



**Strategic Environmental Assessment
Re-Screening Determination
Croxton and Brettenham & Kilverstone
Joint Neighbourhood Plan
January 2017**

Neighbourhood Planning Strategic Environmental Assessment Screening Report

Contents

1. Introduction
2. Legislative Background
3. Croxton and Brettenham & Kilverstone Joint Neighbourhood Plan
4. SEA Screening
5. Assessment
6. Screening Outcome

Appendix 1: Statutory Consultee Responses

1. Introduction

1.1. 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.

1.2. Establishing whether a Neighbourhood Plan has been subject to a SEA is an important legal requirement. The Independent Examiner appointed to consider the Croxton and Brettenham & Kilverstone Joint Neighbourhood Plan will check that it meets the 'Basic Conditions' set out in national Planning Practice Guidance (PPG)¹. One of the Basic Conditions is whether the Croxton and Brettenham & Kilverstone Joint is compatible with European Union obligations.

1.3. This screening report is designed to determine whether or not the contents of the Croxton and Brettenham & Kilverstone Joint Neighbourhood Plan require a SEA in accordance with the European Directive 2001/42/EC and the associated Environmental Assessment of Plans and Programmes Regulations (2004)².

1.4. The legislative background set out in section 2. outlines the regulations that require the need for this screening exercise.

1.5. The policies of the Croxton and Brettenham & Kilverstone Joint Neighbourhood Plan are set out in section 3.

1.6. To assess whether an SEA is required, a screening process must be undertaken based on a standard set of criteria. This must be subject to consultation three statutory consultees of the Environment Agency, Historic England and Natural England. The results of the screening process must be detailed in a Screening Report, available to the public.

¹ <http://planningguidance.communities.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

² <http://www.legislation.gov.uk/ukxi/2004/1633/contents/made>

2. Legislative Background

2.1. The basis for SEA 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 would 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 Regulations.

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 District Council must determine if a plan requires an environmental assessment. Where the Council determines that SEA is not required, then the Council must, under Regulation 9(3), prepare a statement setting out the reasons for this determination.

2.3. In accordance with Regulation 9 of the SEA Regulations 2004, Croxton and Brettenham & Kilverstone Joint Parish Council (the qualifying body) has requested Breckland District Council, as the responsible authority, to consider whether an environmental assessment of the emerging Neighbourhood Plan is required due to significant environmental effects.

2.4. Whether a neighbourhood plan requires an SEA, and if so, the level of detail needed, will depend on what is proposed in the draft neighbourhood plan (see PPG Paragraph 046). The PPG suggests that SEA may be required, for example, 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 (LP).

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

3. Croxton and Brettenham & Kilverstone Joint Neighbourhood Plan

3.1. Croxton and Brettenham & Kilverstone Joint NP (Informal Consultation Draft) is in its draft pre-submission consultation stage. The information provided for the need to re-screen, in light of the above document, it can be stated that:

- In terms of environmental assets, the area does not encompass any Area of Outstanding Natural Beauty, National Park, or National Nature Reserves
- In terms of protected sites the following European Designated Sites are present within the Neighbourhood Plan Boundary as shown on Figure 3 of the Informal Consultation Draft. Plans must be assessed to ensure the policies within them do not result in likely significant effects
- European Designated Sites are designated under the EC Habitats Directive which is transposed into UK legislation through the Conservation of Habitats and Species 2010 (as amended). These European Designated Sites are:
 - Breckland Special Protection Area (SPA). The SPA holds internationally important breeding populations of stone curlew, nightjar and woodlark. Stone curlew establish nests on open ground provided by arable cultivation in the spring, while woodlark and nightjar breed in recently felled areas and open heath areas within the conifer plantations
 - Breckland Special Area of Conservation (SAC) The SAC is primarily designated for European dry heaths, semi natural dry grasslands, natural eutrophic lakes, and inland dunes with open *Corynephorus* and *Agrostis* grasslands
- The Breckland SPA is underpinned by following SSSIs which are protected under the Wildlife & Countryside Act 1981 (as amended):
 - Breckland Forest SSSI
 - Bridgham & Brettenham Heaths SSSI
 - Breckland Farmland SSSI
- The area includes a number of County Wildlife Sites, including The Forest, Snarehill Meadow, Oakwood, Halfmoon Meadows, Kilverstone Meadow, as well as land adjacent to the River Little Ouse and River Thet
- There are flood zones 2 and 3 around the River Thet and Little Ouse River which are main rivers
- The NP will not propose a higher level of development than is already identified within Breckland's LP
- The policies within the plan are not likely to lead to any major new development or infrastructure, nor are they likely to have any significant adverse effects on any SEA topic
- The NP will not allocate land in and above that identified within the Breckland Site Specific Policies and Proposals document

The policies to be considered in the SEA Screening Opinion are:

HOUSING

JNP1 Housing Design and Materials

Any new development will need to reflect the existing form and structure of the relevant settlement, respecting the planning policies of the local planning authority. It will also need to reflect and complement the rural character and cultural history of the area.

