



**Strategic Environmental Assessment**  
**Screening Determination**  
**Saham Toney Neighbourhood Plan**  
**Neighbourhood Plan**  
**June 2018**

# Neighbourhood Planning Strategic Environmental Assessment Screening Report

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# 1. Introduction

1.1. Strategic Environmental Assessment (SEA) is the process by which environmental considerations are required to be fully integrated into the preparation of plans and programmes prior to their final adoption. SEA is a tool used internationally to improve the environmental performance of plans so that they can better contribute to sustainable development.

1.2. Establishing whether a Neighbourhood Plan has been subject to a SEA is an important legal requirement. The Independent Examiner appointed to consider the Salam Toney Neighbourhood Plan (STNP) will check that it meets the 'Basic Conditions' set out in national Planning Practice Guidance (PPG)<sup>1</sup>. One of the Basic Conditions is whether the STNP is compatible with European Union obligations.

1.3. This screening report is designed to determine whether or not the contents of the STNP require a SEA in accordance with the European Directive 2001/42/EC and the associated Environmental Assessment of Plans and Programmes Regulations (2004)<sup>2</sup>.

1.4. The legislative background set out in section 2 outlines the regulations that require the need for this screening exercise.

1.5. The policies of the STNP are set out in section 3.

1.6. To assess whether an SEA is required, a screening process must be undertaken based on a standard set of criteria. This must be subject to consultation three statutory consultees of the Environment Agency, Historic England and Natural England. The results of the screening process must be detailed in a Screening Report, available to the public.

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<sup>1</sup> <http://planningguidance.communities.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

<sup>2</sup> <http://www.legislation.gov.uk/ukxi/2004/1633/contents/made>

## 2. Legislative Background

2.1. The basis for SEA legislation is European Union Directive 2001/42/EC<sup>3</sup> which requires a Strategic Environmental Assessment to be undertaken for certain types of plans or programmes that would have a significant environmental effect. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, commonly referred to as the SEA Regulations.

2.2. In accordance with the provisions of the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9(1)), Breckland Council must determine if a plan requires an environmental assessment. Where the Council determines that SEA is not required, then the Council must, under Regulation 9(3), prepare a statement setting out the reasons for this determination.

2.3. In accordance with Regulation 9 of the SEA Regulations 2004, Saham Toney Parish Council (the qualifying body) has requested Breckland Council, as the responsible authority, to consider whether an environmental assessment of the emerging Neighbourhood Plan is required due to significant environmental effects.

2.4. Whether a neighbourhood plan requires an SEA, and if so, the level of detail needed, will depend on what is proposed in the draft neighbourhood plan (see PPG Paragraph 046). The PPG suggests that SEA may be required, for example, 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; and
- 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 (LP).

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<sup>3</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32001L0042>

### 3. Saham Toney Neighbourhood Plan

3.1. STNP is at the pre-submission consultation stage (Reg.14). The information provided for the SEA Screening Opinion Request, identifies that:

In terms of environmental assets the area does not encompass any Area of Outstanding Natural Beauty, National Park, Special Area of Conservation, Special Protection Area or Ramsar Site. There are no nationally-designated sites within the parish although there are two Sites of Special Scientific Interest nearby. The parish has 9 County Wildlife Site wholly within, or partially within, its boundaries. This information is summarised in the table below.

| Environmental assets             | Designation                                 | Details   |
|----------------------------------|---|---|
| Internationally designated sites | Special Area of Conservation (SAC)          | None within parish. Nearest is a component unit of the Norfolk Valley Fen SAC (Great Cressingham Fen SSSI) which is 2.5km west of the parish.   |
|                                  | Special Protection Areas (SPA)              | None within the parish. Nearest is the extensive Breckland SPA, designated for Stone Curlew and other ground-nesting birds, which is around 500m south of the parish at the nearest point (south of Brandon Road).  |
|                                  | Ramsar wetlands                             | None in the parish or nearby.   |
| Nationally-designated sites      | Sites of Special Scientific Interest (SSSI) | None in the parish. The closest are Great Cressingham Fen SSSI around 2.5km to the west of the parish (contiguous with the SAC in this area), and the extensive Breckland Farmland SSSI, which has the same boundary as the SPA in this locality.   |
|                                  | Registered Ancient Woodland                 | Two areas of woodland within the parish are included on the Natural England Ancient Woodland Inventory. These are Saham Wood (Ancient replanted woodland) and Park Farm Wood (Ancient and semi-natural wood; in two separate blocks). There are around 25 Ancient Trees on the Norfolk County Council veteran tree database.  |
| Local sites                      | County Wildlife Sites (CWS)                 | There are 9 CWS wholly or partially within the parish. Saham Mere CWS 977; The Grove CWS 907; Land South of River Wissey CWS 905; Land Adj. to River Wissey Tributary CWS 904; Land East of Saham Toney (in part) CWS 979; Saham Wood CWS 986 (contiguous with Ancient Woodland); Saham Park Cottages CWS 987, Land North of Woodbottom CWS 988; Disused Railway (in part) CWS 991. |
|                                  | Geodiversity Sites                          | None and none nearby  |

|                             |  |  |
|-----------------------------|--|--|
|                             | Roadside Nature Reserves (RNR)                     | None in Parish   |
| Common land                 | Registered Common Land                             | None in Parish   |
|                             | Registered Village Green                           | None in Parish   |
| Public Rights of Way (PRoW) | Public Footpaths, bridleways and Restricted byways | A single PRoW is within the parish (Saham Toney RB1). Sustrans National Route 01 runs through the parish (linking Watton with Bradenham)   |
|                             | Norfolk Trails                                     | The Peddars Way National Trail is contiguous with the parish boundary for a short section in the south-west of the parish.   |
| Agricultural Land           | Grades 1-5   | The majority of the parish is Agricultural Grade 3 land with some small areas of Grade 4.  |
| Flooding                    | Flood Zones  | A very small section at the very south of the parish is included in Flood Zone 2 and Zone 3 (Environment Agency data). This amounts to less than 2% of the parish. Surface water flooding in other areas of the parish has been recorded (NCC Local Flood Risk Management Strategy). . |

