

## NORTH NORFOLK DISTRICT COUNCIL LOCAL DEVELOPMENT FRAMEWORK EXAMINATION OF SITE SPECIFIC PROPOSALS AND SINGLE POLICY REVIEW DPDS

Further statement in respect of land to the north of Rudham Stile Lane, Fakenham, submitted by Capita Lovejoy on behalf of Trinity College Cambridge

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- *Is the housing allocation available, suitable and achievable, and therefore deliverable?*
- *Is the employment allocation appropriate and deliverable and consistent with PPS4?*

Policy FO1 of the Site Specific Proposals Local Development Document (SSP) allocates land to the north of Rudham Stile Lane, Fakenham for the development of an urban extension. Trinity College Cambridge (TCC), who own the majority of the allocated land, share a strong desire with North Norfolk District Council (NNDC) to create an exciting, sustainable urban extension which will have a key role in shaping the town's future.

Consequently Capita Lovejoy was instructed to prepare a Masterplan for the future development of the allocation site. The first draft Masterplan report was presented to NNDC together with the SSP representations submitted on behalf of TCC. NNDC subsequently undertook a consultation exercise with key stakeholders (including the County Council, Environment Agency and other environmental bodies) in respect of the proposed development parameters and principles outlined in the report. The report has now been revised to reflect the comments received, and has recently been resubmitted to NNDC.

It is intended that the Masterplan will ultimately form the Development Brief referred to in SSP Policy F01, and the basis of a future comprehensive planning application. At this stage, however, the Masterplan report demonstrates how the site could be developed as a sustainable urban extension to Fakenham in accordance with the key objectives of the North Norfolk Core Strategy (CS) and SSP, the Regional Spatial Strategy and National Planning Policy Statements.

Indeed, the Masterplan shows how the allocation requirements set out in Policy F01 (800-900 dwellings, 7ha of employment land, a primary school, community facilities, transport and utilities infrastructure, and green infrastructure) can be provided through the delivery of a comprehensive mixed-use development that is well integrated with the existing town (with pedestrian, cycle and public transport links), emphasises the existing character and identity, and enhances economic activity and social cohesion to ensure the development of a balanced and sustainable community. With the majority of the land identified for development in this area being in the control of TCC, land ownership is not a bar to this development coming forward and being delivered in the plan period.

Moreover, there are relatively few on-site environmental and physical constraints to the development of the site. It is not subject to any specific landscape designations or constraints, and has few ecological or historic features of acknowledged importance within it. There is, however, a significant opportunity to enhance the quality of the Green Infrastructure in this area, through the implementation of a sensitive landscape scheme that provides bio-diversity enhancement and drainage solutions, as well as recreation opportunities, as part of the wider development.

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The advanced nature of the development proposals highlight the importance of the allocation to delivering the established planning policy imperatives for the area, and the wider social, economic, sustainability and environmental benefits that would flow from the required growth of the town and District. Savills are the agent appointed by TCC, and there has already been notable developer interest in the site. TCC, however, currently plan to promote the site themselves through the planning system, seeking to influence the development and design framework to ensure that the final development is of the highest quality, and provide the required infrastructure to allow both the residential and employment elements of the development to come forward in a timely manner, just as they have done elsewhere in the east of England.

Clearly, therefore, the proposed allocation site is available, suitable and achievable, and meets the development allocation requirements of PPS3. There is also a reasonable prospect that the employment element will be taken up, as serviced land is made available as part of a wider comprehensive urban extension, and therefore, the site also meets the requirements of PPS4.

## ***- Is the allocation sustainable?***

Fakenham is defined as a “Principal Settlement” in the CS, and is well placed to meet a large part of the strategic development requirements of North Norfolk in the period to 2021. It is an established town, the second largest in the district, that accommodates a variety of facilities, services and industries, and therefore plays a significant role in serving a large part of the District as a principal residential, employment and service centre. There is a high level of service provision in the town relative to its size, and in addition to general services within the town centre, the town has a good number of higher order services and facilities such as a high school, a new enlarged doctors surgery / health centre due for construction 2010/2011, town hall, visitor attractions and a sports centre. This level of provision suggests that any new development in Fakenham will be well served for daily and weekly needs, and thus travel will be minimised. Indeed, the CS evidence base highlighted that it is one of the most self-contained settlements in the district, and as such, it is clearly a sustainable location for future growth.

Significant residential and employment development on land to the north of Rudham Stile Lane will further support and enhance its role as a service centre. Strategic urban extensions in this context are best able to provide the balance of homes, employment opportunities and supporting services and infrastructure, required to deliver the sustainable, inclusive and mixed communities referred to in PPS3. They also offer greater benefits in terms of the delivery of complementary facilities and infrastructure that reduces the burden on public sector funding, and can speed delivery. The planned growth would also result in an increase in the local labour supply, which should encourage existing businesses in the area to expand, and also attract new firms to the town. It will also strengthen the viability and vitality of the town centre.

