

**Joint Core Strategy for Broadland, Norwich and South Norfolk,
Broadland Part of Norwich Policy Area Examination**

Inspector: David Vickery DIPT&CP MRTPI
Programme Officer: Annette Feeney

27 February 2013

Dear Representor

**Joint Core Strategy for Broadland, Norwich and South Norwich,
Broadland Part of Norwich Policy Area Examination**

I refer to the above matter, and to the representations that you have made on the submitted document.

The scope of the 2013 submitted Joint Core Strategy

This 2013 submitted Joint Core Strategy (JCS) for Broadland, Norwich and South Norwich has been produced to address the Judgment made by Mr Justice Ouseley in the High Court on 24 February 2012 in the case of Heard v Broadland District Council, South Norfolk Council and Norwich City Council. It deals primarily with the Broadland part of the Norwich Policy Area. Representors must therefore understand that this is not a review of the whole JCS – it is a reconsideration of only those parts of the JCS which were remitted by the Judgment and Court Order. This means that the Inspector cannot hear or deal with those parts of the JCS that have already been through the previous Examination process and which have now been legally adopted by the councils concerned.

Inspector

The Secretary of State for Communities and Local Government has appointed Inspector David Vickery DIPT&CP MRTPI to conduct an independent examination of the submission documents. He will determine whether it has been prepared in accordance with the relevant legal requirements and is 'sound' i.e. positively prepared, justified, effective and consistent with national policy. I have been appointed as Programme Officer for the examination and will deal with all procedural, administrative and programming matters under the direction of the Inspector.

Annette Feeney, Programme Officer, c/o Planning Policy, Broadland District Council Office,
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Pre-Hearing Meeting

The Inspector wishes to make arrangements for a Pre Hearing Meeting (PHM) to be held at Tuesday 16 April at 2pm in "The Top of the City Conference Room", Norwich City Football ground. I enclose directions. An agenda, and a copy of the Inspector's guidance notes for the hearings are also enclosed. The main matters, issues and questions for the Examination and draft programme will be sent out prior to the PHM.

The purpose of the meeting will be to provide an opportunity for procedural and administrative matters relating to the hearings to be explained and discussed including how parties can prepare for it in the most effective ways

The merits of individual representations are not discussed at the PHM and the right to be heard by the Inspector will not be prejudiced by the inability to be present or be represented at the meeting. Notes of the meeting and an agreed hearings programme will be sent to respondents shortly afterwards and placed on the Examination web site.

www.gndp.org.uk/our-work/joint-core-strategy/

If you have not already indicated that you wish to take part in the hearing sessions, but now wish to do so, you should contact me as a matter of urgency. The cut off date for stating that you wish to take part in the hearings is proposed to be fixed as Thursday 11 April, ie shortly before the pre-hearing meeting. This is so that the hearing session programmes can be finalised.

Should you require any assistance either at or before the PHM please let me know as soon as possible so that appropriate arrangements can be made.

Please let me know if you or your representative wish to attend the Pre-Hearing Meeting so that I can ensure that adequate seating is provided.

Yours sincerely

Annette Feeney

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**Joint Core Strategy for Broadland, Norwich and South Norfolk,
Broadland Part of Norwich Policy Area Examination**

PRE-HEARING MEETING

To be held at the Top of the City Conference Room, Norwich City Football Club, Carrow Road, Norwich NR1 1JE on Tuesday 16 April 2013 at 1400 hours (2pm)

A G E N D A

1. Introduction and purpose of the Pre-Hearing Meeting.
2. The purpose of this part JCS Examination is to address the Judgment of Mr Justice Ouseley in *Heard v Broadland District Council, South Norfolk District Council and Norwich City Council 2012*. No other part of the adopted JCS is included – this is not a review of the whole JCS.
3. The Inspector's role.
4. The Programme Officer's role.
5. The councils' introductions and their staff.
6. Legal Questions for the councils:

Has the part JCS been prepared in accordance with the Local Development Scheme? • Is the part JCS in general accordance with the Statements of Community Involvement and public consultation requirements? • Has the part JCS been subjected to Sustainability Appraisal? • Has the part JCS had regard to the Sustainable Community Strategy? • Has the part JCS had regard to national policy? • Has a Habitat Regulations Assessment been prepared, and have its conclusions been taken into account in the part JCS? • Has the Duty to Co-operate being complied with?
7. Progressing your representations.
8. The Hearings.
9. The 'Matters and Questions' for examination.
10. The draft Hearings Programme.
11. Examination Library.
12. Preparation of further representations:
 - Statements of common (and uncommon) ground
 - Written and hearing submissions and deadlines
13. Handling modifications (suggested changes).
14. Site visits.
15. After the Hearings (no further evidence unless requested).
16. Any other matters.
17. Closing and thanks.

GUIDANCE NOTES

The Inspector and his role

1. The Inspector is David Vickery Dip T&CP, MRTPI.
2. The Inspector's task is to consider whether this part of the Joint Core Strategy (the JCS) meets the requirements of section 20(5) (a-c) of the 2004 Act and associated regulations, and whether it complies with the requirements of the National Planning Policy Framework ('the Framework'). These requirements comprise (i) whether the **legal requirements** have been met including whether the JCS has complied with the **duty to co-operate**; and (iii) whether the plan is **sound**.
3. The Framework indicates that a **sound** plan must be 1) **positively prepared** (based on a strategy which seeks to meet objectively assessed development and infrastructure requirements); 2) **justified** (the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence); 3) **effective** (deliverable over its period based on effective joint working on cross-boundary strategic priorities); and 4) **consistent with national policy** (enabling the delivery of sustainable development).
4. **Those seeking changes must demonstrate why the Plan is unsound by reference to one or more of the soundness criteria or to the legal requirements.** The Inspector will aim to work with the Council and the other Examination participants in a *positive, proactive, and pragmatic* manner.
5. This 2013 submitted Joint Core Strategy (JCS) for Broadland, Norwich and South Norwich has been produced to address the Judgment made by Mr Justice Ouseley in the High Court on 24 February 2012 in the case of Heard v Broadland District Council, South Norfolk Council and Norwich City Council. It deals primarily with the Broadland part of the Norwich Policy Area. Representors must therefore understand that this is not a review of the whole JCS – it is a reconsideration of only those parts of the JCS which were remitted by the Judgment and Court Order. This means that the Inspector cannot hear or deal with those parts of the JCS that have already been through the previous Examination process and which have now been legally adopted by the councils concerned.
6. The key elements in this Examination process are:
 - The starting point for the Examination is the assumption that the councils have submitted what they consider to be a sound plan;
 - The Inspector has to consider the representations made on the submitted plan;
 - The Inspector is not required to consider each and every point made in every representation or to report on them, but to use them as the starting point in considering the soundness and legal compliance of the JCS;
 - It is not the Inspector's role to seek to improve the JCS or to make it 'more sound', but to seek to address unresolved soundness or legal compliance issues through round table discussion or consideration of the original and any later representations;
 - The Inspector also has to exercise his duties under section 39 of the 2004 Act with the objective of contributing to sustainable development and to take account of the presumption in favour of sustainable development in the Framework.
7. Following the close of the hearings the Inspector will prepare a report for the councils with his conclusions and any modifications (changes) recommended to the JCS, the expected arrival date of which will be announced at the last hearing session. The councils will have to use the Inspector's recommended modifications if they decide to adopt the JCS.

The Programme Officer and her role

8. The Programme Officer (the PO) for the Examination is Annette Feeney. She acts as an

impartial officer of the Examination, under the Inspector's direction, and she is not an employee of any of the councils. She can be contacted: c/o Planning Policy, Broadband District Council, Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich, NR7 0DU; Tel: 07788737759; Email: annette.feeney@broadland.gov.uk.

