

Brettenham Neighbourhood Plan 2024- 2037 SEA Screening Opinion

Final report

Prepared by LUC

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Brettenham Neighbourhood Plan 2024-2037
SEA Screening Opinion

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Chapter 1

Introduction

1.1 Brettenham Parish Council is in the process of preparing a Neighbourhood Plan, known as the Brettenham Neighbourhood Plan 2024-2037. Brettenham Parish is located four miles north east of Lavenham and five miles south west of Stowmarket in Suffolk. 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 Brettenham Neighbourhood Plan 2024-2037 (hereafter 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 In October 2023 the Levelling up and Regeneration Act received royal assent, setting out detailed reforms to the planning system. Amongst other things, the Act allows for 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. (see <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 Neighbourhood Plan

2.1 Brettenham Parish Council is in the process of preparing a Neighbourhood Plan. A Pre-Submission Draft (Regulation 14) version of the Neighbourhood Plan has been published for consultation between January and March 2024.

2.2 The Neighbourhood Plan covers the entire parish. The Plan includes a vision for the long-term future of Brettenham Parish:

In 2037 Brettenham will be a distinct rural village accommodating limited sustainable development that:

Meets the needs of the local community;

Respects the high quality of the historic and natural environment.

2.3 The vision will be achieved through the following eight objectives:

Housing

1. Ensure that new housing development is of a scale and location to minimise impact on the character of the village.
2. Support the delivery of housing that meets identified local needs of the village.

Landscape and Natural Environment

3. Minimise the impact of development on the natural environment and improve biodiversity.
4. Protect and enhance the local landscape and significant views.

Built Environment and Design

5. Ensure new development is appropriate to the character of the Village, is well designed and incorporates measures that reduces environmental impact.
6. Recognise and protect the historic importance of building and features.

7. Maintain and enhance a strong rural identity and sense of place for the parish.

Infrastructure and Highways

8. Improve road safety, protect and enhance Brettenham's public rights of way and reduce the impact of traffic passing through the parish.

2.4 The Neighbourhood Plan then sets out 13 planning policies (BRET 1-13) to realise and deliver this vision. The policies are structured in line with the same topics as the objectives listed above.

2.5 The Neighbourhood Plan does not allocate any sites for new housing or other built development although it does define an updated settlement boundary. Within the settlement boundary, new development will be supported in principle. Proposals for rural exception sites outside of the settlement boundary will be supported in certain circumstances.

Baseline information

2.6 This section summarises baseline information for the parish of Brettenham, drawing from the information set out in the Pre-Submission Draft version of the Brettenham Neighbourhood Plan 2024-2037.

Context

2.7 Brettenham is a civil parish located within Babergh District, in the county of Suffolk and covers around 735 hectares. The parish is located in the rural countryside around four miles north east of Lavenham and five miles south west of Stowmarket. The parish of Brettenham is set on the watershed between the Stour and Gipping valleys and was recorded in the Domesday Book (1086).

Biodiversity, flora and fauna

2.8 There are no internationally or nationally designated nature conservation sites within Brettenham. However, the Thorpe Morieux Woods Site of Special Scientific Interest (SSSI) lies just outside of the Neighbourhood Plan area to the north west. As such, the entirety of the parish lies within the Impact Risk Zone of Thorpe Morieux SSSI, an area that flags development of 50 dwellings or more as a potential risk. The parish contains pockets of Ancient Woodland and three priority habitats: deciduous woodland, traditional orchard, good quality semi-improved grassland. The hedgerow network and other features also provide local ecological connectivity.

2.9 The entirety of the parish also falls within a Nitrate Vulnerable Zone.

Population

2.10 At the time of the last Census (2021), Brettenham Parish had a population of 321 people, including students boarding at Old Buckenham School. The majority of Brettenham's households are formed of two people, with a majority of people aged 65 and over. 55.8% of the population is employed while 42% is economically inactive.

Human health

2.11 Based on the 2011 census³, 90.7% of the Brettenham population was in either 'very good health' or 'good health' which is higher than the average for Babergh District as a whole which is 82.4%.

2.12 There are no general practitioners or dental practice within Brettenham, with the closest hospital in Ipswich.

Soil

2.13 The entirety of the parish is Grade 3 Agricultural Land, although it is not known if it is Grade 3a (classed as high quality) or the lower quality Grade 3b. The soilscape is predominantly made up of slightly acid loamy and clayey soils with impeded drainage.

Water

2.14 The majority of the parish lies within Flood Zone 1. There is a small section of land within Flood Zones 2 and 3 to the south west of the parish which is associated with the valley of a tributary to the River Brett. 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 quality and climatic factors

2.15 There are no Air Quality Management Areas (AQMAs) within or near to Brettenham, with the closest being in Sudbury, 12 miles to the south west.

2.16 Climate data are not available at parish level, but within Babergh District as a whole, reductions in overall carbon emissions of 28% were achieved between 2005 and 2019. 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.

³ The 2021 Census data is not currently available for health.

