



North Norfolk District Council

Strategic Environmental Assessment Screening Determination

Wells-next-the-Sea Neighbourhood Plan Pre-Submission Draft July 2022
(Regulation 14)

March 2023

**North Norfolk District Council
Planning Policy Team**

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Planning Policy

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1 Introduction

- 1.1 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.
- 1.2 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.
- 1.3 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 Wells -next-the Sea will check that the neighbourhood plan meets the 'Basic Conditions' set out in the national Planning Practice Guidance (PPG)¹. 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
- 1.4 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 by NNDC on behalf of the Neighbourhood Plan steering group, which can be viewed at [Home | Wells-next-the-sea Neighbourhood Plan \(north-norfolk.gov.uk\)](https://www.norfolk.gov.uk/consultation/wells-next-the-sea-neighbourhood-plan)
 - The responses to this report from the statutory consultees – contained in Appendix 1 to this report.
- 1.5 This assessment relates to emerging draft of the Wells- next -the Sea Neighbourhood Plan dated July 2022 and follows earlier consultation on the SEA Screening Assessment with statutory bodies

2 Legislative Background

- 2.1 The basis for Strategic Environmental Assessment legislation is European Union Directive 2001/42/EC² 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 Regulations³. The Government published

¹ <https://www.gov.uk/guidance/neighbourhood-planning--2>

² <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32001L0042>

³ <http://www.legislation.gov.uk/uksi/2004/1633/contents/made>

'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005)⁴, which provides more detailed guidance on how an SEA should be carried out.

- 2.2 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.
- 2.3 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.
- 2.4 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.
- 2.5 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 PPG⁵ 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.
- 2.6 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

⁴ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

⁵ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal> para 013 Ref ID: 11-013-20140306

responsibility to make every effort to ensure the resultant draft neighborhood 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 documents⁶

2.7 The emerging draft neighbourhood plan is expected next to be produced and published under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. Work on 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.

Habitat Regulations

2.8 Schedule 2 of the Neighbourhood Planning (General) Regulations 2012⁷ refers to the Habitats Directive. The Regulations require Habitats Regulations Assessment (HRA) screening to be undertaken (by the qualifying Body) to identify if a Neighbourhood Plan would have a significant impact on nature conservation sites that are of European importance, also referred to as Natura 2000 sites. Article 6 (3) of the EU habitats Directive⁸ and Regulation 61 of the Habitats and Species Regulations 2010⁹ (as amended) requires that an Appropriate Assessment is carried out on any plan or project likely to have a significant effect on a European Site.

2.9 European Sites are defined in regulation 8 of the Conservation of Habitats and Species Regulation 2010, and consist of candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas, as defined in regulation 8 of the Conservation of Habitats and Species. These are also reflected in the National Planning Policy Framework, NPPF, which also refers to Ramsar sites, which are listed in accordance with the international Ramsar Convention. The NPPF requires decision makers to apply the same protection and process to Ramsar sites as that set out in legislation for European sites¹⁰.

2.10 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 HRA Screening Assessment and Determination from the District Council as the competent authority in Law.

