



**Tivetshall St Mary & Margaret Neighbourhood Plan (Pre-
submission Draft)**

Habitats Regulations Assessment

Screening Report

August 2021

1. Introduction

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

2. Legislative Basis

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

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

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

- 2.3 One of the basic conditions of Neighbourhood Plans, prescribed by Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) is that the plan:

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

2.4 Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (CHSR) puts into effect the requirements of Article 6(3) of the EU Habitats Directive (see 2.1 above) and requires that:

(1) Where a land use plan –

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of the site,

the plan-making authority must before the plan is given effect, make an appropriate assessment of the implications of the site in view of that site's conservation objectives.

2.5 Regulation 106 of the CHSR requires that:

A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 102 or to enable them to determine whether that assessment is required.

2.6 As the 'competent authority' for these purposes, South Norfolk Council has produced this screening report to determine whether a full Habitats Regulations Assessment is required.

3. Screening Approach

- 3.1 The first step of the screening process involves the identification of European Sites that are either within or in close proximity to the Tivetshall St Mary & Margaret Neighbourhood Plan area.
- 3.2 A long list of Natura 2000 sites was compiled as part of the HRA Screening Report that was produced in support of the Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted 2014). This list includes designated sites within 15 kilometres of the potential zone of influence around the JCS area, and was subsequently agreed by Natural England.
- 3.3 There are no designated sites within the Tivetshall St Mary & Margaret Neighbourhood Area. The two nearest EU designated sites are located approximately 11km north of the parish (Norfolk Valley Fen SAC) and 12km west of the parish (Waveney & Little Ouse Valley Fens SAC):

Designation Name	Designation Type
Norfolk Valley Fen	SAC
Waveney & Little Ouse Valley Fens	SAC

- 3.3 All other EU designated sites are further than 15km from the Tivetshalls Neighbourhood Area. A map showing the location of the above designations in relation to Tivetshall parish can be found in Appendix 1 at the end of this report. Full details of these particular European designations, including conservation objectives, can be found in Appendix 2.
- 3.4 Given that the aforementioned sites are not considered to be within close proximity to the Tivetshalls neighbourhood area, as well as the fact that the Neighbourhood Plan is not seeking to allocate any sites for future development, it is not expected that there would be any significant impacts on EU designated sites as a result of the Neighbourhood Plan policies.

4. Assessment

- 4.1 The table below sets out a summary of the proposed policies within the pre-submission draft Tivetshall St Mary & Margaret Neighbourhood Plan and provides an assessment as to whether there is likely to be a significant impact from these policies on EU designated sites.
- 4.2 This assessment has been carried out in relation to the proposed draft policies of the Neighbourhood Plan, produced in July 2021.

Tivetshalls NP Policy	Analysis	Likely significant effect
TIV1: Pattern and size of development	This policy seeks to ensure that development in the Parish meets that which is set in the Local Plan including affordable housing. Development should respect and retain the open nature of the parish, particularly the linear arrangement and style of housing in line with the Character Appraisal. This is a generic development management policy and, as such, it is not expected to have any significant effects on EU designated sites.	No likely significant effect
TIV2:Housing size, type and tenure	This policy seeks to ensure a range of housing types across the parish to meet the needs of a mixed community. This includes affordable housing, smaller properties, homes for downsizing, accessible homes and larger family sized housing. This is a generic development management policy and, as such, it is not expected to have any significant effects on EU designated sites.	No likely significant effect
TIV3: Design guideline and codes	This policy seeks to ensure that any development proposals respond positively to creating an attractive parish and proposals which enhance each of the settlement's aesthetic qualities will be encouraged by following the design guidelines and codes. This is a generic development management policy and, as such, it is not expected to have any significant effects on EU designated sites.	No likely significant effect
TIV4: Non-designated Heritage Assets	This policy identifies several non-designated heritage assets for protection as part of the Neighbourhood Plan. It is not expected to have any significant effects on EU designated sites.	No likely significant effect

