

Task 1 Appropriate Assessment of the Joint Core Strategy for Broadland, Norwich and South Norfolk

Volume I: Test of Likely Significance

Regulation 48 of the Conservation (Natural Habitats etc.) Regulations 1994

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Acronyms and Abbreviations

| | |
|------|---|
| AA | Appropriate Assessment |
| AAP | Area Action Plan |
| AONB | Area of Outstanding Natural Beauty |
| APIS | Air Pollution Information System |
| CAMS | Catchment Abstraction Management Strategy |
| DPD | Development Plan Document |
| EA | Environment Agency |
| EIA | Environmental Impact Assessment |
| EU | European Union |
| GNDP | Greater Norwich Development Partnership |
| IEEM | Institute of Ecology and Environmental Management |
| JCS | Joint Core Strategy |
| LDF | Local Development Framework |
| NATS | Norwich Area Transportation Strategy |
| NE | Natural England |
| NCC | Norwich City Council |
| NNDR | Norwich Northern Distributor Road |
| NPA | Norwich Policy Area |
| NWT | Norfolk Wildlife Trust |
| ODPM | Office of the Deputy Prime Minister |
| RDB | Red Data Book |
| RSPB | Royal Society for the Protection of Birds |
| RSS | Regional Spatial Strategy |
| SA | Sustainability Appraisal |
| SAC | Special Area of Conservation |
| SPA | Special Protection Area |
| SSSI | Site of Special Scientific Interest |

STW Sewage Treatment Works

TOLS Test of Likely Significance

ZoI Zone of Influence

WRMU Water Resource Management Unit

Summary

Requirements and Structure of Task 1

Broadland, Norwich and South Norfolk Council are working together under the Greater Norwich Development Partnership (GNDDP) to prepare the Joint Core Strategy (JCS), a framework to plan for future development in Norwich city and the surrounding area.

This report acts as the Test of Likely Significance (TOLS), which is required under Regulation 48 of the Conservation (Natural Habitats etc.) Regulations 1994 (as amended), to provide the Competent Authority with the necessary information to undertake a Task 1 Appropriate Assessment (AA) to identify any potential likely significant effects of the JCS upon European and Ramsar designated sites.

This Task 1 TOLS AA report is divided into three volumes:

- Volume I includes a description of the JCS and a summary of the potential effects. Reference to relevant policies, strategies and plans which could potentially result in in-combination impacts is also made in Volume I.
- Volume II includes the Test of Likely Significance screening matrix which assesses the individual policies of the JCS against the conservation objectives for each of the qualifying features of the designated sites, and;
- Volume III presents a description of the designated sites and maps, the qualifying features, their conservation objectives and the sensitivity of these features to potential disturbances.

The Joint Core Strategy

The JCS sets out the spatial vision for development in the Broadland, Norwich and South Norfolk areas. It will form the key document in the Local Development Framework (LDF) portfolio of planning documents for each local authority which will set out the vision, objectives and spatial strategy for future development until 2026.

At this stage in the process, the JCS is a high level document with specific policy detail still to be formulated. The favoured option, as described in the latest document issued in March 2009 includes planned numbers for housing at each proposed location for growth. The draft JCS document (Regulations 25, March 2009) sets out the vision, objectives and policies for housing delivery and associated services up to 2026.

The different policies (a total of 12 policies for places and seven area wide policies) outline the spatial strategy within the area by identifying:

- Major areas for growth;
- Employment development in strategic locations;
- Housing delivery within the new developments defined in the settlement hierarchy, and;
- Transport infrastructure.

A list of the policies is included in Volume II, Section 1.

Likely Significant Effects on Designated Sites

Following the detailed review of the JCS and the formulation of the Task 1 TOLS AA screening matrix (as presented in Volume II), a number of policies have been identified which could potentially result in likely significant effects on European and Ramsar designated sites. These are:

Direct and Indirect Impacts on Designated Sites:

- The Broads SAC: potential impacts from the implementation of **Policy 4** (all habitats and the species Desmoulin's whorl snail *Vertigo moulinsiana*).
- The Broads SAC: potential impacts from the implementation of **Policy 5** (all habitats and the species Desmoulin's whorl snail *Vertigo moulinsiana*).
- Broadland Ramsar: potential impacts from the implementation of **Policy 4** (to calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*, alkaline fens, alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* and to Desmoulin's whorl snail *Vertigo moulinsiana*).
- Broadland Ramsar: potential impacts from the implementation of **Policy 5** (to calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*, alkaline fens, alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* and to Desmoulin's whorl snail *Vertigo moulinsiana*).
- Broadland SPA: potential impacts from the implementation of **Policy 4** and **Policy 5** to all features.

In-combination and Cumulative Impacts on Designated Sites:

- Broadland SPA: potential in-combination impacts from the implementation of **Policy 4** (all features) and **Policy 5** (all features); **Policy 7** (all features).
- River Wensum SAC: potential in-combination impacts from the implementation of **Policy 4** (all features), **Policy 5** (to water course of plain to montane levels with the *Ranuncion fluitantis* and *Callitriche-Batrachion* vegetation; white-clawed crayfish *Austropotamobius pallipes*, brook lamprey *Lampetra planeri* and bullhead *Cottus gobio*); **Policy 7** (all features), **Policy 16** (all features).
- The Broads SAC: potential in-combination impacts from the implementation of **Policy 4** (all features); **Policy 5** (all habitat features and Desmoulin's whorl snail *Vertigo moulinsiana*); **Policy 7** (all habitat features and Desmoulin's whorl snail *Vertigo moulinsiana*); **Policy 16** (all features).
- Broadland Ramsar: potential in-combination impacts from the implementation of **Policy 4** (all features); **Policy 5** (to calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*, alkaline fens, alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior*, alkaline fens and to Desmoulin's whorl snail *Vertigo moulinsiana* and otter *Lutra lutra*); **Policy 7** (to calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*, alkaline fens, alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior*, and to Desmoulin's whorl snail *Vertigo moulinsiana*, Bewick's swan *Cygnus columbianus bewickii*, wigeon *Anas penelope*, gadwall *Anas* and shoveler *Anas clypeata*); **Policy 16** (all features).

Uncertain Impacts on Designated Sites:

- Breckland SPA: uncertain impacts may result from **Policy 4** (all features); **Policy 5** (all features); **Policy 6** (woodlark *Lullula arborea*) and **Policy 16** (all features).
- Breckland SAC: uncertain impacts may result from **Policy 5** (inland dunes with open *Corynephorus* and *Agrostis* grasslands; European dry heaths; semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*), alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior*).
- Great Yarmouth North Denes SPA: potential impacts may result from **Policy 4** (little tern *Sternula albifrons*); **Policy 5** (little tern *Sternula albifrons*).
- Broadland SPA: impacts from the implementation of **Policy 7** (to all features); **Policy 16** (to all features).
- River Wensum SAC: uncertain impacts from the implementation of **Policy 4** alone (all features); **Policy 5** (to water course of plain to montane levels with the *Ranuncion fluitantis* and *Callitriche-Batrachion* vegetation; white-clawed crayfish *Austropotamobius pallipes*); **Policy 7** (white-clawed crayfish *Austropotamobius pallipes*, Desmoulin's whorl snail *Vertigo moulinsiana*, brook lamprey *Lampetra planeri* and bullhead *Cottus gobio*).
- The Broads SAC: uncertain impacts from the implementation of **Policy 4** (Desmoulin's whorl snail *Vertigo moulinsiana* and the fen orchid *Liparis loeselii*); **Policy 5** (all features); **Policy 7** (all habitat features and Desmoulin's whorl snail *Vertigo moulinsiana*).
- Winterton – Horsey Dunes SAC: uncertain in-combination impacts from the implementation of **Policy 4** (to all features).
- Breydon Water Ramsar: uncertain impacts from the implementation of **Policy 5** (to all features); **Policy 16** (to all features).
- Broadland Ramsar: uncertain impacts from the implementation of **Policy 4** (fen orchid *Liparis loeselli*); **Policy 5** (fen orchid *Liparis loeseli*, Bewick's swan *Cygnus columbianus bewickii*, wigeon *Anas penelope*, gadwall *Anas strepera*, shoveler *Anas clypeata*); **Policy 7** (calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*, Desmoulin's whorl snail *Vertigo moulinsiana*, otter *Lutra lutra* and the fen orchid *Liparis loeseli*); **Policy 16** (to all features).
- North Norfolk Coast SPA: uncertain impacts from the implementation of **Policy 4** and **Policy 5** (to all features).
- North Norfolk Coast SAC: uncertain impacts from the implementation of **Policy 5** (to Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornia fruticosa*), embryonic shifting dunes, shifting dunes along the shoreline with *Ammophila arenaria* ('white dunes'), fixed dunes with herbaceous vegetation ('grey dunes'), humid dune slacks).
- North Norfolk Coast Ramsar: uncertain impacts from the implementation of **Policy 4** (to all features) and **Policy 5** (to all features).
- Norfolk Valley Fens SAC: uncertain impacts from the implementation of **Policy 6** (to all features).
- The Wash SPA: uncertain in-combination impacts from the implementation of **Policy 4** and **Policy 5** (to all features).
- The Wash Ramsar: uncertain in-combination impacts from the implementation of **Policy 4** and **Policy 5** (to bird features only).
- Redgrave & South Lopham Fens Ramsar: uncertain impacts from the implementation of **Policy 6** (to all features).

The following table summarises the results of the Task 1 assessment. It includes results from the likely impacts assessment alone or in-combination with other plans.

Summary of Task 1 Likely Significant Effects on Designated Sites:

| Policy | Place policies | | | | | | | | | | | | Area wide policies | | | | | | |
|-------------------------------------|----------------|------|------|------|------|------|------|------|------|------|------|------|--------------------|------|------|------|------|------|------|
| | P1 | P2 | P3 | P4 | P5 | P6 | P7 | P8 | P9 | P10 | P11 | P12 | P13 | P14 | P15 | P16 | P17 | P18 | P19 |
| Benacre to Easton Bavents SPA | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| Breckland SPA | NLSE | NLSE | NLSE | U | U | U | NLSE | NLSE | NLSE | U | NLSE | NLSE | NLSE |
| Breydon Water SPA | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | U | NLSE | NLSE | NLSE |
| Broadland SPA | NLSE | NLSE | NLSE | LSE | LSE | NLSE | LSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | U | NLSE | NLSE | NLSE |
| North Norfolk Coast SPA | NLSE | NLSE | NLSE | NLSE | U | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| Great Yarmouth North Denes SPA | NLSE | NLSE | NLSE | U | U | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| Minsemere – Walberswick SPA | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| The Wash SPA | NLSE | NLSE | NLSE | U | U | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| Benacre to East Bavents Lagoons SAC | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| Breckland SAC | NLSE | NLSE | NLSE | NLSE | U | NLSE | NLSE | NLSE | U | NLSE | NLSE | NLSE |
| North Norfolk Coast SAC | NLSE | NLSE | NLSE | NLSE | U | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |

| Policy | Place policies | | | | | | | | | | | | Area wide policies | | | | | | |
|---------------------------------------|----------------|------|------|------|------|------|------|------|------|------|------|------|--------------------|------|------|------|------|------|------|
| | P1 | P2 | P3 | P4 | P5 | P6 | P7 | P8 | P9 | P10 | P11 | P12 | P13 | P14 | P15 | P16 | P17 | P18 | P19 |
| Norfolk Valley Fens SAC | NLSE | NLSE | NLSE | NLSE | NLSE | U | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| Paston Great Barn SAC | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| Overstrand Cliffs SAC | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| River Wensum SAC | NLSE | NLSE | NLSE | LSE | LSE | NLSE | LSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| The Broads SAC | NLSE | NLSE | NLSE | LSE | LSE | NLSE | LSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| The Wash and North Norfolk Coast | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| Waveney & Little Ouse Valley Fens SAC | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| Winterton – Horsey Dunes SAC | NLSE | NLSE | NLSE | U | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| Breydon Water Ramsar | NLSE | NLSE | NLSE | NLSE | U | NLSE | NLSE | NLSE | NLSE | U | NLSE | NLSE |
| Broadland Ramsar | NLSE | NLSE | NLSE | LSE | LSE | NLSE | LSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | LSE | NLSE | NLSE |
| Minsemere – Walberswick Ramsar | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| North Norfolk Coast Ramsar | NLSE | NLSE | NLSE | U | U | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |
| Redgrave & South Lopham Fens Ramsar | NLSE | NLSE | NLSE | NLSE | NLSE | U | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |

| Policy | Place policies | | | | | | | | | | | | Area wide policies | | | | | | |
|-----------------|----------------|------|------|----|----|------|------|------|------|------|------|------|--------------------|------|------|------|------|------|------|
| | P1 | P2 | P3 | P4 | P5 | P6 | P7 | P8 | P9 | P10 | P11 | P12 | P13 | P14 | P15 | P16 | P17 | P18 | P19 |
| The Wash Ramsar | NLSE | NLSE | NLSE | U | U | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE | NLSE |

| CODE: | |
|-------|---|
| NLSE | No Likely Significant Effect(s) |
| LSE | Likely Significant Effect(s) – A likely significant effect on the site’s conservation objectives requiring modification of the policy or a Task 2 Appropriate Assessment. |
| U | Uncertain - cannot determine if NLSE or LSE (see above) so <u>may</u> require modification of the JCS policy and actions. |

1 Introduction

1.1 The Joint Core Strategy

Broadland, Norwich and South Norfolk Council are working together under the Greater Norwich Development Partnership (GNDP) to prepare the Joint Core Strategy (JCS), a framework to plan for future development in Norwich city and the surrounding area.

1.2 Legislative Framework

In accordance with Article 6 paragraph (3) of the Council Directive 92/43/EEC (as amended) on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive), as transposed in to UK law under the Conservation (Natural Habitats etc.) Regulations 1994 (as amended), assessments are required where a plan (or project) not directly connected with or necessary to the management of a site may give rise to significant effects upon a Natura 2000 site. The competent national authority shall then agree to the plan only after having ascertained that the plan will not adversely affect the integrity of the site concerned.

Natura 2000 sites, referred to as 'European designated sites', include Special Protection Areas (SPAs), Special Areas for Conservation (SACs), candidate SACs, and proposed SPAs. Under guidance from the Office of the Deputy Prime Minister (ODPM, 2005), Ramsar sites are also required to undergo an Appropriate Assessment.

In making the assessment as to whether a plan may affect a Natura 2000 site, it is important to recognise that the assessment should be appropriate to the likely scale, importance and impact of the development (see Figure 1.1). A key outcome of the Appropriate Assessment (AA) is to identify whether the integrity of the European designated site may be affected by the plans, and whether the conservation status of the primary interest features of the site could be impacted.

This Test of Likely Significance (TOLS) identifies whether or not the plan or project has the potential to impact on a European designated site.

The Department for Communities and Local Government Planning for the Protection of European Sites has provided specific guidelines to local authorities for undertaking Appropriate Assessments for regional spatial strategies and local development documents.

Other relevant key policies which influence the ecology and nature conservation assessments and planning are:

- PPS1 *Delivering Sustainable Development* (sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system);
- PPS1A *Planning and Climate Change* - Supplement to Planning Policy Statement 1;
- PPS9 *Planning for Biodiversity and Geological Conservation*;
- PPS11 *Regional Spatial Strategies guidance*, and;
- PPS12 on *Local Development Frameworks*.

The PPS9 guidance on *Planning for Biodiversity and Geological Conservation* sets out the government's national planning policy on the protection of biodiversity. PPS9 clearly states that development should be sustainable, have minimal impact on biodiversity and encourage enhancement.

1.3 Scope of Work

The purpose of this report is to provide the Competent Authority with the necessary information to undertake an Appropriate Assessment on the potential for the JCS to affect the Natura 2000 sites within or adjacent to the planning area.

