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

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 Wells-next-the-Sea.
- 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 Wells-next-the-Sea.

2. Context for allocations in Wells-next-the-Sea

- 2.1 The introductory text to the Wells-next-the-Sea section of the Site Specific Proposals Draft Plan [A1.1] sets out the strategic context within which the proposed allocations are made. The Core Strategy identifies Wells as a secondary settlement and indicates that new residential allocations of between 100 and 150 dwellings, on sites well related to the built up area, should be made and that a site for a new car park with good access from the main approach roads should also be allocated. The Site Specific Proposals Draft Plan therefore proposes to allocate a greenfield site opposite the high school, on the southern side of town, for approximately 120 dwellings and at least 1 hectare of public open space (W01). A site to the north of town for development of a new public car park is also proposed (CP2).

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 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, and this is summarised in the tables attached to the Council's response papers. The residential allocation in Wells is available and suitable and is expected to be delivered in the next ten years, as summarised below:

- **Available** - The landowner of the residential site has indicated support for development and that it is immediately available. This is referenced in the Deliverability section of the Draft Plan (paragraphs 11.1.6 and 11.1.7) and is evidenced by SHLAA return forms from 2009 and 2010.
- **Suitable** - the sites suitability for development has been tested by a process of Sustainability Appraisal, Appropriate Assessment and stakeholder and public participation and the Council considers that it represents the most suitable site for allocation. There are no major constraints facing the site and it is in a suitable location for housing development. Further details are contained in the Draft Plan.
- **Achievable** - Agents are promoting the site and have advised that a number of house builders have expressed an interest in developing the site. They anticipate that development will be completed within ten years. Further information /evidence is contained in the SHLAA and the Housing Trajectory [F4 (i) & F4 (ii)] and the attached table.

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 Core Strategy identifies that a site for a new car park with good access from the main approach roads and to the town centre should be allocated. The Council has therefore identified a site for a new public car park to the north of the built up area of Wells in the Draft Plan (site CP2). It is approximately 200 metres from the designated town centre and is considered by the Council to be the most sequentially preferable site. There are good pedestrian links to the town centre and a new pedestrian link is proposed along the old wall between the Football Club and the children's play area.

- 3.4 The site is immediately available and a full planning application for development of a 300 space car park on the site was submitted to the Council in May 2010 (ref 20100484). At the time of writing this is yet to be validated pending completion of an Environmental Impact Assessment to assess landscape impact.
- 3.5 As with residential sites, the appropriateness of the allocation has been tested through Sustainability Appraisal, Appropriate Assessment and stakeholder and public participation and the Council considers that the proposed allocation is appropriate. Results of these processes are available in the examination library documents **[A1.5 to A1.8]**. A number of representations have raised concerns that the allocation is unsuitable due to impacts on wildlife, character of the area and residential amenity and these will be responded to in later questions. Concerns will also be considered through the current planning application.
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xii) (With reference to Sustainability Appraisal) Are the allocations “sustainable”?

- 3.6 The Sustainability Appraisal (SA) process looked at a range of sustainability issues covering environmental, social and economic factors. The criteria favour 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 the SA report part 2 **[A1.6]**.
- 3.7 Both allocations are considered to offer a sustainable location for new development. They are well located for local facilities and have good pedestrian links to the town centre. The residential site (W01) is opposite the high school and within walking distance of the town centre and other facilities such as the primary school and doctors surgery. It is within the Norfolk Coast Area of Outstanding Natural Beauty (AONB), however the Council considers that any landscape impact can be mitigated by a robust landscaping scheme and provision of open spaces and tree planting within the site.
- 3.8 The car park allocation (CP2) is close to the town centre and a direct pedestrian link along the embankment between the football field and the children’s play area can be provided to create a convenient and attractive route. It is acknowledged that the site occupies an important location within the AONB (see para 11.2.1 of the Draft Plan and results in the part 2 SA report **[A1.6]**) and policy CP2 requires submission of an agreed layout, surfacing and landscaping scheme that respects the site setting and location and retains an undeveloped character when not in use. As noted in paragraph 11.0.3 of the Draft Plan, there are inadequate car parking facilities in town to meet seasonal demand which causes congestion and a concern that people will be deterred from stopping in the town centre, thus reducing visitor spend. The allocation seeks to balance economic, social and environmental objectives and enable economic gain for the town centre while minimising environmental impact through a series of policy criteria and assessments.
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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?