9. The main tasks of the PO are to act as a channel of communication between the Inspector and all parties; to liaise with all parties to ensure the smooth running of the Examination; to organise the hearings programme; to ensure that all documents received are recorded and distributed; and to keep the Examination Library. Copies of the Examination documents are mainly on the Greater Norwich Development Partnership's web site (see below), and the PO can make available copies on request. Anyone interested in viewing any of the documents should contact her beforehand so as to ensure availability.
10. During the Examination the PO can tell you how the hearing sessions (see below) are progressing. Alternatively, you will be able to view progress on the web site at: <http://www.gndp.org.uk/our-work/joint-core-strategy/>
11. The PO will advise on any programming queries, and all practical and procedural points should be addressed to her. She will pass them on to the Inspector for a reply, if necessary, but carries his authority to act in accordance with the regulations.
12. Any participant who has a disability that could affect their contribution to the Examination or its hearings should contact the PO as soon as possible so that any necessary assistance can be provided.

Modifications (changes) to the Plan

13. If the Inspector considers that the legal **duty to co-operate** has been satisfied and if he also considers that the JCS needs modifications to make it sound or legally compliant, then under section 20(7C) of the 2004 Act the councils can ask him to recommend those "main modifications". However, minor modifications to a plan are made solely by the councils on adoption and not by the Inspector – these minor "additional modifications" cover items such as typos, minor editing, and factual or name changes.
14. Any suggested modifications by the councils during the Examination will be placed on the Examination web page, and will be regularly updated. Representors should monitor this in case they wish to comment upon them. Where "main modifications" are suggested to be made, the Inspector will need to ensure that the rights of third parties are not prejudiced and so they will be publicly advertised. Where appropriate, modifications will also need to be covered by a revised Sustainability Appraisal - this will be decided at the end of the hearing sessions, and the Inspector will consider any responses before issuing his report.

Number of representations

15. 478 organisations and individuals (the "representors") made a total of 99 different representations on the JCS. 401 individuals made an identical representation regarding the impacts of increased traffic in Wroxham and these have been treated as a single issue. The councils say that the majority of representations do not directly relate to the submitted JCS (see SDJCS 7 and paragraph 5 above).

Progressing your representations

16. Some representors have already indicated whether their views should be dealt with in a written form or whether they feel that they need to come and discuss them orally at a hearing session. **Both methods will carry the same weight and the Inspector will have equal regard to views put at a hearing or in writing.**
17. Please note that in the interests of fairness it will **not** be possible to request a change from written representations to an appearance at a hearing session after **Thursday 11 April**

2013 due to the preparation work that has to be undertaken by other parties, particularly by the Council. Please carefully consider whether your concerns could be dealt with by one appointed group spokesperson or whether you can rely on the written representations already made without appearing at a hearing.

18. Hearings are open to all to observe - but only those who have made representations seeking changes and have indicated that they want to participate will be allowed to speak. Please contact the PO if you are unsure. The Inspector may invite persons to appear or be heard at the hearings where he thinks they are needed to enable the soundness of the JCS to be determined.
19. Attendance at a hearing session will only be useful and helpful to the Inspector if participants can engage in a debate. Those who wish to rely on their previous submissions need take no further action: they can rely on what they have already submitted in writing. However, if anyone wants to make a further written submission supporting their position, it should be focussed on the issues identified for the relevant hearing session or it risks being returned. Participants can submit additional statements, even if they are not intending to take part in any of the hearings, but it is not a requirement to do so. Essentially, the Inspector needs to know the following from those submitting further written statements:
 - What part of the submitted JCS is unsound or not legally compliant?
 - Which soundness criterion in para 182 of the Framework or legal requirement it fails.
 - Why it fails (point to the key parts of your original representations).
 - How the part JCS can be made sound or legally compliant.
 - The precise change and/or wording that you are seeking.
20. From the councils, statements may be submitted on each point saying why they consider the JCS to be sound or legally compliant, why the changes sought by other parties would make it less so, with (where relevant) any suggestions for modifications.
21. Any statements should be submitted to the PO by **midday on Thursday 9 May 2013**.