The objective of this report is to act as a Task 1 AA TOLS to identify any potential likely significant effects of the JCS upon the SAC, SPA and Ramsar designated sites. If the JCS is likely to have the potential to affect the designated sites, then a more detailed Task 2 Appropriate Assessment would be required to consider what the impacts may be, and whether they are likely to affect the condition and integrity of each designated site.

1.4 Structure of the Report

The structure of this report follows the recommended guidance for undertaking Appropriate Assessments (see Section 1.5). This report is divided into three volumes:

- Volume I presents a description of the JCS and a summary of the potential effects. Reference to relevant policies, strategies or plans which could potentially result in in-combination impacts is covered in Volume I;
- Volume II presents the TOLS screening matrix which assesses the individual policies of the JCS against the conservation objectives for each of the qualifying features of the designated sites, and;
- Volume III presents a description of the designated sites, the qualifying features, their conservation objectives and the sensitivity of these features to potential disturbances.

Outline mitigations and recommendations regarding the potential significant effects of the JCS are presented in Section 4 of this report, and a summary in Section 5.

1.5 Methodology

This Task 1 Appropriate Assessment has been formulated using the following approach:

- A review of all of the Natura 2000 and Ramsar sites, their qualifying features and the vulnerability of the qualifying features to disturbance within the study area of the development plan;
- A review of the Joint Core Strategy and the potential likely effects of the strategy on the designated sites and their qualifying features;
- The identification and mapping of areas adjacent to or near to Natura 2000 and Ramsar sites within which any development could have the potential to affect designated sites;

- The production of a screen matrix in accordance with AA procedural guidelines to identify potential significant effects, and;
- Where applicable, make recommendations for Task 2 AA and whether further information is required to assess potential likely effects.

This Task 1 Appropriate Assessment has been undertaken in accordance with the following guidance documents:

- Natural England (1997) *Habitats Guidance Note Natura 2000* (May 1997);
- Department for Communities and Local Government (2006) *Planning for the Protection of European Sites: Appropriate Assessment. Guidance for regional spatial strategies and local development documents* (August 2006);
- EC (2000) *Managing Natura 2000 Sites*. The provisions of Article 6 of the Habitats Directive 92/43/EEC;
- EC (2001) *Assessment of plans and projects significantly affecting Natura 2000 sites*. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. Brussels (November 2001), and;
- Royal Society for the Protection of Birds (RSPB) guidance *The Appropriate Assessment of Spatial Plans in England* (Dodd, *et al.*, 2007).

The Task 1 screening matrix (as presented in Volume II) follows a format which combines the matrix used by Natural England for Areas of Outstanding Natural Beauty (AONB) Appropriate Assessments with the format recommended by the RSPB (Dodd, *et al.*, 2007). Tables which summarise the test of likely significance are presented in Section 4, Volume I.

In the RSPB guidance it is recommended that policies are compared against individual attributes and targets for each of the qualifying features for each of the designed sites, however, owing to the large geographical area and large number of designated sites, for this Task 1 AA it was only reasonably practical to present the potential effects at the policy – qualifying feature level (see Section 4, Volume I). However, both attributes and targets were considered when reviewing the potential effects and in formulating the screening matrix.

1.6 Study Area

Plans and/or projects have the potential to impact on designated sites beyond the confines of the individual sites themselves. The Institute of Ecology and Environmental Management (IEEM) guidance states that potential impacts which could occur and which arise during the whole lifespan of the proposed development or plan should be investigated.

Each of the individual policies within the JCS could, through various policies and planning processes and mechanisms, result in direct, indirect and in-combination effects which could impact on an individual designated site. The potential areas affected could include:

- Areas directly within the land take for the proposed development or plans;
- Areas which could be temporarily affected;
- Areas likely to be impacted by hydrological disruption;

- Areas where there is a risk of pollution and noise disturbance.

Any of these could have a likely significant effect on the integrity of a designated site or on the conservation status of any of the individual qualifying features of the designated site (see Table 1.1 for definitions).

The study area for this TOLS Appropriate Assessment therefore includes the JCS area itself plus a 15 km zone around the JCS within which the likely potential impacts of the plan, such as tourism and infrastructure development (see Drawing A.1, in Volume I Appendix A) are assessed. The 15 km zone has been agreed with Natural England (March 2008). Drawing A.2 (Volume I, Appendix A) shows the location of the designated sites that were included in this assessment.

Table 1.1: Conservation Status, Integrity and Significance

| Status | Description |
|---|--|
| Favourable conservation status – species | When the population is maintaining itself on a long-term basis as a viable component of its natural habitat, the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and there is and will probably continue to be a sufficiently large habitat to maintain its population on a long-term basis. |
| Favourable conservation status – habitats | When its natural range and the area it covers within that range are stable or increasing, and the species structure and function which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and the conservation status of its typical species is favourable. |
| Integrity of a site | The integrity of a site is the coherence of its ecological structure and function across its whole area that enables it to sustain the habitat, complex of habitats and/or the levels of population of the species for which it was classified. |
| Significant effect | A significant effect is defined when a plan or project is likely to undermine the site’s conservation objectives. Note that a significant effect cannot be excluded on the basis of objective information. |

1.7 Consultation

Consultation with stakeholders is a key component of the Appropriate Assessment process. Under the AA guidance consultation with Natural England (NE) is mandatory where there is the potential for a project or plan to impact on a European designated site. NE has therefore been formally involved for the consultation in the production of this Task 1 Appropriate Assessment for the JCS. A copy of the formal response from NE is provided in Appendix A.

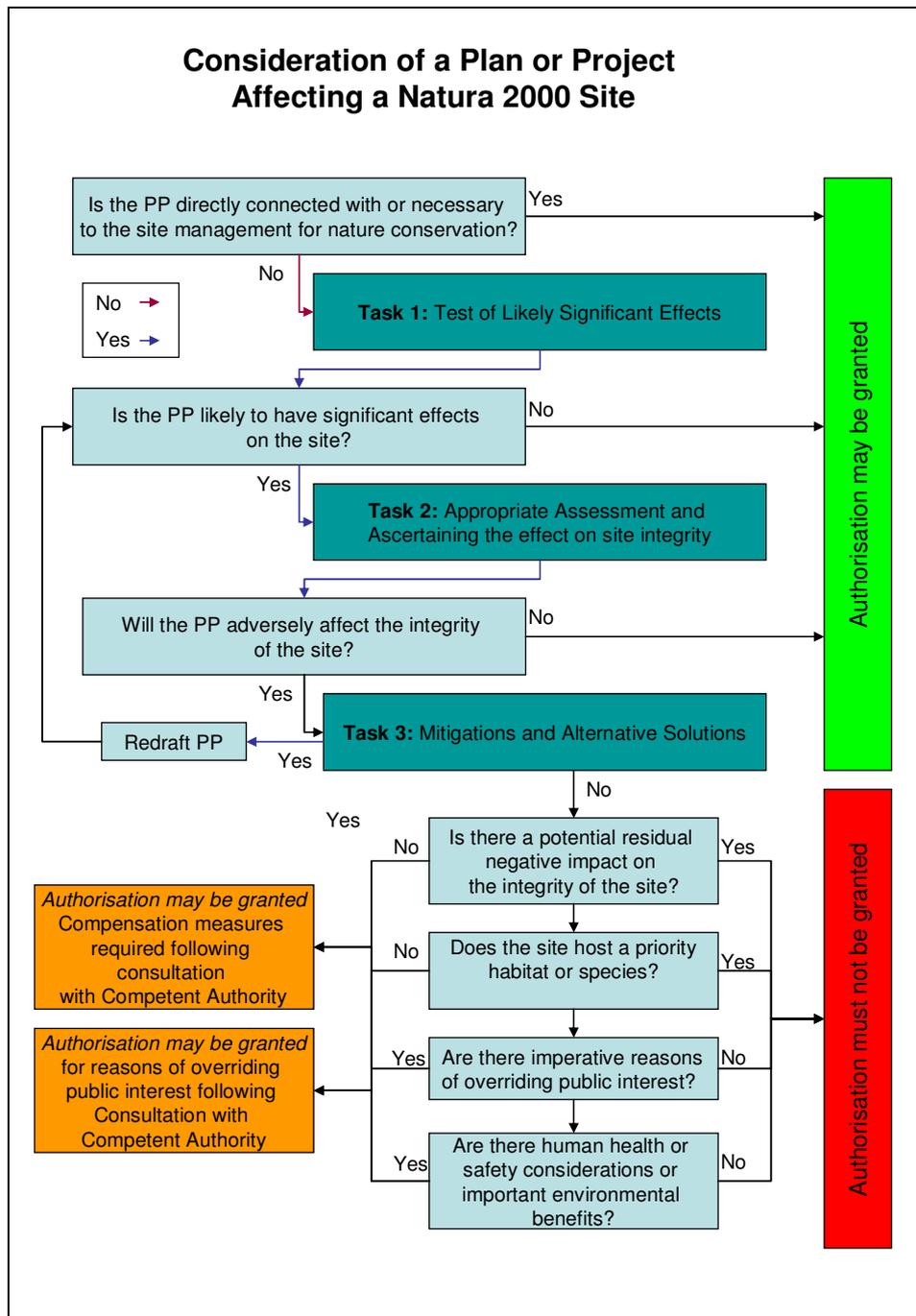
In addition to NE, the following stakeholders have also been involved in the consultation process:

- Royal Society for the Protection of Birds (RSPB);
- Norfolk Wildlife Trust (NWT), and;
- Environment Agency (EA).

These stakeholders have raised through the consultation process a range of key issues and concerns they deem to have potential impacts on the designated sites.

In addition to the formal response from NE, the consultation process has also involved one to one meetings and discussions with NE (Helen Ward) and Norfolk Wildlife Trust (John Hiskett) and a consultation and workshop undertaken on 24th April 2008 between the environmental stakeholders (NE, EA, RSPB and NWT) and the GNPD planners.

Figure 1.1: The Appropriate Assessment Process and Tasks



2 The Joint Core Strategy

2.1 Background to the Joint Core Strategy

The JCS sets out the spatial vision for development in the Broadland, Norwich and South Norfolk areas. It will form the key document in the Local Development Framework (LDF) portfolio of planning documents for each local authority which will set out the vision, objectives and spatial strategy for future development until 2026. The councils of Broadland, South Norfolk and Norwich are working with Norfolk County Council to prepare a new overall planning strategy which will cover the whole area, while individual councils will prepare more detailed plans for their areas, based on this framework.

These plans are currently at the consultative stage but will eventually include site-specific proposals, detailed Area Action Plans and development control policies. When completed they will replace old-style Local Plans and form the key tool for the assessment of planning applications.

Key to the LDF and its subsidiary documents is the Draft East of England Plan. This is the Regional Spatial Strategy (RSS) which sets out both high level and specific planning policies which must be integrated and reflected in all local documents. Particularly significant in these prescriptions is the number of new dwellings and jobs which must be provided in the area by 2026. There is no discretion at a lower policy level to alter or reduce the figures in the RSS, only the opportunity to mitigate and manage any environmental damage through siting, design and additional environmental initiatives.

2.2 Current Status of the Joint Core Strategy

In November 2007 the document “Issues and Options Consultation Report” formed the basis for a formal public consultation (which closed on 8th February 2008). This document contained the councils’ *“suggested spatial vision and objectives to manage growth”* (paragraph 1.11).

Based on the responses from public consultation and additional evidence from background studies a first document including Preferred Options was issued in June 2008 together with a draft Sustainability Report. After a period of public consultation the Preferred Options were reviewed and a second document issued in September 2008. In this document a total of three options were described with information on number of dwellings, associated infrastructure and locations. A fourth option was subsequently added.

Early in 2009 the Councillors from the four GNDP councils agreed to publish the JCS for full public consultation. The consultation document, published in March 2009, includes the favoured option for large scale housing growth in and around Norwich and on major sites.

The results of this consultation period, which finished in April 2009, provide information to formulate the final JCS document. The policies and proposals in the final document will cover the period up to 2026.

The councils will submit the JCS for independent examination along with the Sustainability Appraisal in April 2009, before submission to the Secretary of State in 2009 and a final public examination in September 2009. The ultimate adoption is planned for early 2010.

2.3 Key Policies of the Joint Core Strategy

At this stage in the process, the JCS is a high level document with specific policy detail still to be formulated. The favoured option, as described in the latest document issued in March 2009 includes planned numbers of housing at each proposed location for growth. As such, it is possible to provide an initial appraisal of whether these proposals have the potential to impact significantly on any of the Natura 2000 sites either directly, indirectly or in-combination with other plans or projects.

The draft JCS document (Regulations 25, March 2009) sets out the vision, objectives and policies for housing delivery and associated services up to 2026.

The different policies (a total of 12 policies for places and seven area wide policies) outline the spatial strategy within the area by identifying:

- Major areas for growth;
- Employment development in strategic locations;
- Housing delivery within the new developments defined in the settlement hierarchy, and;
- Transport infrastructures.

A list of the policies is included in Volume II, Section 1.

2.4 Issues Associated with Increased Dwelling Numbers

The Draft East of England Plan requires at least 33,000 additional dwellings in the Norwich Policy Area (NPA) in the period 2001 – 2021, with 1,800 per year thereafter. This figure is prescriptive however, the exact location and form of development, along with measures taken to mitigate any environmental impact, allows for greater lower level discretion.

The JCS gives the preferred locations for all new housing as brownfield sites, however, to reach the required number, around 18,000 homes are likely to be built on greenfield sites outside the urban area. The JCS (Policy 1) also outlines the settlement hierarchy, giving the preferred locations for this housing:

- Urban area of Norwich, including fringe parishes, then;
- Major mixed-used developments in specified locations within the NPA, then;
- Main towns, then;
- Key Service centres (including larger villages), then;
- Service villages, then;
- Other villages.

The favoured option (Policy 5) describes the major growth areas within the NPA as being:

- Major growth to the north-east of Norwich in the Old Catton-Sprowston-Rackheath-Thorpe St Andrew growth triangle (a total of 7,000 dwellings up to 2026 and expected to rise to 10,000 dwellings after this period);

And moderate growth at:

- Wymondham (2,200 dwellings);

- Hethersett (1,000 dwellings);
- Cringleford (1,200 dwellings);
- Easton / Costessey (1,000 dwellings), and;
- Long Stratton (1,800 dwellings).

In addition further development is proposed in the Norwich city centre (3,000 dwellings) and in smaller sites in Broadland (2,000 dwellings); and South Norfolk (1,800 dwellings).

Sites identified for smaller development outside the NPA include: Diss, Harleston, Acle, Reepham, Wroxham, Loddon and Hingham. Blofield and Brundall are proposed to accommodate 25-50 housings each (see Figure 2.1).

The large scale developments in the favoured option will also be supported by a range of new infrastructure including new schools, transport links and health services. There will also be development associated with the provision of 35,000 new jobs during the 2001-2021 period.

Although the details of location, design and accompanying infrastructure have not been finalised, even with the implementation of sustainability policies and mitigating compensatory measures for the environment, there remains significant uncertainty as to whether the scale and speed of such growth can be accommodated or managed without generating significant impacts on one or more Natura 2000 sites.

