

Ref: GA/RW/02019/L0007

23 October 2020

Mrs J Medler
Planning Department
North Norfolk District Council
Council Offices
Holt Road
Cromer
Norfolk
NR27 9EN

Dear Jo

**Kelling Park, Holgate Hill, Kelling
Planning Application by Kelling Estate LLP – NNDC Ref. PF/20/1056**

On behalf of Kelling Estate LLP, I write to respond to the comments made in relation to the above application from the Council's Planning Policy team, dated 29 September 2020.

I note that the policy comments make reference to pre-application policy advice previously provided in respect of reference IS2/19/1316. This advice was never received by the applicant, despite our pre-application enquiry being with the Council for some 10months prior to its withdrawal.

As recorded in Section 2.0 of the Planning Statement which supports the above planning application, you will be aware that the applicant has sought to engage with the Council in a coordinated and meaningful way in bringing forward development proposals on the Estate. The application proposals for Kelling Park have evolved through the Kelling Estate Masterplan with detailed proposals put forward under pre-application enquiry reference IS2/19/1316.

Kelling Estate Masterplan

This document was prepared with regular input from officers to provide a coordinated reference point to guide development proposals on the Estate and recognise the important role that Estates like Kelling play in the positive conservation and management of the countryside and sustaining the local economy.

The final draft version of the document was submitted to the Council's Planning Policy Manager on 27 February 2019, with the understanding comments would be provided. None have been forthcoming.

Representations have been made to the emerging Local Plan that it should include policies which support the role of Estate Masterplans in the planning process.

Kelling Park is the fourth site identified in the masterplan to be brought forward. This follows on from the recent permission for extension and improvement works to the Holt Garden Centre which neighbours this site. The permission which was issued in October 2019, is currently being delivered on-site.

Pre-Application Enquiry IS2/19/1316

This was submitted and made valid on 21 August 2019. Proposals for the site were the subject of a number of meetings and follow up submissions. Key issues in those discussions were the need to:

- Satisfy the terms of policy CT3 – Provision and Retention of Local Facilities and Services;
- Evidence of an implementable fallback scheme;
- The desire expressed for the site to accommodate a contemporary eco design;
- A request to compare the level of proposed development with that which exists on-site.

This was provided in submissions made in November 2019 and January 2020.

As recorded at paragraph 2.14 of the Planning Statement, following on from those submissions the impact of Covid-19, delayed the Council's response such that on 16 June 2020 a decision was taken to withdraw the pre-application enquiry and proceed to planning application.

At that point no in-principle objection had been raised to the redevelopment of this brownfield site.

It is therefore with considerable surprise and disappointment that we have received the aforementioned policy objection.

Nevertheless we provide our response to the objection made below:

The proposals are contrary to Policy SS1 (Spatial Strategy) and SS2 (Development in the Countryside).

- The policies were adopted over 12 years ago;
- The policies were prepared to cater for a housing requirement set by the East of England Plan in 2004, a regime of plan-making which has since been abolished;
- This housing requirement falls significantly short of housing needs and is not consistent with the NPPF;
- The limits imposed on development in the countryside are inconsistent with the NPPF;
- Policy SS2 allows for replacement dwellings in the countryside. This is out of step with the NPPF which imposes no such limitation on the redevelopment of such sites;
- The Council cannot demonstrate an NPPF compliant 5year housing land supply
- All these factors limit the weight which should be afforded policies SS1 and SS2 insofar as they restrict housing development needed to meet future needs, particularly where this can be provided on a brownfield site in a form of development which bring significant benefits in terms of:
 - Quality of accommodation;
 - Positive contribution to the Council's deficient supply;
 - Limit pressure to release undeveloped greenfield sites to meet future needs;
 - Beneficial effects on the site its immediate surroundings and the AONB.

Remoteness of Location

- Highways have not objected;
- The lawful use C2/C3 would generate similar or greater levels of traffic;
- Travel demands associated with a conversion scheme would be similar;
- The principal settlement of Holt with full range of shops and services is around 2.5km away along lightly trafficked roads, well within the 5km threshold generally considered acceptable for journeys by bicycle;

- The development is functionally and physically linked to the neighbouring Holt Garden Centre, which itself is being extended and upgraded. Offering a wide range of retail goods and café the centre is open 7days a week and will be available to future residents on their doorstep.

Council's climate change agenda

- The redevelopment of previously developed brownfield sites is inherently sustainable and reduces the pressure to release greenfield sites for housing;
- The importance NNDC attach to brownfield sites is expressed in its latest Annual Monitoring Report which sets a target that 50% of new homes should be on previously developed land.

Five year land supply

- Contrary to what is stated the Council is unable to demonstrate an NPPF compliant 5year housing land supply. The NPPF requires the 5year housing land supply to be calculated in accordance with the Governments standard method. Calculated in this way the supply is **4.72years**. This is before one scrutinises the Council's supply;
- It is noted that the Council are currently defending an appeal (NNDC Ref. PO/18/1857) where the appellant (Gladman) has reviewed the Council's supply of sites and finds the deliverable supply to be at only **4.06years**.

The Age of Policies is Immaterial in Considering the Proposals

- The NPPF places great importance on up to date plan-making, with the requirement development plans are updated at least every 5years;¹
- The policies of the NPPF are material considerations from the day of publication and plans to reflect the policy changes should be updated as quickly as possible.² (see further commentary above under policies SS1 and SS2);
- Clearly it is not the case that policies adopted 12 years ago, informed by development requirements from the East of England Regional Plan (2004), a tier of plan-making since abolished and which fail to reflect the Governments required approach to calculate housing needs in accordance with the standard method, and which precede the NPPF, can carry equal weight to those informed by current evidence of future development needs which is consistent with National Policy.

H09 Conversion

- Contrary to what is stated details of a conversion scheme were provided at pre-application stage and submitted with the planning application.

The Justification for the 8 dwelling proposal is based on a volumetric replacement rather than floorspace. The approach results in a significant increase in floorspace, scale and massing. The approach is contrived in order to justify a significant increase in residential development.

- The table under paragraph 5.11 in the submitted planning statement confirms there to be a reduction from the existing when measured in both floorspace and volume terms.

Landscape Impact

- It is unclear on what basis the comments conclude the proposals are contrary to policies SS4, EN1 and EN2 of the Core Strategy;
- The application was supported by a detailed Landscape Visual Impact Appraisal which concludes that the proposals provide betterment in landscape terms which would enhance the landscape and scenic beauty of this part of the AONB;
- The Norfolk Coast Partnership has not raised an objection to the proposals subject to conditions limiting artificial light pollution;
- It is our understanding landscape comments have yet to have been received.

¹ NPPF, paragraph 33

² NPPF, paragraph 212

Kelling Estate Master Plan

- The policy comments draw from an earlier iteration of the draft Kelling Estate Masterplan (V11). The final draft (V15) submitted to the Council some 20months ago on 27 February 2020 proposed residential re-use/redevelopment of the site.

Conclusion

For the reasons explained above I hope you can understand the reasons disagree with the policy objection raised, which we consider to be at odds with the officer advice previously received in relation to the proposals.

I trust the content of this letter will be taken into account as the application is progressed towards determination. In the event you have any queries or need to discuss other aspects of the proposals please do not hesitate to contact either myself or my colleague Roger Welchman.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Geoff Armstrong', written in a cursive style.

Geoff Armstrong (geoff.armstrong@arplanning.co.uk)

Director

Armstrong Rigg Planning

Direct Line: 01234 867130

Mobile: 07710 883907