

**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 Docking Neighbourhood Plan 2023-2039**

**January 2025**

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 Docking Neighbourhood Plan 2023-2039**

## **1.0 Introduction**

- 1.1 This screening report is designed to determine whether or not the content of the emerging Docking Neighbourhood Plan 2023-2039 requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC; incorporated into UK legislation through the Environmental Assessment of Plans and Programmes Regulations 2004<sup>1</sup>. SEA would be required if the implementation of the contents of the Neighbourhood Plan is 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 2017<sup>2</sup>. A HRA would be required when the implementation of the contents of the Neighbourhood Plan is likely to cause significant negative effects on a designated protected European Site (known collectively as European 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. It should be read in conjunction with the Preliminary Screening Strategic Environmental Assessment and Habitats Regulation Assessment 2024, prepared by the appointed consultant on behalf of Docking Parish Council.
- 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.

## **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 has to be undertaken, the initial stage in the process.

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

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

### **Habitat Regulation Assessment (HRA)**

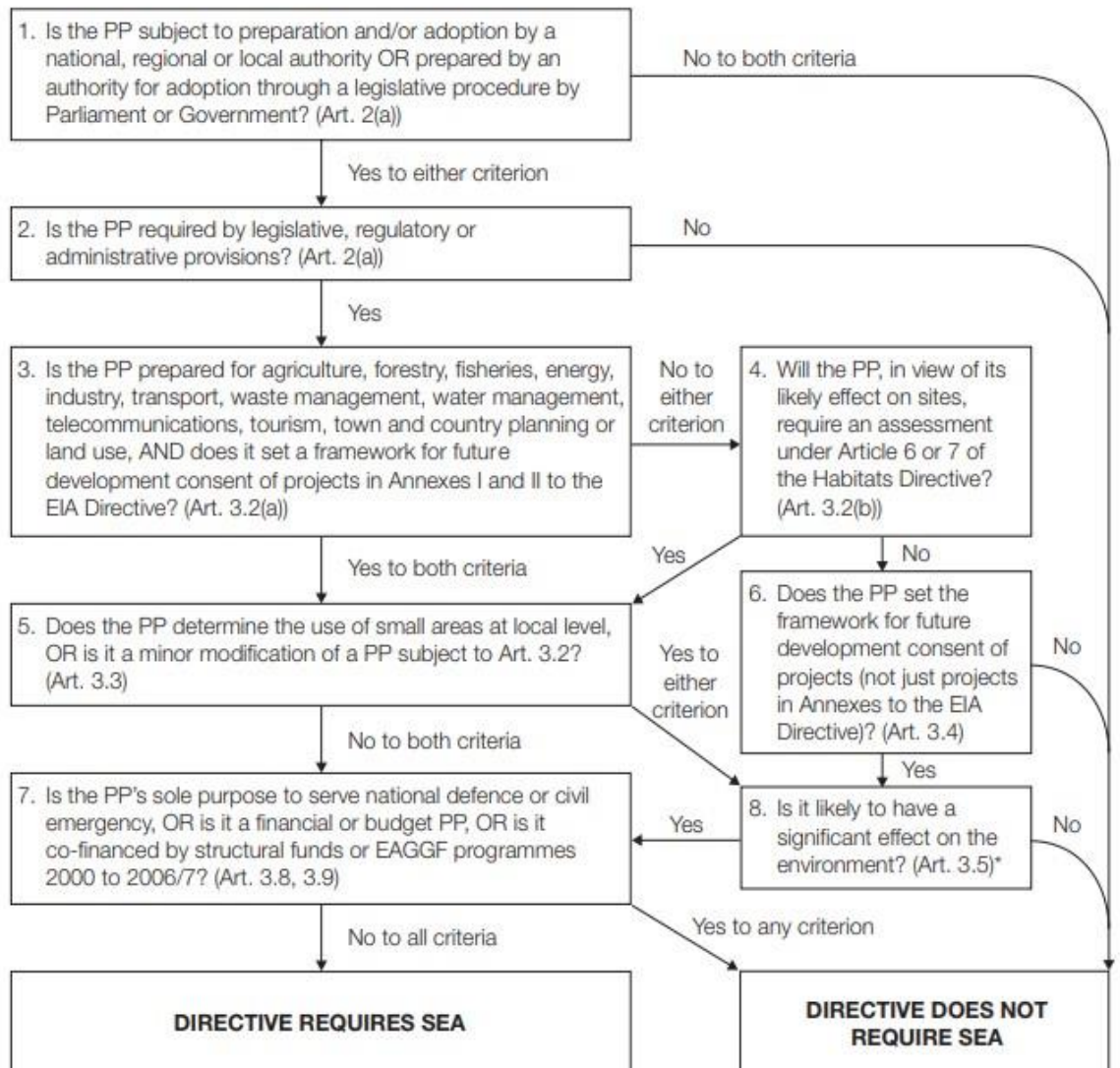
- 2.3 HRA is a requirement of Article 6 (3) of the EU Habitats Directive and by the Conservation of Habitats and Species Regulations 2017. The Regulations require that an appropriate assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other 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 (previously referred to as Natura 2000 sites) a screening assessment has been undertaken.

