

Sustainability Appraisal Consultation Comments on the SA Scoping Report and SA Report

This paper and table below deals with the consultation comments received for the SA Scoping Report, the SA/SEA Report and also additional HELAA comments made by Dr Andrew Boswell in his report under the LPR Reg.18 consultation.

Section	Consultee	Summary of comments	Officer Response/ Action
1	Natural England	<p>We advise that the SA and SEA are updated to ensure a robust assessment of the environmental effects of plan policies and allocations on statutorily designated sites and landscapes, taking into consideration the findings of the HRA once complete and the advice above.</p> <p>The SA will need to identify appropriate mitigation to address any adverse impacts to designated sites and landscapes and other aspects of the natural environment. Delivery of mitigation measures should be secured through relevant Plan</p>	<p>There will only be an SA of two allocations, the vast majority of the sites have already been SA and gone through the last local plan review process and found sound through rigorous examination. The new allocations will be assessed.</p>
2	West Winch Parish Council	<p>Page 30 para 9.2 Emissions</p> <p>We note that BCKL&WN had the 3rd largest emission increase and that the likely source is authorised development such as the Palm Paper Factory at King's Lynn. Future planning applications which will cause excessive emissions should be refused unless they can be strongly mitigated.</p>	<p>Thank you for your comments etc.</p>

	<p>Drainage/Flooding Any development in the West Winch area must be subject to West Winch and North Runcton Neighbourhood Plan Policies and any relevant drainage authorities' approval/policies. We agree policies should seek to limit growth in vulnerable areas.</p> <p>Paragraph 10.4 Visits to coastal sites already increase year on year. More pressure on the principal corridors of movement due to planned development needs major spatial planning.</p> <p>Paragraph 10.5 West Winch and North Runcton Commons must be protected. The Grazing Commons have their own regulations, but additional protection is needed to protect them as they are historic and mentioned in the Domesday Book. West Winch is a County Wildlife Site. Development needs buffers and adequate greenspace/play areas to ensure protection of historic Commons or they will be at risk and obliterated.</p> <p>Paragraph 11.1.2 Greenfield Development Future development must be on brownfield. Greenfield should be protected for future food growing and climate change mitigation.</p> <p>Paragraph 12.2 Population Density Quote - 'The Borough remains very rural as a result of the low population density...' We need to ensure that density does not overcome our green space and agricultural land which is needed for food production. The rural environment is a necessity for residents' mental well-being and general health. This is also what attracts visitors to West Norfolk.</p> <p>Paragraph 12.3 Household Composition Paragraph 12.8.6 We agree strongly with the need for specialist housing to accommodate an ageing population and provision of housing with care and care homes – these must be included in proposed developments. Bungalows should also be part of a mixed development.</p> <p>LP11 Disused Railway Tracks Policy (Previously DM13) We agree with paragraph 5.6.2</p> <p>LP16</p>	
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		<p>We agree with the STP Estates Group and there should be health impact assessments prior to development. Medical facilities must be included and frequent bus services to Queen Elizabeth Hospital which can then go on to access King's Lynn Town Centre and return.</p> <p>General</p> <p>Air Quality and Noise – Tests should be undertaken on air quality and noise pollution at planning application stage in order not to make conditions worse for existing residents. Mapping</p> <p>Some of the maps have no identity marks on them and individually have no value for consultation.</p> <p>Sustainable Development</p> <p>The Plan needs to look at the actual overall effects of too much development and not just concentrate on statistics.</p>	
3	<p>Mr Craig Barnes</p>	<p>In accordance with Section 19 of the 2004 Planning and Compulsory Purchase Act, policies that are set out in local plans must be subject of a Sustainability Appraisal (SA). Incorporating the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004, SA is a systematic process that should be undertaken at each stage of the Plan's preparation, assessing the effects of a local plan's proposals on sustainable development objectives when judged against all reasonable alternatives.</p> <p>Gladman has reviewed the SA produced in support of the Draft Local Plan Review.</p> <p>Modification</p> <p>Gladman is concerned by the absence of any test within the SA relating to the overall housing requirement and how it might impact on SA objectives in comparison to reasonable alternatives. Whilst the housing requirement of the proposed Local Plan reflects the standard method figure, the adoption of a housing requirement which is higher or lower than that proposed would form</p>	<p>Agreed. This will be included in the SA.</p>

		reasonable alternatives noting guidance within PPG regarding the adoption of higher or lower housing requirements.	
<p><i>This section below deals with Dr Andrew Boswell (CEPP) comments and additionally the comments on the HELAA methodology made also.</i></p>			
4	<p>Dr Andrew Boswell (CEPP)</p> <p>SA Scoping Review Document</p> <p>All Sections Below</p>	<p>4.1 SASR – background – out of date</p> <p>15 SASR is dated 2017 has not been updated for this Local Plan review (LPR) consultation despite several significant changes including the 2018 revision of the NPPF.</p>	<p>4.1- The Scoping Report has been updated now.</p>
5		<p>4.2 SASR – CCadapt, background</p> <p>16 SASR, Page 5 (Part A4) lists “King’s Lynn and West Norfolk Sustainability Appraisal Objectives”. Number 10 is “Minimise vulnerability and provide resilience and adaptation to climate change, taking account of flood risk and coastal change”</p>	<p>Noted</p>

		which relates to <i>CCadapt</i> .	
6		<p>4.3 SASR – CCmitig, background</p> <p>17 SASR, Page 5 (Part A) lists “King’s Lynn and West Norfolk Sustainability Appraisal Objectives”. Number 9 is “Minimise waste production, <i>reduce the use of non-renewable energy sources</i> and support the recycling of waste products” which is <i>CCmitig</i> related.</p> <p>Number 8 is “Reduce pollution that affects the quality of land, air, water or soils, including <i>emissions of greenhouse gasses</i>, noise, light and vibrations” which is also <i>CCmitig</i> related. These are just objectives for the sustainability appraisal, and are not plan policies, as required by law. Further, they are dysfunctional objectives without substantive policies and targets to back them up.</p> <p>18 SASR, Table 1, Page 12 (Part B) provides a summary list of relevant plans and programmes. The SASR says that Appendix 1 provides a more in-depth review of the plans – CEPP review the detail of SASR Appendix 1 later.</p> <p>19 Both Table 1 and Appendix 1 are out-of-date for climate change law, plans and programmes. For SASR Table 1, we now point out the following issues (with the more detailed analysis of SASR Appendix 1 following later):</p> <ul style="list-style-type: none"> • The Kyoto protocol under the UNFCCC is due to finish in 2020 and be superseded by the Paris Agreement then. As the LPR is not due to be adopted until Winter/Spring 	<p>17- Objectives mentioned have been updated and added to; as well as a climate change policy has been added to the Local Plan</p> <p>18- Noted</p> <p>19- Have made all changes which were brought to our attention</p>