- The NP proposes to include policies relating to the location of sustainable development, but does not propose to specifically allocate land for development.
- The policies within the plan are not likely to lead to any major new development or infrastructure, nor are they likely to have any significant adverse effects on any SEA topic.
- The NP will not allocate land in and above that identified within the Breckland Site Specific Policies and Proposals document.
- The parish has no internationally-designated or nationally-designated sites within its boundaries.

3.2. The STNP policies (Reg.14) to be considered in the SEA Screening Opinion are:

**POLICY 1: NEIGHBOURHOOD AREA CLASSIFICATION AND HOUSING ALLOCATION**

P1.1 Planning decisions relating to the Neighbourhood Area shall be based on its classification as a Rural Settlement With Boundary as defined by the emerging Local Plan and shown on map 13 of that Plan.

P1.2 Planning decisions relating to the Neighbourhood Area shall give full consideration to the applicable constraints set out in Evidence Base - Volume 1: Saham Toney's Key Development Constraints and listed below:

- a. Landscape setting and character;
- b. Availability and accessibility of services and facilities;
- c. Housing need;
- d. Roads and public transport;
- e. Flood risk.

P1.3 In deciding planning applications for new residential housing within and immediately adjacent to the settlement boundary the Neighbourhood Area's sustainably proportionate share of the total rural settlement housing allocation shall be taken as within the range 19-48 new dwellings from 31 December 2017.

P1.4 Any development proposal within or immediately adjacent to the settlement boundary that individually, or cumulatively with other planning permissions granted before the date of that proposal is above the Neighbourhood Area's sustainably proportionate share will not be supported by the Neighbourhood Plan and shall not be permitted unless:

- a. A higher allocation for Saham Toney is explicitly specified and justified in any future adopted update of the Local Development Plan; or
- b. The development will comprise affordable or self-build housing to meet the needs of those with a connection to the Parish of Saham Toney, or the development will be specifically designed to cater for the housing needs of older adults in the Parish (both as demonstrated through an up to date assessment of Neighbourhood Area housing needs); and
- c. The community of Saham Toney are fully engaged with the proposal via the provision of a development brief prior to a planning application being submitted; and
- d. The development is shown to contribute to the preservation, and where possible, the enhancement of the historic nature and landscape setting of the Neighbourhood Area, and its social cohesiveness; and does not result in isolated dwellings in the countryside; and
- e. The benefits of approving the scheme clearly outweigh the harm caused by exceeding the sustainably proportionate share of development allowed under this policy.

**POLICY 2A: SCALE & LOCATION OF RESIDENTIAL DEVELOPMENTS**

P2A.1 Within the settlement boundary small-scale, sensitively designed, in-fill residential development will in principle be supported where:

- a. An appropriate level of services, facilities and infrastructure is in place or provided to serve the development;
- b. The scheme fronts directly on to the highway;
- c. The scheme has a similar form of development to properties in the immediate surrounding area and comprises no more than 5 dwellings; and
- d. In respect to development in gardens of existing properties; proposals will be resisted where they have the potential for loss of amenity of neighbouring properties; through loss of privacy, overshadowing, loss of daylight, visual intrusion by a building or structure, loss of car parking, loss of mature vegetation or landscape screening and additional traffic resulting from the development.

P2A.2 Residential development proposals immediately adjacent to the settlement boundary shall

meet the following criteria:

- a. It is minor development of up to 5 dwellings, or for brownfield sites, it is development of up to 10 dwellings;
- b. An appropriate level of services, facilities and infrastructure is in place or provided to serve the development;
- c. It provides significant community benefits, as a minimum comprising those listed below:
  - 1) In the case of it being a brownfield site:
    - i. The proposal would improve the visual appeal of the site;
    - ii. It is shown prior to approval that there would be a decrease in flood risk, both at the development site and the surrounding area, as a result of the development; and
    - iii. The proposal includes measures to remove any form of public nuisance arising or that previously arose from the pre-existing use of the site.
  - 2) In all cases it addresses specific housing needs in the Neighbourhood Area as demonstrated by an up to date assessment of Neighbourhood Area housing needs and which for example, may include:
    - i. Meeting affordable housing needs of those with a connection to the Parish of Saham Toney; and / or
    - ii. Being specifically designed to cater for the housing needs of older adults in the Parish (to be demonstrated through an up to date assessment of local housing needs); and /or
    - iii. Improving the ratio of one and two bed-roomed dwellings in the Neighbourhood Area to three, four and five bed-roomed dwellings.
- d. Unless it is a rural exception site, it is not sited on land in agricultural use that is of Grade 1 in the Agricultural Land Classification.
- e. The community of Saham Toney are fully engaged with the proposal via the provision of a development brief prior to a planning application being submitted; and
- f. The intrinsic character of the Neighbourhood Area is recognised and the scheme is shown to contribute to the preservation, and where possible the enhancement of the historic and rural nature and the landscape setting of the Neighbourhood Area.

