



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

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. It will provide the basis of the Council's position at the Hearing sessions. It is one of a sequence of papers relating to each place (town or village) in the district.
- 1.2 The Council has prepared and submitted a comprehensive evidence base including Sustainability Appraisal **[A1.5 & 6]**, Appropriate Assessment **[A1.8]**, Consultation Statement **[A1.7]** and site specific material to support, and justify, the proposed allocations.
- 1.3 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 requested 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.
- 1.4 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 Fakenham.

2. Context for allocations in Fakenham

- 2.2 The introductory text to the Fakenham section of the Draft Plan **[A1.1]** sets out the strategic context within which the proposed allocations are made. As a Principal Settlement the town is planned to accommodate the largest quantum of growth of all settlements in the district. The adopted Core Strategy **[G.10]** establishes both the quantity and the broad location of development (the location of growth is shown on the Core Strategy Key Diagram) and requires that this be accommodated in a 'mixed use urban expansion to the north of the town suitable for approximately 800 - 900

dwellings, employment, primary school, open space and community facilities'. In addition to this urban extension the Site Specific Proposals allocates a small previously developed site on Holt Road (F05/13) and a Retail Opportunity Site in the town centre to act as a focus for retail and other town centre investment.

- 2.3 Collectively these proposals, if developed in compliance with the specific policies proposed in the Draft Plan and the generic policies of the Core Strategy, provide for sustainable and balanced growth of the town. The scale of growth envisaged is substantial and is not 'unconstrained'. Development of new housing will need to be matched with additional employment opportunities, a new primary school will be required along with open space and community facilities, and before the later stages of the growth can be built, improvements to waste water capacity will need to be made. These matters, amongst others, are highlighted in Policy F01 which requires a development brief is prepared for the site prior to the commencement of development.

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 now, suitable for development and achievable in the sense that development can take place within the next 5 years. 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 [F.4ii] and the Strategic Housing Land Availability Assessment [F.4i] indicate which sites the Council expects to deliver housing within the next 5 years.
- **Availability:** Proposed allocation F01 is in a small number of ownerships. In its entirety it is a large area which could accommodate far more development than is currently planned and it is envisaged that only approximately 60% of the designated area will be required for development during the plan period. The phasing of development within the site will be agreed via the preparation of a Development Brief and work has commenced on this [I.17]. Development is likely to commence at the eastern end of the designated area where the principle owner (Trinity College) is in control of the majority of the land including key points of vehicular access and sufficient land to accommodate the majority of the proposed development. The main land owner has had some discussion with other land owners to assemble the remainder of the site but final agreements have yet to be reached. The majority of the site is therefore immediately available and the Council assesses that it can deliver dwellings over a 10 -15 year period commencing in around 2014/15.

Proposed allocation F05/F13 can not be regarded as immediately available. It comprises a number of separate ownerships and whilst all owners have indicated that the site can be made available this may, in some cases, be dependant upon relocation of existing uses. Full delivery is therefore assessed as unlikely before 2019 although parts of the site already benefit from residential planning permissions.

- **Suitable:** A site is deemed suitable for housing development if it offers a suitable location for development and would contribute to the creation of sustainable, mixed communities. All allocations have been subject to detailed appraisal in relation to their suitability for development. This process has included Sustainability Appraisal, Appropriate Assessment, consideration of policy and infrastructure constraints, consultation, comparison with alternatives and consideration of potential impacts. Both sites are well related to established developed areas, will enjoy good levels of access to key day to day services, (many of which will be accessible on foot) and where potential impacts arise these are mitigated by the policy requirements attached to the development of each site. The Council considers that all sites are suitable for development and will contribute to the creation of sustainable and mixed communities.

Planning permission has been granted for the provision of a substantial health care complex on 5 hectares of land at the eastern end of site F01 and commencement of development is expected this year.

- **Achievable:** Full development of allocation F01 is dependant upon:
 - Completion of a development brief - Initial work has been undertaken on this [I.17] and completion is programmed within the Local Development Scheme.
 - Provision of a Primary School - This is included as a requirement of policy and is incorporated within the proposed development.
 - Resolution of drainage issues [A1.11] - Accommodation of the full extent of development proposed will require improvements (beyond those normally associated with development) to the foul drainage system both in terms of the sewerage network and water quality protection at the receiving watercourse. It is anticipated that network issues will be addressed via the provision of dedicated network connections to the sewerage treatment works. Headroom exists within the existing discharge licences to allow much of the proposed development to occur but there is a remaining concern that the later stages of the development will not be accommodated within existing consents and that the Water Framework Directive may (and is likely) to require higher quality standards for treated discharge. The Water Infrastructure Statement [A1.11] presents the up to date situation and identifies a range of possible mitigation measures but no single solution. The Council considers that the scale of development that is difficult to accommodate is modest and it can be reasonably assumed that over a 10-15 year period some improvements to foul water treatment techniques will emerge. It is nevertheless right to place the highest priority on the protection of the water environment and place an absolute constraint on the delivery of development until it is demonstrated that drainage capacity exists.

