



Strategic Environmental Assessment Screening Opinion

Corpusty & Saxthorpe
Neighbourhood Plan

February 2017

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Strategic Environmental Assessment Screening Opinion: Corpusty & Saxthorpe Neighbourhood Plan

February 2017

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1. Introduction

- 1.1 This Screening Report is designed to determine whether or not the content of the **Corpusty & Saxthorpe 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. **It is based on the screening opinion request and the information provided on the emerging content of the plan as of November 2016.** To avoid any doubt, this does not affect the 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.
- 1.2 Strategic Environmental Assessment (SEA) is the process by which environmental considerations are required to be fully integrated into the preparation of plans and programmes prior to their final adoption. SEA is a tool used internationally to improve the environmental performance of plans so that they can better contribute to sustainable development.
- 1.3 Establishing whether a Neighbourhood Plan takes into account SEA is an important legal requirement. The Independent Examiner subsequently appointed to consider the Neighbourhood Plan for Corpusty & Saxthorpe will check that it meets the 'Basic Conditions' set out in the national Planning Practice Guidance (PPG)¹. One of the Basic Conditions is whether the Neighbourhood Plan is compatible with European obligations. This includes the Strategic Environmental Assessment Directive. This directive is transposed into UK law by the Environmental Assessment of Plans and Programmes Regulations (2004)². A Neighbourhood Plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant.
- 1.4 In meeting these obligations, the national PPG sets out that an initial screening stage is required to establish whether a Plan is likely to have significant environmental effects. As the "responsible body" this report sets out North Norfolk District Council's conclusions in respect the emerging policy areas of the Neighbourhood Plan.
- 1.5 This report has been informed by the opinions of the statutory consultees³. Their comments are appended to this report.
- 1.6 Having undertaken a screening exercise and taking account of the views of the statutory consultees **North Norfolk District Council has concluded on the basis of the emerging plan content and supporting information that Strategic Environmental Assessment is not required.**

¹ <https://www.gov.uk/guidance/neighbourhood-planning--2>

² <http://www.legislation.gov.uk/uksi/2004/1633/contents/made>

³ Historic England \ Natural England \ Environment Agency

2. Legislative Background

- 2.1 The basis for Strategic Environmental Assessment legislation is European Union Directive 2001/42/EC⁴ which requires a Strategic Environmental Assessment to be undertaken for certain types of plans or programmes that could have a significant environmental effect. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, commonly referred to as the SEA Regulations⁵. The Government published 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005)⁶, which provides more detailed guidance on how an SEA should be carried out.
- 2.2 In accordance with the provisions of the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9(1)), the Council must determine if a plan requires an environmental assessment. This process is commonly referred to as a "screening" assessment. Where the Council determines that SEA is not required, then the Council must, under Regulation 9(3), prepare a statement setting out the reasons for this determination. Where it is determined that proposals in a Neighbourhood Plan are likely to have significant environmental effects, the Neighbourhood Plan may require a strategic environmental assessment. Draft Neighbourhood Plan proposals should then be assessed to identify, describe and evaluate the likely significant Environmental effects as prescribed in regulation 12 (2)& (3) of the above legislation.
- 2.3 In accordance with Regulation 9 of the SEA Regulations 2004, Corpusty & Saxthorpe Parish Council (the qualifying body) has requested North Norfolk District Council (NNDC), as the responsible authority, to consider whether an environmental assessment of the emerging Neighbourhood Plan is required due to significant environmental effects.
- 2.4 Whether a Neighbourhood Plan requires an SEA, and if so, the level of detail needed, will depend on what is proposed in the Neighbourhood Plan. The national PPG⁷ suggests that an SEA may be required, 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; and
 - 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.
- 2.5 It remains the responsibility of the Local planning authority to ensure that all the regulations appropriate to the nature and scope of a [Neighbourhood Plan](#) proposal submitted to it have been met in order for the proposal to progress. However it remains the qualifying body's

⁴ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32001L0042>

⁵ <http://www.legislation.gov.uk/uksi/2004/1633/contents/made>

⁶ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

⁷ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal> para 046 reference ID: 11-046-20150209

responsibility to make every effort to ensure the resultant draft neighborhood plan that it submits to the local planning authority:

