Spixworth Neighbourhood Plan
(Pre-submission Version – May 2019)

Habitats Regulations Assessment
Screening Report
June 2019
1. Introduction

1.1 This screening report has been undertaken by Broadland District Council in order to support the Spixworth Neighbourhood Plan which has been produced by Spixworth 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 Spixworth).

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, Broadland District 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 Spixworth 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 Within this perimeter, one site with three European designations has been identified within relative proximity to the Spixworth Neighbourhood Plan area. This site is known locally as Stone Beck and it lies within the civil parish boundaries of Crostwick and Horstead with Stanninghall. It is situated approximately 2km to the north east of the centre of Spixworth village. The site has the following European designations:

<table>
<thead>
<tr>
<th>Designation Name</th>
<th>Designation Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broadland</td>
<td>Special Protection Area</td>
</tr>
<tr>
<td>Broadland</td>
<td>Ramsar</td>
</tr>
<tr>
<td>The Broads</td>
<td>Special Area of Conservation</td>
</tr>
</tbody>
</table>

3.3 A map showing the location of this site in relation to Spixworth 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. Assessment

4.1 The table below sets out a summary of the policies within the proposed Spixworth Neighbourhood Plan and provides an assessment as to whether there is a likely significant impact from these policies on either of the Natura 2000 sites listed above.

4.2 This assessment has been carried out in relation to the ‘Pre-submission Version’ of the Neighbourhood Plan, published for Regulation 14 consultation in May 2019.

<table>
<thead>
<tr>
<th>Spixworth NP Policy</th>
<th>Analysis</th>
<th>Likely significant effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy 1: Traffic Impact</td>
<td>This policy is intended to manage and mitigate against the effects of future traffic in the parish, as a result of future development proposals. It also looks to encourage sustainable transport infrastructure as part of any future proposals. As a result, it is not likely to have a significant negative effect on any of the identified Natura 2000 designations.</td>
<td>No likely significant effect</td>
</tr>
<tr>
<td>Policy 2: Sustainable Transport</td>
<td>Again, this policy seeks to encourage sustainable transport as well as to improve connectivity of footpaths and cycleways around the parish. It is not likely to have a significant negative effect on any of the identified Natura 2000 designations.</td>
<td>No likely significant effect</td>
</tr>
<tr>
<td>Policy 3: Flood Risk</td>
<td>This policy seeks to ensure that new development does not cause or exacerbate flooding issues within the parish, especially those associated with surface water run-off or sewerage. As such, it is not likely to have any significant negative impacts on the identified Natura 2000 designations.</td>
<td>No likely significant effect</td>
</tr>
<tr>
<td>Policy 4: Biodiversity</td>
<td>This policy seeks to improve access to the countryside and woodland, whilst enhancing the rural setting and providing habitats for wildlife. It is a generic development management policy that seeks positive enhancements to the environment through future development proposals and, as such, is not likely to have any significant negative impacts on the identified Natura 2000 designations.</td>
<td>No likely significant effect</td>
</tr>
<tr>
<td>Policy 5: Protection for Open Green Space</td>
<td>This policy seeks to protect ten identified green spaces within the community from future development, therefore seeking to maintain green infrastructure that is important to the local community. It is therefore not considered likely that the policy will have any significant negative impacts on the identified Natura 2000 designations.</td>
<td>No likely significant effect</td>
</tr>
<tr>
<td>Policy 6: Open Space Management</td>
<td>This policy seeks to ensure that any new green infrastructure provided through developments is managed and maintained in a sustainable fashion by an appropriate body. It is not expected that this policy will have any significant negative impacts on the identified Natura 2000 designations.</td>
<td>No likely significant effect</td>
</tr>
<tr>
<td>Policy 7: Places to live</td>
<td>This policy includes a number of development management standards, addressing issues such as housing density, height, and layout; housing types and tenures; sewerage connections and the provision of self-build plots. The policy aims to engender high quality and well-designed developments that will ensure Spixworth remains a liveable community. The policy does not allocate any sites for development, but seeks to influence any and all future development proposals. It is not considered likely to have any significant negative impacts on the identified Natura 2000 designations.</td>
<td>No likely significant effect</td>
</tr>
<tr>
<td>Policy 8: Home Design</td>
<td>This policy seeks to influence the design of future homes that are built in the parish, by including a series of requirements that address issues such as renewable energy, external amenity space, providing direct access to rear gardens etc. It is not considered that the policy is likely to have a significant negative impact on the identified Natura 2000 designations.</td>
<td>No likely significant effect</td>
</tr>
<tr>
<td>Policy 9: Housing and its Setting</td>
<td>Policy 9 focuses on enhancing and maintaining the character and village feel of Spixworth through the inclusion of a series of standards for future development. These standards address issues such as the incorporation of adequate landscaping into developments, sensitive boundary treatments, and the sensitive integration of new homes with existing residential properties and village facilities. This is a generic development management policy that is not likely to have a significant negative impact on the identified Natura 2000 designations.</td>
<td>No likely significant effect</td>
</tr>
</tbody>
</table>
Policy 10: Roads and Parking
Policy 10 seeks to ensure that any roads and parking areas that are developed as part of future development proposals are developed to suitable standards and that potential conflict is minimised between vehicles and pedestrians. The policy is not likely to have a significant negative impact on the identified Natura 2000 designations.

