

FLEGGBURGH NEIGHBOURHOOD PLAN 2025 - 2041



**Preliminary Screening Strategic Environmental
Assessment and Habitats Regulation Assessment 2025**

Contents

INTRODUCTION	4
SEA SCREENING	6
SCOPE OF THE FLEGGBURGH NEIGHBOURHOOD DEVELOPMENT PLAN REVIEW	6
BASELINE INFORMATION	8
BIODIVERSITY, FLORA, AND FAUNA.....	8
HUMAN HEALTH	14
SOIL.....	14
WATER	15
AIR AND CLIMATIC FACTORS	18
MATERIAL ASSETS	18
CULTURAL HERITAGE	22
LANDSCAPE	23
SEA SCREENING	27
SEA SCREENING CONCLUSION	37
HRA SCREENING ASSESSMENT	39
HRA SCREENING CONCLUSION.....	51

List of Figures:

Figure 1: Designated Neighbourhood Area.....	5
Figure 2-Designated Environmental Sites	9
Figure 3- County Wildlife Sites.....	11
Figure 4- Priority Habitats.....	12
Figure 5-Age of Population (Census 2021)	13
Figure 6- Age of Population in 2011 and 2021 (Census 2011;2021)	13
Figure 7-Agricultural Land Classification (Source: Natural England, 2025)	14
Figure 8-Flood risk from Rivers and Sea with Fleggburgh.....	15
Figure 9-Flood Risk from Rivers or the Sea	16
Figure 10-Flood Risk from Surface Water	16
Figure 11-Flood Risk from Reservoirs	17
Figure 12-Surface Water Flooding (photos).....	17
Figure 13- Public Rights of Way.....	20
Figure 14-Public Rights of Way adjacent or crossing through International or National Designated Sites (Source Natural England and Norfolk County Council 2025).....	21
Figure 15-Listed Buildings	22
Figure 16-Broads Landscape Character Assessment	25
Figure 17-Schedule 1 Criteria for determining the likely significance of effects	28
Figure 18-Application of the SEA Directive to plans and programmes	29
Figure 19-Application of SEA Directive to FNP.....	30
Figure 20-Likely Significant Effects	33
Figure 21- Table of the International Designated Wildlife Sites within 20km radius of FNP	41

Figure 22- Map of the International Designated Wildlife Sites within 20km radius of FNP 42

Figure 23-Summary of Impact Pathways 43

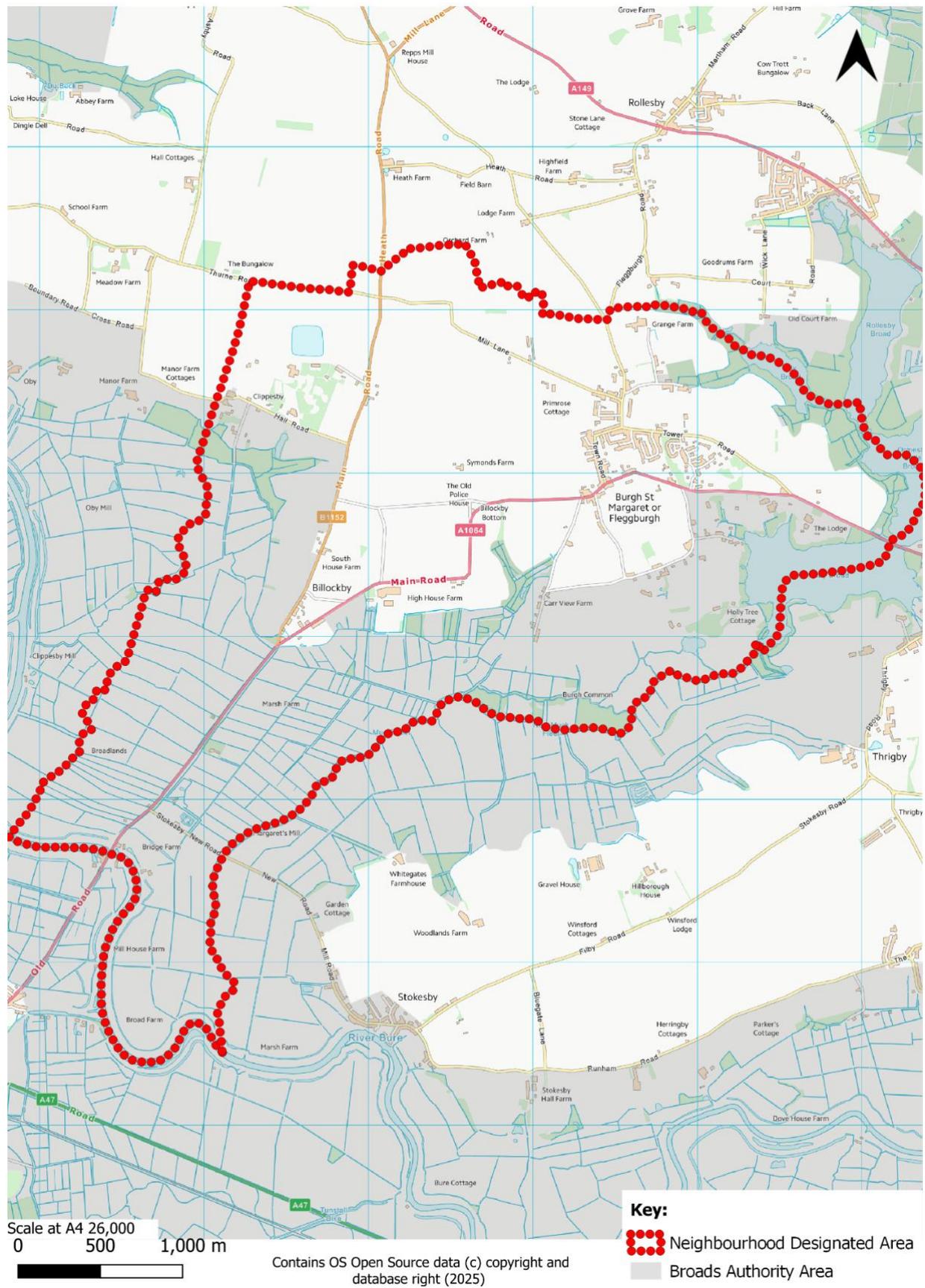
Figure 24- HRA Screening Assessment..... 47

Introduction

1. Fleggburgh Parish Council is preparing a review of their Neighbourhood Development Plan known as FNP throughout this document. The planning period will be 2025-2041 and the designated area (**See Figure 1**) is located within Great Yarmouth Borough and the Broads Authority Executive Area. [Collective Community Planning](#) has been appointed by the parish councils to consider whether there is a need for a Strategic Environmental Assessment (SEA) to be undertaken on FNP. This is required under European Directive 2001/42/EC (the SEA Directive), transposed into UK law through the SEA Regulations¹.
2. SEA may be required for a Neighbourhood Development Plan if it is likely to have significant environmental effects. A Sustainability Appraisal (SA) is like an SEA but includes assessment of the likely significant effects of a plan or programme on economic and social factors, as well as environmental factors. Planning Practice Guidance (PPG) clarifies that there is no legal requirement for a Neighbourhood Development Plan to be subject to a SA, but that SA can be used to demonstrate how the plan will contribute to sustainable development.

¹ The Environmental Assessment of Plans and Programmes Regulations 2004 (SI 2004/1633), as amended by the Environmental Assessment and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018 (SI 2018/1232). It should be noted that the purpose of the amendments to the SEA Regulations is to ensure that the law functions correctly after the UK has left the European Union. No substantive changes are made to the way the SEA regime operates.

Figure 1: Designated Neighbourhood Area



SEA Screening

Scope of the Fleggburgh Neighbourhood Development Plan Review

3. A draft (Regulation 14) version of FNP is currently being prepared. It is intended that this is subject to public consultation in early 2026. FNP includes a vision for the long-term future of Fleggburgh, along with aims to support delivery of this vision. The current draft vision is:

The three settlements of Burgh St Margaret, Billockby and Clippesby will have retained their own distinct identities, but residents of Billockby and Clippesby will be better connected to the improving services and facilities in Burgh St Margaret. This will have helped to strengthen the parish's strong community spirit, further enhanced by the continued development of a village centre around the pub and village hall, where community activity and new facilities can be focused.

Residents and visitors will still enjoy the parish's rural and tranquil character, achieved through protecting and enhancing the features that define it — the open landscape, important green spaces, local heritage, and the Broads landscape including the Trinity Broads, Burgh Common and Muckfleet Marshes with their nationally important wildlife and vital role as a source of drinking water. The impact on tranquillity and safety from heavy traffic flows and changes to the wider road network, including the A47/Acle Straight, will have been reduced through improved infrastructure and careful management.

4. The draft plan currently includes 9 specific aims to deliver this vision:
 - A. **Settlement identity and community character:** Retain the separate and distinct identity of Burgh St Margaret, Billockby and Clippesby, ensuring that any new development reinforces the rural character, pattern and scale of each settlement.
 - B. **Landscape and rural setting:** Safeguard the peacefulness, open views and rural feel of the parish, by protecting the landscape setting of the Broads and the best and most versatile agricultural land.
 - C. **Natural environment and water quality:** Protect and enhance the rich biodiversity and habitats of the Broads, particularly the Trinity Broads and Burgh Common and Muckfleet Marshes, ensuring that water quality and natural processes that sustain them are safeguarded.
 - D. **Sustainable access and connectivity:** Improve pedestrian and cycle connections within and between the three settlements and to nearby villages, supporting access to local facilities and the wider countryside while reducing car dependency.
 - E. **Infrastructure and transport:** Promote safer highways and travel routes throughout the parish. Work with relevant authorities to monitor the effects of the proposed A47/Acle Straight speed reduction and other strategic changes that could increase traffic through the parish, seeking measures to manage any impacts.

- F. **Community facilities and the village centre:** Support and enhance community life by maintaining and improving facilities around the village centre in Burgh St Margaret and ensuring that new development contributes to local services, open space and recreational provision.
- G. **Housing needs and affordability:** Ensure that new housing meets the needs of local people, with an emphasis on smaller and more affordable homes that enable younger households to buy or rent locally and allow older residents to downsize within the parish.
- H. **Heritage and local character:** Conserve and enhance the parish's historic environment, including listed buildings, non-designated heritage assets and the historic pattern of villages, farmsteads and lanes that contribute to its character
- I. **Climate resilience and environmental performance:** Encourage low-carbon, energy-efficient design and promote the use of sustainable drainage, renewable energy and biodiversity net gain to address climate change and improve environmental quality across the parish.
5. FNP will have a range of non-strategic planning policies to realise and deliver the above vision and aims. This includes policies:
- To ensure the housing mix and type on new development sites meets local need;
 - To achieve high quality design with the input of the Fleggburgh design guidance and codes, that reinforces and complements local distinctiveness;
 - Protect Fleggburgh's natural environment such as the local biodiversity and encourage habitat improvement;
 - Focus on dark skies and limiting light pollution in new developments;
 - To protect local green spaces, important local views and the landscape character within the plan area for future enjoyment;
 - Promote managing water efficiently including the use of Sustainable drainage systems (SuDS);
 - To protect Fleggburgh's Heritage Assets;
 - To promote improvements to active travel routes, public transport and connectivity including new and existing public rights of ways;
 - Supporting new small scale community facilities or services within or adjacent to Burgh St Margaret village centre.
6. **The plan does not allocate land for development.**

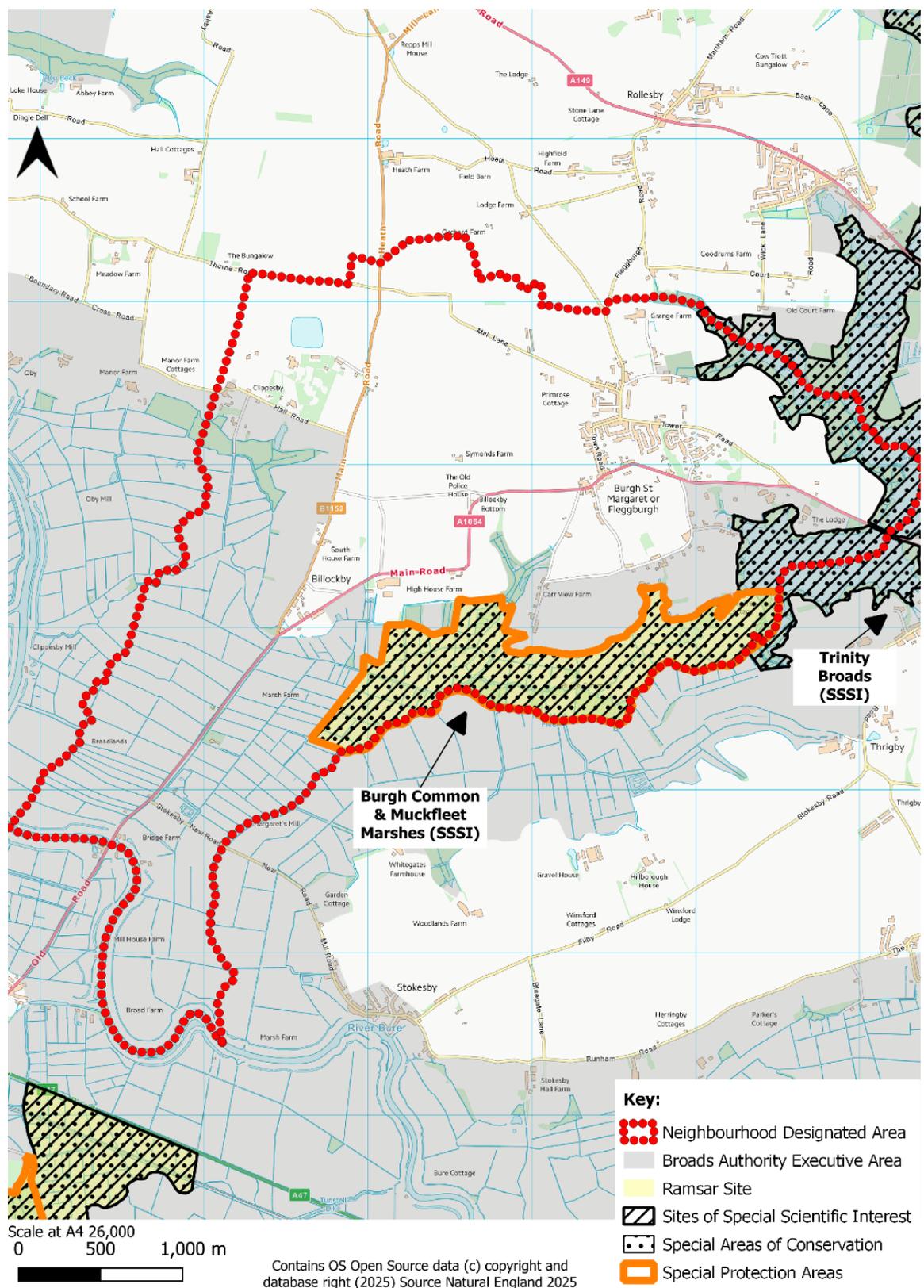
Baseline Information

7. This section summarises baseline information for the FNP area, drawing on the Evidence Base which will accompany the Neighbourhood Development Plan.

