

East Cambridgeshire
District Council

Final HRA Screening Report

Draft Witcham Neighbourhood Plan

Habitats Regulation Assessment

02 June 2025 (updated 04 July 2025, post consultation)

On behalf of Witcham Parish Council in relation to the emerging Witcham
Neighbourhood Plan

Date of assessment:	2 June 2025
Date/ version of neighbourhood development plan to which Preliminary Screening Report applies:	Witcham Neighbourhood Plan 'Submission Draft Plan May 2025'

Contents

1	Introduction	3
2	Strategic Planning Context.....	5
3	Summary of the Witcham Neighbourhood Plan (Submission Draft Plan May 2025)	8
4	Summary of the environmental characteristics of the Witcham Neighbourhood area	12
5	Development Opportunities within the Witcham Neighbourhood Area arising from the Neighbourhood Plan	22
6	Determination of likely significant effects on European Sites – HRA Screening	24
7	Conclusion	35
	Appendix 1 Consultation with Natural England	36

List of Figures

Figure 1: Age profile in England and Witcham Parish, as per Census 2021	13
Figure 2: Dwelling size by number of bedrooms in Witcham and England, Census 2021	13
Figure 3: Accessible Natural Greenspace Standard buffers for Witcham Parish.....	17
Figure 4: Witcham Conservation Area.....	18

List of Tables

Table 1: An overview of the Witcham Neighbourhood Plan (Submission Draft Plan version).....	8
---	---

1 Introduction

- 1.1 For a new or modified plan to be ‘made’, a neighbourhood plan must meet certain basic conditions. These include that the making of the plan:
- does not breach, and is otherwise compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023. An element of this basic conditions relates to Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, often referred to as the Habitats Directive
 - does not breach the requirements of Chapter 8 of Part 6 of the **Conservation of Habitats and Species Regulations 2017**. This section of the Habitats Regulations contains regulations specific to the process of preparing land use plans including neighbourhood plans.
- 1.2 The Conservation of Habitats and Species Regulation 2017 (as amended) is referred to as the ‘Habitats Regulations’ in the remainder of this report. The Habitats Regulations require local authorities to assess the impact of their development plans on the internationally important sites for biodiversity (referred to in this report as the European sites) in and around their administrative areas. This is achieved through the undertaking of a Habitats Regulations Assessment (HRA).
- 1.3 European sites refer to the UK network of protected areas covering the most valuable and threatened species and habitats. These comprise Special Protection Areas (SPAs), Special Areas of Conservation (SACs), and Ramsar sites. The National Planning Policy Framework (NPPF) also expects candidate SACs, potential SPAs and Ramsar sites to be included within the assessment.
- 1.4 The HRA is achieved through a series of tests. Firstly, the HRA screens the plan to identify which policies or allocations may have a likely significant effect, alone or, if necessary, in combination with other plans and projects on the European sites. If likely significant effects can be ruled out, then the plan may be adopted but if they cannot, the plan must be subjected to further assessment referred to as an ‘appropriate assessment’, to see if the Plan can avoid an adverse effect on the integrity of the European sites. If adverse effects cannot be ruled out, the plan cannot be adopted.
- 1.5 A decision by the European Court of Justice (ECJ) (People Over Wind & Sweetman vs. Coillte Teoranta) in April 2018 has had a significant impact on the HRA process for both Neighbourhood Plans and Local Plans. In short, the ECJ ruled that to determine whether it is necessary to carry out a full HRA of the implications of a plan, it is not appropriate to take account of mitigation measures at the screening stage. Rather, consideration of mitigation will need to occur at the full appropriate assessment stage.
- 1.6 Following the UK’s withdrawal from the European Union (EU), decisions by the

ECJ are no longer legally binding but may continue to be relevant¹.

- 1.7 A consequence of the ECJ's decision is that mitigation measures set out in a plan cannot be used at the screening stage to conclude there will be 'no likely significant effects' on European Sites. Therefore, if a neighbourhood plan includes measures to counter the plan's effects on European Sites these should, in effect, be ignored at the screening stage.
- 1.8 For the avoidance of doubt, this screening report has been undertaken in accordance with the ECJ's ruling, insofar that the effects of any mitigation measures set out in the policies of the emerging Witcham Neighbourhood Plan (Submission Draft Plan May 2025) have not been considered in the HRA screening assessment.
- 1.9 A preliminary HRA screening report was prepared 02 June 2025 for the emerging Witcham Neighbourhood Plan (Submission Draft Plan May 2025 (subsequently referred to as the 'Witcham NP').
- 1.10 Regulation 105 in the Habitats Regulations states that Natural England must be consulted in the process of preparing a HRA of a plan.
- 1.11 A preliminary HRA screening report was therefore sent to Natural England, together with a draft submission plan on 2 June 2025. A response was received from Natural England and this is appended at Appendix 1. As no substantive objectives were received from Natural England, the rest of this report has not been amended.

¹ <https://www.legislation.gov.uk/ukpga/2018/16/section/6/enacted>

2 Strategic Planning Context

- 2.1 The basic conditions require a neighbourhood plan to be in *general conformity* with the strategic policies contained in the development plan (primarily, the Local Plan) for the area. Through its strategic policies, the Local Plan effectively defines the parameters within which a neighbourhood plan may operate.
- 2.2 Throughout their preparation, Local Plans are subject to SEA (generally incorporated through a Sustainability Appraisal (SA)) and HRA. Where a neighbourhood plan is in general conformity with the strategic policies of the Local Plan, it is likely that many of the environmental effects of the plan will have already been considered through the Local Plan-making process.
- 2.3 National policy states that evidence should be proportionate and should not repeat policy assessment already undertaken. It is therefore relevant to consider the strategic policy context for the purpose of avoiding duplication and to identify environmental effects not already considered and addressed through the Local Plan-making process.

Local Plan 2015 (as amended 2023)

- 2.4 The current East Cambridgeshire Local Plan is the East Cambridgeshire Local Plan 2015 (as amended 2023), which defines strategic (and more locally specific) policies for the area. The Local Plan was adopted by the Council on 21 April 2015, with some small changes to it adopted by the Council on 19 October 2023. It is therefore referred to as the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 2.5 At the time at which the Witcham NP is to be examined, the Local Plan 2015 (as amended 2023) will remain the adopted Local Plan.
- 2.6 The Local Plan directs the majority of growth to the main settlements of Ely, Littleport and Soham). Growth in villages such as Witcham is considerably more limited.
- 2.7 The Local Plan defines a ‘development envelope’ within which growth is, in principle, generally acceptable. During its preparation, the Local Plan was subject to SA (incorporating SEA) and HRA, both for the 2015 version and the 2023 updated elements.

Withdrawn Local Plan 2018

- 2.8 It is worth noting that, prior to the preparation of the East Cambridgeshire Local Plan 2015 (as amended 2023), ECDC had embarked on a full update of its Local Plan. In February 2018, ECDC submitted for examination the updated Local Plan along with a supporting evidence base. Examination of the Local Plan commenced in June 2018. However, in February 2019, ECDC withdrew the draft Local Plan, so it never reached the final adoption stage.
- 2.9 At the point of withdrawal, the draft Local Plan was at an advanced stage of its preparation and had been subject to a full SA incorporating SEA, and a full HRA. The withdrawn Local Plan proposed a similar growth strategy to the

adopted Local Plan, focussing growth principally in the market towns, albeit with an increased role for large and medium villages in the rural area.

- 2.10 In June 2018, ECDC published a HRA report² which accompanied the now withdrawn submitted Local Plan 2018. The purpose of the HRA report was to set out the method, findings and conclusions of the Habitats Regulations Assessment (Stage 1 Screening and Stage 2 Appropriate Assessment) of the submitted East Cambridgeshire Local Plan, which was carried out by ECDC, in consultation with Natural England.
- 2.11 ECDC has retained the HRA (dated June 2018) as it provides evidence and guidance on issues relating to European Sites which the Council believes remains relevant to applicants, decision-makers and to the preparation of neighbourhood plans. It remains published on the Council's website³.
- 2.12 The HRA complied with the judgement of the Court of Justice for the European Union of 12th April 2018, as described in section 1 of this report. Through the Local Plan examination, Natural England confirmed the HRA was legally compliant.
- 2.13 The following European sites were scoped into that HRA for consideration:
- Fenland Special Protection Area (SAC) (including Wicken Fen, Woodwalton Fen and Chippenham Fen Ramsars)
 - Ouse Washes Special Area of Conservation (SAC)/SPA/Ramsar
 - Devil's Dyke SAC
 - Breckland SAC/SPA
- 2.14 The potential likely significant effects identified as a result of the submitted (but subsequently withdrawn) Local Plan 2018 were:
- Habitat damage and/or loss
 - Disturbance from urbanisation effects
 - Disturbance from increased recreational pressure
 - Reduced air quality as a result of increased vehicle journeys
 - Water quality changes from water consumption and abstraction
 - Reduced water quality from pollution due to increased demand for waste-water treatment
- 2.15 Witcham parish is in the west of the district, 6 miles to the west of Ely. A section of the Ouse Washes Special Protection Area (SPA)/Ramsar cuts across a corridor of land in the northwest of the parish. A section of the Ouse Washes

2

<http://www.eastcambs.gov.uk/sites/default/files/HRA%20Appropriate%20Assessment%20Post%20Submission%20Local%20Plan%20-%20published%2015.6.18.pdf>

3

<https://www.eastcambs.gov.uk/sites/default/files/HRA%20Appropriate%20Assessment%20Post%20Submission%20Local%20Plan%20-%20published%2015.6.18.pdf>

Special Area of Conservation (SAC), which is a narrower strip of land but within the wider Ouse Washes SPA, is located alongside Witcham's parish boundary in the northwest; a border it shares with Manea parish. The entirety of Witcham parish lies within the 'impact risk zones' (IRZ) of the Ouse Washes SAC/SPA/Ramsar.

