

Acton Neighbourhood Plan 2022-2037 SEA Screening Opinion

Final report

Prepared by LUC

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Acton Neighbourhood Plan 2022-2037
SEA Screening Opinion

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Contents

Chapter 1	
Introduction	1

Chapter 2	
Scope of the Neighbourhood Plan	2
Baseline Information	2
SEA Screening	4
Next Steps	9

Chapter 1

Introduction

1.1 Acton Parish Council is in the process of preparing a Neighbourhood Plan (the Acton Neighbourhood Plan 2022-2037). Acton is located within Babergh District, approximately 6km north-east of Sudbury. LUC has been appointed by Babergh and Mid Suffolk District Councils to consider whether there is a need for Strategic Environmental Assessment (SEA) to be undertaken for the emerging Neighbourhood Plan.

1.2 SEA may be required for a Neighbourhood Plan if it is likely to have significant environmental effects. Sustainability Appraisal (SA) is similar to SEA but includes assessment of the likely significant effects of a plan or programme on economic and social factors, as well as environmental factors. Planning Practice Guidance (PPG)¹ clarifies that there is no legal requirement for a Neighbourhood Plan to be subject to SA, but that SA can be used to demonstrate how the plan will contribute to sustainable development.

1.3 Babergh and Mid Suffolk District Councils have commissioned LUC to carry out SEA Screening of the Pre-Submission Draft version of the Acton Neighbourhood Plan 2022-2037 (hereon in referred to as the Neighbourhood Plan) in order to determine whether an assessment is required under European Directive 2001/42/EC (the SEA Directive), transposed into UK law through the SEA Regulations².

1.4 On 11th May 2022 the Government published the Levelling up and Regeneration Bill, which sets out in detail the Government's proposals for reforming the planning system. Amongst other things, the Bill proposes the replacement of the current SEA regime with a new requirement for an Environmental Outcomes Report. The specific requirements will be set out in forthcoming regulations, along with information about transition arrangements; however, at present the requirement for SEA remains as set out in existing legislation.

¹ Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities and Local Government (2016, updated 2021) Planning practice guidance [online]. Available at: <https://www.gov.uk/government/collections/planning-practice-guidance>

² The Environmental Assessment of Plans and Programmes Regulations 2004 (SI 2004/1633), as amended by The Environmental

Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018 (SI 2018/1232). It should be noted that the purpose of the amendments to the SEA Regulations is to ensure that the law functions correctly after the UK has left the European Union. No substantive changes are made to the way the SEA regime operates.

Chapter 2

Scope of the Neighbourhood Plan

2.1 Acton Parish Council has prepared a Pre-Submission Draft (Regulation 14) version of the Neighbourhood Plan. It is being subject to public consultation between 3rd April and 22nd May 2023.

2.2 The Neighbourhood Plan covers the entire parish of Acton including the hamlet of Newmans Green. The Plan includes a vision for the long-term future of Acton along with 10 objectives relating to four themes:

- Housing
- Environment
- Access and Community
- Business

2.3 The Neighbourhood Plan then sets out 13 policies (ACT1-ACT13) to realise and deliver the vision.

2.4 Policy ACT1 (New Housing Development) does not allocate sites for additional dwellings, but it does state that new development in Acton over the proposed plan period will be focused within the existing defined settlement boundaries of Acton and Newman's Green.

2.5 Although the Neighbourhood Plan does not allocate any sites for new development, it does propose a new settlement boundary for the main built-up area of the parish. It is based substantially on the existing adopted settlement boundary of the Core Strategy with the addition of the Tamage Road and the Clay Hall Place development sites, which are nearing completion.

Baseline Information

2.6 This section summarises baseline information for the parish of Acton, drawing from the information set out in the Pre-Submission Draft Acton Neighbourhood Plan 2022-2037.

Context

2.7 Acton is a rural parish located within Babergh District. It comprises the main built-up area of Acton village, located in the south of the parish, and the hamlet of Newmans Green, which is located approximately 1km to the south-west. The remainder of the parish comprises rural farmland, totalling an area of 1,162.52 hectares.

Biodiversity, Flora and Fauna

2.8 There are no internationally designated nature conservation sites within Acton, the nearest being the Stour and Orwell Estuaries SPA and Ramsar site, approximately 21km to the south-east.

2.9 The parish does contain a Site of Special Scientific Interest (SSSI), Lineage Wood and Railway Track, Long Melford, which runs along the north-west perimeter of the parish and continues into the adjacent parish of Long Melford. Lineage Wood is one of the largest remaining ancient woodland sites within West Suffolk.