	<p>2021, this may be deleted from Table 1.</p> <ul style="list-style-type: none">• The Paris climate conference (COP21) (December 2015) is listed but not the Paris agreement which was signed by the UK on April 22nd 2016. Now also ratified by the UK, the Paris Agreement itself should be listed.• The European Environmental Impact Assessment Directive (2001/42/EC) is listed. Also known as the Strategic Environmental Assessment (SEA) directive 2001/42/EC, this is implemented on UK statute as the Environmental Assessment of Plans and Programmes Regulations 2004. Regulation 12(3)8 and schedule 29 indicate that measures must be developed to prevent, reduce and as fully as possible offset the effects on climatic factors in environmental reports. However, the Sustainability Appraisal does not properly follow the regulations (see later under “SA – SEA Process” section).• The Human Rights Act 1998 is omitted under “NATIONAL”. Environmental plans have the capacity to affect the right to family life and the right to life. The Act gives further effect under UK Statute to rights and freedoms guaranteed under the European Convention on Human Rights which is listed under “INTERNATIONAL”; the UK Act should also be included.• The Government’s Clean Growth Strategy (2017) states Local leadership (see page 118 of report) is crucial in driving down carbon emission. The Government expect local leaders to rise to the challenge and put local carbon targets and strategies in place. The CGS is omitted and should be included with the Government’s expectation	
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	<p>of local leadership aspect noted.</p> <p>Government's 25 Year Plan for the Environment (2018)¹² clearly states that meeting UK obligations under the Paris Agreement is already UK Government climate change policy. This is omitted and should be included.</p> <ul style="list-style-type: none"> • The Planning Act 2008 places a legal obligation¹³ on local authorities to have climate change mitigation and adaptation policies in development plan documents. It is omitted and should be included. • The Planning and Compulsory Purchase Act 2004¹⁴, places a (related) legal obligation on local authorities to have climate change mitigation policies in development plan documents. This is omitted and should be included. • Revised National Planning Policy Framework (2013, revised 2018). The SASR references and quotes the 2012/2013 NPPF which has been superseded. This should be corrected. 	
7	<p>4.4 SASR – CCadapt, baseline</p> <p>20 The SASR (Part C, Baseline Assessment) has a section 9 “Climate Change and Air Pollution”. Sections 9.1.1 to 9.1.3 provides a short narrative which requires considerable updating and expansion on the impacts of Climate Change in West Norfolk.</p> <p>21 The UK Climate Projections (UKCPO9) is referenced. This is 9 years out-of-</p>	<p>20- Updates have been made to sections referenced</p> <p>21- Narrative has been updated as well as adding new maps which is deemed appropriate</p>

		<p>date as the UKCP1815 was published in late 2018. The narrative at 9.1.1 should be updated, and figure 14 replaced. Data provided at https://www.metoffice.gov.uk/research/collaboration/ukcp/key-results will help. A much more detailed baseline assessment should be provided based on this for West Norfolk.</p>	
8		<p>4.5 SASR – CCmitig, policy framework</p> <p>22 The SASR under section 9 and Part D does not recognise that the UK has ratified the Paris agreement which has long-term goals to limit global temperature rise to “<i>well below 20C</i>” and to “<i>pursue efforts towards 1.50C</i>”. This is a crucial omission, and the UK ratification of the Paris agreement is also not reflected in SASR Appendix 1 – see below).</p> <p>23 Section 9.1.3 refers to the Climate Change Act 2008 (CCA) but is out of date, and incorrect, in several respects – also crucial omissions. The CCA does reflect a first principle of Government policy on climate change that has been consistent over many years and across several different governments, namely that the UK should commit to making an appropriate contribution to restricting planetary overheating to a globally agreed temperature limit.</p>	<p>22- Change has been made</p> <p>23- Change has been made</p> <p>24- Detail on this section has been added</p> <p>25- A new climate change policy has been added.</p> <p>26- Noted and narrative has taken note of this.</p> <p>27- Change has been made</p> <p>28- Updated where necessary</p>

	<p>Before the Paris Agreement 2015¹⁶, this global temperature target was 2oC.</p> <p>Where the SASR says “as little as possible above 2°C”, this is incorrect even historically as the temperature target was 2oC. Following the Paris Agreement, the target has become the more challenging 1.5°C and “well below” 2°C (see Paris Agreement Article 2, 1 (a)17, “Long-term temperature goal”). SASR 9.1.3 should be corrected to reflect this UK obligation under the Paris Agreement.</p> <p>24 Note, the UK Committee on Climate Change (CCC) are due to deliver advice to the UK Government on May 2nd 2019 on reviewing the UK emission reductions targets in response to the Paris agreement, and the Intergovernmental Panel on Climate Change (IPCC) 2018 report on meeting the global 1.5oC temperature target. Later, further consequential advice on revised UK carbon budgets can be expected – see Appendix B. This should be noted under section 9.1 along with any detail that is available (eg: UK net-zero target).</p> <p>25 As NPPF2 149 requires alignment with CCA 2008 in plan making (see below), it is essential to know the latest CCA targets and budgets at each subsequent step in the Local Plan review. It is also essential that the Local Plan contains a Climate Change policy, and Borough targets for each emissions sector (industry, domestic, transport and LULUCF), along with carbon footprinting and forecasting of Local Plan options.</p>	<p>29- The Local Plan has now got a specific climate change policy</p>
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None of this exists yet, and the Local Plan is consequently not fit for Regulation 18 consultation.

26 The Climate Change Act is mentioned in the SASR but not in the detail of its requirements. The narrative should take into account the consequences of the IPCC Special Report, and CCC advice to Government as above. In particular, the implications of the report from the CCC to Government on resetting the CCA targets, due May 2nd 2019, should be considered for a re-run Regulation 18 consultation which is necessary for legitimacy, and later the Pre-Submission publication and Regulation 19 & 20 consultation.

SASR 9.1.3 should be altered to reflect this, and the next issue of the SASR should specify any UK Government changes to the Climate Change Act targets recommended and enacted as a result (see Appendix A and B).

27 Section 9.1.4 refers to an old version of the NPPF which was replaced in July 2018. The SASR does quote:
“Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions ...”
The revised NPPF (NPPF2 148) states in summary:

“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help

to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”

Despite the quote, shaping places “*to secure radical reductions in greenhouse gas emissions*” is completely ignored in the rest of the Local Plan. So, using the quote as part of the policy framework of the plan is, unfortunately, a meaningless gesture.

28 SASR 9.1.4 requires updating against the revised NPPF (“NPPF2”) adopted July 24th

2018. NPPF2 refers to reducing carbon emissions within the local plan making process

in several places. These are extremely crucial given the findings of the IPCC special

report on 1.5oC which are explained in overview in a later section. They need to be

interpreted via the SASR and the Sustainability Appraisal itself to meet the IPCC recommendations of deep emission cuts by 2030 or before (and revised UK Climate

Changed Act targets and budgets when these are available). Key ones are:

- “The planning system ... should help to shape places in ways that contribute to *radical* reductions in greenhouse gas emissions ...”, NPPF2 148

- “Plans should take a *proactive* approach to mitigating and adapting to climate change .. in line with the objectives and provisions of the Climate Change Act 2008.”, NPPF2 149 and footnote 48

- “New development should be planned for in ways that:

...

