

1. **LP27 Requirement for Air Quality Management Strategy** (Pages 2 – 15)

CABINET MEMBERS DELEGATED DECISION

Open		Mandatory/			
Any especially affected Wards	<i>Dersingham Grimston and Pott Row Snettisham</i>	Discretionary/ <u>Operational</u>			
Lead Member: Cllr James Moriarty E-mail: cllr.james.moriarty@west-norfolk.gov.uk		Other Cabinet Members consulted:			
		Other Members consulted:			
Lead Officer: Luke brown E-mail: luke.brown@west-norfolk.gov.uk		Other Officers consulted: Stuart Ashworth, Alex Fradley, Claire Wiggs			
Financial Implications YES/NO	Policy/Personnel Implications NO	Statutory Implications NO	Equality Impact Assessment YES	Risk Management Implications YES/NO	Environmental Considerations YES
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					
Date of publication of report: 17 October 2025			Date decision to be taken: 24 October 2025		
Deadline for Call-In: 31 October 2025					

TITLE: LOCAL PLAN POLICY LP27 HRA – REQUIREMENT FOR AIR QUALITY MANAGEMENT STRATEGY

Summary: The Local Plan Policy LP27 sets out that the Borough Council (BC) will prepare an Air Quality Strategy. This was to focus on the impact of traffic arising from population growth from new residential housing allocations upon the protected sites of Dersingham Bog and Roydon Common. However, following further work between the BC and Natural England (NE) this is no longer required as the impact from traffic on the sites is minimal, the trend is decreasing, and there wouldn't be a suitable form of mitigation for this. This matter will be considered further as part of the next local plan. The BC and NE have signed a Statement of Common Ground (SoCG) to agree this position.

Decision to be taken: To withdraw the need to prepare an Air Quality Management Strategy as set out in Local Plan Policy LP27 (Habitats Regulation Assessment).

Reason for Decision: To formalise and record the withdrawal of producing an Air Quality Management Strategy as required by LP27, as agreed with Natural England (NE).



1 Background

1.1 The adopted King's Lynn and West Norfolk Local Plan Policy LP27 (Habitats Regulation Assessment) identifies the need for the Council to undertake an Air Quality Management Strategy for the nationally and internationally protected habitat sites of: (See Appendix A for-site plans):

- Dersingham Bog SPC/Ramsar/SSSI
- Roydon Common SPC/ Ramsar/SSSI

1.2 An Air Quality Management Strategy would have been prepared to help support the implementation of Local Plan Policy LP27. It would also be used to understand the potential impact of road traffic emissions at the above designated sites.

Roydon Common and Dersingham Bog

1.3 Roydon Common and Dersingham Bog are separate sites around 3 miles apart and they represent remaining vestiges of what was once an extensive mosaic of heathland, mire and fen linking the North Norfolk coast to the Brecks. The support a complex range of vegetation communities encompassing acid mire, fen and transition mires.

1.4 Roydon Common and Dersingham Bog are designated as Special Areas of Conservation (SAC) for their large areas of wet heaths with Cross-leaved Heath *Erica tetralix*, dry heathland and depressions on peat substrates. They are also listed separately as Ramsar sites.

1.5 Roydon Common is one of the best examples of lowland mixed valley mire in Britain, with a complex series of plant communities. Dersingham Bog is the largest remaining example of an acid valley mire in East Anglia and also has areas of heathland and pine woodland.

1.6 Both sites support several rare and uncommon plants such as Round-leaved Sundew (*Drosera rotundifolia*), Bog Asphodel (*Narthecium ossifragum*), Cranberry (*Vaccinium oxycoccos*) and White Beak-sedge (*Rhynchospora alba*). Invertebrates include the Black Darter (*Sympetrum danae*), which is scarce in Norfolk. The heathland areas are an important breeding site for Nightjars (*Caprimulgus europaeus*).

Policy Context

1.7 In 2017, the UK Government set a target of becoming a net zero economy by 2050. The main aim of this is to reduce the country's impact towards the changing climate, reduce the use of fossil fuels and improving the health and wellbeing of both the human and natural environments.



