



# Habitats Regulations Assessment of the Great Yarmouth Local Plan Part 2

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## Summary

This report is the Habitats Regulations Assessment (HRA) of the Great Yarmouth Local Plan Part 2 (LPP2) at Final Draft Plan stage. HRA ensures that a plan or project being undertaken by, or permitted by a public body, will not adversely affect the ecological integrity of a European wildlife site. HRA is an integral part of the preparation of local development documents produced by local planning authorities. HRA is undertaken to ensure that a local plan does not adversely affect European wildlife sites, and is therefore part of the natural environment considerations for the local plan. Measures to protect European sites are recommended, and the incorporation of such measures is then re-checked as the local plan is refined.

This HRA refers back to the previous HRA undertaken for the Great Yarmouth Local Plan Part 1: the Core Strategy (LPP1). It revisits the previous assessment and looks at progress made with the protection of European sites during the implementation of the currently adopted Core Strategy.

In response to the LPP1 HRA, a Great Yarmouth Borough Monitoring and Mitigation Strategy is in place for residential and tourist accommodation, collecting developer contributions to fund monitoring and visitor management. This strategy has been revisited for this HRA and is deemed to be a comprehensive and effective strategy to mitigate for development coming forward. This HRA therefore relies on the implementation of the strategy to draw conclusions of no adverse effects on the integrity of European sites.

A screening for likely significant effects has been undertaken on the entire Final Draft Plan. The screening exercise is divided into the policies and allocations. A small number of recommendations previously made by the earlier iteration of this HRA have now been added to the plan.

An appropriate assessment section is included on a precautionary basis, to provide a review of the recently implemented Monitoring and Mitigation Strategy and any new information since the adoption of LPP1. For the residential allocations, it is concluded that the Monitoring and Mitigation Strategy adequately mitigates for any potential impacts. The appropriate assessment sections also include consideration of Norfolk wide visitor survey analysis and next steps and also four site allocations where project level HRA should include a check for appropriate surface water management due to being within 2.5km of water sensitive European site designations.

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## Acknowledgements

We are grateful for the assistance of Nick Fountain at Great Yarmouth Borough Council, during the preparation of this report.

# 1. Introduction

## Context

- 1.1 This report is the Habitats Regulations Assessment (HRA) of the Great Yarmouth Local Plan Part 2, at Final Draft Plan stage. This HRA report has been prepared by Footprint Ecology, on behalf of Great Yarmouth Borough Council. It has been written with the benefit of close working with planning officers within the Borough Council. This HRA forms part of the evidence base for the new Local Plan Part 2 (LPP2).
- 1.2 A HRA considers the implications of a plan or project for European wildlife sites, in terms of any possible harm to the habitats and species that form an interest feature of the European sites in close proximity to the proposed plan or project, which could occur as a result of the plan or project being put in place, approved or authorised. In this instance, the HRA is undertaken at plan level, for a Local Plan being prepared by a local planning authority. HRA will also be required for development projects that will come forward in the future in accordance with the Local Plan. An explanation of the HRA assessment process is summarised below and also described in greater detail in [Appendix 1](#).
- 1.3 It is Government policy that local planning documents are continually reviewed in order to remain up to date and informed by current evidence on local economic, social and environmental needs, as well as national legislation and planning policy. The Core Strategy currently in place for the Borough of Great Yarmouth was adopted in December 2015. This is the Local Plan Part 1 (LPP1), and it sets out the general scale and distribution of development across the Borough over the period, 2013 to 2030. The LPP2 provides the detailed policies to guide and assess planning applications and site allocations to locate new planned development in accordance with the LPP1.
- 1.4 Great Yarmouth Borough Council is preparing the LPP2 to complete the Great Yarmouth Development Plan. LPP2 takes account of up to date evidence, current local circumstances and needs, and current planning policy, guidance and good practice, and is being prepared in order to be consistent with and implemented alongside the LPP1. The emerging LPP2 highlights matters that have been updated since the adoption of LPP1, which have arisen as a result of result of new information, supporting evidence, assessment methodologies or Government guidance. This is provided for in a dedicated chapter at the start of LPP2.
- 1.5 This HRA for the new LPP2 at Final Draft Plan stage looks at all aspects of the emerging plan; both the development management policies and the site

allocations. As explained below, this HRA report has been developed iteratively alongside the various stages of plan making and consultation that the emerging LPP2 has been through.

- 1.6 This HRA draws on the previous HRA undertaken for the LPP1 and considers any changes in circumstances since the previous HRA was written. When embarking on new HRA work, it is important to take stock and consider how well the measures put in place to protect European site interest have progressed, and what evidence there is available to support the continuation of such measures, or to indicate that they may need modification. This therefore HRA looks at the measures that were recommended by the previous HRA for the LPP1 in order to protect European sites, and the progress made on those recommendations.

## Habitats Regulations Assessment process

- 1.7 A 'Habitats Regulations Assessment,' normally abbreviated to HRA, is the step by step process of ensuring that a plan or project being undertaken by, or permitted by a public body, will not adversely affect the ecological integrity of a European wildlife site. Where it is deemed that adverse effects cannot be ruled out, a plan or project must not proceed, unless exception tests are met. This is because European legislation, which is transposed into domestic legislation and policy, affords European sites the highest levels of protection in the hierarchy of sites designated to protect important features of the natural environment.
- 1.8 The relevant European legislation is the Habitats Directive 1992<sup>1</sup> and the Wild Birds Directive 2009<sup>2</sup>, which are transposed into domestic legislation through the Conservation of Habitats and Species Regulations 2017, as amended. These Regulations are normally referred to as the 'Habitats Regulations.' Legislation sets out a clear step by step approach for decision makers considering any plan or project. In England, those duties are also supplemented by national planning policy through the National Planning Policy Framework (NPPF). This national planning policy also refers to Ramsar sites, which are listed in accordance with the international Ramsar Convention. The NPPF requires decision makers to apply the same protection and process to Ramsar sites as that set out in legislation for European sites. Formally proposed sites, i.e. sites proposed for European designation and going through the designation process, and those providing formal compensation for losses to European sites, are also given the same protection. This report refers to all the above sites as 'European sites' for

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<sup>1</sup> Council Directive 92/43/EEC

<sup>2</sup> Council Directive 2009/147/EC



assessment purposes, as the legislation is applied to all such sites, either directly or as a result of policy.

- 1.9 It should be noted that the European Directives operate on the basis that sites are in place to serve as an ecologically functioning network, and ultimately it is the preservation of that network as a whole that is the overall aim of the European Directives. The network is often referred to as the Natura 2000 Network or 'N2K.'
- 1.10 The duties set out within the Habitats Regulations apply to any public body or individual holding public office with a statutory remit and function, referred to as 'competent authorities.' The requirements are applicable in situations where the competent authority is undertaking or implementing a plan or project, or authorising others to do so. A more detailed guide to the step by step process of HRA is provided in this report at [Appendix 1](#).
- 1.1 In assessing the implications of any plan or project, in this case a local plan, for European sites in close proximity, it is essential to fully understand the sites in question, their interest features, current condition, sensitivities and any other on-going matters that are influencing each of the sites. Every European site has a set of 'interest features,' which are the ecological features for which the site is designated or classified, and the features for which Member States should ensure the site is maintained or, where necessary restored.
- 1.2 Each European site has a set of 'conservation objectives' that set out the objectives for the site interest, i.e. what the site should be achieving in terms of restoring or maintaining the special ecological interest of European importance. These objectives are set by Natural England as the statutory nature conservation body for England. They have been published for each European site in high level generic form and then with supplementary advice that relates to the interpretation of these at each individual site. Supplementary advice has recently been published by Natural England for all European sites.
- 1.3 The site conservation objectives are relevant to any HRA, because they identify what should be achieved for the site, and a HRA may therefore consider whether any plan or project may compromise the achievement of those objectives. Further information on European site conservation objectives can be found at [Appendix 2](#) of this report. [Appendix 3](#) provides further detail on the designated site interest for each site.
- 1.4 A further source of information published by Natural England is the Site Improvement Plan (SIP). These plans set out what needs to be achieved to maintain or restore European sites and provide a list of key actions and parties involved in their delivery.

- 1.5 An independent review of England's wildlife sites and ecological networks was commissioned by the Government a few years ago, and this has subsequently provided the key driver for much of the Government's initiatives relating to the natural environment in recent years. The findings of the review are set out in the report to Defra in 2010 entitled 'Making Space for Nature',<sup>3</sup> which was prepared by a group of national experts chaired by Professor Sir John Lawton.
- 1.6 Within this report, it is identified that in order to make our ecological networks and wildlife sites capable of future resilience, there is a need for more wildlife sites, and that existing networks need to be bigger, better and more connected. The future health of designated sites is very much dependant on the future health of wider biodiversity and the ecological networks that sustain them. In planning for the long-term sustainability of designated sites, it is therefore necessary to protect and enhance wider biodiversity through the planning system as well as the designated sites. Building on this, the Government has recently undertaken a consultation on the introduction of a mandatory requirement for development to demonstrate a net gain for biodiversity (December 2018) and then included this requirement in its Environment Bill, which progressed to its second reading in Parliament in October 2019 (prior to the dissolution of Parliament for the General Election in December 2019).
- 1.7 The NPPF states that sustainable development is the achievement of social, economic and environmental aspirations, and these three dimensions of sustainable development are mutually dependant. For the natural environment, the NPPF advises that sustainable development should include protecting, enhancing and improving biodiversity, and moving from a net loss of biodiversity to achieving net gains. The recently published Defra 25 year plan<sup>4</sup> sets out an ambitious programme for improving the natural environment, including the achievement of environmental net gains through development, of which biodiversity is an important part.
- 1.8 With these key Government messages in mind, a HRA of a Local Plan should not look at European sites in isolation, but rather it should consider whether the plan as a whole provides for the future ecological resilience of local biodiversity necessary to support designated sites, particularly in relation to the areas of habitat outside of designated site boundaries that are used by species for which

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<sup>3</sup> <https://www.gov.uk/government/news/making-space-for-nature-a-review-of-englands-wildlife-sites-published-today>

<sup>4</sup> <https://www.gov.uk/government/publications/25-year-environment-plan>

a European site is designated, and the supporting functions provided for by wider biodiversity resources.

- 1.9 With the progression in recent years towards a more holistic and integrated approach to biodiversity, this HRA recognises the importance of reflecting this approach within Local Plans, ensuring that biodiversity protection, restoration and expansion is an integral part of spatial planning which in turn better protects European sites. The appropriate assessment includes a section in relation to biodiversity gains through planning.

## Approach to the iterative assessment of the Local Plan Part 2

- 1.10 To date, HRA has been an integral part of the development of the LPP1 for Great Yarmouth, and this HRA report builds on that previous work, whilst providing a full and up to date assessment of all policies and allocations that form part of the LPP2. The HRA for the LPP1 was undertaken by Footprint Ecology (in collaboration with David Tyldesley and Associates for the earlier iterations of the HRA prior to the LPP1 Submission version). Footprint Ecology has also undertaken a number of evidence gathering commissions in Norfolk, some of which are referred to later in this report. This HRA therefore draws on the local knowledge of Footprint Ecology in addition to a range of other information sources referred to throughout.
- 1.11 HRA identifies potential risks to European sites posed by an emerging policy approach, and by being undertaken from an early stage in plan making, it seeks to find solutions that enable sustainable development to meet the needs of an area whilst protecting European sites. This HRA started to inform the plan in advance of the Draft Plan stage and has been mindful of both the objectives and new policy content of the emerging plan, and the key policy areas that were previously the subject of HRA for the LPP1, which continue to be taken forward as part of the Great Yarmouth Local Plan.
- 1.12 In considering the HRA requirements, a competent authority must adequately apply the protective legislation for European sites, and where solutions are not available or evidence to support a solution is not robust, it may then necessary to consider a different policy approach. In this assessment of the LPP2, solutions to protect the European sites alongside delivery of sustainable growth consist of both those established for the LPP1 HRA, and changes or additional measures that now need to be added in light of the new content of the emerging LPP2.
- 1.13 The step by step process of HRA of an emerging plan allows for continual refinement of the plan to ensure its compliance with the Habitats Regulations. The assessment therefore remains in draft and is updated as the plan is refined and re-assessed. As both the plan maker and the competent authority

responsible for assessing the plan, Great Yarmouth Borough Council has had regard for the assessment findings at each update, embedding the necessary recommendations for European sites within the emerging plan, as an integral part of continued policy formulation and refinement. This iterative process enables a robust plan to be adopted, with adequate protection for European sites alongside workable solutions for delivering sustainable growth and meeting the needs of the local communities of Great Yarmouth.

- 1.14 When the Council is acting as competent authority for development projects, there is far less flexibility because the development project applicant is usually presenting a project for the Council's consideration and approval in its final form. Such proposals should be informed by the documents that make up the Local Plan, and the Local Plan should therefore seek to provide relevant and helpful guidance for the submission of projects so that they adequately protect European sites as part of the proposal.
- 1.15 At plan level HRA, a screening for likely significant effects in the preparation of a plan may therefore be run a number of times as the plan develops, to continually recheck conformity with the Habitats Regulations requirements and the incorporation of recommendations made at earlier HRA iterations. The HRA should use the screening stage of assessment to identify where further detailed assessment and additional evidence gathering is required, and in such circumstances the plan may proceed to the appropriate assessment stage.
- 1.16 The Great Yarmouth LPP2 sets out the allocations necessary to deliver the level of growth promoted by the LPP1, the Core Strategy. The general scale and location of growth required for the Great Yarmouth Borough has already been established within the adopted LPP1, and a number of planning permissions have already been given that will contribute to the delivery of the required growth.
- 1.17 Liaison between Footprint Ecology and Great Yarmouth Borough Council during the preparation of this HRA alongside the development of the new LPP2 to date has enabled appropriate protective measures to be incorporated within the plan as it has been refined by the Council over time. This iteration of the HRA, prepared for consultation alongside the LPP2 at the Regulation 19 Final Draft Plan stage, assesses the potential implications of the policies and allocations within LPP2, building on earlier iterations of this HRA report for consultations at Regulation 18 stage.
- 1.18 The iterative working between HRA assessors and planning officers preparing a Local Plan helps to give confidence in the final HRA, which should demonstrate that the adopted Great Yarmouth LPP2 will not result in adverse effects on any European site. Natural England has also worked closely with the planning

officers at Great Yarmouth Borough Council to advise on particular site allocations being considered for inclusion.

- 1.19 This HRA at Final Draft Plan stage provides conclusions relating to the implications of the LPP2 based on its content at the time of consultation. The HRA conclusions drawn at each consultation stage only relate to the current content of the local plan, and the HRA position will be reviewed each time the HRA is updated alongside the plan, and finally again before the plan is adopted, checking any matters arising from Examination.

## The Borough of Great Yarmouth and its Local Plan

- 1.20 The Great Yarmouth Local Plan covers the administrative area of the Borough of Great Yarmouth, with the exclusion of the areas of the Borough that are within the designated Broads area. The Broads Authority is the local planning authority for the designated Broads area. The Great Yarmouth Local Plan will consist of the Local Plan Part 1: the Core Strategy (LPP1), and the Local Plan Part 2 (LPP2). The latter is the subject of this HRA and is currently in preparation at Final Draft Plan stage. It seeks to provide the detailed policies and site allocations to deliver the growth requirements set out within the LPP1.
- 1.21 A small number of adjustments to the strategic policies within LPP1 will be made with the adoption of the LPP2, to account for recent changes to national policy, assessment methodologies, and current evidence and information to support the Local Plan since the adoption of the LPP1. These updates are set out in the first few policies of the LPP2, within a dedicated chapter that explains how the current local housing need projections are being met and reflects a national trend with the reduction in retail requirement.
- 1.22 The Borough of Great Yarmouth is on the east coast of Norfolk, with the town of Great Yarmouth being the largest settlement within the Borough, and the main centre for retail, services and employment. It is also one of the most popular English seaside destinations for tourists. Tourism relates to both the coastline and the Broads, as well as Great Yarmouth itself as a seaside town. Both Caister-on-Sea and Gorleston-on-Sea are also attractive destinations for tourists, with historic buildings and maritime heritage.
- 1.23 The port at Great Yarmouth provides a supply base for the offshore gas industry and offshore wind farms. The operational land associated with the port is primarily focussed alongside the River Yare, providing direct access to the water and out to sea.
- 1.24 The adopted LPP1 plans for 7,140 dwellings over the plan period (2013 to 2030). However, following Government proposals (in draft national planning policy) to

introduce a new standard methodology for assessing local housing need<sup>5</sup> the LPP2 now seeks to adjust the target by applying the revised methodology. Applying the new methodology lowers the overall housing target to 5,297 new dwellings (a 26% reduction in the housing target) and is one of the adjustments to the overall Great Yarmouth Local Plan being made in light of national policy changes since the adoption of the LPP2.

