



Norfolk County Council

Norfolk County Council Minerals and Waste Local Plan 2021-2038

Statement of Common Ground between Norwich City Council and Norfolk County Council

March 2024



If you would need this document in large print, audio, braille, an alternative format or a different language please contact Norfolk County Council on 0344 800 8020 or 18001 0344 800 8020 (textphone) and we will do our best to help.

Contents

Abbreviations	2
1. Introduction	3
<i>Purpose of this Document</i>	3
<i>Norfolk County Council Minerals and Waste Development Scheme</i>	4
<i>Norfolk Strategic Planning Framework</i>	4
2. Strategic Geography	5
4. Governance Arrangements	5
5. Timetable for Agreement, Review and Update	6
6. Matters Discussed and Resolutions Presented	6
1) Minerals Strategic Objectives	6
2) Policy MP10. Safeguarding of port and rail facilities and facilities for the manufacture of concrete, asphalt and recycled materials	6
7. Signatures and Summary of Resolutions to agree/disagree	8
Resolutions	8
<i>Signatures</i>	8

Abbreviations

NM&WLP – Norfolk Minerals and Waste Local Plan

NPPF – National Planning Policy Framework

NPPG – National Planning Practice Guidance

NSPF – Norfolk Strategic Planning Framework

SoCG – Statement of Common Ground

WPA – Waste Planning Authority

1. Introduction

Section 110 of the Localism Act (2011) established a duty to cooperate in relation to Local Plans and sustainable development, or use of the land. The duty to cooperate requires cooperation during the preparation of development plan documents and other local development documents between relevant bodies. Paragraph 27 of the NPPF sets out the requirement to produce one or more Statement(s) of Common Ground to form part of the evidence required to demonstrate compliance with the duty to cooperate. Such a document should be a written record of the collaboration and progress made between authorities, detailing where agreement has been reached and where there are outstanding issues.

Since the launch of the Local Plan Review in 2017, Norfolk County Council, as the Minerals and Waste Planning Authority for Norfolk, engaged with statutory bodies in accordance with the requirements of the Duty to Cooperate. Strategic issues identified through this process, together with the outcomes of ongoing engagement with the relevant consultation bodies, are highlighted and summarised in the Duty to Co-operate Statement (June 2023).

At the Regulation 19 Pre-submission Local Plan representations stage, a draft Statement of Common Ground was published, which identifies the strategic cross-boundary issues associated with the Plan and shows where effective cooperation is being made on any issues. The Statement was updated and submitted as part of the examination library for the Minerals and Waste Local Plan, providing a narrative of where and how cooperation is being sought.

A Statement of Common Ground does not necessarily seek to achieve agreement on all strategic cross-boundary issues, however it is a way of showing that the council have identified all relevant strategic cross-boundary matters, and that agreement has been sought with others and that such relevant matters have been identified. It is how authorities can demonstrate that their plans are based on effective and ongoing cooperation and that they have sought to produce strategies that as far as possible are based on agreements with other authorities.

Purpose of this Document

This document is a bespoke Statement of Common Ground between Norwich City Council and Norfolk County Council only, which, in line with Planning Inspectorate Guidance, demonstrates the matters which have been highlighted, to show how much has been resolved. The issues and matters raised by Norwich City Council in the Regulation 19 stage only have been set out in this document, and an explanation and proposed resolution from Norfolk County Council for the outstanding objections set out for the parties to sign/ agree. This SOCG also sets out, if applicable, areas where agreement has not been possible. It is intended to provide clarity to the Inspector on the resolution of issues between the two parties.

National Planning Policy and legislation.

The National Planning Policy Framework (NPPF, December 2023) and Localism Act 2011 requires all Local Planning Authorities (including Minerals and Waste Planning Authorities) to prepare a Statement of Common Ground alongside the production of their Local Plans.

For a Local Plan to be found 'sound', it must be:

- a) Positively prepared;
- b) Justified;
- c) Effective; and
- d) Consistent with national policy

For a Plan to be effective it must be:

“...deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground...” (NPPF Paragraph 35c)

The National Planning Practice Guidance (NPPG) defines a statement of common ground as:

“...a written record of the progress made by strategic policy-making authorities during the process of planning for strategic cross-boundary matters. It documents where effective co-operation is and is not happening throughout the plan-making process, and is a way of demonstrating at examination that plans are deliverable over the plan period, and based on effective joint working across local authority boundaries...” (NPPG Paragraph: 010 Reference ID: 61-010-20190315 Revision date: 15 03 2019)

Current adopted Norfolk minerals and waste planning policy documents (2010-2026)

The Norfolk Core Strategy and Minerals and Waste Development Management Policies Development Plan Document (DPD) (the ‘Core Strategy’) was adopted by Norfolk County Council in 2011. It contains policies to be used in the determination of planning applications for minerals extraction and associated development and waste management facilities in Norfolk. The current adopted Norfolk minerals and waste planning policy documents also include the Minerals Site Specific Allocations DPD and the Waste Site Specific Allocations DPD.