- Meets each of the basic conditions;
- Has been prepared in accordance with the correct process and all those required to be consulted have been;
- Is accompanied by all the required documents.⁸

2.7 Sustainability Appraisal (SA) incorporates the requirements of the SEA Regulations, which implements the requirements of the SEA Directive on the assessment of the effects of certain plans and programmes on the environment. Sustainability Appraisals ensure that the potential environmental effects are given full consideration together with social and economic issues. The Government has stated that a Sustainability Appraisal is not legally required for Neighbourhood Plans, but has said that it must be demonstrated how the Neighbourhood Plan contributes to the achievement of sustainable development in the area. It is down to the qualifying body to demonstrate how its Neighbourhood Plan will contribute to achieving sustainable development. It is considered best practice to incorporate requirements of the SEA Directive into a SA.

2.8 The Council has an adopted Local Plan which includes a Core Strategy, 2008, Site Allocations, 2011 and supplementary planning documents covering landscape and design. As such the accompanying SA is in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004. The strategies and policies were tested against the sustainability objectives (and accompanying questions) as published in the final SA. As part of the emerging new single Local Plan the council has consulted on an SA Scope, Winter 2016 and is refining its emerging SA framework. The Council considers it appropriate to adopt the established SA framework used in the existing and emerging development plans for the area to undertake this screening exercise and SA of the emerging plan.

Habitat Regulations

2.9 Schedule 2 of the Neighbourhood Planning (General) Regulations 2012⁹ refers to the Habitats Directive. The Regulations require Habitats Regulations Assessment (HRA) screening to be undertaken (by the qualifying Body) to identify if a Neighbourhood Plan would have a significant impact on nature conservation sites that are of European importance, also referred to as Natura 2000 sites. Article 6 (3) of the EU habitats Directive¹⁰ and Regulation 61 of the Habitats and Species Regulations 2010¹¹ (as amended) requires that an Appropriate Assessment is carried out on any plan or project likely to have a significant effect on a European Site.

⁸ PPG Paragraph: 031 Reference ID: 11-031-20150209

⁹ http://www.legislation.gov.uk/uksi/2012/637/pdfs/uksi_20120637_en.pdf

¹⁰ http://ec.europa.eu/environment/nature/natura2000/management/guidance_en.htm

¹¹ <http://www.legislation.gov.uk/uksi/2010/490/contents/made>

- 2.10 European Sites are defined in regulation 8 of the Conservation of Habitats and Species Regulation 2010, and consist of candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas, as defined in regulation 8 of the Conservation of Habitats and Species. These are also reflected in the National Planning Policy Framework, NPPF, which also refers to Ramsar sites, which are listed in accordance with the international Ramsar Convention. The NPPF requires decision makers to apply the same protection and process to Ramsar sites as that set out in legislation for European sites.¹²
- 2.11 To fulfil the legal requirements to identify if likely significant effects will occur on European Sites through the implementation of the Neighbourhood Plan, the Neighbourhood Plan group should undertake an HRA Screening Assessment and submit to the competent authority,(LPA) for the purpose of determining if further assessment of the implications for European sites is required. Details of the internationally designated sites need to be assessed to see if there is the potential for the implementation of the Neighbourhood Plan to have an impact on the sites. The Regulations state¹³ that any assessment should be in view of the sites conservation. Any such affect needs to be ascertained and this can be done at the time the screening opinion is being sought.

¹² NPPF para 118

¹³ Regulation 102A (3) Schedule 2 of the Neighbourhood Planning (General) Regulations 2012

3. Corpusty & Saxthorpe Neighbourhood Plan

3.1 The Neighbourhood Plan for Corpusty & Saxthorpe is in its early stages of preparation. The information provided in the SEA Screening Opinion request (dated 11 November 2016) stated:

- That *the Corpusty & Saxthorpe Neighbourhood Plan is still in the early stages of preparation,*
- *In terms of environmental assets the area does not encompass any Area of Outstanding Natural Beauty, National Park, Special Protection Area, Ramsar site, or Special Areas of Conservation. It does, however, contain parts of several County Wildlife Sites. The area also includes a handful of Listed Buildings, one of which is Grade I listed. A small portion of the Plan area is considered to be Flood Risk Zones 2 and 3.*

