	
<b>Development Proposal</b> (dwellings):	100	Please enter the total number of dwellings that will be on the development site as of the completion date of the project.
...	Instructions	Site Information
	Stage 1	Stage 2
		Stage 3

## Stage 1: calculate the new nutrient load associated with the additional wastewater

In this section the user will need to enter:

- The date of first occupancy. *This is because some wastewater treatment works may be due an upgrade in 2025 that will change the nitrogen or phosphorus output from this works, which will in turn change the output from this stage of the calculations. If this is the case, it will be apparent in the calculated values if there is an upgrade to a treatment works that affects the nutrient budget.*

- The average occupancy rate of the development will need to be entered in people per dwelling for residential dwellings or units for other types of overnight accommodation which would result in an increase in overnight accommodation. The default setting for residential dwellings is the national occupancy rate of 2.4 people per dwelling. **Only change this value if there is sufficient evidence that a different occupancy rate is appropriate** (see Occupancy Rate Guidance section below for when a local or regional occupancy rate is acceptable).
- The number of dwellings / units<sup>6</sup> that will be within the development at the time of completion.
- The wastewater treatment works that the development will connect to. If required this information can be obtained from the sewerage undertaker for the development site. If it is not feasible to connect to mains sewerage and a septic tank (ST) or package treatment plant (PTP) is being used, please select this option. Please be aware that if the total nitrogen (TN) or total phosphorus (TP) final effluent concentrations (in mg/l) are specified by the manufacturer, please select 'Septic Tank user defined' or 'Package Treatment Plant user defined' and enter the specified value in the cell where prompted. If you do not have a TP or TN value provided by the manufacturer, select the 'Septic Tank default' or 'Package Treatment Plant default' option and a value will be provided automatically.

### Occupancy Rate Guidance:

As set out in the guidance below, the Local Planning Authority/Competent Authority will need to ensure that the occupancy rate is appropriate to development within their Authority area. **It is therefore recommended that the occupancy rate is agreed with the Local Planning Authority before completing the nutrient budget calculation.**

Competent authorities must satisfy themselves that the residents per dwelling/unit value used in this step of the calculation reflects local conditions in their area. The residents per dwelling value can be derived from national data providing it reflects local conditions. However, if national data does not yield a residents per dwelling/unit value that reflects local occupancy levels then locally relevant data should be used instead. Whichever figure is used, it is important to ensure it is sufficiently robust and appropriate for the project being assessed. **It is therefore recommended that project level Appropriate Assessments specifically include justification for why the competent authority has decided upon the occupancy rate that has been used.**

Further guidance is provided below.

### National occupancy data

When using national occupancy data, the Office of National Statistics (ONS) national average value for the number of residents per dwelling of 2.4 is recommended. This value is derived from 2011 census data and is subject to change when the 2021 Census becomes available. This value can be used if the Local Planning Authority is satisfied that:

- It is appropriate for the level and type of housing development that is expected to come forward in the Local Planning Authority's area (a strategic assessment should be made of the development anticipated to come forward over the Local Plan period to ensure the use of average figures will not under/overestimate the level of impact)
- It corresponds to the local average in the area (it is not likely to overestimate or underestimate occupancy)

<sup>6</sup> The term 'dwellings' has a specific legal meaning derived from the use classes order. To ensure that all relevant forms of development which would result in an increase in overnight accommodation such as hotel rooms, short term holiday lets etc are considered in the HRA process the term units is used

- It is based on data that is robust and doesn't underestimate the level of impact over time.

It may not be appropriate to use the national average occupancy rate for development types which are not included in the ONS data, such as student accommodation or houses in multiple occupation. For such developments, the Local Planning Authority should specify an appropriate occupancy rate in the project level Appropriate Assessment and explain how this figure was derived.

### **Locally relevant occupancy data**

If the national average occupancy rate does not correspond with local conditions, then a locally relevant average residents per dwelling value may be more appropriate. If a Local Planning Authority decides to use a locally relevant value, that value needs to be supported by robust and sufficient evidence which should be included in the project level Appropriate Assessment. Key sources of evidence include:

- The average occupancy rate from the census for the relevant local administrative area, e.g. the county.
- The average occupation figures used by the Local Planning Authority to calculate population growth due to Local Plan development.
- The average occupation figures used by the local water company to plan for population growth and the impact on water resources and sewage treatment.

A local / regional average occupancy rate can be used provided that it is from a robust source which can show trends over a protracted period of time— such as from ONS derived data or from the annual English Housing Survey. Figures derived from data collected over short periods of time will not be acceptable as short-term data is unlikely to provide the required degree of certainty. The Local Planning Authority should ensure that any trend in occupancy rates or estimates of the average number of persons per household used will continue for perpetuity and would not underestimate the level of impact over time. A local / regional average occupancy rate would therefore need to be based on figures over at least a 5-year period<sup>7</sup>.

Local Planning Authorities will also need to satisfy themselves that a locally derived occupancy figure is appropriate for the level and type of housing development that is expected (a strategic assessment should be made of the development anticipated to come forward over the Local Plan period to ensure the use of average figures will not under/overestimate the level of impact).

### **Occupancy rates based on dwelling type**

Should the nature or scale of development associated with a particular project proposal suggest that the use of an average occupancy rate is not appropriate, then the Local Planning Authority may decide to adopt an occupancy rate based on the dwelling types proposed for that particular project, provided it meets the criteria outlined above. This may be appropriate where a project proposer seeks consent for a development comprising certain dwelling types (e.g. flats and small 1 and 2 bed dwellings). If the Local Planning Authority decides to adopt a local approach based on determining occupancy rate by dwelling type, that approach should be used for all planning applications, rather than reverting back to the use of an average occupancy rate. This will ensure that the Local Planning Authority doesn't inadvertently underestimate total occupancy levels (and consequently water quality impacts) across its area by applying a lower residents per dwelling/unit value for developments comprising smaller units but failing to adopt a higher residents per dwelling/unit value for developments comprising larger units or a mix of units.

<sup>7</sup> The figure of 5 years has been chosen as the minimum period of time over which occupancy rates can be calculated from as local plans and WRMPs are reviewed every 5 years, so represents a long enough period of time to capture any trends or changes.

## Consistency in applying occupancy rates

The same occupancy rate should be used where there are several different impacts on Habitat sites which require strategic mitigation. The strategic approaches developed with local planning authorities to deal with in combination impacts on international sites elsewhere typically calculate mitigation requirements and contribution requirements based on current national average occupancy rates. Local Planning Authorities may decide to use a locally derived average occupancy rate instead, but this local occupancy rate must be used consistently across each type of impact and each Habitats site affected. Local Planning Authorities should not use different occupancy rates in their HRAs for the same dwelling types / size of units. Whilst the impacts will be different, occupancy rates will have been used to estimate the scale of impact and subsequently the scale of mitigation required on the protected sites. The types of impact will typically last in perpetuity. Care is therefore needed to ensure the adoption of an alternative occupancy rate based on an assessment of net population additions to a locality for nutrient budgeting does not undermine other existing strategic approaches, particularly where there are overlapping impacts within the locality.

*Note: When 2021 Census data is available, the 2.4 value will be updated.*

*Note: if an ST or PTP is being used then a comprehensive maintenance regime is required as part of the application process. Please consult your Local Planning Authority for further advice on how to specify this maintenance regime and demonstrate that it is appropriately secured. If the ST or PTP which is being used has phosphate stripping capabilities, chemical dosing may be required. If chemical dosing is required, a robust management plan that details how chemicals are stored, the dilution rates, dosing frequencies, that any chemicals used will not have an environmental impact etc. must also accompany the planning application. PTPs with chemical dosing may not be appropriate in all cases.*

## Stage 2 - calculate the annual nutrient load from existing (pre-development) land use on the development site

In this section some environmental information about the development will need to be entered as well as the type and area of landcover that is being developed. The environmental information required is [described above](#).

Only the types and areas of land that are being altered by the development should be entered. For example, if two hectares of agricultural land within a ten-hectare development site are being retained in the same agricultural use, this area should not be included in the calculations.

In the 'Existing land use type(s)' column of the main table in Stage 2 of the calculator, each cell has drop-down list of land use types. This list contains seven agricultural land cover types to choose from and eight different non-agricultural land cover types that may be present on a pre-development site. Please find out what land use types are within the development before completing this tool. If there is a land use within the development area that is not in the list, please select the most similar land use type. Table 1 provides a description of the different land use types available within the calculator tool.

Table 1: Table of land use types included within the tool and their descriptions.

Land use types used in the calculator tool	Description
Cereals	Agricultural areas on which cereals, combinable crops and set aside are farmed.
General	Agricultural areas on which arable crops (including field scale vegetables) are farmed.
Horticulture	Agricultural areas on which fruit (including vineyards), hardy nursery stock, glasshouse flowers and vegetables, market garden scale vegetables, outdoor bulbs and flowers, and mushrooms are farmed.
Pig	Agricultural areas on which pigs farmed.
Poultry	Agricultural areas on which poultry are farmed.
Dairy	Agricultural areas on which dairy cows are farmed.
LFA	Agricultural areas on which cattle, sheep and other grazing livestock are farmed in locations where agricultural production is difficult. An area is classified as a Less Favoured Area (LFA) holding if 50 per cent or more of its total area is classed as LFA.
Lowland	Agricultural areas on which cattle, sheep and other grazing livestock are farmed. A holding is classified as lowland if less than 50 per cent of its total area is classed as a lowland grazing area.
Mixed	Agricultural areas in which none of the above categories are farmed or where it is too difficult to select a single category to describe the farm type.
Greenspace	Natural and semi-natural outdoor spaces provided for recreational use where fertilisers will not be applied and dog waste is managed, e.g. semi-natural parks. This does not include green infrastructure within the built urban environment, such as sports fields, gardens, or grass verges, as these are included in the residential urban land category.
Woodland	Natural and semi-natural outdoor wooded areas.
Shrub	Natural and semi-natural outdoor shrubland area.
Water	Areas of surface water, including rivers, ponds and lakes.
Residential urban land	Areas of houses and associated infrastructure. This is inclusive of roads, driveways, grass verges and gardens.
Commercial/industrial urban land	Areas that are used for industry. These are businesses that typically manufacture, process or otherwise generate products. Included in the definition of industrial land are factories and storage facilities as well as mining and shipping operations.
Open urban land	Area of land in urban areas used for various purposes, e.g. leisure and recreation - may include open land, e.g. sports fields, playgrounds, public squares or built facilities such as sports centres.
Community food growing	Areas that are used for local food production, such as allotments.

### Stage 3: calculate the annual nutrient load from new (post-development) land use on the development site

In this section the user will need to select the type and area of the landcover present on the development site after the development has been completed.

In the 'New land use type(s)' column of the main table in Stage 3 of the calculator, each cell has a drop-down list of land use types containing eight non-agricultural land use types that may be present on the post-development site. Please find out what land use types are within the development before completing this part of the tool. If there is a land use within the development area that is not in the list (see Table 1 for land use type descriptions), please select the most similar land use type.

## Stage 4: calculate the net change in nutrient loading for the site and the final annual nutrient budget for the development site:

This final stage automatically uses the results from Stages 1-3 and calculates the nutrient budget using the equation shown in Figure 3.

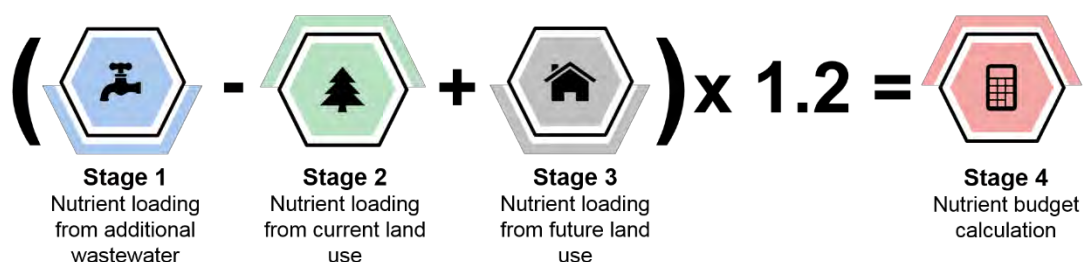
As Figure 3 shows, the output from Stage 4 of nutrient budget calculations is the balance of new sources of nitrogen and phosphorus from a development minus the existing sources of nitrogen and phosphorus from the pre-development site. To ensure the final figure is robust and suitably precautionary this balance is multiplied by 1.2, i.e. increased by a 20%, buffer'.

The 20% buffer is applied to account for the uncertainties that underlie the inputs to Stages 1-3 of the nutrient budget calculations, as well as accounting for some potential nutrient sources associated with new development that cannot be readily quantified. To cover all possible inputs to a nutrient budget with a high enough certainty to remove the need for the buffer would require extensive site-specific investigations. The 20% buffer is a means of accounting for the uncertainties within the nutrient budget calculations and providing confidence that mitigation of the nutrient budget will remove the risk of adverse effects on site integrity in the Broads SAC and Broadland Ramsar site.

The output in Stage 4 shows how much nutrient mitigation is required in kilograms per year to achieve nutrient neutrality.

If there are two values due to an upgrade occurring at the wastewater treatment works the development is connecting to, the calculator will show the total amount of nutrient mitigation that is needed before and after the upgrade.

Figure 3: The equation used to calculate the nutrient budget.



<b>Designated Site Name:</b>	<b>The Broads SAC / Broadland Ramsar</b>
<b>Site Details:</b>	
<p><b>From The Broads SAC citation:</b></p> <p>The Broads in East Anglia contain several examples of naturally nutrient-rich lakes. Although artificial, having been created by peat digging in medieval times, these lakes and the ditches in areas of fen and drained marshlands support relict vegetation of the original Fenland flora, and collectively this site contains one of the richest assemblages of rare and local aquatic species in the UK.</p> <p>The stonewort – pondweed – water-milfoil – water-lily (<i>Characeae</i> – <i>Potamogeton</i> – <i>Myriophyllum</i> – <i>Nuphar</i>) associations are well-represented, as are club-rush – common reed <i>Scirpo</i> – <i>Phragmitetum</i> associations. The dyke (ditch) systems support vegetation characterised by water-soldier <i>Stratiotes aloides</i>, whorled water-milfoil <i>Myriophyllum verticillatum</i> and broad-leaved pondweed <i>Potamogeton natans</i> as well as being a stronghold of little whirlpool ram's-horn snail <i>Anisus vorticulus</i> and Desmoulin's whorl snail <i>Vertigo moulinsiana</i> in East Anglia. The range of wetlands and associated habitats also provides suitable conditions for otters <i>Lutra lutra</i>.</p> <p>The Broads is the richest area for stoneworts (charophytes) in Britain. The core of this interest is the Thurne Broads and particularly Hickling Broad, a large shallow brackish lake. Within the Broads examples of Chara vegetation are also found within fen pools (turf ponds) and fen and marsh ditch systems. The Broads supports a number of rare and local charophyte species, including <i>Chara aspera</i>, <i>C. baltica</i>, <i>C. connivens</i>, <i>C. contraria</i>, <i>C. curta</i>, <i>C. intermedia</i>, <i>C. pedunculata</i>, <i>Nitella mucronata</i>, <i>Nitellopsis obtusa</i>, <i>Tolypella glomerata</i> and <i>T. intricata</i>.</p> <p>The complex of sites contains the largest blocks of alder <i>Alnus glutinosa</i> wood in England. Within the complex complete successional sequences occur from open water through reedswamp to alder woodland, which has developed on fen peat. There is a correspondingly wide range of flora, including uncommon species such as marsh fern <i>Thelypteris palustris</i>.</p> <p>This site contains the largest example of calcareous fens in the UK. The great fen-sedge <i>Cladium mariscus</i> habitat occurs in a diverse set of conditions that maintain its species richness, including small sedge mires, and areas where great fen-sedge occurs at the limits of its ecological range. The habitat type forms large-scale mosaics with other fen types, fen meadows (with purple moor-grass <i>Molinia caerulea</i>), open water and woodland, and contains important associated plants such as fen orchid <i>Liparis loeselii</i>, marsh helleborine <i>Epipactis palustris</i>, lesser tussock-sedge <i>Carex diandra</i>, slender sedge <i>C. lasiocarpa</i> and fibrous tussock-sedge <i>C. appropinquata</i>.</p> <p>There are also areas of short sedge fen (both black bog-rush – blunt-flowered rush <i>Schoenus nigricans</i> – <i>Juncus subnodulosus</i> mire and bottle sedge – moss <i>Carex rostrata</i> – <i>Calliargon cuspidatum/giganteum</i> mire), which in places form a mosaic with common reed – milk-parsley <i>Phragmites australis</i> – <i>Peucedanum palustris</i> fen. The Broads also contain examples of transition mire, that are relatively small, having developed in re-vegetated peat-cuttings as part of the complex habitat mosaic of fen, carr and open water.</p>	
<b>Reason for European Site Designation:</b>	
<p>The Broads Special Area of Conservation is designated for the following features :</p> <ul style="list-style-type: none"> <li>• H3140 Hard oligo-mesotrophic waters with benthic veg of <i>Chara</i> spp.</li> <li>• H3150 Natural eutrophic lakes with <i>Magnopotamion</i> or <i>Hydrocharition</i></li> <li>• H6410 Molinia meadows on calcareous, peat or clay-silt soil</li> <li>• H7140 Transition mires and quaking bogs</li> <li>• H7210 Calcareous fens with <i>C. mariscus</i> and species of <i>C. davallianae</i></li> <li>• H7230 Alkaline fens</li> <li>• H91E0 Alluvial woods with <i>A. glutinosa</i>, <i>F. excelsior</i></li> <li>• S1016 Desmoulin's whorl snail, <i>Vertigo moulinsiana</i></li> <li>• S1355 Otter, <i>Lutra lutra</i></li> <li>• S1903 Fen orchid, <i>Liparis loeselii</i></li> <li>• S4056 Little ram's-horn whirlpool snail, <i>Anisus vorticulus</i></li> </ul>	



The Broadland Ramsar is designated for the following features:

- Bewick's swan, *Cygnus columbianus bewickii* - Wintering
- Floodplain alder woodland
- Floodplain fen
- Gadwall, *Anas strepera* - Wintering
- Shoveler, *Anas clypeata* - Wintering
- Wetland invertebrate assemblage
- Wetland plant assemblage
- Wigeon, *Mareca penelope* – Wintering

Links to Conservation Advice:

[Conservation Objectives](#)

[Conservation Objectives Supplementary Advice](#)

[JNCC Ramsar Information Sheet](#)

#### Nutrient Pressure(s) for which the site is unfavourable:

Nitrogen  
Phosphorus

#### Water Quality Evidence:

In the Conservation Objectives Supporting Advice for the Broads SAC it states for phosphorus to 'maintain and, where necessary, restore stable nutrient levels appropriate for lake type' and for nitrogen it states to 'maintain and restore a stable nitrogen concentration'.

Water Quality data is reported against the relevant SSSI units within the SAC for the five SSSIs within the Broads SAC where there is currently good evidence that they are unfavourable due to nutrients.

#### Ant Broads and Marshes

Unit name	SSSI Unit	Monitoring point ID	WQ Target		WQ Monitoring Data <sup>1</sup>		Compliance with target – Pass/Fail and % reduction needed to achieve the WQ Target	
			TP (ug/l)	TN (mg/l)	TP (ug/l)	TN (mg/l)	TP	TN
Barton Broad	33	BARTON BROAD (R.ANT) AN-ANT160	30	1.07	64	1.9	FAIL 53% reduction needed	FAIL 44% reduction needed
Instead Holmes	34	No monitoring	30	1.07			Unknown	Unknown
Catfield broad	35	No monitoring	30	1.07			Unknown	Unknown
Cromes Broad	36	CROMES BROAD EDGE SAMPLE FROM SHORE AN-ANT170E	30	1.07	44	1.7	FAIL 30% reduction needed	FAIL 58% reduction needed
Reedham Water	37	No monitoring	30	1.07			Unknown	Unknown

<sup>1</sup> Water Quality Monitoring data from EA WIMS database. Nutrient concentrations reported are the 2019 annual mean for Total Phosphorus (TP) and Total Nitrogen (TN).

## Bure Broads and Marshes

Unit name	SSSI Unit	Monitoring point ID	WQ Target		WQ Monitoring Data <sup>2</sup>		Compliance with target – Pass/Fail and % reduction needed to achieve the WQ Target	
			TP (ug/l)	TN (mg/l)	TP (ug/l)	TN (mg/l)	TP	TN
Decoy Broad	4	DECOY BROAD R.BURE AN-BUR158	30	1.07	74	3.04	FAIL 60% reduction needed	FAIL 65% reduction needed
Hoveton Great Broad	10	HOVETON GREAT BROAD AN-BUR158	30	1.07	70	2.5	FAIL 57% reduction needed	FAIL 57% reduction needed
Hudson's Bay	11	HUDSON'S BAY, HOVETON GREAT BROAD, R.BURE AN-BUR158HB	30	1.07	104	1.79	FAIL 72% reduction needed	FAIL 40% reduction needed
Ranworth Broad	12	RANWORTH BROAD AN-BUR170A	30	1.07	94	2.99	FAIL 68% reduction needed	FAIL 64% reduction needed
Cockshoot Broad	13	COCKSHOOT BROAD AN-BUR160A	30	1.46	49	1.37	FAIL 39% reduction needed	PASS
Ranworth Flood	14	Ranworth Flood AN-BUR170RF	30	1.07	1017*	3.16*	FAIL 97% reduction needed	FAIL 68% reduction needed

<sup>2</sup> Water Quality Monitoring data from EA WIMS database. Nutrient concentrations reported are the 2019 annual mean for Total Phosphorus (TP) and Total Nitrogen (TN).

\*TP Data for Ranworth Flood is a mean of 7 samples for TP and 4 samples for TN taken in 2017

### Trinity Broads SSSI

Unit name	SSSI Unit	Monitoring point ID	WQ Target		WQ Monitoring Data <sup>3</sup>		Compliance with target – Pass/Fail and % reduction needed to achieve the WQ Target	
			TP (ug/l)	TN (mg/l)	TP (ug/l)	TN (mg/l)	TP	TN
Filby Broad	20	FILBY BROAD AN-FIL010	30	1.07	42	0.89	FAIL 29% reduction needed	PASS
Lily Broad	21	Lily Broad AN-LIL010	30	1.07	78**	1.19**	FAIL 62% reduction needed	FAIL 10% reduction needed
Ormesby Broad	22	ORMESBY BROAD AN-ORM010	30	1.07	52	1.24	FAIL 42% reduction needed	FAIL 14% reduction needed
Ormesby Little Broad	23	ORMESBY LITTLE BROAD AN-ROL020	30	1.07	50	0.94	FAIL 40% reduction needed	PASS
Rollesby Broad Sailing Club	24	ROLLESBY BROAD SAILING CLUB AN-ROL010	30	1.07	39	1.01	FAIL 23% reduction needed	PASS

<sup>3</sup> Water Quality Monitoring data from EA WIMS database. Nutrient concentrations reported are the 2019 annual mean for Total Phosphorus (TP) and Total Nitrogen (TN).

\*\* Data for Lily Broad is the mean of 5 (TN) and 8 (TP) samples from 2017.

### Upper Thurne Broads and Marshes

Unit name	SSSI Unit	Monitoring point ID	WQ Target		WQ Monitoring Data <sup>4</sup>		Compliance with target – Pass/Fail and % reduction needed to achieve the WQ Target	
			TP (ug/l)	TN (mg/l)	TP (ug/l)	TN (mg/l)	TP	TN
Heigham Sound	15	HEIGHAM SOUND (R.THURNE) AN-THR040	30	1.07	54	1.97***	FAIL 44% reduction needed	FAIL 45% reduction needed
Hickling Broad	16	HICKLING BROAD (R.THURNE) AN-THR030A	30	1.07	52	1.6	FAIL 42% reduction needed	FAIL 33% reduction needed

Horsey Mere	17	HORSEY MERE (R.THURNE) AN-THR020	30	1.46	51	2.22	FAIL 41% reduction needed	FAIL 34% reduction needed
R. Thurne Martham Broad	18	R.THURNE MARTHAM BROAD AN-THR060	30	1.07	33	No data	FAIL 9% reduction needed	Unknown
Martham South Broad	19	MARTHAM SOUTH BROAD (R.THURNE) AN-THR061	30	1.07	33	1.11***	FAIL 9% reduction needed	FAIL 4% reduction needed

<sup>4</sup>Water Quality Monitoring data from EA WIMS database. Nutrient concentrations reported are the 2019 annual mean for Total Phosphorus (TP) and Total Nitrogen (TN).

\*\*\* TN data is the mean for May 2019- Mar 2020.

#### Yare Broads and Marshes

Unit name	SSSI Unit	Monitoring point ID	WQ Target		WQ Monitoring Data <sup>5</sup>		Compliance with target – Pass/Fail and % reduction needed to achieve the WQ Target	
			TP (ug/l)	TN (mg/l)	TP (ug/l)	TN (mg/l)	TP	TN
Surlingham Broad	11	No monitoring point					Unknown	Unknown
Rockland Broad	15	ROCKLAND BROAD OUTFLOW (SHORT DIKE) AN-YAR31010	30	1.07	217 (Jan – Dec 2019)	7.65 (Jan – Dec 2019)	FAIL 86% reduction needed	FAIL 86% reduction needed
Bargate broad	24	No monitoring point					Unknown	Unknown
Wheatfen Broad	25	WHEATFEN BROAD AN-YAR305	30	1.07	326 Feb – Dec 2017)	2.68 May – Dec 2017)	FAIL 91% reduction needed	FAIL 60% reduction needed
Strumpshaw Broad	26	STRUMPSHAW BROAD AN-YAR225	30	1.07	353 Feb – Dec 2017)	2.47 May – Dec 2017)	FAIL 92% reduction needed	FAIL 57% reduction needed
Buckingham Broad	27	No monitoring point					Unknown	Unknown
Hassingham Broad	28	No monitoring point					Unknown	Unknown

<sup>5</sup>Water Quality Monitoring data from EA WIMS database.

The condition of the waterbody and the habitats which support the designated features is in part dependent on the water quality within them.

The condition of the waterbody and the habitats which support the designated features is in part dependent on the water quality within them. Where excessive nutrients are present in a system this can lead to the occurrence of eutrophication, impacting on aquatic macrophyte flora and changes in water chemistry.

Recent Water Quality data shows Ant Broads and Marshes, Bure Broads and Marshes, Trinity Broads SSSI, Upper Thurne Broads and Marshes and Yare Broads and Marshes are exceeding (overall) the targets for Total Phosphorus and Total Nitrogen. Within these areas four units are achieving the target for TN: Cockshoot Broad, Filby Broad, Ormesby Little Broad and Rollesby Broad Sailing Club.

The water quality targets for the water bodies are also required for the water input into the wetland habitats and dyke features to avoid changes in species composition and the loss of characteristic and sensitive species.

#### **Additional Information:**

Habitat type impacted by nutrients – Standing Water

The Broads SAC and Broadland Ramsar are underpinned by multiple SSSIs. The component SSSIs being considered here include;

- Ant Broads and Marshes
- Bure Broads and Marshes
- Trinity Broads
- Upper Thurne
- Yare Broads and Marshes

SSSI interest features include:

##### Ant Broads and Marshes SSSI

- Assemblages of breeding birds - Lowland open waters and their margins
- Ditches
- Eutrophic lakes
- Floodplain fen (lowland)
- Invert. assemblage W211 open water on disturbed sediments
- Invert. assemblage W313 moss & tussock fen
- Invert. assemblage W314 reed-fen & pools
- Lowland mire grassland and rush pasture
- Ponds
- Population of Schedule 8 plant - *Liparis loeselii*, Fen Orchid
- Vascular plant assemblage
- Wet woodland

##### Bure Broads and Marshes SSSI

- Assemblages of breeding birds - Lowland fen without open water
- Eutrophic lakes
- Floodplain fen (lowland)
- Invert. assemblage W126 seepage
- Invert. assemblage W211 open water on disturbed sediments
- Invert. assemblage W313 moss & tussock fen
- Invert. assemblage W314 reed-fen & pools
- Lowland mire grassland and rush pasture
- Vascular plant assemblage
- Wet woodland

#### Trinity Broads SSSI

- Aggregations of breeding birds - Marsh harrier, *Circus aeruginosus*
- Aggregations of breeding birds - Pochard, *Aythya ferina*
- Aggregations of breeding birds - Shoveler, *Anas clypeata*
- Aggregations of breeding birds - Tufted duck, *Aythya fuligula*
- Aggregations of non-breeding birds - Bittern, *Botaurus stellaris*
- Aggregations of non-breeding birds - Pochard, *Aythya ferina*
- Aggregations of non-breeding birds - Shoveler, *Anas clypeata*
- Aggregations of non-breeding birds - Tufted duck, *Aythya fuligula*
- Assemblages of breeding birds - Lowland open waters and their margins
- Floodplain fen (lowland)
- Lowland wetland including basin fen, valley fen, floodplain fen, waterfringe fen, spring/flush fen and raised bog lagg
- Mesotrophic lakes
- Otter, *Lutra lutra*
- Vascular plant assemblage
- Wet woodland

#### Upper Thurne Broads and Marshes SSSI

- Aggregations of breeding birds - Avocet, *Recurvirostra avosetta*
- Aggregations of breeding birds - Bearded tit, *Panurus biarmicus*
- Aggregations of breeding birds - Bittern, *Botaurus stellaris*
- Aggregations of breeding birds - Marsh harrier, *Circus aeruginosus*
- Aggregations of breeding birds - Pochard, *Aythya ferina*
- Aggregations of non-breeding birds - Bewick's swan, *Cygnus columbianus bewickii*
- Aggregations of non-breeding birds - Gadwall, *Anas strepera*
- Aggregations of non-breeding birds - Shoveler, *Anas clypeata*
- Aggregations of non-breeding birds - Teal, *Anas crecca*
- Assemblages of breeding birds - variety of species
- Charophyte assemblage
- Ditches
- Floodplain fen (lowland)
- Invert. assemblage W314 reed-fen & pools
- Lowland mire grassland and rush pasture
- Mesotrophic lakes
- Nationally scarce plant - *Potamogeton coloratus*, Fen Pondweed
- Nationally scarce plant - *Thelypteris palustris*, Marsh Fern
- Nationally scarce plant - *Thyselium palustre*, Milk-parsley
- Vascular plant assemblage
- Wet woodland

#### Yare Broads and Marshes SSSI

- Aggregations of breeding birds - Cetti's warbler, *Cettia cetti*
- Aggregations of breeding birds - Gadwall, *Anas strepera*
- Aggregations of breeding birds - Marsh harrier, *Circus aeruginosus*
- Aggregations of non-breeding birds - Bean goose, *Anser fabalis*
- Aggregations of non-breeding birds - Hen harrier, *Circus cyaneus*
- Aggregations of non-breeding birds - Wigeon, *Anas penelope*
- Assemblages of breeding birds - Lowland open waters and their margins
- Ditches
- Eutrophic lakes
- Floodplain fen (lowland)
- Invert. assemblage W313 moss & tussock fen
- Invert. assemblage W314 reed-fen & pools

- Lowland mire grassland and rush pasture
- Vascular plant assemblage
- Wet woodland

## *Appendix 5*





European protected sites requiring nutrient neutrality strategic solutions

Scale: 1:190,000

**Component SSSIs of  
River Wensum SAC**

- Local Authorities
- SSSI subject to nutrient neutrality strategy
- Nutrient neutrality SSSI catchment
- National Parks



# Nutrient Budget Calculator Guidance Document

Guidance for completion of a nutrient budget using the nutrient budget calculator tool

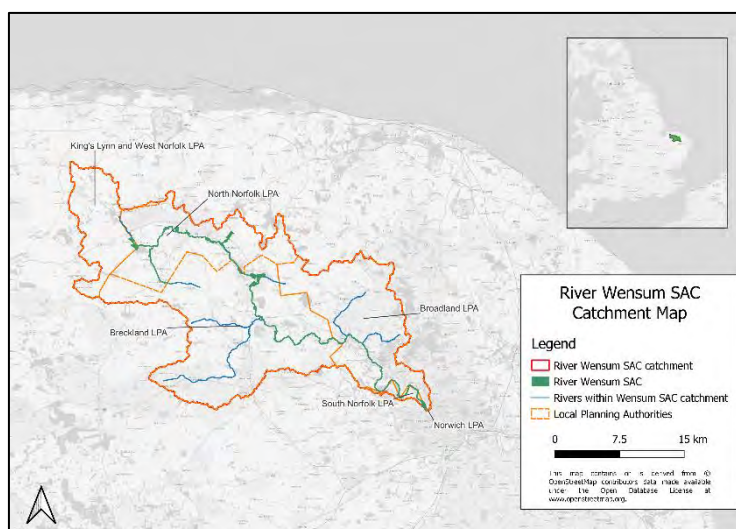
*Prepared by Ricardo Energy and Environment on behalf of Natural England*

## River Wensum Special Area of Conservation (SAC)

The River Wensum SAC is a Habitats site with water pollution and eutrophication considered a threat to its condition.

The Wensum is a low gradient, groundwater dominated river originating in northwest Norfolk, flowing southeast to Norwich where it joins the River Yare.

Intensive arable land-use dominates the landscape on the higher plateaus and valley sides, and grazing marsh, fen, reedbed, scrub and scattered woodland characterise the floodplain.



The current river channel is the product of a long history of modification and management. Anthropogenic influences have had a dramatic effect on the ecology and hydrology of the River Wensum, in particular at sites up and downstream of mill structures, sites affected by excessive silt deposition, sites that are heavily maintained and sites that lack natural riparian vegetation.

Regardless of this, the river supports over 100 species of plants, including three species of water-crowfoot. The river also supports white-clawed crayfish and populations of Desmoulin's whorl snail, Brook lamprey and Bullhead.

Increased levels of nitrogen and phosphorus entering aquatic environments via surface water and groundwater can severely threaten these sensitive habitats and species within the SAC. The elevated levels of nutrients can cause eutrophication, leading to algal blooms which disrupt normal ecosystem function and cause major changes in the aquatic community. These algal blooms can result in reduced levels of oxygen within the water, which in turn can lead to the death of many aquatic organisms including invertebrates and fish.