### **3.0 SEA Preliminary Screening**

- 3.1 The process for determining whether or not a full 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<sup>3</sup>). 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 national statutory consultation bodies (Environment Agency, Historic England and Natural England) must be consulted. Accordingly, they are being 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 (see the next page):

**Figure 2 – Application of the SEA Directive to plans and programmes**

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



\*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

<b>Table 1: Criteria for determining the likely significance of effects</b>	
1.	<p>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>
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"> <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:</li> <li>• special natural characteristics or cultural heritage</li> <li>• exceeded environmental quality standards or limit values</li> <li>• intensive land-use</li> <li>• the effects on areas or landscapes which have a recognised national, Community or international protection status</li> </ul>

*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 the Parish Council (as the

	Stage	Yes/ No	Reason
	through a legislative procedure by Parliament or Government? (Art. 2(a))		<p>“relevant body”; also referred to as the “Qualifying Body”) and will be “made” by the Borough Council of King’s Lynn and West Norfolk as the Local Planning Authority, subject to passing an independent examination and community referendum. Preparation of Neighbourhood Plans is 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>
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,	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</p>

	Stage	Yes/ No	Reason
	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))		<p>are 'excluded' development for Neighbourhood Plans (as set out in the Localism Act 2011 and Section 61(k) of the Town and Country Planning Act 1990 (as subsequently amended).</p> <p>The Neighbourhood Plan is being prepared to set out a framework for town and country planning and land use within the Parish of Docking. Its intention is to complement the higher order strategic framework that already exists for land use planning across the Borough.</p> <p>At the time of Neighbourhood Area designation (December 2023) and subsequent preliminary plan-making stages (January – October 2024), 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 replacement Local Plan 2021-2040 is expected to be adopted by March 2025, almost certainly in advance of the public (Regulation 14) Neighbourhood Plan consultation and subsequent submission (Regulation 15). Accordingly, the Plan, when submitted, will need to be in general conformity with strategic policies in the replacement Local Plan 2021-2040.</p> <p>The preliminary draft Neighbourhood Plan recognises the Borough Council's current situation regarding the adopted and draft replacement Local Plan, so seeks to align and be in general conformity with both. The Neighbourhood Plan does not anticipate being a tool to manage development of the scale and nature envisaged by Annex I and Annex II of the EIA Directive.</p>

	Stage	Yes/ No	Reason
			<p>The draft replacement Local Plan 2021-2040 continues/ carries forward some policies from the current Local Plan. Notably, the status of Docking as a Key Rural Service Centre in the settlement hierarchy will be carried forward into the new Plan. It is reiterated that the new Local Plan is likely to be adopted before submission of the Neighbourhood Plan.</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))	No	<p>The proposed Neighbourhood Plan could potentially impact sites covered by the Habitats Directive. The Plan area includes the north-western most part of the Wensum catchment area (including the Special Area of Conservation (SAC), for the River Tat. Small/ minor tributaries of the Tat (itself a tributary of the Wensum), flow in a south-easterly direction out of the Plan area.</p> <p>The SEA and HRA screening process will need to consider (in accordance with the precautionary principle), the potential impacts of the Plan as an integral part of the screening process. It is noted that the Neighbourhood Plan is not proposing to make site allocations for residential housing or business operations.</p> <p>Please see Section 4 of this report 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 protecting and enhancing the natural environment and character of Docking; meeting parish-level housing needs; protecting community services and facilities; and improving accessibility and connectivity.</p>



