

Greater Norwich Local Plan Gypsy and Traveller Sites Focused Consultation

Bawburgh : Policy GNLP5009

Land off Hockering Lane, Bawburgh

1. This objection to the Greater Norwich Local Plan Gypsy and Traveller Sites Focused Consultation is made because the proposed site at Bawburgh (Policy GNLP5009 – Hockering Lane, Bawburgh) is considered to be unsound.
2. These representations are being submitted on behalf of Bawburgh Parish Council and a group of residents.
3. The GNLP Examination Inspectors had indicated that they would require Gypsy and Traveller accommodation needs to be addressed through site allocations in the plan in accordance with the expectations set out in paragraph 68 of the NPPF.
4. The proposal at Bawburgh involves 0.59ha of land for 6 pitches. Each individual pitch would normally consist of an amenity block comprising of a kitchen, bathroom and living room, plus space for 2 caravans (sometimes one of these would be a static caravan) and 2 vehicles. However, this site is not consistent with the objectives of the strategic policies of draft Greater Norwich Local Plan (GNLP). Furthermore, the proposed allocation is not considered to be consistent with the National Planning Policy Framework (NPPF) and the Planning Policy for Traveller Sites (2015) (PPTS). Thus, the proposal is not sound.
5. The NPPF (paragraph 35) suggests that local planning authorities should submit a plan for examination which it considers is sound, namely that it is:
 - Positively Prepared
 - Justified
 - Effective
 - Consistent with national policy
6. Paragraph 68 of the NPPF sets out that local plans should include specific deliverable sites for years 1 to 5 of the plan period and developable sites for years 6-10 and where possible years 11-15. Paragraph 10 of the PPTS makes the same requirement for deliverable sites within the time frame. Traveller sites are therefore subject to the same fundamental sustainability considerations as housing sites, with the additional guidance of the PPTS.
7. Paragraph 8 of the PPTS advises that Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. To this end, they should be consistent with the policies of the NPPF. Furthermore, paragraph 13 requires LPAs to ensure that traveller sites are sustainable economically, socially and environmentally; being in line with the three overarching objectives of the NPPF. The paragraph continues:

"Local planning authorities should, therefore, ensure that their policies:

a) promote peaceful and integrated co-existence between the site and the local community

b) promote, in collaboration with commissioners of health services, access to appropriate health services

- c) ensure that children can attend school on a regular basis*
- d) provide a settled base that reduces both the need for long-distance travelling and possible environmental damage caused by unauthorised encampment*
- e) provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development*
- f) avoid placing undue pressure on local infrastructure and services*
- g) do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans*
- h) reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability."*

8. The strategic policies of the GNLP relating to housing are:

Policy 1 Housing – proposals located to meet the need for homes across the area, providing good access to services, facilities and jobs, supporting urban and rural living.

Policy 2 Sustainable Communities – identifies a number of considerations, where relevant:

"1. Ensure safe, convenient and sustainable access to on site and local services and facilities including schools, health care, shops, recreation/leisure/community/faith facilities and libraries;

"5. Respect, protect and enhance local character and aesthetic quality (including landscape, townscape, and the historic environment), taking account of landscape or historic character assessments, design guides and codes, and maintain strategic gaps and landscape settings, including river valleys, undeveloped approaches and the character and setting of the Broads;

"7. Create inclusive, resilient and safe communities in which people of all ages have good access to services and local job opportunities, can interact socially, be independent and have the opportunity for healthy and active lifestyles;"

Policy 3 Environmental Protection and Enhancement – includes avoiding harm to designated and non-designated heritage assets and historic character, unless there are overriding benefits from the development that outweigh that harm or loss and the harm has been minimised.

9. In the pre-amble to Policy 2, a number of key issues are identified in Table 8. Issue no. 6. relating to Travel states "the design of development, as well as its location and the local availability of services addressed in Point 1 of this policy, play an important role in determining how much and how people travel." [Point 1 of the policy relates to providing safe and sustainable access to facilities, thereby reducing the need to travel, and assists in the viability of local services.]
10. The Sustainability Appraisal of the Greater Norwich Local Plan Gypsy and Traveller Sites and Policies – Addendum Report (January 2023) identifies a number of deficiencies and conflicts with the Sustainability Appraisal objectives. The magnitude of the following impacts are attributed by the authors of the SA:

- A minor negative impact in respect of the Nutrient Impact Area.
- A minor negative impact on the local landscape character (designated river valley landscape).
- A minor negative impact on the local landscape in respect of the fringe of Bawburgh and residents views of the site.
- A minor negative impact due to the distance and lack of sustainable transport options for access to local services.
- A minor negative impact because of the distance and lack of sustainable transport options for access Primary Healthcare facilities.
- A minor negative impact due to the distance and lack of sustainable transport options for access leisure facilities.
- A minor negative impact because of the distance and lack of sustainable transport options for access to a secondary school.
- A minor negative impact because of the distance to a bus stop offering frequent and regular services.
- A minor negative impact because of the lack of sustainable access to a railway station.
- A minor negative impact on the setting of the Grade II* Listed Building The Slipper Chapel in Garden of Brecon House and The Hermit's House.
- A minor negative impact on the setting to the Conservation Area.
- A minor negative impact on the Scheduled Monument, Tow Garden Houses near the Hall, affecting the river valley setting to this SM.
- A minor negative impact with the loss and thereby inefficient use of a greenfield site.
- A minor negative impact resulting from the potential impact on the groundwater resources due to being situated within the outer zone of a groundwater SPZ.
- A minor negative impact from the potential for contamination of the River Yare.