- 3.9 The evidence indicates that the sites are not subject to any overriding infrastructure constraints that cannot be overcome:

- 3.10 **Water / Sewage / Drainage:** Work associated with the Water Infrastructure Statement [A1.11] found that the full extent of the proposed development at Wells can be accommodated within the existing volumetric consent at the WwTW. See Appendix 1 of the Water Infrastructure Statement for details.
- 3.11 **Education:** The Education Authority have confirmed that there is spare capacity at the high school and primary school and that pupils generated from the housing proposed could be easily accommodated within existing school provision (see paragraph 14.0.32 of Draft Plan [A1.1])
- 3.12 **Highways:** The Highway Authority has no objection to either of the allocations (see the Sustainability Appraisal report part 2 [A1.6]. The initial results sheet for site W01 and CP2 incorrectly state that no highway comments were received. The re-printed sheets for these sites, containing a summary of the Highways comments, are included in the examination library as [A1.6i].
- 3.13 The Constraints section of the Draft Plan highlights specific constraints that were identified through the site investigation process, however these can be addressed through the normal planning process.
- 3.14 **Flood risk:** Site CP2 is within flood zone 3 and a flood risk assessment [153] has been prepared to identify and assess the risks of all forms of flooding to and from the development and demonstrate how these risks will be managed, taking account of climate change. The report concludes that the proposed car park is at minimal risk of flooding and that no existing development adjacent or downstream of the site will be at an increased risk of flooding due to the effects of the proposed development (see section 6 of the report).

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

- 3.15 The Council is satisfied that development on the 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. A number of other concerns have been raised about sites as listed in the Summary of Main Issues report [A1.2]. The Council is satisfied that these have, or can be, overcome as follows:
- 3.16 The Norfolk Coast Partnership, Natural England, the CPRE and a number of residents have objected to the allocation of all sites in the **Norfolk Coast Area of Outstanding Natural Beauty (AONB)**. The Councils response paper to question (vii) in 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.
- 3.17 The whole of Wells and the surrounding countryside is in the Norfolk Coast AONB, so in providing for the housing, economic and social needs of the town it is impossible to

avoid allocations in the area. There is a limited supply of previously developed land in Wells-next-the-Sea, and that which is available was discounted for other reasons such as unacceptable risk of flooding or poor highways access. Site W01 has well defined boundaries and is not particularly intrusive in the landscape. The Council considers that any landscape impact can be minimised by retaining existing hedges around the site, incorporating significant internal open spaces and tree planting within the site and strengthening landscaped buffers around the site and these are required by policy criteria.

- 3.18 Site CP2 is more prominent but is closely located to existing development and the Council considers that with careful attention to details such as landscaping, surfacing and layout a scheme can be agreed that respects the site location and retains an undeveloped character when not in use. This is required by policy criteria and paragraph 11.2.2 of the Draft Plan requires that the car park should be kept free from lamp posts and other development in order to minimise the impact on the AONB.
- 3.19 Natural England suggest additional policy wording for all sites 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]**). This along with other Core Strategy policies should ensure the impact is minimised. A landscape impact assessment is currently being prepared in association with the planning application.