No likely significant effect

Policy 11: Employment Opportunities
This policy seeks to maintain and enhance the local economy within the parish, supporting new employment proposals which are designed sensitively and which do not have a significant impact on the environment. It is not likely to have a significant negative impact on the identified Natura 2000 designations.

No likely significant effect

Policy 12: Commercial Premises
This policy seeks to retain commercial premises in the main retail area of Spixworth on Crostwick Lane. It is not likely to have a significant negative impact on the identified Natura 2000 designations.

No likely significant effect
4. Conclusion

4.1 The screening assessment suggests that there will be no likely significant effect of the Spixworth Neighbourhood Plan on the highlighted European designations at Stone Beck, to the north east of the parish, and therefore a full Appropriate Assessment is not required.

4.2 None of the policies within the draft Neighbourhood Plan allocates any sites for future development in the parish, which possibly would have a negative impact. Only one policy is site specific (Policy 5), but this seeks to protect identified green spaces of local importance from future development.

4.3 This screening assessment has been performed in relation to the draft ‘Pre-submission Version’ of the Plan. Once the final draft of the Neighbourhood Plan is submitted to Broadland District Council, the authority will review the policies therein to see if there have been any significant changes. If so, then the District Council may decide to update this assessment at that time.

4.4 This assessment report was submitted to Natural England for comments on 25th June 2019, as the appropriate nature conservation body specified by the Conservation of Habitats and Species Regulations 2017.

4.5 A response was received from Natural England on 21st August 2019 (see Appendix 3), indicating that the body agrees with the conclusion of the report.
Appendix 1: European Designated Sites in relation to Spixworth Parish

**European Designated Sites**

![Map of European Designated Sites in Spixworth Parish](image)

Legend:
- Fadishes (GB)
- Ramsar Sites (England)
- Special Areas of Conservation (England)
- Special Protection Areas (England)

*Map produced by MAGIC on 12 June, 2013. Copyright resides with the data suppliers and the map cannot be reproduced without their permission. Some information in MAGIC is a snapshot of the information that is being maintained or continually updated by the originating organization. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.*
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).

Broadland SPA

(i) Site Description & Qualifying Features

Broadland is a low-lying wetland complex straddling the boundaries between east Norfolk and northern Suffolk in eastern England. The Broads are a series of flooded medieval peat cuttings. The area includes the river valley systems of the Bure, Yare and Waveney and their major tributaries. The distinctive open landscape comprises a complex and interlinked mosaic of wetland habitats including open water, reedbeds, carr woodland, grazing marsh and fen meadow, forming one of the finest marshland complexes in the UK. The differing types of management of the vegetation for reed, sedge and marsh hay, coupled with variations in hydrology and substrate, support an extremely diverse range of plant communities.

Broadland SPA Qualifying Features

<table>
<thead>
<tr>
<th>Article 4.1</th>
<th>Breeding</th>
<th>Over winter</th>
<th>Passage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bewick’s swan</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whooper swan</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bittern</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marsh harrier</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hen harrier</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Ruff</td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Noteworthy: Gadwall

(ii) Conservation Objectives

To restore to favourable condition, if the feature is not currently in favourable condition, the habitats for the populations of Annex1 bird species of European importance (Bewick’s swan, whooper swan, bittern *Botaurus stellaris*, marsh harrier, hen harrier, ruff), migratory bird species of European importance (pink-footed goose, gadwall, shoveler) and populations of waterfowl that contribute to the wintering waterfowl assemblage of European importance with particular reference to:

- Open water
- Swamp
- Fen
- ReedBed
- Fen meadow with ditches and water bodies, and
- Lowland wet grassland with ditches and water bodies.