The key topics to be covered by policies in the Plan are summarised below and are likely to include:

1) People and Housing:

- New development
- Affordable housing
- Housing for the elderly
- Infill housing
- Types and size of dwellings
- Mix of housing types

2) Environment and Design:

- Agricultural land
- Preservation of the Bure Valley
- Preservation of wildlife
- Archaeological heritage
- Renewable energy
- Carbon neutral properties
- Design and heritage
- Church views
- Design Criteria
- Open space requirements

3) Making a Living:

- Small business
- Broadband and mobile phone infrastructure
- Light industry
- Heavy goods vehicles
- Agriculture and horticulture

4) Education:

- Primary School
- Travelling library
- Adult education

5) Wellbeing and Flourishing:

- St Andrew's Church
- St Peter's Church
- The Village Green
- Footpaths
- Children's play area
- Allotments

6) Getting Around:

- Traffic calming schemes
- Speed limits
- Public transport
- Volunteer transport

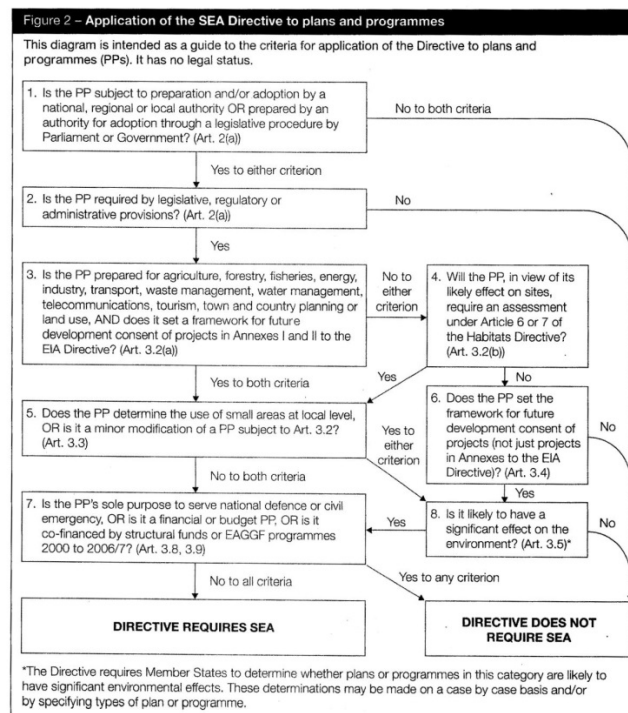
7) Site Specific Plans and Policies:

- Site 1
- Site 2
- Site 3

4. SEA Screening

- 4.1 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”¹⁴, (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 2004¹⁵.
- 4.2 The regulations state that before making a determination the three statutory consultation bodies must be consulted: The Environment Agency, Natural England and Historic England. The consultation bodies were consulted between 21.11.16 and 3.01.17 and further information was subsequently provided to Historic England on 31.01.17. Correspondence and responses are appended to this report.
- 4.3 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 1: Application of the SEA Directive to plans and programmes



https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf paragraph 2.18

¹⁴ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

¹⁵ <http://www.legislation.gov.uk/uksi/2004/1633/contents/made>

Table 1: Criteria for determining the likely significance of effects

<p>Table 1: Criteria for Determining the Likely Significance of Effects.</p> <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:

5. Assessment

5.1 Application of the SEA Directive to plans and programmes.

STAGE	Y/N	REASON
1. Is the Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	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 NP is being prepared by the parish council (as the “relevant body”) and will be “made” by North Norfolk District Council as the local authority subject to passing an independent examination and community referendum. The preparation of NP’s is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012, the Neighbourhood Planning (referendums) Regulations 2012, and the Neighbourhood Planning (General) (Amendment) Regulations 2015.
2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art.2(a))	Y	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 District. 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
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 development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Y	<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 framework for town and country planning and land use within the parish of Corpusty and Saxthorpe. Its intention is to complement the higher order strategic Framework that already exists for land use planning across the District.</p> <p>The strategic framework for development is set by the adopted Core Strategy and the emerging Local Plan of the</p>

