



Aldham Neighbourhood Plan

Strategic Environmental Assessment Screening Determination

(Regulation 11 of the Environmental Assessment of Plans and Programmes Regulations 2004)

April 2019

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ALDHAM NEIGHBOURHOOD PLAN

STRATEGIC ENVIRONMENTAL ASSESSMENT DETERMINATION

1. Introduction

This assessment relates to the Aldham Neighbourhood Plan 2018-2036 Pre-Submission Draft which was published for consultation in February 2019.

In some circumstances a neighbourhood plan could have significant environmental effects and may fall within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 and require a strategic environmental assessment.

One of the basic conditions that will be tested by the independent examiner is whether the making of the Plan is compatible with European Union obligations. Whether a neighbourhood plan requires a strategic environmental assessment and the level of detail needed will depend on what is proposed in the draft Neighbourhood Plan and the characteristics of the local area.

A central principle of the Neighbourhood Plan is to support only limited development in Aldham that:

- Is consistent with its lack of services and facilities
- takes account of the very narrow access roads to larger centres: and
- ensures that it will not have an irreversible impact on the characteristics of this small and remote village.

The Plan provides for around 15 dwellings to be developed in the Neighbourhood Plan area between 2018 and 2036. The Plan provides for this growth to be met through:

- the allocation of a site west of Hadleigh Road for seven dwellings
- the allocation of a site north of the Street for five dwellings
- small windfall sites and infill plots for one or two dwellings within the Built-Up Area Boundary
- conversions and new development opportunities outside the Built-Up Area Boundary

A SEA/HRA Screening Report for the Plan has been prepared by Place Services, Essex CC [*hereafter referred to as Place Services*] on behalf of Babergh District Council and Aldham Parish Council. This can be viewed at: www.babergh.gov.uk/AldhamNP

The statutory consultees were consulted in February 2019 and their responses are attached. (See Appendix 1).

Section 2 sets out the legislative background. Section 3 sets out the criteria for determining the likely significance of effects. Section 4 summarises the assessment and Section 5 sets out the conclusions based on the screening assessment and the responses of the statutory consultees. The determination is set out in Section 6.

2. Legislative Background

European Union Directive 2001/42/EC requires a Strategic Environmental Assessment to be undertaken for certain types of plans or programmes that would have a significant environmental effect. The Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations) require that this is determined by a screening process, which should use a specified set of criteria (set out in Schedule 1 of the Regulations). The results of this process must be set out in a SEA Screening Statement, which must be publicly available.

In accordance with Regulation 9 of the SEA Regulations 2004, Aldham Parish Council (the qualifying body) requested Babergh District Council (BDC) as the responsible authority, to determine whether an environmental report on the emerging Aldham Neighbourhood Plan is required due to significant environmental effects. In making this determination, BDC should have regard to Schedule 1 of the Regulations.

Pre-Submission Consultation (Regulation 14 stage) was carried out in between February and April 2019. In line with the advice contained within the National Planning Policy Framework (NPPF) and Planning Practice Guidance, the plan's potential scope should be assessed at an early stage against the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004. As indicated above BDC therefore commissioned Place Services to prepare a screening report to assess whether a SEA would be required.

A SEA can be required in some limited situations where a sustainability appraisal is not needed. Neighbourhood Planning is one of these situations. Sustainability Appraisals (SAs) may incorporate the requirements of the Strategic Environmental Assessment Regulations, which implement the requirements of the 'Strategic Environmental Assessment Directive' on the assessment of the effects of certain plans and programmes on the environment.

A Sustainability Appraisal ensures that potential environmental effects are given full consideration alongside social and economic issues and it is good practice to do one to understand how a plan is to deliver sustainable development. However, NPPF Planning Practice Guidance states that there is no legal requirement for a neighbourhood plan to undertake a sustainability appraisal as set out in section 19 of the Planning and Compulsory Purchase Act 2004. It is down to the qualifying body to demonstrate whether its plan is likely to have significant environmental effects. This is the purpose of the SEA Screening Report.

3. Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC

Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out in the following table:

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| <p>1. The characteristics of plans and programmes, having regard, in particular, to:</p> <ul style="list-style-type: none">- 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,- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development, |
|--|

- environmental problems relevant to the plan or programme,
 - 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).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:
- the probability, duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the trans-boundary nature of the effects,
 - the risks to human health or the environment (e.g. due to accidents),
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
 - the effects on areas or landscapes which have a recognised national, Community or international protection status.