#### **POLICY 2B: HOUSING MIX**

P2B.1 Residential development proposals shall include a housing mix and tenure which respond to local housing need having particular regard to demographic characteristics of the Parish of Saham Toney (as evidenced in an up to date assessment of housing need in the Neighbourhood Area). The following overall needs have been identified and shall be addressed in development proposals:

- a. Housing specifically designed for the older adults, suitable for independent living, in accordance with Lifetime Home Standards;
- b. Smaller homes for parishioners who wish to downsize but to continue to live in the Neighbourhood Area, and others;
- c. One and two bedroom starter homes for first time buyers;
- d. Social and affordable housing for those who cannot afford market prices;
- e. Sites of 5 or more dwellings shall incorporate an element of 1 or 2 bedroom dwellings.

#### **POLICY 3: DESIGN OF RESIDENTIAL DEVELOPMENTS**

P3.1 A residential development proposal shall meet all of the following design criteria:

- a. The design respects the distinctive height, spacing and design of housing in the area in which it is located;
- b. The design and layout complements and is consistent and compatible with that prevailing for neighbouring properties in terms of density and will not exceed approximately 20 dwellings per hectare unless a higher figure is justified by design issues;

- c. The design relates well to and integrates with its surroundings, both built and natural, and it is non-generic;
- d. The design and layout makes use of opportunities there may be to enhance or better reveal the significance of the historic environment;
- e. The design includes rear garden spaces at least equal to the footprint size of the dwelling;
- f. The design and layout is such that it does not impact adversely any building defined as a heritage asset or its setting, nor intrude on the public view of such a building; or if such impact/intrusion would occur, a justification assessment and mitigation proposal is provided which shows the impact to be acceptable;
- g. The design ideally incorporates traditional building materials found in the Neighbourhood Area's existing dwellings, especially those sourced locally and of low ecological / environmental impact;
- h. The design and layout respects the natural contours of the site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site without its landscaping being of such a scale or design that it in itself becomes an intrusion in the landscape;
- i. Access roads within the site do not dominate the area and are set out principally to suit the prior layout of the housing in accordance with good design principles, at their junctions with public roads they do not impede local traffic, and they do not reduce parking provision for existing neighbouring residents;
- j. The design includes boundary treatment to properties such as hedges or walls which reflect that used in the surrounding area;
- k. Where parking provision is made to the front of a property, its impact on the street scene is mitigated by appropriate and sympathetic boundary treatment and planting and the provision of at least an equal area of landscaped front garden;
- l. Pavements shall be provided alongside site roads and shall be wide enough to allow safe passage of pedestrians without recourse to use of the roadway;
- m. The design and layout maximises opportunities to maintain the visual openness of its surroundings, protects existing public views to the countryside, and for proposals located in the Areas of High Sensitivity to Development, as shown on Policy Map 1 does not adversely impact the rural setting of the Neighbourhood Area, as demonstrated through a Visual and Landscape Impact Assessment;
- n. The design and layout does not cause unacceptable effects on the residential amenity of neighbouring occupants, and it provides adequate levels of residential amenity for future occupants;
- o. The design is assessed and performs positively against Building For Life 12 with the Saham Toney Neighbourhood Development Plan 2018-2036 Page **39** of **101** maximum number of 'greens' secured, with 'reds' avoided and 'ambers' well justified;
- p. The development is within safe and comfortable walking distance of shops, schools, community facilities and other services; and
- q. The development is within reasonable access of public transport.

P3.2 In the interests of crime prevention and protecting the rural character of the area rear parking courts will not be supported.

P3.3 The provision of secure and convenient cycle storage of a quantity consistent with the number of bedrooms to promote increased cycle usage will be encouraged and supported.

P3.4 Street lighting of new developments or any other lighting that affects the "dark skies" of the Neighbourhood Area will only be permitted providing it strictly complies with all of the following criteria:

- a. Valid reasons justifying the installation of such lighting are provided;

- b. It can be proven prior to approval that the technology to be used would improve night-time visibility of the site while remaining unseen from outside the site, including above it;
- c. It is subject to a limit on its operation within lighting-up times (one half hour after sunset to one half hour before sunrise);
- d. It complies with The Institution of Lighting Engineers Guidance Notes For The Reduction of Obtrusive Light; and
- e. It is shown to take full account of the government's planning practice guidance on light pollution.

P3.5 Additionally the following design criteria, while not obligatory, are encouraged:

- a. Incorporate features that reduce the environmental impact of the development;
- b. Make use of advances in construction or technology that enhance performance, quality and attractiveness;
- c. Incorporate planting schemes that use native tree species and hedging plants;
- d. Aim for the requirements of statutory building regulations relating to renewable energy and emissions to be exceeded;

P3.6 Developments shall avoid any features that would create any form of noise nuisance in excess of statutory environmental standards on a regular and/or repeated basis.

#### **POLICY 4A: NON-RESIDENTIAL DEVELOPMENT: COMMUNITY FACILITIES**

P4A.1 Proposals, including change of use (outside permitted development rights), which result in the loss of the local community buildings listed below will only be permitted providing:

- a. It can be demonstrated that there is no local need for the facility or that its continuing function is no longer viable following appropriate marketing; and
- b. An equivalent facility in terms of quality is provided to serve the same community in an accessible location or;
- c. An appropriate alternative community facility to meet local needs is not required or likely to be viable, as demonstrated by evidence submitted by the applicant.
  - i. The Wells-Cole Community Centre;
  - ii. St George's Church;
  - iii. Saham Hills Methodist Chapel;
  - iv. The sports and social club;
  - v. Broom Hall Country Hotel;
  - vi. The Old Bell public house
  - vii. Penny's tearoom;
  - viii. Lowe's caravan park.

