

**Babergh & Mid Suffolk District
Councils**

**Assington Parish Council
Neighbourhood Plan
SEA Screening Opinion**

Final report

Prepared by LUC

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Babergh & Mid Suffolk District Councils

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Contents

Chapter 1	
Introduction	1

Chapter 2	
SEA Screening	2

Scope of the NDP	2
Baseline Information	2
SEA Screening Conclusion	8
Next steps	9

Chapter 1

Introduction

1.1 Assington Parish Council is in the process of preparing a Neighbourhood Development Plan (NDP). Assington is located within Babergh District, approximately four miles to the south east of the town 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 NDP.

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 Guidance¹ (PPG) 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 Assington NDP 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 <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

SEA Screening

Scope of the NDP

2.1 Assington Parish Council has prepared the Pre-Submission Draft (Regulation 14) version of the NDP which is being subject to public consultation between February and March 2020.

2.2 The Assington NDP covers the entire parish, including the main settlement of Assington as well as the hamlets of Rose Green and Dorking Tye.

2.3 The Pre-Submission Draft NDP includes a vision for the long-term future of Assington along with five key objectives relating to the following topics:

1. Housing
2. Transport and Travel
3. Natural Environment
4. Built Environment and Design
5. Infrastructure, Business and Services

2.4 The NDP then sets out 24 planning policies (ASSN1 – 24) to realise and deliver the vision. Policy ASSN2, concerning housing development, states that around 67 additional dwellings will be provided in the Neighbourhood Plan area between 2018 and 2036. Some of these will be delivered through the sites allocated in policies ASSN3 to ASSN8, which together allocate land for around 34 new homes, while the remainder will come from the implementation of existing permissions, small windfall sites and exceptions sites that accord with the NDP policy. However, five of the sites allocated (ASSN3-7) already have planning permission and only ASSN8 (Meadow Way site) does not yet have permission. Policies ASSN9-11 set out development requirements for affordable housing, housing mix and internal space.

Baseline Information

2.5 This section summarises baseline information for the parish of Assington, drawing from the information set out in the Pre-Submission Draft NDP, AECOM Character

Assessment and Design Guide³ and Assington Neighbourhood Plan Local Green Spaces Assessment⁴.

Context

2.6 Assington is a village and civil parish in the Suffolk District of Babergh, eastern England. It is located around four miles south east of Sudbury. The main village is just off the A134, developed along The Street, where the pub, the farm shop and the tea room are located, as well as the village hall and the playing field.

Biodiversity, flora and fauna

2.7 There are no internationally designated nature conservation sites within Assington Parish. However, Arger Fen SSSI lies in the southern part of the Parish boundary.

2.8 Also within the parish is Tiger Hill Local Nature Reserve (LNR) and a small portion of Arger Fen LNR as well as three County Wildlife Sites: The Thicks, The Churchyard and The Valley at Oatetch Grove, all of which lie close to the village centre.

2.9 Assington has one of Suffolk's highest counts of species - approximately 500 plants have been recorded, and many others such as 300 fungus and 100 moth species. There are a number of Priority Habitats located in the area which comprise lowland meadows, good quality semi-improved grassland, upland hay meadows, deciduous woodland and traditional orchards. Ancient Woodland is also present within the parish: Assington Thicks represents 52 hectares of one of Suffolk's largest ancient woods. There are also a number of Priority Species within the area, such as the Grey Partridge, Turtle Dove, Corn Bunting, Yellow Wagtail and Lapwing, all of which are farmland birds.

Population

2.10 The 2011 Census recorded 402 people living in Assington Parish, of which over 64% were aged 16-64 and 18.3% were aged over 65. The gender balance of the population is relatively equal with 51.2% being female and 48.8% being male.

2.11 The 2011 Census showed that there were 219 (72.8%) economically active residents aged 16 to 74 which was slightly higher than the Babergh average of 70.3% and England average of 69.9%.

Human health

2.12 In terms of the health of Assington residents, just over 45% of people are classified as in very good health, 41% as

good, 9.7% as fair, 3% as bad and 0.7% as very bad. These health ratings mirror the Babergh and England averages; however the 'very bad' figure for Assington is below both.

Soil

2.13 The majority of Assington Parish comprises Grade 2 agricultural land with a small section of non-agricultural land which is covered by the Assington Thicks woodland.

Water

2.14 The area along the eastern edge of the parish is located within Flood Zones 2 and 3 – this is associated with a small watercourse running the length of this boundary. Flood Zone 3 comprises land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year.

Air and Climatic Factors

2.15 There are no Air Quality Management Areas (AQMAs) that have been declared within Assington Parish, the nearest being at Sudbury.

