



North Norfolk District Council

Habitat Regulations Assessment Screening Determination

Holt Neighbourhood Plan - Emerging Draft Submission Version (March 2022)

July 2022

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1 Introduction

- 1.1 The Regulations require Habitats Regulations Assessment (HRA) screening to be undertaken by the competent authority i.e. any public body or individual holding public office with a statutory remit and function. In the case of Planning North Norfolk District Council is the competent authority under the EU ‘Habitats’ Directive 92/43/EEC. The *Habitats Directive* is transposed into UK legislation by the Conservation of Habitats and Species Regulations 2017, as amended (referred to as the *Habitats Regulations*). Under Article 6(3) of the Habitats Directive the Council must consider if the project i.e. the development proposal (Neighbourhood Plan), is likely to have a significant effect on the conservation objectives of the Natura 2000¹ site or adversely affect the integrity of the Natura 2000 site alone or in combination with other plans or projects. This process is generally referred to as a Habitats Regulations Assessment (HRA).
- 1.2 Whether a neighbourhood plan requires a habitats regulation assessment and the level of detail needed will depend on what is proposed in the draft Neighbourhood Plan and the potential impacts on European sites designated for their nature conservation interest. Following the Screening Assessment this report represents the Screening Determination of North Norfolk District Council as the responsible body in Law on whether the emerging Holt Neighbourhood Plan (March 2022) will significantly affect the integrity of any European site, in terms of impacting on the site’s conservation objectives. This report therefore determines whether a Habitats Regulations Assessment (HRA) under Directive 92/43/EEC, also known as the Habitats Directive, is required for the Holt Neighbourhood Plan.
- 1.3 As the “responsible body” this report sets out North Norfolk District Council's HRA determination conclusions in respect of the:
- Screening report undertaken by NNDC on behalf of the Neighbourhood Plan steering group, which can be viewed at www.north-norfolk.gov.uk/holtnp
 - The responses to this report from the statutory consultees (where they responded) are contained in Appendix 1 to this report.
- 1.4 This assessment relates to emerging updated submission/examination draft of the Holt Neighbourhood Plan dated March 2022 and follows earlier consultation on the HRA Screening Assessment with statutory bodies.

2 Legislative Background

- 2.1 It is a requirement of law that a plan or project is subject to an iterative assessment to determine whether it will significantly affect the ecological integrity of any European site, in terms of impacting on the site’s conservation objectives and should conclude whether or not a proposal or policy in the Plan would adversely affect the integrity of any sites.

¹ Natura 2000 sites are a network of protected areas covering Europe's most valuable and threatened species and habitats. It is the largest coordinated network of protected areas in the world, extending across all 28 EU countries, both on land and at sea.

2.2 To consider whether a proposed development plan or programme is likely to adversely affect the integrity of any European site the HRA is undertaken in stages.

Stage 1: Firstly, plans or programmes must be screened to determine if they are likely to have a significant effect (and are not plans connected to the management of the European site(s) in question). This needs to take account of the likely impacts in combination with other relevant plans and projects. This assessment should be made using the precautionary principle. This means that if there is uncertainty as to whether the plan or programme would cause significant effects on a European site, the full Appropriate Assessment would be required. The screening assessment must reflect the outcomes of the 2018 judgement of the Court of Justice of the European Union², which has ruled that where mitigation is necessary this must be identified through an Appropriate Assessment.

Stage 2: Carrying out Appropriate Assessment and ascertaining the effect on site integrity. The effects of the plan on the conservation objectives of sites should be assessed, to ascertain whether the plan has an adverse effect on the integrity of a European site.

Stage 3: Identifying mitigation measures and alternative solutions. The aim of this stage is to find ways of avoiding or significantly reducing adverse impacts, so that site integrity is no longer at risk. If there are still likely to be negative impacts, the option should be dropped, unless exceptionally it can be justified by imperative reasons of overriding public interest.

2.3 If it cannot be demonstrated at the screening stage that the plan or programme will not have significant effects of the European site(s), an 'Appropriate Assessment' (AA) must then be undertaken. This is a much more detailed study of the effects of the plan or programme and mitigation measures. The parts together form a full HRA. Where it is deemed that adverse effects cannot be ruled out, a plan or project must not proceed, unless exception tests are met.

2.4 In determining whether a proposed development plan or programme is likely to have significant effects, the local authority must incorporate the 'precautionary principle' into its decision. This means that if there is uncertainty as to whether the plan or programme would cause significant effects on a European site, the full AA would be required. If an Appropriate Assessment is required, then this will engage the need for a Strategic Environmental Assessment.