P4A.2 Where new development increases the demand for community facilities, Breckland Council may require a developer contribution to improve the qualitative and quantitative offer of the existing facilities.

P4A.3 Development of new community facilities will be supported.

#### **POLICY 4B: NON-RESIDENTIAL DEVELOPMENT: BUSINESS OR TOURISM RELATED**

P4B.1 Development of existing or new business or tourism related facilities will be supported where :

- a. It recognises and protects the intrinsic character and beauty of the countryside in line with national policy;
- b. It is of an appropriate scale and sited, designed and landscaped to be sympathetic to its landscape setting and the character and appearance of any neighbouring residential properties;
- c. It would not have a materially adverse impact on the amenities of nearby residential properties or the rural environment in terms of its scale and visual appearance, or any noise, effluent or fumes it would emit;

- d. It would not give rise to an unacceptable increase of road traffic; and
- e. An appropriate level of infrastructure is in place to serve the development.

#### **POLICY 4C: DESIGN OF NON-RESIDENTIAL DEVELOPMENTS**

P4C.1 Development proposals involving non-residential buildings, including their expansion or alteration, shall comply with all of the following criteria:

- a. The design and layout either does not impact adversely any building defined as a heritage asset or its setting, nor intrude on the public view of such a building, or if such impact/intrusion would occur a justification assessment and mitigation proposal shows the impact to be acceptable;
- b. The design uses traditional materials common in the Neighbourhood Area, especially those sourced locally and of low ecological / environmental impact;
- c. The design and layout respects the natural contours of the site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site without its landscaping being of such a scale or design that it in itself becomes an intrusion in the landscape;
- d. The design and layout provides adequate on-site parking space consistent with the anticipated use of the facility or business and in accordance with parking standards defined in the emerging Local Plan;
- e. Where applicable access to and from public roads does not impede local traffic or reduce parking provision for existing neighbouring residents;
- f. Any adverse impacts arising from residual traffic generated by the development shall be mitigated where this is viable and the measures are of a scale that is commensurate with the development;
- g. The development does not cause nuisance of any kind in excess of statutory environmental standards to its neighbours or the wider community, on a regular and/or repeated basis nor prejudice safety; and
- h. The design and layout maximises opportunities to maintain the visual openness of its surroundings, protects existing public views to the countryside, and for proposals located in the Areas of High Sensitivity to Development, as shown on Policy Map 1; does not adversely impact the rural setting of the Neighbourhood Area, as demonstrated through a Visual and Landscape Impact Assessment.

4C.2 Street or other external lighting of non-residential developments that affects the "dark skies" of the Neighbourhood Area will only be permitted providing it strictly complies with all of the following criteria:

- f. Valid reasons justifying the installation of such lighting are provided;
- g. It can be proven prior to approval that the technology to be used would improve night-time visibility of the facility while remaining unseen from outside the site, including above it;
- h. It is subject to a limit on its operation within lighting-up times (one half hour after sunset to one half hour before sunrise);
- i. It complies with The Institution of Lighting Engineers Guidance Notes For The Reduction of Obtrusive Light; and
- j. It is shown to take full account of the government's planning practice guidance on light pollution.

#### **POLICY 5: STRATEGIC GAP TO WATTON**

P5.1 Development will be directed in a way that respects and retains the open and undeveloped nature of the physical and visual gap between Saham Toney and Watton to prevent the coalescence of the two and retain Saham Toney's separate and distinct character.

P5.2 Other than essential utility infrastructure for which no other feasible site is available, no development will be permitted within the strategic gap defined on Policy Maps 2A, 2B, 2C and 2D

|   |
|---|
| <p>unless it is demonstrated in a Design and Access Statement that it satisfies all of the following:</p> <ul style="list-style-type: none"> <li>a. It would not result in reducing the physical and / or visual separation of Saham Toney and Watton;</li> <li>b. It would not result in increasing coalescence between Saham Toney and Watton;</li> <li>c. It would not adversely impact the rural setting of Saham Toney; and</li> <li>d. It would enhance the landscape.</li> </ul> <p>P5.3 Elsewhere in the Neighbourhood Area, the intrinsic nature of the countryside will be recognised, and the undeveloped and open nature of gaps between distinct settlements within the Neighbourhood Area, including Saham Toney and Saham Hills, will be maintained.</p>   |
| <p><b>POLICY 6: HERITAGE ASSETS</b></p>   |
| <p>P6.1 The parish's designated heritage assets and their setting including listed buildings, scheduled monuments and assets above and below ground, will be conserved or enhanced. Proposals for their development will take into account their significance and contribution to local distinctiveness, character and sense of place.</p> <p>P6.2 Proposals for development that affect non-designated heritage asset buildings will be considered taking account of the scale of any harm or loss and the significance of the heritage assets as set out in the National Planning Policy Framework and as described in a Design and Access Statement. In particular such development shall:</p> <ul style="list-style-type: none"> <li>a. Not adversely affect the setting of the building;</li> <li>b. Be sympathetic and in keeping with the existing character and appearance of the building; and</li> <li>c. Conserve and wherever possible enhance the character, appearance and setting of the asset.</li> </ul> <p>P6.3 Where a proposed development site includes the location of a Scheduled Monument or Site or Find defined as a heritage asset in the Saham Toney Heritage Asset Register, or if a new asset is found during any preliminary site investigations, it should ideally be left in situ and undisturbed by the development. If this is not feasible, satisfactory preliminary excavation and recording shall be carried out and an appropriate archaeological assessment shall be provided giving the following information as a minimum:</p> <ul style="list-style-type: none"> <li>i. A description of the heritage asset(s) in sufficient detail to identify its (their) nature, historical significance and the likely impact of the development to the asset(s);</li> <li>ii. A proposal on the nature, extent and likely time needed for any further research, should such research be deemed necessary; and</li> <li>iii. A mitigation proposal to minimise or eliminate inappropriate impact on the asset(s), should such impact be identified.</li> </ul> <p>P6.4 Where a need for more extensive investigation is identified a planning condition shall be agreed to prevent any disturbance of the development site until such investigation has been completed to the satisfaction of Breckland Council.</p> |
| <p><b>POLICY 7A: LOCAL GREEN SPACES</b></p>   |
| <p>P7A.1 The open spaces listed below and shown on Policy Maps 5A-G are designated as Local Green Spaces. New development on these sites will not be permitted other than in very special circumstances.</p> <p>ST-GS1: The parish sports field, including the planned community orchard;</p> <p>ST-GS2: The Wells Cole Community Centre park land, including the "Growing Together" wildlife area;</p> <p>ST-GS3: Saham Mere and the immediately surrounding land;</p> <p>ST-GS4: St George's churchyard and cemetery;</p> <p>ST-GS5: The village allotments;</p>  |

