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North Norfolk District Council's Response to Inspector's Matters and Issues: Questions (ix) - (xvii) in relation to Cromer

References in square bold brackets [xx] refer to Examination Library document numbers.

1. Introductory Remarks

- 1.1 This paper is prepared by North Norfolk District Council in response to the Matters and Issues identified by the Inspector and will provide the basis of the Council's position at the Hearing session.
- 1.2 The Council considers that the Site Specific Proposals Draft Plan [A1.1] is sound as submitted, however, it has suggested a number of minor modifications to the submission document which can be considered by the Inspector. These changes are designed to improve the clarity and consistency of the plan and are listed in two schedules of possible changes. The Schedule of Minor Modifications [A1.4] includes minor editorial corrections, points of clarification, or are changes responding to points made by representors. The Council considers that none of these minor modifications, either individually or cumulatively, affect the overall thrust of the plan's policies and therefore further consultation or sustainability appraisal is not required. A small number of minor modifications are requested in Cromer.
- 1.3 In addition to the Schedule of Minor Modifications the Council has asked the Inspector to consider a Schedule of Key Changes [A1.3]. These changes are more substantial in nature and have therefore been subject to further consultation and sustainability appraisal. The Council considers that the Plan is sound as submitted and that the suggested changes would go some way to addressing representations made about the Plan. No Key Changes are requested in Cromer.

2. Context for allocations in Cromer

- 2.1 The introductory text to the Cromer section of the Draft Plan [A1.1] sets out the strategic context within which the proposed allocations are made. The Core Strategy identifies Cromer as a Principal Settlement and one of a cluster of three towns, along with Holt and Sheringham, which are closely related and perform complementary roles. Cromer has the highest housing need in the District, contains a wide range of shops of services, and is identified for relatively high levels of housing growth during the plan period - the Core Strategy allows for approximately 400 - 450 dwellings to be built on new sites that are well related to the built up area where encroachment into the wider countryside is minimised. This recognises the environmental constraints of the town, including the Norfolk Coast Area of Outstanding Natural Beauty (AONB) designation. The Site Specific Proposals Draft Plan allocates a number of housing sites in and around Cromer

on a mix of brownfield and greenfield sites (C04, C07/08, C14 and C17), two retail opportunity sites (ROS3 and ROS4) and a site for possible future education purposes (ED2). The allocations:

- balance the housing needs of the area with protection of the attractive setting of the town;
- are relatively well contained in the landscape; and
- provide new public open space in the south west of town where a deficiency has been identified.

3. Response to Inspector's specific questions

***ix) Are the individual housing allocations available, suitable, and achievable (i.e. "deliverable"), in the terms of PPS 3, such as to deliver a 5 year land supply? ; and
x) Is there a reasonable prospect of the remaining allocations being developed within 15 years?***

3.1 PPS3 requires that Local Planning Authorities (LPAs) identify sufficient specific *deliverable* sites to deliver housing in the first five years. LPAs also need to identify a further supply of specific, *developable* sites for years 6-10 and, where possible, for years 11-15. To be considered deliverable sites should be available, suitable and achievable. To be considered developable sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be developed at the point envisaged.

3.2 The Council considers that all allocations in the plan are available and suitable and can be developed within 15 years. In addition, as stated in the response paper to Days 1 and 2, sufficient allocations are also considered achievable in order to deliver a 5 year supply of land. The Housing Trajectory [F4 (ii)] and the Strategic Housing Land Availability report SHLAA [F4 (i)] indicate which sites the Council expects to deliver housing within the next 5 years in Cromer. This is summarised in the attached table and summarised below:

- **Available:** Landowners of all residential sites have indicated support for development and that they are immediately available. This is referenced in the Draft Plan under the Deliverability section of the supporting text and is evidenced by SHLAA return forms from 2009 and 2010.
- **Suitable:** Site suitability for development has been tested by a process of Sustainability Appraisal, Appropriate Assessment and stakeholder and public participation and the Council considers that the proposed sites represent the most suitable for allocation. There are no major constraints facing the sites and they are in suitable locations for housing development. All sites are well related to existing development and services and are considered to have an acceptable landscape impact. Further details are contained in the Draft Plan and in response to the questions below.
- **Achievable:** Agents are promoting many of the sites and specific housebuilders have an interest in some of the sites. The attached table provides further details on progress on individual sites. Further information /

evidence is contained in the Draft Plan, SHLAA and 5 year land supply report.

xi) Are the other allocations (employment, retail and other) appropriate and deliverable, and consistent with PPS 4? If not, why not, and does that make the DPD “unsound”?

