

Borough Council of King's Lynn & West Norfolk screening report of the requirements for a Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) for the emerging The Walpoles Neighbourhood Plan 2022-2036

September 2024

Borough Council of
**King's Lynn &
West Norfolk**



Borough Council of King's Lynn & West Norfolk preliminary screening report for a Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) for the emerging The Walpoles Neighbourhood Plan 2022-2036

1.0 Introduction

- 1.1 This screening report is designed to determine whether or not the content of the emerging Walpoles ("The Walpoles") Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC; incorporated into UK legislation through the Environmental Assessment of Plans and Programmes Regulations 2004¹. SEA would be required if the implementation of the contents of the Neighbourhood Plan are likely to cause significant environmental effects.
- 1.2 This report will also determine whether or not the contents of the Neighbourhood Plan require a Habitats Regulations Assessment (HRA) in accordance with Article 6 (3) of the EU Habitats Directive and with the Conservation of Habitats and Species Regulations 2017². A HRA would be required when the implementation of the contents of the Neighbourhood Plan are likely to cause significant negative effects on a designated protected European Site (known collectively as European sites).
- 1.3 This report is based upon the screening opinion request and information provided on the emerging content of the Plan as provided by the Parish Council and the screening opinion consultation responses subsequently received from the Environment Agency, Historic England and Natural England. It should be read in conjunction with the Strategic Environmental Assessment and Habitats Regulation Assessment Preliminary Screening May 2024, prepared by the appointed consultant on behalf of Walpole Parish Council.
- 1.4 To avoid any doubt, this does not affect the Borough Council's obligation to provide further advice on later stages of the emerging Neighbourhood Plan and SEA/ HRA process which may subsequently arise if there are changes to the plan's content that could have an adverse effect upon the environment. The processes of SEA and HRA screening are iterative and evolve in parallel with the preparation of a Neighbourhood Plan.

2.0 Legislative Background

Strategic Environmental Assessment (SEA)

- 2.1 The European Directive 2001/42/EC is the basis for Strategic Environmental Assessments and Sustainability Appraisal legislation, which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations.
- 2.2 If a neighbourhood plan is likely to cause significant negative environmental effects, it is necessary to undertake a SEA assessment in line with the SEA regulations. To fulfil the legal requirements to identify if a neighbourhood plan requires a SEA; a screening for a SEA has to be undertaken.

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

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

Habitat Regulation Assessment (HRA)

- 2.3 HRA is a requirement of Article 6 (3) of the EU Habitats Directive and by the Conservation of Habitats and Species Regulations 2017. The Regulations require that an appropriate assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans and projects to identify if any significant effect is likely for any European Site.
- 2.4 To fulfil the legal requirements to identify if likely significant effects will occur with the implementation of a neighbourhood plan upon the European Sites (previously referred to as Natura 2000 sites) a screening assessment has been undertaken.