2.5 Key Issues Associated with Dwelling Numbers

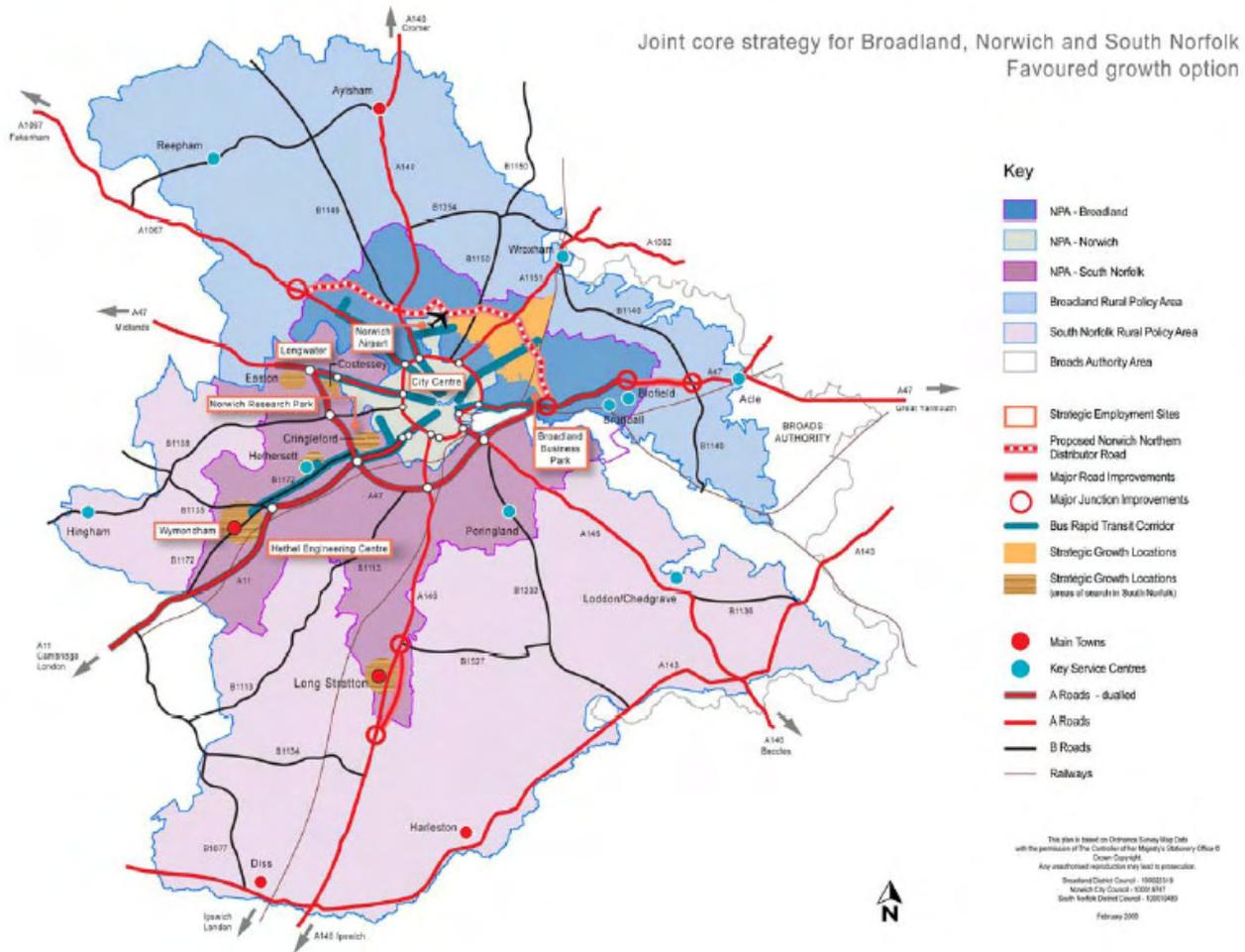
Certain sites could be particularly vulnerable to the siting of even a small number of new dwellings owing to their environmental sensitivity, while there are other locations (such as within existing urban centres and on brownfield sites) which could have a significantly greater resilience. However, these issues relate to the indirect impact of the housing itself on the wider environment and as such, siting and design offer only limited relief. The following issues are therefore relevant to potentially all the Natura 2000 sites, simply due to the volume of housing proposed for the areas as a whole.

2.5.1 Flood Risk and Urban Run-off

All the Natura 2000 sites are at risk to some degree from climate change in terms of shifting habitat. There is also likely to be a more specific impact on a number of sites in the form of flooding. While none of the developments is planned in areas susceptible to flooding, built development in and around Norwich may fall within the catchments of Broads rivers.

The increase in paved area which could result from the intensified development within Norwich and the large-scale areas for growth around the city may cause an increase in run-off and changes in flood flow timing, duration and magnitude in downstream areas. This may in turn impact upon designated floodplain, particularly within the Broads area. For example, increased wetness has been identified as a problem at floodplain wetlands in the mid Yare valley. Increased run-off entering the Yare reaches downstream of Norwich could cause changes in flood risk and excess wetness on the floodplain.

Figure 2.1: Joint Core Strategy –Favoured Growth Option



Source: JCS for Broadland, Norwich and South Norfolk, Public Consultation – Regulation 25 March 2009

2.5.2 Water Abstraction

Norfolk has relatively few areas where water is naturally retained and water shortages are a risk. Pressure from water abstraction already represents one of the greatest pressures on designated sites. This is clearly indicated by the number of sites currently vulnerable to water abstraction, prior to any further developments and the associated pressures these may create (information collected from the sites' designation sheets):

- Broadland SPA (from river Bure);
- The Broads SAC (abstraction in the northern rivers);
- North Norfolk Coast (from agriculture);
- Breckland SPA (local groundwater abstraction impacting on the natural eutrophic lakes);
- Norfolk Valley Fens (reductions in the water table and decrease in the volume of spring flows arising from groundwater abstraction);
- River Wensum SAC (vulnerable to water abstraction and alteration in the channel form);
- Waveney & Little Ouse Valley Fens SAC (along with land drainage);
- Winterton – Horsey Dunes SAC (agricultural demands for water abstraction), and;
- Redgrave & Lopham Fens Ramsar (water abstraction).

Development proposed for main towns such as Diss and Harleston (Policy 6) could require a new water supply. Although the Water Cycle Strategy states that the existing infrastructure has the capacity to accommodate 33,000 new dwellings in the NPA and 2,300 in the RPA, localised problems due to water abstraction may occur.

Climate change is likely to further influence this pressure, irrespective of any built development. Against this backdrop, built development of the scale proposed could, in the long-term, lead to further abstraction and compound these baseline issues.

2.5.3 Sewage Treatment Works Capacity

While infrastructure associated with water supply and sewers can be provided and funded by developers, upgrades to Sewage Treatment Works (STW) can only be provided by Anglian Water and depend on the five year funding cycles. At present, Anglian Water's funding is fully committed up to 2010. No new improvements can, therefore, be made before 2011. Of relevance for the JCS area are improvements made by Essex and Suffolk Water. The Core Strategy is of the view that by managing developments in such a way that they process only in accordance with the necessary improvements, risk of pollution can be avoided.

Broadland SPA, The Broads SAC and River Wensum SAC are all vulnerable to eutrophication and, as such, there is also real potential that, if developments occur at a higher rate than improvements, there could be severe damage to these sites.

Under the Water Cycle Strategy the upgrading of existing facilities is favoured over the construction of new ones with Withlingham STW offering the best potential to accommodate additional flows. Other STWs have no spare capacity and the study concludes that a combination of upgrades of the existing STWs and the construction of new ones could be needed to provide the required capacity for the expected growth in the region.

2.5.4 Transport

Any increase in dwelling numbers could lead to an increase in transport. At present, although the document supports a range of public transport initiatives, there is a significant focus on increasing the road capacity.

Following the Draft East of England Plan, there are a number of transport infrastructure proposals to deal with this and wider congestion problems, including A11 Fiveways to Thetford dualling, improvements to the A47 from Blofield to North Bulington and the Norwich Northern Distributor Road.

Strategic access and transportation within the JCS is addressed in Policy 16 of the JCS. This policy refers to the need to undertake improvements to the A11 and A47; promote the NNDR to aid strategic access and promote the A140 Long Stratton Bypass. These improvements could be undertaken while promoting the use of the rail network and developments in locations to encourage walking and cycling as the primary means of travel.

This policy also aims at stimulating the use of Norwich International Airport. Assessment of potential impacts will not be included in this report as no details are given on the increase in air pollution or traffic in areas surrounding the airport.

(i) North Norwich Distributor Road

In October 2004 the County Council resolved to adopt a revised Norwich Area Transportation Strategy (NATS 4). A Norwich Northern Distributor Road (NNDR) was included as part of this strategy. On 26 September 2005 the County Council adopted a preferred route for the NNDR. This would be a new road which would link the A1067 Fakenham Road at Attlebridge Hills to the A47 (east) at Postwick. The road would be single carriageway from the A1067 to a roundabout junction on Fir Covert Road (Appendix A) and then dual carriageway until the A47 at Postwick.

The NNDR would come within 300 m of the River Wensum channel.

As a major development of more than local importance, an Environmental Impact Assessment (EIA) of the proposal for the NNDR would be undertaken in accordance with the Town and Country Planning Act Environmental Impact Assessment (England and Wales) Regulations 1999 to 2000.

The NNDR is considered essential for the management of the travel demand arising from the planned level of growth. The NNDR forms a key element of the Norwich Area Traffic Strategy (NATS) to combat congestion. The road is intended to remove through traffic from residential and city streets and improve capacity on existing roads, especially the inner and outer ring roads for both private cars and public buses.

However, the policy should not be approached in isolation from the increase in dwelling numbers. In particular, the plans for large-scale areas of growth in the Norwich area (considered above) are inextricably linked with the proposed NNDR. As such, any potential impact associated with the proposed large scale areas of growth should be considered in terms of the in-combination impact of both the NNDR and the housing developments, alongside the increase in traffic both proposals could generate.

The Appropriate Assessment for the NNDR concluded that the NNDR is not considered likely to adversely affect the integrity of the European designated site, namely the River Wensum SAC. There are no direct or indirect impacts predicted on River Wensum as the road development is approximately 300 m from the SAC.

(ii) A11 Improvements

The A11 is one of the principal connections and a key strategic corridor between the JCS area and London, Cambridge and the south Midlands. Significant growth is currently proposed in the A11 corridor at Attleborough and Thetford.

It is likely that house building and the encouragement of new employment in the vicinity of the A11 could, in time, lead to increased traffic flow. However, the A11 and nearby roads pass through the Breckland SPA and as such there is a risk of further displacement of stone-curlew *Burhinus oediconemus*. This risk was assessed in a study undertaken by Footprint Ecology and the University of Cambridge.

This study combined the nest locations of stone curlews with data on the location of new housing, road and traffic data to study the effect of roads and housing on the spatial distribution of the stone curlew. The study found that new housing developments may need to be 1500 m away from any arable suitable for stone curlews. The study also found that there are negative impacts of trunk roads and non-trunk roads on stone curlew populations.

At the present the AA for the A11 proposed improvement is being reassessed due to potential impacts on the stone-curlews.

(iii) A47 Improvements

As stated in the JCS the A47 would be of key strategic travel significance between Norwich and Great Yarmouth and London. The JCS proposes a major location of growth in east Norwich, very close to the A47. Improvements to the A47 are planned but significant stretches of the A47 would remain single carriageway.

2.5.5 Tourism and Recreation

A number of sites are already vulnerable to tourism: Broadland SPA; Great Yarmouth North Denes SPA; Breckland SPA (vulnerable due to uncontrolled and inappropriate recreational activities); Overstand Cliffs SAC (from local golf course); Waveney & Little Ouse Valley Fens SAC (which is vulnerable to any activity that may result in increased water use) and Winterton – Horsey Dunes SAC (where visitor pressures have resulted in erosion, fire and disturbance impacts) (see Volume III for designated sites vulnerabilities). Any policies encouraging tourism to these areas need to be formulated with care to ensure that any vulnerability is not exacerbated.

This issue relates to policies on tourism and its indirect impact on Natura 2000 sites because significant growth in Norwich could lead to increased visitors to Natura 2000 sites. It is likely that additional housing may increase walking and demand for facilities such as boat moorings. There is a need to get a clear picture of current recreational patterns across the Broads, in order to predict whether or not recreational demand would change, how it would change, and whether this could affect the SPAs/SACs.

3 Related Policies, Strategies and Action Plans

3.1 Regional Spatial Strategy

The Planning and Compulsory Purchase Act 2004 introduces Regional Spatial Strategies (RSS) which form the top tier of the statutory development policy structure in all regions of England except London.

The primary purpose of an RSS is to provide a consistent regional framework to inform the preparation of local development documents (LDDs), which must be in general conformity with RSS, local transport plans and regional and sub-regional strategies and programmes that have a bearing on land use activities, including housing, environment, health. RSS policies may also be material to decisions on individual planning applications and appeals.

The East of England Plan forms the RSS covering the county areas of Norfolk, Suffolk, Cambridgeshire, Essex, Hertfordshire and Bedfordshire (together with relevant sections of the Milton Keynes South Midlands Sub-Regional Strategy). The document provides policies in areas including economic development, housing, the environment, transport, waste management, culture, sport and recreation, mineral extraction and outlines government policy for both planning and development in the area until 2021. Among the most significant features of the RSS is the identification of large scale infrastructure investments over the period of the RSS, and with projections for beyond.

(i) Review of Key Policies

Key high level policies within the RSS include:

- Fostering and developing European and inter-regional links, e.g. via inward-investment, transport and communications, trading links and key employment clusters;
- Recognising and managing the impact (both positive and negative) of London on the region (e.g. economic impact, migration, transport and waste);
- Creating a framework to allow sustainable development, especially housing, support for continued economic growth, energy efficiency improvements and carbon performance, greater water efficiency and recycling of an increasing percentage of waste;
- Reconciling growth with protection of the environment and maintenance of the general extent of the greenbelt;
- Placing a strong emphasis on concentrating growth in “Key Centres for Development And Change” – which include all the region’s main urban areas;
- Recognising a number of priority areas for regeneration, whilst balancing pockets of urban deprivation in otherwise relatively buoyant towns and areas of rural deprivation;
- Taking account of the 2003 Aviation White Paper, notably the implications of continuing expansion at Stansted and Luton airports.

The RSS is a high-level spatial strategy which does not focus on specific locations where development would occur and generally avoids setting out proposals for specific major schemes or infrastructure projects. Rather, the document outlines a model of development for the regions centred around “Key Centres for Development and Change”.

It does, however, provide information on the housing allocations for the region in terms of prescribed total number of dwellings up until 2021, coupled with the rates at which such housing is expected to be delivered. Details of how this infrastructure will be implemented remains the responsibility of the next, lower level of development documents, the Local Development Frameworks (LDFs).

(ii) Appropriate Assessment of the RSS

The review of policies undertaken in the Appropriate Assessment found that the RSS would not have a likely significant effect on Natura 2000 and Ramsar sites, and hence an Appropriate Assessment was not required for any of the policies in the RSS. The assessment was clear that the implementation of the policies within the East of England RSS would not result in any likely significant effects on Natura 2000 or Ramsar sites, either individually or in-combination.

However, the conclusion highlights that high level nature of the document. None of the policies in the RSS results in site specific development, but rather they provide directions to local development documents and the local development plans. Much of the potential impact of the RSS on Natura 2000 sites would therefore depend on how the RSS policies were elaborated at a local level. The document at Section 3.4. advises that:

“In drawing up local development plans, consideration should be given to the proposals for housing in areas where Natura 2000 and Ramsar sites fall within a 5km radius of the proposed KCDCs [Key Centres for Development and Change] to reduce the risk of recreational disturbance effects to Natura 2000 and Ramsar sites.”

The following sites were highlighted as relevant in this respect:

- Norwich (River Wensum SAC, The Broads SAC, Broadland SPA/Ramsar), and;
- Great Yarmouth (Breydon Water SPA/Ramsar, Great Yarmouth North Denes SPA).

A similar qualification to the (lack of) impact of the RSS on Natura 2000 sites is made in relation to water supply and treatment and transport,

“The main policies which could arise in surrounding regions and have effects on Natura 2000 and Ramsar sites within the East of England Region are those associated with water supply and treatment, and possibly the strategic transport network.”

The RSS AA document also highlights the need to consider the in-combination effects of the East of England RSS and other policies.

3.2 Local Development Plans

3.2.1 North Norfolk Local Development Framework

(i) Review of Key Policies

North Norfolk is currently in the process of developing its Local Development Framework. The latest document available is the Core Strategy incorporating development control policies (January 2008).