Site W01, Land at Market Lane

- 3.20 **Transport impact:** The Highway Authority has no objection to the scale or location of development proposed. They advise that vehicle access should be provided to Two Furlong Hill rather than Market Lane which is not suitable for further intensification. A full Transport Assessment will be required with a planning application.
- 3.21 **Shape of the allocation:** The landowner supports the allocation but comments that it should extend southwards towards the existing hedge line adjacent to the public right of way. The Council feels that this is not necessary and the proposal for 120 dwellings and at least 1 ha of public open space can be accommodated within the site area shown in the Draft Plan. It is recognised that the site boundary does not follow any features on the ground, but it is intended to provide an area beyond the allocation to enable an affordable housing 'exceptions' scheme to come forwards in the future. There is a high need for affordable housing for local people in Wells and while the allocation will include 45% affordable housing these will not be subject to a local lettings requirement. Many representations were made through LDF consultations expressing the high need for affordable housing for local people in Wells (see the Core Strategy SA report, appendix H) as well as other recent consultations such as work carried out by Bluefish Regeneration for the North Norfolk Community Partnership in preparing the 'Wells for the Future' report **[E4i]**. Land to the south of the allocation is considered one of the few suitable and deliverable locations for an affordable housing scheme in Wells. It is desirable that this and the allocation site should be considered in a comprehensive manner and a flexible approach could be taken to the exact shape and layout of the two sites as long as they deliver the expected mix of housing. The overall development would be within the defined boundaries of the field, which has a strong southern boundary along the public right of way, and should create a single mixed development.

Site CP2, Land north of Freeman Street

- 3.22 **Justification for the scale of the allocation:** Wells Town Council comment that the proposal is not large enough to meet peak demand as it will only result in a net addition of 220 spaces if the current car park on the Quayside is reduced in size. Several local residents take a contrary view and comment that there is no need for the allocation and that it is not justified.
- 3.23 While the Draft Plan refers to a possible future loss of approximately 80 spaces on the Quayside (paragraph 11.2.2) this is not a requirement of the allocation and there are no current plans for this to occur. The Wells for the Future report **[E4 (i)]** lists a number of possible projects, including removal of car parking on the Quayside to allow resurfacing and provision of new street furniture, however the delivery of this is uncertain and the car parking is likely to continue for the near future.
- 3.24 Wells is a very popular tourist destination, attracting visitors all year round. There are approximately 400 parking spaces that can serve Wells town centre (Wells-next-the-Sea car parking study, NCC October 2003 **[I49]**). These can become full by mid to late morning during holiday periods which results in cars travelling around town searching for spaces, causing congestion, potential hazard for pedestrians and inconsiderate or illegal on street parking. There are a further 300 parking spaces at the beach end of Beach Road, although these are some distance from the town centre. There is a concern that many people visiting the beach do not stop in town afterwards due to difficulty parking, thus reducing potential visitor spend in Wells.
- 3.25 The need for additional off-street car parking in Wells was highlighted in early LDF workshops (see Core Strategy Sustainability Appraisal, Appendix H **[G13]**). More car parking is also one of the priorities identified in the 'Wells for the Future' report **[E4 (i)]**. A Norfolk County Council car parking study in Wells **[I49]** looked at current capacity and recommended a number of measures (see section 9) including provision of a permanent seasonal off-street car park.
- 3.26 Taking all these into account, Core Strategy policy SS14 requires provision of a new car park with good access from the main approach roads and to the town centre. Allocation CP2 seeks to deliver this. Temporary permission has been granted for car parking on Wells football club in recent years but this is not considered suitable for permanent use because of possible conflict with football club activities and concern about the landscape impact - it is very prominent when viewed from Beach Road (see photographs in document **[I51]**). The size of the proposed allocation CP2 has been informed by information on usage of the temporary car park on the football club as well as local knowledge about the demand for parking spaces. It is considered that it is of an appropriate scale to provide much needed additional parking in the town.
- 3.27 Alternative means of addressing the need have been considered. The 'Coasthopper' bus provides public transport along the coast and cycling and public transport promotion continues across the County and through the Norfolk Coast AONB Management Plan. Despite this there is continued pressure on existing car parking in Wells. The NCC car parking study looked at a park and ride option and concluded this was unlikely to be viable.
- 3.28 **Impact on wildlife and the North Norfolk Coast Special Protection Area (SPA) / Special Area of Conservation (SAC):** The site is close to the North Norfolk Coast SPA / SAC and a number of concerns have been raised about possible impacts. An Appropriate Assessment **[A1.8]** was carried out to assess the impact of all allocations which found that there was potential for disturbance to otter and bird populations and

