



**New Buckenham Neighbourhood Plan**

**Habitat Regulation Assessment**

**Screening Report**

**March 2021**

# **Habitat Regulation Assessment including Appropriate Assessment**

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# 1. Introduction and Legislative Background

1.1 This Habitat Regulations Assessment Report has been undertaken in order to support the New Buckenham Neighbourhood Plan (NBNP) which is being produced by the New Buckenham Parish Council in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).

1.2 The aim of this Report is to assess whether there are likely to be any significant effects on European Sites as a result of the emerging policies set out in the pre-submission draft Neighbourhood Plan that would need the production of a full Habitat Regulations Assessment (HRA), also known as an Appropriate Assessment.

1.3 This report assesses, as far as practical, whether any likely significant effects (LSE) may occur in relation to the qualifying features of European Designated Sites within or relatively proximate to the approved Neighbourhood Plan area, which comprises the civil parish of New Buckenham (Stage 1 of the HRA process).

1.4 Feedback from Natural England will be sought and taken into consideration prior to finalising the conclusions of this screening assessment.

1.5 This assessment has been undertaken by officers from Capita on behalf of Breckland District Council.

## Legislative background

1.6 Article 6(3) of the EU Habitats Directive states that:

*Any plan or project not directly connected with, or necessary to, the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.*

1.7 The purpose of the Habitat Regulations Assessment (HRA) is therefore to ensure the protection of European Designated Sites (Natura 2000) wherever practicable. European Designated Sites are designed to form an ecologically coherent network of designated spaces across Europe.

1.8 European Designated Sites, (Natura 2000) include **Special Protection Areas (SPAs)** and **Special Areas for Conservation (SAC)**. As a matter of policy the government also expects authorities to treat **Ramsar sites, candidate Special Areas of Conservation (cSAC)**

and **proposed Special Protection Areas (pSPA)** as if they are European Designated Sites for the purpose of considering development proposals that may affect them.

Definitions (taken from the DEFRA - Joint Nature Conservation Committee)

- **Special Protection Areas (SPAs)** are strictly protected sites classified in accordance with Article 4 of the EC Birds Directive, which came into force in April 1979. They are classified for rare and vulnerable birds and for regularly occurring migratory species.
- **Special Areas of Conservation (SACs)** are strictly protected sites designated under the EC Habitats Directive. Article 3 of the Habitats Directive requires the establishment of a European network of important high-quality conservation sites that will make a significant contribution to conserving the 189 habitat types and 788 species. The listed habitat types and species are those considered to be most in need of conservation at a European level (excluding birds).
- **Ramsar sites** are wetlands of international importance designated under the Ramsar Convention.

1.9 The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which include the need to undertake a Habitat Regulations Assessment.

1.10 Regulation 32 of the 2012 Regulations prescribes a further basic condition for a neighbourhood plan. This requires that the neighbourhood plan should not be likely to have a significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2017), either alone or in combination with other plans or projects.

1.11 Recent government guidance<sup>1</sup> indicates that an appropriate assessment for a more strategic plan, such as the local plan, can consider the impacts on sites and confirm the suitability or likely success of mitigation measures for associated non-strategic policies and projects. An individual assessment of non-strategic policies and projects may not be necessary in some limited cases where the strategic appropriate assessment is sufficiently robust. This would need to contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt on the impacts of the non-strategic policies (e.g. neighbourhood plans) and/or project(s). As long as these measures have been properly considered in a recent plan, and the development will not create

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<sup>1</sup> <https://www.gov.uk/guidance/appropriate-assessment>

additional risks of a significant effect on a habitats site, there may not need further assessment at the non-strategic level.

1.12. Currently Breckland District Council have an adopted Local Plan. The Local Plan has been subjected to a Habitat Regulation Assessment. The current version of this is the *Breckland Local Plan Habitats Regulation Assessment at Publication Stage; Footprint Ecology, 2017*<sup>2</sup>.

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<sup>2</sup> Liley, D. & Hoskin, R. (2017). Habitat Regulations Assessment of the Breckland Local Plan Part 1 Publication Stage. Footprint Ecology, unpublished report for Breckland Council

## 2. Identification of Designations

2.1 The first step in producing this Habitat Regulation Assessment Report involves the identification of European Designated Sites (referred to as 'Habitat Sites' in the NPPF) within the New Buckenham Neighbourhood Plan (NBNP) area itself, or in close proximity to it, or sites beyond that may be impacted by NBNP proposals. European Designation Sites were identified using open-source software provided by DEFRA (Magic). There are no European Designated Site identified within the parish and it is some distance to the closest sites, the Norfolk Valley Fens Special Area of Conservation (approximately 6km from the NP).

