

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

**September 2019**

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



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

**1. Introduction**

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

## 2. Legislative Background

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

### 3. SEA Preliminary Screening

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

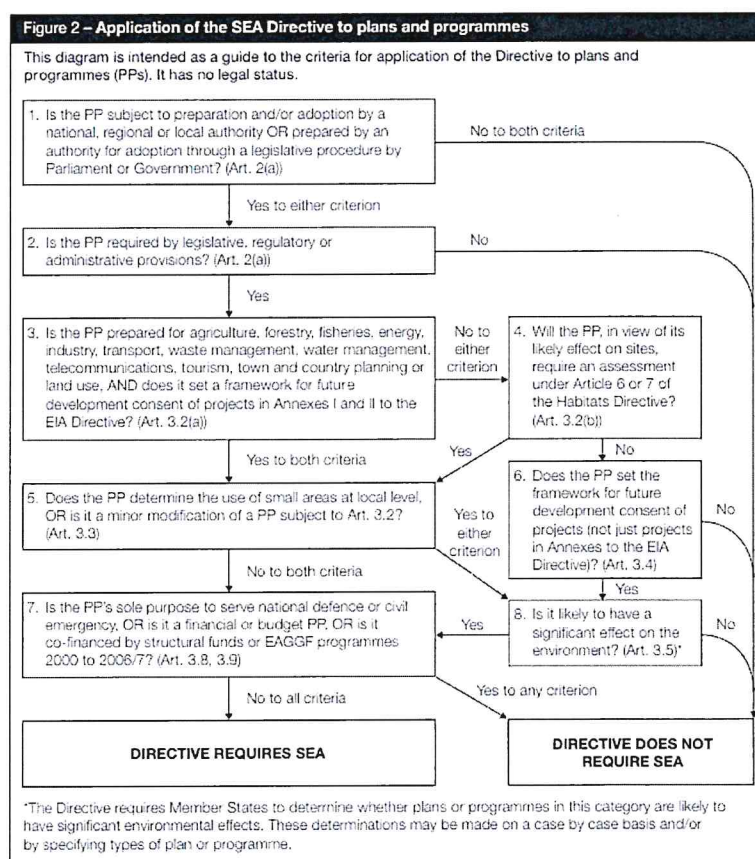


Table 1: Criteria for determining the likely significance of effects

<p>1. The characteristics of plans and programmes, having regard, in particular, to</p> <ul style="list-style-type: none"><li>• 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</li><li>• the degree to which the plan or programme influences other plans and programmes including those in a hierarchy</li><li>• 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</li><li>• 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)</li></ul> <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"><li>• the probability, duration, frequency and reversibility of the effects,</li><li>• the cumulative nature of the effects</li><li>• the trans-boundary nature of the effects</li><li>• the risks to human health or the environment (e.g. due to accidents)</li><li>• the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</li><li>• the value and vulnerability of the area likely to be affected due to:<ul style="list-style-type: none"><li>• special natural characteristics or cultural heritage</li><li>• exceeded environmental quality standards or limit values</li><li>• intensive land-use</li></ul></li><li>• the effects on areas or landscapes which have a recognised national, Community or international protection status</li></ul>
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Source: Annex 11 of SEA Directive 2001/42/EC and Schedule 1 of the UK Environmental Assessment of Plans and Programmes Regulations 2004

#### 4. Assessment

##### 4.1 Application of the SEA Directive to plans and programmes:

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

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

		the emerging Local Plan review. However, the Castle Acre Neighbourhood Plan is seeking to make further modest housing allocations.
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4.2 SEA Screening Stage 2: SEA Directive Article 3(5) Annex II – Application of Criteria for determining the likely significance of effects of a Neighbourhood Plan:

