



**MATTER 5 HEARING STATEMENT
W07/1 – HOLKHAM ROAD**

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 5.9.4 with respect to Holkham's site at W07/1 – Holkham Road, 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 W07/1 – Holkham Road, 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 As set out in more detail below, we consider that the site area for W07/1 should be extended to include the field required for access from Mill Road. This land should be shown as part of the allocation on the policies map.

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 5.9.4

Land Adjacent Holkham Road (W07/1)

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 No planning application has been submitted for this site yet, but our client has had positive pre-application discussions with North Norfolk District Council and Wells-next-the-Sea Town Council.

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 Holkham objects to the proposed site boundary (Figure 1) as it doesn't include land required for access from Mill Road. Criteria 3 of the Policy W07/1 requires vehicular access from Mill Road, but unless sufficient land is included within the site boundary to achieve this the policy will not be deliverable, effective or sound.



Figure 1. Regulation 19 Proposed Site Boundary

2.7 As set out in the SOCG (**Appendix 1**), in response to our client’s Regulation 19 comments, the Council is proposing to include in the site boundary a strip of land to the north of Mill Road that is in our client’s ownership (Figure 2). Holkham support the need to amend the site boundary, but object to the area proposed to be included at Figure 2 as it is insufficient to provide the required access.



Figure 2. North Norfolk District Council’s Proposed Amendment to the Site Boundary (see SOCG at Appendix 1)

2.8 The precise route for the required access from Mill Road remains to be determined through the forthcoming planning application, but from initial technical assessments and pre-application discussions with the Council and Norfolk County Council Highways it is clear that the land shown at Figure 2 will not be sufficient. To ensure that Policy W07/1 is deliverable, effective and sound, we consider that a larger area encompassing the whole field through which the access is proposed should be included within the site boundary as shown at Figure 3.



Figure 3. Holkham's Proposed Site Boundary

- 2.9 To ensure that this additional land is used solely for access and appropriate landscaping, we consider that criteria 3 of the policy should be amended as follows:

"3. Provision of convenient and safe vehicular access to the site from Mill Road is to be provided through the area shown on the site boundary plan. For the avoidance of doubt no development other than access works and appropriate landscaping will be supported in this area."

- 2.10 The policy introduction will also require updating to reflect this additional areas as follows:

"Land amounting to ~~23~~ 23.6 hectares"

- 2.11 As set out under question f) below, following the agreement of the SOCG, detailed drainage designs for the site have been prepared that show that part of the open space will be required to accommodate SUDS drainage. We request that this is added to the policy as suggested under question f).

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

- 2.12 Yes, we consider that all potential impacts and effects of the development are properly 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?

2.13 Yes.

f) What form would the public open space take?

2.14 Our client's pre-application proposals show a play area to the south of the open space nearest to the proposed dwellings with a drainage basin located to the north of the open space. Given the fall of the land from south to north, the public open space area will be required to accommodate SUDS drainage, but this can be designed in such a way so as to complement the area of informal open space proposed. To ensure the effectiveness of the policy, we consider that it should be amended as follows:

*"2. Provision of 0.6 ha of high quality public open space including facilities for play, & informal recreation **& integrated SUDS drainage where required**;"*

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

2.15 Yes.

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

2.16 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?

Yes, with the exception of the suggested amendment to ensure the effectiveness of policy as set out above.

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

2.17 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?

2.18 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?

2.19 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. In this respect, the proposal is for a development of approximately 50 dwellings on a site that adjoins the built-up area of Wells-next-the-Sea on two sides. It would be seen within the context of the town and not as part of the wider landscape of the AONB. The proposal is of a nature that reflects its surroundings, it is of a scale appropriate to its edge of town setting and, with appropriate landscaping as required by the emerging allocation policy, we consider that it would not have a significant adverse impact on the AONB. We therefore consider that the proposal would not constitute 'major development' in the AONB.