3.0 SEA Preliminary Screening

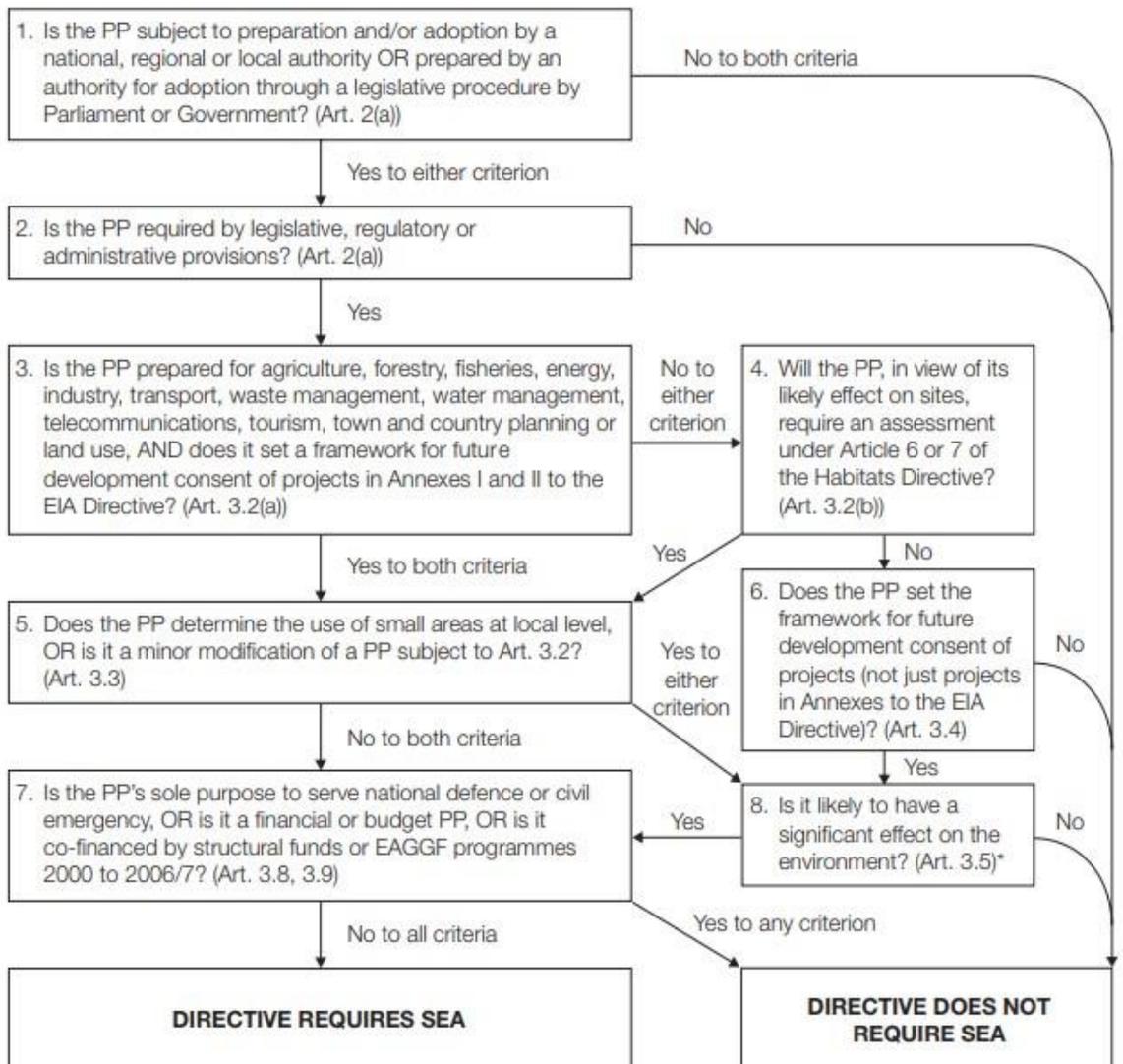
- 3.1 The process for determining whether or not a full SEA is required is called screening. The SEA screening is a two-stage interrelated process. The first part considers the Neighbourhood Plan against the SEA assessment flow chart set out in the national guidance “A Practical Guide to the Strategic Environmental Assessment Directive”, (Paragraph 2.18, Figure 2, ODPM, 2005³). The second part of the assessment is required to answer specific questions contained in the above, specifically question 8 and considers whether the Neighbourhood Plan is likely to have a significant effect on the environment, using criteria drawn from the EU SEA Directive and Schedule 1 of the UK Environmental Assessment of Plans and Programmes Regulations 2004.
- 3.2 The regulations state that before making a determination the three national statutory consultation bodies (Environment Agency, Historic England and Natural England) must be consulted. Accordingly, they are being consulted upon the Borough Council’s preliminary opinion and their comments have been taken into consideration within this screening report.
- 3.3 The process taken follows the application of the SEA Directive as set out in Figure 2 of ‘A practical guide to the Strategic Environmental Assessment Directive’ followed by application of the criteria determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC (Annex 11) and Schedule 1 of the UK Environmental Assessment of Plans and Programmes Regulations 2004 (see the next page):

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

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

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



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

Table 1: Criteria for determining the likely significance of effects	
1.	<p>The characteristics of plans and programmes, having regard, in particular, to</p> <ul style="list-style-type: none"> • the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources • the degree to which the plan or programme influences other plans and programmes including those in a hierarchy • the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development, - environmental problems relevant to the plan or programme • the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection)
2.	<p>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to</p> <ul style="list-style-type: none"> • the probability, duration, frequency and reversibility of the effects, • the cumulative nature of the effects • the trans-boundary nature of the effects • the risks to human health or the environment (e.g. due to accidents) • the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) • the value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> • special natural characteristics or cultural heritage • exceeded environmental quality standards or limit values • intensive land-use • the effects on areas or landscapes which have a recognised national, Community or international protection status