⁶ PPG Paragraph: 031 Reference ID: 11-031-20150209

⁷ http://www.legislation.gov.uk/uksi/2012/637/pdfs/uksi_20120637_en.pdf

⁸ http://ec.europa.eu/environment/nature/natura2000/management/guidance_en.htm

⁹ <http://www.legislation.gov.uk/uksi/2010/490/contents/made>

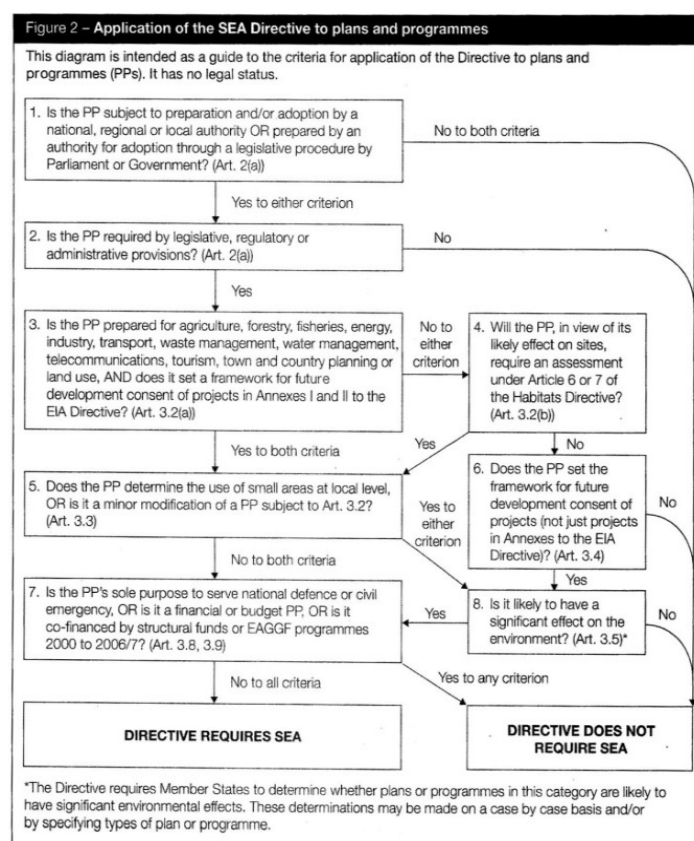
¹⁰ NPPF para 118

3 SEA Screening Criteria

- 3.1 The process for determining whether or not an SEA is required is called screening. The SEA screening is a two stage interrelated process. The first part considers the Neighbourhood Plan against the SEA assessment flow chart set out in the national guidance “A Practical Guide to the Strategic Environmental Assessment Directive”¹¹, (Paragraph 2.18, Figure 2, ODPM, 2005). The second part of the assessment is required in order to answer specific questions contained in the above, specifically question 8 and considers whether the Neighbourhood Plan is likely to have a significant effect on the environment, using criteria drawn from the EU SEA Directive and Schedule 1 of the UK Environmental Assessment of Plans and Programmes Regulations 2004¹².
- 3.2 The regulations state that before making a determination the three statutory consultation bodies, The Environment Agency, Natural England and Historic England, must be consulted.

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:

Figure 1: Application of the SEA Directive to plans and programmes



https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf paragraph 2.18

¹¹ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

¹² <http://www.legislation.gov.uk/ukxi/2004/1633/contents/made>

Table 1: Criteria for Determining the Likely Significance of Effects.

1. The characteristics of plans and programmes, having regard, in particular, to

- 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. 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 cumulative nature of the effects,
- the trans-boundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
- the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
 - the effects on areas or landscapes which have a recognised national, Community or international protection status.

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

4 Assessment of the Neighbourhood Plan

4.1. Application of the SEA Directive to plans and programmes

STAGE	Y/N	REASON
1. Is the Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	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 NP is being prepared by the town council (as the “relevant body”) and will be “made” by North Norfolk District Council as the local authority subject an independent examination and community referendum. The preparation of NP’s is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012, the Neighbourhood Planning (referendums) Regulations 2012, and the Neighbourhood Planning (General) (Amendment) Regulations 2015.
2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art.2(a))	Y	Whilst the Neighbourhood Plan is not a requirement of the Town and Country Planning Act as amended by the Localism Act 2011, it will be “made” and eventually form part of the Development Plan for the District. 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.
3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Y/N	<p>A Neighbourhood Plan can include these policy areas and could provide, at a Neighbourhood Area level, the framework for development that would fall within Annex II of the EIA Directive. Developments that fall within Annex I are ‘excluded’ development for Neighbourhood Plans (as set out in the Localism Act 2011 and Section 61(k) of the Town and Country Planning Act 1990 (as subsequently amended).</p> <p>The Neighbourhood Plan is being prepared to set out a framework for town and country planning and “land use” within the parish of Wells. Its role is to complement the higher order strategic Framework that already exists for land use planning across the District.</p> <p>The strategic framework for development is set by the adopted Core Strategy and the emerging Local Plan of the North Norfolk District Council. The Neighbourhood Plan process requires alignment to be in general conformity with these, the assessment of which is part of the iterative process</p> <p>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>