2.20 Whether or not the proposal constitutes major development in the AONB is a matter for the Inspector as the decision taker. For the avoidance of doubt we have therefore answered the second part of this question as to whether if the site is considered to be 'major development' in the AONB, whether it satisfies the test set out in NPPF paragraph 177. Paragraph 177 states that 'major development' in the AONB should only be allowed in exceptional circumstances where it can be demonstrated that the development is in the public interest. In this respect, against the criteria at NPPF paragraph 177 for judging such applications:

- a) There is clearly a great need for the development as Background Paper 2 (Ref: C2) identifies that in February 2019 there were 915 people on the housing waiting list with a preference for living in Wells-next-the-Sea and 134 people with a local connection to the town. This represents a significant need for affordable housing which the proposal would help meet. Further, as set out in our hearing statement to Matter 3, Holkham commissioned an independent Housing Needs Assessment (HNA) in 2021 with Wells-next-the-Sea Town Council (which is available as

part of the evidence base for the emerging Wells-next-the-Sea Neighbourhood Plan¹) which identifies 4 key issues with the existing housing mix in Wells-next-the-Sea caused by the popularity of the town: (i) a diminishing private rental sector; (ii) a need for more affordable rental stock; (iii) the under-occupancy of larger dwellings; and (iv) a lack of affordable home ownership products. The proposal would help resolve each of these key issues.

- b) There would be an enormous social, economic and environmental cost of developing outside the designated area. The AONB covers a large swathe of the north Norfolk coast and there are no other locations that are sustainably accessible from Wells-next-the-Sea that are not located within the AONB. Locating development outside of the designated area would therefore force people with a local connection to live apart from their family and friends, it would make it harder for key industries in the town to recruit staff and it would increase private car use for people working in the town that can't find appropriate accommodation nearby.
- c) As set out above, the proposal is of a nature that reflects its surroundings, it is of a scale appropriate to its edge of town setting and, with appropriate landscaping as required by the emerging allocation policy, we consider that it would not have a significant adverse impact on the landscape character of the area. With respect to wider environmental considerations, our client has instructed assessments that demonstrate that Biodiversity Net Gain can be delivered on-site as part of the proposal. The proposal would also deliver new recreational opportunities through the provision of on-site open space.

2.21 In summary, there is a clear need for the proposal, there would be enormous social, economic and environmental costs if housing were instead delivered outside the AONB and any detrimental effects on the environment, landscape and recreational opportunities can be moderated. We therefore consider that, if found to comprise major development in the AONB, exceptional circumstances demonstrate that the proposal is in the public interest.

2.22 The Council's Site Assessment Booklet for Wells-next-the-Sea (Ref: D8) finds that "*Although the site is within the Area of Outstanding Natural Beauty, considerate landscaping to the north of the site, sympathetic design and layout, together with the on-site open space in the more visible part of the site, will mitigate the impact on the landscape and assist in providing additional public open space in Wells.*" It goes on to state that number of dwellings proposed was reduced from 60 proposed at Regulation 18 stage to allow for greater landscape mitigation and reduce impacts. The assessment does not conclude whether the Council considers the proposal to constitute major development in the AONB, but it indicates that the Council considers that the proposal would not

¹ <https://www.north-norfolk.gov.uk/info/planning-policy/neighbourhood-plans/wells-next-the-sea-neighbourhood-plan/>
[Accessed 18/12/2023]

have a significant adverse impact and it is therefore assumed that the Council agrees that the proposal would not constitute major development in the AONB.

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

- 2.23 We can confirm that we consider the site boundary to be suitable with the exception of the land required for access from Mill Road (see above). Pre-application discussions and discussions in the preparation of the SOCG have confirmed that it is common ground that the proposed allocation is deliverable on this land.

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 W07/1

(13/06/2023)

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 Adjacent Holkham Road. This document records the areas of agreement based on the site specific policy, W07/1 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 W07/1 (Proposed Submission Version – Jan 2022)

- 2.1. The site, Land Adjacent Holkham Road has been proposed for allocation in the Regulation 19 submission version of the draft Local Plan for approximately 50 dwellings on a site area of 2.6 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 Adjacent Holkham Road, W07/1

Policy W07/1

Land Adjacent Holkham Road

Land amounting to 2.6 hectares, as defined on the Policies Map, is allocated for residential development of approximately 50 dwellings, 0.6 hectares public open space, and associated on and off-site infrastructure.