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

4.0 Assessment (SEA)

4.1 Application of the SEA Directive to plans and programmes:

	Stage	Yes/ No	Reason
1.	Is the Neighbourhood Plan subject to preparation and/or adoption by national, regional or local authority OR	Yes	The preparation and adoption of the Neighbourhood Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The

	Stage	Yes/ No	Reason
	prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))		<p>Neighbourhood Plan is being prepared by the Town Council (as the “relevant body”) and will be “made” by the Borough Council of King’s Lynn and West Norfolk as the Local Authority subject to passing an independent examination and community referendum. Preparation of Neighbourhood Plans is subject to the following regulations (not intended to be a complete list):</p> <ul style="list-style-type: none"> • The Neighbourhood Planning (General) Regulations 2012 • The Neighbourhood Planning (referendums) Regulations 2012 • the Neighbourhood Planning (General) (Amendment) Regulations 2015 • the Neighbourhood Planning (General)and Development Management Procedure (Amendment) Regulations 2016 • The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017
2.	Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	Whilst preparation of a Neighbourhood Plan is not a requirement of the Town and Country Planning Act as amended by the Localism Act 2011, when “made” (adopted) by the local planning authority it will form part of the Development Plan for the Borough. These are directed by legislative processes and it is important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.
3.	Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management,	Yes	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’

	Stage	Yes/ No	Reason
	telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))		<p>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 Walpole. Its intention is to complement the higher order strategic framework that already exists for land use planning across the Borough.</p> <p>The strategic framework for development is set by the adopted Core Strategy (2011) and the Site Allocations and Development Management Policies Plan (2016) of the Borough Council of King's Lynn and West Norfolk. The Neighbourhood Plan seeks to align and be in general conformity with these. The Neighbourhood Plan does not anticipate being the tool to manage development of the scale and nature envisaged by Annex I and Annex II of the EIA Directive.</p> <p>The replacement Local Plan 2021-2040 is currently under examination, and it is anticipated this will be adopted by March 2025. Meanwhile, until the replacement Plan is adopted, the Walpole Neighbourhood Plan will need to be in general conformity with the strategic policies of the development plan (i.e. 2011 Core Strategy and 2016 Site Allocations and 2016 Development Management Policies Plan).</p>
4.	Will the Neighbourhood Plan, in view of its likely effect on sites, require an assessment for future development under	No	The proposed Neighbourhood Plan could potentially have impacts on sites covered by the Habitats Directive. The Plan area is approximately 8km away from The Wash (closest European site), but is separated

	Stage	Yes/ No	Reason
	Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))		<p>from this by significant barriers such as the A17 strategic road. However, the SEA and HRA screening process will need to consider (in accordance with the precautionary principle), the potential impacts considered through the screening process. It is noted that the Neighbourhood Plan is not proposing to make site allocations for residential housing or business operations.</p> <p>Please see Section 4 of this report for further detail.</p>
5.	Does the Neighbourhood Plan determine the use of small areas at local level, OR is it a minor modification of a plan or project subject to Art. 3.2? (Art. 3.3)	Yes	<p>A Neighbourhood Plan can (and should) determine the use of small areas at a local (non-strategic) level. The draft Neighbourhood Plan focuses upon setting policy direction for the use of small areas in and around the existing built-up areas of the village. It includes policies relating to supporting rural economic growth, redevelopment of brownfield sites, the protection of community services and facilities, and locally distinctive development management policies. Overall, the focus of the Plan is upon ensuring future housing development meets the needs of the community, while protecting local views/ landscape.</p> <p>The preliminary draft Neighbourhood Plan appears to be in overall conformity with the Borough's Local Plan and proposals are all considered to be of a minor scale and of no strategic significance. The flood risk management policy focuses upon delivery of Sustainable Drainage Systems as a key mechanism for reducing surface water flood risk.</p>
6.	Does the Neighbourhood Plan set the framework for future development consent of	Yes	Once "made" a Neighbourhood Plan forms part of the statutory Development Plan and will be used by the Borough Council of

	Stage	Yes/ No	Reason
	projects (not just projects in annexes to the EIA Directive)? (Art. 3.4)		King's Lynn and West Norfolk in the determination of planning applications. The intention is that the Neighbourhood Plan will provide a land use policy framework for future development at a local level, within the Parish of Walpole.
7.	Is the plan or programme's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/07? (Art. 3.8, 3.9)	No	Does not apply to a Neighbourhood Plan.
8.	Is it likely to have a significant effect on the environment? (Art. 3.5)	No	The Neighbourhood Plan seeks general conformity with the adopted strategic development plan policies in the Core Strategy (2011) and the Site Allocations and Development Management Policies Plan (2016). It also has regard to the emerging replacement Local Plan (submitted March 2022, currently under examination and anticipated to be adopted by spring 2025). From the application of criteria for determining the likely significant effects below it is considered it is unlikely that there will be any significant effects.