2.16 The parish is also around 6km from Ely Cathedral, with the cathedral visible from parts of the parish.

2.17 All of the above commentary has been taken into account when preparing this HRA Screening Report.

3 Summary of the Witcham Neighbourhood Plan (Submission Draft Plan May 2025)

- 3.1 The Witcham NP covers the period 2024 to 2036. It contains a vision statement, supported by fourteen objectives that sit under six themes: spatial strategy, housing, natural environment, historic and built environment, facilities and services and highways and travel. Each theme contains a combination of planning policies and community aspirations. Only planning policies are relevant to the HRA process and there are, in total, fourteen planning policies that sit under the six themes, as shown below.

Table 1: An overview of the Witcham Neighbourhood Plan (Submission Draft Plan version)

Policy by theme and summary	Commentary re implications for HRA
Theme – Spatial Strategy	
<p>WHM1 ‘Spatial Strategy’</p> <p>This policy supports, in principle (and subject to criteria), development within the Witcham ‘development envelope’ (a boundary defined in the adopted Local Plan) and takes a more restrictive approach to development outside the development envelope. The policy is consistent with the approach taken in Policy GROWTH 2 ‘Locational Strategy’ in the adopted Local Plan.</p> <p>For any development proposed outside the development envelope, the policy requires the provision of a Landscape and Visual Impact Assessment or other appropriate and proportionate evidence that demonstrates how the proposal can meet certain criteria including not having significant detrimental impact on the distinction of the countryside from the main built-up areas as defined by the development envelope</p>	<p>The policy does not propose growth above and beyond established principles in the adopted Local Plan</p>
Theme – Housing	
<p>WHM2 ‘Affordable Housing on Rural Exception Sites’</p> <p>This policy supports in principle the delivery of small scale affordable housing schemes of under 10 dwellings subject to criteria, including demonstration of a proven local need</p>	<p>The policy does not propose growth above and beyond established principles in the adopted Local Plan</p>

Policy by theme and summary	Commentary re implications for HRA
Theme – Natural Environment	
<p>WHM3 ‘Conserving and Enhancing Internationally Designated Sites’</p> <p>This policy seeks to give statutory weight to Policy SPD.NE1 ‘Conserving and Enhancing Biodiversity – Internationally Designated Sites’ that is contained within ECDC’s Natural Environment Supplementary Planning Document (SPD), adopted 24 September 2020. The wording in Policy WHM3 is the same as Policy SPD.NE1</p>	<p>This policy applies protection to European sites and therefore requires no further consideration in the HRA process.</p>
<p>WHM4 ‘Biodiversity Enhancements’</p> <p>This policy encourages development proposals that are exempt from the Biodiversity Net Gain requirements of the Environment Act 2021 to incorporate on-site measures to benefit biodiversity such as bird boxes, insect ‘hotels, bee blocks etc.</p> <p>The policy also requires the planting of hedgerows where loss occurs via the creation or widening of a new access.</p>	<p>The policy comprises a general statement of aspiration and therefore requires no further consideration in the HRA process.</p>
<p>WHM5 ‘Locally Important Views’</p> <p>This policy is linked to two maps identifying the location of locally important views as well as the Witcham Important Views Assessment, a document prepared alongside the Witcham NP.</p> <p>The policy states that proposals should not detract from the key landscape features of these identified views.</p>	<p>This policy contains criteria for testing acceptability of a proposal and therefore requires no further consideration in the HRA process.</p>
Theme – Historic and Built Environment	
<p>WHM6 ‘Design Considerations</p> <p>A detailed design policy requiring proposals to positively contribute to the neighbourhood area through the provision of high quality, safe and sustainable development and respond positively to the design principles set out in the Witcham Design Guidance.</p>	<p>This policy contains criteria for testing acceptability of a proposal and therefore requires no further consideration in the HRA process.</p>

Policy by theme and summary	Commentary re implications for HRA
<p>WHM7 'Dark Skies'</p> <p>A policy that applies to proposals that incorporate outdoor lighting. The policy requires the lighting to have minimum impact on the environment and wildlife, whilst taking account of highways safety and the security.</p>	<p>This policy contains criteria for testing acceptability of a proposal and therefore requires no further consideration in the HRA process.</p>
<p>WHM8 'Flooding and Sustainable Drainage'</p> <p>This policy requires all proposals (appropriate to the scale of the proposal) to submit detail to explain how on-site drainage and water resources will be managed so as not to cause or exacerbate surface water and fluvial flooding elsewhere. The policy states that proposals should include the use of above-ground open SuDs.</p>	<p>This policy contains criteria for testing acceptability of a proposal and therefore requires no further consideration in the HRA process.</p>
<p>WHM9 'Sustainable Building Practices'</p> <p>This policy states development proposals should incorporate best practice in energy conservation and be designed for the maximum energy efficiency. The policy sets out expectations in relation to this.</p>	<p>The policy comprises a general statement of aspiration and therefore requires no further consideration in the HRA process.</p>
<p>WHM10 'Renewable Energy'</p> <p>This policy supports, in principle, renewable energy generation schemes, including those that form part of wider development proposals. The policy clarifies that such proposals should not have an unacceptable impact on, inter alia, 'environmental and heritage assets'. The supporting text clarifies that proposals for wind turbines are unlikely to be supported under the policy given the presence of the Ouse Washes SSSI and the need to protect the functional habitats of geese and swans in the associated impact zone.</p>	<p>This policy has been flagged up as potentially relevant. However on closer inspection (see sections 5 and 6) it is found the policy does not propose development beyond established principles in the adopted Local Plan.</p>
<p>WHM11 'Heritage Assets'</p> <p>A policy that applies to development proposals that could affect Witcham's heritage assets</p>	<p>This policy contains criteria for testing acceptability of a proposal and therefore requires no further consideration in the HRA process.</p>

Policy by theme and summary	Commentary re implications for HRA
<p>WHM12 'Buildings and Features of Local Heritage Significance'</p> <p>A policy applicable to proposals that affect buildings identified as being of local heritage significance (non-designated heritage assets).</p>	<p>This policy contains criteria for testing acceptability of a proposal and therefore requires no further consideration in the HRA process.</p>
Theme – Facilities and Services	
<p>WHM13 'Infrastructure and Community Facilities'</p> <p>A policy that supports proposals that provide and enhance community facilities subject to these being appropriately located.</p> <p>The policy identifies specific facilities and states that proposals that result in their loss will only be supported subject to certain criteria being met.</p>	<p>This policy contains criteria for testing acceptability of a proposal and therefore requires no further consideration in the HRA process.</p>
Theme – Highways and Travel	
<p>WHM14 'Public Rights of Way'</p> <p>A policy that supports measures that would improve and extend the network of public rights of way within the vicinity of Witcham village.</p>	<p>This policy has been flagged as potentially relevant. But on closer inspection (see Chapter 6) it is found the policy could not have a conceivable effect on a European site.</p>

4 Summary of the environmental characteristics of the Witcham Neighbourhood area

- 4.1 For the purposes of undertaking SEA screening as required by the Environmental Assessment of Plans and Programmes Regulations (the 'SEA Regulations'), a systematic review of environmental issues within and around the plan area has been undertaken. This work is also included in this section of the HRA screening report, to help provide context to Witcham and the emerging Witcham neighbourhood plan.
- 4.2 For avoidance of doubt the SEA screening report is provided separately.
- 4.3 The following paragraphs provide a high-level contextual overview of environmental issues and key areas of sensitivity in and around the Witcham neighbourhood area. A range of sources of information have been used to gather this information, including Office for National Statistics, DEFRA Magic Maps, Environment Agency Flood Risk Maps for Planning, and the Witcham NP's own evidence base.