- 1.25 The allocations within the plan are sufficient, with existing commitments, completions and a conservative estimate of future windfall permissions, to meet the need identified housing target calculated using the new methodology, whilst also providing an additional buffer for flexibility.
- 1.26 The original housing target was established through the LPP1 evidence base and Examination and adopted within the LPP1 in 2015. This has now been updated to meet the new national requirements in the Final Draft Plan LPP2. The LPP1 provides for a distribution of development across the main towns and service centres, and then the primary, secondary and tertiary villages. Approximately 35% of new housing is to be delivered in the 'main towns' of Great Yarmouth and Gorleston-on-Sea; 30% at the 'key services centres' of Bradwell and Caister-on-Sea; 30% in the 'primary villages' of Belton, Helmsby, Hopton-on-Sea, Ormesby St Margaret, Martham and Winterton-on-Sea; and the remaining 5% across the 19 'secondary' and 'tertiary' villages. There is no expectation that this housing would necessarily be distributed equally across the settlements in any of those tiers. The emerging draft LPP2 demonstrates that the distribution of growth is broadly in accordance with the Core Strategy LPP1.
- 1.27 The LPP2 provides a set of policies that guides those submitting planning applications and informs the Council's determination of those applications, to ensure that the right type of new growth and regeneration and enhancement of existing assets is provided in accordance with the overall objectives of the Great Yarmouth Local Plan as a whole, and consistent with the NPPF. The adopted LPP1 provides policies that protect the natural environment, and measures specifically to ensure the protection of European sites, which were established as part of the LPP1 HRA. These policies and protection measures are cross referenced within this HRA. Whilst the LPP2 must be compliant with the Habitats Regulations, this assessment has regard for application of strategic policies within the LPP1.

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<sup>5</sup> <https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>

- 1.28 The emerging LPP2 has been the subject of public consultation at Regulation 18 stage, and then with a further additional focussed consultation at Regulation 18 stage on a small number of changes that were considered significant and therefore warrant an additional focussed consultation. The changes included a small number of additional site allocations, and a small number of new or substantially re-worded policies. A HRA report was prepared for the Regulation 18 consultation and a supplementary HRA addendum prepared for the additional focussed consultation. This HRA report of the Final Draft Plan draws together information from both previous HRA reports and provides an assessment of the Regulation 19 version of the plan at Final Draft Plan stage. It includes a new screening of all policies for likely significant effects and refines the appropriate assessment sections to provide an up to date HRA for the Final Draft Plan.

## 2. European sites

- 2.1 In undertaking a HRA it is necessary to gather information on the European sites that could be potentially affected by the plan or project. This has already been undertaken to inform the HRA of the LPP1, where an initial 20km buffer from the edge of the Great Yarmouth Borough (itself more extensive than the Local Plan area) was used to identify sites that may be potentially affected. This buffer is used by Footprint Ecology for local plan HRAs as it is deemed precautionary enough to capture most potential impact pathways (i.e. the means by which a European site may be affected) between plan implementation within a local planning authority's administrative area. The list of European sites within 20km was then evaluated in terms of relevant threats, vulnerabilities and current issues. European sites include Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites. European sites can be terrestrial or marine.
- 2.2 For this HRA of the LPP2, the list of sites within 20km has been re-checked, and conclusions remain the same with regard to the sites that have potential impact pathways arising from plan implementation. European sites within 20km of the local plan boundary are shown on Map 1 (SACs), Map 2 (SPAs) and Map 3 (Ramsar sites).
- 2.3 This section and the accompanying detailed site information within [Appendix 3](#), identifies those sites that could potentially be affected by the policies and proposals within the Great Yarmouth LPP2. [Appendix 3](#) sets out the site interest features, sensitivities and any current conservation issues, drawing on available information and updating the information from that gathered for the LPP1 HRA.
- 2.4 Every European site has a set of 'interest features' which are the ecological features for which the site is designated or classified, and the features for which Member States should ensure the site is maintained or, where necessary restored. Each European site also has a set of 'conservation objectives' for the site interest, i.e. what the site should be achieving in terms of restoring or maintaining the special ecological interest of European importance.
- 2.5 The site conservation objectives are relevant to any HRA, because they identify what should be achieved for the site, and a HRA may therefore consider whether any plan or project may compromise the achievement of those objectives. As highlighted in [Appendix 2](#), Conservation objectives for the European sites considered to potentially be at risk from the LLP2 are available as the high level generic objectives applied to each European site. Site specific supplementary advice for each site has also recently been prepared for these sites by Natural



England. Locally relevant information is also used within this HRA to give relevant context to the conservation objectives.

- 2.6 In assessing the implications of any plan or project for European sites, it is essential to fully understand the ecology and sensitivity of the sites, in order to identify how they may be affected. Central to HRA is the consideration of how a plan or project may affect the achievement of conservation objectives. This section of the report and [Appendix 2](#) together provides the necessary information that informs the assessment of the LPP2.
- 2.7 In addition to conservation objectives, Natural England produces Site Improvement Plans (SIPs) for each European site in England as part of a wider programme of work under the 'Improvement Programme for England's Natura 2000 sites.' The SIPs can provide an additional useful reference for HRA work, identifying where there are site sensitivities as each SIP includes a set of actions for alleviating issues that are impeding the delivery of conservation objectives, therefore indicating what key concerns may be for each site. Natural England will seek to work in partnership with other public bodies to implement the identified actions. The SIPs will therefore state the lead delivery bodies and indicative timescales, where these have been agreed.
- 2.8 From the sites within 20km shown on Maps 1, 2, and 3, it can be concluded that a number of the sites can be excluded from further assessment within the HRA because there isn't any conceivable risk for these sites arising from the implementation of the plan. Screening particular European sites out from a HRA should be precautionary, and where there is a potential risk, sites should be included in the screening assessment of the plan.
- 2.9 The following European sites within 20km are ruled out, with reasons given below. A lack of pathways between the European site and the content of the plan is often due to distance.
- Haisborough, Hammond and Winterton SAC (marine)
  - Paston Great Barn SAC
  - Outer Thames Estuary SPA (marine)
  - Benacre to Easton Bavents SAC/SPA

## Haisborough, Hammond and Winterton SAC

- 2.10 This marine site is designated for its subtidal sandbanks supporting important infaunal and epifaunal communities. The site occasionally hosts *Sabellaria spinulosa* reefs, which then bring additional habitat for a variety of sealife. The site is predominantly beyond 12 nautical miles and its distance out to sea

enables a conclusion of no likely significant effect due to a lack of impact pathways.

## Paston Barn SAC

- 2.11 Paston Barn SAC is a medieval thatched barn supporting a breeding colony of Barbastelle Bats. This site is therefore at risk from localised impact pathways and lies some considerable distance to the north of the Great Yarmouth administrative area, thus enabling a conclusion of no likely significant effects.

## Outer Thames Estuary SPA

- 2.12 The Outer Thames Estuary SPA is a marine European site that extends from the Thames Estuary to the sea area off the Great Yarmouth and East Norfolk coast. It is classified for the largest aggregation of Red-throated Diver *Gavia stellata* overwintering in the UK. Additional site interest features included within the classification are Common Tern *Sterna hirundo*, foraging within the SPA (with breeding sites located within other SPAs in close proximity), and a breeding population of Little Tern *Sternula albifrons*.
- 2.13 A recent formal extension to the SPA in October 2017 added Common and Little Tern as species interest features, and geographically extended the site to parts of the Rivers Yare and Bure, along with a further small extension at Minsmere. Common Tern breed at Breydon Water SPA and Foulness SPA, and at Scroby Sands, and the addition of the Yare and Bure enable protection of foraging areas for these breeding colonies.
- 2.14 In proposing the extension, Natural England considered the current levels of activity and development in these areas and concluded that the relatively low sensitivity of Common Tern meant that it was unlikely that the birds would be vulnerable to disturbance within these foraging areas. This advice was confirmed in a letter from Natural England, dated 19<sup>th</sup> October 2016 prior to the finalisation of the SPA extension. The advice letter states that "*Natural England does not consider that the current proposals for new housing and commercial and industrial redevelopment of the port area of Great Yarmouth as set out in the adopted Great Yarmouth Local Plan Core Strategy (2015) are likely to have a significant effect on the Outer Thames Estuary SPA.*" The letter also acknowledges the mitigation measures being brought into effect with commitments in the Core Strategy, and advises that additional mitigation in light of the SPA extension and additional species would not be required.
- 2.15 Little Tern are particularly sensitive to disturbance at their breeding sites and these sites around the coast are currently the subject of monitoring, wardening and other measures to reduce disturbance, some of which is funded by the

European Life Project and mitigation strategies already in place. Little Tern are already included in the Habitats Monitoring and Mitigation Strategy for Great Yarmouth, which is discussed further in Section 3 of this HRA report.

- 2.16 The extension now in place does also bring the SPA in closer proximity to the A47, running between Norwich and Great Yarmouth, but it is concluded that Natural England's advice discussed above is equally applicable. The Outer Thames Estuary SPA is therefore screened out from any likely significant effect.

## Benacre to Easton Bavents SAC/SPA

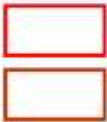
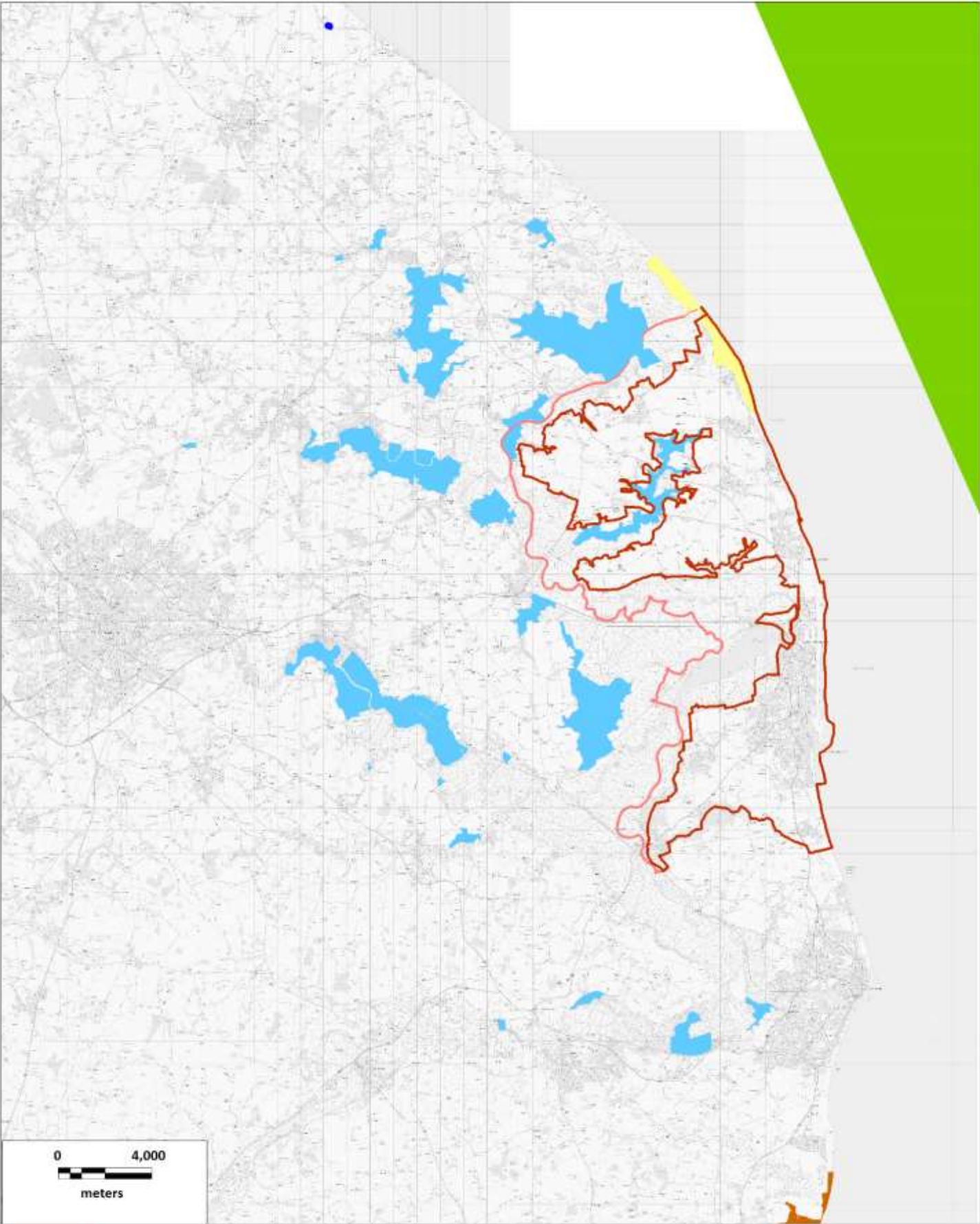
- 2.17 This site lies to the south of the Great Yarmouth administrative area, within the Waveney District. It is a series of coastal lagoons, forming the SAC interest features, that also support breeding Little Tern, Marsh Harrier and Bittern. Whilst the Little Tern colony is sensitive to disturbance, the distance from the Great Yarmouth Borough and extensive coastline in closer proximity leads to a conclusion that disturbance arising from new growth in Great Yarmouth is likely to be low.
- 2.18 In addition, a strategic mitigation scheme is being finalised for the Suffolk coastal European sites, including specific measures for Benacre to Easton Bavents, which are intended to complement the management measures being implemented for North Denes. This recognises that the Little Tern colonies along the Norfolk and Suffolk coastline do move over time, and will potentially be interlinked. Measures to minimise disturbance within the European sites and at key supporting habitat outside the European sites should be taken forward with an overview of the use of the whole coastline by Little Tern. With residential growth in the Great Yarmouth Borough contributing to the North Denes management measures, it is considered that adequate regard for the Little Tern colonies is being given.

## European sites included in the screening for likely significant effects

- 2.19 The following European sites are deemed to have potential impact pathways and are therefore taken forward to the screening assessment for likely significant effects.
- Winterton-Horsey Dunes SAC
  - North Denes SPA
  - Breydon Water SPA/Ramsar site
  - Broadland SPA/Ramsar site
  - The Broads SAC

- 2.20 The above five sites are taken forward to the screening for likely significant effects. The European sites listed above are the same European sites that were previously deemed to have potential risks arising from LPP1 and were the European sites taken forward to the screening for likely significant effects in the LPP1 HRA. It is important however to re-consider the sites that need to be included within a HRA, to have confidence that the HRA is robust and based on best available current information and circumstances. [Section 3](#) below considers the potential risks to these sites in more detail, and [Section 6](#) provides the screening for likely significant effects.

Map 1: SACs and Local Plan Area



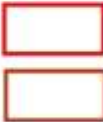
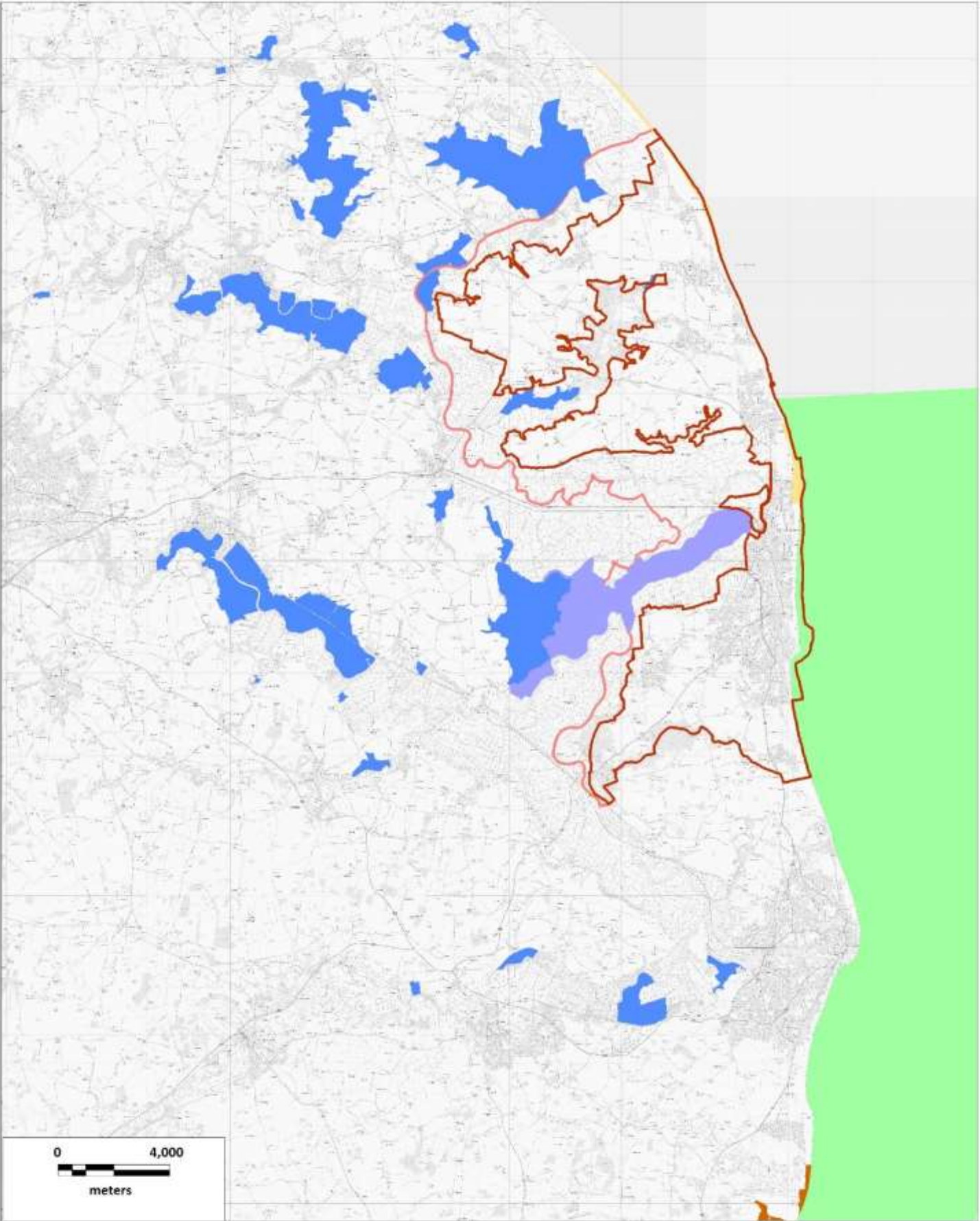
GY Borough  
Local Plan Area

