

## LOCAL PLAN HEARINGS - Issue 1 –

### **Question 1.3** on Community Involvement

The dissatisfaction I would express is less with the wording of that Statement which is well-intentioned, or the intended process, but with the actual practice in its implementation.

In STAGE 1 (Evidence Gathering), reference is made to informal discussion with local stakeholders inc. Parish Councils. As a leading councillor on Planning matters for my parish through the relevant period, I question the scope of such evidence gathering.

At most subsequent stages, there has been good opportunity for comment after on documents and conclusions but no real opportunity for dialogue. Even if the LPA wished to do better (*e.g.* as described in its para 4.6), there is not apparently a level of staffing which would allow an exchange of facts or ideas or explanation of the rejection of the representations of a particular community's submission. Usually the previous version is simply re-published unaltered or occasionally altered marginally.

The submitters of sites for consideration for allocation or similar (or their owners) were notified individually at appropriate stages; but owners whose land (or part thereof) is being proposed for exclusion from pre-existing zoning for potential development were not notified nor given any individual explanation (let alone dialogue) when they did object.

Political guidance of the whole process was delegated by the Cabinet to a Task Group. Its meetings and agendas and the minutes of those meetings were not published. The "notes" of the Group's meetings were not normally made available even when they were key Background Papers to requests to the Cabinet for endorsement of Group's conclusions. (I had to invoke the Freedom of Information Act to get to see minutes. Even when I did, it was very difficult to trace the consideration of particular representations.)

Given my experience, I cannot understand how the LPA can claim that it complied with the relevant parts of its Statement of Community Involvement.

**Question 1.4** on Sustainability Appraisal, Reasonable Alternatives, Appropriate Strategy etc. The dissatisfaction I would express is with the testing of alternatives and objectivity in selection and the regard for NPPF 50.

To avoid duplication, I won't repeat here the site specific issues of local interest to me under Issue 21. But they well illustrate the kind of problem I believe is more general in rural areas and affect the answer to Question 1.4 which goes wider.

The Core Strategy (of 2010) was widely expected to be reviewed for conformity with the NPPF. When that was published I submitted a 2-page note to the LPA on how I sensed the aspects affecting villages like Bircham would need changing and asking if they agreed. In short, their response was that they did not intend any general review. This was understandable, considering how local efforts to produce a new Local Plan had been affected by national level changes, but I submit has resulted in inadequate reflection of important elements and some related unsoundness.

Examples I would list (with reference to NPPF paragraph numbers) are these.

Para.32 - on the more limited weight to be given to poor public transport when judging the case for small scale developments in rural areas;

*The fundamental strategy to restrict new housing in rural villages has always been argued on the basis of the desirability of avoiding growth in private transport – especially commuting. While the Submission document makes pious reference to helping villages regain public transport, I do not see any DMP which would help achieve that.*

*The Key Service Centre for Bircham (Docking) is most unusual in having no service linking with the main bus network (9 miles south on A148 at Hillington). Any such “feeder service” would need to go through the Birchams. Their parish council submitted a straightforward, practical, inexpensive scheme for such a “feeder service” but got no response from the LPA. This is most ironic as most of the commuting in the Docking/Birchams area is inward by hundreds of employees whose housing needs cannot be met locally under local policies (past and proposed). This is part of the answer to Question 1.4 and this part is “No!”.*

Para 70 – sets a positive basis relevant to sustaining services in rural settlements.

*The Submission Document policies fail to ensure what this Para requires – particularly the integrated approach to locating housing, economic uses, community facilities and services. LDP policies propose minimum numbers of new homes in rural villages while much of its detail plainly serves to restrict them as much as possible. Some local services and facilities survive precariously – even intermittently – while others go under as resident population slowly dwindles. In such cases, a different approach to the scale of housing allocations could enable people employed locally to live locally and to raise families locally to sustain a local school. Too little differentiation is allowed for. The “rural area” is treated as if it was more uniform and its commuting always characterised by going into King’s Lynn. Para 55 – sets a very clear positive basis relevant to sustaining services in rural settlements like Bircham.*

**Question 1.8** on National Advice otherwise:

Regarding the foregoing, paras 54 and 55 also set a positive basis relevant to sustaining services in rural settlements, but the Submission Document policies fail to ensure what these NPPF paras require – especially beyond the Key Service Centres.