4.2 SEA Screening Stage 2: SEA Directive Article 3(5) Annex II – Application of Criteria for determining the likely significance of effects of a Neighbourhood Plan:

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
(1) Characteristics of the plan and programmes, having regard in particular, to:		
The degree to which the plan or programme sets a	Once made, The Walpoles NP (WNP) will become a part of the statutory development	No

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
<p>framework for projects and other activities, either with regard to the location, nature, size, and operating conditions or by allocating resources;</p>	<p>plan and will guide the delivery of development within the designated plan area.</p> <p>The strategic framework for development is set by the adopted Local Plan of King’s Lynn and West Norfolk Borough Council which currently comprises the Core Strategy (2011) and the Site Allocations and Development Management Policies Plan (2016) (SADMP). The replacement Local Plan 2021-2040 was submitted for independent examination in March 2022, and it is anticipated that this will be adopted around spring 2025.</p> <p>The BCKLWN Core Strategy previously identified The Walpoles (consisting of the settlements of Walpole St Andrew, Walpole St Peter and Walpole Marsh) as a Rural Village. However, the emerging Local Plan is proposing to promote this settlement as a Key Rural Service Centre due to its infrastructure and a range of services and facilities it provides to the local communities. This changed status within the settlement hierarchy was assessed through the Sustainability Appraisal for the submission Local Plan⁴. As a strategic matter the status of The Walpoles in the settlement hierarchy has already been assessed as part of the Local Plan process.</p> <p>Although the WNP does not propose any land for the development, the current Local Plan allocates two sites for the development for at least 20 dwellings. The allocation ref. G109.2 – Land south of Church Road is currently being built out with some properties being occupied. The latter allocation ref. G109.1 – Land south of Walnut Road is being carried forwards in the Emerging Local Plan, it has</p>	

⁴ https://www.west-norfolk.gov.uk/info/20079/planning_policy_and_local_plan/629/sustainability_appraisal

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
	<p>had permission for 9 dwellings and work on-site is due to commence imminently.</p> <p>Nonetheless once adopted, the WNP will help to inform and guide planning decisions in line with the provisions of the existing Local Plan policies. Once the WNP is adopted, applications for planning permission will be guided by the WNP and existing strategic plans and policies, from the current Local Plan or replacement Local Plan 2021-2040 once the latter is adopted.</p>	
The degree to which the plan or programme influences other plans or programmes including those in a hierarchy;	The Neighbourhood Plan will almost certainly be adopted after the higher order replacement Local Plan 2021-2040 and form part of the Borough's Development Plan. The WNP will expand upon some of the current and replacement Local Plan policies, providing supplementary policies and direction at a local (parish-level) scale.	No
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>Any Development that comes forward through the Neighbourhood Plan will be subject to environmental considerations of in line with relevant Local Plan environmental/development management policies. These policies have been subject to Sustainability Appraisal and are in place to ensure that sustainable development is achieved.</p> <p>Strategic policies in the replacement Local Plan 2021-2040 have been similarly subject to Sustainability Appraisal. Therefore, adopted and replacement Local Plan policies have been subject to similar rigorous assessment under the SEA Regulations.</p>	No anticipated negative effects
Environmental problems relevant to the plan or programme;	There are not considered to be any significant environmental problems which are specific to the area, above and beyond those considered and addressed in the Local Plan (both the	No anticipated negative effects.

