

North Norfolk District Council

**Strategic Environmental
Assessment & Habitats
Regulations Assessment
Screening Determination**

Tunstead Neighbourhood Plan Regulation 14 Stage
April 2026

**North Norfolk District Council
Planning Policy Team**

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Planning Policy

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1 Introduction

Habitats Regulations Assessment

- 1.1 The Regulations require Habitats Regulations Assessment (HRA) screening to be undertaken by the competent authority i.e. any public body or individual holding public office with the statutory remit and function. In the case of Planning, North Norfolk District Council is the competent authority under the EU ‘Habitats’ Directive 92/43/EEC. The *Habitats Directive* is transposed into UK legislation by the Conservation of Habitats and Species Regulations 2017 (referred to as the *Habitats Regulations*). Under Article 6(3) of the Habitats Directive the Council must consider if the project, i.e. the development proposal (Neighbourhood Plan), is likely to have a significant effect on the conservation objectives of the Natura 2000 site or adversely affect the integrity of the Natura 2000 site alone or in combination with other plans or projects. This process is generally referred to as a Habitats Regulations Assessment (HRA).
- 1.2 Whether a neighbourhood plan requires a habitats regulations assessment and the level of detail needed will depend on what is proposed in the draft neighbourhood plan and the potential impacts on European sites designated for their nature conservation interest. Following the Screening Assessment, this report represents the Screening Determination of North Norfolk District Council as the responsible body in law on whether the emerging Tunstead Neighbourhood Plan at formal consultation stage under Regulation 14¹ will significantly affect the integrity of any European site, in terms of impacting on the site’s conservation objectives. This report therefore determines whether a Habitats Regulations Assessment (HRA) under Directive 92/43/EEC, also known as the Habitats Directive, is required for the Tunstead Neighbourhood Plan.
- 1.3 As the “responsible body” this report sets out North Norfolk District Council’s HRA determination conclusions in respect of the:
- Screening report undertaken on behalf of the Neighbourhood Plan steering group, which can be viewed online at: [Tunstead & Sco-Ruston Neighbourhood Plan - Tunstead & Sco-Ruston Parish Council](#)
 - The responses to this report from the statutory consultees – contained in Appendix 1 to this report.

Strategic Environmental Assessment

- 1.4 In some circumstances a neighbourhood plan could have significant environmental effects and may fall within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 and require a Strategic Environmental Assessment.

¹ [The Neighbourhood Planning \(General\) Regulations 2012](#)

- 1.5 Strategic Environmental Assessment, SEA is the process by which environmental considerations are required to be fully integrated into the preparation of plans and programmes prior to their final adoption. SEA is a tool used internationally to improve the environmental performance of plans so that they can better contribute to sustainable development.
- 1.6 Establishing whether a neighbourhood plan takes into account SEA is an important legal requirement. The Independent Examiner subsequently appointed to consider the Neighbourhood Plan for Ryburgh will check that it meets the 'Basic Conditions' set out in the national Planning Practice Guidance (PPG) . One of the Basic Conditions is whether the Neighbourhood Plan is compatible with European obligations, as incorporated into UK law, in order to be legally compliant. Whether a neighbourhood plan requires a strategic environmental assessment and the level of detail needed will depend on what is proposed in the draft neighbourhood plan and the characteristics of the local area
- 1.7 In meeting these obligations, the national PPG sets out that an initial screening stage is required to establish whether a Plan is likely to have significant environmental effects. As the “responsible body” this report sets out North Norfolk District Council's conclusions in respect of the:
- Screening report undertaken on behalf of the Neighbourhood Plan steering group, which can be viewed online at: [Tunstead & Sco-Ruston Neighbourhood Plan - Tunstead & Sco-Ruston Parish Council](#)
 - The responses to this report from the statutory consultees – contained in Appendix 1 to this report.
- 1.8 This determination relates to the Regulation 14 version of the Draft Tunstead Neighbourhood Plan 2025 – 2040 and the associated screening report with the statutory bodies.

