

Borough Council of King's Lynn & West Norfolk screening report of the requirements for a Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) for the emerging Holme next-the-Sea Neighbourhood Plan

June 2019

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



Borough Council of King's Lynn & West Norfolk preliminary screening report for a Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) for the emerging Holme next-the-Sea Neighbourhood Plan

1. Introduction

- 1.1 This screening report is designed to determine whether or not the content of the emerging Holme next-the-Sea Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. A SEA would be required if the implementation of the contents of the Neighbourhood Plan are likely to cause significant environmental effects.
- 1.2 This report will also determine whether or not the contents of the Neighbourhood Plan require a Habitats Regulations Assessment (HRA) in accordance with Article 6 (3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). A HRA would be required when the implementation of the contents of the Neighbourhood Plan are likely to cause significant negative effects on a designated protected European Site (Natura 2000 sites).
- 1.3 This report is based upon the screening opinion request and information provided on the emerging content of the Plan as provided by the Parish Council (May 2019) and the screening opinion consultation responses received from the Environment Agency, Historic England and Natural England (June 2019).
- 1.4 To avoid any doubt, this does not affect the Borough Council's obligation to provide further advice on later stages of the emerging Neighbourhood Plan/SEA process which may subsequently arise if there are changes to the plan's content that could have an adverse effect upon the environment.

2. Legislative Background

- 2.1 **Strategic Environmental Assessment (SEA)** - The European Directive 2001/42/EC is the basis for Strategic Environmental Assessments and Sustainability Appraisal legislation, which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations.
- 2.2 If a neighbourhood plan is likely to cause significant negative environmental effects, it is necessary to undertake a SEA assessment in line with the SEA regulations. To fulfil the legal requirements to identify if a neighbourhood plan requires a SEA; a screening for a SEA has to be undertaken.
- 2.3 **Habitat Regulation Assessment (HRA)** - It is required by Article 6 (3) of the EU Habitats Directive and by regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) that an appropriate assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans and projects to identify if any significant effect is likely for any European Site.
- 2.4 To fulfil the legal requirements to identify if likely significant effects will occur with the implementation of a neighbourhood plan upon the European Sites (Natura 2000 sites) a screening assessment has been undertaken

3. SEA Preliminary Screening

- 3.1 The process for determining whether or not an SEA is required is called screening. The SEA screening is a two stage interrelated process. The first part considers the Neighbourhood Plan against the SEA assessment flow chart set out in the national guidance "A Practical Guide to the Strategic Environmental Assessment Directive", (Paragraph 2.18, Figure 2, ODPM, 2005). The second part of the assessment is required in order to answer specific questions contained in the above, specifically question 8 and considers whether the Neighbourhood Plan is likely to have a significant effect on the environment, using criteria drawn from the EU SEA Directive and Schedule 1 of the UK Environmental Assessment of Plans and Programmes Regulations 2004.
- 3.2 The regulations state that before making a determination the three statutory consultation bodies must be consulted. Accordingly they have been consulted upon the Borough Council's preliminary opinion (May 2019) and their comments have been taken into consideration within this screening report.
- 3.3 The process taken follows the application of the SEA Directive as set out in Figure 2 of 'A practical guide to the Strategic Environmental Assessment Directive' followed by application of the criteria determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC (Annex 11) and Schedule 1 of the UK Environmental Assessment of Plans and Programmes Regulations 2004:

Figure 2 – Application of the SEA Directive to plans and programmes

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.