2.2 In considering potential effects of this plan regard has been given to whether the implementation of the policies will ensure the conservation objectives for the European Sites are achieved and whether any significant effects are likely. In considering which sites may require consideration as part of this screening assessment, the following sites have been identified:

<b>Designated site</b>	<b>Distance from NP boundary</b>	<b>Include in screening assessment</b>
Norfolk Valley Fens Special Area of Conservation	6km	Yes
Waveney & Little Ouse Valley Fens SAC / South Lopham Fens Ramsar	9.5km	No
Breckland SAC	15km	No

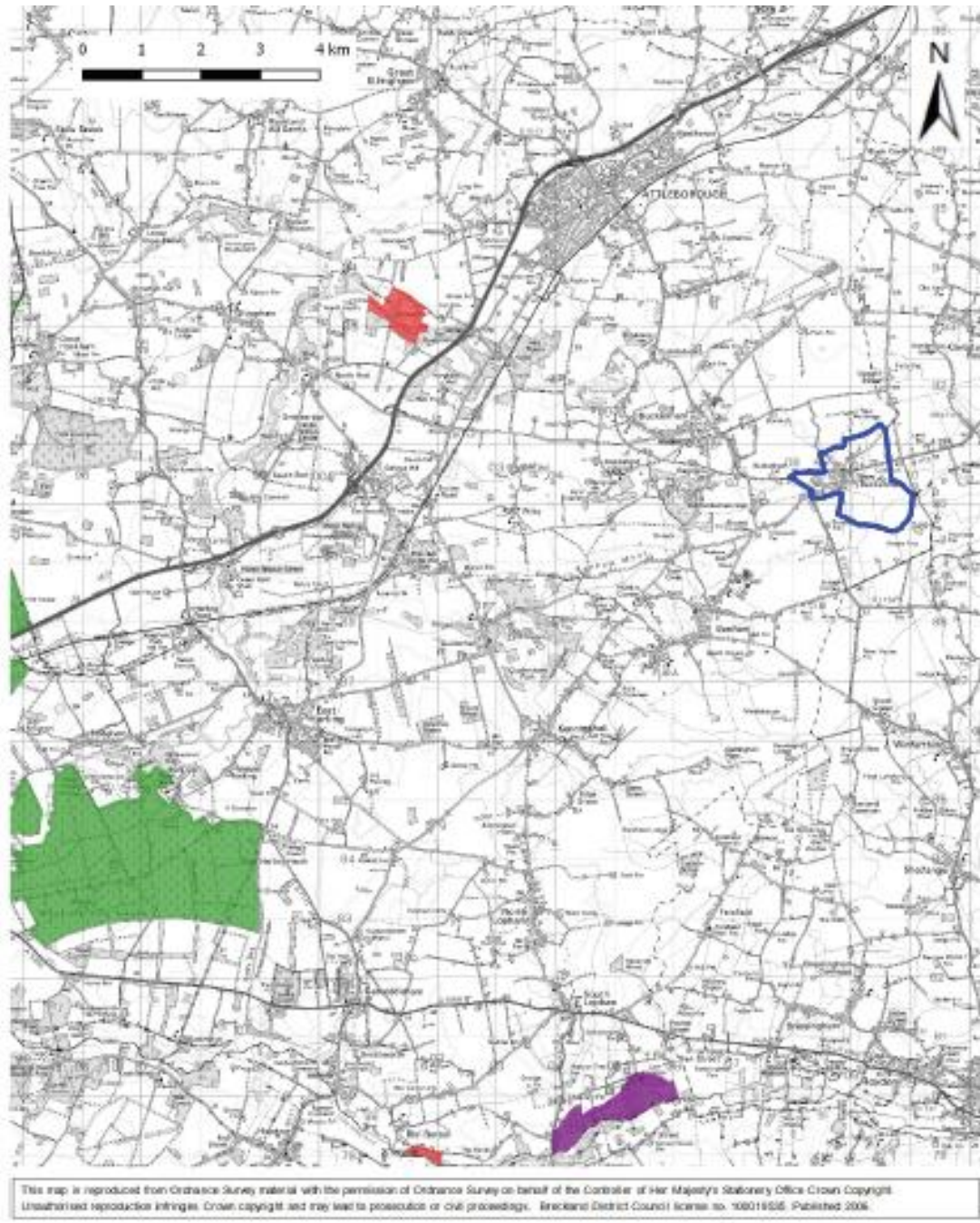
2.3 No other European Designated Sites have been considered in this assessment, including the Breckland Special Area of Conservation, as the nearest component units of which are considered sufficiently distant (over 12km) that no likely significant effects are likely to occur from the policies of the NBNP.