Tivetshalls NP Policy	Analysis	Likely significant effect
TIV5: Employment	This policy looks to support employment opportunities where the size and design respect the immediate surroundings in which they are located in line with the design guidelines and codes. This is a generic development management policy and, as such, it is not expected to have any significant effects on EU designated sites.	No likely significant effect
TIV6: Potential employment sites	This policy looks to support proposals for potential employment sites providing they are of a suitable scale and design do not detract from the overall character of the area. This is a generic development management policy and, as such, it is not expected to have any significant effects on EU designated sites.	No likely significant effect
TIV7: Walking and cycling	This policy looks to contribute to an enhanced and joined up network of footpaths, cycleways and bridleways to improve access to village amenities, the countryside and between the two settlements. This is a generic development management policy and, as such, it is not expected to have any significant effects on EU designated sites.	No likely significant effect
TIV8: Traffic and road safety	This policy looks to mitigate the impact of traffic from proposed planning applications. This is a generic development management policy and, as such, it is not expected to have any significant effects on EU designated sites.	No likely significant effect
TIV9: Parking	This policy looks to minimise on street parking through the provision of parking bays, drives & garages. This is a generic development management policy and, as such, it is not expected to have any significant effects on EU designated sites.	No likely significant effect
TIV10: Landscape setting and views of community importance	This policy looks to ensure development is positioned appropriately within the landscape and identifies 5 important public views. It is not expected to have any significant effects on EU designated sites.	No likely significant effect
TIV11: Natural assets policy	This policy identifies important natural assets due to their landscape and biodiversity value. It looks to achieve biodiversity net gain for ongoing care and maintenance. It is not expected to have any significant effects on EU designated sites.	No likely significant effect

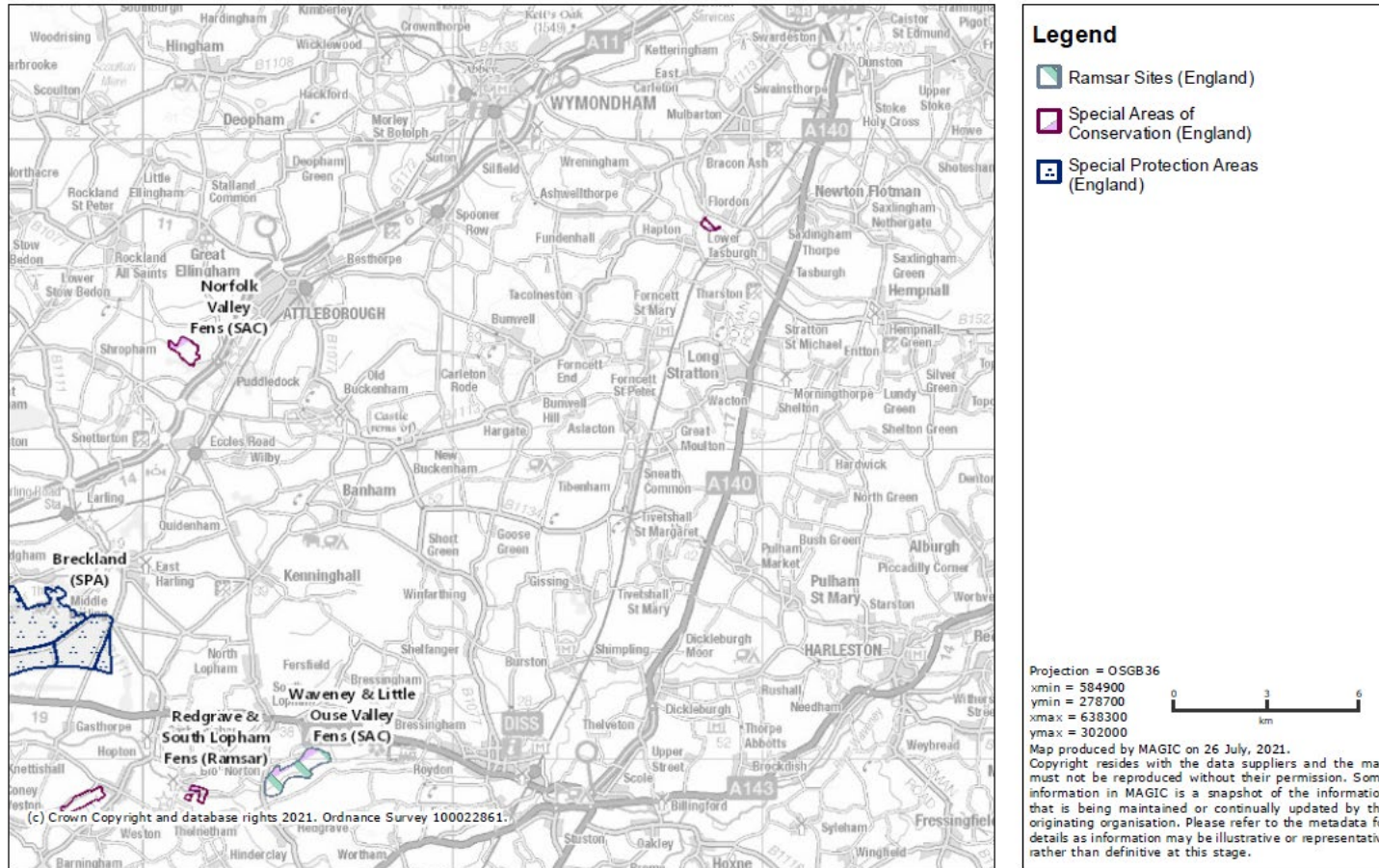
Tivetshalls NP Policy	Analysis	Likely significant effect
TIV12: Local Green Space	This policy looks to designate 13 areas as Local Green Space within the parish. Although this policy is site specific, it does not encourage development and instead relates to the protection of these areas. On this basis, it is not expected to have any significant effects on EU designated site.	No likely significant effect
TIV13: Dark skies	This policy looks to limit the impact on the night sky from street lighting with exception of necessary security or safety reasons. This is a generic development management policy and, as such, it is not expected to have any significant effects on EU designated sites.	No likely significant effect
TIV14: Surface water drainage	This policy identifies a number of locations within the area that are susceptible to surface water drainage and seeks to ensure development proposals use drainage methods to prevent or alleviate them where appropriate. It is not expected to have any significant effects on EU designated sites.	No likely significant effect
TIV15: Community infrastructure	This policy looks to support improvements to existing community infrastructure and particularly encourages an application for a convenience shop. This is a generic development management policy and, as such, it is not expected to have any significant effects on EU designated sites.	No likely significant effect

