



## **MATTER 5 HEARING STATEMENT**

### **North Norfolk Local Plan Examination**

On behalf of:  
**D L Ritchie Will Trust**

Date:  
**January 2024**

Document Reference:  
**GA/DJ/01320/S0004**

## 1.0 INTRODUCTION

- 1.1 This Hearing Statement has been prepared on behalf of our client, D L Ritchie Will Trust, in response to the Matters, Issues and Questions for the North Norfolk Local Plan Examination. It is intended to assist the Inspector's consideration of the soundness of the Plan and will form the basis of our points for discussion at the examination hearing session. We have answered the Ludham specific questions at 5.12.1, 5.12.2, 5.12.3 and 5.12.4.

## 2.0 MATTER 5: PLACES & HOUSING SITES

### 5.12 LUDHAM

#### Question 5.12.1

**Are the detailed Settlement Boundaries for Ludham, and the boundaries of the various Policy Area Designations (listed in paragraph 9.1.6 of the plan) suitable and justified given their policy function?**

- 2.1 No. See comments below on the site allocations.

#### Question 5.12.2

**Are the housing allocations for Ludham the most appropriate when considered against reasonable alternatives in the light of site constraints, infrastructure requirements and potential impacts?**

- 2.2 No. It is clear from the limited assessment of sites detailed in the Site Assessment Booklet for Ludham (Ref: D11) that a very early decision was made for the draft Local Plan to simply re-allocate previous allocations and that no further consideration of additional sites (or reconsideration of current allocations) was deemed necessary. This ignores the clear need for more growth in the village to reflect its sustainability as a Large Growth Village and to meet the need for affordable housing (see Matter 2 Hearing Statement).
- 2.3 The failure to consider reasonable alternatives against proportionate evidence is clear from a review of the sites allocated and those discounted:
- **LUD01/A:** As set out below, our client's site at School Road, Ludham is proposed to be re-allocated with the number of dwellings increased from 15 to 20. This is despite the fact that

the site has planning permission for 12 dwellings and will not deliver anywhere near 20 dwellings.

- **LUD06/A:** As set out below, Policy LUD/06A for 15 dwellings is clearly not deliverable as there is no evidence that the landowner supports its delivery and it is not suitable for development as the proposed access would require the removal of protected trees.
- **LUD01:** As set out in our Matter 2 Hearing Statement, LUD01 is part of the same field as LUD01/A and is identified as being suitable and available for development but it is not allocated as the Council finds that *"it would provide a quantum of housing beyond what is required for this settlement"* (Site Assessment Booklet for Ludham, paragraph 3.1, Ref: D11). Given the need for more housing in the village and the clear evidence to demonstrate that the proposed allocations will only deliver 12 out of 35 dwellings, this conclusion is not justified.
- **Other Sites:** LUD01/B (i.e. the remainder of the same field as LUD01 and LUD01/A), LUD02 and LUD11 are discounted on grounds of landscape and impact on rural character despite very limited assessment of these points.

### Question 5.12.3

#### **Land South of School Road (LUD01/A) – Standard Questions a) to k)**

##### **a) Has the site been allocated previously or is it a new allocation?**

- 2.4 It was previously allocated for 15 dwellings by Policy LUD01 of the Site Allocations Development Plan Document adopted in February 2011.

##### **b) Does the site have planning permission and/or are there current applications under consideration? If so please list.**

- 2.5 It has planning permission for the erection of 12 dwellings (Ref: PF/19/0991) that was granted on 25<sup>th</sup> February 2022 and this permission has recently been varied by a S73 application (Ref: RV/23/1631) to amend the housetype plans and materials ahead of construction.

##### **c) Are any modifications suggested to the policy or text, or the site boundaries? If so, why, and are they justified or required for effectiveness?**

- 2.6 The majority of the suggested text is considered to be appropriate with the exception of: *"4. Retention and safeguarding of trees along the western boundary that are covered by a group Tree*

*Preservation Order*.” There are no trees along the western site boundary. This requirement appears to have been copied from Policy LUD06/A in error and it should be deleted.