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
	<p>currently adopted version and emerging replacement Local Plan 2021-2040).</p> <p>Baseline information relating to WNP was described earlier in this Screening Document. This neighbourhood area does not have any designated areas of conservation value.</p> <p>The WNP Plan itself will not be allocating any land for the development and therefore will not contribute towards the environmental problems.</p>	
The relevance of the plan or programme for the implementation of community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The implementation of community legislation is unlikely to be significantly compromised by The Walpoles 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 is seeking to be in conformity with the adopted Local Plan. It does not propose significant growth not already considered and assessed by the Local Plan.	No
The cumulative nature of the effects;	It is considered unlikely when combined with the Current Local Plan and emerging Local Plan 2021-2040 will introduce significant environmental effects. Whilst both the Neighbourhood Plan and replacement Local Plan are being prepared, the latter is already subject to full SEA including SA and Habitats Regulations. It should be noted that the Local Plan will not seek to propose new allocations at Walpole. Instead, the WNP focuses upon design, housing need and the natural	No

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
	<p>environment (e.g. biodiversity), as set out in the Plan vision.</p> <p>As it will not allocate land for development WNP is unlikely to lead to any cumulative effects in combination with existing or emerging plans (i.e. the current or replacement Local Plan).</p>	
The trans-boundary nature of the effects;	<p>The emerging WNP policies focus upon meeting the needs of the rural community, in terms of design, housing needs, community services/ facilities and climate change.</p> <p>The surface water flooding policy seeks to reduce the impact of flooding and ensure that surface water flood risk is not exacerbated by new development. Although this matter may extend beyond the parish (Neighbourhood Area) boundary, it is not considered to give rise to any significant trans-boundary effects for neighbouring communities (e.g. Terrington St Clement, Walpole Cross Keys). The Walpoles Neighbourhood Area adjoins South Holland District Council to the west (Sutton Bridge/ River Nene). However, the Plan focuses upon environmental assets.</p> <p>The draft WNP provides supplementary policy on a local scale and area. The impacts for transboundary effects beyond the parish administrative boundaries are unlikely to be significant.</p>	No
The risks to human health or the environment (e.g. due to accidents);	<p>Policies and proposals in The Walpoles Neighbourhood Plan are small scale and of local significance only. These are unlikely to produce any significant effects in relation to this criterion.</p> <p>WNP is unlikely to produce any significant risk to human health or the environment. Indeed, its policies are likely to have a positive impact, with reference to green infrastructure, light pollution and flood risk management.</p>	No

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
<p>The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);</p>	<p>The Neighbourhood Plan covers the Parish of Walpole. The 2021 census recorded the population at approximately 1,900. By comparison, the Borough of King’s Lynn and West Norfolk is 152,760 ha and has population of 154,325 (2021 census).</p> <p>The extent of the parish beyond the built-up areas of Walpole villages (rural hinterlands) includes a sparsely populated coastal marshland area to the north and west of the main built-up area (extending to the east bank of the Nene), with Fenland to the south and west. The parish consists of linear built-up areas, with ribbon built development extending along main arterial routes. This is reflected in the character of the current Local Plan site allocations (G109.1 and G109.2), both of which propose ribbon/ linear development.</p> <p>Overall, the parish-level policies proposed by the Neighbourhood Plan will only apply to the Parish of Walpole and therefore unlikely to impact have any significant impacts, beyond the locality of the Walpoles.</p>	No
<p>The value and vulnerability of the area likely to be affected due to:</p> <p>i) Special natural characteristics or cultural heritage;</p>	<p>There are no statutory natural designations which fall within the neighbourhood plan area.</p> <p>According to the latest data on the Historic England’s website there are 21 statutory listed buildings or monuments within The Walpoles.</p> <p>The Walpole Neighbourhood Plan, by virtue of the “basic conditions”, will conform to the existing Development Plan, which provides</p>	No

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
<p>ii) Exceeded environmental quality standards or limit values</p> <p>iii) Intensive land use</p>	<p>protection to environmental characteristics across the Borough to ensure that they are not vulnerable to significant impacts from development. Policies within the Plan will bolster these protections, through local landscape policies for the protection of local views and dark skies.</p> <p>The Neighbourhood Plan is unlikely to result in exceedance of environmental quality standards, such as those relating to air, water, and soil quality. Effective application of plan policies may have positive impacts, in terms of delivering an enhanced framework for effectively managing development within the Parish of Walpole; e.g. through detailed design criteria and improved local transport infrastructure.</p> <p>The Neighbourhood Plan is unlikely to bring forward development of an extent that would result in a significant intensification of Local land use.</p> <p>Policies for design (with particular reference to detailed local design codes) are of a local scale and significance only.</p> <p>As the WNP does not allocate land for the development it is not anticipated to have any likely significant effects on the natural characteristics of the area.</p>	<p>No</p> <p>No</p>
<p>The effects on areas or landscapes which have a recognised national, Community or international protection status</p>	<p>The Walpoles parish does not have any recognised international, national or community landscapes with the protection status. The nearest International and National status landscape is located some 8km North and is “The Greater Wash and North Norfolk Coast”. This lies outside the Walpole parish and the policies within this Plan should not have any adverse effect on the “The Greater Wash and North Norfolk Coast” landscape, by virtue of their localised (Neighbourhood Area) coverage.</p>	<p>No</p>

