

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 Syderstone Neighbourhood Plan 2022-2038

October 2024

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 Syderstone Neighbourhood Plan 2022-2038

1.0 Introduction

- 1.1 This screening report is designed to determine whether or not the content of the emerging Syderstone Neighbourhood Plan 2022-2038 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 2004¹. 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. 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 (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 Strategic Environmental Assessment and Habitats Regulation Assessment Preliminary Screening June 2024, prepared by the appointed consultant on behalf of Syderstone 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.

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

² <https://www.legislation.gov.uk/uksi/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

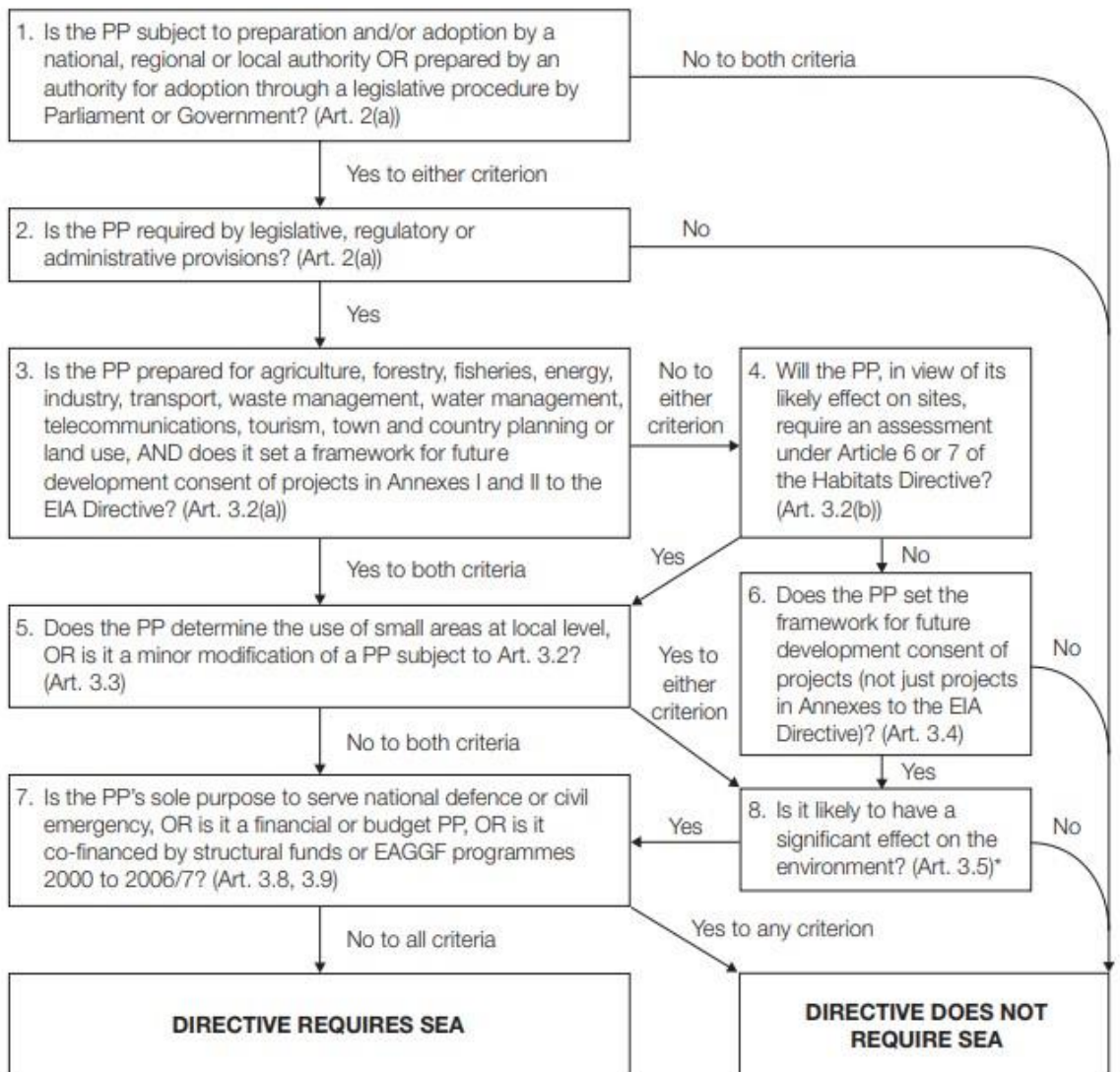
- 3.1 The process for determining whether or not a full SEA is required is called screening. The SEA screening is a two-stage interrelated process. The first part considers the Neighbourhood Plan against the SEA assessment flow chart set out in the national guidance “A Practical Guide to the Strategic Environmental Assessment Directive”, (Paragraph 2.18, Figure 2, ODPM, 2005³). 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):

