

Borough Council of
**King's Lynn &
West Norfolk**



**Follow up work in relation to the Examination
into the King's Lynn and West Norfolk Local
Plan: Site Allocations and Development
Management Policies**

Great Bircham and Bircham Tofts

November 2015

Document reference no.	FW 22
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Issue

Provide the Inspector with the Parish Council submission to the Preferred Options stage where they illustrate their suggested site.

Response

Bircham Parish Council's representation on the Preferred Options Draft (2013) is reproduced below.

Note that sites numbered 896, 897, 898, 900, 902 & 903 were (among others) put forward by the Parish Council for consideration, but no indication was received from the owner that they were available for development. They were therefore treated as not reasonable options, and not included in the SA/SEA.

Bircham's Response to the Borough's consultative document

Preferred Options for a Detailed Policies & Sites Plan

*The Neighbourhood Planning Committee considered the subject in detail and at length and **RECOMMENDED** the Parish Council to adopt the following comments and supporting arguments which, for convenience, are attached to their report.*

This recommendation came from the Neighbourhood Planning meeting held on Thursday 19th September 2013 at the Social Club.

The Bircham Parish Council endorsed these recommendations at their meeting on the 2nd October 2013.

Reference numbers are to paragraphs and to preferred Policy Options in the Plan.

- 2.0.4 & 7.9.1 Despite the Parish Council's comments in 2011, this document continues to be silent on the settlement defined on Inset 21 of the 1998 Proposals Map, a portion of which falls within our parish. It is inappropriate and inadequate to treat all the former RAF Bircham Newton area as part of the Open Countryside. (CS02 Amendments & POAW2)
- 2.0.5 Provided that the realism and local knowledge recently demonstrated in the case of Bircham Post Office becomes normal practice, the clarification and the policy proposed on rural businesses appear to be sound. (CS06 & POAW5)
- 3.0.2 This suggestion was not agreed by the committee and therefore was deleted.
- 3.0.4 The criteria in the national planning policy framework appear to support the relevant Parish Council's representation in 2011 on development boundaries but not to have been followed in this document so far as Bircham is concerned. (*Those NPPF references are in Appendix 2.*) However, the concern for the most attractive public views of open countryside and for retaining breaks in 'ribbon development' justifies prioritising some possible sites over others e.g. Site 483/905. (POAW 2)
- 3.0.11 The softening of policy on hamlets is welcomed but, if what is still proposed had been followed in the ancient hamlet of Bircham Newton, the much admired and valued holiday facilities for the disabled with carers to take holidays in would have been contrary to it as they were counted as dwellings. (POAW 3)
- 3.0.22 This suggestion was not agreed by the committee and was therefore deleted.
- 3.0.30 This addition to policy on 'green' areas in villages is welcome but the Local Plan should itself identify them where no neighbourhood plan is adopted. (PAOW 6)
- 3.0.72 Clarification of criteria on countryside dwellings should be limited to reflect the National Planning Policy Framework. (PAOW 13)
- 3.0.102 This way of avoiding evasion seems clear and appropriate. (POAW20)
- 3.0.112 Compulsory bike sheds is taking a commendable enthusiasm too far. Identified space for a bike shed to be located could be more reasonable.

4.1 and 7.40 Though falling short of its wishes, the Parish Council acknowledges the movement made in the right direction and the clarification of what new homes may not count toward the number allocated. The presumption in favour of one site with 10 homes makes an unwarranted assumption that (say) two sites with 5 each would not be as good or better without reducing a 20% affordable housing opportunity.

7.41 The improved description of the Bircham settlements, essentially as put forward by the Parish Council, is welcomed. However, it would be more accurate to insert "with" after "B1155;" and to delete "buildings clustered around" in 7.41.1.

Comments on paragraph 3.0.4 are relevant to **Question 1** and the Parish Council (as in November 2011) reiterates its reasons for favouring a more loosely and accurately drawn and up to date settlement/development boundary.

