

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 North Wootton Neighbourhood Plan

March 2023

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 North Wootton Neighbourhood Plan 2022-2036

1.0 Introduction

- 1.1 This screening report is designed to determine whether or not the content of the emerging North Wootton 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 2004¹ ("the 2004 Regulations"). 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 the Conservation of Habitats and Species Regulations 2017²; amended 2019³. 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 North Wootton Parish Council (Qualifying Body) and the screening opinion consultation responses subsequently received from the Environment Agency, Historic England and Natural England under Regulation 11 (2004 Regulations). It should be read in conjunction with the SEA and HRA Screening Assessment November 2022, prepared on behalf of the Parish Council and sent to the statutory consultation bodies on 30 January 2023.
- 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 and SEA/ HRA process which may subsequently arise if there are changes to the plan's content that could have an adverse effect upon the environment. The processes of SEA and HRA screening are iterative and evolve in parallel with the preparation of a Neighbourhood Plan.

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

² <https://www.legislation.gov.uk/ukxi/2017/1012/contents>

³ <https://www.legislation.gov.uk/ukxi/2019/579/contents/made>

2.0 Legislative Background

Strategic Environmental Assessment (SEA)

- 2.1 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 must be undertaken.

Habitat Regulation Assessment (HRA)

- 2.3 HRA is a requirement of Article 6 (3) of the EU Habitats Directive and by the Conservation of Habitats and Species Regulations 2017/ 2019. The Regulations require 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.

3.0 SEA Preliminary Screening

- 3.1 The process for determining whether or not a 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, 2005⁴). The second part of the assessment is required 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 for a minimum 28 days (Regulation 11). Accordingly, they are being consulted upon the Borough Council’s preliminary opinion and their comments have been taken into consideration within this screening report.

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

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 (see the next page):