Biodiversity, Flora, and fauna

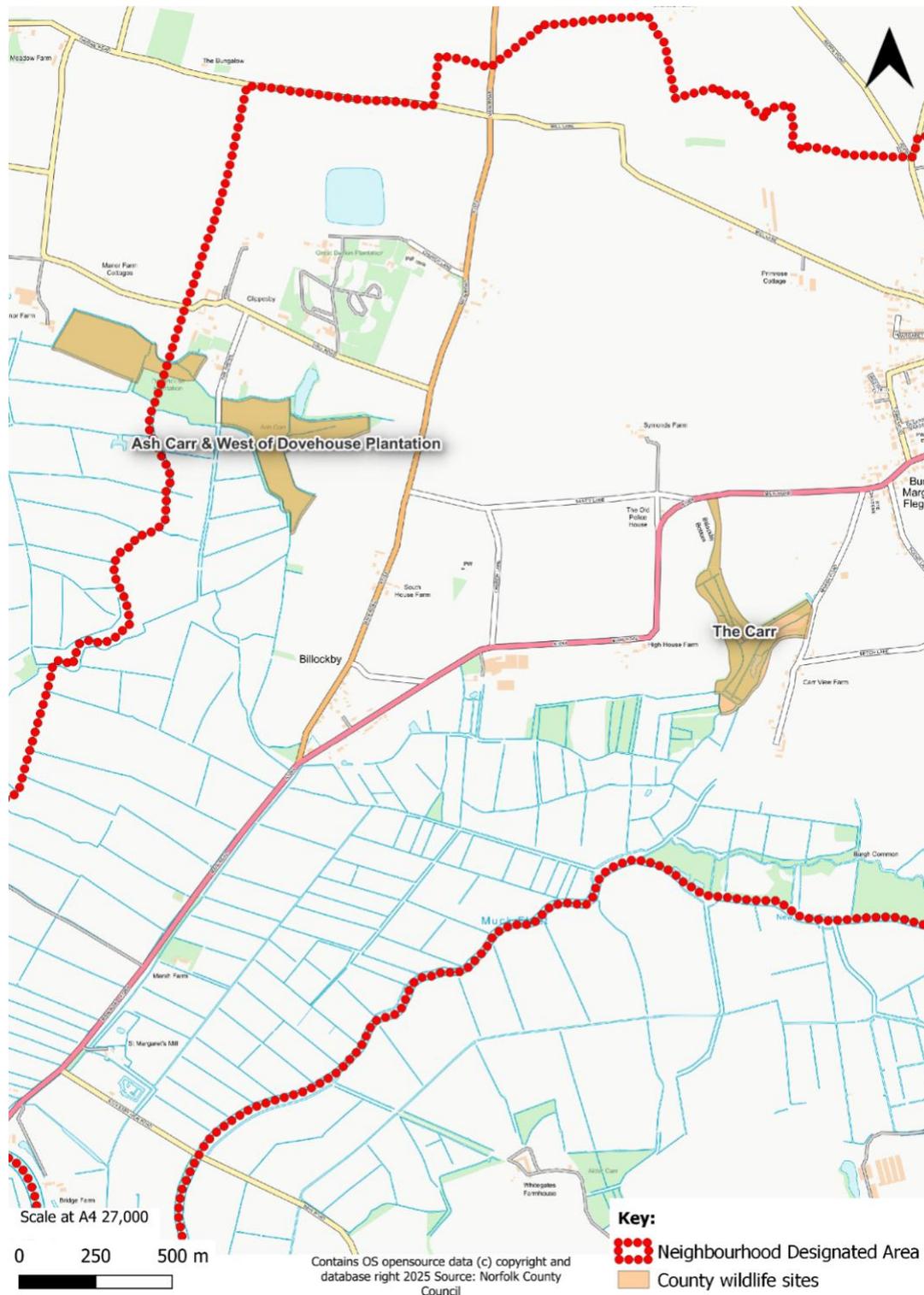
8. The neighbourhood plan encompasses a large area of the Norfolk and Suffolk Broads. Within this there are a number of national designations overlapping one another. Two areas within the parish are Special Sites of Scientific Interest (SSSIs) these are the Trinity Broads and Burgh Common and Muckfleet Marshes, see **Figure 2**.
9. **Burgh Common and Muckfleet Marshes** is also designated as a Ramsar Site and a Special Protection Area (Broadland) and a Special Area of Conservation (SAC) being part of The Broads. **Trinity Broads** also falls within The Broads SAC.

Figure 2-Designated Environmental Sites



10. The **Trinity Broads** are a tranquil and beautiful part of the Broadland landscape, known as a hidden gem isolated from the main Broads river system, being landlocked. The three broads of Ormesby Broad, Rollesby Broad and Filby Broad are much quieter than others. Filby Broad is the deepest of the three. The Trinity Broads are extremely rich in wildlife with some species rarely found outside of the Broads fen habitats. Habitats include wide expanses of shallow open water, extensive tracts of broadshore reedbed and undisturbed areas of wet woodland. These habitats support a wealth of wildlife, from the tiniest rare snail, to stands of bulrushes which virtually disappeared from the rest of the Broads area, to the bittern. The ecological importance of the area is reflected in the variety of international, national and local nature conservation designations.
11. Trinity Broads make up 14% of the open water within the Broads National Park. They are a significant fresh water supply with approximately 5 million litres of water abstracted each day, supplying 80,000 homes in the surrounding villages and Great Yarmouth. They cover 162 hectares of open water in total, with 21km of broadshore habitat including fen meadow, tall herb fen, littoral reed bed and alluvial forest. It is important to ensure that the water quality is not impacted by future development.
12. Members of the public can access the Trinity Broads via a public footpath from Filby Bridge car park, which is situated on the northern side of the A1064 between Fleggburgh and Filby. This is popular during the summer months in particular.
13. **Burgh Common and Muckfleet Marshes** is a 121ha site of biological importance. The Muck Fleet, a tributary of the River Bure runs through the wetland site, which is traditionally managed by grazing and mowing. Habitats include tall fen, fen meadows and drainage dykes. There are rare plants and invertebrates, such as the swallowtail butterfly.
14. The site is private land but there are a number of public footpaths across the common, including one at the northeast of the site, and two at the western end running alongside the Muckfleet. There is a footbridge across the Muckfleet along this footpath which is the property of the Broads Authority.
15. The natural environment in Fleggburgh attracts numerous visitors to the parish, those coming to visit the Trinity Broads as well as those walking further afield. A number of circular walks along Public Rights of Way, commencing in Fleggburgh, are advertised by local tourist agencies. There is also a camping and caravan site. These visitors will also make use of and support the vitality of local services such as the pub.
16. There are two county wildlife sites which fall within Fleggburgh this includes Ash Carr & West of Dovehouse Plantation and The Carr.

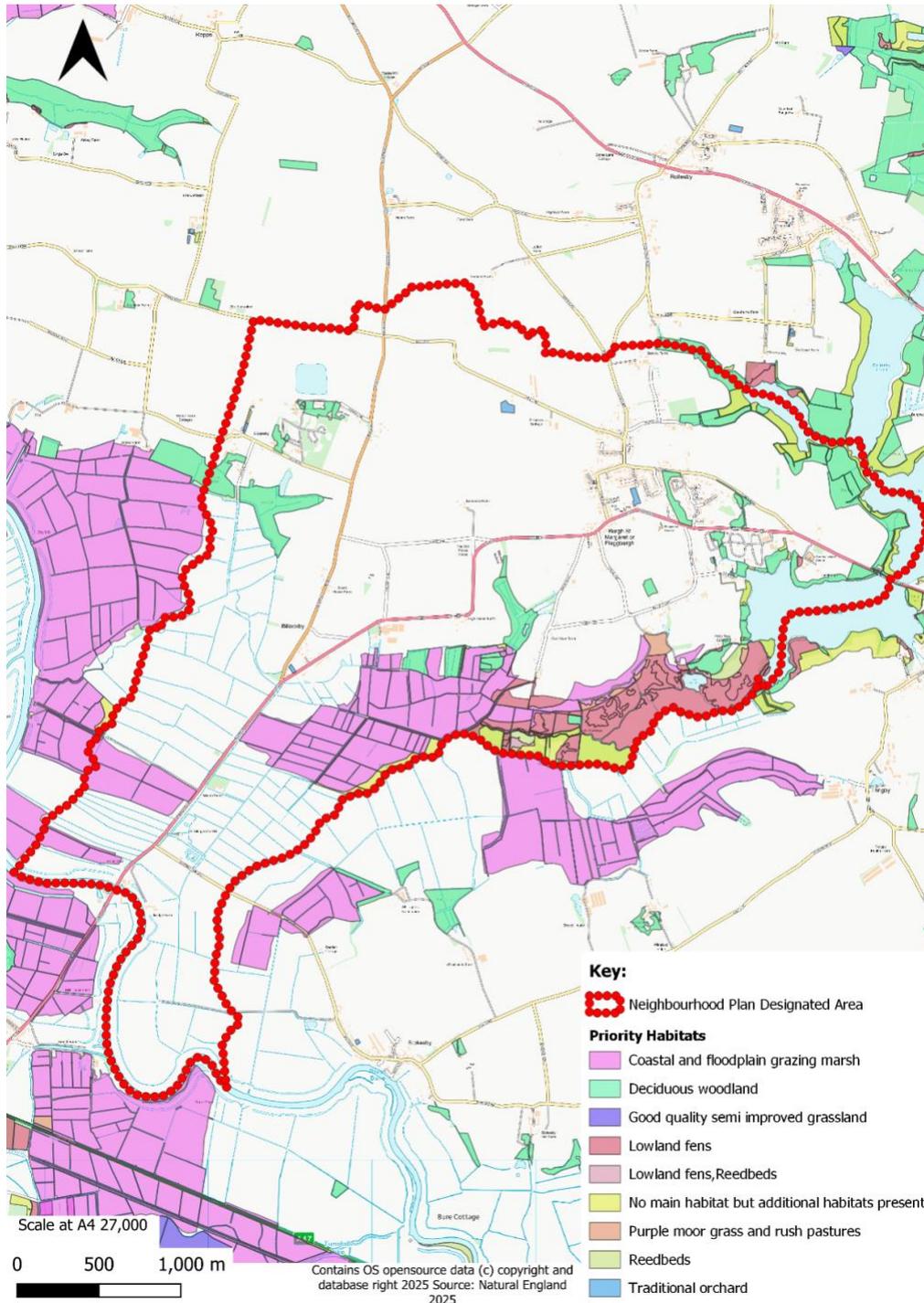
Figure 3- County Wildlife Sites



17. The parish contains priority habitat also known as Habitats of Principle Importance for biodiversity conservation. These are habitats which are most threatened, in greatest decline, or where the UK holds a significant proportion of the world’s total population. There are nine main types of priority habitat in the parish (see **Figure 4**) these include coastal and floodplain grazing marsh, deciduous woodland, good quality semi-improved grassland, lowland fens, lowland fens reedbeds, purple

moor grass and pastures, reedbeds and traditional orchard. There are also sites which are known as no main habitat but additional habitats present. Deciduous woodland accounts for 39% of the total priority habitats resource in England², the largest proportion of any habitat group, and this priority habitat is present in various areas of the parish.

Figure 4- Priority Habitats



²https://assets.publishing.service.gov.uk/media/654df579c0e06800101b2d2b/2a_Extent_and_condition_of_priority_habitats.pdf

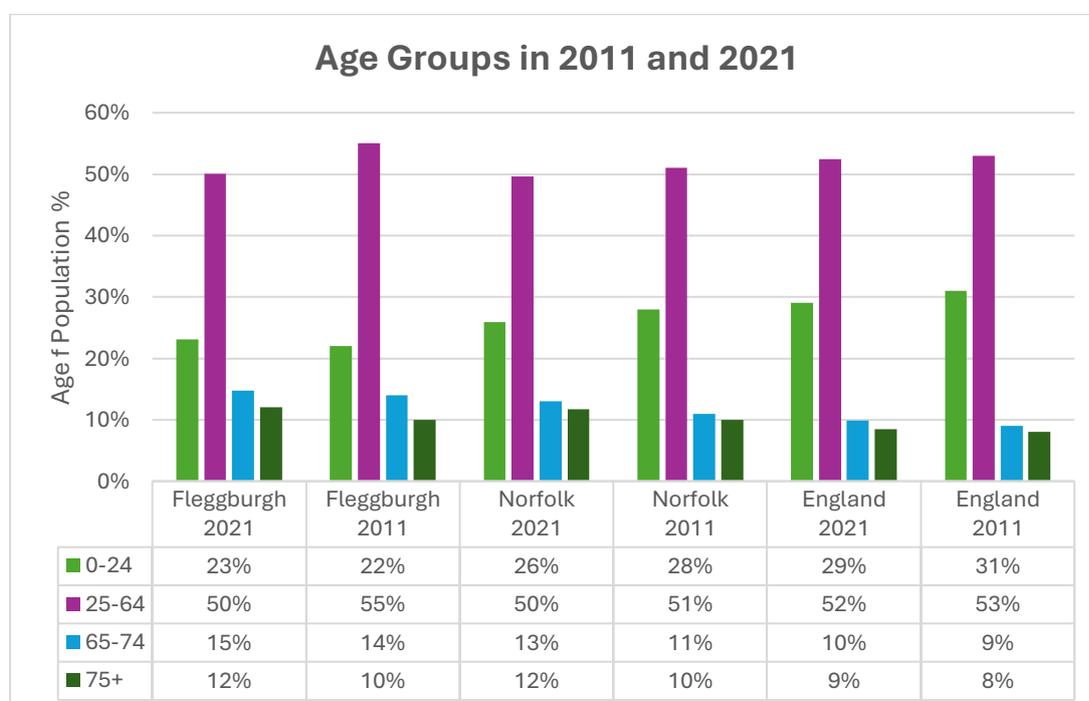
Population

18. According to the Census 2021 Fleggburgh has a population of 1,100³. Analysis shows that this is an increase (16%) on the population in 2011 which was 948. The proportion of people aged 65 or over in the parish has increased from 18% in 2001 to 23% in 2011 and 27% in 2021. As shown in **Figures 5 and 6** residents under the age of 24 years has only slightly increased in the last decade and make up 23% of the parish. The majority of residents in the parish fall within a typical working age (25-64yrs) and make up 50% of the parish. Fleggburgh's demographics are similar to Norfolk but are slightly below England statistics for lower age groups and higher for older age groups.