ST-GS6: The bird sanctuary;

P7A.2 Development within a designated Local Green Space will not be permitted unless it is required

for essential utility infrastructure for which no other feasible site is available.

#### **POLICY 7B: COMMUNAL VIEWS**

P7B.1 The much valued communal views in the Neighbourhood Area shall be maintained.

Development proposals which adversely affect, obstruct, intrude upon, or otherwise detract from the Communal Views shall not be supported. The views are listed below and shown on Policy Maps 6A to 6L and described in more detail in the Evidence Base accompanying this Plan.

- a. CV1: From Pound Hill across agricultural land to Saham Mere;
- b. CV2: Broom Hall estate from Richmond Road;
- c. CV3: Open land south of the Cressingham Road near its junction with Richmond Road;
- d. CV4: South-west from Ploughboy Lane across open land;
- e. CV5: South-west from higher ground down to Page's Place;
- f. CV6a: Saham Wood from the north;
- g. CV6b: Saham Wood from the west;
- h. CV7: Saham Hall estate from the east;
- i. CV8: From Cley Lane looking north-west from just north of the Parish boundary;
- j. CV9: From Pages Lane looking north-west towards Ashill;
- k. CV10: Willow Bushes Plantation from the north.

#### **POLICY 7C: TREES, HEDGES, BIODIVERSITY AND HABITATS**

P7C.1 Development proposals will be expected to retain existing features of biodiversity value and, where practical to do so, provide a net gain in biodiversity through for example:

- a. The creation of new natural habitats; and
- b. The planting of additional trees and hedgerows;

##### Trees and Hedges

P7C.2 Trees, copses and woodlands forming structural landscape blocks shown on Policy Map 7, and/or of good arboricultural or amenity value shall not be removed as a result of development unless justified by an assessment based on an on-site tree and biodiversity survey that verifies the poor health and condition of such items warrants their removal.

P7C.3 Proposals that may result in damage to, or full or partial removal of ancient woodlands and veteran trees, as shown on Policy Map 9, shall not be permitted unless they have been assessed in accordance with Natural England's "Standing Advice for Ancient Woodland and Veteran Trees" and shown to be justified.

P7C.4 Wherever possible any tree or hedgerow lost as a result of development should be compensated on at least a two to one ratio elsewhere within the site, if possible, or if not, elsewhere in the nearby vicinity. Replanting should comprise native species. Supplementary planting which strengthens the existing network of hedgerows will also be supported.

P7C.5 Planning conditions should be sought to secure planting of trees for all new developments as follows:

- a. 3 trees for each dwelling for residential development; or
- b. For non-residential development, whichever is the greater of 1 tree for each parking space; or 1 tree per 50m<sup>2</sup> of gross floor space.

P7C.6 Appropriate measures shall be taken to protect the roots of all existing trees and hedges on a site during the process of development.

##### Biodiversity and Habitats

P7C.7 Proposals which result in an undesirable loss of biodiversity will not normally be permitted. Development that is likely to have either a direct or indirect adverse impact upon areas of local biodiversity importance should demonstrate that appropriate mitigation and/or compensation

could

be provided and where possible achieve a net enhancement to the biodiversity within the area.

P7C.8 Proposals that affect any of the wildlife sites or corridors shown on policy Map 8 shall demonstrate, that:

- a. They would contribute to, rather than detract from their biodiversity value; and
- b. They would not sever the operation of a wildlife corridor; or if that is not possible
- c. They include measures to avoid harm to a wildlife corridor; or if that is not possible
- d. Suitable mitigation measures are proposed to reduce or minimise impact on the wildlife corridor affected; or if that is not possible
- e. Suitable measures are proposed to compensate for harmful effects harmful effects.

P7C.9 Proposals that would lead to the enhancement of an ecological network or improve habitat Saham Toney Neighbourhood Development Plan 2018-2036 Page 83 of 101 connectivity will be encouraged.

The wildlife sites identified on Map 8 are to be protected. Any development proposal which impacts upon them must contribute to, rather than detract from, their biodiversity value.

P7C.10 Development of land designated as a Norfolk County Wildlife site, as shown on Policy Map 9, will not be supported.