2.4 Below is a map showing the locations of the European designated sites in relation to the parish (Figure 1). The features for which the sites are designated, and their conservation objectives are appended at Appendix 1.

2.4 For clarity it is confirmed here that the New Buckenham Neighbourhood Plan is not directly connected with, or necessary to, the conservation management of the European Sites.

2.5 The next step in the assessment is to undertake a screening as to whether the proposed policies could have a significant effect on the European Designated Sites. Specifically, the assessment considers potential effects that the policies may have on the 'qualifying features' of the European Designated Site. The 'qualifying features' for the identified European Designated Site is provided at Appendix 1.

**Figure 1: New Buckenham Neighbourhood Plan Area in relation to relevant European Designated Sites**



- Legend:
- New Buckenham HRA
  - Special Protection Area (SPA)
  - Special Areas of Conservation (SAC)
  - Ramsar & SAC

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### 3. Screening Assessment

3.1 Stage 1 of the HRA process is a screening assessment. The table below provides an assessment of any likely significant effect of each Neighbourhood Plan policy on the European Designated Site. For the purposes of this assessment the policies appraised are those that were issued in the NBNP Plan Reg. 14 version.

**Key**

- No likely significant effect (NLSE) on the internationally designated sites' qualifying features
- Likely significant effect (LSE) on the internationally designated sites' qualifying features
- Uncertain whether it is NLSE or LSE.

<b>LANDSCAPE AND HERITAGE</b>	
<b>POLICY LH 1 Change of use and extensions to historic buildings</b>	
2.2.11. The Parish Council should support planning applications that seek to retain and revitalise historic buildings involving alterations or change of use, where sufficient information is provided to demonstrate their potential positive impact on the local context of social, environment or business. <sup>15</sup>	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>The policy aims to protect and enhance heritage assets and is consistent with the Breckland Local Plan.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY LH 2 New buildings</b>	
2.2.12. Planning applications should demonstrate a positive effect upon the historic character and fabric of the village. <sup>16</sup> Building design and materials, whether traditional or contemporary, should be of good quality and not be harmful to neighbouring properties and the village's built and natural landscape. This can be demonstrated through submission of a range of drawings as shown in the technical guidance in Appendix 1.	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>The policy aims to protect and enhance heritage assets and is consistent with the Breckland Local Plan.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY LH 3 New development and layout of the village</b>	
2.2.13. All development proposals should demonstrate an awareness of and respect for the historic boundaries of the village, including the line of the town ditch, the medieval street grid and individual tenement plots. <sup>17</sup>	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>The policy aims to protect and enhance heritage assets and is consistent with the Breckland Local Plan.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>