Figure 5-Age of Population (Census 2021)

	Fleggburgh	Norfolk	England
0-24	23%	26%	29%
25-64	50%	50%	52%
65-74	15%	13%	10%
75+	12%	12%	9%

Figure 6- Age of Population in 2011 and 2021 (Census 2011;2021)



³ [Build a custom area profile - Census 2021, ONS](#)

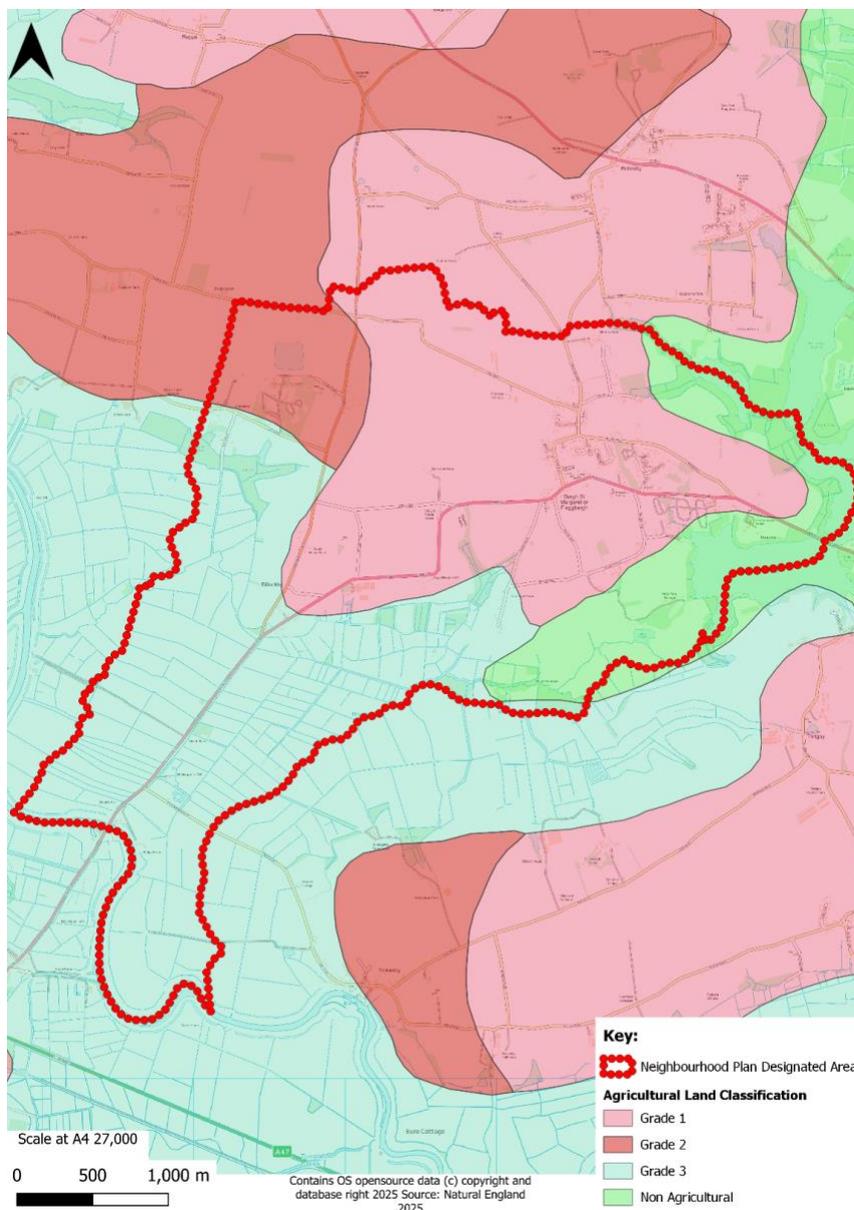
Human Health

19. Provision of age-related services is likely to become an increasing consideration for the Neighbourhood Development Plan area as the proportion of over 65s according to the Census 2021 makes up 27% of the NPA.

Soil

20. Much of the land surrounding the built-up areas of Burgh St Margaret, Clippesby and Billockby is arable farmland. The area is unique as arable land continues into the Broads buffer zone. Land in the north of the parish is identified as the best and most versatile agricultural land, or Grade 1 according to the Agricultural Land Classification Scale, see **Figure 7**.

Figure 7-Agricultural Land Classification (Source: Natural England, 2025)



Water

21. The Environment Agency provides an indication of the long-term risk of flooding based on rivers, sea, surface water and groundwater. **Figures 8 and 9** highlights risk of flooding from rivers or the sea. Part of the parish, including the built-up area, falls within Flood Zone 1 which means there is a low risk of flooding from rivers or the sea. However, land to the north-east and a large part of the south, is within fluvial flood risk zones 2 and 3 (medium and high risk).

Figure 8-Flood risk from Rivers and Sea with Fleggburgh

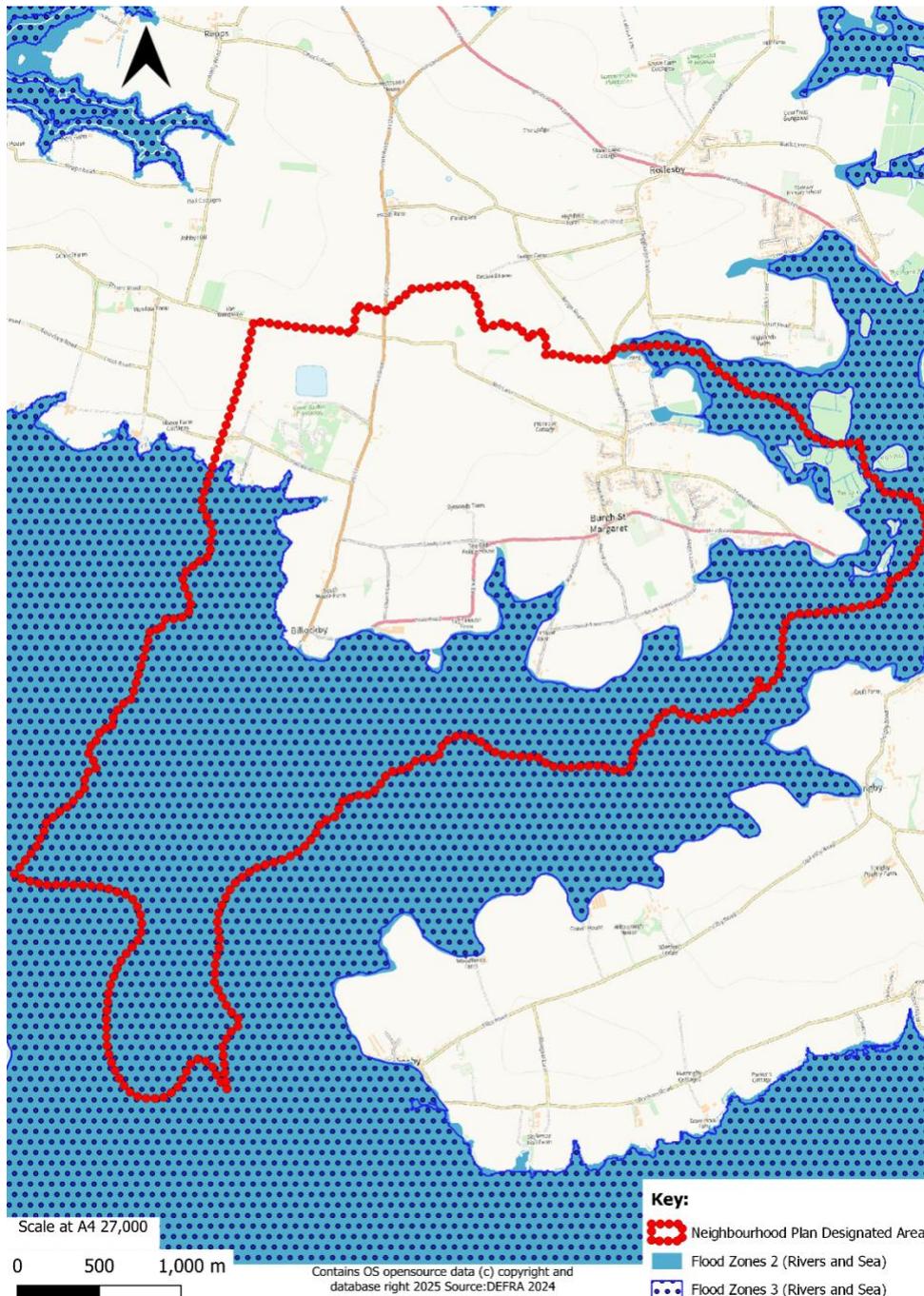
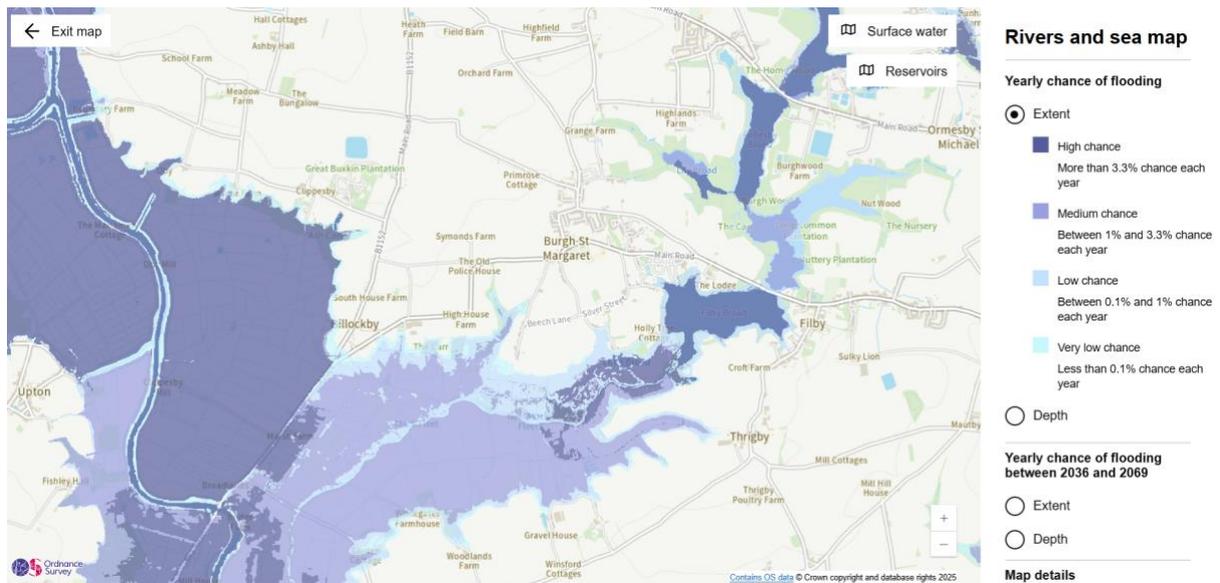
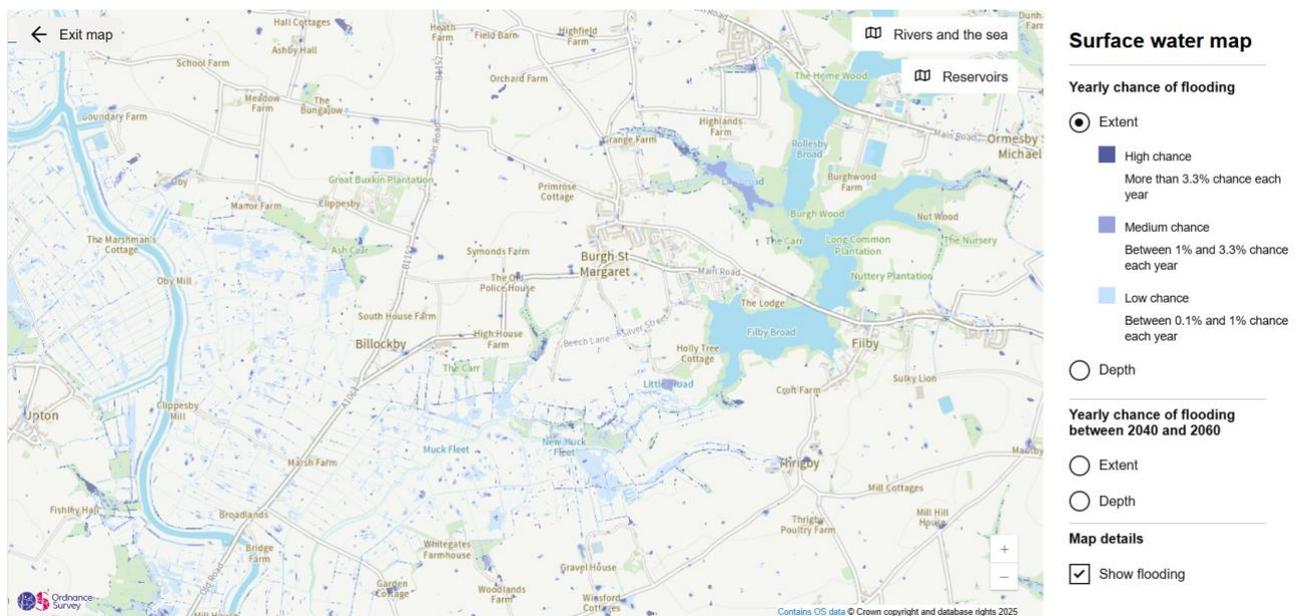


Figure 9-Flood Risk from Rivers or the Sea⁴



22. The Environment Agency future flood risk modelling shows that there is a low, medium, and high risk of surface water flooding (ponding) in areas of the parish, predominantly to the west, including around existing buildings, roads, gardens, open landscape, and waterbodies. **Figure 10** indicates this mainly affects agricultural land, wooded areas, or where water sources may be present such as drainage ditches, ponds or even ghost ponds. However, residential properties and road networks in the built-up areas are at higher risk including along Silver Street, Broad Road, Main Road, Rollesby Road, Tower Road and Tretts Lane.