#### **POLICY 8: SURFACE WATER MANAGEMENT & SEWERAGE PROVISION**

P8.1 All development proposals coming forward within the areas, and within 50 metres of such areas, of high and medium risk from surface water flooding as identified by the Environment Agency in its up to date online maps, shall satisfy the following criteria:

- a. The application includes a Surface Water Drainage Strategy that demonstrates there is no increased risk of surface water flooding either on the development site itself or to existing property or infrastructure, and that there will be no risk of ground water flooding occurring (either on the site itself or within a radius of 1km of the site boundary) as a result of the development;
- b. The Surface Water Drainage Strategy, including any necessary flood risk mitigation measures, is agreed as a condition of the development, before any work commences on the site, and implemented before the new development is connected to the existing drainage system. Development will not be allowed to proceed until this condition has been discharged;
- c. Where a sustainable drainage system (SuDS) solution is proposed, preliminary, outline or final SuDS Design Statements shall be provided at appropriate stages of a planning application and a SuDS Management Plan setting out ongoing maintenance requirements for the scheme's satisfactory operation shall be provided;
- d. Appropriate on-site water storage shall be incorporated in the drainage scheme to intercept, attenuate or store long term surface water run-off; and
- e. Where the highest measured ground water level is within 1 metre of ground level, means of ensuring the satisfactory operation of SUDS schemes must be clearly demonstrated prior to approval.

P8.2 All new development will be expected to connect to the public foul sewerage network in accordance with the requirements of Anglian Water unless evidence is produced that it is not feasible to do so. Evidence shall be provided by applicants to demonstrate that capacity is available within the foul sewerage network or can be made available in time to serve the development. If mains sewerage is demonstrably not feasible then an effective and sustainable private sewerage system plan shall be agreed with the Local Planning Authority in advance of development commencing. Such a plan must be implemented prior to the occupation of the first dwelling.

## 4. SEA Screening

4.1. The process for determining whether or not an SEA is required is called screening. In order to screen, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Annex II of the SEA Directive and Schedule I of the SEA Regulations. A determination cannot be made until the three statutory consultation bodies have been consulted: The Environment Agency, Natural England and Historic England.

4.2. Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out in Table 1 below:

### **Figure 1: Criteria for Determining the Likely Significance of Effects.**

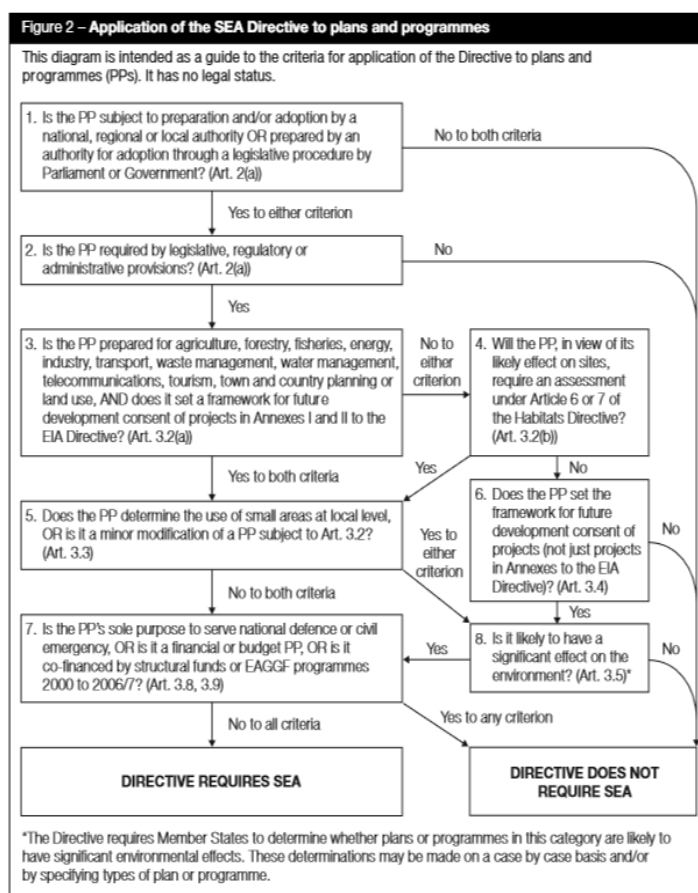
1. The characteristics of plans and programmes, having regard, in particular, to
  - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
  - the degree to which 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).
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,
  - 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

## 5. Assessment

5.1. The SEA screening is a two stage process. The first part considers the Neighbourhood Plan against the SEA assessment criteria set out in the national guidance, 'A Practical Guide to the Strategic Environmental Assessment Directive'<sup>4</sup>. The second part of the assessment considers whether the NP is likely to have a significant effect on the environment, using criteria drawn from Schedule 1 of the EU SEA Directive and the UK Environmental Assessment of Plans and Programmes Regulations 2004<sup>5</sup>.

5.2. The process shown has been undertaken and the findings can be viewed in the figure below and in Table 1 which follows. This sets out how the SEA Directive should be applied.



