

# North Norfolk Local Plan Hearing Statement

## FW Properties – Land at Hoveton (HV01/B)

January 2024

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### A. Introductory Text

1.1: This hearing statement has been prepared on behalf of FW Properties<sup>1</sup> ahead of its attendance at North Norfolk District Council (NNDC) Local Plan’s hearing sessions. FW Properties will be attending Week 2 of the Local Plan hearing sessions.

1.2: The Inspector has invited the submission of hearing statements as appropriate.

1.3: FW Properties interest in the Local Plan primarily relates to the proposed allocation at Hoveton (HV01/B).

1.4: The statement has been prepared to assist the Inspector by responding to the Matters, Issues and Questions issued on 3<sup>rd</sup> November 2023 in relation to Hoveton and the allocation.

1.5: Following sub-sections of this statement provide details of FW Properties; the proposed allocation and SoCG; summarise FW Properties work on the site and representations made; and, provide a limited number of comments on the main and minor modifications proposed by the Council, which will be discussed at the hearing sessions.

### B. FW Properties

1.6: FW Properties is a housing developer based in Norwich and specialises in developing new homes across Norfolk and Suffolk.

1.7: Founded in 2011 the company focuses on high quality design and is proud of its positive impact on the East Anglian landscape, community and economy. The company has won a number of awards including a national RIBA craftsmanship award.

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<sup>1</sup> Tunstead Road Development Land Limited is the Special Purpose Vehicle that FW Properties has created to take the site forward and a completed Statement of Common Ground with the Council is from this SPV.

- 1.8: The company has previously undertaken a development of 25 high quality new homes off Horning Road in Hoveton which it completed in 2020.
- 1.9: FW Properties has been working with the landowner of the proposed allocation site off Tunstead Road in Hoveton since early 2021.
- 1.10: FW Properties has engaged closely with North Norfolk District Council's Planning Policy Team over the last 3 years in relation to matters associated with the delivery of the site.
- 1.11: It has engaged various consultants to undertake feasibility assessments to confirm that the infrastructure requirements set out in the allocation policy are deliverable and viable.
- 1.12: FW Properties has proposed an increased size to the extent of the land to be allocated, the reasons for which are set out in this statement. This change has been assessed and accepted by the Council and included as a main modification to the submitted plan as detailed in this statement.
- 1.13: FW Properties has submitted representations on the publication draft of the Local Plan in relation to viability matters and completed a 'Statement of Common Ground' with North Norfolk District Council.
- 1.14: Whilst FW Properties generally agrees with the 'Statement of Common Ground', a number of minor amendments were proposed to clarify matters incorporated in the document. However, no amendment to the original SOCG drafted by the Council are included in the final draft.
- 1.15: Where minor changes are proposed by FW Properties to the policy allocating the site, these are set out in this statement, with Appendix A setting out the changes proposed.

### C. Matters, Issues and Questions Relating to Hoveton

- 1.16: FW Properties provides the following response in relation to the Inspector's Matters, Issues and Questions in relation to Hoveton:
- 1.17: **Question:** *"5.5.1 Are the detailed Settlement Boundaries for Hoveton, and the boundaries of the various Policy Area Designations (listed in paragraph 9.1.6 of the plan) suitable and justified given their policy function?"*
- 1.18: **Response:** FW Properties' principal focus is on the allocation rather than the wider settlement boundaries proposed. FW Properties does not wish to offer comment on the wider settlement boundary for Hoveton which does not relate to the proposed allocation site.
- 1.19: **Question:** *"5.5.2 Is the housing allocation for Hoveton the most appropriate when considered against reasonable alternatives in the light of site constraints, infrastructure requirements and potential impacts?"*
- 1.20: **Response:** Yes, this is the most appropriate site for allocation in Hoveton and the technical work undertaken and the Council's detailed allocation policy for the site

demonstrates that all site constraints can be mitigated and work is underway in this regard. We note that the Council has prepared, as part of its consultation statement, an appendix<sup>2</sup> which specifically deals with alternative sites that have been promoted by those responding.

- 1.21: The appendix notes that only one objector has proposed an alternative site, with the Council confirming that this could be delivered in conjunction with the proposed allocation site (if required). The consultation statement notes the Council's view, in response to the comment, that:

*"It is argued that Hoveton can take more development and a new site is proposed as an alternative to the preferred site within the Local Plan. This alternative site can be delivered in conjunction with the existing preferred site."*

The single response (only) on alternative sites, suggests that no other (credible) alternatives for allocation exist. It is understood that no other landowners or representatives are planning to attend the examination to promote alternative sites or challenge the plan. It is considered that the proposed allocation of the site off Tunstead Road is justified with reference to the NPPF paragraph 35b test of *"an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence"*.