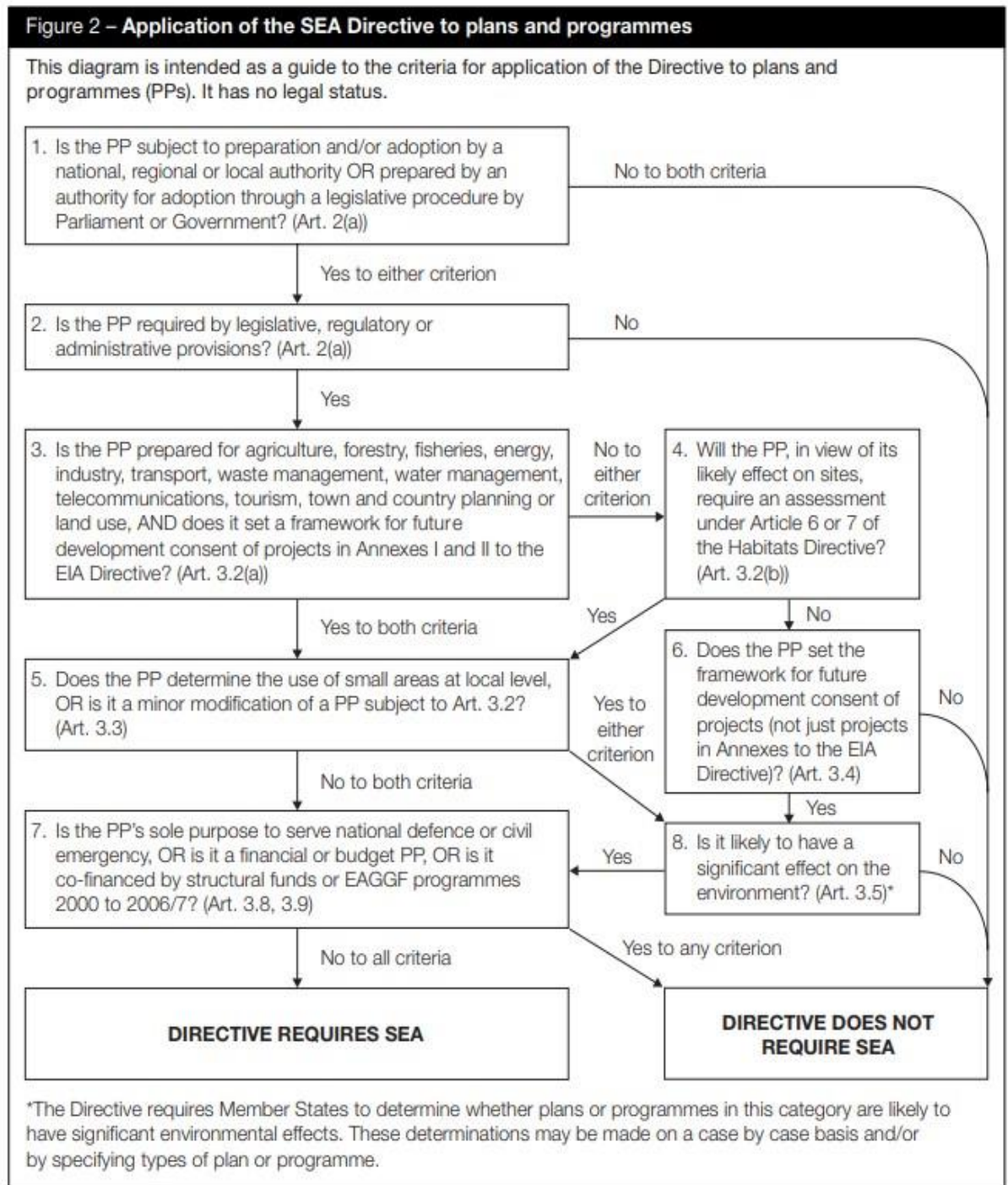


Table 1: Criteria for determining the likely significance of effects	
1.	<p>The characteristics of plans and programmes, having regard, in particular, to</p> <ul style="list-style-type: none"> • the degree to which the plan or programme sets a framework for projects and other activities, either with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

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

4.0 Assessment (SEA)

4.1 Application of the SEA Directive to plans and programmes:

	Stage	Yes/ No	Reason
1.	Is the Neighbourhood Plan subject to preparation and/or adoption by national, regional or local authority OR prepared by an authority for adoption	Yes	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 North Wootton Parish

	Stage	Yes/ No	Reason
	through a legislative procedure by Parliament or Government? (Art. 2(a))		<p>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 is subject to the following regulations (not intended to be a complete list):</p> <ul style="list-style-type: none"> • The Neighbourhood Planning (General) Regulations 2012 • The Neighbourhood Planning (referendums) Regulations 2012 • the Neighbourhood Planning (General) (Amendment) Regulations 2015 • the Neighbourhood Planning (General)and Development Management Procedure (Amendment) Regulations 2016 • The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017
2.	Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	<p>Whilst preparation of a Neighbourhood Plan is not a requirement of the Town and Country Planning Act as amended by the Localism Act 2011, when “made” (adopted) by the local planning authority it will form part of the Development Plan for the Borough. These are directed by legislative processes, and it is important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.</p>
3.	Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications,	Yes	<p>A Neighbourhood Plan can include these policy areas and could provide, at a Neighbourhood Area level, the framework for development that would fall within Annex II of the EIA Directive. Developments that fall within Annex I are ‘excluded’ development for</p>

	Stage	Yes/ No	Reason
	<p>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))</p>		<p>Neighbourhood Plans (as set out in the Localism Act 2011 and Section 61(k) of the Town and Country Planning Act 1990 (as subsequently amended).</p> <p>The Neighbourhood Plan is being prepared to set out a framework for town and country planning and land use within the Parish of North Wootton. 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>
4.	<p>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>	No	<p>A Neighbourhood Plan could potentially have impacts on sites covered by the Habitats Directive. The Neighbourhood Plan operates within a context of North Wootton's designation as a settlement adjacent to King's Lynn in the Core Strategy. This designation supports development where it can demonstrate a positive impact on the adjacent Sub Regional Centre (King's Lynn) and assist in maintaining and enhancing the provision of services, employment and local retail needs (Policy CS02).</p> <p>The Neighbourhood Plan is not proposing to make site allocations for residential housing or business purposes. Instead, this focuses upon</p>