The Local Development Framework operates through a collection of documents which guide the planning permission process at a local level. The Core Strategy represents the implementation of more high level government planning policy (both the RSS and also supporting documents such as PPSs and PPGs). Discretion to depart from these higher level policies at a local level is strictly constrained. As such, these documents represent a detailed interpretation of higher level policies. Details of policies of relevance to the Natura 2000 sites are listed in Appendix B. However, one policy is of particular relevance in relation to the JCS, namely the proposed large development at Fakenham which has particular implications for the River Wensum in terms of the siting and relative impact of the possible large-scale essential growth areas.

Policy SS8 Fakenham

Between 2001-2021 a total of between 1,300 and 1,400 new dwellings will be built ... development will not be permitted unless it has been demonstrated that there is adequate capacity in sewage treatment works ... and should ensure no adverse effects on European sites. ... All new major development in Fakenham will address storm water run off to ensure no adverse impact on the River Wensum and the Broads System catchment.

The River Wensum SAC is currently vulnerable to alterations in the channel form which may affect habitat diversity, and further development on the flood plain which might alter the flow regime of the river. The river's ecology may also be threatened by water abstraction. The vulnerability of the River Wensum is further confirmed by the Catchment Abstraction Management Strategy (CAMS) findings which detail how the river, even without further development in Fakenham or around its approach to Norwich, is already under intense pressure. Key to this policy however, is the cumulative impact developments could have. If Fakenham saw a large increase in dwellings and Site 9 or 10 were to be selected for the siting of the proposed large scale developments around Norwich, this would add significant additional pressure to the SAC.

(ii) Appropriate Assessment of the LDF

An appropriate assessment has been undertaken for the North Norfolk Core Strategies. This identifies those plan options likely to have a significant effect on European sites. The assessment found that certain policies in the field of development strategy, housing, renewable energy facilities, retail and commercial leisure developments, tourism strategy and car and cycle parking were all found likely to have significant effects.

Key potential impacts which were identified included:

- Retail and commercial leisure developments, which could lead to increased storm water runoff from hard surfaces into the River Wensum at Fakenham potentially contributing to harmful chemicals.
- Tourist developments (even low impact, such as cycling, walking and heritage tourism) may have indirect disturbance impacts on North Norfolk SPA, Broadland SPA and the North Denes SPA through increased human presence and numbers, more dog walking and more traffic. Increased tourism has already caused some loss through disturbance particularly to breeding birds.
- Car and cycle parking policies could lead to potential increased storm water runoff from hard surfaces and the car and cycle parking at Wensum SAC at Fakenham could potentially contribute to harmful chemical and sediment changes in river water and spate events.

In terms of housing, the following settlements had identified impacts:

- *Holt*: Impact on the Norfolk Valley Fens SAC through depletion of local groundwater resources and changes in hydrology. An indirect negative effect was also possible through increase in housing and infrastructure around the site.
- *Fakenham*: Impact on Wensum SAC through increased nutrient levels from sewage outfall, changes in flow level and water quality impacts through hard surface runoff.
- *Sheringham*: Impact on Norfolk Valley Fens SAC through depletion of local groundwater resources and changes in hydrology.
- *Stalham*: Impact on Broads SAC through increased nutrient levels from sewage discharge and increased drainage and flashiness of catchment.
- *Hoverton, Catfield Horning and Ludham*: Impact on Broads SAC through increased nutrient levels from sewage discharge.

However, the Appropriate Assessment also found that, if these policies were modified, adverse impacts to the integrity of the European site could be avoided.

All of the recommended modifications have generally been implemented with the exception of the following recommendations, which have only been partially implemented:

- (a) Large scale tourist developments: the Core Strategy does not provide that new tourist opportunities or promotion of existing ones would only be allowed after it has been demonstrated that there would be no adverse impacts on the integrity of Natura 2000 sites. The actual wording in Policy SS5 (Economy) provides only that “*proposals should demonstrate that they will not have a significant detrimental effect on the environment.*”
- (b) Disturbances and trampling caused by new rights of way, cycling and other public routes: the core strategy does not provide that these routes will only be allowed once it has been demonstrated that there will be no adverse impacts on the Natura 2000 sites.

In terms of mitigating the effects of the proposed housing developments, the Appropriate Assessment focuses on two key areas, namely the need to ensure that developments are delayed until sufficient improvements have been made in the sewerage system to result in no net increase in phosphorus loading and that the requisite water quality objectives are assured.

The second, frequently prescribed, condition is that housing areas are not placed within the groundwater catchment of relevant SSSIs (e.g. Besston Common or Holt Lowes). Neither of these conditions are implemented exactly into the Core Strategy. As such, there remains some uncertainty as to whether:

- (a) The wording “demonstrated that there is adequate capacity in sewage treatment works” used throughout the Core Strategy constitutes a sufficient safeguard – for example ‘sufficient capacity’ as perceived as the point at which a sewage works is no longer able to perform its functions, is far less stringent than stipulating the level of water quality achieved by ensuring no net increase in phosphorus loading.
- (b) The Core Strategy also uses the terms “demonstrate no adverse impact on the hydrology” of specific areas, as a proviso for a number of the proposed housing developments. However, this is also a potentially less stringent requirement than the recommendation that no housing be placed within the catchment of the specified SSSIs.

In summary, where a potential for significant impacts is identified, recommendations are made for how they could be managed and mitigated. These have largely been adopted by the Core Strategy. However there are some key development areas which could lead to some sites (e.g. the River Wensum SAC and the Broads SAC) being vulnerable, particularly to the impacts generated through and associated with housing developments.

3.2.2 Great Yarmouth Local Development Framework

(i) Review of Key Policies

The Great Yarmouth Local Development Framework will serve to guide the use of land and new development through the Borough and will replace the Great Yarmouth Borough Wide Local Plan. As with the North Norfolk LDF it will include policies and proposals for the use of the land in the area up until 2021. The council will make provisions for 6,000 new dwellings (at an average rate of 300 new dwellings per year) in accordance with the RSS for the East of England.

Policy CS 9

As with North Norfolk, priority will be given to locating new developments in line with the settlement hierarchy within defined built up area boundaries, particularly through the reuse of previously-developed land

Following this policy, the majority of the 6,000 houses will be located within the urban area of Great Yarmouth and Gorleston and there will be no need to allocate new greenfield land until 2021. The identified sites are also in main towns, which have a good range of services, therefore the need for excess travel will be reduced.

Further details of relevant policies are given in Appendix C.

(ii) Appropriate Assessment of the LDF

Great Yarmouth City Council is currently undertaking a scoping study with the RSPB. At present the little terns (*Sterna albifrons*) are perceived to be the most vulnerable species. These birds are fully protected under the Habitats Directive. However, they are particularly vulnerable to human disturbance through shoreline engineering works and offshore dredging can affect the integrity of coastal features such as beaches and shingle ridges, making them unsuitable for nesting.

3.2.3 Breckland Local Development Framework

(i) Review of Key Policies

As with other LDFs, the Breckland Local Development Framework intends to set out a spatial vision for the Breckland area with clear social, economic and environmental objectives and is made up of a range of documents which together facilitate and control future land-use and development in the District. The Joint Core Strategy and Development Control Policies Development Plan Document form the first part of this LDF. The Core Strategy provides for the long term vision for the District up until 2026, and includes the need to deliver 19,000 houses by 2026.

As with the other plans, the key strategy relates to housing. This is broken down as follows in Preferred Option CP 1:

- 3,985 completions between 2001 and 07;
- 2,595 houses on previously-developed land at Thetford and Attleborough;
- Greenfield development to the north and east of Thetford for at least 4,500 houses to 2021 and for at least a further 1,500 houses between 2021 and 2026 at similar locations;
- Greenfield urban extensions to the south of Attleborough for up to 4,000 houses to 2026; and,
- At least 1,900 houses for the gradual growth of the market towns and local service centre villages of Derham, Swaffham and Watton. Further relevant policy details are provided in Appendix D.

(ii) Appropriate Assessment of the LDF

The appropriate assessment undertaken for the Breckland LDF identified a number of potential adverse effects resulting from the developments proposed. These are:

- Reduction of the Breckland SPA Annex 1 bird species near to the new housing;
- Increased levels in recreational activity resulting in disturbance to Breckland SPA Annex 1 bird species;
- Increased levels of people on and around the heaths;
- Increased levels of recreation to the Norfolk Coast (including the Wash);
- Increased water abstraction requirements to meet additional water supply needs;
- Increased levels of traffic generating air pollution affecting sensitive features of the SAC;
- Potential reduction in the density of the Habitats Directive Annex 1 bird species associated with the SPA, due to avoidance of areas close to the new roads by the birds populations.

Mitigation measures were identified with recommendations for zones with restricted developments.

3.2.4 Broads Authority Local Development Framework

(i) Review of Key Policies

The Core Strategy is the first Development Plan Document (DPD) to be prepared by the Authority as part of its Local Development Framework. It sets out the vision for the Broads until 2021, including environmental, social and economic objectives and primary policies for achieving that vision. The Core Strategy DPD was formally adopted by the Authority on 28 September 2007.

The Core Strategy policies were drawn up around the eight issues listed below:

- Landscape;
- Natural resources;
- Management of the floodplain;
- Historic and cultural landscape;
- Development, the economy and sustainable communities;
- Housing;
- Tourism and recreation, and;
- Access and transport.

The spatial policies of the Local Development Framework will deliver the vision for the Broads by:

Maintaining the Norfolk and Suffolk Broads and, where appropriate, enhancing the Broads as a unique wildlife, leisure and educational resource within a special landscape with its own sense of place.

A planning policy framework for economically, socially and environmentally sensitive development, which will underpin a thriving community. The framework will support innovation and diversification and promote sustainable infrastructures, which will include the maintenance and enhancement of the navigation, for promoting enjoyment of the Broads.

Only allowing development on the floodplain that has regard to the social and economic well being of the area, the character of the landscape, natural resources, and risks from flooding, and respects the natural functioning of the floodplain.

Strategic objectives and policies were grouped in three broad themes:

- The Use and Enjoyment of Water and Land;
- Respecting the Environment and Cultural Assets, and;
- Fostering Communities.

(ii) Appropriate Assessment of the LDF

The Broads is a member of the National Park family and as a result has conservation management embedded in its plans and strategies, including the Local Development Framework. In recognition of the implications under the EC Habitats Directive and Appropriate Assessment requirements the Broads Authority has added Policy CS2 specifically to deal with European and National protected sites and arising planning and development issues and meet these requirements:

CS2: In the interpretation and implementation of the Core Strategy policies, account will be taken of the objectives of National and European nature conservation designations, and significant adverse effects avoided.

The AA concluded that the overarching policies have very limited impacts on SPAs, SACs and Ramsar sites, because of their strategic nature and that there are no detailed site specifics. Development is restricted in the Broads as it is a member of the National Park family there is no growth requirement in the RSS and major development can only happen under exceptional circumstances. Another restricting factor is the large proportion at risk of flooding; Policy CS20 within the Core Strategy sets out criteria for determining if development can occur in these areas. Policy CS2 would apply to all proposals and ensure the objectives of designated sites are considered and adverse effects avoided or mitigated.

3.2.5 Mid Suffolk Local Development Framework

(i) Review of Key Policies

The Core Strategy DPD for Mid Suffolk was adopted in September 2008. Central to the Core Strategy DPD is the identification of an overarching spatial vision which sets out the context for specific objectives and policies. Mid Suffolk's spatial strategy is the vision for sustainable development for the district until 2025. Derived from the spatial portrait and key issues the vision and aims are translated into the Strategic and Development Control Policies.

The Core Strategy identifies 15 objectives as central to achieving the delivery of the spatial vision for Mid Suffolk. These objectives provide a more specific direction taking on board the key issues that the district faces.

The Core Strategy sets out the distribution and scale of development amongst the towns and villages and the strategic location of housing and other development. Policy CS 1 sets out the Settlement Hierarchy for Mid Suffolk which includes:

- Towns: the main focus for development in the district;
- Key Service Centres: the main focus for development outside of the towns, and;
- Primary Villages: villages capable of limited growth where local need has been established.

Policy CS 8 establishes the Provision and Distribution of Housing. Provision is made for allocating greenfield sites for at least 2,132 homes and associated infrastructure in Mid Suffolk until 2025.

The release of land for housing will be phased to enable continuous delivery of housing for at least 15

years from the date of adoption and to ensure that priority is given to use of previously-developed land.

The proposed broad locations for the main allocations of greenfield land for housing, as urban extensions to towns, are:

- North East and North West Stowmarket;
- South West Needham Market, and;
- North West Eye.

(ii) Appropriate Assessment of the LDF

The main potential impact on Natura 2000 and Ramsar sites found through the AA process is the cumulative effect of increased demand for water, as a result of household growth in Norfolk and Suffolk.

Specific policies in Mid Suffolk's Core Strategy which may have an effect on European sites via impacts on local hydrology and water quality are CS9 (housing provision) which is based on CS1 (Key Service Centres), and CS8 (brownfield residential development). However, the same study concluded that these impacts are better dealt with at the Site Specific Allocations stage when the location and scale of the development will be known.

For these reasons it was not considered that the Suffolk Core Strategy will have a significant effect on the integrity of any SAC, SPA or Ramsar site.

3.2.6 Waveney Local Development Framework

(i) Review of Key Policies

The Core Strategy was amended and adopted by the Council in January 2009. It sets out core strategic spatial planning policies to guide development in the District to 2021 and beyond. The Core Strategy is the first Development Plan Document of the Waveney Local Development Framework to be prepared.

The spatial strategy (CS01) seeks to deliver the spatial vision and objectives for the District and has been shaped through consultation and the sustainability appraisal of options and policies. It provides broad indication of the overall scale of development in the District and the infrastructure needed to support it. The strategy proposed for Waveney has an essential role in achieving the appropriate balance between protection and improving the quality of life for all, including ensuring that necessary change and development is sustainable in the interests of future generations. Policies CS02 to CS17 seek to deliver the spatial strategy and provide the context for the preparation of the other Development Plan Documents.

Most new development such as housing, employment, retail, services and facilities will take place in the main town of Lowestoft, followed by the market towns. The focus for development will be on previously developed land within the built-up areas, with more than 50% of housing and 60% of employment expected to be delivered on brownfield sites. An integral part of the strategy will be to protect and enhance local distinctiveness and the green infrastructure of the District, such as open space and biodiversity.

(ii) Appropriate Assessment of the LDF

The policies contained in the Core Strategy are not judged to have any significant impacts on Natura 2000 sites. Site Specific Allocations will be dealt with in a later Development Plan Document.

The reasons that lead to this conclusion can be summarised as being:

1. The Waveney Core Strategy directs most new development to previously developed land within the existing boundaries of towns and larger villages. No European sites fall within development boundaries.
2. A number of the policies aim to reduce the need to travel by car. This will consequently help to reduce contributions to climate change.
3. Policies promoting sustainable design in new development will also help reduce use of fossil fuels. This could be seen as reducing future impact on European sites, since climate change has the potential for significant impacts on biodiversity.
4. One of the broad locations identified for development in the Core Strategy is the Lake Lothing and harbour area of central Lowestoft. This is in close proximity to Oulton Broad, at the southern end of the Broads SAC and Broadland SPA/Ramsar sites. Mutford Lock separates the saltwater Lake Lothing from the freshwater Broad. This urban area is already developed, mainly for employment uses, and replacing the existing industrial development with other uses is not anticipated to have significant impact on Oulton Broad or the wider ecosystem of the Broads and its reasons for designation as a European site.
5. The condition of Sites of Special Scientific Interest (SSSIs - which include all European sites, amongst others) is included in the monitoring framework for the Core Strategy. This will allow any adverse impacts on SSSIs to be monitored and policies reviewed if necessary, for example to avoid significant impacts from increased visitor pressure as a result of future development and increased tourism.
6. Core Strategy policies set out to maintain and enhance a network of green spaces, including by protecting locally important wildlife habitats for their own sake and providing open spaces for use by residents of new and existing development. This could be beneficial in relieving visitor pressure on European sites. Wildlife corridors will also increase connectivity between habitats, facilitate migration of species, and enable wildlife to adapt to a changing climate.