		<p>North Norfolk District Council. The Neighbourhood Plan seeks to align and be in general conformity with these.</p> <p>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>	Y/N	<p>A Neighbourhood Plan could potentially have impacts on sites covered by the Habitats Directive. Although there are no European sites located in the Neighbourhood Plan Area, nearby there are. These comprise of Norfolk Valley Fens SAC, North Norfolk Coast SAC/ SPA/ Ramsar and the Overstrand Cliffs SAC.</p> <p>A Habitats Regulation Assessment (2010) was carried out as part of North Norfolk District Council site allocations which concluded that any adverse effect from disturbance on the North Norfolk Coast could not be ruled out. It however further concluded that as long as appropriate mitigation, in this case a programme of monitoring was implemented, that the <i>“proposed development in Corpusty and Saxthorpe will have no adverse effect on the integrity of any Natura 2000 or Ramsar sites.”</i></p> <p>Given the intension that the Neighbourhood Plan will be in general conformity with the existing Local Plan, especially given its small scale and local context it could be reasonable to conclude at this stage that this Neighbourhood Plan is unlikely to have any substantial effect on the network of protected sites. Never the less the overall numbers of the intended allocations are not yet established and as the plan intends to allocation sites, in addition to that allocated in the adopted Site Allocation DPD, it remains appropriate to conclude that their remains a possibility that an assessment could be required. Given this ambiguity both question 5 and 6 of the flowchart are enacted.</p>
<p>5 Does the Neighbourhood Plans determine the use of small areas at local level, Or is it a minor modification of a PP subject to Art 3.2? (Art3.3)</p>	Y	<p>A Neighbourhood Plan can determine the use of small areas at a local level. The Neighbourhood Plan for Croxton & Saxthorpe proposes to include policies relating to the location of sustainable development, including policies whose purpose is specifically to allocate small areas of land for development.</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)	Y	Once “made” a Neighbourhood Plan forms part of the statutory Development Plan and will be used by North Norfolk District Council 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.
8. Is it likely to have a significant effect on the environment	N	The Neighbourhood Plan seeks general conformity with the adopted Core Strategy and Development Plan Documents and regard to the emerging local plan. From the application of criteria for determining the likely significant effects below it is considered it is unlikely that three will be significant effect.

5.2 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:		
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 strategic framework for development is set by the adopted Development Plan and the emerging Local Plan of North Norfolk District Council. The Neighbourhood Plan seeks to align and be in general conformity with this.	No
The degree to which the plan or programme influences other plans or programmes including those in a hierarchy;	The Neighbourhood Plan will be adopted alongside the higher order Local Plan and form part of the District’s Development Plan. The Neighbourhood Plan will expand upon some of the emerging Local Plan policies, providing supplementary information on a local scale.	No
The relevance of the plan or programme for the integration of environmental	Any Development that comes forward through the NP will be subject to environmental considerations of the Core Strategy and the Local Plan when adopted. These policies have been (will be) subject to sustainability	No

considerations in particular with a view to promoting sustainable development;	appraisal, and are in place to ensure that sustainable development is achieved.	
Environmental problems relevant to the plan or programme;	There are not considered to be any significant environmental problems which are specific to the area, above and beyond those considered and addressed in the Local Plan. The Neighbourhood Plan may include policies which provide additional environmental protection.	No
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;	Although it seeks to allocate three sites for development the emerging information is that these are small scale and fairly well integrated sites. Two of the sites were previously considered through the Local Plan process and are well related to the settlement. The overall numbers are expected to be reflective of what is anticipated through the higher order Development Plan.	No
The cumulative nature of the effects;	It is considered unlikely that the degree of development proposed through the Neighbourhood Plan when combined with the Core Strategy and the emerging local plan will introduce significant environmental effects. Whilst both documents are being written, the Local Plan will be subject to full SEA and Habitats Regulations and a Sustainability Appraisal is recommended as part of the Neighbourhood Plan process.	No

