



Hingham Neighbourhood Plan

(Pre-submission Draft)

Habitats Regulations Assessment

Screening Report

June 2023

1. Introduction

- 1.1 This screening report has been undertaken by South Norfolk Council in order to support the emerging Hingham Neighbourhood Plan which has been produced by a working group on behalf of Hingham Parish Council in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 1.2 The aim of this screening is to assess whether there will be any likely significant impacts on designated European sites either within or in relative proximity to the designated neighbourhood area of the Neighbourhood Plan (i.e. the civil parish of Hingham).

2. Legislative Basis

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

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

- 2.2 The purpose of the Habitat Regulations Assessment is therefore to ensure the protection of European (Natura 2000) sites. These sites are designed to form an ecologically coherent network of designated sites across the whole of Europe. Referred to as 'European Designated Sites', Natura 2000 sites include Special Protection Areas (SPAs) and Special Areas for Conservation (SAC). As a matter of policy the Government also expect authorities to treat Ramsar sites, candidate SAC (cSAC) and proposed SPAs (pSPA) as if they are European sites for the purpose of considering development proposals that may affect them.
- 2.3 One of the basic conditions of Neighbourhood Plans, prescribed by Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) is that the plan:

...is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2017) or a European offshore marine site (as defined in the Conservation of Offshore Marine Habitats and Species Regulations 2017) (either alone or in combination with other plans or projects).

- 2.4 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 (see 2.1 above) and requires that:

(1) Where a land use plan –

(a) 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

(b) 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.

- 2.5 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.

- 2.5 As the 'competent authority' for these purposes, South Norfolk Council has produced this screening report to determine whether a full Habitats Regulations Assessment is required to support the emerging Hingham Neighbourhood Plan.
- 2.6 At a higher level, the current Joint Core Strategy for Broadland, Norwich and South Norfolk (2014) is underpinned by a full [Habitat Regulations Assessment](#), which was completed in 2010 (with a supplementary statement and addendum produced in 2012).
- 2.7 Since that time, a more up to date Habitats Regulations Assessment has been carried out in support of the emerging Greater Norwich Local Plan ([Habitats Regulation Assessment of the Greater Norwich Regulation 19 Draft Plan – December 2020](#)), which is currently at examination stage.
- 2.8 Government guidance on Appropriate assessment states that, in certain instances, an appropriate assessment for a more strategic plan, such as the local plan, can consider the impacts on sites and confirm the suitability or likely success of mitigation measures for associated non-strategic policies and projects, such as Neighbourhood Plans ([Appropriate assessment, paragraph: 008, Reference ID: 65-008-20190722](#)). In effect, as long as the relevant measures have been properly considered in a recent plan, and the development will not create additional risks of a significant effect on a habitats site, they may not need further assessment at the non-strategic level.

- 2.9 It should also be noted that, alongside all other local planning authorities in Norfolk, South Norfolk Council has received a letter dated 16 March 2022 from Natural England concerning nutrient pollution in the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site. The letter advised that new development within the catchment of these habitats comprising overnight accommodation has the potential to cause adverse impacts with regard to nutrient pollution. The parish of Hingham falls within the catchment area (being located within the surface water catchment of the River Yare).
- 2.10 As explained above, the Conservation of Species and Habitats Regulations 2017 require local planning authorities to ensure that new development does not cause adverse impacts to protected habitats such as the Broads prior to granting planning permission. At present there are no identified mitigation solutions available locally to resolve these impacts. Work continues amongst the Norfolk authorities on exploring the identification of mitigation solutions for the short, medium, and long term, which are due to be in place from later in 2023.

3. Screening Approach

- 3.1 The first step of the screening process involves the identification of European Sites that are either within or in close proximity to the Hingham Neighbourhood Plan area.
- 3.2 The 'Habitats Regulations Assessment of Greater Norwich Regulation 19 Draft Plan' (December 2020) includes, within chapter two, details of each of the European sites that lie within, near or partially within the Greater Norwich Area. This is based on a search using Natural England's Interactive 'Magic Map', which has also been used to inform this HRA screening.
- 3.3 There are no designated sites within the Hingham neighbourhood area. The nearest EU designated site is located approximately 4km north east of the parish (Norfolk Valley Fen SAC), followed by the Breckland SPA, Breckland SAC approximately 8km to the south-west:

| Designation Name | Designation Type |
|-------------------------|-------------------------|
| Norfolk Valley Fen | SAC |
| Breckland SPA | SPA |
| Breckland SAC | SAC |

- 3.3 All other EU designated sites are further than 15km from the Hingham Neighbourhood Area. A map showing the location of the above designations in relation to Hingham parish can be found in Appendix 1 at the end of this report.