The Hearings

22. The hearings are scheduled to take place over three days on **Tuesday 21 May, Wednesday 22 May and Thursday 23 May** 2013, to be held at the Top of the City Conference Room, Norwich City Football Club, Carrow Road, Norwich NR1 1JE, starting at 10.00 hours each day. The hearings' programme is likely to follow the order of the Inspector's "Matters and Questions for Examination": both of these will be sent later. Directions to the venue and other travel information can be found at:
<http://www.canaries.co.uk/club/visit-us/>
23. The hearing format will provide a relaxed and informal setting for dealing with issues by way of a discussion led by the Inspector – this is not a public inquiry. Those attending may bring with them professional experts. Barristers and solicitors will be treated as part of the team. The councils have said they will be represented by a barrister.
24. The purpose of the hearings is to concentrate on the Inspector's "Matters and Questions for Examination": they are not an opportunity to repeat your case. The discussion will focus on the Inspector's questions, guided by an agenda which may include any additional questions raised by the written statements. Those present will be asked to introduce themselves. The Inspector may then make a brief statement as to his understanding of the issues under discussion and then invite participants to make their contribution in response to the points raised, starting usually, but not exclusively, with the councils. The hearing will then progress with the Inspector drawing those present into the discussion in such a way as to enable him to gain the information necessary to come to a recommendation on the relevant matters.
25. There will be no formal presentation of evidence. There will be an opportunity within the

discussion to ask questions of the other side. **No more evidence can be submitted once the hearing session has closed, unless the Inspector expressly invites it.** The Inspector will conduct a short, focussed series of hearings which, in turn, will lead to a short, focussed report.

The Evidence Base and Examination Library

26. The councils have prepared a list of the submission documents that will be available in the Examination Library, and which are also available to view at the councils' offices, at public libraries, and on the web site. The Library and web site will include each further submission as it is received, and other documents that the parties are likely to need to refer to. Thus there is no need to attach extracts of the submission documents to your statement as they are already Examination documents.

Statements of [Un]Common Ground

27. The Inspector invites Statements of Common or Uncommon Ground where they would be helpful in identifying points not or in dispute, thereby assisting the hearings to concentrate on the key issues that truly need public discussion. They could for example include: agreed wording of a suggested change to a policy criterion; or agreed factual information; or areas or points of disagreement.
28. **This work should commence now, with the aim of completing them in time to feed into the relevant hearing Statement.** However, as a last resort, agreed documents will still be accepted if submitted at the relevant hearing.

Statements

29. All statements should be sent to the PO by **midday on Thursday 9 May 2013**. This deadline relates to the receipt of the **paper copies**, not an electronic copy. Statements should only address the Inspector's forthcoming "Matters and Questions for Examination". Some of these questions may only seek to clarify the councils' intentions, and so replies can be very short. Statements will be placed on the Examination web site.

Form of Statements

30. Appendix B sets out the requirements for the presentation of all statements. Its provisions should be thoroughly read and implemented as otherwise statements will be returned. Please especially note the 3,000 word limit.

Site visits

31. The Inspector will visit the sites and areas referred to in the representations before, or during, or after the hearings. This will be done unaccompanied by the parties, unless the Inspector finds that he needs to go onto private land.

Closing Remarks

32. The Inspector urges everyone to:
 - Make the best use of the remaining time before the start of the hearing sessions as the statements are needed by **midday on Thursday 9 May 2013**.
 - Ensure that the timescales and deadlines are adhered to as otherwise hearing attendance may have to be rearranged or curtailed at best.
 - Be aware of the Examination documents, the supporting evidence, and any other relevant material produced by the councils.
 - Focus on the Inspector's forthcoming "Matters and Questions for Examination" document and the Framework's soundness criteria.
 - Keep looking at the web site and/or contact the PO.

Appendix A - List of relevant legislation and guidance

A. UK Legislation

The Planning and Compulsory Purchase Act 2004, as amended, can be found by searching on <http://www.legislation.gov.uk/>. Similarly for the Town and Country Planning (Local Planning) (England) Regulations 2012.