- 1.22: **Question:** 5.5.3 Land East of Tunstead Road (HV01/B)

a) *Has the site been allocated previously or is it a new allocation?*

**Response:** The site has not previously been allocated in any other plan and is a new allocation.

b) *Does the site have planning permission and/or are there current applications under consideration? If so please list.*

**Response:** The site does not have planning permission and there are no applications currently under consideration.

c) *Are any modifications suggested to the policy or text, or the site boundaries? If so, why, and are they justified or required for effectiveness?*

**Response:** There are a number of amendments proposed by FW Properties in relation to the allocation as set out in the following Core Submission documents. They are all considered to be justified and required for effectiveness:

*" - A5.11 Appendix K: Schedule 4 - Schedule of Proposed Additional Minor Modifications NNDC May 2023*

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<sup>2</sup> A5.4 Appendix D: Schedule of Representations at Reg 18 (Alternatives Considered)

*- A5.12 Appendix L: Schedule 5 - Schedule of Proposed Additional Main Modifications”*

Main modification PMAIN/13.1/01 proposed to increase the allocation from 6.4 hectares to 10.6 hectares and with the amount of new homes increased from “*approximately 120 dwellings*” to “*not more than 150 dwellings*”. With the new National Design Code promoting increased on-site amenity, treelined streets and SUDS alongside biodiversity net gain requirements, the additional site area and increased units are required to ensure viable delivery against these requirements. The additional units will also support the viable delivery of significant foul drainage infrastructure associated with the allocation, which in turn provides a substantial enhancement of the wider village’s infrastructure.

The Council notes on this main modification that:

*“Modification is proposed in order to improve the effectiveness of the Plan. Additional land will assist in the provision of requirements set out in the site-specific policy.”*

This modification of the site area was put forward by FW Properties as detailed in response to part i) of the question and is considered justified and effective.

In relation to the wording of the modification FW Properties considers that to ensure the effectiveness of the allocation policy, the wording ‘*not more than (150 dwellings)*’ should be removed and replaced with ‘*approximately 150 dwellings*’. This would ensure conformity with minor modifications PMIN/13.1/04 and PMIN/13.1/05.

Housing targets in the plan are expressed as minimums in line with common practice across the country. There is not considered to be any justification for the use of a ‘*not more than*’ restriction in relation to the justification for this allocation policy.

Moreover paragraph 9.24 of the draft plan provides support for a more flexible approach, stating (in part) that:

*“Dwelling numbers included in the policies are expressed as approximates, do not include any allowance for specialist elderly care units required by Policy HOU 2 ‘Delivering the Right Mix of Homes’, and should not be taken to mean that the number of dwellings indicated will always be acceptable. How many dwellings can be accommodated in a satisfactory way on any given site will be determined at planning application stage based on the merits of individual proposals and how they comply with the policies of this plan.”*

This proposed change by FW Properties to the main modification text, with other proposed changes to the minor modification changes to the policy are set out in appendix A to this statement.

*d) Have the impacts and effects of development been properly taken into account?*

**Response:** FW Properties considers that the impacts and effects of development have been properly taken into account and that this is borne out by the detailed allocation policy (HV01/B) and the Statement of Common Ground.

Examination Library Document Reference A5.10. (Appendix J Consultation Statement. Examination Library Document Reference A5) also clearly sets out how consultation responses pertaining to the impact and effects of development on this site have properly been considered and taken into account and taken forward into modifications to the policy as appropriate.

Policy HV01/B includes criteria relating to: the design of development to integrate into surrounding character together with new landscaping buffers and retention of existing trees and hedgerows; highway access considerations and details of required pedestrian and cycle connections as part of green access corridors; provision of multi-functional open space on the site; provision of developer contributions to a Wroxham and Hoveton Network Improvement Strategy Action Plan to help address existing transport constraints and deliver improvements; provision of a site-specific Water Catchment and Foul Water Drainage Strategy prior to commencement of development; enhancements to sewage infrastructure prior to occupation of any dwelling; contributions towards mitigation measures identified in the Norfolk Green Infrastructure and Recreational Impact Avoidance & Mitigation Strategy (GIRAMS); and, phasing of development.

FW Properties has engaged various consultants to undertake feasibility assessments to confirm that the infrastructure requirements set out in the allocation policy are deliverable and viable. Delivery of these infrastructure requirements will improve the existing situation in the village as well as addressing the needs of the new population arising from the proposed allocation. The additional units associated with the extension of the site will ensure that the significant utilities infrastructure required by the allocation can be viably delivered.

The allocation policy is a detailed one which is considered to demonstrate how consideration has been given to the impact and effects of development and will continue to be as the project moves forward.