2.10 There are also five County Wildlife Sites in Acton parish: Waldingfield Airfield, Lavenham Wood, Chad Brook, All Saints churchyard and Acton Wood. Acton has one Roadside Nature Reserve at the southerly end of Lavenham Road. The Acton Wildlife Reserve on Barrow Hill is also located within the parish and has been recently remodelled, now supporting various flora and fauna.

2.11 There are several priority species that have been recorded within the parish, including but not limited to water voles, hedgehogs, bats, otters, grass snakes, great crested newts, skylarks and thrushes.

Population

2.12 Based on mid-2019 population estimates, Acton had a total population of 1,865 residents. At the 2011 Census, most residents were aged between 45-59 years. Approximately, 50.1% of the population were recorded as female, and 49.9% as male.

2.13 Ethnic diversity is low within the parish, with 98% of the population being white, and 95.7% being born within the UK. Less than 1% of the population was recorded as Asian/Black/Other ethnic origin.

2.14 Based on the 2011 Census, 66.1% of Acton's population is in employment or self-employed, and 17% is in retirement.

Human Health

2.15 The 2011 census data for Acton reported a higher percentage of residents as having 'good' health compared to residents on average across Babergh and Suffolk. However, the percentage of residents reporting 'very bad' health is higher in Acton (1.2%) than Babergh (0.9%) and the same as England's (1.2%).

2.16 The overall figures for residents reporting how they consider their health to be were:

- Very Good: 45.8%
- Good: 38.7%
- Fair: 10.8%
- Bad: 3.5%
- Very Bad: 1.2%

Soil

2.17 According to data collected from the UK Soil Observatory, the majority of land in the parish comprises Arable and Horticulture, with smaller pockets of Improved Grassland³. The parish comprises mainly Grade 2 and 3 agricultural land.

Water

2.18 The majority of the parish lies within Flood Zone 1. However, the Environment Agency's Flood Risk Maps for planning indicates that there are small areas of Flood Zone 2 and 3 along the tributary to Chad Brook which are at a high probability of flooding.

Air and Climatic Factors

2.19 There are no Air Quality Management Areas (AQMAs) that have been declared within or near to Acton, the nearest being in Sudbury. Current figures suggest that Acton has a moderate air quality index, between 4-6 on a scale of 1-10. Defra record this value as of little concern, only suggesting that adults and children who suffer severely with cardiovascular disabilities should consider reducing strenuous physical activity outdoors⁴.

2.20 Climate data is not available at parish level, but within Babergh District as a whole, reductions in overall carbon emissions of 38% were achieved between 2005 and 2020. This reduction was mostly due to progress in reducing emissions from domestic sources, closely followed by industrial and commercial sectors, with minimal progress on transport emissions. Transport makes the largest contribution to carbon emissions in the Babergh District.

2.21 According to the 2011 census, 88% of households in Acton own one or more cars/vans. This suggests that most residents travel by private vehicle making it the most prevalent form of transport within the parish.

³ UK Soil Observatory (undated) UK Soil Observatory Map [online]. Available at: <https://mapapps2.bgs.ac.uk/ukso/home.html?layers=NVZEng>

⁴ Department for Environment, Food and Rural Affairs (undated) UK Air Information Resource (AIR) – Daily Air Quality Index [online]. Available at: <https://uk-air.defra.gov.uk/air-pollution/daq>

Material Assets

2.22 The parish has a village hall, a primary school, The Crown Public House, a convenience store, a nature reserve, and allotments. There is no healthcare provision within the parish.

2.23 The parish contains several Public Rights of Way (PROW) that run through the built-up area of Acton and Newmans Green into the countryside surrounding the parish. Also, the National Cycle Route, Suffolk Cycle Route A and National Cycle Route 13 cut through the parish.

2.24 There are hourly daytime buses from Monday to Saturday that stop on the High Street and provide routes to Sudbury and Bury St Edmunds.

2.25 The entirety of Acton Parish lies within a Mineral Consultation Area in the Suffolk Minerals and Waste Local Plan.

Cultural Heritage

2.26 Acton contains several listed buildings, with the oldest and most notable being the Grade I listed Church of All Saints, which was initially constructed in the 13th century. It contains a historically significant bronze of Sir Robert de Bures, as well as a bomb dropped by a zeppelin in World War 1. A further 11 Grade II listed buildings are located within the built-up area of the parish as well as two Grade II listed buildings within the centre of Newmans Green. The majority of these are along the High Street. There are also notable heritage features around the parish such as the cluster of buildings and boundary walls using flint facings, including the old schoolhouse. There is no Conservation Area in the parish.