	Stage	Yes/ No	Reason
			<p>It includes policies for designating green infrastructure corridors, local views and Local Green Spaces, together with development management policies for trees, hedgerows, dark skies, heritage and design. Housing policies seek to develop an appropriate housing mix to meet parish-level needs, alongside a principal residences policy to ensure retention of new housing for permanent residents of the village. Other policies seek to protect community facilities and enhance/ improve connectivity.</p> <p>Overall, the focus of the Plan is upon ensuring protecting the natural environment, character/ built form, and historic environment.</p> <p>The preliminary draft Neighbourhood Plan appears to be in overall conformity with the Borough's Local Plan and proposals are all considered to be of a minor scale and of no strategic significance. Environmental policies provide local direction, focusing upon design, character, and habitat enhancement.</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)	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 Docking.
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	No	Does not apply to a Neighbourhood Plan.

	Stage	Yes/ No	Reason
	programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/07? (Art. 3.8, 3.9)		
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 current Local Plan (2011 Core Strategy and 2016 Site Allocations and Development Management Policies Plan). It also has regard to the emerging replacement Local Plan 2021-2040, which will entirely replace the current Local Plan and is anticipated to be adopted by March 2025. From the application of criteria for determining the likely significant effects below (critically, no proposed development land allocations) it is considered unlikely that there will be any significant environmental 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
<b>(1) Characteristics of the plan and programmes, having regard in particular, to:</b>		
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>Once made, the Docking NP (DNP) will become a part of the statutory development plan and will guide the delivery of development within the designated plan area.</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</p>	No

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
	<p>and Development Management Policies Plan (2016) (SADMP). The replacement Local Plan 2021-2040 is anticipated to be adopted by March 2025.</p> <p>The 2011 Core Strategy designates Docking a Key Rural Service Centre (CS02). This designation is proposed to be retained in the replacement Local Plan 2021-2040, assessed through the Sustainability Appraisal for the submission Local Plan<sup>4</sup>. As a strategic matter, the status of Docking in the settlement hierarchy has already been analysed as part of the current and replacement Local Plan process.</p> <p>The DNP does not propose any land for the development. The current Local Plan (2016 SADMP) allocated land for the development of 20 dwellings (G30.1), which has since been implemented. No further new development land allocations are proposed in the replacement Local Plan.</p> <p>Once adopted, the DNP will help to inform and guide planning decisions in line with the provisions of adopted strategic Local Plan policies. Given that it is almost certain that the replacement Local Plan 2021-2040 will be adopted before the DNP, applications for planning permission will be guided by the DNP and adopted strategic plans and policies in place at the time.</p>	
The degree to which the plan or programme influences other plans or programmes including those in a hierarchy;	The Neighbourhood Plan will almost certainly be adopted after the higher order replacement Local Plan 2021-2040 and form part of the Borough's Development Plan. The DNP will expand	No

<sup>4</sup> [https://www.west-norfolk.gov.uk/info/20079/planning\\_policy\\_and\\_local\\_plan/629/sustainability\\_appraisal](https://www.west-norfolk.gov.uk/info/20079/planning_policy_and_local_plan/629/sustainability_appraisal)

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
	upon some of the current and replacement Local Plan policies, providing supplementary policies and direction at a local (parish-level/ non-strategic) scale.	
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 be subject to environmental considerations in line with relevant Local Plan environmental/ development management policies. These policies have already 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 2021-2040 have been similarly subject to Sustainability Appraisal. Therefore, all relevant strategic Local Plan policies have been subject to appropriate and robust assessment, in accordance with the SEA Regulations.</p>	No anticipated negative effects
Environmental problems relevant to the plan or programme;	<p>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 (both the currently adopted version and emerging replacement Local Plan 2021-2040).</p> <p><b>Nutrient Neutrality</b></p> <p>Parts of the Neighbourhood Area lie within the River Wensum SAC Nutrient Neutrality zone, designated by Natural England in March 2022, although the SAC itself does not extend beyond the River Tat (East Rudham parish). Further analysis (<a href="#">Wensum and Broads Nutrient Neutrality Catchment Map</a>) demonstrates that within the main built-up area (Docking village) the Wastewater Treatment Works (WTWs) serving the</p>	No anticipated negative effects.