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
	<p>A number of archaeological finds have been recorded through the Norfolk HER, although these range between Bronze Age and c19th periods.</p> <p>The environmental effects on areas of biodiversity designations within the Neighbourhood Area have been considered through the Local Plan. The Plan focuses upon matters of green infrastructure delivery, preservation and protection of the natural environment (e.g. trees/ hedgerows), climate change and design.</p>	

5.0 Habitat Regulations Assessment

- 5.1 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential impacts against the conservation objectives of European wildlife sites. The assessment must determine whether the plans would adversely affect, or are likely to affect, the integrity of a site(s) in terms of its nature conservation objectives. Where negative effects are identified other options should be examined to avoid any potential damaging effects.
- 5.2 The HRA process is generally divided into three stages:
1. The initial stage of the HRA process is called the screening stage and determines if there are any likely significant effects or risk of significant effects possible, as a result of the implementation of the plan.
 2. The screening process should provide a description of the plan and an identification of the European sites which may be affected by the plan and assess the significance of any possible effects on the identified sites.
 3. If it is determined (in consultation with Natural England) that there are potential significant adverse effects, then the plan will need to be subject to an “Appropriate Assessment”, under the relevant provisions of the Habitat Regulations.
- 5.3 **There are no Designated Sites (including European wildlife sites) within the Neighbourhood Plan Area.** The Neighbourhood Area is situated to the south of The Wash, but is separated from this area by a low-lying coastal marshland area within the parishes of Terrington St Clement and Walpole Cross Keys. It is approximately 8km between Walpole parish (Neighbourhood Area) and The Wash and North Norfolk Coast Special Protection Area (SPA)/ Special Area of Conservation (SAC)/ Ramsar site.
- 5.4 The Neighbourhood Plan emphasises surface water flood risk as a main source of flood risk, while recognising that the parish is located predominantly within Flood Zone 3 (River Nene). The draft WNP recognises these issues and has proposed a policy to ensure that additional development taking place does not exacerbate existing problems, by encouraging the use of Sustainable Drainage Systems. Fluvial (River Nene) or coastal flood risk are recognised as strategic issues; however, the Review does not propose additional greenfield development (beyond that already committed or allocated in the Local Plan).
- 5.5 There may be local wildlife sites within the Neighbourhood Plan Area. The Neighbourhood Plan should take this into account (alongside European objectives) and ensure that policies are consistent with the designation objectives. The Walpoles Neighbourhood Plan focuses upon the developed part of the village and recognises the need to consider the wider countryside beyond (e.g. renewable energy proposals, focused on renewable energy storage initiatives within the Neighbourhood Area and emerging proposals by the National Grid for national infrastructure upgrades).
- 5.6 A ‘Habitats Regulations Assessment of Detailed Policies and Sites Plan: Site Allocations and Development Management Policies – Proposed Submission Document’ was carried out and published in September 2015 by Wild Frontier Ecology to support the Local Plan (Site

Allocations and Development Management Policies 2016)⁵. This considered the overall impacts of growth planned through the Local Plan and any potential significant impacts upon the European sites. A Habitats Regulations Assessment was also prepared to accompany the emerging replacement Local Plan⁶, which similarly provided an assessment of the implications of Plan policies for the Borough as a whole, including upon European sites.

- 5.7 The Walpoles Neighbourhood Plan (preliminary draft) has been drafted to conform to the strategic policies of the Local Plan (Core Strategy 2011 and the Site Allocations and Development Management Policies Plan 2016). Consideration has also been given to the replacement Local Plan, which is likely to be adopted by spring 2025, almost certainly before the WNP. It focuses upon matters of community sustainability, surface water flood risk management and a high-quality built environment. In terms of the natural environment (with particular reference to European sites), with the exception of flood risk policies it does not go beyond adopted Local Plan policies.
- 5.8 The Neighbourhood Plan recognises the quantum of development that is already committed. This approach would be in conformity with the current Local Plan which designates Walpole as a Rural Village and allows for continued modest levels of development (windfalls) within the development boundary to meet local needs and maintain the vitality of these communities in a sustainable manner. (CS02, CS06, CS09, CS12), and the Neighbourhood Plan ‘basic conditions’; i.e. supporting sustainable development. The replacement Local Plan 2021-2040 proposes to re-designate The Walpole as a Key Rural Service Centre (as a result of the updated Settlement Hierarchy Assessment⁷), although it is not considered that this would have any significant implications for the Neighbourhood Plan, in terms of the proposed strategy for the villages.
- 5.9 After careful consideration and on balance based upon the above it is considered unlikely that a HRA will need to be undertaken. In general, it is noteworthy, that if a HRA is necessary automatically also a SEA has to be undertaken.

6.0 Screening Outcome

- 6.1 The Borough Council prepared this document as a preliminary screening opinion. The statutory bodies, the Environment Agency, Historic England and Natural England, as required within the SEA and HRA screening process, were consulted upon this over 4 weeks (28 June – 26 July 2024, inclusive), in accordance with the requirements of the 2004 Regulations. Through ongoing discussions and engagement with the qualifying body and the statutory bodies, the Borough Council has reached a conclusion on the matter of the screening report. The consultation responses of the statutory bodies have underpinned the Local Planning Authority’s evaluation and conclusions. The statutory bodies’ consultation responses are appended in full to this report.

⁵ https://www.west-norfolk.gov.uk/download/downloads/id/589/habitats_regulations_assessment_september_2015.pdf

⁶ https://www.west-norfolk.gov.uk/info/20216/local_plan_review_2016_-_2036/882/proposed_pre-submission_local_plan_review_documents

⁷ https://www.west-norfolk.gov.uk/download/downloads/id/8004/f47a_appendix_1_settlement_hierarchy_assessment.pdf

- 6.2 The assessments contained within this report are based upon the Borough Council’s preliminary screening opinion and the consultation responses received from the statutory bodies. They clearly identify that, based upon the information available; there is not the potential for significant environmental effects to arise from the implementation of the proposals in the emerging Neighbourhood Plan for Walpole.
- 6.3 Subject to confirmation by the relevant statutory consultation bodies, the Borough Council has concluded that:
- **The The Walpoles Neighbourhood Plandoes not require a full Strategic Environmental Assessment (SEA); and**
 - **The The Walpoles Neighbourhood Plandoes not require an Appropriate Assessment, under the Habitat Regulations.**
- 6.4 This report is based on an initial screening request made by the Walpole Parish Council (Qualifying Body). The Neighbourhood Plan at this stage is still at an early stage, with a preliminary draft document having now been prepared in advance of public consultation under the Neighbourhood Planning (General) Regulations 2012 (Regulation 14). The Neighbourhood Plan itself may be subject to review by Natural England, Historic England and the Environment Agency through the Regulation 14 consultation. The screening opinion and report may also need to be updated and/ or reviewed if further changes are made to the Neighbourhood Plan following the Regulation 14 consultation.
- 6.5 This report will be issued to Walpole Parish Council, and in line with the requirements, Historic England, Natural England and the Environment Agency. A copy of the report must also be submitted with the Neighbourhood Plan proposal and made available to the independent examiner.

Report agreed by:

Stuart Ashworth

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Assistant Director Environment and Planning

3 September 2024

Appendix: Statutory Body Consultation Responses

Environment Agency – Response received 26th July 2024



KLWN Council
Hamlin Way
Hardwick Narrows
King's Lynn
PE30 4NG

Our ref: AE/2024/129683/01
Your ref: Strategic Environmental
Assessment (SEA)
Date: 26 July 2024

Dear Sir/Madam

WALPOLES NEIGHBOURHOOD PLAN

THE WALPOLES

Thank you for consulting us on the Strategic Environmental Assessment Screening Report for the Walpoles 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 flood risk. In particular, we note that the boundary does extend into areas of Flood Zone 2 and 3

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](#)

Yours faithfully,

[REDACTED]

Planning Officer

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Historic England – Response received 17th July 2024

The Walpoles Neighbourhood Plan 2022-2036 - SEA Screening Opinion

Dear Sir/Madam,

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 Walpoles Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

The Screening Report indicates that the Council considers that the plan will not have any significant effects on the historic environment. We note that the plan does not propose to allocate any sites for development.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We should like to stress that this opinion is based on the information provided by you with your correspondence. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Please do contact me, either via email or the number below, if you have any queries.

Kind regards,
Ross

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Natural England

No response received