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Borough Council of
**King's Lynn &
West Norfolk**



Please ask for: Mrs C Dorgan
Council Information Centre: 01553 616200
E-mail: claire.dorgan@west-norfolk.gov.uk

Stuart Ashworth
Assistant Director Environment and Planning

Date 20 Nov 2024

EMAIL ONLY

Emily Park, Senior EIA Advisor,
Fensreservoir@planninginspectorate.gov.uk.

Dear Ms Park

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.

Application by Anglian Water and Cambridge Water (the Applicant) for an Order granting Development Consent for the Fens Reservoir (the Proposed Development).

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.

Please find below the officer response to the above. These comments are made without prejudice.

For ease I have set out the responses arising from internal technical officer consultations received at the time of preparation of this response. Unfortunately there are two sets of responses outstanding and the Council will forward these on as soon as they are available. I have also attached to this letter at Appendix 1 the Council's response to Anglian Water '**National Infrastructure Project: non-statutory consultation by Anglian Water for the Anglian Water Fens Reservoir**' sent on 2 Aug 2024. This will identify issues raised by the outstanding internal consultees (CSNN and Conservation).

This response does not discuss matters relating to archaeology, planning for minerals and waste, broader strategic highway considerations, strategic public health, strategic flood risk and surface water management or impacts upon schools and playing fields as these matters are within the purview of Norfolk County Council.

Internal consultation responses:

Ecology Officer

The work detailed within the EIA Scoping report is quite extensive.

King's Court, Chapel Street, King's Lynn, Norfolk PE30 1EX
Tel: (01553) 616200
DX 57825 KING'S LYNN

Chief Executive – **Lorraine Gore**

Any new significant infrastructure project in this location such as the proposed new reservoir must be designed in consideration of the potential impact on protected species, protected sites and protected habitats.

The EIA Scoping report details an extensive schedule of surveys covering all relevant species and separates these out into terrestrial and aquatic biodiversity. Additional data has been commissioned from the relevant bodies to further inform the desk study for each species assessment. Several European Protected Species Mitigation Licences will be required to facilitate the works but the EIA Scoping report details close correspondence with Natural England over these licences as well as survey methods used to collect data.

Invasive species have been identified within the scoping area and will need to be carefully controlled through precautionary working methods and approved removal and disposal methods where required to prevent spread.

Mitigation Measures

To mitigate the ecological impacts of the project, the reservoir and the infrastructure should be designed to minimise impacts to protected species, habitats and sites. Avoiding impacts where possible through design or mitigating where impacts cannot be avoided. Opportunities to add value to the current baseline through landscape level design of new ecological features should be taken. The EIA scoping document details collaboration with various stakeholder who have the expertise to add this value

10% Biodiversity Net Gain (BNG) will be required on this project. The EIA scoping document touches on this and suggests that BNG will be calculated using the Defra Metric which is in line with the legislation and guidance. The site straddles National Character Area 88 - Bedfordshire and Cambridgeshire Claylands and National Character Area 46 - The Fens. Any landscaping and planting should be designed to enhance biodiversity and reflect the existing vegetation patterns of the Fens and Claylands, for instance restoring wetland habitat for ecological enhancement.

Arboricultural Officer

Any new significant infrastructure project in this location such as the proposed new reservoir must be designed in consideration of the potential impact it may have on the unique Landscape Character of the Fens.

Landscape Character and Sensitivity

The Fens are one of England's most distinctive landscapes, defined by their low-lying flat topography, extensive drainage systems and open expansive views. The area's landscape character is particularly sensitive to change due to its simplicity and extensive panoramic views in all directions. This large-scale infrastructure project has the potential to significantly alter the visual experience and the sense of place that is so integral to the Fens. It is crucial that visual impact assessments are conducted from key viewpoints, including those from settlements, roads, and public rights of way, to fully understand the extent of the potential visual impact this project may have on the landscape.

Mitigation Measures

To mitigate the landscape and visual impacts of the project, the reservoir the infrastructure should be designed to minimise visual intrusion. Opportunities should be used whenever possible for locality appropriate native planting schemes, including the use of hedgerows, shelterbelts, and woodland blocks, to screen and soften the visual impact of the reservoir wherever practical. This planting should be designed to enhance biodiversity and reflect the existing vegetation patterns of the Fens, for instance restoring wetland habitat for ecological enhancement.

Environmental Quality Service

The works in the KLWN borough involve a new pipeline to supply a new service reservoir located at Bexwell, Downham Market. The reservoir according to Section 2.5.126 of the Scoping Report will be sited close to the existing, but on the opposite (eastern) side of the A10 highway.