The delivery of the housing and employment development proposed on land to the north of Rudham Stile Lane in accordance with SSP Policy FO1 will, therefore, ensure that the vision for Fakenham set out in CS Policy SS8 is realised, and that the town remains a truly sustainable community in accordance with PPS3. The proposed allocation is, therefore, considered sustainable.

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## ***Is the allocation subject to any demonstrable and overriding infrastructure constraint that cannot be overcome by planning conditions and/or objections?***

As stated above there are few on-site environmental and technical constraints to the development of the proposed allocation. A potential issue with the capacity of the town's Waste Water Treatment Works (WWTW) that feeds into the River Wensum (a designated SAC) has been identified by Anglian Water (AW) and the Environment Agency (EA). This has raised doubts as to whether the proposed development can be served within the existing discharge consents and, if not (and the volumetric consents do need to be increased), whether the water quality consent limits could be met using Best Available Technology Not Entailing Excessive Costs (BATNEEC) in order to meet the requirements of the Habitats Directive (HD) or the Water Framework Directive (WFD).

Consequently the potential constraint to development has been reflected in both the policies of the CS and SSP, and NNDC have worked closely with Anglian Water and the EA to identify the extent of the constraint and what solutions might be available. The findings of that work are outlined in the Water Infrastructure Statement (WIS). TCC have separately commissioned Anglian Services and Design (ASD) to advise them in respect of this matter.

The WIS concludes (Table 1) that there is potential capacity in the existing system to accommodate 1030 additional dwellings in Fakenham, compared to the planned growth of 1251 dwellings plus the employment development. Hence whilst there is spare capacity for the majority of the development planned for Fakenham, and that means that development could begin earlier than the CS and SSP currently indicate, there appears to be a shortfall against the overall needs in the town. It is, therefore, apparent that the SSP should be earmarking the spare capacity for the urban extension, which is best able to provide the investment required to improve the infrastructure base of the town, and deliver the housing and employment development sought to meet future needs in the town and district, rather than let the spare capacity be used by ad-hoc small scale developments.

Notwithstanding that there are important issues to note in respect of how the scale of growth that can be accommodated within the consent limits is calculated. Notably the calculation of the "headroom" is based on an assumption of 150 litres per person per day, made up of 130 litres per head per day "household" and 20 litres per head per day "non-household domestic" (i.e. schools, pubs, offices etc). That, however, is a significant over estimation of future use given that the future tightening of controls through building regulations and application of the Code for Sustainable Homes (CSH) over the long life of this development will significantly reduce that figure. For example for a new house to achieve CSH Level 4 would require a reduction to 105 litres per person per day, and to achieve CSH level 6 would require a reduction to 80 litres per person per day.

Using the assumptions used in the WIS the available headroom equates to 324,450 litres of capacity excluding the 10% seasonal allowance (150 litres per person x 2.1 people per household x 1030 houses = 324,450 litres). However, 900 dwellings in the proposed urban extension at 105 litres "household" per person per day would only use 198,450 litres of that capacity. The "non-household domestic" element of 20 litres per person per day might require a further 37,800 litres if that assumption was accepted, but it is not clear how that overlaps with the proposed employment development, and clearly double counting would need to be avoided. That would leave a residual capacity of 88,200 litres. Even taking account of 320 committed dwellings at 150 litres per person requiring 48,000 litres, there would be 40,200 litres of capacity remaining within the current consent.

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It has been previously suggested that some of the spare capacity could be utilised by windfall development. Although clearly there is no certainty that that capacity will be required, and the net effect should be assessed taking account what uses already exist on those sites, in light of the above there would be sufficient capacity to accommodate windfalls that might come forward in the town.

There is therefore capacity within the current consent limits for all of the proposed residential development if there is a commitment to reduce water use in line with the standards outlined above. That requirement could be enforced through the application of conditions to future planning permissions. This is important as the WIS highlights (para 4.1) that if the development can be accommodated in the existing volumetric constraint of the WWTW, then the development would not be constrained by either the HD or WFD: that is it would be considered “planned deterioration” (WIS para 4.17).

Indeed it is contended that there is in any case greater capacity within the current consent than currently suggested. For example the calculations in the WIS assume that 10% of the WWTW’s total consented capacity is protected for seasonal flows (see Table 1). That is equivalent to the capacity required to accommodate approximately 1,000 dwellings, and is considered by ASD to be highly subjective and overly generous.