2.16 The main issues identified by Assington residents during public consultation while preparing the NDP were traffic speed and volume and gaps within bus services during the afternoons and no evening services.

Material assets

2.17 The parish has a number of areas of green space that local residents consider to be important. Following assessment through the Neighbourhood Plan process, 12 local green spaces have been designated within the NDP.

2.18 Assington benefits from a bus service to Sudbury and Colchester; however there are gaps in the service during the afternoons and there are no evening services.

2.19 There are a number of Public Rights of Way within the parish; however the network isn't coherent.

2.20 There are no general admission schools within the parish, only the Ryes School which is a school for pupils with special needs.

2.21 The County Council notes that mineral extraction is a main threat to the landscape and Assington has been included within a Minerals Consultation Area in the Suffolk Minerals Core Strategy.

³ Aecom (September 2019) Assington Suffolk Neighbourhood Plan Design Guidelines

⁴ <http://assington.onesuffolk.net/assets/Neighbourhood-Plan/Pre-Consultation-Draft-Plan/ANP-Supporting-Doc-Local-Green-Spaces.pdf>

Cultural heritage

2.22 The settlement dates from Saxon times. Although Assington does not have a Conservation Area, there are currently 32 Listed Buildings in Assington Parish. All of the buildings are Grade II, other than the St Edmund King and Martyr Church which is north of the centre of the village and is Grade I listed. None of these features appear on Historic England's Heritage at Risk Register.

Landscape

2.23 Assington is in a rural setting, with a natural and varied landscape including such features as steep slopes with hollow lanes, small fields with old hedges, natural streams and grazing meadows, fens, heathland and ancient woodlands.

2.24 Babergh's Special Landscape Area includes the parish south from the Churchyard and the Thicks. The west area has a prevalence of ponds, and includes Assington Thicks, ancient woodland. The east area has a classic Ancient Rolling Farmlands landscape type and includes the churchyard with its scarce flowers. The majority of the village is set within 'Ancient Rolling Farmlands' as defined in the Suffolk Landscape Character Appraisal.

2.25 The parish also lies partly within the Dedham Vale Area of Outstanding Natural Beauty (AONB), which extends into the southern section.

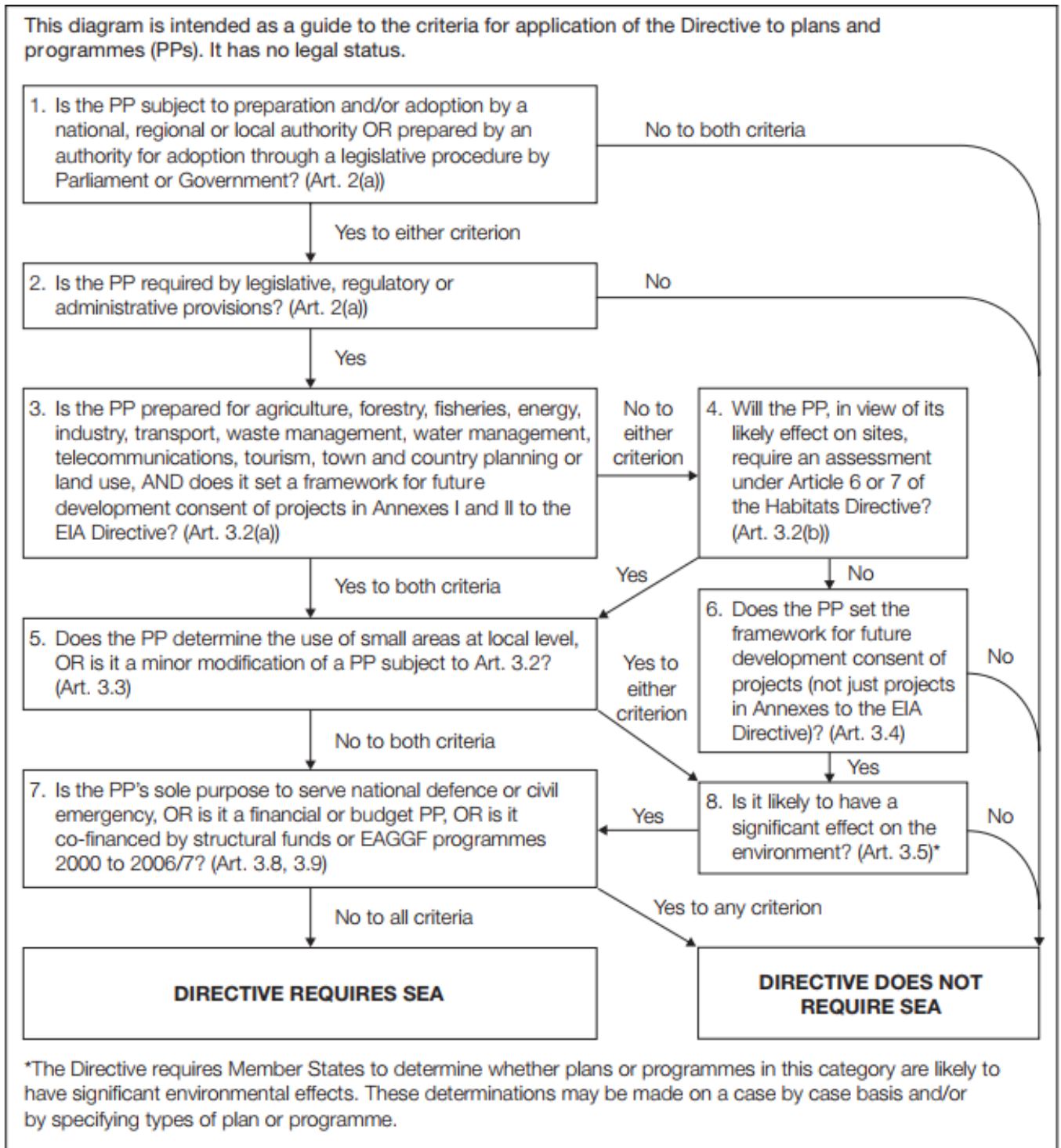
SEA Screening

2.26 An assessment has been undertaken to determine whether the Regulation 14 Pre-Submission Draft Assington NDP requires SEA in accordance with the SEA Regulations.

2.27 **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 Directive⁵, published in September 2005. 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).

⁵https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

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



2.28 **Table 2.1** below presents the assessment of whether the Assington NDP will require a full SEA. The questions in the first column are drawn from the diagram above which sets out how the SEA Directive should be applied.

Table 2.2: Application of SEA Directive to the Assington NDP

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? (Art. 2(a))	Yes	The NDP 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 (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? (Art. 2(a))	No	The NDP 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? (Art 3.2(a))	Yes and No	The NDP 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. The development allocated in the NDP is small-scale housing development which is not included in Annexes I or II of 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? (Art. 3.2 (b))	No	HRA screening of the NDP has been undertaken separately on behalf of Babergh District Council and has concluded that Appropriate Assessment is not required. No: 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)? (Art. 3.4)	Yes	The NDP allocates six small-scale sites for housing development, setting the framework for future development consent (although five of these sites already have planning permission). The NDP also provides a framework for development of affordable housing on rural exception sites outside but adjoining the Settlement Boundary although it does not allocate sites for this purpose. Move to Q8.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	See Table 2.2. SEA IS NOT REQUIRED.

2.29 Schedule 1 of the SEA Regulations sets out the criteria for determining the likely significance of effects. These are listed in **Table 2.2** below along with comments on the extent to which the Assington NDP meets these criteria.

Table 2.3: Likely Significant Effects

SEA Requirement	Comments
The characteristics of plans and programmes, having regard, in particular, to:	
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	Once made, the NDP will become part of the statutory development plan and will guide the delivery of development in Assington Parish, including in terms of design. The NDP allocates six sites for residential development, which are expected to accommodate a total of around 34 dwellings. However, five of these sites already have planning permission and only three homes are to be delivered on the site which does not yet have consent. The NDP also provides a

SEA Requirement	Comments
	<p>framework for the development of affordable housing on rural exception sites outside but adjoining the Settlement Boundary although it does not allocate sites for this purpose.</p> <p>The adopted Babergh Core Strategy (2014) identifies Assington as a Hinterland Village in Policy CS2 – Settlement Pattern. This policy seeks to direct development to towns/urban areas and to the Core Villages and Hinterland Villages. The Core Strategy provides for a total of 1,050 dwellings at the Hinterland Villages over the Plan period to 2031.</p> <p>The emerging Babergh and Mid Suffolk Joint Local Plan identifies Assington as a Hinterland Village. While the new Local Plan is unlikely to be adopted until 2021, it has been taken into consideration in the preparation of the NDP. It is noted that the Preferred Options Joint Local Plan document makes provision for building 9,343 new homes across Babergh between 2018 and 2036 and that it is proposed that 10% of these will be in the Hinterland Villages. For Assington specifically, the Preferred Options document identifies a minimum figure of 38 new homes for Assington. Given the number of existing permissions, there is no requirement for the NDP to identify additional sites.</p>
<p>2.the degree to which the plan or programme influences other plans and programmes including those in a hierarchy</p>	<p>The NDP 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 NDP must also have regard to the National Planning Policy Framework. The NDP does not have influence over other plans. Once made, the NDP will form part of the statutory development plan for Assington 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 NDP 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 Assington Parish was described earlier in this chapter. Key issues of relevance to the NDP are the presence of high-quality agricultural land in the parish, the presence of land within flood zone 3, several areas of priority habitat, a SSSI, part of the Dedham Vale AONB and three County Wildlife Sites within the parish and a number of designated heritage assets in the parish centre. Additionally, there is an issue of traffic volume and speed within the village, which could affect air quality.</p>
<p>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).</p>	<p>N/A</p>
<p>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p>	
<p>6. the probability, duration, frequency and reversibility of the effects,</p>	<p>The NDP allocates six sites for housing development, amounting to around 34 dwellings, although all but one of these sites (allocating only three homes) already have planning permission. The Assington NDP covers the period 2018-2036 and the effects of housing development that occurs during the plan period are expected to be long-term and permanent. Any effects associated specifically with construction are likely to be short-term and temporary.</p>
<p>7. the cumulative nature of the effects,</p>	<p>Cumulative effects could result from the NDP in combination with development that takes place in the surrounding towns and villages – albeit the parish of Assington is rural and Assington village itself is some distance from the nearest settlement (Leavenheath is around 2.7 miles to the south east).</p>

SEA Requirement	Comments
	<p>As the emerging Babergh and Mid Suffolk Joint Local Plan is still in its development, it is not yet possible to assess with certainty the amount and location of development that may result from the Plan within and close to Assington Parish. It is noted that the Assington NDP allocates six housing sites, amounting to around 34 dwellings, but that five of the sites already have planning permission.</p> <p>The Adopted Babergh Core Strategy (2014) identifies Assington as a 'hinterland village' in the settlement hierarchy, with the expectation that new development should meet local needs.</p>
8. the transboundary nature of the effects,	The NDP focuses on Assington Parish only. Transboundary effects under the SEA Regulations refers transboundary effects on other EU Member States; therefore they are not relevant to this NDP.
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 NDP.
10. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	The NDP covers all of Assington Parish. The population of the parish in the 2011 Census was 402 people.
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, ■ intensive land-use, 	Assington Parish is home to a number of Priority Species and Priority Habitats, there are three County Wildlife Sites within Assington and the southern part of the parish lies within the Dedham Vale AONB. In addition, the southern part of the parish lies within the Arger Fen SSSI. There are 32 listed buildings within the parish of Assington that are included on Historic England's National List. Also, the majority of the parish lies within Grade 2 agricultural land. The one site allocated for development in the NDP which does not already have planning permission (ASSN 8) is within an area of Grade 2 agricultural land and is approximately 100m from the nearest Grade II listed building; however it is not within the AONB or SSSI.
12. the effects on areas or landscapes which have a recognised national, Community or international protection status.	Part of Dedham Vale AONB lies within the southern section of the parish. Development within close proximity to the AONB could adversely affect its characteristic lowland landscape. As noted above, the one site allocated in the NDP that does not already have planning permission is not within the AONB (the site is within the existing built up area of Assington).

SEA Screening Conclusion

2.30 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 Assington NDP is likely to have significant environmental effects when assessed against the topics listed in the SEA Regulations.

2.31 The NDP sets out a vision and detailed planning policies to shape development in the parish up to 2036. It allocates six small sites for residential development, delivering around 34 homes. However, five of these sites already have planning permission and only three homes are to be delivered on the remaining site. It is assumed that the environmental effects of the development on the sites with planning permission would have been assessed during the planning application process, with conditions attached to the consent as appropriate to ensure that adverse effects on the environment do not result.

Although these sites are allocated in the NDP they are, in effect, part of the baseline conditions for the preparation of the NDP. They are included as allocations in the NDP because they already have planning consent.

2.32 The residential development allocated through the NDP could have a range of environmental effects during the construction period and afterwards, in particular in relation to additional traffic generation and demand for water treatment. The scale of any such effects arising from the allocated site that does not already have planning permission will be very small as it allocates only three dwellings. There are policies in the NDP and in the adopted Babergh Core Strategy that may provide mitigation and mitigation may also be provided by the policies in the emerging Babergh and Mid Suffolk Joint Local Plan; however given its current stage of development, emerging policies may change.

2.33 Given that five of the six allocated sites in the NDP already have planning consent, and the remaining

allocation is for small scale development comprising only three dwellings, it is considered that the Assington NDP does not have the potential to have significant environmental effects in relation to the baseline and that SEA is not therefore required.

Next steps

2.34 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.