Population and human health

- 4.4 The total population of Witcham Parish at the time of the 2021 Census⁴ was 440 people. 49.2% of the total population were female and 50.8 % were male, similar to the average for England.
- 4.5 Life expectancy at birth in the district is above the England average for both males and females⁵.
- 4.6 46.8% of the total population within the Witcham NP area described their health as 'very good' and 37% as 'good'. These figures are above the average for England. 14.1% of the total population were classed as disabled under the Equality Act. This figure is below the England average of 17.3%.
- 4.7 Typical for its rural location and context, Witcham Parish has an older age profile compared to England. Figure 1, below shows that there is a higher proportion of the parish population aged 45 to 74, compared to the national average, a low proportion of young children (ages 0 to 9) as well as a low proportion of people aged 25 to 44 compared to the national average.

⁴ Office for National Statistics - Census 2021

⁵ Office for Health Improvement & Disparities, access online at <https://fingertips.phe.org.uk/profile/health-profiles>

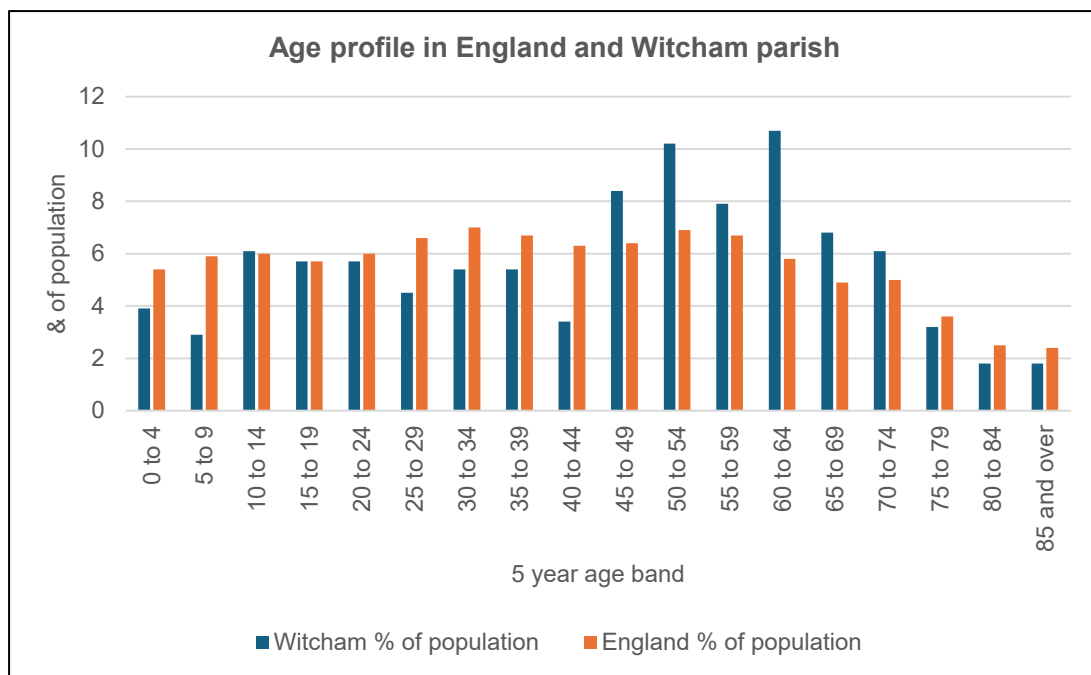


Figure 1: Age profile in England and Witcham Parish, as per Census 2021

- 4.8 The 2021 Census recorded a total of 180 households (rounded to the nearest 10). Over 80% of all households owned their own home (compared to 62.3% across England) with 41.3% owning their property outright (above the England average that sits at 32.5%).
- 4.9 Property sizes are heavily skewed towards larger dwellings with four bedrooms or more, compared to the national profiled.



Figure 2: Dwelling size by number of bedrooms in Witcham and England, Census 2021

Biodiversity, Flora and Fauna

Internationally Designated Sites

- 4.10 A part of the Ouse Washes SPA and Ramsar corridor falls within the boundary of the Witcham neighbourhood area. A part of the Ouse Washes SAC corridor abuts the northwestern boundary of the neighbourhood area.
- 4.11 The site meets four criteria as part of the Ramsar designation. These relate to plants, invertebrates and bird species that are supported on this area of wetland.
- 4.12 The Ouse Washes qualifies as a Special Protection Area due to the high number of bird species (including the Berwick swan and Whopper swan) and varieties that are supported by the site. See chapter 6 for further detail.
- 4.13 The qualifying feature for the Special Area of Conservation (SAC) is the spined loach.
- 4.14 In addition, the following European Sites lie within approximately 30km of Witcham Neighbourhood Area (source Magic maps).
- Chippenham Fen Ramsar
 - Wicken Fen Ramsar
 - Woodwalton Fen Ramsar
 - Nene Washes SAC, SPA, Ramsar
 - Breckland SAC, SPA
 - Orton Pit
 - Rex Graham Reserve SAC
 - Devils Dyke SAC
 - Fenland SAC
 - Portholme SAC
 - Eversdon and Wimpole Woods SAC
- 4.15 There are no proposed Ramsar sites, Possible Special Areas of Conservation, or Potential Special Protection Areas in proximity of the Witcham Neighbourhood Area.

National Nature Reserves and Sites of Special Scientific Interest

- 4.16 There are no NNRs within the Witcham NP area.
- 4.17 Part of the Ouse Washes SSSI corridor falls within the Witcham NP area.
- 4.18 According to Magic Maps, the SSSI Impact Risk Zone (IRZ) for Ouse Washes SSSI extends across all of the Witcham NP area.
- 4.19 The Goose and Swan Functional Land Impact Risk Zone is an area of land

surrounding the Ouse Washes SSSI in the area around Witcham Parish that has been identified as providing important functional habitat for qualifying bird species. The IRZ covers a large area of land in the northern part of the district including the very northern part of Witcham Parish.

4.20 Broadly speaking, therefore, the neighbourhood area is on the very periphery of the Goose and Swan Functional Land Impact Risk Zone and the parish itself falls within the Impact Risk Zone for the Ouse Washes SSSI. The part of the Goose and Swan IRZ within Witcham's neighbourhood area contains no or a very low population.

4.21 For planning purposes, Magic Maps instructs LPAs the following for when Natural England should be consulted for proposals in the parish of Witcham (as a consequence of the SSSI sites and their IRZ zones):

Within the Ouse Washes SSSI corridor:

- All planning applications in this location

Within the **Goose and Swan IRZ** (where it falls in Witcham NP area):

- All planning applications (except householder) outside or extending outside existing settlements/urban areas affecting greenspace, farmland, semi natural habitats or landscape features such as trees, hedges, streams, rural buildings/structures.
- Solar schemes with footprint > 0.5ha, all wind turbines.
- Large non-residential developments outside existing settlements/urban areas where net additional gross internal floorspace is > 1,000m² or footprint exceeds 0.2ha.
- Residential development of 10 units or more.
- Any residential developments outside of existing settlements/urban areas with a total net gain in residential units.
- (other less used categories are also listed – please check Magic maps for full details)

Within the **Ouse Washes IRZ**

- Solar schemes with footprint > 0.5ha, all wind turbines.
- Large non-residential developments outside existing settlements/urban areas where footprint exceeds 1ha
- At a certain distance in proximity to the Ouse Washes, any residential developments of 50 or more houses outside of existing settlements/urban areas although this reduces to 10 or more dwellings the closer to the Ouse Washes.
- (other less used categories are also listed – please check Magic maps for full details)

4.22 What can be seen above is that for the southern area of the parish, including the settlement of Witcham itself, the consultation thresholds are quite high

before Natural England need consulting, but this is not the case for proposals within the Goose and Swan IRZ area, which has much lower thresholds.

- 4.23 Also of particular note is that throughout the neighbourhood area is the requirement to consult Natural England on all solar schemes with footprint greater than 0.5ha and all wind turbines.

Locally Designated Sites

- 4.24 There are no Local Nature Reserves within the Witcham neighbourhood area.

- 4.25 There is one County Wildlife Sites (CWSs) located within the Witcham neighbourhood area:

- The Bury Meadow, a 2.03 hectare area of land to the east of the village (Grid reference TL 474 803) that is adjacent to the Bury Road ancient drove way between Witcham and Wardy Hill. East Cambridgeshire District Council's Supplementary Planning Document 2010 states the site qualifies because it supports more than 0.05 hectares of NVC (National Vegetation Classification) community MG5 (unimproved neutral grassland) and has 8 or more neutral grassland indicator species present in frequent numbers

- 4.26 CWSs are defined areas, identified and selected locally for their nature conservation value based on important, distinctive and threatened habitats and species within a national, regional and importantly a local context. CWS are areas of land important for their wildlife and can be found on public and private land. They vary in shape, size and may encompass a variety of different habitat types. The habitats and species present are often because of past management and many sites provide a refuge for rare or threatened plants and animals.