STAGE	Y/N	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))	Y	<p>A Neighbourhood Plan could potentially have impacts on sites covered by the Habitats Directive. A number of European sites span the Neighbourhood Plan Area, including the Wash and North Norfolk Coast SAC, The North Norfolk Coast SAC, and the North Norfolk Coast SPA, North Norfolk Coast Ramsar site and North Norfolk Coast SSSI.</p> <p>A screening assessment for a Habitats Regulation Assessment (HRA) has been prepared separately. This has been sent to the required statutory bodies including Natural England separately. The screening assessment is of the opinion that an HRA will be required.</p> <p>The WNPA Includes a number of sensitive European sites and the emerging Neighbourhood Plan includes policies that seek to bring forward residential, tourism, Local Green Space and employment development and one specifically identified housing allocation as well as policies that seek carparking and others that are generally supportive of development in identified areas in and adjacent to the European sites. In the main the supportive policies allow for in-principle growth but do not necessarily stipulate any quantum or location of growth from which to assess impacts. The NP has not undergone examination and the HRA screening opinion is out to consultation with the statutory bodies. It is therefore, appropriate and precautionary at this stage to conclude that there remains a possibility that an assessment may be required at this stage. Given this ambiguity both question 5 and 6 of the flowchart are enacted.</p>
5 Does the Neighbourhood Plans determine the use of small areas at local level, Or is it a minor modification of a PP subject to Art 3.2? (Art3.3)	Y	A Neighbourhood Plan can determine the use of small areas at a local level. The Neighbourhood Plan for Wells proposes one site allocation, three regeneration sites and includes designations for local Green space as well as identifying important views, and contains policies that cover a specific Beech Area and a specific Harbour Area.
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)	Y	Once “made” a Neighbourhood Plan forms part of the statutory Development Plan and will be used by North Norfolk District Council 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 and be used together with the adopted higher order Plan form part of the Development Plan for the neighbourhood plan area.
7 Is the PP’s sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it	N	

STAGE	Y/N	REASON
co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)		
8. Is it likely to have a significant effect on the environment	Y	From the application of criteria for determining the likely significant effects below it is considered that the neighbourhood Plan has the potential to cause environmental effects and may have a significant effect on the environment depending on the final proposals within.

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:		
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 strategic framework for development is set by the adopted Development Plan and the emerging Local Plan of North Norfolk District Council. Growth set by the Local plan is expected to be delivered through the Local Plan site allocations. The Neighbourhood Plan seeks to deliver further growth through a specific allocation and three regeneration sites and sets permissive policies supporting further unquantified growth in relation to affordable housing, carparking and in two further site-specific policies covering a specific Beech Area and Harbour Area.	Potential
The degree to which the plan or programme influences other plans or programmes including those in a hierarchy;	The Neighbourhood Plan will be adopted alongside the higher order Local Plan and form part of the District's Development Plan. The Neighbourhood Plan will expand upon and provide for additional growth in addition to that set out in the Local Plan. In its present draft form, a number of general conflicts have been identified between the Plans which will need to be resolved.	Potential
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The parish includes environmentally sensitive sites including but not limited to a number of internationally & nationally important sites such as those classified as Special Areas of Conservation and Special Protection Areas. A number of policies provide a supportive framework for types of development within Flood Zones 2 and 3a while others promote permissive growth in defined areas that are also in and or adjacent to the conservation area and identified environmental	unknown

