

Public Notice

As required by European Directive 2001/42/EC (Strategic Environmental Assessment) and the UK Environmental Assessment of Plans and Programmes Regulations (Statutory Instrument 2004 No.1633) and

The European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna (the Habitats Directive)

Conservation of Habitats and Species Regulations (2017) (as amended)

Broadland District Council / South Norfolk Council

Hereby gives notice of its decision not to undertake a Strategic Environmental Assessment (SEA) nor Habitat Regulation Assessment (HRA) for the Custom and Self-Build Housing (Draft) Supplementary Planning Document (SPD) on the basis that the parent policy GNLP 7.5 has been subject to SEA and HRA.

The Custom and Self-Build Housing (Draft) Supplementary Planning Document (SPD) is not likely to cause significant environmental effects. This determination is based on the (SEA) criteria for determining the likely significance of effects on the environment as part of screening report. In addition, it will not have an effect on protected Habitats sites either alone, or in combination with other plans or projects based on the HRA criteria.

The decision has been taken by the Place Shaping Manager following consideration of a detailed screening report and has been subject to formal consultation with the Environment Agency, English Heritage, and Natural England. Members of the public wishing to find out more should contact:

Place Shaping Team - Broadland District Council T: (01603) 430567 or email:

localplan.bdc@southnorfolkandbroadland.gov.uk

Place Shaping Team - South Norfolk Council T: (01508) 533805 or email:

localplan.snc@southnorfolkandbroadland.gov.uk

Custom and Self-Build Housing Supplementary Planning Document (SPD) Draft

Strategic Environmental Assessment (SEA) Screening Report and

Habitats Regulations Assessment (HRA) Screening Report

November 2024

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1. Introduction

- 1.1 The Custom and Self-Build Housing Supplementary Planning Document (SPD) (draft) has been produced by Broadland District Council and South Norfolk Council. The SPD will apply to the whole of the Broadland District and South Norfolk Council areas, excluding the Broads National Park, for which the Broads Authority is the local planning authority.
- 1.2 The purpose of the Custom and Self-Build Housing SPD is to aid the effective implementation of both Council's strategic planning objectives and the custom and self-build housing delivery policies in the Greater Norwich Local Plan (GNLP) (Adopted 2024). The relevant GNLP policies as referred to in the SPD are Policy 5: Homes and Policy 7.5 Self-Build and Custom Build Windfall Housing Development outside defined settlement boundaries.
- 1.3 This screening report reviews a draft of the Custom and Self-Build Housing SPD and is designed to test whether or not the contents of the draft SPD require:
- (a) a full Strategic Environmental Assessment (SEA). The legislative background to SEA is set out in Section 2 below and Section 5 provides a screening assessment of the likely significant effects of the SPD and whether there is need for a full SEA.
 - (b) a full Habitats Regulation Assessment (HRA). The legislative background to HRA is set out in Section 3 below and Section 5 provides a screening assessment to highlight if there are any risks of the SPD having a significant effect on protected Habitat sites, either on its own or in combination with other proposals. The protected sites covered by this report are:

Habitats Site
Breckland SPA
Breckland SAC
The Wash SPA
The Wash and North Norfolk Coast SAC
The Wash Ramsar
North Norfolk Coast SAC
North Norfolk Coast SPA
North Norfolk Coast Ramsar
Norfolk Valley Fens SAC
Winterton – Horsey Dunes SAC
Great Yarmouth North Denes SPA
Broadland SPA
Broadland Ramsar
Breydon Water SPA
The Broads SAC
Redgrave & South Lopham Fens Ramsar
Waveney and Little Ouse Valley Fens SAC

2. The need for Strategic Environmental Assessment (SEA) Screening

- 2.1 Under the Planning and Compulsory Purchase Act 2004 (PCPA), regulations 16 and 17, local authorities were required to undertake a full Sustainability Appraisal for each of their SPDs. However, Regs 2 (5) and (6) of the Town and Country Planning (Local Development) (England) (Amendment) 2009 regulations amended the 2004 Act to remove the requirement for local planning authorities to provide a sustainability assessment for SPDs.
- 2.2 However, the explanatory memo to the 2009 regulations at paragraph 8.29 states that “Local Planning Authorities will still need to screen their SPDs to ensure the legal requirements for sustainability appraisal are met where there are impacts that have not been covered in the appraisal of the parent DPD or where an assessment is required by the SEA Directive”.
- 2.3 Under the SEA Directive 2001/42/EC and the Planning and Compulsory Purchase Act 2004, Strategic Environmental Assessment (SEA) is required on certain Plans and Programmes. This is explained further in the [Environmental Assessment of Plans and Programmes Regulations 2004](#). However, there are circumstances where SA/SEA is not required, and government guidance advises that SPDs in the form of design guides that supplement policies in Development Plan Documents (DPDs) will only require SEA where the Local Authority determines that they are likely to have a significant environmental effect.
- 2.4 The purpose of this document is to screen the Custom and Self-Build Housing SPD (Draft) to determine whether there are likely to be any significant environmental effects, which would require an SEA. The publications [A Practical Guide to the Strategic Environmental Assessment Directive \(2005\)](#) [ODPM & Sustainability Appraisal Of Regional Spatial Strategies and Local Development Documents \(2005\) ODPM](#) outline how plans should be ‘screened’ to determine whether the exceptions to SEA may apply. This is also outlined in the [Planning Practice Guidance Paragraph: 007 Reference ID: 11-007-20140306](#)