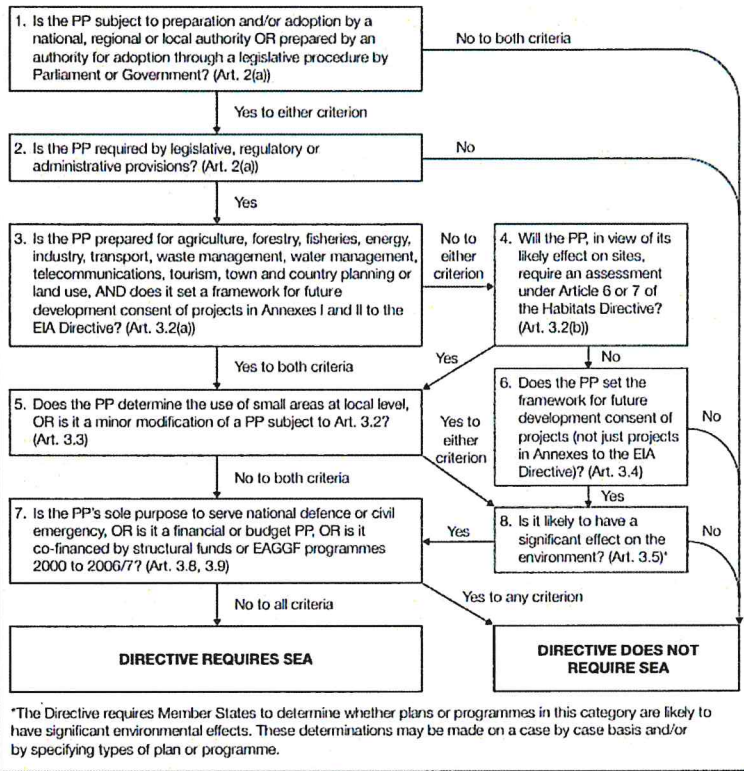


Table 1: Criteria for determining the likely significance of effects

<p>1. The characteristics of plans and programmes, having regard, in particular, to</p> <ul style="list-style-type: none">• the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources• the degree to which the plan or programme influences other plans and programmes including those in a hierarchy• the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development, - environmental problems relevant to the plan or programme• the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection) <p>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to</p> <ul style="list-style-type: none">• the probability, duration, frequency and reversibility of the effects,• the cumulative nature of the effects• the trans-boundary nature of the effects• the risks to human health or the environment (e.g. due to accidents)• the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)• the value and vulnerability of the area likely to be affected due to:• special natural characteristics or cultural heritage• exceeded environmental quality standards or limit values• intensive land-use• the effects on areas or landscapes which have a recognised national, Community or international protection status

Source: Annex 11 of SEA Directive 2001/42/EC and Schedule 1 of the UK Environmental Assessment of Plans and Programmes Regulations 2004

4. Assessment

4.1 Application of the SEA Directive to plans and programmes:

Stage	Yes/No	Reason
1. Is the Neighbourhood Plan subject to preparation and/or adoption by national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	<p>The preparation and adoption of the Neighbourhood Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The Neighbourhood Plan is being prepared by the Parish Council (as the “relevant body”) and will be “made” by the Borough Council of King’s Lynn and West Norfolk as the Local Authority subject to passing an independent examination and community referendum. The preparation of Neighbourhood Plans are subject to the following regulations (not intended to be a complete list):</p> <ul style="list-style-type: none"> • The Neighbourhood Planning (General) Regulations 2012 • The Neighbourhood Planning (referendums) Regulations 2012 • the Neighbourhood Planning (General)(Amendment) Regulations 2015 • the Neighbourhood Planning (General)and Development Management Procedure (Amendment) Regulations 2016 • The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017
2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	<p>Whilst the Neighbourhood Plan is not a requirement of the Town and Country Planning Act as amended by the Localism Act 2011, it will be “made” and eventually form part of the Development Plan for the Borough. These are directed by legislative processes and it is important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.</p>
3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future	Yes	<p>A Neighbourhood Plan can include these policy areas and could provide, at a Neighbourhood Area level, the framework for development that would fall within Annex II of the EIA Directive. Developments that fall within Annex I are ‘excluded’ development for Neighbourhood Plans (as set out in the Localism Act 2011 and Section 61(k) of the Town and Country Planning Act 1990 (as subsequently amended).</p> <p>The Neighbourhood Plan is being prepared to set out a</p>