Ancient Woodland

- 4.27 There are no areas of ancient and semi natural woodland or ancient replanted woodland within or adjacent to Witcham Neighbourhood Area.
- 4.28 The Woodland Trust's Ancient Tree Inventory⁶ maps the oldest and most important trees in the UK. It is a live database where records are provided by members of the public and verified by the Woodland Trust. Within the Witcham Neighbourhood Area, there is one record of a 'notable tree', an Elm tree close to/within a hedgerow, close to the Bury Meadow County Wildlife Site and just south of the Bury Road public byway. There is also a 'veteran tree', an Ash tree that is located a short distance to the east of the Elm

Priority Habitats

- 4.29 Priority habitats are those which have been deemed to be of principal importance for the purpose of conserving biodiversity, being listed in the UK Biodiversity Action Plan, and with maintenance and restoration of these

⁶ <https://ati.woodlandtrust.org.uk/>

habitats being promoted through agri-environment schemes.

- 4.30 Priority habitats are mapped by Natural England. In the Witcham neighbourhood area four areas of deciduous woodland are mapped, all to the north of the village and three of which are within the Ouse Washes SPA/Ramsar/SSSI. The extents can be viewed on DEFRA's Magic Map.

Landscape

National Character Areas (NCAs)

- 4.31 The Witcham NP area falls within The Fens NCA. The Fens National Character Area (NCA) is a distinctive, historic and human-influenced wetland landscape lying to the west of the Wash estuary, which formerly constituted the largest wetland area in England. The area is notable for its large-scale, flat, open landscape with extensive vistas to level horizons. The level, open topography shapes the impression of huge skies which convey a strong sense of place, tranquillity and inspiration.

Green Infrastructure

- 4.32 Natural England's Green Infrastructure Map is a useful source of evidence to help understand green infrastructure provision. The mapping shows that a number of residents within Witcham Neighbourhood Area have access to a natural greenspace close to home, with an extract of the website below.

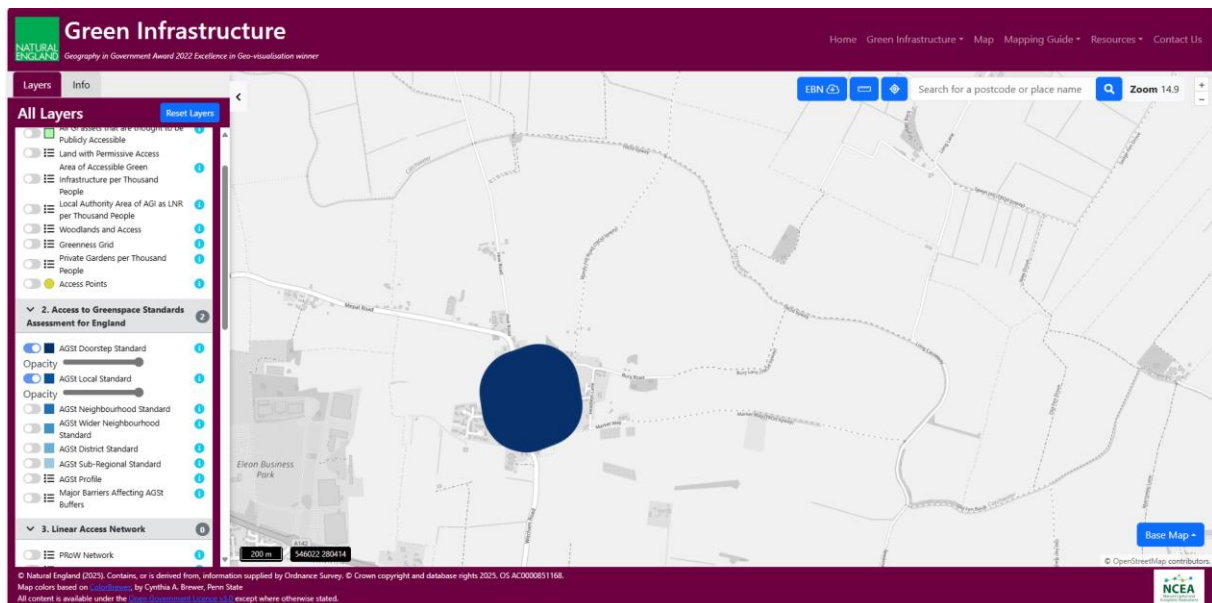


Figure 3: Accessible Natural Greenspace Standard buffers for Witcham Parish

Cultural heritage, including architectural and archaeological heritage

4.33 A large area of Witcham village is designated as a Conservation Area.

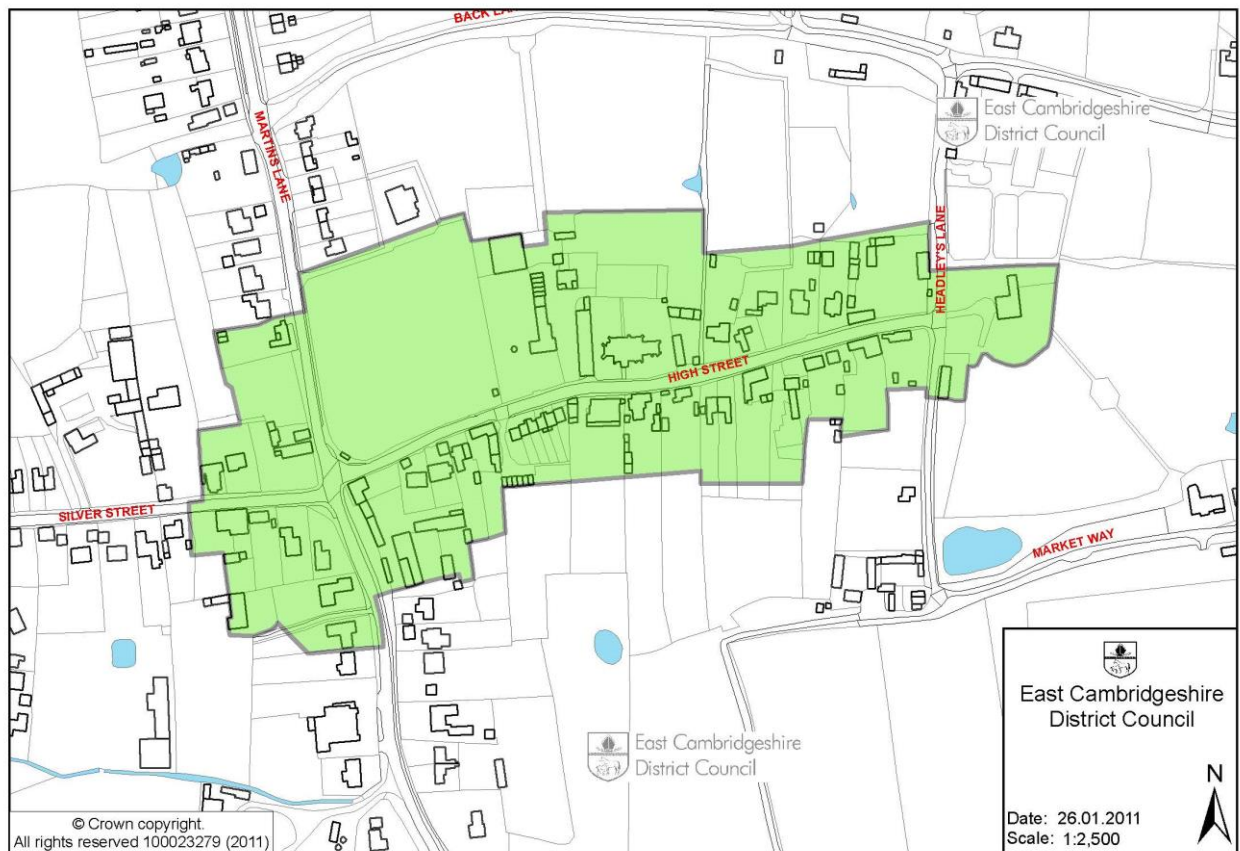


Figure 4: Witcham Conservation Area

4.34 There are 10 listed buildings within the Witcham NP area (1 Grade 1 and 9 Grade II).⁷ They are all in the village centre.

4.35 There are no Scheduled Monuments within the neighbourhood area.

4.36 There are no Registered Parks and Gardens in the neighbourhood area.

4.37 In addition to the designated heritage assets in Witcham Parish, it is also important to note that Ely Cathedral is only about 6km from the edge of the neighbourhood area, and is visible from the parish (see View 5 in the Witcham Views Assessment).