2.27 None of these heritage assets are on Historic England's 'Heritage at Risk' register.

Landscape

2.28 There are no nationally designated landscapes within or close to Acton, the closest being Dedham Vale Area of Outstanding Natural Beauty (AONB) which is located approximately 8km to the south-east.

2.29 Acton is located within the Ancient Rolling Farmlands landscape character area. The key characteristics of this landscape are medium clay soils studded with blocks of ancient woodland and far-reaching views. The settlement pattern mainly consists of dispersed farmsteads of mediaeval origin with some larger hamlets and smaller villages that complement the rural landform and landscape.

2.30 Acton has a clustered settlement pattern set amongst rolling farmlands. The settlement was significantly built up throughout the 20th century, with only a few listed buildings on the edges of the village, forming a generally isolated setting.

SEA Screening

2.31 An assessment has been undertaken to determine whether the Pre-Submission Draft version of the Acton Neighbourhood Plan (2022 - 2037) requires SEA in accordance with the SEA Regulations.

2.32 **Figure 2.1** overleaf presents the flow diagram entitled 'Application of the SEA Directive to plans and programmes' which is taken from the Practical Guide to the Strategic Environmental Assessment Directive, published in September 2005⁵. This is a useful guide when considering whether a plan should be subject to SEA (the Practical Guide has been superseded by the National Planning Practice Guidance; however, it still provides a useful and relevant guide to the process to use in making SEA screening decisions).

⁵ Office of the Deputy Prime Minister (2005) A Practical Guide to the Strategic Environmental Assessment Directive [pdf]. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