5. Conclusion

- 5.1 The screening assessment suggests that there will be no likely significant effect of the proposed Tivetshall St Mary & St Margaret Neighbourhood Plan on European designated sites, and therefore that a full Appropriate Assessment is not required.
- 5.2 None of the proposed policies within the draft Neighbourhood Plan allocates any sites for future development in the parish. The majority of the policies are development management policies that seek to shape and influence future proposals. Those policies that do relate to specific sites are those that seek to protect Local Green Space, deal appropriately with flooding issues, and preserve important views and heritage features.
- 5.3 In addition, as explained in section 3, there are no European designated sites that are within or in particularly close proximity to the Tivetshalls neighbourhood area (the closest being approximately 11km north of the parish - the Norfolk Valley Fen SAC).
- 5.3 This screening assessment has been performed in relation to the draft version of the Neighbourhood Plan policies, which are intended to be subject to Reg. 14 pre-submission consultation. Once the final draft of the Neighbourhood Plan is submitted to South Norfolk Council, the authority will review the policies therein to see if there have been any significant changes. If so, then the local planning authority may decide to update this assessment at that time.
- 5.4 This assessment report has been sent to Natural England for comments, as the appropriate nature conservation body specified by the Conservation of Habitats and Species Regulations 2017. The response from Natural England, dated 8th September 2021, is that the organistaion agrees there is not likely to be any significant effect from the proposed policies within the Neighbourhood Plan on European designated sites. The response letter is included as Appendix 3 to this report.

Appendix 1: European Designated Sites in relation to Tivetshall St Mary & Margaret

MAGIC **inates Sites in relation to Tivetshall St Mary & Margaret**



Appendix 2: Details of relevant European Sites

This information has been taken from the Appropriate Assessment – Task 1 report produced in support of the Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted 2014).

Waveney & Little Ouse Valley Fens SAC

(i) Site Description & Qualifying Features

This SAC represents M24 *Molinia caerulea* – *Cirsium dissectum* fen-meadow associated with springfed valley fen systems in East Anglia, where *Molinia* grassland is very rare. In areas where the fenmeadow is grazed it is more species-rich, with frequent southern marsh-orchid, *Dactylorhiza praetermissa*.