	designations. The Strategic policies of the wider Local Plan have been subject to sustainability appraisal and HRA and are in place to ensure that sustainable development is achieved, however the Np includes additional levels of growth and further local refinement of policies. The specific locations or type for much of this additional growth are not identified and the levels not quantified.	
Environmental problems relevant to the plan or programme;	The NPA includes a number of environmentally sensitive designations in close proximity. The town includes a conservation area and a number of designated heritage assets. The WNP seeks to identify further locally important heritage assets	Yes
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 affected by the Neighbourhood Plan.	No
(2) Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
The probability, duration, frequency, and reversibility of the effects;	The Neighbourhood Plan seeks to bring forward growth through permissive policies which could lead to the intensification of environmentally sensitive areas which could not be reversed.	Potentially
The cumulative nature of the effects;	<p>The NP includes a specific site allocation and comprises of 18 policies grouped into six themes covering: Housing & Design, Employment & Retail, Infrastructure & Access, the Environment, Sustainability & climate change, and site-specific Policies. The Plan also identifies three regeneration sites and includes designations for local green space as well as identifying important views, a Beech Area and a specific Harbour Area where general permissive policies are seeking to support an unqualified level of growth in areas in and in close proximity to the European sites. A number of policies provide a supportive framework for types of development within Flood Zones 2 and 3a while others seek to set design and heritage principles and minimize pollution.</p> <p>The growth is in addition to that set out in the Local Plan and coupled with the site allocation and potential for further levels of growth not quantified and the propensity to encourage more tourism and footfall through the permissive approach proposed for the expansion of carparking and the qualified support for the development</p>	Yes

	in the identified Beach and Harbour Areas, it is considered there is the potential for impact on a number of environmental assets. It is considered that the Plan could have a significant impact on the environment.	
The trans-boundary nature of the effects;	The Neighbourhood Plan policy areas outlined provide supplementary policy areas on a local scale. European sites are broader than the NPA and as such there is the potential for impacts beyond the NPA. Given the nature of the NP and the lack of quantified levels of growth proposed and the wider connectivity to European sites it is considered that there is the potential for wider effects.	Potential
The risks to human health or the environment (e.g. due to accidents);	The Neighbourhood Plan is unlikely to produce any significant effects in relation to this criteria.	No
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The Neighbourhood Plan covers the parish of Wells. The 2020 midyear estimates estimate the usual resident population of as 7,164. This is in comparison to the estimated population of 107,000 of North Norfolk and an area of 96,333 hectares. The small spatial extent and the magnitude of the population affected are not considered significant for the purpose of the SEA.	No
The value and vulnerability of the area likely to be affected due to: i) Special natural characteristics or cultural heritage; ii) Exceeded environmental quality standards or limit values iii) Intensive land use	<p>i) The Plan Area contains a number of listed buildings and contains the Wells Conservation Area. The Neighbourhood Plan by virtue of the “basic conditions” will however need to be in general conformity to the existing Development Plan, and emerging Local Plan which contains detailed policies on the Historic Environment across the District to ensure that they are not vulnerable to significant impacts from development.</p> <p>ii) The Neighbourhood Plan has the potential to result in exceedance of environmental quality standards and limits, such as those relating to air, water, soil quality and potentially recreational impacts.</p> <p>iii) The Neighbourhood Plan supports additional temporary carparks at locations which provide easy access to main routes, the town centre and beach area. Policy WNS9 specifically provides support for the use of Beach Road Pitch and Putt site for seasonal carparking. The car park is located in Flood zone 2 and 3a and adjacent to designated European sites and County wildlife site. Policy WSN 17 and 18 seek to promote appropriate growth in the Beech identified Area and The Harbour Area.</p>	<p>i) No</p> <p>ii) Potential</p> <p>iii) Potential</p>

