

STATEMENT ON INSPECTOR'S MATTERS ISSUES AND QUESTIONS

Site: Land to south of Norwich Road, Swaffham

Submitted on behalf of: MLN (Land and Properties) Limited

Introduction

This statement has been prepared to provide comments on the Schedule of Matters and Issues for the Examination on behalf of MLN (Land and Properties) Limited.

Our client has current and long term interests both in relation to the Breckland Local Plan (BLP) in general - and in particular its policies and other content that relate to or directly affect future housing developments - and in relation to two specific residential development sites namely:

1. Land at Norwich Road, Swaffham; and
2. Land at Kenninghall Road, Banham:

Those interests have been the subject of our previous representations to the draft BLP on our client's behalf.

The draft BLP proposes to allocate the site at Norwich Road, Swaffham for housing development of at least 185 dwellings. The site covers an area of approximately 7.1 hectares and is the subject of a current outline planning application (including details of access only) for up to 185 dwellings, reference 3PL/2015/0917/O, which Members of planning committee have resolved to approve subject to completion of a Section 106 Agreement. Work on drafting/agreeing the content of the Section 106 Agreement is at an advanced stage and outline planning permission will be granted/issued once the Section 106 Agreement has been completed.

Outline planning permission for the erection of up to 43 dwellings on the site at Kenninghall Road, Banham was granted in February 2016, reference 3PL/2014/1006/O. This site is approximately 2.61 hectares in size and an application for the approval of reserved matters was submitted in January 2018 and is due for determination by 3 May 2018, reference 3PL/2018/0091/D. The draft BLP proposes a settlement boundary for Banham that includes/wraps around this site.

Following a review of the Inspector's Schedule of Matters and Issues for the Examination, this statement includes comments on the following matters:

- i. Matter 4 - Housing: the supply of land for housing, deliverability and viability;
- ii. Matter 6 - Affordable Housing (Policies HOU 07 and HOU 14); and
- iii. Matter 14 - Strategic urban extensions, housing site allocations and settlement boundaries

Our comments on each of these matters are set out in turn below.

Matter 4 - Housing: the supply of land for housing, deliverability and viability

We wish to comment on 4.4 as follows:

- We note that 4.4 requests that the Council produces a diagram showing the level of anticipated housing delivery for each allocated site on a year by year basis, along with the delivery of the infrastructure needed to support the new homes. We and our client are not attending the hearing sessions, but wish to take this opportunity to confirm our willingness to provide comment on any such diagram provided by the Council insofar as it relates to the proposed housing allocation at Norwich Road, Swaffham (i.e. *Swaffham Allocation 4*) and the land at Kenninghall Road, Banham that is the subject of an outline consent for up to 43 dwellings. Please do not hesitate to contact us if our input on this matter would assist the Inspector.

Matter 6 - Affordable Housing

We have the following comments on 6.3:

- Based on our client's experience of dealing with potential housing sites in Breckland, including in relation to the sites in Swaffham and Banham detailed in the introduction to this statement and associated engagement with the Council, landowners and prospective house builders, our client is strongly of the opinion that the proposed requirement within Policy HOU 07 for 25% of units of developments of 11 units or more to be affordable is justified.
- The primary reason for this is that in our client's experience the current policy requirement for 40% of units of qualifying developments to be affordable clearly comprises the overall viability of such developments.
- Furthermore we and our client are aware (and no doubt the Council can confirm) that a number of applicants have in recent years secured planning permission for qualifying housing developments with a lower than policy compliant provision of affordable housing provision through the provision of viability appraisals - including in connection with greenfield sites with no or few abnormal costs. It is considered that this pattern of such previous example applications and associated supported evidence has demonstrated that there is a district-wide issue in terms of the viability of the current level of affordable housing provision (i.e. 40%).
- Our client therefore considers the proposed affordable housing percentage/requirement to be justified and that it would dramatically improve the prospects of delivering homes - both open market and affordable - on sites with planning permission and/or that are allocated for housing development.

With regard to 6.8 our client comments as follows:

- With regard to tenure split, it is important for Policy HOU 07 and the BLP overall to provide flexibility such that the tenure split of affordable housing in any specific development can match the requirements of the affordable homes provider involved.
- In our client's experience such affordable homes providers tend to be best placed to understand the mix of affordable homes that are genuinely needed in the local area and so it is considered that such flexibility would enable affordable housing tenure to be established on a case-by-case basis, which would in turn enhance the prospects of delivering both affordable

and open market homes (mindful that an inflexible policy/approach to tenure can prove to be a stumbling block that stymies delivery of housing).

In relation to 6.9, our client supports including reference to starter homes in Policy HOU 07.

Matter 14 - Strategic urban extensions, housing site allocations and settlement boundaries

We wish to make the following comments in relation to 14.14 and 14.15:

- In relation to the proposed housing allocation at Norwich Road, Swaffham (i.e. *Swaffham Allocation 4*), it is asserted that outline planning application reference 3PL/2015/0917/O - which as set out in the introduction to this statement has been 'approved' at planning committee subject to the completion of a Section 106 Agreement - has demonstrated that this proposed allocated site is plainly an appropriate option.
- We also consider that it would be expedient to include commitments as housing allocations. For example our client's site at Kenninghall Road, Banham - which has been included within the proposed settlement boundary for Banham - could be shown as an allocated housing site to make it clear that its development for residential purposes in the plan period is supported (and indeed relied upon to meet the housing requirements of the plan).

We would also like to offer the following comments in relation to 14.25:

- Whilst we have no objection to including reference to the need to have regard to non-designated heritage assets and require a Heritage Statement to inform any future proposal, we do not consider it necessary to do so mindful that the Council's validation requirements and indeed good practice establish the need for such a statement to accompany a planning application.
- Furthermore outline application 3PL/2015/0917/O was accompanied by a Heritage Statement and the assessment of this application by the Council and relevant statutory consultees has made the importance of the need to have regard to heritage assets and the associated constraints and opportunities clear.

With regard to Banham and more specifically 14.35 we comment as follows:

- We support the proposed settlement boundary for Banham and more specifically its inclusion of the land adjacent to Kenninghall Road with outline planning permission for up to 43 dwellings (reference 3PL/2014/1006/O) within the settlement boundary.
- As set out above in relation to 14.14 and 14.15 we submit that it would be expedient to include this commitment as a housing allocation within the Banham settlement boundary, to make it clear that its development for residential purposes in the plan period is supported (and indeed relied upon to meet the housing requirements of the plan).

In the event that the Programme Officer or Inspector have any queries in relation to these comments or any other issues regarding our representations on the draft BLP then please do not hesitate to contact us.

Knights

26 March 2018