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

	<p>proposal for the neighbourhood plan</p> <ul style="list-style-type: none"> <li>the plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species regulations 2017</li> </ul> <p>The emerging plan is very much seeking to meet these and be in conformity with higher level plans and the NPPF. It recognises the both natural and historical environmental context of the local area and seeks to protect and possibly enhance were appropriate. Given the sensitive nature of the area in terms of the historic and natural environment in the views of the relevant environmental bodies this needs to be investigated further.</p>	
Environmental problems relevant to the plan or programme;	Given the sensitive nature of the area in terms of the natural environment in the views of the relevant environmental bodies this needs to be investigated further.	Possibly
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
<b>(2) Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>		
The probability, duration, frequency, and reversibility of the effects;	Whilst The Neighbourhood Plan envisage further housing development taking place. These are of a modest scale considered to be proportionate and reasonably related to the existing village. However, Given the sensitive nature of the area in terms of the natural environment in the views of the relevant environmental bodies this needs to be investigated further.	Possibly
The cumulative nature of the effects;	It is considered unlikely that the degree of development which may occur would be similar to that if the Plan wasn't in place. Whilst both the Neighbourhood Plan and Local Plan review are being prepared, the Local Plan review will be subject to full SEA including SA and Habitats Regulations. Given the sensitive nature of the area in terms of the natural environment in the views of the relevant environmental bodies this needs to be investigated further.	Possibly
The trans-boundary nature of the effects;	The emerging Neighbourhood Plan policy areas provide supplementary policy areas on a local	Possibly

	scale. The impacts beyond the parish area given the sensitive nature of the area in terms of the natural environment in the views of the relevant environmental bodies this needs to be investigated further.	
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 criterion.	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 Castle Acre. The 2011 census recorded the population at 848 and the Parish covers an area of 1,347 ha. In comparison the Borough of King's Lynn and West Norfolk is 152,760 ha and has population of 147,451 (2011 census).	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	i) The Plan Area does contain a Conservation Area and a number of listed buildings. Including the nationally important Grade 1 Listed Priory, Castle, Bailey Gate and the 14th century church. There are a further 23 listed buildings including the Ostrich Inn and the red telephone box on Stocks Green and a number of private dwellings around the village that contribute to a rich architectural heritage However, through listing, National Policy, the Local Plan and the emerging Neighbourhood Plan the appropriate level of protection to these historic assets and their settings is afforded. The Neighbourhood Plan by virtue of the "basic conditions" will conform to the existing Development Plan, which provides protection to environmental characteristics across the Borough to ensure that they are not vulnerable to significant impacts from development. However, given the sensitive nature of the area in terms of the historic environment in the views of the relevant environmental bodies this needs to be investigated further.  ii) The Neighbourhood Plan is unlikely to result in exceedance of environmental quality standards, such as those relating to air, water, and soil quality.  iii) The Neighbourhood Plan is unlikely to bring forward development of an extent that would result in a significant	i) Possibly  ii)No  iii)No

	intensification of local land use	
The effects on areas or landscapes which have a recognised national, Community or international protection status	Whilst the Neighbourhood Plan area includes areas of significant historic and environmental interest. The Neighbourhood Plan is seeking to protect these and be in conformity with higher level plans and national policy.	No

## 5. Habitat Regulations

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

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

5.3 There are no Designated Sites (Natura 2000 sites) within the Neighbourhood Plan Area:  
Other important designations:

- The River Nar (SSSI)
- Castle Acre Common (SSSI)

5.4 It is clear that there are no Natura 2000 within the Neighbourhood Plan Area (NPA). The Neighbourhood Plan must take this into account and ensure that policies are consistent with the designation objectives.

5.5 The emerging Castle Acre Neighbourhood Plan very much seeks to be in conformity with the Local Plan and National Policy. Indeed the Neighbourhood Plan does contain policies relating the natural environment seeking to protect and possibly enhance.

5.6 A 'Habitats Regulations Assessment of Detailed Policies and Sites Plan: Site Allocations and Development Management Policies – Proposed Submission Document' was carried out and published in September 2015 by Wild Frontier Ecology to support the Local Plan (Site Allocations and Development Management Policies 2016). This considered the impacts of the housing growth arising from the Local Plan and the likely significant impacts upon the Natura 2000 sites. At this time an allocation of 11 homes was

envisaged and indeed was broadly made in the current adopted Local Plan. This stated: Castle Acre is in an area where there is a good supply of public open space and footpaths. Development is also not sufficiently close or large enough to any Natura 2000 site to cause a likely significant effect. Noting that this allocation was 6.42km away from the Norfolk Valley Fens SAC. Concluding that there was no likely significant effect and no need for an appropriate assessment.

