



## **Borough Council of King's Lynn and West Norfolk Local Plan Reconvened Examination**

### **Additional "Matter 5" Statement – Settlements and Sites - West Winch Growth Area (WWGA) (Policy E2.1 and Policy E2.2)**

Response to the Inspectors "Additional Matters, Issues and Questions"

**12 March 2024**

## Introduction

1. This statement is a response from the Borough Council of King's Lynn and West Norfolk Council (BCKLWN) to the following issues and questions raised by the Inspectors relating to Matter 5 of the examination into the King's Lynn and West Norfolk Local Plan relating to Monitoring and Implementation.
2. References used in this statement (e.g.[F10],[D10]) relate to documents held in the examination library as either a submission document or as part of the wider evidence base.

## Borough Council of King's Lynn and West Norfolk Responses to Matter 5 Additional Questions

**Issue 5: Are the proposed settlement and site allocations policies justified, taking into account the reasonable alternatives, and are they positively prepared in meeting the Borough's development needs, effective in terms of deliverability over the Plan period and consistent with national policy in enabling sustainable development?**

### King's Lynn & Surrounding Area

#### West Winch Growth Area (WWGA) (Policy E2.1)

**AQ13. What progress has been made on the implementation of the respective phases of the adopted allocation for 1,600 dwellings at WWGA, since April 2023, when the WWGA Topic Paper [F51] was prepared? What is the current status of funding for the West Winch Housing Access Road (WWHAR)?**

The Hopkins Homes planning application which comprises the northern portion of the West Winch Growth Area (WWGA), which is also often referred to as Hardwick Green, comprises of 1,110 new homes, primary school, local centre, public open space, landscaping, and highway access on the A47 and A10 (13/01615/OM), is scheduled to go before the Borough Council Planning Committee late April/early May 2024. This will be supported by Officers.

Since April 2023, Hopkins Homes have prepared additional transport modelling to support the Local Plan Examination, including an update of their previous traffic modelling. This concludes that the changes to the transport modelling do not alter the overall conclusions of their transport work that supports the application proposals. In addition, an offsite drainage scheme (connection to the Puny Drain via an Anglian Water sewer requisition) has been agreed.

The Metacre planning application which covers a central portion of the WWGA, comprises 500 new homes with a neighbourhood centre, associated landscaping,

and supporting infrastructure (18/02289/OM). Since April 2023 and following the earlier Local Plan Hearings, discussions have taken place with the applicants regarding heritage impact around the Church of St Mary and transport matters. Given consultation responses to the planning application a further review of the Environmental Statement (ES) will be required. The applicants are waiting on the emerging Local Plan.

An Outline Business Case (OBC) for the West Winch Housing Access Road (WWHAR) was submitted to the Department for Transport (DfT) in September 2023 and a detailed planning application was submitted in December 2023 to the relevant Local Planning Authority (Norfolk County Council). At time of writing this planning application is in the process of being validated. There has been a productive dialogue with DfT and the new government body Active Travel England (ATE) on their clarification questions and Norfolk County Council (NCC) as scheme promoter of the WWHAR is optimistic that there will be a favourable outcome to the OBC in spring 2024.

A requirement of the Major Road Network (MRN) funding is that a minimum contribution of 15% must come from the development, this is known as the local contribution. The Borough Council and NCC have been working closely with Homes England to secure a recoverable grant to forward fund the local contribution. The business case for this was approved by Homes England in November 2023. At the time of writing NCC are in the process of entering the grant funding agreement with Home England to receive the grant funding. This is expected to be completed by on or around the 18 March 2024. A precondition of the funding before entering the grant funding agreement was that both NCC and the Borough Council were required to demonstrate that land necessary to deliver the WWHAR can be secured through the relevant legal agreements.

**AQ14. Is the proposal for the provision of up to 4,000 dwellings ‘in the fullness of time’ within the WWGA, justified as an appropriate strategy, based on the evidence set out at paragraphs 129-131 of the Topic Paper [F51], given the overall surplus in the housing supply in King’s Lynn and West Norfolk already and taking into account the reasonable alternatives? Should there be an upper limit to growth at WWGA specified in the policy?**

Yes, the provision of up to 4,000 homes at the West Winch Growth Area (WWGA) is justified as an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence. This is detailed by the topic paper [F51], and associated appendices, which set out, that this longstanding strategic site allocation which forms a key part of the existing Local Plan (Core Strategy 2011, Site Allocations and Development Management Policies 2016, and the West Winch Growth Area

Framework Masterplan SPD 2023) could deliver up to 4,000 new homes across the WWGA in the fullness of time. The topic paper concludes that this growth will directly support the justification for, and delivery of, the West Winch Housing Access Road, easing A10 congestion, and crucially enabling the provision of on-site infrastructure for a sustainable, less car-dependant community.

The existing Local Plan has been found to be 'sound' and integral part of this is the WWGA. The emerging Local Plan seeks to carry this forward, providing an updated supporting evidence base and acknowledging the positive progress made towards delivery. In combination the Sustainability Appraisals for the Core Strategy, Site Allocations and Development Management Policies, and emerging Local Plan have considered reasonable alternatives. Considering the constraints of the Borough including flood risk, and protected landscapes, in terms of providing strategic growth. These illustrate that that the WWGA is a sustainable extension to the main town.

In order to accommodate this quantum of growth elsewhere in the Borough it would most likely need to be distributed across the settlement hierarchy. An indicative representation of this is provided through the Sustainability Appraisal [B3] which assessed a number of Strategic Growth Options. The results for Option 3 Rural Focus, which would be most closely align to such an approach, could lead to a loss in maintaining and no enhancement in the diversity and distinctiveness of landscape and townscape character, and lead to an increase in vulnerability to the effects of climate change through development which is more car-dependant and doesn't utilise active travel or public transport opportunities.

It is acknowledged that there is a positive housing supply surplus envisaged to be delivered over the plan period through the strategic growth strategy, site allocations (including the WWGA), and policies to determine windfall applications. Progress with delivery of new homes from Local Plan allocations is positive, many have been completed and many are being built out. With regard to windfall development, there has historically been a high-level of housing completions from this source which is consistent with the National Planning Policy Framework (NPPF) and this is primarily due to the size of the Borough and the large number of settlements within it. A conservative future windfall allowance (25% discount recognising that land is a finite resource and allowing 3 years for such development to come forward) based on this has been factored in. This is considered appropriate to include within the housing numbers as per the NPPF (in particular paragraph 72).

The Borough Council is not relying solely on this and is taking a positive strategy to make strategic allocations that support the plan led system and the overall objectives of sustainable development as per the NPPF to provide a sustainable extension to

the Borough's main and most sustainable settlement. (King's Lynn). The Borough Council considers continuing to support this longstanding allocation, especially given the significant progress made towards delivery to date and the currently envisaged timescales for this going forward, and it forms part of a positively prepared strategy that is justified, effective, and consistent with national planning policy.

Given this position the Borough Council propose, via a Main Modification, to amend the proposed version of the WWGA Policy (Policy E2.1 [F51k]) as below to clearly set out the housing number for the WWGA that is envisaged in the fullness of time. This would ensure that the plan is positively prepared and would be consistent with the other site allocations for housing within the current and proposed Local Plan.