*e) Are the components of the proposal (number of dwellings, units of elderly care accommodation, amount of public open space etc) in the first sentence of the policy for the site justified?*

**Response:** The draft policy, as amended by modifications, proposes the allocation of land amounting to 10.6ha for not more than 150 dwellings, elderly persons accommodation, open space and associated on-site and off-site infrastructure.

Criterion 5 of the policy requires the open space to include not less than 1.07 hectares of multi-functional open space. Criterion 11 confirms that the allocated use shall include *“not less than 60 units of elderly persons accommodation”*.

As confirmed in the Statement of Common Ground, it is proposed by FW Properties that 50 dwellings plus the Elderly Care accommodation will be provided in years 0-4 after adoption and 100 dwellings provided in years 5-10 after adoption.

Hoveton is identified as a Small Growth Village in the local plan. When the functional relationship with adjacent Wroxham is also considered, the level and the cumulative service offer in the settlements, together with their rail station, is assessed it is considered clear that this is a sustainable location for new development.

The proposed residential allocation of 150 dwellings accounts to c.1.24% of the total minimum District-wide housing target of 12,096 that is incorporated within the plan and this is considered reasonable based on the local service offer.

In relation to the proposed 60 units of elderly persons accommodation and the specific quantum referenced at LPS541 in Examination Library Document Reference A5.10. (Appendix J Consultation Statement. Examination Library Document Reference A5) the Council has confirmed that:

*“The 60 unit requirement is derived from the preferred delivery model of mainstream providers rather than a set proportion related to the number of dwellings on a site and is intended to ensure that sites are available and attractive to the market”*.

Paragraph 5.3.3 of the draft plan states that:

*“Increase in health care provision and the provision of homes suitable for the elderly, those with disabilities, and those requiring specialist forms of accommodation for older people is a key priority for the Council.”*

The proposed development on the site can help to meet the functional need for age suitable accommodation for both Hoveton, as well as Wroxham, and the surrounding area therein delivering on the key priority identified by the Council. FW Properties has been liaising with older people’s housing providers and is at an advanced stage of discussions with a specific provider.

It is considered that the provision of older persons’ housing in this location is justified. The provision of this type of accommodation alongside new market housing and open space will foster the delivery of balanced communities and could be attractive to people with older relatives who wish to co-locate in respective house types on the site.

There are bus stops on Tunstead Road providing public transport links to Hoveton and Wroxham and its railway station and the centre of Hoveton is around a 0.5 mile walk from the edge of the site.

It is considered that the components of the proposals set out in the policy are justified.

*f) What form would the public open space take?*

**Response:** Criterion 5 of the policy requires the open space to include not less than 1.07 hectares of multi-functional open space. FW Properties has already begun work on site planning to demonstrate how open space can be delivered alongside residential and older persons accommodation. The precise detail of open space design would be for further consideration with Council Officers, including those responsible for sports and open space provision, as part of a pre-application enquiry. FW Properties is committed to the provision of high quality public open space which meets the needs of the development and wider area, as well as making for an attractive location for people to live.

*g) Having regard to these components, is the estimate of site capacity justified?*

**Response:** Paragraph 9.24 states in relation to the Council's housing density approach that:

*"9.2.4 In establishing the capacity for homes on each site a density of approximately 30 (villages) or 40 (towns) dwellings per hectare has been used as a starting point. Allowance has been made to ensure each site can deliver the range of uses required, and where it is considered that sites may not be suitable for this density of development, perhaps because of local character considerations, an adjustment has been made."*

FW Properties considers that the 10.6ha allocation includes sufficient space for a minimum of 150 dwellings, not less than 60 units of elderly persons accommodation and not less than 1.07ha of multi-functional open space and associated infrastructure, including pedestrian and cycling links and landscaping buffers required by the policy.

The site may have capacity for a greater amount of dwellings than the 150 dwellings referenced in policy. This provides a justification for the amendment of policy from 'not more than' to 'approximately' (or similar) to allow sufficient flexibility.

The site has the capacity to deliver a high quality, lower density development that is appropriate to the settlement edge.

*h) What is the land ownership position and is the site currently being promoted by a developer?*



**Response:** The site is being promoted by FW Properties working with the landowner. A representative of FW Properties will be present at the examination session relating to the allocation and can provide any further clarification as required at that stage.

*1) As part of a larger field, how has the site boundary been determined?*

**Response:** The extent of the land allocation included in an earlier draft allocation was determined by North Norfolk District Council. The extent of the site allocation area was originally 6.4 hectares and took up a major proportion of the field.

The original northern edge of the proposed allocation followed a boundary that continued the northern boundary of a new housing development completed to the east of it. This would have left a relatively narrow sliver of land between the original northern boundary and the historic field boundary to the north.