The habitats and species within the Wensum that result in designation as a SAC are referred to a 'qualifying features.' Not all of these qualifying features will be sensitive to changes in nutrients within the River Wensum. When completing an HRA involving nutrient neutrality, the Competent Authority (normally Local Planning Authority for developments) must identify and screen out qualifying features that are not sensitive to nutrients via a Habitats Regulations Assessment. Developers will be asked to submit information to support this process.

More detailed information on the qualifying features of the SAC and details of water quality data highlighting the current nutrient problems in the river are available in the Natural England River Wensum SAC evidence summary.



## The requirement for Nutrient Neutrality

Special Areas of Conservation (SAC), Special Protection Areas (SPA), and Ramsar sites are some of the most important areas for wildlife in the United Kingdom. They are internationally important for their habitats and wildlife and are protected under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). At some of these sites, there are high levels of nitrogen and phosphorus input to the protected water environment with sound evidence that these nutrients are causing eutrophication at these designated sites. These nutrient inputs currently mostly come either from agricultural sources or from wastewater from existing housing and other development. The resulting effects on ecology from an excessive presence of nutrients are impacting on protected habitats and species.

There is uncertainty as to whether new growth will further deteriorate designated sites, and/or make them appreciably more difficult to restore. The potential for future housing developments to exacerbate these impacts creates a risk to their potential future conservation status.

One way to address this uncertainty is for new development to achieve nutrient neutrality. Nutrient neutrality is a means of ensuring that development does not add to existing nutrient burdens and this provides certainty that the whole of the scheme is deliverable in line with the requirements of the Habitats Regulations.

## Key Principles

The principles underpinning Habitats Regulations Assessments are well established<sup>1</sup>. At the screening stage, plans and projects should only be granted consent where it is possible to exclude, on the basis of objective information, that the plan or project will have significant effects on the sites concerned<sup>2</sup>. Where it is not possible to rule out likely significant effects, plans and projects should be subject to an appropriate assessment. That appropriate assessment must contain complete, precise and definitive findings which are capable of removing all reasonable scientific doubt as to the absence of adverse effects on the integrity of the site<sup>3</sup>.

Natural England has been reviewing the available evidence on Habitats sites which are in unfavourable condition due to elevated nutrient levels. Where plans or projects will contribute additional nutrients to Habitats sites which are close to or already in unfavourable condition for nutrients, then a robust approach to the Habitats Regulations Assessment (HRA) of the effects of plans and projects is required.

Where sites are close to or already in unfavourable condition for nutrients, it may be difficult to grant consent for new plans and projects that will increase nutrient levels at the Habitats site. Nutrient neutrality provides a means of effectively mitigating the adverse effects associated with increased nutrients from new plans and projects, by counter-balancing any additional nutrient inputs to ensure that there is no net change in the amount of nutrients reaching the features which led to a Habitats site being designated.

Where new residential development is proposed, the additional nutrient load from the increase in wastewater and/or the change in the land use of the development land created by a new residential development can create an impact pathway for potential adverse effects on Habitats sites that are already suffering from problems related to nutrient loading. This impact pathway is shown diagrammatically in Figure 1. HRAs of new residential developments therefore need to consider whether nutrient loading will result in 'Likely Significant Effects' (LSE) on a Habitats site. If an HRA cannot exclude a LSE due to nutrient loading, the Appropriate Assessment (AA) will need to consider whether this nutrient load needs to be mitigated in order to remove adverse effects on the Habitats site.

<sup>1</sup> See, amongst others Case C-127/02 *Waddervereniging and Vogelsbeschermingvereniging (Waddenzee)*; *R (Champion) v North Norfolk DC* [2015] EKC 52 (Champion); C-323/17 *People Over Wind, Peter Sweetman v Coillte Teoranta (People Over Wind)*; C-461/17 *Brian Holohan and Others v An Bord Pleanála (Holohan)*; Joined Cases C-293/17 and C-294/17 *Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Other* (the Dutch Nitrogen cases);

<sup>2</sup> Case C-127/02 *Waddervereniging and Vogelsbeschermingvereniging (Waddenzee)*

<sup>3</sup> Case 164/17 *Grace & Sweetman v An Bord Pleanála (Grace & Sweetman)*

For those developments that wish to pursue neutrality, Natural England advises that a nutrient budget is calculated for new developments that have the potential to result in increases of nitrogen/phosphorus entering the international sites. A nutrient budget calculated according to this methodology and demonstrating nutrient neutrality is, in our view, able to provide sufficient and reasonable certainty that the development does not adversely affect the integrity, by means of impacts from nutrients, on the relevant internationally designated sites. This approach must be tested through the AA stage of the HRA. The information provided by the applicant on the nutrient budget and any mitigation proposed will be used by the local planning authority, as competent authority, to make an AA of the implications of the plan or project on the Habitats sites in question.

The nutrient neutrality calculation includes key inputs and assumptions that are based on the best available scientific evidence and research. It has been developed as a pragmatic tool. However, for each input there is a degree of uncertainty. For example, there is uncertainty associated with predicting occupancy levels and water use for each household in perpetuity. Also, identifying current land / farm types and the associated nutrient inputs is based on best available evidence, research and professional judgement and is again subject to a degree of uncertainty.

It is our advice to local planning authorities to take a precautionary approach in line with existing legislation and case law when addressing uncertainty and calculating nutrient budgets. This should be achieved by ensuring nutrient budget calculations apply precautionary rates to variables and adding a buffer to the Total Nitrogen/Total Phosphorus figure calculated for developments. A precautionary approach to the calculations and solutions helps the local planning authority and applicants to demonstrate the certainty needed for their assessments.

By applying the nutrient neutrality methodology, with the buffer, to new development, the competent authority may be satisfied that, while margins of error will inevitably vary for each development, this approach will ensure that new development in combination will avoid significant increases of nitrogen load from entering the internationally designated sites.<sup>4</sup>

A HRA must be capable of removing all reasonable scientific doubt as to the absence of adverse effects on a Habitats site. Absolute certainty is not required, but the methodology used to evaluate potential adverse effects (and the measures intended to mitigate them) must effectively address any reasonable scientific doubt to achieve the required degree of certainty.

The first step in an AA that is applying nutrient neutrality is to understand whether a development will cause additional nutrient inputs to the River Wensum SAC. This requires calculation of the amount of nutrients a new residential development will create, otherwise known as a nutrient budget.

If a nutrient budget shows that a new development will increase the nutrient input to the River Wensum SAC and it is not possible to conclude no adverse effect on site integrity alone or in combination, then this is the amount of nutrients that require mitigating on an annual basis to achieve nutrient neutrality and therefore enable a conclusion of no adverse effect on site integrity to be reached.

<sup>4</sup> This approach was expressly endorsed in *R (Wyatt) v Fareham BC* [2021] EWHC 1434 (Admin)

The diagram illustrates the nitrogen and phosphorus (N & P) cycle and its impact on a habitat site. It shows a cross-section of the landscape with various land uses: Urban Landscape, Agriculture, New Development, and Wastewater Treatment Works. A central blue river flows through the landscape, labeled 'HABITATS SITE'. Arrows indicate the flow of N & P: 1. Increased volume of effluent piped to WWTW from New Development. 2. Existing N & P surface runoff from New Development. 3. New N & P surface runoff from New Development. 4. Existing N & P surface runoff from Urban Landscape. 5. Existing N & P surface runoff from Agriculture. 6. Existing groundwater leaching of N & P from the bottom of the landscape. 7. Increased quantity of N & P discharged to the site from Wastewater Treatment Works. 8. N & P induced algae blooms impact protected ecology in the river. 9. Existing groundwater leaching of N & P from the bottom of the river. The diagram is labeled 'CATCHMENT' and 'HABITATS SITE'.

## What is this guidance for?

This guidance document accompanies the River Wensum SAC nutrient budget calculator. The nutrient budget calculator is used to calculate the change in nutrient input from a new residential development to the River Wensum SAC. The calculator can be used to inform an AA which is looking to apply nutrient neutrality to show whether a new development will require nutrient mitigation and if so, the amount of phosphorus loading that requires counterbalancing through mitigation measures to enable a conclusion of no adverse effect on site integrity, alone or in combination.

The guidance document contains the following:

- Step-by-step instructions on how to collect the specific data required as inputs to the tool.
- Instructions on how to use the tool.

## Who is the guidance for?

This guidance is for anyone who needs to complete a nutrient budget calculation to support an AA of residential development in the River Wensum SAC catchment. The tool is primarily aimed at developers who need to complete a nutrient budget calculation to support a planning application and Local Planning Authorities who need to understand the mitigation requirements for future development or assess planning applications. It could also be used by communities or environmental groups wanting to understand the impacts of a local development on the nutrient inputs to the River Wensum SAC.

## Summary of how the calculator works.

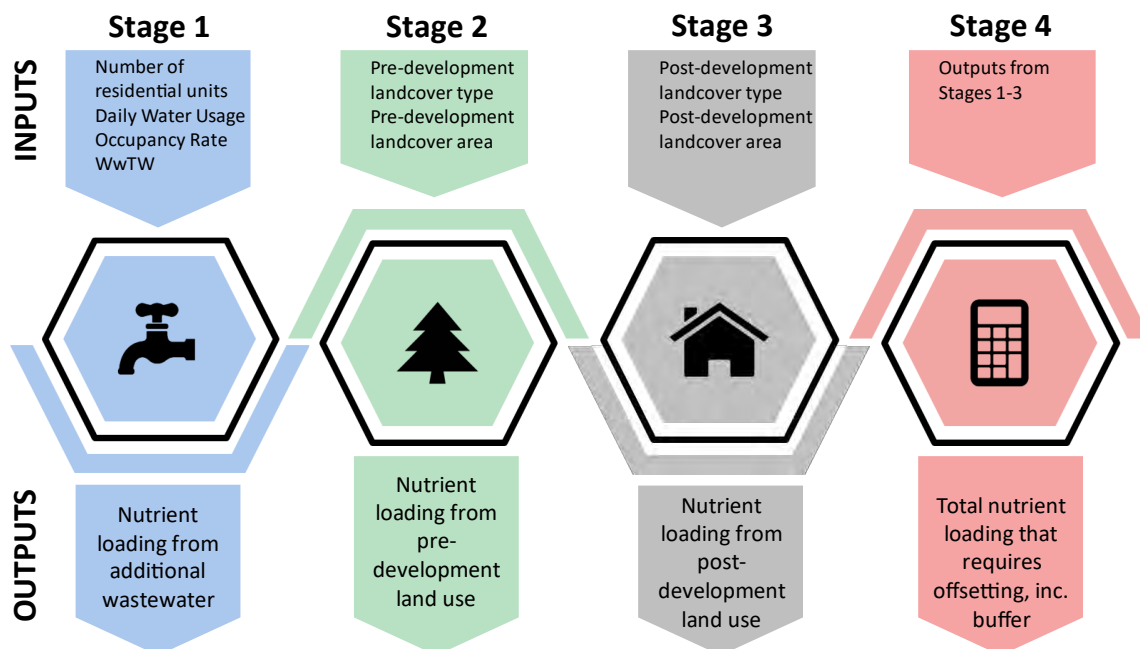
### Overview

The nutrient budget calculator requires a set of inputs in order to calculate a new development's nutrient budget. The calculations are completed in four stages:

1. Calculate the increase in nutrient loading that comes from a development's wastewater.
2. Calculate the pre-existing nutrient load from current land use on the development site.
3. Calculate the future nutrient load from land use on the development site post-development.
4. Calculate the net change in nutrient loading from the development to the River Wensum SAC with the addition of a buffer. The net change in nutrient loading + the buffer is the nutrient budget.

These key inputs and outputs for each stage can be shown schematically in Figure 2.

*Figure 2: Schematic showing the key inputs and outputs associated with each stage of the nutrient budget calculation methodology*



*Note: the values that come pre-entered in this tool have been chosen based on research to select inputs that meet the HRA tests of beyond reasonable scientific doubt, best available evidence, in perpetuity and were chosen in accordance with the precautionary principle. It is highly inadvisable to edit the values in this tool without a sufficient evidence base to justify any changes.*



## Data Collection and preparation

The nutrient budget calculator requires a set of inputs as shown in Figure 2. This section does not provide instructions on how to gather development specific information, such as the number of properties being constructed, as this should be known by the developer and should be detailed in the planning application. The subsections below provide guidance on how to identify certain inputs that are needed to complete the calculations for each stage of the nutrient budget calculations. The information required is available from free to access data sources<sup>5</sup>. Most of the required inputs are for factors that are specific to the location of a development site or the hydrological catchment of the River Wensum SAC.

**The instructions below are divided by the stage where the data will be required. We advise that you collect and note down this data before starting to input information into each stage of the nutrient budget calculator.**

**Stage 2 & 3: Instructions for finding the Operational Catchment that the development is located within**

- Go to this link: <http://environment.data.gov.uk/catchment-planning/>
- Search the location by place name, postcode etc. This will give a high-level view of the area. Use the zoom feature to find the exact location of the development.
- Click on the light blue area on the map in which the development is located. This will bring the user to the Operational Catchment page
- Make a note of the name of the Operational Catchment and select it from the dropdown list in the 'Catchment' cell when you get to this part of the calculator tool.

*Note: the River Wensum SAC catchment is within a single Operational Catchment and so there is only one option that is pre-selected in the 'Catchment' cell of the calculator.*

**Stage 2: Instructions for finding the soil drainage type associated with the predominant soil type within the development site**

- Go to this link: <http://www.landis.org.uk/soilscapes/#>
- Find your development site location on the map by using the search bar on the right side of the map in the 'Search' tab. Searching a location should generate a pop-up window in which you can view the soil information by clicking 'View soil information'. If this is not an option then click on the relevant soil type on the map and click on the 'Soil information' tab on the right-hand side of the map, below the 'Search' tab.
- The 'Soil drainage type' value can be found in the 'Soil information' under the title 'Drainage:'
- Make a note of this soil type and select the relevant soil drainage type from the drop-down list in the 'Soil drainage type' cell when you get to this part of the calculator tool.

**Stage 2: Instructions for finding the annual average rainfall that the development site will receive**

- Go to this link: <https://nrfa.ceh.ac.uk/data/station/spatial/34004>
- This link will bring the user to the Wensum at Costessey Mill flow gauge catchment information page.
- Click on the dropdown list next to the title 'Select spatial data type to view:' on the left of the map and select 'Rainfall'.
- Select the Legend tab.
- Zoom in on the map to find the location of the development and find the corresponding rainfall range from the Legend. Note that you cannot search this map using location information and will need to 'surf' around the map to find your development site location.

<sup>5</sup> Correct at the time of writing. These data sources are available from websites that currently have government funding but it should be noted that these datasets may become unavailable if funding is removed.

- Make a note of the relevant rainfall band for your site and use it to select this rainfall band from the drop-down list in the 'Average annual rainfall' cell when you get to this part of the calculator tool.

## Stage 2: Instructions for finding out whether the development is in a Nitrate Vulnerable Zone (NVZ)

- Go to this link <http://mapapps2.bgs.ac.uk/ukso/home.html?layers=NVZEng>
- Enter the location of the development site in the search bar.
- Once the area has been located, click on the map where the development is located to find out if it is within an NVZ.
- Make a note of this information. It will be needed to select 'Yes' or 'No' from the 'Within Nitrate Vulnerable Zone (NVZ)' cell when you get to this part of the calculator tool.

*Note: some of the values you select above will also be used in the Stage 3 calculations, however you only need to add the above details to the table in Stage 2 of the calculator and the required values for stage 3 will be carried through automatically.*

## How to use the calculator:

### General tips

- The key below shows the colour coding used to highlight which cells need to be completed.
- When a cell is selected, instructions on how to fill out the cell that is selected are shown.
- Some cells will have values pre-populated, like the 'Water usage' input. The instructions for each cell will detail if an alternative value can be used.
- It is advisable to retain a default copy of this calculator tool workbook which has not had any development details added. "Save as" a new copy each time you calculate a budget for a new development in case any of the default values in the in the workbook get overwritten and are needed again.

#### Key:

	Values to be entered by the user
	Fixed or calculated values
	Lookup tables

<b>Water usage</b> (litres/person/day):	120	
<b>Development Proposal</b> (dwellings):	100	
		Please enter the total number of dwellings that will be on the development site as of the completion date of the project.
...	Instructions	Site Information
	Stage 1	Stage 2
		Stage 3

## Stage 1: calculate the new nutrient load associated with the additional wastewater

In this section the user will need to enter:

- The date of first occupancy. *This is because some wastewater treatment works may be due an upgrade in 2025 that will change the nitrogen or phosphorus output from this works, which will in turn change the output from this stage of the calculations. If this is the case, it will be apparent*

*in the calculated values if there is an upgrade to a treatment works that affects the nutrient budget.*

- The average occupancy rate of the development will need to be entered in people per dwelling for residential dwellings or units for other types of overnight accommodation which would result in an increase in overnight accommodation. The default setting for residential dwellings is the national occupancy rate of 2.4 people per dwelling. **Only change this value if there is sufficient evidence that a different occupancy rate is appropriate** (see Occupancy Rate Guidance section below for when a local or regional occupancy rate is acceptable).
- The number of dwellings / units<sup>6</sup> that will be within the development at the time of completion.
- The wastewater treatment works that the development will connect to. If required this information can be obtained from the sewerage undertaker for the development site. If it is not feasible to connect to mains sewerage and a septic tank (ST) or package treatment plant (PTP) is being used, please select this option. Please be aware that if the total nitrogen (TN) or total phosphorus (TP) final effluent concentrations (in mg/l) are specified by the manufacturer, please select 'Septic Tank user defined' or 'Package Treatment Plant user defined' and enter the specified value in the cell where prompted. If you do not have a TP or TN value provided by the manufacturer, select the 'Septic Tank default' or 'Package Treatment Plant default' option and a value will be provided automatically.

#### **Occupancy Rate Guidance:**

As set out in the guidance below, the Local Planning Authority/Competent Authority will need to ensure that the occupancy rate is appropriate to development within their Authority area. **It is therefore recommended that the occupancy rate is agreed with the Local Planning Authority before completing the nutrient budget calculation.**

Competent authorities must satisfy themselves that the residents per dwelling/unit value used in this step of the calculation reflects local conditions in their area. The residents per dwelling value can be derived from national data providing it reflects local conditions. However, if national data does not yield a residents per dwelling/unit value that reflects local occupancy levels then locally relevant data should be used instead. Whichever figure is used, it is important to ensure it is sufficiently robust and appropriate for the project being assessed. **It is therefore recommended that project level Appropriate Assessments specifically include justification for why the competent authority has decided upon the occupancy rate that has been used.**

Further guidance is provided below.

#### **National occupancy data**

When using national occupancy data, the Office of National Statistics (ONS) national average value for the number of residents per dwelling of 2.4 is recommended. This value is derived from 2011 census data and is subject to change when the 2021 Census becomes available. This value can be used if the Local Planning Authority is satisfied that:

- It is appropriate for the level and type of housing development that is expected to come forward in the Local Planning Authority's area (a strategic assessment should be made of the development anticipated to come forward over the Local Plan period to ensure the use of average figures will not under/overestimate the level of impact)

<sup>6</sup> The term 'dwellings' has a specific legal meaning derived from the use classes order. To ensure that all relevant forms of development which would result in an increase in overnight accommodation such as hotel rooms, short term holiday lets etc are considered in the HRA process the term units is used

- It corresponds to the local average in the area (it is not likely to overestimate or underestimate occupancy)
- It is based on data that is robust and doesn't underestimate the level of impact over time.

It may not be appropriate to use the national average occupancy rate for development types which are not included in the ONS data, such as student accommodation or houses in multiple occupation. For such developments, the Local Planning Authority should specify an appropriate occupancy rate in the project level Appropriate Assessment and explain how this figure was derived.

### **Locally relevant occupancy data**

If the national average occupancy rate does not correspond with local conditions, then a locally relevant average residents per dwelling value may be more appropriate. If a Local Planning Authority decides to use a locally relevant value, that value needs to be supported by robust and sufficient evidence which should be included in the project level Appropriate Assessment. Key sources of evidence include:

- The average occupancy rate from the census for the relevant local administrative area, e.g. the county.
- The average occupation figures used by the Local Planning Authority to calculate population growth due to Local Plan development.
- The average occupation figures used by the local water company to plan for population growth and the impact on water resources and sewage treatment.

A local / regional average occupancy rate can be used provided that it is from a robust source which can show trends over a protracted period of time— such as from ONS derived data or from the annual English Housing Survey. Figures derived from data collected over short periods of time will not be acceptable as short-term data is unlikely to provide the required degree of certainty. The Local Planning Authority should ensure that any trend in occupancy rates or estimates of the average number of persons per household used will continue for perpetuity and would not underestimate the level of impact over time. A local / regional average occupancy rate would therefore need to be based on figures over at least a 5-year period<sup>7</sup>.

Local Planning Authorities will also need to satisfy themselves that a locally derived occupancy figure is appropriate for the level and type of housing development that is expected (a strategic assessment should be made of the development anticipated to come forward over the Local Plan period to ensure the use of average figures will not under/overestimate the level of impact).

### **Occupancy rates based on dwelling type**

Should the nature or scale of development associated with a particular project proposal suggest that the use of an average occupancy rate is not appropriate, then the Local Planning Authority may decide to adopt an occupancy rate based on the dwelling types proposed for that particular project, provided it meets the criteria outlined above. This may be appropriate where a project proposer seeks consent for a development comprising certain dwelling types (e.g. flats and small 1 and 2 bed dwellings). If the Local Planning Authority decides to adopt a local approach based on determining occupancy rate by dwelling type, that approach should be used for all planning applications, rather than reverting back to the use of an average occupancy rate. This will ensure that the Local Planning Authority doesn't inadvertently underestimate total occupancy levels (and consequently water quality impacts) across its area by applying a lower residents per dwelling/unit value for developments comprising smaller units but failing to adopt a higher residents per dwelling/unit value for developments comprising larger units or a mix of units.

<sup>7</sup> The figure of 5 years has been chosen as the minimum period of time over which occupancy rates can be calculated from as local plans and WRMPs are reviewed every 5 years, so represents a long enough period of time to capture any trends or changes.

## Consistency in applying occupancy rates

The same occupancy rate should be used where there are several different impacts on Habitat sites which require strategic mitigation. The strategic approaches developed with local planning authorities to deal with in combination impacts on international sites elsewhere typically calculate mitigation requirements and contribution requirements based on current national average occupancy rates. Local Planning Authorities may decide to use a locally derived average occupancy rate instead, but this local occupancy rate must be used consistently across each type of impact and each Habitats site affected. Local Planning Authorities should not use different occupancy rates in their HRAs for the same dwelling types / size of units. Whilst the impacts will be different, occupancy rates will have been used to estimate the scale of impact and subsequently the scale of mitigation required on the protected sites. The types of impact will typically last in perpetuity. Care is therefore needed to ensure the adoption of an alternative occupancy rate based on an assessment of net population additions to a locality for nutrient budgeting does not undermine other existing strategic approaches, particularly where there are overlapping impacts within the locality.

*Note: When 2021 Census data is available, the 2.4 value will be updated.*

*Note: if an ST or PTP is being used then a comprehensive maintenance regime is required as part of the application process. Please consult your Local Planning Authority for further advice on how to specify this maintenance regime and demonstrate that it is appropriately secured. If the ST or PTP which is being used has phosphate stripping capabilities, chemical dosing may be required. If chemical dosing is required, a robust management plan that details how chemicals are stored, the dilution rates, dosing frequencies, that any chemicals used will not have an environmental impact etc. must also accompany the planning application. PTPs with chemical dosing may not be appropriate in all cases.*

## Stage 2 - calculate the annual nutrient load from existing (pre-development) land use on the development site

In this section some environmental information about the development will need to be entered as well as the type and area of landcover that is being developed. The environmental information required is [described above](#).

Only the types and areas of land that are being altered by the development should be entered. For example, if two hectares of agricultural land within a ten-hectare development site are being retained in the same agricultural use, this area should not be included in the calculations.

In the 'Existing land use type(s)' column of the main table in Stage 2 of the calculator, each cell has drop-down list of land use types. This list contains seven agricultural land cover types to choose from and eight different non-agricultural land cover types that may be present on a pre-development site. Please find out what land use types are within the development before completing this tool. If there is a land use within the development area that is not in the list, please select the most similar land use type. Table 1 provides a description of the different land use types available within the calculator tool.

Table 1: Table of land use types included within the tool and their descriptions.

Land use types used in the calculator tool	Description
Cereals	Agricultural areas on which cereals, combinable crops and set aside are farmed.
General	Agricultural areas on which arable crops (including field scale vegetables) are farmed.
Horticulture	Agricultural areas on which fruit (including vineyards), hardy nursery stock, glasshouse flowers and vegetables, market garden scale vegetables, outdoor bulbs and flowers, and mushrooms are farmed.
Pig	Agricultural areas on which pigs farmed.
Poultry	Agricultural areas on which poultry are farmed.
Dairy	Agricultural areas on which dairy cows are farmed.
LFA	Agricultural areas on which cattle, sheep and other grazing livestock are farmed in locations where agricultural production is difficult. An area is classified as a Less Favoured Area (LFA) holding if 50 per cent or more of its total area is classed as LFA.
Lowland	Agricultural areas on which cattle, sheep and other grazing livestock are farmed. A holding is classified as lowland if less than 50 per cent of its total area is classed as a lowland grazing area.
Mixed	Agricultural areas in which none of the above categories are farmed or where it is too difficult to select a single category to describe the farm type.
Greenspace	Natural and semi-natural outdoor spaces provided for recreational use where fertilisers will not be applied and dog waste is managed, e.g. semi-natural parks. This does not include green infrastructure within the built urban environment, such as sports fields, gardens, or grass verges, as these are included in the residential urban land category.
Woodland	Natural and semi-natural outdoor wooded areas.
Shrub	Natural and semi-natural outdoor shrubland area.
Water	Areas of surface water, including rivers, ponds and lakes.
Residential urban land	Areas of houses and associated infrastructure. This is inclusive of roads, driveways, grass verges and gardens.
Commercial/industrial urban land	Areas that are used for industry. These are businesses that typically manufacture, process or otherwise generate products. Included in the definition of industrial land are factories and storage facilities as well as mining and shipping operations.
Open urban land	Area of land in urban areas used for various purposes, e.g. leisure and recreation - may include open land, e.g. sports fields, playgrounds, public squares or built facilities such as sports centres.
Community food growing	Areas that are used for local food production, such as allotments.

### Stage 3: calculate the annual nutrient load from new (post-development) land use on the development site

In this section the user will need to select the type and area of the landcover present on the development site after the development has been completed.

In the 'New land use type(s)' column of the main table in Stage 3 of the calculator, each cell has a drop-down list of land use types containing eight non-agricultural land use types that may be present on the post-development site. Please find out what land use types are within the development before completing this part of the tool. If there is a land use within the development area that is not in the list (see Table 1 for land use type descriptions), please select the most similar land use type.

## Stage 4: calculate the net change in nutrient loading for the site and the final annual nutrient budget for the development site:

This final stage automatically uses the results from Stages 1-3 and calculates the nutrient budget using the equation shown in Figure 3.

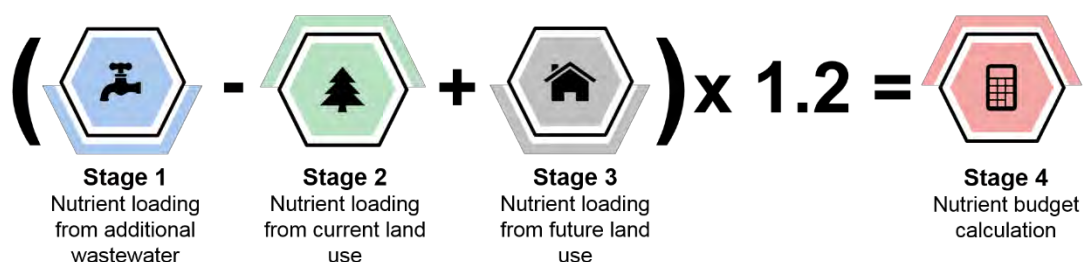
As Figure 3 shows, the output from Stage 4 of nutrient budget calculations is the balance of new sources of phosphorus from a development minus the existing sources of phosphorus from the pre-development site. To ensure the final figure is robust and suitably precautionary this balance is multiplied by 1.2, i.e. increased by a 20%, buffer'.

The 20% buffer is applied to account for the uncertainties that underlie the inputs to Stages 1-3 of the nutrient budget calculations, as well as accounting for some potential nutrient sources associated with new development that cannot be readily quantified. To cover all possible inputs to a nutrient budget with a high enough certainty to remove the need for the buffer would require extensive site-specific investigations. The 20% buffer is a means of accounting for the uncertainties within the nutrient budget calculations and providing confidence that mitigation of the nutrient budget will remove the risk of adverse effects on site integrity in the River Wensum SAC.

The output in Stage 4 shows how much nutrient mitigation is required in kilograms per year to achieve nutrient neutrality.

If there are two values due to an upgrade occurring at the wastewater treatment works the development is connecting to, the calculator will show the total amount of nutrient mitigation that is needed before and after the upgrade.

Figure 3: The equation used to calculate the nutrient budget.



<b>Designated Site Name:</b>	<b>River Wensum SAC</b>
<b>Site Details:</b>	
<p><b>From the River Wensum SAC citation:</b></p> <p>The Wensum is a naturally enriched, calcareous lowland river. The upper reaches are fed by springs that rise from the chalk and by run-off from calcareous soils rich in plant nutrients. This gives rise to beds of submerged and emergent vegetation characteristic of a chalk stream. Lower down, the chalk is overlain with boulder clay and river gravels, resulting in aquatic plant communities more typical of a slow-flowing river on mixed substrate.</p> <p>Much of the adjacent land is managed for hay crops and by grazing, and the resulting mosaic of meadow and marsh habitats, provides niches for a wide variety of specialised plants and animals. <i>Ranunculus</i> vegetation occurs throughout much of the river's length.</p> <p>Stream water-crowfoot <i>R. penicillatus</i> ssp. <i>pseudofluitans</i> is the dominant <i>Ranunculus</i> species but thread-leaved watercrowfoot <i>R. trichophyllus</i> and fan-leaved water-crowfoot <i>R. circinatus</i> also occur in association with the wide range of aquatic and emergent species that contribute to this vegetation type.</p> <p>The river should support an abundant and rich invertebrate fauna including the native freshwater crayfish <i>Austropotamobius pallipes</i> as well as a diverse fish community, including bullhead <i>Cottus gobio</i> and brook lamprey <i>Lampetra planeri</i>. The site has an abundant and diverse mollusc fauna which includes Desmoulin's whorl-snail <i>Vertigo moulinsiana</i>, which is associated with aquatic vegetation at the river edge and adjacent fens.</p>	
<b>Reason for European Site Designation:</b>	
<p>The River Wensum Special Area for Conservation is designated for the following features:</p> <ul style="list-style-type: none"> <li>• H3260 Water courses of plain to montane levels with <i>R. fluitantis</i></li> <li>• S1016 Desmoulin's whorl snail, <i>Vertigo moulinsiana</i></li> <li>• S1092 Freshwater crayfish, <i>Austropotamobius pallipes</i></li> <li>• S1096 Brook lamprey, <i>Lampetra planeri</i></li> <li>• S1163 Bullhead, <i>Cottus gobio</i></li> </ul> <p>Links to Conservation Advice:  <a href="#">Conservation Objectives</a>  <a href="#">Conservation Objectives Supplementary Advice</a></p>	
<b>Nutrient Pressure(s) for which the site is unfavourable:</b>	
Phosphorus	
<b>Water Quality Evidence:</b>	
<p>In the Conservation Objectives Supplementary Advice for the River Wensum SAC it states 'restore the natural nutrient regime of the river, with any anthropogenic enrichment above natural/background concentrations limited to levels at which adverse effects on characteristic biodiversity are unlikely'</p> <p>Water Quality data is reported against the respective SSSI units within the SAC. The data reported here are from the same monitoring points as those used in the River Wensum Diffuse Water Pollution Plan.</p>	



Unit name	SSSI Unit	Monitoring point ID	WQ Target	WQ Monitoring Data <sup>1</sup>	Compliance with target – Pass/Fail and % reduction needed to achieve the WQ Target
			Soluble Reactive Phosphorus (ug/l), annual mean	Orthophosphate, reactive as P (ug/l), mean	Compliance with target – Pass/Fail and % reduction needed to achieve the WQ Target
Wensum Above Confluence with Tat	45	R.Wensum Helhoughton Bridge An-Wen020	20	39.3 (Feb 2019 – Jan 2022)	FAIL 49% reduction needed
Tat Above Confluence with Wensum	46	R.Tat Tatterford Common (R.Wensum) An-Wen010	20	80.9 (Feb 2019 – Jan 2022)	FAIL 75% reduction needed
Confluence - Fakenham Mill	47	R.Wensum Sculthorpe Mill An-Wen040	30	45.2 (Feb 2019 – Jan 2022)	FAIL 34% reduction needed
		R.Wensum Goggs Mill Rd. Br. Hempton An-Wen045	30	46.1 (Jan 2019 – Dec 2021)	FAIL 35% reduction needed
Fakenham Mill - Great Ryburgh Mill	48	R.Wensum Great Ryburgh Bridge An-Wen070	30	59 (Oct 2011 – Sept 2014)	FAIL – older data 49% reduction needed
Great Ryburgh Mill - Bintree Mill	49	No Monitoring Point	30	-	Unknown
Bintree Mill - North Elmham Mill	50	R.Wensum County School Bridge An-Wen102	30	71.6 (May 2019 – Dec 2021)	58% reduction needed
North Elmham Mill - Elsing Mill	51	R.Wensum Swanton Morley Bridge An-Wen180	30	57.6 (Feb 2019 – Jan 2022)	FAIL 48% reduction needed
Elsing Mill - Lenwade Mill	52	R.Wensum Lyng Road Bridge An-Wen1905	30	64.9 (Jan 2019 – Dec 2021)	FAIL 54% reduction needed
Lenwade Mill - Taverham Mill	53	R.Wensum Great Witchingham Bridge An-Wen200	30	59.7 (Feb 2019 – Jan 2022)	FAIL 50% reduction needed
Taverham Mill - Hellesdon Mill	54	R.Wensum Taverham Bridge An-Wen235	30	63.8 April 2017 – March 2020)	FAIL 53% reduction needed

Langor Drain Above Conf. with Wensum	55	Kettlestone Str. Langer Br. (R.Wensum) An-Wen060	30	75 (Aug 2014 – Jul 2017)	FAIL 60% reduction needed
--	----	---	----	-----------------------------	------------------------------

<sup>1</sup>Water Quality Monitoring data from EA WIMS database, the date range is in brackets. Any sample results below the level of detection (LOD) were taken at face values in the calculation of the mean. Following the rivers common standards monitoring guidance the mean of 3 years of data used where available.