<b>POLICY LH 4 New development and open countryside setting</b>	
2.2.14. Development must maintain and, where possible, enhance the special quality of the open countryside setting of the village, especially the relationship between the Castle and the planned settlement, as originally designed. <sup>18</sup> Notable views that illustrate the village's countryside setting should not be unacceptably compromised. Such views are shown in Figure 5.	
<b>Comments</b>	<b>Likely effect on Norfolk Valley Fens SAC</b>
<i>The policy aims to protect and enhance heritage assets and is consistent with the Breckland Local Plan.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>COUNTRYSIDE AND ENVIRONMENT</b>	
<b>POLICY CE 1 Developments and natural environment</b>	
2.3.17. All new developments and major alteration of existing properties should demonstrate that building work will at least maintain, and if possible enhance, biodiversity and protect wildlife habitats and networks. Such proposals should not impact adversely on areas used for recreation. Developers should be encouraged to submit a green space and landscaping strategy along with the planning application.	
2.3.18. New development that makes a positive contribution to the existing network of green infrastructure or provides an increase in the amount of publicly available green spaces should be supported subject to other policies in this Plan.	
<b>Comments</b>	<b>Likely effect on Norfolk Valley Fens SAC</b>
<i>The policy encourages the protection of biodiversity and the enhancement of green infrastructure and is consistent with the Breckland Local Plan.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY CE 2 Designation of local green spaces</b>	
2.3.19. This Neighbourhood Plan confirms the following sites as Local Green Spaces <sup>31</sup> as shown in Figure 7.	
<ul style="list-style-type: none"> <li>• Market Place</li> <li>• St Martin's Church graveyard and boundaries</li> <li>• Cemetery and boundaries</li> <li>• Allotments</li> </ul>	<ul style="list-style-type: none"> <li>• Cuffer Lane (Tas Valley Way)</li> <li>• Village Hall playing field</li> <li>• Cricket ground and surroundings</li> </ul>
2.3.20. Proposals for development in a designated Local Green Space should be only supported if it helps the public better use that land for recreation.	
<b>Comments</b>	<b>Likely effect on Norfolk Valley Fens SAC</b>
<i>This policy supports Local Green Spaces identified in the Local Plan.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY CE 3 Loss and restitution of important habitats</b>	
2.3.21. Planning permission should be refused for development that results in the loss or deterioration of important habitats, particularly the Castle and the Common. Trees and hedgerows should be protected and conserved unless their long-term survival is compromised by their physical condition or there are exceptional overriding benefits in accepting their loss.	

2.3.22. Restitution and improvement of green habitats should include, wherever appropriate, the new planting of deciduous trees and species-rich hedgerows.	
2.3.23. Development work to provide essential infrastructure will be seriously considered where the benefits clearly outweigh any harm and there are no reasonable alternative sites available.	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>In line with the Breckland Local Plan the policy restricts development that would harm habitats, particularly local habitats.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY CE 4 Green living plan requirement</b>	
2.3.24. Proposals for new residential development, whether new build or major conversions, will be required to submit a Green Living Plan with planning applications in order to contribute to a coordinated approach to sustainable living in New Buckenham. Items for inclusion in the Green Living Plan are provided in Appendix 2: Green Policies checklist.	
Comments	Likely effect on Norfolk Valley Fens SAC
Policy supports sustainable development in line with Local Plan	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>DARK SKIES AND LIGHT POLLUTION</b>	
<b>POLICY DS 1 Keeping dark areas dark</b>	
2.4.4. Development must not detract from the unlit environment of the Plan area. External lighting for security and floodlighting must be designed to be deflected downwards and mostly switched off no later than midnight.	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>The aim of the policy is to guide appropriate lighting within new developments and whilst this is not specifically referenced within the Local Plan it is not in conflict with its policies.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY DS 2 Outside lighting</b>	
2.4.5. Permanent lighting for a development associated with any activity, including leisure, recreation and business, should be demonstrated to be essential. It should be managed in such a way that reduces light pollution, energy usage, impact on wildlife, annoyance to local residents and visual impact on the local character of the area.	
2.4.6. Outside lighting design and use should be compatible with the existing Dark Sky Policies adopted by Norfolk County Council. <sup>35</sup>	
<b>Amendment required to policy:</b> As Norfolk County Council do not have a current Dark Sky Policy, this referencing will need to be removed.	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>The aim of the policy is to guide appropriate lighting within new developments and whilst this is not specifically referenced within the Local Plan it is not in conflict with its policies.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>

