

From: [REDACTED]
Sent: 18 March 2019 11:27
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Questions for Breckland
Importance: High

12.12 Breckland Council Can the Council please confirm that the Environmental Health Team have had regard to the support information submitted by Necton Parish Council at Deadline 1 which included a facsimile communication from 1996 pertaining to radioactive substance risk and explain if this does or not change their position in relation to the duty to investigate.

A copy of a fax from 1996 was provided by Mrs Jenny Smedley. Our position is unchanged.

12.14 Breckland Council Section 26.6.1 of ES Chapter 26 [APP-350] states that, as the Swaffham Air Quality Management Area (AQMA) is approximately 1km south of the A47, it is not anticipated that there would be any significant increases in pollutant concentrations within the AQMA. Do you agree with this assessment and, if not, please explain why not?

The assessment is agreed with

13.19 Breckland Council dDCO Requirement 27 (R27) sets out that the noise rating level for the operational phase in relation to Work No.8A must not exceed 35dB LAeq (minutes) and 32dB LAeq (15 minutes) in the 100Hz third octave band at any time at a free field location immediately adjacent to any noise sensitive location. Do you agree with the above limits?

Yes, These limits were agreed during specific topic meetings with the applicant and align with the conditions set for the existing Dudgeon Substation. These limits are cumulative so will include any contribution from the existing substation. Any future projects will also have the same noise limits so as to avoid creeping noise threshold.

13.20 Breckland Council Operational noise arising from the modifications to the existing overhead line structure has not been considered further (Table 25.1 in ES Chapter 25). Do you agree with this approach?

Modification of existing overhead line structure is not considered to contribute significantly to operational noise, therefore I agree with this approach.

13.21 Breckland Council The extension to the existing Necton National Grid substation has not been included as part of the noise modelling presented in ES chapter 25. Do you agree with this approach?

Extension to the existing Necton National Grid Substation is to be a separate application. The extension is not considered to contribute significantly to operational noise, however, it will be required to comply with noise conditions already set for the existing Substation, therefore I agree with this approach.

And: 14.33 Breckland Council Please could you provide a response to FWQ14.4 in relation to the methodology, baseline data, assumptions, modelling and conclusions of the LVIA. Please confirm that you accept the assessment of potential cumulative impacts. Please comment on the mitigation and management measures set out in the Outline Landscape and Ecological Management Strategy (OLEMS), the 20 Question to: Question: Outline Access Management Plan and the Outline Code of Construction Practice. Please identify any outstanding issues. 14.34 Breckland Council/Necton Parish Council NPS EN-3 makes clear that among other things consent for a development should not be refused solely on the ground of an adverse effect on visual amenity unless an alternative layout within the

identified site could be reasonably proposed which would minimise any harm, taking into account other constraints that the Applicant has faced such as ecological effects, while maintaining safety or economic viability of the application. Please clarify what alternative layout within the identified site, as opposed to land outside the Order Limits, you propose if any, in relation to the siting of the substation/additional substation or its component parts. **The Council's position on the Landscape and Visual Impact Assessment is set out in the Statement of Common Ground and the Local Impact Report. Ecology matters have been addressed by Norfolk County Council.**

18.38 Breckland Parish Council With reference to your SoCG [REP1-037] with the Applicant please provide an update as to whether you maintain an objection, and if so why, to the Applicant's position set out in Table 7 (land use and agriculture) on the assessment methodology, findings and approach to mitigation. **The Council's view of the scheme is set out in the Local Impact Report.**

20.120 Breckland DC You have suggested [REP3-03] that Requirements be imposed in the DCO relating to the assessment/remediation of contamination at the site of the plane crash near Necton. Please supply wording for the Requirement(s).

The Planning Inspectorate document doesn't say what DCO stands for but it is assumed that our standard condition is required:

3949 – Site investigation/Remediation

Unless otherwise agreed in writing, the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved:

A. Site Investigation

A site investigation and risk assessment to determine the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s).

B. Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason for condition: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informative: Land contamination risk assessment is a step-by-step process. During the course of the risk assessment process set out in the above condition, it may become clear that no further work is necessary to address land contamination risks. Where this is the case the condition may be discharged by the Council without all the steps specified being completed. In all cases written confirmation should be obtained from the Council confirming that the requirements of the condition have been met.

3946 – Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Asbestos

Asbestos containing material may be present within the site. The removal of asbestos materials must be carried out in accordance with appropriate guidance and legislation including compliance with waste management requirements. Accordingly any works should be managed to avoid damage to any asbestos containing material such as to prevent the release or spreading of asbestos within the site or on to any neighbouring land.

You may wish to advise the applicant that failure to comply with this may result in the matter being investigated by the Health and Safety enforcing authority and the development not being fit for the proposed use. In addition the developer may incur further costs and a time delay while ensuring the matter is correctly resolved.

3923 – Informative note (Extensions)

Where remediation of contaminated land is required, the developer is advised to put in place measures to ensure that any future alterations/extensions to the development do not undermine completed remediation works and, if appropriate, that the future alterations/extension include the same scheme of remediation as that included in the original development.

With thanks

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