

HOLME-NEXT-THE-SEA

NEIGHBOURHOOD PLAN 2016-2036

BASIC CONDITIONS STATEMENT



Submission Version

September 2019

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1 INTRODUCTION

- 1.1.1 This statement has been prepared to accompany the submission version of the Holme-next-the-Sea Neighbourhood Plan in accordance with Regulations 15 (1)(d) of the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 1.1.2 The statement explains how the Holme-next-the-Sea Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990. More specifically it shows how the Plan:
- Meets the legislative requirements set out in Sections 38A and 38B of the Town and Country Planning Act 1990 and
 - Meets the basic conditions which require that:
 - Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan
 - The making of the plan contributes to sustainable development
 - The making of the plan is in general conformity with the strategic policies contained in the development plan for the area
 - The making of the plan does not breach, and is otherwise compatible with, EU obligations
 - The making of the neighbourhood development plan does not breach the requirements in Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(d)

2 THE LEGISLATIVE REQUIREMENTS

2.1 Qualifying Body

- 2.1.1 Holme-next-the-Sea Parish Council is the qualifying body for the preparation of the Holme-next-the-Sea Neighbourhood Plan.

2.2 The Neighbourhood Area

- 2.2.1 The Neighbourhood Area is the whole of the Parish of Holme-next-the-Sea. The process for the designation of the Neighbourhood Area is described in the Consultation Statement.

2.3 The time period

- 2.3.1 The Holme-next-the-Sea Neighbourhood Plan clearly states that it relates to the period 2016-2036. The end date was chosen to coincide with the end date for the emerging West Norfolk Local Plan.

2.4 Excluded Development

- 2.4.1 The Neighbourhood Plan does not deal with mineral extraction, waste development, nationally significant infrastructure or any other matters set out in section 61K of the Town and Country Planning Act 1990.

3 THE BASIC CONDITIONS

3.1 Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan

3.1.1 Table 1 below explains the relationship of the Holme-next-the Sea Neighbourhood Plan and each of its policies to national guidance contained mainly in the National Planning Policy Framework (NPPF) July 2018 and Planning Practice Guidance (PPG).

Table 1: Holme-next-the Sea Neighbourhood Plan policies in relation to National Planning Policy and Guidance.

Holme-next-the-Sea NDP Policy	Relevant National Policy & Guidance	NDP Relationship with National Policy & Guidance
General	PPG Reference ID:41-009-20190509	The Working Group has consulted with the Borough Council throughout the preparation of the Plan to ensure that its policies are aligned to take account of the evidence informing the emerging Local Plan, and in particular to ensure that the position of Holme in the settlement hierarchy and the role it will play in the provision of new housing is fully understood.
	PPG Reference ID: 41-040-20160211	The Plan takes full account of national policy and the development plan. All the policies in the HNTS NDP are based on evidence and reasoned justification which is presented in the Plan or its appendices.
	PPG Reference ID: 41-041-20140306	The policies have been drafted to reflect the characteristics of Holme-next-the Sea and the issues that are relevant to it. They do not seek to repeat national or strategic Local Plan policies
Vision & Objectives	NPPF 28-30	The HNTS NDP has been developed on the basis of a detailed analysis of the issues facing Holme-next-the-Sea, taking account of the views expressed by the community of residents and second homeowners, businesses and statutory consultees. Holme is a small village with a very distinct character which derives from its location and the way it has developed and the Vision and Objectives are carefully framed to reflect the distinctive character of the village and the issues it faces.

Holme-next-the-Sea NDP Policy	Relevant National Policy & Guidance	NDP Relationship with National Policy & Guidance
<p>HNTS 1 The Principle of Sustainable Development</p>	<p>NPPF paragraphs 7-9</p> <p>NPPF Para 11 b (i) Footnote 6,</p> <p>NPPF Section 15 Para 177</p>	<p>The HNTS NDP has been consistently developed against a consideration of the economic, social and environmental objectives of sustainable development, starting from a detailed assessment of the issues facing the village. The importance of the RAMSAR, SPA, SAC, SSSI, Heritage Coast and AONB designations covering much of the village and the issues and pressures associated with these has been a key consideration. All policies have been carefully formulated to address these issues.</p> <p>The approach explicitly recognises the need to balance the presumption in favour of sustainable development with the need to protect areas and assets of particular importance and to adapt to the likely impacts of climate change and sea level rise</p>
<p>HNTS 2 Holme Village Zone</p>	<p>NPPF paragraph 125</p> <p>NPPF paragraph 185</p> <p>NPPF section 14 notably paras 150, 163, 167 and 168</p> <p>NPPF paragraph 78 and PPG Reference ID: 67-009-20190722</p>	<p>This policy relates to the main settled part of the village. It has been developed through an analysis of the defining characteristics of the village and the way its essential form has been maintained since Roman times.</p> <p>It also has regard to the risk of flooding having regard to climate change.</p> <p>By providing for infill development where appropriate it aims to maintain the vitality of the village and take account of government guidance.</p>
<p>HNTS 3 Protected Sites Zone</p>	<p>NPPF Section 2</p> <p>NPPF 172-177</p> <p>A Green Future: our 25-year plan to protect the environment HMG 2018.</p> <p>Biodiversity 2020: A Strategy for England's wildlife and Ecosystem services DEFRA 2011.</p> <p>The State of the North Norfolk Coast: Natural England 2019.</p>	<p>This policy addresses the sensitive balance between the environmental, economic and social objectives of sustainable development in relation to the protected sites.</p> <p>It pays particular regard to the importance of preventing harm to Protected Sites both because of their importance for biodiversity and landscape and because they underpin the local economy.</p>

Holme-next-the-Sea NDP Policy	Relevant National Policy & Guidance	NDP Relationship with National Policy & Guidance
HNTS 4 Adaptation and Resilience Zone	NPPF section 15, notably 170 c) and d), 172, 173, 176. NPPF 167	The policy seeks to disperse visitor pressures on the Protected Sites and take a long-term view of the effect of rising sea levels on biodiversity and ecosystem services. The policy complements HNTS 3 in providing resilience to compensate from the potential loss of habitats and recreational amenity as result of coastal change related to global warming.
HNTS 5 Countryside Zone	NPPF 79 NPPF 83 and 84 NPPF 170 a), b) and c).	The Policy is closely aligned to national policy for development in the countryside in providing for development which supports the rural economy where it is compatible with the character of the countryside.
HNTS 6 Drove Orchards	NPPF 83 and 84 NPPF 87 and 88 NPPF 108 and 109	The policy for Drove Orchards aims to provide a balance between the value of the development in contributing to the local economy and providing employment opportunities, and the danger that the scale of development could have a harmful effect on the AONB, add to visitor pressures, lead to a proliferation of retail uses more appropriately located in town or village centres or be harmful to road safety and traffic flow. The policy has regard to national policies for the rural economy and town centres and transport.
HNTS 7: Natural Capital and Ecosystem Services	NPPF 170 a, b, and c PPG Reference ID 8-17-20190721	The policy has close regard to national policy to protect the natural environment, recognising its importance to the local economy. The relationship between the natural environment and the economy is a core factor in the HNTS NDP. National policy in the NPPF has been supplemented by The 25-year Plan for the Natural Environment. The approach to ecosystem services has taken account of government guidance. referred to in PPG
HNTS8: Sustainable Travel and tourism	NPPF 83 c) NPPF 91 c) and 98) NPPF 102 c) and 104 c) NPPF 170	The policy supports national policy for development that will promote healthy lifestyles, tourism and recreation and sustainable transport, particularly through the provision of new footpaths and cycle routes and associated facilities that will not have an adverse environmental impact.
HNTS 9: Touring and Permanent Caravan Accommodation	NPPF 155 and 163 NPPF 174-177 NPPF 172	A large proportion of the caravans and mobile homes in Holme are on land that is at risk of flooding. The support for the modernisation of the existing stock to increase its resilience to flood risk, but to prevent additional accommodation because of the associated pressure on Protected Sites, valued habitats and the AONB Landscape is consistent with sustainable development.

Holme-next-the-Sea NDP Policy	Relevant National Policy & Guidance	NDP Relationship with National Policy & Guidance
HNTS 10: The Overall Form and Pattern of Settlement.	NPPF 125, 127 NPP5 185 NPPF 170	This policy is in accordance with NPPF guidance that Neighbourhood Plans “can play an important part in identifying the special qualities of each area and explaining how this should be reflected in development”. It points to how the policy takes account of the form of development which dates from Roman times. It also seeks to maintain the relationship between the village and the surrounding countryside.
HNTS 11: Street Scene, Character and Residential Environment	NPPF 124-127 PPG Reference ID: 26-007-20140306	By providing a clear set of criteria which relate closely to the defining characteristics of Holme-next-the-Sea, while not being prescriptive in terms of the style and appearance of new buildings, the policy reflects the approach to design set out in section 12 of the NPPF and Planning Practice Guidance.
HNTS 12: Conservation Area	NPPF 186 consistent with Paragraphs 189 -202 complements NPPF 194-202 PPG How should Heritage Issues be addressed in Neighbourhood Plans? Reference ID:18a-007-20140306	By setting out specific considerations to be taken into account in proposals in the Conservation Area, the policy is consistent with and complements the approach in Section 16 of the NPPF. The Plan does not seek to replicate national policy for designated heritage assets but identifies listed buildings and provides information on their significance as recommended in the PPG. The Plan also identifies other buildings which are considered to be of interest which should be taken into account in any planning decisions.
HNTS 13: Heritage Assets	NPPF 172, 185, 194-202	This Policy recognises that beyond the Conservation Area, the wider Parish of Holme has a wealth of archaeological features that make an important contribution to the interest and character of the wider AONB landscape. Some of these (eg Seahenge, Peddars Way) are of national significance and many offer significant recreational opportunities.
Policy HNTS 14: New Dwellings	NPPF 61 NPPF 70	The approach to infill development reflects Policies HNTS 10 – HNTS 12 and the national guidance that relates to them and to guidance in section 5 of the NPPF that new housing should reflect local need
Policy HNTS 15: Site Allocation at Eastgate Barn	PPG: Rural Housing Reference ID 67-009-20190722 NPPF 69 PPG: Can a Neighbourhood Plan allocate sites for development? Reference ID 41-042-	The policy responds to the reference in PPG to the importance of providing for housing in all villages and to the potential of Neighbourhood Plans to allocate sites. The selection of the allocated sites has used a systematic evaluation of the alternatives, using the methodology used by local planning authorities for HELAA. This methodology has been complemented