Material assets

2.17 There are 3 Local Green Spaces designated in the Neighbourhood Plan:

- Land at the junction of The Street, Buxhall Road and Church Road;
- The playground beside the Village Hall; and
- The Cemetery at St Mary the Virgin.

2.18 The village is not well connected by public transport links. There is an infrequent bus service, the 379, that runs to Bury St Edmunds once a week. The village is close to the A14 trunk road, but access is poor.

2.19 The parish contains multiple Public Rights of Way that provide access to the surrounding countryside.

2.20 The parish contains two independent schools, a village hall and St. Mary's Church, with the latter two being key community facilities.

Cultural heritage

2.21 There are 24 listed buildings within the parish, one Grade I, two Grade II* and 21 Grade II. The Church of St. Mary the Virgin is Grade I listed. A Conservation Area covers around 150 hectares of the parish focusing on the Old Buckenham Hall School, but also extends along Bury Road and The Street, which encompasses many of the listed buildings. The parish also contains six Buildings of Local Heritage Significance and the Parish Council has identified six 'character areas' covering different parts of the village.

Landscape

2.22 According to the Joint Babergh and Mid Suffolk Landscape Guidance, Brettenham Parish lies within the "Ancient Rolling Farmlands" character area. There is a small area of "Rolling Valley Farmlands" to the south of the village, crossing the Bury Road to Old Buckenham Hall School. The parish is dominated by arable farmland, with farmsteads scattered across the parish. The Neighbourhood Plan has identified 13 important views within the parish.

2.23 The closest landscape designation to the parish is the Dedham Vale National Landscape which is located approximately 14km to the south. Additionally, Suffolk Coast and Heaths National Landscape is located approximately 38km to the east of the parish.

SEA screening

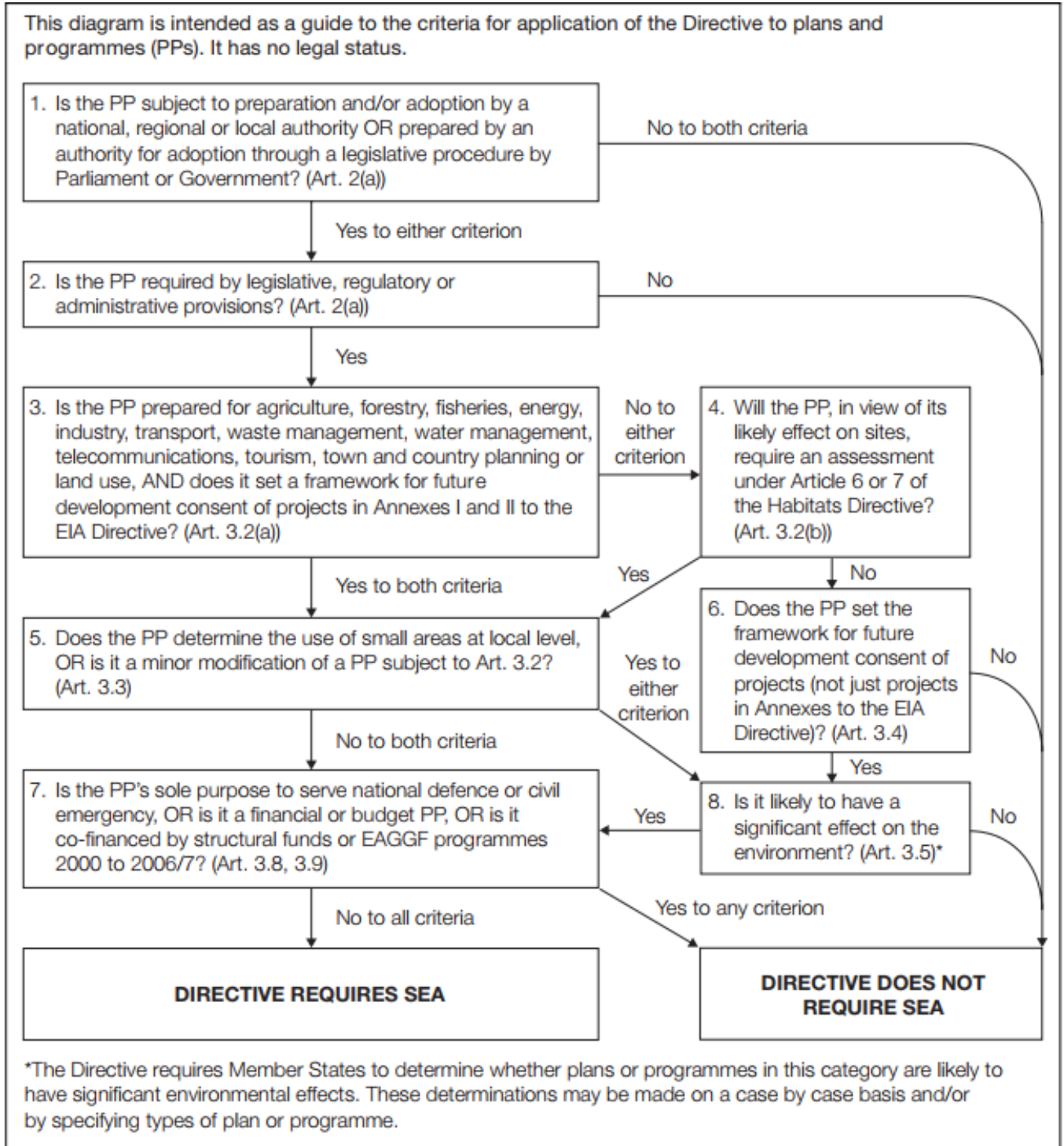
2.24 An assessment has been undertaken to determine whether the Pre-Submission Draft Regulation 14 version of the Brettenham Neighbourhood Plan 2024-2037 requires SEA in accordance with the SEA Regulations.