New buildings should respect the vernacular design of existing buildings in the parish, and should allow adequate space between buildings to retain the form and character of the parish.

The design of new residential development both within and outside of the SUE (Sustainable Urban Extension) should deliver high quality design and not adversely impact on *the* essentially rural character and appearance of the parish.

Any new dwelling, redevelopment or extension to a dwelling should be carefully designed to avoid conflicting with adjacent properties or landscape and should help to maintain the rural character of the village and parish.

To achieve this:

Development proposals should have careful regard to the height, layout, building line, massing, scale of existing development in the immediate area;

- Rear gardens should be at least equal to the ground floor footprint of the dwelling;
- Residents should be able to access the rear garden without going through the house;
- Sufficient external space should be provided to enable refuse, recycling and compost to be stored out-of-sight. There should also be sufficient storage space for items commonly stored in garages;
- The use of traditional materials common in the parish (as identified in the Character Appraisal work), especially those sourced locally and of low ecological/ environmental impact, will be encouraged;
- Where possible, existing natural features such as trees or hedgerows should be retained, unless their removal results in an ecological gain or an improvement to green open space or important views.

A mix of designs and styles design variety within the SUE is essential but it must reflect the prevalent design and detailing of buildings within the parish (as identified in the Character Appraisal) and respect the spatial, visual and historical context of the parish.

Comments

Additional policy wording suggested for the third paragraph:

*“...and not adversely impact on the **protected sites, and the** essentially rural character and appearance of the parish”.*

And for the fifth paragraph:

*...“regard to the height, layout, building line, massing,,~~and~~ scale of existing development in the immediate area **and indirect impacts to protected sites through increased access and recreational pressure;**”*

This should ensure that developments that risk affecting European Protected Sites will be reviewed under the Habitats Regulations as policy CP10 (of the adopted LDF) covers this.

JNP2 Housing Density

New residential development should have a density that is consistent and compatible with the existing prevailing density in the immediate area (as identified in the Character Appraisal) in order to reflect the local character and appearance.

Higher densities may be acceptable within the central areas of the SUE but it will be expected that there would be a gradual decrease in density at the edges of a proposed development where the character becomes more rural and closer to existing rural development.

Comments

Additional policy wording suggested for the end of the policy:

New developments will need to consider direct and indirect impacts to the European Protected sites and SSSIs within the neighbourhood plan area in order to be compliant with the Habitats Regulations. Impacts can result from direct land take or disturbance or from indirect impacts from recreation and access associated with new housing developments.

This additional policy wording would make the policy stronger. The housing policies are the ones most likely to result in adverse impacts to protected sites as increased housing is required and likely to be promoted.

ENVIRONMENT

JNP3 Enhancing village gateways and protecting local landscape character

The visual and scenic value of the landscape and countryside surrounding the parish will be protected from development that may adversely affect this character, with particular consideration given to the more sensitive areas and features such as those considered to be typical of the Brecks area.

Undeveloped gaps between settlements or parts of a settlement which contribute to the character of the area will also be protected. (See Policy JNP9 - Strategic Gaps).

Proposals that will enhance the visual appearance of an approach or “gateway” to a village (or part thereof) will be supported and opportunities to improve the public realm in these areas through the use of appropriate hard or soft landscaping measures will be encouraged.

Any hedgerow lost as a result of proposed development will be expected to be compensated elsewhere within the site, if possible, or elsewhere in the vicinity

Proposals that would lead to the enhancement of ecological networks will be encouraged, particularly where they would further support the management of the designated sites and improve habitat connectivity.

Comments:

Additional policy wording suggested for the end of the fourth paragraph:

*“... if possible, or elsewhere in the vicinity **and achieve a net gain in biodiversity in the neighbourhood plan area through the creation of high quality habitats, connectivity to other habitats in the landscape and the use of locally characteristic species.***

And for the fifth paragraph:

*“... support the management **and protection** of the designated...”*

Additional policy wording suggested for the end of the policy:

Proposals that demonstrate a net gain in biodiversity and creating, enhancing or protecting ecological networks will be encouraged to achieve Government Biodiversity and Planning Policy.