Holme-next-the-Sea NDP Policy	Relevant National Policy & Guidance	NDP Relationship with National Policy & Guidance
	20170128	<p>by consultation to establish local preferences.</p> <p>The design criteria for the new dwellings at Eastgate reflect the national guidance referred to in relation to Policies HNTS 10, 11, 12,14.</p>
HNTS 16: Replacement Dwellings and	<p>NPPF 127</p> <p>Town and Country Planning (General Permitted Development)(England) Order 2015 Part 1 of Schedule 2 Classes A-D NPPF Para 8, para 81(d)</p>	<p>Many relatively small houses in Holme-next-the Sea have been replaced by much larger houses which are popular as second homes but do not meet the needs of the residential community. The policy seeks to maintain the availability of smaller homes in the Parish and to help redress the growing imbalance in the housing stock.</p>
HNTS 17: Extensions annexes and outbuildings	<p>NPPF 127</p> <p>Town and Country Planning (General Permitted Development)(England) Order 2015 Part 1 of Schedule 2 Classes A-D NPPF Para 8, para 81(d)</p>	<p>This policy complements HNTS 16. It recognises the need to strike an appropriate balance between the legitimate and understandable aspiration to improve living space and the need to be sympathetic to the rural and relatively spacious character of the village, recognising that in many cases, extensions may be permitted development. The policy also recognises the increasing need to accommodate dependent relatives and to work from home.</p>
HNTS 18: Principal residences	<p>NPPF Section 5 (69)</p> <p>NPPF 8 Promoting Healthy and Safe Communities particularly paragraphs 91a) & b) and 92 c)</p>	<p>Provision for new houses has been made to maintain the vitality of the village, contribute to the supply of new homes, particularly smaller dwellings which are in short supply. 55% or more of parish dwellings are second homes and without the principal homes policy, it is very likely that a high proportion of new dwellings would be sold as second homes and holiday lets. This would undermine these aims and that of these national policies.</p>
HNTS 19: Local Green Space	NPPF 99-101	<p>The Local Green Spaces which have been identified in this policy have all been evaluated against the criteria in paragraph 100 and the policy to be applied to them is consistent with paragraph 101.</p>
HNTS 20: AONB Landscape Quality	<p>NPPF Paragraph 172</p> <p>NPPF 180 c)</p>	<p>The policy reflects the great weight attached to landscape in Areas of Outstanding Natural Beauty by Section 15 of the NPPF. It complements this by outlining the particular qualities in terms of views and the sense of tranquillity and openness and dark skies that apply to the AONB around Holme.</p>
HNTS 21: Advertising and Signage	<p>NPPF paragraph 132</p> <p>PPG Reference ID: 18b-079-20141306</p>	<p>Advertisements are subject to a separate approval regime within the planning system, which can only have regard to two considerations: amenity and public safety. PPG explains that the character of the locality where the advertisements are is</p>

Holme-next-the-Sea NDP Policy	Relevant National Policy & Guidance	NDP Relationship with National Policy & Guidance
		important in the consideration of amenity. This policy sets out considerations which will be relevant in the assessment of amenity in the context of Holme and its setting within the AONB.
HNTS 22: Biodiversity	NPPF paragraphs 174-177 A Green Future, Our 25-year plan to Improve the environment	The policy is consistent with the approach in the NPPF, reinforced by the 25-year plan, which aims to promote the conservation, restoration and enhancement of habitats. It is locally distinctive in defining considerations which are particularly significant in the context of Holme-next-the-Sea.
HNTS 23: Pollution	NPPF 170 d) and e), 180	The policy has regard to paragraph 180 of the NPPF. It draws on the recent Natural England publication on the status of the North Norfolk Coast which highlights some of the harmful effects of development and provides evidence of the damage done to the very sensitive ecosystems in Holme.
HNTS 24: Water Resource Management	NPPF paragraphs 149, 150 and 165 PPG Reference ID's: 34-006-20161116 34-015-20140306 34-016-20140306	The policy responds to the importance expressed in national policy of responding to the challenges of climate change and the erosion of biodiversity and reflects evidence of declining standards of water quality in sensitive environments. The policy is also informed by PPG relating to the role of planning policies in relation to water quality and drainage and the issues to be addressed by developers.
HNTS 25: Traffic and Car Parking	NPP 108, 109 and 110	The policy applies the principles set out in the NPPF to traffic and parking having regard to the specific circumstances in Holme-next-the-Sea, where on-street parking is likely to obstruct traffic flow and tourism related traffic is affecting the character of the village and creating damage to the environment and conflict between pedestrians, cyclists and equestrians.

3.2 The making of the plan contributes to sustainable development

- 3.2.1 The National Planning Policy Framework states that “The purpose of the planning system is to contribute to the achievement of sustainable development”. And it summarises sustainable development as “meeting the needs of the present without compromising the ability of future generations to meet their own needs.”
- 3.2.2 Within sustainable development the NPPF identifies three overarching objectives: an economic objective, a social objective and an environmental objective. All of the policies in the HNTS NDP have been carefully formulated with the intention of contributing to sustainable development and the vision and objectives of the Plan recognise the inter-related nature of the three objectives of sustainable development.
- 3.2.3 ***It must be stressed that the zoning system underpinning the Plan is fundamental to achieving sustainable development in the Parish.*** Because the entire Parish is in the AONB, 42% is covered by internationally significant conservation sites and 40% is at risk from

managed re-alignment, implementing the principles of sustainability underpinning the NPPF poses a significant challenge. The NPPF’s multiple objectives of promoting new homes, (NPPF Section 5), rural economic development (NPPF paras 83, 84) and a thriving community (Section 8), whilst at the same time responding to the risks from flooding and climate change (NPPF Section 14), arresting falling biodiversity (NPPF paras 174-177) and conserving/enhancing the landscape/natural environment (NPPF, paras 170-173) are potentially conflicting.

- 3.2.4 When making individual planning decisions weighing these objectives against each other in the absence of an underpinning, spatial framework will always create potential for development in locations where it will be environmentally damaging and conflict with the strongly expressed preferences of the Parish Community for protection of the environment. The UK National Ecosystems Assessment stresses the need to ‘make space for wildlife’. However, it must be recognised that there also needs to be space for economic development and housing.
- 3.2.5 The zoning system resolves these conflicts by ensuring that each type of activity has its place in the Parish. This minimises the conflict between land uses, manages expectations and provides certainty for future development. It is considered to be the best approach to accommodating development on a scale consistent with Holme’s status as a Smaller Village and Hamlet whilst at the same time protecting its Natural Capital and Ecosystem Services (NPPF para 170). It is also consistent with the localism agenda because it embodies the principle that local people can decide where development should take place as long as the amount is consistent with the requirements of the LDF.
- 3.2.6 Larger scale plans are required to produce a Sustainability Appraisal to demonstrate how they contribute to sustainable development. A full sustainability appraisal is not required for Neighbourhood Plans, but Table 2 shows and explains how each of the policies in the Holme-next-the Sea Neighbourhood Plan contributes *independently* to the three objectives of sustainable development.

Table 2: How Holme-next-the Sea Neighbourhood Plan contributes to the three objectives of Sustainable Development

Policy	Economic	Social	Environmental
HNTS 1 The Principle of Sustainable Development	The HNTS NDP has been consistently developed against a consideration of the economic, social and environmental objectives of sustainable development, starting from a detailed assessment of the issues facing the village. The importance of the RAMSAR, SPA, SAC, SSSI, Heritage Coast and AONB designations covering much of the village and the issues and pressures associated with these have been a key consideration. All policies have been carefully formulated to address these issues.		
	The approach explicitly recognises the need to balance the presumption in favour of sustainable development with the need to protect areas and assets of particular importance and to adapt to the likely impacts of climate change and sea level rise.		
HNTS 2 Holme Village Zone		Policy is designed to ensure sufficient infill sites to deliver organic growth consistent with status as an SVAH.	Policy is designed to protect the character of the village and the natural environment whilst minimising the risk from flooding.
	0	+	++