Proposed Main Modification:

**Policy E2.1 – West Winch Growth Area Strategic Policy**

Land in the vicinity of West Winch of around 192ha (as shown on the Policies Map) is allocated for development to provide the following strategic outcomes. (\*Indicative locations for items marked with an asterisk are represented on the 'West Winch Growth Area Strategic Diagram' accompanying this Policy):

Part A - AREA WIDE STRATEGIC OUTCOMES

1. At least ~~4,000~~ ~~2,500~~ new dwellings **in the fullness of time**, together with associated facilities and infrastructure, including around 1ha of employment land, ~~in the current Plan period. Within the region of 3,500 – 4,000 new homes being delivered in the fullness of time;~~

**AQ15. What assumptions have been made about the modal split for journeys in the baseline and 2039 forecast scenarios in the Transport Modelling for Local Plan and WWGA growth?**

The strategic transport model underpinning the evidence in F48a is a highway only model which does not include pedestrians, cyclists and public transport directly. However, it is derived from observed data on travel behaviour which covers all modes of travel, so the mode shares of other journeys are implicit in the vehicle element. The model does include a representation of buses on their operational routes.

In terms of the 2039 forecast year, the overall growth was taken from the National Trip End Model (NTEM) current at the time of the assessment. NTEM includes relative forecast changes in travel by different modes and journey purposes (across England and Wales) and was used at a KLWN level for areas within the borough. Therefore, by using this source of information to determine car traffic growth considerations of future modal split would have been captured by the methodology undertaken.

For the WWGA growth, the trip rates applied are consistent with those utilised for the planning application submitted by Hopkins Homes (13/01615/OM). This is based on a standard trip rate methodology which includes assumptions on modal split which the developer considers applicable to their site and has demonstrated to the highway authority and planning authority are appropriate at the time of the submission. The transport modelling evidence in F48a has therefore utilised relevant mode split assumptions from this planning application.

**AQ16. Should the full list of transport mitigation solutions, which are identified in Table 5 of the Technical Note at Appendix 3 to the WWGA Topic Paper to address network capacity issues arising from proposed Local Plan growth to 2039, be included in Policy LP13 on Transport Policy?**

Yes, the full list of transport mitigation solutions, which are identified in Table 5 of the Technical Note [51c] should be included in Policy LP13 – Transport Policy. Accordingly, Main Modifications are suggested, to incorporate the list from Table 5 [51c] into Policy LP13.

Main Modification(s)

New paragraph, to follow 5.7.14

Area Wide Modelling has identified various locations across King's Lynn and West Norfolk which experience congestion issues. It is considered all of the locations which are identified will either have proposals in place to deal with future traffic growth or are locations which show congestion but would continue to operate within capacity. The Area Wide Modelling is considered to demonstrate that the highway traffic growth associated with the developments within the Local Plan can be accommodated. Table below presents a summary of the transport issues discussed following analysis of forecasts and the solutions for the issues which have been raised.

Location	Issues shown in Area Wide Modelling	Solution
A149 Queen Elizabeth Way	A149 itself and junctions between Hardwick Interchange and A1076 are close to or at capacity	Study of A149 corridor is currently being scoped. This study will determine potential improvements and linkages to area-wide sustainable transport strategies which can be implemented in order to ease any potential future congestion along this corridor
A47 / A17 Pullover roundabout	All arms of this junction are shown to be over capacity in either the AM or PM	Proposed mitigation solutions are being considered by NCC at this location in consultation with National Highways. Seeking to ensure improvements at this junction form part of the Major Road Network (MRN) fund
Southgates roundabout	Capacity issues shown	Part of STARS scheme which secured £24m in Levelling Up funding. Scheme will lead to reconfiguration of the existing junction layout
Kings Lynn town centre gyratory	Operates within but close to capacity northbound within the gyratory	Part of STARS scheme which secured £24m in Levelling Up funding.
Tennyson Avenue and A148	Close to capacity on the A148	Shown to operate within capacity and will benefit from wider shift to sustainable modes
A148 / Castle Rising Road / A1078 signals	Close to or over capacity in the AM & PM	Improvements proposed at this junction related to off-site works associated with planning applications
A1078 Edward Benefer Way	Two sets of signals are close to capacity in either the AM or PM peak	Improvements proposed along this corridor related to off-site works associated with planning applications

## Policy LP13 - Transportation Policy Strategic issues

### Strategic Issues

.....

#### 2. Priority will be given to...

- b. implementing the King's Lynn Transport Study and Strategy (KLTSS) schemes including delivering a package of transport improvements within King's Lynn arising from the KLTSS. This will involve balancing ease of access, and car parking, with flows and highway safety, active travel and public transport.

Priority locations for specific transport improvements are as follows:

- A149 Queen Elizabeth Way;
- A47/ A17 Pullover roundabout;
- Southgates roundabout (A148 STARS scheme);
- King's Lynn town centre gyratory;
- Tennyson Avenue and A148;
- A148/ Castle Rising Road/ A1078 signals; and
- A1078 Edward Benefer Way.

c. ...

**AQ17. The Council's suggested MM to Policy E2.1 to include a new criterion for the mitigation of traffic impacts would allow up to 300 dwellings without further strategic highway interventions. However, the figures in Tables 1-3 of the Technical Note on the A10 Headroom Capacity at Appendix 4 to the Topic Paper [F51d] show that in the PM peak period the additional southbound traffic generated by 300 dwellings, at 69 vehicles/hour, would exceed the available capacity within the A10 corridor for this peak period of 22 vehicles/hour. Should the threshold for further housing at WWGA without road improvements be set at a lower level?**

No. The Borough Council and the Highway Authority considers that the threshold for housing without the road improvements has been set at an appropriate level.

Whilst data is supplied in the Headroom note for both time periods, the analysis is focussed on the northbound direction in the AM peak hour as the key determinant of capacity, rather than the PM peak hour in either direction. This is because the highway network is expected to be more sensitive in the AM peak hour, especially on approach to the Hardwick Interchange. People are also less likely to have flexibility about when they start their journey in the AM peak hour, for example if they need to arrive at work or school or appointments for a particular time and the majority of key destinations for trips originating in West Winch are to the north in Kings Lynn or further up the A149 corridor. In the AM peak hour, local development trips originating in West Winch will immediately impact on the A10, whereas in the PM peak hour, trips returning to West Winch may experience delays elsewhere upstream in the network for example within Kings Lynn urban area and people travelling in the PM peak hour are likely to have more flexibility on time of departure from work etc, so may be more able to avoid congestion by timing their return journeys according to local network conditions (peak spreading). The AM peak northbound flows from the development at the northern edge of West Winch will be unable to avoid impacting on queue lengths at Hardwick Interchange, whereas vehicles heading southbound from the site or returning to the site would have more route options available to avoid congestion. Hence the headroom results are taken based on the AM peak hour northbound flow as this is expected to be more critical for journeys starting or ending in West Winch.

WSP has also considered the matter of A10 Headroom Capacity [F51d] and considers the 300 dwellings threshold is appropriate. A detailed explanation is set out below (original WSP document appended to this response).