3. The need for Habitats and Species Regulation (HRA) Screening

- 3.1 The requirement to undertake Habitats Regulation Assessment (HRA) of plans and projects is set out in the Conservation of Habitats and Species Regulations (2017) (as amended). [Regulation 105 of the Habitats Regulations](#) requires consideration to be given to whether a Plan will have an effect on protected Habitats sites either alone, or in combination with other plans or projects. As per the [Habitat regulations assessment guidance](#) the process can have up to 3 stages: the first of which is Screening to check if the proposal is likely to have a significant effect on the site’s conservation objectives. If no significant effect is identified there is no need to go through the subsequent stages of Appropriate Assessment or Derogation. The GNLP was subject to full Habitat Regulations Assessment. Where screening identified a likely significant effect, Appropriate Assessment was undertaken

and the mitigation measures identified were incorporated within the Plan, resulting in the conclusion that the GNLP would not lead to any adverse effects on Habitat sites within the Greater Norwich area.

- 3.2 The purpose of this document is to screen the Custom and Self-Build Housing SPD (Draft) to ensure that it will not lead to any adverse effects on protected Habitats sites not already identified and mitigated for by the wider GNLP HRA.

4. Policy Context

- 4.1 The Custom and Self-Build Housing SPD will be supplementary to GNLP Policy 5: Homes and Policy 7.5 Self-Build and Custom Build Windfall Housing Development outside defined settlement boundaries.
- 4.2 The draft SPD contains:
- The policy context regarding Custom and Self-Build plots (based on policies in the GNLP), including the definition of custom and self-build and the percentage provision and thresholds for developments;
 - Approaches and advice on:
 - Finding a self-building plot
 - Submitting a planning application for custom and self-build
 - Design Codes and Plot Passports
 - Community Infrastructure Levy
 - Phasing
- 4.3 The SPD provides guidance on how to implement policies that are material considerations in the determination of planning applications and inform Development Management decisions. The SPD provides further guidance to all parties seeking to comply with the Local Plan policies and will therefore be of particular use to developers, architects and agents looking to bring forward development.

5. Methodology

Sustainability Appraisal Methodology

- 5.1 The SPD is supplementary to policies 5 and 7.5 in the GNLP which have undergone full Sustainability Appraisal and Habitat Regulations Assessment. Therefore, there is no need to further assess these policies against the SA Objectives.

Strategic Environmental Assessment – Regulatory Requirements

- 5.2 To assess whether an SEA is required the local authority must undertake a screening process based on a standard set of criteria. This screening must be subject to consultation with Historic England, the Environment Agency and Natural England. Following consultation, the results of the screening process must be detailed in a Screening Statement, which is required to be made available to the public.

- 5.3 Using the criteria, detailed in [Schedule 1 of the Environmental Assessment of plans and Programmes Regulations 2004](#), for determining the likely significance of effects on the environment, the following assessments have been made in Table 1 -2 below:

Table 1-2 SEA Criteria for Determining the Likely Significance of Effects on the Environment by the Custom and Self-Build Housing SPD

Criteria		
1. The characteristics of the plan having regard to:	Assessment	Likely significant environmental effect (Yes / No)
a) The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The draft SPD is intended to be supplementary to the adopted GNLP (2024). No policy requirement is deferred to the SPD, but it will provide useful explanation of how the requirements of Policies 5 and 7.5 of the GNLP will be met with respects to Self - build and custom build.	No
b) The degree to which the plan influences other plans and programmes including those in a hierarchy	The SPD will be in conformity with national planning guidance and the adopted GNLP (2024). It will provide additional practical guidance to policies 5 and 7.5 that have already been scrutinised and consulted upon through the plan making process including SA/ SEA.	No

c) The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD is intended to provide more detailed guidance on how the requirements of Policies 5 and 7.5 of the GNLP will be applied in practice by respecting the character of the area and reflecting the density in the settlement.	No
(d) Environmental problems relevant to the plan or programme	The SPD is intended to be supplementary to the GNLP Policies 5 and 7.5 which seek to ensure no significant adverse impact on the landscape and natural environments.	No
e) The relevance of the plan for the implementation of [European] Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	The purpose of the SPD is to provide guidance on the effective and consistent implementation of self and custom build policies. The GNLP 2024 contains other policies relating to these objectives	No