	Stage	Yes/ No	Reason
			<p>protecting the village's rural character and setting, adjacent to the Norfolk Coast Area of Outstanding Natural Beauty (AONB). Draft policies relate to managing development to achieve a high-quality built environment; protecting the historic/ natural environment and community facilities; encouraging walking and cycling; and reducing impacts of surface water flooding.</p> <p>Please see Section 5 (immediately below) for further detail.</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)	Yes	<p>A Neighbourhood Plan can (and should) determine the use of small areas at a local (non-strategic) level. The draft Neighbourhood Plan focuses upon managing development within the existing built-up area of the village protection of rural areas (nearly fully covered by the AONB) beyond. It includes policies for managing housing development across the Parish (e.g. design quality/ parking provision); protecting the AONB and historic/ natural environment; delivering net biodiversity gain; protecting important views/ green spaces; surface water management; protection/ expansion of community services and facilities; and encouraging walking/ cycling. Overall, the focus of the Plan is upon protecting local character and effective management of development throughout North Wootton Parish.</p> <p>The Neighbourhood Plan for North Wootton appears to be in overall conformity with the Borough's Local Plan and proposals (e.g. site-specific designations) are all considered to be of a minor scale and of no strategic significance.</p>

	Stage	Yes/ No	Reason
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)	Yes	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, within the Parish of North Wootton.
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)	No	Does not apply to a Neighbourhood Plan.
8.	Is it likely to have a significant effect on the environment? (Art. 3.5)	No	The Neighbourhood Plan seeks general conformity with the adopted strategic development plan policies in the Core Strategy (2011) and the Site Allocations and Development Management Policies Plan (2016) Development Plan Documents. It also has regard to the emerging replacement Local Plan review (submitted March 2022, currently under examination). From the application of criteria for determining the likely significant effects below it is considered it is unlikely that there will be any significant effects.

4.2 SEA Screening Stage 2: SEA Directive Article 3(5) Annex II – Application of Criteria for determining the likely significance of effects of a Neighbourhood Plan:

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
(1) Characteristics of the plan and programmes, having regard in particular, to:		
<p>The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size, and operating conditions or by allocating resources;</p>	<p>The strategic framework for development is set by the adopted Local Plan of King's Lynn and West Norfolk Borough Council which currently comprises the Core Strategy (2011) and the Site Allocations and Development Management Policies Plan (2016). The Borough Council is currently in the process of reviewing the Local Plan. The Local Plan Review was submitted in March 2022, and it is anticipated that this should be adopted early 2024.</p> <p>The Neighbourhood Plan seeks to align and be in general conformity with both the current and Local Plan and its replacement, when adopted.</p>	No
<p>The degree to which the plan or programme influences other plans or programmes including those in a hierarchy;</p>	<p>It is anticipated that the North Wootton Neighbourhood Plan could be "made" (adopted) around the same time as the higher order replacement Local Plan Review. However, the Neighbourhood Plan has been prepared in accordance with the current Local Plan. When made, the Neighbourhood Plan will form part of the Borough's Development Plan. The Neighbourhood Plan will expand upon some of the current Local Plan and emerging replacement Local Plan policies, providing supplementary policy direction on a local scale.</p>	No

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>Any Development that comes forward through the Neighbourhood Plan will also be subject to environmental considerations of the Core Strategy and the Site Allocations and Development Management Policies Plan. These strategic policies have been subject to sustainability appraisal, and are in place to ensure that sustainable development is achieved.</p> <p>Strategic policies in the replacement Local Plan have been similarly subject to sustainability appraisal. Therefore, adopted and replacement Local Plan policies have been subject to similar rigorous assessment under the SEA Regulations.</p>	No anticipated negative effects
Environmental problems relevant to the plan or programme;	There are not considered to be any significant environmental problems which are specific to the area, above and beyond those considered and addressed in the Local Plan.	No anticipated negative effects.
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 North Wootton Neighbourhood Plan	No
(2) Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
The probability, duration, frequency, and reversibility of the effects;	The Neighbourhood Plan is seeking to be in conformity with the adopted Local Plan. It does not propose significant growth not already considered and assessed by the current Local Plan or replacement Local Plan review.	No