Soil, Air and Water

4.38 The Soilscape (England) dataset is based on the National Soil Map of England and Wales (NATMAPvector). There are three main soil types in the neighbourhood area according to the national soil map (see Magic Maps):

- Fen Peat Soils

⁷ <https://historicengland.org.uk/listing/the-list/>

- Loamy and sandy soils with naturally high groundwater and a peaty surface (in the central and far eastern part of the parish)
 - Lime-rich loamy and clayey soils with impeded drainage (in the south of the parish)
- 4.39 The Agricultural Land Classification (ALC) classifies land into six grades (plus 'non-agricultural' and 'urban'), where Grades 1 to 3a are the 'best and most versatile' land and Grades 3b to 5 are of poorer quality. The ALC data does not distinguish between grades 3a and 3b (instead simply referring to Grade 3). More detailed assessment would be required to identify subgrades 3a and 3b. Most land within the neighbourhood area has been classed as Grade 1, 2 or 3.
- 4.40 Air Quality Management Areas (AQMAs) are designated because they are not likely to achieve national air quality objectives. At the time of preparing this report, there were no AQMAs within the neighbourhood area. Indeed, there are no AQMAs within East Cambridgeshire district⁸.
- 4.41 The Environment Agency has assessed water company areas and determined whether they are either in 'not serious or in 'serious' water stress.⁹ Water stress applies both to the natural environment and to public water supplies. Both will be affected by climate change. The Neighbourhood Area falls within the Anglian Water company area, which has been classified as seriously water stressed.
- 4.42 There are a number of watercourses in the neighbourhood area:
- the New Bedford River/Hundred Foot River (classified as a main river by the Environment Agency) – the Old Bedford River runs parallel to this but this is outside the parish, and on the other side of the Ouse Washes; and
 - the Catchwater Drain and a number of awarded watercourses. These watercourses fall under the authority of the Middle Level Commissioners and the Littleport and Downham Internal Drainage Board (IDB).
- 4.43 As with other parts of the district, the area is largely pumped and reliant on flood defences.
- 4.44 There are flood defences either side of the Hundred Foot River, comprising mostly of flood embankments. There are also flood defences on either side of the Old Bedford River. Land in the north of the parish benefits from these defences.
- 4.45 The Ouse Washes that sits between the Hundred Foot River and the Old Bedford River is a flood storage area. The Environment Agency can direct flow via the Old Bedford River and the Hundred Foot River. During flood conditions, the Earith Sluice can direct water into the Old Bedford River to fill the Ouse Washes.
- 4.46 The flood risk maps maintained by the Environment Agency show that the north of the parish falls within fluvial flood zone 3a, with the Ouse Washes falling

⁸ <https://uk-air.defra.gov.uk/aqma/maps/>

⁹ <https://www.gov.uk/government/publications/water-stressed-areas-2021-classification>

within flood zone 3b (the functional flood plain). Witcham village itself does not fall within an area at risk of fluvial flooding.

4.47 The north of the parish is susceptible to surface water flooding as are several areas in the peripheries of the village itself

4.48 The NP area falls within two different internal drainage board Areas. The Hundred Foot Washes Internal Drainage Board (IDB) manages the Hundred Foot Drain where it is not classified as a main river and the Littleport and Downham IDB manages the water courses in other parts of the parish.

4.49 Source Protection Zones (SPZ) for groundwater sources such as wells, boreholes and springs used for public drinking water supply have been designated by the Environment Agency. These zones show the risk of contamination from any activities that might cause pollution in the area. Generally, the closer the activity, the greater the risk. Three main zones (inner, outer and total catchment) have been applied to groundwater sources with a fourth zone of special interest occasionally applied. An Inner zone (Zone 1) is defined as the 50 day travel time from any point below the water table to the source. This zone has a minimum radius of 50 metres.

4.50 No part of the Witcham NP area is located within a SPZ.

Climatic factors

4.51 Greenhouse gas emissions in Cambridgeshire and Peterborough are high. The Combined Authority estimate that emissions are 25% higher per person than the UK average.¹⁰ In Autumn 2019 ECDC declared a climate emergency and is working to reduce greenhouse gas emissions.

4.52 The UK climate is changing. A report into the kinds of impacts that are likely to be felt in Cambridgeshire and Peterborough¹¹ found that the region is at high risk from a changing climate. Risks include: flooding, high summer temperatures, water shortages, and damage to the natural carbon stores in the deep peat of the Fens.

Materials assets

4.53 The SEA Directive does not define what is meant by 'material assets' and it can be interpreted in several ways. This screening report takes material assets to include a range of social, physical and environmental infrastructure, such as schools, health facilities, roads, railways, bus services, wastewater treatment works, flood defences etc. Impacts on materials assets are likely to relate to several other SEA topics.

4.54 Provision of community services and facilities is limited, reflecting the small size

¹⁰ Cambridgeshire & Peterborough Independent Commission on Climate (2021) Fairness, nature and communities: addressing climate change in Cambridgeshire and Peterborough

¹¹ CZ (2021), Aines, E.D., Simpson, C., Munro-Faure, A., Shuckburgh, E., Preliminary report on climate risk in the Cambridgeshire and Peterborough region, 2020-2099, Cambridge Zero, University of Cambridge

of the village (440 people and 180 households recorded at the 2021 Census). There is a village hall, a part-time post office service, a church, a recreation area including a play area and a public house.

5 Development Opportunities within the Witcham Neighbourhood Area arising from the Neighbourhood Plan

- 5.1 As can be gleaned from reviewing Table 1, none of the draft planning policies provide a fundamental new opportunity for new development within the neighbourhood area when considered against the development opportunities already arising from existing policies in the development plan.
- 5.2 The emerging draft policies do not create specific mapped opportunities for new development, neither do the policies increase the overall growth targets to be achieved in the area.
- 5.3 Draft policy WHM1 ‘Spatial Strategy’ in the Witcham NP establishes an overall approach to the location of development in the NP area. The policy supports, in principle, development within the ‘development envelope’ and takes a more restrictive approach to proposals outside it. This approach is consistent with the strategy established in the 2015 Local Plan (amended in 2023). No other policies in the NP direct development to any specific sites.
- 5.4 Some of the policies in the NP are site specific but only from the perspective of flagging up sensitivities or characteristics to protect. This applies as follows;
- WHM 5 ‘Locally Important Views’ identifies locally important views identified and applies to development proposals that might impact upon them
 - WHM 12 ‘Buildings and Features of Local Heritage Significance’ applies to buildings that have been included by the district council on the Local List¹²
- 5.5 The other policies in the Witcham NP seek to influence development, setting expectations relating to aspects such as design and landscape character.
- 5.6 Given the sensitivity of the Ouse Washes SPA/Ramsar site there are two emerging policies that warrant closer inspection.
- 5.7 Policy WHM 10 ‘Renewable Energy’ is of note since it supports renewable energy schemes where their scale, siting and cumulative effects would not have an unacceptable impact on a range of matters including “environmental and heritage assets”. However, nothing in the policy goes beyond national policy support for renewable energy schemes, nor beyond existing local policy support in the form of Policy ENV 6 in the Local Plan – see box below.

¹² www.eastcambs.gov.uk/planning-and-building-control/planning-xx/built-heritage/buildings-local-interest

Local Plan Policy ENV 6: Renewable energy development

Proposals for renewable energy and associated infrastructure will be supported, unless their wider environmental, social and economic benefits would be outweighed by significant adverse effects that cannot be remediated and made acceptable in relation to:

- The local environment and visual landscape impact.
- Impact on the character and appearance of the streetscape/buildings.
- Key views, in particular those of Ely Cathedral.
- Protected species.
- Residential amenity.
- Safeguarding areas for nearby airfields; and
- Heritage assets.

Renewable energy proposals which affect sites of international, national and local nature importance or other irreplaceable habitats will be determined against the relevant sections of Policy ENV 7.

The visual and amenity impacts of proposed structures will be assessed on their merits, both individually and cumulatively.

Provision should be made for the removal of facilities and reinstatement of the site, should they cease to operate.

- 5.8 Policy WHM 14 'Public Rights of Way' supports measures to improve and extend the existing network of public rights of way in the immediate vicinity of the village. This will encourage parish residents to use footpath network around the village and is unlikely to impact the public rights of way that are found within the Ouse Washes SPA and Ramsar site.