Comments on paragraph 7.40 are relevant to **Question 2** and the Parish Council (as in November 2011) considers the case for a larger allocation still obtains.

Comments on paragraph 7.40 are relevant to **Question 3** in questioning one site for the whole allocation. In addition, the Parish Council finds the whole process of site allocation as operated for this parish over 4 years to have been seriously flawed and unsound and considers it would be best if the process was undertaken afresh in co-operation with the Parish Council as a Neighbourhood Planning body. (*The detailed criticisms are in Appendix !.*)

Additional Comment

Public Transport

The current consultation document is meant to carry forward policies in the Core Strategy (CS) which has been adopted but it seems not to do so. The strategic policies in question are mainly those set out below.

The current consultation document appears to make no proposals to carry forward the policies in the Core Strategy which relate to public transport. Our nearest Key Rural Service Centre is Docking, a rare case of one without an adequate bus service. We request an additional policy to give priority to the promotion of such a service to advance those Core Strategy aims quoted.

We suggest that a shuttle service linking Docking, CITB/NCC, Bircham and Flitcham to the established bus services along the A148 based on aggregating potential users notably including commuting employees at CITB/NCC as well as local residents) as illustrated in Appendix 3 should be the basis of a promotion.

Core Strategy for Public Transport

CS VISION - 4.2 Rural areas

*The economy has been bolstered by a modest scale of new development, including the potential for affordable housing, in settlements which have both **a range of services and which are accessible by a daily public transport service to the main urban areas.***

CS 02 6.1.11

*Key Rural Service Centres help to sustain the wider rural community. They provide a range of services that can meet basic day-to-day needs **and a level of public transport that can enable access to and from the settlement. The Borough Council will seek to maintain and enhance facilities to support this function.*** (NOTE Getting to Docking for GP services and post office provision would be the most obvious instances for Bircham.)

CS 03

This contains a long paragraph on the transport network and the linking of public transport network to villages and the improvements requiring change in operational aspects of bus services.

CS 06

In terms of transport there will be a focus on improving accessibility between towns and villages so helping to reduce social exclusion, isolation and rural deprivation as set out in Policy CS11.

CS 11

The final section generally repeats the aim in relation to new development.

Appendix 1

Site Assessment Process Defects

While appreciating the difficulties facing officers operating the processes involved over the years 2009-13, there have been some significant defects which cumulatively have confused the writers and certainly the readers of successive consultation documents. Particular sites have been assessed poorly. (*Individual Site Notes are attached.*)

INSUFFICIENT DEPTH

In the 2011 assessments, several sites submitted by the Parish Council in 2009 were criticised as being too narrow (not deep enough) to provide ideal outdoor space for gardens and parking. The root of this was the unprompted action of the then clerk to indicate shallow road-front sites to meet an assumed implication of Borough guidance. The parish council had identified the sites without specifying any limit on depth when submitting them.

EXCESSIVE SIZE

In the 2011 assessments, several sites submitted by the Parish Council in 2009 were criticised as being inappropriately large in scale for a rural village. The size needed could only be based on speculation about the decision on the number of new homes to be allocated. (Four was presumed then.) This criticism was thus at best premature and, as it has turned out, wrong with 10 now being proposed. Now some sites are not being preferred because they couldn't take all 10 on one site! There is no valid planning reason given for seeking to have them all on one site. Two of 5 each yield the same prospect of 2 affordable homes, but other numbers could deliver other planning goals more optimally.

SCULTHORPE AIRFIELD*

This reason for questioning some sites was mystifying as it was difficult to imagine how any conceivable housing project hereabout could impair its safeguarding.

CORDON(S) SANITAIRE*

The nature and actual extent of this perceived possible problem with sources and forms of pollution is not explained or justified and is not supported by actual observations or local experience. Another mystifying complication.