(Source: Annex 11 of SEA Directive)

<sup>4</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7657/practicalguidesea.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf)

<sup>5</sup> [http://www.legislation.gov.uk/uksi/2004/1633/pdfs/uksi\\_20041633\\_en.pdf](http://www.legislation.gov.uk/uksi/2004/1633/pdfs/uksi_20041633_en.pdf)

**Table 1: Application of the SEA Directive to the Saham Toney Neighbourhood Plan****Assessment 1: Establishing the need for SEA**

| STAGE  | Y/N | REASON   |
|--|-----|--|
| 1. Is the Neighbourhood Plan(NP) 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(a))   | Y   | The preparation and adoption of the NP is permitted under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NP is being prepared by Saham Toney Parish Councils (as the “relevant bodies”) and will be “made” (adopted) by Breckland Council as the Local Authority subject to passing an independent examination and community referendum. The preparation of the NP is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012, the Neighbourhood Planning (referendums) Regulations 2012, and the Neighbourhood Planning (General) (Amendment) Regulations 2015.  |
| 2. Is the NP required by legislative, regulatory or administrative provisions? (Art.2(a))  | Y   | Whilst the NP 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 District. 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.   |
| 3. Is the NP 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 EIA Directive? (Art 3.2(a)) | Y   | <p>A NP 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 NPs (as set out in Section 61(k) of the Town and Country Planning Act 1990 (as amended)).</p> <p>The NP is prepared to set out a framework for town and country planning and land use within the parish of Saham Toney. The strategic framework for development is set by the adopted Core Strategy and the emerging LP of the Breckland Council. The NP seeks to align and be in general conformity with this.</p> <p>The NP 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> |
| 4. Will the NP, in view of its likely effect on sites, require an assessment   | N   | A NP could potentially have impacts on sites covered by the Habitats Regulations.  |

|  |   |   |
|--|---|---|
| for future development under Article 6 or 7 of the habitats Directive?(Art.3.2(b))   |   | <p>A Habitats Regulation Assessment (HRA) Screening Report (2013) and the Assessment of the Breckland LP at Preferred Directions stage (2015) were carried out as part of the Local Plans preparation.</p> <p>A further HRA screening on the Saham Toney Neighbourhood Plan will also take place.</p>   |
| 5. Does the NP determine the use of small areas at local level, or is it a minor modification of a PP subject to Art 3.2? ( Art3.3)  | Y | <p>A NP can determine the use of small areas at a local level. The NP proposes to include policies relating to the location of sustainable development, but does not propose to specifically allocate land for development.</p>   |
| 6. Does the NP set the framework for future development consent of Projects (not just projects in Annexes to the EIA Directive)? ( Art 3.4)  | Y | <p>Once 'made', a NP forms part of the statutory Development Plan and will be used in the determination of planning applications in the Neighbourhood Area. Therefore, it sets the framework for future developments at a local level.</p>  |
| 7. Is the NP sole purpose to serve national defence or civil emergency, or is it financial or budget PP, or is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? ( Art.3.8,3.9) | N | <p>The NP does not deal with these categories.</p>  |
| 8. Is it likely to have a significant effect on the environment  | N | <p>The NP seeks general conformity with the "adopted" Core Strategy and regard to the emerging LP. The NP proposes to include policies relating to the location of sustainable development, but does not propose to specifically allocate land for development. The parish has no internationally-designated or nationally-designated sites within its boundaries. It is therefore considered that the plan would not have a significant effect on heritage assets, landscape, biodiversity interests or areas of flood risk.</p> |

5.3 The Environment Agency, Natural England and Historic England were consulted on the requirement for SEA for the NP. The responses received are attached in Appendix 1.

## 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

5.4 Table 2 below sets out the assessment against the Strategic Environmental Assessment criteria for the NP. This is to determine whether the implementation of the Neighbourhood Plan will have a significant effect on the environment. This criteria against which the screening is carried out are taken directly from Annex II of the European Union Directive 2001/42/EC (also known as the SEA Directive), as required by Article 3(4).

**Table 2: SEA Screening Stage 2 - Assessment of the Likelihood of Significant Effects on the Environment**

| Criteria in Annex 11 of the SEA Directive  | Response   | Is there a significant effect? |
|--|--|--------------------------------|
| <b>(1) Characteristics of the plan and programmes, having regard, in particular, to:</b>   |  |                                |
| 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 strategic framework for development is set by the adopted Core Strategy and the emerging LP. The NP seeks to align and be in general conformity with this.   | No                             |
| The degree to which the plan or programme influences other plans or programmes including those in a hierarchy;   | The NP will be adopted alongside the higher order LP and form part of the District's Development Plan. The NP will expand upon some of the emerging LP 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;   | Any development that comes forward through the NP will be subject to environmental considerations of the Core Strategy and the LP when adopted. These policies have been subject to sustainability appraisal, and are in place to ensure that sustainable development is achieved. | No                             |
| Environmental problems relevant to the plan or programme;  | There are not considered to be any significant environmental problems which are specific to the area, above and beyond those considered and addressed in the LP. The NP may include policies which provide additional environmental protection.                                    | 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 implementation of community legislation is unlikely to be significantly compromised by the NP.   | No                  |
| <b>(2) Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>   |  |                     |
| The probability, duration, frequency, and reversibility of the effects;  | The NP is a long-term plan up to 2036. The NP proposes to include policies relating to the location of sustainable development, but does not propose to specifically allocate land for development.  | No                  |
| The cumulative nature of the effects;  | It is considered unlikely that the degree of development proposed through the Neighbourhood Plan when combined with the Core Strategy and the emerging LP will introduce significant environmental effects. Whilst both documents are being written, the LP will be subject to full SEA and HRA screening.   | No                  |
| The transboundary nature of the effects;   | The impacts beyond the parish are unlikely to be significant.  | No                  |
| The risks to human health or the environment (e.g. due to accidents);  | The NP is unlikely to produce any significant effects.   | No                  |
| The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);  | The NP covers the Parish of Saham Toney with a population of 1,507 (Census 2011). The spatial extent and the magnitude of the population affected are not considered significant for the purpose of the SEA.   | No                  |
| The value and vulnerability of the area likely to be affected due to:<br><br>i) Special natural characteristics or cultural heritage;<br><br>ii) Exceeded environmental quality standards or limit | <p>i) The NP area and adjacent areas do not contain any internationally-designated or nationally-designated sites. The NP will however conform to the LP, which provides protection to these environmental characteristics to ensure that they are not vulnerable to significant impacts from development.</p> <p>ii) The NP is unlikely to result in exceedance of environmental quality standards, such as those</p> | <p>No</p> <p>No</p> |