5.7 The HRA does go on to consider 'in combination likely significant effects' of the allocations proposed in the Local Plan upon the Breckland SPA / SAC:

5.8 *'No Likely Significant Effects has been identified for the allocation at Feltwell/ Hockwold. Effects of increased recreational pressure on the SPA (woodlark and nightjar) from new housing at Feltwell and Hockwold (75), Methwold/ Northwold (45), RAF Marham (50), Stoke Ferry (27), Castle Acre (11), Wereham (8) and Fincham (10) – total 226 houses'*

5.9 Whilst the Neighbourhood Plan is seeking further small scale allocations, this is in conformity with the current and emerging Local Plan, they are reasonably related to the existing village of Castle Acre. However these modest housing allocations have not been assessed as part of the adapted Local Plan (Core Strategy 2011 & Site Allocations and Development Management Policies Plan 2016).

5.10 It should be noted that the Borough Council operates a Habitat Monitoring and Mitigation Levy whereby any new homes within the borough are required to make a financial contribution (currently set at £50 per home). This money is then spent upon monitoring and mitigation measures for the Natura 2000 sites. For further information please follow the links below:

<https://democracy.west-norfolk.gov.uk/documents/s1343/Appendix%20%20-%20HRA%20Monitoring%20and%20Mitigation%20Strategy.pdf>

[https://www.west-norfolk.gov.uk/info/20077/planning\\_applications/481/developer\\_contributions](https://www.west-norfolk.gov.uk/info/20077/planning_applications/481/developer_contributions)

5.11 The HRA considers this in great detail in section 9. (Please see full document for details).

5.12 After careful consideration and on balance based upon information provided by the Qualifying Body (Castle Acre Parish Council), and the response to the preliminary screening opinion from Natural England that a HRA would be required. It is noteworthy, that if a HRA is necessary automatically also a SEA has to be undertaken.

## 6. Screening Outcome


- 6.1 The Borough Council prepared a preliminary screening opinion. The statutory bodies, the Environment Agency, Historic England and Natural England, as required within the SEA and HRA screening process, were consulted upon this. The consultation responses of the statutory bodies have underpinned the Local Planning Authority's evaluation and conclusions. The statutory bodies' consultation responses are appended in full to this report.
- 6.2 The assessments contained within this report are based upon the Borough Council's preliminary screening opinion and the consultation responses received from the statutory bodies. They clearly identify that, based upon the information available; there is the potential for significant environmental effects to arise from the implementation of the proposals in the emerging Neighbourhood Plan for Castle Acre either alone or in combination.
- 6.3 After careful consideration and on balance the Borough Council agrees with the opinions of the statutory bodies, in particular Historic England and Natural England. At this the Borough is unable to rule out likely significant effects and therefore:

**The Castle Acre Neighbourhood Plan does require a Strategic Environmental Assessment (SEA).**

**The Castle Acre Neighbourhood Plan does require a Habitats Regulation Assessments (HRA).**

- 6.4 This report is based on the screening request made by the Parish Council. The Neighbourhood Plan at this stage is emerging. The outcome of this screening report will be subject to review by Natural England, Historic England and the Environment Agency. The screening opinion and report may also need to be reviewed if changes are made to the Neighbourhood Plan.
- 6.5 This report will be issued to the Parish Council, and in line with the requirements, Historic England, Natural England and the Environment Agency. A copy of the report must also be submitted with the Neighbourhood Plan proposal and made available to the independent examiner.

Report agreed by:



.....  
Geoff Hall, Executive Director Environment and Planning

19/9/2019

.....  
Date

## Appendix: Statutory Body Consultation Responses

**From:** Anglian Central, Planning\_Liaison [<mailto:planning.brampton@environment-agency.gov.uk>]

**Sent:** 10 September 2019 16:21

**To:** Katie Evans

**Subject:** RE: Statutory consultation Castle Acre PC Neighbourhood Plan SEA/HRA Screening: "SEA & HRA requirements of the NP

Dear Katie

Thank you for your request for a screening opinion.