Current NPPF promotes permitting sustainable developments and net gains in biodiversity should be achieved where possible. This is also in government planning policy and the Biodiversity 2020 Strategy so could fit well in this NP policy about enhancing landscape character.

URBAN EXTENSION

JNP4 Integrating new development within the SUE (Sustainable Urban Extension) with the existing development in the parish *[SITE ALLOCATED IN THE EMERGING BRECKLAND LOCAL PLAN]*

In order to maximise the integration of new and existing development, new development within the proposed Sustainable Urban Extension (SUE) should be designed to reflect the character, form, style and materials of the parish as identified in the relevant Character Appraisal.

New developments within the SUE should respect the rural nature of the village and where possible urban-style elements should be discouraged.

In particular, developments should ensure that housing proposals respect the rural nature with regard for the following:

- Density should reflect that of neighbouring housing within the vicinity of the proposal, (see Policy JNP2);
- Use of native species soft landscaping to provide new habitats for local wildlife, particularly along frontages; And
- Use of materials that reflect and respect the local vernacular.

The JNP seeks to ensure that house builders design inclusive and mixed communities that reflect the physical characteristics of the parishes and support integration and cohesion between new and existing communities, by making sure affordable housing is well integrated with the market housing, that housing is sympathetically designed to reflect the local context and that proposed developments include opportunities for people to meet formally and informally. Encouragement will be given for developers to consult meaningfully and engage with the local communities as development proposals are progressed to show how the views of the local community have been taken into account in any subsequent planning applications.

Comments:

Additional policy wording suggested for the end of the policy:

Urban extension will need to consider impacts to the European Sites in combination with existing permitted developments such as the SUE.

Planning and government policy aims to permit sustainable development that achieves a net gain in biodiversity and landscape scale ecological networks are conserved, enhanced or created through the planning function.

The first new paragraph could be incorporated into the policy as the SUE has the potential to impact on protected sites and additional development will need to consider impacts in combination with the already permitted developments.

The second new paragraph is suggested to make it clear that integrating development into the SUE would also need to achieve sustainable design.

HISTORIC ENVIRONMENT

JNP5 Historic Environment and Character

New development in the parish in close proximity to designated or undesignated heritage assets should take account of the historic fabric of the area and preserve or enhance the character or appearance of the Croxton Conservation Area, the Listed Buildings, protected trees and/or other heritage assets as identified in the relevant Character Appraisal.

In order to achieve this, a “Heritage Statement” shall be provided in support of all development proposals within or adjacent to the Croxton Conservation Area, Listed Buildings, or other designated or undesignated heritage assets. Such Heritage Statements should outline the significance of any heritage assets affected and any adverse impacts that the development may have on heritage assets. It shall also include any proposed mitigation measures, as well as how the proposed development will contribute to the character and setting of the relevant heritage asset and the wider parish.

Comments

There are no issues with this policy in terms of Habitat Regulations or biodiversity considerations.

TRANSPORT

JNP6 Transport and Highways Safety

Development will be expected to ensure that there is no detriment to highway safety and, where possible, help to reduce existing risks.

New footpaths should form part of a coherent network and aim to encourage pedestrian alternatives to using through roads.

Proposals that include measures to enable improved levels of walking and cycling by residents will be considered favourably.

Any adverse impacts arising from the residual traffic generated should be mitigated where this is viable and of a scale that is commensurate with the development.

New development should be designed to ensure that it avoids the risks of creating “rat runs” or adding to traffic movements or speeding on rural roads elsewhere in the parish.

Development proposals should include a statement as part of the application that sets out and demonstrates how the new development will either not add to increased traffic flows, or risks to highway safety or how any increase will be minimised and its adverse effects mitigated to ensure that no parish roads become ‘rat-runs’.

Comments:

Footpaths should also be designed to avoid increasing access and recreation to protected sites which can have a negative impact on protected sites and the features for this they're designated for. Equally where recreational impacts are having a negative impact on the protected sites footpaths and access points should be managed to minimise or avoid these impacts.

In light of this appropriate wording should be included. This is because indirect impacts such as increases in recreation and access can have detrimental impacts to protected sites. Therefore to ensure the design of public rights of way or footpaths do not negatively impact protected sites, this should be recognised in this way.