The allocation was increased following the Publication Stage of the Local Plan. FW Properties commented on the Publication Stage Local Plan, part of a wider comment set out at comment LPS540 of Examination Library Document Reference A5.10. (Appendix J Consultation Statement. Examination Library Document Reference A5) that:

*“The draft Regulation 19 Local Plan has seen housing allocations reduced across the district considering recent changes to national policies to enable the better integration of green infrastructure (tree lined streets) and the new National Model Design Guide. This approach is considered ineffective, and unjustified as it results in less development in highly sustainable locations where the Council has already undertaken work and ascertained its need.”*

Whilst the Council did not fully accept the wider comment put forward, it did respond that:

*“a main modification is proposed PMAIN/13.1/01 under document section 13.1 Land East of Tunstead Road, Hoveton, Policy HV01/B, to improve the effectiveness of the plan. Additional land will assist in the provision of requirements set out in the site-specific policy.”*

Site specific policy requirements are numerous and include landscape buffers, provision of multi-functional open space and cycling and walking links, as well as other infrastructure requirements. These other infrastructure requirements include the delivery of significant foul drainage infrastructure associated, which in turn provides a substantial enhancement of the wider village’s infrastructure. The extension of the site and the provision of additional houses it facilitates will ensure viable delivery of this infrastructure.

It is therefore considered that the Council’s decision to expand the site allocation is justified.



Moreover, it is considered that there are place-making benefits to the use of the existing field boundary as the northern boundary of an extended site.

The current proposed northern boundary is this historic field boundary defined by hedges and hedgerow trees, to the north. It is considered beneficial to the development of the site and expansion of Hoveton that the existing field boundary forms the boundary of the site, providing existing landscape screening.

The boundary of the site is now the larger field boundary in which it is contained.

## D. Conclusion

1.23: In conclusion, the proposed allocation of the site (at the proposed current extent put forward for examination) is considered to have been carefully assessed by the Council.

1.24: FW Properties is an experienced regional developer that considers the allocation of this site, which its detailed work confirms is deliverable, is justified. Subject to allocation of the site FW Properties will continue to work closely with the Council during subsequent planning to promptly bring forward development upon the site.

1.25: FW Properties considers minor changes to the proposed modifications are appropriate to ensure a sound plan.

## Appendix A – Recommended Changes to Policy HV01/B and Its Proposed Modifications to Ensure Soundness

FW Properties recommends the following amendments to policy HVO1/B as detailed in this Hearing Statement:

- A. Reference in PMAIN/13.1/01) to *'not more than 150 dwellings'* to be amended to *'approximately 150 dwellings'*.

Reason: To reflect the expression of minimum housing targets in the plan, to demonstrate conformity with national policy which seeks to significantly boost the supply of housing and as the use of the phrase 'not more than' is not considered justified in this instance. In addition to ensure conformity with wording of minor modifications (PMIN/13.1/04 and PMIN/13.1/05) which references the words 'approximately' in justification text for the policy.

- B. The Council has proposed as a minor modification (PMIN/13.1/02) the specification of *"including mini roundabout and traffic calming"* in the sentence in the policy:

*"Provision of highway access, including mini roundabout and traffic calming on Tunstead Road to provide a through connection for all vehicles to the new Stalham Road roundabout."*

It is recommended that this additional wording is removed or is caveated by “*which may include*”, rather than “*include*”, or is replaced with the more generic “*and associated infrastructure*”.

Reason Whilst there is no objection in principle by FW Properties to provision, without detailed engagement with NCC Highways and consultant advice, it is considered too early to specify this. 'and associated infrastructure' may be an alternative to the specification made in the track change presented.

- C. The Council has proposed as a minor modification (PMIN/13.1/03) the inclusion of the following text in the policy:

*“Incorporating new pipe work to the north of the allocation and Brooke Park that includes direct foul water drainage connection to Belaugh WWTW in agreement with Anglian Water and prior to commencement of development to be aligned with the wider Anglian Water wider catchment strategy produced by Anglian Water and network improvements and to ensure there is no adverse impact on the integrity of the Broads SAC/SPA.”*

FW Properties would propose as follows:

*“Incorporating new pipe work taking foul drainage from the allocation site and Brooke Park to Belaugh WWTW in agreement with Anglian Water and prior to commencement of development to be aligned with the wider Anglian Water wider catchment strategy produced by Anglian Water and network improvements and to ensure there is no adverse impact on the integrity of the Broads SAC/SPA.”*

This excludes the wording “*to the north of the allocation*” and “*includes direct foul water drainage connection*”

Reason: In order to ensure the effectiveness of the policy and at the allocation stage, it is not considered that the detailed specification that is proposed to be removed from policy wording is required.

Removal of the wording does not impinge upon the strategic requirement to provide a connection.