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
	<p>village do not drain into the Wensum catchment, instead flowing to the west, into the Heacham River catchment/ The Wash.</p> <p>Therefore, the implications of Nutrient Neutrality for the DNP are minimal, given that the defined Wensum catchment within the Neighbourhood Area is defined as “Small Scale Discharge Low Risk Zone”; i.e. low risk within that catchment area, with the WTW serving the village itself draining to the west.</p> <p><b>European (international) and national (Sites of Special Scientific Interest) sites</b></p> <p>Baseline information relating to the DNP was collated in the Preliminary Screening SEA undertaken by the Neighbourhood Plan consultants. The Neighbourhood Area has no designated European or national sites. The nearest such designations are Syderstone Common SSSI (4km, south-east of Docking Parish), the Wensum Special Area of Conservation (8km, south-east of Docking Parish) and The Wash and North Norfolk Coast European site (4km north of Docking Parish).</p> <p>Furthermore, the DNP Plan itself focuses upon protecting the natural environment and is not proposing to allocate development land. This should not therefore contribute towards environmental issues or problems.</p>	
The relevance of the plan or programme for the implementation of community legislation on the environment (e.g. plans and programmes linked to waste	The implementation of community legislation is unlikely to be significantly compromised by the DNP.	No

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
management or water protection).		
<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;	The Neighbourhood Plan is seeking to be in conformity with both the adopted Local Plan and draft replacement Local Plan 2021-2040. It does not propose significant growth not already considered and assessed by the Local Plan (either the current or replacement Plan(s)).	No
The cumulative nature of the effects;	<p>It is considered unlikely, in combination with the current Local Plan and replacement Local Plan 2021-2040, that the DNP will introduce significant environmental effects. The replacement Local Plan is nearing the end of its examination, with publication of the Inspectors' Report anticipated in January 2025 and adoption in March 2025.</p> <p>The replacement Local Plan has been subject to full SEA (including SA) and Habitats Regulations Assessment. It should be noted that neither the Local Plan, nor Neighbourhood Plan, propose new allocations at Docking. Instead, the DNP focuses upon protecting and enhancing the natural environment (e.g. biodiversity), housing need, design and accessibility, as set out in the Plan vision.</p> <p>As it will not allocate land for development DNP is unlikely to lead to any cumulative effects in combination with existing or emerging plans (i.e. the current or replacement Local Plan).</p>	No
The trans-boundary nature of the effects;	The emerging DNP policies focus upon meeting the needs of the rural community, in terms of protection and	No

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
	<p>enhancement of the natural environment, design, housing needs, community services/ facilities and accessibility.</p> <p>Green corridor policies seek to achieve enhancements to the natural environment at the local (Parish level). Although certain Biodiversity and Green Ecological Corridors matter may extend beyond the parish (Neighbourhood Area) boundary, it is considered that these could complement similar policies in Neighbourhood Plans for adjacent parishes; e.g. Ringstead, Thornham, Brancaster, Burnham Market and Sedgeford. The DNP should therefore represent a positive contribution to green infrastructure projects in the north of the Borough.</p> <p>The Plan focuses upon local environmental assets, within the Borough. Consideration will need to be given to the Neighbourhood Area's situation upstream of the Wensum SAC and the implications for Nutrient Neutrality affecting that catchment area.</p> <p>Nevertheless, the draft DNP provides supplementary policy on a local scale and area. The impacts for transboundary effects beyond the parish administrative boundaries are unlikely to be significant and may provide improved opportunities to coordinate delivery of green infrastructure, biodiversity or environmental projects.</p>	
The risks to human health or the environment (e.g. due to accidents);	<p>Policies and proposals in the DNP are small scale and of local significance only. These are unlikely to produce any significant effects in relation to this criterion.</p> <p>The DNP is unlikely to produce any significant risk to human health or the environment. Indeed, its policies are</p>	No