<p>development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))</p>		<p>framework for town and country planning and land use within the Parish of Holme next-the-Sea. Its intention is to complement the higher order strategic framework that already exists for land use planning across the Borough.</p> <p>The strategic framework for development is set by the adopted Core Strategy (2011) and the Site Allocations and Development Management Policies Plan (2016) of the Borough Council of King’s Lynn and West Norfolk. The Neighbourhood Plan seeks to align and be in general conformity with these. The Neighbourhood Plan does not anticipate being the tool to manage development of the scale and nature envisaged by Annex I and Annex II of the EIA Directive.</p>
<p>4. Will the Neighbourhood Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))</p>	<p>No</p>	<p>A Neighbourhood Plan could potentially have impacts on sites covered by the Habitats Directive. Please see Section 4 of this report which goes into some detail in relation to this.</p>
<p>5. Does the Neighbourhood Plan determine the use of small areas at local level, OR is it a minor modification of a plan or project subject to Art. 3.2? (Art. 3.3)</p>	<p>No</p>	<p>Whilst a Neighbourhood Plan can determine the use of small areas at a local level. The Neighbourhood Plan for Holme next-the-Sea appears to be in conformity with the Borough’s Local Plan and proposals could be described as minor.</p>
<p>6. Does the Neighbourhood Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art. 3.4)</p>	<p>Yes</p>	<p>Once “made” a Neighbourhood Plan forms part of the statutory Development Plan and will be used by the Borough Council of King’s Lynn and West Norfolk in the determination of planning applications. The intention is that the Neighbourhood Plan will provide a land use policy framework for future development at a local level.</p>
<p>7. Is the plan or programme’s sole purpose to serve the national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/07? (Art. 3.8, 3.9)</p>	<p>No</p>	<p>Does not apply to a Neighbourhood Plan.</p>
<p>8. Is it likely to have a significant effect on the environment? (Art. 3.5)</p>	<p>No</p>	<p>The Neighbourhood Plan seeks general conformity with the adopted Core Strategy (2011) and the Site Allocations and Development Management Policies Plan</p>

	<p>(2016) Development Plan Documents and has regard to the emerging Local Plan review. From the application of criteria for determining the likely significant effects below it is considered it is unlikely that there will be significant effect.</p>
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4.2 SEA Screening Stage 2: SEA Directive Article 3(5) Annex II – Application of Criteria for determining the likely significance of effects of a Neighbourhood Plan:

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
(1) Characteristics of the plan and programmes, having regard in particular, to:		
<p>The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size, and operating conditions or by allocating resources;</p>	<p>The strategic framework for development is set by the adopted Local Plan of King’s Lynn and West Norfolk Borough Council which currently comprises the Core Strategy (2011) and the Site Allocations and Development management Policies Plan (2016). The Borough Council are currently in the process of reviewing the Local Plan.</p> <p>The Neighbourhood Plan seeks to align and be in general conformity with this.</p>	No
<p>The degree to which the plan or programme influences other plans or programmes including those in a hierarchy;</p>	<p>The Neighbourhood Plan will be adopted alongside the higher order Local Plan and form part of the Borough’s Development Plan. The Neighbourhood Plan will expand upon some of the Local Plan and emerging Local Plan policies, providing supplementary information on a local scale.</p>	No
<p>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;</p>	<p>The basic conditions which a Neighbourhood Plan must meet (summarised):</p> <ul style="list-style-type: none"> • having regard to national policies and advice / guidance • having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses • having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area • contributes to the achievement of sustainable development. • is in general conformity with the strategic policies contained in the development plan for the area • does not breach, and is otherwise compatible with, EU obligations. • prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan • the plan does not breach the requirements 	<p style="text-align: center;">No anticipated negative effects</p> <p style="text-align: center;">Anticipated positive effect</p>

	<p>of Chapter 8 of Part 6 of the Conservation of Habitats and Species regulations 2017</p> <p>The emerging neighbourhood plan contains a strong package of policies aimed at protecting and enhancing the natural and historic environment (please see the plan for details)</p> <p>The emerging neighbourhood plan seeks to make a minor site allocation for 5 dwellings and allows for infill development, this is in line with the current and emerging Local Plan</p>	
Environmental problems relevant to the plan or programme;	<p>Main issues (summarised):</p> <p>The Shoreline Management Plan (SMP) anticipates a 'major negative' impact of sea level rise on the Parish's EU and internationally protected sites. Resulting in 42% of the Parish reverting to intertidal mud flats. Around 80 properties are threatened along the coastal frontage.</p> <p>The Protected Sites are considered to be at their carrying capacity in terms of visitor pressure as witnessed by traffic growth, walker/dog numbers, noise and pollution.</p> <p>There is clear evidence that poor water quality in the River Hun is damaging qualifying features of the Protected sites. There is a clear pathway linking sewage disposal from Holme with the sites and the affected qualifying features.</p> <p>Avian biodiversity is showing evidence of decline.</p> <p>The Neighbourhood Plan through a package of policies will seek to address these issues, in so far as it possibly can.</p>	<p>No anticipated negative effects.</p> <p>Anticipated positive effects</p>
The relevance of the plan or programme for the implementation of community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The implementation of community legislation is unlikely to be significantly compromised by the Neighbourhood Plan	No