2.25 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 Planning Practice Guidance; however, it still provides a useful and relevant guide to the process to use in making SEA screening decisions).

⁴ Office of the Deputy Prime Minister (2005). A Practical Guide to the Strategic Environmental Assessment Directive. (see

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



2.26 Table 2.1 below presents the assessment of whether the Brettenham Neighbourhood Plan 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 2.1: Application of SEA Directive to the Brettenham 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	Habitats Regulations Assessment (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)? (Art. 3.4)	Yes	Although the Neighbourhood Plan does not allocate sites for development, it includes policies which proposals for development within the village will be assessed against. 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.

2.27 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 Brettenham 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:	
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 Neighbourhood Plan will become part of the statutory development plan and will guide the delivery of development in Brettenham Parish, including in terms of design. The Neighbourhood Plan does not allocate sites for residential or other forms of development.</p> <p>The previously adopted Babergh Core Strategy (2014) identified Brettenham as a 'Hinterland Village' in Policy CS2. Policy CS2 also sought to direct new development sequentially to the towns/urban areas, and then to the Core and Hinterland Villages. Policy CS3 made provision for 1,050 new homes to be delivered at the Core and Hinterland Villages in total over the Plan period to 2031.</p> <p>The recently adopted Babergh and Mid Suffolk Joint Local Plan Part 1 (Nov 2023) does not set out a settlement hierarchy. Following the examination of the Joint Local Plan it was decided that an up-to-date settlement hierarchy will now come forward in Part 2 of the Plan. This is at an early stage in its development and is unlikely to be adopted until late 2025.</p>
2. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	<p>The Neighbourhood Plan has to be in general conformity with the local strategic framework (i.e. the adopted Babergh and Mid Suffolk Joint Local Plan Part 1 and saved policies from the previous local plans). 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 Brettenham Parish and will be used in conjunction with the adopted and emerging parts of the Babergh and Mid Suffolk Joint Local Plan to determine planning applications.</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>One of the Basic Conditions which the Neighbourhood Plan must meet is to contribute to sustainable development.</p>
4. environmental problems relevant to the plan or programme,	<p>Baseline information relating to Brettenham Parish was described earlier in this chapter. Key issues of relevance to the Neighbourhood Plan are the presence of high quality agricultural land in the parish, the presence of land within Flood Zone 3, multiple areas of Ancient Woodland and Priority Habitat and multiple listed buildings. The parish falls within IRZs associated with national SSSI designations in the area that flags development of 50 dwellings or more as a potential risk. Dedham Vale National Landscape is around 14km to the south of the parish.</p>

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. Any effects of the Neighbourhood Plan are expected to be indirect (due to not allocating sites) but long-term and permanent.
7. the cumulative nature of the effects,	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. The previously adopted Babergh Core Strategy (2014) identified Brettenham as a 'Hinterland Village' in the settlement hierarchy, with the expectation that they would accommodate some development to help meet local need. Part 1 Babergh and Mid Suffolk Joint Local Plan (Nov 2023) does not identify a minimum housing requirement for Brettenham.
8. the transboundary nature of the effects,	The Neighbourhood Plan focuses on Brettenham Parish only. Transboundary effects under the SEA Regulations refers to transboundary effects on other 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 the entirety of Brettenham Parish. According to the 2021 Census, the population of the parish stood at 321.
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, 	Brettenham Parish is home to Ancient Woodland, a few Priority Habitats, and the whole of the parish is located within IRZs that flag residential development as a potential risk. There are 25 listed buildings located within the parish. The majority of the parish is comprised of Grade 3 agricultural land, although it is not clear if it is Grade 3a (classed as high quality) or the lower quality Grade 3b.
12. the effects on areas or landscapes which have a recognised national, Community or international protection status.	Dedham Vale National Landscape is located approximately 14km to the south of the parish.

SEA screening conclusion

2.28 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 Brettenham Neighbourhood Plan is likely to have significant environmental effects when assessed against the topics listed in the SEA Regulations.

2.29 The Neighbourhood Plan sets out a vision and detailed 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 village. The Neighbourhood Plan does not directly impact on land use through the allocation of sites for housing or other forms of development.

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

Next steps

2.31 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

March 2024