



**MATTER 5 HEARING STATEMENT  
W01/1 – ASHBURTON CLOSE**

**North Norfolk Local Plan Examination**

On behalf of:  
**Holkham Estate**

Date:  
**January 2024**

Document Reference:  
**GA/DJ/03922/S0004**

## 1.0 INTRODUCTION

- 1.1 This Hearing Statement has been prepared on behalf of our client, the Holkham Estate, 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 Wells specific questions at 5.9.1, 5.9.2 and 5.9.3 with respect to Holkham's site at W01/1 – Ashburton Close, Wells.

## 2.0 MATTER 5: PLACES & HOUSING SITES

- 2.1 The Holkham Estate were approached by North Norfolk District Council in spring 2023 to agree a Statement of Common Ground (SoCG) for the emerging allocation policy for their site at W01/1 – Ashburton Close, Wells. This SoCG doesn't appear to have been uploaded as an examination document and we have therefore attached it at **Appendix 1**. The SoCG identifies areas of agreement and any areas of disagreement that are reflected in our answers below.

### 5.9 WELLS

#### Question 5.9.1

**Are the detailed Settlement Boundaries for Wells, 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?**

- 2.2 See separate Hearing Statement for W07/1 – Holkham Road, Wells.

#### Question 5.9.2

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

- 2.3 Yes.

#### Question 5.9.3

**Standard Questions a) to k)**

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

2.4 New allocation.

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

2.5 An application for 23 dwellings is currently pending determination (Ref: PF/23/1113). This application was submitted in June 2023 following positive pre-application discussions and it is expected to be approved in early 2024 following the resolution of a couple of final technical matters.

**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 As set out in the SOCG (**Appendix 1**), Holkham supports the suggested policy text with the exception of the requirement for the delivery of 0.05 hectares of public open space (POS) on-site. There is a large area of POS in the adjoining development to the north and given the size of the site it is considered more appropriate for the proposal to maximise the delivery of housing whilst making a financial contribution to improving POS provision off-site. This has been agreed in the consideration of the current application. We therefore recommend that the policy is amended to require either on-site provision or an off-site contribution, as follows:

*"6. ~~Either On-site~~ delivery of not less than 0.05 hectares of public open space, or a financial contribution to off-site public open space improvements in Wells-next-the-Sea;"*

2.7 This change will ensure that the policy is effective and therefore sound.

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

2.8 Yes, as demonstrated by the current application that is nearing approval, 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?**

2.9 Yes, with the exception of the required area of on-site open space as set out above.

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

2.10 See above. Holkham objects to the requirement for on-site open space.

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

2.11 Yes.

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

2.12 The site is wholly owned by the Holkham Estate who propose to develop the site themselves.

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

2.13 Yes, with the exception of the on-site open space requirement as above.

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

2.14 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?**

2.15 Yes and yes.

**Extra Question l) Does the proposal constitute a major development in the AONB, and if so does it satisfy the test set out in NPPF paragraph 177?**

2.16 Whilst the site is located within AONB, it is of a modest scale that would simply round-off a recent development within the same existing field boundaries. We do not therefore consider that it constitutes major development in the AONB in accordance with NPPF paragraph 177 and footnote 60. In this respect, it should be noted that the NPPF does not define what constitutes 'major development' (in the context of AONBs) stating instead that this will be a matter for the decision taker, taking into account its nature, scale and setting, and whether it could have a significant

adverse impact. A Landscape and Visual Impact Assessment has been prepared and submitted with the current application and consultation responses received from the Council's landscape specialists confirming that they agree that the proposal would not have a significant landscape impact and it cannot be considered a 'major development' under NPPF paragraph 177.

- 2.17 The Council's Site Assessment Booklet for Wells-next-the-Sea (Ref: D8) finds that *"This small site is located to the south of a recent residential development and is very well contained in the landscape being screened behind existing houses and a mature hedge and tree boundary. Residential development on the site would be a natural continuation of the urban development to the north"*. It is assumed from this assessment that the Council agrees that the proposal would not constitute major development in the AONB.

## **APPENDIX 1. STATEMENT OF COMMON GROUND**

# **North Norfolk District Council Site Allocation Statement of Common Ground and Information Request**

## **Introduction**

NNDC are currently coming towards the end of the Local Plan's Regulation 19 consultation on the proposed submission version, and are now moving toward the submission for examination. With this in mind, the Council wishes to ensure that all sites allocated within the draft Local Plan (Ch.9-Ch22) are achievable, deliverable and provide the Inspector(s) of the Plan with an assurance of the delivery of respective sites and areas of agreement. It is with this purpose in mind that all landowners, agents and developers with a site that is included within the list of draft allocations, are being asked to agree to a Statement of Common Ground (SoCG). Each signed SoCG will be provided to the appointed inspector and will be included within the submission of the Local Plan later this year.

A template of the SoCG is provided below Landowners, agents and developers are asked to read through this version and confirm your agreement. this version includes basic points of agreement on site delivery, policy wording and any proposed modifications made through the Regulation 19 consultation.

The purpose of this statement of common ground is to provide assurances to the inspector that the site being promoted is supported, in line with the expected policy considerations as detailed in the Plan and relevant site allocation policies.

As the promoters of the site, we would like you to confirm your support for the allocation and its delivery.