A new Norfolk Minerals and Waste Local Plan (NM&WLP) is being produced to consolidate the three existing plans into one plan, to ensure that the policies within the plan remain up-to-date and to extend the plan period from 2026 to 2038.

Norfolk County Council Minerals and Waste Development Scheme

The [Minerals and Waste Development Scheme](#) sets out the timetable for producing and reviewing minerals and waste planning policy documents, including those forming part of the Norfolk Minerals and Waste Local Plan. The Regulation 19 publication document was open for a period of representations between 28 September and 19 December 2022. The Local Plan was submitted to the Planning Inspectorate on 20 December 2023. Examination of the Local Plan by the Planning Inspectorate will take place in 2024 and it is anticipated the NM&WLP will be adopted in the first quarter of 2025.

Norfolk Strategic Planning Framework

In 2015, Norfolk’s planning authorities agreed to formally cooperate on a range of strategic cross-boundary planning issues through the preparation of the [Norfolk Strategic Planning Framework \(NSPF\)](#). The aim of this framework is to agree shared objectives and strategic priorities, demonstrate compliance with duty to cooperate and consistency with the revised NPPF. The latest version (January 2021) was endorsed by all stakeholder authorities in 2021.

Section 9.10 of the NSPF summarises the minerals and waste resources in Norfolk. Agreement 29 within the NSPF sets out the Norfolk strategic statement of common ground between all signatories to the agreement, set out on page 2 of the NSPF, in relation to minerals and waste.

Norwich City Council and Norfolk County Council are both signatories of the NSPF. Agreement 29 recognises there is a need for a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that Norfolk (and the country) needs, whilst ensuring that minerals development and waste management facilities will be located, designed and operated without unacceptable adverse impacts on the amenity of local communities, the natural, built and historic environment, the landscape and townscape of Norfolk.

2. Strategic Geography

The geographical area covered by this statement comprises the administrative area of Norfolk County Council. This is the plan area covered by the emerging Minerals and Waste Local Plan. The plan area is bordered to the South-West by the minerals and waste planning authorities of Cambridgeshire and Peterborough to the North-West by Lincolnshire and to the south by Suffolk.

For the purposes of clarity, the Norwich City Council boundary is shown in Figure 1 below.

