

King's Lynn and West Norfolk Local Plan Examination

Matter 5 Hearing Statement

Land South of Hunstanton Commercial Park: Policies F2.3 and
F2.5

Pigeon Investment Management

December 2022

Issue Sheet

Document Prepared for: Pigeon Investment Management

Matter 5 Hearing Statement

Prepared by:

Signature:

Ben Burgess

Name: Ben Burgess MRTPI

Title: Regional Director

Date: December 2022

Contents

1	INTRODUCTION	1
2	HUNSTANTON: LAND SOUTH OF HUNSTANTON COMMERCIAL PARK (POLICY F2.3)	2
2.1	QUESTION 164	2
2.2	QUESTION 165	3
2.3	QUESTION 166	3
2.4	QUESTION 167	3
3	HUNSTANTON: LAND SOUTH OF HUNSTANTON COMMERCIAL PARK (POLICY F2.5)	4
3.1	QUESTION 169	4
	QUESTION 170	4
3.2	QUESTION 171	4
3.3	QUESTION 172	4

1 Introduction

- 1.1 These responses to the Inspectors' second part of the Matters, Issues and Questions (MIQs), which form the basis for the Examination of the King's Lynn & West Norfolk Local Plan Review 2016-2036 have been prepared by Lanpro on behalf of Pigeon Investment Management, who are promoting the two sites (F2.3 and F2.5) at land South of Hunstanton Commercial Park for residential and housing with care uses, on behalf of the Le Strange Estate (the 'landowner').
 - 1.2 For the avoidance of doubt, we have only included questions that are relevant to the representations previously made by Lanpro on behalf of Pigeon Investment Management.
-

2 Hunstanton: Land South of Hunstanton Commercial Park (Policy F2.3)

2.1 [Question 164](#)

Is the housing allocation justified, effective and consistent with national policy, with particular regard to:

- a) the effect of the development on landscape character, heritage, biodiversity, agricultural land, flood risk, highway safety, infrastructure and facilities;
- b) the relationship of the site to the existing settlement and its accessibility to local services and facilities;
- c) the evidence to support the site's 'developability', as defined in Annex 2 of the NPPF, and set out on the housing trajectory; and,
- d) its viability, having regard to the provision of any infrastructure, affordable housing and other policy requirements?

- 2.1.1 The proposed allocation sites (the 'Site', which for reference includes land proposed for allocation through both Policy F2.3 and F2.5) received outline planning permission on 9th February 2017 (ref. 16/00084/OM) for a *'Care home, up to 60 housing with care units and approximately 60 new dwellings with landscaping and vehicular access'*. Every effort was made to bring forward the delivery of the Site and an agreement had been reached with a care provider, but did not proceed due to the Covid-19 Pandemic and the impact that this had on the care sector.
- 2.1.2 Subsequently terms have been agreed between the landowner and a delivery partner, Lovell Partnerships Ltd and Lovell Later Living, and a full application was submitted on 11th May 2022 on behalf of Lovell Partnerships Ltd and Le Strange Estate for the *'Development of 100 housing with care dwellings (Class C3) (including 61 apartments and 39 bungalows) 60 residential dwellings (Class C3) together with community facilities and services and associated landscaping, highway works and associated infrastructure'*. This application is currently pending determination.
- 2.1.3 Points 4-6 of the proposed policy require the elements highlighted in point a) of this question to be considered and delivered appropriately through any planning submission. The themes referenced both in the highlighted sections of the policy and point a) above are the key strands of national policy (the National Planning Policy Framework 'NPPF') in respect of achieving sustainable development and are therefore justified. They have also proved effective as the application referred to in 2.1.2 has been produced in accordance with these requirements.
- 2.1.4 The Site is located immediately adjacent to the Hunstanton settlement boundary (both to its north and west) as defined in the Local Plan. The town acts as a service centre for the surrounding rural area, a local employment centre and is also a successful seaside resort. The Site is well served by a footpath opposite that continues into the town centre, which is within less than half a mile from the Site, as are two supermarkets. Smithdon High School is located immediately north of the Site. Paragraph 73 of the NPPF states that significant extensions to existing villages or towns can often be the best way to supply new homes, 'provided they are well located and designed, and supported by the necessary infrastructure and facilities', which this Site is. As such, it is considered that the allocation is justified, effective and consistent with national policy in respect of point b) above.
- 2.1.5 In the Glossary of the NPPF 'Developable' is described as *'To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged'*. As described in 2.1.4 the Site is clearly in a suitable location for housing development. Further, and as described in 2.1.2 a full planning application is currently being considered by the Local Planning Authority for a housing with care and residential scheme. The application is submitted on behalf of a recognised and respected housebuilder/care provider (Lovell

Partnerships Ltd/Lovell Later Living). As such, the Site is undoubtedly 'Developable' in the national context as described in point c) of this question.

- 2.1.6 In response to point d) the submitted planning application is policy compliant and viable, which confirms that the policy as proposed is effective, consistent and appropriate.