- 3.3 The Council has identified two ‘Retail Opportunity Sites’ in the town centre of Cromer (ROS3 and ROS4) and a site for future education purposes on the grounds of Cromer Town Football Club (ED2).
- 3.4 As with residential sites, the appropriateness of these other allocations has been tested through Sustainability Appraisal, Appropriate Assessment and stakeholder and public participation and the Council considers that the proposed allocations are sound. Results of these processes are available in the examination library documents [A1.5 to A1.8]. Both Retail Opportunity Sites are within the existing town centre and are compliant with PPS4 and the emphasis on development of sequentially preferable sites.
- 3.5 In terms of delivery, the retail opportunity sites are in multiple ownership which the Draft Plan acknowledges makes site assembly and delivery difficult. The Council will therefore seek early preparation of development briefs to investigate delivery mechanisms to bring the proposals forward (see paragraphs 4.7.4 and 4.8.4). Identifying them as Retail Opportunity Sites is part of the delivery process - Core Strategy policy SS5 protects such sites from residential development, therefore maintaining their availability for town centre retail investment, in preference to out of centre development. There is an identified need for additional comparison goods shopping in the Cromer / Holt / Sheringham area (North Norfolk Retail and Commercial Leisure Study [H4]) and the Council expects delivery to be demand driven. The allocations are intended to help deliver this in suitable locations. Additional retailing and other town centre uses are a desirable objective rather than an essential requirement and hence early delivery is not regarded as a pre-requisite to a sound plan.
- 3.6 Site ED2 is adjacent to the existing junior, infants and high schools and is ‘reserved’ for possible future expansion of the primary school sector. It is anticipated that if required the site would be retained as open play space which would allow for some expansion on the existing school site. As the Plan states in para 4.6.7, the site is held in Trust and currently used under agreement by Cromer Town Football Club. This agreement runs out in 2012 and there is uncertainty as to how the site will be used beyond that date. The land is subject to a Trust Deed which requires that the land is held upon trust for the Council ‘with a view to the enjoyment thereof by the public as an open space within the meaning of the Open Spaces Act 1906’. Discussions are ongoing between NNDC, Trustees and the Football Club to discuss the future use of the site.
- 3.7 It is difficult to predict if and when school expansion may be required - there is no certainty on the precise timing of the delivery of new housing, nor the number of children that will be generated. Currently there is spare capacity in existing schools and pupil numbers are expected to decline in future years. While the numbers of high school age pupils expected to be generated from the new dwellings could be accommodated within the predicted surplus capacity there

may be a need to expand the primary sector to accommodate the predicted number of primary age children. NNDC has had further discussion with the Education Authority about the number and types of dwellings likely to come forward in Cromer, and the implications for future school expansion and land requirements associated with this. They have recently advised that as at least one landowner has indicated that they wish to develop their site for older persons accommodation they feel that school expansion could be accommodated on the current site. However they suggest that it would be worth investigating shared / community use of sports facilities on the football club land in case it is needed in the future.

- 3.8 Whilst there are some uncertainties about the delivery of site ED2, the Council is committed to investigating various options. The first criteria of Policy ED2 states that development on the site is dependent on 'confirmation from the Education Authority that expansion of the school sector is required'. The latest evidence indicates that the predicted future pupil numbers may be able to be accommodated within expansion on the current school site. The Council feels that the allocation should remain in the Plan as a 'reserve' site for possible future school expansion in case future numbers of children exceed those predicted. This provides an element of flexibility to respond to changing circumstances and does not render the Plan unsound.

xii) (With reference to Sustainability Appraisal) Are the allocations "sustainable"?