2.5 The Neighbourhood Planning (General) Regulations 2012³, state that submitted neighbourhood plans need to be accompanied by a statement explaining how the proposed neighbourhood plan meets the "basic conditions" set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the plan is compatible with EU obligations, which includes the need to undertake a HRA. This is one of the matters that will be tested as part of the independent examination of the Plan. In doing so the competent authority i.e NNDC will issue a Screening Determination as part of the HRA regulations setting out the Councils' HRA determination conclusions. Such a document follows the initial screening

² C-323/17 – People over Wind, Peter Sweetman v Coillte Teoranta

³ http://www.legislation.gov.uk/ukxi/2012/637/pdfs/ukxi_20120637_en.pdf

and or more detailed Appropriate Assessment following consultation with relevant statutory consultees and can be relied upon by the submitting authority i.e the Parish Council, as part of submission documents and for the subsequent examination.

- 2.6 Neighbourhood planning bodies are advised through national guidance to consider the environmental implications of its proposals in the production of a neighbourhood plan. Screening though can only be undertaken when sufficient information is available to enable the competent authority to determine whether the emerging Plan requires further detailed assessments in relation to the Habitats Regulations 2017 as updated. Undertaken too early a further screening exercise is likely to be necessary at subsequent stages when the direction and content of the plan is known. Undertaken during the later stages in the production of the neighbourhood plan however may have implications for delay as sufficient time needs to be factored into the production of a neighbourhood plan for any procedural steps required under the legislation. Plans should be kept under review and screened again should the content and particularly the scope change. A screening determination issued by the Council is required at submission.

3 Assessment

- 3.1 Holt Town Council is producing a Neighbourhood Plan for Holt, in order to set out the vision, objectives and policies for the development of the parish, within the context of the Local Plan and emerging updated Local Plan. This Habitats Regulations Assessment screening assessment reviews the emerging Draft submission Plan following the previous regulation 14 pre submission consultation under taken in January / February 2018. The emerging Draft is significantly reworked to reflect feedback and further advice.
- 3.2 The Neighbourhood Plan includes a range of policies covering the Holt Neighbourhood Plan area as mapped in appendix 3. A number of policies relate to the full Neighbourhood Plan area whilst others are area/location specific. The Neighbourhood Plan does not allocate specific sites for development.
- 3.3 The policies in the Holt Neighbourhood Plan are listed in Table 2 below. An assessment of whether each policy is likely to have a significant effect on European protected sites is included in section 5 of this report

Table 1: List of Neighbourhood Plan Policies

Holt 1	Design Guidance
Holt 2	Housing Mix & Tenure
Holt 3	Green Infrastructure
Holt 4	Employment Growth in Holt
Holt 5	Community Facilities
Holt 6	Connectivity in and around Holt
Holt 7	Open Spaces

- 3.1 In determining whether a proposed development plan or programme is likely to have significant effects, the local authority must incorporate the ‘precautionary principle’ into its decision. This means that if there is uncertainty as to whether the plan or programme would cause significant effects on a European site, the full AA would be required.
- 3.2 The Holt Neighbourhood Plan Area (NPA) contains the following designated European sites and nature conservation sites:
- Norfolk Valley Fens
- 3.3 Sites included in the screening assessment are listed in Table 2 below. This includes all sites that are within 20km of the Holt Neighbourhood Plan area (for consistency with the distances applied within the HRA of the Local Plan and adopting the precautionary approach). The Qualifying Features and Conservation Objectives of the sites are contained below in Table 3

Table 2: Relevant European sites

Designation	Name
SAC	North Norfolk Coast
	The Wash & North Norfolk Coast
	Norfolk Valley Fens
	River Wensum
	Overstrand Cliffs
SPA	North Norfolk Coast
	Greater Wash
SAC (Marine)	North Norfolk Coast
	The Wash and North Norfolk Coast
SPA (Marine)	North Norfolk Coast
	Greater Wash
Ramsar Sites	North Norfolk Coast

Designation	Name
SSSI	Bryant's Heath, Felmingham
	Cockthorpe Common, Stiffkey
	East Runton Cliffs
	Edgefield Little Wood
	Felbrigg Woods
	Glandford (Hurdle Lane)
	Glandford (Letheringsett Road)
	Gunton Park Lake
	Holt Lowes
	Kelling Heath
	Morston Cliff
	North Norfolk Coast
	River Wensum
	Sheringham and Beeston Regis Commons
	Sidestrand and Trimingham Cliffs
Southrepps Common	

	Stiffkey Valley
	Swanton Novers Woods
	Warham Camp
	Wells Chalk Pit
	West Runton Cliffs
	Westwick Lakes
	Weybourne Cliffs
	Weybourne Town Pit
	Wiveton Downs