4. Assessment

- 4.1 The table below sets out a summary of the proposed policies within the pre-submission draft Hingham Neighbourhood Plan and provides an assessment as to whether there is likely to be a significant impact from these policies on EU designated sites.
- 4.2 This assessment has been carried out in relation to the proposed draft policies of the Neighbourhood Plan, produced in May 2023.

| Buxton NP Policy | Analysis | Likely significant effect |
|--|---|------------------------------|
| HING1: Sustainable Development | This policy seeks to achieve 'sustainable development' to improve the economic, social and environmental well-being of the parish. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING2: Location and scale of new housing | This policy looks to set a preference for new housing to be located close to existing development, within easy distance of town centre, with good access to facilities. It also looks to set parameters for the scale of housing and how this should be brought forward. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING3: Housing Mix | Using evidence from a housing needs assessment, this policy looks to ensure a mixture of house sizes/types are delivered through development. It also looks to ensure affordable housing is delivered in accordance with relevant policy. It is not anticipated that this will have any significant impacts on EU designated sites. | No likely significant effect |
| HING4: Design | This policy looks to ensure that development reflects the local character of Hingham and has regard to the guidance set out in the Design Guidance and Codes document. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING5: Historic Environment | This policy looks to preserve the historic environment, including listed buildings, conservation areas and non-designated assets. To this effect it also looks to identify a number of non-designated heritage assets. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |

| Buxton NP Policy | Analysis | Likely significant effect |
|--|--|------------------------------|
| HING6: Community infrastructure | This policy looks to support development when it can be demonstrated that supporting infrastructure will be made available to meet the needs of the development. It also supports the provision of additional community facilities, and looks to protect existing facilities from loss. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING7: New sports provision | This policy looks to support any proposals for new sports and leisure provision that is in easy access of the community. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING8: Allotments and green spaces | This policy looks to support proposals that would result in the provision of new allotments, play areas, community orchards and wildlife areas. This is a generic development management policy and, as such, it is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING9: Allocation of land for community uses | This policy looks to set aside 10 hectares at Ladies Meadow for a mix of community uses including an extension to the cemetery, an area of open space and a public car park. Development of this site is to be through a master planning exercise in conjunction with the Town Council. Whilst there is a creation of a car park involved, the impact is considered minimal and as such it is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING10: Town Centre car parking | This policy looks to support proposals that would provide safe and easily accessible off street car parking in the town centre available for public use with the understanding that a set of criteria are met. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING11: Parking in new developments | This policy looks to ensure that new development ensures adequate provision for residents, visitors and delivery/service vehicles in relation to the size of dwellings being delivered. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |

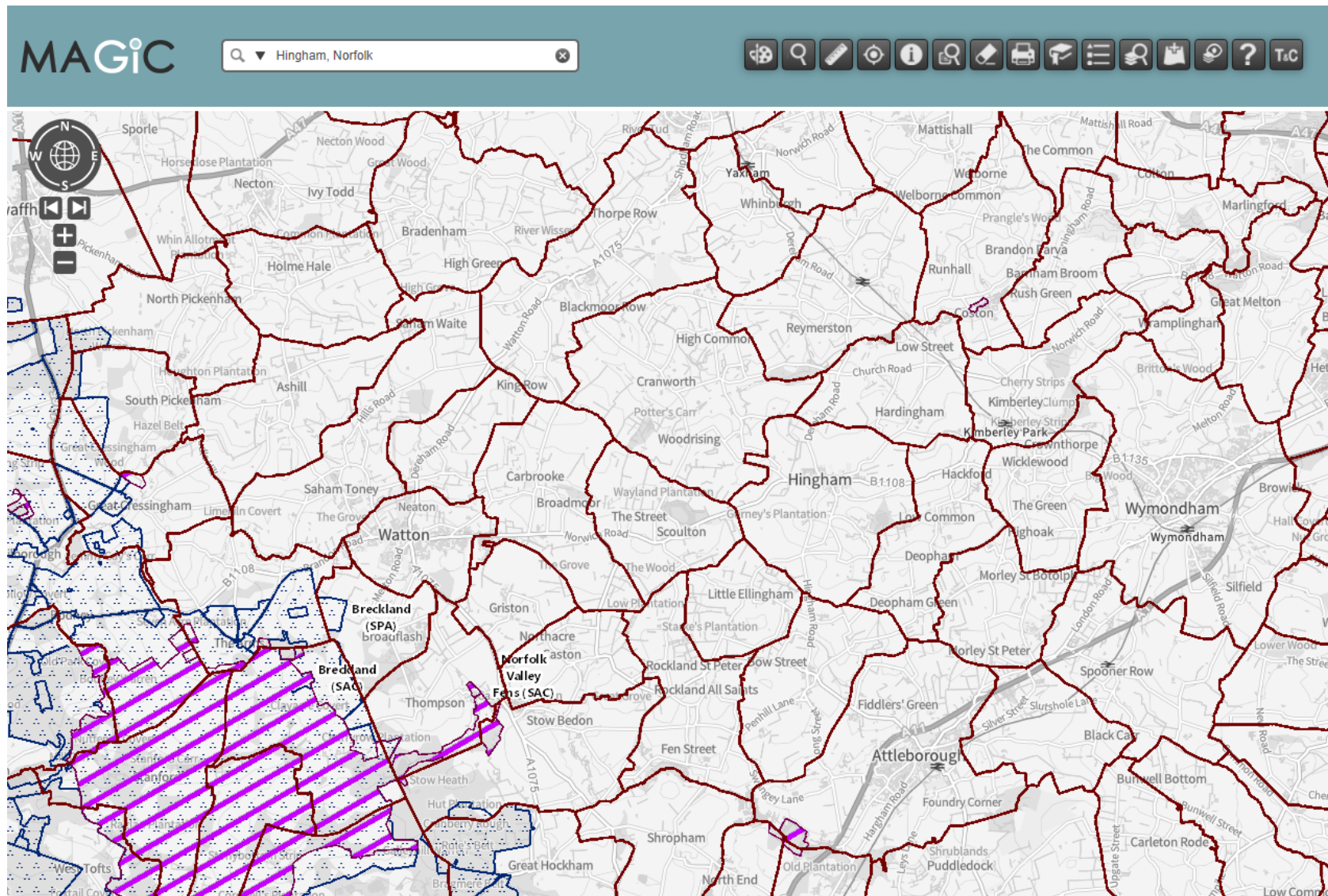
| Buxton NP Policy | Analysis | Likely significant effect |
|--|--|------------------------------|
| HING12: Improving access and safety | This policy supports proposals in Hingham for new development that maximises opportunities for sustainable transport, including walking and cycling, prioritising these modes as far as possible. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING13: Protecting and enhancing of Public Rights of Way | This policy looks to support existing PRow and ensure they are incorporated into new development where possible. It also looks to extend the footpath network with creation of new permissive paths. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING14: New and existing business | This policy supports new employment development and expansion to existing services where they do not have a significant adverse impact upon the character of the area. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING15: Retail and Town Centre | This policy supports proposals that contribute to achieving a vibrant and viable town centre comprising a mix of retail, service, business, hospitality, cultural and residential uses. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING16: Rural diversification | This policy seeks to support appropriate small scale business, especially where redundant farm buildings are brought back into use providing set criteria is met. Proposals for renewable energy, again measured against set criteria are also welcomed. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING17: Local Green Spaces | This policy looks to designate a number of Local Green Spaces within the neighbourhood area. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING18: Landscape character and important public views | This policy looks to protect the landscape character of Hingham from development which may impact on this. There are also a number of views which are identified as being locally important, and any proposals that would adversely effect these will not be supported. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |

| Buxton NP Policy | Analysis | Likely significant effect |
|---------------------------------------|---|------------------------------|
| HING19: Biodiversity | This policy looks to ensure that any development proposals look to protect, improve and/or enhance existing ecological networks, wildlife corridors and priority species in the parish. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING20: Climate change and flood risk | This policy encourages proposals to include features to increase energy efficiency, conservation of water quantity and quality, community green energy generation and reduce carbon emissions. It also looks to ensure appropriate drainage systems are put in place as well as flood mitigation strategies. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |
| HING21: Dark skies | This policy seeks to ensure that new development proposals include good lighting management and design to reduce the impact on the environment. It is not expected to have any significant effects on EU designated sites. | No likely significant effect |

5. Conclusion

- 5.1 The screening assessment suggests that there will be no likely significant effect of the proposed Hingham Neighbourhood Plan on European designated sites, and therefore that a full Appropriate Assessment is not required.
- 5.2 The screening assessment does refer to one site specific policy (Policy HING9), which is an allocation of land for community uses, including creation of a car park. However, given the nature and the scale of the proposed car park, the impact is considered minimal and as such it is not expected to have any significant effects on EU designated sites. The majority of the policies are development management policies that seek to shape and influence future proposals. Where other policies do relate to specific sites, they are those that seek to protect Local Green Space and preserve important views and heritage features.
- 5.3 In addition, as explained in section 3, there are no European designated sites that are within the Hingham neighbourhood area (the closest being approximately 4km north east of the parish - the Norfolk Valley Fen SAC).
- 5.4 This screening assessment has been performed in relation to the draft version of the Neighbourhood Plan policies, which are intended to be subject to Reg. 14 pre-submission consultation. Once the final draft of the Neighbourhood Plan is submitted to South Norfolk Council, the authority will review the policies therein to see if there have been any significant changes. If so, then the local planning authority may decide to update this assessment at that time.
- 5.5 This assessment report has been sent to Natural England for comments, as the appropriate nature conservation body specified by the Conservation of Habitats and Species Regulations 2017. The response from Natural England, dated 4th July 2023, is that the organisation agrees there is not likely to be any significant effect from the proposed policies within the Neighbourhood Plan on European designated sites. The response letter is included as Appendix 2 to this report.

Appendix 1: European Designated Sites in relation to Hingham (source Magic Map <https://magic.defra.gov.uk/magicmap.aspx> May 2023)



Appendix 2: Natural England Response
Date: 04 July 2023
Our ref: 436890
Your ref: Hingham Neighbourhood
Plan



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Dear Ms West

Hingham Neighbourhood Plan - HRA Screening Consultation

Thank you for your consultation on the above dated and received by Natural England on 06 June 2023.

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.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

European sites

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

Sites of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Sally Wintle
Consultations Team