The effects on areas or landscapes which have a recognised national, Community or international protection status.	The Plan Area includes listings which reflect the cultural and heritage value of the area such as listed buildings and conservation area. The proposed site allocation is on an area of land currently designated as "Open land Area". Policy WSP9 which supports further use of Beach Road seasonal carpark and WSN17 and WSN18 which support growth of the identified Beach Area and Harbour Area. These areas are adjacent and or overlap with the environmental designations, (Es).	Yes
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4.3 As a result of the screening assessment set out above, although a number of factors remain unknown it is considered that the neighbourhood Plan has the potential to cause environmental effects and may have a significant effect on the environment depending on the final proposals within. The criteria for undertaking such an assessment are drawn from the SEA Directive as set out above in table 2. As such it is considered under the Regulation9(1) of the Environmental Assessment of Plans and programmes Regulations 2004, that the emerging draft Wells -next - the -Sea neighbourhood plan, July 2022 does require an SEA to be undertaken.

4.4 Natural England, Historic England and The Environment Agency as the statutory bodies were consulted on this between 20th January 2023 and 27th February 2023 on the Screening Report issued January 2023. Their responses are appended to this report.

5 Determination

5.1. The screening assessment concludes that the emerging Neighbourhood Plan at this stage has the potential for significant environmental effects arising from the emerging policies, and as such an SEA is required.

5.2. Natural England agrees with the conclusions of the screening report that there is the potential for significant environmental effects arising from the policies in the plan, which have not already been accounted for within the adopted local plan. Therefore, the Wells-next-the-Sea Neighbourhood Plan does require an SEA to be undertaken. Natural England also agrees that the Plan could potentially result in likely significant effects to European Sites, either alone or in combination, and advise that an appropriate assessment under the Habitats Regulations is required.

5.3. Historic England advise that the SEA can also screen out the historic environment where it is considered that the plan will not have any significant effects on the historic environment. However Historic England strongly advise that conservation and archaeological staff of the relevant local authorities (in this case NNDC and NCC, our emphasis) are closely involved in the final preparation of the plan and that this conclusion is reached on the basis of the emerging plan at this stage.

5.4. The environment Agency consider that as long as development is steered away from sensitive aspects of the environment, essentially areas of tidal, fluvial flood risk and watercourses within

the NPA, they do not consider there to be potential significant environmental effects relating to these environmental constraints.

- 5.5. It is determined that a SEA should be carried out to inform the final preparation of the emerging Draft Neighbourhood Plan.

Appendix 1: Consultation Responses

Chris Brown

From: Planning Policy
Sent: 20 January 2023 11:45
To: planning_liaison.anglian_central@environment-agency.gov.uk;
Eastplanningpolicy@HistoricEngland.org.uk; consultations@naturalengland.org.uk
Cc: Iain Withington
Subject: Wells-next-the-Sea Neighbourhood Plan SEA & HRA Screening Consultation
Attachments: Wells NP HRA Screening Reg 14 (December 2022) FINAL.pdf; Wells NP SEA
Screening Reg 14 (December 2022) FINAL.pdf; Wells-next-the-Sea Pre-Submission
Neighbourhood Plan Reg 14 (July 2022).pdf

Dear Consultee,

Wells-next-the-Sea Neighbourhood Plan SEA & HRA Screening Consultation

North Norfolk District Council, as the Responsible Authority, have received a request for a **Strategic Environmental Assessment (SEA)** and a separate **Habitat Regulations Assessment (HRA)** screening opinion on the Regulation 14 Pre-Submission Version **Wells-next-the-Sea Neighbourhood Plan**.

The initial screening cannot rule out likely significant effects and therefore recommends that a full HRA and SEA is undertaken. Before finalising our opinion and issuing a screening determination in line with the regulations, we wish to consult with the relevant consultation bodies, namely Environment Agency, Historic England and Natural England.

We would be grateful if you could coordinate for response and forward this email to the appropriate person. We welcome your response within the next 5 weeks, by **Monday 27 February or earlier** would be appreciated.