2 Legislative Background

Legislative Background HRA

- 2.1 It is a requirement of European law that a plan or project is subject to an iterative assessment to determine whether it will significantly affect the ecological integrity of any European site, in terms of impacting on the site's conservation objectives. HRA is a two-stage process to consider whether a proposed development plan or programme is likely to have significant effects on a European site designated for its nature conservation interest. Firstly, plans or programmes must be screened to determine if they are likely to have a significant effect (and are not plans connected to the management of the European site(s) in question). If it cannot be demonstrated during the screening stage that the plan or programme will not have significant effects on the European site(s), an 'Appropriate Assessment' (AA) must then be undertaken, which is a much more detailed study of the effects of the plan or programme. The two parts together form a full HRA. Where it is deemed that adverse effects cannot be ruled out, a plan or project must not proceed, unless exception tests are met.
- 2.2 In determining whether a proposed development plan or programme is likely to have significant effects, the local authority must incorporate the 'precautionary principle' into its decision. This means that if there is uncertainty as to whether the plan or programme would cause significant effects on a European site, the full AA would be required. If an appropriate assessment is required, then this will engage the need for a strategic environmental assessment.
- 2.3 The Neighbourhood Planning (General) Regulations 2012², state that submitted neighbourhood plans need to be accompanied by a statement explaining how the proposed neighbourhood plan meets the "basic conditions" set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the plan is compatible with EU obligations, which includes the need to undertake a HRA. This is one of the matters that will be tested as part of the independent examination of the Plan. In doing so the competent authority, in this case the Council must issue a screening determination which can be relied upon as part of submission documents and as part of the subsequent examination.
- 2.4 Neighbourhood planning bodies are advised through national guidance to consider the environmental implications of its proposals in the production of a neighbourhood plan. Screening however, can only be undertaken when sufficient information is available to enable the competent authority to determine whether the emerging Plan requires further detailed assessments in relation to the Habitats Regulations 2017. Undertaken too early, a further screening exercise is likely to be necessary at subsequent stages when the direction and content of the plan is known. Undertaken during the later stages in the production of the neighbourhood plan, however, may have implications for delay as sufficient time needs to be factored into the production of a neighbourhood plan for any

² [The Neighbourhood Planning \(General\) Regulations 2012](#)

procedural steps required under the legislation. Plans should be kept under review and screened again should the content and particularly the scope change.

Legislative Background SEA

- 2.5 The basis for Strategic Environmental Assessment legislation is European Union Directive 2001/42/EC³ which requires a Strategic Environmental Assessment to be undertaken for certain types of plans or programmes that could have a significant environmental effect. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, commonly referred to as the SEA Regulations⁴. The Government published 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005)⁵, which provides more detailed guidance on how an SEA should be carried out.
- 2.6 In accordance with the provisions of the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9(1)), the Council must determine if a plan requires an environmental assessment. This process is commonly referred to as a "screening" assessment. Where the Council determines that an SEA is not required, then the Council must, under Regulation 9(3), prepare a statement setting out the reasons for this determination- this report. Where it is determined that proposals in a neighbourhood plan are likely to have significant environmental effects, the neighbourhood plan may require a strategic environmental assessment. Draft neighbourhood plan proposals should then be assessed to identify, describe and evaluate the likely significant Environmental effects as prescribed in regulation 12 (2)& (3) of the above legislation.
- 2.7 An SEA can be required in some limited situations where a sustainability appraisal is not needed. Neighbourhood planning is one of these situations. Sustainability Appraisals (SAs) may incorporate the requirements of the Strategic Environmental Assessment Regulations, which implement the requirements of the 'Strategic Environmental Assessment Directive' on the assessment of the effects of certain plans and programmes on the environment.
- 2.8 A Sustainability Appraisal ensures that potential environmental effects are given full consideration alongside social and economic issues and it is good practice to do one to understand how a plan is to deliver sustainable development. However, NPPF Planning Practice Guidance states that there is no legal requirement for a neighbourhood plan to undertake a sustainability appraisal as set out in section 19 of the Planning and Compulsory Purchase Act 2004. It does however remain a basic condition test for neighbourhood planning to demonstrate whether the neighbourhood plan is likely to have significant environmental effects. This is the purpose of the SEA Screening Report and the subsequent issue of the Determination Report.

³ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32001L0042>

⁴ <http://www.legislation.gov.uk/ukxi/2004/1633/contents/made>

⁵ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

2.9 Whether a neighbourhood plan requires an SEA, and if so, the level of detail needed, will depend on what is proposed in the neighbourhood plan. The national PPG⁶ suggests that an SEA may be required, where:

- 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; and
- 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.