**SACs within 20km**

- Benacre to Easton Bavents Lagoons
- Haisborough, Hammond and Winterton
- Paston Great Barn
- The Broads
- Winterton-Horsey Dunes



Map 2: SPAs and Local Plan Area



GY Borough

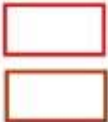
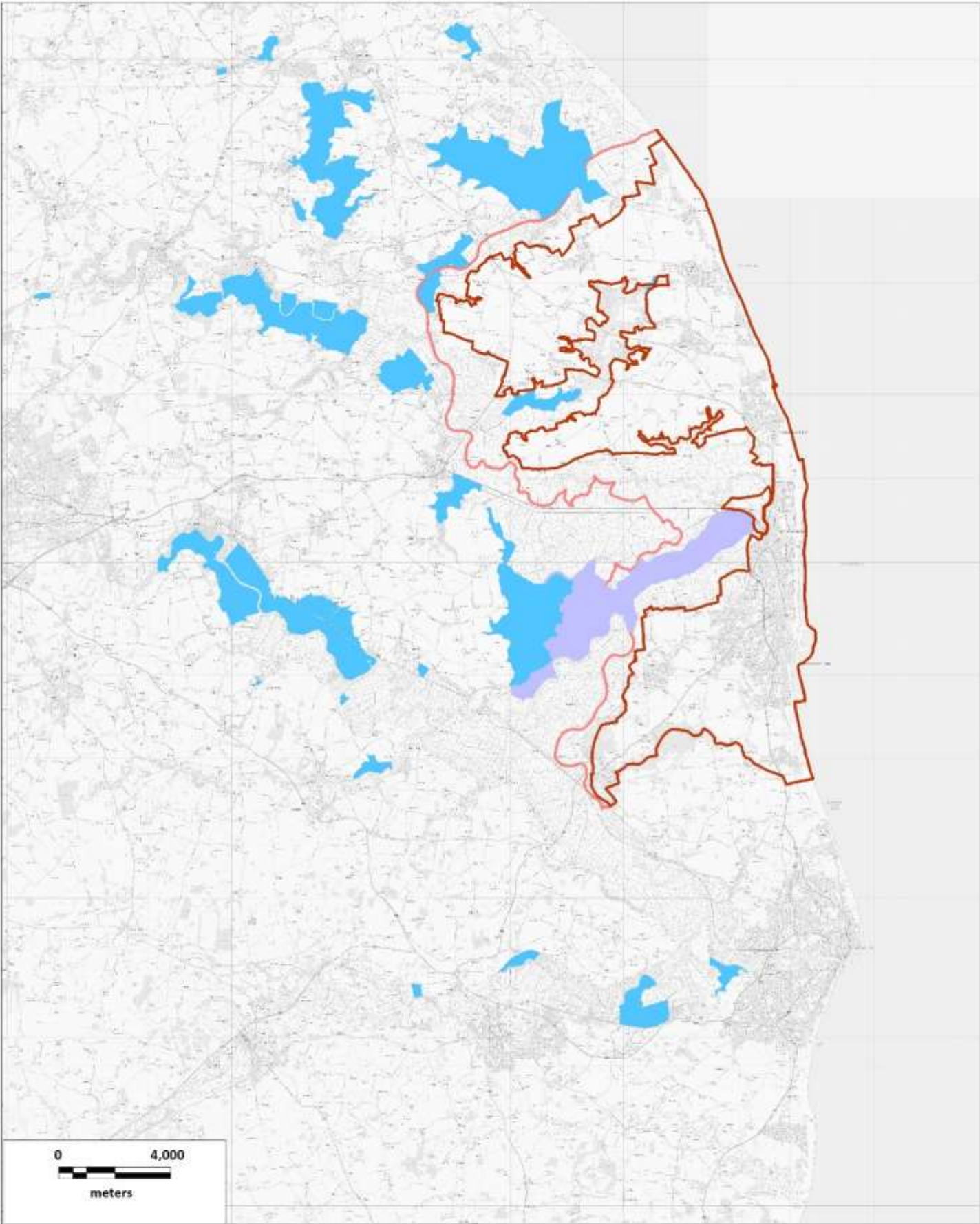
Local Plan Area

SPAs within 20km

Benacre to Easton Bavents  
Breydon Water  
Broadland

Great Yarmouth North Denes  
Outer Thames Estuary

Map 3: Ramsar sites and Local Plan Area



GY Borough

Local Plan Area

Ramsar sites within 20km

- Breydon Water
- Broadland



### 3. Establishing Impact Pathways

- 3.1 All aspects of the emerging plan that influence sustainable development for the Great Yarmouth Borough have been checked for likely significant effects on the list of European sites that are identified as being at potential risk in the previous section of this report. The nature of potential risks to European sites needs to be understood in order to inform the screening for likely significant effects. This section therefore considers the potential risks arising from the plan and explains the impact pathways that are then assessed further through the HRA stage of screening for likely significant effects and appropriate assessment.
- 3.2 European sites are at risk if there are possible means by which any aspect of a plan can, when being taken forward for implementation, pose a potential threat to the wildlife interest of the sites. This is often referred to as the 'impact pathway' as it is an identifiable means by which the plan or project could potentially affect the European site. The 'impact pathways' described below have been established early in the HRA process for the Great Yarmouth LPP2.
- 3.3 This list of impact pathways has used to inform a policy by policy check to screen each policy against the potential impact pathways, checking for likely significant effects. This has been repeated for the consultation documents at Regulation 18 stage and again now for the Final Draft Plan at Regulation 19 stage. For the European sites being considered by this HRA, the impact pathways are considered to be as follows.
- 3.4 Impacts from recreation relate to disturbance, trampling, increased fire risk and enrichment such as through dog fouling. These impacts are reviewed and summarised in a range of sources (e.g. Saunders *et al.* 2000; Lowen *et al.* 2008; Liley *et al.* 2010). Sites that will be vulnerable are those with public access; those likely to draw recreation users and are in relatively close proximity to new development. Some interest features (such as wintering waterfowl and ground-nesting birds) are particularly vulnerable. For Great Yarmouth, there is also the consideration of disturbance from the tourist draw to the coast, which can be from a wide area.
- 3.5 Water issues relate to water quality and water quantity (i.e. water availability). Run-off, outflow from sewage treatments and overflow from septic tanks can result in increased nutrient loads and contamination of water courses. Abstraction and land management can influence water flow and quantity, resulting in reduced water availability at certain periods or changes in the flow. Such impacts particularly relate to aquatic and wetland habitats.
- 3.6 The HRA for the LPP1 did not highlight recreation pressure as an issue for Broadland SPA/Broads SAC. In assessing the LPP2, this HRA now has regard for



new evidence since the preparation of the LPP1. The Norfolk wide visitor survey work is discussed in [Section 4](#) below. As this survey work provides new information in relation to visitors to all Norfolk sites, the potential for recreation pressure on Broadland SPA/Broads SAC is now added as an additional impact pathway to be looked at by this HRA.

- 3.7 Air quality matters in relation to HRA have been the subject of greater focus since a recent case decision relating to the in-combination effects of development in close proximity to air pollution sensitive European sites.
- 3.8 Traffic generated air quality reductions can impact on vegetation communities (Bobbink, Hornung & Roelofs 1998; Stevens *et al.* 2011), primarily as a result of increased nitrogen deposition, but can also relate to increases in both sulphur and ammonia. The Design Manual for Roads and Bridges (DMRB) currently advises that the effect of traffic emissions is focussed on the first 200m to the side of a road. There is a declining effect out to 200m and beyond this it is currently agreed by Natural England that the effects are *de minimis*, i.e. of no consequence against background levels.
- 3.9 The recent case decision (Wealden v SSCLG 2017) relates to Ashdown Forest, which has a road network within 200m of the European site boundary and is sensitive to air pollution impacts. The case highlights that it is necessary for air quality considerations to be given appropriate regard in HRA work.
- 3.1 The potential for traffic increases on roads within 200m of any European sites should therefore be checked. Visual checks on maps of how any road sections relate to allocations within the Great Yarmouth LPP2 enable a conclusion that air quality can be ruled out as an impact pathway. The allocations are not in close proximity to any European site. Trips out to Norwich using the A47 are possible, but the locations of the allocations within LPP2 relate well to local service provision, removing an essential need to travel on roads that come in close proximity to any European site, although work commutes at a distance from new residential development cannot be ruled out for all residents.
- 3.2 The Great Yarmouth Borough does not have any currently identified air quality concerns and does not hold any air quality management areas (AQMA). Whilst these relate to human health, they highlight a potential air quality concern that may also be relevant for sensitive habitats. It is also anticipated that traffic congestion within Great Yarmouth will be improved with the new river crossing proposed.
- 3.3 The Borough is not a focus for intensive growth and with consideration of all factors above it is concluded that air quality impacts can be ruled out. Future HRA work as the LPP1 is reviewed in the near future should revisit this

conclusion, and liaison with Natural England will ensure awareness of any potential air quality issues in the future.

3.4 Table 1 summarises the impact pathways being assessed within this HRA.

**Table 1: Potential impact pathways – i.e. potential mechanisms where by the different European sites could be impacted.**

European site	Recreation	Water Quality	Water Quantity
Winterton Horsey Dunes SAC	✓		
North Denes SPA	✓		
Breydon Water SPA/Ramsar site	✓		
Broadland SPA/Ramsar site	✓	✓	✓
The Broads SAC	✓	✓	✓

## 4. Screening for Likely Significant Effects

- 4.1 Once relevant background information and potential impact pathways are understood, and relevant HRA and mitigation progress has been considered, the HRA process can progress to the screening for likely significant effects stage, fully informed by the background research undertaken. Table 2 below records the conclusions drawn and recommendations made on a policy by policy check of the LPP2: Detailed Policies and Site Allocations, at Final Draft Plan stage.
- 4.2 During the screening stage of HRA, text changes are recommended in the screening table where there is a clear opportunity to avoid impacts on European sites through policy strengthening, but only where this relates to simple clarifications, corrections of terminology or improved instructions for project level HRA, for example. Any changes that need to be justified by more detailed scrutiny for their effectiveness should be firstly considered within the appropriate assessment, drawing on evidence and available information to justify their inclusion.
- 4.3 For a small number of policies, the screening initially identified a potential for Likely Significant Effects ('LSE'). For policies that do not set a quantum of development or specific locations, the potential for effects relates to the possibility of development coming forward in a particular location or with particular characteristics. In such instances, the risks may be simply avoided with straightforward additions to the plan which remove any uncertainty or provide better clarity. Where this is the case, recommendations for text are made. This does not exclude the need for project level HRA.
- 4.4 The Great Yarmouth LPP2 includes both development management policies and site allocations. A screening exercise has been undertaken for both of these aspects of the plan. These are reported on in turn below, firstly the development management policies and then the site allocations.
- 4.5 Importantly, the screening exercise has been undertaken in light of the HRA work to date, and the mitigation measures implemented in response to the LPP1 HRA. Whilst the screening table concludes no likely significant effect on the basis of the recent mitigation measures secured by LPP1, as a precautionary measure, an appropriate assessment that provides a review of avoidance and mitigation measures secured by LPP1, and new information since the HRA for LPP1, is included as part of this HRA report for LPP2. This gives certainty in the continued robustness of mitigation measures for application with LPP2.

## Screening the development management policies

- 4.6 The screening table below screens the development management policies of the Final Draft Plan, plus any non-residential allocations having regard for the impact pathways, and the current measures established at the LPP1 HRA, and now being progressed by Great Yarmouth Borough Council in partnership with other bodies, as described earlier in this HRA. Residential allocations are considered in the subsequent section below the screening table.

**Table 2: LSE screening of Development Management Policies in LPP2. Screening undertaken on the Draft Plan in July 2018.****ES = European sites**

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
<b>Chapter 1 – Amendments to the Core Strategy</b>	Opening context, explaining that some amendments to the LPP1 are necessary given the passage of time since adoption	See policies below. Supporting text is informative.	N/A	N/A	
UCS3 Adjustment to Core Strategy Housing Target	This adjustment proposes a housing number in line with revised national methodology, which will reduce the housing requirement – but the Council will maintain a flexible buffer covering reliance on the current housing requirement within the LPP1. Housing target reduced from 7,140 to around 5,300. Provision through the plan allows for a 33% buffer, providing for 7043 new homes (allocations plus permissions, windfall etc.).	No LSE – The quantum of residential development proposed for the plan period has already been assessed as part of the Core Strategy HRA. The Core Strategy has been adopted with a conclusion of no adverse effects on European site integrity, with mitigation measures in place (Habitats Monitoring and Mitigation Strategy). This policy does not alter that conclusion.	The development site specific locations may pose risks for European sites, these are checked within the site allocations screening.	N/A	
UCS7a Change to Great Yarmouth Town Centre Boundary	This policy sets an amendment to the Great Yarmouth town centre boundary	No LSE – administrative only	N/A	N/A	
UCS7b Addition of a District Centre Boundary for Beacon Park	Clarification of amendments to the relevant District Centres for the purposes of Core Strategy Policy CS7a	No LSE – administrative only	N/A	N/A	
<b>Chapter 2 –</b>	Explanation that a number of additional strategic policies	See policies below. Supporting text is informative.	N/A	N/A	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
<b>General Strategic Policies</b>	are provided for within the new LPP”, to complement those within LPP1				
GSP1 Development Limits	A general policy for delivering sustainable development, focussed on the defined development limits of settlements, and setting out exceptional criteria that need to be met in order to allow development outside those limits.	No LSE – policy is high level and requires adherence to all policies within the plan. No development specifically stated. Exceptions outside development limits will require demonstration of local circumstances and policy adherence, which provides adequate ES protection	N/A	N/A	
GSP2 Housing requirements for neighbourhood plan areas	The policy identifies the housing requirement for each neighbourhood plan area. Housing numbers are in accordance with Core Strategy and Core Strategy policy CS3.	LSE –The overall quantum of residential development proposed has already been assessed as part of the adopted Core Strategy HRA, concluding no adverse effects with monitoring and mitigation measures in place. Each Neighbourhood Plan will assess its own housing requirements.	Potential for increased recreational disturbance, particularly from new housing in Rollesby, Hemsby, Winterton-on-Sea, Fleggburgh, Filby, and potentially also from Hopton-on-Sea. Combined impact of all housing could pose hydrological risks. Location specific considerations include urbanisation and water quality impacts	Appropriate Assessment checks that the existing Habitats Monitoring and Mitigation Strategy will be sufficient to cover increased housing numbers and allocations. Appropriate assessment also considers allocations in proximity to European sites.	
GSP3 Strategic gaps between settlements	Preventing the coalescence of the main settlements, to maintain rural character outside the main settlements	No LSE – qualitative policy that does not provide for any impact pathways	N/A	N/A	
GSP4	Safeguards the coastal change management area from inappropriate development,	No LSE – specifically prevents residential development.	Development type unlikely to result in any risk to ES, possibility of exceptions.	Project level HRA may be required. No further plan level action required.	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
New development in Coastal Change Management Areas	therefore preventing the risk of flooding and the need for additional defences	Project level HRA may be required			
GSP5 Internationally protected habitats and species impact avoidance and mitigation	Provides an explanation of the current Habitats Monitoring and Mitigation Strategy in place for European sites, including an explanation of the tariff-based approach for mitigating for cumulative impacts and the need for further measures where there are specific impacts from a development.	No LSE – provides strong protection for European sites and sets current Habitats Monitoring and Mitigation Strategy in policy. This policy has been revised and strengthened over time and now provides a robust policy to support the Habitats Monitoring and Mitigation Strategy and gives clarity on project level HRA requirements, with reference to recent case law.	The existing Habitats Monitoring and Mitigation Strategy needs to be implemented with regular review of progress and monitoring, in order to function as a preventative strategy.	Developer contributions tariff to be kept up to date in accordance with a rolling audit of permission, measures implemented and monitoring. This is referred to within the policy. The Habitats Monitoring and Mitigation Strategy is checked within the appropriate assessment, but no further plan level action required.	
GSP6 Green Infrastructure	Seeking additional and enhanced green infrastructure as an integral part of development	No LSE - An environmentally positive policy	N/A	Previous HRA recommendations for reference to biodiversity net gain has now been included within supporting text, with reference to forthcoming legislative requirement for mandatory net gains through development.	
GSP7 Potential strategic cycling and pedestrian routes	Cycleway enhancements including safeguarding former railway trackways for use as cycle/footpaths	No LSE – safeguards for sustainable travel/recreation use	N/A	N/A	
GSP8 Planning obligations	The use of obligations to deliver specific types of infrastructure and community facilities/services	No LSE – the policy has wording that makes provision for the use of planning obligations for the purpose of	N/A	N/A	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
		mitigating for potential European site impacts with reference to GI and other infrastructure			
<b>Chapter 3 Policies for Places: Strategic Area and Site Specific Policies</b>	Explanation of the provision of sites within site allocation policies to deliver the required growth in accordance with the Core Strategy and revised housing numbers.	See policies below. Supporting text is informative.	N/A	N/A	
GY1 Great Yarmouth town centre area	Promoting Great Yarmouth as the focus for retail, professional, community, leisure and entertainment service provision.	No LSE – does not promote any quantum of development, rather provides criteria to improve development quality of existing town centre	Potential risk from increased tourist accommodation	The charging schedule for the Habitats Monitoring and Mitigation Strategy would apply to any net increase tourist accommodation bed spaces. No further plan level action required.	
GY2 Market Gates Shopping Centre	A designation for mixed uses – cinema, leisure, car parking	No LSE – development proposed in not of a type that would generate impacts	N/A	N/A	
GY3 Hall Quay Development Area	Promoting Hall Quay as a development area for café and restaurant type uses	No LSE –promotes café/leisure type development	Potential risk from increased tourist accommodation	The charging schedule for the Habitats Monitoring and Mitigation Strategy would apply to any net increase tourist accommodation bed spaces. No further plan level action required.	
GY4 Great Yarmouth King Street enhancement area	Seeks to protect and enhance the existing historic building features along King Street.	No LSE – Existing built up area, unlikely to lead to a net increase in houses	N/A	N/A	



Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
GY5 Regent Road	Developing Regent Road as a link between the sea front and town centre. Regent Road is a well-established commercial tourist area.	No LSE – Whilst a mix of new development uses is proposed, any new residential development will be the subject of the charging schedule for the Habitats Monitoring and Mitigation Strategy.	There is a risk that net increases in housing of any type could contribute to recreation pressure (Broadland SPA/Broads SAC, Great Yarmouth-North Denes SPA/Winterton-Horsey Dunes SAC, Breydon Water SPA) water quality and water availability (Broadland SPA/Broads SAC)	The location does not present any additional risk over and above those identified for residential development in general. Any new residential development will be the subject of the charging schedule for the Habitats Monitoring and Mitigation Strategy. No further plan level action required.	
GY6 Great Yarmouth seafront area	Promotes the maintenance and improvement of tourism facilities in Great Yarmouth Seafront Area	No LSE – The Core Strategy HRA recognised the potential for LSE as a result of tourist accommodation, in light of the significant level of tourist recreation at the European sites. This is recognised by the Habitats Monitoring and Mitigation Strategy. Tourist related accommodation will be the subject of the charging schedule for the strategy. The charging schedule has specific stipulations for applying the charge to tourist related accommodation. specifically referred to as requiring the charge.	There is a risk that additional tourist accommodation could contribute to recreation pressure (Broadland SPA/Broads SAC, Great Yarmouth-North Denes SPA/Winterton-Horsey Dunes SAC, Breydon Water SPA) water quality and water availability (Broadland SPA/Broads SAC)	The charging schedule for the Habitats Monitoring and Mitigation Strategy provides adequate mitigation. Project level HRA will need to ensure that the charging schedule for the strategy is applied where required. No further plan level action required.	
GY7	Stipulations for the ‘back of seafront area’ as defined on the proposals map,	No LSE – the policy is qualitative, but some development types may either	Minimal risks due to predominance of re-use of existing buildings but may be	Project level HRA to be mindful of potential impact pathways and apply the charging schedule	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
Great Yarmouth back of seafront improvement area	encouraging tourism related uses.	a) need project specific issues to be considered in terms of risks to European sites and/or b) will be the subject of the charging schedule for the Habitats Monitoring and Mitigation Strategy if providing accommodation	project specific risks such as water pollution from surface water run- off. These matters will need to be picked up in a project level HRA, in addition to the need for accommodation types of development to adhere to the charging schedule requirements.	where net increases in accommodation bed spaces are proposed. No further plan level action required.	
GY8 Great Yarmouth Racecourse	Safeguards the racecourse	No LSE – retention policy only	N/A	N/A	
GY9 Great Yarmouth North Denes Airfield	Safeguarding the airfield for use for offshore helicopter operations	No LSE – protective of area for existing uses	N/A	N/A	
GY10 Great Yarmouth Port & Harbour Area	Safeguards existing port & harbour area for port and offshore related activities	No LSE – protective of area for existing uses, and additional use will need to comply with other policies in the development plan	N/A	Project level HRA to be mindful of potential impact pathways. No further action required at plan level.	
<b>Allocations</b>	<b>See table below</b>				
HP1 – Access improvements South of Hopton	To improve connectivity around Longfulans Lane and South Hopton for vehicles, cyclists and pedestrians	No LSE – environmentally positive policy, and implementation will reduce traffic congestion	N/A	N/A	
<b>Chapter 4 Non-Strategic Policies</b>	Introduces the non-strategic policies	See policies below. Supporting text is informative.	N/A	N/A	
A1 Amenity	Qualitative criteria to secure high quality development,	No LSE – ensures that factors such as air quality are	N/A	N/A	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
	without adverse impact on amenity	considered within planning proposals			
A2 Housing Design Principles	A qualitative policy that sets high level principles for development in relation to provision of services, amenity and local distinctiveness etc and seeks to retain natural features within new development.	No LSE – the policy is qualitative and includes protection and enhancement of biodiversity, but could be strengthened with a focus on biodiversity gains for all development	None, but strengthening biodiversity gains is beneficial for the natural environment, within and outside designated sites.	In accordance with NPPF requirements, development should seek to provide net gains for biodiversity. Meeting this requirement should be proportionate to the size of the development and its impact but should not be limited to large developments. Previous HRA recommendation was to move part e of policy in relation to biodiversity to the first section applicable to all development. Supporting text on biodiversity net gain now added to A2.	
A3 Advertisements	Assesses advertisements (in accordance with separate legislation) in terms of amenity/landscape and public safety	No LSE – the policy is qualitative and does not lead to a net increase in development	N/A	N/A	
<b>Chapter 5 Housing</b>	Explanation of housing policies in line with the NPPF	See policies below. Supporting text is informative.	N/A	N/A	
H1 Affordable housing tenure mix	Explains the mix of housing tenure sought in new development	No LSE –Any new residential development will be the subject of the charging schedule for the Habitats Monitoring and Mitigation Strategy, irrespective of tenure.	No LSE as this policy does not directly seek to provide housing.  To note that there is a risk that net increases in housing of any type could contribute to recreation pressure (Broadland SPA/Broads SAC, Great Yarmouth-North Denes	The location does not present any additional risk over and above those identified for residential development in general.  Any new residential development will be the subject of the charging schedule for the Habitats Monitoring and Mitigation Strategy.	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
			SPA/Winterton-Horsey Dunes SAC, Breydon Water SPA) water quality and water availability (Broadland SPA/Broads SAC)	No further plan level action required.	
H2 Delivering Affordable Housing on Phased Development	Policy addresses where developers on larger sites may seek to provide a lower amount of affordable housing by developing in phases. Policy ensures that phased sites provide affordable housing in proportion to the whole site, and windfall sites provide affordable housing as required	No LSE – this policy does not stipulate any quantum of development. These types of housing will be the subject of the charging schedule for the Habitats Monitoring and Mitigation Strategy.	No LSE as this policy does not directly seek to provide housing. This policy is applicable across the Great Yarmouth Borough. To note that depending on location, there is a risk that net increases in housing of any type could contribute to recreation pressure (Broadland SPA/Broads SAC, Great Yarmouth-North Denes SPA/Winterton-Horsey Dunes SAC, Breydon Water SPA) water quality and water availability (Broadland SPA/Broads SAC)	The policy is not location specific, so the charging schedule for the Habitats Monitoring and Mitigation Strategy provides adequate mitigation. Project level HRA will need to ensure that the charging schedule for the Habitats Monitoring and Mitigation Strategy is applied where required. No further plan level action required.	
H3 Housing density	Minimum housing densities required for each location type.	No LSE –Any new residential development will be the subject of the charging schedule for the Habitats Monitoring and Mitigation Strategy, irrespective of density.	There is a risk that net increases in housing of any type could contribute to recreation pressure (Broadland SPA/Broads SAC, Great Yarmouth-North Denes SPA/Winterton-Horsey Dunes SAC, Breydon Water SPA) water quality and water availability (Broadland SPA/Broads SAC)	The location does not present any additional risk over and above those identified for residential development in general. Any new residential development will be the subject of the charging schedule for the Habitats Monitoring and Mitigation Strategy. No further plan level action required.	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
H4 Open space provision for new housing development	Standards and criteria for provision of open space within residential development	No LSE – the policy is in place to secure high quality open space that is delivered in proportion to the development. No impact pathways	None, provision of open space is not part of the Habitats Monitoring and Mitigation Strategy and therefore this policy does not need to serve as a mitigation delivery policy. However, it is noted that the criteria provide an increase in open space requirements to those currently in place, which will complement the more formal mitigation measures within the strategy.	N/A	
H5 Rural worker's dwellings	Dwellings outside development limits for the specific purpose of providing essential rural worker accommodation	No LSE – this policy does not stipulate any quantum of development and is anticipated to enable a very small number of houses over the plan period. Where applicable, each house will be the subject of the charging schedule for the Habitats Monitoring and Mitigation Strategy.	This policy is applicable across the Great Yarmouth Borough. Depending on location, there is a risk that individual dwellings could contribute to recreation pressure (Broadland SPA/Broads SAC, Great Yarmouth-North Denes SPA/Winterton-Horsey Dunes SAC, Breydon Water SPA) water quality and water availability (Broadland SPA/Broads SAC)	It is recognised that the level of rural worker dwelling development will be very low over the plan period. The policy is not location specific, so the charging schedule for the Habitats Monitoring and Mitigation Strategy provides adequate mitigation. Project level HRA checks will need to ensure that the charging schedule for the Habitats Monitoring and Mitigation Strategy is applied where required for rural worker dwellings. No further plan level action required.	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
H6 Retention and removal of existing occupationally restricted rural dwellings	Criteria for allowing the removal of conditions restricting the occupation of a dwelling for rural workers	No LSE – the policy does not lead to a net increase in development	N/A	N/A	
H7 Conversion of rural buildings to residential use	Requirements for dwellings converted from rural buildings in other uses.	No LSE – this policy does not stipulate any quantum of development and is anticipated to enable a very small number of houses over the plan period. Where applicable, each house will be the subject of the charging schedule for the Habitats Monitoring and Mitigation Strategy.	This policy is applicable across the Great Yarmouth Borough. Depending on location, there is a risk that individual dwellings could contribute to recreation pressure (Broadland SPA/Broads SAC, Great Yarmouth-North Denes SPA/Winterton-Horsey Dunes SAC, Breydon Water SPA) water quality and water availability (Broadland SPA/Broads SAC)	The policy is not location specific, so the charging schedule for the Habitats Monitoring and Mitigation Strategy provides adequate mitigation. Project level HRA will need to ensure that the charging schedule for the Habitats Monitoring and Mitigation Strategy is applied where required for rural dwelling conversions (anticipated to be a low number of applications over plan period). No further plan level action required.	
H8 Replacement dwellings outside of development limits	Criteria for allowing replacement dwellings outside development limits	No LSE - this policy does not stipulate any quantum of development and is a one for one replacement dwelling policy. Policy wording provides for individual consideration of biodiversity risk	N/A	N/A	
H9 Residential extensions	Qualitative policy for criteria to be met when [proposing a residential extension, with a focus on amenity.	No LSE – policy does not result in a net increase in dwellings	N/A	N/A	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
H10 Residential annexes	Criteria to be met for the development of residential annexes that are ancillary to the principal dwelling	No LSE – this policy does not constitute a net increase in dwellings	N/A	N/A	
H11 Housing for the elderly and other vulnerable users	Promoting accommodation for elderly and vulnerable users, with criteria for securing proximity to services and transport	No LSE – this policy does not stipulate any quantum of development. These types of accommodation will be the subject of the charging schedule for the Habitats Monitoring and Mitigation Strategy (unless use demonstrates otherwise, e.g. nursing care).	This policy is applicable across the Great Yarmouth Borough. Depending on location, there is a risk that individual dwellings could contribute to recreation pressure (Broadland SPA/Broads SAC, Great Yarmouth-North Denes SPA/Winterton-Horsey Dunes SAC, Breydon Water SPA) water quality and water availability (Broadland SPA/Broads SAC)	The policy is not location specific, so the charging schedule for the Habitats Monitoring and Mitigation Strategy provides adequate mitigation. Project level HRA will need to ensure that the charging schedule for the strategy is applied where required. The charging schedule is written with a default position of such accommodation being required to make the charge, with exceptions needing to be demonstrated, which would for example include accommodation providing nursing care.  Supporting text added to explain that depending on the extent of increased recreational pressure, mitigation contribution may be required.  No further plan level action required.	
H12 Housing in multiple occupation	Allowing for HMOs within certain restrictions and amenity requirements	No LSE – this policy does not stipulate any quantum of development. These types of	This policy is applicable across the Great Yarmouth Borough. Depending on location, there	The policy is not location specific, so the charging schedule for the Habitats	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
		accommodation will be the subject of the charging schedule for the Habitats Monitoring and Mitigation Strategy. HMOs are specifically referred to as requiring the charge.	is a risk that individual dwellings could contribute to recreation pressure (Broadland SPA/Broads SAC, Great Yarmouth-North Denes SPA/Winterton-Horsey Dunes SAC, Breydon Water SPA) water quality and water availability (Broadland SPA/Broads SAC)	Monitoring and Mitigation Strategy provides adequate mitigation. Project level HRA will need to ensure that the charging schedule for the Habitats Monitoring and Mitigation Strategy is applied where required. Following earlier HRA recommendation, the supporting text includes reference to the strategy. No further plan level action required.	
H13 Housing applications reliant on the 'Presumption in Favour of Sustainable Development.'	Explanation of the application of the Presumption in Favour of Sustainable Development.'	No LSE – policy supporting text clarifies that the Presumption in Favour of Sustainable Development' policy is considered with other relevant policies including designated sites.	Potential for misinterpretation of the policy where there is a potential for significant effects on a European site is clarified by the supporting text	Following earlier HRA recommendation, the supporting text includes clarification within supporting text. No further plan level action required.	
R1 Location of retail development	Encourages development to be located in existing retail centres and provides criteria for development proposed outside of retail centres	No LSE – encourages development in retail centres, which should avoid impacts.	Depending on location, there may be project specific risks such as water pollution from surface water run- off when developing outside retail centres. These matters will need to be picked up in a project level HRA	Project level HRA to be mindful of potential impact pathways. No further plan level action required.	
<b>Chapter 6 Retail</b>	No introductory text	See policies below.	N/A	N/A	



Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
R2 Protected shopping frontages	Protecting the ground floor frontage of shopping areas	No LSE – does not promote any quantum of development, rather provides criteria to improve development quality of existing buildings within the town centre	N/A	N/A	
R3 Gorleston Town Centre Area	Promoting existing Gorleston Town Centre as the focus for retail, professional, community, leisure and entertainment service provision.	No LSE – focussing development within the town centre	N/A	N/A	
R4 Caister District Centre	Promoting existing district centre as the focus for retail, professional, community, leisure and entertainment service provision.	No LSE – development proposed in not of a type that would generate impacts	N/A	N/A	
R5 Local centres	Retail provision in local centres and the criteria for supporting retail development	No LSE – development proposed in not of a type that would generate impacts	N/A	N/A	
R6 Kiosks and stalls	Criteria for the siting and design of kiosks and stalls	No LSE – does not promote any quantum of development, rather provides criteria to improve development quality – development is not of a type that poses any risk	There may be site specific issues, the requirement for project level HRA would need to be checked for any applications	Checked applications for project level HRA need. No further plan level action required.	
R7 Food and Drink	Requirements for food and drink development to meet in order to protect amenity	No LSE – does not promote any quantum of development, rather provides criteria to improve development quality – development is not of a type that poses any risk	N/A	N/A	
R8 Rural retailing	Criteria for allowing rural retail; uses such as farm shops	No LSE – whilst there may be project specific issues to	Depending on location, there may be project specific risks	Project level HRA to be mindful of potential impact pathways.	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
		consider in terms of risks to European sites, the policy requires consistency with all plan policies.	such as water pollution from surface water run- off. These matters will need to be picked up in a project level HRA	No further plan level action required.	
<b>Chapter 7 Business and Industrial Development</b>	No introductory text	See policies below.	N/A	N/A	
B1 Business development	Allows for business development within development limits, with some restricted allowance for outside development limits	No LSE – does not promote any quantum of development. There may be project specific issues to consider in terms of risks to ES, particularly where outside development limits. However, the policy requires consistency with all plan policies.	Depending on location, there may be project specific risks such as water pollution from surface water run- off. These matters will need to be picked up in a project level HRA	Project level HRA to be mindful of potential impact pathways. No further plan level action required.	
<b>Chapter 8 Leisure and Tourism</b>	No introductory text	See policies below.	N/A	N/A	
L1 Holiday accommodation areas	Encouraging year round and sustainable tourism by supporting proposals that enhance existing tourist facilities	No LSE – the policy is qualitative, but some development types may either a) need project specific issues to be considered in terms of risks to European sites and/or b) will be the subject of the charging schedule for the Habitats Monitoring and Mitigation Strategy if providing accommodation	Depending on location, there may be project specific risks such as water pollution from surface water run- off. These matters will need to be picked up in a project level HRA, in addition to the need for accommodation types of development to adhere to the charging schedule requirements.	Project level HRA to be mindful of potential impact pathways and apply the charging schedule where accommodation is proposed. No further plan level action required.	
L2 New or expanded tourist facilities outside of development limits	Allowing for small scale tourism related enterprises	No LSE – whilst there may be project specific risks, the policy stipulates the need to take account of European sites	Potential risks to all European sites, depending on the nature of the project	Policy provides adequate cover. Project level HRA will need to assess all impact pathways.	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
and holiday accommodation areas				No further plan level action required.	
L3 Equestrian developments	Provides criteria to assess equestrian developments	No LSE – does not promote any quantum of development. There may be project specific issues to consider in terms of risks to ES. However, the policy requires consistency with all plan policies and anticipated development of this type is low.	Depending on location, there may be project specific risks such as water pollution from surface water run-off. These matters will need to be picked up in a project level HRA	Project level HRA to be mindful of potential impact pathways. No further plan level action required.	
<b>Chapter 9 Environment and Climate Change</b>	No introductory text	See policies below.	N/A	N/A	
E1 Flood risk	Protects existing and proposed development from flood risk, and sets criteria to assess developments in areas of greater flood risk	No LSE – preventative policy, does not promote the use of built structures to prevent flooding	N/A	N/A	
E2 Relocation from Coastal Change Management Areas	Supports relocation of structures out of the Coastal Change Management Areas	No LSE - does not promote any quantum or location of development	Relocated development may result in risks to European sites, depending on development type and location.	Project level HRA may be required. The charging schedule for the Habitats Monitoring and Mitigation Strategy would apply to any net increase in dwellings. No further plan level action required.	
E3 Protection of open spaces	A protective policy to ensure that existing open spaces are safeguarded	No LSE – protective of existing open space assets, therefore beneficial for European sites in that recreation pressure is not deflected to European sites through open space loss	N/A	N/A	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
E4 Trees and landscapes	A protective policy to ensure that trees, hedgerows and valuable landscape features are safeguarded	No LSE – protective of natural features	N/A	N/A	
E5 Historic environment and heritage	A protective policy to ensure that heritage features are safeguarded	No LSE – protective of heritage features only	N/A	N/A	
E6 Pollution and hazards in development	Requirement to demonstrate that pollution hazards have been prevented in development proposals	No LSE – an environmentally positive policy, beneficial for biodiversity	N/A	N/A	
E7 Water conservation in new dwellings and holiday accommodation	Securing higher water efficiency in new development	No LSE - An environmentally positive policy	N/A	N/A	
<b>Chapter 10 Community Facilities</b>	No introductory text	See policies below.	N/A	N/A	
C1 Community facilities	Encourages new facilities and protects against the loss of existing facilities	No LSE - does not promote any quantum or location of development	Possibility of project level risks to European sites depending on development type and location.	Project level HRA may be required. No further plan level action required.	
C2 Educational facilities	Promoting new facilities for education use within development limits	No LSE – qualitative and development type not anticipated to pose any risk to European sites, unless in very close proximity, where project level HRA will be required	Risks unlikely due to nature of development and likely locations.	Project level HRA may be required. No further plan level action required.	
<b>Chapter 11 Infrastructure</b>	No introductory text	See policies below.	N/A	N/A	

Plan section or Draft policy	Description	Initial LSE screening	Potential risks	Recommendations	Re-screen
I1 Vehicle Parking for Development	Adherence to parking standards in new development	No LSE – does not promote a development type that poses any risk to European sites	N/A	N/A	
I2 Telecommunications	To support installation of new telecommunications infrastructure- providing criteria to assess proposals and encouraging 5G rollout.	No LSE – does not promote a development type that poses a risk to European sites	N/A	N/A	
I3 Foul drainage	Detailed requirements for new houses to address foul drainage & surface water issues.	No LSE – policy is environmentally positive and supports the long-term conservation of European sites by addressing water quality matters	N/A	N/A	
<b>Appendices</b>					
Appendix 1 Monitoring the Plan	Informative relating to plan monitoring	No LSE - Informative	N/A	Note need to link to the Habitats Monitoring and Mitigation Strategy	
Appendix 2 Policies to be superseded	Informative relating to plan monitoring	No LSE - Informative	N/A	N/A	
Appendix 3 Housing trajectory	Informative relating to plan monitoring	No LSE – Informative, but useful for HRA and mitigation monitoring	N/A	N/A	
Appendix 4 Glossary	Informative relating to plan monitoring	No LSE - Informative	N/A	N/A	

## Screening the site allocations

- 4.7** This section considers the residential site allocations within the Final Draft Plan. Each of the site allocations has been mapped in order to show their proximity to the European sites. Map 4 and Map 5 show the allocations in detail, with the European sites identified. The site allocations are shown as housing allocations, with their policy number labelled, or a specific employment allocation named within the map key.
- 4.8** Where planning permission has already been given since the adoption of LPP1 for residential development that contributes to the overall quantum of housing within the LPP1, permissions will have been given with contributions to Habitats Monitoring and Mitigation Strategy secured. This ensures that these permissions have been adequately mitigated for in accordance with the LPP1 HRA.

**The site allocations each have a number of houses to be delivered at each site. This information is provided in Table 3: Allocations and distances with respect to European sites (km). Note that although the Outer Thames Estuary marine SPA is screened out at plan level, the table shows the close proximity of some sites, for information as project level HRA screening may be required for this SPA.**

Allocation	Housing number or development type	Breydon Water (Ramsar)	Breydon Water (SPA)	Broadland (Ramsar)	Broadland (SPA)	The Broads (SAC)	Great Yarmouth North Denes (SPA)	Winterton-Horsey Dunes (SAC)	Outer Thames Estuary (SPA)
<b>Site Allocations</b>									
GN1 - South of Links Road, Gorleston-on-Sea	500	5.4	5.4	7.8	7.8	7.8	7.2	16.1	0.5
GN2 - Emerald Park, Gorleston-on-Sea	100	4.1	4.1	6.7	6.7	6.7	6.3	14.9	1.5
GN3 – Land at Ferryside Road	20	2.6	2.6	7.3	7.3	7.3	3.6	12.6	0.0
GN4 – Beacon Business Park	Employment								

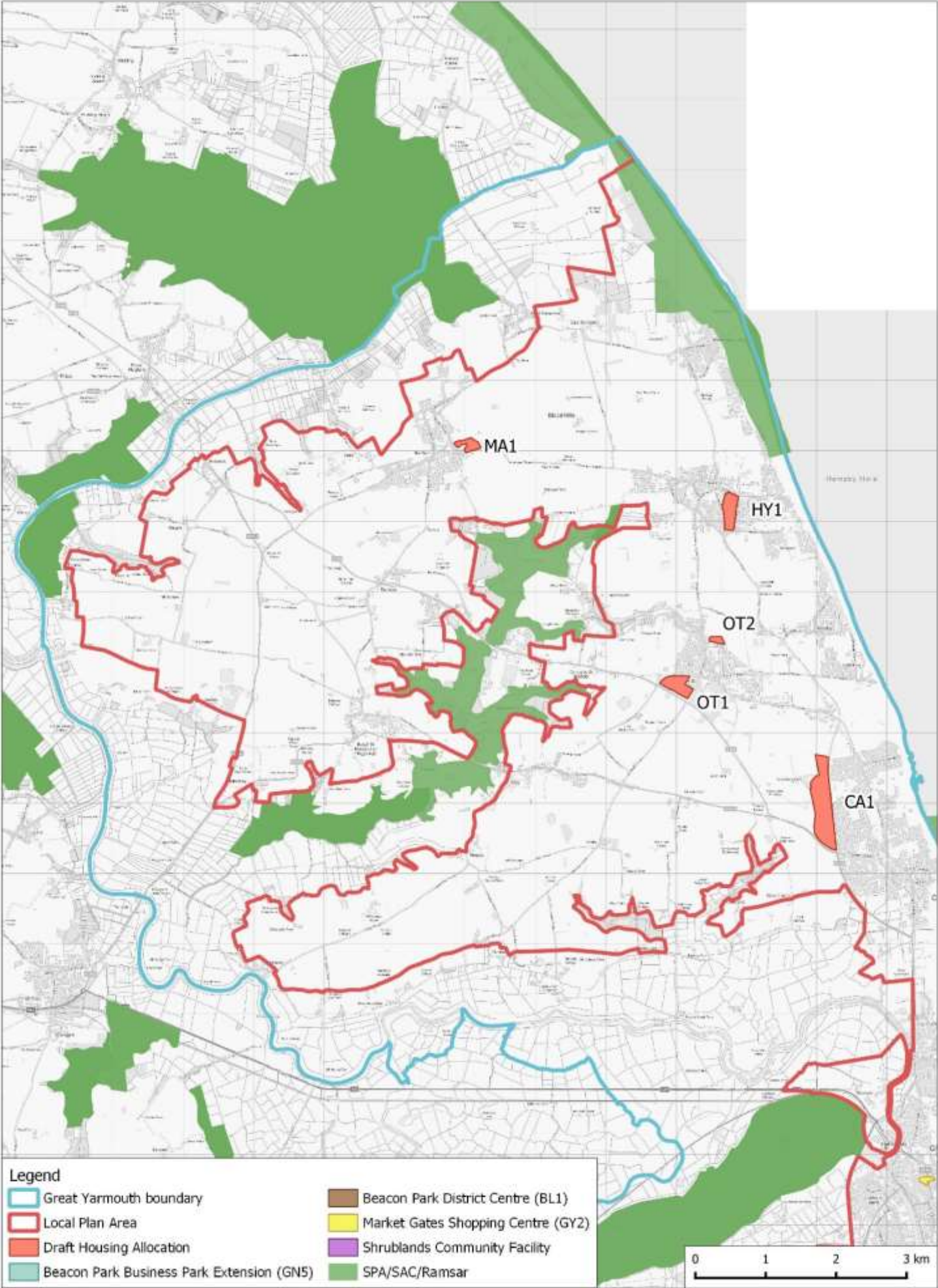
Allocation	Housing number or development type	Breydon Water (Ramsar)	Breydon Water (SPA)	Broadland (Ramsar)	Broadland (SPA)	The Broads (SAC)	Great Yarmouth North Denes (SPA)	Winterton-Horsey Dunes (SAC)	Outer Thames Estuary (SPA)
GN5 - Beacon Park Extension	Employment	3.9	3.9	6.4	6.4	6.4	6.6	15.1	1.8
GN6 - Shrublands, Gorleston-on-Sea	Healthcare	3.3	3.3	6.7	6.7	6.7	5.0	13.8	1.1
BL1 – Beacon Park District Centre	Retail/ community	4.5	4.5	7.0	7.0	7.0	6.7	15.4	1.4
CA1 - West of Jack Chase Way, Caister-on-Sea	725	3.5	3.4	4.3	4.3	3.3	1.5	4.3	1.3
BN1 – Land South of New Road	100	1.9	1.9	4.3	4.3	4.3	7.1	14.7	4.0
HY1 – Land at Former Pontins Holiday Camp	190	8.1	8.1	1.4	1.4	1.4	0.8	0.7	4.9
HP2 - A6 West of Potters, Hopton-on-Sea	40	7.3	7.3	7.1	7.1	7.1	9.3	18.4	0.6
MA1 - 8 North of Hemsby Road, Martham	108	10.2	10.2	1.6	1.6	1.2	4.0	3.1	8.2
OT1 – Land South of Cromer Road	190	5.8	5.8	2.1	2.1	1.0	3.4	3.3	3.7
OT2 - 7 North of Barton Way, Ormesby St Margaret	32	6.5	6.5	2.0	2.0	1.8	2.7	2.6	3.7

- 4.9 , which also records which sites fall within set distances from European sites. We have used the centre point of each allocation and ticks indicate where that point lies within the given distance band from a given European site. We have used a range of distances, which provide a guide and useful overview:
- 400m, which captures sites close to the European site boundary, where urban effects, run-off, recreation will likely to be of particular relevance. 400m is used at a range of other European sites such as the Thames Basin Heaths and Dorset Heaths to indicate a zone where there is a presumption against development.
  - 2500m, highlighting allocations reasonably close to the site boundary but set further back. There may be hydrological issues and recreation may also be relevant.
  - 5000m, representing a wider zone, but potentially still relevant for impacts such as recreation.
- 4.10 Allocations that lie outside the distance bands may still be implicated in cumulative impacts, for example in-combination effects from the overall quantum of development in the Local Plan and impacts from recreation. Nevertheless, the 5km band represents a useful check and visitor data from both the Broads and East Coast sites (Panter, Liley & Lowen 2017) indicates that at distances beyond 5km visitor rates are low.
- 4.11 The table shows a notable increase in housing within 5km of The Broads sites and Winterton-Horsey Dunes SAC. There is a comprehensive suite of measures being taken forward within the Habitats Monitoring and Mitigation Strategy for Winterton-Horsey Dunes SAC, and after reviewing the strategy it is concluded that this is a thorough approach and should adequately mitigate for the housing being proposed. This relies upon the continued effective implementation of the Habitats Monitoring and Mitigation Strategy. A review of avoidance and mitigation measures secured by LPP1 is therefore conducted in the following appropriate assessment sections, as a precautionary measure, to have certainty in the continued robustness of mitigation measures for application with LPP2.
- 4.12 Consideration of potential risks to The Broads within this HRA is in the review of the new Norfolk wide visitor survey data, as set out in Section 4 of this HRA. This enables a conclusion that there isn't an immediate risk from recreation arising from growth specifically in the Great Yarmouth Borough that needs to be dealt with in the Local Plan, but rather that the emerging collaborative work to manage recreation across the Norfolk European sites should be committed to within the plan. Again, a review of current progress is included within the appropriate assessment sections.



- 4.13 The LPP2 allocations do not include any sites within 400m. In terms of hydrological risks, there are no allocations in close proximity for which a concern is raised at the Local Plan level, but there are a small number of allocations within 2.5km of European sites with water quality sensitivity. Development in close proximity to the Broads sites should include surface water management in their project level HRAs, and this is therefore added to the appropriate assessment sections where the sites that lie within 2.5km are listed.