JNP7 Community Facilities

Existing Facilities

Proposals for change of use involving a potential loss of existing facilities, will only be permitted where it can be demonstrated that:

- An improved or equivalent facility can be satisfactorily relocated to elsewhere in the village; or
- Adequate other facilities of the same service offering exist within a reasonable walking distance of the majority of residents to meet local needs; or
- There is no reasonable prospect of continued viable use and this can be demonstrated through:
 - a) Twelve months of marketing for the permitted and similar uses, using an appropriate agent; and
 - b) Confirmation that it has been offered on a range of terms (including price) agreed to be reasonable on the advice of an independent qualified assessor.

New Facilities

Where, as a result of a new development both inside the SUE, or outside, there is the facility for funds to be provided by the developer for the local community, whether through S106, Community Infrastructure Levy or other arrangements the community should be consulted on its priorities for spending that money.

The design of new community facilities in the SUE should reflect local materials and styles and be designed in such a way as to ensure full integration into the existing landscape and village character. Facilities should be designed to be attractive and available to new and existing residents both inside and outside of the SUE.

Comments:

There are no issues with this policy in terms of Habitats Regulations or biodiversity other than if a community facility was built in a location that could impact on the protected sites which would be addressed through planning determination.

EMPLOYMENT

JNP8 Employment

Existing sites in current employment use will be protected and proposals that result in their retention including small scale extensions will be supported provided they are appropriate for a

rural area and do not have an adverse impact upon the rural character of the area, or the amenity of local residents either through their built form, proposed use or traffic generated.

New small scale employment uses appropriate to a rural area will be encouraged, especially those that contribute to the social fabric of the parish, provided they do not impact on the character of the area or the amenity of residents.

Comments:

There are no issues with this policy in terms of Habitat Regulations or biodiversity considerations.

SPECIFIC AREA POLICY

JNP9 Strategic Gaps

The visual and scenic character of the attractive countryside within the parishes will be protected from development that would have an adverse impact on the important landscape quality of the Brecks landscape

Particular consideration will be given to protecting undeveloped areas between settlements or parts thereof – these are identified as “Strategic Gaps” on MAP X and in the relevant Character Appraisals

The objective of this policy, within the Joint Neighbourhood Plan Area, is to direct development in such a way as to respect the definition and separate characters of the settlements of Croxton, Brettenham, Kilverstone and Rushford and the neighbouring settlement of Thetford.

- South of Croxton Village between the village and the A11 by-pass – Strategic Gap 1
- Between Kilverstone and Brettenham (north and south of the C148 Brettenham to Kilverstone Road) – Strategic Gap 2

See Map X [SEE APPENDIX A]

In order to:

- Respect the separate character and identity of settlements (and or parts of the settlement) including their setting;
- Support and enhance the predominantly open and undeveloped character of the landscape within these gaps;
- To protect and enhance the environmental importance of the Brecks landscape, its flora, fauna and landscape character and
- To prevent coalescence of settlements

Within the Gaps approval will only be given for the construction of new buildings or the change of use of existing buildings or land provided that it does not:

- Result in erosion of the physical gaps between built up areas; or
- Adversely affect the visual character or scenic beauty of the landscape,

Development will only be permitted if it individually or cumulatively does not result in the actual or perceived coalescence of settlements (or parts of a settlement), including through:

- visual intrusion which reduces the openness and ‘break’ between the settlements; and,
- a significant increase of activity which has an urbanising effect on the area.

Comments:

Additional policy wording suggested at the end of the first paragraph:

*“...the important landscape quality of the Brecks landscape **and its protected sites**”.*

This has been suggested to acknowledge specifically that the protected sites make up the landscape quality of the Brecks

And an additional bullet point for the sixth paragraph:

- ***“Adversely affect the European Protected Sites”***

This could be added to make it clear that developments that adversely affect European Protected Sites would not be approved and ties in with the bullet point in the list above.

JNP10 Character Appraisal for Croxton

The Character Appraisal for Croxton has identified the following as important and distinctive materials and details that contribute to the overall character and local distinctiveness of the village:

- Flint construction/finish
- Slate or pantiled roofs
- Gault brick details or brick dressings

In accordance with JNP1 new built development of any scale or use should seek to incorporate these important characteristic details within the design of the scheme

In addition the Croxton Character appraisal has identified the following unlisted building as having making an important historic, cultural, environmental or community contribution the character of Croxton and these will be treated as undesignated heritage assets in accordance with Policy JNP5:

- The Vicarage
- Methodist Chapel
- Village Shop and Post Office
- The School House
- The Old Bell House
- The Royal Naval Association Club
- Hill Rise Cottages

The Parish Council will strongly encourage Breckland Council to positively consider the preparation of a Local List for Croxton which includes these buildings.

Comments:

There are no issues with this policy in terms of Habitat Regulations or biodiversity considerations.