11. The significance and duration of the above impacts have been assessed by the authors of the SA and in some instances we would considered these to be incorrect. The magnitude of an impact can be defined as the severity of the potential impact. It indicates whether such an impact is irreversible or reversible. If the adverse effect of a project can be mitigated then the magnitude of the impact cannot be considered as very high. It is therefore considered that the minor negative impacts attributed to the following can not be successfully mitigated as part of the Policy for allocation of the site, and consequently the impact should be of major significance:

- Lack of public transport links, the policy does not offer any mitigation measures.
- Lack of services in the village or within accepted distances, again no mitigation is offered.
- Impact on residential amenity, the site boundary immediately adjoins six dwellings and the proximity of the proposed pitches, with activities on the site are such that mitigation measures would not provide acceptable living conditions for the residents of the properties.

12. The SA identifies a number of minor positive impacts, which at best are considered to be neutral in magnitude:
- The location is outside the flood risk zone defined by the Environment Agency and is stated to be a minor positive impact. However, the location does not change the status quo. There is no impact on flood risk, therefore this should be a neutral impact, not minor positive.
 - The proposed provision of the pitches on the traveller site cannot be considered a minor positive benefit as this is the proposal being assessed for impacts.
 - The location of the site being over 200m from a main road is stated as being a minor positive impact on health. However, the A47 is only between 200 – 250m from the site and elevated as it crosses the River Yare. At this distance with no intervening hard structures to mitigate road noise, it is highly possible the recommended noise standards for outdoor day time, night time and inside the habitable accommodation could be exceeded. At this stage it would be premature to attribute a positive impact without a noise assessment.
13. It is clear that the proposal would not meet the sustainability objectives of both central government guidance of the NPPF, the PPTS, and the strategic policies of the GNLP. The fundamental issues with the proposed site at Bawburgh are firstly, the lack of services and public transport meaning the future residents would be heavily dependent on commuting into Norwich for basic services and facilities, and not supporting rural life and services. Secondly, the impact on the character and appearance of the area, impacts on the river valley landscape, unsuitability of Hockering Lane for access, impact on the immediate residents adjoining the site, and finally the impact on the future residents of the site resulting from traffic noise from the A47 Southern Bypass.
14. The submitted SA Addendum report states that other than the Primary School, *"facilities are limited and residents would likely need to travel by private vehicle"* to shops and health facilities. With so few benefits the site should not be considered to be a preferred allocation.
15. Paragraph 104 of the NPPF encourages opportunities to promote walking, cycling and public transport use, but apart from walking to the Primary School, the proposed site would not comply with any other aspects of the sustainable transport. Furthermore, paragraph 105 advises that the planning system should actively manage patterns of growth in support of the sustainability objectives. The proposal does not comply with these requirements.
16. The availability of other means of transport other than the private car, is particularly important for frail and less mobile residents, children and teenagers – to get to a wide range of places by public transport, with frequent services. None are available.
17. While the NPPF also notes that different sustainable transport policies will be required in rural areas, and hence the village clusters concept (paragraph 79 of the NPPF) whereby villages and services are linked, the selection of the site in Bawburgh falls short of any measure of sustainable transport.
18. Virtually all services and facilities are located within Norwich, or other settlements. None of these services are connected by sustainable means of transport. Apart from the Primary School, there is no provision of food shops, convenience shops, leisure, secondary education, or health care facilities available in the village or accessible by walking, cycling or regular public transport.
19. Currently the Primary School (January 2023) is just over its capacity of 105 places with 106 pupils enrolled. The scale of the proposed development would not be sufficient to finance an extension to the school, if it was possible and viable to obtain financial contributions from the future residents.