|  |  |    |
|--|--|----|
| values<br><br>iii) Intensive land use  | relating to air, water, and soil quality.<br><br>iii) The NP is unlikely to bring forward development of an extent that would result in a significant intensification of Local land Use. | No |
| The effects on areas or landscapes which have a recognised national, Community or international protection status. | The NP Area does not include any landscape designations. The environmental effects on areas of biodiversity designations have been considered through the emerging LP.                   | No |

## 6. Screening Outcome

6.1. The assessment shown above identifies that, based on the information available to date, there are unlikely to be any significant environmental effects from the implementation of the proposals in the emerging STNP.

6.2. The Environment Agency, Historic England and Natural England have responded to the Screening Opinion request and their responses are contained in Appendix 1. Their responses are based on the environmental information provided by Norfolk County Council.

6.3. Having reviewed the criteria, Breckland Council has concluded that the emerging NP is not likely to have any significant environmental effect and accordingly will not require a Strategic Environmental Assessment. The main reasons for this conclusion are:

- The NP does not allocate any sites for development.
- The NP area does not contain sensitive environmental assets that may be affected by the policies and proposals in the neighbourhood plan;
- The NP does not allocate sites for development that have not already been appraised through the sustainability appraisal of the Breckland Local Plan
- The proposed policies in the NP seek to avoid or minimise environmental effects when determining development proposals, and are unlikely to result in any additional environmental impacts.

6.4. This report is based on the Screening Opinion request of 1<sup>st</sup> May 2018 on the Regulation 14 version of the STNP. Should the contents of the plan subsequently differ from this version, there may be a requirement to revisit this Screening Opinion.

6.5. A copy of this report will be available for inspection at Breckland Council Offices, Elizabeth House, Wolpole Loke, Dereham, Norfolk, NR19 1EE.

## APPENDIX 1

### Responses from Statutory Consultees



**Susan Heinrich**  
Breckland Council  
Planning Policy Department  
Elizabeth House Walpole Loke  
Dereham  
Norfolk  
NR19 1EE

**Our ref:** AC/2018/127133/01-L01  
**Your ref:** SEA saham toney

**Date:** 22 May 2018

Dear Sir/Madam

**SCREENING DETERMINATION SAHAM TONEY NEIGHBOURHOOD PLAN  
NEIGHBOURHOOD PLAN APRIL 2018 - SAHAM TONEY, NORFOLK.**

Thank you for your consultation.

**Environment Agency position.**

*Due to resource pressures we are no longer able to provide Local Planning Authorities 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 developer's 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](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/289894/LIT_2745_c8ed3d.pdf)

*Also attached is a copy of our Planning Guidance document which contains basic information and links to the type of environmental issues we expect to be considered for development proposals.*

Yours faithfully

**Mr. T.G. Waddams**  
**Planning Liaison**

Direct e-mail [planning.brampton@environment-agency.gov.uk](mailto:planning.brampton@environment-agency.gov.uk)

Enc:

**Please note** – Our hourly charge for pre application assessments is now £100 + VAT per hour

Environment Agency, East Anglia Area (West), Bromholme Lane, Brampton, Huntingdon, Cambs. PE28 4NE.

[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)



Historic England

EAST OF ENGLAND OFFICE

Ms Susan Heinrich  
Breckland Council  
Elizabeth House  
Walpole Lake  
Dereham  
Norfolk  
NR19 1EE

Direct Dial: 01223 582746

Our ref: PL00405663

18 May 2018

Dear Ms Heinrich

**RE: Saham Toney Neighbourhood Plan Strategic Environmental Assessment Screening Consultation**

Thank you for your email of 1st May 2018 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 the Saham Toney Neighbourhood Plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Saham Toney Neighbourhood Plan) likely to have a significant effect on the historic environment?". We have previously provided comment on the neighbourhood plan, and our comments are based on the information supplied with the Screening Opinion, as well as a review of the draft plan. .

The Screening Report indicates that the Council considers that the Saham Toney Neighbourhood Plan will not have any significant effects on the historic environment. We note that the neighbourhood plan will not allocate any land 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 dated 1st May 2018. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SA/SEA process



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*Historic England is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.*



Historic England

EAST OF ENGLAND OFFICE

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 SA/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.

Yours sincerely,

Edward James

Historic Places Advisor, East of England

Edward.James@HistoricEngland.org.uk



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Date: 17 May 2018  
Our ref: 245770  
Your ref: Saham Toney Neighbourhood Plan



Ms S Heinrich  
Breckland Council  
Susan.Heinrich@breckland.gov.uk

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**

T 0300 060 3900

Dear Ms Heinrich

### **Saham Toney Neighbourhood Plan**

Thank you for your consultation on the above dated and received by Natural England on 1 May 2018.

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: Saham Toney Neighbourhood Plan**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (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 SEA Directive is contained within the National Planning Practice Guidance<sup>1</sup>. 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.

For any queries relating to the specific advice in this letter only please contact Francesca Shapland on 0208 026 5792 For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Joanne Widgery  
Consultations Team

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