trampling of vegetation from increased visitation arising from development. In terms of this specific allocation the report concluded that while increased parking could increase visitation, appropriate signage and visitor management could limit the impacts. This is referred to in paragraph 11.2.6 of the Draft Plan, and criteria (j) of Policy CP2 requires 'prior approval of a programme of a scheme to monitor, and, if necessary, mitigate possible impacts on the SAC/SPA as a result of increased visitor pressure.' The Council has had further discussion with Natural England and the RSPB on this matter - see the Councils response to question (viii) in the Day 1 & 2 Issues and Matters - and the Council is satisfied that with the mitigation measures contained in the Draft Plan and a commitment by all parties to continue investigating the matters the allocation will not have an unacceptable impact.

- 3.29 Site CP2 comprises one field of a much larger network of grazing marsh fields used by wintering birds. The North Norfolk Coast SPA comprises 4,573 hectares, 99% of which is in 'favourable' or 'unfavourable recovering' condition. An Ecological Assessment [I53.1] has been submitted alongside the recent planning application and this proposes a number of mitigation and enhancement measures (see section 7). Natural England have confirmed that they agree with its conclusions, and that with regard to impact on Brent geese, subject to the implementation of the recommended mitigation measures in 7.12 of that Assessment (fencing, hedge planting and signage) and a scheme of maintenance of those measures being established, **a conclusion of no likely significant effect on the North Norfolk Coast SPA can be reached (see I53.2)**. Natural England has asked for more details in terms of surface water drainage and measures to prevent contamination of the site, particularly from oils or other substances from vehicles. This is underway and a minor modification (MM36 in document [A1.4]) is proposed to the Draft Plan requiring that a scheme for the prevention of contamination from parked cars is agreed with the Environment Agency.
- 3.30 **Impact on character of the site and amenity of local residents:** The site is adjacent to a number of residential properties. Paragraph 11.2.3 of the Draft Plan and criteria (d) of Policy CP2 require a comprehensive landscaping scheme to be provided to shield it from the residential properties to the south. In addition, a minor modification to policy CP2 is proposed to require 'layout and measures to minimise impact on residential amenity' (MM38 in document [A1.4]). Such measures can include landscaping, hours of operation, lighting, security and other measures and details of such matters can be discussed through the planning application.

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"?

- 3.31 The Council has appraised a range of alternative sites in Wells-next-the-Sea and considers that the allocation sites are the most suitable and that the Draft Plan is sound. Other sites were discounted for reasons such as location, poor highways access, unacceptable flood risk or visual impact. Evidence of the appraisal of alternative sites is contained in the Sustainability Appraisal report [A1.5 & A1.6]. The SA results sheets for sites CP2, CP5 and CP6 incorrectly state that no Highways comments were received. The re-printed sheets for these sites, containing a summary of the Highways comments, are included in the examination library as [A1.6i].
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xvii) Is any “unsoundness” in the allocations and proposals overcome by the Council’s schedules of Key Changes and Minor Modifications?

- 3.32 The Council has suggested some minor modifications to the submission document to clarify a few details and address some of the expressed concerns about impact on residential amenity (see **MM33-MM39** in document **[A1.4]**). A minor change is also proposed to the site area to exclude private gardens from the south-eastern part of the site (see **MM39** and Appendix 2 of **[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: Wells-next-the-Sea

Site	Is the Site Suitable?	Is the Site Available?	Deliverable / Developable			Current Position
			Dev expected	Major Infrastructure constraints	Agent	
W01	Close to secondary school and well related to town centre. Some impact on local landscape, however can be mitigated by robust landscaping scheme.	Yes, as indicated in SHLAA.	Within 10 years	None	Savills	Agents advise of house builder interest in the land.
CP2	Well related to town centre and pedestrian access available. Could have environmental impact, however provides economic gain for town centre and tourism. Environmental mitigation required.	N/A	Within 5 years	None	Chaplin Farrant	Full Planning application submitted in May 2010 for a 300 space car park.