This site occurs in the East Anglian centre (Figure A.12) and contains very extensive *Cladium* beds, including managed examples, as well as stands in contact zones between small sedge mire and species-poor *Cladium*. The habitat type here occurs in a different hydrological situation to the Broads, as it is a spring-fed valley fen rather than flood-plain mire.

This site is one of several supporting Desmoulin's whorl snail, *Vertigo moulinsiana*, in East Anglia.

SAC Qualifying Features - Habitats

- *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*), and;
- Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*.

SAC Qualifying Features – Species

- Desmoulin's whorl snail *Vertigo moulinsiana*.

(ii) Conservation Objectives

The conservation objectives are to maintain, in favourable condition the:

- *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*), and;
- Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*.

(iii) Vulnerability

This SAC has suffered as a consequence of loss of traditional land management. Water abstraction and land drainage have reduced the groundwater inputs and outflows from the fens resulting in the drying out of some of the fens and consequent scrub encroachment. The SAC is currently vulnerable to any further activities which might result in water loss from the habitat.

Environmentally Sensitive Area funding is being used to encourage the reintroduction of grazing. EC LIFE monies have been used by the Restoration Project Partnership to relocate one borehole, address the over-deepening of one river, and clear rotted peat and scrub. Natural England is jointly funding work with Suffolk Wildlife Trust on the National Nature Reserve. Water level management plans have been completed for over half the area.

Norfolk Valley Fens SAC

(i) Site Description & Qualifying Features

Norfolk Valley Fens comprises a series of valley-head spring-fed fens which are very rare in the lowlands (Figures A.8a and 8b). Most of the vegetation at this site is of the small sedge fen type, but with transitions to reedswamp and other fen and wet grassland types. The individual fens vary in their structure according to intensity of management and provide a wide range of variation. There is a rich flora associated with these fens.

The site is considered to be one of the best areas in the United Kingdom for the narrow-mouthed whorl snail *Vertigo angustior*, and the desmoulin's whorl snail *Vertigo moulinsiana*.

SAC Qualifying Features - Habitats

- Alkaline fens;
- Northern Atlantic wet heaths with *Erica tetralix*;
- European dry heaths;
- Semi-natural dry grasslands and scrubland facies: on calcareous substrates (*Festuco-Brometalia*);
- Molinia meadows on calcareous, peaty or clayey-siltladen soils (*Molinion caeruleae*);
- Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*, and;
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae* and *Salicion albae*).

SAC Qualifying Features - Species

- Narrow-mouthed whorl snail *Vertigo angustior*, and;
- Desmoulin's whorl snail *Vertigo moulinsiana*.

(ii) Conservation Objectives

The conservation objectives are to maintain in favourable condition the qualifying features of the designation. Management agreements, Countryside Stewardship and ESA payments help towards the reintroduction or promotion of the continued use of traditional management. Improved understanding of the water needs of these wetlands is required and is the subject of work by the Environment Agency and Natural England. Any effects of groundwater abstraction which are identified will be addressed through appropriate licensing regimes, and the Environment Agency Review of Consents and Asset Management Plans.

(iii) Vulnerability

These alkaline fens are very vulnerable to reductions on the water table and to a decrease in the volume of spring flows arising from groundwater abstraction.

The cessation of traditional cutting and grazing management has contributed to the spread of scrub and woodland leading to the drying-out of the fens.

Appendix 3 Response from Natural England

From: Wight, Victoria on behalf of SM-NE-Plan Cons Area Team (Norfolk, Suffolk) (NE)

Sent: 08 September 2021 07:28

To: Victoria West

Subject: RE: Tivetshall St Mary & St Margaret Neighbourhood Plan - SEA & HRA Screening Reports

Attachments: HRA Screening - Tivetshalls Neighbourhood Plan.pdf; Tivetshalls NP SEA Screening July 2021.pdf

Dear Vicky

Thank you for consulting Natural England and apologies for our delay in getting back to you.

Based on the documents provided, it is Natural England's understanding that there are no housing allocations included within Tivetshall St Mary & St Margaret Neighbourhood Plan and that it is in general conformity with the Broadland and South Norfolk Local Plan. On this basis we agree with the conclusions of the HRA and SEA.

Many thanks
Victoria

Lead Adviser
Sustainable Development
Norfolk and Suffolk Area Team
Natural England

I work condensed hours – 9 day fortnight with every other Friday off