



Author	NNDC
Subject matter	SSP: SHERINGHAM
Session details	Day 4: 27 July 2010
Library No	

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

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 Sheringham.
- 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. A few Changes are requested in Sheringham.

2. Context for allocations in Sheringham

- 2.1 The introductory text to the Sheringham section of the Draft Plan **[A1.1]** sets out the strategic context within which the proposed allocations are made. The Core Strategy identifies Sheringham as a Secondary Settlement and one of a cluster of three towns, along with Cromer and Holt, which are closely related and perform complementary roles. The Core Strategy identifies that 200-250 dwellings will be provided on newly identified sites well related to the built up area where encroachment into the wider countryside setting of the town is minimised.
- 2.2 The Site Specific Proposals Draft Plan allocates a number of housing sites in and around Sheringham (SH04, SH05, SH06 and SH14) and a Retail Opportunity Site (ROS5). Housing proposals are either within the adopted development boundary of the town or immediately adjacent to the boundary and have been proposed in order to

minimise the encroachment of development into the wider countryside as required by the Core Strategy.

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?**
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 Five Year Land Supply Statement and Housing Trajectory [F4ii] and the Strategic Housing Land Availability Assessment [F4i] indicate which sites the Council expects to deliver housing within the next 5 years in Sheringham.
- **Available:** Landowners of all residential sites have indicated support for development and that sites are immediately available. Sites SH04, 05 and 06 are all owned by local house builders with a good track record of delivering dwellings in the District. There are no ownership or legal issues that will prevent development of any of the sites.
 - **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
 - **Achievable:** The evidence [F4i & ii] suggests that development can be achieved on all sites within the plan period and that sites SH04, 05, and 06 are well placed to deliver dwellings within the early years of the plan.
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- 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 a 'Retail Opportunity Site' in the town centre of Sheringham (ROS5). As with residential sites, the appropriateness of this allocation has been tested through Sustainability Appraisal, Appropriate Assessment and stakeholder and

public participation and the Council considers that the proposed allocation is sound. Results of these processes are available in the examination library documents [A1.5 to A1.8]. The site is within the existing town centre, and partly within the Primary Shopping Area, and is compliant with PPS4 and the emphasis on development of sequentially preferable sites.

- 3.4 The site is in multiple ownership and the Draft Plan acknowledges that this may make site assembly and delivery difficult. The Council will therefore seek early preparation of a development brief to investigate delivery mechanisms to bring the proposal forward (see paragraph 9.5.4). Identifying it as a Retail Opportunity Site 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. The Council has already refused planning permission for a residential development of part of the site. 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.

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

- 3.5 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 Sustainability Appraisal report [A1.6].
- 3.6 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 Sustainability Appraisal findings (under the ‘Suitable’ column). Where the Sustainability Appraisal 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.
- 3.7 The Sustainability Appraisal score associated with site SH06 is questioned by the owner / developer who considers that the score should be higher. The Council will seek to reach agreement on this in advance of the hearing sessions. For the purposes of clarity the Council does not regard development of the site as unsustainable notwithstanding the comparatively low score. It would however be helpful to improve pedestrian connectivity to the town centre and other key facilities and this is reflected in the Policy requirements.

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?

- 3.8 The evidence indicates that the sites are not subject to any overriding infrastructure constraints that cannot be overcome:
- **Water / Sewage / Drainage:** Work associated with the Water Infrastructure Statement [A1.11] found that the full extent of the proposed development at Sheringham can be accommodated within the existing volumetric consent at the WwTW. See Appendix 1 of the Water Infrastructure Statement for details.
 - **Education:** The Education Authority have indicated that primary school numbers are expected to decline which could create sufficient capacity to meet future need but the long term combined effect of housing in Holt and Sheringham is not known and pupil numbers will need to be closely monitored. If high numbers do emerge from the new housing then expansion of the school playing fields may be necessary (see paragraph 14.0.30 of Draft Plan [A1.1]).
 - **Highways:** The Highway Authority has no objection to any of the allocations (see the results sheet in Sustainability Appraisal Report Part 2 [A1.6]).
- 3.9 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?

- 3.10 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:
- 3.11 The Norfolk Coast Partnership, Natural England, the CPRE and a number of residents have objected to the allocation of sites in Sheringham in terms of the impact on the **Norfolk Coast Area of Outstanding Natural Beauty (AONB)**. The Council's response paper to the Day 1 and 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. Although the proposed allocations in Sheringham are within the AONB this designation is also applicable to much of the built up area of the town. The sites proposed will have minimal impact on the scenic beauty of the wider designated area.
- 3.12 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 SH04, Land adjoining Seaview Crescent

- 3.13 **Wildlife impact:** Norfolk Wildlife Trust requires that 40% of the site should be left undeveloped to protect biodiversity interests. The Council has suggested a Key Change (**KC06** in document **[A1.3]**) reducing the number of dwellings from 45 to 25-45 to allow flexibility in the exact scale of development. The Council has seen no evidence to support or justify the 40% figure which appears to be a standard aspiration rather than a site specific response. The Council will nevertheless wish to ensure that wildlife issues are properly taken into account in determining any planning application and this is reflected in the policy requirements, supporting text, and the proposed modification to dwelling numbers (MM69)
- 3.14 **Transport impact:** The Council has suggested a Key Change (**KC07** in document **[A1.3]**) to delete criterion (c) of Policy SH04 which specifies that access to the site should only be from Seaview Crescent. This will provide greater flexibility in relation to possible vehicular access arrangements and allow a number of options to be considered at planning application stage.