(iii) Vulnerability

The site has suffered from management neglect and natural succession during this century. Sea level rise and reduced summer flows in the river Bure brought about by abstraction are resulting in increasing saline intrusion into the site and generally drier summer conditions. The site also suffers from eutrophication, brought through the build up of nutrients over a long period, primarily through sewage outfalls and, to a lesser degree, agriculture. The region as a whole is a centre for tourism and recreation, however this pressure is now starting to be brought
under control by the Broads Authority via the Broads Plan. Efficient drainage within much of the
reclaimed parts of the wetland has reduced the wildlife value.
Broadland RAMSAR

(i) Site Description & Qualifying Features

Broadland is a low-lying wetland complex straddling the boundaries between east Norfolk and northern Suffolk. The area includes the river valley systems of the Bure, Yare and Waveney and their major tributaries. The open distinctive landscape comprises a complex and interlinked mosaic of wetland habitats including open water, reedbeds, carr woodland, grazing marsh and fen meadow. The region is important for recreation, tourism, agriculture and wildlife.

Broadland Ramsar Qualifying Features

<table>
<thead>
<tr>
<th>Criterion 6</th>
<th>Breeding</th>
<th>Over winter</th>
<th>Passage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bewick’s Swan</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wigeon</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gadwall</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shoveler</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Noteworthy: Bean goose (fabalis), white-fronted goose (albifrons), teal, Pochard, smew, cormorant (carbo), bittern, marsh harrier, hen harrier, water rail, coot, ruff.*

Ramsar criteria for designation:

*Criterion 2:* The site supports a number of rare species and habitats within the biogeographical zone context, including the following Habitats Directive Annex I features: H7210 Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*; Calcium-rich fen dominated by great fen sedge (saw sedge); H7230 Alkaline fens Calcium-rich springwater-fed fens; H91E0 Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) and Alder woodland on floodplains. It includes also the Annex II species: S1016 Vertigo moullinsiana Desmoulin’s whorl snail; S1355 *Lutra lutra* Otter; S1903 *Liparis loeselii* Fen orchid. The site supports outstanding assemblages of rare plants and invertebrates including nine British Red Data Book plants and 136 British Red Data Book invertebrates.

*Criterion 6:* – the site supports bird species/populations at levels of international importance

(ii) Vulnerability

Broadland Ramsar vulnerability are similar to The Broads SAC (please see below).
The Broads SAC

(i) Site Description & Qualifying Features

The Broads SAC covers roughly the same area as the Broadland SPA and Ramsar sites. The Broads SAC is the richest area for charophytes in Britain. The core of this interest is the Thurne Broads and particularly Hickling Broad which is the richest site in the UK. Sixteen species have been recorded within Hickling Broad, a large shallow brackish lake. Within the Broads examples of Chara vegetation are also found within fen pools (turf ponds) and fen and marsh ditch systems.

The Broads also contain several examples of southern natural eutrophic lakes for which this is considered to be one of the best areas in the United Kingdom. The lakes are artificial and originated from peat digging in medieval times support relict vegetation of the original Fenland flora, and collectively this site contains one of the richest assemblages of rare and local aquatic species in the UK.

This flood plain mire site in East Anglia has the largest example of calcareous fens in the UK and possibly the largest occurrence in the EU outside Sweden. The Cladium habitat occurs in a diverse set of conditions that maintain its species-richness and forms a large-scale mosaics with other fen types, open water and woodland, and important associated plant species including the fen orchid, Liparis loeselii.

The Broads is one of two sites selected for alkaline fens in East Anglia, where a main concentration of lowland fen occurs. The fens are principally of the flood plain mire type. The site contains a range of rare and local plant species, including the Annex II fen orchid Liparis loeselii, lesser tussock-sedge Carex diandra, and slender sedge C. lasiocarpa.

The complex of sites in the Broads of East Anglia contains the largest blocks of alder Alnus glutinosa wood in England containing a complex complete successional sequence from open water through reedswamp to alder woodland, which has developed on fen peat.