Source: Annex II of SEA Directive 2001/42/EC

4. Assessment

A full assessment of the likely effects of the Plan is set out in the Screening Report dated February 2019 prepared by Place Services which can be viewed at:

<https://www.babergh.gov.uk/assets/Neighbourhood-Planning/Aldham-NP-SEA-HRA-Screening-Report-Final.pdf>

In the light of the assessment the Screening Report concludes that:

- The Plan allocates two sites for development in advance of the emerging Babergh and Mid Suffolk Joint Local Plan however one of these does have planning permission. Further, the emerging Joint Local Plan has identified only two possible sites for consideration as allocations through its call-for-sites process and both of these are allocated within the Neighbourhood Plan. There are therefore not any 'reasonable alternatives' within Aldham that the Neighbourhood Plan could additionally consider through a SEA Environmental Report.
- Significant effects on the environment could not be ruled out due to the Plan area being within the 13km Zones of Influence for the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site and the Plan allocating land for development purposes, as per the HRA element of the screening report (Section 4). However, Appropriate Assessment has been undertaken (Section 6 of the screening report) which includes a specific recommendation to embed mitigation into the Neighbourhood Plan. Once included within the Neighbourhood Plan, significant effects on the environment can be wholly ruled out in this regard.
- As such, and based on an assumption that the recommendation of the Appropriate Assessment is embedded into the Plan, the Aldham Neighbourhood Plan can be screened out for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC.

5. Conclusion

In the light of the conclusions set out in the assessment in section 4 above the report by Place Services has therefore **screened out** the content of the Aldham Neighbourhood Plan to require a Strategic Environmental Assessment in line with Directive 2001/42/EC

Consultation on the Screening Report was carried out with Natural England, Historic England and the Environment Agency.

All three bodies agreed with or had no comment to make on the conclusion of the Screening Report.

The consultation responses are attached at Appendix 1.

6. Determination

In the light of the Screening Report for Consultation prepared by Place Services and the consultation with Historic England, Natural England and the Environment Agency it is determined that a Strategic Environmental Assessment of the Aldham Neighbourhood Plan **is not required** in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.

From: Natural England
Date: 22 March 2019

Our refs: 274816 Aldham NP Pre-Submission Consultation Regulation 14
274971 Aldham NP - SEA/HRA Screening Report

To whom it may concern

Thank you for consulting Natural England on the above Neighbourhood Plan.

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.

Natural England is unable to provide a response to this consultation, as we have to take a risk based approach in deciding when to provide detailed advice to development plan consultations. The lack of comment from Natural England does not imply that there are no impacts on the natural environment. However we would like to take this opportunity to provide you with information sources that the neighbourhood planning body may wish to use in developing the plan, and to highlight some of the potential environmental risks and opportunities that neighbourhood plans or orders may present: this information is attached. In particular we would draw your attention to the SSSI Impact Risk Zones, available as a GIS dataset. Although designed to be used to help local planning authorities decide when to consult Natural England on developments likely to affect designated sites, they may be of use to you in understanding potential impacts from the Plan on nearby designated sites. The dataset and user guidance can be accessed from the data.gov.uk website.

Natural England has not assessed this Plan for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecologist for advice. Natural England and the Forestry Commission have also published standing advice on [ancient woodland and veteran trees](#) which you can use to assess any impacts on ancient woodland.

Yours faithfully,

Kayleigh Cheese
Planning Lead Adviser
Essex Local Delivery Team
Essex, Herts, Beds, Cambs, Northants
Natural England
County Hall, Spetchley Road, Worcester
WR5 2NP

www.gov.uk/natural-england

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

Natural England offers two chargeable services – The Discretionary Advice Service ([DAS](#)) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service ([PSS](#)) provides advice for protected species mitigation licence applications.



Mr Paul Munson
Babergh District Council
Endeavour House Russell Road
Ipswich
Suffolk
IP1 2BX

Our Ref: AE/2019/123977/01-L01

Your ref: AldhamNP/SEA

Date: 29 March 2019

Dear Mr Munson

ALDHAM NEIGHBOURHOOD PLAN - SEA SCREENING

ALDHAM PARISH

Thank you for your consultation dated 26 February 2019. We have reviewed the Strategic Environmental Assessment Screening Report prepared by Essex Place Services for the Aldham Neighbourhood Plan, as submitted and agree with the conclusions and recommendations of the report that the requirement for a full SEA can be screened out of the Plan.

We trust that this advice is useful.

Yours sincerely

Mr Ed Abigail
Planning Advisor

Environment Agency,
Cobham Road, Ipswich, Suffolk, IP3 9JD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency
End



Historic England

EAST OF ENGLAND OFFICE

Sir/Madam Community Planning
Babergh Mid Suffolk District Council
Endeavour House
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Ipswich
IP1 2BX

Direct Dial: 01223 582746

Our ref: PL00552808

11 April 2019

Dear Sir/Madam Community Planning

RE: Aldham Neighbourhood Plan SEA Screening

Thank you for your email of 26 February 2019 regarding the above consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Therefore we welcome this opportunity to review the Screening Report for this plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Aldham Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

The Screening Report indicates that the Council considers that the Aldham Neighbourhood Plan will not have any significant effects on the historic environment. We note that there are two small site allocations included in the draft plan, once of which is subject to planning permission already. The other is not likely to have significant effects on the historic environment. On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We should like to stress that this opinion is based on the information provided by you with your correspondence dated 26 February 2019. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SA/SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we consider that, despite the SA/SEA, these would have an adverse effect upon the environment.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Yours sincerely,

Edward James
Historic Places Advisor, East of England



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.