*Whilst data is supplied in the Headroom note for both time periods, the analysis is focussed on the northbound direction in the AM peak hour as the key determinant of capacity, rather than the PM peak hour in either direction. This is because the highway network is expected to be more sensitive in the AM peak hour, especially on approach to the Hardwick Interchange. People are also less likely to have flexibility*



*about when they start their journey in the AM peak hour, for example if they need to arrive at work or school or appointments for a particular time and the majority of key destinations for trips originating in West Winch are to the north in Kings Lynn or further up the A149 corridor.*

*In the AM peak hour, local development trips originating in West Winch will immediately impact on the A10, whereas in the PM peak hour, trips returning to West Winch may experience delays elsewhere upstream in the network for example within Kings Lynn urban area and people travelling in the PM peak hour are likely to have more flexibility on time of departure from work etc, so may be more able to avoid congestion by timing their return journeys according to local network conditions (peak spreading). The AM peak northbound flows from the development at the northern edge of West Winch will be unable to avoid impacting on queue lengths at Hardwick Interchange, whereas vehicles heading southbound from the site or returning to the site would have more route options available to avoid congestion. Hence the headroom results are taken based on the AM peak hour northbound flow as this is expected to be more critical for journeys starting or ending in West Winch.*

**AQ18. Are the development thresholds in the suggested new criterion in Policy E2.1, which would allow up to 1,100 dwellings to be built at the WWGA before the completion of the West Winch Housing Access Road, justified by proportionate evidence?**

The Borough Council and the Highway Authority considers that the criterion set out in Policy E2.1 is justified by proportionate evidence.

The proposed modifications and suggested new criterion in Policy E2.1 states that:

- 300 dwellings can be built before strategic intervention is required on the A10
- For more than 300 dwellings a link to the A47 will be required, and
- For more than 1,100 dwellings completion of the WWHAR will be required

The 300 dwellings threshold, based on present conditions on the A10 and the absolute limit as to how much more traffic it could technically accommodate, is supported by document F51d Appendix 4 A10 Headroom West Winch.

The planning application for Hardwick Green, associated with Hopkins Homes (13/01615/OM), was able to demonstrate 1,100 dwellings could be delivered without the West Winch Housing Access Road (WWHAR) provided a new connection to the A47 was delivered.

It is highly likely that the WWHAR will be delivered in advance of the first 300 dwellings. However, the trigger points are a necessary backstop to ensure a

sustainable development could be delivered in the unlikely event that DfT funding for the WWHAR were to be withdrawn.

NCC as scheme promoter has also undertaken detailed assessments of the new A47 junction formed by the WWHAR for the approved Strategic Outline Business Case and the Outline Business Case submitted to the Department for Transport, as well as for the planning application associated with the WWHAR scheme itself.

**AQ19. Would the wording of the suggested new criterion to Policy E2.1 be effective as a development management tool in preventing the development of:**

**a) more than 300 dwellings before completion of a link to the A47?**

**b) more than 1,100 dwellings before the completion of the WWHAR in full?**

Given the response identified in AQ18, the policy is justified by proportionate evidence. However, in order to provide clarity around the thresholds for development, amendments are suggested for development management purposes:

#### Main Modification(s)

[F51k] Part A - AREA WIDE STRATEGIC OUTCOMES (4) New Criterion

To ensure that traffic impacts remain within a tolerable range development will be subject to the following thresholds:

- up to 300 dwellings with access to the A10, in the vicinity of Lemuel Burt Way, without further strategic intervention;
- for anything above 300 dwellings, completion of a link from the A10, in the vicinity of Lemuel Burt Way to the A47 will be required; and
- for more than 1,100 dwellings, completion of the West Winch Housing Access Road in full will be required.

**AQ20. Is the assessment in paragraphs 5.11 and 5.12 of the Landscape and Visual Appraisal (LVA) [F51e], that, overall, the WWGA development would have a slight to moderate adverse impact on the local landscape, reducing to slight adverse after 10-15 years as planting and open space becomes established, reasonable and justified by the evidence?**

Yes. In 2023, the Borough Council of King's Lynn and West Norfolk (BCKLWN) asked Jon Etchells Consulting (JEC) to carry out a Landscape and Visual Appraisal (LVA) in connection with the proposed allocation of the West Winch Growth Area (WWGA) for an eventual total of up to 4,000 new dwellings, as part of the King's Lynn and West Norfolk Local Plan Review. The response from JEC, regarding AQ20, is set out below (original JEC document appended to this response).

## **Generally**

Paragraphs 5.11 and 5.12 are reproduced below for ease of reference:

‘5.11 The anticipated overall effects on the local landscape would therefore be slight to moderate adverse. This is because the proposals would cover a wide area, but their overall extent would not be visible from any one point, and also because where visible, the development would not appear intrusive or out of place in the context of the existing (and proposed, as part of the two applications) residential and other urban land uses around it. There would be some loss of or alteration to existing landscape features or elements, mainly in the form of the loss of the open fields which make up most of the area to be developed, though some of the open land would be retained as extensive areas of new open space as part of the development, and that provision of open space and the layout of the overall development within separate, coherent neighbourhoods would also help to limit the significance of the landscape effects.

5.12 These effects would be soon after completion, and would be expected to decrease over time as the proposed planting and extensive areas of open space become established and help to screen and integrate the areas of built development. The general effects on the local landscape would therefore become slight adverse only after around 10 to 15 years.’

In general terms, the assessment set out in the LVA was (as stated in paragraph 1.1.6) undertaken by Jon Etchells, who is a director of JEC, with extensive experience of landscape and visual assessment. That experience includes presentation of evidence in respect of landscape and visual matters at more than 80 appeals, most of them determined by Public Inquiries, acting on behalf of both appellants proposing new developments and local planning authorities opposing them.

As also set out in the LVA (section 1.3), the assessment was undertaken in accordance with the recognised methodology for such work, the ‘Guidelines for Landscape and Visual Impact Assessment’, produced jointly by the Institute of Environmental Management and Assessment and the Landscape Institute (‘the GLVIA’, 1995, revised 2002 and again in 2013). The full and detailed methodology for the assessment is set out in Appendix A of the LVA.

Jon Etchells’ aim, whether in preparing evidence for appeals or Local Plan examinations, or preparing LVAs to accompany planning applications, is to make the assessments reasonable, justifiable and transparent.

## **Specifically**

*The rationale for the level of assessment (i.e. that the overall effects on the local landscape would be slight to moderate adverse, reducing to slight adverse after around 10 to 15 years) is summarised within paragraphs 5.11 and 5.12, but reference should also be made to the preceding paragraphs which summarise the various stages of the assessment (chiefly establishing the level of sensitivity of the local landscape and the overall degree of change, which taken together enable judgements as to the level of effects to be made) - the assessment is set out in more detail in section 4.2 of the LVA.*

*It is also important to note in this case that the assessment in paragraphs 5.11 and 5.12 is of the proposed additional dwellings within the WWGA, i.e. the further 2,390 dwellings envisaged by the new Local Plan in addition to the 1,610 dwellings which would be provided by the current applications and which have been taken to be part of the baseline situation, as summarised in paragraphs 5.3 to 5.5 and discussed in detail in sections 2.1 to 2.3.*

*In response to AQ20, the assessment summarised in paragraphs 5.11 and 5.12 of the LVA is based on a detailed methodology and process as set out in the LVA, has been carried out by an experienced landscape professional, and is considered to be reasonable and justified.*

**AQ21. Do the suggested MMs to Criterion 14 of Part A of Policy E2.1 adequately reflect the recommendations of the LVA, particularly in respect of the early establishment of planting and open space?**

No. In 2023, the Borough Council of King's Lynn and West Norfolk (BCKLWN) asked Jon Etchells Consulting (JEC) to carry out a Landscape and Visual Appraisal (LVA) in connection with the proposed allocation of the West Winch Growth Area (WWGA) for an eventual total of up to 4,000 new dwellings, as part of the King's Lynn and West Norfolk Local Plan Review. The response from JEC, regarding AQ21, is set out below (original JEC document appended to this response). This includes a suggested Main Modification, which is incorporated into this response.