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

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.

| 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: <ul style="list-style-type: none"> • 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 | 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 |

| | Stage | Yes/ No | Reason |
|----|---|------------|---|
| | prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a)) | | <p>Neighbourhood Plan is being prepared by the Parish Council (as the “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"> • 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 | 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</p> |

| | Stage | Yes/ No | Reason |
|--|--|------------|--|
| | <p>management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))</p> | | <p>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 framework for town and country planning and land use within the Parish of Syderstone. Its intention is to complement the higher order strategic framework that already exists for land use planning across the Borough.</p> <p>The current 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>The replacement Local Plan 2021-2040 is currently under examination, and it is anticipated this will be adopted by March 2025. Until the replacement Local Plan is adopted, the Syderstone Neighbourhood Plan will need to be in general conformity with the strategic policies of the current development plan (i.e. 2011 Core Strategy and 2016 Site Allocations and 2016 Development Management Policies Plan). However, given that the Local Plan 2021-2040 is likely to be adopted before submission of the Neighbourhood Plan, it is almost certain that the Plan will need to conform with the new Local Plan.</p> |

| | Stage | Yes/ No | Reason |
|----|--|------------|---|
| 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 is 3km from the River Wensum Special Area of Conservation (SAC), the closest European site. The Plan area is just 3km upstream of the designated SAC on the River Tat, a tributary of the Wensum. The SEA and HRA screening process will need to consider (in accordance with the precautionary principle), the potential impacts considered through 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 meeting housing needs for the village; protecting/enhancing its character, natural environment and community facilities. It includes policies relating to housing mix, achieving high quality design (through a design code), protecting the natural environment (biodiversity net gain, light pollution) and protecting community services and facilities. Overall, the focus of the Plan is upon ensuring future housing development meets the needs of the community, while protecting the natural environment and character/ built form.</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</p> |

| | Stage | Yes/ No | Reason |
|----|---|------------|--|
| | | | upon design, character and habitat enhancement. |
| 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 Syderstone. |
| 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). It also has regard to the emerging replacement Local Plan 2021-2040 (submitted March 2022, currently under examination and anticipated to be adopted by spring 2025). 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>Once made, the Syderstone NP (SNP) 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 and Development Management Policies Plan (2016) (SADMP). The replacement Local Plan 2021-2040 was submitted for independent examination in March 2022, and it is anticipated that this will be adopted around spring 2025.</p> <p>The BCKLWN Core Strategy designates Syderstone a Rural Village (CS02). This designation is proposed to be carried forward into the replacement Local Plan 2021-2040, assessed through the Sustainability Appraisal for the submission Local Plan⁴. As a strategic matter, the status of Syderstone in the settlement hierarchy has already been assessed as part of the current and replacement Local Plan process.</p> <p>The SNP does not propose any land for the development. The current Local Plan (2016 SADMP) allocated land for the development of 5 dwellings (G91.1), which has since been implemented. No further new development land allocations are proposed in the replacement Local Plan.</p> <p>Once adopted, the SNP will help to inform and guide planning decisions in line with the</p> | No |

