

Greater Norwich Food Enterprise Zone Local Development Order (Draft)

Easton Parish Council

16th February 2017

Supplementary statement by Easton Parish Council as an addendum to its conclusion that it cannot support the current proposal.

When considering further the Greater Norwich Food Enterprise Zone Local Development Order Environmental Impact Assessment (EIA) Screening [see note (a) below] Easton Parish Council asks for the following additional points to be noted and taken into consideration by Broadland District Council.

Section 5.3 states:

“It is not considered that development permitted by virtue of the LDO, either in isolation or in combination with other development, will give rise to any significant adverse environmental impact.”

The above statement lacks any credible evidential basis, given that when looking at this LDO “... *in isolation*...” the proposed site is in a river catchment area¹ and near a tributary of the River Wensum, a SAC European designated area². The area under consideration has parts of its location designated as being at high risk of run-off³.

The proposed site is over a chalk aquifer and possibly on the edge of a crag aquifer⁴ which may be helping to feed the borehole⁵ used to supply drinking water to the City of Norwich. The current Water Framework Directive assigns this area an Ecological Status of ‘Good’ and it is the only area to achieve this rating in Norfolk.⁶

The proposed site is within a Drinking Water Protected Area and designated a Safeguard zone⁷.

The proposed site forms part of the Broadland Rivers Catchment Plan⁸.

Without a full Environmental Impact Assessment how can the proposal demonstrate that it is safeguarding an important source of the drinking water supply for the City of Norwich?

How can the proposal demonstrate that it is safeguarding against the effect that pollution may have on an area designated as a Special Area of Conservation?

Additionally, the proposed lagoon’s position⁹ has to be explained, as it is currently shown positioned outside the LDO and in very close proximity to the River Tud.

¹ Environment Agency 2014, Flood Map is based in part on digital spatial data licensed from the Centre for Ecology and Hydrology

² European Designated Sites (Natura 2000)

³ Centre for Ecology and Hydrology © NERC. Based upon LCM2007 ©NERC (CEH) 2011

⁴ British Geological Survey

⁵ British Geological Survey Borehole TG10NW75 & TG10NW47

⁶ Environment Agency 2014

⁷ Environment Agency 2014, Based upon LCM2007 ©NERC (CEH) 2011

⁸ Broadland Rivers Catchment Plan 2014

When considering the second part of the statement in 5.3 “...in combination with other development...”, it is clear from the application SNC 2009/1307 & 2014/1792 that South Norfolk required an Environmental Impact Assessment to be undertaken in relation to a development with essentially similar impacts, albeit larger in area, and the Secretary of State for the Environment also confirmed that an EIA was required. Broadland Council’s own Area Planning Manager confirmed the terms of a required EIA under planning application 2014/1431 in his letter (dated 20/10/2014) to Lanpro Services, who acted on behalf of the landowner.

Has the cumulative effect of approved planning application¹⁰ for 890 homes been taken into account? If so how has this been evidenced?.

With major housing development in Costessey and the surrounding areas along the A47 corridor as well as continued expansion of the Longwater Industrial estate the cumulative effect of these developments also need to be considered with regard to network capacity.

It should be noted that a number of the statutory bodies considered an EIA necessary in 2014, with their opinions more based on location rather than the size of the development.

It is clear that cumulative effects were considered in the 2014 Scoping submission.

What were the cumulative effects considered in relation to the 2016 screening decision?

If they are different to the 2014 cumulative effects what is the justification for this basis?

There is potentially a failure to take into account all of the elements in Schedule 3¹¹.

The approach in the 2016 Screening is largely to simplistically apply the Government’s Planning Practice Guidance, rather than Schedule 3 of the EIA Regulations.

Furthermore, this proposal is inconsistent with the suggested indicative scale of up to 10ha for the initial phase of the SPD. This indicates that further phases are expected and as such the cumulative effects should have been considered especially as, until recently, SNC was looking at the potential for a phase 2 under a separate LDO.

The two phases combined equate to 40ha, and it could be argued that this is a failure to consider cumulative effect, or an illegitimate ‘salami slicing’ of one project into two so as to distort the environmental analysis. If the lagoon is situated outside the existing proposed Broadland Council LDO area, then it should be taken into the LDO area. If that is not possible, as seems to be the case, it reaffirms that more than one phase exists.

It is clear that both the “*in isolation*” and the “*in combination*” considerations are vulnerable to evidence that potentially undermines their validity and, as such, caution should be taken in trusting the conclusion of the screening document and its legal standing.

A crucial question that needs to be considered is whether the barrister who gave the original advice was provided with all the facts needed to make an informed judgement. It is clear the screening document is less than thorough, as is further evidenced by SNC’s requests for numerous amendments. SNC have also suggested that the issue of the EIA should be reconsidered.

⁹ Sheilsflynn Landscape strategy for Broadland FEZ site October 2016 p19 fig 5, p27,28,29 KEYPLAN

¹⁰ Snc planning application 2014/2611

¹¹ The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended 2015

Given the weight of local public opinion, the many environmental concerns, including the severe impact on the countryside setting and the potential impact on traffic [*see note (b) below*], Easton Parish Council requests that Broadland District Council should refuse this application as it currently stands.

On behalf of Easton Parish Council



Cllr Peter Milliken BABA (Hons)

Chair Easton Parish Council

Note (a) An undated document, but preliminary analysis of this pdf shows it was created on 03/10/2016 under the authorship of Stephen Scowen.

Note (b) In this regard we also need to know why BDC failed to comply with (3.1(1)), p. 9) of the SPD¹² for the Food Hub which refers to the need for good public transport links.

¹² The Food Hub SPD adopted in July 2014.