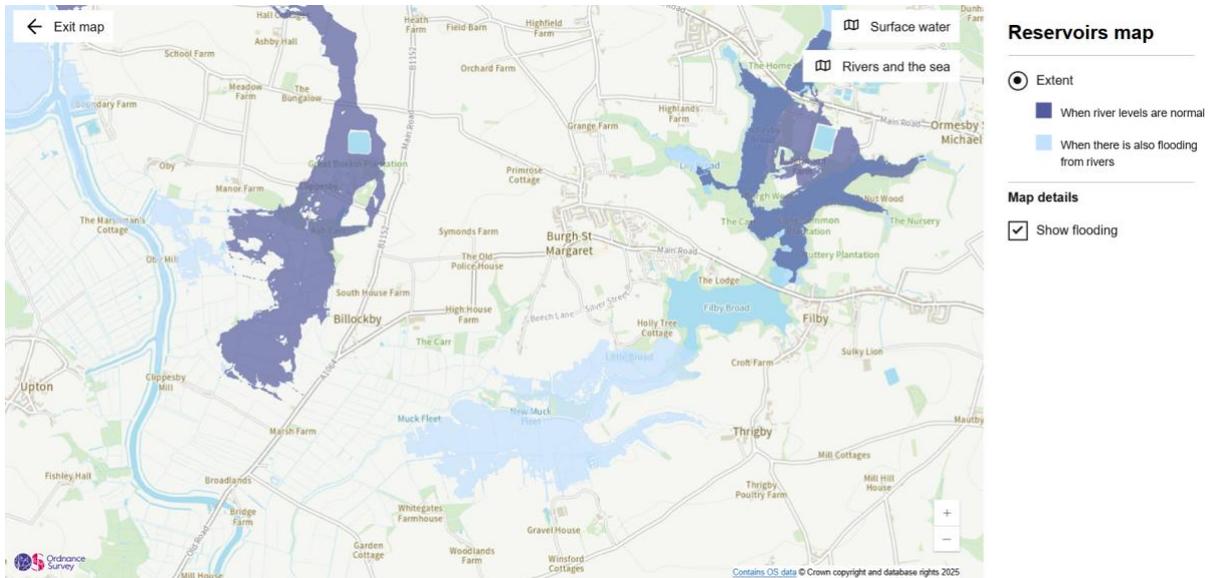
Figure 10-Flood Risk from Surface Water



⁴ Technical map - Check your long term flood risk - GOV.UK

23. Flooding from reservoirs, **Figure 11**, is also an issue in the west of the parish and built-up areas of Billockby and Clippesby.

Figure 11-Flood Risk from Reservoirs



24. **Figure 27** provides some evidence of the extent of surface water flooding in Fleggburgh, with these photos taken by residents in January 2020.

Figure 12-Surface Water Flooding (photos)



Tretts Lane



Blocked Drains – at the new development off Rollesby Road



25. There have been no flooding incidents or reports noted for Fleggburgh within The Lead Local Flood Authority (LLFA) datasets⁵. There is no mention of Fleggburgh in the Great Yarmouth Strategic Flood Risk Assessment Level 1 Report (2017).

Air and Climatic Factors

26. As part of the National Air Quality Strategy all local authorities are obliged to establish air quality levels in their area that meet national air quality objectives. If an area does not meet these objectives Air Quality Management Areas (AQMAs) area declared. The latest Great Yarmouth Borough Council Air Quality Annual Status Report (2023) confirms that there are no Air Quality Management Areas in the borough or nearby to the FNP area⁶. This would suggest that air quality is generally not of a concern, and indeed the report confirms that air quality within Great Yarmouth is good.

Material Assets

27. Fleggburgh has a number of services and community facilities, including:

- Doctors Surgery
- Primary School
- Nursery
- Outdoor sports facilities – broadland sports club, tennis courts (3 courts), bowling green, basketball court and playing field – including changing facilities
- Kings Arms Pub

⁵ [Flood investigations - Norfolk County Council](#)

⁶ Great Yarmouth Borough Council. 2023. Air Quality Annual Status Report (ASR) . Source: <https://docs.great-yarmouth.gov.uk/article/10381/Air-Quality-Annual-Status-Report-2023>

- Church
- Village Hall

28. Fleggburgh has a Church of England Primary School that works in partnership with Neatishead and Salhouse Federation. As of September 2025, the school has 53 pupils, and the school capacity is 56⁷. The number of pupils has increased from the previous number (39) recorded in January 2019. The school received a good rating at its last Ofsted inspection in May 2023⁸. There is no nursery provision at the school.
29. The neighbourhood plan area lies around 8.5 miles northwest of Great Yarmouth. The A1064 runs through the centre of the parish and through the village of Fleggburgh (Burgh St Margaret) and Billockby. The roads through the village are subject to a 30mph limit.
30. The parish is fairly well served by public transport, with Our Hire providing a regular bus service, up to eight times a day, to Acle. From here it is possible to connect and make on-going journeys to Norwich or Great Yarmouth, although residents report that connection times are problematic and long. Sanders Coach Bus Service X6⁹ runs Monday-Friday for College Days Only and stops at the Kings Arms in Fleggburgh travelling towards Great Yarmouth allowing residents to join the bus at 7am or 8.15am. On Saturdays the X6 service stops in Fleggburgh around 8am and 2pm allowing residents to travel to Filby, Caister or Great Yarmouth. No service runs on Sunday. These times are limited and may not be appropriate for most people's needs whether for work or leisure purposes.
31. **Figure 13** indicates that Fleggburgh has a number of Public Rights of Way footpaths that connect the villages, particularly Burgh St Margaret, with surrounding countryside. Many of these run alongside field boundaries or skirt the edges of the waterways associated with the Broads National Park (Special Area of Conservation (SAC) and Special Protection Area (SPA)) and Trinity Broads (Site of Special Scientific Interest (SSSI)). One public footpath south of Carr View Farm crosses through Broadland Ramsar Site (**Figure 14**). There are no bridleways, byways or restricted byways in the parish meaning that current public access is not suitable for cyclists or horse riders.

⁷ [Fleggburgh CofE Primary School - GOV.UK](#)

⁸ [Fleggburgh CofE Primary School - Open - Find an Inspection Report - Ofsted](#)

⁹ [6 | 6A | X6 | Sanders Coaches](#)

Figure 13- Public Rights of Way

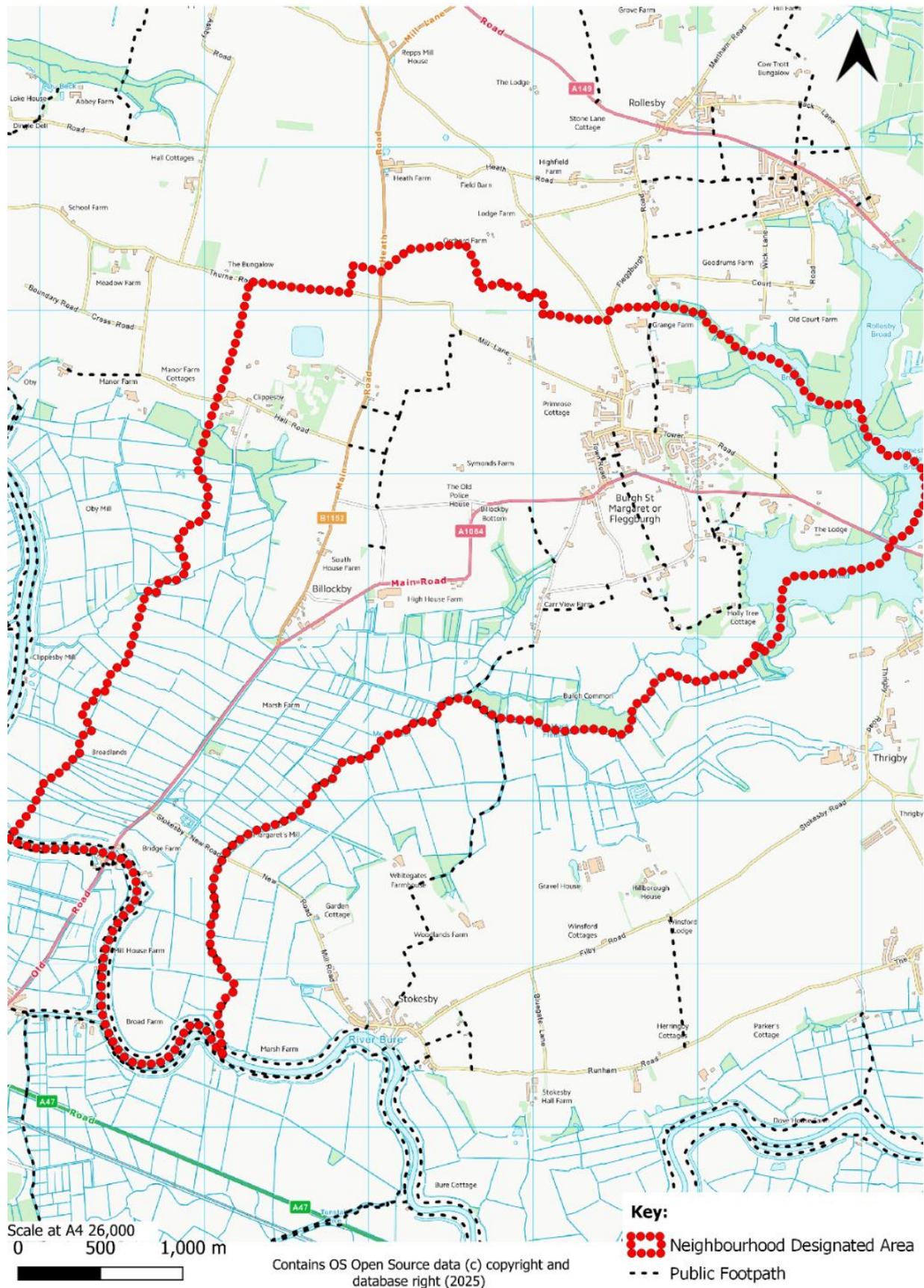
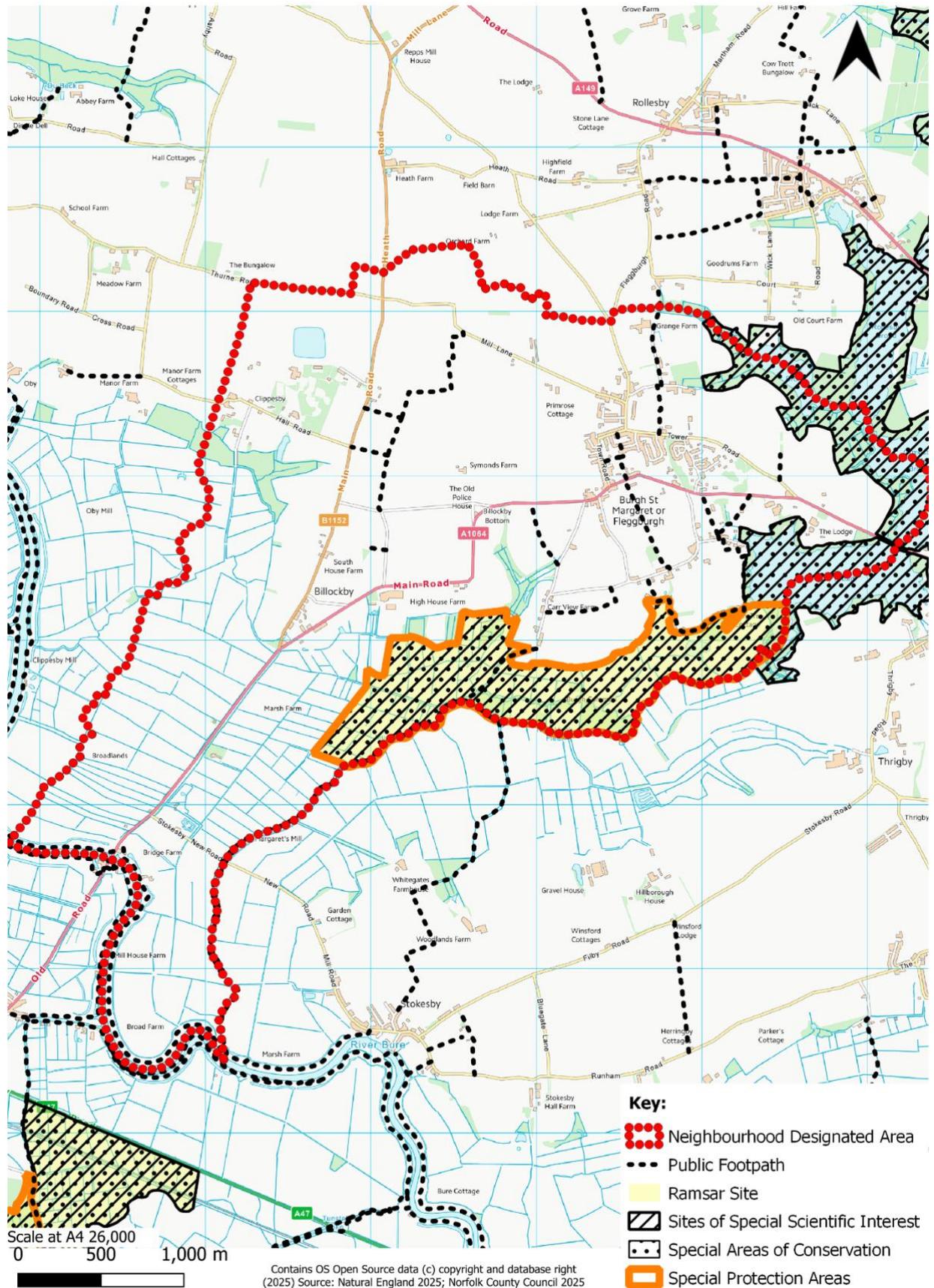