SETTLEMENT BOUNDARIES AND THE PURPOSE OF SITE ALLOCATIONS

Initially it was made clear that site submissions were being invited as additions to the built environment as defined in the 1989 Local Plan. But some sites were criticised in 2011 for not being inside existing built environment boundaries whereas in 2013 sites were not preferred for not being wholly outside proposed built environment boundaries. In 2011 no one seemed certain whether sites wholly or partly inside existing or intended boundaries should be submitted or not. Owners were advised in writing to submit as a precaution.

The exercise appeared to be fundamentally about possible extensions based on submissions. Paras. 5.14-20 of the 2009 consultative document and especially 5.17 and 5.18 had contradictory references to possible exclusions in the border properties though its introduction (5.14) referred only to the "larger settlements ... where new development is being directed" which didn't sound like Bircham. The exclusions have never been explicitly and clearly listed or identifiably marked on a map and, whereas possible extension sites have been clearly marked and their owners contacted, it would only be the rare owner of a site proposed for exclusion or partial exclusion who could compare the subtleties of proposed boundaries with the old proposals map who

became aware and had a chance to challenge the exclusion. Explanations offered showed a mistaken view of our parish council's preferences and its desire to assess future applications on their merits.

LOSS OF HEDGEROW and HIGHWAY SAFETY*

Confusion occurred between sites 905/483 and 906/798. The seriously difficult bend is at the eastern end of 905/483. Judging by the alternative plans submitted by the owner, the necessary loss of hedgerow is much greater in the case of 905/483 with 2 parallel hedges being affected. The quality and extent of loss of public views of high landscape quality is much greater in the case of 905/483 because of the different topography. (Incidentally, 905 is the principal break between Gt. Bircham and Bircham Tofts whereas 906 is wholly within Gt Bircham.) Some of these points continue to be mis-attributed to 906/798.

INVALID COMPARATIVE ASSESSMENT

Apart from sundry errors regarding individual sites, it is clear that the judgement on which site was to be preferred was made when one validly submitted site (1229) had not even been considered because it had been administratively overlooked. When, belatedly, it was added, its claimed deficiencies were simply borrowed from an adjacent site although they didn't fit well and one was irrelevant.

Actual assessments of each site by the relevant statutory consultees should be sought rather than generalised possible problems being listed.

SITE NOTES

BIRCH1 – part of 899 and 457

In the Borough Council's proposal, the boundary of this site should be kept clear of all garden land due west of 16-20 Lynn Road, but also not extend as far west as 899 did. The proposal should be extended farther south to the edge of the depression containing a pond. This neglected area should be assessed for valued flora and fauna and, subject to that, should be radically tidied to reveal the pond with remaining native trees surrounding it retained and allowing sight through to open countryside. The existing houses overlooking it from the south, as well as the new homes, should be provided with a safe footway link to the main village *i.e.* up to Dersingham Lane junction. The speed limit should be extended to south of the existing dwellings. The new and the two existing homes not fronting the B1153 should be provided with a safe access point onto Lynn Rd. Conditions should be added to as far as practical for these purposes. A reduction below 10 new homes should not be precluded and, if the reasonable costs of the planning gains sought would make the project unviable, the size of the contribution of (or toward) affordable housing should be reduced.

1173/906

There is no locally known problem relating to sewage disposal arrangements. The loss of agricultural land is partial only, of a low grade, and envisaged uses are of great public benefit – highway safety and social housing. Safe access can be achieved, hedge loss minimised, improved with replacement if need be, and the site is well within Great Bircham (near its centre, in fact) and not between Gt Bircham and Bircham Tofts. Unlike 483/905, the gradient of the land affords views from the roadside only as far as the opposite end of the field.

798/906

There is no locally known problem relating to sewage disposal arrangements. The loss of agricultural land is partial only, of a low grade, and envisaged use is of great public benefit – affordable housing for young families needed to balance the demography of the village. Safe access can be achieved, hedge loss minimised, improved with replacement if need be, and the site is well within Great Bircham (near its centre, in fact) and not between Gt Bircham and Bircham Tofts. Unlike 483/905, the gradient of the land affords views from the roadside only as far as the opposite end of the field.