3.3 Environment Agency Review of Consents

The Environment Agency is currently reviewing all permissions that were granted before the Habitats Regulations came into force. The review of all sites should be completed by March 2010. No sites within the scope of this report have been reviewed so far.

3.4 Shoreline Management Plans

A Shoreline Management Plan (SMP) provides a large-scale assessment of the risks associated with coastal evolution and presents a policy framework to address these risks to people and the developed, historic and natural environment in a sustainable manner. The SMP is a non-statutory, policy document for coastal defence management planning: it takes account of other existing planning initiatives and legislative requirements, and is intended to inform wider strategic planning. It does not set policy for anything other than coastal defence management.

The objectives of the SMP are as follows:

- To define, in general terms, the risks to people and the developed, natural and historic environment, within the area covered by this SMP, over the next century;
- To identify sustainable policies for managing those risks;
- To identify the consequences of implementing these policies;
- To set out procedures for monitoring the effectiveness of the SMP policies;
- To identify areas that the SMP cannot address;
- To inform others so that future land use and development of the shoreline can take due account of the risks and SMP policies, and;
- To comply with international and national nature conservation legislation and biodiversity obligations.

The generic shoreline management policies considered are those defined by Defra:

- Hold the line: maintain or upgrade the level of protection provided by defences;
- Advance the line: build new defences seaward of the existing defence line;
- Managed realignment: allow retreat of the shoreline with monitoring and, if appropriate, management to limit or control movement, and;
- No active intervention: a decision not to invest in providing or maintaining defences.

The SMP identifies within each sector of the coast the general short-, medium-, and long-term impacts on the designated sites that fall within the area of the plan.

The relevant SMP for Norfolk and Suffolk is The Kelling to Lowestoft Shoreline Management Plan which was reviewed in 2006.

3.5 Norfolk Climate Change Strategy

The Norfolk Climate Change Strategy has been developed by the local authorities in Norfolk and aims to provide the vision and drive for Norfolk actions to face this change. The objective is to provide policy makers with clarity on climate change priorities to align strategies and plans to achieve better results.

Based on scenarios published by the UK Climate Impact Programme (published in 2002) the Strategy identified the main impacts in Norfolk by the 2080s:

- Increased annual average temperature (virtually certain);
- Rise in annual average temperature of 1-5 °C (extremely likely);

- Increase in heat waves (extremely likely);
- Increased winter rainfall and intense rainfall events (likely);
- Sea level rise of up to + 0.88 m (likely);
- Drier summers, with average daily rainfall decreasing by as much as 100% (likely);
- Increase in duration of summer dry periods by up to 10 days (more likely than not).

The strategy sets two high level main goals to mitigate and adapt to the impacts of climate change:

- To cut carbon emissions by reducing energy consumption and promoting a shift to low-carbon technology (mitigation), and;
- To improve Norfolk's resilience to the changing climate, including reduction of the socio-economic and environmental risks associated with flooding and coastal erosion (adaptation).

Adaptation to climate change has been made one of the key priorities in the Norfolk Ambition by the Norfolk County Strategic Partnership. The goal is to improve Norfolk's resilience to the changing climate. One particular measure to achieve this goal will be to embed adaptation measures in strategies, plans, investment and decision-making processes across all council service areas.

3.6 Water Cycle Strategy for Norfolk

Water Cycle Studies are required by the Regional Spatial Strategy to:

- Ensure a co-ordinated approach to identify water supply and waste water infrastructure to support development;
- Avoid negative impact on European designated sites, for example the Broads and Wensum SACs, and;
- Provide evidence base for Local Development Documents to site development so they can maximise potential of existing infrastructure and minimise the need for new infrastructure.

A Water Cycle Study was undertaken for the Greater Norwich Development Partnership (GNDP); the first stage was published in November 2007 and identified several constraints which are summarised below:

- Water resources were not considered to be the major constraint for development in this area. The study recommends that large scale developments (more than 5,000 dwellings in the NPA and more than 1,000 dwellings in the Rural Policy Area (RPA) are subject to further detailed water resource/supply investigations;
- The upgrading of existing facilities is favoured over the construction of new ones with Withlingham STW offering the most opportunity to accommodate additional flows. However, other STWs have no spare capacity and the study concludes that a combination of upgrades of the existing STWs and the construction of new ones will be needed to provide the required capacity for the expected growth in the region;
- New discharge consents or the upgrading of existing ones will depend on the capacity of the receiving watercourses. The study assumes that the water quality of any increase in discharge can be discounted through design engineering;

- Within the study area phosphate and nitrate loading into the river systems is considered to provide the biggest impact to the environmentally designated sites. As such the cumulative impacts of individual developments should be considered in terms of their effects on the study area as a whole, and;
- The study concluded that the existing infrastructure has the capacity to accommodate 33,000 new dwellings in the NPA and 2,300 in the RPA.

3.7 Norwich Area Transportation Strategy

The Norwich Area Transportation Strategy (NATS) has been designed to help deliver the growth within the Norwich Area. The strategy should ensure that Norwich develops as a sustainable urban community, with a transport system that meets its needs. The strategy addresses the following issues:

- Accessibility;
- Congestion;
- Pollution;
- Safety;
- Economic vitality, and;
- Livability and Community.

The strategy proposes to minimise pollution problems by:

- Tackling problems of air quality using traffic management measures;
- Promoting use of vehicles, including buses and authorities' own fleets, of clean fuels, or low carbon fuels and of less-polluting driving methods, and;
- Minimising, and where necessary, mitigating impacts of transport infrastructure on townscape, landscape, open space, wildlife habitats and water resources.

3.8 Biodiversity Supplementary Planning Guidance for Norfolk

The objective of the Biodiversity Supplementary Planning guidance is to emphasise the importance of adopting a positive approach to biodiversity protection and enhancement. The guidance also sets out key considerations relating to wildlife and biodiversity that should be taken into account in all development proposals.

The guidance supplements the Development Plan policies on nature conservation. The biodiversity principles behind this guidance are:

- Development should not lead to a loss of biodiversity and ideally should enhance it. Important habitats and species should be protected from harmful development. Any adverse effects should be avoided, minimised and/or compensated, and every opportunity should also be taken to create improvements for biodiversity, thus making a significant contribution to the achievement of national, regional and local biodiversity targets, and;
- Ecological systems must be recognised as being highly complex and influenced by a very wide range of interacting and dynamic factors and processes.

The guidance provides advice during all stages of the development process from early design stages to granting of planning permission.

3.9 Local Strategies and Action

3.9.1 Green Infrastructure Strategy

Green infrastructure is defined as the multi-functional network of ‘green spaces’ and inter-connecting green corridors in urban areas, the countryside in and around towns and rural settlements, and in the wider countryside. Green infrastructure is a natural life support system providing benefits for people and wildlife. It encompasses ‘natural green spaces’ (colonised by plants and animals and dominated by natural processes) and man-made ‘managed green spaces’ (urban parks and designed historic landscapes), as well as their many connections (footpaths, cycleway, green corridors and waterways). Green infrastructure has a key role to play in improving the quality of life for communities throughout Greater Norwich.

The Green Infrastructure for Greater Norwich Area aims at identifying a network of green spaces and green links providing an environmental life support system for communities and wildlife. The network should be high quality, bio-diverse and accessible and be widely valued by local residents and businesses, and also by visitors to the Greater Norwich Area.

A network of *Sub-Regional Green Infrastructure Corridors* is proposed. This includes the following corridors:

- North East Norwich – Wroxham – North Walsham Corridor;
- Norwich – Reepham – Aylsham Corridor;
- North West Norwich – Wymondham – Attleborough – Thetford Corridor, and;
- South West Norwich – Wymondham – Attleborough Corridor.

One of several key actions identified to implement the Green Infrastructure will be to incorporate the Green Infrastructure network into all relevant spatial development plans.

3.9.2 Biodiversity Action Plans

The Norfolk Biodiversity Action Plan (BAP) was officially launched in January 1999. The plan was produced by the Norfolk Biodiversity Partnership and currently contains Action Plans for 46 Species and 19 Habitats. These are national priority species and habitats which are found in Norfolk and as such are those which require our urgent attention. Relevant habitats which are Norfolk BAP habitats and designated features of European designated sites include:

- Coastal and floodplain grazing marsh;
- Coastal sand dunes;
- Fens;
- Lowland grassland;
- Maritime cliff and slopes;
- Mesotrophic lakes;
- Reed beds;
- Saline lagoons;
- Seagrass beds, and;

- Wet woodlands.

BAPs for the following habitats are currently being prepared:

- Chalk rivers, and;
- Eutrophic standing waters.

The list of species included in Norfolk BAP is extensive. Species particularly relevant for this assessment for which a local BAP has been prepared include:

- Otter (*Lutra lutra*);
- Stone curlew (*Burhinus oedicanus*);
- Bittern (*Botaurus stellaris*);
- Great-crested newt (*Triturus cristatus*);
- Narrow-mouth whorl snail (*Vertigo angustior*);
- Desmoulin's whorl snail (*Vertigo moulinsiana*), and;
- Fen orchid (*Liparis loeselii*).

3.9.3 Norfolk Ecological Networks

The Norfolk Wildlife Trust and the Norfolk Biodiversity Partnership are working together to implement the Norfolk Ecological Network. The need for such a project arises from the increased fragmentation of Norfolk key habitats as a result of conversion of habitat to agriculture (Land, 2006). The process will identify core areas buffer zones and the enhancement areas, such as:

- Clusters of high value wildlife sites forming core areas which could include, for example, SSSIs, County Wildlife Sites or Biodiversity Action Plan (BAP) habitats;
- Enhancement or habitat creation areas;
- Corridors and stepping stones designed to promote connectivity between the sites and through the wider landscape, and;
- Buffer areas surrounding these sites to reduce the adverse impacts from adjacent land-uses.

Core areas have been identified for each BAP habitat and include the European designated sites, SSSIs and concentrations of BAP habitats. Enhancement areas were identified in order to increase the area of habitats. Corridors were identified in order to link sites so as to facilitate species movement. Buffering sites will aim to protect core areas from adverse impacts and are an important objective of the ecological network (Land, 2005 and 2006).

The Ecological Network is viewed as an important step to contribute to sustainable development and spatial planning and to improve the targeting of Biodiversity Action Plans. In the context of this AA, the Ecological Network is seen as an important tool to prevent or diminish impacts on some designated habitats and/or species as the creation of these enhancement areas may increase the resilience of key habitats and species and may help to achieve the conservation objectives of the designated sites.

Areas identified to be included in the Norfolk Ecological Network together with the *Sub-Regional Green Infrastructure Corridors* as proposed in the Green Infrastructure Strategy can add ecological value to sites which are not a part of International sites but can be of importance as ecological corridors or buffers.

3.9.4 River Wensum Restoration Strategy

The River Wensum rises near south Rynham in Norfolk and flows east to Norwich, joining the Yare on the south-east side from the city. Upstream from Norwich, 71 km of its reach has been identified as a SSSI. It is one of the 16 rivers in England designated as a European Special Area of Conservation. Past surveys in the Wensum showed that the condition of the river has declined in the last decades with main pressures identified as:

- Water quality, particularly high levels of phosphate;
- Siltation, and;
- Physical modifications with mill structures as the most significant factor affecting the river morphology.

In May 2006 NE, EA and the Water Management Alliance together with stakeholders (including Anglian Water, local authorities, fisheries and farming interests) supported the development of a restoration project.

The plan was finalised in November 2007 and the objective was set “*to restore a measure of hydrological functioning so that it can sustain wildlife and fisheries characteristics of the river*”.

4 Likely Effects and Recommendations

Following the detailed review of the JCS and the formulation of the Task 1 TOLS AA screening matrix (as presented in Volume II), a number of policies have been identified which could potentially result in likely significant effects on European and Ramsar designated sites.

A summary of the potential significant effects is provided in the following sections.

4.1 Direct and Indirect Impacts on Designated Sites

The following European and Ramsar designated sites have the potential to be significantly affected by direct and indirect impacts resulting from policies outlined in the JCS:

- The Broads SAC: potential impacts from the implementation of **Policy 4** (all habitats and the species Desmoulin's whorl snail *Vertigo moulinsiana*).
- The Broads SAC: potential impacts from the implementation of **Policy 5** (all habitats and the species Desmoulin's whorl snail *Vertigo moulinsiana*).
- Broadland Ramsar: potential impacts from the implementation of **Policy 4** (to calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*, alkaline fens, alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* and to Desmoulin's whorl snail *Vertigo moulinsiana*).
- Broadland Ramsar: potential impacts from the implementation of **Policy 5** (to calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*, alkaline fens, alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* and to Desmoulin's whorl snail *Vertigo moulinsiana*).
- Broadland SPA: potential impacts from the implementation of **Policy 4** and **Policy 5** to all features.

These potential impacts need to be examined further to determine whether these effects may or may not be significant.

4.2 In-combination and Cumulative Impacts on Designated Sites

In-combination and cumulative impacts on designated sites can result from a complex array of additional effects resulting from related plans and projects (and outside sources such as climate change) within the region. Within the JCS area there are a large number of plans and projects, which in addition to the planned growth outlined in the JCS, could contribute to significant effects on designated sites (see Sections 3. and 3.2).

The most significant is the combination of infrastructure development and growth, associated with additional pressures from tourism, recreational activities and the adverse impacts of climate change (for instance see Coombes *et al.*, 2008). However, many other projects and plans are being implemented which can potentially act as a mechanism to mitigate and compensate for any adverse in-combination effects, such as those outlined in Section 3.8.

In addition to this, specific policies in the JCS, notably Policy 13 and Policy 17 aim to minimise the adverse environmental impacts potentially associated with the growth in the region. The JCS does emphasise the importance of sustainable development, but whether this can be achieved without any significant effect on European and Ramsar designated sites is unclear.

At this stage in this high-level Task 1 Appropriate Assessment, it is not possible to identify which plans and policies (whether this will be policies in the JCS, or other related policies such as the Norfolk Ecological Networks or the Green Infrastructure Plan) could potentially compensate for any adverse in-combination effects resulting from the JCS, without full details on how these plans and policies will be implemented.

Therefore, in addition to the direct and indirect potential impacts, the following European and Ramsar designated sites have the potential to experience significant in-combination and cumulative effects resulting from policies outlined in the JCS:

- Broadland SPA: potential in-combination impacts from the implementation of **Policy 4** (all features) and **Policy 5** (all features); **Policy 7** (all features).
- River Wensum SAC: potential in-combination impacts from the implementation of **Policy 4** (all features), **Policy 5** (to water course of plain to montane levels with the *Ranuncion fluitantis* and *Callitricho-Batrachion* vegetation; white-clawed crayfish *Austropotamobius pallipes*, brook lamprey *Lampetra planeri* and bullhead *Cottus gobio*); **Policy 7** (all features), **Policy 16** (all features).
- The Broads SAC: potential in-combination impacts from the implementation of **Policy 4** (all features); **Policy 5** (all habitat features and Desmoulin's whorl snail *Vertigo moulinsiana*); **Policy 7** (all habitat features and Desmoulin's whorl snail *Vertigo moulinsiana*); **Policy 16** (all features).
- Broadland Ramsar: potential in-combination impacts from the implementation of **Policy 4** (all features); **Policy 5** (to calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*, alkaline fens, alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* and to Desmoulin's whorl snail *Vertigo moulinsiana* and otter *Lutra lutra*); **Policy 7** (to calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*, alkaline fens, alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior*, and to Desmoulin's whorl snail *Vertigo moulinsiana*, Bewick's swan *Cygnus columbianus bewickii*, wigeon *Anas penelope*, gadwall *Anas strepera* and shoveler *Anas clypeata*); **Policy 16** (all features).

These impacts need to be examined further to determine whether they may or may not be significant.