(2) Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
The probability, duration, frequency, and reversibility of the effects;	<p>Floods in 2013 and the Environment Agency policy of managed realignment for Holme Dunes means there is a very real probability of SMP impacts being felt during the Plan period. The effects of a large scale surge event may not be reversible.</p> <p>Visitor pressure, pollution and falling biodiversity are long term, ongoing problems that will continue to get worse unless decisive and effective action is taken. This is characterised by summer peaks. Water quality problems are linked to high rainfall events and visitor numbers. Biodiversity decline is an ongoing process.</p> <p>The entire Parish is affected – but especially the Village, Holmes Dunes NNR and the Protected Sites.</p> <p>The Plan seeks to adopt a precautionary planning approach to dealing with effects of the SMP by the creation of an adaptation and resilience zone. It also seeks to reduce development and associated risk in areas likely to be affected.</p> <p>The adaptation and resilience zones will provide a vehicle for diffusing and spreading the effects of visitor pressure on the Village and the Protected Sites.</p> <p>The Plan seeks to introduced a water quality policy which will attempt to reduce the impact of pollution by ensuring adequate sewage disposal infrastructure before development can proceed</p>	Positive
The cumulative nature of the effects;	The environmental problems affecting the Parish are cumulative and linked. The policy package which the Plan seeks to introduce addresses the issue of cumulative affects where possible.	Positive effect
The trans-boundary nature of the effects;	<p>The impacts of visitor pressure, and pollution (especially water quality, noise and light) on habitats has the capacity to impact on the Natura 2000 network of EU sites thereby having both national and international effects.</p> <p>The Neighbourhood Plan aims to reduce pollution and protect habitats (see Plan for details)</p>	Positive effect
The risks to human health or the environment (e.g. due to accidents);	Declining water quality poses a risk to human health. The Plan policies aim to improve water quality and can be expected to reduce this risk.	Positive effect

	<p>The SMP highlights a risk to property and humans health from sea level rise and flooding. The Plan aims to reduce this.</p> <p>Growth in traffic poses a risk of increasing accidents. The Plan aims to reduce car trip generation and traffic impact.</p>	
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The Neighbourhood Plan covers the Parish of Holme next-the-Sea. The 2011 census recorded the population at 239 and the Parish covers an area of 882 ha. In comparison the Borough of King's Lynn and West Norfolk is 152,760 ha and has population of 147,451 (2011 census). Although it should be noted the area is subject to a large number of visitors.	No
<p>The value and vulnerability of the area likely to be affected due to:</p> <p>i) Special natural characteristics or cultural heritage;</p> <p>ii) Exceeded environmental quality standards or limit values</p> <p>iii) Intensive land use</p>	<p>The area is highly sensitive in environmental terms. The Designations report which supports the Plan set this out.</p> <p>The Economy report highlights the underpinning importance of Holme's natural capital and ecosystem services to its economy</p> <p>The Environment / Biodiversity Report and the Heritage Report set out its properties as a very special place in this context.</p> <p>Water quality falls below WFD standards across the HUN catchment and is also very poor in standing water lagoons within the EU protected sites, Nitrates and phosphates are a particular issue. The Parish is within a nitrate sensitive zone.</p> <p>The Plan does attempt to address these issues, as far as is possible</p>	Positive effects
The effects on areas or landscapes which have a recognised national, Community or international protection status	The Neighbourhood Plan has been designed to help reverse cumulative deterioration in the environment on internationally protected sites. It has specific policies designated to protect and enhance its AONB landscape (see plan for further details).	Anticipated positive effect

5. Habitat Regulations

5.1 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential impacts against the conservation objectives of Natura 2000 wildlife sites. The assessment must determine whether the plans would adversely affect, or are likely to affect, the integrity of a site(s) in terms of its nature conservation objectives. Where negative effects are identified other options should be examined to avoid any potential damaging effects.