JNP 11 Areas for Enhancement in Croxton

The Character Appraisal for Croxton identifies the following areas as potential opportunities for enhancement:

- The Approach to Croxton village from the south
- The Vicarage

Proposals that would result in a positive visual, environmental or historic enhancement to the above areas will be supported provided that they are of a suitable scale and design and do not detract from the overall character of the area and are consistent with other policies with this JNP.

Comments:

There are no issues with this policy in terms of Habitat Regulations or biodiversity considerations.

JNP12 Brettenham and Kilverstone Alms Houses

The re-development of the existing Kilverstone Alms Houses will be permitted only where it can be demonstrated that the existing Alms Houses are no longer viable in their current form and are beyond economic repair and that this is supported by an independent viability assessor. New development on this site will only be permitted for affordable units only.

Proposals for redeveloping the site, including demolition will be allowed, subject to meeting the relevant policies of the local planning authority and would need to satisfy all of the following criteria:

There will be no net loss of accommodation available

The redevelopment would enhance, the form, character and setting of this part of the village and there will be no adverse impact upon the village as a whole

There will be no detrimental impact on ecology or landscape.

Comments:

There are no issues with this policy in terms of Habitat Regulations or biodiversity considerations.

JNP13 Character Appraisal for Brettenham and Kilverstone

The Character Appraisal for Brettenham and Kilverstone has identified the following as important and distinctive materials and details that contribute to the overall character and local distinctiveness of the parish

- Brettenham – Brick and render, tiles or slate, Brick with Flint facades
- Tiled or slate roofs – occasional thatch roofs
- Kilverstone – flint with slate or red pantiled roofs

In accordance with JNP1 new built development of any scale or use should seek to incorporate these important characteristic details within the design of the scheme

In addition the Brettenham and Kilverstone Character appraisal has identified the following unlisted building as making an important historic, cultural, environmental or community contribution the character of the villages and these will be treated as undesignated heritage assets in accordance with Policy JNP5:

Brettenham –

- The Stallion box

Kilverstone –

- Ex POW huts,
- Lodge Farmhouse,
- 1-4 Fountain Cottages,
- Park House,
- 1 and 2 Farm Gate,
- 1 and 2 Shepherd's Cottages

The Parish Council will strongly encourage Breckland Council to consider positively the preparation of a Local List for Brettenham and Kilverstone which includes these buildings.

Comments:

There are no issues with this policy in terms of Habitat Regulations or biodiversity considerations.

JNP 14 Areas for enhancement in Brettenham and Kilverstone

The Character Appraisal for Brettenham and Kilverstone identifies the following areas as potential opportunities for enhancement:

- Brettenham - Disused railway station site on corner of Arlington Way
- Farm buildings on the Kilverstone Estate, however considered to be in a fragile state but programme of restoration and re use is planned

Proposals that would result in a positive visual, environmental or historic enhancement to the above areas will be supported provided that they are of a suitable scale and design and do not detract from the overall character of the area and are consistent with other policies with this JNP.

Comments:

There are no issues with this policy in terms of Habitat Regulations or biodiversity considerations. The policy mentions environmental which could cover biodiversity enhancements although this isn't particularly specific.

4. SEA Screening

4.1. The process for determining whether or not an SEA is required is called screening. In order to screen, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Annex II of the SEA Directive and Schedule I of the SEA Regulations. A determination cannot be made until the three statutory consultation bodies have been consulted: The Environment Agency, Natural England and Historic England.

4.2. Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out in Table 1 below:

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

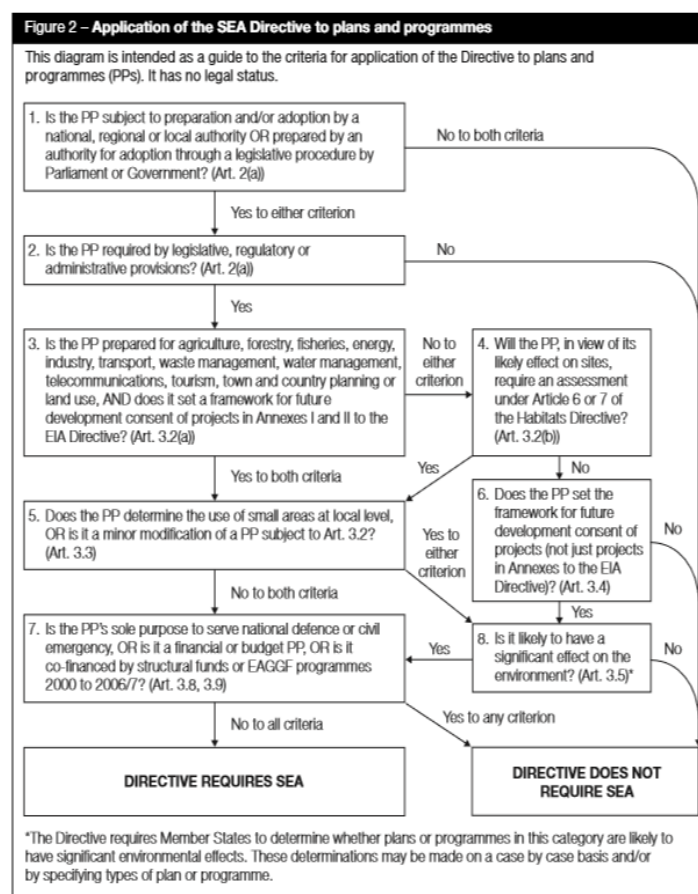
1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which 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