2.2 [Question 165](#)

[Is Policy F2.3 effective and justified in respect of the level of affordable housing required as part of any proposed development on this site?](#)

- 2.2.1 Point f. of the proposed policy states that the development of the site requires the *'provision of affordable housing on site, or an equivalent financial contribution, to meet current standards'*. The proposed Local Plan has other policies within it (CS09, K1 and K5, for example) that set standards for the provision of affordable housing in terms of mix, location and tenure. It is therefore important to consider these policies together.

- 2.2.2 It is clear from the current planning submission that a policy compliant level of affordable housing can be delivered through a mix of C3 residential dwellings and the housing with care homes. In fact the proposal exceeds the affordable housing requirements of the proposed Local Plan policies. Therefore, it is our assertion that Policy F2.3 is effective in its goal of delivering affordable housing and justified in the amount of affordable housing that has been evidenced as being required.

2.3 [Question 166](#)

[Is Policy F2.3 consistent with national policy in respect of the approach to Heritage Assets?](#)

- 2.3.1 Part 4 e. of the proposed policy requires the submission of a Heritage Asset Statement that establishes that there will be no negative impact on Heritage Assets in the locality. This is not consistent with national policy, specifically paragraph 202 of the NPPF which states:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.

- 2.3.2 The term 'less than substantial harm' is key in this context. For the policy to require that there will be 'no negative impact' is not commensurate to the requirements of the NPPF and is therefore not consistent. A development can clearly be considered in the planning balance if the policy allows for less than substantial harm, but to require no negative impact does not allow for this. Therefore, we consider that the wording of the policy should be amended accordingly to ensure consistency with national policy.

2.4 [Question 167](#)

[Is Policy F2.3 justified in requiring a financial contribution for any upgrades or additional provision in terms of water and sewerage necessary to serve the development or is this matter dealt with through other legislation?](#)

- 2.4.1 Part 9 of the proposed policy requires a financial contribution to a number of infrastructure requirements, including water and sewerage. This is not required as it is covered by Anglian Water's Developer Charging Arrangements document which covers the cost of new water and waste water infrastructure.

- 2.4.2 There is no justification for a financial contribution provided and we are concerned that the future developer of the Site could be required to pay for upgrades twice, both through this policy and their statutory requirements.

- 2.4.3 Therefore, we contend that the reference to 'water supply' and 'sewerage' should be removed from part 9 of this proposed policy.

3 Hunstanton: Land South of Hunstanton Commercial Park (Policy F2.5)

3.1 [Question 169](#)

Is the employment allocation in Policy F2.5 justified and effective?

[Question 170](#)

What evidence is there to support the deliverability of this employment site and what is the anticipated timescale for its development?

- 3.1.1 The current planning application as referred to in 2.1.2 makes it clear that an employment use will be delivered on this Site and can be in the near future, subject to planning permission being granted.
- 3.1.2 The employment will be generated in the housing with care units. The units provide direct access to personal care and support services on-site 24/7. This service enables residents to obtain self-care in their own home enabling independent living. Housing with care is intended to promote health and wellbeing, and social contact, whilst providing residents with a choice on how services are delivered to them.
- 3.1.3 The housing with care apartments will provide a range of care and support services for residents, as well as communal facilities, including;
- On-site staff to assist in personal care, support with daily living including emotional, social interaction, nutrition and hydration; and
 - Personalised services delivered collaboratively with health and social care and voluntary services.
- 3.1.4 This job creation is fully in accordance with the Economy and Transport section (5) of the proposed Local Plan, specifically policy LP07. Further the Site is sustainably located adjacent to existing and proposed housing and accordingly will offer employment opportunities for local residents.
- 3.1.5 It is anticipated that the proposed housing with care uses that are the subject of the current application will generate approximately 60 full time jobs through a range of roles, including care managers, housing management, catering, cleaning and activities coordinators.
- 3.1.6 This level of job creation is commensurate with a care home that would typically be expected to employ in the region of 60-80 people.

3.2 [Question 171](#)

In order to be effective, should the policy be amended to include Class C2 care uses?

- 3.2.1 Including Class C2 as a use in the policy could offer an opportunity to bring that use into the Site, which in presentation could be seen as a positive addition. However, it is our suggestion that the proposed wording of the policy should be worded more flexibly such that it allows for specialist accommodation that creates jobs. C2 in itself is potentially restrictive given the nature of care uses that exist that generate employment (such as housing with care and extra care) and the need to deliver a wide range in the area and across the county.

3.3 [Question 172](#)

Is Policy F2.5 justified in requiring a financial contribution for any upgrades or additional provision in terms of water and sewerage necessary to serve the development or is this matter dealt with through other legislation?

- 3.3.1 The response to this question is as per question 167 above, but for completeness it has been replicated below.

- 3.3.2 Part 9 of the proposed policy requires a financial contribution to a number of infrastructure requirements, including water and sewerage. This is not required as it is covered by Anglian Water's Developer Charging Arrangements document which covers the cost of new water and waste water infrastructure.
- 3.3.3 There is no justification for a financial contribution provided and we are concerned that the future developer of the Site could be required to pay for upgrades twice, both through this policy and their statutory requirements.
- 3.3.4 Therefore, we contend that the reference to 'water supply' and 'sewerage' should be removed from part 9 of this proposed policy.