



14 July, 2023

Annette Feeney
North Norfolk Local Plan Examination Programme Officer
Sent via email

Dear Mrs Feeney

NORTH NORFOLK LOCAL PLAN EXAMINATION INSPECTOR'S INITIAL QUESTIONS

I refer to the Inspector's letter of the 26 June 2023 seeking clarification and additional information in relation to various matters.

At this stage we are writing to provide some initial responses and an indication of when a full response can be provided (in relation to Questions 1, 2, 3, 6 and 7). For ease of reference, we have included the inspector's questions in our response below. We expect to be in a position to provide the additional documents requested by the last week of August, but shall provide them earlier if at all possible.

Question 1

'The NPPF states that strategic policies should look ahead for a minimum 15-year period from adoption. In this case, the plan proposes an end date of 31 March 2036. No doubt partly due to the delay in submitting the Regulation 19 plan, even if adoption was achieved by April 2024 there would only be 12 years remaining. With a fair wind adoption is more likely sometime during the period 2024/5. Whilst not pre-empting the matter, as this issue will need to be discussed at the hearings, the Council is requested to consider the implications of extending the plan period by at least three years, to March 2039 or March 2040. At the same time the base date of the plan could be rolled forward to 2021. Based on such a scenario and taking account of the requests in 4 and 6 below, please prepare revised figures for Policy HOU1, the housing trajectory on pages 263-265 and the detailed breakdown on pages 266-267 using the Council's preferred housing target figure of 480 dwellings per annum (dpa). What would be the implications for housing provision?'

There have been a number of delays to Plan submission and as a consequence when the Plan is adopted there would be less than fifteen years remaining of the Plan period. Representations concerning the Plan period and suggestions that the period covered could/should be extended were made at Regulation 19 consultation stage. The Authority considered these representations and resolved not to table further requests for modifications at that stage. That said, the Council would have no objection to such a modification and acknowledges that in many respects it would be a logical and helpful change to reflect the delays.

However, the Council was concerned that:

- a. Such a change would necessitate multiple consequential changes to the Plan. This is largely an administrative concern and is not in itself considered to be significant.

- b. It might raise issues, although the authority itself does not consider this to be the case, with the evidence base which has been prepared to support the Plan. This evidence relates to the period 2016-2036. We do not think this is a significant concern because rolling the Plan forward for either 3 or 4 years would not in our view result in the need for further extensive evidence.
- c. In relation to housing delivery in particular the Plan already provides for the continuation of growth in the years beyond the specified Plan period at a rate to address identified needs and therefore meets the requirement to consider and address needs over a fifteen-year period from likely Plan adoption. This is explained in Background Paper 1[C1].

We will prepare a statement to cover the impacts of moving the start and end dates of the Plan by three and four years to include the revised trajectories and updates HOU1 as requested. We will illustrate the impacts of this both in relation to the Authorities preferred housing requirement of 480 dpa and the alternative using the 2014 based Household Projections with the 2022 affordability ratios (see response to question 7 below). Given the need to produce an updated Five-Year Land Supply Statement, and also update the position in relation to nutrient neutrality to inform this work, we would anticipate being in a position to reply by the end of August.

Question 2

'The updated trajectory figures should also be used to demonstrate the five-year housing land supply position on adoption of the plan as at April 2024 or April 2025.'

We will provide revised trajectories by the end of August or earlier to cover the period April 2024 onwards.

Question 3

'The Habitats Regulations Assessment (HRA) by Footprint Ecology (document A4) is dated December 2021, prior to the letter dated 16 March 2022 from Natural England regarding nutrient pollution. The report from Royal Haskoning (RH) dated April 2023 states it has not been agreed or endorsed by Natural England and does not purport to be an HRA. Clearly an updated HRA is required to take this issue on board. An agreed Statement of Common Ground (SoCG) with Natural England should also be prepared. When might these be made available for the examination?'

Two additional documents are requested, an update to the Habitat Regulations Assessment to address the requested modification concerning nutrient neutrality, and a Statement of Common Ground (SoCG) with Natural England. Both of these are in hand. An update to the Habitat Regulations Assessment is in progress and a draft SoCG is currently being considered by Natural England. We anticipate that both could also be made available to the examination during the week commencing 28th August, or sooner if available. Our preference would be to also produce a comprehensive Position Statement to update the examination on the latest position in relation to nutrient neutrality once these two documents are available.

Question 4

'The RH report states that 1,317 dwellings in North Norfolk are 'held up' due to nutrient neutrality, and that NNLP growth of 3,753 dwellings is 'held up'. Please supply the analysis that supports these figures. Which allocations, small site assumptions and permissions are affected? What

assumptions are now made in the updated figures and trajectory requested in (1) as to any delay in the delivery of these dwellings?’

Not all the district is impacted by Nutrient Neutrality. With its initial advice letter Natural England published catchment Maps to define the areas subject to the advice. These were the surface water drainage catchments for the River Wensum and the Norfolk and Suffolk Broads. Royal Haskoning refined these catchments so that the impacted areas would also include all areas with foul water drainage connections to the impacted water courses and exclude those which drained (foul drainage) outside of the surface water catchment. The most notable modification in North Norfolk was the removal of North Walsham from the impacted catchment in terms of foul water discharge as the foul drainage for the town now discharges to the North Sea via an outfall at Mundesley, having previously discharged to the River Ant.