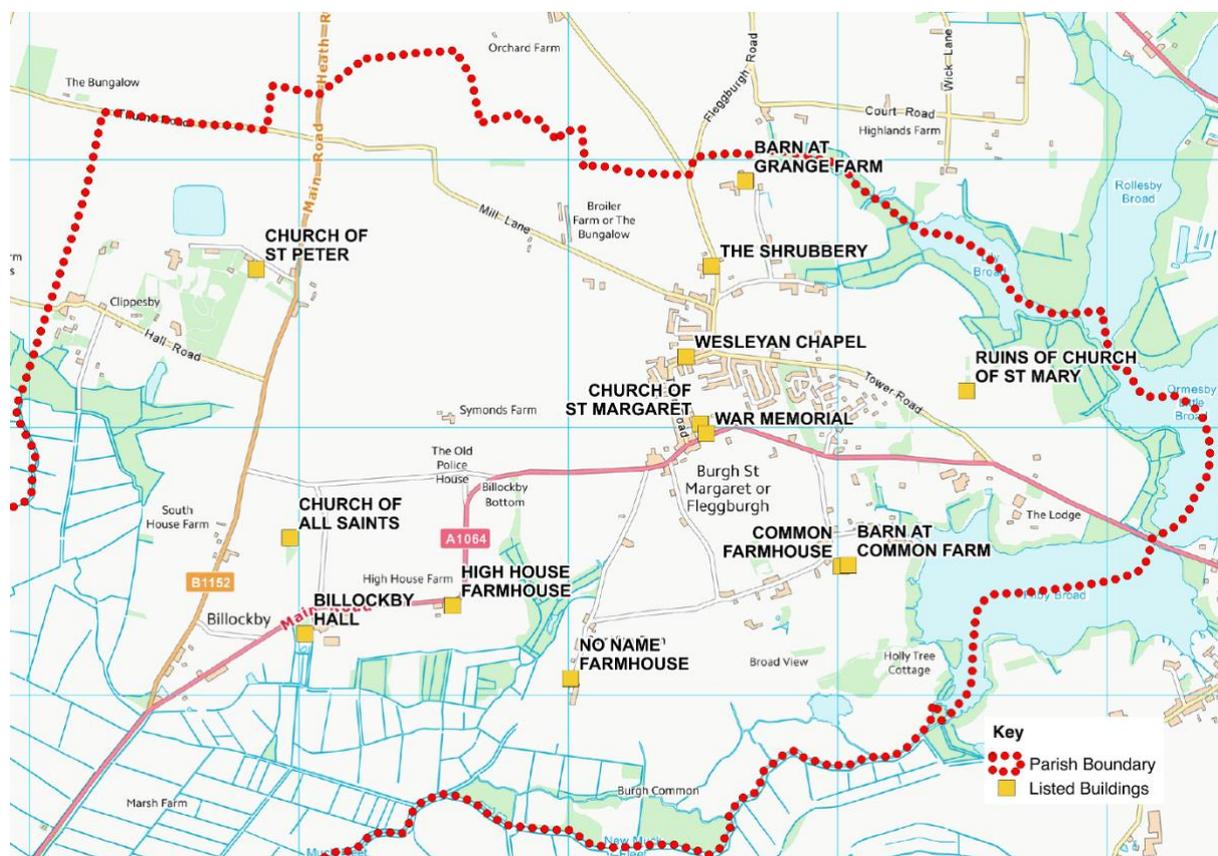
Figure 14-Public Rights of Way adjacent or crossing through International or National Designated Sites (Source Natural England and Norfolk County Council 2025)



Cultural Heritage

32. The parish has a tranquil rural quality owing to the Broads Area, surrounding countryside and historic assets including the Grade II* listed St Margaret's Church, which acts as a focal point. The church is one of 53 thatched churches in Norfolk. The settlement has become increasingly nucleated in its layout with recent development.
33. Fleggburgh has 13 Listed Buildings all of which are Grade II, see **Figure 15**. In addition, Norfolk Heritage Explorer identifies there to be 79 sites or finds of heritage importance recorded within the parish¹⁰. These include but are not limited to buildings, drainage mills, drainage ditches, axe heads, coins, pottery, pillboxes, medieval field boundaries and roads and WW2 defences.

Figure 15-Listed Buildings



34. There are no Scheduled Monuments and no Borough Council designated Conservation Areas with the parish. However, adjacent to Fleggburgh to the south is the Scheduled Monument Site of St Mary's Priory, Wey Bridge and the Conservation Area Halvergate Marshes. The area has no battlefields, registered parks or gardens or world heritage sites.

¹⁰ [Your Search Results - Norfolk Heritage Explorer](#)

Landscape

35. The Great Yarmouth Character Assessment (2008) classifies the parish as being part of the west **Flegg Settled Farmland Area**. Key characteristics include:

- An undulating landscape coupled with wooded edges of the Broads;
- Views often punctuated by features such as windpumps, turbines or round towered churches;
- Predominantly arable with localised areas of rough grazing and improved pasture;
- The field pattern is predominantly 20th century agriculture, with remaining hedgerows and isolated hedgerow trees important features;
- It is a large-scale landscape, although more enclosed where small scale field patterns exist around villages;
- A network of small rural lanes cross the area in addition to more significant roads of the A1064 and A149;
- It is a relatively tranquil landscape due to its distance from large settlements and proximity to and views across the lowland wetlands of the Broads.

36. The Character Assessment identifies a principle objective of conserving the areas function as part of the landscape setting of the Broads, particularly the views of the Broadland landscape.

37. In the Broads Landscape Character Areas Assessment¹¹, Fleggburgh parish falls within **Character Area 25- Fleggburgh to Bure Loop Arable Marshlands and Character Area 26- Muck Fleet Valley- The Trinity Broads (Figure 22)**. A summary of points from the Landscape Character Area have been drawn out below.

38. **Character Area 25** lies in the main, to the north of the River Bure although at both the eastern and western ends of the area it straddles the river. The area comprises the valley floor and part of the valley side of the northern Lower Bure floodplain along with the Pickerill Holme tributary area in Mautby/Caister. This is a large scale, open marsh landscape comprised of a wide valley floor (often around 1km in width). Although the valley floor of this area was traditionally an area of grazing marshes, the land cover of both valley sides and valley floor is now almost entirely in arable cultivation although some grazing marshes are retained around Ashtree Farm for horses. Skylines remain relatively undeveloped within the area due to presence of open marsh and arable cultivation.

Points to keep the area special:

- Care needs to be taken when **landscape change** occurs, to ensure that those positive characteristics that contribute to an areas unique sense of place are conserved and enhanced. What follows are examples of local issues and opportunities.

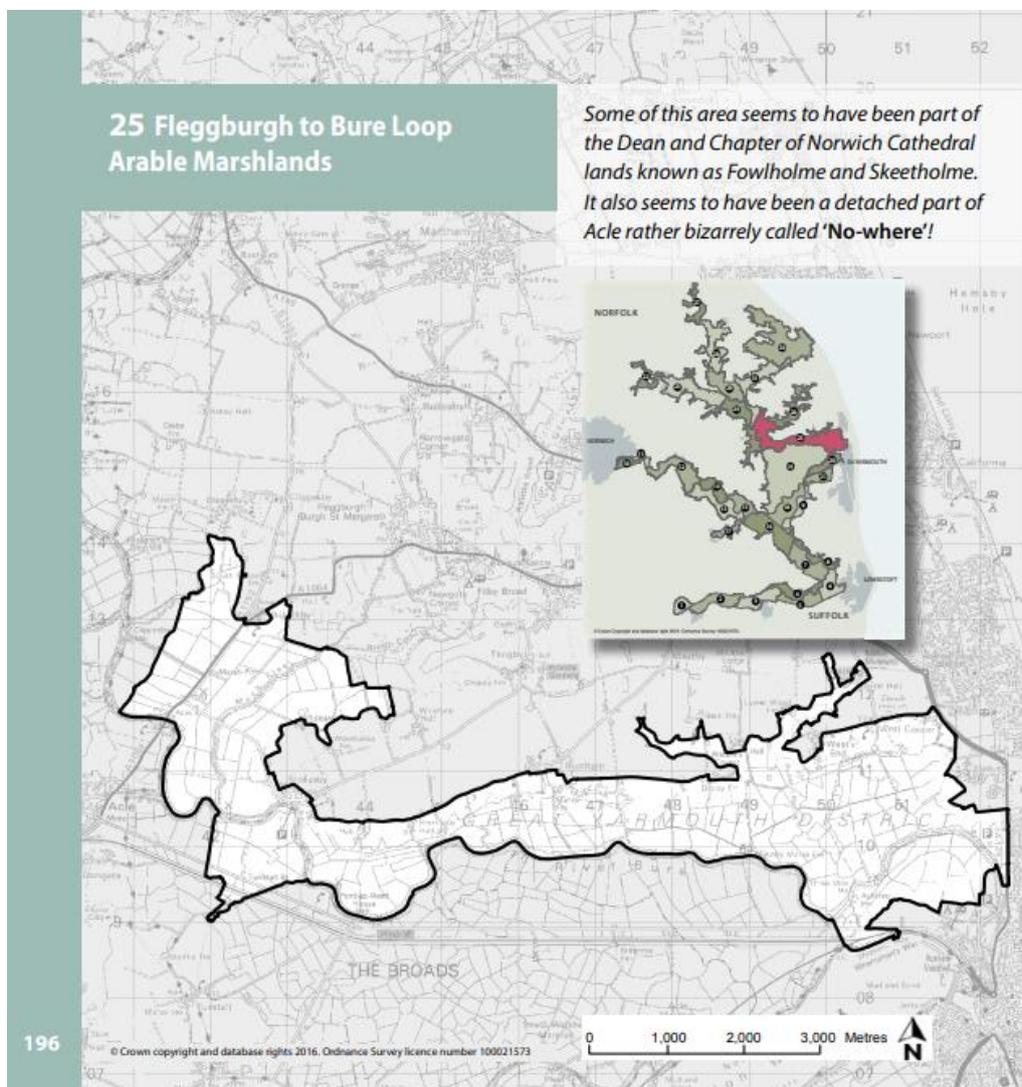
¹¹ [LCA Part-3 Areas-24-to-31.pdf](#)

- **Landscape** –Traditional land use for grazing within this marshland area has been mostly lost. The reversion to arable within much of this area has led to a significant loss of the dyke networks, with their associated marginal and aquatic vegetation. Within those dykes that are retained water levels are kept at a lower level than on the grazing marshes, to facilitate arable cultivation. This has an effect of the biodiversity value of the water body. The potential for enhancement opportunities for these areas is very much linked to the agricultural subsidy system, the long-term future of which is currently is unknown. Opportunities for removal of overhead wires and associated infrastructure should be sought to help reduce the urbanising effect on the marshes.
 - There are considerable **visual impacts** from built development of Great Yarmouth and Caister at the eastern end of this area. These include the industrial estate to the south of the Bure Loop, along with the sewage works and heliport to the east of Caister Marshes. The area is subject to noise and views of traffic along the Acle Straight. Both aspects detract from the sense of remoteness and the tranquillity of the area. Care needs to be taken to assess the effects on the landscape of any new development within these areas whilst opportunities should be sought to provide mitigation to address the current effects. Settlement Fringe Type uses and activities are significant around West Caister and the Bure Loop with horse-keeping a particular feature.
 - **Historic environment** – the drainage mills are a distinct feature of this area lying within this and adjacent areas. They are an important national assemblage. Opportunities to conserve and enhance these features should be sought.
39. **Character Area 26** primarily comprises a network of large, deep broads known as the Trinity Broad which occupy the upper part of the Muck Fleet Valley, which is a tributary valley of the River Bure. Despite the name that has been attached to these broads, five individually named broads are mapped, along with the detached Little Broad on Fleggburgh Common. In addition to the network of broads, two adjacent areas within the valley, Fleggburgh Common, which is an area of more open fen vegetation to the south of the broads, and Hall Farm Fen, Hemsby, which is an area of species rich fen grazing to the north east of the area, are notable examples of their type. Aside from the roads, parking opportunities near them via a couple of commercial developments, access is quite limited and the broads themselves often appear empty and tranquil. Boating in this area is limited mainly to nonpowered craft. The area sits in the middle of an area known as Flegg, an ‘island’ of higher ground between the Rivers Bure and Thurne. Flegg was historically separated into the two administrative units of East and West Flegg by the Muck Fleet Valley. The soils of the Flegg area are a deep, fertile loam which have made this one of the most intensively farmed areas in the county.
40. The area is a series of deep interconnected broads occupying a large tributary valley of the River Bure. The valley sides are very gentle rising to around 4m OD. The skylines are wooded and mostly undeveloped, with adjacent settlements heavily foiled by woodland.

Points to keep the area special:

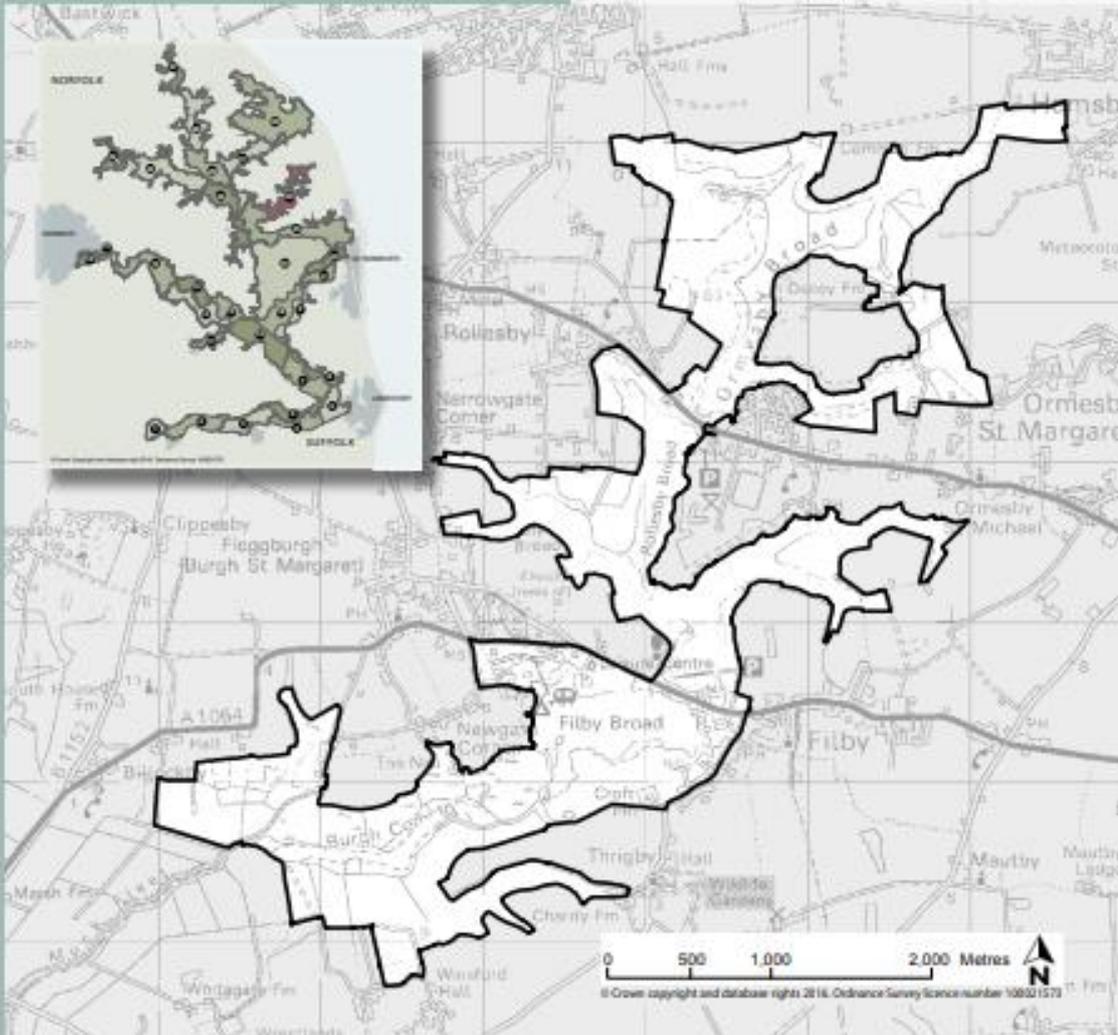
- Care needs to be taken when **landscape change** occurs, to ensure that those positive characteristics that contribute to an areas unique sense of place are conserved and enhanced. What follows are examples of local issues and opportunities.
- **Landscape** – Although settlement is limited in the area, where it does exist it can impact on the tranquillity and naturalness of the area. Where new development opportunities are being pursued care needs to be taken to ensure that proposals do not adversely affect the key landscape characteristics of the area.
- **Nature conservation** – water quality is an issues for the Broads in part as a result of the adjacent farming activities. Initiatives are currently underway in relation to catchment management to help resolve these issues.