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
	likely to have a positive impact, given their emphasis upon enhancing and improvements to green infrastructure, design and meeting local housing needs.	
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	<p>The Neighbourhood Plan covers the Parish of Docking. The 2011 and 2021 censuses recorded the population at approximately 1,200 and 1,100 respectively. This apparent decrease may (in part) be due to the number of homes within the parish not lived in by villagers (permanent residents) has increased. By comparison, the Borough of King's Lynn and West Norfolk is 152,760 ha and has population of 154,325 (2021 census).</p> <p>The extent of the parish beyond the built-up areas of Docking village (rural hinterlands) includes sparsely populated rolling woodlands, with the hamlet of Summerfields (Ringstead Road) to the north-west of the main village. Summerfields is not included within the Local Plan settlement hierarchy and is regarded as countryside.</p> <p>The south-eastern most part of the Plan area includes part of the Bircham Newton Construction Industry Training Board (CITB) college campus. However, the Plan itself focuses upon the main village of Docking, with green infrastructure corridor policies proposing the creation of a network of routes in/ around the rural hinterland.</p> <p>Overall, the parish-level policies proposed by the Neighbourhood Plan will only apply to the Parish of Docking and therefore unlikely to impact have any significant impacts, beyond the locality of Docking. The proposed green corridors may provide opportunities for wider green</p>	No



Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
	infrastructure connectivity with adjacent Parishes (several of which are covered by Neighbourhood Plans).	
<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>ii) Exceeded environmental quality standards or limit values</p>	<p>There are no statutory natural designations within the Neighbourhood Area. The nearest such designations are Syderstone Common SSSI and The Wash/ North Norfolk Coast SAC/ SPA/ Ramsar sites, 4km away from the Neighbourhood Area in south-easterly and northern directions respectively.</p> <p>According to the latest data on the Historic England's website there are 15 statutory listed buildings and a scheduled monument (WWI training trenches).</p> <p>The preliminary draft DNP has been prepared with reference to both the existing Local Plan and replacement Local Plan 2021-2040. Therefore, with reference to the "basic conditions", the Plan should conform to the strategic policies of both. These provide protection to environmental characteristics across the Borough to ensure that they are not vulnerable to significant impacts from development. Policies within the DNP will bolster these protections; e.g. through environmental and design, focused upon protection and enhancement of the Plan area in terms of the natural environment and local character.</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 should have positive impacts, in terms of delivering an enhanced framework for effectively managing development and delivering</p>	<p>No</p> <p>No</p>

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
iii) Intensive land use	<p>biodiversity/ environmental enhancements within Docking Parish; e.g. through detailed design criteria and green corridor proposals.</p> <p>The Neighbourhood Plan is unlikely to bring forward development of an extent that would result in a significant intensification of Local land use.</p> <p>Policies for design (with particular reference to detailed local design codes) are of a local scale and significance only.</p> <p>As the DNP does not allocate land for the development it is not anticipated to have any likely significant effects on the natural characteristics of the area. Rather, environmental and green infrastructure policies should be beneficial in terms of local biodiversity and the natural environment.</p>	No
The effects on areas or landscapes which have a recognised national, Community or international protection status	<p>Docking parish (northern boundary) adjoins the North Norfolk National Landscape Area (NLA), to the north. 9ha of the northernmost part of the parish (east of Choseley) is situated within the NLA. This part of the NLA (within Docking Parish) is around 4km from the nearest significant villages (Docking and Brancaster).</p> <p>However, policies within this Plan should not have any adverse effect on the NLA, by virtue of their localised coverage, focused upon Docking village. The proposed green corridors represent the most significant/ substantive policies for the countryside/ rural hinterland, which ought to deliver positive outcomes for the North Norfolk NLA.</p> <p>A number of archaeological finds have been recorded through Norfolk Heritage Explorer, with 145 recorded finds. These date from a broad range of eras, including prehistoric/ neolithic, Roman, Saxon, Medieval and up to the 20<sup>th</sup> century (World Wars I and II). Finds are</p>	No