The condition of the waterbody and the habitats which support the designated features is in part dependent on the water quality within them.

The occurrence of elevated nutrients in the waterbody can impact on the competitive interactions between high plant species and between higher plant species and algae, which can result in a loss of characteristic plant species. Changes in plant growth and community composition and structure can have implications for the wider food web, and the species present. Increased nutrients and the occurrence of eutrophication can also impact on the dissolved oxygen levels in the waterbody and substrate condition, also impacting on biota within the river.

Recent water quality measurements for the River Wensum within the SAC show phosphorus concentrations to be exceeding the targets for all unit where there is monitoring data. Any nutrients entering the catchment upstream of the locations which are exceeding their nutrient targets, will make their way downstream and have the potential to further add to the current exceedance. Therefore, for the River Wensum, the whole upstream catchment is included within the catchment map.

#### **Additional Information:**

Habitat type impacted by nutrients - Riverine

The Special Area for Conservation is legally underpinned by the River Wensum SSSI

SSSI interest features include:

- River supporting habitat
- Rivers and Streams



# The Greater Norwich Local Plan

## Housing and Economic Land Availability Assessment (HELAA) Addendum IV June 2022

### ENVIRONMENT



### HOMES



### INFRASTRUCTURE



### COMMUNITIES



### DELIVERY



### ECONOMY



[www.gnlp.org.uk](http://www.gnlp.org.uk)



Working with  
**Norfolk County Council**



**NORWICH**  
City Council



**Broadland**  
District Council  
*Community at heart*



**South Norfolk**  
COUNCIL

# Housing and Economic Land Availability Assessment (HELAA) Addendum IV (2022) – Gypsy and Traveller Permanent Residential Pitches

## Contents

Introduction .....	1
Background .....	1
Summary.....	1
Parish: Cawston .....	3
Site reference: GNLP5004 .....	3
Parish: Costessey .....	6
Site reference: GNLP5007 .....	6
Parish: Wymondham .....	9
Site reference: GNLP5005 .....	9

## HELAA Addendum IV (June 2022)

**Important: The inclusion of a site as potentially suitable for development within the HELAA DOES NOT confer any planning status on that site, or any commitment that it will be brought forward for development. In addition, sites excluded from the HELAA assessment can still be subject to more detailed site assessment and be considered for allocation through the Local Plan process. For more info see Site Assessment Booklets.**

### Introduction

This fourth addendum to the Housing and Economic Land Availability Assessment (HELAA) should be read alongside the [HELAA December 2017](#). However, this document only considers Gypsy and Traveller sites, whereas previous iterations of the HELAA considered development proposals for employment, housing, or mix use developments.

### Background

In July 2021, the Greater Norwich Development Partnership (hereafter referred to as the 'Partnership' which comprises Broadland, Norwich, and South Norfolk councils working with Norfolk County Council) submitted the Greater Norwich Local Plan ('GNLP') for independent examination. During this examination process, which included hearing sessions in February and March 2022, the two inspectors appointed on behalf of the Secretary of State, Mike Worden and Thomas Hatfield, indicated that more should be done to address Gypsy and Traveller accommodation needs. To do this the Partnership has identified 3 sites that could be considered as Gypsy and Traveller site allocations to provide residential pitches for caravans.

This latest iteration of the HELAA is limited in scope to the accommodation needs of Gypsies and Travellers, and only considers 3 sites. All 3 sites were identified during late 2021 and early 2022 when it became apparent that the inspectors examining the local plan expected to see specific sites for Gypsies and Travellers. 3 of the sites are in public ownership, and the other 1 site was put forward by a private landowner who became aware in early 2022 that more opportunity existed to promote Gypsy and Traveller sites for inclusion in the local plan.

### Summary

For each of the 3 sites being considered in this land availability assessment the landowner has provided a redline plan and a judgement has been made about how many pitches could be accommodated. As a guideline, to avoid the risk of pitches becoming too small around 300 sqm is being allowed per pitch. This broadly accords with design guidance that suggests 320 sqm per pitch in order to provide space for an amenity block (kitchen, bathroom, living room) and touring caravan space for up to 2 caravans and 2 vehicles.<sup>1</sup>

All 3 Gypsy and Traveller sites are compared against the 14 suitability criteria in the HELAA methodology to assess if they are reasonable for development. The purpose

<sup>1</sup> [https://www.leeds.gov.uk/docs/Gypsy and Traveller Site Design Guide.pdf](https://www.leeds.gov.uk/docs/Gypsy%20and%20Traveller%20Site%20Design%20Guide.pdf)  
designinggypsiesites.pdf (publishing.service.gov.uk)

of which is to screen out sites with no development potential; and, for the remaining sites to identify issues that could need addressing for development to go ahead. For each of the 3 sites, a 'red', 'amber' or 'green' rating is awarded, and a conclusion on the findings is given; but, in summary all 3 sites are found to be reasonable alternatives that merit further consideration for allocation in the local plan.

The HELAA methodology used for this fourth addendum is the same as for previous versions, but there are slight differences in its application. Most particularly a slightly broader interpretation is being taken to access to services. This is because some Gypsies and Travellers may accept living in a slightly more remote location, and for the practical reason that finding land for Gypsies and Travellers is more difficult than general housing land.

As well as the scarcity of sites for Gypsies and Travellers, there is also an urgency to find sites that can be developed in the next 5 years. Therefore, in the 'Availability and Achievability' conclusion for each of the 3 sites emphasis is placed on when they could be delivered. Particularly as to whether development could happen in the current 5-year time period to March 2027 or whether due to site specific issues a longer timeframe to March 2032 is required.

## Parish: Cawston Suitability Assessment

**Site reference: GNLP5004**

**LOCATION:**

Land off Buxton Road, Eastgate

**Site area: 0.12 Ha**

**PROPOSED DEVELOPMENT:**

A permanent residential Gypsy and Travellers site for 4 pitch

**District:** Broadland

### CONSTRAINTS ANALYSIS

Site Access  
Accessibility to Services  
Utilities Capacity  
Utilities Infrastructure  
Contamination and Ground Stability  
Flood Risk  
Market Attractiveness

Green  
Amber  
Green  
Green  
Green  
Green  
Green

### IMPACTS ANALYSIS

Significant Landscapes  
Sensitive Townscapes  
Biodiversity and Geodiversity  
Historic Environment  
Open Space and GI  
Transport and Roads  
Compatibility with neighbouring uses

Amber  
Green  
Amber  
Green  
Green  
Green  
Green

### SITE SUITABILITY CONCLUSIONS

This greenfield site off Buxton Road in the hamlet of Eastgate, south-east of Cawston, is 0.12 ha in size, and could likely accommodate 4 permanent residential Gypsy and Traveller pitches.

The initial highways advice is that a suitable vehicular access is likely to be achievable, subject to demonstrating an acceptable visibility splay but that this might require the removal of hedgerow. Locationally, GNLP5004 is slightly disconnected to local services. As for example, the distance to Cawston Primary School is 1.7 km. However, as this is a relatively small development proposal it will not lead to a significant increase in traffic on local roads or a significant increase in unsustainable travel patterns.

There are no known constraints relating to utilities capacity, contamination or ground stability issues. Anglian Water has stated water supply and water recycling connections will be addressed at the time a site comes forward because it is a



development for fewer than 10 dwellings. The site is within Flood Zone 1, so is at low risk of fluvial flooding, and no surface water flooding risk has been identified.

In terms of sensitive landscape and biodiversity, Cawston and Marsham Heaths SSSI is located approximately 1 km from the site, and there are a further four SSSIs within a 5 km radius -- Booton Common SSSI, Buxton Heath SSSI, Alderford Common SSSI and Swannington Upgate Common SSSI and it is in a 'green' impact risk zone for Great Crested Newts. However, Natural England has not raised an objection to this site.

Whilst only measuring 0.12 ha it is noted that GNLP5004 is Grade 2 agricultural, which would result in a minor loss of high-quality agricultural land. Furthermore, developing GNLP5004 would not mean a loss of open space, and neither is the site situated along a strategic green infrastructure corridor.

Cawston Conservation Area, which includes a number of Grade I and II listed buildings, is approximately 1.6 km west of the site, and so no adverse impact is expected on heritage assets. But initial advice from the Historic Environment Team is that the site is close to an area of Roman Settlement. Therefore, further archaeological investigation will be necessary.

As to neighbouring and adjoining uses, there are residential properties to the north of the site along Back Lane, a field to the east, agricultural land on the south side of Buxton Road, and a home to the west. So how GNLP5004 could be developed to fit within its surroundings most appropriately will need consideration, but nevertheless the principle of development is considered acceptable.

Overall, GNLP5004 is considered suitable for the land availability assessment, subject to achieving an acceptable visibility splay and undertaking site investigations. But also, as with many locations, recent announcements about nutrient levels in river basin catchments will have to be addressed if GNLP5004 is developed.

The exact process for how GNLP5004 could be developed as a Gypsy and Traveller site is yet to be decided, but it is considered that options exist for bringing the site forward, and there is no reason to doubt that GNLP5004 is in a location that would be attractive to the Gypsy and Traveller community as a suitable site.

## **Parish: Cawston**

### **Availability and Achievability**

#### **Availability and Achievability Conclusions**

GNLP5004 is in private ownership but the landowner has stated a willingness to make the land available as a Gypsy and Traveller site. As a relatively unconstrained greenfield site there is no reason why development could not come forward quickly. 4 to 5 years is considered ample time to market the land, gain planning permission, and to develop GNLP5004.

#### **Overall Conclusions for Site**

Subject to caveats, GNLP5004 is considered suitable for inclusion in the land availability assessment. If allocated in the local plan, GNLP5008 would be deliverable within 5 years and could be completed by March 2027.

## Parish: Costessey Suitability Assessment

**Site reference: GNLP5007**

**LOCATION:**

Land off Bawburgh Lane, north of New Road and east of the A47 (Costessey contingency site ref GNLP0581/2043)

**Site area: 1 ha**

**PROPOSED DEVELOPMENT:**

A permanent residential Gypsy and Travellers site for 18 pitches

**District:** South Norfolk

### CONSTRAINTS ANALYSIS

Site Access	Amber
Accessibility to Services	Amber
Utilities Capacity	Amber
Utilities Infrastructure	Green
Contamination and Ground Stability	Green
Flood Risk	Amber
Market Attractiveness	Green

### IMPACTS ANALYSIS

Significant Landscapes	Amber
Sensitive Townscapes	Amber
Biodiversity and Geodiversity	Amber
Historic Environment	Green
Open Space and GI	Green
Transport and Roads	Green
Compatibility with neighbouring uses	Green

### SITE SUITABILITY CONCLUSIONS

Site GNLP5007 is a variation of the contingency site GNLP0581/2043, which measures 62 ha, and is being promoted as a residential-led urban extension of approximately 800 homes. The variation as proposed by GNLP5007 is to incorporate approximately 1 ha for Gypsies and Travellers accommodation into the urban extension. The exact location of the Gypsy and Traveller site within GNLP0581/2043 is yet to be determined and will be considered as part of master-planning the overall urban extension.

The inclusion of a Gypsy and Traveller site represents a small-scale change in the context of an entire urban extension. Varying GNLP0581/2043 with the incorporation of a 1 ha Gypsy and Traveller site into the overall 62 ha site has little effect on the land availability assessment scoring, and all the constraints previously identified continue to apply. Given the size of GNLP0581/2043 some constraints are expected, but it is considered that these issues can be mitigated through a comprehensive master-planning exercise.

There is a band of land that has surface water flood risk through the middle and a northern part of GNLP0581/2041. GNLP0581/2041 is also in the Norwich Southern Bypass Protection Zone and adjacent to the A47 there could be amenity concerns from disturbance caused by traffic. Other constraints include overhead power lines, an adjacent contaminated site, landscape impacts, townscape impacts, and the potential for protected species being on-site.

Site GNLP0581/2041 was considered suitable for inclusion in the land supply assessment, and that conclusion remains the same with inclusion of a Gypsy and Traveller site into the overall proposal for an urban extension. But also, as with many locations, recent announcements about nutrient levels in river basin catchments will have to be addressed if GNLP5007 is developed.

The exact process for how GNLP5007 could be developed as a Gypsy and Traveller site is yet to be decided, but it is considered that options exist for bringing the site forward, and there is no reason to doubt that GNLP5007 is in a location that would be attractive to the Gypsy and Traveller community as a suitable site.

## **Parish: Costessey**

### **Availability and Achievability**

#### **Availability and Achievability Conclusions**

Norwich City Council is a part owner in the land promoted as GNLP0581/2043, and therefore land required for a Gypsy and Traveller site is available for development. Investigations are being made as to how a Gypsy and Traveller site could come forward in a first phase of development, if GNLP0581/2043 becomes an allocation in the GNLP.

#### **Overall Conclusions for Site**

Subject to caveats, GNLP5007 is considered suitable for inclusion in the land availability assessment. If allocated in the local plan, some of the 18 pitches on GNLP0581/2043 could be deliverable within 5 years and the remaining pitches would be delivered by March 2032.

## Parish: Wymondham Suitability Assessment

**Site reference: GNLP5005**

**LOCATION:**

Land at Strayground Lane Wymondham  
Recycling Centre

**Site area: 0.07 Ha**

**PROPOSED DEVELOPMENT:**

A permanent residential Gypsy and  
Travellers site for 2 pitches

**District:** South Norfolk

### CONSTRAINTS ANALYSIS

Site Access  
Accessibility to Services  
Utilities Capacity  
Utilities Infrastructure  
Contamination and Ground Stability  
Flood Risk  
Market Attractiveness

Amber  
Amber  
Green  
Green  
Amber  
Green  
Green

### IMPACTS ANALYSIS

Significant Landscapes  
Sensitive Townscapes  
Biodiversity and Geodiversity  
Historic Environment  
Open Space and GI  
Transport and Roads  
Compatibility with neighbouring Uses

Amber  
Green  
Amber  
Green  
Green  
Green  
Amber

### SITE SUITABILITY CONCLUSIONS

Site GNLP5005 measures 0.07 ha and is currently used as Wymondham Recycling Centre. The landowner intends to close this facility, and thus an opportunity exists to redevelop it for approximately 2 residential Gypsy and Traveller pitches. However, the site is not likely to become available until 2025 at the earliest.

GNLP5005 has a vehicular access onto Strayground Lane that serves the existing recycling centre. Strayground Lane is not to a good standard, there is no footpath, and the passing bays may require improvement; but the proposed use will generate less traffic than the existing recycling centre. Strayground Lane is a quiet lane in character and so opportunity exists for pedestrians and cyclists to use this route to access facilities in Wymondham.

The lack of footpath provision along Strayground Lane is a constraint in accessibility terms, but GNLP5005 is close to some facilities in Wymondham. There is a local shop approximately 700 m away, the closest GP surgery is approximately 900 m,

and Browick Road Primary School is approximately 1 km. This means that GNLP5005 has adequate access to schools and facilities for people to meet their daily needs.

In respect to heritage constraints GNLP5005 presents no substantive concerns, as the nearest listed building (Grade II 'Ivy Green Villa') is 300 m away and separated by the industrial area along Chestnut Drive. Environmental considerations will need further assessment such as an ecological survey, as GNLP5005 is approx. 50m from undeveloped areas along the Bays River, which is lowland fens priority habitat, and GNLP5005 partly overlaps the Bays River Meadows North County Wildlife Site. GNLP5005 is at low risk of flooding as within flood zone 1, and within the catchment of a groundwater Source Protection Zone (Zone III) as such, pollution mitigation measures with respect to water quality will be required but none of these factors rules out development potential.

Whilst not prohibiting possible development there are other points to consider due to past and present neighbouring uses. Immediately adjoining GNLP5005 to the west and south is the Gary Cooper Paving company that will pose considerations in terms of vehicle movements, noise, and possibly dust. The site abuts sections which overlap with a historic landfill site that will need investigation for possible further contamination. Immediately to the north-east, east, and south are various planning consents dating back to the 1990s for a gravel quarry, stockpiling aggregates, and landfilling of inert waste (references include C/92/7023 and C/94/7016).

Overall, GNLP5005 is considered suitable for the land availability assessment, subject to achieving mitigation measures, and provided the site can be appropriately converted from a recycling centre to a permanent residential site. But also, as with many locations, recent announcements about nutrient levels in river basin catchments will have to be addressed if GNLP5005 is developed.

The exact process for how GNLP5005 could be developed as a Gypsy and Traveller site is yet to be decided, but it is considered that options exist for bringing the site forward, and there is no reason to doubt that GNLP5005 is in a location that would be attractive to the Gypsy and Traveller community as a suitable site.

## **Parish: Wymondham**

### **Availability and Achievability**

#### **Availability and Achievability Conclusions**

GNLP5005 is owned by Norfolk County Council and will become available for development once that existing recycling centre there closes. However, GNLP5005 is not likely to become available until 2025 at the earliest. A further 3 to 4 years might then be required to market the land, gain planning permission, and to develop GNLP5005.

#### **Overall Conclusions for Site**

Subject to caveats, GNLP5005 is considered suitable for inclusion in the land availability assessment. If allocated in the local plan, GNLP5005 would be developable within 6 to 10 years and could be completed by March 2032.



## **City Deal Borrowing and the establishment of the Greater Norwich Strategic Investment Fund**

**Report Author(s):** Phil Courtier  
Director of Place  
07879 486982  
phil.courtier@southnorfolkandbroadland.gov.uk

**Portfolio:** Planning

**Ward(s) Affected:** All

### **Purpose of the Report:**

At their public meetings on 17 June and 30 September 2021, the Greater Norwich Growth Board (GNGB) endorsed a recommendation to drawdown £20m City Deal borrowing to create a recyclable programme of funding to bring forward the delivery of major community infrastructure projects. This report provides the background to the City Deal borrowing and explains the governance, legal and administrative arrangements that would be required to support the proposed new fund.

### **Recommendations:**

It is proposed that Cabinet recommend that Council:

1. Gives authority to Norfolk County Council, as the Greater Norwich Growth Board's Accountable Body, to drawdown up to £20m from the Public Work Loans Board to create a recyclable fund to support local infrastructure projects as agreed in the Greater Norwich City Deal, subject to the following conditions:
  - The loan is used to create a fund, which will accelerate the delivery of infrastructure projects within the parameters defined within Community Infrastructure Levy legislation.
  - Repayment to be made from the Infrastructure Investment Fund pooled CIL.

- The fund will be available to any of the Greater Norwich partners acting as lead authority and secured in a borrowing agreement with Norfolk County Council, which will include an agreed repayment schedule and back stop date.
  - Repayments from the lead authority would be made into a new recyclable Strategic Investment Fund.
  - Due diligence and legal arrangements regarding the beneficiary project will be the responsibility of the lead authority.
2. Agrees the draft legal agreement that will commit future pooled Community Infrastructure Levy income as repayment against the drawdown of up to £20m through the Greater Norwich City Deal (amounts will be drawn in stages see Appendix D and E)
  3. Subject to recommendation 2, upon each staged draw down totalling no more than £20m, the GNGB to be granted delegated authority to sign the legal agreement together with their s151 officers, under the direction of Norfolk County Council as the Accountable Body and in accordance with their signed Joint Working Agreement
  4. Agrees that the GNGB be given delegated authority to manage the allocation of the City Deal borrowing and later, governance of the Strategic Investment Fund in line with the draft Terms of Reference - Appendix A and B.

## **1 SUMMARY**

- 1.1 At their public meetings on 17 June and 30 September 2021, the Greater Norwich Growth Board (GNGB) endorsed a recommendation to drawdown £20m City Deal borrowing to create a recyclable programme of funding to bring forward the delivery of major community infrastructure projects. This report provides the background to the City Deal borrowing and explains the governance, legal and administrative arrangements that would be required to support the proposed new fund.

## **2 BACKGROUND**

- 2.1 As part of the Greater Norwich City Deal agreement<sup>1</sup> signed with MHCLG in 2013, the Greater Norwich Growth Board (GNGB) were afforded the opportunity to access lower-cost loan funding from the Public Works Loans Board (PWLb).
- 2.2 The total £80m borrowing was allocated in this way:
  - £60m for strategic infrastructure investment:
    - £40m for the Broadland Northway (previously known as the NDR)
    - £10m for the Long Stratton Bypass
    - £10m for Central Norwich road network schemes

<sup>1</sup> <https://www.gov.uk/government/publications/city-deal-greater-norwich>

£20m to establish the Local Infrastructure Fund (LIF)

- 'to create a revolving fund to support local infrastructure projects' as detailed by Her Majesty's Treasury when initially granting access to the loan.

- 2.3 To date, £40m for the Broadland Northway has been drawn down by the Board. This loan runs until June 2041 and is repaid in annual instalments from the Infrastructure Investment Fund (IIF, also known as pooled CIL). A further £6.733m has more recently been agreed to be drawn down to support the delivery of Long Stratton Bypass. This loan will run for 25 years from the date that it is drawn, which is forecast to end in 2047/48.
- 2.4 In addition to the reduced cost borrowing, the signing of the City Deal led to the establishment of the IIF. Income received from the Community Infrastructure Levy (CIL) is pooled within the IIF and allocated to the infrastructure projects which form the Greater Norwich Growth Programme which is administered by the GNGB. To date, the partnership has allocated over £29m of IIF funding and £46m of CIL supported borrowing which has levered in at least an additional £240m to deliver infrastructure projects within the Greater Norwich area.
- 2.5 The £20m allocated to the Local Infrastructure Fund (LIF) was a loan facility intended to provide upfront funding for onsite infrastructure delivery to small and medium-sized local developers. The facility was available for four years but the rate and level of take up was lower than expected. All the agreed loans were financed directly by Norfolk County Council (NCC) without the need to draw down the £20m through the City Deal.
- 2.6 Following a review of the LIF facility, on 17 March 2020 the GNGB made the decision to bring it to a close and instructed the Greater Norwich Infrastructure Delivery Board (IDB) to prepare an updated City Deal Borrowing schedule, proposing a reassignment of the £20m previously allocated to LIF. Several options were reviewed and on 17 June 2021 the GNGB endorsed the 'in principle' draw down of up to £20m City Deal borrowing to create a new recyclable programme of funding to bring forward the delivery of major community infrastructure projects and that the IIF should be used to repay the PWLB borrowing.

### **3 CURRENT POSITION**

- 3.1 The Greater Norwich partners have been working together for over 10 years. This ongoing partnership relationship will soon result in the current Joint Core Strategy being replaced by the Greater Norwich Local Plan (GNLP). The GNLP seeks to ensure that the development needs of Greater Norwich continue to be met to 2038, and its production demonstrates the partners' commitment to working together to support growth in the longer term. To support the delivery of the GNLP many strategies and plans have been developed including, but not limited to:
- Norfolk Strategic Infrastructure Delivery Plan (includes the Broadland Growth Link Road £38m)

- Local Transport Plan and Transport for Norwich Strategy Implementation Plans, including the Transforming Cities Programme and the Local Walking and Cycling Infrastructure Plans (includes the Green Loop £5.8m).
- Education capital programme (a new High School to the North East of the City £26m).
- East Norwich Masterplan (indicating that costs for infrastructure are £28.3m and £76.1m for site specific costs excluding schools and health/community facilities)

3.2 As these programmes develop and move closer towards delivery, eligible projects will be encouraged to apply to the IIF for funding. To date just over £39m has been received into the IIF and the forecast of total income received by March 2026 is £74m<sup>2</sup>. But this amount is small when compared to the full infrastructure requirements of Greater Norwich. The GNGB are proactively working together to close this funding gap and wish to harness the full benefit of the reduced cost borrowing that was made available through the City Deal. They have endorsed a recommendation to reassign the borrowing that was initially allocated to the LIF, to a new loan model which will lead to the establishment of the Strategic Investment Fund: a recyclable fund that will be used to support local infrastructure projects, as originally intended within the City Deal.

### **The objectives of setting up a new fund**

3.3 The objectives of establishing the Strategic Investment Fund

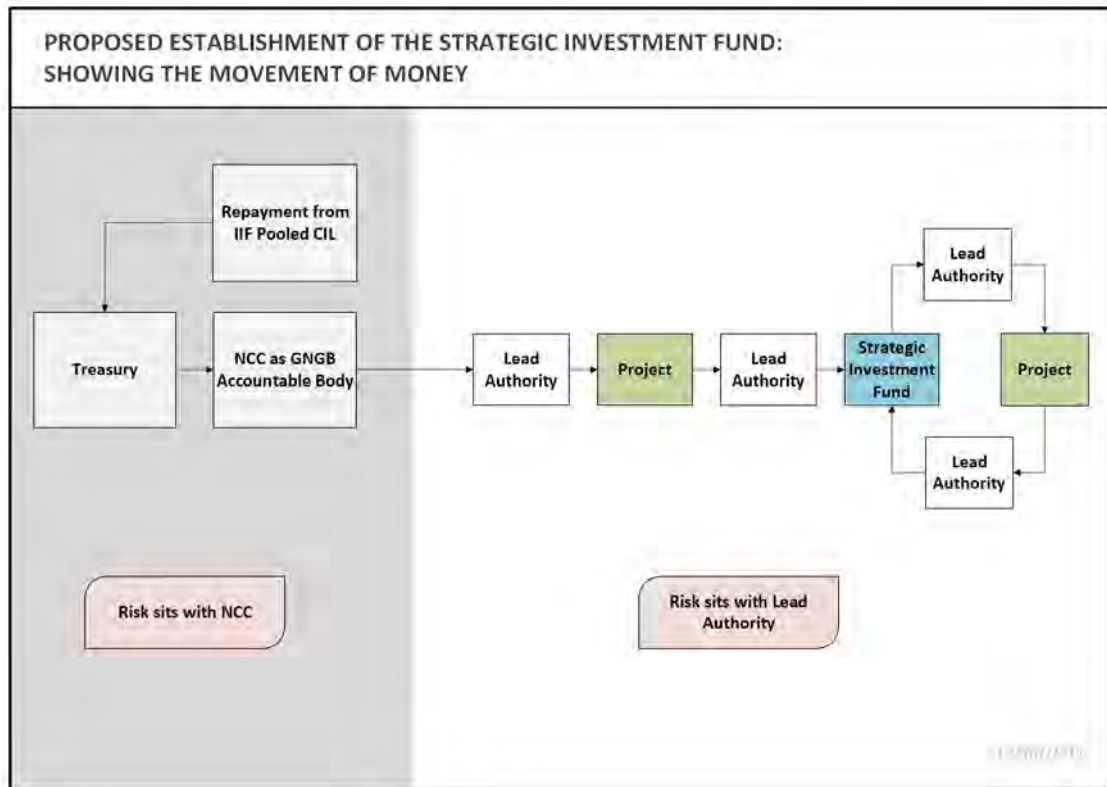
- To accelerate the delivery of major strategic infrastructure projects.
- To ultimately capture the benefit of extending the scope of beneficiary projects beyond that which is currently possible with the IIF, whose use is restricted by CIL legislation. By establishing the SIF, the definition of infrastructure projects can be broadened to match the original definition agreed within the City Deal *‘This fund will be used to support infrastructure required to open up sites for housing or employment development’*
- To realise the benefit of drawing down the full allocation of reduced cost borrowing which is available to the GNGB until end March 2026.

## **4 THE PROPOSED MODEL – The Strategic Investment Fund**

4.1 For the Strategic Investment Fund (SIF) to be formed, up to £20m City Deal borrowing will first need to be drawn down from PWLB and loaned to infrastructure projects as defined by CIL regulation. This enables the GNGB to repay the City Deal loan from the IIF, as they do for the Broadland Northway. The beneficiary project will then repay the loan plus interest back to the GNGB. As money is repaid it will be paid into the newly established SIF. Money paid into the SIF will then be reloaned on a cyclical basis to future projects that are no longer restricted by CIL legislation and can be delivered beyond the term of the City Deal agreement (March 2026). See diagram 1 below which demonstrates the route of the money.

<sup>2</sup> The complexity of CIL forecasting leads to a very high margin of error in any projections, either up or down.

Diagram 1



- 4.2 The delivery of Long Stratton Bypass (LSBP) has been used to demonstrate how the proposed new model could be utilised (4.3 and 4.4). Please note that this is for demonstration purposes to aid understanding and is not a recommendation to agree that a loan should be allocated to this project.
- 4.3 Long Stratton Bypass funding is made up of three parts:
1. A £26.2m contribution from the Department for Transport (DfT).
  2. A £6.733m local contribution from the Highways authority which has recently been agreed to be drawn down through the City Deal borrowing (see 1.2 and 1.3) and repaid from the IIF.
  3. A £4.5m developer contribution. This is to be agreed through the signing of a s106 agreement, which will confirm the delivery related trigger points at which the payment is due.
- 4.4 It is proposed that the GNGB utilises the borrowing allocated within their City Deal to fund the ‘developer contribution’ of the project budget, by way of facilitating a loan that covers the period before the developer has reached the respective trigger points and repays the loan. In doing so, LSBP will be delivered much earlier in the overall Long Stratton development.
- 4.5 The proposed process of drawing down this loan (Also see diagram in Appendix D) is as follows:

- The £4.5m required for the 'developer contribution' is drawn down from the PWLB by Norfolk County Council, as the GNGB's Accountable Body. This amount will be deducted from the total borrowing facility originally allocated to the LIF within the City Deal.
- The interest and loan repayments for the PWLB loan are made from the Infrastructure Investment Fund (IIF) for the full term of the loan. This borrowing will require a legal agreement signed by all district partners.
- The £4.5m developer contribution would be lent on to South Norfolk Council (SNC) and a legal borrowing agreement will be signed between SNC and NCC (as the GNGB's Accountable Body). This will confirm the loan and interest repayments to be made back to the GNGB. A backstop date will be agreed to confirm the latest point at which the loan will be repaid.
- SNC will enter into an agreement with the owner/promoter of LSBP to cover the repayments of the £4.5m (this may be the S106 agreement). Liability for the repayments to be received from the developer will rest with SNC. It is expected that repayments will be received in stages.
- Once all legal agreements are established, SNC will pay the £4.5m to NCC (as Highways Authority) to allow them to deliver LSBP. This will be in advance of when the developer payment would otherwise have been available, thereby accelerating its delivery.
- Repayments for the £4.5m PWLB loan will be paid from the IIF because the developer contribution is not available at the time of delivering LSBP.
- Interest and loan repayments made by the developer to SNC will be transferred to a new Strategic Investment Fund (SIF).
- The SIF will be independent of the IIF. Amounts received into the SIF can be re-loaned to other schemes in the future creating a 'recyclable pot'. It is forecast to take 2-10 years before any funding will be available within the SIF.
- Sections 5- 8 outline the arrangements the GNGB intends to put in place to safeguard the decision making for all partners.

## 5 LEGAL ARRANGEMENTS

5.1 All projects will need one Greater Norwich partner to act as the Lead Authority. In most circumstances, the loan process will be supported by three legal agreements:

5.1.1 NCC draw down money from PWLB

- NCC sign a legal loan agreement with all partners to underwrite the initial loan draw down from PWLB, committing to repay the interest and loan from the IIF (as with the Broadland Northway)

5.1.2 NCC loan money on to the Lead Authority

- Lead Authority will sign a legal agreement with Norfolk County Council to underwrite and therefore take the risk of the interest and loan repayments which will be made back to the SIF.

5.1.3 Lead Authority loan money on to the developer

- Lead Authority will sign a s106 agreement and/or a legal agreement with the developer to confirm the details of the repayments that are to be made. (Both may be required because not all aspects can be secured through a s106 agreement)

- 5.2 The intention of these legal arrangements is for the financial risk of the loan to be transferred away from the GNGB and the IIF. This is done by securing a long stop date for the loan to be repaid by the Lead Authority. In the case of LSBP, SNC would agree to repay the full loan by a particular date, irrespective of whether they have secured the full repayment from the developer.
- 5.3 Recommendation 2 of this report is seeking to approve the draft agreement referred to in para 5.1.1 above.

## **6 MANAGING THE COST TO THE INFRASTRUCTURE INVESTMENT FUND**

- 6.1 £20m will not be required at once, instead increments will be drawn down over time as projects progress to delivery and are approved. If the total £20m was drawn down, given current interest rates the forecasted repayment from the IIF would be £1,284,000 a year for 20 years. But it will take several years before this full amount will be required.
- 6.2 The GNGB will commit to providing a forecast of the City Deal loan repayments within each publication of the joint Five-Year Infrastructure Investment Plan. The forthcoming year's IIF repayments will be confirmed and committed alongside the decision-making process for each Greater Norwich Annual Growth Programme, which has an established route of decision making through all partner District Cabinets and Councils.

## **7 GOVERNANCE**

- 7.1 The initial City Deal borrowing, and later the SIF, are expected to be flexible in their allocation, allowing for a variety of projects and repayment models to be utilised. It is expected that the detail of all processes will be tailored to each new loan allocation with certain models emerging over time. The funds will need to be flexible with clear and transparent reporting to ensure that the GNGB meets all government standards, legislative requirements and to support decision making.
- 7.2 The establishment of the SIF will enable the GNGB to utilise available funds without the restrictions that currently bind the IIF. The SIF project scope can be extended to the full extent of what was originally permitted within the City Deal Document.
- ‘This fund will provide loans to developers for site specific help to enable housing sites to be delivered quickly, managed on a rolling basis. This fund will be used to support infrastructure required to open up sites for housing or employment development’
- 7.3 Foundational governance and legal arrangements need to be in place to safeguard the partners against risk and to provide confidence in delegating the management of the fund to the GNGB. The GNGB is an award-winning

established board who are considered a model of best practice for the way they manage the IIF. This voluntary partnership is supported by a joint working agreement which requires all decisions to be unanimously agreed and has been formalised by the signing of a legal agreement relating to the Draw-down and Borrowing Authorisations. (See Appendix E)

- 7.4 Two separate governance arrangements will need to be agreed and established. One for the initial City Deal borrowing and a second for the SIF. The GNGB have endorsed two draft Terms of Reference for these funds within appendix A and B. Subject to agreement, these Terms of Reference will be used as the foundation from which processes are designed and developed to support the administration, monitoring and reporting of this proposed model of borrowing.