The consultation version of the SEA and separate HRA screening opinions are attached, along with a copy of the emerging Regulation 14 Pre-Submission Version of the Wells-next-the-Sea Neighbourhood Plan, July 2022. If you require any further information please let us know as soon as possible and we will endeavour to supply it so that you can advise appropriately within the consultation timeframe.

We look forward to receiving any comments you may have in due course. Please feel free to ask any questions or seek further information from Iain Withington.

We would be grateful for your acknowledgment of this email.

Kind Regards

Iain Withington
Planning Policy Team Leader



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

Our ref: AE/2023/128052/01-L01
Your ref: Wells-next-the-Sea
Neighbourhood Plan
Date: 28 February 2023

Dear Mr Withington

**WELLS-NEXT-THE-SEA NEIGHBOURHOOD PLAN SEA & HRA SCREENING
CONSULTATION WELLS-NEXT-THE-SEA**

Thank you for consulting us on the Strategic Environmental Assessment Screening Report for the Wells-next-the-Sea Neighbourhood Plan.

Flood Risk

Based on a review of environmental constraints for which we are a statutory consultee, we find that there are areas of fluvial flood risk and watercourses within the neighbourhood plan area. In particular, we note that the boundary does extend into areas of Flood Zones 2 and 3 of the East Fleet tidal area.

On the basis that future development is steered away from the sensitive aspects of the environment highlighted, we do not consider there to be potential significant environmental effects relating to these environmental constraints. Nevertheless, we recommend the inclusion of relevant policies to cover the management of flood risk. Allocation of any sites and any windfall development delivered through the Plan period should follow the sequential approach. [National Planning Policy Framework](#) (NPPF) paragraph 161 sets this out.

Informative:

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

Environment Agency
Iceni House Cobham Road, Ipswich, IP3 9JD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency
Cont/d..

Chris Brown

From: [REDACTED]@HistoricEngland.org.uk>
Sent: 10 February 2023 14:19
To: Planning Policy
Cc: Iain Withington
Subject: RE: Wells-next-the-Sea Neighbourhood Plan SEA & HRA Screening Consultation

Some people who received this message don't often get email from [REDACTED]@historicengland.org.uk. [Learn why this is important](#)

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 Wells-next-the-Sea 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 propose to allocate one site for development (identified as CFS2). Upon undertaking a desk-top study of the site's location and potential for impacts on the historic environment, we do not consider it likely that any significant effects would result from its 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 and can be screened out from the perspective of the historic environment.

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]

[REDACTED]
Historic Places Adviser - East of England
Historic England

Direct Line: [REDACTED]

Mobile: [REDACTED]



Historic England

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Are you an organisation that has used or considered using our Enhanced Advisory Services (EAS)?
Click the following link: [SmartSurvey](#) to take part in a short 10 minute review of our services if you'd like to have your say.

We'd welcome your views.



Historic England

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

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Date: 20 February 2023
Our ref: 419656
Your ref: N/A



Mr Withington
North Norfolk District Council
Planning.Policy@north-norfolk.gov.uk

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CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Withington

Wells-next-the-Sea Neighbourhood Plan SEA & HRA Screening Consultation

Thank you for your consultation on the above dated 20 January 2023 which was received by Natural England on the same date.

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

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

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


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

Natural England welcomes the Screening Reports (dated December 2022) which assess the Wells-next-the-Sea requirement for SEA and Habitats Regulations Assessment (HRA) for the Neighbourhood Plan.

Natural England agrees with the conclusions of the reports that there is the potential for significant environmental effects arising from the policies in the plan, which have not already been accounted for within the adopted local plan. Therefore, the Wells-next-the-Sea Neighbourhood Plan does require an SEA to be undertaken. Natural England also agrees that the Plan could potentially result in likely significant effects to European Sites, either alone or in combination, and therefore an appropriate assessment under the Habitats Regulations is required.

Aside from this, Natural England have no specific comments at this stage. We would be happy to comment further should the need arise. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely


Norfolk & Suffolk Team