483/905

There is no locally known problem relating to sewage disposal arrangements. The loss of agricultural land would be of a low grade and the site appears to have been separated and left fallow for several years in anticipation of possible development. There would be loss of significant landscape views and of substantial hedgerow. Safe accesses would be a difficult to achieve. It would join Great Bircham and Bircham Tofts.

903

The northern portion is domestic garden land of a dwelling for a household which is very well integrated in village life and which, though including elderly and infirm members, move around the village on foot to use its facilities. The degree of separation held against it is arbitrary and does not accord with the occupants' very good actual integration.

902

The southern portion is a paddock in use with horses but the remainder is a dwelling for a household which is well integrated in village life and which, though elderly, move around it on foot as well as by car. The degree of separation held against it is arbitrary and does not accord with the occupants' actual integration.

897

This site previously had planning permission for a dwelling which lapsed and renewal was later refused purely because of change in settlement boundary in 1999. The owner is believed to have purchased when the permission was still in force and now to be elderly and living at a distance, probably unaware of the current local planning process. The site is no less suitable than when granted permission around 1990.

896

This site (and the garden land of the house to the west now proposed to be removed from the defined settlement) is similarly no less suitable for inclusion than 897.

458

The possibility of high quality, new business units in the eastern CITB area would provide more, and more viable, employment accommodation than the farm outbuildings which have been out of use for varying periods. The historic farm house should be retained and restored and provided with a safe access point which should be shared with other dwellings, where possible incorporating other old built elements, within a courtyard setting facilitated by re-shaping the site with exchanges of brown and green field areas. Scope for a safe footway between 458 and Pond Farm exists and a developer contribution to a NCC Highways scheme could be sought for the benefit of existing Bircham Tofts residents. A 'trod' on the south side might be an alternative to a kerbed footway on the north side.

900

This northern strip of the oversized field of The King George VI School (which has great need for more pupils in its excellent facilities) faces housing which was all originally "social" and could be ideal for affordable housing for young families needed to balance the demography of the village. Its ownership situation is peculiar but all its components have at some stage indicated willingness (evidence of which was provided in 2011). It is currently unproductive and has not been classed as protected high quality landscape.

898

This is a private woodland which has not been submitted or supported by its owner as a possible development site and should be considered as withdrawn

1174

This has been withdrawn by the owners who submitted it for allocation in 2011.

1229

This has been withdrawn by the owner on whose behalf it was submitted for allocation in 2011.

Appendix 2

Policy Approach to Settlement/Development boundaries

The protection of specific areas from development is a key element in Land Use Planning at all levels. It takes two forms: protecting the open countryside between settlements and protecting 'green' areas within settlements.

There are references in the National Planning Policy Framework which needs to be complied with. At a higher level than villages, some passages relate to these two types of area deserving protection and some relate to the drawing of their boundaries.

Para 85 requires that, *"when defining boundaries, local planning authorities should:*

- *ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;*
- *not include land which it is unnecessary to keep permanently open; and*
- *define boundaries clearly, using physical features that are readily recognisable and likely to be permanent."*

These principles appear to favour the kind of approach to defining the settlement which the parish council requested in November 2011 and to oppose artificial boundaries that cut across the middles of fields and gardens.

Paras. 109 and 113 make clear that protection for what the Ministerial Statement terms *"our matchless countryside"* should be for *"valued landscapes"* and councils should set *"criteria based protection policies against which proposed development should be judged"*.

This moves away from the old notion that planning authorities can define any land they like as "Countryside" and that is then normally sufficient to prevent development on it regardless of any actual facts of the case on the ground.

During the last government, the desire to produce more housing land without using the 'green fields' which developers prefer led to defining 'brownfield' sites unrealistically broadly and putting pressure on planners to maximise development on such sites. One result, much resented particularly in suburban areas, was denser development, especially in the larger domestic gardens. In 2010 the new government removed garden land from the definition of 'brownfield' (or "pre-developed" land) and thereby the pressure to use it more intensively. That whole system has now been superseded. There are no 'brownfield' targets and no pressure either way based on such definition. This returns matters to the previous situation where each case has to be judged against local plan policy and criteria.