Table 3 European sites including Ramsar and component SSSI

Name & Uk Ref No	Description	Ref	Feature Description
North Norfolk Coast SAC - UK0019838 This forms part of the North Norfolk Coast Marine Site	Designated primarily for its coastal habitats including: coastal lagoons, perennial vegetation of stony banks (at Blakeney Point), Mediterranean and thermo-Atlantic halophilous scrub, embryonic shifting dunes, white dunes, fixed grey dunes and humid dune slacks. Species of importance which are present as a qualifying feature on the site, but not a primary reason for selection, include otter and pearlwort.	1150	Coastal lagoons
		1220	Perennial vegetation of stony banks
		1420	Mediterranean and thermo-Atlantic halophilous scrubs (<i>Sarcocornetea fruticosi</i>)
			Embryonic shifting dunes
		2110	Shifting dunes along the shoreline with
		2120	<i>Ammophila arenaria</i> ("white dunes")
			Fixed coastal dunes with herbaceous vegetation ("grey dunes")
		2130	Humid dune slacks
		2190	Otter, <i>Lutra lutra</i>
		1355	<i>Petalwort</i> , <i>Petalophyllum ralfsii</i>
		1395	
			Publication date 27 Nov 2018 version 3
The Wash and North Norfolk Coast SAC - UK0017075 This site is a part of The Wash and North Norfolk Coast European Marine Site	An important marine area, covering the intertidal and subtidal areas only, which are also included in the component SPAs/SACs. It forms the largest marine embayment in the UK, consisting of extensive areas of sand and mud flats fringed by saltmarsh, supporting rich invertebrate communities and internationally important overwintering birds. It provides the only classic British example of a barrier beach system.	1110	Subtidal Sandbanks which are slightly covered by sea water all the time
		1140	Mudflats and sandflats not covered by seawater at low tide
			Intertidal mudflats and sandflats
		1150	Coastal lagoons
		1160	Large shallow inlets and bays
		1170	Reefs
		1310	<i>Salicornia</i> and other annuals colonizing mud and sand. <i>Glasswort</i> and other annuals colonising mud and sand
		1330	Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>)
		1420	Mediterranean and thermo-Atlantic halophilous scrubs (<i>Sarcocornetea fruticosi</i>). Mediterranean saltmarsh scrub.
			Otter, <i>Lutra lutra</i>
1355	Common seal <i>Phoca Vitulina</i>		
		1365	
			Publication date: 27 Nov 2018 (version 3)
Norfolk Valley Fens SAC UK0012892	A series of rare spring fed fens. The individual fens vary in their structure according to intensity of management and provide a wide range of variation. Such spring-fed flush fens are very rare in the lowlands. The spring-heads are dominated by the	H4010	Northern Atlantic wet heaths with <i>Erica tetralix</i> ; Wet heathland with cross-leaved heath.
		H4030	European dry heaths.
		H6210	Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>FestucoBrometalia</i>); Dry grasslands and scrublands on chalk or limestone.

Name & Uk Ref No	Description	Ref	Feature Description
	<p>small sedge fen type, mainly referable to black-bog-rush – blunt-flowered rush (<i>Schoenus nigricans</i> – <i>Juncus subnodulosus</i>) mire, but there are transitions to reedswamp and other fen and wet grassland types. The individual fens vary in their structure according to intensity of management and provide a wide range of variation. There is a rich flora associated with these fens, including species such as grass-of-Parnassus <i>Parnassia palustris</i>, common butterwort <i>Pinguicula vulgaris</i>, marsh helleborine <i>Epipactis palustris</i> and narrow-leaved marsh-orchid <i>Dactylorhiza traunsteineri</i>.</p>	<p>H6410 H7210 H7230 H91E0 S1014 S1016</p>	<p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinia caerulea</i>); Purple moor-grass meadows Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davalliana</i>; Calcium-rich fen dominated by great fen sedge (saw sedge) Alkaline fens; Calcium-rich springwater-fed fens Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>); Alder woodland on floodplains <i>Vertigo angustior</i>; Narrow-mouthed whorl snail <i>Vertigo moulinsiana</i>; <i>Desmoulin's whorl snail</i>. Publication date: 27 Nov 2018 (version 3) Denotes Features in relation to Holt Lows SSSI</p>
<p>River Wensum SAC UK0012647</p>	<p>The River Wensum is a naturally enriched, calcareous lowland river originating in north-west Norfolk, flowing south-east to Norwich where it joins the River Yare. The upper reaches are fed by springs that rise from the chalk and by run-off from calcareous soils rich in plant nutrients. This gives rise to beds of submerged and emergent vegetation characteristic of a chalk stream. It flows over chalk that has been overlain by a complex sequence of glacial drift, sands and gravels. Intensive arable land-use dominates the landscape on the higher plateaus and valley sides, and grazing marsh, fen, reedbed, scrub and scattered woodland characterise the floodplain. Unusually for a lowland river, much of the floodplain of the River Wensum is still traditionally managed and relatively natural. Water management and artificial drainage significantly affect the levels of water and flow in the catchment.</p>	<p>H3260 S1016 S1092 S1096 S1163</p>	<p>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation; Rivers with floating vegetation often dominated by water-crowfoot. <i>Vertigo moulinsiana</i>; <i>Desmoulin's whorl snail</i> <i>Austropotamobius pallipes</i>; White-clawed (or Atlantic stream) crayfish <i>Lampetra planeri</i>; Brook lamprey <i>Cottus gobio</i>; Bullhead Publication date: 27 Nov 2018 (version 3)</p>
<p>Overstrand Cliffs SAC UK0030232</p>	<p>Overstrand Cliffs are one of the best examples of unprotected vegetated soft cliffs on the North Sea coast. The cliffs are up to 70</p>	<p>H1230</p>	<p>Vegetated sea cliffs of the Atlantic and Baltic coasts.</p>