- o Agreement of a scheme to mitigate any potential impacts on designated Wildlife sites. (see Councils response to Day 1 & 2 Matters and Issues)

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 appropriateness of all allocations has been tested through a process of Sustainability Appraisal, Appropriate Assessment and stakeholder and public participation and the Council considers that the proposed allocations are appropriate.
- 3.4 The Council has identified a ‘Retail Opportunity Site’ in, and close to, the existing town centre of Fakenham. This allocation is made so as to;
- Introduce a policy presumption that ground floor uses of buildings within the area will not include residential development (such residential development would otherwise be acceptable under adopted Core Strategy Policy),
 - Act as a focus for inward investment in town centre uses within the town centre by identifying and reserving an area for town centre development in preference to further out of centre development, and
 - To accommodate the predicted need for further retail floorspace (principally comparison goods) identified in the Core Strategy and Retail Study [H.4].
- 3.5 The allocation provides an enabling policy context for desirable types of development and a mechanism for resisting such developments in out of centre locations. The Council expects delivery to be demand driven and market led. Additional retailing and other town centre uses are a desirable objective rather than an essential requirement and hence delivery is not regarded as a pre-requisite to a sound plan. The proposal is fully compliant with PPS4 and the emphasis on development of sequentially preferable sites in town centres rather than out of centre retailing and other town centre uses.

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

- 3.6 The Sustainability Appraisal process looked at a range of sustainability issues covering environmental, social and economic factors. Results are contained in Part 2 of the Sustainability Appraisal report [A1.6].
- 3.7 Both residential sites are well related to existing development and services. The Draft Plan contains details for each site and the attached table summarises the conclusion of the Sustainability Appraisal findings (under the ‘Suitable’ column).

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 There are no known water supply, highways, education (subject to provision of a Primary School within the development) or other service deficiencies which constrain delivery of the allocations. However large scale growth will necessitate improvement in

both the sewerage network and the quality of discharge of treated effluent to the receiving water course. Evidence [A1.11] indicates that the sewerage network serving much of Fakenham will not have the capacity to accommodate additional development. Significant improvements to the network, or more likely the provision of a discreet new network to serve the proposed development area, will therefore be necessary. Requested modifications (MM74a-d) are intended to highlight this issue.

- 3.9 The quality of treated discharge to the receiving water course, the River Wensum, may prove to be a constraint to delivery in the longer term. Whilst there is headroom within the existing discharge licenses it is not clear at this stage what impact a likely tightening of the quality standards will have in the later years of the plan period. Much of the development can be accommodated within the current limits of the discharge licence but this is not the case in relation to some 200 or so dwellings and/or the proposed employment development. This position is recognised in the policy which delays development until such time as adequate capacity and no adverse impacts on water quality are demonstrated.
- 3.10 There are no other infrastructure constraints that will affect delivery of the proposed allocations.

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

- 3.11 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.

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”?

- 3.12 There are no clearly preferable alternative sites in Fakenham where development would accord with the provisions of the adopted Core Strategy. The site selection process has included a detailed assessment of a number of alternative locations including those sites now suggested in representations (sites F10 and F12) to be suitable for development. These alternatives are designated as part of the employment land provision in the town. The quantity and distribution of employment land was examined as part of the Core Strategy and land was designated on the adopted Proposals Map.

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

- 3.13 The Council has sought a number of minor modifications in Fakenham (MM6 - MM7 & MM74a-d). The Councils overall approach has been to accept changes suggested by representors where these do not alter the thrust of the Draft Plan, undermine its



soundness, or result in a need for further consultation or sustainability appraisal. The absence of the requested minor modifications will not result in an 'unsound' Plan but their inclusion will go some way towards addressing expressed concerns. The suggested modifications in Fakenham outline the latest position in relation to drainage issues, require that traffic circulation issues are addressed, and introduce a new requirement to retain the town allotments within allocation F01 on their existing site.



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Table 1

Sites Update: Fakenham

Site	Is the Site Suitable?	Is the Site Available?	Deliverable / Developable			Current Position
			Development Expected?	Major Infrastructure Constraints?	Agent?	
F01	Area of unconstrained (other than foul water disposal) Greenfield land which can accommodate the mix of uses proposed in accordance with the Core Strategy.	Yes, majority land owner indicates that much of site is available immediately.	Limited development within 5 years	Improvements to WwTW required for later phase of development.	Capita Lovejoy on behalf of Trinity College, Cambridge	Internal and external comments on draft masterplan sent to Agents March 2010. Foul drainage has been recognised as a key issue. Agents advise that further work has been commissioned to establish how adequate capacity can be provided to serve all of the potential development of the site. Development Appraisal carried and on the basis of 40% affordable housing contribution. Revisions to draft Masterplan expected.
F05 F13	In boundary brownfield redevelopment opportunity	Yes, on behalf of willing owners	Some development possible within five years but existing uses require relocation so complete development assessed as unlikely until later in the Plan period.	No infrastructure constraints	Adrian E Smith	Planning application pending on part of site.