*The currently proposed changes to Criterion 14 reflect the recommendations of the LVA in part - the recommendation in paragraph 4.5.1 a) of the LVA as to retention of existing vegetation has been included, but there is at the moment no reference to recommendation b), the early establishment of planting.*

*This could be remedied by the addition of some suitable text as a further modification, with the following as a suggestion:*

*Wherever possible, consideration should be given to the establishment of new areas of planting and open space at an early date, and in advance of the adjacent areas of*

development where achievable. Proposals should set out how this will be achieved, with target dates, or if there are specific reasons why it cannot be achieved in some cases, those reasons should be set out.

Main Modification (suggested by JEC) to F51k (Part A - AREA WIDE STRATEGIC OUTCOMES (14))

*New Criterion*

Retain existing vegetation grassland, trees, woodland, hedgerows and watercourses where they are considered in good condition and contribute positively towards local landscape character;

- a. Providing new or enhanced natural landscape planting to reinforce existing landscape features and to integrate the development within the local landscape, character and provide visual amenity within the growth area;

*New Criterion*

creation of new habitats where necessary, with an emphasis on grassland, heathland and/or hedgerows

- b. Providing recreational open space of at least 9 hectares;
- c. Conserve conservation and enhancement of local biodiversity
- d. Provide measures to mitigate potential adverse recreational impacts on designated nature conservation sites (SPAs, SACs, Ramsar) outside the growth area.
- d. Wherever possible, consideration should be given to the establishment of new areas of planting and open space at an early date, and in advance of the adjacent areas of development where achievable. Proposals should set out how this will be achieved, with target dates, or if there are specific reasons why it cannot be achieved in some cases, those reasons should be set out.

**AQ22. Do the suggested MMs to Policy E2.1 in respect of the mitigation of heritage impacts, as suggested in the Topic Paper, adequately reflect the recommendations of the Heritage Impact Assessment (HIA) for West Winch [F27], and the advice of Historic England as the statutory body for heritage advice, particularly in respect of the following:**

- a) **The completion of archaeological investigation for the remainder of the site and a mitigation strategy for archaeological features;**

The Heritage Impact Assessment (HIA) [F27] is clear that there will be some archaeological work required and recommends that the archaeological evaluation should be undertaken in advance of the submission of a planning application. The Borough Council proposes through a Main Modification to the Policy E2.1 that the submission of a further HIA document should accompany a planning application and should include measures for anything potentially affected by the development

might be sufficient to reflect the recommendations of the HIA. This is set out below as part of the answer the b).

**b) Specific mitigation measures for the Church of St Mary, the moated site, the Windmill, the Old Dairy Farmhouse and Green Dyke, including heritage buffers, landscaping, preserving key views and heritage interpretation?**

The Borough Council's HIA [F27] is clear that development of the open fields surrounding the heritage assets identified will adversely harm them. As all these assets rely upon the wider rural views for at least part of their significance these are almost impossible to mitigate against. It should therefore be acknowledged by the Borough Council that there will be less than substantial harm on the higher level of the scale, particularly to the moated site and the Church of St Mary.

In order to get the best result possible at this stage for archaeology and the built heritage, and within the realms of what is possible at this stage in the process, The Borough Council propose the Main Modification below to Policy E2.1. An acknowledgement of the harm in advance will then need to be balanced by the Borough Council in terms of public benefit as per the National Planning Policy Framework (NPPF).

Proposed Main Modification to Policy E2.1 (changes highlighted in red)

A detailed Heritage Impact Assessment that identifies any heritage assets (including archaeology) potentially affected by the proposed development, and intended measures for their protection, recording, enhancement, setting treatment etc as appropriate. The Heritage Impact Assessment should identify, in advance, any necessary mitigation measures and be sufficiently detailed and proportionate to satisfy the requirements of Historic England in terms of the requirements of the National Planning Policy Framework (NPPF). ~~The detailed HIA must also take account of the Councils' Heritage Impact assessment for West Winch and its recommendations.~~ This should include (but is not exclusive of);

- Survey and investigation of the archaeological potential of the application site in accordance with a scheme of investigation agreed in advance;
- An LVIA of the application site that includes views to and from the heritage assets identified in the Council's HIA and in the course of the applicant's own research, in both summer and winter views and the establishment of any key views of the heritage assets or from the heritage assets;
- An assessment of how the proposed layout and design have been informed by the Council's HIA as well as the information contained within the above documents; and,
- An assessment of how the application takes into account the cumulative impacts of the development alongside others proposed.

**AQ23. Is the increase in dwelling numbers proposed at the WWGA justified in the light of the potential loss of sensitive habitats and the effects on a number of protected and**

**priority species within the site, as identified in the Ecology & Biodiversity Assessment [F51f]?**

Yes. In 2023, the Borough Council of King's Lynn and West Norfolk (BCKLWN) asked Place Services (Essex County Council) to carry out an Ecology and Biodiversity Assessment (EBA) in connection with the proposed allocation of the West Winch Growth Area (WWGA) for an eventual total of up to 4,000 new dwellings, as part of the King's Lynn and West Norfolk Local Plan Review. The response from Place Services, regarding AQ23, is set out below (original Place Services document appended to this response).

*The Ecology and Biodiversity Assessment identified the habitats outside of the extant application on 'Land to the West of Constitution Hill' that are ecologically sensitive, which are set out in section 4.50. This covers a small part of the Growth Area and avoidance of development in this approximately 5ha area will not constrain the proposed increase in dwelling numbers.*

*The likely presence of protected and priority species within the Growth Area is assessed in sections 4.31 to 4.41 and it is concluded at section 5.17 that "...it is unlikely that there will be any impacts on protected or Priority species that cannot be adequately mitigated...". This assessment was on the basis of the increased dwelling numbers.*

**AQ24. Would Policy E2.1, as proposed to be modified [in F51k], be consistent with the national policy in respect of the ecological mitigation hierarchy, biodiversity net gain and the protection and conservation of priority and protected habitats and species?**

Yes. In 2023, the Borough Council of King's Lynn and West Norfolk (BCKLWN) asked Place Services (Essex County Council) to carry out an Ecology and Biodiversity Assessment (EBA) in connection with the proposed allocation of the West Winch Growth Area (WWGA) for an eventual total of up to 4,000 new dwellings, as part of the King's Lynn and West Norfolk Local Plan Review. The response from Place Services, regarding AQ24, is set out below (original Place Services document appended to this response).