Site SH05, Land adjoining Morley Hill:

- 3.15 **Transport impact:** This is a small scale proposal with no significant transport impacts. Two points of vehicular access may be available, via Snaefell or De Morley Garth, but the Snaefell option currently appears more likely. The developer of the Snaefell development is the site owner and has retained access rights to the proposed development site. The Highway Authority raise no objection to this proposal and any amenity issues associated with increases in traffic are unlikely to be significant.

Site SH06, Land at rear of Sheringham House

- 3.16 **Wildlife impact:** The Council has suggested a minor modification (**MM29** in document **[A1.4]**) to amend criterion (b) to require protection of trees and woodland (including the orchard) on the site.
- 3.17 **Transport impact** - The Council has suggested a Key Change (**KC08** in document **[A1.3]**) to delete criterion (d) of policy SH06 which specifies that the site should be accessed from at least two points of access. This has raised concerns amongst residents in Willow Grove as this is likely to be the most suitable means of access to the site. The Council considers that additional disturbance as a result of increased traffic would not be sufficient justification for not allowing access from this point. The Policy does not however preclude the possibility of vehicular access being derived from elsewhere.
- 3.18 **Quantity and type of development:** The precise amount of development proposed will be a matter for determination at the planning application stage. The site is large enough to accommodate the 70 dwellings proposed but much will depend on the type and form of development. The Council does not consider that the site is suitable for 90 dwellings and has seen no evidence to suggest that this number could be successfully accommodated.

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”?

3.19 The Council has appraised a range of alternative sites in Sheringham 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, landscape and visual impact or it was preferable to retain them in their current use. Evidence of the appraisal of alternative sites is contained in the Sustainability Appraisal report [A1.6]. Specific representations have been made that site **SH13** (land south of Woodfields School) should be included. This site is within the A.O.N.B and, unlike the proposed allocations, is regarded as highly prominent in the local landscape.

xvii) Is any “unsoundness” in the allocations and proposals overcome by the Council’s schedules of Key Changes and Minor Modifications?

3.20 The Council has suggested minor modifications to the submission document to address some of the concerns (**MM28 - MM30** 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.

3.21 Similarly the Key Changes requested are helpful in addressing a number of the representations made and their inclusion would improve the Plan without undermining soundness.



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Table 1

Sites Update: Sheringham

Figures in brackets relate to representors unique reference number.

Site	Is the Site Suitable?	Is the Site Available?	Deliverable / Developable			Current Position
			Dev Expected?	Major Infrastructure Constraints?	Agent?	
SH04	Located within an established built up area with good access to road network and convenient for a range of facilities. Development would have nominal landscape impact.	Yes on behalf of willing landowner. (904)	Owner expects completion by 2016	There are no significant constraints which will affect development on this site.	Stead Mutton Associates. Landowner is a local house builder	The site is owned by a house builder who is currently developing the adjacent land. No detailed discussion to-date concerning possible development.
SH05	Visually unobtrusive small scale development within a built up area. Reasonable access to facilities.	Yes, on behalf of willing landowner	Within 5 years	There are no significant constraints which will affect development on this site.	Les Brown Associates The site is owned by local house builder - Norfolk Homes Ltd	Site is owned by the developer of the adjacent development (Snaefell Park which was completed some years ago) and has retained vehicular access rights to this development. No infrastructure or ownership issues which would delay delivery.
SH06	Visually self contained area within established development boundary. Reasonable access to facilities but some footpath improvements desirable to	Yes, on behalf of willing landowner (1399)	Start within 5 years	There are no significant constraints which will affect development on	Barton Wilmore on behalf of Sutherland Homes	Access options have been analysed in an Access Options Assessment. Arboricultural Assessment has been produced. Phase 1 Ecology survey carried out and report produced.



	improve sustainability.			this site.		Flood Risk Assessment carried out and Foul Water Strategy produced. Agents advise site is viable with affordable housing. Pre-application discussions and local consultation undertaken in relation to a possible scheme but planning application now unlikely ahead of the Hearings
SH14	Greenfield site on the edge of town but nevertheless achieves a good Sustainability rating. Although in the AONB the site is very well contained/screened. Vehicular access achievable within the road frontage.	Yes, on behalf of willing landowner (215)	Start within 5 years	There are no significant constraints which will affect development on this site.	Mr Mike Terry	Site can be made available immediately. No infrastructure or ownership issues which would delay delivery.
ROS5	Mixed use brownfield site in very central location. Some parts of site are underused and unsightly. Site is suitable for redevelopment and could provide visual and functional enhancements to the town centre.	Yes, on behalf of garage owner	10-15 years	Complex multiple ownerships likely to delay delivery.	Keys	Site in multiple ownership and some current uses. Part has been subject to planning application for housing which has been refused and dismissed on appeal. Acceptable scheme likely to include some dwellings but these are not included in the Housing Trajectory [F4(ii)] reflecting complexity of site.