- 3.9 The Sustainability Appraisal process looked at a range of sustainability factors covering environmental, social and economic criteria. The criteria favoured sites that have been previously developed, are well integrated, have minimal environmental impact and provide a safe and suitable location for new housing. Individual site results are contained in part 2 of the SA report [A1.6].
- 3.10 All allocations are well related to existing development and services and within walking distance of the town centre. They are expected to have relatively low impact on biodiversity and have no major environmental constraints. The Draft Plan contains details for each site and the attached table summarises the conclusion of the SA findings (under the 'Suitable' column). Where the SA process highlighted specific issues (such as flood risk, landscape etc) these have been addressed through specific policy requirements and / or are covered by Core Strategy policies.

xiii) Are any of the allocations subject to any demonstrable and overriding infrastructure constraints (esp. water/sewerage/drainage; education; highways) which cannot be overcome by planning conditions and/or obligations?

- 3.11 The evidence indicates that the sites are not subject to any overriding infrastructure constraints that cannot be overcome:
- 3.12 **Water / Sewage / Drainage:** Work associated with the Water Infrastructure Statement [A1.11] found that the full extent of the proposed development at Cromer can be accommodated within the existing volumetric consent at the WwTW. See Appendix 1 of the Water Infrastructure Statement for details.

- 3.13 **Education:** As discussed above, the Education Authority have indicated that the numbers of high school age pupils expected to be generated from the new dwellings could be accommodated within the predicted surplus capacity but there may be a need to expand the primary sector to accommodate the predicted number of primary age children. They originally commented that an additional site may be required to ensure there is long term flexibility to deliver additional school places if required (see paragraph 14.0.25 of Draft Plan [A1.1]), however have recently advised that, given the relatively small scale of the housing that would generate children, they feel that with creative use of the land between the three schools the expansion could be accommodated on the current site.
- 3.14 **Highways:** The Highway Authority has no objection to any of the allocations (see Sustainability Appraisal results sheet in SA Report Part 2 [A1.6]).
- 3.15 Site C17 was previously subject to Highways advice that it would be preferable to provide access to the site through sites C07/08. The Highway Authority has subsequently confirmed [I15.1] that this is not necessary as adequate visibility from The Avenue onto Norwich Road is likely to be achievable in accordance with the topographical and speed surveys provided by site agents [I15] and the site can therefore can be served independently from site C07/08.
- 3.16 The Constraints section of the Draft Plan highlights specific constraints facing each site that were identified through the site investigation process and these can be addressed through the normal planning process.

xiv) Are any of the allocations unsuitable by reason of any environmental or residential amenity issues/objections?

- 3.17 The Council is satisfied that development on all allocations can meet residential amenity standards for existing and future residents, and that any environmental considerations have been addressed through the policy criteria and / or will be addressed through the normal planning process. Some representations raise environmental or residential amenity issues (see the Summary of Main Issues report [A1.2]). The Council is satisfied that these have, or can be, overcome as follows:
- 3.18 Norfolk Coast Partnership, Natural England, the CPRE and a number of residents have objected to the allocation of sites C04 and C17 in terms of the impact on the **Norfolk Coast Area of Outstanding Natural Beauty (AONB)**. The Councils response paper to the Day 1 & 2 Matters and Issues sets out national and local policy on this matter. As stated in the paper, in selecting the proposed sites the Council has fully considered the suitability of alternatives, including those on land not designated as nationally important, and has also given priority to the possible development of previously developed land, as evidenced by the Sustainability Appraisal report [A1.5 & A1.6]. All allocations, including those in the Norfolk Coast AONB, have been carefully assessed for their impact on the landscape and the Council is satisfied that appropriate weight has been attached to the AONB designation.
- 3.19 There is a very limited supply of previously developed land in Cromer, and sites which are not designated as nationally important were discounted for other reasons such as poor highways access or visual impact if they were considered

to be more prominent in the landscape than sites C04 or C17. Site C04 is well contained in the landscape and while it will be visible from the immediate surrounds, it is not visible in the wider landscape. The woodland behind the site is retained and there is a good provision of other green open space in this area. Site C17 is more visible but is contained within the railway line and woodland and can retain significant soft landscaping along the main road frontage. Both are considered suitable for relatively small scale, well designed residential developments.

- 3.20 Natural England suggest additional policy wording for each site in the AONB: 'The site is within the Norfolk Coast AONB and development proposals should be informed by, and be sympathetic to, the special landscape character of this protected site. Proposals should also be informed by DC policies EN1 and EN2.' This is included in the Schedule of Minor Modifications [MM69 in document A1.4].