5. Assessment

5.1. The SEA screening is a two-stage process. The first part considers the Neighbourhood Plan against the SEA assessment criteria set out in the national guidance, 'A Practical Guide to the Strategic Environmental Assessment Directive'⁴. The second part of the assessment considers whether the NP is likely to have a significant effect on the environment, using criteria drawn from Schedule 1 of the EU SEA Directive and the UK Environmental Assessment of Plans and Programmes Regulations 2004⁵.

5.2. The process shown has been undertaken and the findings can be viewed in the figure below and in Table 1 which follows. This sets out how the SEA Directive should be applied.



(Source: Annex 11 of SEA Directive)

⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

⁵ http://www.legislation.gov.uk/ukxi/2004/1633/pdfs/ukxi_20041633_en.pdf

Table 1: Application of the SEA Directive to the Croxton and Brettenham & Kilverstone Joint Neighbourhood Plan

Assessment 1: Establishing the need for SEA

STAGE	Y/N	REASON
1. Is the Neighbourhood Plan (NP) 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 NP is permitted under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NP is being prepared by Croxton and Brettenham & Kilverstone Parish Councils (as the “relevant bodies”) and will be “made” (adopted) by Breckland District Council as the Local authority subject to passing an independent examination and community referendum. The preparation of the NP 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 NP required by legislative, regulatory or administrative provisions? (Art.2(a))	Y	Whilst the NP 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 NP 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	<p>A NP 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 NPs (as set out in Section 61(k) of the Town and Country Planning Act 1990 (as amended)).</p> <p>The NP is prepared to set out a framework for town and country planning and land use within the parishes of Croxton, Brettenham and Kilverstone. The strategic framework for development is set by the adopted Core Strategy and the emerging LP of the Breckland District Council. The NP seeks to align and be in general conformity with this.</p> <p>The NP does not anticipate being the tool to manage development of the scale and nature envisaged by Annex I and Annex II of the EIA Directive.</p>
4. Will the NP, in view of its likely effect on sites, require an assessment for future	N	A NP could potentially have impacts on sites covered by the Habitats Regulations.

development under Article 6 or 7 of the Habitats Directive? (Art.3.2(b))		<p>A Habitats Regulations Assessment (HRA) Screening Report (2013) and the Assessment of the Breckland LP at Preferred Directions stage (2015) were carried out as part plans preparation.</p> <p>The policies within this NP do not state higher targets for development than the Breckland LP and promotes sustainable development together with considerations relating to local character and need. Impacts of individual applications for development would be considered in the determination of planning applications as they come forward which will include impacts, alone and in combination with other projects, in relation to European Sites. Therefore no additional likely significant effects are anticipated from the policies themselves in this document.</p>
5. Does the NP determine the use of small areas at local level, or is it a minor modification of a PP subject to Art 3.2? (Art 3.3)		A NP can determine the use of small areas at a local level. The NP proposes to include policies relating to the design of development, but does not propose to specifically allocate land for development.
6. Does the NP 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 NP forms part of the statutory Development Plan and will be used in the determination of planning applications in the Neighbourhood Area. Therefore, it sets the framework for future developments at a local level.
7. Is the NP sole purpose to serve national defence or civil emergency, or is it financial or budget PP, or is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art.3.8,3.9)	N	The NP does not deal with these categories.
8.Is it likely to have a significant effect on the environment	?N	The NP seeks general conformity with the “adopted” Core Strategy and has regard to the emerging LP. No specific development is proposed through the plan, nor is land allocated for development through the plan. It is therefore considered that the plan would not have a significant effect on heritage assets, landscape, biodiversity interests or areas of flood risk.