⁴ 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 |
|--|--|----------------------------------|
| | provisions of adopted strategic Local Plan policies. Given that it is highly likely that the replacement Local Plan 2021-2040 will be adopted before the SNP, applications for planning permission will be guided by the SNP and adopted strategic plans and policies in place at the time. | |
| 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 SNP will expand upon some of the current and replacement Local Plan policies, providing supplementary policies and direction at a local (parish-level/ non-strategic) scale. | No |
| 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 of in line with relevant Local Plan environmental/ development management policies. These 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 2021-2040 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; | <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>Baseline information relating to the SNP was described earlier in this Screening Document. The Neighbourhood Area has a single</p> | No anticipated negative effects. |

| Criteria in Annex 11 of the SEA Directive | Response | Is there a significant effect |
|---|---|-------------------------------|
| | <p>statutory wildlife designation, the 44ha Syderstone Common Site of Special Scientific Interest (SSSI) to the south of the village.</p> <p>Notwithstanding SNP Plan itself will not be allocating any land for the development and therefore should not contribute towards the environmental 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 management or water protection). | The implementation of community legislation is unlikely to be significantly compromised by the SNP. | 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 Local Plan (either the current or replacement Plan(s)). | No |
| The cumulative nature of the effects; | It is considered unlikely in combination with the current Local Plan and emerging Local Plan 2021-2040, that the SNP will introduce significant environmental effects. Whilst both the Neighbourhood Plan and replacement Local Plan are currently under preparation, the latter is already subject to full SEA (including SA) and Habitats Regulations Assessment. It should be noted that the Local Plan will not seek to propose new allocations at Syderstone. Instead, the SNP focuses upon design, housing need and the natural environment (e.g. biodiversity), as set out in the Plan vision. | No |

| Criteria in Annex 11 of the SEA Directive | Response | Is there a significant effect |
|---|--|-------------------------------|
| | As it will not allocate land for development SNP is unlikely to lead to any cumulative effects in combination with existing or emerging plans (i.e. the current or replacement Local Plan). | |
| The trans-boundary nature of the effects; | <p>The emerging SNP policies focus upon meeting the needs of the rural community, in terms of design, housing needs, community services/ facilities and climate change.</p> <p>Green corridor policies seek to achieve enhancements to the natural environment where new developments are proposed. Although this matter may extend beyond the parish (Neighbourhood Area) boundary (e.g. downstream, following the River Tat), it is not considered to give rise to any significant trans-boundary effects for neighbouring communities (e.g. RAF Sculthorpe/ Wicken Green; Tattersett/ Coxford). Syderstone Neighbourhood Area adjoins North Norfolk District Council to the east, in the proximity of RAF Sculthorpe and Fakenham.</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 SNP provides supplementary policy on a local scale and area. Therefore, the impacts for transboundary effects beyond the parish administrative boundaries are unlikely to be significant.</p> | No |
| The risks to human health or the environment (e.g. due to accidents); | Policies and proposals in Syderstone 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 SNP is unlikely to produce any significant risk to human health or the environment. Indeed, its policies are likely to have a positive impact, given their emphasis upon green infrastructure and reducing light pollution.</p> | |
| <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 Syderstone. The 2011 and 2021 censuses recorded the population at approximately 450. 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 Syderstone villages (rural hinterlands) includes sparsely populated rolling woodlands (with Syderstone Common to the south), agricultural land to the north and built development associated with RAF Sculthorpe (Wicken Green) to the east. The village itself has a linear built form, focused upon The Street and Mill Lane.</p> <p>Overall, the parish-level policies proposed by the Neighbourhood Plan will only apply to the Parish of Syderstone and therefore unlikely to impact have any significant impacts, beyond the locality of Syderstone.</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>There is one statutory natural designation within the Neighbourhood Area – Syderstone Common SSSI (44ha).</p> <p>According to the latest data on the Historic England’s website there are 8 statutory listed buildings or monuments within Syderstone.</p> <p>The SNP, by virtue of the “basic conditions”, will conform to the existing Development Plan and the emerging replacement Local Plan 2021-2040. These provide protection 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>environmental characteristics across the Borough to ensure that they are not vulnerable to significant impacts from development. Policies within the SNP will bolster these protections; e.g. through design and dark skies policies, focused upon protection and enhancement of the Plan area in terms of character and the natural environment.</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, in terms of delivering an enhanced framework for effectively managing development within the Parish of Syderstone; e.g. through detailed design criteria and additional protections for local biodiversity.</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 SNP does not allocate land for the development it is not anticipated to have any likely significant effects on the natural characteristics of the area.</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>Syderstone parish does not have any recognised international, national or community landscapes with the protection status. The North Norfolk National Landscape area (formerly Area of Outstanding Natural Beauty) is situated around 6km to the north of the Neighbourhood Area.</p> <p>However, the National Landscape lies outside the Syderstone parish and the policies within this Plan should not have any adverse effect</p> | <p>No</p> |