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
The cumulative nature of the effects;	It is considered unlikely that the Neighbourhood Plan, when combined with the current Local Plan and/ or emerging Local Plan review, will introduce significant environmental effects. Whilst both the Neighbourhood Plan and Local Plan review are being prepared, the Local Plan review has been subject to full SEA (including SA) and Habitats Regulations Assessment. It should be noted that the Local Plan review will not seek to propose allocations at North Wootton. This is largely a result of extremely limited capacity for growth due to development constraints; namely coastal flood risk and the AONB. This spatial approach was subject to an SEA and HRA.	No
The trans-boundary nature of the effects;	The emerging Neighbourhood Plan policy areas provide supplementary policy areas on a local scale. The impacts beyond the parish are unlikely to be significant. However, it is noted that North Wootton has a close functional relationship to South Wootton (adjoining settlement) and the main King's Lynn urban area, to the south.	No
The risks to human health or the environment (e.g. due to accidents);	Policies and proposals in the North Wootton Neighbourhood Plan are small scale and of local significance only. These are unlikely to produce any significant effects in relation to this criterion.	No

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
<p>The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);</p>	<p>The Neighbourhood Plan covers the Parish of North Wootton. The estimated population (2011 Census) is 2,380, while at January 2023 there were 1,014 properties registered for Council Tax (i.e. households). Beyond the village/ built-up area, around 85% of the Parish area is within the AONB, while virtually all of the remainder is situated within the coastal flood risk zones (2 and/ or 3). To the east of the village are key designated heritage assets and heritage assets (e.g. Castle Rising Castle).</p> <p>In comparison to North Wootton Parish, the Borough of King's Lynn and West Norfolk is 152,760 ha and has population of 147,451 (2011 census). It is emphasised that local policies sought to be introduced by the Neighbourhood Plan will only apply to the Parish of North Wootton and therefore unlikely to impact beyond this significantly.</p>	<p>No</p>
<p>The value and vulnerability of the area likely to be affected due to:</p> <p>i) Special natural characteristics or cultural heritage;</p>	<p>The Plan Area includes the Norfolk Coast AONB, covering nearly all of the rural/ countryside parts of North Wootton Parish. There are three listed buildings, as follows (see November 2022 SEA and HRA Screening Assessment document, Figure 10):</p> <ul style="list-style-type: none"> • All Saints Church • Church cottage • The Priory <p>Through listing, National Policy and the Local Plan the appropriate statutory/ legal protection for these historic assets and their settings is afforded.</p> <p>The Neighbourhood Plan seeks to incorporate further policies in relation to</p>	<p>No</p>

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
<p>ii) Exceeded environmental quality standards or limit values</p> <p>iii) Intensive land use</p>	<p>the built, historic and natural environment, to enhance these statutory protections through the development management system measures. The draft Plan also includes a list of 5 non-designated heritage assets (Policy 15/ Figure 1), which contribute to the character of the village.</p> <p>The North Wootton Neighbourhood Plan, by virtue of the “basic conditions”, will conform to strategic policies within the adopted Local Plan and its emerging replacement. The Local Plan provides protection to environmental characteristics across the Borough to ensure that they are not vulnerable to significant impacts from development. Policies within the Neighbourhood Plan will bolster these protections.</p> <p>The Neighbourhood Plan is unlikely to result in exceedance of environmental quality standards, such as those relating to air, water, and soil quality. Effective application of plan policies may have positive impacts (e.g. regarding surface water flood management), in terms of delivering an enhanced framework for effectively managing development within the Parish of North Wootton.</p> <p>The Neighbourhood Plan is unlikely to bring forward development of an extent that would result in a significant intensification of local land uses.</p> <p>Policies on new build housing design and built standards focus upon local built form and character (delivery of high-quality design) and are of local significance only.</p>	<p>No</p> <p>No</p>
<p>The effects on areas or landscapes which have a recognised national, Community or international protection status</p>	<p>The majority of the Parish area (approximately 80%) is covered by the Norfolk Coast AONB Designation. This is supported by Policy 5: North Wootton Norfolk Coast AONB Policy.</p>	<p>No</p>