The trans-boundary nature of the effects;	The Neighbourhood Plan policy areas outlined provide supplementary policy areas on a local scale. The impacts beyond the parish are unlikely to be significant.	?
The risks to human health or the environment (e.g. due to accidents);	The Neighbourhood Plan is unlikely to produce any significant effects in relation to this criteria	No
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 Corpusty and Saxthorpe. The 2011 census recorded the usual resident population of Corpusty and Saxthorpe village as 697. The larger electoral ward population was recorded as 2,322, which covers approx. 6,075 hectares. No parish figures were available at the time of writing. This is in comparison to the usual resident population of 101,499 of North Norfolk and an area of 96,333 hectors. The small spatial extent and the magnitude of the population affected are not considered significant for the purpose of the SEA. ¹⁶	No
The value and vulnerability of the area likely to be affected due to: i) Special natural characteristics or cultural heritage; ii) Exceeded environmental quality standards or limit values iii) Intensive land use	<p>i) The Plan Area contains a number of listed buildings but does not contain any areas of environmental designations. The Neighbourhood Plan by virtue of the “basic conditions” will however conform to the existing Development Plan, and emerging Local Plan which provides protection to environmental characteristics across the District to ensure that they are not vulnerable to significant impacts from development.</p> <p>ii) The Neighbourhood Plan is unlikely to result in exceedance of environmental quality standards, such as those relating to air, water, and soil quality.</p> <p>iii) The Neighbourhood Plan is unlikely to bring forward development of an extent that would result in a significant intensification of Local land Use.</p>	<p>No</p> <p>No</p> <p>No</p>

¹⁶ <http://www.norfolksight.org.uk/profiles/profile?profileid=18&geoTypeid=10>

The effects on areas or landscapes which have a recognised national, Community or international protection status.	The Plan Area includes listings which reflect the cultural and heritage value of the area such as listed buildings The environmental effects on areas of biodiversity designations have been considered through the emerging Local Plan.	No
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5.3 Habitat Regulations

In the case of Corpusty & Saxthorpe Neighbourhood Plan there are no European sites in The Neighbourhood Plan Area, however Corpusty and Saxthorpe are approximately 7.5km from the Norfolk Valley Fens SAC, 14km from the North Norfolk Coast SAC/SPA/Ramsar and 16.5km from the Overstrand Cliffs SAC. Habitats Regulation Assessments, June 2007 & February 2010 were carried out as part of North Norfolk District Council's adopted Local Plan. It is good practice to prepare a statement setting out how environmental issues have been taken into account and considered during the preparation of the Neighbourhood Plan and this should be undertaken once policies and allocations have been developed. It remains for the Neighbourhood Plan group to satisfy themselves and demonstrate that the emerging proposed policies and site allocations align with the previous 2010 HRA and the best way to undertake this would be through the undertaking of an HRA screening report. Any such report should detail the assessment of any likely significant effect (or no likely significant effect) of each Neighbourhood Plan policy on European Designated Sites.