Site C04: Land at rear of Sutherland House, Overstrand Road

- 3.21 **Loss of recreational land:** The site is not public open space nor a playing field. While the site was designated as a proposed playing space on the former Local Plan Proposals Map, the site is in private ownership and there was no realistic chance of this being achieved. The designation was therefore not carried forward to the current Proposals Map. The Open Space and Recreation Study [H3] identified a deficiency of open space in the south-west of Cromer and that the area around site C04 is quite well served for green space - containing North Lodge Park, the cricket club, tennis club, open space along the cliff top and around the lighthouse, and woodland behind the site. In addition, Core Strategy policy CT2 requires all schemes of 10 or more dwellings to make improvements to public open space where deficiencies are identified. Therefore either some on-site provision, or contributions to improve existing open space in the area, will be required through the allocation.
- 3.22 **Impact on wildlife:** The site itself has relatively low biodiversity value. The value is in the woodland behind which is not part of the allocation. Initial wildlife surveys have been carried out [I1 and I7] and the findings incorporated into the policy requirements. Core strategy policy EN9 provides further protection through the planning application process.
- 3.23 **Transport impact:** There is no highways objection to the allocation. Two Transport Statements [I4 and I10] conclude that the development would have minimal impact on the adjoining highway network and that access into the site can be achieved to highway standards. As stated in paragraph 4.2.4 of the Draft Plan, the Highway Authority are satisfied that a single point of access is acceptable in this location and that the exact form of development will guide the detailed requirements.
- 3.24 **Residential amenity:** The site is capable of being developed in a manner that does not have a significant adverse affect on existing residential amenity (as required by Core Strategy policy EN4). The developer has indicated his intention to develop a scheme similar to the surrounding development which may allay some of the local residents concerns (see comments submitted by Barton Wilmore on behalf of the landowner rep number 1399).

Site C14: Land West of Roughton Road

- 3.25 **Landscape impact:** The site is bounded by woodland, Cromer Zoo and residential development along Roughton Road. It will be visible from the surrounding area and the Draft Plan suggests that the impact of development could be mitigated by incorporating significant open spaces within the site and retaining and enhancing existing landscaping. An initial Landscape report [I14] contains recommendations for landscape mitigation, i.e. retention of landscaping and careful attention to dwelling height and roofscapes (paras 6.3.6 etc) an further consideration to such details will be given through a planning application.
- 3.26 **Transport impact:** There is no highways objection to the allocation and an initial Servicing Report [I30] concludes that Roughton Road can be improved and that improvements to pedestrian and public transport access can be provided. This is discussed in paragraph 4.4.3 of the Draft Plan. A full Transport Assessment will be required at time of application, which will address specific Highways comments / requirements at the time.
- 3.27 **Impact on flooding and surface water drainage:** Core Strategy policy EN10 requires submission of a Flood Risk Assessment on the site and appropriate surface water drainage arrangements for dealing with surface water run off from new development. The Servicing Report [I13] includes initial site investigation results and concludes that there are no reasons why a suitable drainage system would not work successfully. Development may also offer an opportunity to improve the existing drainage situation.
- 3.28 **Impact on wildlife:** An initial wildlife survey [I1] has been carried out and the findings incorporated into the policy requirements. Core strategy policy EN9 provides further protection through the planning application process.
- 3.29 **Impact on neighbouring properties:** The site is large enough to retain a green buffer between development and the existing houses at Brickfield and have a range of densities throughout the site. Core Strategy policy EN4 requires that development should not have a significantly detrimental effect on residential amenity of nearby occupiers and any impact on Brickfield residents will be considered through discussions on detailed site layout.

xv) Are there any other good reasons, including the availability and deliverability of clearly preferable alternative sites (which have themselves been subject to sustainability appraisal and public consultation), why the draft allocations might be considered “unsound”?