- 1.8 The planning system can play a part in contributing towards achieving the net zero target by supporting the country's adoption to a changing climate and to help mitigate against the impacts from climate change.
- 1.9 The UK government's Clean Air Strategy 2019, part of the 25 Year Environment Plan, sets targets to reduce ammonia emissions from farming activities and nitrogen oxide emissions from combustion processes. Consequently, these measures aim to reduce nitrogen deposition to sensitive ecosystems.
- 1.10 The Environment Act 2021. Receiving Royal Assent on 9 November 2021, it addresses environmental protection and the delivery of the Government's 25 Year Environment Plan. The Act requires the Secretary of State to publish review reports every five years at minimum, with yearly updates to Parliament. It adopts the 25 Year Environment Plan as the first Environmental Improvement Plan (EIP) 2023 and sets long-term legally binding targets.
- 1.11 The adopted King's Lynn and West Norfolk Local Plan Policy LP06 – Climate Change encourages and supports the needed measurements to take place within the Borough for the active movement to reducing our CO2 emissions, while actively supporting sustainable development and needed changes for better designed infrastructure and innovative solutions. In addition, Policy LP13 – Transportation identified some of the road network for improvement, including measures to reduce congestion and improve reliability and safety. The purpose of the Policy below is not to reproduce that, but to reflect and ensure that the most important roads in the area do not have their safety and reliability degraded by ill-designed or located development. Hence it is considered desirable to include within this provision the additional main routes (not subject of the Strategic Policy) of the A1101, A1122 and the north coast part of the A149.
- 1.12 Local Plan Policy LP27 – Habitat Regulation Assessment seeks to not adversely affect the integrity of European sites either alone, or in-combination with other plans and projects.
- 1.13 The Borough of King's Lynn and West Norfolk – Dersingham SAC Ecological Receptor Assessment (Air Quality Assessment) was undertaken to determine if Nitrogen Oxide (Nox) emissions associated from road traffic was resulting in elevated NOx Nitrogen Deposition and Acid Deposition concentrations above their respective objectives and critical loads at the Dersingham Bog SAC. This assessment helped to influence the Local Plan HRA.
- 1.14 The Institute of Air Quality Management published guidance in June 2019 entitled 'A Guide to the Assessment of Air Quality Impacts on Designated Nature Conservation Sites'. This guidance contains detailed and relevant advice in relation to the assessment of traffic generated air quality impacts and highlights the 1% threshold as a widely used threshold, below which fluctuations are not likely to be discernible from background fluctuations/measurements, and above which a need for further assessment is identified but does not automatically imply damage will occur.



- 1.15 Natural England has produced a Site Improvement Plan for Roydon Common and Dersingham Bog. This includes risks from air pollution, specifically from atmospheric nitrogen deposition. The improvement Plan seeks to address the identified issues with suitable mitigation to reduce or limit any future impacts.
- 1.16 A Habitat Regulations Assessment (HRA) was produced to support the Local Plan. It identifies the potential for trip generating uses to increase traffic on the A149 through Dersingham Bog leading to a need to consider the impacts of air quality arising from the proposed development. Development will only be supported when there is no adverse effect on the integrity of Roydon Common and Dersingham Bog SAC and Dersingham Bog Ramsar site. The Borough Council will produce an Air Quality Management Strategy, to ensure there will be no decrease in air quality which would have an adverse effect on the integrity of the SAC and Ramsar, or any other European site. The strategy will be established through consultation with Natural England and will be based on air quality monitoring and traffic modelling.
- 1.17 The King's Lynn and West Norfolk area holds several European sites and these support a wide range of qualifying features. The screening for likely significant effects involved a complete rescreening of the plan, incorporating the main modification and identified likely significant effects relating to air quality around Roydon Common & Dersingham Bog SAC, Dersingham Bog Ramsar sites.
- 1.18 A detailed assessment rules out adverse effects on integrity for North Norfolk Coast SAC/SPA/Ramsar, The Wash and North Norfolk Coast SAC, Breckland SAC/SPA and the Ouse Washes SAC/SPA. There is no need for mitigation. With respect to Roydon Common & Dersingham Bog SAC/Dersingham Bog Ramsar some uncertainty remains and in the absence of mitigation, it is not possible to rule out adverse effects on integrity because of plan-led growth and increased traffic flows along the A149. The risks relate to a single short section of road. Policy LP27 refers to the preparation of an air quality strategy and the policy wording ensures development only comes forward if it can demonstrate that adverse effects on integrity are ruled out. This ensures no additional traffic or further exceedance of critical loads at Dersingham Bog. With this 'break' in place, adverse effects on integrity from air quality could be ruled out for Roydon Common & Dersingham Bog SAC/Dersingham Bog Ramsar because of the Plan.