6 Screening Outcome

- 6.1 The assessment shown above identifies that based on the information available to date, there are unlikely to be any significant environmental effects from the implementation of the proposals in the emerging Neighbourhood Plan for Corpusty & Saxthorpe.
- 6.2 The Environment Agency, Historic England and Natural England were consulted between 21.11.16 and 3.01.17 and have responded to the Screening Opinion request. Their responses are appended to this report. Their responses are based on the information provided by Small Fish Consultancy in the Screening Opinion request dated 11 November 2016.
- 6.3 On the basis of the material supplied Natural England consider that *“insofar as our strategic environmental interests are concerned (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”*. Historic England took the view that it is not possible to determine if an SEA is not required at this time based on the information contained in the screening request. Further information was subsequently provided by the Neighbourhood Plan Group; however at the time of writing no further updated opinion has been received. The Environment Agency did not conclude either way but provided general advice around water quality, waste water, Flood Risk and biodiversity, noting that *“...any development within the area should protect and if possible enhance the status of water quality at the River Bure...”*. They asked that the Neighbourhood Plan group include the Environment Agency is consulted and that policies should ensure that water quality is maintained.
- 6.4 Having reviewed the criteria and the information available in the November request, the Council has concluded that the emerging Neighbourhood Plan is not likely to have any significant environmental effect and accordingly will not require a Strategic Environmental Assessment. The main reasons for this conclusion are:
- The Neighbourhood Plan is unlikely to affect any designated sites in the vicinity or lead to other environmental effects;
 - The Neighbourhood Plan seeks to align with the adopted Development Plan which has been subject to full SEA and Habitats Regulations and Sustainability Appraisal.
 - The small spatial extent and the magnitude of the population affected are not considered significant for the purpose of the SEA
 - The Neighbourhood Plan seeks to avoid or minimise environmental effects when determining development proposals;
- 6.6 In addition to the screening of Neighbourhood Plans in relation to SEA, there is a need to assess the likelihood of proposals within a Plan having an adverse impact on internationally designated wildlife sites. This Habitats Regulations Assessment (HRA) is required by the European Habitats Directive.
- 6.7 Although there are no European sites in the Plan Area, there are sites close by. A Habitats Regulations Assessment may be required depending on the contents of the Neighbourhood Plan and it remains for the Neighbourhood Plan group to satisfy themselves and demonstrate

that the emerging proposed policies and site allocations align with the adopted Development Plan and evidence base such as the 2010 HRA.

- 6.6 This report is based on the Screening Opinion request of 11th November 2016. The Neighbourhood Plan at this stage is emerging. The outcome of this screening opinion will be subject to review by Natural England, English Heritage and Environment Agency. The screening opinion will also need to be reviewed if changes are made to the Neighbourhood Plan.
- 6.7 This report has been issued to the Neighbourhood Plan Working Group, and in line with the requirements, Historic England, Natural England and the Environment Agency. A copy of the report must be submitted with the Neighbourhood Plan proposal and made available to the independent examiner.

Appendix 1

Responses from the Statutory Consultees.



Mr. Ian Withington
North Norfolk District Council
Planning Policy
Holt Road
Cromer
Norfolk
NR27 9EN

Our ref: AE/2016/121125/SE-01/DS1-L01
Your ref: SEA Screening
Date: 13 December 2016

Dear Mr. Withington

CORPUSTY AND SAXTHORPE NEIGHBOURHOOD PLAN STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) SCREENING OPTION.

Thank you for the opportunity to comment on the SEA screening for Corpusty and Saxthorpe neighbourhood plan. Our letter contains information in regards to water quality, waste water, flood risk and biodiversity.

Water Quality

A high quality water environment is an integral part of the natural environment, providing rich habitats for species and quality of life benefits for local people. The River Bure crosses the Corpusty and Saxthorpe neighbourhood plan area. Any development within the area should protect and if possible enhance the status of water quality at the River Bure. The Water Framework Directive (WFD) through the river basin management plan (RBMP) sets out the environmental objectives which will need to be met in relation to water quality. The SEA and subsequent neighbourhood plan should consider these documents and liaise with water companies to ensure that water quality is maintained.

Waste Water

The provision of infrastructure for waste water is listed as one of the strategic priorities that should be considered by local councils. Overloaded or inadequately treated waste water poses a risk to human health and could harm the water environment by reducing water quality. This would also impact on the ability of water bodies to meet the water quality objectives in the Water Framework Directive (WFD). Our records indicate there is some capacity for the water recycling centres covering Corpusty and Saxthorpe but contact should be made with providers to ensure ongoing monitoring of waste water capacity as development is brought forward.

Flood Risk

Planning for flood risk brings multiple benefits such as making communities more resilient, helping improve water quality, enhancing biodiversity and recreation opportunities. The strategic Flood Risk Assessment (SFRA) will inform flood risk and identify suitable sites for developments within the neighbourhood plan area. Individual sites for proposed development will need to pass the sequential test and be supported by a site-specific flood risk assessment.