- 3.30 The Council has appraised a range of alternative sites in Cromer and considers that the allocation sites are the most suitable and that the plan is sound. Other sites were discounted for reasons such as location, poor highways access or visual impact. Evidence of the appraisal of alternative sites is contained in the Sustainability Appraisal report [A1.6]. Specific representations have been made that sites C15 and C16 should be included. The Council considered these however discounted them for the reasons outlined below:

- 3.31 **Site C15** comprises land associated with Harbord House, a large period property set in a mature wooded landscape, subject to a group Tree Preservation Order. The site is directly adjacent to the Norfolk Coast AONB and the County Council landscape officer advised that the wooded appearance is important to the character of the AONB. The Highway Authority comments that the site is opposite a substandard junction and intensification of traffic would result in an unacceptable increase in risk of injury. Junction improvements would require development linked to C16, which is also considered unacceptable as set out below:
- 3.32 **Site C16** consists of open grassland formerly used as a golf driving range. The site is within the AONB and is highly prominent given its road frontage to Overstrand Road, the eastern coastal access route into the town. Permission was granted for a Golf Academy and driving range in 2008 a recreational use consistent with the previous use and landscape setting within the AONB. The Council considers that residential development of this gateway site would have an unacceptable visual impact, damaging to the AONB and setting of the town, and that more preferable sites are available.
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xvi) Is any “unsoundness” in the allocations and proposals overcome by the Council’s schedules of Key Changes and Minor Modifications?

- 3.33 The Council has suggested minor modifications to the submission document to address concerns about provision of alternative football club facilities in the event that site ED2 is required for school expansion and also to provide flexibility in terms of access to the site [MM4 & MM5 in document A1.4]. The Council considers that the Site Specific Proposals document is sound as submitted, and that the minor changes suggested do not alter the thrust of the draft plan which was subject to consultation, undermine its soundness, or result in a need for further consultation or sustainability appraisal.
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Table 1

Sites Update: Cromer

Site	Is the Site Suitable?	Is the Site Available?	Deliverable / Developable			Current Position
			Dev expected	Major Infrastructure constraints	Agent	
C01	Well integrated brownfield site.	Yes, confirmed by SHLAA return	Within 10-15 years	Possible expansion of primary school sector	None appointed	-
C04	Fairly well integrated and well contained in landscape.	Yes, confirmed by SHLAA return	Within 5 years	Possible expansion of primary school sector	Barton Wilmore. Landowner is local developer	Landowner / developer confirmed intention to develop site for older persons accommodation (see rep 1399). Pre-application discussions held in 2009 for older persons accommodation.
C07 / C08	Fairly well integrated part brownfield site.	Six different landownerships on site. SHLAA forms received from 3 of the 6 landowners. Planning Permission for redevelopment granted on 2 other owners parts. Church Rooms own their property and have indicated desire to stay.	Within 10-15 years	Possible expansion of primary school sector	Woodrows on behalf on A G Brown NPS Property Consultants Ltd	Permission for housing on northern part of site granted 2007(20070727). Reserved matters application submitted June 2010 (PM/10/0671) Permission for 4 light industrial units on part of site granted Oct 2008 (Site clearance completed).



C14	Fairly well integrated greenfield site. Suitable subject to landscape and off-site highway improvements	Yes, confirmed by SHLAA return	Within 5 – 10 years	Possible expansion of primary school sector	Les Brown Associates. Option agreement with local house builder Norfolk Homes Ltd	Agents advise of ongoing discussions with interested Registered Social Landlords regarding provision of affordable housing.
C17	Slightly remote from facilities, however close to school and more acceptable landscape impact than other sites around Cromer.	Yes, confirmed by SHLAA return	Within 5 years	Possible expansion of primary school sector	Bidwells / Hopkins Homes	The Highway Authority has confirmed that adequate visibility from The Avenue onto Norwich Road is likely to be achievable and the site can therefore be served independently from site C07/08. Agents preparing to submit planning application by the end of 2010.
ED2	Well integrated mostly greenfield site. Well related to existing schools and considered suitable location for future school expansion.	Meeting with Trustees to discuss availability held in July 2010.	Within 15 to 20 years	Land subject to Trust Deed	None appointed	Education Authority confirmed that 1ha of land contiguous with school site would help accommodate predicted additional pupil numbers. The need will depend on actual numbers of additional pupils. Site is subject to a Trust Deed that requires the land to be used 'by the public as an open space within the meaning of the Open Spaces Act 1906' Discussions ongoing.
ROS3	Well integrated brownfield site.	n/a	Within 15 to 20 years	None	None appointed	Developer interest in retail redevelopment on land at rear of existing shops. Iceland occupy former Woolworths store.
ROS4	Well integrated brownfield site.	n/a	Within 15 to 20 years	None	None appointed	-