5.2 The HRA process is generally divided into three stages. The initial stage of the HRA process is called the screening stage and determines if there are any likely significant effects or risk of significant effects possible as a result of the implementation of the plan. If there are significant effects the plan will need to undertake an Appropriate Assessment. The screening process should provide a description of the plan and an identification of the Natura 2000 sites which may be affected by the plan and assess the significance of any possible effects on the identified sites

5.3 The Designated Sites (including Natura 2000 wildlife sites) within the Neighbourhood Plan Area:

- North Norfolk Coast Ramsar Site (covers 42% of the NPA)
- North Norfolk Site of Special Scientific Interest (SSSI) (covers 42% of the NPA)
- North Norfolk Coast Special Area of Conservation (SAC – European significance) (covers 34% of the NPA)
- North Norfolk Coast Special Protection Area (SPA – European significance) (covers 41% of the NPA)
- Norfolk Coast Area of Outstanding Natural Beauty (AONB – national significance) (100% of the NPA)
- North Norfolk Heritage Coast (national significance) (covers 60% of the NPA)
- Holme Dunes National Nature Reserve (national significance)
- The Wash and North Norfolk European Marine Sites (EMS)

5.4 It is clear that there are a number of designations within the Neighbourhood Plan Area and that in total some 42% of the NPA is protected by plans and legislation. And the AONB covering the entire NPA. The Neighbourhood Plan must take this into account and ensure that policies are consistent with the designation objectives.

5.5 The Holme next-the-Sea Neighbourhood Plan contains a strong package of policies which aim at protecting and enhancing the natural environment. This has been carefully and thoughtfully crafted with expert skill recognising what a special and rather unique place Holme next-the-Sea actually is. The extensive Neighbourhood Plan and its 24 policies have been all designed with a keen eye for detail with regard to the natural environment any likely positive or negative impacts. There is also an extensive library of

supporting and background documents which together with the Neighbourhood Plan itself provide a comprehensive approach to the subject.

5.6 The plan starts from a high level and drills down into greater detail. A zoning approach has been utilised this defines the distinct areas of the Parish and these designed to help guide and shape development. They are Holme Village, the Protected Sites, an Adaptation and Resilience Zone, the Countryside and Drove Orchards. Rather than attempt to crudely summaries each policy a list is provided below of these which have had due care and consideration to the Protected Sites, note this is every policy:

- POLICY HNTS 1: Principle of sustainable development POLICY HNTS 2: Holme Village Zone
- POLICY HNTS 3: Protected Sites
- POLICY HNTS 4: Adaptation and Resilience Zone
- POLICY HNTS 5: Countryside Zone
- POLICY HNTS 6: Drove Orchards
- POLICY HNTS 7: Natural capital and ecosystem services
- POLICY HNTS 8: Sustainable travel and tourism
- POLICY HNTS 9: Touring and permanent holiday accommodation
- POLICY HNTS 10: Overall form and pattern of settlement
- POLICY HNTS 11: Street scene, character and residential environment
- POLICY HNTS 12: Conservation Area policy
- POLICY HNTS 13: New homes
- POLICY HNTS 14: Replacement dwellings
- POLICY HNTS 15: Extensions, annexes and outbuildings
- POLICY HNTS 16: Principal residences
- HNTS POLICY 17: Local Green Space
- POLICY HNTS 18: Heritage Assets
- POLICY HNTS 19: AONB landscape quality
- POLICY HNTS 20 : Advertising and signage
- POLICY HNTS: 21 Biodiversity
- POLICY HNTS 22: Pollution
- POLICY HNTS 23: Water resource management
- POLICY HNTS 24: Traffic and car parking