2.10 It remains the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a [Neighbourhood Plan](#) proposal submitted to it have been met in order for the proposal to progress to examination. It remains the qualifying body's responsibility to make every effort to ensure the resultant draft neighbourhood plan that it submits to the local planning authority for independent examination:

- Meets each of the Basic Conditions;
- Has been prepared in accordance with the correct process and all those required to be consulted have been;
- Is accompanied by all the required documents⁷

2.11 The draft neighbourhood plan is shortly to commence publication under regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This has been informed by the earlier screening report which has been undertaken by North Norfolk District Council and consulted on with the statutory bodies, Historic England, Natural England & the Environment Agency.

2.12 To fulfil the legal requirements to identify if likely significant effects will occur on European Sites through the implementation of the neighbourhood plan, the Neighbourhood Plan group have requested a separate determination from the District Council as the competent authority in law.

⁶ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal> para 013 Ref ID: 11-013-20140306

⁷ PPG Paragraph: 031 Reference ID: 11-031-20150209

3 Determination

3.1 Based on the information available to date, the SEA and HRA screening document concluded that the Tunstead Neighbourhood Plan:

- does not have the potential to have significant environmental impacts, and an SEA is not required.
- That no significant effects are likely to occur with regards to the integrity of European Wildlife Sites within 20km. As such a full HRA and Appropriate Assessment is not required at this point and is screened out.

3.2 Natural England, The Environment Agency and Historic England as the statutory bodies were consulted between Monday 9 February to Sunday 22 March 2026 on the Screening Report. Their responses are appended to this report

Natural England concluded that:

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 Environment Agency concluded that:

- we do not consider there to be potential significant environmental effects relating to these environmental constraints or other environmental sensitivities of interest to us.

Historic England Concluded that:

- 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

Conclusion

3.3 In light of the Screening report consulted on and the responses from the three statutory bodies it is determined that the Draft Tunstead Neighbourhood Plan does not require a Strategic Environmental Assessment or a Habitats Regulation Assessment.

Appendix 1 – Statutory consultation responses

Historic England consultation response

From: McGivern, Ross [REDACTED]
Sent: 27 February 2026 10:43
To: Planning Policy <planning.policy@north-norfolk.gov.uk>
Subject: PL00801208 Tunstead & Sco-Ruston Neighbourhood Plan SEA Screening Opinion (IW)

Dear Iain,

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 Tunstead & Sco-Ruston 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

Ross McGivern (he/him)

Historic Places Adviser | Partnerships Team | East of England

Historic England, 24 Brooklands Avenue, Cambridge CB2 8BU

Natural England response

Date: 13 March 2026
Our ref: 540735
Your ref: Tunstead & Sco Ruston Neighbourhood Plan



Mr Iain Withington
North Norfolk District Council

BY EMAIL ONLY

planning.policy@north-norfolk.gov.uk

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T 0300 060 3900

Dear Mr Withington

Tunstead & Sco Ruston Neighbourhood Plan - SEA & HRA Screening Consultation

Thank you for your consultation on the above dated and received by Natural England on 9 February 2026.

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.

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

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".

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

Sally Wintle
Consultations Team

Iain Withington
North Norfolk District Council
Holt Road
Cromer
Norfolk
NR27 9EN

Our ref: AC/2026/133350/01-L01
Your ref: Tunstead NHP SEA
Date: 11 February 2026

Dear Iain,

TUNSTEAD & SCO RUSTON NEIGHBOURHOOD PLAN: SEA

Thank you for consulting us on the Strategic Environmental Assessment Screening Report for the Tunstead & Sco Ruston Neighbourhood Plan.

Based on a review of environmental constraints for which we are a statutory consultee, there are no areas of fluvial flood risk or watercourses within the neighbourhood plan area, or any water quality concerns. Therefore, we do not consider there to be potential significant environmental effects relating to these environmental constraints or other environmental sensitivities of interest to us.

The Lead Local Flood Authority's Norfolk County Council 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,



Miss Emily Halliwell
Sustainable Places - Planning Advisor

Team e-mail: Planning.Eastanglia@Environment-agency.gov.uk
Team number: 