*The relevant national policy referred to in AQ24 is:*

- *In respect of the ecological mitigation hierarchy, paragraph 186 of the National Planning Policy Framework, which states that "When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;". As a key principal of national planning policy,*

*this applies to the consideration of all planning applications and so does not need to be repeated within Local Plan policy. However, the strategic objectives set out in Part A of Policy E2.1 include the retention of “existing vegetation grassland, trees, woodland, hedgerows and watercourses where they are considered in good condition”, which amounts to avoidance of harm. Similarly, paragraph 6 of Part B of the policy includes a criterion that states that the Brook Watering Meadow County Wildlife Site, the only site within the Growth Area designated for its nature conservation value, should be retained.*

- *In respect of biodiversity net gain, is the now statutory requirement for all planning applications (that are not exempt) to deliver a 10% net gain in biodiversity, as required under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990, inserted by Schedule 14 of the Environment Act 2021. Although Policy E2.1 does not need to cover this statutory requirement, at paragraph 5 of Part B, it clarifies that ecological assessments submitted with proposals for development should show “How a minimum of 10% biodiversity net gain can be delivered, both for the Growth Area as a whole and individual development phases”. This is not extend the requirement to development that would otherwise be exempt [1], but is otherwise consistent with published government guidance.*

*The Ecology and Biodiversity Assessment considers the delivery of biodiversity net gain in sections 5.28 to 5.37 and concludes that, based on available information, a gain of 10% should be achievable across the Growth Area as a whole. Irrespective of this, delivery of biodiversity measures outside of the Growth Area could compensate for any lower level of gain that becomes apparent as proposals come forward.*

- *In respect of the protection and conservation of priority habitats and species, is the Biodiversity Duty introduced by Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC Act), which requires Local Planning Authorities (as public authorities) to consider what they can do to conserve and enhance biodiversity in England. Priority habitats and species are those identified under Section 41 of the NERC Act as being of principal importance for the purpose of conserving or enhancing biodiversity in England. Some Priority species are also protected by legislation, by which developers will have to abide. Part A of Policy E2.1 includes conservation and enhancement of biodiversity as a strategic outcome for the Growth Area. The conservation and enhancement of Priority Habitats will be covered by the statutory biodiversity net gain requirement. Paragraph 5 of Part B of Policy E2.1 sets out that the “...impacts of development upon protected and priority species...” should be identified in ecological assessments in support of development proposals. Paragraph 6 requires development proposals to be accompanied by a package of habitat protection measures, to include “mitigation measures within the Growth Area boundary or compensatory measures beyond, to address the disturbance to protected and priority species”.*



### **Correction**

*It should be noted that at sections 5.5 and 5.9, the Ecology and Biodiversity Assessment incorrectly states that the statutory biodiversity net gain requirement would be likely to apply to the reserved matters stages of the two extant applications. This was based on guidance available at the time, but government guidance has now clarified that the general condition only applies to applications where consent is granted, which is not considered to be the case with reserved matters. As these two applications were validated before mandatory net gain became statutory, the general condition cannot be applied.*

*[1] Paragraph 006 of the 'Planning practice guidance on biodiversity net gain' <https://www.gov.uk/guidance/biodiversity-net-gain#about-biodiversity-gain>*

**AQ25. Do the suggested MMs to Parts A and B of Policy E2.1, set out in the Topic Paper, adequately reflect the recommendations of the Flood Risk Assessment and Surface Water Drainage Strategy (April 2023) for the WWGA [F51g], and representations of the statutory consultees, including Anglian Water and the Lead Local Flood Authority, to ensure that future phases of development will be effective and consistent with national policy in the sustainable management of flood risk?**

No. In 2023, the Borough Council of King's Lynn and West Norfolk (BCKLWN) asked WSP to prepare a Flood Risk Assessment and Surface Water and Drainage Strategy (FRASWDS) in connection with the proposed allocation of the West Winch Growth Area (WWGA) for an eventual total of up to 4,000 new dwellings, as part of the King's Lynn and West Norfolk Local Plan Review. The response from WSP, regarding AQ25, is set out below (original WSP document appended to this response). This includes a suggested Main Modification, which is incorporated into this response.

*Paragraph 93 of the West Winch Growth Area (WWGA) Topic Paper (the 'Topic Paper') restates the recommendations given in Section 8.2 of the Preliminary Flood Risk Assessment and Surface Water Drainage Strategy. The recommendations were made to ensure that the expansion of the WWGA can be sustainably delivered in accordance with the requirements of national policy with respect to flood risk and surface water drainage.*

*The proposed MMs to Parts A and B of Policy E2.1 do not directly represent each of the proposed recommendations stated in the Topic Paper. However, the proposed MMs to Part A Criterion 15 state that the surface water drainage strategy for the WWGA is to be 'developed in accordance with the Conceptual Surface Water Drainage Strategy and in consultation with the LLFA'.*

*The proposed MMs to Part A Criterion 15 appear to conflate the management of surface water runoff generated by the WWGA (i.e. surface water drainage) with the*

*management of surface water runoff generated off-site (i.e. overland flood risk). The management of overland flood risk should be addressed through spatial planning by ensuring that existing flow-paths are incorporated in the layout of the WWGA rather than through the delivery of the drainage strategy as stated in the MMs.*

#### **LEAD LOCAL FLOOD AUTHORITY**

*The representations of the Lead Local Flood Authority (LLFA), given in full in Document J42, include three recommended amendments to the proposed MMs to Policy E2.1 as given in Paragraph 94 of the Topic Paper.*

*The proposed amendments are focussed on ensuring that access to all existing waterbodies within the WWGA is retained to facilitate maintenance by the LLFA, ensuring the provision of multifunctional Sustainable Drainage (SuDS) features in accordance with current best practice guidance, and ensuring that opportunities for the reduction of flood risk to the existing community through the delivery of the WWGA are sought.*

*The Council's response and the proposed changes to Policy E2.1 following the representations of the LLFA are given by Document J6 to be 'Noted' and 'No Change' respectively.*

#### **ANGLIAN WATER**

*The representations of Anglian Water, given in full in Document J9, focus on the anticipated impacts of climate change on water resources and the opportunities for reducing demand through water reuse linked to the development of the surface water drainage strategy for the WWGA. Whilst this does not directly relate to the sustainable delivery of the WWGA with respect to flood risk and surface water drainage, it is included here for completeness.*

*The Council's response and the proposed changes to Policy E2.1 following the representations of the LLFA are stated in Document J6 to be 'Supporting representation noted' and 'N/A' respectively.*

#### **CONCLUSIONS AND RECOMMENDATIONS**

*WSP does not consider that the suggested MMs to Policy E2.1 proposed in the Topic Paper adequately reflect the recommendations made in the Preliminary Flood Risk Assessment and Surface Water Drainage Strategy or the subsequent representations of the LLFA and Anglian Water.*

*It is recommended that the reference made in the proposed MMs to Part A Criterion 15 to the Conceptual Surface Water Drainage Strategy drawing, which forms Appendix D.2 of the Preliminary Flood Risk Assessment and Surface Water Drainage*

*Strategy report, should be amended to refer to the Preliminary Flood Risk Assessment and Surface Water Drainage Strategy report in its entirety to ensure that all of the recommendations made in Section 8.2 of the report are directly linked to Policy E2.1.*