<b>POLICY DS 3 Minimum requirements for new external lighting</b>	
2.4.7. Where any new lighting is considered necessary in public areas for public safety reasons, it must be fully shielded and enclosed in full cut-off flat glass fitments; directed downwards; not tilted; switched on only when needed rather than on all night; and be white light low-energy lamps such as LED technology.	
<b>Comments</b>	<b>Likely effect on Norfolk Valley Fens SAC</b>
<i>The aim of the policy is to guide appropriate lighting within new developments and whilst this is not specifically referenced within the Local Plan it is not in conflict with its policies.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY DS 4 Lighting away from built areas</b>	
2.4.8. Commercial or agricultural premises outside the village's built area must avoid continuous bright lighting.	
<b>Comments</b>	<b>Likely effect on Norfolk Valley Fens SAC</b>
<i>The aim of the policy is to guide appropriate lighting within new developments and whilst this is not specifically referenced within the Local Plan it is not in conflict with its policies.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>HOUSING AND BUILDING</b>	
<b>POLICY HB 1 Housing types</b>	
2.5.16. A mix of housing types and densities that reflects local needs and demographic changes should be supported, subject to other policies in this Plan. The development of smaller, less expensive dwellings is particularly encouraged especially if the quality of their design and materials is high.	
<b>Comments</b>	<b>Likely effect on Norfolk Valley Fens SAC</b>
<i>The aim of the policy is to encourage an appropriate housing mix for the area.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY HB 2 Housing and car parking</b>	
2.5.17. The Parish Council's approach to parking will take into account the parking requirements of existing residents and visitors, and will look more favourably on proposals that provide off-street parking.	
<b>Comments</b>	<b>Likely effect on Norfolk Valley Fens SAC</b>
<i>The policy seeks to provide parking for existing residents and is not in conflict with the Local Plan.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY HB 3 Change of use of commercial and business premises</b>	
2.5.18. Proposals that result in the loss of commercial and business premises that currently provide a service to the local community, such as pubs and shops and other commercial premises, will be required to demonstrate that either the use is no longer viable or the proposed use would provide an alternative community benefit.	

Comments	Likely effect on Norfolk Valley Fens SAC
<i>The policy looks to protect facilities that are important to the local community.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY HB 4 Design of new building</b>	
<p>2.5.19. Proposals for new development should demonstrate how they respond to their settings. Drawings should clearly show the relationship of a proposed development to neighbouring buildings, perhaps the whole street if applicable, and the surrounding landscape. Details of building design is covered in Appendix 1.</p> <p>2.5.20. Improvements to the public areas in and around the village will be encouraged and supported. New development should contribute to enhancement work such as the provision of street trees, improved shop fronts, high quality surface materials, provision of cycle parking, and the avoidance of street clutter and barriers to pedestrian movement.</p>	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>This policy supports the use of good design in line with the Local Plan</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY HB 5 Low impact access routes</b>	
<p>2.5.21. A new development proposal should demonstrate how it relates to existing pedestrian and cycle routes. Any opportunities available should be taken to provide new or improve existing, convenient, safe and direct links for pedestrians and cyclists to local facilities and surrounding local centres and countryside.</p>	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>Policy supports improving access for pedestrians and cyclists.</i>	<i>Recreation can have an impact on the SAC. As the policy seeks to improve access to the countryside this might increase visitors to the SAC. Given the NBNP will not lead to significant overall growth significant effects are not anticipated but presently it is considered uncertain whether NSLE or LSE would arise.</i>
<b>POLICY HB 6 Encouraging sustainable development</b>	
<p>2.5.22. New development which incorporates energy efficiency measures and sustainable energy generation technologies will be encouraged, subject to other policies in this Plan. Careful consideration should be given to the impact on heritage assets and buildings of local merit. Provision should be considered for accommodating electric vehicles.</p>	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>Policy supports sustainable development in line with the Local Plan.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY HB 7 Green living plan requirement</b>	
<p>2.5.23. Developers should submit a Green Living Plan with planning applications in order to contribute to a coordinated approach to sustainable living in New Buckenham. Items for inclusion in the Green Living Plan are provided in the Appendix 2: Green Living Plan</p>	

Comments	Likely effect on Norfolk Valley Fens SAC
<i>Policy supports sustainable development in line with the Local Plan.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY HB 8 Boundaries</b>	
2.5.24. Developments should consider green rather than hard boundaries, ideally of mixed species native hedging. If hard boundaries are essential, they should be of good quality brick and flint rather than fence panels, provision always being made for allowing movement of small wildlife such as hedgehogs.	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>Policy encourages natural enhancements</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY HB 9 Utilities and signage</b>	
2.5.25. In new developments and alterations, there should be no overhead wires, poles, or masts. Signage should be kept to an absolute minimum.	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>Policy is encouraging more sensitive development design.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>TRAFFIC AND PARKING</b>	
<b>POLICY TP 1 Highway developments</b>	
2.6.15. All development involving a public highway link should, as appropriate, incorporate shared walking, parking and road surface characteristics similar to most of the rest of the village.	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>The aim of the policy is to guide appropriate access to and within new developments</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY TP 2 Flashing speed signs</b>	
2.6.16. An extra flashing speed sign is to be installed. <sup>48</sup> The cost would be in the region of £3,500–£4,000, paid for using Parish Partnership schemes, an initiative created to enable local communities to apply for match funding to deliver additional highway projects.	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>Policy seeks additional speed signs</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY TP 3 Boundary gateways</b>	
2.6.17. Village boundary 'gateways' are to be installed at either end of the village. <sup>49</sup>	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>This policy supports planting at the village entrances to naturally slow vehicles.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY TP 4 Car park</b>	
2.6.18. The Parish Council's car park near the play area should be enlarged, ensuring a sustainable drainage system as appropriate.	