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
	<p>distributed throughout the Plan area, but are concentrated in/ around the main village.</p> <p>The environmental effects on areas of biodiversity designations in the vicinity of the Neighbourhood Area have been considered through the Local Plan (as for all parts of the Borough). The Plan focuses upon matters of green infrastructure delivery, preservation and protection of the natural environment (e.g. trees/ hedgerows), design, housing needs and community infrastructure. It is reiterated that policies should deliver positive outcomes, in terms of the North Norfolk NLA.</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 European 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 European 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 (currently 2017 Regulations, as amended).
- 5.3 **There are no Designated European Sites (including European wildlife sites) within the Neighbourhood Plan Area.** The nearest such designations (The Wash and Norfolk Coast SAC/ SPA/ Ramsar sites) are situated 4km to the north of the Neighbourhood Area. Parts of the Plan area are located within the Wensum catchment (Nutrient Neutrality zone), although this is considered a low risk zone with Wastewater Treatment Works discharge from the Plan area flowing to the west, into the Heacham River (The Wash) catchment. Therefore, Nutrient Neutrality<sup>5</sup> is not considered a significant issue for the Plan.
- 5.4 Notwithstanding, the Neighbourhood Area is situated around 8km from the River Wensum Special Area of Conservation (SAC), the closest European site within the Wensum catchment (River Tat tributary). Other European sites (The Wash/ North Norfolk Coast SAC/ SPA/ Ramsar sites) are within 5km (to the north), but separated from the Plan area by a watershed. Therefore, it is not considered the Plan would have any significant implications for these European sites. The only probable scenario where the precautionary principle should be applied, is if development land allocations are proposed through the Neighbourhood Plan (none is proposed). Otherwise, Plan policies are either positive or neutral in terms of the Habitat Regulations.
- 5.5 Through its policies, the Neighbourhood Plan places an emphasis on achieving biodiversity net gain and natural environmental enhancements; e.g. through the creation of green corridors and protection of existing trees, hedgerows and designating Local Green Spaces. The Plan highlights the importance of green corridors as a means to improve and enhance existing habitats and wildlife movements. This should prove beneficial, in terms of implications for the nearest European sites; the Wensum Catchment (River Tat) and The Wash/ Norfolk Coast, both situated approximately 8km beyond the Plan area.

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<sup>5</sup> [https://www.west-norfolk.gov.uk/info/20000/planning\\_and\\_development/956/nutrient\\_neutrality](https://www.west-norfolk.gov.uk/info/20000/planning_and_development/956/nutrient_neutrality)

- 5.6 Other than natural environmental designations (Wensum SAC and Docking Common SSSI), there may be local wildlife sites within the Neighbourhood Plan Area. Several have been identified through the evidence gathering process and associated projects such as the emerging Local Nature Recovery Strategy (anticipated adoption July 2025). In response, the Neighbourhood Plan proposes designation of a network of green infrastructure (ecological) corridors. The proposed corridors should take the evidence base into account (alongside European objectives) and ensure that policies are consistent with the designation objectives. Docking Neighbourhood Plan considers both the built-up part of the village and the wider countryside beyond. It places a strong emphasis on the development of green infrastructure, which should prove positive, viz a viz Habitat Regulations Assessment.
- 5.7 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 current Local Plan (Site Allocations and Development Management Policies 2016)<sup>6</sup>. This considered the overall impacts of growth planned through the Local Plan and any potential significant impacts upon the European sites. A Habitats Regulations Assessment was also prepared to accompany the emerging replacement Local Plan<sup>7</sup>, which similarly provided an assessment of the implications of Plan policies for the Borough as a whole, including upon European sites. This has recently been updated<sup>8</sup>, for the Schedule of Main Modifications (August 2024).
- 5.8 Docking Neighbourhood Plan (preliminary draft) has been drafted to conform to the strategic policies of the Local Plan (Core Strategy 2011 and the Site Allocations and Development Management Policies Plan 2016) and replacement Local Plan 2021-2040. The latter is anticipated to be adopted by March 2025 and will replace the current Local Plan in its entirety, almost certainly before submission of the DNP. It focuses upon matters of a protection and enhancement of the natural environment, high quality design and community sustainability. In terms of the natural environment (in particular, European sites within 10km of the Neighbourhood Area), it provides added value to adopted and replacement Local Plan policies.
- 5.9 The Neighbourhood Plan recognises the quantum of development that is already committed. This approach would be in conformity with the current Local Plan which designates Docking as a Key Rural Service Centre, a designation that is proposed to be taken forward into the replacement Local Plan 2021-2040. The Local Plan recognises Docking's service centre role in sustaining the wider rural community through providing a range of services that can meet basic day-to-day needs, and a level of public transport that can enable access to and from the settlement. This has recently been borne out in a significant number of housing completions (102 new dwellings) since 2020/21.
- 5.10 The retention of the Key Rural Service Centre designation in the replacement Local Plan 2021-2040 is supported by the updated (2023) Settlement Hierarchy