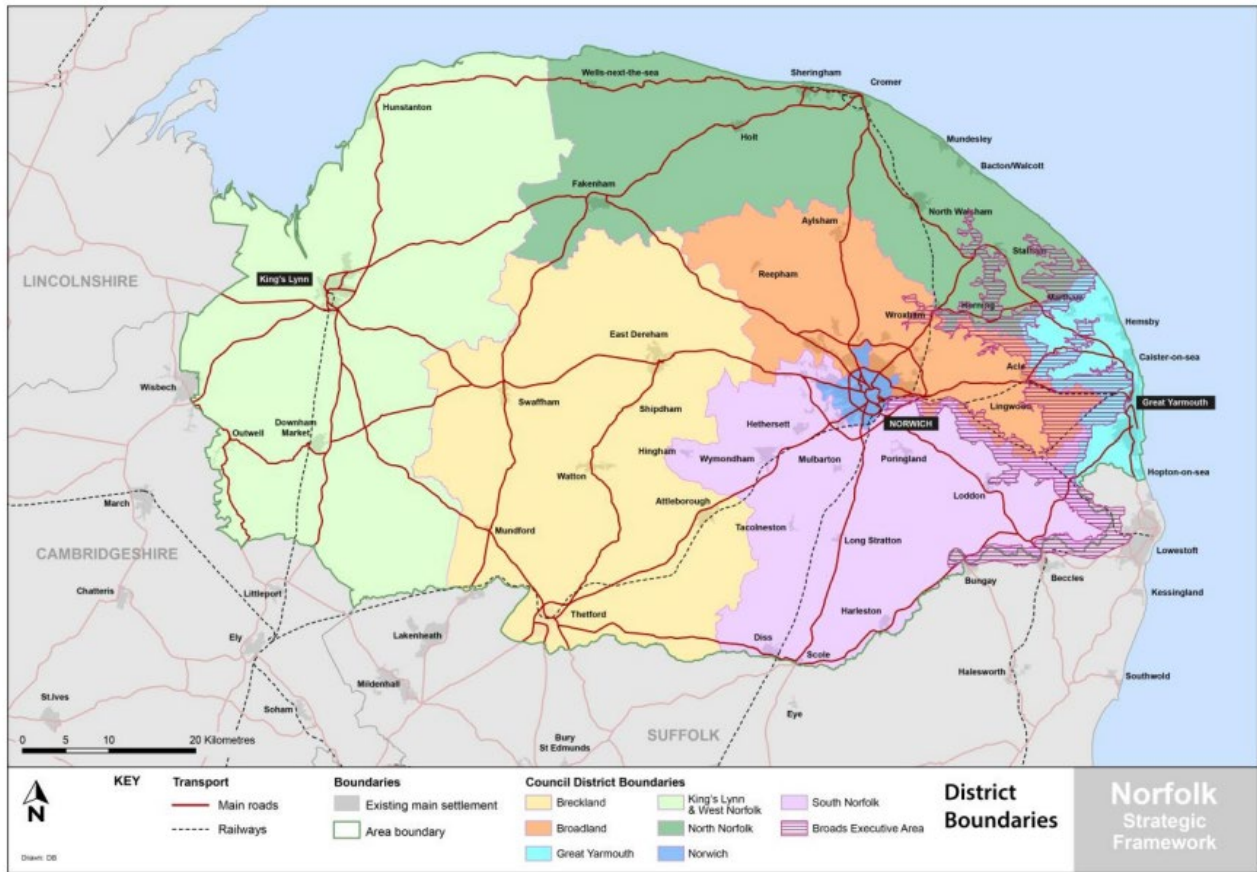


Figure 1: Map of Norfolk LPA boundaries within Norfolk County Council area and the major transport connections as provided in the Norfolk Strategic Framework

Source: <https://www.norfolk.gov.uk/39183>

3. List of Parties Involved

For the purposes of this document only, this bespoke Statement of Common Ground is between Norfolk County Council, the council directly responsible for preparing the Norfolk Minerals and Waste Local Plan, and Norwich City Council, a 'relevant authority', as defined in the Town and Country Planning (Local Planning) (England) Regulations 2012.

4. Governance Arrangements

This statement has been prepared by Norfolk County Council and agreed with Norwich City Council. The statement will be published on the Norfolk County Council website in the Examination Library.

It should be noted that the signatories to this document have done so on the basis of the principles set out in this Statement, and by signing it does not prejudice the ability of any such signatory making detailed statements or representations (in support or objection) during the examination of the emerging Minerals and Waste Local Plan.

5. Timetable for Agreement, Review and Update

This bespoke Statement of Common Ground is being published prior to the examination hearing of the Norfolk Minerals and Waste Local Plan and will be reviewed and updated if and as required during the examination process.

6. Matters Discussed and Resolutions Presented

The information below sets out the main issues raised by Norwich City Council at the Regulation 19/20 stage of the Minerals and Waste Local Plan, the NCC planning officer response and any remaining unresolved issues then follow.

1) Minerals Strategic Objectives

Respondent: **Norwich City Council** (Joy Brown) [Person ID: 21952]

Representation [Rep ID: 99303]: (Comment)

Whilst Norwich City Council has no objection to objective MS05 or policy MP10, for the avoidance of doubt 'agent of change' should be defined.

Suggested change: Agent of change should be defined either within the explanatory text or within the glossary.

NCC Planning Officer response: Noted. Whilst the agent of change principle is set out in paragraph 187 of the NPPF 2023 we agree it would be useful for it to be defined within the NM&WLP. We will therefore propose a minor modification to include this information in the glossary.

Norwich City Council comments to NCC response: Norwich City Council supports the proposed minor modification.

Remaining unresolved issues: None

2) Policy MP10. Safeguarding of port and rail facilities and facilities for the manufacture of concrete, asphalt and recycled materials

Respondent: **Norwich City Council** (Joy Brown) [Person ID: 21952]

Representation [Rep ID: 99304]: (Comment)

Whilst Norwich City Council has no objection to objective MS05 or policy MP10, for the avoidance of doubt 'agent of change' should be defined.

Suggested change: Agent of change should be defined either within the explanatory text or within the glossary.

NCC Planning Officer response: Noted. Whilst the agent of change principle is set out in paragraph 187 of the NPPF (2023) we agree it would be useful for it to be defined within the NM&WLP. We will therefore propose a minor modification to include this information in the glossary.

The proposed definition for 'agent of change principle' is: "existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."

Norwich City Council Comments to NCC response: Norwich City Council supports the proposed minor modification.

Remaining unresolved issues: None

Respondent: **Norwich City Council** (Joy Brown) [Person ID: 21952]

Representation [Rep ID: 99305]: (Comment)

Whilst Norwich City Council has no objection to policy MP10, we have previously commented that the policy should acknowledge the proximity of the Trowse Railhead to sensitive residential users and to the east Norwich sites with major regeneration potential including the Deal Ground, Utilities Site and Carrow Works.

The safeguarded Trowse Railhead and adjacent Lafarge plant are located in east Norwich adjacent to the Deal Ground site (allocated in Norwich's Site Allocations Plan under policy R9, with extant consent for 670 units of housing) and in close proximity to other allocated sites including the Utilities site (R10), Gothic Works (R11), and Land adjacent to the Football club (CC16 – part developed). The adopted Joint Core Strategy identifies east Norwich as a priority for regeneration in policy JCS12. A major (20ha) site in east Norwich, Carrow Works is now also available for development following relocation of the previous occupier (Britvic /Unilever), and is located adjacent to the safeguarded site.

With the addition of Carrow Works, the East Norwich sites represent a transformative opportunity for the regeneration of this area and the wider city. An ambitious regeneration project is underway to create a sustainable new urban quarter for the city, supported by the preparation of a masterplan for east Norwich and a commitment to substantial future investment. The masterplan was completed in May 2022 and provides for over 3,600 new homes and 4,100 jobs across East Norwich. The masterplan and associated documents have informed emerging policy in the Greater Norwich Local Plan (GNLP) which identifies the major east Norwich sites, including the Deal Ground, Utilities site and Carrow Works, as a strategic regeneration area under policy 7.1, and an allocation under policy GNLP0360/3053/R10. It is anticipated that an East Norwich supplementary planning document will be adopted alongside or shortly after adoption of the GNLP in early 2024 to guide future regeneration of East Norwich.

Norwich City Council accepts the need to safeguard the railhead under policy MP10; however the minerals and waste plan should acknowledge its proximity to sensitive residential users and to the East Norwich Strategic Regeneration Area.

Suggested change: The minerals and waste plan should acknowledge the proximity of the Trowse Railhead and adjacent Lafarge plant to the East Norwich Strategic Regeneration Area and sensitive residential users. This could potentially be acknowledged in the explanatory text for MP10 (paragraph MP10.3) by amending the second sentence to read: "Each decision will take into account the particular use of the safeguarded site, the nature of the proposed development, including its policy context and relationship to strategic regeneration opportunities....."

NCC Planning Officer response: The safeguarded Trowse railhead is an existing, active site, and has been for many decades. The allocations mentioned in this representation, were all allocated with full knowledge of the railhead operations, and any future development of these sites would need to provide appropriate mitigation under the 'agent of change' principle so as not to prejudice the continuing railhead operations.

It is the responsibility of the Mineral Planning Authority to safeguard sites for the bulk transport of minerals. It would be for Norwich City Council, as the Local Planning Authority, to weigh up the planning balance of any planning application that comes forward within the Mineral Safeguarding Area for the Trowse rail head with the strategic regeneration opportunities referred to in this representation.

Norwich City Council Comments to NCC response: Norwich City Council acknowledges that the Trowse railhead is an existing, active site and has been for many decades. The GNLP which has now been adopted allocates the East Norwich Strategic Regeneration Area and this allocation was made with full knowledge of the railhead operations. Whilst we do not object to this policy, we are still of the view that the supplementary text should acknowledge proximity to residential and strategic regeneration opportunities. Acknowledging this will not undermine the plan or affect the safeguarding of the site but instead it will provide useful contextual information.

Remaining unresolved issues: Acknowledgement of 'strategic regeneration opportunities' within the supplementary text of policy MP10 as contextual information.

7. Signatures and Summary of Resolutions to agree/disagree

Resolutions

The table below summarises the up-to-date progress on matters discussed and resolutions as of 26/03/2024.

Matter	Policy/ Paragraph Reference – summary of issue	Rep ID	Rep Type	Resolved/Unresolved	Date agreed
1	Minerals Strategic Objectives Define agent of change	99303	Comment	Resolved	26/03/2024
2	Policy MP10. Safeguarding of port and rail facilities and facilities for the manufacture of concrete, asphalt and recycled materials Define agent of change	99304	Comment	Resolved	26/03/2024
3	Policy MP10. Safeguarding of port and rail facilities and facilities for the manufacture of concrete, asphalt and recycled materials acknowledge proximity to East Norwich Strategic Regeneration Area and residential uses	99305	Comment	Unresolved	

Signatures

- Caroline Jeffery, Principal Planner (Minerals and Waste Policy), Norfolk County Council

REDACTED
SIGNATURE

Dated 04.04.2024

- Judith Davison, Planning Policy Team Leader, Norwich City Council

Dated 26/03/2024