Figure 2.1: Application of the SEA Directive to plans and programmes

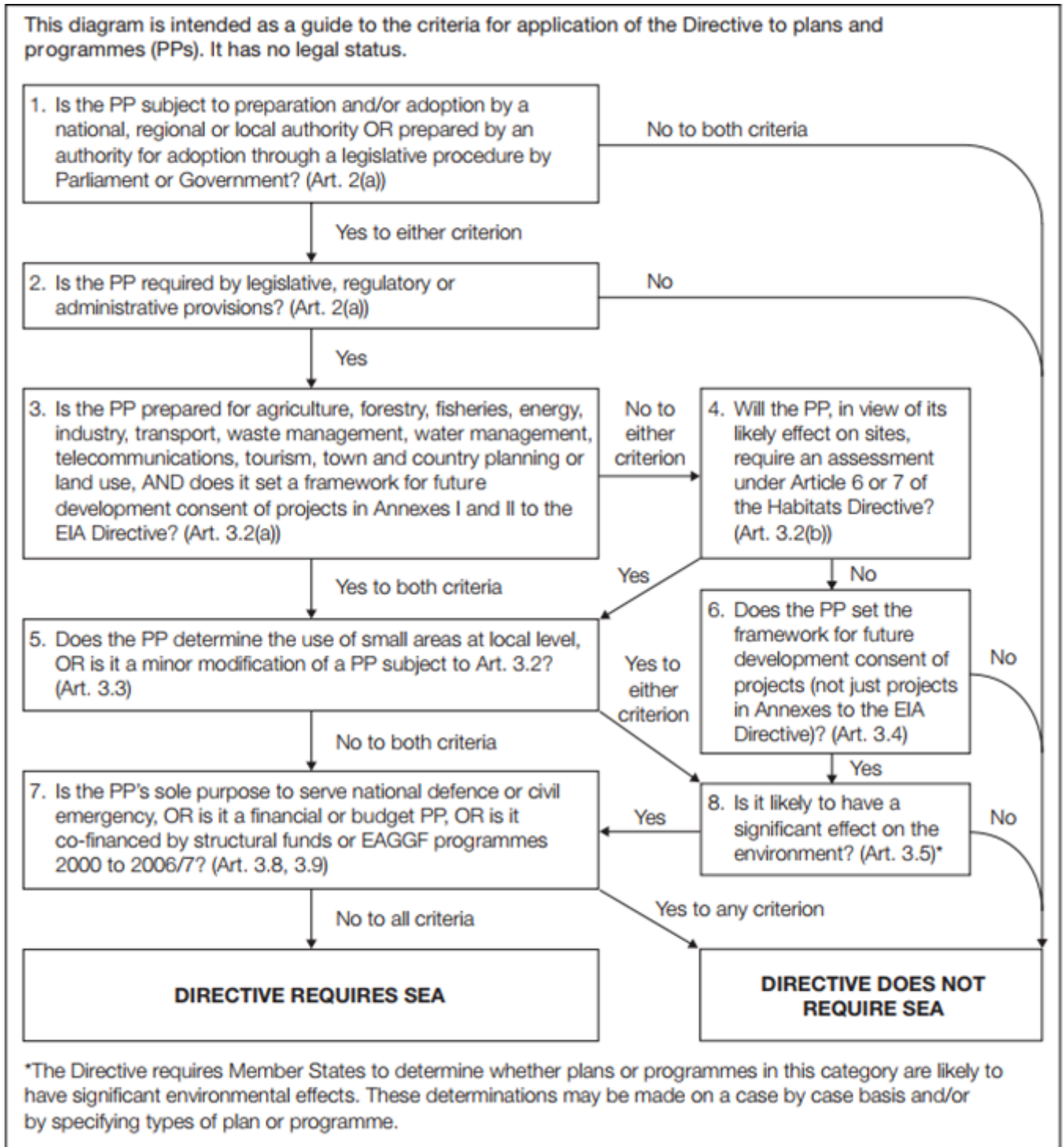


Table 2.1: Application of SEA Directive to the Acton Neighbourhood Plan

Stage	Yes/No	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Article 2(a))	Yes	The Neighbourhood Plan is being prepared under the Localism Act 2011 and will be adopted ('made') by the Local Authority (Babergh District Council) as part of the statutory development plan. Move to Q2.
2. Is the PP required by legislative, regulatory or administrative provisions? (Article 2(a))	No	The Neighbourhood Plan is being prepared under the Localism Act 2011 and in accordance with the Neighbourhood Planning (General) Regulations 2012. However, there is no requirement to produce a Neighbourhood Plan; it is an optional plan. Once made it will become part of the statutory development plan. Therefore, it should continue to be screened. Move to Q3.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2(a))	Yes and No	The Neighbourhood Plan is being prepared for town and country planning and land use, but it does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive. Move to Q4.
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	No	HRA screening of the Neighbourhood Plan has been undertaken separately on behalf of Babergh District Council and has concluded that the Neighbourhood Plan is not likely to have a significant effect on any European site, either alone or in combination. Move to Q6.
6. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Article 3.4)	Yes	The Neighbourhood Plan does not allocate sites for development; however, it includes policies which proposals for development within the parish will be assessed against. Move to Q8.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	No	See Table 2.2. SEA IS NOT REQUIRED.

2.33 Schedule 1 of the SEA Regulations sets out the criteria for determining the likely significance of effects. These are listed in **Table 2.2** overleaf along with comments on the extent to which the Acton Neighbourhood Plan meets these criteria.

Table 2.2: Likely significant effects

SEA Requirement	Comments
The characteristics of plans and programmes, having regard, in particular, to:	
<p>1. The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size, and operating conditions or by allocating resources.</p>	<p>Once made, the Neighbourhood Plan will become part of the statutory development plan and will guide the delivery of development in Acton Parish, including in terms of design. The Neighbourhood Plan does not allocate sites for residential or other forms of development.</p> <p>The adopted Babergh Core Strategy (2014) identifies Acton as a 'Hinterland Village' under Policy CS2 – Settlement Pattern. This policy seeks to direct development to towns/urban areas (which includes the Ipswich Fringe) and to the Core Villages and Hinterland Villages, and states that development in the countryside will only be permitted in exceptional circumstances subject to a proven justifiable need. The Core Strategy (2014) made provision for 1,050 homes to be delivered within the Core and Hinterland Villages over the Plan period to 2031.</p> <p>The emerging Babergh and Mid Suffolk Joint Local Plan identifies Acton as a Core Village and Acton – Newmans Green as a Hamlet Village. The new Local Plan has yet to be adopted (the Council is consulting between March and May 2023 on the proposed Main Modifications to the submitted Local Plan), it has been taken into consideration in the preparation of the Neighbourhood Plan. The Regulation 19 (Pre-Submission) version of the Joint Local Plan (November 2020)⁶ makes provision for building at least 9,611 new homes across Babergh between 2018 and 2037 and it is proposed that 4% of these will be in the Hamlets.</p> <p>As of April 2022, there were permissions for 59 new homes in Acton that have yet to be finished⁷. Further to this, Land south of Tamage Road, Acton is allocated for 100 dwellings within the emerging Joint Local Plan.</p>
<p>2. The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.</p>	<p>The Neighbourhood Plan has to be in general conformity with the local strategic framework (i.e. the adopted Babergh Core Strategy (2014) and the emerging Babergh and Mid Suffolk Joint Local Plan). The Neighbourhood Plan must also have regard to the National Planning Policy Framework. The Neighbourhood Plan does not have influence over other plans. Once made, the Neighbourhood Plan will form part of the statutory development plan for Acton Parish and will be used in conjunction with the emerging Babergh and Mid Suffolk Joint Local Plan (once adopted) to determine planning applications.</p>
<p>3. The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.</p>	<p>One of the Basic Conditions which the Neighbourhood Plan must meet is to contribute to sustainable development.</p>
<p>4. Environmental problems relevant to the plan or programme.</p>	<p>Baseline information relating to Acton Parish was described earlier in this report. Key issues of relevance to the Neighbourhood Plan are the presence of several designated heritage assets, the Lineage Wood and Railway Track, Long Melford SSSI, several areas of ancient woodland as well as swathes of Grades 2 and 3 agricultural land.</p>