20. Neither is there a range of locally available jobs or opportunities in the village. This requires commuting to Norwich or other settlements not directly connected with Bawburgh.
21. Overall, the proposed site fails to meet the sustainability objectives relating to the local provision of services and facilities.
22. One of the objectives of the GNLP is to protect and enhance the character, quality and diversity of the rural landscapes, townscapes and river valleys through the appropriate design and layout of any new development.
23. As noted above in the SA, the proposed development would result in harm to the landscape character and appearance of the area. Conflict therefore arises with GNLP Policies 2 and 3 insofar as they require that all residential development responds positively to and respects the character of the site and its surroundings; makes a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment; protects landscape character for its own intrinsic beauty; avoids detrimental effects on types, patterns and features that make a significant contribution to the character, history and setting of a settlement; and seeks to protect or enhance the environment where possible, retaining and where appropriate enhancing, important landscape features within the designated landscape zones. The proposed site would extend the built form of the village into the countryside, affecting the designated river valley.
24. For the traveller site to realise the sustainability objectives of the planning policy, this requires the potential benefits being maximised and negative effects being minimised. The degree of residual tension with sustainability objectives therefore has to be minimal.
25. Turning the site specific issues, there are a number of factors that constrain the physical development of the site for the intended traveller pitches.
26. The access to the site is along Hockering Lane, this is a dead-end road that serves existing residential properties and the Primary School. The lane is relatively narrow and becomes busy at either end of the school day when the road effectively becomes a single track because of parking on the road.
27. The latter section of the road is privately owned by the Saffron Housing Trust and this becomes congested with on-road parking of residents' cars at the front of their properties.
28. The presence of the Primary School also means that children at the beginning and end of the school day are circulating in the vicinity of the School, either walking, or accessing or leaving vehicles. Thereby presenting additional hazards for road users.
29. The vision splay to the south at the junction of Hockering Lane and Stocks Hill is significantly below standard and there are no opportunities for improvement. Consequently, development resulting in additional traffic movements using this junction should not be encouraged.
30. Furthermore, the access to the site is owned by a third party, the Saffron Housing Trust and outside the control of the landowner of the proposed site – this includes the last section of Hockering Lane and the access track across the former sewage treatment works to the site boundary.
31. The SA has identified there is a gas main running through the western part of the site which requires a 12.2m easement. This pipeline runs in a north – south direction and is actually located to the west of the centre of the site. In consultation on an earlier planning application on the adjoining land to the west, Cadent had identified a Building Proximity Distance of 14.3m, as the pipeline runs through the proposed site, this would

be at least 14.3m either side. Consultation with the Health and Safety Executive may identify a greater distance for planning safety purposes, but it is clear that no such information has been obtained by the Authority. The minimum distance of 28.6m just west of the centre of the site represents a significant corridor through the developable land, if it is safe to place residences in proximity to the pipeline.

32. A further potential constraint on the proposed development and not identified in the SA is that the access route is across a former sewage treatment plant, and adjacent to this site. An application in 2017 by the Saffron Housing Trust for 2 x 2 bedroom bungalows resulted in a condition on the planning permission for the investigation and risk assessment to be undertaken to ensure contamination risks are minimised both during the construction phase and for the future users of the site. No information or assessment has been undertaken for the proposed traveller site.
33. The proposed site immediately adjoins the curtilage to 6 existing properties and the close proximity of the pitches and activities on the site would have a significant impact on the amenities of the residents. Mitigation measures would not offer sufficient protection from noise, dust, or loss of privacy.
34. The surrounding watermeadows along the river valley have permissive use for footpaths and leisure by the landowner. The proposed Traveller site would also impact on the community enjoyment of this area.
35. Notwithstanding the identified impacts on residential amenity, the location of the site on the fringe of the village requires all pedestrian and vehicular access to be through the centre of the village. Paragraph 13 (a) of the PPTS identifies the need to "*promote peaceful and integrated co-existence between the site and the local community*". The proximity of the site to the village, and the history of events at the transit site at Long Lane Bawburgh, are unlikely to lead to these objectives being met.
36. The SA identified enhancing surrounding trees and hedgerows to offset the visual impact and "*help conserve the landscape character and historic setting of nearby heritage assets*".
37. Further issues identified include pollution control measures to protect the groundwater source, and the River Yare, and the potential for noise mitigation measures being installed along the northern boundary of the site.
38. All of these constraints would normally weigh heavily against the suitability of the site for the proposed development, the economic viability of the proposal, and hence it's delivery.
39. There would be social and economic benefits associated with supporting local services, with future residents feeding into the local economy and minor economic benefits associated with the construction of the site. However, given the limited range of services in Bawburgh is extremely limited little weight should be attached to there being a public benefit of the scheme.
40. Overall, there are conflicts with the sustainability objectives of the policies, as highlighted by the Addendum to the SA Report (January 2023). The detailed Site Assessment highlights important individual tensions, which are fundamental to the sustainability of the proposed traveller site in Bawburgh and have resulted in numerous adverse impacts in the assessment; some of which we consider should be reclassified as major adverse impacts.
41. The SA assessed eleven sites and in Chapter 6 identifies that 10 of the sites can be considered as "preferred allocations". Paragraph 6.3.1 notes that one site is proposed as a reasonable alternative, but not a preferred allocation. Table 6 of the document lists the preferred allocations does not include the Bawburgh site, GNL5009. Clearly the Bawburgh site has significant failings when considered against the sustainability

objectives. There can be no justification for the site being included in the current Gypsy and Traveller site Focussed Consultation.

42. The overriding conclusion is there are numerous negative impacts, some severe, that accumulate to lead to a significant non-compliance with sustainability objectives, and also render the site unsuitable for the proposed use, and result in this site being unsound.