6 Determination of likely significant effects on European Sites – HRA Screening

- 6.1 East Cambridgeshire's latest Habitats Regulation Assessment (June 2018) report¹³ accompanied the submitted, but now withdrawn, Local Plan 2018. The purpose of the HRA report was to set out the method, findings and conclusions of the Habitats Regulations Assessment (Stage 1 Screening and Stage 2 Appropriate Assessment) of the now withdrawn East Cambridgeshire Local Plan. The HRA was carried out by ECDC, as the competent authority, in consultation with Natural England.
- 6.2 Despite the Local Plan 2018 having been withdrawn, this HRA continues to be considered relevant and appropriate in the context of this neighbourhood plan HRA screening assessment since it relies on more up to date evidence than the HRA which supported the original Local Plan 2015, such as evidence pertaining to European sites, the current context of recent growth, other authorities' plans and strategies, and the views of stakeholders such as the statutory environmental bodies.
- 6.3 The HRA complies with the judgement of the Court of Justice for the European Union of 12th April 2018. Through the Local Plan examination process, Natural England confirmed the HRA is legally compliant.
- 6.4 The following European Sites, within and outside East Cambridgeshire's administrative boundary, were scoped into the HRA for consideration:
- Fenland SAC (including Wicken Fen, Woodwalton Fen and Chippenham Fen Ramsars)
 - Ouse Washes SAC/SPA/Ramsar
 - Devil's Dyke SAC
 - Breckland SAC/SPA
- 6.5 As discussed in section 4 of this report, within Witcham Parish (and consequently the NP area), there is one European Site (part of the Ouse Washes SPA/Ramsar) and immediately adjacent to the NP area is the Ouse Washes SAC.
- 6.6 The HRA was prepared to assess the effects of the now withdrawn Local Plan 2018. The withdrawn Local Plan proposed higher growth levels than the current adopted Local Plan 2015 (as amended). The potential likely significant effects on designated sites arising from the withdrawn Local Plan were:
- Habitat damage and/or loss
 - Disturbance from urbanisation effects

¹³ See

<https://www.eastcambs.gov.uk/sites/default/files/HRA%20Appropriate%20Assessment%20Post%20Submission%20Local%20Plan%20-%20published%2015.6.18.pdf>

- Disturbance from increased recreational pressure
- Reduced air quality as a result of increased vehicle journeys
- Water quality changes from water consumption and abstraction
- Reduced water quality from pollution due to increased demand for waste-water treatment

6.7 A summary of the scoped in European sites is as follows:

Fenland SAC - Wicken Fen

6.8 Witcham village is located approximately 12.5km as the crow flies from the edge of Wicken Fen which is located within the district.

6.9 Wicken Fen is both a Ramsar site and a Special Area of Conservation.

6.10 The Ramsar information sheet¹⁴ for this site states Wicken Fen Ramsar meets:

- Ramsar criterion 1 on the basis it is one of the most 'outstanding remnants of East Anglian peat fens'
- Ramsar criterion 2 on the basis the site supports one species of British Red Data Book plant, fen violet *Viola persicifolia*. It also contains eight nationally scarce plants and 121 British Red Data Book invertebrates.

6.11 Wicken Fen is one of three Sites of Special Scientific Interests that together comprise the Fenland Special Area of Conservation (SAC). The Fenland SAC has four qualifying features¹⁵:

- Calcareous fens with *C.mariscus* and species of *C. davallianae*
- Spined loach, *Cobitis taenia*
- Great crested newt, *Triturus cristatus*
- Molinia meadows on calcareous, peat or clay-silt soil

6.12 The HRA identified the following pressures and threats which could arise were the now withdrawn Local Plan 2018 implemented:

- ***Increased recreational pressure:*** Natural England advised that the qualifying features of a number of sites in the district are under threat from increased visitor pressure. The screening assessment identified the potential for likely significant effects due to residential site allocations being within 8km of the site boundary of the Ramsar. These could be significant in-combination, i.e. total recreation pressure from multiple residential developments within and beyond the study area.

¹⁴ Available to view at <https://designatedsites.naturalengland.org.uk/> using site code UK11077

¹⁵ See <https://designatedsites.naturalengland.org.uk/>

- *Water quality:* The features of this site are sensitive to water quality changes. Water quality is important for floodplain fen, which is dependent on an adequate supply of nutrients being maintained to support aquatic habitats and the range of species associated with them.
- *Water quantity:* The features of this site are water resource sensitive.

A closer look at understanding impact of recreational pressure on this European site

6.13 Notwithstanding advice provided by Natural England as part of undertaking the HRA of the withdrawn Local Plan, it is not absolutely clear how increased recreational pressure will harm the qualifying features and undermine the conservation objectives for the Wicken Fen SAC or Ramsar site. Further clarity with respect to impacts from recreational pressure is expected to be provided later in 2025 following the completion of a study, specific to Wicken Fen.

What is the potential for the proposals set out in the emerging Witcham NP expected to impact the site?

6.14 The Witcham NP does not include site allocations and does not provide opportunities for new development, beyond that provided by the Local Plan 2015 (as amended 2023) or by that set out in the now withdrawn Local Plan 2018 (the subject of the HRA). Witcham village is also located 12.5 km away from the edge of Wicken Fen. Therefore, likely significant effects on the integrity of the Wicken Fen SAC are not expected to arise from implementation of the Witcham NP.

Fenland SAC – Chippenham Fen

6.15 Witcham village is located just over 21km as the crow flies from the edge of Chippenham Fen.

6.16 Chippenham Fen is both a Ramsar site and a Special Area of Conservation.

6.17 The Ramsar information sheet¹⁶ for this site states Chippenham Fen Ramsar meets:

- Ramsar criterion 1 on the basis it is a 'spring-fed calcareous basin mire with a long history of management, which is partly reflected in the diversity of the present-day vegetation'.
- Ramsar criterion 2 on the basis the 'invertebrate is very rich, partly due to its transitional position between Fenland and Breckland. The species list is very long, including many rare and scarce invertebrates characteristics of ancient fenland sites in Britain'
- Ramsar criterion 3 on the basis the site 'supports diverse vegetation types, rare and scarce plants. The site is the stronghold of Cambridge

¹⁶ Available to view at <https://designatedsites.naturalengland.org.uk/> using site code UK11014

milk parsley *Selinum carvifolia*'.

6.18 Chippenham Fen is one of three Sites of Special Scientific Interests that together comprise the Fenland Special Area of Conservation (SAC). The Fenland SAC has four qualifying features¹⁷:

- Calcareous fens with *C.mariscus* and species of *C. davallianae*
- Spined loach, *Cobitis taenia*
- Great crested newt, *Triturus cristatus*
- *Molinia* meadows on calcareous, peat or clay-silt soil

6.19 A Site Improvement Plan (SIP) for the Fenland SAC was prepared by Natural England in 2014. This identified the five issues of concern including two that are relevant to Chippenham Fen

- Water pollution. *"Chippenham Fen is affected by high nutrient water reaching the fen from a mixture of groundwater, rainfall and run off. In periods of low flow, poor quality water may have a more dramatic effect on the sites' vascular plant assemblages. There is uncertainty of the current water quality within Chippenham Fen at present"*
- Hydrological changes *"There are concerns that water does not seep into site compartments between ditches to the extent it once did. A current project is underway at Chippenham Fen to look at how a site abstraction licence could be used to explore an alternative method to deliver support water. The water augmentation pilot project explores an alternative method of delivery of support water. The scheme is mitigation for the effects of public water supply abstraction"*

6.20 The HRA identified the following pressures and threats which could arise were the now withdrawn Local Plan 2018 implemented:

- *Increased recreational pressure*: Natural England advised that the qualifying features of a number of sites in the district are under threat from increased visitor pressure. The screening assessment identified the potential for likely significant effects due to residential site allocations being within 8km of the site boundary of the Ramsar. These could be significant in-combination, i.e. total recreation pressure from multiple residential developments within and beyond the study area.
- *Urbanisation*: An employment allocation in Fordham is less than 400m from the site boundary of Chippenham Fen. The site's features are therefore potentially exposed to increased urbanisation pressure.
- *Water quality*: The features of this site are sensitive to water quality changes, particularly high nutrient water reaching the fen from a mixture of groundwater, rainwater and run-off.

¹⁷ See <https://designatedsites.naturalengland.org.uk/>

- *Water* quantity: The features of this site are water resource sensitive, with concerns water does not seep into site compartments between ditches to the extent it once did.

A closer look at understanding impact of recreational pressure on this European site

6.21 Whilst Natural England indicated as part of its input into the HRA into the now withdrawn Local Plan that the qualifying features of Chippenham Fen are vulnerable to increased recreational pressure, the information detailing the site (as set out in the Ramsar Information Sheet and referenced in Appendix 2 to the HRA of the withdrawn Local Plan) would indicate otherwise. This states the site has 'low level of usage by local inhabitants using the public rights of way through the middle of the reserve' and that 'access to the rest of the reserve is by permit only'. It states 'few people apply for permits for recreational purposes, they are mainly requested by naturalists. <https://jncc.gov.uk/jncc-assets/RIS/UK11014.pdf>

What is the potential for the proposals set out in the emerging Witcham NP expected to impact the site?