The current sewers in Fakenham are largely combined, in that they accommodate both foul flows and surface water. The removal of surface water from the combined sewers arriving at the WWTW would negate the need to make that allowance, as the fluctuations in flow would lessen considerably. The use of Sustainable Urban Drainage Systems in new developments, and removal of storm water from the existing system or provision of additional surface water capacity would free up capacity. This would mean that the storm-water overflows that were introduced would no longer be required and the risk of diluted foul sewage being discharged into the water course would be reduced, thus also helping to improve water quality. Moreover, the provision of new sewers to serve the new development and improvements of existing sewers in the town would lessen the 10% allowance made for infiltration.

In calculating what might be required by the employment element of the proposed allocation, an assumption of 0.75 litres per second per hectare is referred to (WIS para 5.12). This is an “average” factoring assumption that does not take account of the specific nature of the employment use proposed or indeed whether there is some overlap with the assumptions used in calculating the “domestic” requirements of the employment development as set out above or in terms of the employees being already resident within the town. The WIS highlights the potential through the planning process to limit or even prevent the development of facilities for heavy water users in the development. Indeed, given the nature of the proposals to develop a sustainable mixed-use urban extension, as set out in the Masterplan referred to above, this is likely to be the case. The principal employment uses are likely to be relatively small scale light and general industrial units, with some warehousing and office space, i.e. commercial businesses that are relatively low water users.

Notwithstanding the above, it has been highlighted in the WIS (para 4.18) that the capacity of the consented discharge licenses might in the future be reduced by the EA through their Review of Consents process because of water quality issues and the aim to achieve “good status” under the WFD. This might require the WWTW to operate beyond BATNEEC, but equally the BATNEEC could improve to such a degree to negate this potential issue. Clearly there is no certainty in respect of this issue, and it appears to apply across the district, but in any case it does not mean that the growth planned at Fakenham will ultimately be constrained.

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It is acknowledged in the WIS (para 5.10) that there are options that could involve total or partial discharge to the River Stiffkey following on-site treatment or treatment at the WWTW at Little Snoring (2km to the north of the proposed allocation). The impact of the discharge on the receiving river would still need to be agreed with the Environment Agency, but this smaller, former RAF works is located well away from residential properties and there is land available to enable an extension to the works to be built if there is not sufficient capacity at the present time (although the WIS Table 1 suggests that there is, as it indicates 231 proposed dwellings within a capacity of 1651 dwellings). The costs of pumping flows for treatment at Little Snoring would not be excessive since the route of the main would be across arable land.

In terms of on-site treatment, there is room in the proposed allocation site to accommodate the required facilities. The WIS (para. 5.7) refers to reed-bed systems or package treatment plants. ASD have advised TCC that there are various package plants available that could deal with smaller individual phases of development as required, or a single works could be constructed to deal with the whole shortfall. Its outfall, could again be directed into the River Stiffkey, thus avoiding the problems with the River Wensum. The cost of such a solution could be spread across the whole development and would not add greatly to the cost for each dwelling. Alternatively ASD have advised TCC that a temporary treatment works could be provided on the site to deal with the final phases of development until such time that the Fakenham WWTW can receive the flows from the full allocation.

The implementation of one or a combination of the measures identified above will allow the full extent of the proposed development on land to the North of Rudham Stile Lane to come forward at the earliest opportunity to meet identified development needs in the District in accordance with national and regional planning policy and the CS and SSP.

***Are there any other good reasons, including the availability and deliverability of clearly preferable alternative sites, why the allocation might be considered unsound?***

In light of the above it is considered that there are no reasons why the allocation might be considered unsound.

A Whole Settlement Strategy for the town was published by NNDC following extensive consultation with key stakeholders and the residents of Fakenham. That concluded that the town has the capacity to accommodate significant levels of development on previously developed land and greenfield land to the north of the town which would “enable a choice of housing, employment, services and facilities to be sustained” (page 1). This is reflected in CS Policy SS8 which sets out the policy vision and strategy for Fakenham as a “Principal Settlement” and, because of its inherent sustainability, focuses future growth there.

Policy FO1 of the SSP seeks to realise the CS’s objectives in that respect. During the CS process the intention to deliver a sustainable urban extension on land to the north of Fakenham was considered and assessed, and found to be appropriate and sound. There is no reason to suggest that that conclusion should change.

Indeed, there are no other locations in and around Fakenham that can accommodate the development required to deliver this vision, and clearly reallocating the development requirements to another

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settlement would undermine the objectives and policies of the adopted CS. Moreover, there are significant development constraints that would also need to be taken into account in some of the other principal and secondary settlements, notably Cromer, Holt and Sheringham (for example land around Cromer and Sheringham lies within a designated Area of Outstanding Natural Beauty), and inevitably in the Service Villages. There are, therefore, no preferable alternatives sites to the allocation of land to the north of Rudham Stile Lane, Fakenham.