## **8 MONITORING AND REPORTING**

- 8.1 The GNGB has an established governance and decision-making process. this is supported by the Greater Norwich Infrastructure Delivery Board whose membership consists of a director from each partner authority and the Chief Executive of the LEP.
- 8.2 The GNGB compile a joint Five-Year Infrastructure Investment Plan on an annual basis, which is reviewed and agreed by each District Cabinet and Full Council. It is proposed that delivery and financial reports for the City Deal Borrowing and SIF are added as an additional section within this Plan.
- 8.3 Lower-level processes for the general administration and monitoring of each loan will be developed by the Greater Norwich Projects Team, who already administer the IIF. More details of the documents that will be required are included within the draft Terms of Reference.

## **9 AGREEMENT WITH HER MAJESTY'S TREASURY**

- 9.1 The draw down schedule for the total £80m borrowing was initially agreed in 2013 when the City Deal was signed. Later in 2017, following the £40m draw down for the Broadland Northway, the schedule was reprofiled and re-agreed by Her Majesty's Treasury (HMT). Most recently in August 2021, HMT agreed a new schedule and confirmed that they have sufficient information to enable the GNGB to proceed to draw down the remaining borrowing at the reduced 'project rate' as agreed within the City Deal.

## **10 OTHER OPTIONS**

- 10.1 Cabinet may choose not to agree the recommendations in this report.

## **11 ISSUES AND RISKS**

- 11.1 **Resource Implications** – Staff resource will be as detailed within the roles & responsibly section of each Terms of Reference. No additional staff resource is proposed.



**11.2 Legal Implications** – The £20m City Deal borrowing will be drawn from PWLB by NCC as the GNGBs Accountable Body.

The drawing down of £20m City Deal borrowing and ultimately the establishment of the SIF are dependent upon a legal borrowing agreement being signed by all four partner authorities to agree that the interest and loan repayments for the £20m City Deal borrowing will be made from the IIF for the full term of the loan. This will require each Cabinet and Full Council agreement.

The legal loan agreement between NCC as Accountable Body and the Lead Authority will require agreement with the Cabinet and Full Councils of the signing partners involved. (In the example of LSBP this would be NCC and SNC)

The legal loan agreement between the Lead Authority and the developer will require agreement with the Cabinet and Full Council of the Lead Authority. (In the example of LSBP this would be SNC)

**11.3 Equality Implications** – It will be the responsibility of the Lead Authority to undertake an equality assessment of the individual project where appropriate.

**11.4 Environmental Impact** – It will be the responsibility of the Lead Authority to consider the environmental impacts of the scheme as part of the associated planning approval.

**11.5 Risks**

The GNGB's membership consists of the Leaders of each partner authority together with the chair of the New Anglia LEP. The GNGB's joint working agreement requires a unanimous agreement from all five partners for all decisions. This ensures that project allocations from either the initial City Deal Borrowing or the SIF will not be able to proceed unless all partners agree.

The risk of project delivery delaying repayment to the SIF will be underwritten by a backstop date within the legal agreement between NCC and the Lead Authority.

The risk of not having enough CIL within the IIF to make the interest and loan repayments to PWLB (the initial £20m drawn down through the City Deal) is mitigated through the GNGB's administration and reporting arrangements that are already in place. Annual delivery and financial updates will continue to be provided to all partners by means of the joint Five-Year Infrastructure Investment Plan. As with previous City Deal loan drawdowns, a reserve equal to one year's interest and loan repayment will be secured to allow a cushion of time if any issues do arise.

In August 2020 the Planning For The Future white paper proposed the cessation of CIL in favour of a new Infrastructure Levy. No further details have been published about this but informal advice from Department for Levelling Up, Housing and Communities (DLUHC) is that any change will be subject to trials in certain areas and there is expected to be an extended transitional period. To safeguard against changes, CIL is defined in the signed legal agreement relating to GNGB draw-down and borrowing authorisations dated 21st Oct 2015 (Appendix E): The "Community Infrastructure Levy" means the Community Infrastructure

Levy pursuant to the Planning Act 2008 and Community Infrastructure Levy Regulations 2010 or equivalent - or replacement developer tax or levy as implemented from time to time.

The government has recently consulted on proposed legislative changes to the Minimum Revenue Provision (MRP) calculation. It believes some authorities are not making a prudent amount of MRP in their revenue budgets in accordance with current policy. This has the potential to impact on some local authority's ability to finance future capital investment. Until the final regulations are announced it is not known how this will impact on each local authority's MRP calculation and consequently their ability to borrow. Whilst any changes should not prevent the proposals in this paper, they do represent a risk which will need to be considered by Section 151 officers before drawing down PWLB funding and entering into loan agreements.

## **12 CONCLUSION**

- 12.1 The proposed borrowing model and establishment of a Strategic Investment Fund as set out in this report will enable the accelerated delivery of major strategic infrastructure projects to support housing and employment growth across the Greater Norwich area, providing site specific funding support to enable infrastructure to be delivered quickly and in advance of any specified development trigger points.
- 12.2 The proposal will enable the scope of beneficiary infrastructure projects to be extended beyond that currently allowed by the IIF, whose use is restricted by CIL legislation. By establishing the SIF, the definition of infrastructure projects can be broadened to match the original definition agreed within the City Deal 'This fund will be used to support infrastructure required to open up sites for housing or employment development'.

## **13 RECOMMENDATIONS**

It is proposed that Cabinet recommend that Council:

1. Gives authority to Norfolk County Council, as the Greater Norwich Growth Board's Accountable Body, to drawdown up to £20m from the Public Work Loans Board to create a recyclable fund to support local infrastructure projects as agreed in the Greater Norwich City Deal, subject to the following conditions:
  - The loan is used to create a fund, which will accelerate the delivery of infrastructure projects within the parameters defined within Community Infrastructure Levy legislation.
  - Repayment to be made from the Infrastructure Investment Fund pooled CIL.
  - The fund will be available to any of the Greater Norwich partners acting as lead authority and secured in a borrowing agreement with Norfolk County Council, which will include an agreed repayment schedule and back stop date.

- Repayments from the lead authority would be made into a new recyclable Strategic Investment Fund.
  - Due diligence and legal arrangements regarding the beneficiary project will be the responsibility of the lead authority.
2. Agrees the draft legal agreement that will commit future pooled Community Infrastructure Levy income as repayment against the drawdown of up to £20m through the Greater Norwich City Deal (amounts will be drawn in stages see Appendix D and E)
  3. Subject to recommendation 2, upon each staged draw down totalling no more than £20m, the GNGB to be granted delegated authority to sign the legal agreement together with their s151 officers, under the direction of Norfolk County Council as the Accountable Body and in accordance with their signed Joint Working Agreement
  4. Agrees that the GNGB be given delegated authority to manage the allocation of the City Deal borrowing and later, governance of the Strategic Investment Fund in line with the draft Terms of Reference - Appendix A and B.

## **Appendices**

- A City Deal borrowing Draft Terms of Reference
- B Strategic Investment Fund Draft Terms of Reference
- C Proposed establishment of the SIF- a more detailed flow diagram
- D Draft legal agreement for the drawdown of up to £20m to be repaid by the IIF
- E Agreement relating to GNGB Draw-down and Borrowing Authorisations. Dated 21st Oct 2015

## **Background Documents**

[GNGB Infrastructure Investment Fund terms of reference](#)

[GNGB Joint working agreement](#)

### Fund Name

City Deal Borrowing

### Vision

To enable and where possible to accelerate the delivery of growth within the Greater Norwich area, maximising the opportunities for job, homes and prosperity for local people.

### Purpose

Upfront funding for infrastructure is seen as one of the biggest barriers to the creation of new jobs and homes. Borrowing as agreed through the Greater Norwich City Deal will be drawn down to support the delivery of infrastructure required to facilitate growth in the Greater Norwich area. It is intended that this borrowing will be used as capital funding for projects, with interest and repayments being made into the Strategic Investment Fund\*, thereby creating a capital fund that can be recycled to provide for ongoing strategic investment within the Greater Norwich area.

### Scope

Infrastructure projects funded from the initial borrowing as agreed within the Greater Norwich City Deal, will be required to provide a clear community benefit through the delivery of infrastructure as defined by legislation; Section 216(2) of the PA 2008 as originally enacted:

- Roads and other transport facilities (section 216(2)(a), PA 2008).
- Flood defences (section 216(2)(b), PA 2008).
- Schools and other educational facilities (section 216(2)(c), PA 2008).
- Medical facilities (section 216(2)(d), PA 2008).
- Sporting and recreational facilities (section 216(2)(e), PA 2008).
- Open spaces (section 216(2)(f), PA 2008).

Acceptance into the City Deal Borrowing programme will be determined on a case by case basis. Projects would need to demonstrate their strategic nature whilst adhering to the vision and purpose of the fund.

---

\*Strategic Investment Fund – separate terms of reference support this fund

## Governance

As set out in the Greater Norwich City Deal, a fund of up to £20 million will be established through borrowing from the Public Works Loan Board (PWLb) by Norfolk County Council on behalf of the Greater Norwich Growth Board. This borrowing will be undertaken to finance a programme of strategic projects. Individual projects will be assessed by the Greater Norwich Growth Board (GNGB) and unless otherwise agreed by all partners, the Lead Authority named in the Business Case will be required to enter into a legal contract with Norfolk County Council, as the Accountable Body for the borrowing.

Due to the strategic nature of the projects, the progress through the decision-making process is likely to be an iterative and collaborative process and therefore may be developed over an extended period of time.

The allocation of money to successful projects together with the ongoing oversight of the City Deal borrowing will be delegated to the GNGB in agreement with Norfolk County Council as their Accountable Body. However, the responsibility for securing repayments and enforcing the terms of the borrowing agreement will rest with the respective Lead Authority.

## Process

A suite of fund management processes will be developed and agreed by all partners. This will include:

Fund rules

Project application form

Application guidance notes (for applicant)

Application appraisal guidance (for appraisee)

Agreement in Principle

Rejection Letter

Project Highlight Report

## Roles & Responsibilities

**Accountable Body-** Norfolk County Council as the accountable body for the GNGB will action any loan drawn down from the PWLB. They will also direct the GNPT in the monitoring of the City Deal Borrowing.

**Lead Authority-** each project application will be sponsored by one of the Greater Norwich partners as the Lead Authority (LA). The LA is responsible for progressing the application through the agreed decision-making procedure and will adhere to the agreed fund reporting processes.

**Greater Norwich Growth Board-** will continue to work in accordance with [their Joint Working Agreement and Constitution](#) as signed by all parties in September 2014, and under the delegated powers as granted to them by each authorities Cabinet and Full Councils.

**Infrastructure Delivery Board-** will oversee the management of the City Deal Borrowing and the delivery of its project programme, providing annual updates to the GNGB.

**Greater Norwich Project Team-** will monitor the City Deal Borrowing and provide biannual updates to the IDB.

### **Fund Name**

Strategic Investment Fund (SIF)

### **Vision**

To enable and where possible to accelerate the delivery of growth within the Greater Norwich area, maximising the opportunities for job, homes and prosperity for local people.

### **Purpose**

Upfront funding for onsite infrastructure is seen as one of the biggest barriers to the creation of new jobs and homes. The Strategic Investment Fund (SIF) will be used to support infrastructure required to open up sites for housing or employment growth. It is intended that this borrowing will be used as capital funding for projects, with interest and repayments being made back into the SIF, thereby creating a capital fund that can be recycled to provide for ongoing strategic investment within the Greater Norwich area.

### **Scope**

Acceptance into the SIF programme will be determined on a case by case basis. Projects would need to demonstrate their strategic nature whilst adhering to the vision and purpose of the fund.

### **Governance**

As set out in the Greater Norwich City Deal, a fund of up to £20 million will be established through borrowing from the Public Works Loan Board (PWLb) by Norfolk County Council on behalf of the Greater Norwich Growth Board. This borrowing will be undertaken to finance a programme of strategic projects. Individual projects will be assessed by the Greater Norwich Growth Board (GNGB) and unless otherwise agreed by all partners, the Lead Authority named in the Business Case will be required to enter into a legal contract with Norfolk County Council, as the Accountable Body for the borrowing.

Due to the strategic nature of the projects, the progress through the decision-making process is likely to be an iterative and collaborative process and therefore may be developed over an extended period of time.

The allocation of money to successful projects together with the ongoing oversight of the SIF will be delegated to the GNGB in agreement with Norfolk County Council as their Accountable Body. However, the responsibility for securing repayments and enforcing the terms of the borrowing agreement will rest with the respective Lead Authority.

## Process

A suite of fund management processes will be developed and agreed by all partners. This will include:

Fund rules

Project application form

Application guidance notes (for applicant)

Application appraisal guidance (for appraisee)

Agreement in Principle

Rejection Letter

Project Highlight Report

## Roles & Responsibilities

**Accountable Body-** Norfolk County Council as the accountable body for the GNGB will action any loan drawn down from the PWLB. They will also direct the GNPT in the monitoring of the SIF.

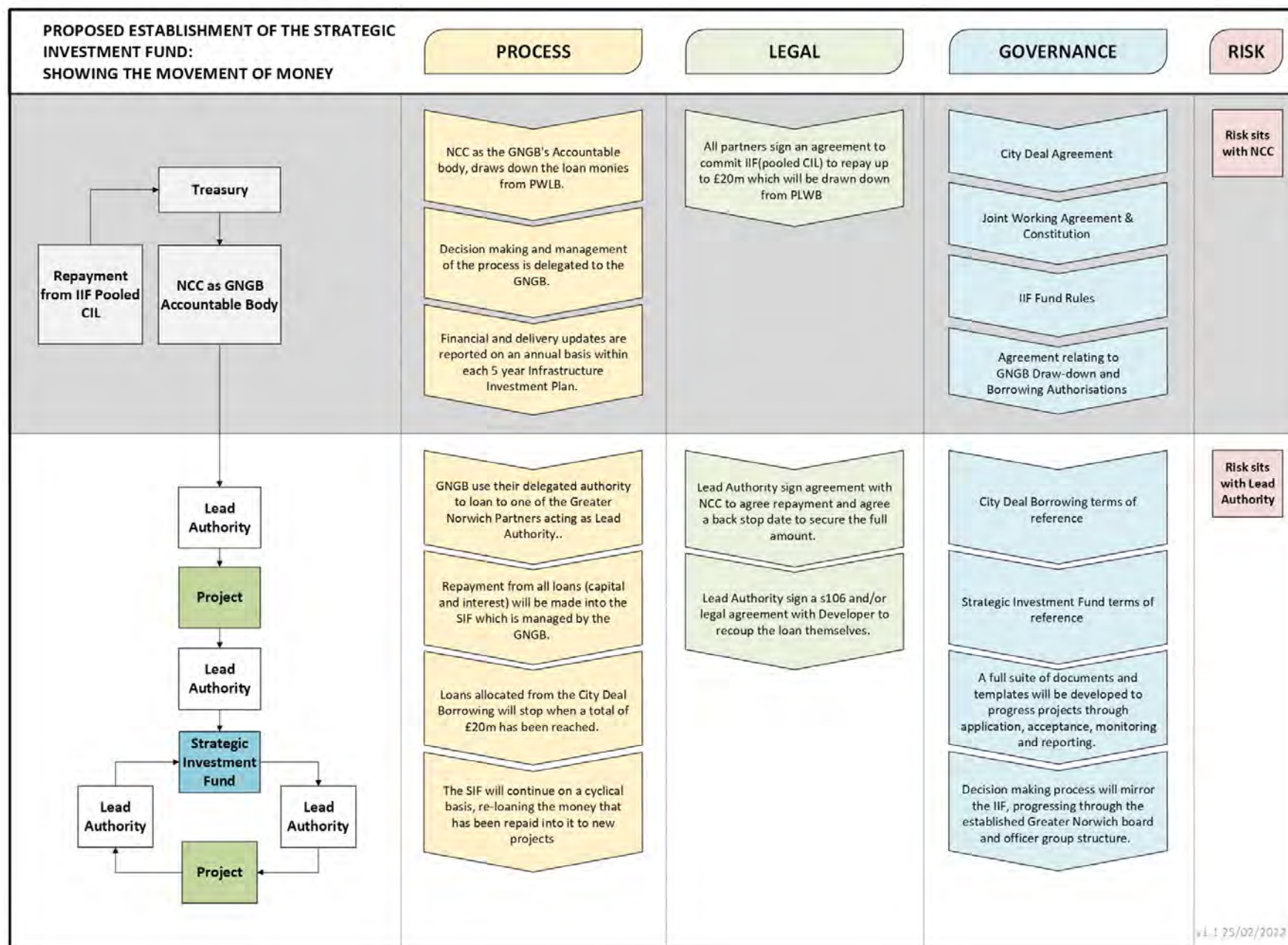
**Lead Authority-** each project application will be sponsored by one of the Greater Norwich partners as the Lead Authority (LA). The LA is responsible for progressing the application through the agreed decision-making procedure and will adhere to the agreed fund reporting processes.

**Greater Norwich Growth Board-** will continue to work in accordance with [their Joint Working Agreement and Constitution](#) as signed by all parties in September 2014, and under the delegated powers as granted to them by each authorities Cabinet and Full Councils.

**Infrastructure Delivery Board-** will oversee the management of the SIF and the delivery of its project programme, providing annual updates to the GNGB.

**Greater Norwich Project Team-** will monitor the SIF and provide biannual updates to the IDB.





Dated \_\_\_\_\_ 20[ ]

---

## **PROJECT SCHEDULE**

Pursuant to Agreement Relating to GNGB Partner Draw-down and Borrowing  
Authorisations of 21st October 2015

Relating to GNGB Partner Draw-down and Borrowing Authorisations for the  
[Construction of .....]

---

**BROADLAND DISTRICT COUNCIL**

**NORWICH CITY COUNCIL**

**SOUTH NORFOLK DISTRICT COUNCIL**

**&**

**NORFOLK COUNTY COUNCIL**

nplaw  
Norfolk County Council  
County Hall  
Martineau Lane  
Norwich  
NR1 2DH

Dated \_\_\_\_\_ 20[ ]

## **Background**

- This Project Schedule sets out agreed obligations in relation to Partner Draw-down and Borrowing Authorisations for the [Construction of xxx ] and has been prepared in accordance with clause 5 of the Agreement Relating to GNGB Partner Draw-down and Borrowing Authorisations dated 21st October 2015 between Broadland District Council, Norwich City Council, South Norfolk District Council and Norfolk County Council (“the Agreement”).
- Accordingly this Project Schedule forms part of the Agreement.

### **1 Project**

- [Construction of .....] and related measures “the Project”.

### **2 Project Description**

- [ xxx ]
- [ xxx ]

### **3 Project Period**

- The Project is due to mobilize in [ xxx ].
- Construction is programmed to begin in [ xxx ] with a majority of the works completed by [ xxx ].

### **4 Background**

- The adopted Joint Core Strategy for Broadland, Norwich and South Norfolk identifies [ xxx ] as a key location for growth and proposes the development of [ xxx ].

### **5 Agreed terms**

- Loan funding would be repaid over a 20 year period

### **6 Additional Terms & Conditions**

- In accordance with paragraph 5.4 of the Agreement, Liabilities in respect of any overspend or delay in respect of Project Schedule timeframes and milestones shall be shared as follows:

Partner	Share of overspend risk	Share of timeframes and milestones risk
[ xxx ] Council	100%	100%

## 7 Fees and expenses

- The County Council shall borrow funds from various sources as they are identified to assist with the delivery of the Growth Programme. The County Council shall ensure that the cost of any additional borrowing (up to £ [xxx ]m) for this purpose will be undertaken at the equivalent of the prevailing PWLB project rate discount as set out in the City Deal dated 12 December 2013.
- Funding from the Infrastructure Investment Fund for the purposes of the Project shall be capped at £[xxx ] million plus any associated borrowing costs incurred by the County Council as provided for herein.

## 8 Repayment and review

- In accordance with paragraph 3.4 of the Agreement, the County Council shall use the Infrastructure Investment Fund to fund the costs of borrowing costs in accordance with the following schedule.

Illustrative costs of borrowing to be funded from Infrastructure Investment Fund:

*DRAFTING NOTE: This table to be updated after the final funds drawdown.*

Year	Principal start	Repayment	Interest	Balance
2023/24				
2024/25				
2025/26				

2026/27				
2027/28				
2028/29				
2029/30				
2030/31				
2031/32				
2032/33				
2033/34				
2034/35				
2035/36				
2036/37				
2037/38				
2038/39				
2039/40				
2040/41				
2041/42				
2042/43				
2046/47				
2047/48				
Totals				

## 9 VOLUNTARY PREPAYMENTS

If the Parties agree to make additional repayments over and above those listed above, a new schedule will be produced based on the remaining outstanding debt, including interest, in accordance with clause 16 (Variation) of the Agreement.

Signed by [ ] .....  
Section 151 Officer  
for and on behalf of **NORFOLK  
COUNTY COUNCIL**

Signed by [ ] .....  
Section 151 Officer  
for and on behalf of **BROADLAND  
DISTRICT COUNCIL**

Signed by [ ] .....  
Section 151 Officer  
for and on behalf of **NORWICH CITY  
COUNCIL**

Signed by [ ] .....  
Section 151 Officer  
for and on behalf of **SOUTH  
NORFOLK DISTRICT COUNCIL**

Dated \_\_\_\_\_ 2015

**BROADLAND DISTRICT COUNCIL**

**NORWICH CITY COUNCIL**

**SOUTH NORFOLK DISTRICT COUNCIL**

and

**NORFOLK COUNTY COUNCIL**

---

## **AGREEMENT**

Relating to GNGB Partner Draw-down and Borrowing Authorisations

---

nplaw  
Norfolk County Council  
County Hall  
Martineau Lane  
Norwich  
NR1 2DH

**THIS AGREEMENT** is made on the \_\_\_\_\_ day of \_\_\_\_\_ 2015

BETWEEN

- (1) **BROADLAND DISTRICT COUNCIL** of Thorpe Lodge, 1 Yarmouth Road, Norwich, Norfolk, NR7 0DU ("**Broadland**")
- (2) **NORWICH CITY COUNCIL** of City Hall, St Peter Street, Norwich, NR2 1NH ("**Norwich**")
- (4) **SOUTH NORFOLK DISTRICT COUNCIL** of South Norfolk House, Swan Lane, Long Stratton, Norfolk, NR15 2XE ("**South Norfolk**")
- (4) **NORFOLK COUNTY COUNCIL** of County Hall, Martineau Lane, Norwich, NR1 2DH ("**County Council**")

(together "the Parties"; Broadland, Norwich and South Norfolk together the "District Councils")

#### **Recitals**

- (i) The Parties have with the New Anglia Local Enterprise Partnership established the Greater Norwich Growth Board to oversee the delivery of the Greater Norwich Growth Programme as more particularly set out in the Joint Working Agreement dated 26 September 2014.
- (ii) The Greater Norwich Growth Board has agreed the Infrastructure Investment Fund Programme Governance (as appended to the Joint Working Agreement), the purpose of which is to deliver the capital programme of infrastructure projects identified in the Joint Core Strategy and the Greater Norwich Infrastructure Plan (formerly the Local Investment Plan and Programme).
- (iii) The Parties agree that the County Council shall borrow funds from various sources as they are identified to assist with the delivery of the Growth Programme. The County Council shall ensure that the cost of any



borrowing (up to £60m) for this purpose will be undertaken at the equivalent of the prevailing Public Works Loan Board project rate discount as set out in the City Deal dated 12 December 2013.

- (iv) The Parties acknowledge the collective and individual benefits of delivering the Growth Programme to each of them. Furthermore the Parties have agreed to enter into this Agreement to formalise their commitment and their financial obligations in respect of any borrowing undertaken for the purpose of funding schemes and projects approved in the Growth Programme by the Greater Norwich Growth Board.
- (v) More particularly this Agreement is intended to give assurance to the County Council, as the accountable body, of the District Councils' agreement that their Community Infrastructure Levy will be made available to the County Council (or other accountable bodies if different to Norfolk County Council) for purposes of meeting the County Council's liabilities in respect of borrowing undertaken by the County Council on behalf of the Greater Norwich Growth Board for the delivery of the Growth Programme.
- (vi) In agreeing to work together in relation to these matters the Parties accordingly wish to record the basis on which they will collaborate with each other. This Agreement sets out the terms of financial arrangements, the principles of collaboration and respective roles and responsibilities of the Parties.

THE PARTIES AGREE as follows:

#### 1.1 Interpretation

"Annual Growth Programme" means the programme of capital projects developed by the GNGB and approved annually by the Parties in accordance with clause 5, more particularly set out in Schedule 1;

"CIL Revenues" means all that party's Community Infrastructure Levy revenues less an administration deduction to the extent permitted by the Regulations but not to exceed a deduction of 5%, and a further deduction of 15% or 25% neighbourhood contribution as applicable;

“Commencement Date” means 1<sup>st</sup> October 2015;

“Community Infrastructure Levy” means the Community Infrastructure Levy pursuant to the Planning Act 2008 and Community Infrastructure Levy Regulations 2010 or equivalent or replacement developer tax or levy as implemented from time to time;

“Continuing CIL Payments” means payments to the County Council of such proportion of a District Council’s CIL Revenues to enable the County Council to meet from such payments its obligations to meet repayment and associated interest liabilities pursuant to any Loans in relation to those Projects;

“Event of Default” means any event or circumstance specified in this definition:-

- (a) the Party fails to perform and/or observe any provision of this Agreement;
- (b) the Greater Norwich Growth Board is dissolved;
- (c) the Party terminates its participation in or is discharged from the Greater Norwich Growth Board;
- (d) any fraud on the part of the Party;
- (e) any representation or warranty made or repeated by the Party pursuant to this Agreement, is incorrect when made or repeated;

“FOIA” means the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and any subordinate legislation made thereunder and any guidance and codes of practice issued under such legislation;

“GNGB” means the Greater Norwich Growth Board established pursuant to the Joint Working Agreement;

“Greater Norwich Infrastructure Plan” means the plan supporting the delivery of infrastructure identified in the Joint Core Strategy for the Greater Norwich area.

“Joint Core Strategy” means the overarching strategy for growth across the Greater Norwich area.

“Joint Working Agreement” means the agreement between the Parties and New Anglia Local Enterprise Partnership establishing the Greater Norwich Growth Board for the joint management of the Greater Norwich Growth Programme dated 26 September 2014;

“Loan” means any loan, or other form of finance accessed by the County Council for the purpose of funding strategic projects as may be agreed by the GNGB from time to time. Furthermore it is understood that any finance accessed by the County Council up to £60m on behalf of the GNGB will be on terms equal to the equivalent prevailing Public Works Loan Board project rate discount and terms;

“PWLB” means Public Works Loan Board;

“Project” means a capital project agreed by the GNGB in accordance with clause 5 in relation to which the parties will collaborate in accordance with this Agreement, as further described in a particular Project Schedule;

“Project Period” means subject to earlier termination in accordance with this Agreement, the period from the start date to the end date for a Project, as set out in a Project Schedule;

“Project Schedule” means a document specifying particulars in relation to a particular Project, agreed by the parties in accordance with clause 5 and attached to this Agreement as a Schedule;

“Regulations” means the Community Infrastructure Levy Regulations 2010;

“Infrastructure Investment Fund” means the pooled fund comprising the CIL Revenues out of which payments may be made by the County Council towards its liabilities in respect of any Loan drawn down for the purposes of funding the Annual Growth Programme; and

“Termination Date” means 31<sup>st</sup> March 2026.

## 1.2 In this Agreement:

- (a) clause, Schedule and paragraph headings shall not affect the interpretation of this Agreement;

- (b) unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular;
- (c) a reference to a party shall include that party's successors, permitted assigns and permitted transferees;
- (d) a reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time;
- (e) a reference to a statute or statutory provision shall include all subordinate legislation made from time to time under that statute or statutory provision;
- (f) a reference to this Agreement (or any provision of it) or to any other agreement or document referred to in this Agreement is a reference to this Agreement that provision or such other agreement or document as amended (in each case, other than in breach of the provisions of this Agreement) from time to time;
- (g) unless the context otherwise requires, a reference to a clause or Schedule is to a clause of, or Schedule to, this Agreement and a reference to a paragraph is to a paragraph of the relevant Schedule;
- (h) any words following the terms including, include, in particular, for example or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms;
- (i) a reference to an amendment includes a novation, re-enactment, supplement or variation (and amended shall be construed accordingly);
- (j) a reference to continuing in relation to an Event of Default means an Event of Default that has not been remedied or waived;
- (k) a reference to a regulation includes any regulation, rule, official directive, request or guideline (whether or not having the force of law) of any governmental, inter-governmental or supranational body, agency, department or regulatory, self-regulatory or other authority or organisation;

- (l) references to a document in agreed form are to that document in the form agreed by the parties and initialled by them or on their behalf for identification and
- (m) the Schedules form part of this Agreement and shall have effect as if set out in full in the body of this Agreement. Any reference to this Agreement includes the Schedules.

## **2. Status of this Agreement**

- 2.1 This Agreement shall commence on the Commencement Date and subject to all the Parties' liabilities arising under the Agreement having been settled and subject to the Project Schedules shall continue until the Termination Date ("the Initial Term"), when it shall terminate automatically without notice unless, no later than 12 months before the end of the Initial Term (or any Extended Term agreed under this clause), the Parties agree in writing that the term of the Agreement shall be extended for an agreed period ("the Extended Term"). Unless it is further extended under this clause, and subject to all the Parties' liabilities arising under the Agreement having been settled the Agreement shall terminate automatically without notice at the end of an Extended Term.
- 2.2 The Parties agree that this Agreement shall take the form of a legally binding contractual relationship and shall from the Commencement Date be construed accordingly.
- 2.3 The Parties agree to adopt the following principles when carrying out the Annual Growth Programme ("the Principles"):
  - 2.3.1 collaborate and co-operate in accordance with Joint Working Agreement governance structures to ensure that the Annual Growth Programme is successfully delivered;
  - 2.3.2 be accountable. Take on, manage and account to each other for performance of the respective roles and responsibilities set out in this Agreement;

- 2.3.3 be open. Communicate openly about major concerns, issues or opportunities relating to the Annual Growth Programme;
- 2.3.4 work collaboratively to identify solutions, eliminate duplication of effort, mitigate risk and reduce cost;
- 2.3.5 adhere to statutory requirements and best practice. Comply with applicable laws and standards including EU procurement rules, data protection and freedom of information legislation.
- 2.3.6 act in a timely manner. Recognise the time-critical nature of the Annual Growth Programme delivery and respond accordingly to requests for support;
- 2.3.7 manage stakeholders effectively;
- 2.3.8 deploy appropriate resources. Ensure sufficient and appropriately qualified resources are available and authorised to fulfil the responsibilities set out in this Agreement; and
- 2.3.9 act in good faith to support achievement of these Principles.

### **3. Payment Obligations**

- 3.1 The District Councils agree to the use of a proportion of their future Community Infrastructure Levy revenues as more particularly set out in this Agreement to establish the Infrastructure Investment Fund which shall support the delivery of GNGB priority infrastructure projects (including £40m of investment for the delivery of the Norwich Northern Distributor Road and its related measures).
- 3.2 The District Councils agree to pay on a half yearly basis their respective CIL Revenues to the County Council.
- 3.3 The County Council shall on receipt of the CIL Revenues pursuant to clause 3.2 above promptly allocate the CIL Revenues to the Infrastructure Investment Fund.

- 3.4 The County Council as the accountable body shall manage the Infrastructure Investment Fund on a prudent basis for the purposes of the Annual Growth Programme and in accordance with the terms of this Agreement. This shall include reporting to the GNGB on a twice yearly basis in appropriate terms including advising on the available funding within the Infrastructure Investment Fund and the quantum of works that can be funded.
- 3.5 The County Council shall invest this Fund for treasury management purposes in accordance with the County Council's Treasury Strategy and at the average interest rate achieved by the County Council for such investments. All interest that accrues on the credit balance of the Infrastructure Investment Fund from time to time pursuant to this clause 3.5 shall be credited to the Infrastructure Investment Fund.
- 3.6 In the event that the Infrastructure Investment Fund is in deficit due to a decision by the Parties to operate a deficit as a short term funding approach the Parties will consider whether it is reasonable for the County Council to charge interest. Subject to all Parties' agreement such agreement not to be unreasonably withheld the County Council shall recover interest charges payable in respect of an Infrastructure Investment Fund deficit at a rate in accordance with the County Council Treasury Strategy's average interest rate for investments current at that time and the Infrastructure Investment Fund shall be debited accordingly.
- 3.7 In the event of lower than anticipated CIL Revenues the Parties shall take all reasonable measures to avoid a deficit in the Infrastructure Investment Fund which may include re-phasing existing projects cancelling projects and re-financing loans.
- 3.8 From time to time the County Council will enter into Loan agreements as a borrower on such terms as are approved in writing by the Parties for the purposes of the Annual Growth Programme as more particularly set out in the relevant Project Schedule (appended as a Schedule to this Agreement).

3.9 The County Council shall repay any such Loan as is referred to in clause 3.8 plus any associated borrowing costs as referred to above from the Infrastructure Investment Fund.

3.10 For the avoidance of doubt the District Councils will not be required by this Agreement to contribute any funds (e.g. general revenue or cash reserves) or make any payment other than as provided for in clause 3.2 above.

#### **4. Representations and Warranties**

4.1 At the date of this Agreement each of the Parties represents and warrants to the other Parties that:-

4.1.1 It has full power to enter into and perform this Agreement and the execution of this Agreement has been validly authorised.

4.1.2 Neither the execution of this Agreement by the Party nor the performance of its obligations under it will conflict with or result in any breach of any law or enactment or any deed, agreement or other instrument, obligation or duty to which the Party is bound save that nothing in this Agreement shall operate to unlawfully fetter the exercise of the Party's statutory powers or unlawfully constrain or unlawfully prevent the Party's compliance with its statutory duties; or cause any unlawful limitation on any of the powers whatsoever of the Party or on the right or ability of the officers of the Party to exercise such powers.

4.2 The Parties agree that the terms of this Agreement shall apply when borrowing is required to support the delivery of a Project (or Projects) within the Annual Growth Programme as detailed in the attached Project Schedules.

#### **5. Projects**

5.1 The GNGB will recommend on an annual basis a programme of projects ("the Annual Growth Programme"), including any recommended draw down on borrowing, taking into account each Party's annual business plans.



- 5.2 Projects in the Annual Growth Programme in the majority of cases will be derived from the Greater Norwich Infrastructure Plan.
- 5.3 Upon endorsement by the Parties of the recommendations of the GNGB, the Parties shall within 21 days sign the Project Schedule in the template form appended at Schedule 1. Once signed by the Parties, a Project Schedule becomes part of this Agreement.
- 5.3.1 A Project Schedule that has been signed by all Parties may be amended at any time in accordance with clause 16.
- 5.3.2 Unless terminated earlier in accordance with this Agreement, each Project Schedule has contractual effect during the applicable Project Period.
- 5.3.3 Each Party shall in relation to the obligations allocated to it in a Project Schedule agreed in accordance with this clause:
- 5.3.3.1 perform such obligations, including by providing the Inputs in accordance with timeframes or milestones (if any) specified in the Project Schedule;
- 5.3.3.2 use reasonable care and skill in performing such obligations;
- 5.3.3.3 comply with all laws applicable to it;
- 5.3.3.4 obtain and maintain consents, licences and permissions (statutory, regulatory, contractual or otherwise) that are necessary to enable it to comply with such obligations.
- 5.4 Liabilities in respect of any overspend or delay in respect of Project Schedule timeframes or milestones shall be as set out in the respective Project Schedule.

## 6. **Binding Agreement**

- 6.1 This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall constitute an original of this Agreement, but all the counterparts shall together constitute the same Agreement. No counterpart shall be effective until each Party has executed at least one counterpart.
- 6.2 No person who is not a party to this Agreement shall have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Agreement.
- 6.3 Where any Party withdraws from this Agreement:
- 6.3.1 the rights of that Party in respect of the Agreement shall cease on such withdrawal;
  - 6.3.2 the Agreement shall continue in full force in respect of (a) any liabilities which arise out of this Agreement up to the date of withdrawal pursuant to clause 6.4 and (b) those Loan related liabilities referred to in and assumed pursuant to clause 6.5; and
  - 6.3.3 the disputes procedure set out in Clause 11 shall remain in force in respect of any of the matters arising from the performance of or withdrawal of a Party under this Agreement.
- 6.4 A Party wishing to withdraw from this Agreement shall give written notice to each of the other Parties such notice to expire at any time and the date of withdrawal of that Party shall be the date 12 months from the date of the receipt of the notice by the other Parties.
- 6.5 In the event of a District Council withdrawing from the Agreement before the Termination Date the withdrawing District Council commits in respect of those Projects to which by means of a Project Schedule it is party and that have been agreed to prior to receipt of notice of the Party's withdrawal in accordance with clause 6.4 to continue to pay to the County Council the Continuing CIL Payments being such proportion of the withdrawing District

Council's CIL Revenues to enable the County Council to meet from such payments its obligations to meet repayment and associated interest liabilities pursuant to any Loans in relation to those Projects. Without prejudice to the obligation of the withdrawing District Council to make such payments all Parties agree to use reasonable endeavours to negotiate a financial settlement in regard to the Continuing CIL Payments and the County Council's liabilities in respect of the Loans that is fair and reasonable to all Parties. Unless specifically set out in Project Schedules in calculating for the purposes of such settlement the withdrawing District Council's Continuing CIL Payments payable to the County Council on the Projects for which borrowing has been undertaken pursuant to this Agreement the Parties shall take into account the following factors:

- 6.5.1 Past CIL Revenue contributions made pursuant to this Agreement;
  - 6.5.2 Any surplus or deficit in the Infrastructure Investment Fund at the point of withdrawal;
  - 6.5.3 Future CIL Revenue contributions that will need to be made by all Parties to fund any outstanding loans including interest until they are repaid;
  - 6.5.4 The Community Infrastructure Levy projected to arise within the area of the withdrawing District Council over the remaining period of the Loan(s); and
  - 6.5.5 Any other financial obligations/commitments entered into under this Agreement.
- 6.6 If the Parties cannot agree a financial settlement in regard to the remaining liabilities referred to in clause 6.5 within 9 months of the issuing of notice pursuant to clause 6.4, the dispute resolution procedure in clause 11 shall be invoked.

## **7. Information flow and Project management**

- 7.1 To enable the Parties to maximise the benefits of their collaboration, each Party shall:
- 7.1.1 engage the others in planning discussions in relation to the Projects and proposed projects from time to time;
  - 7.1.2 keep the other Parties informed about its own progress in relation to each Project; and
  - 7.1.3 facilitate regular discussions between appropriate members of its personnel and those of the other Parties in relation to each Project, including in relation to:
    - 7.1.3.1 repayment and funding aspects
    - 7.1.3.2 performance and issues of concern in relation to each Project;
    - 7.1.3.3 new developments and resource requirements;
    - 7.1.3.4 compliance with deadlines; and
    - 7.1.3.5 such other matters as may be agreed between the Parties from time to time.
  - 7.1.4 Each Party shall:
    - 7.1.4.1 supply to the other Parties information and assistance reasonably requested by them relating to a Project as is necessary to enable other Parties to deliver their own obligations in relation to the Project; and
    - 7.1.4.2 review documentation, including draft specifications or service descriptions or other technical documentation, for use when performing its obligations in relation to a Project (if any), as soon as reasonably practicable at the request of the other party, and notify it of any errors or incorrect assumptions made in any such documents so far as it is aware.

## **8. Escalation**

- 8.1 If any Party has any issues, concerns or complaints about a Project, or any matter in this Agreement, that Party shall notify the other Parties and the Parties shall then seek to resolve the issue by a process of consultation.
- 8.2 If any Party receives any formal inquiry, complaint, claim or threat of action from a third party (including, but not limited to, claims made by a supplier or requests for information made under the Freedom of Information Act 2000) in relation to the Project, the matter shall be promptly referred to the GNGB (or its nominated representatives). No action shall be taken in response to any such inquiry, complaint, claim or action, to the extent that such response would adversely affect the Project, without the prior approval of the GNGB (or its nominated representatives).

## **9. Events of Default**

- 9.1 Where an Event of Default occurs, the County Council may by notice in writing to the defaulting Party require the Party to meet as soon as reasonably practicable and agree, acting reasonably, a repayment plan to repay the outstanding CIL Revenues.
- 9.2 In the event of there being insufficient CIL Revenues in the Infrastructure Investment Fund to meet the Loan repayments including for the avoidance of doubt any interest charges:
- 9.2.1 the County Council, in consultation with and by written notice to the GNGB, may at its sole discretion restructure the Loan or defer further drawdowns from the Infrastructure Investment Fund until such time that sufficient funds become available;
- 9.3 Upon notice by the County Council the Parties always acting in accordance with the Principles will agree the reasonable restructuring and amendment of the Districts' respective CIL Revenues to ensure that where possible the County Council is "no better nor no worse" financially in relation to its

provision and administration of the Loan facility, using 9.2 methodology subject always to clause 3.10.

## **10. Freedom of Information and Environment Information Regulations**

- 10.1 Nothing in this Agreement shall prevent the Parties from disclosing any Information which any Party is required to disclose in order to comply with the FOIA and any other statutory requirements whether or not existing at the date of this Agreement, provided always that the Parties shall, where reasonably practicable, seek to collaborate in relation to Requests for Information with a view to treating such requests in a consistent manner as between the Parties.
- 10.2 The Parties commit to share data and knowledge relevant to the Agreement where appropriate and in accordance with their duties under the Data Protection Act 1998.

## **11. Dispute Resolution Procedure**

- 11.1 The Section 151 officers of the Parties shall attempt in good faith to negotiate a settlement to any dispute arising between them arising out of or in connection to this Agreement. If an agreement cannot be reached the issue will be referred to the Parties' Chief Executive Officers or Managing Directors.
- 11.2 If the Parties are for any reason unable to resolve the dispute within 45 days of it being referred to them, the Parties will attempt to settle it by mediation in accordance with the CEDR Model Mediation Procedure. Unless otherwise agreed between the Parties, the mediator shall be nominated by CEDR Solve. To initiate the mediation, a Party must serve notice in writing (ADR notice) to the other parties to the dispute, requesting a mediation. A copy of the ADR notice should be sent to CEDR Solve. The mediation will start not later than 30 days after the date of the ADR notice.
- 11.3 The commencement of mediation shall not prevent the Parties commencing or continuing court proceedings in relation to the dispute under clause 19 which clause shall apply at all times.

## **12. Effect on Invalidity of any Provision**

- 12.1 If at any time any of the provisions of this Agreement become illegal, invalid or unenforceable in any respect under any law or regulation of any jurisdiction, neither the legality, validity nor enforceability of the remaining provisions of this Agreement shall be in any way affected or impaired as a result.

## **13. No Waiver**

- 13.1 No failure or delay on the part of the Parties in exercising any right or power and no course of dealing between the Parties hereto shall operate as a waiver nor shall any single or partial exercise of any right or power of a Party prevent any other or further exercise thereof or the exercise of any other right or power of the Parties. The rights and remedies of the Parties are cumulative and not exclusive of any rights or remedies which the Parties would otherwise have.

## **14. No Fettering of Discretion/Statutory Powers and Novation**

- 14.1 Nothing contained in or carried out pursuant to this Agreement and no consents given by the Parties shall unlawfully prejudice the Parties' rights powers or duties and/or obligations in the exercise of their functions or under any statutes, byelaws, instruments, orders or regulations.
- 14.2 The County Council shall be entitled to novate the Agreement to any other body which substantially performs any of the functions that previously had been performed by the County Council.

## **15. Entire Agreement**

- 15.1 This Agreement and the documents referred to in it including for the avoidance of doubt the Joint Working Agreement constitute the entire Agreement between the Parties and supersede and replace any previous Agreement, understanding, representation or arrangement of any nature between the Parties relating to the subject matter of this Agreement.

- 15.2 The Parties shall only represent themselves as being an agent, partner or employee of any other Party to the extent specified by this Agreement and shall not hold themselves out as such nor as having any power or authority to incur any obligation of any nature express or implied on behalf of any other Party except to the extent specified in this Agreement.
- 15.3 Any provision of this Agreement that expressly or by implication is intended to come into or continue in force on or after termination or expiry of this Agreement including clauses 2, 3, 5, 6, 9 and 11 shall remain in full force and effect.
- 15.4 Termination or expiry of this Agreement shall not affect any rights, remedies, obligations or liabilities of the Parties that have accrued up to the date of termination or expiry, including the right to claim damages in respect of any breach of the Agreement which existed at or before the date of termination or expiry.
- 15.5 This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall constitute a duplicate original, but all the counterparts shall together constitute the one agreement.
- 15.6 Transmission of the executed signature page of a counterpart of this Agreement by (a) fax or (b) email (in PDF, JPEG or other agreed format) shall take effect as delivery of an executed counterpart of this Agreement.
- 15.7 No counterpart shall be effective until each party has executed and delivered at least one counterpart.

## 16. **Variation**

- 16.1 This Agreement may only be varied by written agreement of the Parties

## 17. **Set-off**



17.1 All amounts due under this Agreement shall be paid in full without any set-off, counterclaim, deduction or withholding (other than any deduction or withholding of tax as required by law).

**18. Further assurance**

18.1 At any time upon the written request of the County Council, the Party will promptly execute and deliver or procure the execution and delivery of any and all such further instruments and documents as may be necessary for the purpose of obtaining for the Parties the full benefit of this Agreement and of the rights and powers granted in it.

**19. Governing Law & Jurisdiction**

19.1 This Agreement shall be governed by and construed in accordance with English law and, without affecting the dispute resolution procedure set out in clause 11, each Party agrees to submit to the exclusive jurisdiction of the courts of England.

**IN WITNESS** hereof the parties hereto have executed this Agreement as a Deed the day and year first written

THE COMMON SEAL OF **NORFOLK**

**COUNTY COUNCIL** was affixed hereto

in the presence of:-

.....

Authorised Signatory

THE COMMON SEAL OF **BROADLAND**

**DISTRICT COUNCIL** was affixed hereto

in the presence of

.....

Authorised Signatory

THE CORPORATE SEAL OF **NORWICH**

**CITY COUNCIL** was affixed hereto

in the presence of:-

.....

Authorised Signatory

THE COMMON SEAL OF **SOUTH NORFOLK**

**DISTRICT COUNCIL** was affixed hereto

in the presence of:-

.....

Authorised Signatory

## **SCHEDULE 1**

### **Annual Growth Programme**

Relating to GNGB Partner Draw-down and Borrowing Authorisations Agreement

Dated \_\_\_\_\_ 20[ ]

**BROADLAND DISTRICT COUNCIL**

**NORWICH CITY COUNCIL**

**SOUTH NORFOLK DISTRICT COUNCIL**

**&**

**NORFOLK COUNTY COUNCIL**

- 
- Project
  - Project Period
  - Background
  - Agreed terms
  - Project period
  - Additional Terms & Conditions
  - Fees and expenses
  - Repayment and review
  - Payment schedule: loan repayment profile to include interest payments

Repayment Date	Repayments (£)	Repayment Date	Repayments (£)

## VOLUNTARY PREPAYMENTS

Details to be considered/set out.

Signed by [ ]	.....	
Section 151 Officer	[	]
for and on behalf of [ ]		
Signed by [ ]	.....	
Section 151 Officer	[	]
for and on behalf of [ ]		
Signed by [ ]	.....	
Section 151 Officer	[	]
for and on behalf of [ ]		
Signed by [ ]	.....	
Section 151 Officer	[	]
for and on behalf of [ ]		

## **SCHEDULE 2**

### **Annual Growth Programme Project re Construction of the Norwich Northern Distributor Road**

Relating to GNGB Partner Draw-down and Borrowing Authorisations  
Agreement

Dated \_\_\_\_\_ 20[ ]

**BROADLAND DISTRICT COUNCIL**

**NORWICH CITY COUNCIL**

**SOUTH NORFOLK DISTRICT COUNCIL**

**&**

**NORFOLK COUNTY COUNCIL**

---

#### **1 Project**

- Construction of the Norwich Northern Distributor Road (the 'NDR')

#### **2 Project Description**

- The NDR is a dual carriageway all-purpose strategic distributor road, which will link the A1067 Fakenham Road near Attlebridge to the A47 Trunk Road (T) at Postwick. This will be over a length of approximately 20.4km. The NDR will improve connectivity and accessibility across both the northern part of the Norwich urban area and areas of the county in an arc from the northwest to the east of this main urban area. Such improvement will ease the relative

disadvantage of the peripheral location of these areas and provide the basis of the transport infrastructure required to address existing and future problems, and to achieve the growth objectives which have been identified for Norwich and its surrounding area.

- The NDR is an essential piece of transport infrastructure that releases an estimated £1bn of economic benefits for Norwich and Norfolk by reducing congestion and offering new access to key strategic employment and growth locations.

### **3 Project Period**

- The project is due to mobilize in autumn 2015 with essential ground clearance work to be carried out before ground nesting season commencing late October 2015. Should this be achieved, full mobilization and construction will begin in March 2016 with a majority of the works completed by autumn 2017.

### **4 Background**

- As part of the consultation on a revised Norwich Area Transportation Strategy (NATS) undertaken in 2003, the public were asked if they supported a NDR. The consultation indicated strong local support for the NDR with 78% of respondents being in favour.
- The overall strategy for the revised NATS was agreed in 2004. It recognised the Norwich Area as a centre where growth would be focussed and therefore the strategy looked to provide the essential infrastructure needed to accommodate this growth, including a Northern Distribution Road.
- The NDR is of national significance pursuant to a direction made by the Secretary of State for Transport under section 35 of the Planning Act 2008.
- Following public consultation in 2013 and examination in public during summer 2014 the panel of inspectors from the Planning Inspectorates report recommended the NDR for development. SoS Patrick McLoughlin MP signed a Development Consent Order (DCO) giving permission for the NDR to be constructed

## 5 Agreed terms

- Loan funding would be repaid over a 25 year period

## 6 Additional Terms & Conditions

- In accordance with paragraph 5.4 of the Agreement, Liabilities in respect of any overspend or delay in respect of Project Schedule timeframes and milestones shall be shared as follows:

Partner	Share of overspend risk	Share of timeframes and milestones risk
Norfolk County Council	100%	100%

## 7 Fees and expenses

- The County Council shall borrow funds from various sources as they are identified to assist with the delivery of the Growth Programme. The County Council shall ensure that the cost of any borrowing (up to £40m) for this purpose will be undertaken at the equivalent of the prevailing Public Works Loan Board project rate discount as set out in the City Deal dated 12 December 2013.
- Funding from the Infrastructure Investment Fund for the purposes of the NDR shall be capped at £40 million plus any associated borrowing costs incurred by the County Council as provided for herein.

## 8 Repayment and review

- In accordance with paragraph 3.4 of the Agreement, Norfolk County Council shall use the Infrastructure Investment Fund to fund the costs of borrowing costs in accordance with the following schedule.

Illustrative costs of borrowing to be funded from Infrastructure Investment Fund:

*DRAFTING NOTE: The interest rate incorporated within this costs of borrowing table is that applicable at the end of June 2015 and will be updated by the County Council at the date of funds drawdown.*

Financial year	Borrowing requirement	Re-payment	Annual costs of borrowing to be funded	Cumulative costs of borrowing to be funded
----------------	-----------------------	------------	--	--

		year	from Infrastructure Investment Fund	from Infrastructure Investment Fund
	£		£	£
2015/16	7,623,953			
2016/17	19,100,380			
2017/18	10,075,949	1	1,913,679	1,913,679
2018/19	2,749,718	2	2,066,707	3,980,386
2019/20	450,000	3	2,229,269	6,209,655
2020/21		4	2,256,747	8,466,402
2021/22		5	2,256,747	10,723,149
2022/23		6	2,256,747	12,979,896
2023/24		7	2,256,747	15,236,643
2024/25		8	2,256,747	17,493,390
2025/26		9	2,256,747	19,750,137
2026/27		10	2,256,747	22,006,884
2027/28		11	2,256,747	24,263,631
2028/29		12	2,256,747	26,520,378
2029/30		13	2,256,747	28,777,125
2030/31		14	2,256,747	31,033,872
2031/32		15	2,256,747	33,290,619
2032/33		16	2,256,747	35,547,366
2033/34		17	2,256,747	37,804,113
2034/35		18	2,256,747	40,060,860
2035/36		19	2,256,747	42,317,607
2036/37		20	2,256,747	44,574,354
2037/38		21	2,256,747	46,831,101
2038/39		22	2,256,747	49,087,848
2039/40		23	2,256,747	51,344,595
2040/41		24	2,256,747	53,601,342
2041/42		25	1,831,986	55,433,328
<b>Total</b>	<b>£40,000,000</b>		<b>£55,433,328</b>	

## 9 VOLUNTARY PREPAYMENTS



If the Parties agree to make additional repayments over and above those listed above, a new schedule will be produced based on the remaining outstanding debt, including interest, in accordance with paragraph 16 of the Agreement “Variation”.

Signed by [ ] Section 151 Officer .....

for and on behalf of [ ]  
[ ]

Signed by [ ] Section 151 Officer .....

for and on behalf of [ ]  
[ ]

Signed by [ ] Section 151 Officer .....

for and on behalf of [ ]  
[ ]

Signed by [ ] Section 151 Officer .....

for and on behalf of [ ]  
[ ]

## **Regulatory Enforcement Policy**

**Report Author(s):** Andrew Grimley  
Environmental Protection Manager  
01508 533694  
andrew.grimley@southnorfolkandbroadland.gov.uk

**Portfolio:** Environmental Excellence

**Ward(s) Affected:** All Wards

### **Purpose of the Report:**

This report presents a proposed overarching Enforcement Policy for adoption to replace the council's existing enforcement policy.

### **Recommendations:**

1. Cabinet to recommend to Council to agree the adoption of the proposed overarching Enforcement Policy at Appendix 2 to replace the existing overarching enforcement policy, retaining its other existing thematic enforcement policies.

## **1. Summary**

- 1.1 This report and the proposed new overarching enforcement policy at Appendix 2 set out arrangements applicable to a range of the council's regulatory and enforcement services listed below in paragraph 2.1. The proposed over-arching enforcement policy will not apply to fraud investigations.
- 1.2 The council's robust approach to regulation and enforcement in the service areas covered by this report involves:
- a) Maximising the offer of appropriate advice and support to legal duty holders,
  - b) Making rapid responses and early interventions to nip in the bud community concerns and incidents of non-compliance, and
  - c) An abbreviated prosecution approach that expedites enforcement and minimises costs to council taxpayers.
- 1.3 The council as a regulator exercising enforcement powers is subject to specific expectations and its overarching enforcement policy now requires updating. The council's existing overarching enforcement policy in at Appendix 1. The revised and updated overarching enforcement policy presented in Appendix 2 is proposed for adoption.
- 1.4 If adopted, the proposed new overarching enforcement policy will:
- a) Effectively update the broad enforcement policy framework.
  - b) Set out the council's broad policy statements for investigation and robust enforcement.
  - c) Support rapid and efficient enforcement.
- The proposed enforcement policy will apply both to breaches of established legal duties and to offences identified through incidents arising, reports received, officer inspections and investigations. The key test of enforcement questions will be that there is sufficient evidence and public interest, and that it is necessary and proportionate, to carry out enforcement.
- 1.5 Adopting the proposed enforcement policy will provide the necessary foundations, and will help to ensure that there is no need for repetition in detailed thematic enforcement policies to follow for consideration and adoption. Those thematic enforcement policies will contain detailed considerations in individual areas regulation, including decision-making thresholds and criteria for specific powers and areas of legislation being too numerous to include in one policy document.
- 1.6 The proposed enforcement policy approach, designed to correspond with that of Broadland District Council as a collaborating partner, would see a common set of enforcement policy provisions being adopted by both councils. This would give the clarity and certainty to common officer teams in how they approach and administer regulation and enforcement. This is recommended by officers because, from a regulatory and enforcement services perspective, both districts share similar characteristics, profiles of regulatory non-compliance and offending, and enforcement requirements. No significant enforcement policy distinctions or

special requirements have been identified that would affect the adoption of the proposed overarching enforcement policy.

## **2. Background**

- 2.1 The council is responsible for administering a wide range of legislation, advising and regulating to ensure compliance, and where necessary taking enforcement action. The enforcement services subject to the proposed enforcement policy at Appendix 2 are regulatory services for environmental protection (including environmental quality, community protection and community safety & intervention), food and safety, and licensing, together with Housing Standards services including enforcement for gypsy and traveller unauthorised encampments, building control enforcement and planning enforcement. Planning Enforcement is the subject of a subject-specific enforcement policy to which the overarching policy will provide support.
- 2.2 An enforcement policy serves two purposes:
  - a) To establish a documented policy framework informing enforcement approaches, decision-making and practices of investigating officers and other decision-makers.
  - b) To provide information about the council's policy approach to those people and businesses which are regulated and those protected by regulation, so that they can know what to expect and can assure themselves when facing potential enforcement.
- 2.3 Following the Enforcement Concordat in 1998 and the Hampton Report in 2005, the Regulators' Code was published in July 2013, and this replaced the Regulators' Compliance Code. The Regulators' Code is a statutory code of practice introduced under section 23 of the Legislative and Regulatory Reform Act 2006 which came into force on 6 April 2014. Each regulator covered by the Regulators' Code is expected to adopt an enforcement policy that incorporates its requirements.
- 2.4 While there is no explicit legal requirement to document enforcement policies, without doing so it would be more difficult for the council to demonstrate compliance with the Regulators' Code and preceding external expectations. Many regulatory bodies, including this council and other local authorities, have adopted and published an enforcement policy based upon the principles of good regulation and the predecessors of the Regulators' Code.
- 2.5 The council last updated its overarching enforcement policy in 2015 and a copy of the main document is attached at Appendix 1. The overarching enforcement policy now requires review. The revised policy at Appendix 2 proposes updates and revisions to the policy, including specific new considerations dealing with issues linked to equality, to vulnerable people and to minors.

## **3. Current position/findings**

- 3.1 Enforcement policies can range from single high-level generic cross-service documents to highly detailed sets of policies. Detailed policies can extend to

setting the preferential order of enforcement options in a single thematic area and the criteria for decision-making (minimum culpable age, etc.). The council's existing enforcement policy document at Appendix 1 provides an overarching policy together with thematic policies set out in appendices. The appendices to the existing enforcement policy have not been included in Appendix 1 because they will be the subject of updated versions coming forward as separate proposed new policies.

- 3.2 There are advantages in separating the overarching enforcement policy and thematic enforcement policies into separate documents:
- a) It is simpler to administer and update each policy without adverse impact on the others.
  - b) It encourages a helpful focus on the key considerations applicable to a particular area when enforcement policy question arises.
  - c) During challenges and legal proceedings, technicalities can focus on policy wording and it is helpful to keep policy documents tightly focussed.
- 3.3 Local government delivers a range of regulatory functions across diverse services, utilising a range of legislation and legal powers. Some regulatory functions/services may rely mainly on a single act of parliament or set of regulations. Others may make use of a range of legal powers from different legislation to achieve the desired outcomes. Changes in legislation and government policy are increasingly frequent, and national policy approaches have become more diverse between the various themes of regulation and enforcement falling to local authorities. Forseeably, the need for making revisions to the council's enforcement policies will become more frequent.
- 3.4 All our regulatory services' enforcement approaches and decision-making should comply with the Regulators' Code of practice. If this council and South Norfolk Council were to maintain differing enforcement policies, with differing requirements, there would be a significant risk that our common services officer teams operating to different sets of policies and corresponding procedures could make mistakes, with risks to enforcement case outcomes. The council's overarching enforcement policy needs to be brought up to date in key areas noted in paragraph 4.2.
- 3.5 The approach proposed will enable services to respond quickly and accountably to emerging threats, whilst reducing duplication and any risk of requiring policy revisions each time new legislation is enacted.

#### **4. Proposed action**

- 4.1 The proposed new overarching Regulatory Enforcement Policy at Appendix 2 has been updated and revised to satisfy the Regulators' Code and reflect good enforcement practice.
- 4.2 Whilst this proposed new enforcement policy adopts a fresh format, many of the considerations are consistent with the previous enforcement policy. The key changes concern:

- a) Changes in legislation and regulators' compliance expectations (throughout the document).
- b) The council's vision.
- c) Explicit consideration of equality issues (draft Policy paragraphs 18 and 85),
- d) Provisions governing action against vulnerable people (draft Policy paragraphs 106 and 107).
- e) Provisions governing action against minors (draft Policy paragraphs 66, 108 and 109).
- f) Measures to deter reoffending and improve offenders' standards of behaviour (several places in the draft policy).

## 5. Other options

- 5.1 **Option 1 – Do Nothing.** The council is the legally obliged to update its existing enforcement policy, however doing nothing would fail to reflect opportunities identified in this report and changes in national expectations on regulators.
- 5.2 **Option 2 – Pursue a different policy.** The council decide to update its policy but to take a different line on enforcement principles, approaches and detailed considerations than those proposed in Appendix 2.

## 6. Issues and risks

- 6.1 **Resource Implications** – No new budget implications have been identified. The existing policy position of robust enforcement involves greater numbers of enforcement cases, vigorously pursued, with attendant implications for officer time and legal costs. In other respects, the proposed overarching enforcement policy contains no changes raising significant new resource implications.
- 6.2 **Legal Implications** – The updating of the council's overarching enforcement policy is positively supportive of robust enforcement. No new implications have been identified arising from the proposed enforcement policy. Legal advice has been sought and any comments will be reported verbally to Cabinet.
- 6.3 **Equality Implications** – The proposed enforcement policy includes equality assessments and specific considerations concerning enforcement and young or vulnerable people. There are no identified impacts on any specific individuals or groups having protected characteristics.
- 6.4 **Environmental Impact** – Positive enforcement is protective of the environment. No adverse implications have been identified.
- 6.5 **Crime and Disorder-** Positive enforcement is protective of our communities from crime and disorder. No adverse implications have been identified.
- 6.6 **Risks** – Adopting the overarching enforcement policy as proposed raises no identified risks beyond the matters covered in this report.

## **7. Conclusion**

- 7.1 The overarching Enforcement Policy as proposed meets the expectations of the Regulators' Code and recognised good practice. Adopting the policy will establish update the council's provisions, supporting good regulation and positive enforcement.

## **8. Recommendations**

- 8.1 Cabinet to recommend to Council to agree the adoption of the proposed overarching Enforcement Policy at Appendix 2 to replace the existing overarching enforcement policy, retaining its other existing thematic enforcement policies.

## **Background papers**

1. South Norfolk Council's enforcement policy (2015).
2. UK Government, former Better Regulation Delivery Office (now BEIS) – [Regulators' Code](#).

# South Norfolk Council Compliance and Enforcement Policy

2015

## General statement of our approach

### The Council's vision

The Council plays a key role as a provider of services, enabler and by providing leadership within and beyond the South Norfolk community. Our vision in this role is:

‘To retain and improve the quality of life in South Norfolk, for now and future generations, to make it one of the best places to live and work in the country’

As part of this vision our corporate priorities are:

- enhancing the quality of life and the environment we live in
- supporting communities to realise their potential
- promoting a thriving local economy
- driving services through being businesslike, efficient and customer aware

### Our responsibilities

We are tasked with applying the law in a variety of ways and circumstances. Our aim is, as far as possible, to work positively with businesses, individuals and organisations to seek compliance with the law. However to be effective as a leader, shaper and protector of the local community, there will be occasions when it is necessary for us to take appropriate action to deal with matters of non-compliance. This expectation has been placed on us by Government along with that to publish a policy about how we approach compliance and enforcement.

### Policy purpose

Given what we have said above, we have drawn up this policy to help our customers understand how we will approach situations involving the use of the law, in what circumstances and how we will go about it with the appropriate checks and balances. Our approach is always to try and work with our customers rather than against them but on occasions we will have no alternative but to apply the law to secure outcomes expected by society.

**The purpose of this Compliance and Enforcement Policy is to describe principles, priorities and the options available to the Council to secure compliance, whilst minimising the burden on individuals and businesses.**

We believe in firm but fair action to secure compliance with the law. In terms of the law that we have to apply, we are committed to the principles of ‘better regulation’ as prescribed by



Government and aim to achieve this by actions that are: proportionate, accountable, consistent, transparent and targeted.

In terms of statutory powers and duties we will seek to protect residents, visitors, workers, consumers, businesses, the Council's financial position and the environment of the area.

We will co-ordinate compliance and enforcement actions internally and will endeavour, where appropriate, to co-ordinate with other enforcement agencies and partner organisations. We have in place procedures for complaints and appeals to fulfil the Council's equalities objectives, human rights legislation and to meet other statutory requirements as necessary.

### **Working with you, working for you**

We recognise that it is important that our customers understand how we will work with them and apply the law given our powers, duties and this policy.

We endeavour to carry out all our activities in a way that supports our customers to comply and benefit by:

- Ensuring that information, guidance and advice is available to help you meet legal expectations
- Carrying out our activities to check compliance in a targeted and fair way
- Dealing proportionately with breaches of the law as set out in this policy including taking action when necessary – in accordance with, as appropriate, the Regulators code.

Our staff will:

- Be courteous and polite
- Always identify themselves by name and provide you with contact details
- Seek to gain an understanding of your needs
- Agree timescales, expectations and preferred methods of communication with you
- Ensure you are kept informed of progress on any outstanding issues
- Do our best to coordinate with others both within and outside the Council by providing information, guidance and advice

### **Helping you to get it right**

We want to work with you to help you to meet your needs and it is important to us that you feel able to come to us for advice when you need it. We won't take action just because you tell us that you have a problem.

Where you need advice that is tailored to your needs and particular circumstances we will:

- Discuss with you what is required to help you meet your legal obligations
- Provide clear easily understood advice that supports compliance and that can be relied on
- Distinguish what is required by the law and what is suggested good practice
- Ensure that any verbal advice you receive is confirmed in writing if requested
- Acknowledge good practice and compliance
- Publish on our website any fees and charges and explain them. For more information go to [www.south-norfolk.gov.uk](http://www.south-norfolk.gov.uk)

## **Our visits and checks**

We monitor and support compliance in a number of different ways including through inspections, sampling visits, advisory visits and complaint investigations. These visits will always be based on an assessment of risk – we won't visit without a reason. We will give you notice that we intend to visit unless we have specific reason to believe that an unannounced visit is more appropriate.

When we visit you our officers will:

- Explain the reason and purpose of the visit
- Carry their identification card at all times, and present it on request when visiting your premises
- Exercise discretion in front of your customers and staff
- Have regard to your approach to compliance, and use this information to inform future interactions with you
- Provide information, guidance and advice to support you in meeting your statutory obligations, if required
- Provide a written record of the visit if so requested or where it is deemed appropriate to do so.

## **Responding to problems and non-compliance**

As far as possible we will seek and work with you to achieve positive compliance with the law. Where we identify failure to meet legal obligations, we will respond proportionately, taking account of the circumstances, in line with our Enforcement Policy (see Appendices 1, 2 and 3). We deal proportionately with breaches of the law as set out in our Enforcement Policy, including taking firm enforcement action when necessary.

Where we require you to take action to remedy any failings we will:

- Explain the nature of the non-compliance
- Discuss what is required to achieve compliance, taking into account your circumstances
- Clearly explain any advice, actions required or decisions that we have taken
- Provide in writing a timely explanation of how to appeal against any advice provided, actions required or decisions taken, including any statutory rights to appeal
- Explain what will happen next
- Keep in touch with you as and when necessary, until the matter has been resolved with the least practicable delay

## **Requests for our services**

We clearly explain the services that we offer, including details of any fees and charges that apply. For more information go to [www.south-norfolk.gov.uk](http://www.south-norfolk.gov.uk)

In responding to written requests for our services, including requests for advice and complaints about breaches of the law, we will:

- Acknowledge your request within 10 working days.
- If a full response cannot be provided within this time scale, an acknowledgement will be sent to inform you when you can expect a substantive response
- Seek to fully understand the nature of your request
- Explain what we may or may not be able to do, so that you know what to expect
- Keep you informed of progress throughout our involvement
- Inform you of the outcome as appropriate

You can contact us by emailing [reception@s-norfolk.gov.uk](mailto:reception@s-norfolk.gov.uk)

### **Developing our services with you**

We will seek to work with you in the most appropriate way to meet your individual needs. We can make information available in different formats, and have access to translation and interpretation services.

If you contact us we will ask you for your name and contact details to enable us to keep in touch with you as the matter progresses. We treat all contact with the service in confidence unless you have given us permission to share your details with others as part of the matter we are dealing with on your behalf or there is an operational reason why we need to do so. We will respond to anonymous complaints and enquiries where we judge it appropriate to do so.

Personal data will be managed in accordance with the Council's Data Protection Policy. For more information go to [www.south-norfolk.gov.uk](http://www.south-norfolk.gov.uk)

### **Our Team**

We have a dedicated team of officers who have the appropriate qualifications, skills and experience to deliver the services provided. We have arrangements in place to ensure the ongoing professional competency of all officers.

### **Working with others**

We work closely across the Council and our aim is to provide a streamlined service to you.

We are part of a much wider regulatory system and this enables us to deliver a more joined up and consistent service. This includes sharing information and data on compliance and risk where the law allows, to help target regulatory resources.

Our officers are familiar with the work of our partners and can signpost you to the advice and guidance you need.

### **Having your say - Complaints and appeals**

Where we take legal action or enforcement action, there is often a statutory right to appeal and/or have your say. We will always tell you about this at the appropriate time.

We are always willing to discuss with you the reasons why we have acted in a particular way, or asked you to act in a particular way. Should complaints arise about our service, or about the conduct of our officers, we have an established Corporate Complaints Policy.

Details of the procedure can be found at [www.south-norfolk.gov.uk](http://www.south-norfolk.gov.uk) Alternatively telephone 01508 533633 or Email [feedback@s-norfolk.gov.uk](mailto:feedback@s-norfolk.gov.uk) We are always keen to discuss any concerns at any point irrespective of the fact we have a policy.

### **Having your say - Feedback**

We value input from you to help us ensure our service is meeting your needs. We would like to hear from you whether your experience of us has been good or suggestions for improvement. This helps us to ensure we keep doing the right things and make changes where we need to.

You can provide feedback in the following ways:

Telephone: 01508 533633

Email: [feedback@s-norfolk.gov.uk](mailto:feedback@s-norfolk.gov.uk)

Web: [www.south-norfolk.gov.uk](http://www.south-norfolk.gov.uk)

By post: South Norfolk Council, South Norfolk House, Swan Lane, Long Stratton, Norfolk NR15 2XE

Or in person: at South Norfolk House Monday to Friday between 08:15 and 17:00 hours

Any feedback that we receive will be acknowledged

In terms of our approach to compliance and enforcement much is prescribed in legislation, guidance and codes of practice. This is set out in the following appendices

**Appendix 1** – our overarching approach to compliance and enforcement – this section deals with the principles of how we encourage compliance with the law, the sanctions and options available to us when we have no choice but to take action.

**Appendix 2** – this section details our approach to dealing with compliance and enforcement in relation to regulatory activities which include food and health and safety, licensing, waste enforcement, environmental protection and private sector housing

**Appendix 3** – this section deals with the specific approach to compliance in relation to development management

This policy supersedes all earlier enforcement policies from 14 September 2015.

## Appendix 1 – Our overarching approach to compliance and enforcement

### 1. Our commitment

- 1.1 South Norfolk Council is committed to avoiding, where possible, unnecessary legal and regulatory burdens, and to assessing whether similar social, environmental and economic outcomes could be achieved by less burdensome means. The Council therefore fully supports the approach to good enforcement practice advocated in the Department for Business Innovation and Skills Regulators' Code April 2014 and the Local Government Association publication "Open for business" November 2013.

### 2. Our commitment to the Principles of Good compliance and regulatory practice

- 2.1. The Council is committed to avoiding imposing unnecessary regulatory burdens, and to be assessing whether similar social, environmental and economic outcomes could be achieved by less burdensome means. Underlying the policy are the principles of good regulation set out in the Legislative and Regulatory Reform Act 2006, etc.
- 2.2. We will exercise our activities in a way that, as far as possible, we work with you and ensure we are:
- **Proportionate** – our activities will reflect the level of risk to the public and enforcement action taken will relate to the seriousness of the offence.
  - **Accountable** – our activities will be open to scrutiny, with clear and accessible policies and complaints procedure. To achieve this:
    - Policies are published on the Council's web site
    - Complaints about our service or action can be made in person, writing, electronically at any time by accessing the Councils web site: - [www.south-norfolk.gov.uk](http://www.south-norfolk.gov.uk) or by telephone on 01508 533633.
  - **Consistent** - enforcement will be done in a consistent and fair way. Our advice to those we regulate will be robust and reliable and we will respect advice provided by others. Where circumstances are similar we will endeavour to act in similar ways to other local authorities.
  - **Transparent** – we will ensure that those we regulate are able to understand what is expected of them and what they can expect from us in return.
  - **Targeted** – we will focus our resources on higher risk enterprises and activities, reflecting local need and national priorities.

### 3. Our approach

- 3.1. The type of action taken by the Council to deal with non-compliance will depend on the nature of the case and the legislation that is appropriate to it. However, the guiding principles of this Policy apply to all Directorates and authorised officers.
- 3.2. Our Policy commits us to:
- Protecting residents, visitors, workers, consumers, businesses, the Council's financial position and the environment of the area
  - Equitable and consistent enforcement actions
  - Fostering an environment which encourages economic growth

- Helping businesses and others to understand and meet their legal obligations by reassuring them that they can approach the Council for the guidance they need
  - Reducing unnecessary burdens on businesses and individuals
  - Responding proportionately to the seriousness of regulatory breaches
  - Taking firm action, including legal action where appropriate, against those who fail to pay local taxes and charges, persistently flout the law or act negligently or irresponsibly
- 3.3. The Council recognises that most people and businesses want to comply with the law and it is our commitment that we shall help and encourage them to do this, but when it is necessary to consider taking action to secure compliance, appropriate regard will be given to:
- The seriousness of the matter;
  - The vulnerability of the individuals concerned;
  - Compliance history which may include records, relevant data, earned recognition and evidence of relevant external verification;
  - Confidence in achieving compliance;
  - Consequences of non-compliance;
  - Likely effectiveness of the various enforcement options;
  - The urgency with which corrective action is necessary;
  - Whether there is a deliberate or flagrant breach of the law;
  - Non-payment of local taxes and charges.
  - All relevant national guidance.
- 3.4. The criteria are not exclusive and those which apply will depend on the particular circumstances of each case. This does not mean that all factors must support enforcement action before it can proceed.
- 3.5. By delivering these commitments, we believe we shall help to maintain a fair and safe living and trading environment to promote the local economy and social cohesion.

#### **4. Legal proceedings**

- 4.1. The Practice Director, nplaw, is authorised to institute, defend or participate in any legal proceedings where instructed by the Council in any case where such action is necessary to give effect to decisions of the Council or in any case where the Practice Director considers that such action is necessary to protect the Council's interests.
- 4.2. There are certain specific exceptions to this principle. For instance, officers authorised under the Health and Safety at Work etc. Act 1974 have the authority to take a decision to commence legal proceedings for offences committed under that Act or under any subordinate legislation. However they must:
- Apply the principles of the Health and Safety Executive (HSE) Enforcement Management Model to guide their decision on prosecution.
  - Seek the approval of the Director regarding any expenditure involved.

#### **5. Considering the views of those affected by “offences”**

- 5.1. Officers undertake enforcement on behalf of the public at large and not just in the interests of a particular individual or group. The consequences for those affected by the offence are taken into consideration as part of the public interest test when

deciding whether or not the Council should take enforcement action. Those people directly affected by the offence will be informed about any enforcement decision that concerns them.

## **6. Complaints and Appeals**

- 6.1. Enforcement action can sometimes raise complaints, objections and appeals. If any person is unhappy with the action taken, or information or advice given they will be given the opportunity of discussing the matter with the relevant officer. This is without prejudice to any formal appeals mechanism or to the Council's complaints procedure. Complaints can be made by telephone, in person, writing or electronically at any time by accessing the Councils web site: - [www.south-norfolk.gov.uk](http://www.south-norfolk.gov.uk)
- 6.2. Most formal statutory enforcement actions including planning and licensing, have legal rights of appeal to an inspector, a court or tribunal etc. An explanation of the rights of appeal will be given in writing when any formal action is taken.

## **7. Delegation of Authority**

- 7.1. The Council's scheme of delegation specifies the levels of authority given to officers.
- 7.2. Enforcement officers will be formally authorised by the Council or by the Service Director to exercise specified powers under relevant statutes. The level of authorisation for each officer will be determined by their qualifications, experience and competence having regard to any relevant national guidelines. Authorisation will be in writing and in a form which can be shown on request.

## **8. Legislation, guidance and codes that influenced the preparation of this Policy**

### **8.1. Regulators Code**

South Norfolk Council has had regard to the Regulators Code in the preparation of this policy. In certain circumstances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.

### **8.2. Human Rights Act 1998**

South Norfolk Council is a public authority for the purposes of the Human Rights Act 1998. We therefore apply the principles of the European Convention for the Protection of Human Rights and Public Freedoms. This Policy and all associated enforcement decisions take account of the provisions of the Act. In particular, due regard is had to the right to a fair trial and the right to respect for private and family life, home and correspondence.

### **8.3. Data Protection Act 1998**

Where there is a need to share enforcement information with other agencies, we will follow the provisions of the Data Protection Act 1998.

### **8.4. The Code for Crown Prosecutors**

When deciding whether to prosecute, the Council has regard to the provisions of the Code for Crown Prosecutors as issued by the Director of Public Prosecutions

## **8.5. Regulatory Enforcement and Sanctions Act 2008**

The Regulatory Enforcement and Sanctions Act 2008 as amended established the Primary Authority Scheme. We will comply with the requirements of the Act when considering taking enforcement action against any business or organisation that has a primary authority, and will have regard to guidance issued by the Secretary of State in relation to Primary Authority.

## **9. Explanation of compliance and enforcement powers available to the Council**

### **9.1. No action**

In some situations it will be inappropriate to take formal action. For example:

- Where the cost of securing compliance or the cost of enforcement action is disproportionate to the impact of the contravention.
- Where the offender is in some way highly vulnerable and/or suffering from serious ill health.

### **9.2. Compliance advice, Guidance and Support**

Where it is appropriate, the Council uses advice, guidance and support as a first response to dealing with matters of non-compliance. In responding to non-compliance that we have identified, we shall clearly explain what the non-compliant item or activity is, the advice being given, actions required or decisions taken, and the reasons for these.

### **9.3. Written Warning**

Advice is sometimes provide in the form of a warning letter to assist individuals and businesses in rectifying breaches as quickly and efficiently as possible without the need for further enforcement action. A warning letter will set out what should be done to rectify the breach and to prevent re-occurrence. Written warnings are used in the circumstances where there is evidence of a contravention or offence, but in the particular circumstances of the infringement and having regard to the Policy; a written warning is in the officer's opinion a proportionate response.

### **9.4. Voluntary Undertakings**

The Council may accept voluntary undertakings that breaches will be rectified or recurrences prevented but will take any failure to honour a voluntary undertaking very seriously and enforcement action is likely to result.

### **9.5. Statutory (Legal) Notices**

In respect of many breaches the Council has powers to issue statutory notices. Some such notices include: 'Stop Notices', 'Prohibition Notices', 'Emergency Prohibition Notices', and 'Improvement Notices'. Such notices are legally binding. Failure to comply with an extant statutory notice can be a criminal offence and may lead to prosecution and/ or, where appropriate, the carrying out of work in default.

A statutory notice will clearly set out actions which must be taken and the timescale within which they must be taken. It is likely to require that any breach is rectified and/or prevented from recurring. It may also prohibit specified activities until the breach has been rectified and/or safeguards have been put in place to prevent future breaches. Where a statutory notice is issued, an explanation of the appeals process will be provided to the recipient.



Some notices issued in respect of premises may be affixed to the premises and/or registered as local land charges.

#### **9.6. Financial penalties**

For some offences, the Council has powers to issue a Fixed Penalty Notice (FPN). A FPN is not a criminal fine and does not appear on an individual's criminal record. If a FPN is paid then no further enforcement action will be taken, but if it is not paid, the Council may commence legal proceedings or take other enforcement action.

In circumstances where consideration is being given to the issue a FPN to a person of age 17 years or less, officers will be guided by DEFRA guidance, as detailed in "Issuing Fixed Penalty Notices to Juveniles" and to any subsequent guidance from a government department.

#### **9.7. Penalty Charge Notices**

Most parking offences in the UK are now enforced as a civil matter by the use of Penalty Charge Notices (PCNs). A PCN is a penalty for a contravention of a parking restriction, but it doesn't result in a criminal record nor does it place points on a driving licence. If unpaid, a PCN will be treated as a civil debt.

#### **9.8. Injunctive Actions, Enforcement Orders etc.**

In some circumstances the Council may seek a direction from the court (in the form of an order or an injunction) that a breach is rectified and/or prevented from recurring. The court may also direct that specified activities be suspended until the breach has been rectified and/or safeguards have been put in place to prevent future breaches.

The Council is required to seek enforcement orders after issuing some enforcement notices, providing the court with an opportunity to confirm the restrictions imposed by the notice. Otherwise, the Council will usually only seek a court order if it has serious concerns about compliance with voluntary undertakings or a notice.

#### **9.9. Simple Caution**

The Council has the power to issue simple cautions as an alternative to prosecution for some less serious offences where a person admits to the offence and consents to the simple caution. Where a simple caution is offered and declined, the Council is likely to consider prosecution.

A simple caution will appear on the criminal record of a person and it is likely to influence how the Council and others deal with any similar breach in the future. It may also be cited in court if the person is subsequently prosecuted for a similar offence. Simple cautions will be used in accordance with Ministry of Justice guidance: Simple Cautions for Adult Offenders April 2015 and other relevant guidance.

#### **9.10. Prosecution**

The Council may prosecute in respect of serious or recurrent breaches, or where other enforcement actions, such as voluntary undertakings or statutory notices have failed to secure compliance. When deciding whether to prosecute due regard will be given to the provisions of The Code for Crown Prosecutors as issued by the Director of Public Prosecutions. The Code sets out two tests that must be satisfied:

- The evidential test.

When deciding whether there is enough evidence to prosecute, the Council will consider what evidence can be used in court, if it reliable and enough to be satisfied that there is a realistic prospect of conviction.

- The public interest test

When deciding if it is in the public interest for a case to be brought to court, the Council will balance the factors for and against prosecution carefully and fairly, considering each case on its merits and will have regard to, amongst other matters, the following criteria:

- Was there a deliberate, reckless, negligent or persistent breach of legal obligations which were likely to cause material loss or harm to others?
- Were written warnings or formal notices deliberately or persistently ignored?
- Was the health and safety or wellbeing of people, animals or the environment put at risk or endangered?
- Was an attempt made to make financial gain at the expense of others?

If there are significant financial or policy implications regarding prosecution, the Director will consult the Chief Executive and the relevant portfolio holder.

In each prosecution case the Council will normally apply for an order that the Defendant pays the Council's costs (or a contribution towards them) in respect of the investigation of the case and the costs in bringing the case to court.

#### **9.11. Refusal/Suspension/Revocation of Licences**

The Council issues a number of licences and has a role to play in ensuring that appropriate standards are met in relation to licences issued by other agencies. Most licences include conditions which require the licence holder to take steps to ensure that, for example, a business is properly run. Breach of these conditions may lead to a review of the licence which may result in its revocation or amendment.

When considering future licence applications, the Council may take previous breaches and enforcement action into account.

#### **9.12. Forfeiture Proceedings**

These proceedings may be used in conjunction with seizure and/or prosecution where there is a need to dispose of goods in order to prevent them re-entering the marketplace or being used to commit further offences. Application for the forfeiture will be made to a criminal court.

#### **9.13. Seizure of Goods or Equipment**

Where it is permitted by legislation an appropriately authorised officer may exercise powers of detention and/or seizure certain goods of equipment, for example sound equipment which has caused a noise nuisance. Seizure powers must be used strictly in accordance with the prescribed procedures detailed in legislation and statutory guidance.

#### **9.14. Works in Default**

Under certain statutory notices the Council may carry out specified works itself and recover the cost from an offender if an offender fails to comply with a statutory notice within the specified time scale.

#### **9.15. Proceeds of Crime Applications**

In appropriate cases an application under the Proceeds of Crime Act 2002 may be made to the Court to restrain and/or confiscate the assets of an offender.

#### **9.16. Injunctions and other Civil Actions**

Where offenders are repeatedly convicted of similar offences or where prosecution is not an adequate remedy the Council may consider making an application to the courts for an injunction to prevent further offences being committed.

## Appendix 2 – Regulatory Services

**This section details our approach to dealing with compliance and enforcement in relation to regulatory activities which include food and health and safety, licensing, waste enforcement, environmental protection and private sector housing. It should be read as part of the overall compliance and enforcement policy and all parts are complementary.**

### 1. Introduction

This document explains what you can expect of Regulatory Services in South Norfolk. Whether you are run a business, are an employee or a member of the public, we are committed to providing you with an efficient, courteous and helpful service and this section tells you how we aim to do that. We are committed to good enforcement practice.

### 2. How we deliver our services

We make a fundamental contribution to the maintenance and improvement of public health, quality of life and wellbeing. Our aims are to:

- Protect the public, businesses and the environment from harm
- Support the local economy to grow and prosper

We determine our activities by assessing the needs of local people and our business community, and considering the risks that require addressing. In this way we ensure our resources are targeted appropriately, in the light of these local needs and of national priorities.

We are committed to being transparent in our activities and to carrying them out in a way that supports those we regulate to comply and grow:

Details of our current business plan is available at - [www.south-norfolk.gov.uk](http://www.south-norfolk.gov.uk)

### 3. What is this policy for?

The Council has wide ranging duties and powers to make plans, take decisions, set standards, regulate activities and collect revenues and charges. Whilst most of these activities are conducted without the need for enforcement action there will be occasions when the Council will have to take action for non-compliance with a legal requirement. This Policy explains the Council's approach to dealing with non-compliance to:

- those affected by the Council's enforcement activities; and
- Authorised officers of the Council

### 4. Areas we regulate

We deliver services in a number of areas:

**This aspect of the policy relates to the following areas of enforcement responsibility**

<b>Environmental Protection and ASB</b>	<b>Public Health</b>	<b>Food Safety</b>
<b>Health and Safety</b>	<b>Licensing</b>	<b>Private Sector Housing and Building Control</b>

## **5. Explanation of our approach to dealing with non-compliance – our commitment**

We will:

- Consider breaches of the law on the merits of each situation and will apply good regulatory practice given this policy overall
- Clearly explain the non-compliance and any advice being given, actions required or decisions taken, with reasons for these.
- Provide an opportunity for dialogue in relation to advice given, actions required or decisions taken in relation to non-compliance.
- Communicate openly, honestly and transparently with your business or as a 'regulated' person or organisation.
- Where appropriate we will work closely with other agencies to secure the best outcome in terms of regulatory fairness
- Manage enforcement in relation to our own establishments and activities, to ensure that decisions are free from any conflict of interest.
- Be fair and objective in any enforcement activities (link to corporate equality and diversity policy)
- Ensure that any publicity or public statements are fair and objective and consider their impact and the public interest

## **6. Explanation of our approach to taking action depending on the particular circumstances and the approach of the business, or regulated person to dealing with the breach.**

We will:

- Deal firmly with those that deliberately or persistently fail to comply.
- Provide advice as requested on non-compliance without directly triggering enforcement action, where there is a willingness to resolve the non-compliance.

## **7. The factors that influence our response to breaches of the rules:**

We will:

- Ensure there is a proportionate approach based on relevant factors such as business size and capacity
- Liaise and ensure we meet the requirements of the Primary Authority scheme in responses to breaches.
- Check that matters of non-compliances which were dealt with by providing advice or guidance have been rectified in a proportionate and pragmatic way.
- Consider the appropriate enforcement route with other agencies where circumstances are such that breaches may be referred to them

## **8. Our approach to complaints of non-compliance**

We will determine whether individual complaints require investigation based on the evidence and taking into account the public interest.

## **9. Conduct of investigations**

Investigations will be carried out with regard to relevant legislation some of which are listed below and in accordance with any associated guidance or codes of practice, in so far as they relate to the Council:

- the Police and Criminal Evidence Act 1984
- the Criminal Procedure and Investigations Act 1996
- the Regulation of Investigatory Powers Act 2000
- the Criminal Justice and Police Act 2001
- the Human Rights Act 1998

These Acts and associated guidance control how evidence is collected and used and give a range of protections to citizens and potential defendants.

Our authorised officers will also comply with the requirements of the particular legislation under which they are acting, and with any associated guidance or codes of practice. Officers will conduct investigations in accordance with good regulatory practice.

We are committed to keeping alleged offenders and those affected by potential breached of the law informed of the progress of investigations.

## **10. Decisions on enforcement action**

Decision to take enforcement action will be guided by the recommended principles set out in the Macrory Review report Regulatory Justice: Making Sanctions Effective 2006. Such action will:

- Aim to change the behaviour of the offender;
- Aim to eliminate any financial gain or benefit from non-compliance;
- Be responsive and consider what is appropriate for the particular offender and regulatory issue, which can include punishment and the public stigma that should be associated with a criminal conviction;
- Be proportionate to the nature of the offence and the harm caused;
- Aim to restore the harm caused by regulatory non-compliance, where appropriate; and;
- Aim to deter future non-compliance

We will consider risk at the decision making stage when we look at the circumstances of the situation.

In relation to health and safety compliance we will use the HSE's Enforcement Management Model.

We will consult with other organisations, where appropriate before taking action, and in particular given the statutory requirement under Primary Authority to notify proposed enforcement action.

We will monitor and review decisions taken on enforcement action as part of the review of this policy.

## **11. How decisions are communicated to those affected**

We will provide a timely explanation as a matter of course in writing of any rights to representation or rights to appeal, and practical information on the process involved to all parties subject to enforcement action.

## **Appendix 3 – Development Management**

**Development Management Enforcement within South Norfolk Council is undertaken in accordance with this Policy.**

Enforcement action is a discretionary power and will be proportionate to the matter considered. We will have regard to the expediency of taking enforcement action in each case, and exercise discretion accordingly. This means that the Council and its officers may resolve matters formally, informally, or decide not to take action even if a breach of planning control exists.

**We will investigate matters which include but are not limited to the following:**

- Unauthorised building and engineering operations;
- Unauthorised use of land and buildings;
- Breaches of planning control, planning conditions and obligations;
- Unauthorised works to Listed Buildings and protected trees or hedges;
- Unauthorised advertisements;
- Allegations of untidy land;
- Compliance with planning conditions by selective monitoring;
- Inconsistencies between Building Control commencements and planning approvals.

**We do not generally investigate:**

- Anonymous complaints unless deemed appropriate;
- Neighbour disputes not involving unauthorised development;
- Boundary disputes and encroachment;
- Land ownership disputes;
- Enforcement of deeds or covenants;
- Breaches of leases/tenancies;
- Public Highway offences;
- Complaints about High Hedges (refer to Norfolk County Council).

### **Development Management Enforcement Priorities**

- Unauthorised development causing or threatening significant harm to public health and safety.
- Cases where there is ongoing or immediate threat of irreversible harm to amenity or the environment.
- Harm to areas protected by statutory designations such as SSSIs; Conservation Areas; Archaeological sites.
- Harm to listed buildings and their setting.
- Harm to trees and hedges, especially where protected by Preservation Orders or Regulations.
- Unauthorised development likely to harm protected species or habitats.
- Monitoring of major developments.

### **Our approach**

In the first instance we always seek to work with those seeking planning approval by early engagement and the support of compliance.

We attempt to resolve matters informally in the first instance and want to work with developers as early as possible in the planning stage to support them in securing compliance. Formal action will only be taken where there is demonstrable harm being caused to matters of public interest. This can include the service of notices, direct action, prosecution and/or the use of injunctions.

Formal action will not be taken against minor, infrequent, or trivial breaches of planning control where there is no significant harm caused and no aggravating factors. Planning legislation allows development to be regularised by application for retrospective planning permission and this is a course of action that will be encouraged where appropriate.

Work will be organized with those cases identified as Enforcement Priorities in this policy statement looked at first.

We will subsequently advise the complainant if the investigation results in receipt of a planning application, service of a notice or closure of the case.

Complainants or developers who are dissatisfied with the enforcement service provided by the Council will be directed to the Council's complaints procedure unless their concern is more appropriately dealt with under the statutory right of appeal available to those in receipt of formal notices.



# South Norfolk Council

## Enforcement Policy

### 2022

DRAFT

## Introduction

1. South Norfolk Council's vision is of working together to create the best place and environment for everyone, now and for future generations
2. We are committed to growing the economy; supporting individuals and empowering communities; protecting and improving the natural and built environment, whilst maximising quality of life; and moving with the times, working smartly and collaboratively
3. To support the above objectives, we are committed to good regulatory enforcement practice and to avoid the imposition of any unnecessary regulatory burden.
4. This enforcement policy sets out a framework to achieve this and reflects the relevant legislative powers and duties of the council.
5. This enforcement policy has been updated following the implementation of the Regulators Code April 2014, which applies to specified regulatory functions carried out by the council, and, to the implementation of the Anti-social Behaviour, Crime and Policing Act 2014.
6. This enforcement policy has been approved in line with the council's constitution and supersedes the council's previous overarching enforcement policy.
7. Subsidiary to this overarching enforcement policy there are several subject-specific enforcement policies. These specific enforcement policies but apply where legislation, government or good practice has required them, for example, Food Safety, Planning Enforcement, Private Sector Housing Enforcement Service, Integrated Pollution Prevention & Control. They will be revised and updated individually from time to time.
8. In updating this enforcement policy there has been consideration of the legislation, guidance and codes listed in Appendix 1.
9. This policy applies to Food, Safety and Licensing; Housing Standards; Environmental Protection (including Environmental Management, Community Protection and Community Safety & Intervention); Planning Enforcement and Building Control Enforcement
10. This policy does not apply to the council's:
  - a. Financial fraud investigations and enforcement
  - b. Tenancy enforcement & special investigations
  - c. Parking, markets & highways enforcement
  - d. Estates & property leasing
  - e. Property Services

## **What is this policy for?**

11. The purpose of this policy is to provide a consistent, correct, efficient and effective approach to making enforcement decisions within relevant areas of service delivery. It also serves to communicate the council's policy towards addressing non-compliance with regard to the legislation that is enforced.
12. The council uses a range of activities to ensure compliance with the legislation enforced by the services in paragraph 9. These include:
  - a. Site visits, inspections, and patrols
  - b. Acting on intelligence received
  - c. Carrying out investigations
  - d. Serving legal notices/orders to affect a stop, a change, a restriction or an improvement
  - e. Issuing financial penalties
  - f. Giving formal warnings, conditional cautions, and simple cautions
  - g. Giving informal advice, including education & awareness programmes
  - h. Injunctive actions, byelaws, and temporary powers
  - i. Prosecutions
  - j. Carrying out test purchases, seizure, sampling, and analysis
  - k. Licensing and Permits

The above range of enforcement activities and actions may change as further legislation is enacted or repealed.

## **When does this policy apply?**

13. The policy applies to enforcement actions taken by the council to deal with legislative non-compliance with the acts, regulations and orders that are enforced by the service areas listed in paragraph 9.
14. The term enforcement action includes any action taken by the council and its officers to achieve compliance, for example.
  - a. Giving advice, guidance, information, and support to encourage compliance
  - b. Giving informal warnings for instances of minor non-compliance
  - c. Agreeing to voluntary undertakings to permit immediate or intensive action to be taken to ensure rapid compliance, e.g., voluntary premises closure, surrender of a permit or license, surrender of items, etc.
  - d. Removal, review or nullification of licences, permits, agreements, leases, etc.
  - e. Investigation & seizure of items
  - f. Formal action such as the service of a premises closure order, statutory notice, a penalty notice or issuing a simple or conditional caution
  - g. Instituting legal proceedings such as prosecution, injunction, or court order

15. There may be other options for enforcement action available in respect of service areas. There may also be service specific statutory obligations regarding enforcement. These will be identified in the published policies relating to those services as referred to at paragraphs 8, 9 & 10.
16. In applying this policy regard shall also be had to underlying policies or protocols that deal with specific service areas or issues.

## **General principles for dealing with non-compliance**

17. There is an escalating scale of actions that can be taken depending on the nature and seriousness or severity of the non-compliance and whether it is a recurrent issue. Decisions on what the appropriate action to take is made by officers named in the council's published scheme of delegations. This enforcement policy will be taken into account when those decisions are under consideration.
18. The type of enforcement action taken will depend on the level of risk and concern .
19. The council and its officers will be fair, objective and consider the council's published approach to equality which can be accessed on the council's website using the search term "equality".
20. Enforcement activities, including determining whether to investigate or not, will be based on whether there is an appropriate offence, any relevant risk assessments, the quality of intelligence and any available evidence, local service priorities, public nuisance considerations, the evidential and public interest tests, etc. Matters of local concern can also be considered. Where evidence is identified of a clear breach or offence, we will robustly investigate in terms of taking formal action against the perpetrator.
21. In addition to statutory obligations all those who are subject to enforcement action will be informed of the reasons in writing.
22. Where further action is needed to achieve compliance, whether this be to a domestic occupier, a landlord, a business, or a group such as a charity, , this will be expressly stated with a clear timeframe (where applicable). This process should involve dialogue and research to ensure timeframes applied are reasonable and achievable.
23. Where there is negligent, persistent, or deliberate non-compliance, particularly by a business, it will be dealt with firmly. This is to ensure compliant businesses and individuals can operate in South Norfolk free of unfair or illegal competition.
24. Enforcement actions will be proportionate to the non-compliance and will ensure the minimum legal standard of compliance is maintained.
25. Enforcement action shall not necessarily be triggered if those who are subject to regulation become aware themselves of a non-compliance and show a demonstrable willingness to address the matter by seeking advice from the council (or other agencies or their own legal representation).
26. Enforcement action against business will consider relevant Primary Authority agreements/arrangements, previously agreed formal sampling plans, inspection plans and documented quality control arrangements.
27. Where there are shared roles with other enforcement agencies, such as the Police, Health & Safety Executive, Environment Agency, Food Standards Agency, etc., enforcement activities will be consulted on and co-ordinated as far as possible, to avoid duplication, ensure clarity

and improve regulatory effectiveness. Where appropriate, partnership work will be undertaken in line with agreed Memorandums of Understanding and any other agreements or guidance documents applicable. If these are not in place then there shall be structured, formal liaison.

28. The council cannot take legal action against itself. Where potential formal enforcement action concerns a local authority establishment or activity, the enforcing service must notify their Service managers and the Assistant Directors responsible for the establishment or activity causing concern. The Assistant Directors must notify their relevant Directors. The Directors shall ensure that decisions concerning non-compliance internal to the council are made are free from potential and/or actual conflicts of interest. The Directors will have the ability to involve another local authority or independent organisation to review decisions where any concern remains.
29. Where non-compliance is subject to an investigation, the individuals or organisations will be made aware of the investigation shall be informed of the outcome.
30. Witnesses in legal proceedings shall be kept updated in accordance with relevant service standards and targets.
31. Where legislative non-compliance is identified, but it is not the duty or responsibility of the council to address this, information may be passed to other enforcement agencies or organisations. This shall occur with clear regard to data protection law, GDPR and any relevant protocols or Memorandums of Understanding where they are in place.

## **No Action**

32. In certain circumstances, it might be appropriate that no action is taken. For example:
  - a. When the health and safety risk is sufficiently low enough.
  - b. Where there are extenuating circumstances regarding the person against whom action would be taken.
  - c. Taking formal action would be disproportionate or inappropriate in the circumstances of the case.

## **Advice guidance and support**

33. Where there is evidence of non-compliance, but it is decided that the matter is minor, of low risk and/or is easily resolved, the council can consider an advice and guidance approach as a first response.
34. Such advice would include a clear explanation of what action is required to achieve compliance, a clear timeframe for implementation and a compliance check. This might be appropriate when new legislation is introduced, and businesses may be unaware of new responsibilities and/or where the nature of the breach is minor, and the public are at low risk from any negative consequence or impact.
35. The council is open to dialogue in relation to any advice or guidance given by an authorised officer.

## **Informal warnings**

36. In some cases, an opportunity will be given to make improvements to comply with the law within a reasonable time.
37. Informal warnings can take the form of a verbal warning, a report, or a written warning. Informal warnings will explain:
  - a. the law that applies,
  - b. the nature of the non-compliance,
  - c. the action to take,
  - d. the time by which compliance should be achieved (if applicable),
  - e. clearly define what are legislative requirements and what are recommendations, and
  - f. the consequences of continuing with non-compliance.
38. Informal warnings may be used as evidence of previous conduct in legal proceedings should non-compliance continue to an extent to justify formal action.
39. The council will keep an audit trail that identifies the enforcement steps taken and the opportunities given to achieve compliance.

## **Voluntary undertakings**

40. The council may, in certain circumstances, accept voluntary undertakings that a non-compliance will be rectified and/or a recurrence prevented. Failure to honour voluntary undertakings is taken seriously and formal enforcement action to ensure compliance is likely to follow.

## **Statutory notices & orders**

### **Notices**

41. Some legislation confers powers to issue statutory notices. Notices require that specified action, to achieve compliance, be carried out within a defined timescale.
42. Notices may also prohibit specified activities until the non-compliance has been rectified and/or until safeguards, to prevent future non-compliance, have been put in place.
43. The service of some notices may also be accompanied by a fee to recover costs of investigation, preparation, and service of notices.
44. Failure to comply with a statutory notice may constitute a criminal offence and may lead to prosecution or the imposition of a financial penalty and/or the carrying out of necessary works in default by the council and subsequent recovery or the costs for those works and administration and organisation of them.
45. Some notices issued may be advertised in the public domain, affixed to the premises and/or registered with the Land Registry and/or as local land charges.

### **Orders**

46. Some legislation confers powers to issue statutory orders. Orders require the prohibition or restriction of activities, occupation and/or use, by anyone or specified groups.

47. The service of some orders may also be accompanied by a fee to recover costs of investigation, preparation, and service of the order.
48. Failure to comply with a statutory order may constitute a criminal offence and may lead to prosecution or the imposition of a civil penalty and/or the carrying out of necessary works in default by the council and subsequent recovery or the costs for those works and administration and organisation of them.
49. Some orders issued may be advertised in the public domain, affixed to the premises and/or registered with the Land Registry and/or as local land charges.

## **Action against licences, permits, agreements, etc.**

50. The council issues and enforces a number of formal licences, permits, permissions, agreements, etc. Occasionally the council has a role to play in ensuring that appropriate standards are met and reflect the permits or similar documents issued by other enforcement agencies.
51. Serious or repetitive non-compliance with the terms, conditions or restrictions of a licence, permit, permission, agreement, etc. may lead to its status being reviewed, revoked, suspended, terminated, or amended. In such circumstances this final decision will be reached following compliance with the appropriate process, the presentation of relevant evidence and with all relevant considerations taken into account.
52. Non-compliance with the terms, conditions or restrictions of licences, permits, permissions, agreements, etc. can also result in the instigation of formal action and legal proceedings.
53. When considering premises or person licence applications, the council may, where appropriate, take the previous history of the premises, the person and the applicant into account when processing and deciding such applications.
54. Where stated in the principal legislation most licences and permits are subject to automatic suspension or effectively lapse if they are time limited or if there is a failure to pay due fees.

## **Provision of Services Regulations 2009**

55. Certain licensing activities are considered services and are therefore subject to the requirements of the Provision of Services Regulations 2009. This covers the application process, how fees are set and charged and whether tacit consent is applicable. Where this applies the relevant service shall set out how the licensing process complies with these regulations.

## **Financial penalties**

56. The council has powers to issue financial penalties of various kinds, be they fixed or variable in respect of some offences/non-compliances as set out in a variety of statutes. Some examples are fixed penalty notices (FPNs), penalty charge notices (PCNs) or Civil Penalties.
57. If these notices/fines are not paid, or there is repeated offending, the council may also be able to commence formal enforcement action and/or legal proceedings depending on the statute being applied. This could be recovery or the imposed penalty or prosecution for the offence that led to the imposition of the penalty.

58. If a financial penalty is paid the council will not (or in some cases cannot) take further enforcement action in respect of the non-compliance that led to its imposition. Payment of a financial penalty does not prevent prosecution or the issue of a further penalty in respect of future or recurrent non-compliance.
59. In some circumstances, where a non-compliance is serious in its impact or is recurrent, prosecution may be a more appropriate (where available) recourse that the council takes where there is a choice between a penalty and prosecution.
60. Where the statute stipulates that the council put in place and publish policy, statements, or similar before a power to use financial penalties can be used this will be done by the individual service and covered by that service's enforcement policy

## **Cautions**

### **Simple Cautions**

61. Simple Cautions are an alternative to prosecution and may be offered for some less serious offences where there is sufficient evidence to justify prosecution and the person admits the offence and agrees to accept a caution voluntarily.
62. Where a simple caution is offered and declined, the council is likely to consider taking forward a prosecution.
63. Simple cautions shall be issued in accordance with Ministry of Justice guidelines.

### **Conditional Cautions**

64. Conditional Cautions are another alternative to prosecution and may be offered for some less serious offences where there is sufficient evidence to justify prosecution and the person admits the offence, agrees to accept a conditional caution voluntarily, including the conditions attached to it.
65. If the conditions are complied with or completed within the timescales determined, the case is finalised and there will be no prosecution. If, however, the conditions are not complied with, a prosecution is likely to follow.
66. Conditional cautions shall be issued in accordance with Ministry of Justice guidelines.

### **Injunctive actions, orders etc.**

67. In some circumstances the council may seek a direction from the Court (in the form of an order or an injunction) to ensure that a non-compliance is rectified and/or prevented from recurring. In certain situations, the council can seek injunctions against minors. Where this is considered necessary, no action will be taken against any minor without full consultation with Norfolk County Council's Children's Services and or Norfolk Youth Offending Team.
68. The Court may direct that specified activities be suspended until the non-compliance has been rectified and/or that safeguards have been put in place to prevent future non-compliance.
69. Failure to comply with a Court Order constitutes 'contempt of court', a serious offence which may lead to imprisonment.



70. After the issue of some specific enforcement notices, the council is required to seek an enforcement order from the Court, thus providing the Court with an opportunity to confirm the restrictions previously imposed. Otherwise, the council will usually only seek a Court Order if the circumstances warrant this action.
71. Criminal Behaviour Orders. Where the non-compliance under investigation amounts to anti-social behaviour and, where there is to be a criminal prosecution for the behaviour a Criminal Behaviour Order may be sought to stop the activity. We will always liaise with the Operational Police Team before seeking an Order. This type of action may be used in incidents such as persistent targeting of an individual or a group of individuals in a particular area.
72. Public Spaces Protection Orders are used to prohibit specified activities relating to anti-social behaviours, and/or require certain things to be done by people engaged activities, within a defined public area.
73. Forfeiture Proceedings - This course of action may be used together with seizure and/or prosecution where there is a need to dispose of goods to prevent them re-entering the marketplace or being used to cause a further problem. Any application for forfeiture will be made to the Magistrates' Court.
74. Proceeds of Crime Applications may be made under the Proceeds of Crime Act 2002 for confiscation of assets in serious cases. The purpose is to recover the financial benefit that the offender has obtained from their criminal conduct. Applications are made after a conviction has been secured.

## **Compulsory Purchase and Enforced Sale**

75. Enforced sale – a power that allows the council to recover debts registered against the title of a property by forcing its sale. This is a process set out under the Law of Property Act 1925. If the council utilises this power, it will be done in line with statutes and all relevant guidance to ensure the process is fair and proportionate.
76. Compulsory purchase – a power that allows the council to purchase a property/land without the consent of the owner. There are various legislative powers that allow compulsory purchase in given circumstances, for example the Town and Country Planning Act 1990. If the council utilises this power, it will be done in line with statutes and all relevant guidance to ensure the process is fair and proportionate.

## **Time Limited, Event Specific Powers**

77. Where circumstance dictates, 'time-limited' powers may be introduced by central Government to help control certain events or issues. An example of this would be the emergency powers introduced to help limit the spread of coronavirus during the COVID-19 pandemic.
78. Where the council is empowered to enforce temporary or time limited powers, the following will occur:
  - a. The appropriate officer (usually the Assistant Director or above) will inform the appropriate Director as to their purpose and how they will be implemented, managed, and monitored.

- b. The appropriate officer (usually the Director or above) will delegate powers to appropriate officers, with the consummate experience, knowledge and, where appropriate, qualifications, to manage and to discharge these duties.
  - c. A temporary authorisation for the use of the temporary powers, will be issued for relevant officers, which the Authority will be able to produce on request.
  - d. Where required, officers will be provided with appropriate training.
  - e. Where required, risk assessments will be amended and/or introduced to cover the use of the temporary powers and any attendant staff safety consequences of said powers.
  - f. Systems will be adopted or adjusted to ensure the use of the temporary powers can be recorded, monitored, and managed.
79. It may be that there are other distinct enforcement agencies empowered to enforce the same or different, but related, powers. Where this is the case, the appropriate officer (usually the Service Manager or above) will ensure that:
- a. Named individuals of appropriate position in other agencies are contacted and communication lines established.
  - b. Temporary protocol/s is/are agreed and instigated, that clearly define the roles of the agencies, particularly where there is a joint enforcement role, and how activity will be coordinated, recorded, and monitored.
  - c. A steering group arrangement will be established or co-opted to oversee any activity. Decisions and actions arising from these meetings will be recorded.
  - d. Where required activities will be effectively coordinated, for example joint operations. This may necessitate the need for the establishment of 'operational groups. The jointly agreed arrangements and outcomes arising from operations will be recorded.

## Byelaws

- 80. A byelaw is a locally adopted law that can be espoused by the council. There are a number of acts of parliament that allow this process (enabling Act's). The process for adopting byelaws is set out in [The Byelaws \(Alternative Procedure\) \(England\) Regulations 2016](#). The process is overseen by the Ministry of Housing, Communities and Local Government (MHCLG) and final approval is given by the Secretary of State.
- 81. Where a byelaw is adopted by the council the relevant Service will set out how this is used under their own specific Enforcement Policy. An example of an adopted byelaw in South Norfolk is in respect of our Private Hire and Hackney Carriage Policy and Conditions.

## Formal actions – legal proceedings

- 82. The council may prosecute in respect of non-compliance with appropriate legislation in line with the principles set out in this enforcement policy.
- 83. The appropriate Assistant Director with legal advice must consent to any decision to instigate legal proceedings and shall have regard to the Crown Prosecutions Service's Code for Crown Prosecutors as well as this policy.

84. The Crown Prosecution Service's Code involves a two-test decision making process namely, an evidential test and a public interest test. If there is insufficient evidence to provide a realistic prospect of conviction, then no prosecution should be undertaken. Where there is sufficient evidence then a prosecution must also be determined to be in the public interest.
85. Successful prosecution can also lead to the disqualification of individuals from specific activities or from acting as company directors. For example, the prosecution of a private sector landlord, or managing agent, may render them 'a not fit and proper person' under the terms of the council's private sector housing licensing scheme(s).

## Decisions on enforcement action

86. Deciding when and how to take enforcement action will be taken based on the following guiding principles.
- a. **Accountability** - to recognise that it is the responsibility of every business and individual to comply with the law and that most want to do so.
  - b. **Proportionality** - to ensure that action taken relates directly to the actual or potential risk to health, safety, the environment, or economic disadvantage to residents, consumers, or businesses.
  - c. **Consistency** - to ensure a broadly similar approach is taken in similar circumstances to achieve consistent results with due regard to the specifics of each case.
  - d. **Transparency & Openness** - to ensure that the enforcement action that will be taken by the council is easily understood and that clear distinctions are made between legal requirements and what are recommendations that not compulsory.
  - e. **Objectivity** - to ensure that decisions are not influenced by reason of ethnicity, gender, gender reassignment, marital and civil partnership status, pregnancy and maternity, disability, sexual orientation, age, socio-economic status, employment status, or religious beliefs of the offender, victim, or witnesses.
  - f. **Equality** - to ensure that specific consideration is given to meet any special needs of business proprietors/managers and the public where appropriate. Sensitive consideration will be given where persons involved are children, elderly, infirm or vulnerable because of mental ill-health.
  - g. **Targeting** - to ensure that regulatory action is directed primarily at those activities that present the greatest risk.
  - h. **Deter** – to ensure the perpetrator and others are deterred from repeating the non-compliance.
  - i. **Improve** - to ensure behaviours standards are improved for the benefit of the wider community.
87. Decisions will:
- a. Consider whether similar social, environmental, or economic outcomes could be achieved without taking enforcement action.

- b. Consider risk, negligence or culpability and protect people from any (further) harm.
- c. Include the details and results of any requirement to consult with other organisations before taking action.

## **Appealing enforcement decisions & complaints against the service**

- 88. Where there are rights of representation or appeal mechanisms against enforcement decisions these will be communicated in accordance with the relevant statutory obligations. In the absence of such obligations these will be communicated at the same time as the action is taken, or, if that is not possible, as soon as is reasonably practicable afterwards.
- 89. Service specific standards may be published on the council's website. Where these are not available online, they can be advised in writing on request by the relevant enforcement service area or team.
- 90. An appeal against enforcement action is distinct and separate from a complaint against the conduct of an officer or a service. If the recipient of enforcement action or someone affected by that enforcement action is aggrieved by its imposition, they should seek remedy by way of appeal to the relevant authority/court/tribunal, where they are legislatively allowed to do this. If anyone is dissatisfied with the conduct of council officers/service, or believes there has been a failure to follow this policy, any related codes, or to meet service standards, a 'complaint about service' can be made using the council's Complaint procedure <https://www.southnorfolkandbroadland.gov.uk/downloads/file/3617/south-norfolk-council-complaints-policy>

## **Publicising enforcement actions**

- 91. The publicising of enforcement actions is beneficial both to raising general awareness of the law, and to reassuring local communities of enforcement action taken. The council will normally publicise the particulars of prosecution outcomes, including details of defendants' identities, subject to exceptions in individual cases on legal grounds. The council will normally to publicise the nature and broad location of fixed penalty notice enforcements (usually after the compliance period has expired) but not the identifying details of individuals subject to them (there may occasionally be exceptions). Officers will consider the advice of both legal and communications representatives with regard to press releases and other publicity to ensure the prevention of any legal matters, communication sensitivities or data protection matters are addressed and to ensure any media releases align with corporate objectives. Where such a decision would be an exception to the general rule, the decision will normally be taken between the relevant Assistant Director and another Director or Assistant Director.
- 92. Enforcement actions and outcomes will only be published with the intention of:
  - a. Reassuring community stakeholders that legislative non-compliance is taken seriously and dealt with,
  - b. providing public information on the standards of acceptable conduct and thus to deter others from undertaking similar non-compliant activities,
  - c. promoting and increasing intelligence about similar issues, and
  - d. to act as a deterrent to offenders or potential offenders from offending or repeat

offending.

93. In all cases the human rights of victims, witnesses, and those against whom action has been taken, shall be taken into account.

## **Public Registers**

94. Certain legislation/statute requires/allows the council to add details of certain enforcement activity or licensing onto a public register, for example the database of rogue landlords, etc. These will be maintained by the council in accordance with statute and guidance.

## **Conduct of Investigations**

95. Investigations relating to enforcement activities will be conducted in accordance with relevant legislation and statutory obligations and with regard to any associated guidance or codes of practice, in so far as they relate to the council and its officers.
96. At the time of publication these include:
- a. Police and Criminal Evidence Act 1984
  - b. Criminal Procedure and Investigations Act 1996
  - c. Building Act 1984
  - d. Housing Act 1996
  - e. Housing Act 2004
  - f. Criminal Justice and Police Act 2001
  - g. Criminal Procedure and Investigations Act 1996
  - h. Human Rights Act 1998
  - i. Regulation of Investigatory Powers Act 2000
  - j. Investigatory Powers Act 2016
  - k. Criminal Justice and Police Act 2001
  - l. Legislative and Regulatory Reform Act 2006
  - m. Regulatory Enforcement and Sanctions Act 2008
  - n. Protection of Freedoms Act 2012
  - o. Regulators' Code 2014
  - p. General Data Protection Regulations 2016
  - q. Proceeds of Crime Act 2002
97. These Acts, Regulations and their associated guidance, control investigations and how evidence is collected and used. They give a range of protections to investigating officers, potential defendants, and the public.

## **Authorisation of Officers**

98. Only officers who are competent by training, qualification and/or experience will be authorised to take enforcement action.

99. Officers will also have sufficient understanding of this enforcement policy to ensure a consistent approach to their duties.
100. Due regard will be given to the qualification requirement framework applicable to each professional area of enforcement expertise.
101. Officers will always identify which service area they represent. They shall show their official identification or authorisation whenever exercising statutory powers and on request.
102. Details of which officers are authorised to make decisions about enforcement action are contained within the council's constitution, various schemes of management and in the council's Scheme of Delegation. These documents along with service specific procedures, can be made available on request.
103. Community Safety Accreditation Scheme (CSAS) – is a voluntary process whereby the chief constable can choose to accredit Local Authority officers with certain police powers to help tackle certain issues, for example the issuing of fixed penalty notices for cycling on a footpath, etc. Where council Officers have been accredited with these powers they will be set out in the scheme of delegations and will be part of the officer's authorisations.
104. Byelaws – where byelaws are adopted by the council, they will be set out in the scheme of delegations and will be part of the relevant council Officers authorisations.

## **Partners & Protocols**

### **Partners**

105. The council works with a wide range of partners, stakeholders, professional bodies, neighbouring local authorities, and partner enforcement agencies (internal and external). The council values the partners we work with and will engage with them in relation to enforcement activity and procedures where there are dual enforcement roles or specific targeted activity. An example of this would be working with the police in terms of antisocial behaviour issues within our areas.

### **Protocols**

106. Protocols are developed to help clarify how services will work with other partners, enforcement agencies or internal services in relation to enforcement activity, especially where there are dual enforcement roles. Each service is responsible for developing their own protocols.

## **Management of Enforcement Action for Vulnerable People**

107. As a guiding principle across all services, where enforcement action is considered against any vulnerable person where possible and appropriate consultation will take place with the appropriate Norfolk County Council / voluntary teams including Norfolk Safeguarding Adults Board (NSAB) and Norfolk County Council's Adults Social Services.
108. The process helps to ensure that a proportionate approach is taken, properly considering the needs of a vulnerable resident with our responsibility to the wider communities that we serve. It recognises that a person's responsibilities are not mitigated by the presence of a vulnerability, e.g., not to cause a statutory nuisance to others. Safeguarding issues and the support needed to meet responsibilities are key points.

## Management of Enforcement Action for Minors

109. As a guiding principle across all services, where enforcement action is considered against any minor where possible appropriate consultation will take place with Norfolk County Council's Children's Services. This is to ensure that such a decision is fully informed by any other relevant considerations and any wider proceedings that may be ongoing.
110. South Norfolk Council, local Police, health services, local schools, community, and the voluntary sector all come together to keep children safe at the Norfolk Safeguarding Children Partnership. Specific safeguarding referrals or consultations will be made as appropriate on a case-by-case basis to ensure suitable protection of the people involved.

## Policy status, feedback, and review

111. This enforcement policy has been approved in line with the council's constitution, following consultation within the council and other enforcement agency stakeholders.
112. This enforcement policy will be monitored by the council's Legal advisors and reviewed in 2025. This may be brought forward if new legislation is enacted, or current legislation is repealed that impacts significantly on the operation or status of this enforcement policy. Consultation will be sought should a review indicate significant change to the policy is needed.
113. Feedback on this enforcement policy may be given at any time via corporate complaints or form.

## Contact details and obtaining copies of this policy

This policy will be published on the council's website and will be available to download.

Hard copies are available on request.

The council's accessibility statement is published on the website at:

<https://www.southnorfolkandbroadland.gov.uk/accessibility>

By letter at

South Norfolk Council, Cygnet Court, Swan Lane, Long Stratton, Norwich NR15 2XE

By telephone at

South Norfolk Council: 01508 533701

By email at

South Norfolk Council at [business.support@southnorfolkandbroadland.gov.uk](mailto:business.support@southnorfolkandbroadland.gov.uk)

## **Appendix 1 - Guidance and legislative codes that influenced the preparation of the policy**

### **1 Principles of Good Regulation**

The Legislative and Regulatory Reform Act 2006, Part 2, requires the council to have regard to the Principles of Good Regulation when exercising a regulatory function specified in the Legislative and Regulatory Reform (Regulatory Functions) Order 2007. These include those carried out by our environmental health and licensing services.

### **2 Regulators' Code**

The Council has had regard to the Regulators' Code in the preparation of this policy. In certain instances, we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence, and documented.

### **3 Human Rights Act 1998**

South Norfolk Council is a public authority for the purposes of the Human Rights Act 1998. We therefore apply the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms. This Policy and all associated enforcement decisions take account of the provisions of the Human Rights Act 1998. Due regard is had to the right to a fair trial and the right to respect for private and family life, home, and correspondence.

### **4 The Code for Crown Prosecutors**

When deciding whether to prosecute, the council has regard to the provisions of The Code for Crown Prosecutors as issued by the Director of Public Prosecutions.

### **5 Specific Enforcement Legislation**

For a full list of specific legislation covered by this regulatory enforcement policy you are referred to both the service authorisations and officer schemes of delegation.



## **Shared Prosperity Fund – Investment Plan**

**Report Author(s):** Nina Cunningham & Debra Baillie-Murden  
Strategic Growth Projects Manager & Programme Manager –  
Economic Growth  
01508 533745 & 01603 430597  
[nina.cunningham@southnorfolkandbroadland.gov.uk](mailto:nina.cunningham@southnorfolkandbroadland.gov.uk)  
[debra.baillie-murden@southnorfolkandbroadland.gov.uk](mailto:debra.baillie-murden@southnorfolkandbroadland.gov.uk)

**Portfolio:** Stronger Economy, Better Lives and Finance & Resources

**Ward(s) Affected:** All

### **Purpose of the Report:**

To access South Norfolk's UK Shared Prosperity Fund (UKSPF) allocation, an investment plan must be submitted setting out measurable outcomes that reflect local needs and opportunities. This report proposes Governance arrangements to ensure expenditure meets the requirements of the funding and requests delegations to finalise and submit an investment plan within the required timescales.

### **Recommendations:**

Cabinet to:

- 1** Approve the principal areas of investment as set out within this report.
- 2** Delegate to the Director of Place, in consultation with the Section 151 Officer, the Managing Director and the Leader of the Council, for the sign off and submission of a three-year investment plan to meet the requirements of the UKSPF.
- 3** Delegate to the Director of Place to finalise the initial and ongoing Governance arrangements for the UKSPF.

- 4 Delegate to the Director of Place, in consultation with the Section 151 Officer, the Managing Director and the Leader of the Council, to make any non-substantive changes to the investment plan as required the Department of Levelling up Housing & Communities and to sign the contract and accept the terms of the UKSPF, subject to appropriate legal advice.
- 5 Delegate to the Director of Place, in consultation with the Section 151 Officer, the Managing Director and the Leader of the Council, for the commitment and expenditure of the Council's allocation of UKSPF in line with the investment plan.

## **1. Summary**

- 1.1 The UKSPF replaces European Structural Funds and is central to the Government's Levelling Up agenda. It provides £2.6 billion of new funding for local investment by March 2025, with all areas of the UK receiving an allocation from the Fund via a funding formula rather than a competition. South Norfolk Council has been allocated £1,570,485, subject to the receipt of a compliant investment plan.
- 1.2 It is proposed that the Council focuses on three principal interventions, one in each investment priority which build upon existing work streams. If approved, this approach will maximise the impact of the funding and better secure the delivery of outcomes within the required timeframe.
  - 1.2.1 Communities and Place – Pride in Place work programme
  - 1.2.2 Support for local business – Cambridge Norwich Tech Corridor work programme
  - 1.2.3 People and Skills – Skills work programme to address the barriers to businesses taking on apprentices, work placements and developing a council led training offer.
- 1.3 The deadline for submission of the Council's investment plan is 1 August 22; the Department for Levelling up Housing and Communities will then undertake an assessment and provide feedback as required.
- 1.4 The first wave of approved investment plans are expected to be announced in October 2022.

## **2. Background**

- 2.1 The UKSPF supports the UK Government's wider commitments to level up by delivering on the following objectives:
  - 2.1.1 Boost productivity, pay, jobs and living standards by growing the private sector, especially in those places where they are lagging.

- 2.1.2 Spread opportunities and improve public services, especially in those places where they are weakest.
  - 2.1.3 Restore a sense of community, local pride and belonging, especially in those places where they have been lost.
  - 2.1.4 Empower local leaders and communities, especially in those places lacking local agency.
- 2.2 The UKSPF prospectus contains information on interventions, outputs and indicators and the process for accessing allocations. Funding is being distributed directly to local authorities to address local need through three investment priorities; communities and place, support for local businesses and people and skills. South Norfolk Council has been allocated a total of £1,570,485 over the three-year period to 31 March 2025.
- 2.3 A national skills programme, Multiply, aims to help transform the lives of adults across the UK, by improving their functional numeracy skills through free personal tutoring, digital training, and flexible courses. For Norfolk, this will be delivered via Norfolk County Council.
- 2.4 Details of the priorities which all local authorities are expected to deliver are as follows:
- 2.5 Communities and place - the objectives of this investment priority are:
  - 2.5.1 Strengthening our social fabric and fostering a sense of local pride and belonging, through investment in activities that enhance physical, cultural and social ties and amenities, such as community infrastructure and local green space, and community-led projects.
  - 2.5.2 Building resilient, safe and healthy neighbourhoods, through investment in quality places that people want to live, work, play and learn in, through targeted improvements to the built environment and innovative approaches to crime prevention.
- 2.6 Supporting local business - the objectives of this investment priority are:
  - 2.6.1 Creating jobs and boosting community cohesion, through investments that build on existing industries and institutions, and range from support for starting businesses to visible improvements to local retail, hospitality and leisure sector facilities.
  - 2.6.2 Promoting networking and collaboration, through interventions that bring together businesses and partners within and across sectors to share knowledge, expertise and resources, and stimulate innovation and growth.
  - 2.6.3 Increasing private sector investment in growth-enhancing activities, through targeted support for small and medium-sized businesses to undertake new-to-firm innovation, adopt productivity-enhancing, energy efficient and low carbon technologies and techniques, and start or grow their exports.
- 2.7 People and skills - the objectives of this investment priority are:

- 2.7.1 Boosting core skills and support adults to progress in work, by targeting adults with no or low-level qualifications and skills in maths, and upskill the working population, yielding personal and societal economic impact, and by encouraging innovative approaches to reducing adult learning barriers.
  - 2.7.2 Reducing levels of economic inactivity through investment in bespoke intensive life and employment support tailored to local need. Investment should facilitate the join-up of mainstream provision and local services within an area for participants, through the use of one-to-one keyworker support, improving employment outcomes for specific cohorts who face labour market barriers.
  - 2.7.3 Supporting people furthest from the labour market to overcome barriers to work by providing cohesive, locally tailored support, including access to basic skills.
  - 2.7.4 Supporting local areas to fund gaps in local skills provision to support people to progress in work, and supplement local adult skills provision e.g. by providing additional volumes; delivering provision through wider range of routes or enabling more intensive/innovative provision, both qualification based and non-qualification based. This should be supplementary to provision available through national employment and skills programmes.
- 2.8 The Fund focuses on communities and place and supporting local business interventions in 2022-23 and 2023-24. This complements existing residual employment and skills funding from the European Social Fund. People and skills interventions can only be selected for 2024-25 unless continuing existing EU funded programmes delivered through voluntary and community organisations.
- 2.9 To access their allocation, each authority has been asked to submit an investment plan setting out measurable outcomes that reflect local needs and opportunities. The deadline for investment plans to be submitted is August 2022.
- 2.10 To access these funds the Council is expected to work with local partners to develop the investment plan to ensure that Fund investments complement other activities in the area and meet collective objectives.

### 3. Current position/findings

- 3.1 Details of the funding allocations per annum, suggested revenue/capital split (pending negotiation) is included with the table below which includes 4% permissible administration fee in the overall allocation.

	2022/23	2023/24	2024/25	Total
SNC Total	£190,593	£381,186	£998,706	<b>£1,570,485</b>
SNC Admin fee	£7,624	£15,247	£39,948	<b>£62,819</b>

	2022/23	2023/24	2024/25	Total
Revenue:	£163,910	£316,385	£749,017	£1,283,321
Capital	£19,059	£49,554	£199,741	£224,345

- 3.2 Although funding can be backdated to 1 April 2022, careful financial planning will be required to guard against any annual underspends which will be removed from the allocation.
- 3.3 Supporting Local Economic Growth is a value for money report compiled by the National Audit Office. It examines government expenditure in order to form a judgement on whether value for money has been achieved and makes recommendations to public bodies on how to improve public services. The report assesses the effectiveness of a variety of schemes to assess whether they achieved a positive impact on employment.
- 3.4 The recommendations in the report have been considered in developing the programmes outlined below to maximise the impact of the UKSPF in South Norfolk.
- 3.5 The UKSPF prospectus includes guidance on who should be represented on the local partnership group for the development and delivery of this fund. To align with the expectation of the investment plan the proposed board for South Norfolk is included as Annex 1.

#### 4. **Proposed Action**

- 4.1 It is proposed that three primary programmes are supported. Full details of proposals will be finalised in time for the investment plan to be submitted and are subject to change following negotiations with DLUHC:
- 4.2 **Programme 1: Pride in Place.** This project fits into the communities and place investment priority, directly linking to intervention E11: Investment in capacity building and infrastructure support for local civil society and community groups. This programme is an opportunity for the Council to reconfigure and effectively resource a work programme which will re-shape how best to deploy a more holistic suite of services across our Parish and Town Councils.
- 4.3 Funding will be utilised to recruit a programme team led by a Relationship Manager, working closely with Town and Parish councils to create, manage and enable effective two-way communication between tiers of local Government.
- 4.4 The Councils and officer teams worked closely through COVID with in excess of 40 Mutual Aid Groups, many of who were existing or developed at pace in response to the pandemic. These groups, often established by or affiliated with the local town or parish council proved to be an invaluable part of the areas COVID response machinery, enabling the deployment of local and key resources in the community to solve local issues of 1,500 cases of improved access to food, 4,000 medications and prescriptions delivered and 250 incidences of telephone befriending. The Council have continued to harness this key assets, developing

and augmenting community enthusiasm to sustainably support local residents and help to prevent the need for longer term support or crises interventions. With minimal investment of less than £20k of Containing Outbreak Management Funds, these groups have gone from strength to strength, typifying the community spirit a Pride in Place programme will seek to develop. But, there are areas of our district who are not well served by community groups.

- 4.5 The Pride in Place Programme will seek to build on the phenomenal success and work with areas to set up or further support this incredible local knowledge and capacity to ensure that communities are best placed to help each other and provide local solutions to local problems, potentially as wide ranging as social support, important civic engagement, local infrastructure or important work to improve the local environment or environmental behaviours, offering support, investment and access to funding.
- 4.6 The work programme will proactively identify opportunities arising from the Government's Levelling Up Agenda and work closely with district and county councillors to ensure strong awareness of services delivered and to feed local information back into organisational and council thinking.
- 4.7 Community assets are at the centre of place and how people feel about, relate to, and take pride in their local area. The Council have the mechanism to work with the community to ensure that key aspects of local community infrastructure development and maintenance are brought forward at pace. South Norfolk has in place a flagship scheme which, working alongside Town and Parish Councils, enables local communities to access finance as an interest free loan to bring forward key infrastructure projects and ideas to reality, with the loan secured against future Community Infrastructure Levy (CIL) income based on planned development. This is in addition to the pooling and joint use and allocation to CIL by 4 local authorities across the Greater Norwich area via the Greater Norwich Growth Board, developing strategic infrastructure assets and projects to enable and develop local communities.
- 4.8 This approach to the design and delivery of new service model will be sought to be expanded to other communities within the district footprint, with significant opportunity due to the development at scale and the possible access, use and enhancement of CIL and other community infrastructure products. The Pride in Place programme will assist with the generation of more pipeline opportunities, working closely with local and strategic partners to bring more integrated service offers to existing and growing communities in our districts.
- 4.9 It is proposed, the capital funding available will be utilised to expand and enhance the *Community Infrastructure Funding* offer, bringing forward delivery of key pieces of infrastructure avoiding the need to wait until developers pay their CIL contributions. In some instances, this could include providing match funding to Town and Parish Councils for key pieces of infrastructure.
- 4.10 Measurable outputs for this programme include:

4.10.1 Number of organisations receiving financial and non-financial support.

- 4.10.2 Number of Tourism, Culture or heritage assets created or improved.
  - 4.10.3 Number of people attending training sessions.
  - 4.10.4 Number of facilities supported/created.
  - 4.10.5 Amount of green or blue space created or improved
- 4.11 Indicative outcomes for this programme include:
- 4.11.1 Number of new or improved community facilities as a result of support.
  - 4.11.2 Improved engagement numbers.
  - 4.11.3 Increased users of facilities/amenities.
  - 4.11.4 Improved perception of facility/infrastructure project.
  - 4.11.5 Improved perception of facilities/amenities.
- 4.12 **Programme 2: Cambridge Norwich Tech Corridor.** This project fits into the supporting local business investment priority and links closely with intervention E23: Strengthening local entrepreneurial ecosystems and supporting businesses at all stages of their development to start, sustain, grow and innovate, including through local networks. This programme will encourage research, development and innovation to increase the pace and quality of economic growth by resourcing and supporting strong clusters including agri-food and life sciences, manufacturing and engineering, and energy and clean technology.
- 4.13 The Cambridge Norwich Tech Corridor initiative is a public-private partnership set to drive high value economic and social growth by creating the right opportunities, environment and ambition visibility needed for our highest potential technology assets to flourish through supporting strong clusters. More information can be found on <https://www.techcorridor.co.uk/>
- 4.14 UKSPF will be utilised to recruit a programme team, led by a Programme Manager leading on the Cambridge Norwich Tech Corridor Partnership for South Norfolk, bringing together business and political leaders with a shared ambition to create a top-tier destination for technology businesses, talent and investors.
- 4.15 The programme will fast track the delivery of the Cambridge Norwich Tech Corridor ambitions including links to the Oxford Cambridge Arc. Working with relevant partners to identify key opportunities to work with partners to facilitate the delivery of low carbon energy projects to power employment land e.g. biomass, solar or alternative energy sources within our districts.
- 4.16 Funding will be available for feasibility studies and planning tools such as Local Development Orders to open up and safeguard employment sites close to and connected to local work forces and public/ sustainable modes of transport.
- 4.17 Cluster group support will be based on the expanding existing networks such as New Anglia Advanced Manufacturing & Engineering (NAAME). This cluster group is currently funded from NALP to provide a Project Manager. The cluster, which is free to join, provides the opportunity to network with likeminded senior leaders in the sector to; share and solve challenges; build awareness of the local supply chain; tailor introductions to suit sector needs; explore new market opportunities and ultimately share best practice. Recent outcomes include the

launch of £7.4m Productivity East a 'state-of-the-art' regional hub for engineering and technology and the delivery of a new HR forum in collaboration with Make UK which supports cluster members with workforce challenges and opportunities.

- 4.18 The Norfolk and Suffolk Food Innovation cluster was established in to provide innovation support to food and drink organisations and their supply chains. Membership is free to join, and benefits include access to research and development collaborations with academics on the Norwich Research Park, 1 to 1 workshops and support, space at trade events and access to training and professional development courses.
- 4.19 Measureable outputs for this programme include:
  - 4.19.1 Number and m<sup>2</sup> of commercial buildings developed or improved.
  - 4.19.2 Number of potential entrepreneurs provided assistance to be business ready.
  - 4.19.3 Number of businesses receiving financial and non-financial support.
- 4.20 Indicative outcomes for this programme include:
  - 4.20.1 Jobs created/safeguarded.
  - 4.20.2 Number of new businesses created.
  - 4.20.3 Number of businesses adopting new to the firm technologies or processes.
  - 4.20.4 Increased number of businesses engaged in new markets.
  - 4.20.5 Number of businesses with improved productivity.
  - 4.20.6 Number of businesses introducing new products to the firm.
- 4.21 **Programme 3: Addressing the barriers to businesses offering placements and taking on apprentices.** This project fits into the people and skills investment priority, therefore funding is only available from 2024/25. The proposal links closely with intervention E38: Support for local areas to fund local skills needs. The overarching opportunity is to create higher levels of high skilled employment, attract inward investment into the UK and tackling unemployment while maintaining equality of opportunity and inclusive growth.
- 4.22 The programme recognises the positive impact on employment through apprenticeship programmes as highlighted by the National Audit Office and understands the barriers to businesses offering placements and apprenticeships.
- 4.23 The focus will be on addressing localised skills shortages to support key clusters including life science which is experiencing a surge in investment post-pandemic. UKSPF will be utilised to provide specialist support to businesses through a flexi-apprenticeship model. Those supported will be employed through the Council, with placements in local SMEs reducing the risk for both the business and employee.
- 4.24 Funding will be available to provide bespoke training and support to meet local demands such as transitioning to low carbon technologies and servicing key supply chains e.g. the Vattenfall led vanguard and Boreas projects largest wind farm in the world.



4.25 Measureable outputs for this programme include:

4.25.1 Number of people retraining.

4.25.2 Number of people in employment engaging with the skills system.

4.26 Indicative outputs for this programme include:

4.26.1 Number of people in education/training

4.26.2 Number of people in employment, including self-employment, following support

4.26.3 Number of economically active individuals engaged in mainstream skills education and training

## 5. Issues and Risks

- 5.1 **Resource Implications** – UKSPF provides revenue funding to ensure programmes are adequately resourced. The Council's allocation also includes a 4% administration allowance to cover costs incurred through the administration of the fund.
- 5.2 **Legal Implications** – Appropriate UK government logos and reference to UKSPF must be prominently displayed on all websites and printed materials relating to funded activity. A plaque of significant size must also be installed at a location readily visible to the public, bearing the appropriate UK government logos, project name and standardised text.
- 5.3 **Equality Implications** – It is a requirement for all decision making to meet the requirements of the Public Sector Equality Duty.
- 5.4 **Environmental Impact** – A requirement of the funding is for projects to support green growth, working with the natural environment to achieve the UK's legal commitment to cur greenhouse gas emissions to net zero by 2050 and improve resilience to natural hazards.
- 5.5 **Crime and Disorder** – Within the communities and place investment priority, and therefore the Pride in Place programme, there is an objective to build resilient, healthy and safe neighbourhoods. The programme focusses on investment in quality places that people want to live, work, play and learn in, through targeted improvements to the built and natural environment, utilising innovative approaches to crime prevention.
- 5.6 **Risks** – A risk register will be developed on approval of the Investment Plan and maintained throughout programme delivery.
- 5.7 The investment plan covers three full years of funding from April 22 – March 25, however any expenditure incurred prior to approval of the investment is done so at risk. An investment plan which does not meet the requirements will result in ongoing negotiations, which could impact on the Council's ability to fully spend the 2022/23 allocation.

- 5.8 Financial uncertainty – Section 3.1 highlights the Council’s allocation in each of the three years from 2022 – 2025. The allocation must be spent in the appropriate financial year. Any underspend will be lost and the following year’s allocation will be penalised by the same amount.
- 5.9 Programmes are reliant on recruiting suitably qualified and experienced personnel to deliver. Current challenges with recruitment may result in an underspend or lead to an escalation of costs if positions cannot be filled as expected.
- 5.10 The programme is reliant on working closely with external stakeholders. There is a reputational risk associated with poor stakeholder engagement leading to disengagement and possible bad press.

## **6. Recommendations**

Cabinet to:

- 6.1 Approve the principal areas of investment as set out within this report.
- 6.2 Delegate to the Director of Place, in consultation with the Section 151 Officer, the Managing Director and the Leader of the Council, for the sign off and submission of a three-year investment plan to meet the requirements of the UKSPF.
- 6.3 Delegate to the Director of Place to finalise the initial and ongoing Governance arrangements for the UKSPF.
- 6.4 Delegate to the Director of Place, in consultation with the Section 151 Officer, the Managing Director and the Leader of the Council, to make any non- substantive changes to the investment plan as required the Department of Levelling up Housing & Communities and to sign the contract and accept the terms of the UKSPF, subject to appropriate legal advice.
- 6.5 Delegate to the Director of Place, in consultation with the Section 151 Officer, the Managing Director and the Leader of the Council, for the commitment and expenditure of the Council’s allocation of UKSPF in line with the investment plan.

## Annex 1 South Norfolk and Broadland SPF Board

Name	Title	Organisation
Phil Courtier	SNC & BDC	Director Place (joint chair)
George Denton	SNC & BDC	Assistant Director Economic Growth (vice chair)
Roz Bird	CEO	AIP LLP Norwich Research Park (R&D / educational provider)
Nova Fairbank	CEO (incoming)	Norfolk Chamber of Commerce
Martin Colbourne	Deputy CEO	City College Norwich
Denise Saadvandi	Head of Service and Designated Safeguarding Lead (Multiply lead)	Norfolk County Council
Steve Earl	Managing Director	Panel Graphic Ltd
Cllr. Lisa Neal	Portfolio Holder for Stronger Economy	South Norfolk Council representing South Norfolk community
Cllr. Jo Copplestone	Portfolio Holder Economic Development	Broadland District Council representing Broadland community
Stuart Durrell	District Partnership Manager	Department Work and Pensions
Hon. Jerome Mayhew	MP	Broadland
Hon. Richard Bacon	MP	South Norfolk
Hon. George Freeman	MP	Mid Norfolk
Hon. Chloe Smith	MP	Norwich North
Hon. Clive Lewis	MP	Norwich South

### Background papers

[UK Shared Prosperity Fund: Prospectus](#)

[Multiply Investment Prospectus](#)

[Supporting local economic growth \(nao.org.uk\)](http://nao.org.uk)

## **Economic Growth Strategic Plan**

**Report Author(s):** Debra Baillie-Murden & Ella Howman  
Programme Manager – Economic Growth & National  
Management Trainee  
01603 430597 & 01508 505284  
[debra.baillie-murden@southnorfolkandbroadland.gov.uk](mailto:debra.baillie-murden@southnorfolkandbroadland.gov.uk)  
[ella.howman@southnorfolkandbroadland.gov.uk](mailto:ella.howman@southnorfolkandbroadland.gov.uk)

**Portfolio:** Stronger Economy

**Ward(s) Affected:** All

**Purpose of the Report:**

For Cabinet to review and approve adoption of the South Norfolk Economic Growth Strategic Plan 2022 – 2027 Summary.

**Recommendations:**

- 1 Cabinet to recommend to Council to approve and adopt the Economic Growth Strategic Plan 2022 – 2027 and use of the South Norfolk Summary as an externally facing document.

## **1. Summary**

- 1.1 This report provides an overview of the development of an Economic Growth Strategic Plan for 2022 – 2027 for South Norfolk Council, in collaboration with Broadland District Council. The Strategic Plan outlines the activities and projects the Economic Growth team will be undertaking to deliver against the priorities in the Council's Delivery Plan.
- 1.2 While being developed concurrently and giving members a common approach to tracking service delivery, the Strategic Plan also enables South Norfolk Council to address local barriers to growth and develop a targeted response. The Summary document (Appendix 1) is specific to the activities proposed for the district.
- 1.3 The full Economic Growth Strategic Plan will continue to be a living document, updated regularly to ensure it continues to address local priorities and opportunities. Progress against activities will be presented to members as part of the existing performance management structure, ensuring data is provided at a district level.

## **2. Background**

- 2.1 South Norfolk businesses have shown great resilience in recent years, however, we are presently in a period of great uncertainty as we face the end of COVID-19 related financial packages and EU funding. The long-term impacts of the pandemic on economic growth can already be seen and have exacerbated pre-existing skills shortages in our districts and led to increasing materials costs due to the fragility of our supply chains.
- 2.2 The proposed plan builds on our local vision and aspirations, drawing down national and regional strategies to outline key activities for the districts. It identifies the social and economic challenges, our economic strengths and opportunities and details the actions and commitments which are needed to support growth, which is clean, inclusive, and productive.
- 2.3 To develop this document the team has engaged with a large number of public and private sector stakeholders in South Norfolk, Broadland and across Norfolk and Suffolk to understand local needs, concerns and opportunities and how as a local authority we can drive growth in the area.
- 2.4 The plan has been developed working closely with neighbouring authorities, in particular Norwich City Council to ensure we are able to support those who live and/or work in South Norfolk and Broadland.
- 2.5 A summary document has been produced to confirm the Council's commitment to supporting the local economy. It identifies the social and economic challenges, our economic strengths and opportunities and details the actions and commitments which are needed to support growth, which is clean, inclusive, and productive.

### **3. Current position/findings**

- 3.1 The proposed Economic Growth Strategic Plan covers the period from 2022-2027 and focuses on the actions we need to take over the five years to secure long-term success. The four main priorities have been finalised as follows:
  - 3.1.1 Growth and investment – Supporting businesses and breakout sectors and securing capital funding.
  - 3.1.2 Quality locations and infrastructure – Quality and affordable housing, building community resilience, improving public transport and improving general infrastructure/connectivity.
  - 3.1.3 Skills and lifelong learning – Addressing the skills shortage, creating high level employment and tackling long term unemployment while maintaining equality of opportunity and inclusive growth.
  - 3.1.4 Enterprise & Innovation – Encouraging the use of new technologies and developing networks.
- 3.2 These priorities will be underpinned by two key principles:
  - 3.2.1 Inclusive Growth – creating opportunity for all segments of the population and distributing the dividends of increased prosperity, both in monetary and non-monetary terms, fairly across society.
  - 3.2.2 Clean Growth – empowering businesses to capitalise on the opportunities provided by the green agenda.
- 3.3 In delivering our plan, we will pay particular attention to the opportunities and potential that exists in key clusters selected based on the potential for growth, location quotient for the two districts, total productivity, and the presence of national or multinational headquarters for businesses within the cluster groups.

### **4. Proposed action**

- 4.1 This report proposes that Cabinet approves the adoption of the Economic Growth Strategic Plan 2022 – 2027 and the use of the Summary as an external facing document to outline how we will address barriers to growth to deliver positive outcomes for the district.
- 4.2 Progress on activities will be provided to members as part of the performance management process, with data provided on a district level. A substantial number of performance indicators are proposed in the draft plan. The viability and appropriateness of these will be reviewed over the next six to twelve months before they are finalised.

## 5. Other options

- 5.1 Members could choose not to adopt the Strategic Plan for 2022 – 2027. This would however mean that we would not have a clear path for delivery for the coming years and impact our ability to support economic growth within the district.

## 6. Issues and risks

- 6.1 **Resource Implications** – Implementation of the Economic Growth Strategic Plan will be carried out within existing resources. Resource implications will be considered as individual work streams are developed and will be brought to Members as required.
- 6.2 **Legal Implications** – The plan has been developed to comply with current legislation related to clean growth; in particular the Net Zero Strategy. Legal implications will be considered as individual work streams are developed and will be brought to Members as required.
- 6.3 **Equality Implications** – The plan recognises the need to educate and train local people for local jobs. Equality implications will be considered as individual work streams are developed and will be brought to Members as required.
- 6.4 **Environmental Impact** – The economy is intrinsically linked to the environment and implications have been considered throughout the development of this Plan with Clean Growth identified as a key principle. Work streams will be developed to result in positive impacts on the environment with implications considered as individual projects are developed.
- 6.5 **Crime and Disorder** – N/A based on current recommendations.
- 6.6 **Risks** – Risks related to individual work streams will be managed through operational risk registers.

## 7. Recommendations

- 7.1 Cabinet to recommend to Council to approve and adopt the Economic Growth Strategic Plan 2022 – 2027 and use of the South Norfolk Summary as an externally facing document.

## Background papers

Economic Growth Strategic Plan 2022 - 2027

# **SOUTH NORFOLK ECONOMIC GROWTH STRATEGIC PLAN 2022-2027 SUMMARY**





South Norfolk has a vibrant and dynamic local economy being home to world-leading research institutes and innovative businesses marking the district as a key component for the economic growth of Greater Norwich.

Presently we are facing an uncertain and potentially challenging future, with the rising cost of living and the end of Covid-19 related funding, despite this, the opportunities are exciting with the government's ambitious Levelling Up and Net-Zero agendas taking centre stage. The South Norfolk Economic Growth Strategic Plan presents a 5-year vision to maximise these opportunities for business and investment, create more jobs, and enhance our communities.

Our strategy sets out a clear mandate for growth based on high-value clusters to enhance productivity, improve competitiveness, and ultimately improve prosperity. Key to this will be our collaboration with Broadland District Council alongside our partners in Government, education, the voluntary sector, industry, and the New Anglia Local Enterprise Partnership (LEP). Attracting inward investment with a strong focus on Greater Norwich and the A11 Corridor will be vital, alongside targeted investment in infrastructure, skills, and enterprise to drive sustainable economic growth well into the future.

**Lisa Neal, Cabinet Member for Stronger Economy at South Norfolk Council**

Our goal is to give businesses across South Norfolk the confidence to invest and grow, creating opportunities for our residents and improving their quality of life in an already outstanding environment

## How Will This be Achieved?

We will achieve this by focusing on four main priorities:



### **Priority 1: Growth and Investment**

Supporting businesses and key clusters and securing capital funding



### **Priority 2: Quality Locations and Infrastructure**

Promote quality and affordable housing, building community resilience, developing a sustainable and accessible transport network by improving infrastructure and connectivity



### **Priority 3: Skills and Lifelong learning**

Addressing the skills shortage, creating high-calibre employment, and tackling long term unemployment while maintaining equality of opportunity and inclusive growth



### **Priority 4: Innovation and Enterprise**

Championing the development of new technologies and networks, particularly relevant in supporting the transition to a Net-Zero carbon economy

# Overarching Principles



## 1. Inclusive Growth

Creating opportunities for all segments of the population and distributing the dividends of increased prosperity, both in monetary and non-monetary terms, fairly across society

## 2. Clean Growth

Empowering businesses to capitalise on the opportunities provided by the Net-Zero agenda

**To deliver these priorities - and often in partnership with others - we will:**

- Secure public and private investment for the district with a focus on areas of high potential growth
- Work with partners to address key infrastructure constraints in relation to energy, transport, housing, flood risk and digital connectivity
- Attract and retain talent in the area and encourage targeted skills development so that residents are equipped for the jobs businesses generate
- Build business networks in key clusters, encouraging knowledge exchange, innovation, supply chain development and access to new markets

# Cluster Focus

Our work will focus particularly on South Norfolk's key clusters and places

## High Performing Clusters

Agri-food and Life Sciences



Manufacturing and Engineering



Visitor Economy and Cultural Sectors



## Growth Clusters

Finance, Insurance and Professional Services



Clean Energy and Technology



## Why Clusters?

A cluster is a group of related businesses that contributes to a healthy economy - providing good jobs, high wages, and new technologies that expand the economy. They also help define target industries where a competitive advantage exists.

Cluster-based economic growth is all about improving the performance of key clusters, so they succeed, grow, and attract similar businesses. The interconnectivity of clusters also provides the opportunity for an economy to gradually expand.

The clusters in this plan have been chosen as focus points based on potential for growth, location quotient, productivity, and the presence of national or multinational headquarters for businesses within the cluster groups. They also align closely with the New Anglia Local Enterprise Partnership's vision for Norfolk and Suffolk to Feed the World, Power the World and Connect the World.

## Actions

To achieve our vision, we have identified key barriers to growth which align to each of our key priorities and have mapped out how we may address them, to deliver positive outcomes.



	Responses	Outcomes
Smaller town centres and high streets are struggling – and the retail sector is under pressure	<p>Following on from the Harleston public realm improvements, investigate similar opportunities</p> <p>Develop and implement a market towns plan</p> <p>Promote the visitor economy and tourism</p> <p>Continue work on the Housing Cluster Allocation Programme</p> <p>Explore and implement opportunities relating to innovative use of vacant space on the high street</p>	<p>Increased footfall and vibrancy of town centers and high streets</p> <p>Improved rate of retention for high street and town center retailers</p> <p>An increase in visits to key sites throughout the district, including off-season tourism</p>
Relatively low levels of inward investment	<p>Develop business cases for commercial investment opportunities in key clusters</p> <p>Aim to attract larger businesses to the district in key clusters</p>	<p>Increased levels of inward investment across the district</p> <p>Increased levels of employment in key clusters</p>

## Quality Locations and Infrastructure



	Responses	Outcomes
Housing affordability	<p>Generate an Affordable Housing Development Plan</p> <p>Continue with plans for a new settlement</p> <p>Work with partners to implement the Greater Norwich Local Plan</p>	<p>Increase in new and affordable homes for residents</p>
Existing grid capacity is constrained in many areas and is, therefore, unable to meet the demands of existing planned and future growth	<p>Lobby UKPN and other regional partners in order to ensure appropriate routes for delivery and build resilience into the energy network</p>	<p>A resilient and sustainable energy network which meets the district's existing, and future, needs</p>
The transport network requires improvement in many areas within the district and access to public transport is limited in more rural and remote areas	<p>Work alongside the County Council, as the highways authority, as well as regional partners and networks such as Transport East to ensure the development of a sustainable highways network which meets the needs of our communities and businesses</p>	<p>A sustainable transport network which will enable planned and future growth whilst also supporting the transition towards Net-Zero</p> <p>Increase in Active Travel rates</p>

	Responses	Outcomes
While this is under the remit of County Council, there are continuing issues linked to digital connectivity	Implement a Community Infrastructure Action Plan to focus our support of the important growth being delivered by Parish and Town Councils	Improved physical and digital infrastructure
Insufficient existing warehouse provision and move on space to meet demand	<p>Hethel Innovation Centre, Food Enterprise Zone and Norwich Research Park: Progress further opportunities for development on the enterprise zones</p> <p>Work with businesses and commercial agents to locate suitable premises where move-on space is available</p>	Increased space available for start-ups and increased retention of expanding businesses in the area





# Skills and Lifelong Learning



	Responses	Outcomes
Aging population	Influence the range of training opportunities to support South Norfolk businesses, increase the employability of residents and encourage lifelong learning	Improved employment outcomes for older residents and increased technological confidence
Existing skills and labour shortages across key clusters	<p>Understand skills gaps and evolve the package of delivery to address local needs</p> <p>Encourage relocation for part time London and Cambridge workers to the district</p>	An enhanced local skills base
Lack of social mobility continues to be an issue, especially amongst those of school age who over the pandemic have not had access to the same career advice or support	<p>Work with partners to expand apprenticeship uptake across the district</p> <p>Work with schools, higher education providers, and business partners to advertise available opportunities in the region</p> <p>Feedback our findings to inform national policy relating to Lifelong Learning</p>	<p>More people in apprenticeships</p> <p>Lower youth unemployment</p>

	Responses	Outcomes
Low productivity and wages	Provide training and support to help those who are underemployed	Increase in productivity and disposable income in the local economy
A shortage in high-quality employment opportunities resulting in low levels of graduate, and high skilled worker, retention	Continue to work alongside regional partners and higher-education providers to develop a vibrant, accessible and aspirational employment sector	Increased levels of retention of graduates and highly-skilled workers





	Responses	Outcomes
<p>Many micro and small companies have limited support to grow</p> <p>Low number of business start-ups compared to the national average</p>	<p>Business support and grant funding</p> <p>Review current provision for networking and business-to-business events</p> <p>Assist smaller enterprises in securing move-on space</p>	<p>Higher business growth rates</p> <p>Enhanced relationships with local businesses</p> <p>Increase in business start-up and survival rates</p> <p>Increase in business support and networking events</p>
<p>Under promotion of South Norfolk as a destination in which to do business</p>	<p>Work with partners to promote the Norwich to Cambridge Tech Corridor and associated cluster formation and growth</p> <p>Raise awareness in and generate income for our area as a destination for use by the TV and Film industries</p>	<p>Increased inward investment</p>
<p>Lack of understanding of supply chains in key clusters</p>	<p>Work with cluster groups to better understand the needs of businesses and what support can be provided</p>	<p>Increased survival rate of businesses, inward investment, and trade activity</p>



Key Issues	Responses	Outcomes
The transition businesses will need to make in order meet central Government net-zero 2050 carbon emission targets	Investigate further opportunities around electric vehicle charging	An overall reduction in territorial carbon emissions with a trajectory in line to meet the Government's 2050 target date for net-zero
	Investigate financial investment and funding opportunities around carbon initiatives for businesses	A sustainable and low carbon economy where business thrives
An increase in extreme weather events has the potential to exacerbate water resource issues. This may increase pressure on water abstraction, leading to further restrictions, whilst increased flooding events may threaten low-lying areas within the district which are vulnerable to the impacts of flooding	Review opportunities for a green bond model	
	Engage with regional partners such as Water Resources East	A sustainable water supply
	Sustainable Urban Drainage (SUDs) - work alongside the County Council and the Lead Local Flood Authority to ensure flood prevention schemes on all new developments	Mitigate and, where necessary, adapt to the impacts of increased extreme weather events
	Promote the use of innovative farming technologies which address water resource issues	SUDs integrated on all new developments
		A more resilient agricultural sector

Key Issues	Responses	Outcomes
The increasing cost-of-living  Energy security	Work with regional partners on community and green energy initiatives to promote affordable energy  Provide support through other council services	Increase in living standards whilst supporting the transition towards Net-Zero carbon emissions



# South Norfolk in Numbers (as of 2021)

## Energy

**103,611.538 MWh**

energy generated each year from renewable sources at current estimates.

## Business

**5,645** Active Businesses

**47.2%** 5-year business survival rates

**5,295** Microbusinesses

**555** business start-ups per year

**25** high growth enterprise

## Employment and Skills

**548**

apprentices in post

**73.6%**

of residents in employment

**4,000**

houses to be built across both Wymondham and Loddon in line with the South Norfolk Local Plan

**674** new homes and

**129** affordable homes delivered

**4**

market towns – Wymondham – Harleston – Diss – Loddon



## **Proposal for an EGYM suite at Wymondham Leisure Centre**

**Report Author(s):** Rob Adams  
Leisure Business Development Manager (Sales and Service)  
01508 533962  
[rob.adams@southnorfolkandbroadland.gov.uk](mailto:rob.adams@southnorfolkandbroadland.gov.uk)

**Portfolio:** Customer Focus

**Ward(s) Affected:** Wymondham and neighbouring parishes

### **Purpose of the Report:**

To seek approval to install an EGYM suite into the fitness space at Wymondham Leisure Centre utilising the S106 monies, that have been specifically designated for use at Wymondham Leisure Centre for a service improvement initiatives.

To request exemption from procurement procedures, based on the fact that EGYM are the sole suppliers of this type of equipment that connects to our current cardiovascular equipment.

### **Recommendations:**

1. That Cabinet grant a procurement exemption for the purchase of an EGYM suite on the grounds that EGYM is a unique supplier and the only supplier of this type of equipment that connects to the current cardio equipment that South Norfolk Leisure have in all centres.



## **1. Summary**

- 1.1 The Leisure Service has been allocated £130,273.42 of S106 monies which needs to be spent within five years of the final payment being received (still to be received) to specifically fund service/facility improvement initiatives, at Wymondham Leisure Centre. The monies cannot be used on any other leisure facility.
- 1.2 South Norfolk Leisure are a year into a covid recovery plan. Officers are exploring several work streams and projects to ensure this is delivered, such as working with external marketing agencies to strengthen brand and create more digital engagement, refreshing fitness equipment and carrying out extensive training with new team members.
- 1.3 Officers have explored the possibility of installing future proofed electro-magnetic resistance machines into the fitness facility. The equipment has a proven track record in regard to attaining fitness goals and importantly retaining members.
- 1.4 The cost of the purchase, installation, training, licences and ancillary products is £118,000. This includes a full five-year warranty on all equipment.

## **2. Background**

- 1.1 Pre Covid, the leisure centre service had 4048 live members, 12 months into the covid recovery plan the service is at 82% of pre Covid live membership levels.
- 1.2 Competition in the fitness sector is fierce with competition from both the premium and budget sector.
- 1.3 It is important for the South Norfolk Leisure Service to stand out from its competitors and attract the following types of potential new members/users;  
  
Pre-Contemplators (60% of potential member base)  
Contemplators (25%)  
Information Seekers (10%)  
Ready to buy (5%)
- 1.4 South Norfolk Leisure is currently working with an external marketing agency TA6 to improve the awareness of the service through digital engagement, this will specifically help to target the % of the local market that currently do not use a facility to encourage them to begin their fitness journey with South Norfolk Leisure.
- 1.5 To improve the offer that the service provides and to reach a wider demographic, officers have investigated the advantages of installing an EGYM suite to the facility at Wymondham. EGYM is electro-magnetic smart resistance training equipment that is suitable for all demographics from beginners to experts with personalised training programmes for every user to guarantee results, supporting retention.

- 1.6 Research has been undertaken to determine the effectiveness of this type of training method on specific populations such as those with diabetes, those who have suffered a fall or are at risk of a fall, and patients requiring rehabilitation.
- 1.7 EGYM offers an end-to-end solution with the member app allowing members/users to track their workouts and progress in the gym and beyond for a seamless and varied training experience.
- 1.8 User satisfaction studies have suggested that EGYM users are 17% less likely to switch gyms and motivation increases leading to EGYM users visiting the gym 20% more frequently.
- 1.9 Member retention is a constant battle in the sector and the market is extremely fickle. South Norfolk Leisure needs to introduce initiatives to retain members and attract new users and the introduction of an EGYM suite is a powerful tool in achieving this.

- 1.10 As an EGYM user one would expect;

Strength increases (studies state that 29% increase within three months)  
Reduction in imbalances, helping with flexibility and posture supporting falls prevention

Weight loss, average weight loss of 22 pounds after three months of training  
Reduction in Bio Age of 16 years after just three months of training

## **2. Current position/ findings**

- 2.1 South Norfolk Leisure provides a service in a very competitive marketplace with regards to attracting new users for the gyms and retaining these members. As it currently stands the gyms lack a USP over our competitors, except for perhaps volumes of kit and variety.
- 2.2 Membership attrition currently stands at 8.3% (rolling monthly) and we are 18% away from pre-covid membership levels.
- 2.3 An EGYM suite would offer future proofed state of the art resistance machinery that is controlled by electromagnetic resistance. All users are allocated a wrist band and this stores the users workout details such as; resistance loading, repetitions and seat positions. After an initial induction, all the user will be required to do is tap on the unit and all the stored data will adjust the settings, specific to the user – takes all the thinking out of working out!
- 2.4 The fact that the equipment requires an initial induction will provide the fitness team with the opportunity to communicate with the members/users (existing and new). These interactions go a long way to making people feel welcome and settled. We will encourage reviews on the EGYM suite to maintain this interaction.

- 2.5 The equipment is excellent for new and pay as you go users, less confident gym users, older users and on the opposite end of the spectrum can be used for the most experienced of gym users thanks to its wide range of training programmes from immunity boost to muscle building. Immunity boost will show how members can return post covid and re-build their immune health.
- 2.6 Research carried out indicates that EGYM users are likely to attend the facilities more than other gym users. EGYM users have been found to use the gym up to 3 visits more per month (independent report by GG Fit).
- An EGYM installation at a gym in Blackpool had an extra 5000 visits post install, in a comparative 4-month period September 18 to Jan 19 V's Sept 19 to Jan 20.
- 2.7 The equipment will help users achieve the following fitness goals; athletic development, muscle building, general fitness, weight loss, body shaping, rehab fit and metabolic fit.
- 2.8 Rehab fit will enable us to work with colleagues in the community's team, Broadly Active and other referral schemes. The equipment is extremely effective at providing rehabilitative training for physical ailments or post injury. A study in Munich concerned with falls prevention found that explosive training, positively increased muscle state and functionality to reduce falls in older people.
- Type 2 Diabetes – a study conducted by EGYM in Europe proved that strength training is an important factor in the treatment of diabetes and has led to improvements even when diet is not controlled. The Study also showed that people who exercise more frequently had a greater effect on the HbA1c value and all other factors concerned with diabetes.
- 2.9 South Norfolk Leisure's current marketing and digital support agency (TA6) are already working with current EGYM facilities across the UK. Meaning that they are already able to use tried and tested methods for attracting potential new users

### **3. Proposed action**

- 3.1 Cabinet grant approval for officers to purchase the EGYM suite for Wymondham Leisure Centre utilising available S106 funding.
- 3.2 South Norfolk Members to grant a procurement exemption on the grounds that EGYM are the only supplier of this equipment that will work alongside South Norfolk Leisure's current fitness equipment supplier.

### **4. Other options**

- 4.1 For officers to propose an alternative initiative to improve the facility offer at Wymondham Leisure Centre utilising the S106 monies.

### **5. Issues and risks**

- 5.1 The machinery may not prove popular with the users of the facility. However, research suggests that the equipment has the opposite effect and helps with customer satisfaction, motivation and ultimately results.
- 5.2 Buy back on equipment of this nature is high compared with that of traditional equipment. After five years the EGYM suite would typically have a residual value of 25% compared to 12% for the traditional fitness equipment.
- 5.3 **Resource Implications** –. The costs of the equipment will meet from the allocated S106 monies which can only be used for service improvements at Wymondham leisure centre.
- 5.4 **Legal Implications** – The purchase will require the granting of an exemption to the Council's procurement procedures as EGYM are the only suppliers of this type of equipment.
- 5.5 **Equality Implications** –The equipment is designed to benefit a wide demographic.
- 5.6 **Environmental Impact** – None
- 5.7 **Crime and Disorder** – None
- 5.8 **Risks** – None further in addition to the previous ones stated

## 7. Conclusion

- 6.1 In conclusion, the leisure service needs to think outside the box when it comes to developing and taking the business forward. No other provider in Norfolk currently has an EGYM suit, this would make South Norfolk Leisure unique. Our members are encouraged to use all sites within their membership so although the equipment will be at Wymondham it will be readily available for members from other centres too.

## 8. Recommendation

That Cabinet grant a procurement exemption for the purchase of an EGYM suite on the grounds that EGYM is a unique supplier and the only supplier of this type of equipment that connects to the current cardio equipment that South Norfolk Leisure have in all centres.

## Background papers



Fact Sheet\_eGym  
Diabetes Study 2018\_

<https://www.healthclubmanagement.co.uk/health-club-management-features/Supplier-showcase-Bouncing-back/34681>

**CABINET CORE AGENDA 2022/23**

<b>Date</b>	<b>Key</b>	<b>Title of Report</b>	<b>Responsible Officer</b>	<b>Portfolio Holder</b>	<b>Exempt</b>
<b>11 Jul</b>	Key	City Deal Borrowing and the Establishment of the Greater Norwich Strategic Investment Fund	Phil Courtier	John Fuller	
		Egym Procurement	Simon Phelan / Rob Adams	Richard Elliott	
	Key	Shared Prosperity Fund Investment Plan	Nina Cunningham	Lisa Neal	
		Economic Growth Plan	Debra Baillie-Murden	Lisa Neal	
		Redenhall with Harleston Neighbourhood Plan – Consideration of Examiner's Report	Richard Squires	John Fuller/Lisa Neal	
	Key	Garden Waste Disposal Contract Procurement	Simon Phelan	Graham Minshull	Exempt
	Key	Gypsy and Traveller Allocation Site Public Consultation	Adam Banham	John Fuller	
	Key	Enforcement Policy	Nick Howard	Alison Thomas	
<b>5 Sept</b>		Starston Neighbourhood Plan – Consideration of Examiner's Report	Richard Squires	John Fuller/Lisa Neal	
	Key	Submission of Diss and District Neighbourhood Plan	Richard Squires	John Fuller/Lisa Neal	
	Key	Submission of Wymondham Neighbourhood Plan	Richard Squires	John Fuller/Lisa Neal	
	Key	Approach to Resourcing Fraud Work	Rodney Fincham	Adrian Dearnley	Exempt
		Using Intelligence to achieve a First Class Customer Service	Sinead Carey / Shaun Crook	Kay Mason Billig	
<b>26 Sept</b>		Best in Class Housing Phase Two Development – Customer Focus	Richard Dunsire	Alison Thomas	
		Health and Wellbeing Strategy	Mike Pursehouse	Alison Thomas	
	Key	Dog related Public Space Protection Orders	Andrew Grimley / Teri Munro	Graham Minshull	
	Key	Dog Warden Contract Award	Andrew Grimley	Graham Minshull	
		Digital Mail Solution	Craig Moore	Kay Mason Billig	
	Key	Licensing Fees and Charges	Nick Howard	Graham Minshull	
	Key	Licensing Service Review	Nick Howard	Graham Minshull	
	Key	Electric Vehicle Charging Points	David Disney	Lisa Neal	

Date	Key	Title of Report	Responsible Officer	Portfolio Holder	Exempt
	Key	Commuted Sums Action Plan	Helen Sibley / Sally Hoare	Lisa Neal	
	Key	Affordable Housing Development Plan	Helen Skoyles	Lisa Neal	
<b>31 Oct</b>	Key	Draft Local Development Order Browick Interchange	Nina Cunningham/ Glen Beaumont	Lisa Neal	Exempt
	Key	Draft Local Development Order FEP	Nina Cunningham/ Glen Beaumont	Lisa Neal	Exempt
	Key	Food Safety Service Review	Nick Howard	Graham Minshull	
<b>5 Dec</b>		Performance Report Q2 2022/23	Sinead Carey / Helen Hall	Adrian Dearnley / Kay Mason Billig	

*A key decision is an executive decision which will:*

- (a) result in the Council spending, or saving a **significant** amount compared with the Budget for the service or function the decision relates to; or*
- (b) to be **significant** in terms of its effects on communities living or working in an area, comprising two or more wards in the area of the Council, in that it will:*
  - (i) Have a long-term, lasting impact on that community; or*
  - (ii) Restrict the ability of individual businesses or residents in that area to undertake particular activities; or*
  - (iii) Removes the provision of a service or facility for that community; or*
  - (iv) Increases the charges payable by members of the community to provide a service or facility by more than 5%; or*
  - (v) Have the potential to create significant local controversy or reputational damage to the Council; or*
  - (vi) Is a matter that the decision maker considers to be a key decision.*

*When assessing whether or not a decision is a key decision the decision maker must consider all the circumstances of the case. However, a decision which results in a significant amount spent or saved will generally be considered to be a key decision if:*

- (a) the amount spent is £200,000 or more of revenue expenditure; or*
- (b) savings of £75,000 or more per annum, or*
- (c) capital expenditure of £200,000 or more (where a decision makes a commitment for spending over a period of time, it is the total commitment that must be considered to see if it is a key decision).*