5.3 The Environment Agency, Natural England and Historic England were consulted on the requirement for SEA for the NP. The responses received are attached in Appendix 1.

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

5.4 Table 2 below sets out the assessment against the Strategic Environmental Assessment criteria for the NP. This is to determine whether the implementation of the Neighbourhood Plan will have a significant effect on the environment. This criteria against which the screening is carried out are taken directly from Annex II of the European Union Directive 2001/42/EC (also known as the SEA Directive), as required by Article 3(4).

Table 2: SEA Screening Stage 2 - Assessment of the Likelihood of Significant Effects on the Environment

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 Core Strategy and the emerging LP of Breckland District Council. The NP seeks to align and be in general conformity with this.	No
The degree to which the plan or programme influences other plans or programmes including those in a hierarchy;	The NP will be adopted alongside the higher order LP and form part of the District's Development Plan. The NP will expand upon some of the emerging LP policies, providing supplementary information on a local scale.	No
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	Any development that comes forward through the NP will be subject to environmental considerations of the Core Strategy and the LP when adopted. These policies have been subject to sustainability appraisal, and are in place to ensure that sustainable development is achieved.	No
Environmental problems relevant to the plan or programme;	There are not considered to be any significant environmental problems which are specific to the area, above and beyond those considered and addressed in the LP. The NP may include policies (JNP3 & 4) which provide additional environmental	No

	protection.	
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 NP.	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 NP is a long-term plan up to 2036. It does not seek to allocate sites for growth. However, potential for additional residential development opportunities are likely in relation to the re-development of the existing Alms houses, but only where it can be shown that they are no longer viable.	No
The cumulative nature of the effects;	It is considered unlikely that the degree of development proposed through the Neighbourhood Plan when combined with the Core Strategy and the emerging LP will introduce significant environmental effects although as projects come forward they will need to be considered alone and in combination with other projects in relation to European Protected Sites in the determination of planning applications. Whilst both documents are being written, the LP will be subject to full SEA and HRA screening.	No
The transboundary nature of the effects;	The impacts beyond the parish are unlikely to be significant.	No
The risks to human health or the environment (e.g. due to accidents);	The NP is unlikely to produce any significant effects.	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 parishes of Croxton, Brettenham and Kilverstone with a population of 1,000 (Census 2011). The spatial extent and the magnitude of the population affected are not	No

	considered significant for the purpose of the SEA.	
<p>The value and vulnerability of the area likely to be affected due to:</p> <p>i) Special natural characteristics or cultural heritage;</p> <p>ii) Exceeded environmental quality standards or limit values</p> <p>iii) Intensive land use</p>	<p>i) The NP area and adjacent areas contain a number of environmental designations. The NP will however conform to the LP, which provides protection to these environmental characteristics to ensure that they are not vulnerable to significant impacts from development. However, there are potential effects from other policy proposals in the emerging Local Plan that are not covered in detail in the NP.</p> <p>ii) The NP is unlikely to result in exceedance of environmental quality standards, such as those relating to air, water, and soil quality and individual applications would be screened against environmental legislation through the determination of planning applications.</p> <p>iii) The NP is unlikely to bring forward development of an extent that would result in a significant intensification of Local Land Use and individual applications would be screened against Habitats Regulations protecting environmental designations through the determination of planning applications.</p>	<p>No</p> <p>No</p> <p>No</p>
The effects on areas or landscapes which have a recognised national, Community or international protection status.	The NP Area includes designations which reflect the cultural and heritage value of the area such as listed buildings and conservation area. The environmental effects on areas of biodiversity designations have been considered through the emerging LP.	No

6. Screening Outcome

6.1. The assessment shown above identifies that based on the information available to date, there are unlikely to be any significant environmental effects from the implementation of the proposals in the emerging Croxton and Brettenham & Kilverstone Joint Neighbourhood Plan.

6.2. The Environment Agency, Historic England and Natural England have responded to the Screening Opinion request and their responses are contained in Appendix 1. Their responses are based on the information provided by the Screening Opinion request dated 27th January 2017.

6.3. Having reviewed the criteria, Breckland District Council has concluded that the emerging NP is not likely to have any significant environmental effect and accordingly will not require a Strategic Environmental Assessment. The main reasons for this conclusion are:

- The NP does not allocate any sites for development.
- The NP seeks to avoid or minimise environmental effects when determining development proposals.
- The NP is unlikely to affect any designated sites in the vicinity or lead to other environmental effects.