Current Position

Traffic Data

- 1.19 The adopted Local Plan seeks to deliver over 12,000 new homes over the plan period to 2040. Some significant growth is planned within relatively close proximity to these sites and is likely to increase the level of traffic on the nearby A149 over that period. This was identified within the Council's Transport Strategy



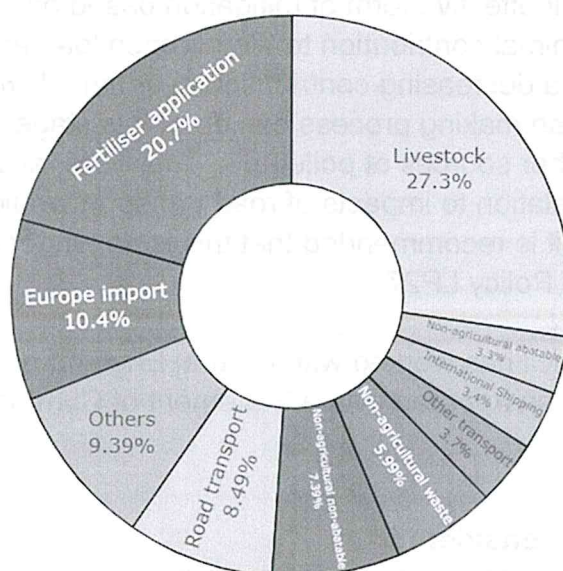
where improvements to the road have been identified within Policy LP13 of the Local Plan.

1.20 The Council's transport modelling (Norfolk County Council, 2021) shows that it is development in Hunstanton that has the most marked effect on traffic flows along the A149 at Dersingham Bog. Further modelling was undertaken in 2022 (Patel, 2022), this used traffic data provided by the local authority for 2022 and derived predictions in traffic for 2025 and 2030. This showed that there is a downward trajectory for traffic emissions to 2040 and no real impact from this source to Roydon Common and a lessening impact to Dersingham Bog.

1.21 Evidence from the Council's HRA and Natural England identify that Nitrogen deposition exceeds site relevant critical loads, but that road impacts make a minimal contribution. The Figure 1 identifies that road transport only make up 8.5% (source: [APIS app | APIS](#)) of the overall nitrogen deposition. Livestock, farming, imports, international shipping make up the rest of the deposits.

Figure1:

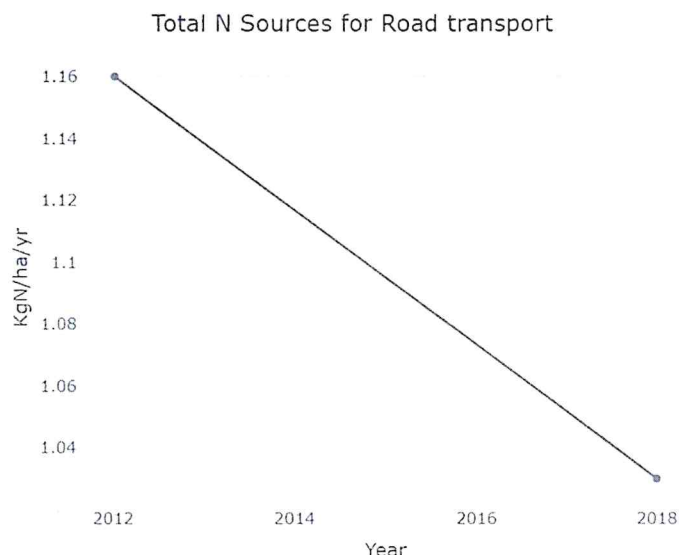
Local contributions to Nitrogen deposition (KgN/ha/yr) from sources (UK)



1.22 In addition, Figure 2 identifies that the 8.5% contribution to nitrogen from road transport has been declining overall since 2012 which corresponds with the evidence identified within the Council's HRA on a declining trajectory of emissions to 2040.