Planning permission will be granted subject to compliance with the policies of 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 visual impact of the development on the Norfolk Coast AONB and long distance wider landscape views;
2. Provision of 0.6 ha of high quality public open space including facilities for play & informal recreation;
3. Provision of convenient and safe vehicular access to the site from Mill Road;
4. Retention and enhancement of mature hedgerows and trees around the site boundaries including provision of landscaping along the northern and eastern boundaries;
5. Provision of cycle and step free pedestrian access from Mill Road through the site and public open space to both Bases Lane and Holkham Road, including footway improvements to a minimum width of 2.0m between the Holkham Road pedestrian and cycle access and the boundary of the property known as 4 Laylands Yard;
6. 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;
7. Submission, approval and implementation of a Foul Water Drainage Strategy including details of any off-site mains water reinforcement, enhancements and setting out how additional foul flows will be accommodated within the foul sewerage network;
8. Delivery of a scheme that pays careful attention to design and landscaping to minimise any potential impacts on Holkham Hall Registered Park and Garden (Grade I) to the south and west of the site, and to the Wells Conservation Area directly adjacent to the north east and east of the site; and,
9. Appropriate contributions towards mitigation measures identified in the Norfolk Green Infrastructure and Recreational Impact Avoidance & Mitigation Strategy (GIRAMS).

The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. Any future development on this site will need to address the requirements of Norfolk Minerals and Waste Core Strategy Policy CS16 - 'safeguarding' (or any successor policy) in relation to mineral resources, to the satisfaction of the Mineral Planning Authority.

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. The table below identifies the proposed modifications to Policy W07/1 to be discussed and

the Council seeks agreement by both parties on these ahead of examination.

- 3.2. Proposed new wording has been inserted into the policy and highlighted in red and underlined, wording proposed for removal is marked with a strike-through.
- 3.3. This SoCG focuses on the proposed residential allocation at Land adjacent Holkham Road. This document records the areas of agreement based on the site specific policy, Policy W07/1 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.

Table 1. Proposed Modifications

Policy Criteria No.	Modification
Criterion 3	3. Provision of convenient and safe vehicular access to site from Mill Road <u>in accordance with the requirements of the Design Manual for Roads and Bridges (DMRB) and to the satisfaction of the Highway Authority.</u>

4. W07/1 Proposed Access

- 4.1. As a result of representations received the Local Plan's Regulation 19 consultation, the Council propose an additional modification to the Local Plan in order to clarify the requirement relating to access for Policy W07/1 on the relevant Policies Map in the Plan, as shown below. The size of the site is expected to increase to approximately 2.72ha.
- 4.2. Both parties agree that the access point to W07/1 will be from Mill Road only and agree the site's access will require additional land already within the landowner's ownership.



Figure 2, Policy W07/1 with access route shown

5. Site Delivery and Development Phasing

- 5.1. 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.
- 5.2. Both parties agree that the land within the site boundary, as shown at Figure 2 of this document, 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.
- 5.3. 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.
- 5.4. 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.

5.5. Table of Site Delivery Timescales

Table 2. Indicative Delivery Timescales

Years after Adoption	No. Dwellings expected to the built
0-4	50
5-10	
11-15	

5.6. 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.

6. Land Availability

6.1. Holkham Estate confirm that the land referred to as Land Adjacent Holkham Road, Policy W07/1, 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.

6.2. Holkham Estate confirm that the site being free of any restrictions, covenants, wayleaves or other encumbrance requiring third party approval.

7. Moving Forward

7.1. 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.

8. Agreement

- 8.1. 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.
- 8.2. 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.

9. Area of Disagreement

- 9.1. Both parties acknowledge that there is an area of disagreement in relation to the extent of the site boundary, as proposed to be amended at Figure 2. It is agreed that additional land is required to be included within the allocation to achieve the required access from Mill Road, but Holkham Estate do not agree that the addition land shown at Figure 2 is sufficient to provide the required access. The route for this access remains to be determined by technical assessment and to ensure its deliverability Holkham Estate considers that a larger area (encompassing the whole field through which the access is proposed) should be included within the site boundary and a statement added to the policy wording that the land is to be used for access only and no other development.

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