Name & Uk Ref No	Description	Ref	Feature Description
	<p>metres high and are composed of Pleistocene sands and clays, with freshwater seepages in places, and are subject to moderately frequent clifffalls and landslips. Much of the length is unprotected by sea defences and is therefore natural in character. The vegetation exhibits cycles of succession with ruderal communities developing on the newly-exposed sands and mud followed by partially-stabilised grasslands and scrub. Seepage areas support wet fen communities and in places perched reedbeds occur. The diverse range of habitats supports an outstanding range of invertebrates</p>		<p>Publication date 27 Nov 2018 (version 3)</p>
<p>The North Norfolk Coast SPA - UK9009031</p> <p>This forms part of the North Norfolk Coast and Greater Wash Marine Site</p>	<p>Designated for its large numbers of wintering bird species including wigeon, pink-footed geese, brent geese, red knot and avocet; and for its breeding birds including ringed plover, little tern, common tern, sandwich tern, bittern, avocet and marsh harrier.</p>	<p>A021 A040 A046a A050 A081 A084 A132 A143 A191 A193 A195</p>	<p>Great Bittern, <i>Botaurus stellaris</i> Pink-footed goose <i>Anser brachyrhynchus</i> (non breeding) Dark-bellied brent goose (Non-breeding) <i>Branta bernicla bernicla</i> Eurasian wigeon (Non-breeding), <i>Anas Penelope</i> Eurasian marsh harrier (Breeding) <i>Circus aeruginosus</i> Montagu's harrier (Breeding) <i>Circus pygargus</i>; Pied avocet (Breeding) <i>Recurvirostra avosetta</i> Red knot (Non-breeding) <i>Calidris canutus</i> Sandwich tern (Breeding) <i>Sterna sandvicensis</i>; Common tern (Breeding) <i>Sterna hirundo</i> Little tern (Breeding) <i>Sterna albifrons</i>; Waterbird assemblage</p> <p>Publication date: 21 Feb 2019 (version 3).</p>
<p>Greater Wash SPA- UK9020329</p> <p>This forms part of the North Norfolk Coast</p>	<p>The Greater Wash SPA is located in the mid-southern North Sea between Bridlington Bay in the north and the Outer Thames Estuary SPA in the south. To the north, off the Holderness coast in Yorkshire, seabed habitats primarily comprise coarse sediments, with occasional areas of sand, mud and mixed sediments. Subtidal sandbanks occur at the mouth of the Humber Estuary, primarily comprising sand and coarse</p>	<p>A001 A065 A177 A191 A193 A195</p>	<p><i>Gavia stellata</i>; Red-throated diver (Non-breeding) <i>Melanitta nigra</i>; Common scoter (Non-breeding) <i>Hydrocoloeus minutus</i>; Little gull (Non-breeding) <i>Sterna sandvicensis</i>; Sandwich tern (Breeding) <i>Sterna hirundo</i>; Common tern (Breeding) <i>Sternula albifrons</i>; Little tern (Breeding)</p>

Name & Uk Ref No	Description	Ref	Feature Description
	<p>sediments. Offshore, soft sediments dominate, with extensive areas of subtidal sandbanks off The Wash as well as north and east Norfolk coasts. Closer inshore at The Wash and north Norfolk coast, sediments comprise a mosaic of sand, muddy sand, mixed sediments and coarse sediments, as well as occasional Annex I reefs. The area off the Suffolk coast continues the mosaic habitats mostly dominated by soft sediment.</p>		<p>Publication date: 21 Feb 2019 (version 3).</p>

	Description	Feature
<p>North Norfolk Coast Ramsar Site</p>	<p>The low-lying barrier coastline of North Norfolk is designated as a Ramsar site for its diverse and extensive wetland habitats and associated species (notably waterfowl). The Ramsar site effectively covers the same area as the SPA and encompasses a variety of habitats including intertidal sands and muds, saltmarshes, shingle and sand dunes, together with areas of reclaimed freshwater grazing marsh and reed bed, which is developed in front of rising land. Both freshwater and marine habitats support internationally important numbers of wildfowl in winter and several nationally rare breeding birds. The sandflats, sand dune, saltmarsh, shingle and saline lagoons habitats are of international importance for their fauna, flora and geomorphology.</p> <p>Ramsar Criterion 1a</p> <p>Ramsar criterion 2a</p>	<p>The site has been selected under the following Ramsar criteria:</p> <p>1a - Good representative example of a (near) natural wetland, characteristic of the biogeographic region. 2a - Supports an assemblage of rare, vulnerable or endangered species or subspecies. 3a - Regularly supports at least 20,000 waterfowl. 3c - Regularly supports at least 1% of all the individuals in a waterfowl population.</p> <p>The site is one of the largest expanses of undeveloped coastal habitat of its type in Europe. It is a particularly good example of a marshland coast with intertidal sand and mud, saltmarshes, shingle banks and sand dunes. There are a series of brackish water lagoons and extensive areas of freshwater grazing marsh and reed beds</p>

	Description	Feature	
	Ramsar Criterion 3a	Supports at least three British Red Data Book and nine nationally scarce vascular plants, one British Red Data Book lichen and 38 British Red Data Book invertebrates.	
	Ramsar criterion 3c	<p>Over the winter the site regularly supports over 20,000 waterfowl. Assemblages of international importance with peak counts in winter: 98,462 counts of waterfowl (5 year peak mean (1998/99 to 2002/03))</p> <p><i>Populations of breeding,:</i> <i>Little tern, Sternula albifrons</i> <i>Common tern, Sterna hirundo</i> <i>Sandwich tern, Sterna sandvicensis</i> <i>During the winter the site supports passage and winter bird species of international importance, including</i> <i>Knot, Calidris canutus</i> <i>Dark-bellied brent goose Branta bernicla bernicla</i> <i>Wigeon, Anas penelope</i> <i>Pink-footed goose Anser brachyrhynchus</i></p> <p>Source North Norfolk Coast Coastal Habitat Management Plan Jan 2003. Natural England Access to Evidence</p>	
	SSSI Units	Special Interest Feature	Condition Status
North Norfolk Coast SSSI	Multiple Units (70 live units in total)	Various	Ranging from Unfavourable – recovering to Favourable. 98% in favourable condition

Source: European sites in the East of England <http://publications.naturalengland.org.uk/category/6581547796791296> accessed 15.5.22

In-combination effects

- 3.4 Regulation 105 of the 2017 Regulations requires consideration to be given to whether a Plan will have an effect either alone or in - combination with other plans or projects.
- 3.5 The effects of the plan in-combination with other plans or projects are the cumulative effects which will or might arise from the addition of the effects of other relevant plans or projects alongside the plan under consideration. If during the stage 1 screening it is found the subject plan would have no likely effect alone, but might have such an effect in-combination then the appropriate assessment at stage 2 will need to proceed to consider cumulative effects. Where a plan is screened as having a likely significant effect alone, then the subsequent appropriate assessment should initially concentrate on its effects alone.
- 3.6 The emerging Holt Neighbourhood Plan will be subject to examination and referendum. If successful it will sit alongside the Local Plan and form part of the wider Development Plan in as far as material considerations are concerned in the Holt Neighbourhood Plan Area and the determination of any planning applications. The emerging North Norfolk Local Plan covers the administrative area of the District Council, with the exception of the areas that are within the designated Broad's Area. The Broads Authority is the local planning authority for the designated

Broads Area. The current adopted Local Plan is made up of the Core Strategy 2008 and the Site Allocations DPD 2011. These are shortly to be replaced with the updated and emerging single Local Plan. The emerging North Norfolk Local Plan sets the future strategic policy in relation to key topics such as the environment, retail, housing, job creation and tourism, as well as identifying site allocations and setting the strategic policies to deliver sustainable growth over the Plan period 2016- 2036. The adopted Local Plan and the emerging Local Plan have both been subject to a Habitat Regulation assessments with the proposed submission version being subject to HRA December 2021.

- 3.7 ALL Norfolk authorities Local Plans have been subject to HRA and, (with the exception of the Broads Authority) **conclude that the in-combination growth that is planned across the county has the potential to have significant adverse impacts due to recreational pressure on the designated wildlife sites – referred to as a likely significant effect (LSE), in the HRAs.** In some cases the HRA's also conclude that there are also LSE from individual development alone, and as such specific mitigation may be required. Each LPAs Local Plan (recently adopted or emerging⁴) through policies contained in them, and informed by the Appropriate Assessments undertaken as part of the HRAs have specific links to the implementation of the Norfolk Wide Green Infrastructure Recreational Impact Avoidance Strategy, GIRAMs, as the agreed process of mitigation for recreational impacts. A Statement of Common Ground has been agreed with Natural England with respect to introduce the required strategic mitigation and to collect a strategic tariff contribution from all qualifying development from March 31st 2022.
- 3.8 Local planning authorities are the designated competent bodies and as such are responsible for ensuring that policies and proposals contained in their Development Plans (including neighbourhood Plans) and submitted as developer proposals **do not** have an adverse effect on the integrity of European sites (Es).
- 3.9 A screening process considered each policy and site proposal in the emerging Local Plan and concluded that significant effects were likely except in relation to Overstrand Cliffs where Likely significant effects were ruled out and as such an Appropriate Assessment was required. The Appropriate Assessment undertaken for the proposed Submission Version submission, December 2021 considered the following Themes; Urban Effects, such as light, noise, cat predation, fly tipping, increased fire risk, vandalism and increased spread of invasive species, Recreation Effects, such as the pressures from the quantum of growth and Hydrological Impacts.
- 3.10 Mitigation measures were identified within the Appropriate Assessment and were incorporated within the Local Plan, resulting in a conclusion that the Plan will not lead to any adverse effects on European sites within and in the vicinity of North Norfolk District.
- 3.11 The HRA for the adopted Site Specific DPD was undertaken in 2011 and concluded that there is the potential for disturbance to fen orchid at the Norfolk Valley Fens SAC However due to the nature of site and the limited visitation that it receives it can be concluded that levels of disturbance will be very low and there will be no adverse effect were concluded from the level of growth in the Core strategy. Adverse effects were not ruled out for the North Norfolk Coast

⁴ With the exception of the Broads Authority

and Wash SAC but following the appropriate mitigation measures subsequently incorporated it was concluded no adverse effects on the integrity of any of the Natura 2000 or Ramsar sites. Impacts on water quality and water resource from the proposed development at the time were also concluded to have no adverse effect on the integrity of any site as a result of the Plan at the time, (2007). The sites have since been delivered. The strategic policies of the Core Strategy were also subject to HRA along with each separate element in other policies and it was concluded that the development levels and policies were not likely to pose a likely significant effect either in isolation or cumulatively.

Urban Effects

3.12 Such issues relate to where urban development is in close proximity to European sites. The emerging Local Plan included an allocation H27/1 for employment use that is separated by a road and a belt of pine woodland from Holt Lowes. A further residential site H20 is also proposed to the north of the employment site. The Local Plan HRA identifies that the main urban effects would relate to fly tipping, spread of alien species, fire incidence, vandalism and that there may be issues in achieving the necessary management at the site (such as grazing). The Assessment concludes that the issues will relate specifically to Mackey's Hill Carpark area and the northern edge of the SAC. Given this very specific location and limited geographical focus the issues are addressed at project level HRA through appropriate wording in the local Plan.

Recreational Impacts

3.13 Different types of European sites are subject to different types of recreational pressures and have different vulnerabilities. Studies across a range of species have shown that the effects from recreation can be complex. Recreational pressure is likely to be generated by an increase in residents associated with the new housing but less so for employment development. Most types of European sites can be affected by trampling, which in turn causes soil compaction and erosion and the reduction on vegetation cover. Dog walkers can contribute to pressures on sites through nutrient enrichment via fouling. Nutrient poor habitats such as chalk grassland, heathland are particularly sensitive to the fertilising effects of dog faeces through inputs of phosphates and potassium. Most impacts occur close to paths. Disturbance of birds can adversely affect the condition and survival as the effects result in the birds spending unnecessary energy and detract from the bird's ability to feed. In addition, displacement can cause issues around increased pressure of other sites and in the case of ground nesting birds may increase the risk of leaving a nest along with eggs exposed to predators. In relation to public access conflict can arise between people and habitats in terms of compromising effective site management. Dogs rather than people are often the cause of worrying grazing animals.

3.14 In summary recreational use of a European site has the potential to:

- Cause damage to soils and vegetation through trampling and erosion;
- Cause disturbance to sensitive species, particularly ground-nesting birds and wintering wildfowl.
- Cause eutrophication as a result of dog fouling;
- Cause littering, giving rise to potential animal mortality, nutrient enrichment and small-scale pollution;

- Exacerbate existing management difficulties, for example by grazing being restricted
- 3.15 With in-combination LSE being identified through all residential and tourism related growth the Norfolk Authorities with guidance from Natural England have adopted a Norfolk-wide strategic solution which is informed by survey data and the emerging Plans growth levels. The Norfolk wide Green Infrastructure & Recreational Impact Avoidance and Mitigation Strategy, GIRAMS identifies a programme of County wide mitigation measures aimed at delivering the mitigation necessary to avoid and mitigate the predicted adverse effects on the integrity of the Habitats Sites from the in-combination residential and tourist growth through a set programme funded by a per dwelling tariff calculated from the combined growth from all authorities, a specified mitigation package and the requirement for the provision of well-designed functional open space/green infrastructure on-site (alone effects) for appropriate developments of 50 units and above.
- 3.16 Recreation issues subject are subject to strategic mitigation brought forward through the GIRAMS and applied since 31 march 2022. Following the People over Wind Judgement⁵ when making screening decisions for the purposes of deciding whether an appropriate assessment is required, competent authorities cannot take into account any mitigation measures. The implications are considered in more detail in the initial screening section of this report.

Water Quality / Increased pressure on Water Resources

- 3.17 The east of England has been identified by the Environmental Agency as a region of considerable pressure of water resources and has been identified as an area of serious water stress, for the purposes of Regulation 4 of the Water Industry (Prescribed Condition) Regulation 1999 (as amended).
- 3.18 Pressure on water resources resulting in reduction of water levels or flow in streams, rivers and waterbodies would be a likely consequence of increased water demand requiring greater water abstraction from ground water or surface water. Surface water abstraction could have a direct impact upon water levels and stream flow, ground water abstraction would potentially lead to reduced flows in any watercourses which derive a significant proportion of their water from spring flow. Wetland European sites may be impacted by becoming too dry to support the special interest feature. Water supply to North Norfolk is from the North Norfolk Coast Cromer Ridge chalk aquifer, outside the neighbourhood plan area.
- 3.19 Anglian Water in its 2019 Water Resources Management Plan have identified the relevant Resource Zones to North Norfolk and outlines how Anglian Water will maintain a sustainable balance between water supplies and demand over the next 25yrs. The assessment and plan takes into consideration planned and predicted growth as well as climate change. All resource zones are forecast to be in deficit to 2045 prior to measures in the Plan being implemented. Anglian Water, through the Plan are committed to manage water resources by managing demand, from existing and proposed customers, i.e. supplying less water per customer and by transferring water from other areas, with no increase in abstraction from existing bore holes and no new abstractions. The Norfolk Planning Authorises through the Strategic Framework, in

⁵ People Over Wind: European Court Case C-323/17 People Over Wind & Peter Sweetman v Coillte Teoranta 12 April 2018

conjunction with Natural England, Environment Agency and Anglian Water, recognises that Plans should contribute to long-term water resilience and are committed to introducing the optional higher water efficiency standards across all authorities in the County in line with Government's Building Regulations requirement of 110 litres water use per person per day.

Nutrient Neutrality

- 3.20 As set out in the 25 Year Environment Plan, England's protected sites are a vitally important part of this government's commitments to the environment and includes a commitment to halt species decline by 2030. These sites represent some of the country's most sensitive and precious habitats, providing wintering and breeding habitats for wetland birds and support rare and characteristic species. The sites provide many benefits to wider society including, carbon capture, flood control, climate change adaptations well as enhancing our access to nature with associated health benefits. However one of the significant causes of decline in our protected sites is the damage caused by nutrient pollution in water courses.
- 3.21 Nutrient pollution is a particular problem for freshwater habitats and estuaries. Increased levels of nutrients, especially nitrogen and phosphorus, can speed up the growth of certain plants, disrupting natural processes and impacting wildlife. This process damages water dependent sites, harming the plants and wildlife, and affects the oxygen carrying capacity of the water. In technical terms it can put sites in "unfavourable condition". The sources of excess nutrients are site specific, but predominantly originate from wastewater treatment works and agricultural pollution.
- 3.22 The Council has subsequently 16.3.22, been informed by Natural England of nutrient impacts in relation to the Broads Special Area of Conservation and the Wensum SAC and their catchments and how nutrient neutrality can be used as a potential mitigation to enable plans or projects to proceed without causing harm to the Habitat Sites affected. Local Planning Authorities have been advised both of these European sites are in unfavorable condition due to excess nutrients and that projects and plans should only go ahead if they will not cause additional pollution to sites. This means that new residential development can only happen if the nutrient load created through additional wastewater from development is mitigated and demonstrated through "nutrient neutrality". This typically involves creating new wetlands to strip nutrients from water or creating buffer zones to revert to nature. Should development proposals or Plan fall into the identified catchments then there is the potential for a negative impact on the number of homes that can be granted permission and or plan in the affected area.
- 3.23 Holt and the Holt NPA lies outside both the Broads and River Wensum catchments for nutrient neutrality. The Broad catchments as identified by Natural England.
- 3.24 The Holt Neighbourhood Plan proposes no site allocations but is supportive through various criteria approaches of specific types of development in areas designated in the Local Plan. Other policies promote local considerations including the distinctive historical and landscape settings and are considered environmentally positive where they encourage enhancements and consideration of habitat connectivity. The emerging Local Plan does identify residential site allocations for development in the parish, as does the existing Development Plan, however those previously identified in the Site Specific DPD 2011 have all been built out. Those sites

identified in the emerging Local Plan are considered strategic policies and as such lie outside this Neighbourhood Plan. As part of the plan development the emerging Local Plan has undergone detailed HRA and Appropriate Assessment and it has been concluded that the proposed submission version January 2022 is in conformity with the Habitats Regulations, and at a plan level a conclusion of no adverse effects, alone or in combination, on European site integrity has been drawn. This emerging neighbourhood Plan, March 2022 seeks to align its approaches and policies with the emerging Local Plan and adopted Plan. It is not promoting any quantum of development and as such the impacts of the plan on the integrity of the European sites is considered to be limited as the emerging Holt neighbourhood plan does not seek to increase in population and overall visitor numbers, and remains largely qualitative.

- 3.25 The Local Plan identifies Holt as a growth location. Outside the settlement boundary of the town the parish is classified as countryside policy area, where development is limited to that which requires a rural location. Proposals that do not accord with this as set out in Core Strategy policy SS2 will not be permitted. Holt is outside the catchment areas for Nutrient Neutrality as identified by Natural England March 2022. The emerging Holt neighbourhood plan proposes no additional growth, and remains largely qualitative in its conformity with the adopted and emerging Local Plan. The neighbourhood Plan only seeks to add locally derived material considerations to guide and influence proposals to aid their application.

Screening Outcome

- 3.26 The screening assessment **concluded that there are no likely adverse effects upon the integrity of any European site.**
- 3.27 Natural England, Historic England and The Environment Agency as the statutory bodies were consulted between 10 June 2022 and 18 July 2022 on the Screening Report issued March 2020. Their responses are appended to this report. No response was received from Environment Agency.

4 Screening Determination

- 4.1 The screening assessment report identifies that the draft plan as written would not have any adverse effects upon the integrity of the European Site. In light of the Screening Report and the responses from the statutory bodies it is determined that the Holt Neighbourhood Plan, March 2022 as assessed does not require a Habitats Regulation Assessment.

Appendix 1: Consultation Responses

From: [Chris Brown](#)
To: consultations@naturalengland.org.uk; eastplanningpolicy@HistoricEngland.org.uk;
planning.eastanglia@environment-agency.gov.uk
Cc: [Iain Withington](#); [Mark Ashwell](#)
Bcc: [REDACTED]@naturalengland.org.uk; planning.ipswich@environment-agency.gov.uk;
[REDACTED]@historicengland.org.uk
Subject: Holt Neighbourhood Plan SEA & HRA Screening Opinion Consultation
Date: 10 June 2022 17:27:00
Attachments: [HOLT NP SEA Screening FINAL 10.6.22.pdf](#)
[HOLT NP HRA Screening May 21 FINAL WITH MAPS.pdf](#)
[Holt NP Submission Version Policies emerging March 2022.pdf](#)

Dear Consultee,

North Norfolk District Council, as the Responsible Authority, have received a request for a **Strategic Environmental Assessment** (SEA) and a separate **Habitat Regulations Assessment** (HRA) Screening Opinion on the emerging **Holt Neighbourhood Plan**.

Before finalising our opinion and issuing a screening determination in line with the regulations we wish to consult with the relevant consultation bodies, namely the Environment Agency, Historic England and Natural England. We would be grateful if you could coordinate for response and forward this email to the appropriate person.

We welcome your response within the next 5 weeks, by **Monday 18 July or earlier** would be appreciated.

-

The consultation version of the SEA and separate HRA screening opinions are attached, along with a copy of the proposed submission version policies of the Holt Neighbourhood Plan. If you require any further information please let us know as soon as possible and we will endeavour to supply it so that you can advise appropriately within the consultation timeframe.

We look forward to receiving any comments you may have in due course.

We would be grateful for your acknowledgment of this email.

Kind Regards

Chris Brown

Project Management Support Officer (Planning Policy)

01253 516318

chris.brown@north-norfolk.gov.uk

Date: 12 July 2022
Our ref: 395740
Your ref: Holt Neighbourhood Plan



Chris Brown
Project Management Support Officer
North Norfolk District Council
Chris.Brown@north-norfolk.gov.uk

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Chris

Holt Neighbourhood Plan SEA & HRA Screening Opinion Consultation

Thank you for your consultation on the above dated and received by Natural England on 10 June 2022

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.

HRA Screening Opinion

Natural England has no detailed comments to make on the HRA.

Screening Request: Strategic Environmental Assessment

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

Yours sincerely


Consultations Team

From: [REDACTED]
To: [Chris Brown](#)
Subject: RE: Holt Neighbourhood Plan SEA & HRA Screening Opinion Consultation
Date: 04 July 2022 11:16:38
Attachments:

Dear Chris,

Thank you for inviting Historic England to comment on this 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 Holt 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 not propose to allocate any sites for development.

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. To avoid any doubt, this does not 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) 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 below, if you have any queries.

Kind regards,

[REDACTED]

[REDACTED]
Historic Places Adviser - East of England
Historic England