Figure 2



Conclusion

1.23 After considering the potential of undertaking a bespoke Air Quality Management Strategy, both the Council and Natural England concluded that this would be an ineffective form of mitigation based on the evidence that traffic is making a minimal contribution to the nitrogen load at Dersingham Bog and the trend shows a decreasing contribution over time. It was agreed with NE that there is little the plan making process can do at this stage in relation to most of the remaining other sources of pollutants. Therefore, an Air Quality Management Strategy in relation to impacts of road transport would not be proportionate or justified and it is recommended that this is no longer required to satisfy the provisions of Policy LP27.

1.24 The Council has worked with Natural England on the matter and both parties have agreed an approach via a Statement of Common Ground (SoCG). See Appendix B.

2 Options Considered

2.1 The Council has investigated ways in which it could reduce the traffic impact on air quality and there are other Local Plan policies (LP06 and LP13) which seek to minimise traffic congestion and utilise sustainable transport methods for new development across the Borough.

2.2 The Council has worked collaboratively with Natural England on this matter through preparation of the Local Plan and following adoption. It has been agreed that at this stage (outside of the plan making process), given that the majority of contributors to air quality impacts at Dersingham, Bog are outside the scope of the planning system, that an Air Quality Management Strategy is not pursued at this time. However, that matter is considered as part of preparation of the next local plan in light of the growth that will seek to



accommodate and likely behaviourally changes related to the continuing uptake of electric vehicles.

3 Policy Implications

- 3.1 Likely impact to the implementation of Part 3 of Policy LP27 of the Local Plan. The SoCG will be published on the Local Plan webpage as well as link to this report as an explanation of the position.

4 Financial Implications

- 4.1 None identified.

5 Personnel Implications

- 6.1 None identified.

6 Environmental Implications

- 6.2 None. The Council have assessed the environmental implications during the appraisal of options and through discussions with Natural England who concur with the approach, hence the agreed SoCG.

7 Statutory Considerations

- 7.1 none identified, the Council has worked with Natural England on this who are statutory consultees and the Government's advisor on the environment.

8 Equality Impact Assessment (EIA)

- 8.1 Not required.

9 Risk Management Implications

- 9.1 None identified.

10 Declarations of Interest / Dispensations Granted

n/a

11 Background Papers

- 11.1 Appendix A: Site location plans for Dersingham Bog and Roydon Common

- 11.2 Appendix B: Statement of Common Ground between BCKLWN and Natural England.

Signature

Cabinet Member for: Planning & Licensing

Date: 16/07/25



Stage 1 - Pre-Screening Equality Impact Assessment

For equalities profile information please visit [Norfolk Insight - Demographics and Statistics - Data Observatory](#)

Name of policy/service/function	Environment and Planning				
Is this a new or existing policy/ service/function? (tick as appropriate)	New		Existing	X	
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service is rigidly constrained by statutory obligations, and identify relevant legislation.	Local Plan Policy LP27 – Habitats Regulation Assessment aims to protect and limit any negative impact to designated environmental sites within the Borough.				
Who has been consulted as part of the development of the policy/service/function? – new only (identify stakeholders consulted with)	The wider community and statutory stakeholders were consulted as part of the preparation of the Local Plan 2021 – 2040.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group. NB. Equality neutral means no negative impact on any group.</p> <p><i>If potential adverse impacts are identified, then a full Equality Impact Assessment (Stage 2) will be required.</i></p> <p><i>*For more information on health inequalities please visit The King's Fund</i></p>		Positive	Negative	Neutral	Unsure
	Age			X	
	Disability			X	
	Sex			X	
	Gender Re-assignment			X	
	Marriage/civil partnership			X	
	Pregnancy & maternity			X	
	Race			X	
	Religion or belief			X	
	Sexual orientation			X	
	Armed forces community			X	
	Care leavers			X	
	Health inequalities*			X	
	Other (eg low income, caring responsibilities)			X	
<p>Please provide a brief explanation of the answers above: The Policy impacted by this report is environmental rather than impacting communities.</p>					

