



Borough Council of
King's Lynn & West Norfolk

King's Lynn and West
Norfolk Local Plan 2026-
2044

**The Environmental Assessment of
Plans and Programmes Regulations
2004**

Notice of determination of the responsible
authority (the Borough Council of King's
Lynn and West Norfolk) under The
Environmental Assessment of Plans and
Programmes Regulations 2004, Regulations
5, 9 and 11

28 August 2026



1 BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING DETERMINATION FOR THE NEXT LOCAL PLAN 2026-2044

- 1.1 This screening report sets out the Borough Council's determination, whether the next King's Lynn and West Norfolk Local Plan 2026-2044 will require a Strategic Environmental Assessment (SEA), in accordance with the European Directive 2001/42/EC, incorporated into The Environmental Assessment of Plans and Programmes Regulations 2004¹ (hereafter referred to as the "SEA Regulations"). SEA is required if implementation of the Local Plan is likely to cause significant environmental effects.
- 1.2 If it is determined by the Borough Council (as the responsible authority, under SEA Regulations 5 and 9) that the Local Plan is likely to have significant environmental effects, it will be necessary to undertake SEA in accordance with the Regulations. This document provides the necessary statement, to meet the legal requirements for SEA.

2 SEA PRELIMINARY SCREENING

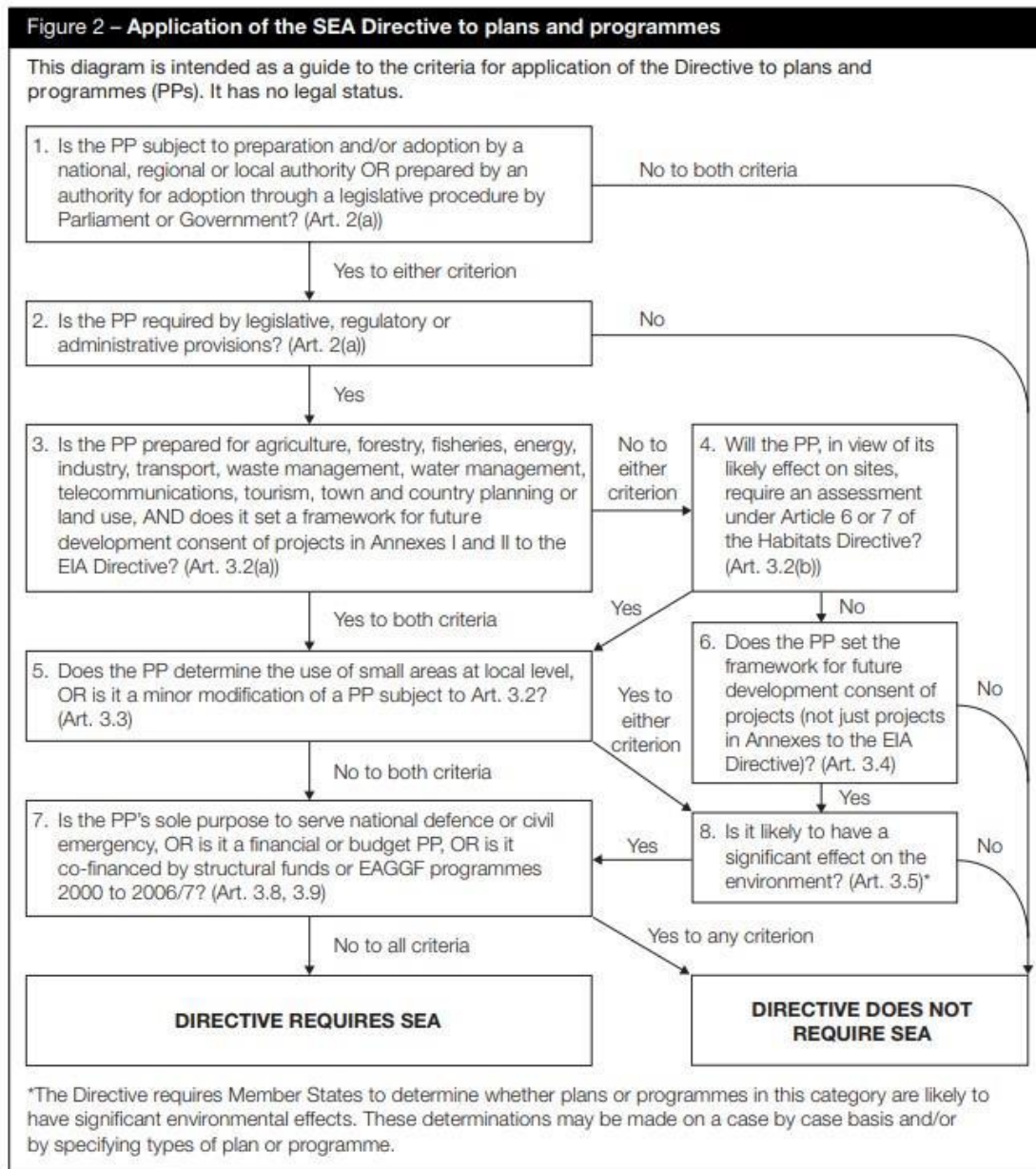
- 2.1 The process for determining whether full SEA is required is called screening. The SEA screening is a two-stage interrelated process. The first part considers a new development plan document (in this case, the next Local Plan 2026-2044) against the SEA assessment flow chart set out in the national guidance "A Practical Guide to the Strategic Environmental Assessment Directive", (Paragraph 2.18, Figure 2, ODPM, 2005²). The second part of the assessment is required to answer specific questions contained in the above, regarding whether the Plan is likely to have a significant effect on the environment. This uses criteria drawn from the EU SEA Directive and Schedule 1 of the 2004 SEA Regulations.
- 2.2 The SEA Regulations (Regulation 11) require that, following determination of the responsible body (Regulations 5 and 9), the three national statutory consultation bodies (Environment Agency, Historic England and Natural England) must be notified within 28 days. Accordingly, these bodies are being consulted upon this screening determination, alongside the Local Plan Scoping Consultation (1-29 September 2026, inclusive).

¹ <https://www.legislation.gov.uk/uksi/2004/1633/contents>

²

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

- 2.3 The SEA process follows 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 SEA Regulations (below).



- 2.4 Criteria for determining the likely significance of effects (as required by the SEA Directive and 2004 Regulations) are set out below.



1.	The characteristics of plans 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 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)
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, • 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



3 SEA screening assessment under Regulations 5 and 9: application of the SEA Directive to plans and programmes (in this case, the next Local Plan)

	Stage	Yes/ No	Reason
1.	Is the next Local Plan subject to preparation and/or adoption by national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	The preparation and adoption of the next Local Plan is a legal requirement, under the 2004 Planning and Compulsory Purchase Act, as amended by the 2023 Levelling-Up and Regeneration Act. The next Local Plan is being prepared by the Borough Council (as the “relevant body”; the local planning authority). Preparation of the Local Plan is subject to the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2026.
2.	Is the next Local Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	Preparation of the next Local Plan is required by the 2004 Planning and Compulsory Purchase Act, as amended by the 2023 Levelling-Up and Regeneration Act. When adopted, the next Local Plan will form part of the statutory Development Plan for the Borough.
3.	Is the next Local 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))	Yes	The next Local Plan will provide a framework for development that would fall within Annexes I and II of the EIA Directive. The Local Plan is being prepared to set out a framework for town and country planning and land use for the Borough. It will replace the current Local Plan 2021-2040, adopted in March 2025.
4.	Will the next Local Plan, in view of its likely effect on sites, require an assessment for future development under Article 6	Yes	The next Local Plan is likely to impact sites covered by the Habitats Directive. This was the case for the current Local Plan 2021-2040, which prompted development of the Norfolk Green



	Stage	Yes/ No	Reason
	or 7 of the Habitats Directive? (Art. 3.2(b))		Infrastructure and Recreational Impact Avoidance and Mitigation Strategy Plan (GIRAMS)³, updated 2024 and associated Plan policies. This screening determination will need to consider (in accordance with the precautionary principle), the potential impacts of the Plan as an integral part of the process. The next Local Plan is likely to make significant strategic site allocations for housing and economic uses.
5.	Does the next Local Plan determine the use of small areas at local level, OR is it a minor modification of a plan or project subject to Art. 3.2? (Art. 3.3)	Yes	The next Local Plan will have implications for a range of land uses; potentially from major strategic development proposals, to small areas at a local level. It may be that the next Local Plan will include policies for matters such as designating green infrastructure corridors, Local Green Spaces, small scale development land allocations and/ or the protection of community facilities. However, individual issues may be delegated to Neighbourhood Plans, by the Local Plan.
6.	Does the next Local Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art. 3.4)	Yes	The next Local Plan will be the main statutory development plan document used by the local planning authority for decision making (determination of planning applications). The next Local Plan will provide a land use policy framework for future development at a strategic and/ or local level.
7.	Is the plan or programme's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes	No	Does not apply to the next Local Plan.

³ https://www.west-norfolk.gov.uk/homepage/379/habitat_mitigation_girams



	Stage	Yes/ No	Reason
	2000 to 2006/07? (Art. 3.8, 3.9)		
8.	Is it likely to have a significant effect on the environment? (Art. 3.5)	Yes	The next Local Plan will propose significant development land allocations, including new sites for homes and/ or jobs. It will seek to deliver sustainable development in line with the Government definition but is (nevertheless) likely to have significant environmental effects.

- 3.1 Stage 2 of the SEA screening process (SEA Directive Article 3(5) Annex 11) involves the application of criteria for determining the likely significance of effects of the Local Plan. This is undertaken at the point that emerging draft policies are available to analyse. Given that the Local Plan Scoping stage pre-dates any emerging draft Local Plan policies, Annex 11 SEA screening cannot be undertaken at this stage.

4 SEA SCOPING REPORT

- 4.1 To support the determination as to whether the next Local Plan 2026-2044 is likely to have significant environmental effects, the Borough Council has produced an initial Scoping Report to accompany the Local Plan Scoping consultation (1-29 September 2026, inclusive). This accords with the SEA Practical Guidance, which advises:

“Consultation with the public at earlier stages (e.g. when considering the scope of the Environmental Report) can provide useful information and public and stakeholder opinions on issues relevant to the plan or programme and the SEA. This can also help to avoid issues arising later which might delay the preparation of the plan or programme” (paragraph 3.3).

- 4.2 The SEA Scoping Report supports the determination stage in the SEA process but has been produced to support the Local Plan Scoping consultation. This should then have the following benefits:

- Supporting evidence base for scoping of the next Local Plan; i.e. matters relevant to the preparation of the local plan as the authority or body consider appropriate, including what the plan should contain (2026 Local Planning Regulations, Regulation 20⁴); and

⁴ <https://www.legislation.gov.uk/uksi/2026/186/regulation/20/made>



- Informing the subsequent scope and level of detail for the SEA itself.
- 4.3 Overall, the SEA Scoping Report provides the basis for the preparation of the “environmental report” (SEA Report), which will accompany the draft Local Plan consultation, anticipated to take place in spring 2027. The first draft SEA Report will accompany the draft Local Plan consultation, while the final environmental (SEA) report will support the proposed (pre-submission draft) Local Plan, for submission to the Secretary of State.



5 SCREENING OUTCOME

- 5.1 The Borough Council has undertaken this SEA preliminary screening, to ensure compliance with the requirements of the SEA Regulations. The SEA Regulations set out the requirements for consultation (Regulation 11) at the stage a determination is made. In this case, the Borough Council is required to give notification to the Environment Agency, Historic England and Natural England, within 28 days of making its determination under Regulation 9.
- 5.2 The Borough Council, with reference to the SEA Scoping Report (main supporting document for the Local Plan Scoping Consultation), has determined under The Environmental Assessment of Plans and Programmes Regulations 2004 (Regulation 9(1)), that:
- **The next Local Plan 2026-2044 is likely to have significant environmental effects, so does require a full Strategic Environmental Assessment**
- 5.3 In accordance with Regulation 11, in accordance with this determination under regulation 9(1), the responsible authority has:
- Provided a copy of this determination to the Environment Agency, Historic England and Natural England of this, as part of the Local Plan Scoping consultation documents (Regulation 11(1)(a)); and
 - Published this report on the Borough Council's Next Local Plan 2026-2044 web page, to accompany the Scoping consultation material (https://www.west-norfolk.gov.uk/homepage/417/next_local_plan_2026-2044 – Regulation 11(1)(b)); and
 - Upon written or telephone request to – local.plan@west-norfolk.gov.uk; Planning Policy team, King's Court, Chapel Street, King's Lynn, PE30 1EX, or 01553 616200 – provide a copy of this determination (Regulation 11(2)).

For further information regarding the next Local Plan 2026-2044, please contact the Planning Policy team: local.plan@west-norfolk.gov.uk.

Stuart Ashworth (Assistant Director, Environment and Planning)

28 August 2026