Figure 16-Broads Landscape Character Assessment



26 Muck Fleet Valley - The Trinity Broads

Within the area, examples of the simple earth-built cottages that once existed across much of the northern broads around the edges of Commons, can be found.



SEA Screening

Legislative Background

41. The European Directive 2001/42/EC¹² is the basis for Strategic Environmental Assessments and Sustainability Appraisal legislation, which was transposed into English secondary legislation by the Environmental Assessment of Plans and Programmes Regulations 2004 otherwise known as the SEA Regulations. A SEA would be required if the implementation of the contents of Fleggburgh Neighbourhood Development Plan are likely to cause significant environmental effects.
42. The assessment undertaken will follow and answer specific questions using criteria drawn from the European SEA Directive and Schedule 1 of the UK Environmental Assessment of Plans and Programmes Regulations 2004 when determining the likely significance of effects as shown in **Figure 17**¹³.
43. **Figure 18** presents the flow diagram entitled Application of the SEA Directive to plans and programmes which is taken from the Practical Guide to the Strategic Environmental Assessment Directive, published in September 2005¹⁴. **Figure 19** below assesses whether FNP will require a full SEA. The questions in the first column are drawn from **Figure 18** which sets out how the SEA Directive should be applied.
44. An assessment has been undertaken to determine whether the draft FNP requires SEA in accordance with the SEA Regulations. Where the results can be viewed below.

¹² [EUR-Lex - 32001L0042 - EN - EUR-Lex \(europa.eu\)](#)

¹³ [The Environmental Assessment of Plans and Programmes Regulations 2004 \(legislation.gov.uk\)](#)

¹⁴

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practical_guidesea.pdf

Figure 17-Schedule 1 Criteria for determining the likely significance of effects

SCHEDULE 1- CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

1. The characteristics of plans and programmes, having regard, in particular, to:
 - a) 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;
 - b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
 - c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
 - d) environmental problems relevant to the plan or programme; and
 - e) the relevance of the plan or programme for the implementation of [F1retained EU law] on the environment (for example, 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:
 - a) the probability, duration, frequency and reversibility of the effects;
 - b) the cumulative nature of the effects;
 - c) the transboundary nature of the effects;
 - d) the risks to human health or the environment (for example, due to accidents);
 - e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
 - 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; or
 - (iii) intensive land-use; and
 - g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

Figure 18-Application of the SEA Directive to plans and programmes

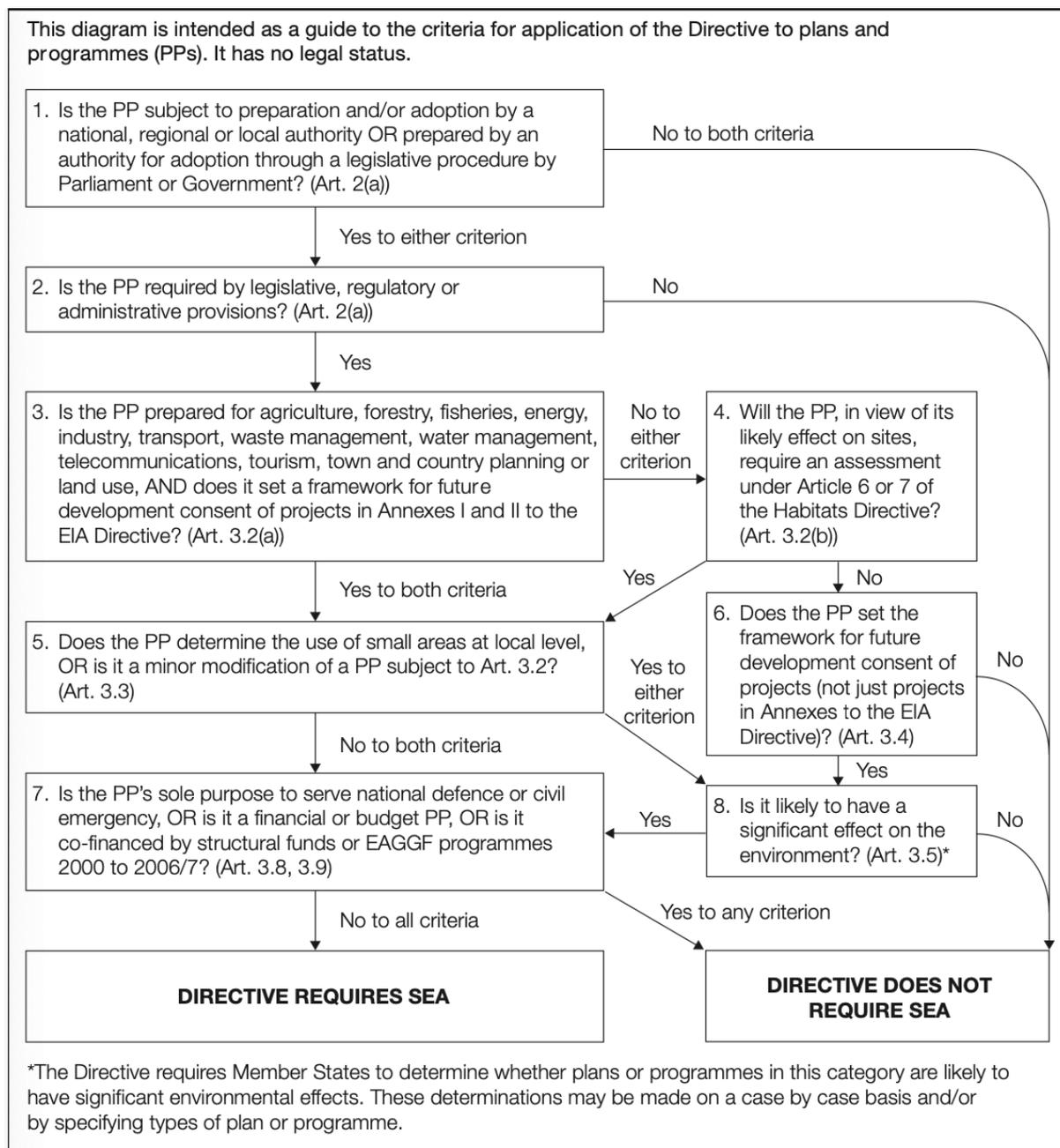


Figure 19-Application of SEA Directive to FNP

***PP in this instance refers to Neighbourhood Development Plan**

	Stage	Y/N	Justification
1	Is the Neighbourhood Development Plan (PP) 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	<p>The NP is being prepared by Fleggburgh Parish Council (as the “relevant qualifying body”) and will be made by Great Yarmouth Borough Council and The Broads Authority, subject to the NP Review passing an independent examination and local community referendum.</p> <p>The preparation of the Fleggburgh Neighbourhood Development Plan is allowed under primary legislation: The Town and Country Planning Act (1990) as amended by the Localism Act (2011).</p> <p>The preparation of NP’s are subject to several relevant regulations as shown below (not intend to be a complete list):</p> <ul style="list-style-type: none"> • The Neighbourhood Development Planning (General) Regulations 2012, • the Neighbourhood Development Planning (referendums) Regulations 2012 • the Neighbourhood Development Planning (General)(Amendment) Regulations 2015 • the Neighbourhood Development Planning (General)and Development Management Procedure (Amendment) Regulations 2016 • the Neighbourhood Development Planning (General)and Development Management Procedure (Amendment) Regulations 2017 <p>GO TO QUESTION 2</p>

	Stage	Y/N	Justification
2	Is the Neighbourhood Development Plan (PP) required by legislative, regulatory, or administrative provisions? (Art. 2(a))	Y	<p>Whilst it is not a requirement for a parish to review a Neighbourhood Development Plan under the Town and Country Planning Act (1990) and Localism Act (2011), the NP will eventually be “made” and form part of the Development Plan for the Borough Council of Great Yarmouth and The Broads Authority Executive Area. These authorities 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 an SEA is required under the Directive.</p> <p>GO TO QUESTION 3</p>
3	Is the Neighbourhood Development Plan (PP) 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>Developments that fall within Annex I are ‘excluded’ development for Neighbourhood Development Plans (as set out in Section 61(k) of the Town and Country Planning Act 1990 (as subsequently amended)¹⁵ and the Localism Act 2011 Schedule 9 Part 2 Para 7 Section 38 B (1)(b),(6)¹⁶.</p> <p>A Neighbourhood Development Plan is prepared for Town and Country Planning and Land use. The Fleggburgh Neighbourhood Development Plan can include at a neighbourhood level, through different policy areas, the framework for development that would fall within Annex II of the EIA Directive.</p> <p>The Neighbourhood Development Plan is being prepared to set out a framework for town and country planning and land use within the parish of Fleggburgh. Its intention is to complement the higher order strategic framework that already exists for land</p>

¹⁵ [Town and Country Planning Act 1990 \(legislation.gov.uk\)](http://legislation.gov.uk)

¹⁶ [Localism Act 2011 \(legislation.gov.uk\)](http://legislation.gov.uk)

	Stage	Y/N	Justification
			<p>use planning across the Borough of Great Yarmouth and the Broads Authority. The Neighbourhood Development Plan seeks to align and be in general conformity with the strategic framework.</p> <p>The Neighbourhood Development Plan is not allocating any development itself but is anticipated to be one of the key tools to manage future development of Fleggburgh.</p> <p>GO TO QUESTION 4</p>
4	Will the Neighbourhood Development Plan (PP), in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.3)	N	<p>A Habitats Regulations Assessment (HRA) screening of the Neighbourhood Plan has been undertaken in the next section and has concluded that the Neighbourhood Plan is not likely to have a significant effect on any European site, either alone or in combination.</p> <p>GO TO QUESTION 6</p>
6	Does the Neighbourhood Development Plan (PP) set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	Y	<p>Although the Neighbourhood Plan does not allocate sites for development, it includes non-strategic policies which proposals for development within the parish will be assessed against when materially relevant.</p> <p>GO TO QUESTION 8</p>
8	Is it likely to have a significant effect on the environment? (Art. 3.5)	N	SEE FIGURE 18 – PLAN DOES NOT REQUIRE SEA

45. Schedule 1 of the SEA Regulations sets out the criteria for determining the likely significance of effects. These are listed in **Figure 20** below along with comments on the extent to which the FNP meets these criteria.

Figure 20-Likely Significant Effects

SEA Directive Criteria (Annex II)	Comments	Likely Significant Effect? Y/N
Characteristics of the plan and programmes, having regard in particular, to:		
<p>a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources</p>	<p>Once made, FNP will become part of the statutory development plan and will guide the delivery of development within the designated plan area.</p> <p>The parish is located within the district of Great Yarmouth. The Great Yarmouth Core Strategy (2015) Policy 1 sets to accommodate around 5% of new development in secondary and tertiary villages within the settlement hierarchy. Fleggburgh is identified as a Secondary Village.</p> <p>There are no housing allocations in Fleggburgh within the adopted Local Plans for Great Yarmouth and The Broads.</p> <p>In the emerging GYLP, which is currently at examination, Policy RUR1 designates Fleggburgh as a smaller village where smaller-scale housing growth is expected. One allocation is also proposed in Fleggburgh under Policy FLG1-Land off Tower Road. This allocation is for residential development of approximately 20 dwellings (1 hectare).</p> <p>In terms of the degree to which FNP sets a framework, it does not allocate land for development.</p>	N
<p>b) The degree to which the plan or programme influences other</p>	<p>The Neighbourhood Development Plan Review will be adopted</p>	N

SEA Directive Criteria (Annex II)	Comments	Likely Significant Effect? Y/N
<p>plans and programmes including those in a hierarchy</p>	<p>alongside the higher order adopted Local Plans and National Planning Policy Framework and form part of the Borough Council and The Broads Authority Development Plans. The Neighbourhood Development Plan must be in general conformity to the strategic framework and will expand upon some of the Local Plan policies, providing supplementary information on a local scale.</p> <p>It does not have an influence over other plans. However, once made FNP will form part of the statutory development plans for Fleggburgh until 2041 and will be used in conjunction with the current development plans to determine planning applications.</p>	
<p>c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</p>	<p>One of the Basic Conditions which FNP must meet is to contribute towards sustainable development. Several policies within the plan will focus on the integration of environmental considerations in particular with a view to promoting sustainable development.</p> <p>This includes the design policy (with input of the Fleggburgh Design Code) and the policies for the natural and historic environment. The policies aim to ensure effects on the environment are minimised within the plan area and promote positive action. Given the non-strategic nature of the FNP this does not have the potential to restrict the delivery of other plans or programmes.</p>	<p>N</p>

SEA Directive Criteria (Annex II)	Comments	Likely Significant Effect? Y/N
<p>d) Environmental problems relevant to the plan or programme</p>	<p>The plan itself will not specifically allocate land for development and will not exacerbate any significant known environmental problems to the plan area or adjacent sites.</p> <p>Baseline information relating to FNP was described earlier in this Screening Document.</p> <p>The neighbourhood plan designated area encompasses a large part of the Norfolk Broad which holds environmental designations including Special Area of Conservation (SAC) and Special Protection Area (SPA).</p> <p>Within the parish is Burgh Common and Muckfleet Marshes and The Trinity Broads which both have multiple environmental designations.</p> <p>Burgh Common and Muckfleet Marshes is designated a Ramsar Site, SAC, SPA and a Special Site of Scientific Interest (SSSI). Trinity Broads is a SAC and SSSI.</p> <p>There are two county wildlife sites in the parish and nine types of priority habitats in the NPA. The plan seeks to provide protective policies that will have Influence over these environmental assets.</p>	<p>N</p>
<p>e) The relevance of the plan or programme for the implementation of community legislation on the environment (eg plans and programmes linked to waste management or water protection)</p>	<p>The implementation of community legislation is unlikely to be significantly compromised by the Neighbourhood Development Plan.</p>	<p>N</p>

