

**Babergh & Mid Suffolk District
Council**

**Bentley Neighbourhood
Development Plan
SEA Screening Opinion**

Final report

Prepared by LUC

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Babergh & Mid Suffolk District Council

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SEA Screening Opinion**

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Contents

Chapter 1
Introduction **1**

Chapter 2
SEA Screening **2**

Scope of the NDP	2
Baseline Information	3
SEA Screening	5
SEA Screening Conclusion	9
Next Steps	10

Chapter 1

Introduction

1.1 Bentley Parish Council is in the process of preparing a Neighbourhood Development Plan (NDP). Bentley is located within Babergh District, around six miles south west of Ipswich. 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 version of the Bentley 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 Bentley Parish Council has prepared the Pre-Submission Draft (Regulation 14) version of the NDP which is being subject to public consultation between October and November 2020.

2.2 The Bentley NDP covers the entire parish. The Pre-Submission NDP includes a vision for the long-term future of Bentley and identifies six themes which the plan addresses in order to deliver the vision:

Housing

1. To encourage the development of appropriate housing for the stated needs of the village, in terms of size and style and across the age demographic.

Built Environment

2. To maintain and enhance a strong rural identity and sense of place for the parish, through environmentally sustainable and sensitive small-scale development.
3. To ensure new development is designed to reflect local character and incorporate measures that reduces environmental impact.

Natural Environment

4. To retain, encourage, and enhance local natural habitats, to conserve Priority Species and increase biodiversity, and to maintain the strong sense of rural place within the parish. To enhance habitat connectivity (wildlife corridors) to allow species to move into and across these habitats.
5. To have regard for our duty of care to the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty within the parish and its setting, and to protect its special qualities, particularly tranquillity and large skies in a rural landscape.

Historic Environment

6. To conserve and enhance our heritage assets.

Development of Infrastructure and Services

7. To encourage safe and sustainable options for travel in and around the village for pedestrians, cyclists and horse riders.
8. To support the creation of infrastructure, such as fast broadband and transport links that allow commuting via public transport, to encourage a broad age spectrum within the village.

Community Facilities

9. To conserve and enhance the sense of robust, resilient, vibrant community within the village, maintaining the village as a safe and desirable place to live for all its residents.

2.3 The NDP then sets out 25 planning policies (Policies BEN1 – 25) to realise and deliver the vision and objectives. Policy BEN 2 is a new housing policy that provides for around 58 additional dwellings to be developed in the parish, of which 43³ already have planning permission as of 1st April 2020. The growth will be met through the implementation of planning permissions that were not completed as of 1st April 2018; site allocations identified in Policies BEN 3 and BEN 4; and small brownfield 'windfall' sites and infill plots that come forward during the plan period and are not identified within the NDP. Policy BEN 3 allocates a site which already benefits from planning permission for 16 dwellings. BEN 4 allocates a site for a further 15 dwellings (that site does not have existing planning permission).

2.4 Policies BEN 1 and BEN 5 – 25 address a range of topics including housing mix, development design and renewable energy, with many of the policies being criteria-based policies covering topics such as landscape, light pollution and the protection of local biodiversity and heritage assets. Together these policies seek to ensure that new development is high quality and sensitively designed so as not to have adverse impacts on the surroundings.

Baseline Information

2.5 This section summarises baseline information for the parish of Bentley, drawing from the information set out in the Pre-Submission NDP.

Context

2.6 Bentley is a village and civil parish in Babergh District within the County of Suffolk, eastern England. The parish is located about six miles south west of Ipswich.

Biodiversity, flora and fauna

2.7 There are no internationally or nationally designated sites within Bentley. However, the parish is located around 1.3km from the Stour and Orwell Special Protection Area (SPA) and Ramsar site. This is well within the 13km Zone of Influence that has been established around the sites to cover the area where increased residential development could lead to significant effects as a result of increased recreation.

2.8 There are ancient woodlands in the parish which are encompassed in the South Suffolk Ancient Woodlands Cluster and are designated as County Wildlife Sites. These woodlands are well-known for their display of bluebells. The native bluebell is one of 16 species of ancient woodland flora that are recorded in the area. The parish also contains ancient hedgerows that support a diverse range of plants and animals. Bentley is also home to Priority Species including hazel dormice and stag beetle. The parish also contains Local Wildlife Sites and patches of Priority Habitats including traditional orchard and deciduous woodland.

2.9 Two large reservoirs are situated a short distance from Bentley CEVC Primary School, which provide essential habitats for reptiles and amphibians (including marsh frogs) as well as dragonflies and many other insects.