- b) can help to reduce greenhouse gas emissions, such as through its location,

	<p>orientation and design.”, NPPF2 150</p> <p>29 Having quoted the NPPF, the SASR, SA and Local Plan must contain a Climate Change policy for both <i>CCadapt</i> and <i>CCmitig</i>, along with necessary targets and monitoring as described elsewhere, to comply in any legitimate sense, particularly with NPPF 149.</p>	
9	<p>4.6 SASR – CCmitig, baseline assessment</p> <p>30 SASR Section 9.2.1 reports on large emissions increases in the borough between 2005 and 2013 based on DBEIS data, formerly known as National Indicator 186 data¹⁸. This data is out-of-date, and CEPP reproduce here first the per-capita emissions data between 2005 and 2016 - the latest data¹⁹ available to date. The data is available from the government each June, and the data to 2017 (available June 2019) should be used for the re-run of the Regulation 18 consultation. (The data in the current SASR will be 4 years out-of-date that point).</p> <p>The latest available data for per-capita carbon footprint is plotted below for BCKL&WN, the whole of Norfolk and nationally, and for the two other Norfolk urban areas: Great Yarmouth and Norwich (other Norfolk DCs removed for clarity of graphing).</p> <p>31 The above first graph shows that per-capita emissions in the borough have decreased since a peak in 2010 on the NI 186 data. Note, this data does not include the</p>	<p>30- Emission data has been updated to the latest evidence available once writing this report.</p> <p>31-35- Data presented has been much appreciated and has been reflected on in our own interpretation and graphs/maps in the report. Analysis has also been given to highlight emission data which is publicly available to address</p> <p>37- Agree with the comments. Climate change policy is being developed.</p>

	<p>emissions of residents from aviation, shipping and consumption of imported goods: these are difficult to determine²⁰. The most accurate carbon footprint is obtained by including these, and with possible increases in some of these sectors over the period, for example in aviation use and consumption, the real carbon footprint²¹ is unlikely to have decreased to this extent shown on the graph.</p> <p>32 Next the absolute emissions (in KtCO₂eq) are graphed by sector for the timespan.</p> <p>33 The above graph shows the major impact of industrial and commercial emissions in the Borough as noted in the SASR.</p> <p>34 And now, the per capita emissions are broken down by top-level emission sectors for 2016 and shown below for all Norfolk DCs, Norfolk and nationally.</p> <p>CEPP suggest that greater detail in reporting on the BCKL&WN carbon footprint, such as the above, should be included at SASR 9.2, along with greater analysis as below.</p> <p>35 The BCKL&WN per capita emissions are much higher than 1) national and Norfolk averages, and b) even further above the other Norfolk areas with a large urban centres – Norwich and Great Yarmouth.</p> <p>36 This confirms, as noted elsewhere in the LPR (for example, in the Sustainability</p>	
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Appraisal, page 84 – “Greenhouse gas emissions from the Borough are contributing to climate change, and are higher than the national average”), BCKL&WN emissions are significantly greater than the national average. **Given the high emissions in the Borough, it is of even more concern that a Climate Change mitigation policy does not exist, notwithstanding the unlawfulness of this.**

37 The graph shows the key reasons why:

- Industrial and commercial emissions are significantly higher than anywhere else in

Norfolk or the national average.

- Transport emissions are 3rd highest in Norfolk, and no significant change has occurred since 2005 (see absolute sector emissions graph)

- Domestic emissions are 2nd highest in Norfolk (although the quantum of difference

with other Norfolk areas is not great)

- Land use and land use change and forestry (LULUCF) emissions are 0.39 tonnes of

CO₂eq per person where most of Norfolk is negligible or negative (Breckland), and the national average is -0.25 tonnes.

- o There is a very technical issue relating to the LULUCF emissions which is as follows. DBEIS use a “global warming potential (GWP)” conversion factor for methane of 25 to turn methane emissions into CO₂ equivalents²². This factor is taken from the Intergovernmental Panel on Climate Change (IPCC)’s fourth assessment report for over a 100-year period. However, methane causes more planetary over-heating on shorter-time scales, and the factors have been updated at the IPCC fifth assessment report for methane as 34 for 100 years, and 86 for 20 years²³ (the higher figure reflecting the greater danger of methane in the short-term). 86 is 3.44 times higher than 25.

		<p>o If calculated for its impact over a 20 period, the per-capita LULUCF footprint in 2016 would be 1.35 tCO₂eq rather than 0.39 tCO₂eq (assuming the LULUCF is entirely composed of methane²⁴). Using a 20-year scenario, LULUCF can then be seen to be, for example, around half the 2016 percapita footprint of transport in the Borough, indicating the seriousness of the LULUCF issue.</p> <p>38 The Climate Change policy for the plan must include branches to deal with each of these sectors. The most immediate wins in carbon reduction may be achievable in the industrial and transport sectors. LULUCF emissions are unique to the Borough in Norfolk, and as highlighted above, more dangerous than they may at first appear from the NI 186 data: these are discussed below.</p>	
		<p>4.7 SASR – LULUCF emissions, a unique BCKL&WN issue in Norfolk</p> <p>39 Further analysis of the NI 186 data shows that there has been a minimal reduction in BCKL&WN LULUCF emissions between 2005 and 2016 (2005: 60.4KtCO₂eq, 2016: 59.6KtCO₂eq, 1.36% reduction over period) against a 21% reduction nationally.</p> <p>BCKL&WN have not stepped up to the challenge of protecting the peatland in its area, despite warnings on this nearly a decade ago²⁵ when Natural England published a report “<i>England's peatlands: carbon storage and greenhouse gases</i>”²⁶ which assessed the potential carbon savings that widespread peatland restoration could deliver and evaluated the economic costs and benefits. East Anglian fens were highlighted in</p>	<p>39 to 44- This is out of scope from our planning control.</p>

		<p>the report for restoration, see map below, and noted for being degraded (see Map 7 of report²⁷) and for having greenhouse gas emission hotspots (see Map 9 of report²⁸).</p> <p>40 Note also the map below from page 19 of the 2018 report from DBEIS of national LULUCF emissions²⁹ by local authority area: BCKL&WN is not such a high (shade of) emitter as its fenland neighbours, but only because it's area of fenland is relatively smaller.</p> <p>41 The issue of peatland emissions needs to be addressed urgently by BCKL&WN for these reasons:</p> <ol style="list-style-type: none">1. The primary gas emitted is methane not carbon dioxide, and it is a much more powerful greenhouse gas particularly in the short-term³⁰, as discussed above: methane emissions are rising faster than carbon dioxide, and scientists do not fully understand why, and this threatens any chance of meeting the Paris temperature targets³¹.2. As above, the planetary overheating impact of the methane component of LULUCF is 3.44 higher than the NI 186 data suggests when considered over a 20-year period.3. Whilst LULUCF emissions currently appear as a small percentage of BCKL&WN carbon footprint, as the Borough reduces emissions in other sectors (for example industrial, domestic and transport), then a constant LULUCF sector footprint becomes an increasingly large percentage share of the total BCKL&WN footprint over time.	
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	<p>BCKL&WN have a source of known methane emissions and should address this urgently in the plan. It should be highlighted in the SASR baseline: the data presented here is a starting place for a baseline analysis.</p> <p>42 LULUCF analysis and solutions have been proposed for a while, for example by Natural England 2010 report. See also: RSPB and Cranfield University (2009)³², Girkin, Nottingham University³³, Natural England National Character areas (2014)³⁴.</p> <p>43 It is particularly worth noting the late 2018 “<i>Carbon farmer</i>” film³⁵ – “<i>Farming for carbon means that wet agricultural land which has traditionally been regarded as ‘difficult’... is instead transformed into prime carbon farmland which also provides multiple benefits for the whole of society</i>”.</p> <p>44 LULUCF emissions are noted as a critical issue in UK decarbonisation plans by the Committee of Climate Change. In 2018, they published the “Land use: Reducing emissions and preparing for climate change” report³⁶ in which they advise the UK Government to take urgent action on peatland restoration and low carbon farming practices. Further, the IUCN have a UK Peatland Strategy 2018-2040³⁷</p> <p>BCKL&WN are ideally placed, along with their fenland neighbouring councils, to be a leader in reducing their LULUCF sector emissions and should start planning for this in the Local Plan Review.</p>	
10	4.8 SASR - Analysis and Identification of Sustainability Objectives	45- Noted

		<p>45 Part D/section 13 provides a summary of sustainability issues. On page 67, Sustainability Appraisal Objective 8 is given as “<i>Reduce pollution that affects the quality of land, air, water or soils, including emissions of green-house gasses, noise, light and vibrations.</i>” On the same page, it is noted “<i>Sharp rise in emissions within the Borough since 2005</i>” (this is repeated on page 77).</p>	
11		<p>4.9 SASR Context – local leadership</p> <p>46 The government’s Clean Growth Strategy³⁸ (CGS) is not mentioned. pp 118 – 119 of the CGS should be noted in the SASR context as it lays out the government’s view of local authority involvement in reducing emissions. Note, for example, the following: “<i>Moving to a productive low carbon economy cannot be achieved by central government alone; it is a shared responsibility across the country. Local areas are best placed to drive emission reductions through their unique position of managing policy on land, buildings, water, waste and transport. They can embed low carbon measures in strategic plans across areas such as health and social care, transport, and housing.</i>”</p> <p>...</p> <p><i>Local leaders are already rising to the challenge and putting local carbon targets and strategies in place.</i>”</p> <p>47 Two key aspects, in the above quote, are not recognised in the SASR. First, that central government requires local authorities to share responsibility. This means that per-capita emissions reductions in the BCKL&WN area can no longer result</p>	<p>46- The Clean Growth Strategy has been mentioned in Appendix 1</p> <p>47- Reduction measures are placed within the local plan and addressed in the climate change policy</p> <p>Local Authorities nationally have sought advice on the question of local authorities having a legal obligation to set carbon reduction targets. There is a requirement to achieve national carbon reduction targets which lies with the Secretary of</p>

		<p>from national policy alone. Local areas are best placed to make local specific emission reductions shaped through their own policy, planning and decision making. They should pro-actively embed emission reductions measures into strategic plans, as required by law since 2008.</p> <p>Second, that local leadership implicitly requires putting local targets and strategies in place. Local targets require properly understanding carbon baselines and then projecting them into the future strategic planning options – this requires carbon foot printing to be performed at an appropriate level at each stage of plan making. This is discussed further below under the legal obligation on Councils to plan for local climate mitigation in development plans.</p>	<p>State. There is a broad requirement to set local plan policies which are designed to secure a reduction in carbon emissions locally to contribute to national targets. However, setting local targets are not a legal obligation.</p>
12		<p>4.10 SASR Context – latest advice to Government from CCC, transport emissions 48 The January 2018 CCC response to the Clean Growth Strategy³⁹ recommends a 44% reduction in transport emissions between 2016 and 2030 to help bridge the policy gap shortfall (soon to be an outdated underestimate) to the UK carbon budgets up to 2030. Whilst it is a national recommendation by CCC, there is a local responsibility to respond and help meet Climate Change Act targets</p> <p>4.11 SASR Context – legal duties 49 No mention is made in the SASR of the legal obligation on local authorities to</p>	<p>48- Noted</p> <p>49- This has been updated</p> <p>50- New reports on climate change have been incorporated into the scoping report</p> <p>51-55 The Borough</p>

	<p>have climate change mitigation policies in development plan documents under Planning Act 200840. This is also enshrined at Planning and Compulsory Purchase Act 2004, section 1941.</p> <p>The borough council should take note of the legislative intention when this was introduced into the Planning Act 2008 – the ministerial statement⁴² is reproduced in the footnotes.</p> <p>⁵⁰ The 2016 TCPA report⁴³ “Planning for the Climate Challenge? Understanding the Performance of English Local Plans” describes the duty as “<i>a powerful outcome-focused legal duty on LPAs and signals the clear priority to be given to climate change in the plan-making process</i>” Unpublished legal advice for the cross-sector TCPA Planning and Climate Change Coalition⁴⁴ has confirmed that the duty requires that local plans ‘must’ have robust climate change policy on climate mitigation and adaptation.</p> <p>A further report from the TCPA and RTPI⁴⁵ in May 2018, at section 2.2.1 spells out what is required:</p> <p><i>“For the sake of clarity, this means that local plans should be able to demonstrate how policy contributes to the Climate Change Act target regime, and this, in turn, means understanding both the baseline carbon dioxide emissions and then the actions needed to reduce emissions over time – which, in turn, means that annual monitoring reports should contain ongoing assessments of carbon performance</i></p>	<p>Council are working on an agreed phased approach to the council's climate change work begins with developing a corporate emissions baseline for the council (phase 1) and then focusing in detail on the districts emissions bubble and how the council can influence this (phase 2). This climate change policy contributes to this phase 2 work. The borough council is in the process of developing an overarching climate change policy and separate strategy and action plan for its corporate emissions. Following the work, phase 2 will properly begin, building upon previous work to look into and tackle district emissions.</p>
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against the Climate Change Act target.”

51 Following the release of the IPCC Special Report, the TCPA reiterated this, stating that:
“[l]ocal government must also act now to ensure all its plans have clear carbon reduction targets. Any plan which does not have a target is clearly in breach of the NPPF.”

52 This means, in practice, that Councils must demonstrate a thorough understanding of emissions in their area. The simple flow below, developed by CEPP, through the steps of plan making illustrates what is required, and the support of carbon footprinting for decision making at each stage:

1. Develop baseline CO2 emission model for area, requiring:
 - _ rigorous, cost-effective, fit-for-purpose, carbon footprinting
2. Identify factors and actions needed to shape emissions reductions:
 - _ carbon forecasting against policy/strategy options using carbon footprint models developed at 1 at sector level
3. Quantify how policy options contribute to the CCA targets:
 - _ select options against forecasts developed at 2 with weight/priority applied to emission reductions clear in decision making
4. Provide serious and informative annual monitoring
 - _ monitor against carbon footprint forecast at suitable level of detail, risk strategies to respond to under-delivery.

53 Cursory reference is made to NI186 data in the SASR as above. This provides a minimal overview measure of the carbon footprint across the population (including a

		<p>per-capita figure); however, it is not the absolute population footprint as emissions from consumption of imported goods (where emissions are generated in the producing country such as China), shipping and flying are not included in this data.</p> <p>54 Carbon targets and foot printing have been carried out by several authorities: for example, Greater Manchester has used the BEIS-funded SCATTER model to set a 2038 net zero target and design a policy framework to meet that target⁴⁶. The tool was been piloted on 5 UK Core Cities and is now ready to roll out across all local authorities: free demonstrations are available at the SCATTER website⁴⁷.</p> <p>55 A key recommendation from CEPP is for BCKL&WN to undertake carbon targets and foot printing exercise, based on the BEIS-funded SCATTER model. This should be carried out before a re-run of the Regulation 18 consultation.</p>	
13		<p>4.12 SASR Context – SEA regulations compliance</p> <p>56 The requirements within the SEA regulations for how environmental statements are written are not referred to in the SASR, nor are they followed. The SEA regulations are implemented as the Environmental Assessment of Plans and Programmes Regulations 2004 (“the Regulations”) on the UK statute⁴⁸.</p> <p>57 Regulation 12 (3) ⁴⁹ states: <i>“The report shall include such of the information referred to in Schedule 2 to these Regulations as may reasonably be required, taking account of—</i> <i>(a) current knowledge and methods of assessment;</i> <i>(b) the contents and level of detail in the plan or programme;</i></p>	<p>Comments are noted and taking on board.</p> <p>The scoping report update has addressed changes since the previous submission, including new added programmes and papers which have been read and taken on board for addressing LPR policies through the plan and also for the baseline data. The</p>

	<p><i>(c) the stage of the plan or programme in the decision-making process; and (d) the extent to which certain matters are more appropriately assessed at different levels in that process in order to avoid duplication of the assessment.”</i></p> <p>58 Schedule 2 “Information for Environmental Reports” 50 contains the following: <i>“5. The environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation.</i></p> <p><i>6. The likely significant effects on the environment, including short, medium and long-term effects, permanent and temporary effects, positive and negative effects, and secondary, cumulative and synergistic effects, on issues such as—</i> ... <i>(i) climatic factors;</i> ... <i>(m) the inter-relationship between the issues referred to in sub-paragraphs (a) to (l).</i></p> <p><i>7. The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme.</i></p> <p><i>8. An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.”</i></p> <p>59 The Regulations relate to the previous sections and the identified need for a quantitative, carbon footprinting approach as follows:</p>	<p>scoping report has addressed change in the decision making for the local plan by modifying and adding new SA objectives and taking these on board for further assessment of the rescoring of policies and sites and incorporating change and current knowledge into our new climate change policy.</p>
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		<ul style="list-style-type: none">• Schedule 2, (5) - environmental protection objectives include all the legislation outlined above including Paris Agreement, Planning and Compulsory Purchase Act 2004, Climate Change Act 2008 and targets and budgets therein.• Schedule 2, (6) (i) – the likely significant effects on climatic factors. The IPCC Report makes clear the effects, both globally and locally, of delaying action on reducing emissions. Emissions associated with options for the BCKL&WN Local Plan review must be quantified to understand the effects.• Schedule 2, (7) - measures envisaged to prevent, reduce and as fully as possible offset the effects on climatic factors. For the BCKL&WN Local Plan review, this must be gauged by assessing the carbon footprint of different options.• Schedule 2, (8) - must include numerical (ie carbon footprint) information on options and make clear the weight applied to it within decision making (ie selecting a preferred option). Technical deficiencies, for example in accuracy of carbon appraisals has not been identified as they do not yet exist).• Regulation 12 (3)(a) – for transport sector emissions, the Borough have the technical ability and expertise to provide a quantitative assessment of the impacts on carbon dioxide emissions as there already exists a well-developed transport model at Norfolk County Council. For other sectors, carbon modelling tools, such as SCATTER, are available and used by other Councils. LULUCF emissions need to be dealt with separately too as described above.• Regulation 12 (3)(b) – there should be sufficient information in different BCKL&WN Local Plan review spatial options including growth locations, housing projections, related transport infrastructure for carbon footprints of options to be modelled within a system such as SCATTER.• Regulation 12 (3)(c) – as PCPA, section 19 requires climate change mitigation	
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		<p>policy which understands the actions needed to reduce emissions in development plans, the BCKL&WN Local Plan review options stages are the appropriate decision-making place for carbon footprint appraisal. As the Regulation 18 consultation has already selected Option 2A, the whole Regulation 18 consultation needs to be re-run with the outputs of carbon footprint and forecasting of options in the decision making and sustainability appraisal process. The consultation then needs to be re-run.</p> <ul style="list-style-type: none"> • Regulation 12 (3)(d) – currently no quantitative assessment of climatic factors is made in the BCKL&WN Local Plan review process so far, so there is no risk of duplication. <p>60 Overall, there is a lack of quantification of carbon emissions in the BCKL&WN Local Plan review process. This may result potential legal failure to comply with the regulations and should be remedied by provide the necessary carbon footprinting and re-running the Regulation 18 consultation.</p> <p>61 Our key recommendation is that BCKL&WN develop a plan Climate Change policy, supported by proper baseline carbon appraisal, and carbon footprinting and forecasting projections of options in the Local Plan review.</p>	
14		<p>4.13 SASR – Projected Baseline</p> <p>62 No projected baseline is given for carbon emissions in the SASR at section 9. It is suggested that a statement such as the following required:</p> <p><i>“The Local Plan review policies will be in-line with the Government’s greenhouse gas emissions reduction plan(s), Climate Change Act targets and budgets: this will</i></p>	<p>This section has been taken on board and amended. Baseline data and carbon emissions have been detailed where appropriate to set out the current situation and up</p>

		<p><i>ensure that the Borough makes a fair contribution to the UK's obligations under the Paris agreement.</i></p> <p><i>A baseline carbon footprint has been developed. Carbon budgets and footprints have been forecast for the plan options, and the selected option demonstrates the best emissions reduction. The carbon budgets and footprinting will be set across all sectors at a whole population level for the selected option, and will be monitorable, and reported on an annual basis. As well as radical emission reductions in all sectors (transport, domestic, and industrial), special attention will be given to the agricultural sector given the Borough's placement in the Fens which contributes to dangerous methane emissions from peat (ie: LULUCF sector emissions). Plan options are selected based on meeting the overall alignment with national policy and plans as above, through the sustainability appraisal.</i></p> <p><i>The plan includes a Climate Change policy, and carbon reduction policies under other policies relating to encouraging a transport modal shift from cars to public transport, renewable energy provision, including on-site renewable energy standards in new developments, and energy efficiency standards for both domestic and commercial developments in the Borough.</i></p> <p><i>The Borough has a serious mission to take local leadership and control over emissions in the Local Plan review area as required by the wider policy emergency to reduce carbon emissions rapidly by 2030, or earlier, following the UN IPCC science report on 1.5oC global warming."</i></p>	<p>to date figures on our borough's emissions; along with text referring to the climate change act targets and other necessary information.</p> <p>It is worth noting that the high emissions which come from LULUCF sector emissions are related to authorised development which is out of our scope of influence for the new plan and new development.</p> <p>We acknowledge the part we need to play at the local plan level and have added a climate change policy to draw together movement into reducing emissions where is feasible and very much encourage and support all new development which will go above and beyond national targets and requirements.</p> <p>Policies have been</p>
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			<p>amended and adapted to address such comments in relation to on-site renewable energy standards including the Merton Rule which is placed in the new CC policy.</p>
15		<p>4.14 SASR Appendix 1: Omissions and updating required</p> <p>63 Appendix 1/page 78 provides a table of relevant plans, policies, programmes and sustainability objectives</p> <p>64 It should be noted that the purpose of this table is to show how the SASR of the Local Plan review meets the Strategic Environmental Assessment (SEA) directive 2001/42/EC article 5, annex I (e) requirements. The SEA regulations are implemented as the Environmental Assessment of Plans and Programmes Regulations 2004 (“the Regulations”) on the UK statute⁵¹.</p> <p>So, the purpose of this appendix in the SASR is to review the environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan, and the way those objectives and any environmental considerations have been taken into account within the Local Plan review. Therefore, the legitimacy of the Local Plan review depends upon it being up-to-date and correct:</p>	<p>63 to 65- Changes that were necessary have been amended</p>

		<p>currently it is not.</p> <p>65 The table of the next page provides issues that require updating and greater precision within the table. Of course, this is just the starting place, having performed the corrections, the implications of the table need to be rippled through the Sustainability Appraisal and then the Local Plan review document itself.</p>	
16		<p>67 SA 2.3 on PDF pages 9 and 10 lay out that BCKL&WN propose a hybrid SA and SEA.</p> <p>SA 2.3.1 notes the obligation of BCKL&WN to undertake a sustainability appraisal with each of its development plan documents under PCPA 2004. However, the SA fails to note the obligation⁶² to have climate change mitigation and adaptation policies in development plan documents under PCPA, section 19 and Planning 2008 Act, as described above.</p> <p>SA 2.3.2 notes that a SEA is required, and SA 2.3.3 that the SEA has been “integrated into” the SA. SA 3.1.3 states “.. the key tasks for the SA are to assess the long term social, environmental and economic effects of the Local Plan review’s policies”.</p> <p>SA 3.1.4 notes the SA seeks to incorporate the requirements of the EU SEA Directive. ⁶⁸In a section above, “SASR Context – SEA regulations compliance”, CEPP give a more detailed description of SEA regulations compliance which should be applied here, using the UK Statute version (Environmental Assessment of Plans and Programmes Regulations 2004 – the “Regulations”). CEPP lay out how the Regulations should be satisfied. Currently they are not, as described above, and summarised below. ⁶⁹Although impacts of climate change (CCadapt)</p>	<p>Noted comment made here. As stated previously, a climate change policy has been added to the local plan.</p>

		<p>may be covered in passing, no evidence at all is provided that the SEA assessment considers climate mitigation (CCmitig) factors, although Schedule 2, 6(i) “climate factors” requires it. This is not surprised as a pre-requisite is a baseline carbon footprint and projects for the options, and this has not been developed by BCKL&WN.</p> <p>These clauses of the Regulations have not been satisfied, as laid out above in the SASR section: •Schedule 2, (6) (i) •Schedule 2, (7) •Schedule 2, (8) •Regulation 12 (3)(a) •Regulation 12 (3)(b) •Regulation 12 (3)(c) •Regulation 12 (3)(d)</p> <p>70As well as the specific issues, CEPP lay out in our SASR critique above, these issues relate: •Assessing long term environmental effects is not possible without a baseline carbon footprint across all sectors, and with forecasting projections of it against each plan option. •Given the Climate Emergency, assessment of short-term environmental effects is also required: with carbon emissions, targets are required for each sector, and monitoring should be reported annually. As above, this is required for compliance with PCPA, section 19. •A Climate Change policy is required, under PCPA, section 19, covering both CCmitig and CCadapt: it is missing from the Local Plan review making it unlawful.</p>	
17		<p>The SA methodology from SA pages 10 – 24 (PDF) is completely invalidated by these omissions. As there is no Climate Change policy, and crucially no scoring related to the measurable carbon emission reductions of various options, the requirements of PCPA are not met.</p> <p>The entire methodology needs to be reworked once a Climate Change policy with sector emission targets are in place, with baseline carbon foot printing and forecasting of the various options. CEPP’s key recommendation is that this is carried out and the Regulation 18 consultation is re-run when it has been.</p>	<p>Comments have been taken on board.</p> <p>Baseline data and emissions within the borough led to the development of updating the SA objectives and creating a climate change policy.</p>

			<p>The SA Objectives and Site Sustainability factor have both added new and further detail in reference to climate change. The scoring has been redone for the policies, new polices, and sites within the plan to take on board the new objectives and climate change factor to address such matters as what is reasonably expected.</p>
18		<p>SA - Housing distribution options</p> <p>72SA, pages 37 – 45 (PDF) sets out the 6 housing distribution options. Option 2A A10 & Rail Line Growth Corridor is the preferred option, and this is justified on a score of +13 by the SA methodology. This option is taken forward to policy LP01 in the Local Plan review.</p> <p>73The scoring on page 44 (PDF) is a very gross mechanism. As far as climate change is concerned, it is not fit-for-purpose and a much more precise assessment of likely carbon emission trajectories of each option is required, and should be carried out under the Regulations Schedule 2, (6) (i) as above, and by provision of a Climate Change policy under PCPA, s19. This can only be underwritten by a carbon foot printing and forecasting exercise.</p> <p>74On page 45 (PDF), a blurb on Option 2A is given with no mention of its effect of</p>	<p>The key point here is that the sustainability scores give an indication for the decision maker about the impacts of particular scenarios. Sustainability is not entirely about climate change, it balances economic, social and environmental considerations for particular localities. All options have been re-scored, including against</p>

		<p>carbon emissions. For spatial strategy and housing distribution, transport sector emissions will be the most key factor, particularly in this option which depends upon the “A10 corridor”. As described above, the onus is on BCKL&WN to provide evidence that this option is the most effective in reducing overall carbon emissions, and particularly transport carbon emissions. No attempt has been made to do so.</p>	<p>a new climate change objective.</p>
19		<p>A - Plan Impact on Key Sustainability Issues</p> <p>75CCadapt is dealt with the first row in the Table on page 82 (PDF) “Impending climate change and issues associated with it”. The statement “Climate change is anticipated to Page 28 continue” is a complacent, under-statement in the face of Climate Emergency. Other aspects of CCadapt are covered equally superficially in subsequent rows.</p> <p>76CCmitig is dealt with in the first row of SA page 84, as follows:</p> <ul style="list-style-type: none"> •Issue: Greenhouse gas emissions from the Borough are contributing to climate change and are higher than the national average. •With no plan: The Borough’s contribution to greenhouse gas emissions is likely to increase, notwithstanding the policies in the Plan and NPPF to attenuate this. •With plan: The Plan is unlikely to have a major effect on emissions. It does provide criteria for the siting of renewable energy generators, and reductions in journeys and traffic are considerations informing the choice of policies. <p>The highlighted statements are a stark reflection of the fact that the Local Plan has no climate change policy. The NPPF requires that the plan should be having a major effect on emissions by shaping places to create radical reductions in emissions (as above, NPPF2 148 and 149). These also amount to a statement that the plan is completely contrary to the requirement for such a policy under PCPA, section 19, and renders the plan unlawful.</p> <p>This also does not satisfy the SEA Regulations as set out above in the section</p>	<p>The GHG contribution of new development may contribute partly to the issue of climate change. However, new development can and will play less of a contribution than current development which is already authorised and built. This issue is where the new climate change policy goes on to support and encourage retrofitting of current development to improve their own emissions output as a building and something which can be addressed outside of the local plan predominantly.</p> <p>The issue of large emissions within the</p>

		<p>“Sustainability Appraisal (SA) & Strategic Environmental Assessment (SEA) & Methodology” 77Other aspects of CCmitig are covered equally superficially in subsequent rows, such as renewable energy.</p>	<p>borough links back to a previous comment made on the baseline data and the percentage by the Land Use Land Use Change Forestry (%) which is high and also taking place within lawful development which is out of the scope of our control within the local plan.</p> <p>The baseline data and such climate change issues led up to a process of amending the local plan to incorporate the climate change policy.</p>
20		<p>SA – Monitoring 78SA page 91 states (objective 9): Not feasible to monitor emissions of greenhouse gases use associated with planned development or to compare this with that associated with the same quantum of development with alternative forms or sites. The plan, in any case, a minor factor compared to wider trends</p> <p>79This is contrary to the requirement for a climate change mitigation policy, with appropriate monitoring, under PCPA, section 19.</p> <p>80Monitoring of CCadapt, with respect to flooding, is covered to some extent under objective 11.</p>	<p>We have taken this on board and as mentioned previously actions have been put in place for a CC policy.</p>

21		<p>.5SA – SEA Process</p> <p>81On page 98 (PDF), item 6, the SEA regulation 12 is covered by: 6. The likely significant effects on the environment, including short, medium and long-term effects, permanent and temporary effects, positive and negative effects, and secondary, cumulative and synergistic effects, on issues such as— ... (i) climatic factors; is specified (in a slight variation in format).</p> <p>82As CEPP have stated above, this has not been demonstrated in the SA document for levels of carbon dioxide emissions, methane emissions, and mitigation of them (CCmitig).</p> <p>83This is greatly concerning given that the IPCC Special Report on 1.5oC makes clear the effects, both globally and locally, of delaying action on reducing emissions. Emissions associated with options for the BCKL&WN Local Plan review must be quantified to understand the effects to comply with the regulation. This has not been done.</p> <p>84As above, CEPP recommend that a climate change policy is developed with carbon footprinting and forecasting against plan options to remedy this and ensure compliance with the SEA regulations. The Local Plan should then be reconsulted on at Regulation 18.</p>	<p>Taken this into account.</p> <p>In relation to the climate change policy, a climate change and sustainability statement has been proposed for certain development to address 5 questions on such issues including climatic matters. This is a way this local plan is approaching the idea of a sustainability toolkit which can help developers, planners and the public to follow guidance which can help encourage better and greener decisions in planning development.</p> <p>It will allow developers and new/old development to take on board</p>

			<p>guidance on design, flood risk, adaptation and mitigation measures in accordance with national and local policies to improve the emissions of the building as well as the overall local emissions output.</p> <p>By bringing this into action will be a step into the right direction for all to take on board what could be done more in new developments and allows people to think of what actions could be addressed in their design.</p>
22		<p>SA – sections not covered</p> <p>85SA Section 4 from PDF page 26 to 36 appraises policies. Very little meaningful narrative results from the numbers and the graphs displayed, and no further comment is made here.</p> <p>86SA Section 5 on individual policies from PDF page 37 to 81: CEPP has only considered policy LP01 so far, some other relevant policies will be examined in the next section.</p> <p>87SA Section 10 on Individual Site Allocations and Settlement Based Policies:</p>	Noted.

		CEPP is not considering these in this submission.	
23		<p>LPR – Strategic objectives</p> <p>88Objective 14 on PDF page 15 is “West Norfolk is meeting the challenges of climate change and reducing or mitigating carbon emissions.”. Given the lack of genuine engagement with carbon reduction outlined above for the SA and SASR these words are clearly meaningless and intended for marketing purposes.</p> <p>89Objective 15 on PDF page 15 is “Public transport has improved, and people are increasingly reliant on sustainable modes of transport and less reliant on the motor car to access places and services.”. LP12 the transportation policy does not describe how this will be achieved, as below – it appears to be a unicorn aspiration.</p> <p>90There is no objective relating to peatland and agriculture (and LULUCF emissions). An objective should be added to tackle methane emissions from peat by engagement with agricultural community, neighbouring Fenland councils, and national bodies such as Natural England and IUCN (see references under “SASR – LULUCF emissions, a unique BCKL&WN issue in Norfolk” section), and developing techniques such as “carbon farming”, described above.</p>	<p>Intention of the strategic objectives are to indicate the success of the vision set for the local plan and where we plan to be by 2036.</p> <p>The strategic objectives are incorporated throughout the local plan policies as to how set policies take on board and can address the strategic objectives set at the start of the local plan.</p> <p>We note the comments made.</p>

HELAA Methodology comments- additional section from the SA/SEA Report by CEPP Dr Andrew Boswell

<p>Dr Andrew Boswell</p> <p>1</p>	<p>2016 consultation for Norfolk wide HELAA methodology</p> <p>112Under the Duty to Co-operate, Norfolk councils proposed to use a consistent methodology for producing HELAAs across all the planning authorities in Norfolk. North Norfolk District Council was responsible for hosting the consultation in 2016, collating the responses and publishing the final HELAA document on behalf of all the Norfolk authorities – the Norfolk HELAA Methodology (NHM).</p> <p>7.2Norfolk HELAA methodology not compliant with NPPF2</p> <p>113The NHM has not been reviewed since the revised NPPF2 was adopted in July 2018, and since the updated planning policy guidance (PPG) 66 on Housing and economic land availability assessment (HELAA).</p> <p>Further, multiple references are made to NPPF1 in footnotes of the NHM. These are given in the footnote67. Further references to NPPF1 are also made in the text.</p> <p>The lack of a review of the NHM against the NPPF2 is more than a technicality as the sections of the NPPF2 on renewable energy and promotion of public transport have been strengthened in the NPPF2, as discussed below, and the NHM is not compliant with these aspects of the NPPF2.</p> <p>However, in any case, the legitimacy of this BCKL&WN Local Plan review Regulation 18 consultation would have been enhanced if the NHM had been refreshed against NPPF2.</p>	<p>The HELAA is undertaken at a point in time. It is based on the call for sites made in 2016. It is a time consuming exercise but is a legitimate way of bringing potential sites to the attention of the BC. As part of the Local Plan Review exercise additional sites are brought forward.</p> <p>Sites which pass the appraisal are then subject to sustainability appraisal before allocations result. Each stage brings layers of additional consideration and scrutiny. The criteria used reflect the particular circumstances of a rural borough.</p> <p>Practicality dictates that use of the private car is necessary in some localities. Public transport is not necessarily the prime consideration for site suitability, there is a balance</p>
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	<p>CEPP agree with the principle that the HELAA assessment should be consistent across sites, so sites are treated fairly. There should now be a further HELAA assessment across all the sites, based on an NPPF2 reviewed/compliant NHM, which also includes suitable remedies for the biases exposed below in this submission. This should be brought back to a re-run Regulation 18 consultation.</p>	
2	<p>Biases in the Norfolk HELAA methodology - overview</p> <p>114The basic premise of CEPP’s review of HELAA is that the Norfolk HELAA methodology contains in-built biases so that the process does not legally comply with national climate mitigation policy objectives, specifically the policy frameworks for promoting renewable energy generation and access to public transport. Compliance may be achieved by removing the biases. The biases occur in in the methodology process as follows:</p> <p>A.The call for sites is limited in that it doesn’t call for sites for renewable energy production. This failure by BCKL&WN to invite sites for renewable energy builds-in a bias against renewable energy development in the West Norfolk area, from the outset of the Local Plan making; also counter to policy LP21. Further, this issue was highlighted by consultees68 when the NHM was developed in 2016 and ignored by the North Norfolk DC authors of the NHM.</p> <p>B.No criteria in the SAC generates a Red RAG assessment69 for sites that are unable to deliver public transport and modal shift to public transport. Therefore, the SAC is implicitly biased towards accepting sites with no/poor access to public transport. It follows that the NHM is biased against the policy objectives to promote public transport including NPPF2 102 that transport issues should be considered from the earliest stages of plan-making.</p>	<p>A. The call for sites did not exclude renewable energy production locations.</p> <p>B. As noted above the rural characteristics of the Borough are important. We would be wrong to exclude sites without good public transport access; it would diminish potential growth in rural communities.</p> <p>C. As noted in B the BC values the rural character of West Norfolk both for social and economic reasons. National policy places heavy emphasis on avoiding flood risk, and environmental damage.</p> <p>D. Personal life choices in later years need to be made. Planning for new housing allows for choice of types.</p>

	<p>C.The HELAA methodology provides a mechanism to automatically exclude sites from the HELAA based on flooding, environmental and related criteria. I fully support this mechanism and the existing exclusion criteria. However, the list of criteria omits the exclusion of sites where no access to public transport is possible. This omission also creates a bias against policy objectives to deliver public transport and modal shift, by the same logic as above under B.</p> <p>D.Both B and C above, also, introduces an equalities issue for future residents who wish to access a wide range of services who do not drive, or do not own a car, or are prevented from driving by disability or age.</p> <p>116It is understood that the HELAA process itself does not allocate sites to the plan, nor prevent HELAA-excluded sites coming forward and being allocated later. However, sites that are on the exclusion list or get a Red RAG rating are removed from the process. (No work is pursued to overcome constraints as would be the case for an Amber rated site.)</p> <p>117This is implicit filtering of sites – exclusion of renewable energy sites, and inclusion of sites with no/poor public transport - even though the narrative in the HELAA methodology doesn't acknowledge this.</p> <p>118In any case for the public transport issue, it would be preferable for exclude sites at the outset which provide poor or no public transport. In borderline cases, this would encourage site promoters to work on the public transport issue, and if it may be solved, then the site could benefit from a detailed site assessment later for consideration for late allocation through the Local Plan process.</p> <p>119I now look at the SAC in more detail for the public transport issue.</p>	
3	Public Transport in the NHM Suitability Assessment Criteria	Position noted above.

120 Appendix A of HELAA-METHOD lays out all the criteria: of these criteria⁷⁰, these two are relevant to transport carbon emissions and public transport provision: •“Transport and Roads”. • “Accessibility to local services and facilities”.

121 The “Transport and Roads” Suitability Assessment Criteria from Appendix A of HELAA-METHOD is reproduced below:

o Although “accessibility to public transport” is considered, this is not part of the RAG criteria assessment.

o The focus for the RAG criteria is solely about not impacting the functioning of roads. There is no clear indication to HELAA assessors how to rate sites with poor/no public transport.

o Allowing sites that have no/poor public transport will lock in emissions in future decades.

This is not acceptable if BCKL&WN is to respond adequately to the Climate Emergency and NPPF 102 that public transport issues should be considered from the earliest stages of plan-making.

An adequate response requires that sites with no/poor public transport should be rated RAG Red under this SAC criteria and excluded (or placed on the default exclusion list). The “Transport and Roads” SAC definition above does not do this and is counter to the legal/policy framework.

This SAC goes in the right direction. Following the CIHT guidance for accessibility by walking is helpful.

o However, it is weak on the public transport aspect, and even a peak time service to a higher order settlement is only a “consideration”.

	<p>oThe needs of the elderly, disabled, and those who don't drive or have no car, are not considered, and especially not considered for accessing vital services like hospital appointments.</p> <p>oThe focus for the RAG criteria is solely about accessibility by walking. There is no clear indication to HELAA assessors how to rate site with poor/no public transport.</p> <p>oAllowing sites that have no/poor public transport will lock in emissions in future decades.</p> <p>This is not acceptable if BCKL&WN is to respond adequately to the Climate Emergency and NPPF 102 that public transport issues should be considered from the earliest stages of plan-making.</p> <p>Adequate response requires that sites with no/poor public transport should be rated RAG Red under this SAC criteria and excluded (or placed on the default exclusion list). The "Accessibility to local services and facilities"</p>	
4	<p>HELAA - Legal and Policy Framework: Renewable Energy</p> <p>123The government's Clean Growth Strategy⁷¹ encourages the Low Carbon Economy and promoting renewable energy. The requirements of NPPF² 148 and NPPF² 151 have been outlined in a previous section.</p> <p>124In not calling for sites for renewable energy production, as outlined above, the HELAA for the Local Plan review is not consistent with the above legal and policy framework and needs to be redone to be complaint.</p>	Renewable energy sites were not specifically excluded.
5	<p>HELAA - Legal and Policy Framework: Public Transport</p> <p>125NPPF², section 9, 102-111 on "Promoting sustainable transport" is</p>	Other aspects of the NPPF taken as a whole provide support for development in more rural, less sustainable locations. Specifically,

	<p>stronger than the former NPPF1, section 4, 29-41, particularly on plan making, and engagement at the earliest stages of plan making, and has been outlined in a previous section.</p> <p>126This has not been noticed by BCKL&WN in proceeding with this consultation without reviewing the HELAA methodology against the NPPF2.</p> <p>127In implicitly including sites with poor or no public transport, as outlined above, the HELAA for the Local Plan review is not consistent with the above legal and policy framework and needs to be redone to be complaint.</p>	<p>more support is implied for edge of settlements in rural areas.</p>
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