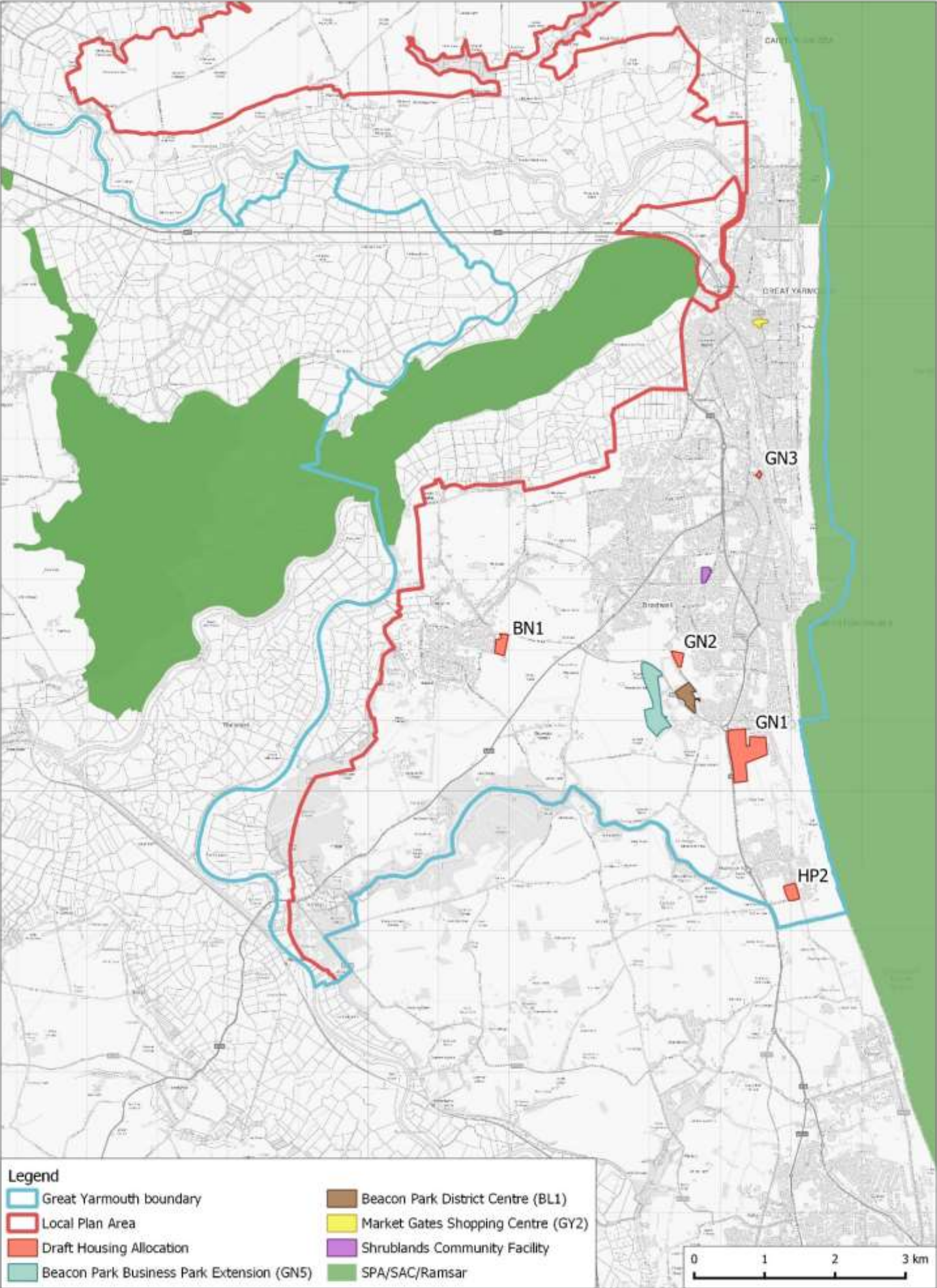
Map 4: European sites and allocations (northern part of borough)



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Designated site boundaries © Natural England copyright. Contains Ordnance Survey data © Crown copyright and database right 2019



Map 5: European sites and allocations (southern part of borough)



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Designated site boundaries © Natural England copyright. Contains Ordnance Survey data © Crown copyright and database right 2019

**Table 3: Allocations and distances with respect to European sites (km). Note that although the Outer Thames Estuary marine SPA is screened out at plan level, the table shows the close proximity of some sites, for information as project level HRA screening may be required for this SPA.**

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OT2 - 7 North of Barton Way, Ormesby St Margaret	32	6.5	6.5	2.0	2.0	1.8	2.7	2.6	3.7

## 5. Appropriate Assessment – Review of HRA for LPP1

- 5.1 Once a likely significant effect has been identified, the purpose of the appropriate assessment is to examine evidence and information in more detail to establish the nature and extent of the predicted impacts, in order to answer the question as to whether such impacts could lead to adverse effects on European site integrity.
- 5.2 An appropriate assessment should be based on evidence, and that can take different forms (direct evidence, comparable evidence, modelling, expert opinion, Natural England's advice etc). In reality however, appropriate assessments are often undertaken with some evidence, but not enough to give absolute or definitive answers. The assessment is therefore often drawing on the knowledge and experience of the assessors, to make scientifically justified decisions about risk.
- 5.3 This section of the report reviews the progression of HRA work for the Great Yarmouth Core Strategy LPP1. As noted earlier, Footprint Ecology (and in collaboration with David Tyldesley and Associates for the earlier iterations of the HRA prior to the Core Strategy Submission version) undertook the LPP1 HRA.
- 5.4 HRA work for the LPP1 includes detailed appropriate assessment of the impact of growth on the five European sites listed in Table 1 above. This assessment work is still relevant for this HRA, but a simple review of the mitigation being implemented is provided here within this appropriate assessment for LPP2 to ensure that the HRA work remains up to date. The appropriate assessment for each European site is summarised here, referring back to the LPP1 HRA.

### Winterton Horsey Dunes SAC

- 5.5 Winterton–Horsey Dunes is designated as an SAC for its Atlantic decalcified fixed dunes, humid dune slacks, embryonic shifting dunes, and shifting dunes along the shoreline with *Ammophila arenaria*. Visitor access for recreation causes damage through trampling of vegetation and the sand dunes themselves, and dog fouling causes eutrophication. Sand dunes are also susceptible to wildfires. Fire making within dunes can be popular for barbequing or for socialising around in the evenings with the backdrop of the beach and sea. The main effect of increased visitor pressure is likely to be an increase in trampling. This will increase the area of bare ground, compaction and surface movement of sediment, loss of vegetation species diversity and cover. The mobile dunes and

fixed dunes (particularly lichen rich areas) are likely to be the most vulnerable. It is worth noting that visitor access can be both beneficial to sand dune communities at low intensity and so managed access rather than exclusion is the most optimal solution.

- 5.6 Section 5 of the HRA for the Great Yarmouth LPP1, provides detailed analysis of the research available in relation to the impacts of recreation on dune systems. The analysis of research is therefore not repeated here, but this forms the basis of the continued conclusion that the Winterton–Horsey Dunes SAC is vulnerable to increased recreation pressure. Section 5 of the LPP1 HRA goes on to assess the potential impact of housing growth proposed within the Core Strategy, and the continuation of tourism related development. The assessment considers the current use of the site, and evidence of how that use is affecting the interest features.
- 5.7 The LPP1 HRA notes that Winterton-Horsey Dunes SAC is already popular with dog walkers, and is likely to attract people looking for a longer walk and wilder experience than can be found closer to Great Yarmouth. Trampling, dog fouling and wildfires are all likely to increase with increased visitor pressure. An increase in vehicles using the dunes is also possible and would compound trampling effects. Section 5 of the LPP1 HRA includes analysis of aerial photographs of the dunes.
- 5.8 The conservation objectives for the site require the maintenance of the range of habitats and associated species reflecting the different stages of succession. For sand dune systems, this requires maintaining, or restoring where necessary, the natural processes and dynamics of dune development and succession. In assessing the potential impact of increased visitor pressure, the LPP1 HRA concluded that it is possible that north of beach road, where the site is stabilised by the presence of a sea wall, a low increase in pressure may enhance the dynamism of the sand dune system, helping maintain a diverse system. However, effects may be patchy, with localised loss of diversity around trampling hot spots and there is the risk of rapidly reaching a threshold beyond which destruction of the foredunes occurs. South of beach road, where there is no sea wall, erosion may be a more immediate consequence of greater trampling pressure. Higher increases in pressure are likely to cause erosion and loss of species diversity in both areas.
- 5.9 An increase in dog fouling and wildfire would negatively impact on the site. An increase in car parking along beach road at Winterton is likely, and would further damage the dune vegetation alongside the road. The LPP1 HRA was assessing the full quantum of housing growth, rather than site allocations. It concluded that more general urban effects associated with development, such as increased

lighting, noise, litter, vandalism etc would be unlikely to be significant enough to affect the integrity of the site, because it was concluded that a large volume of housing was unlikely to be proposed in sufficiently close proximity to occur at significantly increased levels. This point is discussed further in the screening of site allocations at [Section 6](#).

- 5.10 The Site Improvement Plan for Winterton-Horsey Dunes SAC is a joint plan for both the SAC and North Denes SPA. It highlights specific disturbance issues relating to the Little Tern population, and wider recreation pressure on the designated habitat features. It highlights the Norfolk wide recreation management work being undertaken by the Norfolk authorities in partnership, as discussed in [Section 5](#) below. The SIP also notes airborne pollution issues for the SAC habitats.

## Breydon Water SPA/Ramsar

- 5.11 Breydon Water is a tidal estuary at the mouth of the River Yare and its confluence with the Rivers Bure and Waveney. Extensive areas of mud are exposed at low tide and these are a valuable feeding resource for water birds as they are the only intertidal flats occurring on the east coast of Norfolk. The mudflats are characterised by growths of green algae *Enteromorpha* sp. and *Ulva* sp. and two uncommon species of Eel-grass *Zostera marina* and *Z. noltii*. These plants, together with an abundant invertebrate fauna, attract large numbers of ducks and waders to feed in the estuary at the appropriate seasons. Numbers of passage and wintering waterfowl using the estuary will build from July onwards through the winter until March.
- 5.12 Breydon Water therefore occupies a key position on the east coast for a range of wintering, passage and breeding bird species. The estuary is adjacent to the urban area of Great Yarmouth, and recreation pressure on the site is therefore of concern throughout the year, with the potential to disturb birds both within and outside the breeding season, with the latter being primarily the interruption of feeding and disturbance at roosting sites. Section 6 of the LPP1 HRA assesses in detail the available research in relation to bird disturbance, including visitor survey work at the site, and explains the complexity of assessing the effects of disturbance, when dealing with multiple impacts, differing species, and often a range of other factors also affecting the birds.
- 5.13 The LPP1 HRA identifies that issues for Breydon Water SPA are likely to be focussed near visitor access points. The HRA report suggests that the main issues are potentially:
- Increased levels of access along the northern shore, adjacent to the area of saltmarsh that forms a high tide roost. There is a bird hide in place here.



The report indicates that this area is currently easily accessible from the Asda car-park adjacent to the railway station. An under-pass provides unrestricted access onto the seawall without the need to cross the by-pass. However, this requires a fair walk around wasteland next to the railway and therefore not attractive.

- Increased level of access along the southern shore, from Burgh Castle. There are no connecting roads or public rights of way from Bradwell. This would have potential implications for breeding bittern and wintering birds feeding on the mudflats and adjacent marshes.

- 5.14 The access levels at Breydon Water are not considered to be excessive, and the Core Strategy HRA recommendations therefore focus more on the need for careful monitoring to ensure that any changes in access are detected early. The SIP for Breydon Water identifies that Natural England, the RSPB and the Broads Authority are working together to identify and monitor recreation activities and their potential consequences for the site interest features.

## North Denes SPA

- 5.15 The North Denes SPA is classified for its breeding population of Little Terns, being the largest colony in the UK, holding approximately 10% of the UK population. Little Terns are summer migrants, nesting on sand or shingle in shallow scrapes, which are susceptible to predation, including by dogs. Nest disturbance can cause birds to abandon nest sites. Section 7 of the Core Strategy HRA provides a detailed assessment of research on Little Tern and other similar species in terms of the impact of disturbance.
- 5.16 The North Denes colony is believed to occur when it is in close proximity to fish stocks. The dynamic nature of the coast has meant that the area available for the terns to nest in has been shrinking, as the foredunes move eastwards. This may explain the recent shift to Winterton as increasingly the birds have been squashed into a smaller and smaller area at North Denes; which makes the colony particularly vulnerable to predation or single incidents such as vandalism. In the absence of any human impacts it would be expected that the terns would move around the coast, able in a given year to respond to the availability of suitable nesting habitat, distribution of fish stocks and predator abundance. It would perhaps therefore be expected that in some years the birds would be scattered in numerous small colonies around the coast and in other years nesting in only a few large colonies. Issues such as urban development, high access levels and the resource implications of management/fencing mean that only a limited number of safe nesting areas are available to the birds.

- 5.17 In the absence of the colony protection scheme, it is highly unlikely that the area would support a viable population of little terns. Access at North Denes has, in the past, been carefully controlled by RSPB staff and fencing, and visitors are encouraged to use vantage points from which they can view terns without disturbing them. As a result of recent coastal changes, the beach at North Denes has shifted in shape and the Little Tern colony has moved. Current management and protection of Little Terns around the English coast is funded by the European Life Project, with funding in place until the end of 2018. The RSPB and Natural England implement suitable management at the sites around the coast, in response to Little Tern presence. This has involved mobile fencing and deployment of resources at different locations. Round-the-clock monitoring was instigated at Winterton for the first time in 2012 due to the large colony there. Wardening effort is in response to need. The vulnerability of Little Tern colonies is evidenced by recent vandalism incidents at Kesingland and on the Northumbria coast in 2017, where colony fencing was breached and eggs taken.
- 5.18 The birds do move locally and this is thought to correspond with food availability, but also as a response to predation and disturbance. Section 7 of the LPP1 HRA compares nesting date from different sites over a number of years. Detailed accounts of the history of the Little Tern colony at Great Yarmouth are provided by Allard (Allard, 1990) and also by Brown & Grice (Brown and Grice, 2005), who compare the numbers of nesting terns in each year with other major colonies. There are a series of annual reports produced by RSPB staff.
- 5.19 The LPP1 HRA concludes that the location of the tern colony is under intense pressure. The HRA was informed by visitor survey work at the site to assess current levels of access and visitor home locations. The survey found 69% of visitors considered themselves to be local, and the post code analysis showed that a large proportion of the interviewees come from the northern area of Great Yarmouth and Caister-on-Sea. It also indicated that people are visiting from the rural area around Great Yarmouth, with a small number of people travelling from Lowestoft and Norwich. The visitor survey findings are discussed in detail within Section 7 of the LPP1 HRA.
- 5.20 The HRA highlights that the visitor monitoring clearly shows that people currently living in the area visit the North Denes area for recreation, especially dog walking. Local residents are a proportion of visitors to the site, with tourism also an influence. The tern colony is already under considerable pressure and further development may further exacerbate the problems. Existing intensive management and protection of the tern colony is resulting in successful breeding, but such measures may or may not maintain the colony in the future. As noted above for Winterton-Horsey Dunes SAC, the SIP produced by Natural England is a joint plan for both North Denes SPA and Winterton-Horsey Dunes

SAC. It highlights specific disturbance issues relating to the Little Tern population.

## The Broads SAC and Broadland SPA/Ramsar site

- 5.21 The Broads SAC and Broadland SPA/Ramsar site are sensitive to changes to water levels and water quality. These European sites are within 'The Broads,' an area of over 300 square kilometres established as an area of national value for its landscape and wildlife rich wetlands, with a similar purpose and function to National Parks, but established under its own legislation; the Norfolk and Suffolk Broads Act 1988. The Broads Authority manages the Broads and is the local planning authority for the designated area of The Broads, hence the exclusion of the Broads from the Great Yarmouth Local Plan. The Broads Authority has additional responsibilities as a harbour and navigation authority. Water management is fundamental to all functions of the Broads Authority, and is the foundation of many of its plans and strategies. Protecting and managing the water resource is a key theme within its new Local Plan, currently being prepared.
- 5.22 The Great Yarmouth LPP1 HRA sets out an assessment of water issues in Section 8 of that report. Flooding issues are excluded on the basis of the distance between settlements and the European sites. Local flooding issues are at the forefront of spatial planning within the Broads, managed by the Broads Authority. For waste water treatment, the LPP1 HRA noted that the major waste water treatment works for the area is at Caister-on-sea to the north of Great Yarmouth and that the effluent which has received both primary and secondary treatment discharges directly to sea. The Core Strategy HRA therefore concluded no risk of adverse effects from waste water treatment or disposal.
- 5.23 In terms of water supply, the Core Strategy HRA noted that the Anglian region is one of the driest in the UK, with very low annual rainfall. The parts of the Broads towards Great Yarmouth and Lowestoft are covered by the Essex & Suffolk Water utility company. Each water utility company has to produce and regularly update a Water Resource Management Plan (WRMP). The WRMP was assessed for the Core Strategy HRA, which found a number of issues with water supply, but the development of solutions to meet demand was planned for. As a consequence, the Environment Agency advised that European sites will be adequately protected.
- 5.24 The current WRMP, now running from 2015 onwards, now concludes that there will be a supply surplus. The HRA for the WRMP includes consideration of the Trinity Broads SSSI and Geldeston Meadows SSSI as components of the Broadland SPA/Ramsar site and the Broads SAC. The SIP has a notable focus on

water improvements, and also makes reference to the need to gather better research information on the potential recreational disturbance caused by different users, and action being led by Natural England.

## Mitigation measures recommended by the LPP1 HRA

- 5.25 The LPP1 Core Strategy HRA recommended a package of mitigation and monitoring measures to minimise the risks posed by any increased recreation pressure arising from the development planned for by the LPP1, covering Winterton-Horsey Dunes SAC, North Denes SPA and Breydon Water SPA/Ramsar site. For each site, immediate measures were highlighted, alongside a programme of monitoring that would then inform longer term measures to be implemented.
- 5.26 In response to this, Great Yarmouth Borough Council made commitments to the mitigation within the LPP1 policy and supporting text at Policy CS11 – Enhancing the natural environment. Within the policy, the North Denes Little Tern colony is also specifically referred to. The supporting text for Policy CS11 gives a clear and detailed account of the HRA findings and the key measures to be implemented in order to protect the European sites from the impact of increased recreation pressure.
- 5.27 A monitoring and mitigation advisory group has been established, in a positive response to the recommendations within the LPP1 HRA for partnership working to deliver the required mitigation measures. The group is being chaired by Great Yarmouth Borough Council, and representatives for the RSPB, Natural England, Norfolk Wildlife Trust and the Broads Authority are included in the group. The Habitats Monitoring and Mitigation Strategy has been approved by the Council and is now further supported by Policy GSP5, a detailed policy within LPP2 that explains the habitats and species avoidance and mitigation requirement for a financial contribution that residential development must make, on a per dwelling basis. The charge set out within the strategy relates primarily to new residential development and tourist accommodation, however, other new developments, such as tourist attractions, that may give rise to increased recreational pressures may also be required to contribute to monitoring and mitigation measures, as informed by their project level HRAs.