6.22 The Witcham NP does not include site allocations and does not provide opportunities for new development, beyond that provided by the Local Plan 2015 (as amended 2023) or by that set out in the now withdrawn Local Plan 2018 (the subject of the HRA). Witcham Parish is located 21km away from Chippenham Fen. Therefore, likely significant effects on the integrity of the Chippenham Fen SAC are not expected to arise from implementation of the Witcham NP.

Fenland SAC - Woodwalton Fen

6.23 Witcham village is located approximately 23km as the crow flies from the edge of Woodwalton Fen.

6.24 Woodwalton Fen was screened in for consideration prior to Stage 1 Screening, however the screening assessment did not identify any potential impact pathways between this site and the proposals in the now withdrawn Local Plan 2018. On this basis, Woodwalton Fen was ruled out of further consideration in the HRA.

Ouse Washes Ramsar and Special Protection Area

6.25 Part of the Ouse Washes Special Protection Area (SPA) and Ouse Washes Ramsar is located within the Witcham NP area.

6.26 The Ouse Washes is an extensive area of seasonally-flooding wet grassland lying between the Old and New Bedford Rivers, acting as floodwater storage system during winter months.

6.27 The Ramsar information sheet for this site states the site meets the following Ramsar criterion:

- Criterion 1 on the basis the site is one of the 'most extensive areas of

seasonally-flooding of its type in Britain

- Criterion 2 on the basis the sites supports ‘several nationally scarce plants’ and that ‘Invertebrate records indicate that the site holds relict fenland fauna’ and that the site also supports ‘a diverse assemblage of nationally rare breeding waterfowl associated with seasonally-flooding wet grassland.
- Criterion 5 on the basis of the presence of ‘assemblages of international importance’
- Criterion 6 on the basis of ‘species/populations occurring at levels of international importance’

6.28 Ouse Washes qualifies as a Special Protection Area due to:

- Supporting in summer, nationally important breeding population of ruff *Philomachus pugnax* (qualifies under Article 4.1 of the Bird Directive)
- Supporting internationally or nationally important wintering populations of Annex 1 species including Bewick’s swan and Whooper swans.
- Qualifying under Article 4.2 as a wetland of international importance by virtue of regularly supporting over winter cormorant, mute swan, wigeon, gadwall, teal, pintail, shoveler, pochard, tufted duck and coot
- Qualifying under Article 4.2 by virtue of regularly supporting in summer a diverse assemblage of breeding migratory waders.

6.29 A Site Improvement Plan (SIP) for the Ouse Washes SAC and SPA was prepared by Natural England in 2014. This identifies two issues of concerns with respect to the qualifying features:

- Inappropriate water levels *“Notified interests (including breeding birds, overwintering birds and supporting grassland communities) are being adversely affected by increased flooding on the Ouse Washes. Flooding during spring / early summer severely damages the breeding bird interest by flooding nests, drowning young and affecting habitat. Deep flooding during winter also impacts overwintering birds such as wigeon and impacts on the wetland fauna, especially invertebrate populations. Wetland flora is also affected through prolonged submersion, favouring swamp communities over the designated grassland species. Prolonged summer flooding disrupts essential management of the washland, affecting the condition of the grassland for breeding birds in subsequent spring/summer season(s).”*
- Water pollution *“Inappropriate levels of nutrients from diffuse pollution in combination with inappropriate water levels from flooding have adversely affected the extent/composition of vegetation communities on the washes. Resulting changes to the grassland mosaic has potential to affect the notified bird interests by destroying habitat suitable for many of the birds*

that visit or breed at the site. Occasional incidences of low oxygen levels on River Delph and Counter Drain have potential to impact spined loach populations.”

6.30 The HRA identified the following pressures and threats which could arise were the now withdrawn Local Plan 2018 implemented:

- *Physical damage/ loss of habitat:* Some site allocations within the Local Plan fall within the ‘Goose and Swan Functional IRZ’ for this site, that had then been recently prepared by Natural England. Land within this zone is considered to be potentially functionally linked to the Ouse Washes and therefore there is the potential for likely significant effects on the integrity of the European Site.
- *Increased recreational pressure:* Natural England advised that the qualifying features of a number of sites in the district are under threat from increased visitor pressure. The screening assessment identified the potential for likely significant effects due to residential site allocations in the Plan being within 8km of the site boundary of the SPA. These could be significant in-combination, i.e. total recreation pressure from multiple residential developments within and beyond the study area.
- *Water quality:* The features of this site are sensitive to water quality changes, particularly inappropriate levels of nutrients from diffuse pollution in combination with inappropriate water levels.
- *Water quantity:* The features of this site are water resource sensitive and are particularly vulnerable to increased flooding.

6.31 The HRA identifies that land beyond the boundary of the Ouse Washes designation may also provide important functional habitat for qualifying bird species. The HRA provides advice on development proposals on greenfield sites that fall within the Goose and Swan Functional Land IRZ to ensure there are no adverse effects on the qualifying species of the Ouse Washes.

A closer look at understanding impact of recreational pressure on this European site

6.32 Whilst Natural England indicated as part of its input into the HRA into the now withdrawn Local Plan that the qualifying features of the Ouse Washes Special Protection Areas (SPA) are vulnerable to harm through increased recreational pressure, known information about this site would indicate otherwise. The qualifying features have not been identified as being vulnerable to harm through recreational disturbance in the Site Improvement Plan - <https://publications.naturalengland.org.uk/publication/5354106084392960>

6.33 Furthermore, public access is via the public rights of way that run along the barrier banks, at some height above the watercourse and the habitat corridor alongside it. These paths are generally not readily accessible and infrequently used.

What is the potential for the proposals set out in the emerging Witcham NP expected to impact the site?

- 6.34 The upper most part of the Witcham neighbourhood area is located inside the Goose and Swan Functional Land Impact Risk Zone. This is an area of land surrounding the Ouse Washes that has been identified as providing important functional habitat for qualifying bird species.
- 6.35 Whilst growth is a potential threat to the Ouse Washes SAC/SPA/Ramsar, the Witcham NP does not include site allocations or additional opportunities for new development beyond that provided by the Local Plan 2015 (as amended 2023) or by that set out in the now withdrawn Local Plan 2018 (the subject of the HRA). Neither does the NP provide for additional opportunities for development within the Goose and Swan Function Land Impact Risk Zone.
- 6.36 Two policies are worthy of attention:
- 6.37 **Policy WHM 10 ‘Renewable Energy’** This policy supports, in principle, renewable energy infrastructure in the neighbourhood area. The policy states that such proposals would be supported where:
- “their scale, siting and cumulative effects would not have an unacceptable impact on:
 - i) neighbouring uses or amenity;
 - ii) visual amenity, particularly from sensitive viewpoints;
 - iii) environmental and heritage assets;
 - iv) the best and most versatile agricultural land; and
 - v) highway safety”
- 6.38 These qualifying criteria do not represent mitigation measures in the context of the People over Wind decision since the criteria exists with or without the presence of the SPA and Ramsar site. Notwithstanding this, the supporting text to the policy helpfully clarifies that:
- “Proposals for wind turbines are unlikely to be supported given the presence of the Ouse Washes SSSI and the need to protect the functional habitats of geese and swans in the associated impact zone”
- 6.39 It is also helpful that the Submission Draft Plan also includes Policy WHM 3 ‘Conserving and Enhancing Internationally Designated Sites’ (a policy that seeks to give statutory weight to Policy SPD.NE1 ‘Conserving and Enhancing Biodiversity – Internationally Designated Sites’ that is contained within ECDC’s Natural Environment Supplementary Planning Document (SPD), adopted 24 September 2020).
- 6.40 It is also relevant to note that nothing in the policy goes beyond national policy support for renewable energy schemes, nor beyond existing local policy support in the form of Policy ENV 6 in the Local Plan – see box in Chapter 5.

6.41 Policy WHM 10 'Renewable Energy' can therefore be screened out for requiring HRA.

6.42 The second policy that is noteworthy is **Policy WHM 14 'Public Rights of Way'**. This policy supports measures that improve and extend the PROW network within the vicinity of the village. Whilst the PROW network extends into the Special Protection Area, potential for harm to the qualifying features through disturbance from people walking along the path can be ruled out due to the positioning of the footpath in relation to the habitat and with regard to recreational impacts not being identified as an issue in the applicable Site Improvement Plan. Furthermore, the policy focuses on improvements within the vicinity of the village, some distance away from the SPA/Ramsar site.

Devil's Dyke

6.43 The Devil's Dyke runs from Reach village and extends to Wooditton. The full extent of the Devil's Dyke is over 11km long, with varying SAC and SSSI designations.