The Broads is the main stronghold of Desmoulin’s whorl snail Vertigo moulinsiana in East Anglia and is one of several sites selected in this part of its range. Several large populations are known, associated with standing and flowing water and ditch systems. This is a very important area for its wetland invertebrate fauna, and many Red Data Book and Nationally Scarce species occur here.

Also present in the Broads with significant numbers is the otter, Lutra lutra.

SAC Qualifying features- Habitats

- Hard oligo-mesotrophic waters with benthic vegetation of Chara spp.;
- Natural eutrophic lakes with Magnopotamion or Hydrocharition-type vegetation;
- Transition mires and quaking bogs;
- Calcareous fens with Cladium mariscus and species of the Caricion davallianae, Priority feature;
- Alkaline fens;
- Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) Priority feature, and;
- Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae).
SAC Qualifying features - Species

- Desmoulin’s whorl snail *Vertigo moulinsiana*, and;
- Otter *Lutra lutra*.

(ii) Conservation Objectives

The conservation objectives are to maintain, in favourable condition, the habitat features of the designation, and to maintain, in favourable condition, the habitats for the populations of the qualifying species, with particular reference to:

- Open water;
- Swamp, and;
- Fen.

(iii) Vulnerability

The Broads are most vulnerable to sea level rise and reduced summer flows, due to abstraction in the northern rivers and drier summer conditions. The major consequence of these pressures is the saline intrusion into the site.

Eutrophication due to nutrients increase from sewage outfalls and agriculture is also considered a problem. Measures to reverse trophic state include phosphate striping in some of the sewage works and mud-pumping to remove enriched material from lakes, followed by biomanipulation.

Pressure from tourism and recreation is being considered by the Broads Authority through the Broads Plan. Water levels are being addressed through the Water Level Management Plans and the Environmentally Sensitive Area scheme. Appropriate standards of flood defence are necessary for the wetland, and works are currently proceeding under the Environment Agency Broads Strategy.
Appendix 3: Correspondence with Natural England

From: Louise Oliver  
Sent: 21 August 2019  
To: Richard Squires  
Subject: Spixworth Neighbourhood Plan - HRA Screening Report

Dear Richard,

Based on the document provided we understand that Spixworth Neighbourhood Plan does not allocate sites for development and that policies are in general conformity with Broadland District Council’s Local Plan. On this basis we agree with the conclusions contained in section 4 of the HRA screening report for Spixworth Neighbourhood Plan, dated June 2019.

Yours sincerely

Louise Oliver  
Lead Adviser – Norfolk & Suffolk Team  
Natural England  
Dragonfly House, 2 Gilders Way, Norwich, NR3 1UB  
T: 020802 64893 M: 07920 086653

From: Richard Squires  
Sent: 25 June 2019  
To: Consultations (NE)  
Cc: Victoria West; ABZAG  
Subject: Spixworth Neighbourhood Plan - HRA Screening Report

Dear Sir/Madam

I am writing to you with details regarding the Habitats Regulations Assessment Screening Report that has been produced concerning the proposed Spixworth Neighbourhood Plan within Broadland District.

As the competent, plan-making authority, Broadland District Council has carried out the screening assessment on the Regulation 14, ‘Pre-submission Version’ of the Neighbourhood Plan. The Screening Report concludes that there will be no likely significant negative impacts on European designated sites in the vicinity of the neighbourhood area.

I would be very grateful if you could consider the enclosed HRA Screening Report and provide any comments you may have relating to its content and conclusion. I would be grateful if you could submit your comments by 23rd July 2019. These can be sent via email to neighbourhoodplans@broadland.gov.uk or by post to: Spatial Planning Team, Broadland District Council, Thorpe Lodge, 1 Yarmouth Rd, Norwich, NR7 0DU.

A copy of the ‘Pre-submission Version’ of the Neighbourhood Plan can be viewed at the following web address:
https://spixworthparishcouncil.norfolkparishes.gov.uk/welcome-to-spixworth-parish-council/neighbourhood-plan/pre-submission-consultation/

If you require any further information please contact Richard Squires or Vicky West on (01603) 430637 / 430112 or at neighbourhood.plans@broadland.gov.uk.

Yours sincerely,

Richard Squires

Richard Squires
Senior Community Planning Officer
t 01603 430637 e richard.squires@broadland.gov.uk