| Criteria in Annex 11 of the SEA Directive | Response | Is there a significant effect |
|---|--|-------------------------------|
| | <p>on the North Norfolk Coast landscape, by virtue of their localised (Neighbourhood Area) coverage.</p> <p>A number of archaeological finds have been recorded through Norfolk Heritage Explorer. These date from a broad range of eras, including prehistoric/ neolithic, Roman, Saxon, Medieval and up to the 20th century (World War II). Finds are concentrated in a limited number of locations, including Syderstone Common and Womak Woods (north of the village)</p> <p>The environmental effects on areas of biodiversity designations within 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) and design (by way of development of a design code).</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 there are 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.** However, the southern part of the Plan area consists of the 44ha Syderstone Common SSSI, a national designation. The Plan area is also situated 3km from the River Wensum Special Area of Conservation (SAC), the closest European site. Critically, this forms part of the Wensum catchment (River Tat tributary), so it is needed to be recognised that new development in Syderstone could have implications for the Wensum SAC, in terms of Nutrient Neutrality⁵. This, however, would only raise concerns in terms of the precautionary principle, if development land allocations are proposed through the Neighbourhood Plan. Otherwise, Plan policies are either positive or neutral in terms of the Habitat Regulations.
- 5.4 Through its policies, the Neighbourhood Plan places an emphasis on achieving biodiversity net gain; e.g. through the creation of green corridors and protection of existing trees, hedgerows and Local Green Spaces. The Plan highlights the importance of identified Green Ecological Corridors, as a means to improve and enhance existing habitats and wildlife movements. This should prove beneficial, in terms of implications for the Wensum Catchment (River Tat) and the SAC to the south of the Plan area.
- 5.5 Other than natural environmental designations (Wensum SAC and Syderstone Common SSSI), there may be local wildlife sites within the Neighbourhood Plan Area. Several have been identified through the evidence gathering process and this has been applied in the designation of a series of green infrastructure (ecological) corridors. The Neighbourhood Plan should take these into account (alongside European objectives) and ensure that policies are consistent with the designation objectives. Syderstone Neighbourhood Plan considers both the developed part of the village and the wider countryside beyond. It places a strong emphasis

⁵ https://www.west-norfolk.gov.uk/info/20000/planning_and_development/956/nutrient_neutrality

on the development of green infrastructure, which should prove positive, viz a viz Habitat Regulations Assessment.

- 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 current Local Plan (Site Allocations and Development Management Policies 2016)⁶. 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 Plan⁷, 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 updated⁸, taking into account the Schedule of Main Modifications (August 2024).
- 5.7 Syderstone 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). Consideration has also been given to the replacement Local Plan, which is likely to be adopted by spring 2025, almost certainly before the SNP. It focuses upon matters of a high-quality built environment, protection and enhancement of the natural environment, and community sustainability. In terms of the natural environment (with particular reference to European sites in the vicinity of the Neighbourhood Area), it provides added value to adopted and replacement Local Plan policies.
- 5.8 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 Syderstone as a Rural Village and allows for continued modest levels of development (windfalls) within the development boundary to meet local needs and maintain the vitality of these communities in a sustainable manner (CS02, CS06, CS09, CS12), and the Neighbourhood Plan 'basic conditions'; i.e. supporting sustainable development. The replacement Local Plan 2021-2040 retains the Rural Village designation (supported by the updated Settlement Hierarchy Assessment⁹) and it is not considered that 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 6¹⁰, August 2024).
- 5.9 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 has to be undertaken.