Para 53 allows policies to resist *"inappropriate development of residential gardens"* such as *"where development would cause harm to the local area"*, and para. 111 reads *"Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed ('brownfield' land), provided that it is not of high environmental value."* and the Ministerial Statement specifies that it allows councils to protect back gardens as *"precious urban oases"*. The NPPF glossary's definition makes clear that the exclusion of private residential gardens from the definition of previously developed land refers to *"land in built up areas"*.

Local Preference

Assumptions made by the LDF Team about local preference were not well founded.

Appendix 3

Proposal for a Docking-Hillington Bus Service

Our Problem

The area north-east of Hillington has virtually no public transport – certainly none of the kind which could tempt people who wish to travel into or out of it away from regular reliance on cars – whether their own or other people’s – as is the adopted strategy.

For employees in this area, most of whom travel from places like King’s Lynn by car, there is no public transport option. Their travel is expensive and, for many (being from one car households), limiting for the rest of the family.

For residents in the area with no access to private transport, the situation causes forms of isolation. Taking young adults for example, it causes poverty by reducing the prospect of employment or of better employment. In the case of older people who cannot drive, it makes it hard to visit friends and relatives, hospitals, places of entertainment or specialist shops etc. and can force them to move to a better serviced location away from their long-time friends and roots. Choice of secondary school is virtually non-existent.

It is official Planning policy (at national level and in the Core Strategy) to avoid all of these effects and similar ones.

However, very little long term public funding can be expected to subsidise efforts to meet such needs. So any solution needs to be based on it being attractive to commercial bus operators and on avoiding significant investment costs such as new highway facilities.

Volunteer drivers and pre-booked journeys for limited set hours on certain days of the week only to certain market towns is the best service that current subsidy levels can provide. But that can obviously do little to address the main problems described.

Viewpoint of Bus Operators

Some unsuccessful past attempts have involved running buses round a wide loop in this area and then all the way into King’s Lynn - and back again. Such a service costs more than fares paid could ever cover, never looks sustainable, and can’t be frequent.

The most hopeful fact is that 10 miles south of Docking (only 6 from Great Bircham) there is a good, regular day-time bus service along the A148 (King’s Lynn-Fakenham road) which links into the county-wide and nation-wide networks of buses and thereby of trains too.

Like any bus companies, those operating the X8 service would welcome additional passengers; and the best prospect for extra passengers – and fare income - would arise through tapping into a presently un-serviced area adjoining an existing route.

Extra fares paid for the journeys along the A148 - and beyond Lynn or Fakenham in all directions - would help meet the costs of a ‘branch line’ service via Bircham to Docking on top of the fare income for the ‘branch line’ journey itself.

Possible Route & Timetable

The route needs to cater for the Key Service Centre of Docking and other substantial clusters of population nearby and on the route to Hillington, but it cannot reach every hamlet around. (The suggestion is illustrated on the attached map.)

Some thought has been given to where the waiting and turning of buses can be done and how waiting by passengers can be accommodated comfortably with very little initial investment.



Suggested terminals are the big lay-by just west of the centre of Hillington and the one-way system around Docking School.