B. Government Policies

The National Planning Policy Framework can be found on:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

C. Plan Making Manual

The Plan Making Manual accompanies the Framework. It has been produced by the Government and is delivered via the Planning Advisory Service website:

<http://www.pas.gov.uk/pas/core/page.do?pageId=51391>

D. Guidance from the Planning Inspectorate

Various helpful Planning Inspectorate documents are available, including a brief guide to Examinations:

http://www.planningportal.gov.uk/uploads/pins/dpd_brief_guide_examining.pdf

A more detailed guide is available at:

http://www.planningportal.gov.uk/uploads/pins/dpd_procedure_guide.pdf

E. Examination and Submission Documents

The Examination web site can be found at:

<http://www.gndp.org.uk/our-work/joint-core-strategy/>

Appendix B - Format for statements

- A. None of the statements should be longer than **3,000 words**. Any submissions longer than this will be returned by the PO for editing. Statements should be on A4 paper, printed on both sides. Any photographs should be submitted in A4 format and should be annotated (back or front).
- B. Statements must be succinct, with the avoidance of unnecessary detail and repetition of the original representation. Important: you should only answer questions as they relate to the content of your original representation: e.g. if you only commented on the employment land at Rackheath then you should only respond to questions on it and no others.
- C. It is the quality of the reasoning that carries weight, not the bulk of the documents. There is no need for verbatim quotations from the JCS or other sources of policy guidance. The councils' statements should also deal with any "Matters and Questions for Examination" that are being dealt with only by written representations and not at the hearings.
- D. Supporting material in the form of appendices to statements should be limited to that which is essential and should not contain extracts from any publication which is already before the Examination – a paragraph or page reference will suffice. Those of excessive length and/or which cannot be circulated electronically risk being returned. Any appendices should have a contents page and be paginated throughout. Anyone submitting appendices should indicate in their statement which parts they are especially relying upon.
- E. Those appearing at hearings should send sufficient copies of all statements to the PO for issuing to each participant, plus four: e.g. if 10 people are listed for a hearing, then the PO will require 14 copies. For written representations, only four copies of statements need to be submitted. One paper copy of each should be left loose-leaf - the remaining copies should be stapled, with **no spiral bounding**. In addition, an electronic copy of statements and appendices should be sent to the PO (in Word or PDF format) for the Examination web page as an email attachment by the deadline below.
- F. All statements, both paper and electronic, including those from the Council, should reach the PO by not later than **12 noon on Thursday 9 May 2013**. All statements must be headed with the representor's **name** and be clearly marked, at the top, right hand corner, with the appropriate **matter number** and **representor reference**. The council's Statements should be separately referenced GNDP/ followed by the matter number (e.g. GNDP/Matter 1). Representors' statements should be referenced: 'Matter 1/ Reference 12001 / Mr Smith' for Mr Smith's, reference 8001, statement on Matter 1.
- G. Late submissions and additional material **are unlikely to be accepted** on the day of the relevant hearing session since this can cause disruption and result in unfairness, and might result in an adjournment of the hearing. If material is not received by the deadlines stated below, the PO will assume that you are relying only on the original representations:
- Statements of [Un]Common Ground: in time to feed into Statements, or (as a last resort) at the relevant programmed hearing, but only if agreed.
 - Last date for changing from written representations to a hearing appearance – **Thursday 11 April 2013**.
 - All statements to the PO by **midday on Thursday 9 May 2013**.
 - **It is stressed that the above statement deadline refers to the receipt of the paper copies. It is not sufficient to send an electronic statement copy by this deadline, to be followed by paper copies at a later time.**



DIRECTIONS TO NORWICH CITY FOOTBALL CLUB



THE BARCLAY STAND ENTRANCE 1

Top Of The Terrace
Norfolk Lounge
Gunn Club
Russell Allison Lounge
Press Room

GEOFFREY WATLING CITY STAND ENTRANCE 2

The Boardroom
Ambassadors Lounge

NORWICH & PETERBOROUGH STAND ENTRANCE 3

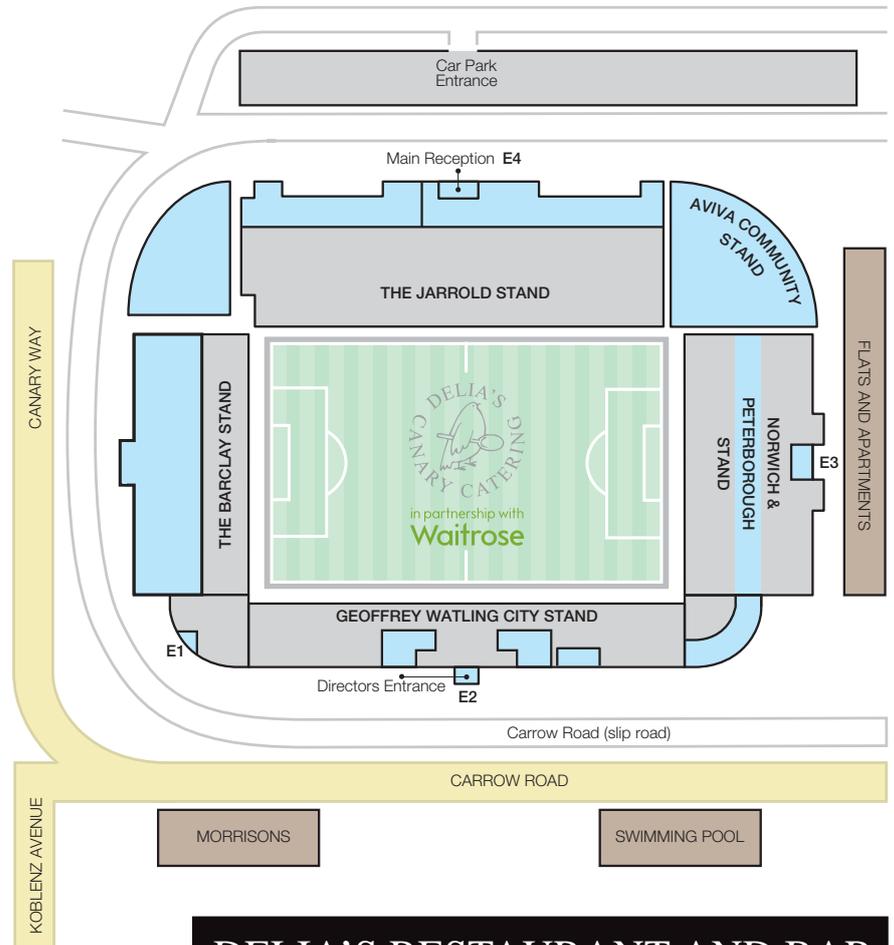
Executive Boxes 1-27
Yellows
The Gallery
Delia's Restaurant & Bar
Lotus Lounge

AVIVA COMMUNITY STAND ENTRANCE 3

Club 101

THE JARROLD STAND ENTRANCE 4

The Top of the City
Main Reception
Executive Boxes 28-42



From West (A47): Exit A47 at A146. Turn left at the first set of lights, continue to the next set of lights and turn right. At the roundabout take the second exit then to the next set of lights and turn right, follow King Street over the river and on your right is Carrow Road.

From South (A11): At Thickthorn Services roundabout take the 5th exit signposted A47 towards Gt. Yarmouth. From here use the directions above.

From Ipswich (A140): After passing Dunston Hall Hotel (on your right) keep following the A140 until you reach a roundabout where you will take the 3rd exit signposted A47, Gt. Yarmouth. Follow the A47 to the next exit (A146, Lowestoft). From the A146 use directions from the West above.

From the Railway Station (Norwich): A five-minute walk. When walking out of the station turn left and follow Koblenz Avenue.

Parking: There is ample free parking at the football club.

IF YOU ARE INTERESTED IN OVERNIGHT ACCOMMODATION, PLEASE CALL OUR ONSITE HOLIDAY INN ON 0870 400 670.

DELIA'S CANARY CATERING, NORWICH CITY FOOTBALL CLUB CARROW ROAD, NORWICH NR1 1JE 01603 218704

DELIA'S RESTAURANT AND BAR

Delia's Restaurant and Bar is open every Friday and Saturday 7pm until late, a three course meal followed by coffee and chocolates is just £35.75 per person.



PLEASE CALL **01603 218705**
email canary.catering@nfc-canaries.co.uk
or visit www.deliasrestaurantandbar.com



YELLOWS



- All day everyday
- Something for everyone
- Free wi-fi



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email yellows@nfc-canaries.co.uk