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

Kind regards  
Elizabeth



Dear Ms Evans,

I am writing in relation to the following:

EIA: Environmental Impact Assessment

Castle Acre Neighbourhood Plan 2019 - 2036, Castle Acre, King's Lynn, Norfolk [Case Ref. PL00615235; HE File Ref. HP/D 5322; Your Reference. ]

Thank you for consulting Historic England about the above consultation. I apologise for the delay in response, unfortunately this one appears to have slipped through the net owing to an exceptionally busy period here. Please find our formal response attached.

Yours Sincerely

Edward James

Historic Places Advisor, East of England

E-mail: [Edward.James@HistoricEngland.org.uk](mailto:Edward.James@HistoricEngland.org.uk)

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Historic England

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PE30 1EX

Direct Dial: 01223 582746

Our ref: PL00615235

16 September 2019

Dear Ms Evans

**RE: Castle Acre Neighbourhood Plan SEA Screening**

Thank you for your email of 13 August, 10 September and 16 September 2019 regarding the above consultation. We apologise for the delay in responding to the 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 this neighbourhood plan SEA Screening. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the 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 supporting information (screening report and draft neighbourhood plan) supplied with the consultation indicates that within the plan area there is a range of designated historic environment assets, some of the highest significance. There is also likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic landscape. The documentation indicates that the Castle Acre Neighbourhood Plan proposes to allocate 3 sites for housing, one of which (CA1) corresponds to planning applications that have already been permitted.

Site CA2 is adjacent to the boundary of the Castle Acre Conservation Area. Site CA3 is adjacent to the Castle Acre Priory (Scheduled Monument), in close proximity to the Church of St James (Grade I listed), and in the vicinity of the Castle Acre Castle, town defences and Bailey Gate (Scheduled Monument), and is within the heart of the Castle Acre Conservation Area. The site is therefore in a very sensitive location regarding the setting of heritage assets of the highest significance. The development of this site has the potential to harm the setting of these assets, and the neighbourhood plan policy corresponding to this Site Allocation does not make any reference to the need to conserve the significance of heritage assets.



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Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.



Historic England

Given the likely significant effects upon the historic environment, Historic England considers that that a Strategic Environmental Assessment will be required.

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.

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.

We should like to stress that this opinion is based on the information provided by you with your correspondence dated 13 August 2019. 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/guidance) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

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

Yours sincerely,

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

cc:

Hi Alex

Apologies for my delayed response, I was on leave last week.

If the plan is likely to pose indirect impacts to designated sites via recreational disturbance either alone or in combination, we advise that an appropriate assessment is undertaken to determine the sufficiency of mitigation.

If you have any further questions please do get in touch.

Many thanks  
Victoria

Sustainable Development Lead Adviser  
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Mobile: 07786335079  
Tel: 02082257617  
<https://www.gov.uk/natural-england>

**From:** Wight, Victoria [<mailto:Victoria.Wight@naturalengland.org.uk>]

**Sent:** 03 September 2019 12:38

**To:** Katie Evans

**Subject:** RE: 2019-09-17 291863 Castle Acre PC Neighbourhood Plan SEA/HRA Screening (King's Lynn) \*LPA deadline 10th Sep\*

Dear Katie

Thank you for consulting Natural England.

It is our understanding that Castle Acre Neighbourhood Plan (NHP) proposes development which has not been assessed and/or included in the Habitats Regulations Assessment for the adopted Local Plan. On this basis a preliminary HRA screening had been undertaken and concluded no likely significant effect due to the small scale of the proposed allocations. However, section 4.9 of the HRA screening document refers to the Habitat Monitoring and Mitigation Levy, the purpose of which is to mitigate adverse effects of recreational disturbance to designated sites in combination. Where mitigation is prescribed an appropriate assessment should be completed to demonstrate no adverse effect.

Where a Neighbourhood Plan requires an Appropriate Assessment under the Habitats Directive, Article 3.2 of the SEA Directive also requires a SEA to be undertaken. Where a SEA is required it should be prepared in accordance with [regulation 12 of the SEA Regulations](#).

Many thanks  
Victoria

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