Comments	Likely effect on Norfolk Valley Fens SAC
<i>Enhancement to parking facilities.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>BUSINESS AND TOURISM</b>	
<b>POLICY BT 1 Communications infrastructure</b>	
2.7.10. The Parish Council will support proposals to provide access to a super-fast broadband network to serve the village and other properties in the local countryside. Within the village, new overhead wires will be resisted. Outside the village any above-ground network installations, if essential, should be sympathetically chosen and designed to reflect the character of the local area.	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>Policy seeks improvements to digital infrastructure</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY BT 2 Better communications for individual homes business</b>	
2.7.11. Applications for new development must contain a 'Connectivity Statement' to demonstrate easy connection to telecommunication and broadband services without overground wires.	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>Policy seeks improvements to digital infrastructure</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY BT 3 Support for business and tourism development</b>	
2.7.12. Business and tourism development initiatives should be supported, subject to other policies in this Plan, where they can be shown to make improvements to the economy, environment and landscape, and well-being of the village. Where planning permission is required, development that does not demonstrate any such benefit to the village will be refused.	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>Policy supports tourism enhancements</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>RECREATION, HEALTH AND CULTURE</b>	
<b>POLICY RHC 1 Social interaction and community life</b>	
2.8.7. Development related to community use including changes of use or alterations to permitted opening hours where express planning permission is required, will be supported subject to other policies in this Plan.	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>Policy supports community facilities</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY RHC 2 Local facilities</b>	
2.8.8. Proposals will be supported that allow local facilities to be developed and modernised in a sustainable way for the benefit of the community subject to other policies in this Plan. <sup>51</sup>	

Comments	Likely effect on Norfolk Valley Fens SAC
<i>Policy supports community facilities</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>
<b>POLICY RHC 3 Reducing impact of loss of facilities</b>	
<p>2.8.9. Development of existing community facilities will be supported where they will enhance their community function subject to other policies in this Plan.</p> <p>2.8.10. Development resulting in the loss of an existing community amenity will only be permitted where there is an adequate facility nearby, or all reasonable efforts have been made to preserve the facility but it has become unviable for community use.</p> <p>2.8.11. Where it is demonstrated that an existing community use is not viable, preference will be given to the change of use or redevelopment to alternative community uses before other uses are considered where express planning permission is required.</p>	
Comments	Likely effect on Norfolk Valley Fens SAC
<i>Policy resists the loss of community facilities within the NP area.</i>	<i>No likely significant effect (NLSE) on the European sites' qualifying features</i>

Neighbourhood Plan Footnotes [N.B. This is out of date and will need amending\*]

15 Breckland Emerging\* Local Plan Policy COM 01

16 See Appendix 1

17 Breckland Emerging\* Local Plan Policy COM 01

18 Breckland Emerging\* Local Plan Policy COM 01

31 Breckland Emerging\* Local Plan 5.53

35 Parish Councils are invited to use CPRE Norfolk's Standard Light Pollution Clause in considering applications

48 This could be a VAS (Vehicle Activated Sign) similar to the one on the Turnpike, placed at the Castle Hill end of the village, although a SAM2 (movable speed sign) might be more effective as it can be designed to our specifications and can also be moved between two or three different locations.

49 A simple made-for-purpose structure is the least expensive, possibly with associated permissible planting. This could be installed through partnership funding, the continuation of which is in doubt, the cost to the village being around £4000 for both B1113 ends of the village.