- 5.7 This has been carefully balanced with the need to support sustainable development (HNTS 1) which results in the plan continuing to support sensitive infill development (most likely replacement dwellings, development of brownfield sites or the conversion of current/formal agricultural buildings) on a scale similar to historic levels within the proposed development area. In order to attempt to ensure the right type of housing is provided, i.e. that which meets the identified local need (based upon research which underpins the Plan) a small site is proposed for allocation which provide a minor development of 5 relatively small 2/3 bedroom homes (approx. 80 - 120m² gross internal floor space with single garage).
- 5.8 Whilst clearly any new housing could have the potential to result in likely significant effects on the protected sites identified. It is considered that this minor increase in homes over a 20 year period (the majority of which would likely take place as organic growth over time without the plan in place) it is likely to be a very small increase based upon the development which could come forward at other larger settlements along the North Norfolk Coastline.
- 5.9 A 'Habitats Regulations Assessment of Detailed Policies and Sites Plan: Site Allocations and Development Management Policies – Proposed Submission Document' was carried out and published in September 2015 by Wild Frontier Ecology to support the Local Plan (Site Allocations and Development Management Policies 2016). This considered the impacts of the housing growth arising from the Local Plan and the likely significant impacts upon the Natura 2000 sites. Although no sites were proposed at this time for Holme next-the-Sea, the level of growth now proposed through the neighbourhood plan, as previously discussed, is relatively minor and therefore would be in conformity with the Local Plan which allows for modest levels of development to meet local needs and maintain the vitality of these communities in a sustainable manner. (CS02, CS06, CS09, CS12).
- 5.10 After careful consideration and on balance based upon the extensive and detailed information within this context the Parish Council has not only produced as part of their emerging Neighbourhood Plan but as supporting documents, and given that the Neighbourhood Plan will be in general conformity with the Local Plan it is considered unlikely that a HRA will need to be undertaken. In general it is noteworthy, that if a HRA is necessary automatically also a SEA has to be undertaken.

6. Screening Outcome

6.1 The Borough Council prepared a preliminary screening opinion (May 2019). The statutory bodies, the Environment Agency, Historic England and Natural England, as required within the SEA and HRA screening process, were consulted upon this (13/05/2019 – 10/06/2019). The consultation responses of the statutory bodies have underpinned the Local Planning Authority's evaluation and conclusions. The statutory bodies' consultation responses are appended in full to this report. (please note that further detailed correspondence from Natural England was received 11/06/2019, for completeness this is also appended).

6.2 The assessments contained within this report are based upon the Borough Council's preliminary screening opinion and the consultation responses received from the statutory bodies. They clearly identify that, based upon the information available; there is not the potential for significant environmental effects to arise from the implementation of the proposals in the emerging Neighbourhood Plan for Holme next-to-Sea.

6.3 After careful consideration and on balance the Borough Council agrees with the opinions of the statutory bodies and therefore:

The Holme next-the-Sea Neighbourhood Plan does not require a Strategic Environmental Assessment (SEA).

The Holme next-the-Sea Neighbourhood Plan does not require a Habitats Regulation Assessments (HRA).

6.4 This report is based on the screening request made by the Parish Council (May 2019). The Neighbourhood Plan at this stage is emerging. The outcome of this screening report will be subject to review by Natural England, Historic England and the Environment Agency. The screening opinion and report may also need to be reviewed if changes are made to the Neighbourhood Plan.

6.5 This report will be issued to the Parish Council, and in line with the requirements, Historic England, Natural England and the Environment Agency. A copy of the report must also be submitted with the Neighbourhood Plan proposal and made available to the independent examiner

Report agreed by:



Geoff Hall, Executive Director Environment and Planning

24/06/2019.

Date

Appendix: Statutory Body Consultation Responses

From: Anglian Central, Planning_Liaison [mailto:planning.brampton@environment-agency.gov.uk]
Sent: 30 May 2019 12:17
To: Clare Robinson
Subject: RE: Statutory consultation Holme-next-the-Sea PC Neighbourhood Plan SEA/HRA Screening: "SEA & HRA requirements of the NP"

Dear Clare

Thank you for your request for a screening opinion.

Due to resource pressures we are no longer able to provide you with bespoke advice on screening opinions. If there is a specific issue that you require our expert advice on before issuing the screening opinion then please contact us with details and we will endeavour to assist you. We remain a statutory consultee for scoping opinions so please continue to submit these for our review and comments.

Below is a link to our developers guidance entitled 'Building a better environment' this sets out our role in development and how we can help.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/289894/LIT_2745_c8ed3d.pdf

We have also published a webpage for [Neighbourhood Planning Groups](#) that gives clarification on our planning consultation role.

If you have any further queries please do not hesitate to contact us.