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<sup>6</sup> [https://www.west-norfolk.gov.uk/download/downloads/id/589/habitats\\_regulations\\_assessment\\_september\\_2015.pdf](https://www.west-norfolk.gov.uk/download/downloads/id/589/habitats_regulations_assessment_september_2015.pdf)

<sup>7</sup> [https://www.west-norfolk.gov.uk/info/20216/local\\_plan\\_review\\_2016\\_-\\_2036/882/proposed\\_pre-submission\\_local\\_plan\\_review\\_documents](https://www.west-norfolk.gov.uk/info/20216/local_plan_review_2016_-_2036/882/proposed_pre-submission_local_plan_review_documents)

<sup>8</sup> [https://www.west-norfolk.gov.uk/download/downloads/id/8808/f120\\_-\\_habitat\\_regulations\\_assessment\\_update\\_july\\_2024.pdf](https://www.west-norfolk.gov.uk/download/downloads/id/8808/f120_-_habitat_regulations_assessment_update_july_2024.pdf)

Assessment<sup>9</sup>. It is not considered this would have any significant implications for the Neighbourhood Plan, in terms of the proposed strategy for the villages and the new windfall development policy (Main Modification 6<sup>10</sup>, August 2024).

- 5.11 After careful consideration and on balance based upon the above it is considered unlikely that a HRA will need to be undertaken. Indeed, it is noted that the plan has the potential to achieve net gains and benefits, in terms of the Habitat Regulations. In general, it is noteworthy, that if a HRA is necessary, then automatically also a SEA needs 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 (3 January – 31 January 2025, inclusive), in accordance with the requirements of the 2004 Regulations. Through ongoing discussions and engagement with the qualifying body and the statutory bodies, the Borough Council has 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 clearly identify that, based upon the information available; there is not potential for significant environmental effects to arise from the implementation of the proposals in the emerging Neighbourhood Plan for Docking.

- 6.3 Subject to confirmation by the relevant statutory consultation bodies, the Borough Council has concluded that:

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

- 6.4 This report is based on an initial screening request made by the Docking Parish Council (Qualifying Body) and the Preliminary Screening Strategic Environmental Assessment and Habitats Regulation Assessment document prepared by the appointed consultant. The Neighbourhood Plan 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 subsequently be subject to 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

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<sup>9</sup> [https://www.west-norfolk.gov.uk/download/downloads/id/8004/f47a\\_appendix\\_1\\_settlement\\_hierarchy\\_assessment.pdf](https://www.west-norfolk.gov.uk/download/downloads/id/8004/f47a_appendix_1_settlement_hierarchy_assessment.pdf)

<sup>10</sup> [https://www.west-norfolk.gov.uk/download/downloads/id/8812/f117\\_-\\_schedule\\_of\\_mms\\_for\\_consultation\\_august\\_2024.pdf](https://www.west-norfolk.gov.uk/download/downloads/id/8812/f117_-_schedule_of_mms_for_consultation_august_2024.pdf)

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 Docking 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:**



.....  
**Assistant Director (Environment and Planning)**

***7 February 2025***

## **Appendix: Statutory Body Consultation Responses**

**Environment Agency – No response received**



## Historic England – Response received, 30 January 2025

Dear [REDACTED],

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 Docking 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]

**Historic Places Adviser – East of England**

**Direct Line:** 01223 582 746 **Mobile:** 07833 718 273

Please note that I do not work alternate Fridays.



[Book time to meet with me](#)



Ensuring our heritage lives on and is loved for longer.

[historicengland.org.uk](https://historicengland.org.uk)

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## Natural England – response received, 30 January 2025

Date: 30 September 2024  
Our ref: 487302  
Your ref: Docking Neighbourhood Plan



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

[REDACTED]  
King's Lynn & West Norfolk Borough Council

### BY EMAIL ONLY

T 0300 060 3900

### **Docking Neighbourhood Plan 2023-2039 - SEA & HRA Screening Report Consultation**

Thank you for your consultation on the above dated and received by Natural England on 3 January 2025.

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

### **Screening Request: Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)**

**It is Natural England's advice, on the basis of the material supplied with the consultation, that:**

- **significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,**
- **significant effects on Habitats sites<sup>1</sup>, either alone or in combination, are unlikely.**

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the [Planning Practice Guidance](#). This identifies three triggers that may require the production of an SEA:

- 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

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's [standing advice](#) on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third-party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

Yours sincerely



Consultations Team