2. Characteristics of the effects and of the area likely to be affected having regard, in particular to:

Criteria	Assessment	Likely significant environmental effect (Yes / No)
(a) The probability, duration, frequency and reversibility of the effects	The SPD is not expected to give rise to any significant environmental effects. The SPD seeks to ensure the effective and consistent delivery of GNLP policies 5 and 7.5	No
(b) The cumulative nature of the effects	The SPD is not considered to have any significant cumulative effects	No
(c) The transboundary nature of the effects	The SPD is not expected to give rise to transboundary effects.	No

(d) The risks to human health or the environment (for example, due to accidents)	There are no significant or likely risks to health or to the environment as a result of additional guidance to supplement the GNLP Policies 5 and 7.5	No
(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	Implementation of additional guidance will only be of benefit for the population.	No
(f) The value and vulnerability of the area likely to be affected due to: i. Special natural characteristics or cultural heritage; ii. Exceeded environmental quality standards or limit values; iii. Intensive land use.	The SPD is not anticipated to adversely affect any special natural characteristic or cultural heritage. Nor would the SPD be expected to lead to exceeded environmental quality standards or result in intensive land use.	No
(g) the effects on areas or landscapes which have a recognised national, community or international protection status.	The SPD is not expected to have any adverse effects on areas with national community or international protection.	No

HRA Screening Assessment

- 5.4 To assess whether an Appropriate Assessment as a part of the HRA is required the local authority must undertake a screening process based on a standard set of criteria. This must be subject to consultation with Natural England. Table 3 below considers each relevant section of the draft Custom and Self- Build Housing Supplementary Planning Document (SPD) in relation to whether there is potential for a likely significant effect on protected Habitat sites. This constitutes Stage 1 Screening as set out under paragraph 3.1 above. Consideration is given to the characteristics and location of the protected sites. The relevant sections are considered within the context of the GNLP policies from which they hang, and which have themselves been subject to Habitats Regulations Assessment, as set out in section 3 above.

Table 3: HRA Screening for Likely significant effects of the Draft Custom and Self-Build Housing Supplementary Planning Document (SPD) Draft

Chapter	Assessment of potential impact on Habitat sites	Habitat sites that could possibly be affected	Likely significant effect identified	AA needed?
1. What is a Supplementary Planning Document	This chapter sets out details about the role of SPDs for the considerations of planning applications and the area it will cover. The guidance aims to support applicants and does not in itself promote new development and will therefore not lead to likely significant effects on Habitat Sites.	None	None	No
2. Introduction	This chapter sets out details about the government requirement to make provision for custom and self-build housing. The guidance contained here does not in itself promote new development beyond what is required by Local Plan policy and will therefore not lead to likely significant effects on Habitat Sites.	None	None	No

Chapter	Assessment of potential impact on Habitat sites	Habitat sites that could possibly be affected	Likely significant effect identified	AA needed?
3. National Guidance and Legislation	This chapter sets out details of the legislative background to custom and self-build housing. The guidance aims to support applicants and does not in itself promote new development and will therefore not lead to likely significant effects on Habitat Sites.	None	None	No
4. What is Custom and Self- Build Housing?	This chapter sets out the legislative background to custom and self-build housing and defines many of the terms associated with this type of development. The chapter clarifies the requirements for custom and self-build housing. The guidance contained here does not in itself promote new development beyond what is required by Local Plan policy and will therefore not lead to likely significant effects on Habitat Sites.	None	None	No
5. Self and Custom Build Housing Registers	This chapter explains the legislative requirements in relation to Councils keeping a part 1 and a part 2 register and the eligibility criteria. The guidance aims to support applicants and does not in itself promote new development and will therefore not lead to likely significant effects on Habitat Sites.	None	None	No

Chapter	Assessment of potential impact on Habitat sites	Habitat sites that could possibly be affected	Likely significant effect identified	AA needed?
6. Finding a self-build plot	<p>This chapter explains the legislative requirements in relation to provision of serviced plots and clarifies that custom and self-build plots must be serviced for electricity, water, and wastewater and have access to a public highway. It will also be expected that custom and self-build housing also be serviced for telecommunications.</p> <p>The guidance aims to support applicants and does not in itself promote new development and will therefore not lead to likely significant effects on Habitat Sites.</p>	None	None	No
7. Submitting a planning application for custom or self-build	<p>This chapter explains the planning requirements when submitting a planning application relating to Custom and Self-build and subsequent CIL exemption, NN mitigation, section 106 agreements, etc. The guidance aims to support applicants and does not in itself promote new development and will therefore not lead to likely significant effects on Habitat Sites.</p>			