⁶ https://www.west-norfolk.gov.uk/download/downloads/id/589/habitats_regulations_assessment_september_2015.pdf

⁷ https://www.west-norfolk.gov.uk/info/20216/local_plan_review_2016_-_2036/882/proposed_pre-submission_local_plan_review_documents

⁸ https://www.west-norfolk.gov.uk/download/downloads/id/8808/f120_-_habitat_regulations_assessment_update_july_2024.pdf

⁹ https://www.west-norfolk.gov.uk/download/downloads/id/8004/f47a_appendix_1_settlement_hierarchy_assessment.pdf

¹⁰ https://www.west-norfolk.gov.uk/download/downloads/id/8812/f117_-_schedule_of_mms_for_consultation_august_2024.pdf

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 (4 September – 2 October 2024, 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 the potential for significant environmental effects to arise from the implementation of the proposals in the emerging Neighbourhood Plan for Syderstone.
- 6.3 Subject to confirmation by the relevant statutory consultation bodies, the Borough Council has concluded that:
- **The Syderstone Neighbourhood Plan does not require a full Strategic Environmental Assessment (SEA);** and
 - **The Syderstone 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 Syderstone Parish Council (Qualifying Body). 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 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 Syderstone 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:

A handwritten signature in black ink, appearing to be 'S. Ashworth', written in a cursive style.

.....
Acting Director (Environment and Planning)

31 October 2024

Appendix: Statutory Body Consultation Responses

Environment Agency – Response received 2nd October 2024



Kings Lynn & West Norfolk Borough
Council
Kings Court, Chapel Street
King's Lynn
PE30 1EX

Our ref: AE/2024/129683/01
Your ref: Syderstone NHP
Date: 02 October 2024

Dear Mr Burton

SYDERSTONE NEIGHBOURHOOD PLAN SEA & HRA SCREENING REPORT

1, ROBINIA COURT, MILL LN, SYDERSTONE, KING'S LYNN PE31 8GF

Thank you for consulting us on the Strategic Environmental Assessment Screening Report for the Syderstone Neighbourhood Plan.

Based on a review of environmental constraints for which we are a statutory consultee, we do not consider there to be potential significant environmental effects relating to the environmental constraints of interest to us.

The Lead Local Flood Authority's Norfolk Surface Water Management Plan will indicate if there are any critical drainage areas from local sources of flood risk (e.g. surface water, groundwater and sewerage) which coincide with the neighbourhood plan area.

We encourage you to seek ways in which your neighbourhood plan can improve the local environment. For your information, together with Natural England, Historic England and Forestry Commission we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: [How to consider the environment in Neighbourhood plans - Locality Neighbourhood Planning](#)

We trust this advice is useful.

Yours sincerely,

[Redacted signature]

Planning Officer

Team e-mail: Planning.eastanglia@environment-agency.gov.uk
Team number: 02084 74524

Historic England – Response received, 12th September 2024

Dear Michael,

Our ref: PL00796867

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 Syderstone 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.

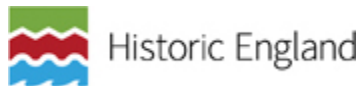
Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data 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,
Ross

██████████ (he/him)
Historic Places Adviser
Mobile no – 07766 206210
Tel: 01223 582709
East of England Region
Partnerships Team



Work with us to champion heritage and improve lives. Read our Future Strategy and get involved at historicengland.org.uk/strategy.

Follow us: [Facebook](#) | [Twitter](#) | [Instagram](#) Sign up to our [newsletter](#)

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Natural England – response received, 30th September 2024

Date: 30 September 2024
Our ref: 487302
Your ref: Syderstone 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

Dear Mr Burton

Syderstone Neighbourhood Plan 2022-2038 - SEA/HRA Screening Consultation

Thank you for your consultation on the above dated and received by Natural England on 4 September 2024.

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 sites¹, 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.

¹ Habitats sites are those referred to in the National Planning Policy Framework (Annex 2 - glossary) as "any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites".

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

Yours sincerely



Consultations Team