I suggest there are shortcomings in adopting advice as regards aspects of Issue 2 relating to DM2, DM3, DM14 and DM22 in the drawing of settlement boundaries.

Keith Ives  
Presenter 200-204

To the Programme Officer, Clare Cobley  
c/o BCKLWN King’s Court, Chapel Street, King’s Lynn PE30 1EX

## LOCAL PLAN HEARINGS - Issue 2 –

### Questions on DM1 – 22

#### Questions 2.2 Settlement Boundaries

My dissatisfaction, hence the change I suggested, involves both the points I have made under Issue 1 on housing distribution policy (and won't repeat) and the treatment of areas deserving safeguarding from development. These aspects involve national advice in paras. 53, 85, 109, 111 and 113 of the NPPF

#### BROWNFIELD SITES

In the early days of the Coalition government, it hurriedly removed all residential gardens from the definition of "previously developed land" ('brownfield' land) such as was otherwise land where new development is to be encouraged. The national framework replaced that sweeping decision with a more nuanced approach.

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 Greg Clark's House of Commons Statement presenting the NPPF specified that it allows councils to protect back gardens as "*precious urban oases*". The 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*". I wish to submit that the treatment of gardens of homes in rural villages, regardless of size or location or public value is now too crude. In any case it has not been done consistently.

The allocation site G42.1 which the LPA proposes was, for decades, totally neglected garden land outside the defined settlement and was once refused permission for extra housing precisely for that reason. It is good that the LPA now recognises that much of an uncharacteristically large garden can be better used. To preclude other similar cases is not in the public interest and does not advance current policy.

#### DEFINING AREAS TO BE PROTECTED

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 requirements all appear to favour the kind of approach to defining the settlement which my suggested change proposes and which Bircham Parish Council suggested in recent years and to oppose artificial boundaries that cut across the undemarcated middles of fields and gardens which is such a widespread feature of the LPA's rural Proposals Maps.

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

I see no respecting of that. This newer policy gets away from the old notion that planning authorities can define any land they like as "Countryside" and that is then sufficient to justify rejecting development on it regardless of the facts of a case.

### **Questions 2.3 Infill in Smaller Villages**

Filling gaps in a continuous frontage will not necessarily preserve or enhance the character of a particular hamlet (or even hamlets generally). The wording also fails to tell would be small developers (who alone are likely to take on such work) what may be acceptable. Sensitivity is surely prescribed sufficiently by what follows the colon. The approach to gaps sounds a bit self-contradictory. My suggested amendment aims to improve wording.

### **Questions 2.12 CITB**

It is very welcome that the LPA has agreed to recognise the special character of CITB. The proposed wording is not very clear on what they are prepared to permit. My suggested adding of "improvement" to the permitted scope attempts to loosen that a little in the context of what can be "enabled" through development.

### **Questions 2.19 Local Open Space**

I consider the basic policy itself to be unexceptionable. I question only the mechanism for giving it effect.

Personally I support the spread of Neighbourhood Planning – though it is very challenging to conduct for any small parish - of which the LPA has many. So I object to that being the only way a locality can obtain protection for valued open spaces.

My proposal is that those unable to sustain the Neighbourhood Planning process, or even to obtain Neighbourhood Area status, should have access to a process for seeking protection if their case meets the reasonably severe criteria for it.

### **Settlement/Development Boundary for Great Bircham and Bircham Tofts**

I raise issues on these boundaries in general under Issue 2 in response to Question 2.2 and in the local (Bircham) context in response to the last part of Question 21.1 on Issue 21.

The effect of the alternative approach to DM2 which I have advocated in the context of Question 2.2 is embodied in the map I last submitted to the LPA – very similar to an earlier submission. The latter is virtually identical to that submitted to the LPA by Bircham Parish Council in the same two consultation opportunities. As such it should be in the library. It is on two A4 sheets to allow a reasonable scale, covering the East and West of the settlements respectively. It incorporates most local issues raised.

It is what I submitted to the LPA should replace the map on page 252 of their Submission Document and I draw attention to it in the hope of gaining support.

Keith Ives  
Presenter 200-204

To the Programme Officer, Clare Cobley  
c/o BCKLWN King's Court, Chapel Street, King's Lynn PE30 1EX