SEA Directive Criteria (Annex II)	Comments	Likely Significant Effect? Y/N
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to		
a) The probability, duration, frequency, and reversibility of the effects	FNP does not contain any site-specific development proposals that will result in complex, widespread, long-lasting, or serious environmental effects.	N
b) The cumulative nature of the effects	As it will not allocate land for development FNP will not lead to any cumulative effects in combination with existing or emerging plans.	N
c) Transboundary nature of effects	The emerging FNP area provides supplementary policy areas on a local scale. The impacts for transboundary effects beyond the designated area are unlikely to be significant.	N
d) The risks to human health or the environment (for example, due to accidents)	FNP is unlikely to produce any significant effects to human health or the environment.	N
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The FNP area has a total population of around 1,100 (Census, 2021). This sits within the context of a total population in Great Yarmouth of 99,700 (Census, 2021 ¹⁷). FNP remains a non-strategic plan and the principle of development that will take place has already been established within the Great Yarmouth Local Plan and The Broads Local Plan.	N
f) The value and vulnerability of the area likely to be affected due to –	i) As noted earlier, there are a few national and international designations located within FNP such as the Broads. There are also county wildlife sites	N

¹⁷ Census 2021. Age Profile. Source: [Build a custom area profile - Census 2021, ONS](#)

SEA Directive Criteria (Annex II)	Comments	Likely Significant Effect? Y/N
<ul style="list-style-type: none"> i. Special natural characteristics or cultural heritage; ii. Exceeded environmental quality standards or limit values; or iii. Intensive land-use 	<p>and priority habitats within the plan area and 13 Listed Buildings. The plan does not allocate land itself, so it is not anticipated to have likely significant effects.</p> <ul style="list-style-type: none"> ii) FNP is unlikely to result in exceedance of environmental quality standards, such as those relating to air, water, and soil quality. iii) FNP is unlikely to bring forward development of an extent that would result in a significant intensification of Local Land Use. <p>The emerging FNP does not include site allocations and therefore are not anticipated to have likely significant effects on the parish.</p>	
<p>g) The effects on areas of landscapes which have a recognised national, Community or international protection status</p>	<p>FNP is not anticipated to have likely significant effects on areas of landscape which have recognised protection status given the plan will not allocate land for development and it contains various protecting policies to conserve landscape quality and setting.</p> <p>The environmental effects on areas of biodiversity designations have also been considered through the Local Plans.</p>	N

SEA Screening Conclusion

46. A Screening Assessment has been undertaken by applying the criteria from the SEA Directive and Schedule 1 of the SEA Regulations to determine whether or not the FNP is likely to have significant environmental effects when assessed against the topics listed in the SEA Regulations.

47. FNP will set out a vision and non-strategic planning policies to shape development in Fleggburgh up to 2041. FNP does not allocate sites for development but does contain policies that protect locally important assets and promotes environmental improvement. Such mitigating policies will compliment those set out in the local plans. The assessment concludes that the FNP will not result in likely significant effects on the environment.

48. On this basis, it is considered that FNP does not have the potential to have significant environmental impacts, and a SEA is not required.

What is a Habitats Regulation Assessment?

49. A Habitats Regulations Assessment (HRA) is the process by which a ‘competent authority’ is required to assess the potential impacts of plans and projects (such as Local Plans, Neighbourhood Development Plans or development proposals put forward in planning applications) on International Sites in accordance with Article 6 (3) of the EU Habitats Directive and Regulation 61 of the [Conservation of Habitats and Species Regulations 2017 \(as amended\)](#). A competent authority, such as the Local Planning Authority, must determine if a plan or project may affect the protected features set out in the Conservation Objectives of an International habitat site before deciding whether to undertake, permit or authorise it.

What are the International (European) Designated Sites?

50. There are three types of International Sites designations:

- **Ramsar:** Ramsar sites are wetlands of international importance, designated under the Ramsar Convention on Wetlands¹⁸.
- **Special Area of Conservation (SAC):** Areas which have been given special protection for a variety of wild animals, plants and habitats.
- **Special Protection Area (SPA):** Identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within EU countries.

Screening

51. To fulfil the legal requirements if likely significant effects will occur with the implementation of the FNP upon the International Sites (Natura 2000 sites) an initial screening assessment has been undertaken which is the first stage of the HRA process. If any likely significant effects on International Sites will occur then the screening is followed by an appropriate assessment (second stage of the HRA process) which needs to consider these impacts in more detail and what mitigation measures, if any, can be achieved to address these¹⁹.

52. The purpose of the Screening stage is to:

- Identify all features of the FNP that would have **no effect** on an International/ European site. These features can be eliminated from further consideration in respect of this and other plans.

¹⁸ The Ramsar Convention on Wetlands is an international treaty for the conservation and sustainable use of wetlands. It is named after the city of Ramsar in Iran, where the Convention was signed in 1971. It came into force in 1975.

¹⁹ [Habitats regulations assessments: protecting a European site - GOV.UK \(www.gov.uk\)](#)

- Identify all aspects of the FNP that would **not be likely to have a significant effect** on an International/European site (i.e. would have some effect because of links/connectivity but the effect is not significant), either alone or in combination with other aspects of the same plan or other plans or projects. These do not require ‘Appropriate Assessment’.
- Identify those aspects of the FNP where it is **not possible to rule out the risk of significant effects** on a European site, either alone or in combination with other plans or projects. This provides a clear scope for the parts of the plan that will require Appropriate Assessment.

Case Law and the Interpretation of ‘likely significant effects’

53. Before undergoing the assessment, it is useful to reflect on relevant case law to help interpret when effects should be considered as a likely significant effect, when carrying out HRA of a Neighbourhood Development Plan. In the Waddenzee case²⁰ the European Court of Justice ruled on the interpretation of Article 6(3) of the Habitats Directive (translated into Reg. 105 in the Conservation of Habitats and Species Regulations 2017²¹):

“An effect should be considered ‘likely’, “if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site” (paragraph 45). An effect should be considered ‘significant’, “if it undermines the conservation objectives” (paragraph 48). Where a plan or project has an effect on a site “but is not likely to undermine its conservation objectives, it cannot be considered likely to have a significant effect on the site concerned” (paragraph 47).”

54. As well as this another relevant opinion delivered to the Court of Justice of the European Union stated: *“The requirement that an effect in question be ‘significant’ exists in order to lay down a de minimis threshold. Plans or projects that have no appreciable effect on the site are thereby excluded. If all plans or projects capable of having any effect whatsoever on the site were to be caught by Article 6(3), activities on or near the site would risk being impossible by reason of legislative overkill (Paragraph 48)l.²²”*

55. This opinion on the interpretation of significant effects in the ‘Sweetman’ case allows for the authorisation of plans and projects whose possible effects, alone or in combination, can be considered ‘trivial’ or de minimis; referring to such cases as those “that have no appreciable effect on the site”. In practice such effects could be screened out as having no likely significant effect – they would be

²⁰ Case C-127/02 Landelijke Vereniging tot Behoud van de Waddenzee and Nederlandse Vereniging tot Bescherming van Vogels v Staatssecretaris van Landbouw, Natuurbeheer en Visserij. Directive 92/43/EEC – Conservation of natural habitats and of wild flora and fauna – Concept of ‘plan’ or ‘project’ – Assessment of the implications of certain plans or projects for the protected site
Source: [EUR-Lex - 62002CJ0127 - EN - EUR-Lex](#)

²¹ [The Conservation of Habitats and Species Regulations 2017](#)

²² Case C-258/11 Peter Sweetman Ireland Attorney General Minister for the Environment, Heritage and Local Government v An Bord Pleanala (Reference for a preliminary ruling from the Supreme Court (Ireland)) (Environment – Special conservation areas – Assessment of the impact of a plan or project on a protected site – Adverse effect on the integrity of the site). Source: [CURIA - Documents](#)

‘insignificant’. The HRA Screening assessment therefore considers whether the Pre-Submission Draft of Hellesdon Neighbourhood Development Plan and its policies could have likely significant effects either alone or in combination.

Assessment

56. Firstly, it is established practice in HRA to identify any International/European Sites that could possibly be affected within the area covered by the plan proposal or project and other sites that may be affected beyond this area. In this screening assessment the area screened was the FNP designated area as well as a distance of 20 kilometres (km) taken from the centre of FNP as shown in **Figure 22**. A distance of 20 kilometres from the centre point of the FNP area was used in the first instance because this has been agreed with Natural England for the relevant Local Plans HRAs in this region²³ and is considered precautionary. In line with HRA requirements, the application of a 20-kilometre buffer is considered a highly precautionary distance with relation to potential impacts to the surrounding area.
57. The assessment also considers areas that may be functionally linked to the International/European sites. The term ‘functional linkage’ refers to the role or ‘function’ that land or sea beyond the boundary of a European site might fulfil in terms of ecologically supporting the populations for which the site was designated or classified. Such land is therefore ‘linked’ to the European site in question because it provides an important role in maintaining or restoring the population of qualifying species at favourable conservation status²⁴.
58. Whilst the boundary of an International/European site will usually be drawn to include key supporting habitat for a qualifying species, this cannot always be the case where the population for which a site is designated or classified is particularly mobile. Individuals of the population will not necessarily remain in the site all the time. The mobility of qualifying species is considerable and may extend so far from the key habitat that forms the designated area (SAC or SPA) that it would be entirely impractical to attempt to designate or classify all of the land or sea that may conceivably be used by the species.
59. In the FNP area there is one designated International/European sites. This screening assessment has also considered the impact on International Sites within a 20km radius of the FNP area as an in-combination assessment (**Figure 21**). The point for measuring 20km has been taken from the centre of FNP as shown in **Figure 22**. A number of International Sites are shown to be located within 20km radius of the FNP area including:

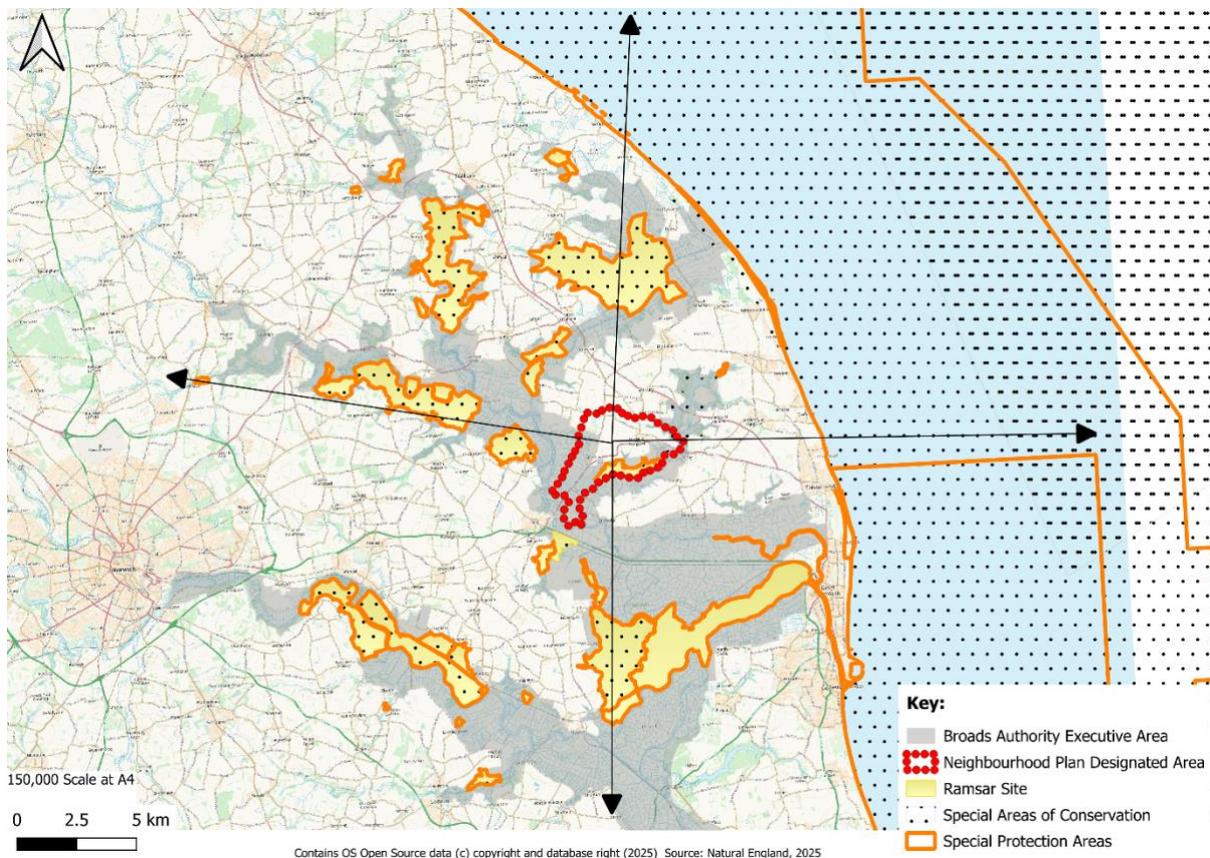
Figure 21- Table of the International Designated Wildlife Sites within 20km radius of FNP

²³Great Yarmouth Local Plan Habitats Regulations Assessment (April 2025) Source. [Habitats Regulations Assessment of the Great Yarmouth New Local Plan](#)

²⁴ [Functional linkage: How areas that are functionally linked to European sites have been considered when they may be affected by plans and projects - a review of authoritative decisions - NECR207 \(naturalengland.org.uk\)](#)

Special Areas of Conservation	Special Protection Areas	Ramsar Sites
<ul style="list-style-type: none"> • The Broads • Southern North Sea • Winterton-Horsey Dunes • Haisborough, Hammond and Winterton 	<ul style="list-style-type: none"> • Broadland • Breydon Water • The Broads • Greater Wash • Great Yarmouth North Denes • Outer Thames Estuary 	<ul style="list-style-type: none"> • Broadland • The Broads • Breydon Water

Figure 22- Map of the International Designated Wildlife Sites within 20km radius of FNP



60. Natural England provides detailed information about the European Sites with reference to Standard Data Forms for the SPA sites and Natural England’s Site Improvement Plans²⁵. Natural England’s conservation objectives²⁶ for the SPA sites have also been reviewed when writing this report. These state that site integrity must be maintained or restored by maintaining or restoring the habitats of qualifying features, the supporting processes on which they rely, and populations of qualifying species.