## Review of the Habitats Monitoring and Mitigation Strategy

- 5.28 The Habitats Monitoring and Mitigation Strategy comprehensively picks up all matters raised by the LPP1 HRA and sets out a plan for the delivery of the mitigation measures required. The strategy includes costings for the measures, how they will be delivered and the timeframe. The strategy has been reviewed

to inform this HRA of the Great Yarmouth LPP2 and has been found to be a very thorough approach to taking forward HRA recommendations. Of particular note is the very positive approach to using monitoring to prevent adverse effects, therefore fully according with the requirements of the Habitats Directive for ‘maintaining’ the European sites in order to maximise their contribution to favourable conservation status for the habitats and species for which they are designated or classified.

- 5.29 One of the main strengths of the strategy is the level of evidence gathering built into the measures. This will create a sound platform on which the strategy can be reviewed and update over time, and will make sure that the approach is justified and proportionate.
- 5.30 The measures are calculated for implementation over the plan period, with the quantum of housing proposed for the plan period therefore contributing the required amount to meet funding requirements where measures are not implemented by other means. It is important to note that impacts arising from residential development are for the lifetime of any development, and mitigation measures should therefore be anticipated to be required beyond the current plan period, with a means of providing that mitigation. Future housing growth will continue to be a potential risk requiring mitigation, and this could enable long term measures to continue to be funded. Future HRA work will inform the nature and extent of such risk, and will particularly need to have regard for recreation preferences that may have changed over time. Monitoring results will enable a future iteration of the strategy to be refined to fully mitigate for the risk posed.
- 5.31 The Habitats Monitoring and Mitigation Strategy has recently been updated by the Council, following discussion with the Strategy Group (which includes external partners such as Natural England and the RSPB). The charging schedule now reflects the currently agreed mitigation need by the Strategy Group, and the level of housing coming forward that will fund the implementation of the measures. The strategy and its charging schedule has informed the conclusions drawn in screening the LPP2 for likely significant effects, as set out in [Section 6](#).
- 5.32 With developer contributions coming forward in accordance with the strategy, the Borough Council has funded the management of the little tern colony at Winterton-Horsey Dunes SAC and North Denes SPA for the 2019 nesting season. The Borough Council also used this money to provide the fencing at North Denes. This is the first year following the end of the funding provided for the European Life Project for Little Tern recovery.

## 6. Appropriate Assessment - Norfolk Wide Visitor Survey Work

- 6.1 This section reviews a piece of new evidence (Panter, Liley & Lowen 2017) that is relevant to the HRA. The report was published in early 2017 and therefore did not inform the LPP1 HRA. However, at the time of preparation the LPP1 HRA was informed by a good level of survey data, some of which was specifically collected in order to inform the assessment work, including visitor surveys at North Denes. The new Norfolk wide survey work provides a much wider survey areas across multiple European sites that now enables predictions of future visitor pressure across the sites and gives an opportunity for local planning authorities to work together in developing complementary solutions.
- 6.2 The report by Panter, Liley & Lowen presents the findings of visitor surveys undertaken at European sites across Norfolk over 2015 and 2016. The results provide an in-depth analysis of current and projected visitor patterns to the European sites, combining data from multiple local authorities to predict changes in recreation use as a result of new housing planned across Norfolk. The work was commissioned by Norfolk County Council and the Norfolk Biodiversity Partnership (NBP) on behalf of all local planning authorities across Norfolk.
- 6.3 The surveyed locations at the European sites all had public access and therefore the potential for increased recreation levels with new housing growth. Surveys at each point involved 16 hours of survey work split evenly between weekdays and weekends and spread across daylight hours. As such fieldwork was standardised and broadly comparable. Surveys took place at different times of year at different locations, with the timing targeted to coincide with times when wildlife interest (e.g. designated features of European Protected sites) was present and access was likely to be high. Fieldwork involved counts of people and interviews with a random sample of visitors
- 6.4 The report provides initial recommendations for mitigation and monitoring, which should be developed by the Norfolk authorities. The results highlight how recreation change, particularly at the North Coast, the Broads and the Valley Fens, will be linked to development across multiple local authorities and solutions are likely to be most effective if delivered and funded in partnership. Following publication of this report, the Norfolk authorities are now using the data analysis to inform next steps in terms of a strategic approach to managing recreation pressure.
- 6.5 For the Great Yarmouth Borough, the analysis clearly shows that Winterton-Horsey Dunes SAC, North Denes SPA and Breydon Water SPA/Ramsar site are

predicted to be most significantly affected by increased growth within the Great Yarmouth Local Plan area. Other local planning authority areas are also likely to increase recreation pressure on these sites from new housing growth to a lesser extent.

- 6.6 The data indicates that the other sites where future Great Yarmouth residents are likely to visit are The Broads sites; the Broads SAC and Broadland SPA/Ramsar site. This new evidence is of relevance to this HRA, noting that recreation pressure on these sites was not assessed in detail in the Great Yarmouth LPP1 HRA. In analysing the data and the proximity of settlements to the sites, a check of access routes has concluded that accessibility by foot is limited, and so visitors would be more likely to go by car. Access could potentially be made into The Broads from some locations by canoe, which is a popular activity within The Broads.
- 6.7 The HRAs for the Broads Local Plan and the Broads Management Plan both focus on visitor management, including boating activities. The plans provide comprehensive measures for managing tourism, and this accords with the duties of The Broads Authority. This HRA is therefore able to conclude that at this point in time, the risk is not such that specific measures should be added to the LPP2. The partnership working with the Norfolk wide authorities will be referenced and committed to within the Local Plan. This work is in its early stages but is making positive progress. By committing to continued engagement now, this provides confidence that as a Norfolk wide approach to managing visitor pressure for European sites is progressed, Great Yarmouth Borough Council can add to that commitment as appropriate in light of future progress.
- 6.8 Reference to the partnership working with the Norfolk wide authorities on this matter is important to demonstrate an ongoing commitment. This is provided within the Final Draft Plan at Policy GSP5 under cumulative impacts. This matter should be reviewed again within the HRA once the review commences for LPP1.

## 7. Water quality and water resources

- 7.1 As noted in the screening section, a precautionary screening distance of 2.5km is used to highlight any potential water quality risks, particularly from surface water from run off.

### *The Broads SAC and Broadland SPA/Ramsar site*

- 7.2 The Broads SAC and Broadland SPA/Ramsar site are sensitive to changes to water levels and water quality. These European sites are within 'The Broads,' an area of over 300 square kilometres established as an area of national value for its landscape and wildlife rich wetlands, with a similar purpose and function to National Parks, but established under its own legislation; the Norfolk and Suffolk Broads Act 1988.
- 7.3 The Broads Authority manages the Broads and is the local planning authority for the designated area of The Broads, hence the exclusion of the Broads from the Great Yarmouth Local Plan. The Broads Authority has additional responsibilities as a harbour and navigation authority. Water management is fundamental to all functions of the Broads Authority and is the foundation of many of its plans and strategies. Protecting and managing the water resource is a key theme within its new Local Plan.

### *Measures for water quality protection*

- 7.4 Development in close proximity to the Broads sites should include surface water management in their project level HRAs, and this is relevant for any allocation or windfall sites that may come forward with a potential hydrological link. There are a small number of allocations that lie within 2.5km of European sites with water quality sensitivity. These are:
- HY1 - Land at Former Pontins Holiday Camp for 190 dwellings
  - MA1 - North of Hemsby Road, Martham for 95 units
  - OT1 - Land South of Cromer Road – housing allocation for 190 dwellings
  - OT2 - North of Barton Way, Ormesby St Margaret for 32 dwellings.
- 7.5 It was previously recommended to the Council that these allocations include specific reference to the need for project level HRA to assess and mitigate for any water quality risks with appropriate surface water management demonstrated as part of the proposal, if required. Similar and more extensive comments have been made by the Environment Agency in relation to the need for adequate surface water management to be demonstrated on particular sites.



This previous HRA action has now been undertaken and references are made within the supporting text for these policies in the Final Draft Plan. For each policy there is text requiring development proposals to assess hydrological linkage and where necessary provide a surface water management plan.

- 7.6 It is noted that HY1, Land at Former Pontins Holiday Camp, has outline planning permission, which was granted with the benefit of project level HRA ruling out adverse effects on European site integrity. Additional surface water management checks at reserved matters application stage, when the project level HRA will be updated.
- 7.7 Policy I3 Foul Drainage requires foul drainage infrastructure requirements to be considered ahead of development and is a positive response to previous recommendations by the Environment Agency in earlier consultations.

## Water resources

- 7.8 The HRA for LPP1 recognised that water resources is a key concern for the area. Whilst it was concluded that protective measures and new infrastructure were planned or in place, it was recommended that this issue is the subject of continued discussion with the Environment Agency and water utility company, in order to ensure that at any plan review or partial review during its plan period is fully informed by up to date information. Consultation comments from Anglian Water stress that the Anglian Water region is an area of serious water stress, and that Anglian Water therefore supports the adoption of the higher standard of water efficiency requirements set out in emerging policy within the plan.
- 7.9 The relevant evidence to enable the Council to have continued confidence in water supply is the Water Cycle Strategy Scoping Study, published jointly with neighbouring Waveney District Council in 2009, which is referred to in the HRA for LPP1, along with the WRMP. The WRMP was assessed for the Core Strategy HRA and whilst this found a number of issues with water supply, the development of solutions to meet demand has been planned for and the Environment Agency subsequently advised that European sites will be adequately protected.
- 7.10 The current WRMP, now running from 2015 onwards, concludes that there will be a supply surplus. As already noted, the HRA for the WRMP includes consideration of the Trinity Broads SSSI and Geldeston Meadows SSSI as components of the Broadland SPA/Ramsar site and the Broads SAC. The SIP has a notable focus on water improvements, and also makes reference to the need to gather better research information on the potential recreational disturbance caused by different users, and action being led by Natural England.

- 7.11 It is anticipated that a review of available evidence in relation to water supply will form part of the review of LPP1, and it is therefore recommended that an update on the provision of water resources is included in the HRA, drawing on any recent information sources and evidence, once the review of LPP1 commences.

## 8. HRA Findings and Recommendations

- 8.1 This section summarises the screening and appropriate assessment findings for the Final Draft Plan.
- 8.2 The LPP1 HRA provided a very detailed appropriate assessment of impacts, and this led to a number of recommendations now being taken forward by Great Yarmouth Borough Council. This HRA for the LPP2 now builds on the LPP1 HRA and supports the positive progression of mitigation since. This HRA is able to conclude that with the comprehensive Habitats Monitoring and Mitigation Strategy for mitigation in place, and in taking forward the additional specific recommendations below, adverse effects on European site integrity continue to be prevented.
- 8.3 The screening of the Final Draft Plan has found that the policies do not pose a risk to European sites. This is because of the current measures being progressed in terms of the Habitats Monitoring and Mitigation Strategy. This provides adequate certainty of European site protection and will be applied to residential and tourism development. Where the screening table has identified that some policies may pose project level risks, it is a precautionary note in the HRA, as the policy itself does not present a quantum, size or type of development that has clear impact pathways. In some circumstances, in some locations, project level HRA checks may need to be made.
- 8.4 There is a specific policy within the Final Draft Plan (GSP5) that provides strong protection for European sites and sets out the requirements of the current Great Yarmouth Borough Habitats Monitoring and Mitigation Strategy, upon which this HRA relies for the conclusion of no likely significant effects for the development management policies and non-residential allocations. The policy also provides for any individual developments where it is found that potential risks are over and above those to be mitigated for by the strategy, requiring bespoke additional mitigation in such cases, including provision of greenspace where required. A precautionary check of the strategy as part of the appropriate assessment, gives confidence that this approach remains a robust means of protecting European sites from potential recreation impacts.
- 8.5 A small number of recommendations for policy strengthening were previously made in an earlier iteration of this HRA at Regulation 18 stage and are now included in the Final Draft Plan. This includes project level HRA where there is water run off risks, and reference to securing biodiversity enhancements as an integral part of development. The latter is in accordance with the newly revised NPPF and forthcoming legislation, and provide greater resilience for biodiversity across the Borough, which in turn supports European sites.

- 8.6 The screening of the residential site allocations is able to conclude that the Habitats Monitoring and Mitigation Strategy provides adequate certainty of European site protection. The review of the Habitats Monitoring and Mitigation Strategy within the appropriate assessment confirms its continued suitability. Its recent update gives further confidence that it remains a robust means of protecting the European sites.

## Conclusions

- 8.7 This HRA has been prepared for the Final Draft Plan stage, which will be the subject of public consultation. The plan will then be submitted for Examination in Public. This HRA report will be updated at the final stage of plan making after Examination, to take account of any changes within Main Modifications.
- 8.8 The conclusion of no adverse effects on European site integrity is made having regard for the current implementation of the Great Yarmouth Habitats Monitoring and Mitigation Strategy. The Final Draft Plan assessed for this HRA includes reference to the Habitats Monitoring and Mitigation Strategy within Policy GSP5, giving weight to its function as part of the Great Yarmouth Local Plan, and additional certainty of strategy delivery.
- 8.9 The Habitats Monitoring and Mitigation Strategy is in its initial stages of implementation, with developer contributions as outlined in the strategy document being collected for all relevant planning applications (i.e. new residential or tourist accommodation). The inclusion of policy wording will now support the collection of developer contributions from all relevant applications, irrespective of size. It is concluded that this continues to provide robust mitigation, and that adverse effects on European sites are prevented at the plan level.

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## 10. Appendix 1 - The Habitats Regulations Assessment Process

- 10.1 The designation, protection and restoration of European wildlife sites is embedded in the Conservation of Habitats and Species Regulations 2017, as amended, which are commonly referred to as the 'Habitats Regulations.'
- 10.2 The Habitats Regulations are in place to transpose European legislation set out within the Habitats Directive (Council Directive 92/43/EEC), which affords protection to plants, animals and habitats that are rare or vulnerable in a European context, and the Birds Directive (Council Directive 2009/147/EC), which originally came into force in 1979, and which protects rare and vulnerable birds and their habitats. These key pieces of European legislation seek to protect, conserve and restore habitats and species that are of utmost conservation importance and concern across Europe. Although the Habitats Regulations transpose the European legislation into domestic legislation, the European legislation still directly applies, and in some instances, it is better to look to the parent Directives to clarify particular duties and re-affirm the overarching purpose of the legislation.
- 10.3 European sites include Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) classified under the Birds Directive. The suite of European sites includes those in the marine environment as well as terrestrial, freshwater and coastal sites. European sites have the benefit of the highest level of legislative protection for biodiversity. Member states have specific duties in terms of avoiding deterioration of habitats and species for which sites are designated or classified, and stringent tests have to be met before plans and projects can be permitted, with a precautionary approach embedded in the legislation, i.e. it is necessary to demonstrate that impacts will not occur, rather than they will. The overarching objective is to maintain sites and their interest features in an ecologically robust and viable state, able to sustain and thrive into the long term, with adequate resilience against natural influences. Where sites are not achieving their potential, the focus should be on restoration.
- 10.4 The UK is also a contracting party to the Ramsar Convention, which is a global convention to protect wetlands of international importance, especially those wetlands utilised as waterfowl habitat. In order to ensure compliance with the requirements of the Convention, the UK Government expects all competent authorities to treat listed Ramsar sites as if they are part of the suite of designated European sites, as a matter of government policy, as set out in Section 118 of the National Planning Policy Framework. Most Ramsar sites are

also a SPA or SAC, but the Ramsar features and boundary lines may vary from those for which the site is designated as a SPA or SAC.

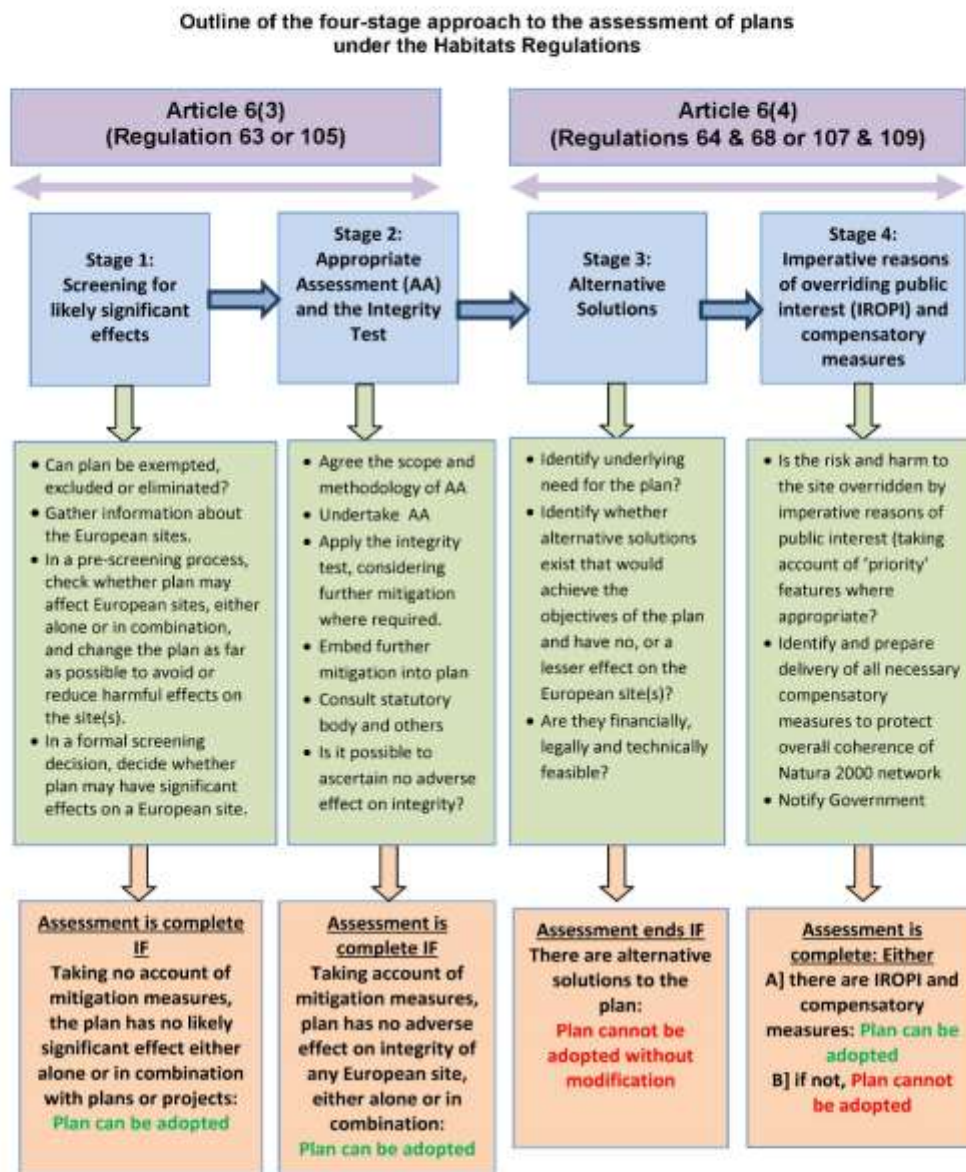
- 10.5 It should be noted that in addition to Ramsar sites, the National Planning Policy Framework also requires the legislation to be applied to potential SPAs and possible SACs, and areas identified or required for compensatory measures where previous plans or projects have not been able to rule out adverse effects on site integrity, yet their implementation needs meet the exceptional tests of Regulation 64 of the Habitats Regulations, as described below.
- 10.6 The step by step process of HRA is summarised in the diagram below. Within the Habitats Regulations, local planning authorities, as public bodies, are given specific duties as ‘competent authorities’ with regard to the protection of sites designated or classified for their species and habitats of European importance. Competent authorities are any public body individual holding public office with a statutory remit and function, and the requirements of the legislation apply where the competent authority is undertaking or implementing a plan or project, or authorising others to do so. Regulation 62 of the Habitats Regulations sets out the HRA process for plans and projects, which includes development proposals for which planning permission is sought. Additionally, Regulation 105 specifically sets out the process for assessing emerging land use plans.
- 10.7 The step by step approach to HRA is the process by which a competent authority considers any potential impacts on European sites that may arise from a plan or project that they are either undertaking themselves, or permitting an applicant to undertake. The step by step process of assessment can be broken down into the following stages, which should be undertaken in sequence:
- Check that the plan or project is not directly connected with or necessary for the management of the European site
  - Check whether the plan or project is likely to have a significant effect on any European site, from the plan or project alone
  - Check whether the plan or project is likely to have a significant effect on any European site, from the plan or project in-combination with other plans or projects
  - Carry out an Appropriate Assessment
  - Ascertain whether an adverse effect on site integrity can be ruled out
- 10.8 After undertaking a screening for likely significant effects, a competent authority may consider that there is a need to undertake further levels of evidence gathering and assessment in order to have certainty, and this is the Appropriate Assessment stage. At this point the competent authority may identify the need to add to or modify the project in order to adequately protect the European site,

and these mitigation measures may be added through the imposition of particular restrictions and conditions.

- 10.9 For plans, the stages of HRA are often quite fluid, with the plan normally being prepared by the competent authority itself. This gives the competent authority the opportunity to repeatedly explore options to prevent impacts, refine the plan and rescreen it to demonstrate that all potential risks to European sites have been successfully dealt with.
- 10.10 When preparing a plan, a competent authority may therefore go through a continued assessment as the plan develops, enabling the assessment to inform the development of the plan. For example, a competent authority may choose to pursue an amended or different option where impacts can be avoided, rather than continue to assess an option that has the potential to significantly affect European site interest features.
- 10.11 After completing an assessment, a competent authority should only approve a project or give effect to a plan where it can be ascertained that there will not be an adverse effect on the integrity of the European site(s) in question. In order to reach this conclusion, the competent authority may have made changes to the plan, or modified the project with restrictions or conditions, in light of their Appropriate Assessment findings.
- 10.12 Where adverse effects cannot be ruled out, there are further exceptional tests set out in Regulation 64 for plans and projects and in Regulation 107 specifically for land use plans. Exceptionally, a plan or project could be taken forward for imperative reasons of overriding public interest where adverse effects cannot be ruled out and there are no alternative solutions. It should be noted that meeting these tests is a rare occurrence and ordinarily, competent authorities seek to ensure that a plan or project is fully mitigated for, or it does not proceed.
- 10.13 In such circumstances where a competent authority considers that a plan or project should proceed under Regulations 64 or 107, they must notify the relevant Secretary of State. Normally, planning decisions and competent authority duties are then transferred, becoming the responsibility of the Secretary of State, unless on considering the information, the planning authority is directed by the Secretary of State to make their own decision on the plan or project at the local level.
- 10.14 The decision maker, whether the Secretary of State or the planning authority, should give full consideration to any proposed 'overriding reasons' for which a plan or project should proceed despite being unable to rule out adverse effects on European site interest features, and ensure that those reasons are in the public interest and are such that they override the potential harm. The decision



maker will also need to secure any necessary compensatory measures, to ensure the continued overall coherence of the European site network if such a plan or project is allowed to proceed.



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Figure 1: Outline of the assessment of plans under the Habitat Regulations

## 11. Appendix 2 – The European Site Conservation Objectives

- 11.1 As required by the Directives, 'Conservation Objectives' have been established by Natural England, which should define the required ecologically robust state for each European site interest feature. All sites should be meeting their conservation objectives. When being fully met, each site will be adequately contributing to the overall favourable conservation status of the species or habitat interest feature across its natural range. Where conservation objectives are not being met at a site level, and the interest feature is therefore not contributing to overall favourable conservation status of the species or habitat, plans should be in place for adequate restoration.
- 11.2 Natural England has embarked on a project to renew all European site Conservation Objectives, in order to ensure that they are up to date, comprehensive and easier for developers and consultants to use to inform project level HRA s in a consistent way. In 2012, Natural England issued now a set of generic European site Conservation Objectives, which should be applied to each interest feature of each European site. These generic objectives are the first stage in the project to renew conservation objectives, and the second stage, which is to provide more detailed and site-specific information for each site to support the generic objectives, is now underway.
- 11.3 The new list of generic Conservation Objectives for each European site includes an overarching objective, followed by a list of attributes that are essential for the achievement of the overarching objective. Whilst the generic objectives currently issued are standardised, they are to be applied to each interest feature of each European site, and the application and achievement of those objectives will therefore be site specific and dependant on the nature and characteristics of the site. The second stage, provision of the more supplementary information to underpin these generic objectives provides much more site-specific information, and this detail is important for informing local aspects of HRAs, giving greater clarity to what might constitute an adverse effect on a site interest feature.
- 11.4 Natural England advises that HRAs should use the generic objectives and supplementary advice and apply them to the site-specific situation. This should be supported by comprehensive and up to date background information relating to the site.
- 11.5 For SPAs, the overarching objective is to:
- 11.6 'Avoid the deterioration of the habitats of qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is

maintained and the site makes a full contribution to achieving the aims of the Birds Directive.'

11.7 This is achieved by, subject to natural change, maintaining and restoring:

- The extent and distribution of the habitats of the qualifying features.
- The structure and function of the habitats of the qualifying features.
- The supporting processes on which the habitats of the qualifying features rely.
- The populations of the qualifying features.
- The distribution of the qualifying features within the site.

11.8 For SACs, the overarching objective is to:

*'Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.'*

11.9 This is achieved by, subject to natural change, maintaining and restoring:

- The extent and distribution of the qualifying natural habitats and habitats of qualifying species.
- The structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species.
- The supporting processes on which qualifying natural habitats and habitats of qualifying species rely.
- The populations of qualifying species.
- The distribution of qualifying species within the site.

11.10 Conservation objectives inform any HRA of a plan or project, by identifying what the interest features for the site should be achieving, and what impacts may be significant for the site in terms of undermining the site's ability to meet its conservation objectives.

## 12. Appendix 3 – The Nature Conservation Interest of the European Sites

- 12.1 The European sites considered within this HRA for the LPP2 follow from those previously considered for the HRA of the LPP1. As illustrated in Maps 1, 2 and 3 within [Section 2](#) of this HRA, the initial check for sites within 20km of the administrative boundary of Great Yarmouth was undertaken to identify potential sites at risk, and then each was considered for potential impact pathways that would highlight the need to include the site within the screening for likely significant effects. Impacts such as water abstraction, waste water discharge and increased recreation could have effects well beyond the Borough's boundary. This initial assessment of European sites as part of the LPP1 HRA has been re-checked to confirm that the findings remain appropriate for this HRA of the LPP2.
- 12.2 The Great Yarmouth Borough lies in an area of considerable importance for nature conservation with a number of European sites located within and just outside the Borough, some of which are offshore. The range of sites, habitats and designations is complex with some areas having more than one designation. Table 4 below lists the European sites within or partly within 20km of the Borough boundary.

**Table 4: European Sites in and around Great Yarmouth Borough, entirely or partly within 20km of the Borough boundary**

SPA	SAC	Ramsar
Broadland	The Broads	Broadland
Benacre to Easton Barents	Benacre to Easton Barents Lagoons	Breydon Water
Breydon Water	Winterton-Horsey Dunes	
Great Yarmouth North Denes	Paston Great Barn	
Outer Thames Estuary	Haisborough, Hammond and Winterton	

- 12.3 The following European sites have been screened out by this HRA due to a lack of impact pathways:
- Benacre to Easton Barents SPA
  - Benacre to Easton Barents Lagoons SAC
  - Paston Great Barn SAC
  - Outer Thames Estuary SPA
  - Haisborough, Hamond and Winterton SAC

12.4 The European sites where there are potential impact pathways from implementation of the plan, and therefore considered within the screening for likely significant effects are:

- Winterton-Horsey Dunes SAC
- North Denes SPA
- Breydon Water SPA/Ramsar site
- Broadland SPA/Ramsar site
- The Broads SAC

12.5 The interest features and current issues for each of the four European sites being considered within the screening for likely significant effects are listed below. The overarching Conservation Objectives set out in Appendix 2 should be applied to each of these interest features. As noted in Appendix 2, detailed supplementary information for each interest feature will be developed as part of the Conservation Objectives in due course.

12.6 Table 5 below provides a summary of information relevant to this HRA for each of the above European sites. This is drawn from information provided by Natural England and JNCC websites. Further detailed descriptions of each interest feature in terms of its characteristics within the individual European site is provided on the JNCC website. Four figure reference numbers are the EU reference numbers given to each habitat and species listed within the Annexes of the European Directives.

**Table 5: European sites relevant to the HRA of the LPP2. For each site the relevant threats, vulnerabilities and key issues are highlighted, along with a summary of the reasons for site designation. Data are drawn from Natural England's SSSI condition assessments, and the UK SPA Review site accounts, SAC/SCI summary details and Ramsar site accounts. Component SSSIs of European Site are also provided.**

Site	Reason for designation, trends in key species (where known)	Condition	Threats and Reasons for adverse condition	Notes / other issues
<b>The Broads SAC, Broadlands SPA/Ramsar</b>	Hard oligo-mesotrophic waters with Charophytes, natural eutrophic lakes with <i>Magnopotamium</i> or <i>Hydrocharition</i> type vegetation, transition mires and quaking bogs, calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion daravallianae</i> , alkaline fens and alluvial forests with <i>Alnus glutinosus</i> and <i>Fraxinus excelsior</i> , <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils. Desmoulin's whorl snail <i>Vertigo moulinsiana</i> , otter <i>Lutra lutra</i> and fen orchid <i>Liparis loeselii</i> . Breeding bittern and marsh harrier (both increasing), wintering hen harrier, Bewick's and whooper swan (no trends available) and wigeon (stable) shoveler (declining) and gadwall (stable).		Management neglect and succession, water abstraction, drainage, sea level rise and saline incursions. Sewage discharges and agricultural runoff. Tourism and recreation	Calcareous fens in support Annex II fen orchid <i>Liparis loeselii</i>
<b>Relevant component SSSIs</b>				
<b>Burgh Common &amp; Muckfleet Marshes</b>	Floristically-rich fen meadows, tall fen vegetation and drainage dykes.	22 % favourable; 29 % unfavourable recovering; 49 % unfavourable no change.	Water pollution - agriculture/run off	Likely to be affected by upstream abstraction issues.
<b>Hall Farm Fen, Hemsby</b>	Floristically rich unimproved fen grassland with dykes unusual in supporting both acidic and calcareous plant communities.	100 % unfavourable no change.	Water abstraction.	Water abstraction likely to be affecting this site.

Site	Reason for designation, trends in key species (where known)	Condition	Threats and Reasons for adverse condition	Notes / other issues
<b>Trinity Broads</b>	Shallow, inter-connected lakes with fringing reedswamp, wet carr woodland and fen.	29 % favourable; 36 % unfavourable recovering; 36 % unfavourable no change.	Inappropriate scrub control. Water abstraction. Water pollution - agriculture/run off. Water pollution – discharge.	
<b>Shallam Dyke Marshes, Thurne</b>	Grazing marsh and clearwater drainage dykes.	1 % favourable; 3 % unfavourable recovering; 79 % unfavourable no change; 17 % unfavourable declining.	Drainage, Inland flood defence works, Water pollution - agriculture/run off	
<b>Upper Thurne Broads &amp; Marshes</b>	Open water and marginal reedswamp, species rich mixed and <i>Cladium</i> fen, base-poor seepage community, grazing marsh, alder carr. Marsh harrier and bittern	40 % favourable; 2 % unfavourable recovering; 47 % unfavourable no change; 11 % unfavourable declining.	Water pollution - agriculture/run off. Drainage. Inappropriate css/esa prescription. Agriculture – other. Siltation.	
<b>Winterton-Horsey Dunes SAC, Great Yarmouth North Denes SPA</b>	Atlantic decalcified fixed dunes ( <i>Calluno-Ulicetea</i> ), Humid dune slacks, Embryonic shifting dunes, Shifting dunes along shoreline with <i>Ammophila arenaria</i> . Breeding little tern (variable numbers between years).		Declines in management, water abstraction, land drainage, scrub encroachment.	
<b>Relevant component SSSIs</b>				
<b>Great Yarmouth North Denes</b>	Full successional sequence of vegetation from pioneer to mature types; foredune, mobile dune, semi-fixed dune and dry acid dune grassland, accreting ness (promontory) Largest UK breeding colony of little tern on the foreshore.	100 % favourable.		
<b>Winterton-Horsey Dunes</b>	An extensive dune supporting well developed dune heath, slacks and dune grassland. Little terns breed on the foreshore.	30 % favourable; 56 % unfavourable recovering; 14 % unfavourable no change.	Inappropriate coastal management	



Site	Reason for designation, trends in key species (where known)	Condition	Threats and Reasons for adverse condition	Notes / other issues
<b>Breydon Water SPA/Ramsar</b>	Breeding common tern <i>Sterna hirundo</i> (no trends available), wintering Bewick's swan (declining), avocet <i>Recurvirostra avosetta</i> (stable) and golden plover <i>Pluvialis apricaria</i> (stable), ruff <i>Philomachus pugnax</i> , wintering Lapwing <i>Vanellus vanellus</i> (SPA) (stable). At least 20,000 wintering waterfowl		Sea-level rise, recreational disturbance	
<b>Relevant component SSSIs</b>				
<b>Breydon Water</b>	The only intertidal flats occurring on the east coast of Norfolk attracting large numbers of wildfowl and waders on passage and during the winter months.	100 % favourable.		
Halvergate Marshes	<b>Halvergate Marshes support wintering waterfowl including Bewick's swan, lapwing and golden plover.</b>	<b>32 % favourable; 44 % unfavourable recovering; 24 % unfavourable no change.</b>	<b>Inappropriate weed control. Inappropriate css/esa prescription. Inappropriate cutting/mowing. Water abstraction. Inappropriate ditch management</b>	