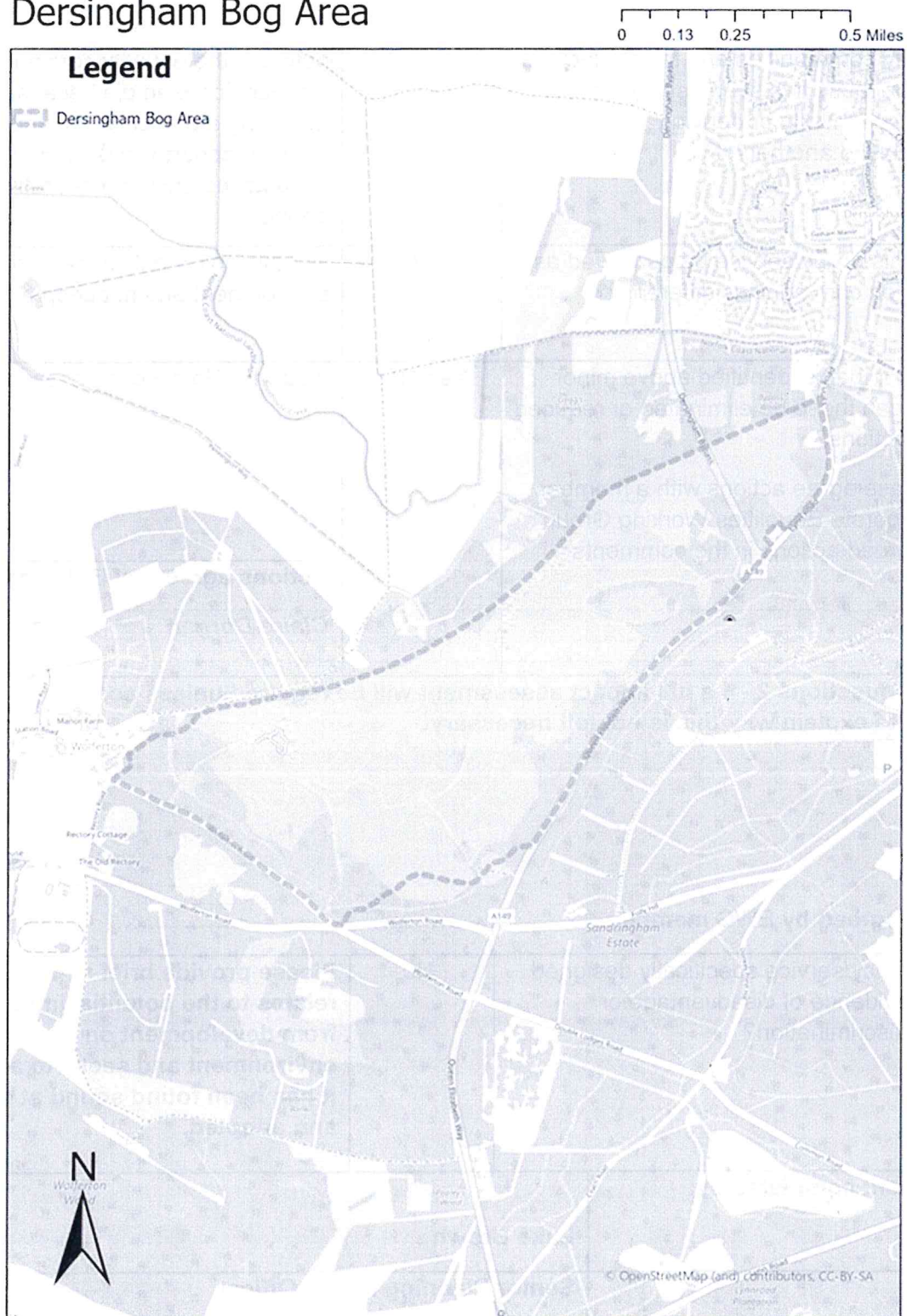


Question	Answer	Comments
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes/ No	No Policy LP27 is not likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another as this impacts the environment rather than people.
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No	No, this policy only impacts the environment and not people.
4. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	Yes/ No	<p>Actions: No actions necessary.</p> <p>Actions agreed by EWG member: <i>Claire Dorgan</i></p>
<p>If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:</p> <p>Decision agreed by EWG member:</p>		
5. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	Please provide brief summary: LP27 relates to the potential impacts arising from development on the natural environment and seeks to address this. It has been found sound at examination and adopted.
Assessment completed by:		
Name	Luke Brown	
Job title	Senior Planning Policy Officer	
Date completed	07/08/2025	
Reviewed by EWG member		Date

✓ Please tick to confirm completed EIA Pre-screening Form has been shared with Corporate Policy (corporate.policy@west-norfolk.gov.uk)