4.3 Uncertain Impacts on Designated Sites

In undertaking this Task 1 Appropriate Assessment, the potential impact of the JCS policy could not be fully assessed due to a degree of uncertainty with regard to the likely significant effects. This does not mean that there could be a significant effect, only that there is insufficient information to be able to make a reasonable judgement. Therefore, in accordance with EC guidance and the precautionary principle a detailed Task 2 AA is recommended. The following European and Ramsar designated sites need to be assessed in relation to uncertain potential significant effects:

- Breckland SPA: uncertain impacts may result from **Policy 4** (all features); **Policy 5** (all features); **Policy 6** (woodlark *Lullula arborea*) and **Policy 16** (all features).

- Breckland SAC: uncertain impacts may result from **Policy 5** (inland dunes with open *Corynephorus* and *Agrostis* grasslands; European dry heaths; semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*), alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior*).
- Great Yarmouth North Denes SPA: potential impacts may result from **Policy 4** (little tern *Sternula albifrons*); **Policy 5** (little tern *Sternula albifrons*).
- Broadland SPA: impacts from the implementation of **Policy 7** (to all features); and **Policy 16** (to all features).
- River Wensum SAC: uncertain impacts from the implementation of **Policy 4** alone (all features); **Policy 5** (to water course of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation; white-clawed crayfish *Austropotamobius pallipes*); **Policy 7** (white-clawed crayfish *Austropotamobius pallipes*, Desmoulin's whorl snail *Vertigo moulinsiana*, brook lamprey *Lampetra planeri* and bullhead *Cottus gobio*).
- The Broads SAC: uncertain impacts from the implementation of **Policy 4** (Desmoulin's whorl snail *Vertigo moulinsiana* and the fen orchid *Liparis loeselii*); **Policy 5** (all features); **Policy 7** (all habitat features and Desmoulin's whorl snail *Vertigo moulinsiana*).
- Winterton – Horsey Dunes SAC: uncertain in-combination impacts from the implementation of **Policy 4** (to all features).
- Breydon Water Ramsar: uncertain impacts from the implementation of **Policy 5** (to all features); **Policy 16** (to all features).
- Broadland Ramsar: uncertain impacts from the implementation of **Policy 4** (fen orchid *Liparis loeseli*); **Policy 5** (fen orchid *Liparis loeseli*, Bewick's swan *Cygnus columbianus bewickii*, wigeon *Anas penelope*, gadwall *Anas strepera*, shoveler *Anas clypeata*); **Policy 7** (calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*, Desmoulin's whorl snail *Vertigo moulinsiana*, otter *Lutra lutra* and the fen orchid *Liparis loeseli*); **Policy 16** (to all features).
- North Norfolk Coast SPA: uncertain impacts from the implementation of **Policy 4** and **Policy 5** (to all features).
- North Norfolk Coast SAC: uncertain impacts from the implementation of **Policy 5** (to Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcococnia fruticosa*), embryonic shifting dunes, shifting dunes along the shoreline with *Ammophila arenaria* ('white dunes'), fixed dunes with herbaceous vegetation ('grey dunes'), humid dune slacks).
- The Wash SPA: uncertain in-combination impacts from the implementation of **Policy 4** and **Policy 5** (to all features).
- The Wash Ramsar: uncertain in-combination impacts from the implementation of **Policy 4** and **Policy 5** (to bird features only).
- North Norfolk Coast Ramsar: uncertain impacts from the implementation of **Policy 4** (to all features) and **Policy 5** (to all features).
- Norfolk Valley Fens SAC: uncertain impacts from the implementation of **Policy 6** (to all features).
- Redgrave & South Lopham Fens Ramsar: uncertain impacts from the implementation of **Policy 6** (to all features).

4.4 Recommendations for Task 2 Appropriate Assessment

Policy 17 of the JCS makes it very clear that “*the environmental assets of the area will be protected, maintained and enhanced*”. The importance of the environment and the protection and preservation of both Natura 2000 and other sites is set out in the JCS. Specifically Policy 17, paragraph 8.22 states the importance of safeguarding these assets for the “benefit of current and future generations”. Paragraph 8.23 then goes on to imply that the Green Infrastructure Strategy as a key document in implementing Policy 17 of the JCS and takes forward the relevant spatial elements through the Local Development Frameworks of the constituent Authorities.

Given the relative complex array of various plans and policies relating to these environmental assets (as outlined in Section 3) and the potential in-combination effects on European and Ramsar designated sites, it is recommended that the Task 2 Appropriate Assessment:

- Investigates, in detail, the potential in-combination effects of the JCS, the related policies and plans and climate change impacts on the European and Ramsar designated sites within the region (as identified in Section 4.2 above);
- Inform the Competent Authority and engages the concerns of relevant stakeholders and requirements under the EC guidance;
- Identifies appropriate strategic mitigation measures necessary to ensure that the in-combination effects do not have any significant impacts on designated sites, and;
- Identifies the mechanisms under which the strategic mitigations, if required, will be delivered as well as the responsible implementing authorities and stakeholders.

5 Summary of Likely Significance

A summary of the potential likely significant effects is presented in the Task 1 TOLS Appropriate Assessment tables, below, as required by the EC methodological guidance in Article 6(3) and (4) of the Habitats Directive (EC, 2000).

| Plan Background | |
|--|---|
| Name of the project or plan | Joint Core Strategy |
| Name and location of the Natura 2000 sites | Benacre to Easton Barents SPA Breckland SPA Breydon Water SPA Broadland SPA North Norfolk Coast SPA Great Yarmouth North Denes SPA Minsemere – Walberswick SPA The Wash SPA Benacre to East Barents Lagoons SAC Breckland SAC North Norfolk Coast SAC Norfolk Valley Fens SAC Overstrand Cliffs SAC Paston Great Barn SAC River Wensum SAC The Broads SAC The Wash and North Norfolk Coast SAC Waveney & Little Ouse Valley Fens SAC Winterton – Horsey Dunes SAC Breydon Water Ramsar |

| | |
|---|---|
| | <p>Broadland Ramsar</p> <p>North Norfolk Coast Ramsar</p> <p>Minsemere – Walberswick Ramsar</p> <p>Redgrave & South Lopham Fens Ramsar</p> |
| <p>Description of the project or plan</p> | <p>The JCS sets out the spatial vision for development in the Broadland, Norwich and South Norfolk areas. It will form the key document in the Local Development Framework (LDF) portfolio of planning documents for each local authority and will set out the vision, objectives and spatial strategy for future development until 2026.</p> <p>At this stage in the process, the JCS is a high level document with specific policy detail still to be formulated. The favoured option, as described in the latest document issued in March 2009 includes planned numbers of housing at each proposed location for growth. The draft JCS document (Regulations 25, March 2009) sets out the vision, objectives and policies for housing delivery and associated services up to 2026.</p> |
| <p>Is the project or plan directly connected with or necessary to the management of the site (provide details)?</p> | <p>No</p> |
| <p>Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?</p> | <p>Yes</p> <p><u>Regional Spatial Strategy</u></p> <p>The East of England Plan forms the RSS covering the county areas of Norfolk, Suffolk, Cambridgeshire, Essex, Hertfordshire and Bedfordshire (together with relevant sections of the Milton Keynes South Midlands Sub-Regional Strategy).</p> <p><u>North Norfolk Local Development Framework</u></p> <p>The Local Development Framework operates as a collection of document which guide the planning permission process at a local level. The Core Strategy represents the implementation of more high level government planning policy (both the RSS and also supporting documents such as PPSs and PPGs).</p> |

| | |
|--|---|
| | <p><u>Great Yarmouth Local Development Framework</u></p> <p>The Great Yarmouth Local Development Framework will serve to guide the use of land and new development throughout the Borough and will replace the Great Yarmouth Borough Wide Local Plan. As with the North Norfolk LDF it will include policies and proposals for the use of the land in the area up until 2021.</p> <p><u>Breckland Local Development Framework</u></p> <p>As with other LDFs, the Breckland Local Development Framework intends to set out a spatial vision for the Breckland area with clear social, economic and environmental objectives and is made up of a range of documents which together facilitate and control future land-use and development in the District.</p> <p><u>Shoreline Management Plans</u></p> <p>A Shoreline Management Plan (SMP) provides a large-scale assessment of the risks associated with coastal evolution and presents a policy framework to address these risks to people and the developed, historic and natural environment in a sustainable manner.</p> <p><u>Norfolk Climate Change Strategy</u></p> <p>The Norfolk Climate Change Strategy has been developed by the local authorities in Norfolk and aims to provide the vision and drive for Norfolk actions to face this change.</p> <p><u>Water Cycle Strategy for Norfolk</u></p> <p>Water Cycle Studies are required by the Regional Spatial Strategy to ensure a co-ordinated approach to identify water supply and waste water infrastructure to support development and avoid negative impact on European designated sites.</p> <p><u>Norwich Area Transportation Strategy</u></p> <p>The Norwich Area Transportation Strategy (NATS) has been designed to help deliver the growth within the Norwich Area.</p> |
|--|---|

| | |
|--|---|
| | <p><u>Biodiversity Supplementary Planning Guidance for Norfolk</u></p> <p>The objective of the Biodiversity Supplementary Planning Guidance is to emphasise the importance of adopting a positive approach to biodiversity protection and enhancement.</p> <p><u>Local Strategies and Action</u></p> <p>Such as:</p> <ul style="list-style-type: none"> • Green Infrastructure Strategy • Biodiversity Action Plans • Norfolk Ecological Networks • River Wensum Restoration Strategy |
|--|---|

| The Assessment of Likely Significant Effects | |
|--|---|
| Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site. | <p><u>The Broads SAC and Broadland Ramsar</u></p> <p>Alone: From implementation of Policies 4 and 5.</p> <p><u>Broadland SPA</u></p> <p>Alone: From implementation of Policies 4 and 5.</p> <p><u>The Broads SPA/SAC and Broadland Ramsar</u></p> <p>In-combination: From implementation of Policies 4, 5 7 and 16.</p> <p><u>River Wensum SAC</u></p> <p>In-combination: From implementation of Policies 4, 5, 7 and 16.</p> |
| Explain why these effects are considered significant. | <p><u>The Broads SAC and Broadland Ramsar</u></p> <p>Alone</p> <p>Policy 4: Potential impacts due to water abstraction (and changes to water levels) and increase in tourism pressure.</p> |

| | |
|---|---|
| | <p>Policy 5: Potential impacts due to water abstraction (and changes to water levels) and increase in tourism pressure.</p> <p><u>The Broads SPA/SAC and Broadland Ramsar</u></p> <p>In-combination</p> <p>Policy 4: Potential increase in water abstraction and in tourism pressure, and cumulative effects from other developments such as developments under the Great Yarmouth LDF and climate change.</p> <p>Policy 5: Potential increase in water abstraction and in tourism pressure, and cumulative effects from other developments such as developments under the Great Yarmouth LDF and climate change.</p> <p>Policy 7: Potential increase in water abstraction.</p> <p>Policy 16: Traffic increase in the A47 and NNDR and proposed developments in Great Yarmouth LDF, increase in road run-off.</p> <p><u>River Wensum SAC</u></p> <p>In-combination</p> <p>Policy 4: increased run-off from increased traffic may have negative effects on the water quality; overall developments scale which might intensify water abstraction and/or discharges into the river. Climate change may intensify these effects.</p> <p>Policy 5: Changes to water quality may also occur due to increased discharges and abstraction. Potential in-combination effects resulting from other plans and projects, climate change issues.</p> <p>Policy 7: In-combination impacts from a number of other plans and developments infringing onto the River Wensum, given its high vulnerability to impacts in water quality.</p> <p>Policy 16: overall impacts from cumulative effects resulting from all developments and impacts from NNDR.</p> |
| <p>List of agencies consulted: provide contact name and telephone or email address.</p> | <p><u>Natural England:</u></p> |

| | |
|---------------------------|--|
| | Helen Ward (Helen.Ward@naturalengland.org.uk) |
| Response to consultation. | <p>Natural England provided us the following comments that were accepted and included in this Task 1 assessment:</p> <p>Broadland SPA: impacts from the implementation of Policy 4 should be LSE</p> <p>North Norfolk Coast SPA: impacts from the implementation of Policy 4 and Policy 5 (to all features) should be uncertain.</p> <p>The Wash SPA: uncertain in-combination impacts from the implementation of Policy 4 and Policy 5 (to all features).</p> <p>The Wash Ramsar: uncertain in-combination impacts from the implementation of Policy 4 and Policy 5 (to bird features only).</p> |

| The Assessment of No Likely Significance Effects | |
|--|--|
| Describe how the project or plan (alone or in combination) is likely not to affect the Natura 2000 site. | Benacre to Easton Bavents SPA Minsemere – Walberswick SPA Paston Great Barn SAC Overstrand Cliffs SAC The Wash and North Norfolk Coast SAC Waveney & Little Ouse Valley Fens SAC Minsemere – Walberswick Ramsar |
| Explain why these effects are not considered significant. | It is not expected that the sites above listed are going to be significantly affected due to their location relative to the proposed sites for growth in the Joint Core Strategy favoured option. Any likely effect that might result from the implementation of the JCS is not considered to significantly affect the conservation objectives for the Natura 2000 sites and their features. |
| List of agencies consulted: provide contact name and telephone or email address. | <u>Natural England:</u> Helen Ward (Helen.Ward@naturalengland.org.uk) |
| Response to consultation. | |

| Data collected to carry out the assessment | | | |
|---|------------------------|--------------------------------------|---|
| Who carried out the assessment? | Sources of data | Level of assessment completed | Where can the full results of the assessment be accessed and viewed? |
| Mott MacDonald on behalf of the GNDP | Natural England NCC | Task 1 | Natural England, Norwich Norfolk County Council, Norwich |

6 References

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Dodd, A.M., Clearly B.E., Dawkins J.S., Byron H.J. and Williams G.M. (2007) *The Appropriate Assessment of Spatial Plans in England: A Guide to why, when and how to do it.* The RSPB Sandy.