²⁵ [Natural England Access to Evidence - Site Improvement Plans: East of England](#)

²⁶ [Natural England Access to Evidence - Conservation Objectives for European Sites](#)

61. As required under Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (as amended), an assessment has been undertaken of the potential ‘likely significant effects’ of the plan. The assessment has been prepared in order to identify which policies would be likely to have a significant effect on European sites. The Screening assessment has been conducted without taking mitigation into account, in accordance with the ‘People Over Wind’ judgment which took place in April 2018²⁷. The judgment clarified that when making screening decisions for the purposes of deciding whether an appropriate assessment is required, competent authorities cannot take into account any mitigation measures in Neighbourhood Development Plans, permissions in principle and certain development orders²⁸.
62. Each European site has a set of interest features which are the ecological features for which the site is designated or classified, and the features for which Member States should ensure the site is maintained or where necessary restored. European sites are at risk if there are possible means by which any aspect of a plan or project can, when being taken forward for implementation, pose a potential threat to the wildlife interest of the sites. This is often referred to as the ‘impact pathway’. Potential impact pathways causing significant effects are:
- Physical loss or damage to habitat;
 - Non-physical disturbance (noise, vibration and light pollution);
 - Pollution Impacts (Air, Non-toxic contamination, Wastewater) ;
 - Recreational pressure;
 - Increased pressure on water resources
 - Urban effects

HRA Impacts Screening

63. A risk-based approach involving the application of the precautionary principle was adopted in the assessment, such that a conclusion of ‘no likely significant effect’ (LSE) would only be reached where it was considered unlikely, based on current knowledge and the information available, that a FNP policy would have a significant effect on the integrity of a European site. FNP does not allocate land for development and therefore will not directly result in an increase in the number of new dwellings within the vicinity of European Sites. A summary of findings linked to potential impact pathways are considered in **Figure 23** and an assessment of potential impacts of the draft policies contained within FNP is provided in **Figure 24**.

Figure 23-Summary of Impact Pathways

²⁷²⁷ The Court of Justice of the European Union delivered its judgment in [Case C-323/17 People Over Wind & Peter Sweetman v Coillte Teoranta](#) (‘People over Wind’).

²⁸ GOV. Para 009 . Source: [Appropriate assessment - GOV.UK \(www.gov.uk\)](#)

Impact Pathway	Findings
<p>Physical loss or damage to habitat</p>	<p>Habitat loss from development in areas outside of the European site boundaries may result in likely significant effects where that habitat contributes towards maintaining the interest feature for which the European site is designated. This includes land which may provide offsite movement corridors such as sheltering habitat for mobile species Including birds, bats and fish. European sites susceptible to the indirect effects of habitat loss are restricted to those with qualifying species that rely on offsite habitat.</p> <p>As FNP is not allocating any sites for development in the area it is considered there will be no likely significant effects of physical loss or damage to a habitat and is screened out of the assessment.</p>
<p>Non-physical disturbance (noise, vibration and light pollution)</p>	<p>Non-physical disturbance effects such as noise and vibration are most likely to disturb bird species and thus are a key consideration with respect to potential effects on European sites where birds are the qualifying features. Light pollution from artificial lighting at night also has the potential to affect species where it occurs in close proximity to key habitat areas, such as key roosting sites of SPA birds.</p> <p>It has been assumed that the effects of non-physical disturbances are most likely to be significant within a distance of 500 metres from the source.</p> <p>The Broads (SAC) and Broadland (SPA; Ramsar) falls within the Neighbourhood Area and other International/National Sites are located within close proximity to the parish.</p> <p>As FNP is not allocating any sites for development in the area it is considered there will be no likely significant effects of non-physical disturbance to a habitat and is screened out of the assessment.</p>
<p>Non-toxic contamination</p>	<p>A non-toxic environment is understood to be an environment that is free from chemical pollution and of exposures to hazardous chemicals at levels that are harmful to human health and to the environment. An example of non-toxic contamination in the environment is the creation of dust from human activities such as road transport, construction and industry²⁹. Dust can smother terrestrial habitats, preventing natural processes, and an</p>

²⁹ [Monitoring ambient air: particulate matter - GOV.UK](https://www.gov.uk/guidance/monitoring-ambient-air-particulate-matter)

Impact Pathway	Findings
	<p>increased sediment can potentially affect the aquatic habitats/species.</p> <p>As FNP is not allocating any sites for development in the area it is considered there will be no likely significant effects of non-contamination and is screened out of the assessment.</p>
Air pollution	<p>There are number of atmospheric pollutants which can result in direct or indirect impacts to Habitats sites. These impacts are usually caused when the qualifying features are plants, soils and wetland habitats. However, some species may also be indirectly impacted from air pollution causing changes in habitat composition.</p> <p>Around the world the primary contributors to atmospheric pollution is transport and industry related activities³⁰. The main pollutants to atmospheric pollution are considered to be oxides of nitrogen (NOx) or sulphur dioxide (SO2)³¹. In England, road transport is a major source of emissions of nitrogen oxides contributing to 30% of emissions in 2022 alone. It has been stated that excess deposition of nitrogen (NOx) compounds may lead to a cascade of environmental problems including both soil and freshwater acidification, the reduction of biodiversity (Zhang et al; 2021³²) and cause eutrophication of soils and water affecting nutrient levels and reducing the diversity of species in sensitive environments³³.</p> <p>Based on the 2019 Highways England Design Manual for Road and Bridges (DMRB) LA 105 Air quality³⁴ (which sets out the requirements for assessing and reporting the effects of highway projects on air quality), the report states that an assessment of the impact of pollutant concentrations on sensitive receptors should be done within 200m from the road itself.</p> <p>As FNP is not allocating any sites for development in the area it is considered there will be no likely significant effects of air pollution on the European Sites and is screened out of the assessment.</p>
Recreational pressure	<p>Recreational activities can result in significant effects on European sites. European sites with qualifying bird species are</p>

³⁰ [Air quality, energy and health](#)

³¹ [Emissions of air pollutants in the UK - Summary - GOV.UK](#)

³² [Atmospheric nitrogen deposition: A review of quantification methods and its spatial pattern derived from the global monitoring networks - ScienceDirect](#)

³³ [Emissions of air pollutants in the UK - Background - GOV.UK](#)

³⁴ [LA 105 - Air quality \(standardsforhighways.co.uk\)](#)

Impact Pathway	Findings
	<p>likely to be particularly susceptible to recreational disturbances from walking, dog walking, angling, off-road vehicles and motorbikes, wildfowling, and water sports. In addition, recreation can physically damage habitat as a result of trampling, fire or vandalism and also through erosion associated with terrestrial activities.</p> <p>Each European site will typically have a ‘Zone of Influence’ (ZOI). A Zone of Influence (ZOI) is a designated distance that establishes where development is likely to have a significant effect on a Habitats Site. It is an area stemming outwards from a Habitats Site within which development can be expected to have a negative effect on the integrity of the Habitats Site in question. It is deemed there will be likely significant effects arising from additional residents living within the zone and travelling to European sites for recreation. ZOI determines where new development may result in changes in recreation and therefore where mitigation will be necessary.</p> <p>In 2015 and 2016 Norfolk County Council/the Norfolk Biodiversity Partnership (NBP) commissioned visitor surveys on behalf of all LPAs (including Great Yarmouth and the Broads Authority), to determine current and projected visitor patterns to habitats sites across Norfolk. This then led to adoption of the Norfolk Green Infrastructure and Recreational Avoidance Mitigation Strategy (GIRAMS³⁵). Based on this work, a ZOI was established for each habitats site within the study area based on resident and tourist visitor data.</p> <p>The ZOI for the European Sites within 20km to the FNP Include:</p> <ul style="list-style-type: none"> • Broadland (25km for residents only or 248km tourism) • The Broads (25km for residents only or 248m tourism) • East Coast Sites (30km for residents only or 202km tourism) • The Wash (61km for residents only or 162km tourism) <p>Essentially now the GIRAMS has been adopted in Norfolk, any allocation (small scale or large scale) should require a full SEA or HRA to ensure that there are no likely effects. However, since FNP is not allocating any sites in the NDP it is considered a full HRA should be ruled out at this stage.</p>

³⁵ Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy. Source: [Document.ashx](#)

Impact Pathway	Findings
<p>Changes to hydrology, including water quantity and quality</p>	<p>An increase in demand for water abstraction and treatment resulting from any growth proposed in the FNP area could result in changes in hydrology at European sites. Depending on the qualifying features and particular vulnerabilities of the European sites, this could result in likely significant effects, for example, due to changes in environmental or biotic conditions, water chemistry and the extent and distribution of preferred habitat conditions.</p> <p>The FNP does not allocate any development and does not have influence over any development outside of the FNP designated area. Therefore, no likely significant effects will occur from FNP as a result of changes to hydrology either alone or in-combination with other plans and policies.</p>

Figure 24- HRA Screening Assessment

Policy	Description	Likely Significant Effects (LSE)	Recommendation at Screening Stage
<p>Policy 1: Housing Type and Mix</p>	<p>This policy addresses housing mix including requirements that ensure future housing development meets the needs of local people.</p>	<p>No LSE – does not promote development but relates to qualitative criteria for development</p>	<p>None. This policy does not trigger the need for an appropriate assessment (HRA Stage 2) to be undertaken.</p>
<p>Policy 2: Design</p>	<p>Requiring high quality design complementing the local character which is consistent with the Fleggburgh Design Guidance and Codes document.</p>	<p>No LSE – policy is qualitative and does not promote development</p>	<p>None. This policy does not trigger the need for an appropriate assessment (HRA Stage 2) to be undertaken.</p>
<p>Policy 3: Character Areas</p>	<p>Proposals must demonstrate how their design, scale and layout reflect the defining characteristics of the relevant Settlement Character Area or Settlement Area Type (SAT) set out in the Fleggburgh</p>	<p>No LSE – policy is qualitative and does not promote development</p>	<p>None. This policy does not trigger the need for an appropriate assessment (HRA Stage 2) to be undertaken.</p>

Policy	Description	Likely Significant Effects (LSE)	Recommendation at Screening Stage
	Design Code Document 2025. Policy gives criteria development should follow.		
Policy 4: Enhancing the Natural Environment	<p>Policy sets out that new development should accord with the relevant Fleggburgh design codes, major development must enhance the natural environment and contribute to local habitats by demonstrating the delivery of green infrastructure of high environmental quality. New development must take opportunities to improve the connectivity of habitats and create safe corridors for movement.</p> <p>Policy setting out detail/criteria on protecting existing trees and hedgerows in the parish, as well as replacement trees.</p>	No LSE – protective and mitigation policy for growth	None. This policy does not trigger the need for an appropriate assessment (HRA Stage 2) to be undertaken.
Policy 5: Local Green Space	Protection of green spaces of local importance from future development.	No LSE – supports retention of green open spaces, conserving the natural environment	None. This policy does not trigger the need for an appropriate assessment (HRA Stage 2) to be undertaken.

Policy	Description	Likely Significant Effects (LSE)	Recommendation at Screening Stage
Policy 6: Landscape Setting	<p>This policy sets out that development must respect the character and appearance of the parish landscape, including the key views.</p> <p>Proposals must demonstrate that development is sited and designed to be of a form and scale which avoids harm to the views.</p> <p>Outside the Broads Authority Area, where Policy SP4 of the Broads Local Plan applies, the loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) will not be supported unless it can be clearly demonstrated the land is not in active agricultural use or the proposal would deliver significant community benefits. The policy details what is meant by significant community benefits.</p> <p>Proposals should maintain the visual and physical separation between settlements and should incorporate landscape improvements.</p>	No LSE – protective policy	None. This policy does not trigger the need for an appropriate assessment (HRA Stage 2) to be undertaken.
Policy 7: Dark Skies	Policy to protect unnecessary light pollution from new developments	No LSE – protective policy	None. This policy does not trigger the need for an appropriate assessment (HRA Stage 2) to be undertaken.
Policy 8: Surface Water Management	Policy is promoting sustainable development to help address vulnerability to	No LSE – protective policy	None. This policy does not trigger the need for an

Policy	Description	Likely Significant Effects (LSE)	Recommendation at Screening Stage
	<p>the effects of flood risk. Development proposals should ensure surface water is managed and designed to deliver biodiversity benefits.</p> <p>All developments should incorporate SuDS appropriate to their scale and nature.</p>		appropriate assessment (HRA Stage 2) to be undertaken.
Policy 9: Designated and non-designated heritage assets	Policy protects heritage assets in the parish including several buildings and structures of local importance that are valued for their historic significance, architectural distinctiveness and social / cultural value.	No LSE – policy is qualitative and does not promote development	None. This policy does not trigger the need for an appropriate assessment (HRA Stage 2) to be undertaken.
Policy 10: Sustainable Transport	Policy focuses on supporting the provision or improvement of existing public rights of way, improving highway safety and new major development taking opportunities to promote the use of public transport.	No LSE – policy is qualitative and does not promote development	None. This policy does not trigger the need for an appropriate assessment (HRA Stage 2) to be undertaken.
Policy 11: Traffic and Safety	Development must not harm highway safety and improvements to highway safety, notably along the A1064, will be supported.	No LSE – policy is qualitative and does not promote development	None. This policy does not trigger the need for an appropriate assessment (HRA Stage 2) to be undertaken.
Policy 12: Burgh St Margaret Village Centre	<p>Development of new small scale community facilities and/or services within or adjacent to the village centre will be supported.</p> <p>Improvements to footpaths and the creation of new or</p>	No LSE – does not promote development	None. This policy does not trigger the need for an appropriate assessment (HRA Stage 2) to be undertaken.

Policy	Description	Likely Significant Effects (LSE)	Recommendation at Screening Stage
	<p>extended cycleways connecting to the village centre will be supported.</p> <p>Expansion of the car park at the village hall will be supported, provided it is proportionate in scale, sensitively designed and includes appropriate landscaping to maintain the openness, recreational value and special qualities of the designated Local Green Space.</p>		

HRA Screening Conclusion

64. The HRA Screening Assessment concludes that no significant effects are likely to occur with regards to the integrity of European Wildlife Sites within 20km.
- 65. On this basis, it is considered that FNP does not have the potential to have significant environmental impacts, and a HRA is not required.**