APPENDIX A

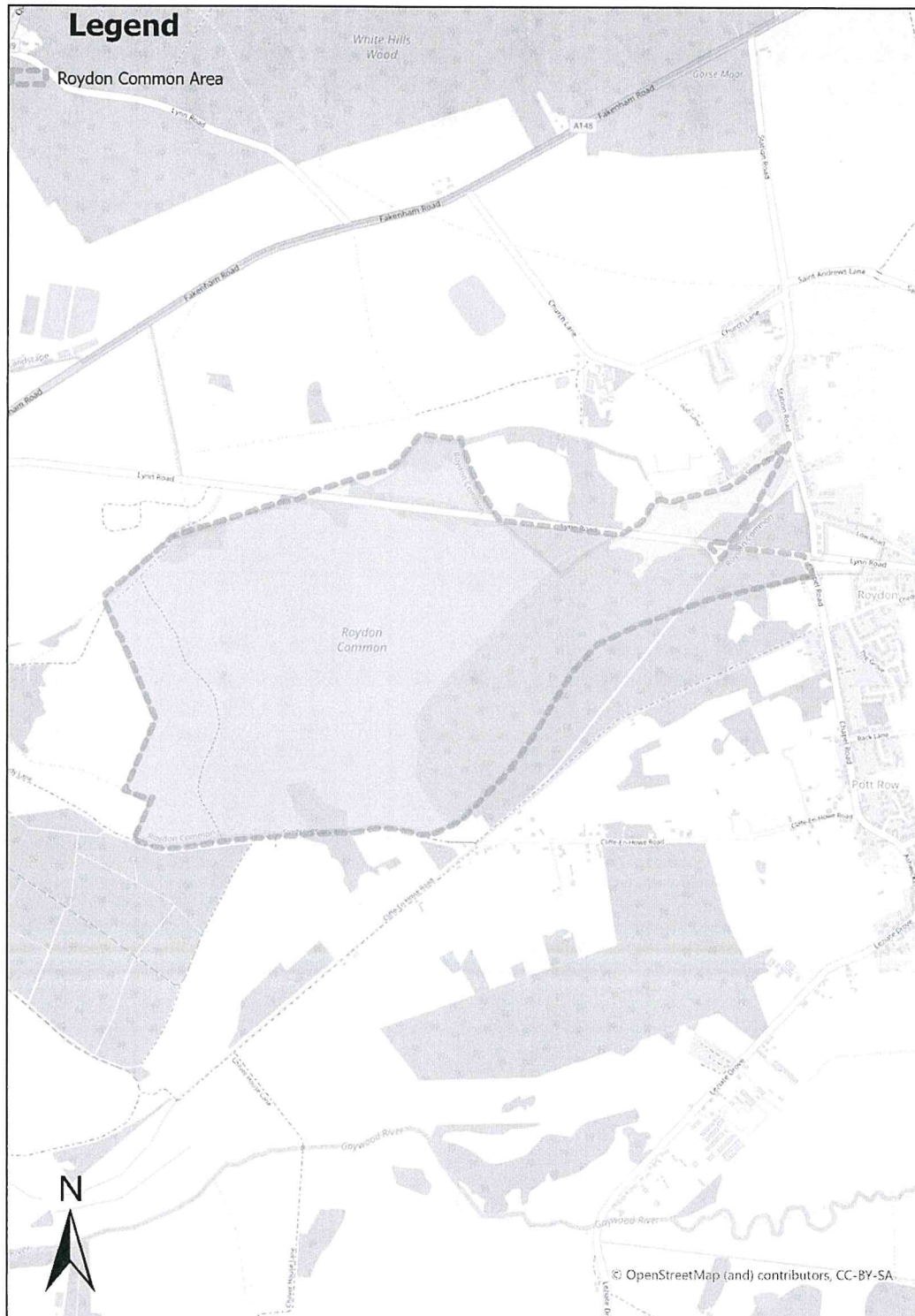
Dersingham Bog Area





Roydon Common

0 0.13 0.25 0.5 Miles





Appendix B: Statement of Common Ground between Natural England and Borough Council of King's Lynn and West Norfolk

August 2025

Introduction

- 1.1. Section 110 of the Localism Act (2011) established a duty to cooperate in relation to Local Plans and sustainable development, or use of the land. The duty to cooperate requires cooperation during the preparation of development plan documents and other local development documents between relevant bodies such as Natural England.
- 1.2. Paragraph 24 of the NPPF sets out the requirement to produce one or more Statement(s) of Common Ground to form part of the evidence required to demonstrate compliance with the duty to cooperate. Such a document should be a written record of the collaboration and progress made between authorities, detailing where agreement has been reached and where there are outstanding issues.
- 1.3. Since the launch of the preparation of the Local Plan in 2016, the Council has actively engaged with statutory bodies in accordance with the requirements of the Duty to Cooperate. Strategic issues identified through this process, together with the outcomes of ongoing engagement with the relevant consultation bodies, are highlighted and summarised in the DtC Statement, May 2022.
- 1.4. King's Lynn and West Norfolk Borough Council (The Council) have since adopted the Local Plan on 27th March 2025 following the release of the Inspectors Report

Statement of Common Ground

- 1.5. This Statement of Common Ground (SoCG) relates to ongoing effective joint working between the Council and Natural England following the adoption of the Local Plan.
- 1.6. This statement compliments the signed statement between the organisations during the preparation of the Local Plan.
- 1.7. The Council's Habitat Regulation Assessment identified a potential impact to both designated sites at Dersingham Bog and Roydon Common from traffic on air quality. The statement specifically refers to the need for the Council to produce an Air Quality Management Strategy as identified within Policy LP27 – Habitat Regulations.
- 1.8. The Air Quality Management Strategy would cover both designated sites at Dersingham Bog and Roydon Common and would concentrate on the impacts from emissions to air quality via traffic on the A149.
- 1.9. Following the adoption of the Local Plan, the Council has liaised with Natural England on this matter to fully understand the issues related to air quality at both designated sites. When considering the issue further, it was evident that emissions from traffic/transport were in fact declining and only formed a very small part of the overall picture. Therefore an Air Quality Management Strategy would no longer serve its original intended purpose.
- 1.10. Following meeting with Natural England, it was agreed that the Council and Natural England would work together during the preparation of a new Local Plan for King's Lynn and West Norfolk and that the new evidence base would investigate this issue in more detail through future transport modelling and environmental assessments.

Agreements

- 1.11. Both parties agree that a separate Air Quality Management Strategy is not necessary at this time.
- 1.12. Both parties agree to work together through the preparation of a new local plan for King's Lynn and West Norfolk.

Signatures



Signatures

Stuart Ashworth, Assistant Director, Borough Council of Kings Lynn and West Norfolk (Environment and Planning)