**d) Have the impacts and effects of development been properly taken into account?**

2.7 Yes, the site has planning permission and has therefore demonstrated that there are no adverse impacts or effects of the development that have not been accounted for.

**e) Are the components of the proposal (number of dwellings, units of elderly care accommodation, amount of public open space etc) in the first sentence of the policy for the site justified?**

2.8 No. As set out previously, applications on the site have demonstrated that it can only accommodate 12 dwellings.

**f) What form would the public open space take?**

2.9 On the approved layout there is an informal area of open space incorporating SUDS drainage in the middle of the site.

**g) Having regard to these components, is the estimate of site capacity justified?**

2.10 No, as above it should be reduced to 12 dwellings.

**h) What is the land ownership position and is the site currently being promoted by a developer?**

2.11 Our client owns the site and is in the process of selling it to a developer.

**i) Are the site-specific requirements for development of the site justified, consistent with national policy and would they be effective?**

2.12 Yes, with the exception of criteria 4 as explained above.

**j) Given the components of the proposal and the site requirements, would development of the site be viable?**

2.13 Yes.

**k) Overall, is the site deliverable within the plan period and is the expected timescale for the development of the site set out in the Council's updated housing trajectory realistic? Has the landowner/developer confirmed this?**

2.14 Yes and yes.

**Extra Question l) As part of a larger field, how has the site boundary been determined?**

2.15 It would appear that a decision was made to simply re-allocate the previous site without considering the merits of allocating additional land in the same field.

**Question 5.12.4**

**Land at Eastern end of Grange Road (LUD06/A) – Standard Questions a) to k)**

**a) Has the site been allocated previously or is it a new allocation?**

2.16 It was previously allocated for 10 dwellings by Policy LUD06 of the Site Allocations Development Plan Document adopted in February 2011.

**b) Does the site have planning permission and/or are there current applications under consideration? If so please list.**

2.17 No. Despite being allocated for residential development for over a decade there have been no planning applications submitted on the site. The Council's Five-Year Supply of Housing Land 2023 – 2028 (Ref: EX007) states that there is no indication of a likely application in the short term.

**c) Are any modifications suggested to the policy or text, or the site boundaries? If so, why, and are they justified or required for effectiveness?**

2.18 The policy should be deleted as there is no evidence that the site is deliverable.

**d) Have the impacts and effects of development been properly taken into account?**

2.19 No. The wording of the policy requires the provision of highways access via Grange Close and the retention and safeguarding of trees along the western site boundary that are covered by a group Tree Preservation Order (TPO). These trees are located at the point of access from Grange Close and it will clearly not be possible to construct an access to adoptable standard without resulting in

the loss of at least one of these protected trees and potentially two others when the impact of excavation in root protection areas is taken into account. It is clearly not appropriate or sound, given that there are reasonable alternatives, to allocate a site that cannot be accessed without removing TPO trees.

**e) Are the components of the proposal (number of dwellings, units of elderly care accommodation, amount of public open space etc) in the first sentence of the policy for the site justified?**

2.20 No. The site is not deliverable and should be removed from the plan.

**f) What form would the public open space take?**

2.21 N/A

**g) Having regard to these components, is the estimate of site capacity justified?**

2.22 N/A

**h) What is the land ownership position and is the site currently being promoted by a developer?**

2.23 There is no evidence of support for the allocation from either the landowner or a developer.

**i) Are the site-specific requirements for development of the site justified, consistent with national policy and would they be effective?**

N/A

**j) Given the components of the proposal and the site requirements, would development of the site be viable?**

2.24 N/A

**k) Overall, is the site deliverable within the plan period and is the expected timescale for the development of the site set out in the Council's updated housing trajectory realistic? Has the landowner/developer confirmed this?**

2.25 No and no.

**Extra Question I) As part of a larger field, how has the site boundary been determined?**

2.26 N/A