⁶ Babergh District Council and Mid Suffolk District Council (2023) Babergh and Mid Suffolk Joint Local Plan – Part 1 [pdf]. Available at: <https://www.midsuffolk.gov.uk/assets/Strategic-Planning/JLPExamination/CoreDocLibrary/J-ModsConsultDocuments/J07-Full-Mods-JLP-document-tracked-changes-March-2023.pdf>

⁷ Babergh District Council (2022) Draft Five-Year Housing Land Supply Position Statement 2022 [pdf]. Available at: <https://www.midsuffolk.gov.uk/assets/Strategic-Planning/AMR/5HLS-2022/Babergh-2022-5HLS.pdf>

SEA Requirement	Comments
5. The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	N/A
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	
6. The probability, duration, frequency, and reversibility of the effects.	The Neighbourhood Plan does not allocate sites for housing or other forms of development. The Neighbourhood Plan covers the period up to 2037. Effects of the draft plan are expected to be indirect (due to not allocating sites) but long-term and permanent.
7. The cumulative nature of the effect.	<p>Cumulative effects could result from the Neighbourhood Plan in combination with development that takes place in the surrounding towns and villages, although the Neighbourhood Plan does not allocate sites for housing or other forms of development.</p> <p>The Adopted Babergh Core Strategy (2014) identifies Acton as a Hinterland Village in the settlement hierarchy. Policy CS3 made provision for 1,050 homes to be delivered within the Core and Hinterland Villages over the Plan period to 2031. The emerging Babergh and Mid Suffolk Joint Local Plan does not identify a minimum housing requirement for Acton, however as of April 2022, there were an estimated four new homes in Acton with permission that have yet to be completed.</p>
8. The transboundary nature of the effects.	The Neighbourhood Plan focuses on Acton Parish only. Transboundary effects under the SEA Regulations refers to transboundary effects on EU Member States; therefore, they are not relevant to this Neighbourhood Plan.
9. The risks to human health or the environment (e.g. due to accidents).	There are no anticipated risks to human health or the environment from the Neighbourhood Plan.
10. The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The Neighbourhood Plan covers all of Acton Parish. According to mid-2019 population estimates, the population of the Parish stood at 1,865.
11. The value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> ■ Special natural characteristics or cultural heritage; ■ Exceeded environmental quality standards or limit values; or ■ Intensive land-use. 	The nationally designated Lineage Wood and Railway Track, Long Melford SSSI lies within the boundary of the parish. There are numerous listed buildings within Acton, and the presence of high-quality agricultural land (Grades 2 and 3).
12. The effects on areas or landscapes which have a recognised national, community, or international protection status.	The parish does not lie within or near to an AONB or National Park.

SEA Screening Conclusion

2.34 A screening assessment has been undertaken by applying the criteria from the SEA Directive and Schedule 1 of the SEA Regulations to determine whether or not the Acton Neighbourhood Plan is likely to have significant environmental effects when assessed against the topics listed in the SEA Regulations.

2.35 The Neighbourhood Plan sets out a vision, objectives and 13 planning policies to shape development in the parish up to 2037 and decision makers will need to consider the criteria of these policies when determining future applications in the parish. The Neighbourhood Plan does not directly impact on land use through the allocation of sites for housing or other forms of development.

2.36 On this basis, it is considered that the Acton Neighbourhood Plan is unlikely to have significant environmental effects and that full SEA is therefore not required.

Next Steps

2.37 This SEA screening opinion will be sent to the three statutory consultees (Natural England, Historic England, and the Environment Agency) and will be reviewed as appropriate in light of any comments received.

LUC

April 2023