Chapter	Assessment of potential impact on Habitat sites	Habitat sites that could possibly be affected	Likely significant effect identified	AA needed?
8. Policy Context	This chapter explains the Council(s) planning policy at the local level, such as the relevant adopted Local Plan Policies which have been subject to SA and HRA. The guidance aims to support applicants and does not in itself promote new development and will therefore not lead to likely significant effects on Habitat Sites.	None	None	No

<p>9. Design Codes and Plot Passports</p>	<p>This chapter explains that the Council(s) will require a design code to be agreed for developments that include 5 or more custom and self-build homes and provides more detailed advice for applicants who will need to comply with this requirement.</p> <p>It also explains what plot passports are and what basic information should be provided within them, which includes:</p> <ul style="list-style-type: none"> • Layout, • Plot size and shape, • Developable footprint, • Building height or number of storeys (which can vary across a site), • Orientation, • Landscaping, • Boundary treatments, • Material palette, • Car and cycle parking, • Refuse storage, • Construction compound and material storage areas <p>The guidance aims to support the preparation and consideration of applications and does not in itself promote new development and will therefore not lead to likely significant</p>	<p>None</p>	<p>None</p>	<p>No</p>
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Chapter	Assessment of potential impact on Habitat sites	Habitat sites that could possibly be affected	Likely significant effect identified	AA needed?
	effects on Habitat Sites.			
10. Community Infrastructure Levy	<p>This chapter clarifies the Community Infrastructure Levy (CIL) requirements associated with custom and self-build housing and explains that the CIL Regulations 2010 (as amended) provide for a CIL exemption for self-build housing.</p> <p>The chapter provides further detail for those applying for a CIL self-build exemption. The guidance contained here does not in itself promote new development beyond what is required by GNLP policy and will therefore not lead to likely significant effects on Habitat Sites</p>	None	None	No

Chapter	Assessment of potential impact on Habitat sites	Habitat sites that could possibly be affected	Likely significant effect identified	AA needed?
11. Phasing	<p>This chapter sets out the Council's expectations regarding the phasing of the delivery of custom and self-build housing, including when a phasing plan will be required.</p> <p>The guidance aims to support the preparation and consideration of applications and does not in itself promote new development and will therefore not lead to likely significant effects on Habitat Sites.</p>	None	None	No
12. Affordable Custom and Self- Build	<p>This chapter explains that custom and self- build housing proposals will be required to deliver a policy compliant affordable housing mix, as set out in GNLP policy 5. The chapter provides further, more detailed, guidance relating to the Council's expectations when schemes trigger the affordable housing requirement.</p> <p>The guidance in this chapter does not in itself promote new development beyond what is required by Local Plan policy and will therefore not lead to likely significant effects on Habitat Sites.</p>	None	None	No

13. Marketing Strategy	<p>This chapter sets out the Council's expectations regarding the marketing of custom and self-build developments.</p> <p>The guidance aims to support applicants and does not in itself promote new development and will therefore not lead to likely significant effects on Habitat Sites</p>	None	None	No
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6. Conclusion

- 6.1 The draft SPD does not introduce new policies or proposals outside the scope of the adopted Greater Norwich Local Plan (GNLP). Instead, it supplements policies in the GNLP by providing further detailed and specific guidance relating to Custom and Self-Build Housing. The policies in the GNLP which consider Custom and Self-Build Housing have already been subject to HRA and SA/SEA.
- 6.2 The overall conclusions of the HRA undertaken for the adopted GNLP (supported by the results of the screening undertaken for the SPD in this document) state that the plan is not likely to have adverse effect on the integrity of the European sites (Natura 2000 and Ramsar site(s)), either alone or in-combination with other plans or projects. Therefore further 'Appropriate Assessment as per stage 2 of the HRA is not considered necessary or required for the SPD.
- 6.3 Furthermore, in accordance with Part 2(9) of the Environmental Assessment of Plans and Programmes Regulations 2004 (as Amended including through EU exit legislation or SEA Regulations), Broadland District /South Norfolk Council(s), as the competent authority consider that the intended Custom and Self-Build Housing (SPD) (Draft) is unlikely to have a significant environmental effect and accordingly does not require a Strategic Environmental Assessment.
- 6.4 The Council(s) have consulted on this screening opinion with Historic England, Natural England and the Environment Agency from 18 November until 23 October, 2024 as per the HRA/ SEA regulations before the screening opinion is confirmed final. Therefore, this determination notice will be published on our website alongside the SPD consultation.