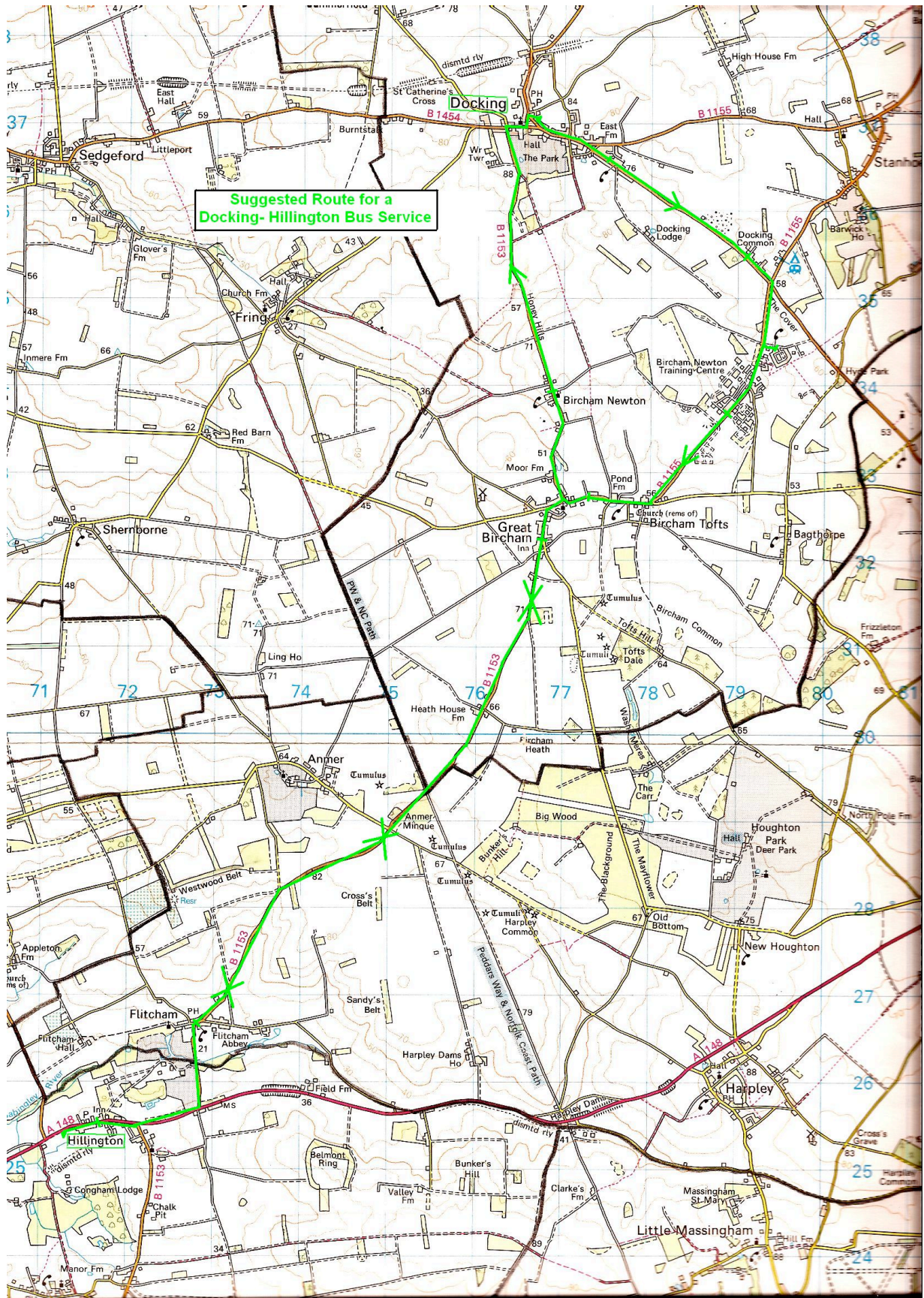
The timetable indicates what the 'feeder' bus would need to do to integrate with X8 services.