HNTS 3 Protected Sites Zone	The ecosystem services associated with the Protected Sites underpin the local economy which will be eroded if they are harmed. Protects the tourist offer of existing businesses & conservation organisations.	The Protected Sites are an important amenity for the local community. They are an important reason for people choosing to live in Holme.	The policy is designed to protect and enhance the quality of the sites that have been designated for the exceptional importance of their habitats and biodiversity
	++	+	++
HNTS 4 Adaptation and Resilience Zone	Contributes to the tourism offer and draw of the wider area. Protects and enhances the offer of existing businesses & conservation organisations.	Improved walking and recreational facilities will enhance quality of life/health and well being benefits for the local community Long term protection against loss of amenity	Represents a precautionary planning approach to mitigating the losses anticipated in the SMP as a result of managed realignment. Dissipates pressure on the Protected Sites
	++	++	++
HNTS 5 Countryside Zone	Supports farming and protects the best and most versatile agricultural land. Contributes to tourism offer. Complements HNTS 6 (Drove) which is the focus for other forms of rural economic development.	Contributes to the rural setting of the village and the quality of life of its community.	Protects the AONB landscape
	+	+	+
HNTS 6 Drove Orchards	Contributes to the economy through the provision of employment opportunities and the generation of income in the area	Although closer to Thornham and only accessible by car, the farm shop, fishmonger and chip shop are a nearby resource for residents of Holme.	Supporting diversification will help secure the future of the heritage orchards which are a major part of Drove. The zone boundary limits encroachment of the development area into the AONB countryside.
	++	+	+
HNTS 7 Natural Capital and Ecosystem Services	Ecosystem services underpin the local economy which will be eroded if the natural environment or landscape are harmed	Maintains and enhances ecosystem services. Will be beneficial to the quality of life of local residents.	Will have environmental benefits by enhancing the natural environment, including reducing visitor pressure and pollution and promoting sustainable transport.
	++	+	++

HNTS 8 Sustainable travel and tourism	Development of Sustainable tourism will contribute to the local economy.	Supports provision of footpaths and cycleways which will be beneficial to local residents in terms of connectivity, safety, health and wellbeing	The diversion of pressure from sensitive and overcrowded areas will be environmentally beneficial.
	+	+	+
HNTS 9 Touring and Permanent Holiday Accommodation	The modernisation of accommodation to improve flood resilience will increase the sustainability of existing businesses and strengthen their competitive edge. Controls pressure on local infrastructure Will prevent the growth of this type of accommodation in the Parish/AONB to protect the existing tourism offer.	Will protect neighbours amenity from the harmful impacts of holiday accommodation	Improved resilience to flooding and improved designs will be of environmental benefit. The policy will preserve the visual integrity, peace and tranquillity of the AONB landscape which delivers the ecosystem services underpinning the economy
	0	+	++
HNTS 10 Overall form and pattern of settlement		Avoids back land development which would be harmful to residential amenity	Respects the historic form of the village and protects the historic and natural environment
	0	+	+
HNTS 11 Street scene, character and residential environment		Ensures benefits people derive from their external private home environment are not adversely affected by new development	Development which respects the character of the village has the potential to enhance the built environment and its contribution to the AONB.
	0	+	+
HNTS 12 Conservation Area		The Conservation Area is important to parishioners and contributes to quality of life	The protection and enhancement of the Conservation Area has the potential to improve the historic environment
	0	+	+
HNTS 13 Heritage Assets	Strengthens the basis for sustainable tourism in the Parish		Contributes to the protection of the historic environment
	+	0	+

HNTS 14 New dwellings	Super-fast, fibre broadband will create new and improved opportunities for home working. Will generate short term economic activity in construction and services.	The provision of new homes will increase the stock of smaller housing available to people wishing to live in the village.	New housing within walking distance of the Protected Sites will increase visitor impacts
	+	++	-
HNTS 15 Site allocation at Eastgate Barn	Will generate short term economic activity in construction and services.	The early provision of small new homes will kick start the process of strengthening the resident community	The development of the Eastgate Barn site has the potential to enhance the contribution of the site to the street scene and the character of the village. New housing (over and above SADMP requirement) within walking distance of the Protected Sites will increase visitor impacts
	+	++	-
HNTS 16 Replacement dwellings	Will generate short term economic activity in construction	Policy will prevent erosion in stock of small dwellings of interest to local people and retirees.	Will promote good design which will enhance character of the AONB village setting
	+	++	+
HNTS 17 Extensions, annexes and outbuildings	Will support home working and generate economic activity in construction	Policy will prevent erosion in stock of small dwellings of interest to local people and retirees.	
	+	++	0
HNTS 18 Principal Residences	Will create opportunities for people to live and therefore work in the area thereby making a positive contribution to the economy. May depress building activity and opportunities for generating income from holiday lets	Ensures that the provision of new homes will add to the supply of homes available for permanent residents and promotes an ongoing, viable community	
	0	++	0
HNTS 19 Local Green Space		Long term protection of spaces important to life of Village and well-being of the community	Protects open spaces important to character of the village and its wildlife
	0	+	+
HNTS 20 AONB Landscape Quality	Promotes low impact tourism. Protects and enhances natural capital and ecosystem services	Supports the health and well being of community	Conserves and enhances features of the AONB landscape that are of particular significance in

	(views, dark skies, tranquillity) that attract visitors/spend		Holme.
	++	+	++
HNTS 21 Advertising and Signage	May limit opportunities for businesses in locations with poor visibility to attract passing trade		Can be detrimental to the appearance of the AONB. Policy will manage the impacts.
	-	0	+
HNTS 22 Biodiversity	Increases the visitor draw to the Parish and promotes the interests and membership of its wildlife organisations	Wildlife and biodiversity are of great importance to the community and contribute to quality of life	Contributes to protection of the natural environment and net gains in biodiversity
	++	+	+
HNTS 23 Pollution	Prevents harmful pollution which may be detrimental to ecosystem services that support the economy. Carries cost implications for developers and local business	Reduces risk from harmful discharges and contamination	Contributes to protection of the natural environment
	0	+	++
HNTS 24 Water Resource management	There is a cost falling on both public and private sector. Ensures ongoing availability and quality of vital resources	Reduces risk to homes from surface water flooding and to health from sewage overflows and chemical leakages.	Contributes to protection of the natural environment
	0	++	++
HNTS 25 Traffic & car parking	Maintaining free flow of traffic and highway safety is important for local economy.	Ensures that safe and effective movement around the Parish is not compromised by reduced highway safety or increased congestion	Policy prevents excessive on street parking and congestion which would be harmful to environment .
	+	++	+

3.2.7 The table shows that the policies of the Plan will have beneficial economic, social and environmental effects. Perhaps not surprisingly in a location where the quality of the natural environment is of international significance there is a focus on environmental factors. There is however a strong inter-relationship between the quality of the environment and the vitality of the local economy. The Natural capital/ecosystem services approach results in a wide range of economic benefits.

3.2.8 The only independent negative economic effect that has been identified is the possible reduction in the ability of businesses with poor visibility to attract passing trade caused by HNTS21 (Advertising and Signage). However, this policy does not create an overall ban on advertising and signage but recognises that excessive numbers of advertisements are confusing, ineffective and may have a detrimental impact on the landscape.

3.2.9 The only independent negative environmental effects are caused by policies HNTS 14 (New Homes) and HNTS15 (Site Allocation). The policies are justified because these are outweighed by the social and economic benefits that they create. Furthermore these effects are anticipated and dealt with up to 2026 by the SADMP SEA/HRA. In addition any negative effects they might have are more than compensated for by the strong package of environmental policies that lead to a major positive environmental impact for the NDP as a whole. These policies meet the 13 ‘environmental objectives’ set out in the Landscape, Environment and Biodiversity Report which are designed to ensure that the Plan has a positive impact on the Protected Sites and the AONB.

3.3 The making of the plan is in general conformity with the strategic policies contained in the development plan for the area

3.3.1 The development Plan for Holme-next-the Sea comprises

- Borough Council of King’s Lynn and West Norfolk Local Development Framework Core Strategy 2011 (CS)
- Borough Council; of King’s Lynn and West Norfolk Site Allocations and Development Management Policies Plan 2016 (SADMDPD)
- Norfolk County Council Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (adopted September 2011)
- Minerals Site Specific Allocations Development Plan Document (DPD) (adopted October 2013, amendments adopted December 2017)
- Waste Site Specific Allocations Development Plan Document (DPD) (adopted October 2013)

3.3.2 None of the policies in the Plan impinge on any of the site-specific policies in the Minerals and Waste Plans.

3.3.3 Table 3 below identifies for each policy the relevant policies (if any) in the CS and SADMP and explains the relationship of the Policy to the strategic policies.