Population

2.10 The population of Bentley was 776 at the time of the 2011 Census and the average age of residents was 47.8 years. The village has a proportionally older population than is typical for England and Babergh; 5.1% of people are aged 20-29 in Bentley compared to 8.8% in Babergh and 13.7% in England. The proportion of over 60s in Bentley is 39% compared to 29.4% in Babergh and 22.4% in England overall.

2.11 Ethnic diversity is very low with only 0.9% of Bentley's residents being of non-white ethnicities. Only 0.3% of residents have a language other than English as their first language. The 2011 Census showed that 64.5% of the population was in some form of employment (full-time, part-time or self-employed), with a small number of people unemployed or in full-time education. A further 23.5% were retired, providing care, long-term sick or disabled.

2.12 There is no predominant employment sector in the parish, with employment largely in wholesale and retail trade, education and human health and social work.

³ There appear to be some discrepancies in the housing figures referred to in the NDP – paragraph 6.4 in the consultation document refers to 43 dwellings as having planning permission at April 2020; however Appendix A lists 44 dwellings

as having planning permission at that time. At the time of writing, discussions are ongoing between the Parish Council and Babergh District Council to clarify the figures.

Human health

2.13 The majority of Bentley's residents are in good or very good health (82.1%) with a small proportion (3.5%) in bad to very bad health. Information from the 2011 Census indicates that the proportion of the Bentley population that is in very good health (42.8%) is slightly lower than the Mid Suffolk (46.6%) and England (47.2%) averages.

Soil

2.14 Bentley Parish comprises mainly Grades 2 and 3 agricultural land; however, it is not known if any of this is Grade 3a (classed as best and most versatile agricultural land) rather the lower quality Grade 3b.

Water

2.15 Several areas in Bentley are prone to surface water flooding. In addition, according to the Environment Agency's Flood Risk Maps for planning, there are areas of Flood Zones 2 and 3 along the northern, eastern southern borders of the parish, following the routes of rivers and watercourses.

Air and Climatic Factors

2.16 There are no Air Quality Management Areas (AQMAs) that have been declared within or near to Bentley Parish, although there are five AQMAs in Ipswich, approximately seven miles distance by car to the north.

2.17 Climate data are not available at parish level, but within Babergh District as a whole, reductions in overall carbon emissions of 26% were achieved between 2005 and 2018. 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 Babergh District.

2.18 According to the 2011 Census data, Bentley has a higher level of car ownership than both Babergh and Suffolk as a whole.

Material Assets

2.19 There are seven local green spaces within the village that make important contributions to the character and setting of the built environment.

2.20 The village is relatively well provided for in terms of community facilities and infrastructure given the size of the population and compared to other hinterland villages. There is a pub, which is owned by the community, a community shop, a primary school and routes for walking, cycling and horse riding.

2.21 In terms of public transport, Bentley is serviced by the 94 bus on school days only, however there is no public transport option that would allow for commuting. The only bus stop in use in the village is opposite the memorial.

2.22 There are a number of public footpaths within the parish which link the village to with the surrounding countryside. This Public Rights of Way network includes 64 footpaths and three bridleways.

2.23 The parish has one primary school located just north of the built-up area and it is assumed that it is operating sufficiently as there is no need to either expand or contract capacity.

2.24 Most of Bentley Parish is covered by a Minerals Consultation Area. According to the Suffolk Minerals and Waste Local Plan there is a proposed sand and gravel extraction site at Belstead which the Plan notes could have potential impacts on Bentley Old Hall which is a Grade II* listed building in the parish. At the time of writing, no planning application has yet been submitted for the sand and gravel site.

Cultural heritage

2.25 The village consists of a wide range of building styles, in a fairly tight central cluster and then looser periphery. There is a secondary cluster of historical buildings around Bentley Hall, the church and the school, with many outlying cottages and farms. Most houses use red brick, slate or clay tile and cream colourway.

2.26 The majority of the 13 listed buildings in the parish lie outside of the built-up area of the parish. There is only one within the built-up area of the parish, the Bentley War Memorial.

2.27 There are also 20 non-listed buildings that are of local significance within the parish, spread across the built-up area and non built-up area.

Landscape

2.28 Bentley is set within a rural landscape. The Suffolk Landscape Character Assessment characterises the parish as ancient estate farmlands, with key characteristics including a plateau of easily farmed rich loams with a planned estate layout and blocks of ancient woodland, deep loamy soils that originated as wind-blown sediments from glacial sources, large-scale arable blocks divided into rectilinear fields, network of parks and designed landscapes, nucleated villages, but with some dispersed farmsteads and clusters of houses and localised development pressures.

2.29 The recent extension of the Suffolk Coast and Heaths AONB encompasses the southern portion of the parish,

including patches of ancient woodland. The Babergh Core Strategy identifies an area of Special Landscape Area that encompasses the parish; however the emerging Joint Local Plan does not take this designation forward.

SEA Screening

2.30 An assessment has been undertaken to determine whether the Regulation 14 Pre-Submission Draft version of the Bentley NDP requires SEA in accordance with the SEA Regulations.

2.31 **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 Directive⁴, 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).

2.32 **Table 2.1** then sets out how the flow diagram has been applied during SEA screening of the Bentley NDP.

⁴https://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

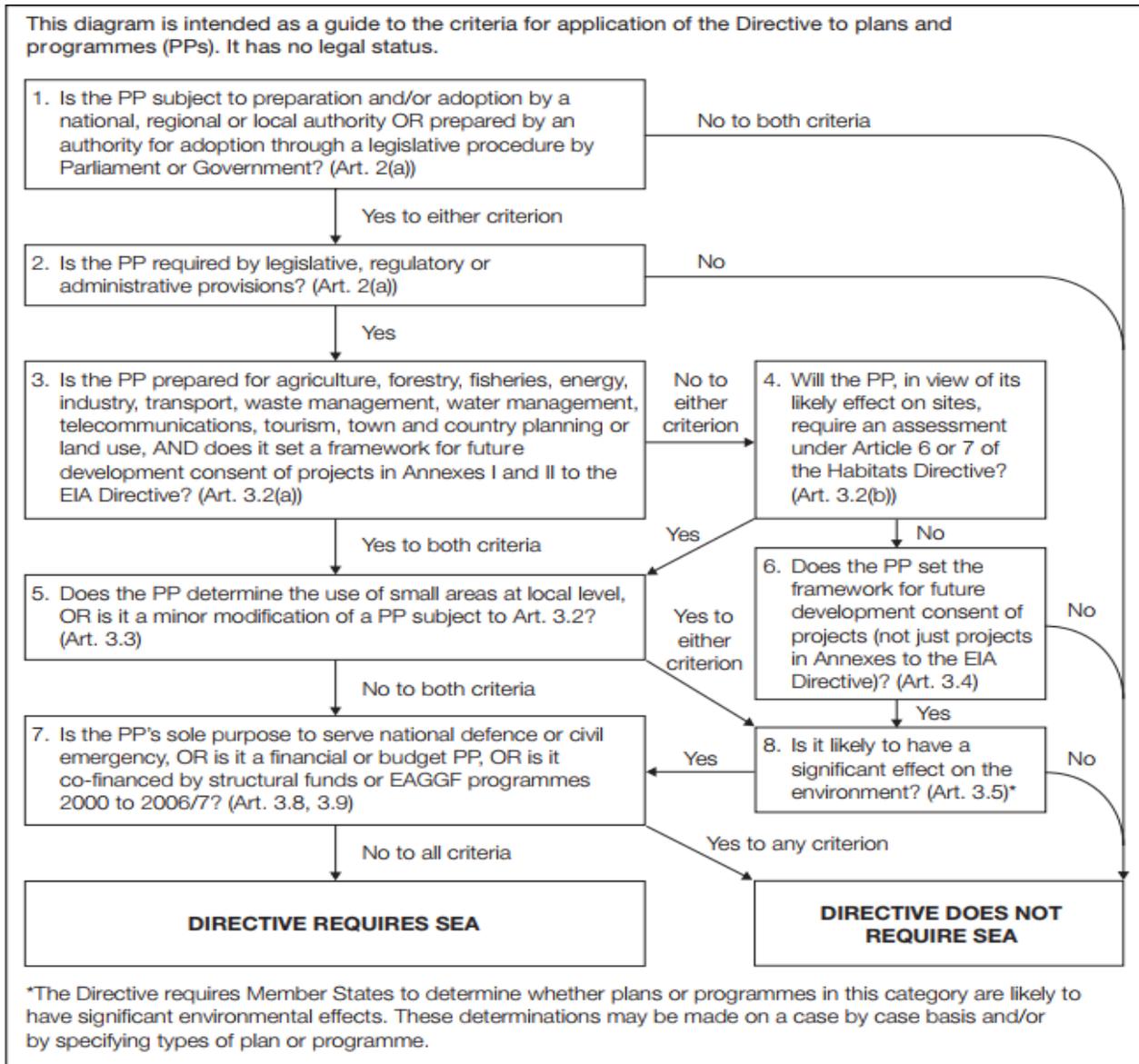


Table 2.1: Application of SEA Directive to the Bentley NDP

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 required by legislative, regulatory or administrative provisions? (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. 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))	Uncertain	HRA screening of the NDP is being undertaken separately on behalf of Babergh District Council and the outcome of that work is unknown at the time of writing. Therefore, it is necessary at this stage to consider both scenarios under Q4. Yes: Move to Q5. No: Move to Q6.
5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art.3.2? (Art. 3.3)	Yes and No	The NDP allocates small-scale sites for housing development. It is not a minor modification of a PP. Move to Q8.
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 two sites for housing development, setting the framework for future development consent (although one of the sites already has planning permission, the other one does not). The NDP also provides a framework for the development of conversions and new construction outside the settlement boundary where certain criteria are met, 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)	Yes	See Table 2.2. SEA IS 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** below along with comments on the extent to which the Bentley NDP meets these criteria.

Table 2.2: 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	<p>Once made, the NDP will become part of the statutory development plan and will guide the delivery of development in Bentley Parish, including in terms of design. The NDP allocates two sites for development which are expected to accommodate a total of 31 dwellings (although one of these sites already has planning permission, the other one does not). The NDP also provides a framework for the design of development and housing space and types.</p> <p>The adopted Babergh Core Strategy (2014) identifies Bentley 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 Babergh 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 version of the Joint Local Plan 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 Bentley specifically, the Preferred Options document identifies a minimum figure of 52 new homes.</p>
2.the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	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 Bentley Parish and will be used in conjunction with the emerging Babergh and Mid Suffolk Joint Local Plan (once adopted) to determine planning applications.
3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	One of the Basic Conditions which the NDP must meet is to contribute to sustainable development.
4. environmental problems relevant to the plan or programme,	Baseline information relating to Bentley Parish was described earlier in this chapter. Key issues of relevance to the NDP are the proximity of the parish to the Stour and Orwell SPA and Ramsar site, the presence of the Suffolk Coast and Heaths AONB within the parish, the presence of high-quality agricultural land in the parish, the presence of land within Flood Zone 3 and a number of designated heritage assets. It is also within seven miles of Ipswich, which has five AQMAs.
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 NDP allocates two sites for housing development. One site has already been granted planning permission for 16 dwellings. The other site does not have planning permission yet and is allocated for 15 dwellings. In addition, at least 28 other dwellings benefit from planning consent as of August 2020. The Bentley 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

SEA Requirement	Comments
	permanent. Any effects associated specifically with construction are likely to be short-term and temporary.
7. the cumulative nature of the effects,	<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 Bentley is rural.</p> <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 Bentley Parish. It is noted that the Bentley NDP proposes allocating two housing sites, one of which already has planning consent, which would accommodate a total of 31 dwellings, in addition to at least 28 further homes with planning consent as of August 2020.</p> <p>The Adopted Babergh Core Strategy (2014) identifies Bentley 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 Bentley 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 Bentley Parish. According to the 2011 Census the population of the parish was 776.
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, 	Bentley Parish is within 1.3km of the Stour and Orwell SPA and Ramsar site and lies within the 13km Zone of Influence around these designations. The parish is also home to a number of Priority Species and Priority Habitats. There are numerous patches of ancient woodland, which are encompassed in the South Suffolk Ancient Woodlands Cluster and are designated as County Wildlife Sites. There are 14 listed buildings within the parish of Bentley.
12. the effects on areas or landscapes which have a recognised national, Community or international protection status.	The southern portion of the parish lies within the Suffolk Coast and Heaths AONB.

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

2.35 The NDP sets out a vision, objectives and planning policies to shape development in the parish up to 2036. It allocates two sites for residential development delivering a total of 31 homes (while one of the sites, delivering 16 homes, already has planning permission, the other one does not). 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.

2.36 The housing allocations in the Bentley NDP lie within fairly close proximity of sensitive features including a BAP Priority Habitat of Woodpasture and Parkland. Of particular significance is the proximity of the proposed development to the Suffolk Coast and Heaths AONB and the Stour and Orwell SPA and Ramsar site. The parish is within the Zone of Influence around the SPA and Ramsar site, where any new residential development will be required to mitigate the effects of the development and to show how this will be achieved prior to approval of planning permission. The presence of high-quality agricultural land, ancient woodland and County Wildlife Sites within the parish add to its sensitivity.

2.37 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, although it is noted that, given its current stage of development, emerging policies may change. However, given the sensitivity of the area in which the allocated site is located, **it is considered that the Bentley NDP has the potential to have significant environmental effects and that SEA is therefore required.**

Next Steps

2.38 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.