KEY: >< indicates directions - indicates stops

INDICATIVE WEEKDAY TIMETABLE

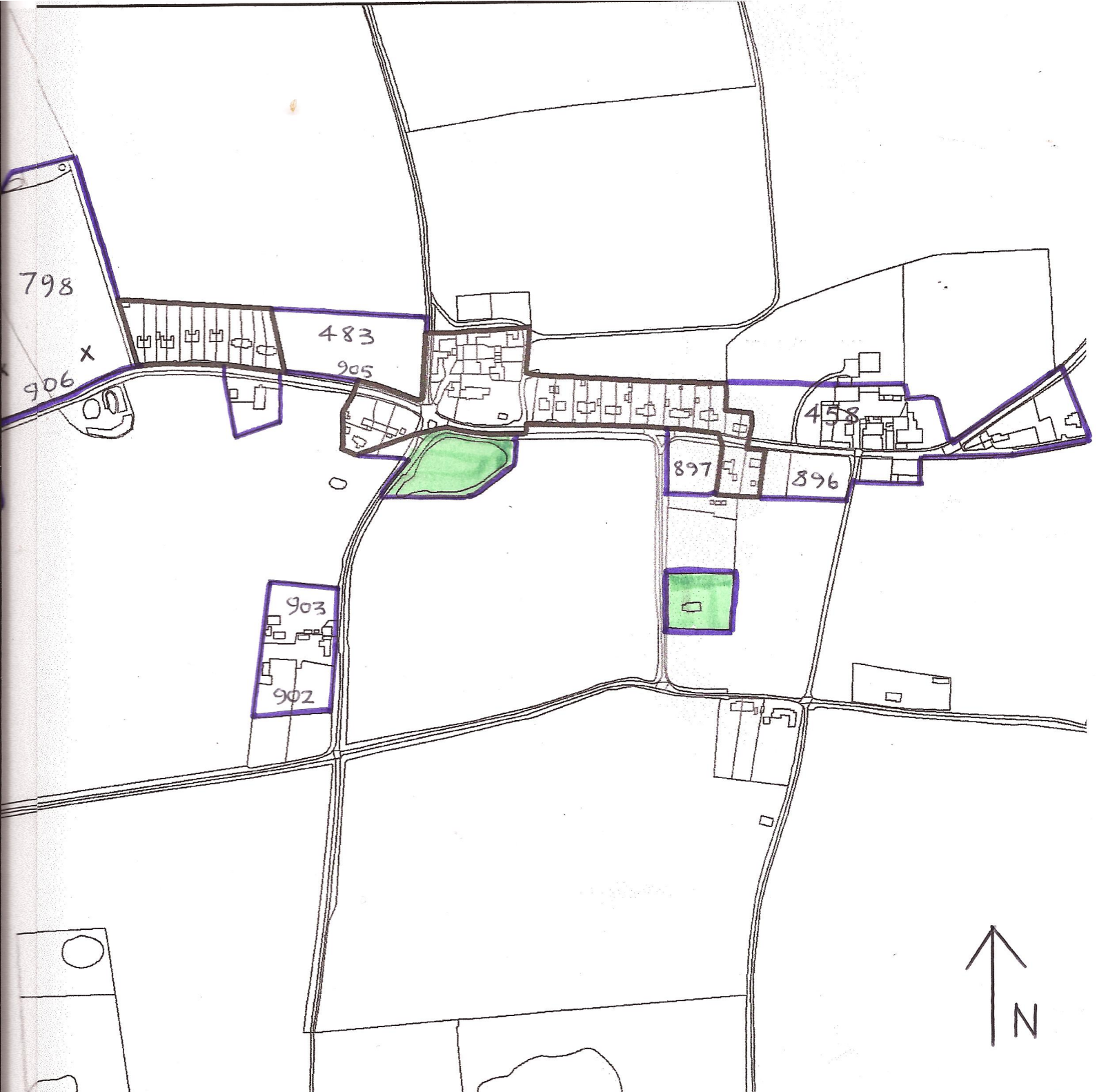
**It should arrive in Hillington in time to meet the X8
from Lynn due at and from Fakenham due at**

8.04	8.08
9.04	9.15
10.04	10.15
11.04	11.15
12.04	12.15
13.04	13.15
14.04	14.18
15.04	15.15
16.04	16.15
17.04	17.15
18.04	18.15





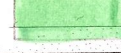
The timetable indicates what the 'feeder' bus would need to do to integrate with X8 services.

KEY: >< indicates directions - indicates stops



Legend

X Sites for Affordable Housing
 P Church Car Park

-  Borough's Proposed development boundary
-  Parish Council Proposed Extensions
-  Protected 'Green' sites