Kind regards
Elizabeth

Elizabeth Mugova
Sustainable Places
East Anglia Area (West)

Sustainable Places Team, Bromholme Lane, Brampton, Huntingdon, Cambs. PE28 4NE
Phone: 020 8474 5242
Direct Dial: 020 3025 5999
Email: planning.brampton@environment-agency.gov.uk

From: Wight, Victoria [<mailto:Victoria.Wight@naturalengland.org.uk>]
Sent: 10 June 2019 15:20
To: Clare Robinson
Subject: RE: 2019-06-24 282328 Holme-next-the-Sea NDP SEA & HRA (Kings Lynn & West Norfolk)

Dear Claire

Thank you for consulting Natural England. We understand that Holme Neighbourhood Plan allocates one site for development which will accommodate 5 residential dwellings. This allocation aligns with the emerging Local Plan which is currently being assessed under the Habitat Regulations. On this basis we agree with the conclusions of the preliminary screening opinion of the SEA and HRA.

If you have any questions please do get in touch.

Many thanks
Victoria

Sustainable Development Lead Adviser
Natural England
2 Gilders Way, Norwich
NR3 1UB
Mobile: 07786335079
Tel: 02082257617
<https://www.gov.uk/natural-england>

From: SM-NE-Consultations (NE) [<mailto:consultations@naturalengland.org.uk>]
Sent: 11 June 2019 12:54
To: Clare Robinson
Subject: Holme-next-the-Sea PC Neighbourhood Plan SEA/HRA Screening - Natural England response
Importance: High

Dear Clare

Please find Natural England's response in relation to the above mentioned consultation attached herewith.

Kind regards

Jacqui Salt
Natural England
Consultation Service
Hornbeam House
Crewe Business Park
Electra Way,
Crewe
Cheshire, CW1 6GJ

Enquiries line: 0300 060 3900
Email: consultations@naturalengland.org.uk
www.gov.uk/natural-england

Date: 11 June 2019
Our ref: 282328
Your ref: Holme-next-the-Sea Neighbourhood Plan



Clare Robinson
Borough Council of King's Lynn & West Norfolk
clare.robinson@west-norfolk.gov.uk

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BY EMAIL ONLY

Dear Clare

Holme-next-the-Sea Neighbourhood Plan SEA/HRA Screening

Thank you for your consultation on the above dated 13 May 2019 which was received by Natural England on 13 May 2019

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Strategic Environmental Assessment (SEA) Screening

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

Habitats Regulations Assessment (HRA) Screening

Natural England agrees with the report's conclusions that the Holme-next-the-Sea Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Jacqui Salt
Consultations Team

From: Edward.James@HistoricEngland.org.uk [mailto:Edward.James@HistoricEngland.org.uk]
Sent: 10 June 2019 16:09
To: Clare Robinson
Subject: Historic England advice on case PL00582386

Dear Ms Robinson,

I am writing in relation to the following:

EIA: Environmental Impact Assessment
Holme-next-the-Sea Neighbourhood Plan, Holme-next-the-Sea, Norfolk [Case Ref. PL00582386; HE File Ref. HD/; Your Reference.]

Thank you for consulting Historic England regarding this SEA Screening. Please find our response attached.

Yours Sincerely

Edward James
Historic Places Advisor, East of England
E-mail: Edward.James@HistoricEngland.org.uk
Direct Dial: 01223 582746



Historic England

Ms Clare Robinson
Borough Council of King's Lynn & West Norfolk
Chapel Street
KING'S LYNN
Norfolk
PE30 1EX

Direct Dial: 01223 582746

Our ref: PL00582386

10 June 2019

Dear Ms Robinson

RE: Holme-next-the-Sea Neighbourhood Plan SEA Screening

Thank you for your email of 14 May 2019 regarding the above consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Therefore we welcome this opportunity to review the Screening Report for this plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Holme-next-the-Sea Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

The Screening Report indicates that the Council considers that the plan will not have any significant effects on the historic environment. We note that the plan does propose to allocate a site for small scale development of up to 5 residential units, on a site adjacent to the boundary of the conservation area. However, we consider that the scale of the development, as well as the clear and robust policy provision for the site's development in the neighbourhood plan including the protection of the conservation area, means that it is unlikely to harm the significance of the conservation area owing to development in its setting.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We should like to stress that this opinion is based on the information provided by you with your correspondence dated 14 May 2019. To avoid any doubt, this does not



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reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Please do contact me, either via email or the number above, if you have any queries.

Yours sincerely,

Edward James
Historic Places Advisor, East of England
Edward.James@HistoricEngland.org.uk

cc:



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