51 Breckland Local Plan COM 04

## 4. Conclusion

4.1 The screening assessment suggests that it is uncertain whether there would be no likely significant negative effects on the European Designated Sites resulting from Policy HB 5 Low impact access routes detailed within the NBNP. However, the population of New Buckenham is very low and neither the Breckland Local Plan nor the Neighbourhood Plan seek to increase dwelling numbers. As such, whilst the policy seeks to improve access to the countryside the number of pedestrians and cyclists will remain low. Therefore, it is not considered that there will be likely *significant* effects on the Norfolk Valley Fens SAC and based on the submitted draft, a full Appropriate Assessment (Habitat Regulations Assessment) is not required.

4.2 Natural England has been consulted on this Screening Assessment and has advised that it *“agrees with the report’s conclusions that the New Buckenham Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required”*.

4.3 In light of these assessments, Breckland Council has concluded that the emerging NBNP 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 NBNP does not seek to increase dwelling numbers, and subsequently the population of the area.
- The NBNP policies add detail to strategic policies within the Breckland Local Plan. These strategic policies have been subjected to a HRA screening and subsequent Appropriate Assessment.

4.4 This report is based on the Screening Assessment request on the Regulation 14 version of the NBNP. Should the contents of the plan subsequently differ from this version, there may be a requirement to revisit this Screening Assessment.

4.5 A copy of this report will be available online on the Breckland Council Neighbourhood Plan website and for inspection at Breckland Council Offices, Elizabeth House, Wolpole Loke, Dereham, Norfolk, NR19 1EE.



# Appendices

## Appendix 1: Details of relevant European Sites

### Norfolk Valley Fens Special Area of Conservation (UK0012892)

Norfolk Valley Fens is one of two sites selected in East Anglia, in eastern England, where the main concentration of lowland Alkaline fens occurs. This site comprises a series of valley-head spring-fed fens. Such spring-fed flush fens are very rare in the lowlands. Most of the vegetation at this site is of the small sedge fen type, mainly referable to M13 *Schoenus nigricans* – *Juncus subnodulosus* mire, but there are transitions to reedswamp and other fen and wet grassland types.

The individual fens vary in their structure according to intensity of management and provide a wide range of variation. There is a rich flora associated with these fens, including species such as grass-of-Parnassus *Parnassia palustris*, common butterwort *Pinguicula vulgaris*, marsh helleborine *Epipactis palustris* and narrow-leaved marsh-orchid *Dactylorhiza traunsteineri*. Six other Annex I habitats are present as qualifying features, but are not a primary reason for the selection of this site.

Two Annex II species are present, narrow-mouthed whorl snail and Desmoulin's whorl snail are also a primary reason for the selection of the site.

#### General site character

- Inland water bodies (Standing water, Running water) (5%)
- Bogs, Marshes, Water fringed vegetation, Fens (25%)
- Heath, Scrub, Maquis and Garrigue, *Phygrana* (30%)
- Dry grassland, Steppes (5%)
- Humid grassland, Mesophile grassland (5%)
- Broad-leaved deciduous woodland (30%)

#### European Site Conservation

With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

### Qualifying Features:

- H4010. Northern Atlantic wet heaths with *Erica tetralix*; Wet heathland with cross-leaved heath
- H4030. European dry heaths
- H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (*Festuco-Brometalia*); Dry grasslands and scrublands on chalk or limestone
- H6410. *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*); Purple moor-grass meadows
- H7210. Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*; Calcium-rich fen dominated by great fen sedge (saw sedge)
- H7230. Alkaline fens; Calcium-rich springwater-fed fens
- H91E0. Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*); Alder woodland on floodplains
- S1014. *Vertigo angustior*; Narrow-mouthed whorl snail
- S1016. *Vertigo moulinsiana*; Desmoulin`s whorl snail

**Publication date:** 27 November 2018 (version 3). This updates and replaces an earlier version dated 30 June 2014 to reflect the consolidation of the Habitats Regulations in 2017.

## Appendix 2: Response from Natural England

Date: 24 November 2020  
Our ref: 334570  
Your ref: New Buckenham Neighbourhood Plan



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**BY EMAIL ONLY**

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Dear Susan Heinrich

### **New Buckenham Neighbourhood Plan SEA Screening & HRA Screening Report**

Thank you for your consultation on the above dated 17 November 2020 which was received by Natural England on 17 November 2020

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 (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 Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). 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.

**Habitats Regulations Assessment (HRA) Screening**

Natural England agrees with the report's conclusions that the New Buckenham Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.

For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

Yours sincerely

Dominic Rogers Consultations Team