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Natural England (1997) *Habitats Guidance Note Natura 2000.* Available at:
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ODPM Circular 06/2005 (Defra circular 01/2005): *Biodiversity and Geological Conservation – Statutory Obligations and Their Impact within the Planning System.* Available at:
<http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity>

Appendix A Maps

Figure A.1: Joint Core Strategy study area with 15km buffer

Compiled by NBIS/NCC April 2009

KEY:



Norfolk County Council
County Hall
Martineau Lane
Norwich
NR1 2SG
Tel: 01603 222143
Fax: 01603 223219

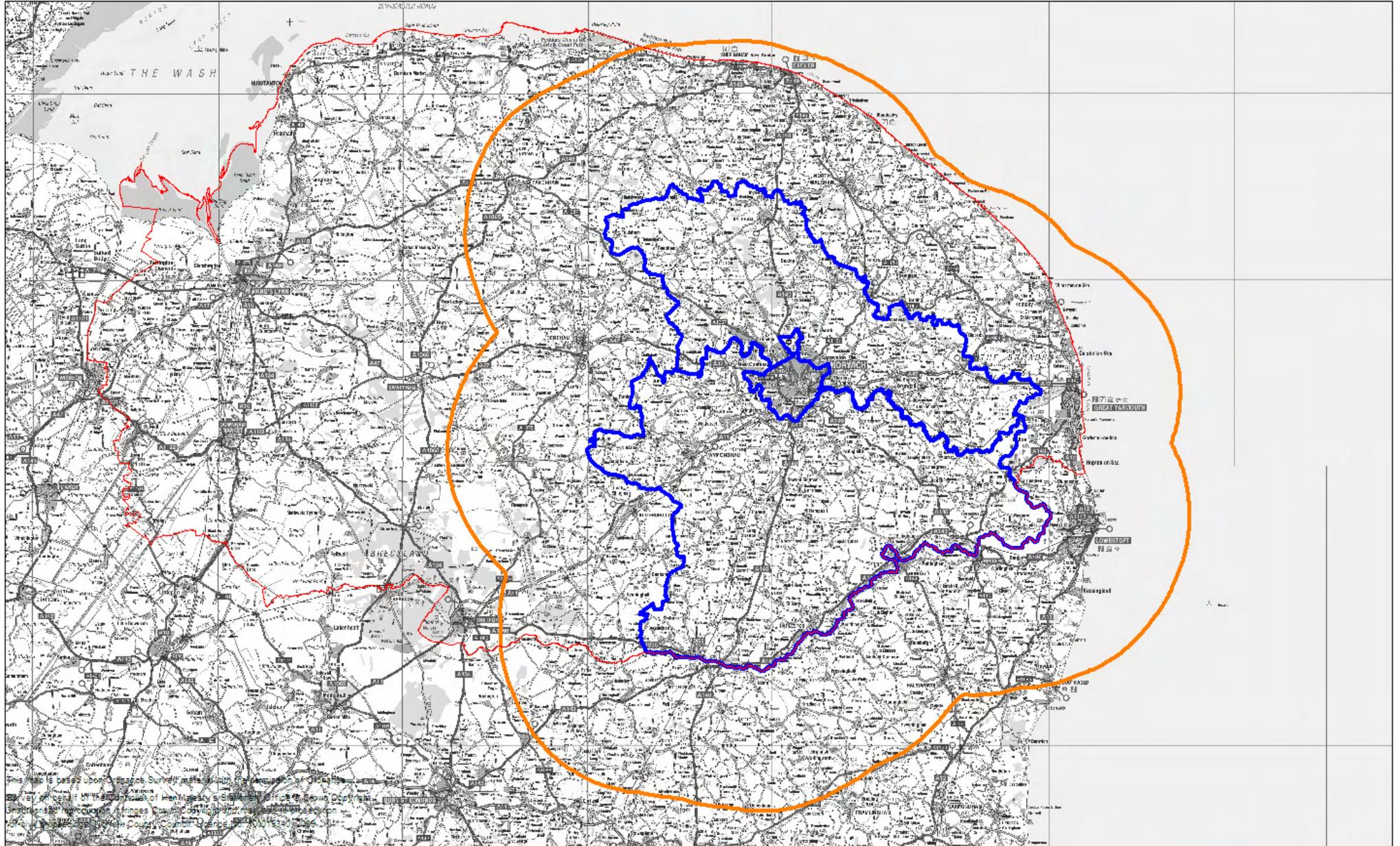


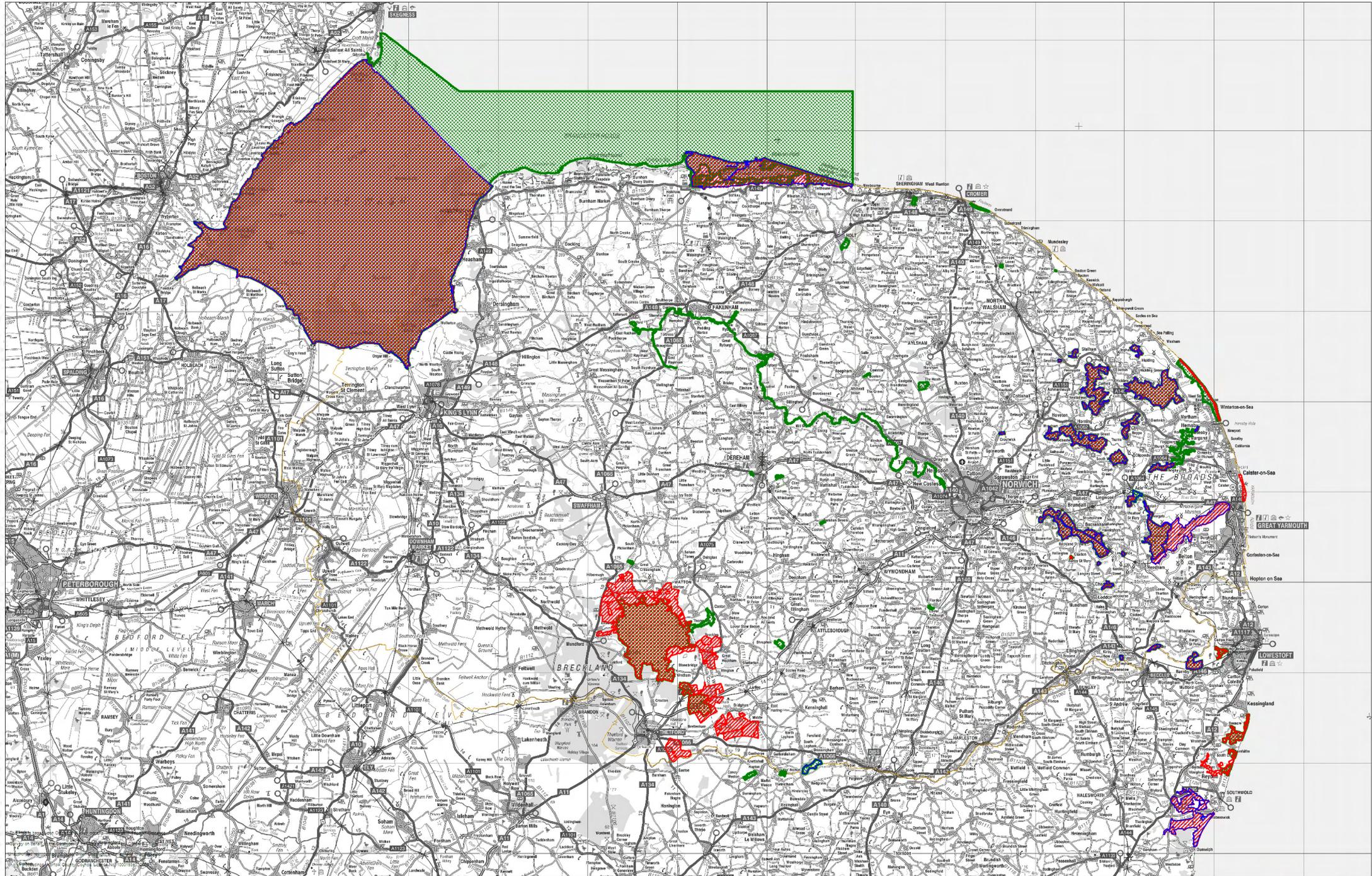
Figure A.2: Designated sites

Compiled by NBIS/NCC April 2009

KEY:

| | | |
|--------|-----|-----|
| ramsar | SPA | SAC |
| | | |

Norfolk County Council
County Hall
Martineau Lane
Norwich
NR1 2SG
Tel: 01603 222143
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Appendix B Consultation Responses

B.1 Natural England

1 February 2008
Our ref: LA 8.1/GNDP JCS



Sandra Eastaugh
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Dear Sandra

Joint Core Strategy for Broadland, Norwich and South Norfolk: Issues and Options Consultation, and Joint Strategic Housing Land Availability Assessment

Thank you for consulting Natural England on these two documents, received in this office on 26 November and 24 December 2007. We have the following comments to make.

Issues and Options

Point 1.7

We concur with the need for an Appropriate Assessment to be carried out under the Habitat Regulations legislation. However, we do not support the decision to leave this process to the preferred options stage, since there are likely to be a number of significant effects on European sites from the whole joint core strategy. We have been involved in discussions on this with the Greater Norwich Development Partnership and understand that the appropriate assessment process is now underway, with an appropriate assessment panel, as trialled in the Breckland Council LDF consultation phase, scheduled to meet in due course. The attached appendix details Natural England's initial comments on the likely scope of the appropriate assessment.

Question 1 – Does the draft spatial vision to 2026 reflect the quality of life that you would like to have from the area?

Yes – Natural England particularly welcomes the emphasis on nurturing local distinctiveness and conserving landscape character.

Question 2 – Are these the right objectives for getting to where we want to be by 2026?

Yes – we support in particular Objectives 3, 8 and 9 as being especially pertinent to our interests and the long-term sustainability of development. We

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endorse the aspiration that gateways between Norwich and the Broads, Brecks and coast will be enhanced in a way that does not harm their special character. These gateways will be of increased significance as the population of the area grows and pressure on key sites for recreation increases.

Question 4 – Do you agree with the approach to sites in and around Norwich?

We concur in general with the principle that more accessible sites are to be preferred over less accessible sites. However, a sequential approach must recognise that there are other considerations, such as a potential development site's value – or potential value – for biodiversity or climate change mitigation, or in providing accessible open space for local communities, which must be acknowledged in its application.

Question 10 – Are these principles equally important?

While we support the desire of the development plan process to look first for solutions which bring social, economic and environmental benefits, we recognise there may be instances where a significant adverse impact cannot be mitigated for. In these cases, since there should always be a net gain and no significant losses from development, consideration of environmental impact should be of paramount importance. If any of the growth options is shown to have a significant adverse impact that cannot be mitigated or compensated for, it should not be carried forward.

Question 12 – Do you have any comments on the possible broad locations for major growth highlighted in Appendix 4?

Question 13 – Which option for growth outside the city do you prefer?

It is not in Natural England's remit to express preferences for one location over another, or to advise on the appropriate scale of growth to be planned for.

Question 28 – Do you agree with this approach?

Natural England strongly supports the proposed approach to protection of landscape and biodiversity. We welcome the suggested use of landscape character assessment to underpin development decisions and policy criteria, and also the use of the Ecological Network Map and the Norfolk Biodiversity Action Plan. We would like to see the inclusion of a copy of the Ecological Network Map in the preferred options document to embed its principles into future thinking on growth options in the area.

We would emphasise the importance of buffering in new development so that existing wildlife sites are not placed under additional pressure without adequate safeguards. Additional areas of natural green space as well as enhancement of existing areas should be incorporated into site specific development proposals.

Question 30 – Should all new types of development, including businesses and housing, be required to incorporate an element of sustainable energy, where feasible?

Question 31 – Would a requirement for each new development to meet at least 20% of energy requirements from renewable sources be a reasonable target?

Yes – in light of the recently adopted (December 2007) supplement to Planning Policy Statement 1 on Climate Change, we feel that the Joint Core Strategy should also be assessed for how it performs in relation to all the objectives of the PPS. These objectives include:

meeting the needs of the community in a way that secures the highest viable resource and energy efficiency and reduction in emissions;

delivering a pattern of development that helps secure the fullest possible use of sustainable transport and reducing the overall need to travel, especially by car ;

conserving and enhancing biodiversity, recognising that the distribution of habitats and species will be affected by climate change

Questions 48 – 52 on implementation and monitoring

On the issue of funding, we recognise that developer contributions will be key to delivering green infrastructure and implementing the ecological network proposals. However, this need will not be met by developers purely on a site-by-site basis so we would welcome setting out contribution levels and priorities for green infrastructure provision at the earliest possible stage.

We would also advise caution when setting reduced tariffs for brownfield sites, as these sites can be important biodiversity assets and have potential as accessible natural green space within the green infrastructure plan.

Joint Strategic Housing Land Availability Assessment

Natural England's principal concern with the proposed methodology set out in this document is the apparent absence of any consideration of the potential impact of site development on landscape character or local biodiversity, except in the case of statutorily designated sites. These sites cannot be preserved in isolation, and need to be considered in terms of ecological networks and green corridors connecting areas of biodiversity.

Strategic Housing Land Availability Assessment Practice Guidance sets out a standard methodology to be followed. It states "The use of this standard methodology is strongly recommended because it will ensure that the Assessment findings are robust and transparently prepared. When followed, a local planning authority should not need to justify the methodology used in preparing its assessment, including at independent examination. However, where a different methodology is used, the Assessment report will need to explain the approach chosen and the reasons for doing so, and the approach may need to be justified at independent examination."

Where the Greater Norwich approach differs from the Government's standard methodology is at:

- Stage 5: Carrying out the survey, where the standard methodology requires (para 29) that a range of site characteristics should be recorded, including

- *character of the surrounding area*

The Greater Norwich document specifies no survey recording requirements under Stage 5.

- Stage 7: Assessing when and whether sites are likely to be developed. **This is the most significant difference.** The standard methodology requires (para 38) that under Stage 7(a): Assessing suitability for housing, *the following factors should be considered to assess a site's suitability for housing, now or in the future:*

- *policy restrictions – such as designations, protected areas, existing planning policy and corporate, or community strategy policy (see paragraph 21 above);*
 - *physical problems or limitations – such as access, infrastructure, ground conditions, flood risk, hazardous risks, pollution or contamination;*
 - *potential impacts – including effect upon landscape features and conservation;*
- and*
- *the environmental conditions – which would be experienced by prospective residents.*

The Greater Norwich approach proposes a Site Assessment Checklist (Table 5, para 4.15) on which sites will be considered against a number of criteria to better inform when and whether sites will come forward.

The Checklist addresses many of the factors specified above, **but not** “*effect upon landscape features*” or on “*conservation*” other than Scheduled Ancient Monuments, listed buildings, Conservation Areas or locally listed historic parks or gardens. Nor does the checklist include any assessment of “*the environmental conditions*” likely to be experienced by prospective residents.

Designated sites themselves **are** excluded from the assessment. Para 4.10 notes that a number of areas that should be excluded from assessment due to their particular environmental sensitivity and/or protection by virtue of other legislation. These include:

- SACs, SPAs and Ramsar sites;
- SSSIs;
- County Wildlife Sites (CWS);
- Local Nature Reserves (LNRs); and
- Historic Parks and Gardens (as identified by English Heritage).

As it stands, the proposed methodology cannot be said to be consistent with Government guidance. There is no statement as to why consideration of landscape impacts or the potential for disturbance to nearby sites of biodiversity interest is not included, or whether and how such considerations will be addressed at some subsequent stage of site evaluation.

These are important omissions from our perspective, which we believe the Partnership should address.

If you have any queries relating to the content of this letter, please contact the author at the above address.

Yours sincerely

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Appendix 1: Appropriate Assessment of Joint Core Strategy

Priority issues for Natural England

Direct land take
Flood risk
Sewage effluent and urban run-off
Traffic flow impacts
Water abstraction
Recreational disturbance
Climate change adaptation

Cross-cutting issues – air pollution, water stress, climate stability and increased urbanisation.

Particular impacts on the Broads – water quality and availability, visitor pressure (direct disturbance and traffic)

Impacts on the Brecks – water resource, ground-nesting birds – disturbance, especially dogs, people and traffic, fly-tipping, fires, lighting – all these to be examined in conjunction with adverse impacts from the Thetford Growth Point. Footprint Ecology’s work will look at these issues as part of the evidence base for the Breckland Council LDF.

Impacts on the North Norfolk Coast – visitor pressure – the Tyndal Centre at the University of East Anglia have developed a model of existing visitors, predicting future visitors, and relating this data to biodiversity – i.e. a tool with which to predict impacts and prescribe mitigation. Traffic surveys are also needed as traffic may be an issue for pink-footed geese if they get displaced as traffic flows go up.

River Wensum SAC – water quality, potential effects of Northern Distributor Road.

| | | |
|------------------------------------|---|--------------------------------------|
| Avoidance – Housing allocations | Mitigation – Alternative greenspace Better management of access within N2K sites (Maybe habitat management within N2K sites) | Compensation – Habitat recreation |
|------------------------------------|---|--------------------------------------|

Natural England advocates a site-based approach (features and integrity) and the precautionary principle – the burden of proof is on the GNDP to *prove* no adverse effect if they cannot ascertain that there will be no adverse effect. The precautionary principle applies in all cases when judging the significance of adverse impacts. If information or evidence is lacking, then adverse effects should always be assumed.

If data is not available, adverse impacts must be assumed and appropriate mitigation measures put in place, and this mitigation can take place outside the authority’s area.

Evidence base gathering

A key point is that some of the research that will need to be done to underpin the appropriate assessment can only be done within a limited time window. Therefore, evaluating concerns

over increased recreation affecting wintering water birds in the Broads would involve the need to quantify current levels of recreation and disturbance, and use this to model future recreation patterns (as is being done for the Breckland Core Strategy AA). A visitor survey in winter would need to be undertaken to get data for the model. Visitor surveys on the coast and in the Brecks may be done in the summer because a key issue would be ground-nesting birds.

The proposed Appropriate Assessment Panel will be useful in generating views on what is required and promote its programming into work plans.