Climate change guidance was updated in February 2016. This guidance can be used for planning applications, local plans and neighbourhood plans. It provides climate change allowances for peak river flow, peak rainfall, sea level rise, wind speed and wave height. The guidance provides a range of allowances to assess fluvial flooding rather than a single national allowance. Flood risk assessments submitted in support of new development will need to consider the latest climate change allowance. Details can be found at <https://www.gov.uk/government/publications/flood-and-coastal-risk-guidance-climate-change-allowances>

Sustainable drainage system (SuDS) are an approach for managing surface water run-off which seeks to mimic natural drainage systems. SuDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. We would promote the incorporation of SuDS into any future development within the neighbourhood plan area. SuDS can assist in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge and improving water quality and amenity including habitat creation. Further information is available at the Susdrain website (<http://www.susdrain.org/>)

Biodiversity

Opportunities should be sought to improve the environment as new development is brought forward. Landscaping proposals should demonstrate that thought has been given to maximizing potential ecological enhancements. Paragraph 9 of the NPPF sets out that planning should seek positive improvements and include an aim to move from a net loss of biodiversity to achieving net gains. This presents an opportunity to provide multi-functional benefits – providing open spaces for residents, sustainable transport links and climate change resilience. The neighbourhood plan should seek to maintain and enhance the biodiversity of the River Bure to enhance this as habitat for nature and an amenity resource for people.

Green infrastructure, defined as a network of new and existing multi-functional green space and features, such as ecological corridors or other appropriate planting, should be considered in new developments. Incorporating green and / or brown roofs and walls can be a particularly effective measure. They provide urban habitats, increased energy efficiency of buildings and attenuation of rain water.

Please note that the views expressed in this letter are a response to the strategic environmental assessment for Corpusty and Saxthorpe only and do not represent our final view in relation to any future planning or permitting applications that may come forward.

We trust this information is useful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Pat Abbott', is centered within a light gray rectangular box.

Mr. Pat Abbott
Planning Advisor

Direct dial: 02084748011

Direct e-mail pat.abbott@environment-agency.gov.uk

End

3

Date: 21 December 2016
Our ref: 201891
Your ref:



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BY EMAIL ONLY

T 0300 060 3900

Dear Mr Withington

SEA Screening Opinion Corpusty & Saxthorpe Neighbourhood Plan

Thank you for your consultation on the above dated 21st November 2016 which was received by Natural England on the same date.

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.

Screening Request: Strategic Environmental Assessment

It is our advice, on the basis of the material supplied with the screening request, that, in so far as our strategic environmental interests are concerned (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 SEA Directive is contained within the National Planning Practice Guidance¹. 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 neighbourhood plan is unlikely to have significant effects on sensitive sites that Natural England has a statutory duty to protect. We should highlight that although there are no designated sites within the neighbourhood plan area, there are a number of designated sites in proximity to the neighbourhood area for which Impact Risk Zones may be triggered depending on the location and type of development. For example Edgefield Little Wood SSSI, Holt Lowes SSSI, and the Norfolk Valley Fens SAC. The latest Impact Risk Zone dataset is available here [\(Link to datasets\)](#).

We have not checked the agricultural land classification of the proposed neighbourhood plan area, but we advise you ensure that any allocations on best and most versatile land are justified in line with para 112 of the National Planning Policy Framework.

Please refer to Annex 1 of this letter with regards information sources and issues to consider within the plan.

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.

For any queries relating to the specific advice in this letter only please contact Tamara Rowson on 02082257775. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form and welcome any comments you might have about our service.

Yours sincerely

Tamara Rowson
Norfolk and Suffolk Team

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](#)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification**, **Ancient Woodland**, **Areas of Outstanding Natural Beauty**, **Local Nature Reserves**, [National Parks \(England\)](#), **National Trails**, **Priority Habitat Inventory**, **public rights of way (on the Ordnance Survey base map)** and **Sites of Special Scientific Interest (including their impact risk zones)**.

Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)⁵ website and also from the [LandIS website](#)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfbr.org.uk/nfbr.php>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#)¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
 - Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).
-



Historic England

EAST OF ENGLAND OFFICE

Mr Iain Withington
North Norfolk District Council
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Norfolk
NR27 9EN

Direct Dial: 01223 582717

Our ref: PL00050327

3 January 2017

Dear Mr Withington

Corpusty and Saxthorpe Neighbourhood Plan, Strategic Environmental Assessment Screening Report

Thank you for consulting Historic England on the SEA Screening Opinion on the emerging Corpusty and Saxthorpe Neighbourhood Plan.

For the purposes of this consultation, Historic England will confine our advice to the question, "is it likely to have a significant effect on the environment" in respect of our area of concern, cultural heritage. Our comments are based on the information supplied by North Norfolk District Council and include a brief screening opinion provided by Small Fish Strategy Consultants, along with a map of the neighbourhood plan area provided by North Norfolk District Council. It will be up for the Council to make a final decision in terms of whether an SEA is required.

On the basis of the information supplied and in the context of the criteria set in out in Schedule 1 of the Environmental Assessment Regulations 'CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT' (Annex II of SEA Directive) and the assessment duties in the Regulations Part 2 (5) (6), Historic England would take a view that it is not possible to determine if an SEA is not required for the emerging Corpusty and Saxthorpe Neighbourhood Plan. We understand that after speaking to North Norfolk District Council, at present there is no further information to consider and a draft neighbourhood plan to base our opinion on has not yet been issued. Historic England will be happy to offer further advice on the Strategic Environmental Assessment Screening, if this additional information is received.

The views of other statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made. I would be pleased if you can send me a copy of the determination as required by Regulation 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Finally, we should like to stress that this opinion is based on the information provided



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by North Norfolk District Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice on later stages of the SA/SEA process and potentially, object to specific proposals, which may subsequently arise in the Neighbourhood Plan where we consider that these would have an adverse effect upon the historic environment.

If you have any questions with regards to the comments made then please do get back to me. In the meantime we look forward to continuing to work with you and your colleagues.

Yours sincerely,

Steven King
Historic Places Advisor
Steven.King@HistoricEngland.org.uk



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From: Iain Withington
Sent: 28 February 2017 10:09
To: 'Steven.King@HistoricEngland.org.uk'
Subject: NP Corpusty & Saxthorpe Historic England advice on case PL00050327
Importance: High

Steven,

Following Historic England response and subsequent discussion I have not heard back from Historic England since providing further information on the emerging policies of the Corpusty and Saxthorpe Neighbourhood Plan. The parish has no conservation area and although there are some listed buildings I can see no content of the plan that would require further assessment through the SEA process in relation to heritage. In relation to the historic and wider interests unless there are any specific considerations that Historic England wish to highlight I intend to conclude that there is no requirement for an SEA for the Corpusty and Saxthorpe Neighbourhood Plan.

Regards
Iain

From: Iain Withington
Sent: 22 February 2017 10:39
To: 'Steven.King@HistoricEngland.org.uk'
Subject: FW: Historic England advice on case PL00050327
Importance: High

Stephen,

Could you confirm if Historic England intend to comment on the SEA Screening Opinion for the emerging Corpusty & Saxthorpe Neighbourhood Plan.

Many thanks

From: Iain Withington
Sent: 31 January 2017 17:11
To: 'Steven.King@HistoricEngland.org.uk'
Subject: RE: Historic England advice on case PL00050327

Dear Stephen,

Thank you for your email and Historic England advice around the SEA Screening Opinion on the emerging neighbourhood plan.

I have been in contact with the neighbourhood plan group and am now in a position to supply Historic England with some further information. I would be grateful if you could review the attached emerging (unpublished) draft Neighbourhood Plan and advise if this is now sufficient to determine if an SEA is not required for the emerging Corpusty and Saxthorpe Neighbourhood Plan from Historic England's perspective. Section 4 has a detailed policy on the Historic Environment. Section 10 details some site allocations. The majority of site 1 is currently allocated in the adopted NNDC Core Strategy and along with site 2 has undergone SA through the Core Strategy. Site three is the only new site.

I also attach a document that the NP commissioned around historical buildings for your interest.

I am aiming to complete this exercise shortly and if you are able to conclude in the next few weeks it would be gratefully appreciated.

Please give me a ring if you wish to discuss or require any further information

Many thanks and kind regards

Iain

Iain Withington

Planning Policy Team Leader