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
	<p>The following statutory natural environmental designations are also situated within the Parish:</p> <ul style="list-style-type: none"> • International (Natura 2000) sites – The Wash Spacial Area for Conservation (SAC)/ Special Protection Area (SPA)/ Ramsar site • National – The Wash Site of Special Scientific Interest (SSSI)/ National Nature Reserve (NNR) – corresponding to SAC/ SPA/ Ramsar site <p>No significant development is anticipated throughout the Neighbourhood Area. The built-up part of the parish (existing village) is virtually entirely enclosed by the AONB; as a national protected landscape designation</p> <p>Within the built-up area there are a small number of designated heritage assets which reflect the cultural and heritage value of the village. It is anticipated the North Wootton Neighbourhood Plan should bolster the historic environment through the identification of non-designated heritage assets in/ around the built-up area, and policies to encourage good design and effective development management for the historic and built environment.</p> <p>The statutory natural environment designations (SAC/ SPA/ Ramsar site/ SSSI/ NNR) is situated a significant distance away from the built-up area; around 3.8km to the west. Furthermore, the environmental effects on areas of biodiversity designations within proximity of the Neighbourhood Area have been considered through the Local Plan.</p>	

5.0 Habitat Regulations Assessment

- 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:
1. 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.
 2. 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.
 3. If it is determined (in consultation with Natural England) that have potential significant adverse effects, then the plan will need to be subject to an “Appropriate Assessment”, under the relevant provisions of the Habitat Regulations.
- 5.3 **North Wootton parish (Neighbourhood Area) includes the Wash SAC/ SPA/ Ramsar site (Natura 2000) at the north-western most edge.** This is around 3.8-4km away from the village (built-up part of North Wootton). Notwithstanding, the importance of biodiversity and protection of ecology are recognised through Policy 7 (Biodiversity Improvements), which should have positive implications for designated Natura 2000 sites.
- 5.4 There are other local wildlife designations within, and adjacent to, the Neighbourhood Plan Area, as follows:
- Ling Common County Wildlife Site – east of North Wootton village, separating North Wootton and Castle Rising;
 - Wootton Carr (Ancient Woodland/ County Wildlife Site) – north east of North Wootton Village (North Wootton/ Castle Rising parishes); and
 - Lynn Point.
- 5.5 The Neighbourhood Plan must take these biodiversity sites into account and ensure that policies are consistent with the designation objectives. The North Wootton Neighbourhood Plan contains a suite of policies which aim to achieve protection of these environmental assets.
- 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 any potential significant impacts upon the Natura 2000 sites. A Habitats Regulations Assessment was also prepared to accompany the emerging replacement Local Plan⁵, which similarly provided an assessment of the implications of Plan policies for the Borough as a whole, including upon Natura 2000 sites.

- 5.7 The North Wootton Neighbourhood Plan seeks to be in conformity with the strategic policies of the Local Plan (Core Strategy 2011 and the Site Allocations and Development Management Policies Plan 2016). The emerging replacement Local Plan does not propose any housing land allocations at North Wootton and the Neighbourhood Plan similarly does not propose any additional housing sites.
- 5.8 The Neighbourhood Plan recognises the quantum of development already committed (Figure 4: List of recent permissions in North Wootton from 2012 to 2022) and does not propose any further growth beyond this. This approach would be in conformity with the Local Plan which limits new development to specific identified needs only. (Policy CS02, with CS03, CS09, CS12), and the Neighbourhood Plan 'basic conditions'; i.e. supporting sustainable development.
- 5.9 After careful consideration and on balance based upon the above it is considered unlikely that a HRA will need to be undertaken. In general, it is noteworthy, that if a HRA is necessary automatically also a SEA has to be undertaken.

6.0 Screening Outcome

- 6.1 The Borough Council prepared this document as 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 over 4 weeks (30 January – 27 February 2023, inclusive). Through ongoing discussions and engagement with the qualifying body and the statutory bodies, the Borough Council has reviewed the SEA and HRA Screening Assessment document (November 2022), prepared by the Parish Council's appointed consultant and reached a conclusion on the matter of the screening report. 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 identify that, based upon the information available; there is not the potential for significant environmental

⁵ https://www.west-norfolk.gov.uk/info/20216/local_plan_review_2016_-_2036/882/proposed_pre-submission_local_plan_review_documents

effects to arise from the implementation of the proposals in the emerging Neighbourhood Plan for North Wootton.