Suggested mitigation measures

Buffer zones

Vetoing certain damaging activities

Alternative green spaces

Additional recreational features

Reduced water consumption built into development

Permitted activities only

Management and preservation of existing environmental features

Creation of new habitat.

Sustainable Urban Drainage Systems (SuDS) and strategic flood storage. Any significant increase in paved area could increase run off and compound existing excess water problems, especially in the mid-Yare internationally designated sites and SSSIs. SuDS and restoration of floodplain storage upstream could attenuate flows and help address existing problems and also mitigate for any future problems.

In-combination considerations – with reference to other local plans, especially: North Norfolk District Council LDF; Broads Authority LDF; Breckland Council LDF; Great Yarmouth Borough Council LDF; King's Lynn and West Norfolk Borough Council LDF; the Regional Spatial Strategy; Norwich Area Transport Strategy; Norfolk Biodiversity Action Plan; Econets; Broads Flood Management Plan; Review of Consents process; other local authority's outside the county, especially Waveney Borough Council.

What the GNDP will need from Natural England:

- List of qualifying features
- Copies of the conservation objectives
- Favourable condition tables
- Copies of guidance

Some other key resources:

- RSPB
- Norfolk Wildlife Trust
- Norfolk Biological Records Centre
- Norfolk Biodiversity Partnership
- Brecks Partnership
- Norfolk Tourism Partnership
- Norfolk Coast Area of Outstanding Natural Beauty
- Environment Agency (air & water quality)

Through the Norwich green infrastructure plan, it is our understanding that some facilities and mitigation should be in place before the Joint Core Strategy is fully enacted.

Appendix C North Norfolk Core Strategy

C.1 Environmental Policies

The document gives specific recognition to the importance of sustainable development and provides a positive and supportive overarching policy of environmental protection and enhancement. This is supported by a range of other policies that relate to environmental protection. The efficiency of such policies requires balancing against pressures from other prescriptive policies which may come into direct conflict with this policy (e.g. dwelling number).

SS 4 Environment

All development proposals will contribute to the delivery of sustainable development, ensure protection and enhancement of natural and built environment... Opportunities to improve river water quality and minimise air, land and water pollution will be taken where possible... areas of biodiversity interest will be protected from harm, and the restoration, enhancement, expansion and linking of these areas to create green networks will be encouraged ...

EN 0 Biodiversity and geology

All development proposals should

- *Protect the biodiversity value of land and buildings and minimise fragmentation of habitats;*
- *Maximise opportunities for restoration, enhancement and connection of natural habitats; and*
- *Incorporate beneficial biodiversity conservation features where appropriate.*

Development proposals that would cause a direct or indirect adverse affect to nationally designated sites or other designated areas or protected species will not be permitted unless;

- *They cannot be located on alternative sites that would cause less or no harm*
- *The benefits of the development clearly outweigh the impacts of the features of the site and the wider network of natural habitats; and*
- *Prevention, mitigation and compensation measures are provided.*

Development proposals that would be significantly detrimental to the nature conservation interests of nationally designated sites will not be permitted. Development proposals where the principal objective is to conserve or enhance biodiversity or geodiversity interests will be supported in principle.

C.2 Pollution

EN 13 Pollution and hazard prevention and minimisation

All development proposals should minimise, and where possible reduce, all emissions and other forms of pollution, including light and noise pollution, and ensure no deterioration in water quality. Proposals will only be permitted where, individually or cumulatively, there are no unacceptable impacts on;

- *the natural environment and general amenity ...*
- *air quality*
- *surface and groundwater quality*
- *land quality and condition*

- *the need for compliance with statutory environmental quality standards*

Exceptions will only be made where it can be clearly demonstrated that the environmental benefits of the development and the wider social and economic need for the development outweigh the adverse impact.

C.3 Tourism

SS5 Economy

The tourist industry will be supported... [Measures to] ... diversify ... and extend the season [will be encouraged]. Proposals should demonstrate that they will not have a significant detrimental effect on the environment, and ... water ... tourism will be encouraged...

EC 8 The location of new tourism development

New tourist accommodation and attractions should be located in accordance with the sequential approach below:

- *... Principal and Secondary Settlements.*
- *....Within the Service Villages, Coastal Service Villages and the Countryside*
- *Where it can be demonstrated that there are no sequentially preferable sites, no suitable buildings for re-use and that a rural location is necessary ... 'resorts and hinterlands' and 'rural zone' of the Countryside*

EC 11 Static and touring caravan and camping sites

Proposals for new static caravan sites or woodland lodge holiday accommodation will only be permitted where they result in:

- *the removal of an existing cliff-top static caravan site; or*
- *the re-location of existing provision which is within the Coastal Erosion Constraint Area or Environment Agency flood risk zone*

Proposals permitted under this exception should result in no significant intensification ... and should seek to re-locate to the 'rural' and 'resort and hinterlands' tourism zones in preference to the 'heritage coast' 'coastal' or 'North Norfolk Broads' zones.

Extension of, or intensification of, existing static caravan sites (including replacement with woodland lodges) and touring caravan / camping sites will only be permitted where the proposal does not significantly increase the size of the site ...

New touring caravan and camping sites will not be permitted within the Norfolk Coast AONB, Undeveloped Coast or Environment,

C.4 Coastal Erosion

SS4 Environment

The Council will minimise exposure of people and property to the risks of coastal erosion and flooding and will plan for a sustainable shoreline in the long-term that balances the natural coastal processes with the environmental, social and economic needs of the area.

EN 11 Coastal erosion

... In any location, development proposals that are likely to increase coastal erosion as a result of changes in surface water run-off will not be permitted.

C.5 Further area specific policies

SS 7 Cromer

Cromer is designated as a Principal Settlement with a Large Town Centre... between 2001 – 2021 a total of 1,000 and 1,150 dwellings will be built... development will not be permitted unless it has been demonstrated that there is adequate capacity in sewage treatment works for post 2011.

SS 9 Holt

Between 2001-2021 a total of between 650 – 700 dwellings will be built ... all major new development must demonstrate no adverse impact on the hydrology of Norfolk Valley Fens Special Area of Conservation (Holts Lowes) and developments within the groundwater catchments of the site must fully mitigate the impact of all hard surfacing to minimise storm run-off.

SS 10 North Walsham

Between 2001 – 2021 a total of between 900 – 1,100 dwellings will be built... All major new development in North Walsham will address surface water run off and ensure that no adverse impact on the Broads Special Area of Conservation (SAC).

SS 12 Sheringham

Between 2001 – 2021 a total of between 600 – 700 dwellings will be built... All major new development in Sheringham must demonstrate no adverse impact on the hydrology of the Norfolk Valley Fens Special Area of Conservation (Sheringham and Beeston Reegis Common) and developments within the groundwater catchment of this site fully mitigate the impact of all hard surfacing to minimise storm run-off.

SS 13 Stalham

Between 2001-2021 a total of between 300 and 400 dwellings will be built... Development will not be permitted unless it has been demonstrated that there is adequate capacity in sewage treatment works ... and should ensure no adverse effects on European Wildlife sites... all major development in Stalham will address storm water run off to ensure no adverse impact on the Broads Special Area of Conservation (SAC)

SS 14 Wells-next-the-Sea

Between 2001 – 2020 a total of between 200 and 300 new dwellings will be built... A site for a new car park with good access from the main approach roads and to the town centre will be allocated in the Site Specific Proposals document. This allocation should demonstrate no adverse impact on the North Norfolk Coast Special Protection Area.

EN1 Norfolk Coast Area of Outstanding Natural Beauty and the Broads

The impact of individual proposals, and their cumulative effect on the Norfolk Coast AONB, The Broads and their setting, will be carefully assessed. Development will be permitted where it;

- *Is appropriate to the economic, social and environmental well-being of the area or is desirable for the understanding and enjoyment of the area;*
- *Does not detract from the special qualities of the Norfolk Coast AONB or The Broads; and*
- *Seeks to facility delivery of the Norfolk Coast AONB management plan objectives.*

... Proposals that half an adverse effect will not be permitted unless it can be demonstrated that they cannot be located on alternative sites that would cause less harm and the benefits of the development clearly outweigh any adverse impacts. Development proposals that would be significantly detrimental to the special qualities of the Norfolk Coast AONB or The Broads and their settings will not be permitted.

Appendix D Great Yarmouth Local Development Framework

D.1 Environmental

Policy CS 1 – Sustainable Development

All proposals for the development and use of land must be sustainable. To ensure sustainability, proposals will be assessed in terms of the Borough's identified needs and their potential impact on communities and the environment.

The Policy also lists a range of criteria (including the conservation and enhancement of biodiversity, wildlife habitats and species) which will be used to assess development proposals, and developers will need to show that these have been taken into account.

Policy CS 4 – Environmental Protection

Development proposals will be required to minimise adverse impact on the environment and ensure prudent use of natural resources by ...

- b) reducing and minimising air, noise and light pollution ...*
- e) minimising water consumption from the development and protecting groundwater and water courses against pollution;*

Policy CS 17 – Conserving, Protecting, Managing & Enhancing the Natural Environment

Natural environment will be conserved, protected, managed and enhanced ... by:

- a) Protecting and Managing designated nature, conservation and other environmental assets within the Borough and the neighbouring Broads Area...*
- d) Preventing, reducing or remedying all forms of pollution including water, soil, air and noise;*
- e) Protecting the Borough's biodiversity of flora and fauna, sensitive landscapes and habitats and promoting their enhancement*
- f) Protecting the Borough's geomorphologic assets and sensitive landscapes and promoting their enhancement.*

D.2 Housing

Need to try and find where they specify where exactly the houses are going to go...

Policy CS 2 – Settlement Hierarchy

This policy sets out in detail the hierarchy of preferred settlements, beginning with the larger urban areas such as Great Yarmouth, and avoiding or strictly limiting development in smaller villages. The policy also highlights the importance of avoiding sites which have an adverse impact on the Borough's environmental assets and resource.

Policy CS 9 – Location of Housing Development

Great Yarmouth Borough Council will make provision for 6,000 new dwellings (at an average annual rate of 300 new dwellings) in accordance with the Regional Spatial Strategy for the East of England in the period 2001 – 2020 ... priority will be given to locating new development in line with the settlement hierarchy within defined built-up area boundaries, particularly through the reuse or conversion of existing buildings.

D.3 Coastal Erosion

Policy CS 13 – Flood Risk and Coastal Protection

... The use of land in and adjacent to areas of flood risk and those in coastal location requires an approach which minimises those risks and gives priority to development in areas not considered to be at risk of flooding or coastal erosion... Compensatory habitats will need to be provided where existing coastal habitats are affected over time.

D.4 Water Conservation

Policy CS 15 – Use and Protection of Natural Resources

The use and protection of natural resources ... will be achieved by:...
proactive water conservation through the management of demand and local abstraction through Catchment Abstraction Management Plans to reduce the Borough's water importation. New developments will be expected to ensure greater use is made of water recycling and storage techniques.

Appendix E Breckland Council – Core Strategy Preferred Options

E.1 Natural Resources

Preferred Option CP 6

The Council will only support development where it will protect or enhance the natural resources of the District and all development should be consistent with the principles of the proper management of natural resources ...

Development should also minimise any adverse effects on water quality either through extrusives vented into the environment or direct contamination caused by the construction process or resultant operations. All practicable measures should be incorporated to ensure the most efficient use of the water resource and reduce average per capita consumption. In delivering this objective, regard should be had to the specific Core and Development Control Policies on design and natural resources. Flood risk will be minimised through locating development in areas which are at as lower risk of flooding and possible and new development should not unnecessarily increase flood risk to other areas.

E.2 The Environment

Preferred Option CP 8

SSSIs: *Development that may have an adverse impact upon an SSSI, either directly or indirectly, will need to be accompanied by a suitable environmental assessment which identifies the impact of the development on the SSSI and potential mitigation measures that may be incorporated to assuage any impact. Only in exceptional circumstances will development be permitted if it is shown to have a detrimental effect on a SSSI. For the purposes of this requirement exceptional circumstances will be only where the benefits are of national or regional importance and clearly outweigh the need for the protection of the site.*

Conditions and/or planning obligations will be used to ensure that appropriate mitigation measures are utilised, where appropriate.

Regional and Local Sites: *A full environmental appraisal will be required for development that may have a direct or indirect impact upon any site of regional or local biodiversity, or geological interest identified on the proposals map. These will include: County Wildlife Sites (CWS), Semi Natural Ancient Woodland, Local Nature Reserves, Habitats identified in the Norfolk biodiversity Action Plan and local sites of geodiversity. Only in exceptional circumstances will development be permitted that would have an adverse effect upon a site of regional or local biodiversity or geological interest. When considering exceptional circumstances regard will be had to:*

- a. *The regional and local importance of the site in terms of its contribution to biodiversity, scientific and educational interest, geodiversity, visual amenity and recreational value.*
- b. *The benefit that will be provided by the development in relation to the public interest.*

Conditions and/or planning obligations will be used to ensure that appropriate mitigation measures are utilised, where appropriate.

Ecological Network: *Open spaces and areas of biodiversity interest will be protected from harm and the restoration, enhancement, expansion and linking of these areas to create ecological networks will be encouraged by:*

- *minimising the fragmentation of habitats, creation of new habitats and connection of existing areas to create an ecological network as identified in the Breckland District Ecological Network Mapping Report;*
- *appropriate management of valuable areas, such as County Wildlife Sites (CWS's);*
- *the designation of Local Nature Reserves and CWS's;*
- *creating green networks to link urban areas to the countryside; and*
- *maximising opportunities for creation of new green infrastructure and networks in sites allocated for development.*

Conditions and/or planning obligations will be used to ensure that appropriate mitigation measures are utilised, where appropriate

Enhancement of Biodiversity and Geodiversity: *Through the promotion of positive action and the development control process, the enhancement of biodiversity and geodiversity in the district will be sought. There is an expectation that development will incorporate biodiversity or geological features where opportunities exist. Development that fails to exploit opportunities to incorporate available biodiversity or geological features will not be considered appropriate.*

Where necessary, conditions and/or planning obligations will be used to ensure that development incorporates available biodiversity or geological features.

Protection of Species

Development that may affect a species protected by legislation will be subject to the requirements set out in the relevant legislation. Where development is likely to have an impact upon a species that is not protected by other legislation, and in particular where that species is identified in the Norfolk Biodiversity Action Plan, there will be an expectation that the development proposal will be accompanied by an impact study commensurate with the scale of the impact and the importance of the species.

Conditions and/or planning obligations will be used to ensure that appropriate mitigation measures are utilised, where appropriate.

E.3 Tourism

Preferred Option DC 8

Proposals for tourist facilities will be permitted where:

- (i) the need for the development can be justified;*

(ii) proposals contribute to the tourism objectives of countryside strategies in Breckland including Brecks, Wensum Valley and Thetford Forest

(iii) the proposal is well related to key service centre villages and villages with facilities;

(iv) the proposal involves the re-use of a rural building or sustainably located previously-developed land

Proposals for tourist accommodation, including touring caravan and camping sites and self-catering accommodation that need to be located in the countryside will be encouraged where:

(i) a need can be demonstrated for the proposal; or

(ii) the development forms part of a rural diversification scheme or is for the expansion of an existing attraction; and

(iii) it is well related to an existing settlement and facilities; and

(iv) The occupation of new tourist accommodation will be restricted through the use of conditions or legal agreements to ensure a tourist use solely and not permanent residential use.

Where a tourist related proposal involves new buildings in the countryside additional evidence will be required of:

(v) the sustainability advantages of requiring new buildings

(vi) the particular countryside attraction that the new buildings will support; and

(vii) the absence of suitable existing buildings in the vicinity.

In the case of hotel and motel accommodation proposals will be permitted in the five market towns, using the sequential approach which focuses such uses to town centres as identified on the proposal map.

Proposals for hotel and motel accommodation outside of the identified town centres will only be permitted where the need for the development can be justified and where:

(viii) It is a road related facility which primarily seeks to meet the needs of road users; or

(ix) It involves the re-use of sustainably located existing rural buildings.