*In addition, it is recommended that the requested inclusion of an additional criterion to Policy E2.1 that would ensure the retention of access to all existing waterbodies within the WWGA to facilitate maintenance is made to reflect the representations of the LLFA, and that further consideration should be given to the other recommended amendments to Policy E2.1 made by the LLFA and Anglian Water in their representations.*

### Main Modifications (suggested by WSP) to F51k (Part A - AREA WIDE STRATEGIC OUTCOMES (15 and 16)) (Part B – PROCESS)

#### Part A - AREA WIDE STRATEGIC OUTCOMES (15 and 16)

##### **Criterion 15**

Incorporation of Sustainable Drainage Systems (SuDS) to address surface water run-off, flood risk, biodiversity and the avoidance of groundwater pollution:

- a. SuDS should manage overland surface water flow and include features such as green/blue infrastructure, developed in accordance with the Conceptual Surface Water Drainage Strategy and Preliminary Flood Risk Assessment and Surface Water Drainage Strategy recommendations, in consultation with the LLFA.
- b. Retention of access to all existing waterbodies within the WWGA to facilitate maintenance

##### **Criterion 16**

High standards of design, featuring:

- a. distinct areas with different characters;
- b. a range of densities, with generally higher densities in the vicinities of the neighbourhood centres and public transport routes;
- c. Water efficiency measures to meet a minimum 100 litres/person/day, incorporating integrated water management measures such as rainwater/stormwater harvesting linked to SuDS, to maximise efficiencies for potable water use .

#### Part B – PROCESS

##### **Criterion 9**

- a. Submission of a site specific Flood Risk Assessment in accordance with LP25, demonstrating compliance with the national sequential and exceptions tests, utilising topographic surveys and the latest hydraulic modelling data.
- b. Seek opportunities for flood reduction or relief to the existing community through offsite betterment where possible. This could be achieved either

through a reduction in site surface water discharge rates to being below the existing greenfield runoff rates where possible.

**AQ26. Would Policy E2.1 and its supporting text, as proposed to be modified at Appendix 11 to the Topic Paper [F51k], ensure the provision of the range of infrastructure required to meet the future population needs of the WWGA as part of its development, as set out in the Infrastructure Delivery Plan [F24]? If not, should the full list of infrastructure be included in the policy?**

Yes. Policy E2.1, as proposed for modification [F51k], includes a requirement for the preparation of an Infrastructure Delivery Plan for the West Winch Growth Area (WWGA) (Part B(2)). This requirement is carried forward (unaltered) from the current Local Plan (Policy E2.1 (PART B)(b)). Accordingly, the [West Winch Growth Area Framework Masterplan Supplementary Planning Document](#) (adopted January 2023) includes an Infrastructure Delivery Plan, which sets out the requisite physical, social and community infrastructure that would be expected to be delivered as part of the Growth Area.

The Framework Masterplan (p24) explains that the Borough Council and Norfolk County Council are working in partnership to enable delivery of the WWGA. The County Council is leading on delivery of the West Winch Housing Access Road (WWHAR). The detailed [Infrastructure Delivery Plan](#) for West Winch was adopted in November 2018. This was subsequently reviewed when the Borough Infrastructure Delivery Plan was prepared [F24, September 2022]. These WWGA infrastructure requirements are incorporated into the 2023 Framework Masterplan (section 5, p14).

The County Council and Borough Council are in agreement, that inclusion of a full and precise list of infrastructure requirements in the policy would be excessively detailed and inflexible, given that details are set out in already adopted supported documents, including the West Winch and Borough Infrastructure Delivery Plans (2018 and 2022, respectively). It should be noted that the scheme will be delivered over a minimum of 20 years (beyond the Local Plan end-date), during which infrastructure requirements may change as well as national guidance.

**AQ27. Should dwelling number trigger points for the delivery of primary education facilities and other community infrastructure be specified in Policy E2.1?**

No. Policy E2.1 both the adopted Local Plan and updated policy incorporating suggested Main Modifications [F51k] already contain the necessary policy hooks for securing developer funding towards delivery of primary education facilities and other community infrastructure. Trigger points will be negotiated through the development management process (S106 agreements), dependent upon current population forecasts and site development constraints available at the time.

Norfolk County Council considers that setting out dwelling number trigger points would be excessively detailed and inflexible, given that the scheme will be delivered over a minimum of 20 years (beyond the Local Plan end-date), during which education/ community infrastructure requirements may change.

**AQ28. The Infrastructure Delivery Plan (IDP) [F24] proposed that provision for additional secondary education places to accommodate growth from the WWGA would be through the expansion of existing schools in King’s Lynn, funded by developer contributions. Is there adequate space at the existing secondary school sites to accommodate the additional facilities required to support up to 4,000 additional dwellings? Is this justified as an appropriate strategy, as opposed to providing a new secondary school on site, which would also assist in reducing the need for travel to school?**

Yes. The West Winch Growth Area Framework Masterplan Supplementary Planning Document Infrastructure Delivery Plan (January 2023) sets out the current list of infrastructure requirements, including for secondary education. As stated in response to AQ26, the 2018 West Winch IDP was reviewed in 2022 for the Borough IDP, with a summary of current infrastructure requirements incorporated into the 2023 Framework Masterplan.

The January 2023 Masterplan IDP sets out the current/ latest position regarding the provision of secondary school places in association with the WWGA. The County Council has advised that specific developer funding would still need to be secured through S106 negotiations. It is inevitable that further IDP reviews/ updates will be undertaken throughout the duration of the WWGA construction.

The County Council’s position remains that there is currently no need to provide an entirely new secondary school as part of the WWGA. It is recognised that a new secondary school would be a “good to have”, but there is currently insufficient evidence to justify its inclusion within Policy E2.1. A new secondary school is typically needed in association with much larger residential developments of 10,000 dwellings or over. Therefore, it is not considered to be an appropriate strategy to include an extended “wish list” of educational/ community infrastructure. Although it is recognised that a new secondary could reduce the need for travel the County Council has asserted that the WWGA, alone, would not be of a sufficient scale/ magnitude to justify provision of a new secondary school on site.

**AQ29. Should the MMs to Policy E2.1 in respect of noise mitigation, as set out in the Topic Paper, refer to the target external and internal noise levels for residential development detailed in the British Standards? Should these be specified in Part A of the policy as part of the design standards for the development of WWGA?**

Yes. In 2023, the Borough Council of King’s Lynn and West Norfolk (BCKLWN) asked WSP to prepare a Noise Technical Note (assessment) in connection with the

proposed allocation of the West Winch Growth Area (WWGA) for an eventual total of up to 4,000 new dwellings, as part of the King's Lynn and West Norfolk Local Plan Review. The response from WSP, regarding AQ29, is set out below (original WSP document appended to this response).