Table 3: The relationship between the policies in the Holme-next-the-Sea Neighbourhood Plan and the Borough Council of Kings Lynn and West Norfolk Local Development Framework Core Strategy 2011 (CS) and Site Allocations and Development Management Policies Plan 2016 (SADMP)

Policy	Relevant CS policies	Relevant SADMP policies
HNTS 1 The Principle of Sustainable Development	<p>CS08 Sustainable development</p> <p>This policy sets out a very wide range of principles which will be applied across West-Norfolk</p> <p>Policy HNTS 1 complements this policy by setting out the aspects of sustainable development which are of greatest significance in Holme-next-the-Sea.</p> <p>It addresses the three</p>	<p>DM 1 The Presumption in favour of Sustainable Development.</p> <p>DM1 reiterates the wording of the NPPF (Paragraph 11). Policy HNTS 1 does not repeat this but will be applied in the context of it.</p> <p>The approach explicitly recognises the need to balance the presumption in favour of sustainable development with</p>

Policy	Relevant CS policies	Relevant SADMP policies
	<p>objectives of sustainable development and sets out the particular way they will be applied in Holme.</p>	<p>the need to protect areas and assets of particular importance and to adapt to the likely impacts of climate change and sea level rise</p>
<p>HNTS 2 Holme Village Zone</p>	<p>CS01 Spatial Strategy The approach to development within the Village Zone is consistent with the approach in Policy CS01 to development in rural and coastal areas, where most development will be in villages with a range of services and development will be steered away from areas at risk of flooding.</p> <p>CS02 The settlement hierarchy Specifically, Holme is classed as a Smaller Village and Hamlet. These are villages with little or no services where “it would be inappropriate to seek further development” and “ where development is limited to specific identified needs as in Policy CS06”</p> <p>CS07 Development in Coastal Areas. HNTS2 steers development away from areas at risk of flooding and Climate change in line with the provision of CS07 by excluding flood zones from the Development Envelope.</p>	<p>DM2 Development Boundary While the SADMDPD does not identify a development boundary for smaller villages and hamlets, the approach to infilling outlined in HNTS2 is compatible with the approach of DM2. The identification of a development boundary is supported by the Borough Council who advised on the criteria for its definition and the emerging Local Plan is identifying development boundaries for smaller settlements or supporting their identification in Neighbourhood Plans.</p> <p>DM3 Smaller Villages and Hamlets This policy sets out the approach to development in small villages in more detail. HNTS 2 aligns closely using this approach to infill development.</p>
<p>HNTS 3 Protected Sites Zone</p>	<p>CS01 Spatial Strategy Policy HNTS3 will help to deliver one of the key aims of the spatial strategy which is to protect environmental assets and avoid areas at risk of flooding.</p> <p>CS07 Development in Coastal Areas This policy sets out the sensitive nature of the natural</p>	<p>DM15 Environment Design and Amenity This is a broad policy setting out factors to be considered in the consideration of applications. Policy HNTS 3 sets out very specific considerations in the context of Holme and is in conformity with DM15.</p>

Policy	Relevant CS policies	Relevant SADMP policies
	<p>environment in Coastal areas and the need to protect the biodiversity and landscape. Policy HNTS 3 complements this policy by setting out the specific priorities for this zone in Holme and the restrictive approach to development within this zone is consistent with CS07.</p> <p>CS12 Environmental assets Policy HNTS 3 reflects the strategic aim of protecting and enhancing biodiversity and geodiversity and provides local priorities for achieving this which any new development is expected to contribute to.</p>	
<p>HNTS 4 Adaptation and Resilience Zone</p>	<p>CS07 Development in Coastal Areas HNTS4 is entirely consistent with the aim of this policy to achieve an appropriate balance between encouraging tourism in coastal areas as part of the local economy and protecting the internationally important environmental assets.</p> <p>CS12 Environmental Assets HNTS4 is entirely consistent with the aim of this policy to protect and enhance landscape character, biodiversity and geodiversity.</p> <p>CS08 Sustainable Development HNTS4 is relevant to the aim of this policy to respond to the challenge of climate change in terms of the increased risk of coastal flooding and the changes in the coastline envisaged in the Shoreline Management Plan. It also aims to improve accessibility of the countryside for pedestrians and cyclists while protecting biodiversity.</p>	

Policy	Relevant CS policies	Relevant SADMP policies
<p>HNTS 5 Countryside Zone</p>	<p>CS06 Development in Rural Areas HNTS5 is consistent with this Policy because it supports appropriate rural development in the AONB countryside whilst “protecting it for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all”.</p> <p>CS10 The Economy HNTS5 is in general conformity with this policy. While it may be rather more restrictive, it is unlikely given the relationship to the AONB and Protected Sites, plus the provision at Drove (HNTS 6) that a further rural employment exception site would be justified.</p> <p>CS12 Environmental Assets The approach to development in this zone also relates closely to the need to protect environmental assets outlined in CS12.</p>	<p>The approach of HNTS 5 is in general conformity with the approach of:</p> <p>DM2 Development Boundaries DM3 Development in the Smaller Villages and Hamlets DM5 Enlargement or replacement of dwellings in the countryside. DM 6 Housing needs of rural workers</p> <p>HNTS5 is consistent with these policies in providing for agriculture related development in the countryside.</p> <p>DM11 Touring and permanent holiday sites HNTS5 reflects the restrictive approach of DM11 to new holiday accommodation in the AONB countryside.</p>
<p>HNTS 6 Drove Orchards</p>	<p>HNTS 6 complements HNTS5 by focusing economic development in the countryside into a well defined area at Drove Orchards.</p> <p>CS06 Development in Rural Areas Drove Orchards is an example of the farm diversification referred to in CS06. HNTS 6 is consistent with the aims of CS06 in ensuring that the development is consistent in scale with its rural setting.</p> <p>CS07 Development in Coastal Areas Drove Orchards is a very good example of the need for</p>	<p>DM2 Development Boundaries and DM3 Development in smaller villages and hamlets Drove Orchards lies outside the proposed development boundary but comprises development appropriate for this location in accordance with CS10.</p> <p>DM10 Retail Development This policy seeks to ensure that retail development is focused in town centres unless there is a justification for another location or there is no suitable site. The criteria for Drove Orchards expand on the application of these principles</p>

Policy	Relevant CS policies	Relevant SADMP policies
	<p>balance between the need to protect the environment and the economic benefits of visitors to the north coast. HNTS 6 applies principles in CS07 to the particular circumstances of Drove</p> <p>CS10 The Economy Drove Orchards has grown from small beginnings. The criteria proposed for development at Drove Orchards are in general conformity with and amplify those for rural employment exception sites in CS10.</p> <p>CS12 Protection of Environmental Assets The criteria for the development of Drove Orchards take account of the need to protect to AONB and Protected Sites.</p>	<p>and are in general conformity with them.</p> <p>DM11 Touring and Permanent Holiday Sites The Drove Orchards Zone does not include holiday accommodation, HNTS 6 does not provide for it and it would not be consistent with DM11.</p> <p>DM12 Strategic Road Network This policy identifies the A149 as part of the strategic road network and sets out criteria for development served by the strategic road network. The criteria in HNTS6 are in general conformity.</p>
<p>HNTS 7 Natural Capital and Ecosystem Services</p>	<p>CS07 Development in Coastal Areas HNTS 7 fully reflects the delicate balance in CS07 between tourism and the environment which gives rise to it. The qualities listed in the first part and the criteria listed in the second part provide local detail to assist the application of HNTS 7.</p> <p>CS10 The Economy The local economy in Holme is inextricably linked to the natural capital of the area. HNTS7 addresses the requirements for sustainable, tourism related development.</p> <p>CS12 Environmental Assets The first part of HNTS 7 outlines the environmental qualities of Holme which support Ecosystem services and need to be protected.</p>	<p>DM15 Environment, design and amenity DM15 provides a high-level list of environmental considerations for the determination of planning applications. HNTS 7 conforms with this list but provides further detail relevant at a more local level.</p>
<p>HNTS 8</p>	<p>CS10 The economy</p>	<p>DM2 Development Boundaries</p>

Policy	Relevant CS policies	Relevant SADMP policies
<p>Sustainable travel and tourism</p>	<p>HNTS 8 complements the support for small-scale sustainable tourism related development in rural areas, focusing on improved access to the countryside through footpaths and cycle ways and associated low key facilities.</p> <p>CS13 Community and Culture HNTS 8 is in general conformity with the support for healthy lifestyles in this policy</p>	<p>and DM3 Development in smaller villages and hamlets Both these policies refer to the support in Policy CS10 for development of Tourist Facilities of this type.</p>
<p>HNTS 9 Touring and Permanent Holiday Accommodation</p>	<p>CS2 Settlement Hierarchy & CS6 Development in Rural Areas HNTS 9 takes account of the resistance to the development of greenfield sites in CS6 (though national policy is now rather less restrictive) while aiming to provide for measures to maintain and enhance the quality of existing sites also required by CS6.</p> <p>CS7 Development in Coastal Areas HNTS 9 is consistent with the approach in CS7 which stresses the need to protect the coastal environment and take account of the risk of flooding and coastal change.</p> <p>CS10 The Economy HNTS 9 is also consistent with CS10 because further development of holiday accommodation would bring harm to the AONB landscape and damage the tourism offering of the wider area</p> <p>CS12 Environmental Assets It is considered that further holiday accommodation would be contrary to CS12 and therefore not meet the criteria for employment exception sites in CS10.</p>	<p>DM11 Touring and permanent holiday sites The generally restrictive approach to new permanent holiday accommodation is in accordance with DM 11.</p> <p>New touring & permanent holiday accommodation is not included in the list of uses to be accommodated outside settlement boundaries or in smaller villages and hamlets envisaged in Policies DM2 and DM3</p> <p>DM19 Green Infrastructure/Habitats monitoring and mitigation This policy provides for payments into an interim habitat mitigation fund for preventing damage to the Protected Sites from new housing”. However, impacts of tourist sites are not subject to this. Furthermore the provision of green infrastructure in Holme clearly would be ineffective given the accessibility and attractiveness of the Sites. The impacts of Tourist Accommodation are substantially greater than impacts from housing and HNTS9 is necessary to prevent damage to the Protected Sites.</p>

Policy	Relevant CS policies	Relevant SADMP policies
<p>HNTS 10 Overall form and pattern of settlement</p>	<p>CS06 Development in Rural Areas. The policy indicates how the strategic approach of CS06 will be applied in Holme. CS12 Environmental Assets The policy takes particular account of both the natural environment and the historic form of the settlement.</p>	<p>DM3 Development in the smaller villages and hamlets. HNTS10 is entirely consistent with DM3 and with the design considerations of DM15 Environment, Design and Amenity</p>
<p>HNTS 11 Street scene, character and residential environment</p>	<p>CS06 Development in Rural Areas. The policy indicates how the strategic approach of CS06 will be applied in Holme. CS12 Environmental Assets The policy takes particular account of both the natural environment and the historic form of the settlement.</p>	<p>DM3 Development in the smaller villages and hamlets. HNTS11 is entirely consistent with this approach. DM15 Environment, Design and Amenity The policy amplifies DM15 by applying its principles to the specific characteristics of Holme.</p>
<p>HNTS 12 Conservation Area and</p>	<p>Draft Conservation Area Statement The Conservation Area is not adopted and developers have claimed it carries reduced weight in law. This policy seeks to reinforce its status. CS12 Environmental Assets The Conservation Area is an important historic asset at the core of the village and is highly valued by the community. The policy amplifies and is consistent with the approach of CS12.</p>	<p>DM15 Environment, Design and Amenity The policy amplifies DM15 by applying its principles to the defining features of the Holme Conservation Area.</p>
<p>HNTS 13 Heritage Assets</p>	<p>CS12 Environmental Assets This policy refers to assets which are mainly of archaeological interest. They are spread throughout the landscape and some are of national significance. Others are spatially extensive. In line with Policy CS12, HNTS13 seeks to protect and ensure that these assets are conserved. They are often overlooked by developers.</p>	<p>DM15 Environment, Design and Amenity Stresses the need to protect and enhance the amenity of the wider environment including its heritage.</p>

Policy	Relevant CS policies	Relevant SADMP policies
	<p>CS10 The Economy These assets contribute to the low impact tourism draw of the parish and hence to the local economy.</p>	
<p>HNTS 14 New Homes</p>	<p>Policy CS09 Housing Distribution HNTS14 is consistent with the approach to development in the smaller villages and hamlets and with the requirement for new housing to reflect up to date evidence of housing need with respect to the type, size and tenure of dwellings.</p> <p>CS10 The Economy HNTS 14 is consistent with the aspiration to create year round, higher skilled jobs via IT-based home working.</p>	<p>The policy is in general conformity with DM2 development boundaries, DM3 development in the smaller villages and hamlets. DM15 Environment, design and amenity. The policy reflects the intentions of DM15 and the limit of 40% of plot coverage for new dwellings is based on an analysis of the character of the village which demonstrates that more intensive development would be inconsistent with the scale and character of the village.</p>
<p>HNTS 15 Site allocation at Eastgate Barn</p>	<p>Policy CS02 Settlement Hierarchy identifies Holme-next-the Sea as a Smaller Village & Hamlet with little or no services where it would be inappropriate to seek further development. However it supports development where there is a specific identified need and where it is consistent with environmental protection and conservation considerations.</p>	<p>SADMP G.51.2 No additional allocations were identified as necessary in the SADMP but the allocation made in Policy HNTS15 is intended to provide some additional dwellings of a size which will be attractive to a resident population.</p>
<p>HNTS 16 Replacement dwellings</p>	<p>CS08 Sustainable Development The policy is in general conformity with criteria in Policy CS08 which requires new development to “respond to the context and character of places in West Norfolk by ensuring that the scale, density, layout and access will enhance the quality of the environment;”</p>	<p>DM5 Enlargement or replacement of dwellings in the countryside Policy DM5 seeks to control replacement dwellings in the countryside to ensure that they “reflect the scale and character of their surroundings”. By addressing this issue within the settlement boundary as well, Policy H16 does not conflict</p>

Policy	Relevant CS policies	Relevant SADMP policies
	<p>and “optimise the density of development in the light of local factors such as: the setting of the development; the form and character of existing development.”</p> <p>CS10 The Economy HNTS 16 is consistent with the aspiration of CS10 to create higher skilled, year round employment because it makes provision for home working based on high quality IT infrastructure.</p>	<p>with this policy.</p> <p>DM15 Environment, design and amenity HNTS 16 is consistent with DM15’s aim of protecting neighbour amenity by avoiding overlooking, overbearing and overshadowing.</p>
<p>HNTS 17 Extensions, annexes and outbuildings</p>	<p>CS08 Sustainable Development HNTS 17 is consistent with this policy for the same reasons given above (HNTS 16).</p> <p>CS10 The Economy HNTS 16 is consistent with the aspiration of CS10 to create higher skilled, year round employment because it makes provision for home working based on high quality IT infrastructure.</p>	<p>DM5 Enlargement or replacement of dwellings in the countryside HNTS 17 is consistent with this policy for the same reasons given above (HNTS 16).</p> <p>DM15 Environment, design and amenity HNTS 17 is consistent with DM15’s aim of protecting neighbour amenity by avoiding overlooking, overbearing and overshadowing.</p>
<p>HNTS 18 Principal Residences</p>	<p>No CS polices directly address the issue of second homes, but CS08 requires all new development to “enhance community wellbeing by being accessible, inclusive...” which is the aim of this policy. There is an element of tension with Policy CS10 which generally supports the provision of holiday accommodation subject to environmental criteria. However, this policy does not relate to second homes and was adopted before the adoption of the St Ives policy and the issue of the proportion of second homes has become more significant since then. The Borough Council has not</p>	<p>DM11 Touring and permanent holiday sites is more restrictive than the Core Strategy about new holiday accommodation reflecting particular pressures on the AONB landscape. However, it also seeks to address the possibility that where permission is granted for holiday accommodation in the countryside there should be conditions to prevent this being used as a back-door route to permanent dwellings. Again, the Borough Council is satisfied that Policy H18 is in general conformity with this policy</p>

Policy	Relevant CS policies	Relevant SADMP policies
	suggested that the policy does not meet the test of general conformity.	
HNTS 19 Local Green Space	Policy CS12 Environmental Assets HNTS 19 is consistent with the CS12 which aims to “protect, conserve and, where possible, enhance the special qualities and local distinctiveness of the area” and with support in Policy CS13 (ii) for “proposals that protect, retain or enhance sports, leisure and recreation facilities.”	Policy DM22 Protection of local Open Space encourages the designation of Local Green Spaces where they meet the national criteria.
HNTS 20 AONB Landscape Quality	CS06 Development in Rural Areas and CS07 Development in Coastal Areas HNTS 20 is consistent with the general protection of the countryside in CS06 and the specific reference to the AONB Management Plan in CS07. CS12 Environmental Assets The AONB is clearly a major environmental asset and this policy sets out how the AONB should be protected in Holme. It complements CS12 CS10 Economy Integration and protection of views, footpaths and walks strengthens and protects the tourist offer.	DM15 Environment, Design and Amenity Light pollution which is identified as a major issue in HNTS20 and the AONB management Plan is one of the criteria referred to in DM15.
HNTS 21 Advertising and Signage	No explicit reference is made to advertising in the Core strategy Policies, but the aim of the policy is consistent with CS12 in seeking to preserve environmental assets.	No explicit reference is made in the SADMP but HNTS21 is consistent with the aims of DM15.
HNTS 22 Biodiversity	CS06 Development in Rural Areas CS07 Development in Coastal	DM19 Green Infrastructure/Habitats Monitoring & Mitigation

Policy	Relevant CS policies	Relevant SADMP policies
	<p>Areas The policy is consistent with the general aim of CS06 to conserve wildlife and habitats and the more specific protection of the European sites referred to in CS07.</p> <p>CS12 Environmental Assets The policy builds on CS12 Environmental Assets in spelling out how the important biodiversity of the parish will be protected.</p> <p>CS10 Economy Local wildlife is a major draw for visitors and underpins the success of local conservation organisations which attract more than 100,000 visitors a year to the Parish. This policy protects and strengthens their offering.</p>	<p>HNTS22 is in general conformity with this policy which seeks to maintain and enhance green infrastructure and protect the internationally recognised conservation sites.</p>
<p>HNTS 23 Pollution</p>	<p>CS08 Sustainable development CS08 sets out general principles for dealing with pollution associated with development. HNTS23 builds on this by making specific provision to address pollution issues which affect Holme.</p>	<p>DM15 Environment, Design and Amenity HNTS23 builds on DM15 which refers to: air quality, odour, light pollution and contamination as key considerations for any new development</p>
<p>HNTS 24 Water Resource management</p>	<p>CS08 Sustainable development The policy relates to very specific issues relating to the River Hun and is consistent with the references to sustainable drainage and flood risk in Policy CS08</p> <p>CS14 Implementation The policy provides clear local guidance on matters which come under the general headings of drainage and water conservation.</p>	<p>DM15 Environment, Design and Amenity HNTS 24 is in general conformity with and provides locally significant detail to assist the application of DM15 which identifies water quality as one of the key issues to be addressed in determining planning applications</p>
<p>HNTS 25 Traffic and Car Parking</p>	<p>CS11 Sustainable Transport This policy sets out a wide range of measures to contribute to sustainable</p>	<p>DM12 Strategic Highway Network identifies the A149 as a strategic route and corridor of</p>

Policy	Relevant CS policies	Relevant SADMP policies
	transport. The measures referred to in HNTS 25 are consistent with this approach.	movement where accesses should be limited to maintain the free flow of traffic, and to the extent that it is relevant HNTS 25 is in general conformity with it.

3.4 The making of the plan does not breach, and is otherwise compatible with, EU obligations.

(i) Strategic Environmental Assessment

- 3.4.1 PPG indicates that *“In some limited circumstances, where a Neighbourhood Plan is likely to have significant environmental effects it may require a strategic environmental assessment”*, subsequently referred to as SEA. A SEA requires the preparation of an Environmental Report. In order to determine whether the plan is likely to have a significant environmental effect, a screening assessment is necessary.
- 3.4.2 Regulation 15 of the Neighbourhood Planning Regulations requires that the submission of a Neighbourhood Plan must include:
- “(i) an environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans Regulations (EAPPR) or
 - (ii) where it has been determined under regulation 9(i) of these Regulations that the proposal is unlikely to have significant environmental effects (and accordingly does not require an environmental assessment), a statement of reasons for the determination”.
- 3.4.3 In May 2019, the Borough Council of King’s Lynn and West Norfolk prepared a screening report in order to determine whether a Strategic Environmental Assessment was necessary. The screening report was carried out in accordance with the methodology set out in the Practical Guide to the Strategic Environmental Assessment Directive 2005. This report concluded that the Plan was unlikely to have significant environmental effects and that a full Strategic Environmental Assessment was therefore not required. The draft screening opinion was the subject of consultation with the statutory consultation bodies. Responses were received from all three bodies. These confirmed that the plan was unlikely to have significant environmental effects.
- 3.4.4 Following the receipt of these responses the Borough Council issued a final screening report in June 2019. The report and the responses of the statutory consultees are attached at Appendix 1. The Borough Council has confirmed that this screening report is a determination in accordance with regulation 9(i) of the EAPPR. The table on pp 9-12 of that report may be read as the statement of reasons for the determination.

(ii) Habitats Regulations Assessment

- 3.4.5 The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 changed the prescribed condition for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act to read that:
- 3.4.6 *“The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017”.*
- 3.4.7 Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (CHSR) puts into effect the requirements of Article 6.3 of the EU Habitats Directive and requires that: “(1) Where a land use plan -
“is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of the site, the plan-making authority must, before the plan is given effect, make an appropriate assessment of the implications of the site in view of that site’s conservation objectives.”
- 3.4.8 Regulation 106 of the CHSR requires that:
“A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 102 or to enable them to determine whether that assessment is required.”
- 3.4.9 The Screening Report prepared by BCKLWN also includes a screening of the need for an Appropriate Assessment under the Habitats Regulations. It identifies that the nearest Natura 2000 sites that could be affected are:
- North Norfolk Coast Ramsar Site (covers 42% of the NPA)
 - North Norfolk Site of Special Scientific Interest (SSSI) (covers 42% of the NPA)
 - North Norfolk Coast Special Area of Conservation (SAC – European significance) (covers 34% of the NPA)
 - North Norfolk Coast Special Protection Area (SPA – European significance) (covers 41% of the NPA)
 - Norfolk Coast Area of Outstanding Natural Beauty (AONB – national significance) (covers 100% of the NPA)
 - North Norfolk Heritage Coast (national significance) (covers 60% of the NPA)
 - Holme Dunes National Nature Reserve (national significance)
 - The Wash and North Norfolk European Marine Sites (EMS)
- 3.4.10 The report notes that the Holme-next-the-Sea Neighbourhood Plan provides for a very small amount of residential development which will result from organic, infill growth and an allocation of five dwellings. It considers the possibility that this development could have some negative impact on the EU Protected sites. It concludes, however, that
- i) The housing development policies form part of an overall package of policies that is carefully designed to bring about an improvement in the current state of the EU Protected Sites.
 - ii) In the absence of the Neighbourhood Plan, most of the growth in housing envisaged during the plan period would be likely to occur by organic growth through time.

- iii) The housing policies in the Neighbourhood Plan are consistent with those in the SADMP which has been subject to a full SEA and HRA (Wild Frontier Ecology, 2015).
- iv) The SADMP does not make specific provision for new housing in Holme-next-the-Sea. However, it does provide for organic growth and modest levels of development to meet the needs and maintain the vitality of Smaller Villages and Hamlets such as Holme in a sustainable manner (CS02, CS06, CS09, CS12). The associated SEA and HRA considered the impact of this provision and concluded that with appropriate mitigation this development would not have a likely significant effect on the Protected Sites. The mitigation requirements for this level of housing growth are provided for by Policy DM19 Green Infrastructure/Habitats Monitoring & Mitigation.

3.4.11 For the above reasons, the screening report concludes that the Neighbourhood Plan is expected to have a positive effect on the Protected Sites and that neither a Strategic Environmental Assessment or a Habitats Regulations Assessment is required.

3.4.12 A recent legal judgement (People over wind and Sweetman v Coillte Teoranta (C-323/17)) has highlighted the way in which screening assessments of the need for Appropriate Assessment should be carried out. It concludes that the need for Appropriate Assessment should not be screened out on the basis of mitigation measures contained in the plan proposal.

3.4.13 The policies in the Neighbourhood Plan are judged to have a significant positive effect on the Protected Sites and no new mitigation measures over and above those already in place as a result of the SADMP SEA/HRA are proposed. The screening assessment is thus consistent with the Sweetman v Coillte Teoranta ruling.

3.4.14 Before making the screening determination the Borough Council consulted the three statutory bodies (Environment Agency, Natural England and Historic England). Their comments were taken into account in the production of the final screening report. The Report is included below in Appendix 1 and the Statutory Consultees comments are included in Appendix 2.

4 HUMAN RIGHTS

4.1.1 Nothing in the Plan infringes on the European Convention on Human rights.

APPENDIX
BCKL&WN SEA/HRA SCREENING

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 Holme next-the-Sea Neighbourhood Plan

June 2019

**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 Holme next-the-Sea Neighbourhood Plan

1. Introduction

- 1.1 This screening report is designed to determine whether or not the content of the emerging Holme next-the-Sea Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. A 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 Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). 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 (Natura 2000 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 (May 2019) and the screening opinion consultation responses received from the Environment Agency, Historic England and Natural England (June 2019).
- 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/SEA process which may subsequently arise if there are changes to the plan's content that could have an adverse effect upon the environment.

2. Legislative Background

- 2.1 **Strategic Environmental Assessment (SEA)** - 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.
- 2.3 **Habitat Regulation Assessment (HRA)** - It is required by Article 6 (3) of the EU Habitats Directive and by regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) 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 (Natura 2000 sites) a screening assessment has been undertaken

3. SEA Preliminary Screening

- 3.1 The process for determining whether or not an SEA is required is called screening. The SEA screening is a two stage interrelated process. The first part considers the Neighbourhood Plan against the SEA assessment flow chart set out in the national guidance "A Practical Guide to the Strategic Environmental Assessment Directive", (Paragraph 2.18, Figure 2, ODPM, 2005). The second part of the assessment is required in order to answer specific questions contained in the above, specifically question 8 and considers whether the Neighbourhood Plan is likely to have a significant effect on the environment, using criteria drawn from the EU SEA Directive and Schedule 1 of the UK Environmental Assessment of Plans and Programmes Regulations 2004.
- 3.2 The regulations state that before making a determination the three statutory consultation bodies must be consulted. Accordingly they have been consulted upon the Borough Council's preliminary opinion (May 2019) 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:

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.

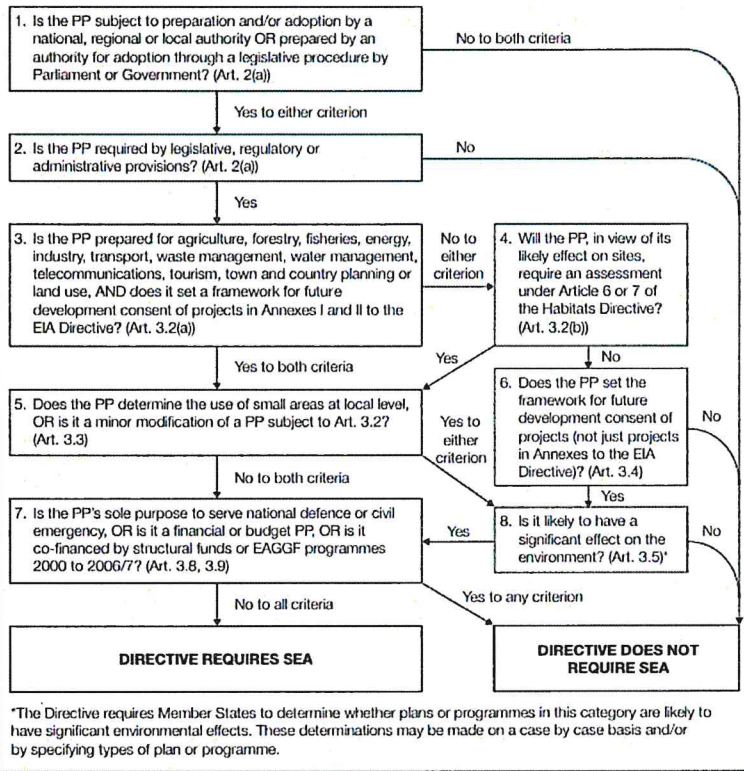


Table 1: Criteria for determining the likely significance of effects

<p>1. 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) <p>2. 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:• special natural characteristics or cultural heritage• exceeded environmental quality standards or limit values• intensive land-use• the effects on areas or landscapes which have a recognised national, Community or international protection status

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

4. Assessment

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 prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	<p>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 Neighbourhood Plan is being prepared by the Parish 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. The preparation of Neighbourhood Plans are 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	<p>Whilst the Neighbourhood Plan is not a requirement of the Town and Country Planning Act as amended by the Localism Act 2011, it will be “made” and eventually form part of the Development Plan for the 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.</p>
3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future	Yes	<p>A Neighbourhood Plan can include these policy areas and could provide, at a Neighbourhood Area level, the framework for development that would fall within Annex II of the EIA Directive. Developments that fall within Annex I are ‘excluded’ development for Neighbourhood Plans (as set out in the Localism Act 2011 and Section 61(k) of the Town and Country Planning Act 1990 (as subsequently amended).</p> <p>The Neighbourhood Plan is being prepared to set out a</p>

<p>development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))</p>		<p>framework for town and country planning and land use within the Parish of Holme next-the-Sea. 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>4. Will the Neighbourhood Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))</p>	<p>No</p>	<p>A Neighbourhood Plan could potentially have impacts on sites covered by the Habitats Directive. Please see Section 4 of this report which goes into some detail in relation to this.</p>
<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)</p>	<p>No</p>	<p>Whilst a Neighbourhood Plan can determine the use of small areas at a local level. The Neighbourhood Plan for Holme next-the-Sea appears to be in conformity with the Borough's Local Plan and proposals could be described as minor.</p>
<p>6. Does the Neighbourhood Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art. 3.4)</p>	<p>Yes</p>	<p>Once "made" a Neighbourhood Plan forms part of the statutory Development Plan and will be used by the Borough Council of 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.</p>
<p>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)</p>	<p>No</p>	<p>Does not apply to a Neighbourhood Plan.</p>
<p>8. Is it likely to have a significant effect on the environment? (Art. 3.5)</p>	<p>No</p>	<p>The Neighbourhood Plan seeks general conformity with the adopted Core Strategy (2011) and the Site Allocations and Development Management Policies Plan</p>

	<p>(2016) Development Plan Documents and has regard to the emerging Local Plan review. From the application of criteria for determining the likely significant effects below it is considered it is unlikely that there will be significant effect.</p>
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4.2 SEA Screening Stage 2: SEA Directive Article 3(5) Annex II – Application of Criteria for determining the likely significance of effects of a Neighbourhood Plan:

Criteria in Annex 11 of the SEA Directive	Response	Is there a significant effect
(1) Characteristics of the plan and programmes, having regard in particular, to:		
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size, and operating conditions or by allocating resources;	<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). The Borough Council are currently in the process of reviewing the Local Plan.</p> <p>The Neighbourhood Plan seeks to align and be in general conformity with this.</p>	No
The degree to which the plan or programme influences other plans or programmes including those in a hierarchy;	The Neighbourhood Plan will be adopted alongside the higher order Local Plan and form part of the Borough’s Development Plan. The Neighbourhood Plan will expand upon some of the Local Plan and emerging Local Plan 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;	<p>The basic conditions which a Neighbourhood Plan must meet (summarised):</p> <ul style="list-style-type: none"> • having regard to national policies and advice / guidance • having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses • having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area • contributes to the achievement of sustainable development. • is in general conformity with the strategic policies contained in the development plan for the area • does not breach, and is otherwise compatible with, EU obligations. • prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan • the plan does not breach the requirements 	<p style="text-align: center;">No anticipated negative effects</p> <p style="text-align: center;">Anticipated positive effect</p>

	<p>of Chapter 8 of Part 6 of the Conservation of Habitats and Species regulations 2017</p> <p>The emerging neighbourhood plan contains a strong package of policies aimed at protecting and enhancing the natural and historic environment (please see the plan for details)</p> <p>The emerging neighbourhood plan seeks to make a minor site allocation for 5 dwellings and allows for infill development, this is in line with the current and emerging Local Plan</p>	
Environmental problems relevant to the plan or programme;	<p>Main issues (summarised):</p> <p>The Shoreline Management Plan (SMP) anticipates a 'major negative' impact of sea level rise on the Parish's EU and internationally protected sites. Resulting in 42% of the Parish reverting to intertidal mud flats. Around 80 properties are threatened along the coastal frontage.</p> <p>The Protected Sites are considered to be at their carrying capacity in terms of visitor pressure as witnessed by traffic growth, walker/dog numbers, noise and pollution.</p> <p>There is clear evidence that poor water quality in the River Hun is damaging qualifying features of the Protected sites. There is a clear pathway linking sewage disposal from Holme with the sites and the affected qualifying features.</p> <p>Avian biodiversity is showing evidence of decline.</p> <p>The Neighbourhood Plan through a package of policies will seek to address these issues, in so far as it possibly can.</p>	<p>No anticipated negative effects.</p> <p>Anticipated positive effects</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 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;	<p>Floods in 2013 and the Environment Agency policy of managed realignment for Holme Dunes means there is a very real probability of SMP impacts being felt during the Plan period. The effects of a large scale surge event may not be reversible.</p> <p>Visitor pressure, pollution and falling biodiversity are long term, ongoing problems that will continue to get worse unless decisive and effective action is taken. This is characterised by summer peaks. Water quality problems are linked to high rainfall events and visitor numbers. Biodiversity decline is an ongoing process.</p> <p>The entire Parish is affected – but especially the Village, Holmes Dunes NNR and the Protected Sites.</p> <p>The Plan seeks to adopt a precautionary planning approach to dealing with effects of the SMP by the creation of an adaptation and resilience zone. It also seeks to reduce development and associated risk in areas likely to be affected.</p> <p>The adaptation and resilience zones will provide a vehicle for diffusing and spreading the effects of visitor pressure on the Village and the Protected Sites.</p> <p>The Plan seeks to introduced a water quality policy which will attempt to reduce the impact of pollution by ensuring adequate sewage disposal infrastructure before development can proceed</p>	Positive
The cumulative nature of the effects;	<p>The environmental problems affecting the Parish are cumulative and linked. The policy package which the Plan seeks to introduce addresses the issue of cumulative affects where possible.</p>	Positive effect
The trans-boundary nature of the effects;	<p>The impacts of visitor pressure, and pollution (especially water quality, noise and light) on habitats has the capacity to impact on the Natura 2000 network of EU sites thereby having both national and international effects.</p> <p>The Neighbourhood Plan aims to reduce pollution and protect habitats (see Plan for details)</p>	Positive effect
The risks to human health or the environment (e.g. due to accidents);	<p>Declining water quality poses a risk to human health. The Plan policies aim to improve water quality and can be expected to reduce this risk.</p>	Positive effect

	<p>The SMP highlights a risk to property and humans health from sea level rise and flooding. The Plan aims to reduce this.</p> <p>Growth in traffic poses a risk of increasing accidents. The Plan aims to reduce car trip generation and traffic impact.</p>	
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The Neighbourhood Plan covers the Parish of Holme next-the-Sea. The 2011 census recorded the population at 239 and the Parish covers an area of 882 ha. In comparison the Borough of King's Lynn and West Norfolk is 152,760 ha and has population of 147,451 (2011 census). Although it should be noted the area is subject to a large number of visitors.	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>ii) Exceeded environmental quality standards or limit values</p> <p>iii) Intensive land use</p>	<p>The area is highly sensitive in environmental terms. The Designations report which supports the Plan set this out.</p> <p>The Economy report highlights the underpinning importance of Holme's natural capital and ecosystem services to its economy</p> <p>The Environment / Biodiversity Report and the Heritage Report set out its properties as a very special place in this context.</p> <p>Water quality falls below WFD standards across the HUN catchment and is also very poor in standing water lagoons within the EU protected sites, Nitrates and phosphates are a particular issue. The Parish is within a nitrate sensitive zone.</p> <p>The Plan does attempt to address these issues, as far as is possible</p>	Positive effects
The effects on areas or landscapes which have a recognised national, Community or international protection status	The Neighbourhood Plan has been designed to help reverse cumulative deterioration in the environment on internationally protected sites. It has specific policies designated to protect and enhance its AONB landscape (see plan for further details).	Anticipated positive effect

5. Habitat Regulations

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 Natura 2000 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. 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. If there are significant effects the plan will need to undertake an Appropriate Assessment. The screening process should provide a description of the plan and an identification of the Natura 2000 sites which may be affected by the plan and assess the significance of any possible effects on the identified sites

5.3 The Designated Sites (including Natura 2000 wildlife sites) within the Neighbourhood Plan Area:

- North Norfolk Coast Ramsar Site (covers 42% of the NPA)
- North Norfolk Site of Special Scientific Interest (SSSI) (covers 42% of the NPA)
- North Norfolk Coast Special Area of Conservation (SAC – European significance) (covers 34% of the NPA)
- North Norfolk Coast Special Protection Area (SPA – European significance) (covers 41% of the NPA)
- Norfolk Coast Area of Outstanding Natural Beauty (AONB – national significance) (100% of the NPA)
- North Norfolk Heritage Coast (national significance) (covers 60% of the NPA)
- Holme Dunes National Nature Reserve (national significance)
- The Wash and North Norfolk European Marine Sites (EMS)

5.4 It is clear that there are a number of designations within the Neighbourhood Plan Area and that in total some 42% of the NPA is protected by plans and legislation. And the AONB covering the entire NPA. The Neighbourhood Plan must take this into account and ensure that policies are consistent with the designation objectives.

5.5 The Holme next-the-Sea Neighbourhood Plan contains a strong package of policies which aim at protecting and enhancing the natural environment. This has been carefully and thoughtfully crafted with expert skill recognising what a special and rather unique place Holme next-the-Sea actually is. The extensive Neighbourhood Plan and its 24 policies have been all designed with a keen eye for detail with regard to the natural environment any likely positive or negative impacts. There is also an extensive library of

supporting and background documents which together with the Neighbourhood Plan itself provide a comprehensive approach to the subject.

5.6 The plan starts from a high level and drills down into greater detail. A zoning approach has been utilised this defines the distinct areas of the Parish and these designed to help guide and shape development. They are Holme Village, the Protected Sites, an Adaptation and Resilience Zone, the Countryside and Drove Orchards. Rather than attempt to crudely summaries each policy a list is provided below of these which have had due care and consideration to the Protected Sites, note this is every policy:

- POLICY HNTS 1: Principle of sustainable development POLICY HNTS 2: Holme Village Zone
- POLICY HNTS 3: Protected Sites
- POLICY HNTS 4: Adaptation and Resilience Zone
- POLICY HNTS 5: Countryside Zone
- POLICY HNTS 6: Drove Orchards
- POLICY HNTS 7: Natural capital and ecosystem services
- POLICY HNTS 8: Sustainable travel and tourism
- POLICY HNTS 9: Touring and permanent holiday accommodation
- POLICY HNTS 10: Overall form and pattern of settlement
- POLICY HNTS 11: Street scene, character and residential environment
- POLICY HNTS 12: Conservation Area policy
- POLICY HNTS 13: New homes
- POLICY HNTS 14: Replacement dwellings
- POLICY HNTS 15: Extensions, annexes and outbuildings
- POLICY HNTS 16: Principal residences
- HNTS POLICY 17: Local Green Space
- POLICY HNTS 18: Heritage Assets
- POLICY HNTS 19: AONB landscape quality
- POLICY HNTS 20 : Advertising and signage
- POLICY HNTS: 21 Biodiversity
- POLICY HNTS 22: Pollution
- POLICY HNTS 23: Water resource management
- POLICY HNTS 24: Traffic and car parking

- 5.7 This has been carefully balanced with the need to support sustainable development (HNTS 1) which results in the plan continuing to support sensitive infill development (most likely replacement dwellings, development of brownfield sites or the conversion of current/formal agricultural buildings) on a scale similar to historic levels within the proposed development area. In order to attempt to ensure the right type of housing is provided, i.e. that which meets the identified local need (based upon research which underpins the Plan) a small site is proposed for allocation which provide a minor development of 5 relatively small 2/3 bedroom homes (approx. 80 - 120m² gross internal floor space with single garage).
- 5.8 Whilst clearly any new housing could have the potential to result in likely significant effects on the protected sites identified. It is considered that this minor increase in homes over a 20 year period (the majority of which would likely take place as organic growth over time without the plan in place) it is likely to be a very small increase based upon the development which could come forward at other larger settlements along the North Norfolk Coastline.
- 5.9 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). This considered the impacts of the housing growth arising from the Local Plan and the likely significant impacts upon the Natura 2000 sites. Although no sites were proposed at this time for Holme next-the-Sea, the level of growth now proposed through the neighbourhood plan, as previously discussed, is relatively minor and therefore would be in conformity with the Local Plan which allows for modest levels of development to meet local needs and maintain the vitality of these communities in a sustainable manner. (CS02, CS06, CS09, CS12).
- 5.10 After careful consideration and on balance based upon the extensive and detailed information within this context the Parish Council has not only produced as part of their emerging Neighbourhood Plan but as supporting documents, and given that the Neighbourhood Plan will be in general conformity with the Local Plan 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. Screening Outcome

6.1 The Borough Council prepared a preliminary screening opinion (May 2019). The statutory bodies, the Environment Agency, Historic England and Natural England, as required within the SEA and HRA screening process, were consulted upon this (13/05/2019 – 10/06/2019). 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. (please note that further detailed correspondence from Natural England was received 11/06/2019, for completeness this is also appended).

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 Holme next-to-Sea.

6.3 After careful consideration and on balance the Borough Council agrees with the opinions of the statutory bodies and therefore:

The Holme next-the-Sea Neighbourhood Plan does not require a Strategic Environmental Assessment (SEA).

The Holme next-the-Sea Neighbourhood Plan does not require a Habitats Regulation Assessments (HRA).

6.4 This report is based on the screening request made by the Parish Council (May 2019). The Neighbourhood Plan at this stage is emerging. The outcome of this screening report will be subject to review by Natural England, Historic England and the Environment Agency. The screening opinion and report may also need to be reviewed if changes are made to the Neighbourhood Plan.

6.5 This report will be issued to the 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:



.....
Geoff Hall, Executive Director Environment and Planning

24/06/2019.....

Date

Appendix: Statutory Body Consultation Responses

From: Anglian Central, Planning_Liaison [mailto:planning.brampton@environment-agency.gov.uk]
Sent: 30 May 2019 12:17
To: Clare Robinson
Subject: RE: Statutory consultation Holme-next-the-Sea PC Neighbourhood Plan SEA/HRA Screening: "SEA & HRA requirements of the NP"

Dear Clare

Thank you for your request for a screening opinion.

Due to resource pressures we are no longer able to provide you with bespoke advice on screening opinions. If there is a specific issue that you require our expert advice on before issuing the screening opinion then please contact us with details and we will endeavour to assist you. We remain a statutory consultee for scoping opinions so please continue to submit these for our review and comments.

Below is a link to our developers guidance entitled 'Building a better environment' this sets out our role in development and how we can help.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/289894/LIT_2745_c8ed3d.pdf

We have also published a webpage for [Neighbourhood Planning Groups](#) that gives clarification on our planning consultation role.

If you have any further queries please do not hesitate to contact us.

Kind regards
Elizabeth

Elizabeth Mugova
Sustainable Places
East Anglia Area (West)

Sustainable Places Team, Bromholme Lane, Brampton, Huntingdon, Cambs. PE28 4NE
Phone: 020 8474 5242
Direct Dial: 020 3025 5999
Email: planning.brampton@environment-agency.gov.uk

From: Wight, Victoria [<mailto:Victoria.Wight@naturalengland.org.uk>]
Sent: 10 June 2019 15:20
To: Clare Robinson
Subject: RE: 2019-06-24 282328 Holme-next-the-Sea NDP SEA & HRA (Kings Lynn & West Norfolk)

Dear Claire

Thank you for consulting Natural England. We understand that Holme Neighbourhood Plan allocates one site for development which will accommodate 5 residential dwellings. This allocation aligns with the emerging Local Plan which is currently being assessed under the Habitat Regulations. On this basis we agree with the conclusions of the preliminary screening opinion of the SEA and HRA.

If you have any questions please do get in touch.

Many thanks
Victoria

Sustainable Development Lead Adviser
Natural England
2 Gilders Way, Norwich
NR3 1UB
Mobile: 07786335079
Tel: 02082257617
<https://www.gov.uk/natural-england>

From: SM-NE-Consultations (NE) [<mailto:consultations@naturalengland.org.uk>]
Sent: 11 June 2019 12:54
To: Clare Robinson
Subject: Holme-next-the-Sea PC Neighbourhood Plan SEA/HRA Screening - Natural England response
Importance: High

Dear Clare

Please find Natural England's response in relation to the above mentioned consultation attached herewith.

Kind regards

Jacqui Salt
Natural England
Consultation Service
Hornbeam House
Crewe Business Park
Electra Way,
Crewe
Cheshire, CW1 6GJ

Enquiries line: 0300 060 3900
Email: consultations@naturalengland.org.uk
www.gov.uk/natural-england

Date: 11 June 2019
Our ref: 282328
Your ref: Holme-next-the-Sea Neighbourhood Plan



Clare Robinson
Borough Council of King's Lynn & West Norfolk
clare.robinson@west-norfolk.gov.uk

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 8GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Clare

Holme-next-the-Sea Neighbourhood Plan SEA/HRA Screening

Thank you for your consultation on the above dated 13 May 2019 which was received by Natural England on 13 May 2019

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.

Strategic Environmental Assessment (SEA) Screening

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 Holme-next-the-Sea 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.

Yours sincerely

Jacqui Salt
Consultations Team

From: Edward.James@HistoricEngland.org.uk [mailto:Edward.James@HistoricEngland.org.uk]
Sent: 10 June 2019 16:09
To: Clare Robinson
Subject: Historic England advice on case PL00582386

Dear Ms Robinson,

I am writing in relation to the following:

EIA: Environmental Impact Assessment
Holme-next-the-Sea Neighbourhood Plan, Holme-next-the-Sea, Norfolk [Case Ref. PL00582386; HE File Ref. HD/; Your Reference.]

Thank you for consulting Historic England regarding this SEA Screening. Please find our response attached.

Yours Sincerely

Edward James
Historic Places Advisor, East of England
E-mail: Edward.James@HistoricEngland.org.uk
Direct Dial: 01223 582746



Historic England

Ms Clare Robinson
Borough Council of King's Lynn & West Norfolk
Chapel Street
KING'S LYNN
Norfolk
PE30 1EX

Direct Dial: 01223 582746

Our ref: PL00582386

10 June 2019

Dear Ms Robinson

RE: Holme-next-the-Sea Neighbourhood Plan SEA Screening

Thank you for your email of 14 May 2019 regarding the above 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 Holme-next-the-Sea Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

The Screening Report indicates that the Council considers that the plan will not have any significant effects on the historic environment. We note that the plan does propose to allocate a site for small scale development of up to 5 residential units, on a site adjacent to the boundary of the conservation area. However, we consider that the scale of the development, as well as the clear and robust policy provision for the site's development in the neighbourhood plan including the protection of the conservation area, means that it is unlikely to harm the significance of the conservation area owing to development in its setting.

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 dated 14 May 2019. To avoid any doubt, this does not



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Historic England

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/guidance) 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 above, if you have any queries.

Yours sincerely,

Edward James
Historic Places Advisor, East of England
Edward.James@HistoricEngland.org.uk

cc:



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