Contaminated Land

Contaminated land matters are set out in Chapter 12: Geology soils, agriculture and land quality. Chapter 13 also has details of landfills. For the aspects of geology and land quality, the receptors identified include geology, including geological designations and other sensitive features; Groundwater and surface water; Human health (construction workers, maintenance workers and site end users). The chapter also considers loss of soil resource and soil function.

The land quality baseline is partially established from the desk study information which considers past and current land use, ground conditions and environmental setting. Potential sources of contamination are five historical and active landfill sites in the wider project area, including one site in West Norfolk, a commercial and industrial landfill 163m from the scoping boundary. The report also refers to the Borough Council of King's Lynn & West Norfolk (2022). Contaminated Land Inspection Report for Fairfield Road Refuse Tip and Sewage Works Downham Market.

The report concludes that limited relevant potential contamination sources are identified, but there are some gaps in information. So further ground investigation and assessment of land quality has been scoped in during the construction stage. Section 12-3 of the report scopes in likely significant effects during construction, but the potential for post construction impacts will also need to be considered. The report states that 'the proposed development will include systems in place to prevent any contamination during operation. Any existing contamination will be managed at construction phase to negate any risks from existing contamination impacting human health or the environment during operation.' This will be a requirement to ensure that there are no unacceptable post construction impacts from land contamination.

It is noted that Land Contamination Risk Management (LCRM) and BS:10175 are not referenced in the guidance in 12.2 Legislation, policy and guidance requirements. However, in Appendix 4.1 Legislation, planning policy and guidance summary, Table 2.2 LCRM is included in relevant standards and guidance.

The assessment methodology includes reference to Design Manual for Roads and Bridges (DMRB) LA 109 Geology and Soils. This document includes methods to report effects from contamination on human health, surface water and groundwater, and provides relevant significance criteria. Additionally, reference should be made to LCRM which forms the regulatory and management framework for managing the risks from land contamination.

Air Quality

Air quality matters are set out in Chapter 15 of the Scoping Report which focus on controlling fugitive dust emissions through a suitable Construction Environmental Management Plan (CEMP). The measures identified according to the scoping opinion will be based on the most up to date guidance as set out in Section 15.4. We would only add that as the new reservoir at Bexwell will be relatively large, approximately 200m by 200m, we would request that the CEMP should consider some boundary particulate matter monitoring as a precautionary basis, and where there are relevant sensitive receptors with a risk of exceeding the long or short term PM10 objectives.

Conservation Team

Comments to follow.

Community Safety and Noise Nuisance (CSNN)

Comments to follow.

Matters of Principle:

Impact on Norfolk landscapes and ecology.

Given the significant international, national and other environmental constraints within the borough, Anglian Water will need to set out alternative options, to reduce as far as possible, any adverse impacts throughout the pipeline route and also at the proposed service reservoir on the edge of Downham Market/ Bexwell.

Cumulative Impacts

Officers recognise that the Fens Reservoir NSIP Project is part of a wider project of infrastructure provision, that needs to be considered in conjunction with other schemes to relocate/ move water across Norfolk and the wider region. In bringing this project forward the applicant should demonstrate that there is a coordinated approach to the various initiatives impacting the region.

Compensation and Community Benefits

In alignment with Norfolk County, this Council recognises and wishes to highlight that Anglian Water will need to consider appropriate compensation packages for those homes and businesses directly affected by both the construction works, and any long-term impacts. The route of any works will need to avoid any direct impacts on homes and businesses.

Anglian Water will need to set out clearly from the outset how local communities impacted shall have such impacts mitigated. To this end I set out a link at the end of this paragraph to the Council's Statement of Community Involvement. As and when Anglian Water require a list of Parish Councils and other bodies this can be provided. [Statement of Community Involvement \(SCI\) | Statement of Community Involvement \(SCI\) | Borough Council of King's Lynn & West Norfolk \(west-norfolk.gov.uk\)](#)

Matters of Detail:

Landscape Impacts

The landscape character assessment undertaken by The Borough Council of Kings Lynn and West Norfolk puts this landscape in a number of character areas H1: Settled Farmland with Plantations (Stow Bardolph) and E2, E4-E8 The Fens- Open Inland Marshes.

Wider Environmental Impacts

It is to be noted that there are many other classified designations across the borough which shall need to be considered more widely. The route lies within the zone of influence of The Brecks, and Norfolk Valley Fens. In particular, consideration should also be given to impacts upon the Ouse Washes SSSI/ Ramsar site.