6.44 Witcham village is approximately 23km away as the crow flies from the nearest part of Devil's Dyke.

6.45 Devils Dyke was designated as a Special Area for Conservation (SAC) under article 4(4) of the Directive (92/43/EEC) as it hosts the following Annex 1 habitat:

- Semi-natural dry grasslands and scrubland facies: on calcareous substrates (*Festuco-Brometalia*) (important orchid sites)

6.46 A Site Improvement Plan (SIP) for Devils Dyke was prepared by Natural England in 2014. This identifies two issues of concerns with respect to the qualifying features:

- Inappropriate scrub control *"There is some scrub encroachment which is beginning to become damaging on some parts of the site and is likely to cause the notified grassland to deteriorate. Grassland vegetation management is currently managed by hand cutting as grazing cannot be carried out due to equestrian practices which have taken place for centuries. The current HLS agreement does not provide sufficient funding to allow appropriate management of the sward because of the steepness of the site."*
- Air pollution: risk of atmospheric nitrogen deposition. *"nitrogen deposition exceeds the site-relevant critical load for ecosystem protection and hence there is a risk of harmful effects, but the sensitive features are currently considered to be in favourable condition on the site. This requires further investigation"*

6.47 The HRA provides the following summary of threats and pressures to Devil's Dyke SAC, relating to habitat damage or loss, and recreational pressure:

- *"This species rich calcareous grassland is vulnerable to vegetation succession by rank grasses and requires active management by grazing."*

It is also vulnerable to increased recreational pressure. Habitat degradation is occurring, particularly through trampling of vegetation and soil enrichment from dog excrement. Antisocial behaviour such as littering, fires and other activities is damaging vegetation. Dogs off leads also pose a risk to the continuance of the essential long term management of the site through livestock grazing. The site is also potentially at risk from atmospheric nitrogen deposition, although the site improvement plan states this requires further investigation.” (p16, Habitats Regulations Assessment 2018)

6.48 In addition, the HRA identifies that air pollution is a key issue for Devil's Dyke, since it lies within 200m of the A14 and A1304.

6.49 According to the SIP, Devil's Dyke SAC does not support any notified species that are sensitive to changes to water quality and/or quantity and does not list this impact as a priority pressure or threat.

6.50 In summary, potential pressures or threats to the Devil's Dyke SAC are:

- *Increased recreational pressure:* Natural England have advised that the qualifying features of the site are under threat from increased visitor pressure. The screening assessment identified the potential for likely significant effects due to residential site allocations being within 8km of the site boundary of the SAC. These could be significant in-combination, i.e. total recreation pressure from multiple residential developments within and beyond the study area.
- *Reduced air quality:* The interest features of the SAC are sensitive to atmospheric pollutants and Devil's Dyke lies within 200m of the A14 and A1304, which may be used by new residents of site allocations in the settlements of: Bottisham, Burrough Green/Burrough End, Dullingham, Swaffham Bulbeck, Swaffham Prior to access services and facilities in Newmarket. There is therefore potential for likely significant effects.

What is the potential for the proposals set out in the emerging Witcham NP expected to impact the site?

6.51 Whilst growth is a potential threat to the Devil's Dyke SAC, the Witcham NP does not allocate sites and does not provide new opportunities for growth. This approach reflects the growth strategy of the now withdrawn Local Plan 2018 (the subject of the HRA), and the current adopted Local Plan 2015 (as amended 2023). Furthermore, Witcham village is approximately 23km away as the crow flies from the nearest part of Devil's Dyke.

6.52 Therefore, likely significant effects on the integrity of the Devil's Dyke SAC are not expected to arise from implementation of the Witcham NP.

Breckland SAC/SPA

6.53 Witcham village is located approximately 27km from the nearest part of Breckland SAC/SPA.

6.54 The area is classified as a Special Protection Area (SPA) due to:

- the area supporting Annex 1 species during the breeding season, namely the Stone Curlew *Burhinus oedignemus* - 60.1% of the GB breeding population, Nightjar *Caprimulgus europaeu* - 12.2% of the GB breeding population, and Woodlark *Lullula arborea* - 28.7% of the GB breeding population.¹⁸

6.55 The area is designated as a Special Area for Conservation because:

- it supports an Annex 1 habitat, namely Inland dunes with open *Corynephorus* and *Agrostis* grasslands; natural eutrophic lakes with *Magnopotamion* or Hydrocharition-type vegetation; European dry heaths; semi-natural dry grasslands and scrubland facies on calcareous substrates; alluvia forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Pdion*, *Alnion incanae*, *Salicion albae*), Great crested newt *Triturus cristatus*.¹⁹

6.56 A Site Improvement Plan for Breckland SAC/SPA was prepared by Natural England in 2015. This identifies a wide range (20 in total) of areas of concerns and issues. See <https://publications.naturalengland.org.uk/publication/5075188492271616> for further detail.

6.57 The HRA identified the following potential pressures and threats which could arise were the now withdrawn Local Plan 2018 implemented:

- Physical damage/ loss of habitat** Site allocation KEN.M1 within the Local Plan falls within the IRZ for Breckland Farmland SSSI, a component of Breckland SPA. Land within this zone is considered to be potentially functionally linked to Breckland and therefore there is the potential for likely significant effects on the integrity of the European Site.
- Increased recreational pressure:** Whilst the site is outside of the East Cambridgeshire area, a mixed use site allocation at Kennett (KEN.M1) is approximately 2km from Breckland Farmland SSSI, a component of Breckland SPA and falls within the IRZ for this SSSI. The Breckland Farm SSSI has interest features that are potentially sensitive to increased recreational pressure. The screening assessment identified the potential for likely significant effects due to residential site allocations in the Plan being within 8km of the site boundary of the SPA. These could be significant in-combination, i.e. total recreation pressure from multiple residential developments within and beyond the study area.
- Urbanisation:** Whilst urbanisation is recognised in the SIP for Breckland SPA/SAC as a priority issue, there is no development proposed in the Local Plan within 400m of the site boundary. The Local Plan will therefore have no effect via this pathway.

6.58 The Witcham NP does not include site allocations and does not provide opportunities for new development, beyond that provided by the Local Plan

¹⁸ See Breckland SPA Citation via

<https://publications.naturalengland.org.uk/publication/4572292419944448>

¹⁹ See <https://designatedsites.naturalengland.org.uk/> for site code UK0019865

2015 (as amended 2023) or by that set out in the now withdrawn Local Plan 2018 (the subject of the HRA). Furthermore, Witcham village is located approximately 27km from the nearest part of Breckland SAC/SPA.

6.59 Therefore, likely significant effects on the integrity of the Breckland SPA/SAC are not expected to arise from implementation of the Witcham NP.

7 Conclusion

HRA Screening: Witcham Neighbourhood Plan (“Submission Draft Plan May 2025”)

- 7.1 The Witcham NP does not include site allocations and does not provide opportunities for new development, beyond that provided by the Local Plan 2015 (as amended 2023) or by that set out in the now withdrawn Local Plan 2018, which has been subject to its own HRA.
- 7.2 Whilst part of the Ouse Washes SAC and Ramsar site falls within the northern part of the Witcham neighbourhood area and whilst part of the Goose and Swan Functional Land Impact Risk Zone falls within the northern part of the plan area, the emerging Witcham NP is ruled out as having likely significant effects on this site.
- 7.3 Because the emerging NP has been found to have no effect alone, there is no need to consider effects on the European sites arising from other plans or proposals.
- 7.4 In accordance with Regulation 105 in the Habitats Regulations, Natural England is being consulted on this preliminary HRA screening opinion.

Appendix 1 Consultation with Natural England

Received: 25 June 2025

Dear Ms Hogger

Witcham Neighbourhood Plan – SEA Screening and HRA Screening

Thank you for your consultation on the above dated 02 June 2025 which was received by Natural England on 02 June 2025.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Screening Request: Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)

It is Natural England's advice, on the basis of the material supplied with the consultation, that:

- **significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,**
- **significant effects on Habitats sites¹, either alone or in combination, are unlikely.**

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.

British Geological Survey (BGS) Peat Status mapping suggests that part of the Witcham Parish could be a large area of deep peat. Peat of all depths is a highly important carbon store, as explained in the England Peat Action Plan (publishing.service.gov.uk). The Neighbourhood Plan should promote the sustainable use and management of peat soils, to ensure their protection and minimise production of carbon emissions through their loss and degradation.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the Planning Practice Guidance. This identifies three triggers that may require the production of an SEA:

- a neighbourhood plan allocates sites for development

- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's standing advice on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice.

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to consultations@naturalengland.org.uk

Yours sincerely

Chloe Lancaster

Consultations Team

Content of footnote:

Habitats sites are those referred to in the National Planning Policy Framework (Annex 2 - glossary) as "any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites".