



Rackheath Neighbourhood Plan Review

Strategic Environmental Assessment Screening Report

Updated October 2024

Contents

1. Introduction
 2. Rackheath Neighbourhood Plan Review
 3. Legislative background
 4. An Overview of the Screening Assessment
 5. The Assessment of the pre-submission draft policies of the Rackheath Neighbourhood Plan Review
 6. Screening outcome
- Appendix A: Map showing the Rackheath Neighbourhood Plan area
- Appendix B: Consultation responses from Statutory Bodies
- Appendix C: Broadland District Council SEA Determination Statement

1. Introduction

- 1.1 The purpose of this report is to determine if the Rackheath Neighbourhood Plan Review requires Strategic Environmental Assessment (SEA) through a process known as SEA screening.
- 1.2 Rackheath Neighbourhood Plan was fully adopted by Broadland District Council on 19 July 2017 and covers the period up to 2037 and now forms part of the development Plan for Broadland District.
- 1.3 Rackheath Parish Council decided to undertake a review of their 2017 Adopted Neighbourhood Plan. The Rackheath Neighbourhood Plan Review has been commissioned by Rackheath Parish Council and developed by a Steering Group of residents. A map showing the Neighbourhood Plan area for Rackheath is in Appendix A.
- 1.4 The first draft of the Neighbourhood Plan Review is being prepared for 'pre-submission consultation' in October 2024. The draft policies considered in this SEA screening report have not yet been signed off by the Steering Group. Should the draft policies change in a significant way, the SEA screening process will be repeated. The draft policies used in this screening are dated 05.08.2024.
- 1.3 This report fulfils the requirements of European Directive 2001/42/EC on the Assessment and Effects of Certain Plans and Programmes on the Environment, and the Neighbourhood Planning (General) Regulations 2012 as amended.
- 1.4 This report provides details of the draft pre-submission Neighbourhood Plan Review policies and explains the legislative background to SEA screening, before providing an account of the SEA screening exercise for the Rackheath Neighbourhood Plan Review.

2. The Rackheath Neighbourhood Plan Review

- 2.1 The Rackheath Neighbourhood Plan Steering Group has developed draft policies for the Neighbourhood Plan Review. There are no site allocations for development within the Neighbourhood Plan Review in addition to those in the Local Plan including the Broadland Growth Triangle Action Plan. The Neighbourhood Plan Review aims to influence and shape new development in line with the Greater Norwich Local Plan (adopted by Broadland Council on the 28th March 2024).
- 2.3 The Introductory Statement and full policies at 05.08.2024 can be seen below.

3. Legislative Background

- 3.1 European Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment ('SEA Directive') introduces the need to undertake a strategic environmental assessment ('SEA') during the development of some plans and programmes. The main purpose of SEA, according to Article 1 of the SEA Directive, is:

'to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development.'
- 3.2 The SEA Directive is transcribed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004, which establishes the requirement to undertake a sustainability appraisal (SA) for some documents used for planning purposes. The SA process incorporates the requirement for SEA, but typically has a broader scope and considers the social and economic issues in addition to the environmental effects.
- 3.3 The requirement to undertake SA of supplementary planning documents (SPD) was removed by the Planning Act 2008. However, the need to establish whether the planning document requires SEA, through the SEA Directive, remains. Articles 2 and 3 of the SEA Directive explain which plans and programmes require SEA. The Government's Planning Practice Guidance, suggests that an SPD will only require an SEA in exceptional circumstances, if they are likely to have significant environmental effects that have not already been assessed through the preparation of the Local Plan.
- 3.4 The Neighbourhood Planning (General) (Amendment) Regulations 2015 amends the Neighbourhood Planning (General) Regulations 2013 to provide clarification on the SEA related documents which must be submitted alongside neighbourhood planning proposals. Regulation 2(4) of the amendment regulations 2015 adds to the list of documents that a neighbourhood planning group must submit to a local planning authority with a proposal for a neighbourhood plan, which is presented in regulation 6 of the Neighbourhood Planning Regulations 2012. The additional document which must be submitted is either an environmental report, should SEA be required, or a statement of reasons why an environmental assessment is not required.
- 3.5 The UK left the EU on 31st January 2020. Under the UK-EU withdrawal agreement, a transition period ended on 31st December 2020, during which time all EU law continued to apply to the UK. During the transition

period the UK needed to continue following domestic law that implements EU law, or directly applicable EU law that is given effect through the EUWA 2018. Beyond the transition period, the SEA Regulations, which previously implemented the requirements of the SEA Directive in England, will continue to apply as before unless and until new legislation is introduced.¹

4. An overview of the screening assessment

- 4.1 Figure 1 overleaf is taken from 'A practical guide to the Strategic Environmental Assessment Directive' and illustrates the process for screening a Neighbourhood Plan to ascertain whether a full SEA is required (Article numbers relate to European Directive 2001/42/EC).
- 4.2 The screening for the Rackheath Neighbourhood Plan Review is highlighted in orange. To carry out the screening process it is necessary to consider each of the criteria set out in Figure 1, this is done in Table 1 on the following page.
- 4.3 Table 2 addresses criteria 8 by considering if the pre-submission draft Neighbourhood Plan Review is likely to have a significant effect on the environment. This is done by considering the Plan against the criteria for determining the likely significance of effects referred to in the Directive². The criteria are listed in Table 2 of this document.
- 4.4 Once the process set out in Figure 1 has been completed, a screening outcome can be reached, and the conclusion can be found in section 5.

¹ www.neighbourhoodplanning.org/toolkits-and-guidance/understand-plan-requires-strategic-environmental-assessment-sea/ Information obtained 05.08.2024.

² Article 3.5 of European Directive 2001

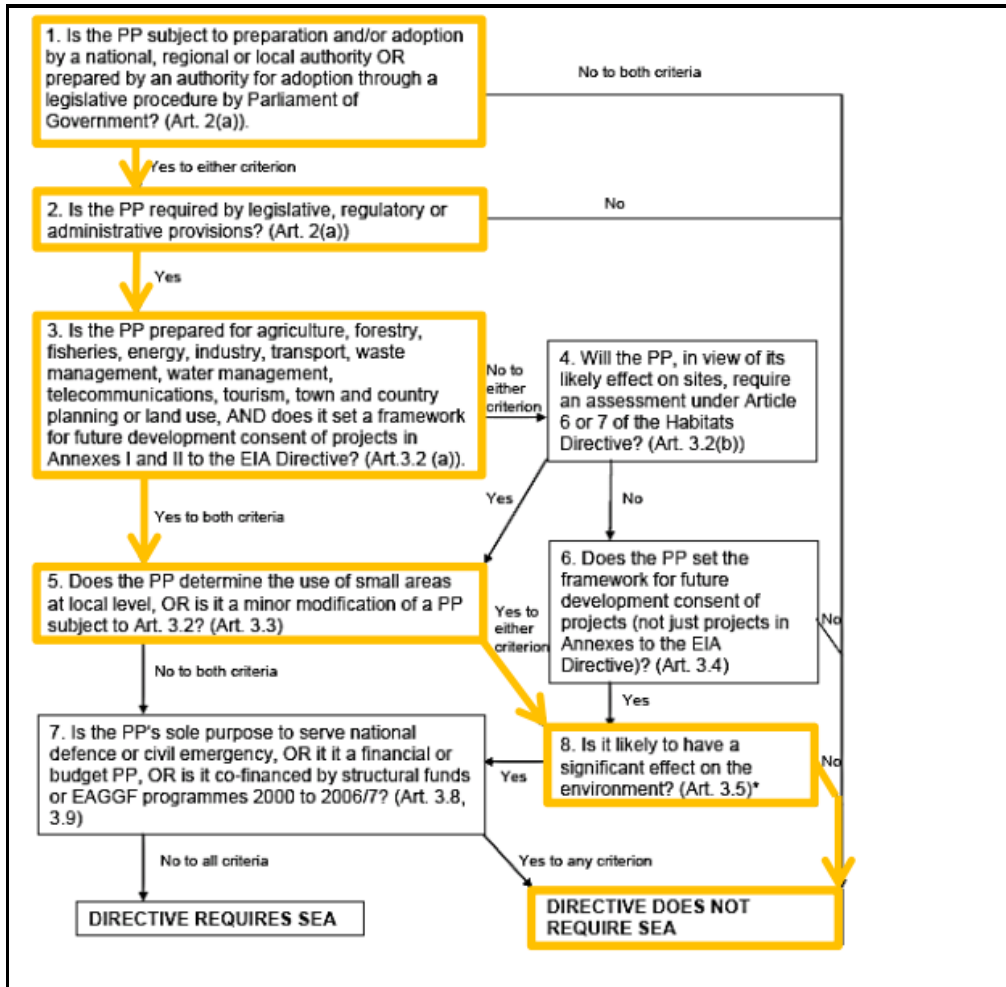


Figure 1 above: Application of the SEA Directive to Neighbourhood Plans.

5. The assessment of the Rackheath Neighbourhood Plan Review

Table 1 below assesses the need for full SEA of the Rackheath Neighbourhood Plan Review. The criteria in Table 1 are drawn from Figure 1 which sets out how the SEA Directive should be applied.

Table 1: Assessment of the Need for SEA for the Rackheath Neighbourhood Plan Review

Assessment Criteria	Assessment	Reason
1. Is the Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a0))	Yes	The intention is for the Rackheath Neighbourhood Plan Review to be adopted by Broadland District Council through a legislative procedure.
2. Is the Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	The Rackheath Neighbourhood Plan Review would be a statutory document, prepared in accordance with the Neighbourhood Planning (General) Regulations 2012 as amended.
3. Is the Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIX Directive?	Yes	The Rackheath Neighbourhood Plan Review is a document prepared for town and country planning purposes. It aims to influence and shape new development in line with the Greater Norwich Local Plan (adopted by Broadland District Council on the 28 th March 2024).
5. Does the plan determine the use of small areas at local level, OR is it a minor modification of a Plan or Programme subject to Art. 3.2?	Yes	The Rackheath Neighbourhood Plan Review will determine the use of small areas at a local level and contains no site allocations for development. The Neighbourhood Plan

Assessment Criteria	Assessment	Reason
See previous page	See previous page	recognises that land already allocated for development. will mean a significant change to Rackheath. Given the existing proposals, such as for GT16, anticipate a build programme over the next 3 decades, the successful integration of the existing proposed developments into the growing community is a key consideration.
8. Is it likely to have a significant effect on the environment (Article 3.5)?	No	Justification is given for this decision in Table 2.

The final question in the SEA screening process for the Rackheath Neighbourhood Plan Review was question 8: Is it likely to have a significant effect on the environment? In asking this question, the SEA Directive refers to Article 3.5, which states that the relevant criteria in Annex II of the SEA Directive shall be considered when determining whether there are likely to be significant effects. Table 2 below, uses the criteria in Annex II to determine if the Rackheath Neighbourhood Plan Review requires SEA.

Table 2: Determining the Likely Significant Effects of the Rackheath Neighbourhood Plan Review on the Environment.

Criteria in Annex II of the SEA Directive	Assessment	Is there a Significant Environmental effect?
<p>(1) Characteristics of the plan and programmes, having regard, in particular, to:</p> <p>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>	<p>The Neighbourhood Plan Review sets a framework for development within the parish in accordance with the Local Plan. The draft Neighbourhood Plan Review builds upon the existing framework by providing some additional details of the nature of development and supplements the existing policy on a local scale only. There are no site allocations within the Neighbourhood Plan. The Local Housing requirement for the Neighbourhood Area over the Neighbourhood Plan period has been met by existing commitments (completions</p>	No

Criteria in Annex II of the SEA Directive	Assessment	Is there a Significant Environmental effect?
See previous page	and permissions) and allocations made in the Greater Norwich Local Plan and the Broadland Growth Triangle Area Action Plan.	See previous page
The degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	The Rackheath Neighbourhood Plan will be adopted alongside the Local Plan and provides supplementary information on a local scale rather than influencing the overall direction of the Local Plan.	No
The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development.	The policies in the Neighbourhood Plan promote sustainable development through protecting and enhancing existing ecological networks, wildlife corridors and priority species in the parish, protecting Local Green Spaces, improving local flooding issues and protecting views of community importance and dark skies. Developers will be encouraged to build business premises and community buildings designed to anticipate climate change.	No
Environmental problems relevant to the plan or programme.	There are no environmental problems relevant to the Neighbourhood Plan.	No
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 Neighbourhood Plan is in conformity with the Local Plan and is therefore not directly relevant to the implementation of other European legislation.	No
(2) Characteristics of the effects and of the area likely to be affected, having regard, to:	The overall impacts of the Neighbourhood Plan will be in accordance with the Local Plan and unlikely to have significant effects.	No

Criteria in Annex II of the SEA Directive	Assessment	Is there a Significant Environmental effect?
The probability, duration, frequency, and reversibility of the effects.	See previous page	See previous page
The cumulative nature of the effects.	The Neighbourhood Plan will not lead to significant cumulative negative effects.	No
The transboundary nature of the effects.	The Neighbourhood Plan is unlikely to have an impact on neighbouring parishes.	No
The risks to human health or the environment (e.g. due to accidents).	The Neighbourhood Plan is unlikely to introduce significant risks to human health or the environment.	No
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected.)	The Neighbourhood Plan area covers the civil parish of Rackheath, which has a resident population of 2,147 (2021 Census). The Neighbourhood Plan policies are unlikely to have a significant impact on a wider geographical area or population. There are no site allocations in the Neighbourhood Plan.	No
<p>The value and vulnerability of the area likely to be affected by the plan due to:</p> <ul style="list-style-type: none"> - Special natural characteristics or cultural heritage - Exceeded environmental quality standards or limit values - Intensive land use - The effects on areas or landscapes which have a recognised national, 	The Neighbourhood Plan policies should protect and enhance the natural assets and biodiversity of the parish and protect heritage assets. The Neighbourhood Plan does not include any site allocations and should contribute to achieving sustainable development in the parish.	No

Criteria in Annex II of the SEA Directive	Assessment	Is there a Significant Environmental effect?
Community or international protection status.	See previous page	See previous page

5. Screening Outcome

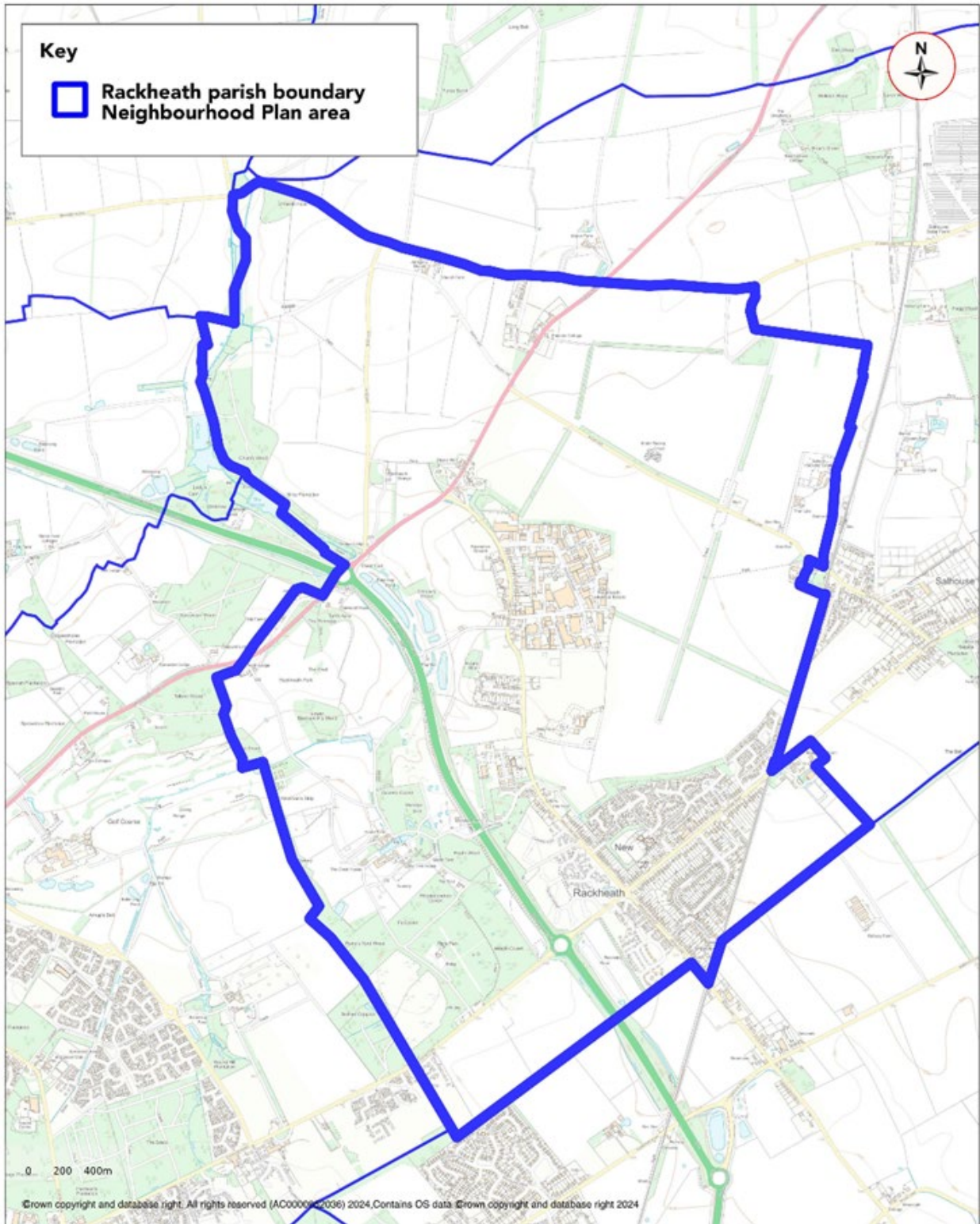
As a result of the findings in Table 1 and Table 2, it is concluded that the Rackheath Neighbourhood Plan Review is not likely to have significant environmental effects and full SEA is not required. There are no site allocations within the Rackheath Neighbourhood Plan Review.

The three statutory consultation bodies, Historic England, Natural England and the Environment Agency were consulted regarding the screening outcomes of this report, in accordance with regulation 9(2) of the Environmental Assessment of Plans and Programmes Regulations 2004.

Responses were received from Natural England, Historic England and the Environment Agency in agreement that full SEA is not required. The responses can be seen in Appendix B.

Broadland District Council issued a SEA Determination Statement following the outcome of the consultation with the Statutory Bodies. This can be seen in Appendix C.

Appendix A: Map showing the Rackheath Neighbourhood Plan Area
Source: South Norfolk Council



Appendix B: Consultation responses from Statutory Bodies

Sources: Historic England, Natural England and Environment Agency

Historic England

Dear Richard,

Our ref: PL00796934

Thank you for inviting Historic England to comment on this consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Therefore we welcome this opportunity to review the Screening Report for this plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Rackheath Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

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

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

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

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

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

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

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

Kind regards,
Ross
Ross McGivern (he/him)
Historic Places Adviser
Mobile no – 07766 206210, Tel: 01223 582709
East of England Region, Partnerships Team

Natural England

Dear Mr Squires

Rackheath Neighbourhood Plan Review - SEA/HRA Screening Consultation
Thank you for your consultation on the above dated and received by Natural England on 9 September 2024.

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

Screening Request: Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)

It is Natural England's advice, on the basis of the material supplied with the consultation, that:

- **significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,**
- **significant effects on Habitats sites¹, either alone or in combination, are unlikely.**

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the Planning Practice Guidance. This identifies three triggers that may require the production of an SEA:

- 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.

Natural England does not hold information on the location of significant populations of protected 1 Habitats sites are those referred to in the National Planning Policy Framework (Annex 2 - glossary) as "any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites". species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's standing advice on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA.

Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice.

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary. Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to consultations@naturalengland.org.uk

Yours sincerely

Sally Wintle
Consultations Team

Environment Agency

Date: 14 October 2024

Dear Richard

RACKHEATH NEIGHBOURHOOD PLAN REVIEW - STRATEGIC
ENVIRONMENTAL ASSESSMENT SCREENING REPORT CONSULTATION

Thank you for consulting us on the Strategic Environmental Assessment Screening Report for the Rackheath Neighbourhood Plan Review. We have reviewed the report, as submitted, and do not disagree with the conclusion that a Strategic Environmental Assessment is not required. We have set out some advisory comments below.

Water Quality

We have identified that the Plan area boundary includes the catchment for Whitlingham Water Recycling Centre, which is currently operating close to or exceeding its permitted capacity. Given the Plan does not allocate sites for growth development across the Plan period, we do not have any significant concerns. We would still expect to see consideration for any windfall developments captured in a relevant policy for Water Quality in the catchment of the Plan Area and serving WRC. We are therefore pleased to see the proposed inclusion of Policy ENV1, which requires a foul drainage strategy to be submitted in support of new major or large estate scale developments at the planning application stage.

Published Joint Guidance on Neighbourhood Planning

We encourage you to seek ways in which your neighbourhood plan can improve the local environment. For your information, together with Natural England, Historic England and Forestry Commission we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: [How to consider the environment in Neighbourhood plans - Locality Neighbourhood Planning](#).

We trust this advice is useful.

Yours sincerely

Mr Alasdair Hain-Cole
Planning Officer
Direct dial 02030 255475
Direct e-mail planning.eastanglia@environment-agency.gov.uk

Appendix C: Broadland District Council SEA Determination Statement

Strategic Environmental Assessment (SEA) – Determination Statement

Rackheath Neighbourhood Plan Review

This determination statement has been produced by Broadland District Council, as the “responsible authority”, to meet the requirements of Regulations 9 and 11 of the Environmental Assessment of Plans and Programmes Regulations 2004. The regulations implement European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

SEA Screening Assessment of Rackheath Neighbourhood Plan

Rackheath Parish Council is in the process of preparing a modified Neighbourhood Plan for the parish, to replace the original Plan which was made in 2017. A SEA Screening Assessment was undertaken for the draft version of the modified Neighbourhood Plan, and a subsequent report was produced in August 2024. This was a preliminary draft SEA Screening Assessment, subject to consultation with the statutory environmental bodies.

Consultation with Statutory Bodies

The draft SEA Screening Report detailing the results of the initial screening assessment of the plan and the preliminary conclusion shared by Broadland Council and the Qualifying Body, that the plan is not likely to result in significant environmental effects, was circulated to the statutory bodies, namely the Environment Agency, Historic England and Natural England. The statutory bodies were invited to provide comments on the Screening Report within a 5 week consultation period over September/October 2024.

Responses were received from all three bodies. Details of these responses can be found in the updated SEA Screening Report.

In summary:

- The Environment Agency supports the conclusion that a Strategic Environmental Assessment is not required.
- Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required, based on the information provided.
- Natural England supports the conclusion of the draft Strategic Environmental Assessment (SEA) Screening Report that significant effects on statutorily designated nature conservation sites or landscapes are unlikely.

Conclusion

Based on the assessment undertaken in the SEA Screening Report and the responses received from the consultation bodies, the Council considers that it is unlikely that significant environmental effects will arise from implementation of the Rackheath Neighbourhood Plan Review, and therefore that a Strategic Environmental Assessment is not required.

Broadland District Council, October 2024