**Statement of Common Ground**

**Agreed between**

**North Norfolk District Council and Holkham Estate**

**Policy W01/1**

**(DATE TBD)**



## **1. Purpose of Statement of Common Ground**

- 1.2. This Statement of Common Ground (SoCG) has been prepared by North Norfolk District Council (NNDC) and Holkham Estate to set out the position of the two named bodies in relation to the North Norfolk draft Local Plan 2016-2036. It has been prepared in advance of the Local Plan Public Examination.
- 1.3. This SoCG is intended to inform the inspectors and other parties about the areas of agreement and demonstrate how the two parties will continue to work together.
- 1.4. This SoCG focuses on the proposed allocation site, Land South of Ashburton Close. This document records the areas of agreement based on the site specific policy, W01/1 as set out in the Regulation 19 submission version of the draft Local Plan. This document also confirms the site owner's position on the delivery of the site and identifies any potential matters where parties do not agree.

## **2. Policy W01/1 (Proposed Modifications – Jan 2022)**

- 2.1. The site, Land South of Ashburton Close has been proposed for allocation in the Regulation 19 submission version of the draft Local Plan for approximately 20 dwellings on a site area of 0.7 hectares, as shown below.
- 2.2. The site is considered suitable and available for development and is subject to the below policy criteria.



Figure 1, Land South of Ashburton Close, W01/1

## Policy W01/1

### Land South of Ashburton Close

Land amounting to 0.7 hectares, as defined on the Policies Map, is allocated for residential development of approximately 20 dwellings, public open space, and associated on and off-site infrastructure.

Planning permission will be granted subject to compliance with the policies in this Plan, and the following site specific requirements:

1. Delivery of high quality design that pays careful attention to site layout, building heights and materials in order to minimise the impact of the development on the Norfolk Coast AONB;
2. Provision of convenient and safe vehicular access from Home Piece Road to the north, and Market Lane to the west;
3. Retention and enhancement of mature hedgerows and trees around the site boundaries;
4. Submission, approval and implementation of a Surface Water Management Plan ensuring that there is no adverse effects on European sites and greenfield run off rates are not increased;
5. Submission, approval and implementation of a Foul Water Drainage Strategy setting out how additional foul flows will be accommodated within the foul sewerage network;
6. On-site delivery of not less than 0.05 hectares of public open space;
7. Upgrading and enhancement of the public right of way (BR23) to the south of the site to provide pedestrian and cycle access, including access from Ashburton Close;
8. Provision of landscaping to the south and west of the site to minimise the visual impact of the development from Holkham Hall Registered Park and Garden (Grade I); and,
9. Appropriate contributions towards mitigation measures identified in the Norfolk Green Infrastructure and Recreational Impact Avoidance & Mitigation Strategy (GIRAMS).

### 3. Additional Proposed Modifications

3.1. Following a review of the Regulation 19 representations, the Council are proposing a number of additional modifications for the Inspector to consider during the public examination of the Plan. In this instance, the Council has not identified any additional proposed modifications needed for W01/1.

### 4. Site Delivery and Development Phasing

4.1. Both parties agree that the site can be sold for residential use/developed at a land value that would enable a policy compliant scheme to be brought forward.

4.2. Both parties agree that the land within the site boundary, as shown at Figure 1, is capable of delivering the agreed upon number of dwellings and associated infrastructure as outlined in the above site specific policy and the wider Local Plan, with the exception of the point of disagreement noted below.

4.3. North Norfolk District Council and Holkham Estate agree that the expected delivery timescales as set out in the table below are accurate to the best of their knowledge and will be met to the best of their ability.

4.4. Both parties agree that the expected delivery of the site could be provided for within plan period after adoption. Both parties support the delivery timescales as published in the Regulation 19 version of the Local Plan and support future discussions on delivery timescales if these are to change. The indicative delivery schedule for this site is shown below.

#### 4.5. Table of Site Delivery Timescales

*Table 1. Indicative Delivery Timescales*

<b>Years after Adoption</b>	<b>No. Dwellings expected to be built</b>
0-4	20

5-10	
11-15	

- 4.6. Both parties are not aware of any unusual or abnormal development costs that could affect the deliverability of the site and render the site inconsistent with the requirement set out in the draft Local Plan.

## **5. Land Availability**

- 5.1. Holkham Estate confirm that the land referred to as Land South of Ashburton Close, Policy W01/1, as set out in the Local Plan, is under their sole ownership, and will be made available for residential development to ensure delivery within the remaining Plan period to 2036.
- 5.2. Holkham Estate confirm that the site is free of any restrictions, covenants, wayleaves or other encumbrance requiring third party approval.

## **6. Moving Forward**



- 6.1. Both parties are committed to continuing to co-operate and work closely together, and in conjunction with other stakeholders, towards the delivery of proposed site allocation.

## **7. Agreement**

- 7.1. North Norfolk District Council and Holkham Estate agree to the contents of this Statement of Common Ground and commit to demonstrating an ongoing cooperation in the delivery of growth as set out in the North Norfolk District Council's draft Local Plan.
- 7.2. By signing this agreement, Holkham Estate confirm that any information provided is accurate to the best of their knowledge, and that it can be used as evidence in the public examination of the draft Local Plan.
- 7.3. It is considered there are no remaining significant areas of disagreement between the two parties that would prevent the delivery of this site in the timeline envisaged.

## 8. Area of Disagreement

- 8.1. Both parties acknowledge that there is an area of disagreement in relation to policy criteria 6 which requires the on-site provision of public open space. Given the size of the site, the Holkham Estate do not consider it appropriate to mandate open space provision on-site as this is likely to affect the ability of the allocation to deliver the quantum of development proposed. The Holkham Estate considers that this criterion should be amended to ensure the deliverability and soundness of the allocation by allowing for open space provision to be provided either on-site or through a financial contribution to off-site provision.

Organisation	Name and Job Title	Signature	Date
North Norfolk District Council	Matthew Gutteridge – Senior Planning Officer		13/06/2023
Holkham Estate	Geoff Armstrong Director Armstrong Rigg Planning On behalf of the Holkham Estate		21/06/2023