The impacted catchments cover much of the east and central areas of the district but importantly exclude many of the **Growth Towns** proposed in the Local Plan including North Walsham, Cromer, Sheringham, Holt, and Wells next the Sea. A large part of the rural coastal area and the villages within it are also excluded.

Within the impacted catchments, and for developments outside of the catchments that drain into them, all qualifying developments will need to demonstrate nutrient neutrality. A proportion of the proposed development in the Local Plan, including some of the proposed allocations, lies within the defined catchments and is hence at risk of being delayed pending the delivery of suitable mitigation. In addition to the potential delays, it is highly likely that in most cases addressing the issue will result in increases in development costs. The Local Authority has included an estimated cost of £5,000 per dwelling in its updated Viability Assessment [I.11] whilst recognising that the cost of mitigation will vary widely on a case-by-case basis. In part the Authority would expect these additional costs to be reflected in land purchase agreements.

Table 1 provides details of those sites and sources of development which will require mitigation before they can proceed. The proposed allocations at Stalham, Hoveton, Fakenham and Briston, totalling 1,115 dwellings, and a proportion of windfall and proposed growth in some of the designated **Small Growth Villages** will require mitigation. How much mitigation will be influenced by the timing of development. When added to the applications currently held (approx. 1,400 dwellings), the Authority assesses that around 3,500 -3,700 dwellings in total will require mitigation. This equates to slightly less than 30% of the total growth proposed in the Local Plan.

Table 1. Developments likely to require mitigation (at July 2023)

Site Ref/Source	Address	Dwellings impacted	Elderly persons impacted	Comments/position
BRI01 and 02	East and west of Astley School, Briston	65 across two allocations	0	Sites are part of a larger farm located on the upper reaches of the river Bure. Prospective developer is exploring on farm mitigation options.
F01/B	Land North of Rudham Stile Lane, Fakenham	560	100	Local Plan trajectory concludes that development is unlikely before 2030 when the need for mitigation will be substantially reduced. Trinity College (site owner) exploring mitigation options.

F02	Land adjacent PFS, Fakenham	70	0	Currently assessed as requiring off-site mitigation.
F03	Land at junction of A148/B1146	65	0	Currently assessed as requiring off site mitigation.
F10	Land south of Baron's Hall Close, Fakenham	55	0	Considered likely to deliver on site mitigations within POS.
HV01/B	Land East of Tunstead Road, Hoveton	150	60	Totals assume LPAs proposed modifications are accepted. Currently assessed as likely to require off site mitigation .
ST19/A	Ingham Road, Stalham	70	0	Currently assessed as requiring off site mitigation.
ST23/2	Yarmouth Road, Stalham	80	0	Currently assessed as requiring off site mitigation
All Impacted Allocations		1,115		
Windfall Developments and small growth villages	All areas within defined nutrient catchments	1,000-1,200		Mainly comprises small scale developments which are currently assessed as requiring off site mitigation largely via third party tariff schemes.
Planning applications on hold.		1,400		Includes 900 dwellings at Fakenham (Trinity College Site F01 in adopted Site Allocations Plan). Trinity actively investigating mitigation options to expedite delivery.
TOTALS		3,515-3,715	160	

Question 5

Please provide a detailed plan of the catchment areas affected in North Norfolk.

Detailed catchment mapping is available here nn_map_the-broads-sac.pdf (north-norfolk.gov.uk)

Question 6

'The Council's latest published five-year housing land supply position is dated April 2020 (K6) whilst Policy HOU1 and pages 263-267 have a base date of April 2021 and the latest monitoring report (K1) has a base date of April 2022. For the examination to be based on the most up to date information priority should be given to providing updated housing monitoring figures with a base date of April 2023. When might such figures be available? At the very least the updated policy and trajectory requested in (1) should be based on April 2022 figures and preferably those from April 2023 to avoid new figures emerging mid-examination.'

We will provided an up dated Five Year Land Supply position for 2023 -2028 by the end of August.

Question 7

'The position of the Council to plan for a minimum of 480 dpa on the basis of the 2016 based household projections is noted and will be an important matter for discussion at the hearings. Without prejudice, do you agree the Home Builders Federation figure of 531 dpa from use of the standard method (2014 based projections) and the latest affordability ratio as at January 2022? If so, for discussion/information purposes, please also undertake the exercise in 1 above using the 531 dpa figure. What would be the implications for housing provision?'

We will illustrate the requirement, and the implications for the Plan, based on the 2014 Household Projection and the 2022 published affordability ratio (10.64). The result of this is not 531 dpa. The figure 531 is derived using the 2020 affordability ratios used in the Submission Plan. The requirement using 2014 Household Projections and 2022 affordability ratios would be 568 dpa.

Housing Requirement 2014 Household Projections with 2022 Affordability Ratio	
Published Local Affordability Ratio Jan 2022	10.64
Standard methodology conversion factor	1.415
2014 based households 2021	50305
2014 based households 2031	54316
Increased Households 2021-2031	4011
Annual Projected household increase	401
Annual Projected Increase x conversion factor	568

We hope that this is acceptable.

Yours sincerely

Mark Ashwell

Planning Policy Manager

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