*It is not necessary or appropriate to specify internal or external acoustic criteria in the MMs.*

*The previous studies undertaken by WSP with respect to noise impacts on future residential properties have been based on the target internal and external noise criteria from BS 8233:2014 Guidance on sound insulation and noise reduction for buildings and ProPG: Planning & Noise, New Residential Development, 2017 (The ProPG).*

*However, it is important to note that these documents are guidance and present a range of acoustic criteria which should be applied appropriately with due regard to practicalities and potential synergies/conflicts with other design priorities. For example, with respect to internal criteria, BS 8233 states: "Where development is considered necessary or desirable, despite external noise levels above WHO guidelines, the internal target levels may be relaxed by up to 5 dB and reasonable conditions still achieved." ['WHO guidelines' is a reference to the World Health Organisation Guidelines for community noise, 1999]*

*BS 8233 also allows relaxations of the external noise level criterion in cases where the target threshold might be particularly difficult to achieve. This would usually be agreed with the Local Planning Authority at the planning stage.*

*Draft Policy E2.1 requires a noise impact assessment to be undertaken, and it is anticipated that assessments would occur sequentially as planning applications for individual residential plots are taken forward. A noise impact assessment undertaken to support a planning application would typically seek to achieve the target internal and external noise criteria referred to above although, as stated, some variations are acceptable. The Local Planning Authority will have the power to ensure that residential development meets the agreed target noise criteria via pre-occupation conditions applied during the planning process.*

*Policy E.2.1 could refer to the need to consider guidance within BS 8233 and ProPG, as well as the need for the principle of good acoustic design (as referred to in the ProPG) to be adopted, however, it is not considered appropriate to refer to the specific numerical noise criteria. This would be overly prescriptive and would not allow for flexibility or relaxation of the criteria that may be appropriate in some areas.*

*For the reasons set out above it is considered that the target external and internal noise levels for residential development should not be specifically referenced in Policy E2.1.*

**AQ30. What effects do the changes to the indicative development layouts in Areas 1 and 2 closest to the A47 and northern section of the WWHAR described in the Noise Technical Note (April 2023) [F51i] have on overall dwelling numbers and capacity on this part of the WWGA site?**

Yes. In 2023, the Borough Council of King's Lynn and West Norfolk (BCKLWN) asked WSP to prepare a Noise Technical Note (assessment) in connection with the proposed allocation of the West Winch Growth Area (WWGA) for an eventual total of up to 4,000 new dwellings, as part of the King's Lynn and West Norfolk Local Plan Review. The response from WSP, regarding AQ30, is set out below (original WSP document appended to this response).

*This query primarily relates to housing density and dwelling numbers which is outside the remit of this Technical Note.*

*From a noise perspective, it is acknowledged that good acoustic design is likely to be required for residential plots which overlook the proposed WWHAR in order to ensure that suitable internal and external noise levels can be achieved, and so that these blocks can provide acoustic screening to residential buildings behind.*

*It is, however, important to note that, the site is relatively large and this means that noise will be far less of a constraint to the development further away from the roads and will therefore have less influence on the overall density and number of dwellings per plot.*

**AQ31. Does the suggested MM to Policy E2.1 for the management of the air quality impacts of the WWGA adequately capture the mitigation measures recommended in the Air Quality Technical Note [F51j], particularly in respect of construction management and the air quality mitigation hierarchy?**

No. In 2023, the Borough Council of King's Lynn and West Norfolk (BCKLWN) asked Bureau Veritas to prepare a Noise Technical Note (assessment) in connection with the proposed allocation of the West Winch Growth Area (WWGA) for an eventual total of up to 4,000 new dwellings, as part of the King's Lynn and West Norfolk Local Plan Review. The response from Bureau Veritas, regarding AQ30, is set out below (original Bureau Veritas document appended to this response). This includes a suggested Main Modification, which is incorporated into this response.

Background: The Air Quality Technical Note [F51j] assessed WWGA from construction and also traffic once the area is operational in 2039 with up to 4,000 homes and associated development.

Traffic data was supplied by WSP for the assessment but was not included in the report. In addition, baseline traffic for the Do-Minimum scenario in 2039 was not supplied by WSP and instead data had to be uplifted to the relevant assessment year utilising factors obtained from TEMPro.

Impacts:

- Cumulative impacts were assessed up to a moderate adverse impact once the site is operational from the traffic pollutant nitrogen dioxide (NO<sub>2</sub>, 39.4µg/m<sup>3</sup>). This additional NO<sub>2</sub> represented a change of up to 9.5% when compared to the AQS objective (40µg/m<sup>3</sup>) on receptors within the Railway Rd Air Quality Management Area (AQMA).
- In terms of PM10 and PM2.5, the implementation of the WWGA was predicted to result in a negligible impact on all receptors.
- Dust impacts from construction were assessed as up to High risk due to Dust Soiling (amenity) from Earthworks / Construction and Trackout.

Main Modifications:

- Main Modifications (MM) were then made to Policy E2.1 in light of the Technical Note [F51j] that required the development proposals to be consistent with the Council's *'Air Quality Management Strategy'*;
- The Borough Council does not have an Air Quality Management Strategy but a draft Air Quality Action Plan (2024-29) (<https://www.west-norfolk.gov.uk/aqap-consultation>) that we are currently revising. It has gone out to public consultation.
- Furthermore, the AQAP is a plan for the next 5-years, so does not necessarily extend to the Local Plan period.
- However, we have AQAP Measures 3.1 and 3.2 aimed at reviewing changes to air quality from preferred transport infrastructure changes coming out of KL Transport Strategy. In effect Measures 3.1 and 3.2 will further refine the BV outputs when based on these preferred transport schemes and modelled over the Local Plan period.
- This modelling will require transport data.



## Adequacy of Mitigation:

### **Construction:**

- In terms of construction phase, the air quality assessment set out mitigation in Section 5.1. This provides an overview of the measures that can be considered when development comes forward. The appears to be reasonable approach.

### **Operational Phase:**

- In terms of adequacy of the mitigation for the moderate adverse impact from NO<sub>2</sub> within Railway Rd AQMA once operational, the Bureau Veritas AQ assessment proposed a hierarchy based on the Institute of Air Quality Management's (2018) ([https://iaqm.co.uk/text/position\\_statements/mitigation\\_of\\_development.pdf](https://iaqm.co.uk/text/position_statements/mitigation_of_development.pdf)) position statement, for example that the preference should be given to preventing or avoiding exposure / impacts to the additional NO<sub>2</sub> pollution.
- However, recently updated National Air Quality Strategy (NAQS, 2023) (<https://www.gov.uk/government/publications/the-air-quality-strategy-for-england/air-quality-strategy-framework-for-local-authority-delivery>) and which local authorities are required to follow has updated the approach to mitigation.
- The NAQS prefers a design-stage emission prevention approach. According to the NAQS this influences the design of a scheme at an early stage, so that the minimum amount of pollution is emitted during the developments lifetime.
- The NAQS has a statutory basis and therefore will take precedence over other non-statutory guidance. Whilst the NAQS mentions that planning reforms are necessary before emission benchmarks can be introduced, given the period of the local plan it may need to factor in these potential changes coming forward.
- Critically, the NAQS expects any air quality interventions to be robustly assessed on their monetised values i.e. based on emission damage costs. IAQM planning guidance (2017) provided an example of damage costs, but the latest emission-based approach (London Air Quality Neutral Plan) (<https://www.london.gov.uk/sites/default/files/2023-02/Air%20Quality%20Neutral%20LPG.pdf>)
- refers to a longer 30-year timeframe that is more representative of typical lifetime. There is no reason not to use a similar approach.
- In the meantime, until these planning reforms are made, and in the absence of supplementary planning guidance, we would refer to the LAQM Technical / Policy guidance and Institute of Air Quality Management's (IAQM, 2017) guidance for the assessment, mitigation and any offsetting required.
- In terms of offsetting there may need to be contingency funding (Section 106) should new AQMA have to be declared. Should this be required from the cumulative effects and as explained above it should be based on a 30-year and more representative damage cost timeframe.

