

South Norfolk Village Clusters Plan (VCHAP), Regulation 19 Addendum, July 2024

Duty to Cooperate Statement

Introduction

Councils have a duty to cooperate as set out in the 'Maintaining effective cooperation' section of the National Planning Policy Framework (NPPF, December 2023, paras 24 to 27), focusing on strategic, cross boundary matters. The Village Clusters Plan deals specifically with relatively small-scale housing development, circa 12-50 units. Whilst a number of these are located close to the boundary with adjoining authorities, their scale means that strategic issues are most likely to be due to the cumulative impact of development.

Greater Norwich Local Plan (GNLP)

The obligations for the VCHAP derive from the GNLP, which sets out the requirement for at least 1,200 homes to be allocated on sites within the South Norfolk Village Clusters. The GNLP has itself been through an extensive Duty to Cooperate process, detailed in 'GNLP Statement of Compliance with the Duty to Cooperate, 29/10/2021'. This Statement deals with how cooperation on the distribution of development in the GNLP (which includes the requirement for 1,200 dwellings noted above) has been undertaken. In summary, this included:

- the multi-district Strategic Housing Market Assessment and the Greater Norwich Housing Needs Assessment; and
- the Norfolk Housing and Economic Land Availability Assessments (HELAAAs), the methodology for which was agreed by the Norfolk planning authorities in 2016.

The latter sets out an approach which has also underpinned the Site Assessment approach in the VCHAP (see VCHAP Consultations below). The HELAAs completed across Norfolk demonstrate that each of the authorities can accommodate the required growth within their own Development Plan areas, which includes the 1,200 dwellings in the South Norfolk Village Clusters, as part of the GNLP area. Meeting these needs also fulfils Agreement 11 of the Norfolk Strategic Planning Framework (NSPF).

Norfolk Strategic Planning Framework (NSPF): Statement of Common Ground

The NSPF has been developed and subsequently updated under the Norfolk Strategic Member Forum, since a formal agreement to work on cross-boundary issues in 2015. This work is supported by the Norfolk Strategic Planning Officers Group. The first version of the NSPF was endorsed by the Norfolk authorities (including the Broads Authority) in 2019 with an update ratified by partners in 2021. The NSPF sets out a series of Agreements, including Agreement 11 noted above on meeting housing needs, and looks to set a coordinated approach to cross boundary issues including strategic infrastructure, housing and jobs numbers and developing common policy approaches. The NSPF has also led on developing joint evidence bases and a coordinated response to higher level documents, such as the New Anglia LEP Economic Strategy. One area where the joint approach relates directly to the VCHAP is the Norfolk-wide Green Infrastructure and Recreational Avoidance Mitigation Strategy (GIRAMS), which seeks to mitigate the impacts of growth on Natura 2000 sites through the

establishment of a Norfolk-wide tariff and is a key measure identified in the VCHAP Habitats Regulation Assessment.

Norfolk/Suffolk Cross-Border meetings

In addition to the Norfolk Strategic Planning Officers Group, there are regular officer meetings between the County and District authorities which adjoin the Norfolk/Suffolk border to address issues, including those arising from Development Plans, major planning applications and infrastructure projects.

VCHAP Consultations

The preparation of both the Regulation 18 and Regulation 19 versions of the VCHAP have included the involvement of a range of stakeholder bodies, several whom have had regard to the in-combination impacts of the VCHAP sites with other proposals. Various stakeholders were engaged during Technical Consultations as part of the HELAA/site assessment process, and both these stakeholders and a wider group of bodies were formally invited to comment as part of the Regulation 18 consultation. The latter received comments from Suffolk County Council and the Broads Authority, amongst others, specifically addressing cross-boundary issues. Both the Technical and Regulation 18 Consultations led to series of meetings with key stakeholders, including:

- Norfolk County Council Highways (re. highways capacity and safety);
- Norfolk County Council Children's Services (re. school capacity and access);
- Norfolk County Council Lead Local Flood Authority (re. flood risk);
- NHS Integrated Care Systems (re. health care capacity and provision);
- Anglian Water (re. water supply and disposal);
- The Environment Agency (re flood risk) and
- Historic England (re. heritage impacts).

Full details can be found in the Statement of Consultation that accompanies the Regulation 19 Addendum to the VCHAP.

Following the initial Regulation 19 publication, when it became apparent that one of the proposed allocations could no longer be considered deliverable, dialogue continued with several of the above stakeholders, in order to prepare a further Regulation 18 consultation on Alternative Sites and Focussed Changes. This process also involved meeting on-site with Historic England, leading to a reduction in numbers on a second proposed allocation. Meetings with Historic England, Norfolk County Council Highways, the Lead Local Flood Authority, and the Environment Agency, amongst others, helped shape the second Regulation 18 consultation and also led to updates to key elements of the evidence base.

The preparation of the Regulation 19 Addendum has allowed the Council to address some of the issues raised by the Duty to Cooperate stakeholders during the initial Regulation 19, including with Suffolk County Council, who subsequently considered their earlier soundness objection to have been suitably addressed.

Duty to Cooperate requests, August 2020

Following the Regulation 18 consultation a specific email regarding the Duty to Cooperate was sent to bodies set out in the Town and Country Planning (Local Planning) England Regulations 2012, which stated:

“You, or your organisation, will already have been contacted by the team producing the GNLP about the Duty to Cooperate for that Plan, and either confirmed that there are no outstanding issues, or have developed a Statement of Common Ground. We are now seeking your views on whether you consider there are any strategic and cross boundary issues where you feel a Statement of Common Ground on the VCHAP would be useful?”

Broadly the responses noted a desire to be kept engaged in the process and the potential to draw up a bespoke Statement of Common Ground prior to formal submission; however, the meeting with Historic England (listed above) was one direct outcome.

VCHAP Evidence Base

The VCHAP is supported by a number of evidence studies. The Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA) both address the relationship with other plans, most notably the GNLP, and potential cumulative impacts which extend beyond the immediate plan boundary and allocated sites. In addition, other studies produced include a Stage 2 Strategic Flood Risk Assessment (SFRA) and Water Cycle Study (WCS) addendum, both of which built on the baseline studies for the GNLP and which include consideration of cross-boundary issues and engagement with appropriate stakeholders.

Subsequent to the initial Regulation 19, and in the light of the need to address the loss of one of the proposed allocations, the opportunity has been taken to update all of the key elements of the evidence base. Again, this has allowed the Council to respond to some of the representations made by the Duty to Cooperate stakeholders during the initial Regulation 19 publication period. Key amongst these has been the preparation of a new Stage 1 SFRA, and subsequently updated Stage 2, seeking to address the concerns particularly of the LLFA. Other elements of work have included updated Heritage Impact Assessments, building on the responses of and on-site meeting with Historic England.

Nutrient Neutrality

During the process of producing the VCHAP the Council, along with other Norfolk authorities, received notification from Natural England concerning nutrient pollution in the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site. This advised that new development within the catchment of these habitats comprising overnight accommodation has the potential to cause adverse impacts regarding nutrient pollution. The Norfolk authorities are working together to ensure consistency of approach on Nutrient Neutrality. Royal Haskoning, on behalf of the Norfolk authorities, has developed a bespoke nutrient calculator for the Norfolk catchments (the Norfolk Nutrient Budget Calculator, updated March 2023) and identified mitigation solutions for the short, medium, and long term (Norfolk Nutrient Guidance - Nutrient Mitigation Solutions, October 2023). A group of Norfolk authorities, including South Norfolk, have formed a Joint Venture (Norfolk Environmental Credits) sourcing the mitigation that is required to sell credits to developers to enable them to demonstrate housing schemes are nutrient neutral.

Conclusion

Based on the above, the Council considers that it continues to meet the requirements, as set out in the National Planning Policy Framework.

Updated July 2024