6.3 Based upon the assessment above and the responses from the statutory consultation bodies, the Borough Council has concluded that:

- **The North Wootton Neighbourhood Plan does not require a full Strategic Environmental Assessment (SEA); and**
- **The North Wootton Neighbourhood Plan does not require an Appropriate Assessment, under the Habitat Regulations.**

6.4 This report is based on the SEA and HRA Screening Assessment (November 2022); prepared for North Wootton Parish Council (Qualifying Body) and submitted to the statutory consultation bodies for the SEA/ HRA screening consultation. The Neighbourhood Plan at this stage is still at an early stage, with a preliminary draft document having now been prepared in advance of public consultation under the Neighbourhood Planning (General) Regulations 2012 (Regulation 14). The Neighbourhood Plan itself may be subject to further review by Natural England, Historic England and the Environment Agency through the Regulation 14 consultation. The screening opinion and report may also need to be updated and/ or reviewed if further changes are made to the Neighbourhood Plan following the Regulation 14 consultation.

6.5 This report will be issued to North Wootton 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:

[Signed, Stuart Ashworth]

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**Stuart Ashworth, Assistant Director – Environment and Planning
(on behalf of Executive Director Environment and Planning]**

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10 March 2023

Appendix: Statutory Body Consultation Responses

Environment Agency

No response received from the Environment Agency.

As confirmed through a previous SEA consultation for the Grimston, Roydon and Congham Neighbourhood Plan (8th October 2021), the Environment Agency has stated that they will no longer provide bespoke responses to SEA screening consultations for Neighbourhood Plans.

Historic England – 21 February 2023

RE: PL00792354 - North Wootton Neighbourhood Plan 2022-2036 - Strategic Environmental Assessment (SEA)/ Habitat Regulations Assessment (HRA) screening

Dear XXXXXXX

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 North Wootton 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,

XXXXXX

XXXXXX XXXXX
Historic Places Adviser - East of England
Historic England

Direct Line: XXXXX XXX XXX

Mobile: XXXXX XXX XXX



Historic England

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www.historicengland.org.uk

Twitter: @HE_EoE

Natural England – 24 February 2023

Date: 24 February 2023
Our ref: 419747
Your ref: N/A



King's Lynn and West Norfolk Borough Council

BY EMAIL ONLY

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T 0300 060 3900

Dear XX XXXXXX

North Wootton Neighbourhood Plan - SEA & HRA Screening Consultation

Thank you for your consultation on the above dated 30 January 2023 which was received by Natural England on the same date.

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

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004 (as amended). Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the [Planning Practice Guidance](#).

Planning practice guidance also outlines that if an appropriate assessment is required for your Neighbourhood Plan this will also engage the need for a SEA. One of the basic conditions that will be tested by the independent examiner is whether the neighbourhood plan is compatible with European obligations, including those under the SEA Directive. Where a SEA is required it should be prepared in accordance with [Regulation 12](#) of the SEA Regulations.

Where a neighbourhood plan could potentially affect a '[Habitats Site](#)', it will be necessary to screen the plan in relation to the Conservation of Habitats and Species Regulations (2017), as amended (the 'Habitats Regulations'). Where likely significant effects are identified, it will be necessary to undertake an appropriate assessment of the neighbourhood plan and, if needed, identify and secure appropriate mitigation measures to ensure the plan does not result in an adverse effect on the integrity of the habitats site.

Natural England welcomes the SEA and HRA Screening Assessment (dated November 2022) which assess the North Wootton requirement for SEA and Habitats Regulations Assessment (HRA) for the Neighbourhood Plan.

Natural England agrees with the conclusions of the report that it is not likely there will be significant environmental effects arising from the policies in the plan, which have not already been accounted for within the adopted local plan. Therefore, the North Wootton Neighbourhood Plan does not require an SEA to be undertaken. Natural England also agrees that the Plan would be unlikely to result in significant effects to European Sites, either alone or in combination, and therefore an appropriate assessment under the Habitats Regulations is not required. Additionally, Natural England welcomes the inclusion of Policy 5: North Wootton Norfolk Coast AONB, Policy 7: Biodiversity improvements, Policy 8: Local Green Space, and Policy 13: Implementing walking cycling routes within the Neighbourhood Plan, with the aims to help improve the provision of high-quality green infrastructure and to provide biodiversity gains

Aside from this, Natural England have no specific comments at this stage, but further guidance is provided within annex 1 which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

We would be happy to comment further should the need arise. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

XXX XXXXXXXXX
Norfolk & Suffolk Team