- Lastly, for any significant transport movements we would expect a travel plan to mitigate and depending on the scale and cumulative effects it may require Active Travel England to lead. Decide and provide transport methodology.

Bureau Veritas Response:

*It is understood that there is not presently a specific 'Air Quality Management Strategy' enforced by the Council with respect to the West Winch Growth Area. However, the Council have produced, and are in the process of updating, their 'Air Quality Action Plan' (AQAP) as part of their statutory reporting requirements to Defra under the LAQM framework. The AQAP identifies measures and priority actions for reducing concentrations of harmful pollutants within the area, specifically within the Air Quality Management Areas (AQMAs) of Railway Road and Gaywood Clock. This will include considerations in relation to the West Winch Growth Area.*

*The mitigation measures outlined with the Air Quality Technical Note [F5i] fall into two categories; Construction and Operation.*

*Construction phase measures as set out within the Air Quality Technical Note are based on best practice measures contained within the Institute of Air Quality Management (IAQM) guidance document "Guidance on the Assessment of Dust from Demolition and Construction".*

*With regards to construction phase, it is expected that emissions during construction phases of future development would be managed through the production of an appropriate Construction Dust Management Plan for each individual development which would align with the best practice IAQM guidance. This can be controlled through conditions on individual applications.*

*With regards to operational mitigation, the air quality technical note discusses the mitigation hierarchy as identified within IAQM's Position Statement 'Mitigation of Development Air Quality Impacts'. This guidance note provides a useful framework for development of mitigation strategies. Through our discussions with the Environmental Health and Planning teams at the Local Authority, it is understood that the strategy for air quality mitigation will be formed around managing sustainable travel at the West Winch development area, thus reducing the traffic and associated emissions as a result of the development.*

*The encouragement of sustainable travel could be achieved through the use of Sustainable Travel Plans for development and prioritizing access to public transport which could be conditioned through the planning process for individual schemes. Best practice mitigation would be expected at the proposed development, for example:*

- *The provision of at least 1 Electric Vehicle (EV) “fast charge” point per 10 residential dwellings and/or 1,000m<sup>2</sup> of commercial floorspace. Where on-site parking is provided for residential dwellings, EV charging points for each parking space should be made.*
- *Where development generates significant additional traffic, provision of a detailed travel plan (with provision to measure its implementation and effect) which sets out measures to encourage sustainable means of transport (public, cycling and walking) via subsidised or free-ticketing, improved links to bus stops, improved infrastructure and layouts to improve accessibility and safety.*
- *All gas-fired boilers to meet a minimum standard of <40mgNO<sub>x</sub>/kWh.*

*This will encourage a modal shift away from single use occupancy vehicles which in turn result in lower emissions within the Air Quality Management Area.*

### **Suggested Amendments to Main Modification to Policy E2.1**

*Should there be scope to further modify policy E2.1 to better capture the mitigation measures set out in the Air Quality Technical note, we would suggest the below.*

*Development proposals should align with best practice dust and emissions management measures to protect human health and amenity during any demolition and construction phases.*

*Development proposals will require a detailed air quality assessment where they result in a change in anticipated emissions which are above relevant screening criteria (such as those contained within the IAQM Guidance document “Land-Use Planning & Development Control: Planning for Air Quality”). Developments should align with the priorities identified within the Council’s Air Quality Action Plan and proposals should outline mitigation activities that will be undertaken based on the mitigation hierarchy.*

### Main Modifications (suggested by Bureau Veritas) to F51k (Part B – PROCESS (4))

4. Be accompanied by a comprehensive strategic transportation assessment for the area, covering the traffic likely to be generated by the development and its interaction with the existing road and path network, and planned additions and improvements. The strategic transportation plan should expressly address the provision of and role in minimising car based traffic of public transport across the wider allocation.

#### *New Criterion*

*Development proposals should mitigate unacceptable air quality impacts, through:*

- a. ~~be~~ being consistent with the Council’s Air Quality Management Strategy; and

- b. alignment with best practice dust and emissions management measures to protect human health and amenity during any demolition and construction phases.

New paragraph (supporting text), to follow 9.3.1.35 (Design and density sub-section) Development proposals will require a detailed air quality assessment where they result in a change in anticipated emissions which are above relevant screening criteria (such as those contained within the IAQM Guidance document “Land-Use Planning & Development Control: Planning for Air Quality”). Developments should align with the priorities identified within the Council’s Air Quality Action Plan and proposals should outline mitigation activities that will be undertaken based on the mitigation hierarchy

**AQ32. What is the cumulative effect of the mitigation measures required to address infrastructure, landscape, heritage, ecological, flood risk, noise and air quality constraints on the overall development capacity of the WWGA site?**

The cumulative effect of the mitigation measures upon development capacity is considered by F51 (“Cumulative Impacts on Developable Area” – para 127-128). This section of the document explains the breakdown of potential land requirements for different items of infrastructure (physical, green or community infrastructure), as follows:

	<b>Proposed infrastructure</b>	<b>Area required (ha)</b>
Infrastructure	Primary schools	4
	Community centres	0.35
	Formal recreational facilities (playing fields, equipped play areas)	16
	Allotments	0.6
	West Winch Housing Access Road	20.7
	Multi Use Games Area	0.08
	Employment/ shops	1.06
Landscape	Other (informal) green spaces	4
Heritage		
Ecology	Natural and semi natural green spaces inc. footpath links and hedgerows (i.e., landscape buffers,	28
Flood risk		

Noise/ air quality	exclusion zones for gas and electricity, attenuation ponds)	
<b>TOTAL</b>		<b>74.79</b>

F51 (para 128) explains that the infrastructure requirements reduce the development from 192ha (gross), to 117.2. This cites a varied housing density range, between 25 dwellings per hectare (dph) and 40 at community infrastructure hubs (e.g. neighbourhood centres). An average density of 34.45dph is cited, within the former national density standard (30-35) dph.

Overall therefore, F51 demonstrates the WWGA, as allocated, has sufficient capacity to deliver at least 4,000 dwellings.

### Development in existing built-up areas of West Winch (Policy E2.2)

**AQ33. Given that Policy E2.1 as proposed to be modified would permit up to 300 dwellings to be built at WWGA without further strategic highway interventions, is Policy E2.2 justified in preventing any further development within the existing village of West Winch in advance of the proposed WWHAR opening?**

Yes, Policy E2.2 (as submitted) is justified.

Policy E2.2 does not prevent all development within the existing built-up areas of West Winch; it merely defines what is acceptable within the existing A10 corridor given capacity issues and the interruption of the free flow of traffic and associated history of road traffic accidents as a result of unexpected access points. There is a clear distinction made between “planned” development with associated formalised access points arising from the West Winch Growth Area and ad hoc development off existing private drives or new accesses onto the arising from infill development i.e. unexpected access points.