6.4. This report is based on the Screening Opinion request of 27th January 2017 on the Informal Consultation Draft of the Croxton and Brettenham & Kilverstone Joint Neighbourhood Plan. Should the contents differ from that described in the Screening Opinion Request, there may be a requirement to revisit this Screening Opinion.

6.5. A copy of this report will be available for inspection at Breckland Council Offices, Elizabeth House, Wolpole Loke, Dereham, Norfolk, NR19 1EE.

APPENDIX 1

Responses from Statutory Consultees

From: Benn, Neville A [mailto:neville.benn@environment-agency.gov.uk]

Sent: 30 January 2017 10:56

To: Heinrich, Susan

Subject: RE: Request for re-screening Croxton and Brettenham & Kilverstone Joint Neighbourhood Plan

Dear Susan

We agree with your authorities conclusions that a SEA is not required.

Kind regards

Neville Benn

Senior Planning Advisor

Sustainable Places

East Anglia Area (West)

✉ Environment Agency, Bromholme Lane, Brampton, Huntingdon, Cambs. PE28 4NE

☎ Internal: 51906

☎ External: 0203 0251906

💻 neville.benn@environment-agency.gov.uk



Date: 02 February 2017
Our ref: 207280



Susan Heinrich
Breckland Council
Elizabeth House
Walpole Loke
Dereham
NR19 1EE

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

BY EMAIL ONLY

T 0300 060 3900

Dear Susan Heinrich

Croxton and Brettenham & Kilverstone Joint Neighbourhood Plan

Thank you for your consultation on the above dated 27 January 2017 which was received by Natural England on 27 January 2017.

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

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance¹. The guidance highlights three triggers that may require the production of an SEA, for instance 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
- 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.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any queries relating to the specific advice in this letter only please contact Richard Sykes on 0300 060 3900. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk. We really value your feedback to help us improve the service we offer.

We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Richard Sykes
Consultations Team

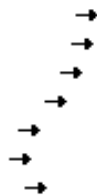


Historic England

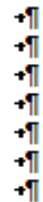
EAST OF ENGLAND OFFICE



Ms Susan Heinrich
Breckland Council
Elizabeth House
Walpole Lake
Dereham
Norfolk
NR19 1EE



Direct Dial: 01223 582747
-
Our ref: PL00018556
-
14 February 2017



Dear Ms Heinrich



Ref: Strategic Environmental Assessment (SEA) Screening Opinion for Croxton, Brettenham and Kilverston Neighbourhood Plan consultation request



Thank you for your email inviting Historic England to respond to the consultation on the SEA Screening Report for Croxton, Brettenham and Kilverston Joint Neighbourhood Plan.



Unfortunately, owing to current staffing capacity we will be unable to comment. We enclose a copy of our Neighbourhood Plan advice and would recommend that you consult the relevant conservation and archaeological specialists in your district and county councils.



Additional advice from Historic England you may find of use:

HE Good Practice Advice in Planning 1 - the historic environment in local plans:
<https://historicengland.org.uk/images-books/publications/gpa1-historic-environment-local-plans/>



HE Good Practice Advice in Planning 2 - managing significance in decision-taking in the historic environment: <https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/>



HE Good Practice Advice in Planning 3 - the setting of heritage assets:
<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/>



HE Advice Note 1 - conservation area designation, appraisal and management:
<https://historicengland.org.uk/images-books/publications/conservation-area-designation-appraisal-management-advice-note-1/>



HE Advice Note 3 - site allocations in local plans:
<https://historicengland.org.uk/images-books/publications/historic-environment->



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582740
[HistoricEngland.org.uk](https://historicengland.org.uk)



Historic England is subject to the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.





Historic England

EAST OF ENGLAND OFFICE

¶

and-site-allocations-in-local-plans/¶

¶

HE Advice Note 7 - Local Listing: <https://www.historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/>¶

¶

HE Advice Note 8 - Sustainability Appraisal and Strategic Environmental Assessment: <https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>¶

¶

If you have specific questions which cannot be answered by your local conservation and archaeological specialists, please contact the Historic Places Team who can be reached on 01223 582749.¶

¶

Yours sincerely,¶

¶

Natalie Gates¶

Principal, Historic Places Team¶

Natalie.Gates@HistoricEngland.org.uk¶

¶

¶

¶

¶



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU¶

Telephone 01223 582740¶

HistoricEngland.org.uk¶



Historic England is subject to the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.¶

¶

¶

¶

Please note: Reference was made in the email sent in relation to this re-screening request, to the previous SEA screening on 16.04.16 where it took the view that an SEA would not be required.