Highway Impacts to the Borough

Careful consideration and consultation would be required to mitigate as far as possible the impacts during preparation and construction works on the road network within Norfolk, and within this borough in particular. There would need to be detailed submissions of construction management plans, including routing agreements, that recognise the need to minimise disturbance to the road network travelling through the Borough, during preparation, construction and maintenance works.

Yours sincerely



Stuart Ashworth
Assistant Director Environment and Planning

**Appendix 1: National Infrastructure Project: non-statutory consultation
by Anglian Water for the Anglian Water Fens Reservoir**

Our ref: 24/01250/NSIP

Borough Council of
**King's Lynn &
West Norfolk**



Please ask for: Mrs C Dorgan
Council Information Centre: 01553 616200
E-mail: claire.dorgan@west-norfolk.gov.uk

Stuart Ashworth
Assistant Director Environment and Planning

EMAIL ONLY

info@fensreservoir.co.uk

2 August 2024

Dear Sirs

National Infrastructure Project: non-statutory consultation by Anglian Water for the Anglian Water Fens Reservoir

Please find below the officer response to the technical engagement exercise (non-statutory consultation). These comments are informal and made without prejudice; the Council reserves the right to make further representations at the more detailed and formal stages in the Nationally Significant Infrastructure Project (NSIP) and Development Consent Order (DCO) planning process.

For ease I have set out the responses arising from internal technical officer consultations, addressed questions of principle and wider detail, and the Council's Statement of Community Involvement in that order.

This letter does not discuss matters relating to archaeology, planning for minerals and waste, broader strategic highway considerations, strategic public health, strategic flood risk and surface water management or impacts upon schools and playing fields as these matters fall within the remit of Norfolk County Council.

Internal consultation responses:

Planning Policy

It is noted that the chosen location for the proposed reservoir is north of Chatteris, in the heart of the Fens. Anglian Water has previously gone through an extensive site-selection process to identify the preferred location.

The proposal includes associated water infrastructure; most significantly a pipeline corridor between Madingley (Cambridge) and Bexwell Business Park, with a potential water treatment works to the north of Bexwell Business Park. The pipeline corridor passes through the parishes of Wimbotsham, Downham West, Stow Bardolph, Nordelph, Upwell and Welney, but avoids all settlements therein. It passes close to (but avoids) the built up areas of Downham Market and Wimbotsham.

The proposed site for the Water Treatment Works corresponds to extant planning permissions for the following:

2/89/3306/O – Construction of business park hotel and leisure centre golf course (including driving range and clubhouse) balancing lake roads and ancillary works (including private sewage treatment plant); with reserved matters for:

96/0904/D – Construction of business park (consented December 1996) – Phase 1 subsequently delivered; and

97/1119/D – Construction of hotel/golf clubhouse, formation of 18 hole golf course associated highways and parking – initial phases (highway infrastructure) subsequently delivered, so permission remains “live”.

The current Local Plan (SADMP paragraph F.1.12) recognises the extant 1990s permissions, although it does not give any indication of the likely delivery timeframes for these. However, allocation of the built-up parts of these permissions for 20ha of employment uses is proposed to be taken forward as part of the forthcoming replacement Local Plan 2021-2040 (Main Modifications):

https://www.west-norfolk.gov.uk/download/downloads/id/8542/f71_-_bexwell_downham_market_-_business_park_plan_action_11.pdf. Given that the Borough Council is now seeking to allocate part of Anglian Water’s proposed Water Treatment Works, from a Planning Policy perspective it is important that these proposals do not undermine the emerging replacement Local Plan (including employment land allocation proposals) that the Borough Council is seeking to adopt by spring 2025.

Therefore, it is emphasised that Anglian Water be notified/ made aware of the proposed Bexwell Business Park employment land allocation in developing detailed proposals for the Water Treatment Works, in order to avoid or prejudice development of the site in accordance with the replacement Local Plan (which is now at an advanced stage of preparation).

Conservation

While the reservoir itself is outside of our district, the pipe connecting it to the Bexwell Connection Point, and the connection point itself, has the potential to impact upon the setting of a number of designated heritage assets. The applicant should particularly consider the following;

Bexwell-

Old gatehouse at Bexwell Hall - Scheduled Monument - List Entry Number 1003963

BARN 110 METRES NORTH OF ST MARYS CHURCH - Grade II Listed - List Entry Number 1077854 BEXWELL HALL FARMHOUSE - Grade II Listed - List Entry Number 1251340

CHURCH OF ST MARY THE VIRGIN, BEXWELL - Grade II* Listed - List Entry Number 1077855

Wimbotsham-

CHURCH OF ST MARY - Grade II* Listed - List Entry Number 1205605

HILL HOUSE, 28, LYNN ROAD - Grade II Listed -List Entry Number 1342312

Conservation Area - Revised February 1992

Welney-

CHURCH OF ST MARY THE VIRGIN, MAIN STREET - Grade II* Listed - List Entry Number 1168946

Stow Bardolph-

CHURCH OF ST PETER - Grade II Listed - List Entry Number 1391486

Upwell-

LONDON LODE HALL, LONDON LODE - Grade II Listed - List Entry Number 1305524

STABLES 25 METRES NORTH OF LONDON LODE HALL - Grade II Listed - List Entry Number 1077707

It is likely that the above heritage assets will be affected through the provision of the water sources infrastructure and the sites in Bexwell have the potential to be impacted by the Bexwell Connection Point. It is not possible to be certain at the moment given the corridor nature of the information provided, but it is likely that any harm caused will be to the setting of these assets rather than the

fabric of the structures directly. The above list is not exhaustive and does not cover non-designated heritage assets. It has been produced through a desktop survey only.

A Heritage Impact Assessment should be submitted with any further documentation to enable the impact upon the historic environment to be properly considered moving forward. The applicant should be aware that due to the predominantly flat nature of the landscape in this area, the impact upon heritage assets geographically further away from the proposed corridor may need to be considered. Relationships between sites and the relationship of sites to the landscape around it should also be considered. I would be happy to remain involved as the project progresses.

Community Safety and Neighbour Nuisance

Firstly, the noise surveys to be carried out are only applicable to the water source and water supply infrastructure – these are located within the Peterborough LA area – such as pumping stations, abstraction points and water treatment works. Pipelines and service reservoirs have been scoped out (as there will not be ‘operational noise’ from these).

In terms of the BCKLWN area, the proposal currently only includes a service reservoir for the storage of treated water brought in via underground pipework. This will be located at Bexwell, to the North East of the Bexwell roundabout, North of the Business Park. The pipeline corridor avoids all settlements, but does pass close to the developed areas of Downham Market and Wimbotsham (including a large residential development currently under construction in the Bridle Lane area of Broomhill). The pipeline will pass through a number of our parishes, namely Wimbotsham, Downham West, Stow Bardolph, Nordelph, Upwell and Welney.

We have identified there are extant planning consents within the proposed site for the service reservoir at Bexwell. These are:

2/89/3306/O - Site for construction of business park, hotel and leisure centre, golf course (including driving range and clubhouse) balancing lake, roads and ancillary works (including private sewage treatment plant);

2/96/0904/D - Construction of business park

2/97/1119/D - Construction of hotel/golf club house, formation of 18 hole golf course, associated highways and parking.

The 1996 and 1997 consents have been delivered in part, so they remain ‘live’. These sites will need to be considered in terms of the storage reservoir location, although noise, vibration and dust impacts will not be applicable here (given the hotel and golf course are not developed). Depending on the exact layout of the proposed service reservoir site and the overall proximity to the rear elements of the Business Park and rear boundaries of the small cluster of residential dwellings just off Bexwell Road East, noise, vibration and dust impacts may need to be considered via a Construction Management Plan.

Construction related noise, vibrations and dust will also need to be considered for the 30km pipeline route. Whilst it is proposed to be within a 500m wide corridor, there may be situations which result in this being reduced, or the pipeline itself being ‘off-centre’. It is assumed there may be some occasional overnight work on the pipeline route where this is necessary to reduce impacts on the highway network through road closures, for example. Whilst works will be gradually continuing along the route and therefore not located for long periods of time in the same area (reducing impacts on amenity) it is also assumed there will be the requirement for one or more main, and several satellite, works/site compounds for storage and contractor amenity. We would expect these to be located with as much separation distance from residential and commercial receptors as possible, and to have controlled hours of use (other than for occasional overnight works). Likewise pipeline works should have controlled hours of use. The hours for this district are 08:00-18:00 hours weekdays and 09:00-13:00 Saturdays, with no work allowed on Sundays, Bank or Public Holidays. Earlier starts could be accommodated on weekdays, provided this is for quiet activities, ie tool box talks, with no plant operation/deliveries/noisy works before 08:00 hours. We would seek to control construction timings separately. We would also expect (a) Construction Management Plan(s)/Scheme(s) to cover each phase/area of works ie there could

be one for the reservoir and another for the pipeline, or one overall document. The content would be expected to meet the below condition wording:

Protection scheme from construction:

Prior to commencement of development a detailed construction management plan/scheme must be submitted and approved; this must include proposed timescales and hours of the construction phase, deliveries/collections and any piling/drilling. The scheme shall also provide the location of any fixed machinery, their sound power levels, the location and layout of the contractor compound(s), the location of contractor parking, the location and layout of the materials storage area(s), machinery storage area(s) and waste & recycling storage area(s), all proposed attenuation and mitigation methods to protect residents from noise, dust, vibrations and works lighting, plus communication methods to the wider community regarding the construction phases and likely disruptions. If piling/drilling is required, full assessments of noise and vibration impacts should be included.

Flood and Water Management

No comments from a flood and water management perspective.

Arboricultural Officer

My only comments would be to bring to the attention of Anglian Water and their representatives that as part of the Environmental Impact Assessment (EIA) for this major infrastructure project, and its associated supporting infrastructure, an Arboricultural Impact Assessment must be carried out, to assess the likely impact of the project on individual trees, groups, hedgerows and woodlands. This will of course best be carried out in conjunction and alongside other assessments including Landscape and visual amenity, and Biodiversity, not least in relation to loss of, or impact on trees and hedges. Although I'm almost certain this would already be included in the EIA for this major infrastructure project, it won't do any harm to mention it.

Ecology Officer

Comments to follow.

Matters of Principle:

Given the significant international, national and other environmental constraints across the Borough, Anglian Water will need to consider and set out alternative options, to reduce any impacts as far as possible. This would include the considerations undertaken regarding the exact pathway of the pipeline route as well as the siting and extent of the reservoir and works at Bexwell. In addition, given the environmental and visual impacts upon the natural and historic landscape, and to what extent can any new works be mitigated against.

Cumulative Impacts

Officers recognise that the Anglian Water Fens Reservoir NSIP is part of a wider project of infrastructure provision, that needs to be considered in conjunction with other projects for water management within Norfolk and the wider region. In bringing this project forward you will need to demonstrate that there is a coordinated approach to the various initiatives impacting the region, and demonstrate that all alternatives have been thoroughly investigated. This consideration would be in accordance with the NPS for Water Resources Infrastructure published in April 2023. These documents may be subject to amendment or replacement as a result of the recent change in central Government.

Officers recognise that at this stage the preferred routes /search areas for the works proposed are broad and do not at this time show a precise route or siting for the pipelines and reservoir at Bexwell and associated works. Although the works travel in part through this Borough, the

consultation process should include what benefits, if any, will accrue to the residents and business of this Borough, as a result of these.

Compensation and Community Benefits

The Borough Council recognises and wishes to highlight that Anglian Water will need to consider appropriate compensation packages for those homes/ businesses/ agricultural land directly affected by both the construction works, and any long-term impacts. The route of any works will need to avoid any direct impacts on homes and businesses. The implications of the works and long-term physical impacts of this development will need to be made clear to these interested parties.

Below is a link to the Council's Statement of Community Involvement. As and when Anglian Water require a list of Parish Councils and other bodies this can be provided.

Matters of Detail:

Landscape Impacts

The landscape character assessment undertaken by The Borough Council of Kings Lynn and West Norfolk (available online) puts this landscape in two character areas D - The Fens - Settled Inland Marshes and E - The Fens - Open Inland Marshes.

Wider Environmental Impacts

There are significant environmental designations within the borough which should be considered, in particular the Ouse Washes SSSI/ Ramsar/ SPA/ SAC are within close proximity. The pipeline route is expected to pass through impact risk zones of protected sites and it is important that this is fully investigated and any impacts sufficiently mitigated against.

Highway Impacts to the Borough

Careful consideration and consultation would be required to mitigate as far as possible the impacts during preparation and construction works on the road network within this Borough. There would need to be detailed submissions to address haulage and construction management plans, including routing agreements, that recognise the need to minimise disturbance to the road network travelling through the Borough, during preparation, construction and maintenance works.

The more detailed concerns relating to noise and air quality are set out within the comments of the Community Safety & Neighbourhood Nuisance Team above.

Statement of Community Involvement (SCI)

The Council formally adopted the Statement of Community Involvement on 15 June 2017. This can be viewed at this link [Statement of Community Involvement \(SCI\) | Statement of Community Involvement \(SCI\) | Borough Council of King's Lynn & West Norfolk \(west-norfolk.gov.uk\)](#)

Yours sincerely



Stuart Ashworth
Assistant Director Environment and Planning

