

**Babergh & Mid Suffolk District  
Councils**

**Capel St Mary  
Neighbourhood Plan 2024-  
2037  
SEA Screening Opinion**

**Final report**  
Prepared by LUC  
October 2024



**Babergh & Mid Suffolk District Councils**

**Capel St Mary Neighbourhood Plan 2024-2037  
SEA Screening Opinion**

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# Chapter 1

## Introduction

**1.1** Capel St Mary Parish Council is in the process of preparing a Neighbourhood Plan. Capel St Mary is located within Babergh District, close to the A12 trunk route between Colchester to the south and Ipswich to the north. 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 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<sup>1</sup> (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 Capel St Mary Neighbourhood Plan (September 2024) (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 Regulations<sup>2</sup>.

**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.

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<sup>1</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>2</sup> 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 Capel St Mary Neighbourhood Plan

**2.1** Capel St Mary Parish Council has prepared a Pre-Submission Draft version of the Neighbourhood Plan, building on previous iterations of the Neighbourhood Plan that were subject to Pre-Submission consultations in 2020 and more recently in 2023. In response to comments made during those consultations and due to the adoption of new and up-to-date planning policies by Babergh District Council, the Parish Council has considered it necessary to make a number of changes to the Neighbourhood Plan and carry out further consultation.

**2.2** The Neighbourhood Plan covers the entire Parish of Capel St Mary. The September 2024 Regulation 14 Pre-Submission Draft consultation document includes a vision for the long-term future of Capel St Mary along with eight objectives, through which the vision will be achieved:

#### Housing

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

#### Natural Environment

3. Protect and enhance the rural setting of the Parish and minimise the impact of development on the natural environment.
4. Maximise opportunities to improve natural habitats and biodiversity.

#### Built Environment and Design

5. Ensure new development is appropriate to the garden village character and incorporates measures that reduces environmental impact.
6. Maintain and enhance a strong rural identity and sense of place for the parish.

## Employment, Services and Facilities

7. Retain, protect and improve the range of existing employment and community facilities and services.

## Transport

8. Improve road safety, protect and enhance Capel St Mary's public rights of way and reduce the impact of parking in the village.
- 2.3** The Neighbourhood Plan then sets out 11 policies (CSM1-11) to realise and deliver the vision for Capel St Mary.
- 2.4** The Neighbourhood Plan does not allocate any sites for new housing or other built development. Policy CSM1 – Spatial Strategy states that the Neighbourhood Area will accommodate development commensurate with settlement hierarchy defined in the adopted Local Plan. The focus for new development will be within the settlement boundary where the principle of development is accepted. The policy outlines that proposals for development located outside the settlement boundary will only be permitted where they are in accordance with national, district and neighbourhood level policies and, additionally, where they would not have a detrimental impact on landscape designations and character, as described in the Joint Babergh and Mid Suffolk Landscape Guidance 2015.
- 2.5** Policy CSM2 – Housing Mix states that in all housing developments of ten or more homes, at least 50% will be two bedroomed homes unless it can be demonstrated that the particular circumstances relating to the tenure of the housing dictate otherwise or the latest public available housing needs information for the Plan area identifies a need for a different mix.
- 2.6** Other policies in the Plan address topics including natural environment, employment, services and facilities and the built environment.

## Baseline Information

- 2.7** This section summarises baseline information for the village of Capel St Mary, drawing from the information set out in the September 2024 Pre-Submission Draft Neighbourhood Plan.

### Context

- 2.8** Capel St Mary is a large village located off the A12 about six miles southwest of Ipswich. The total area of the village is around 779 hectares.

### Biodiversity, Flora and Fauna

- 2.9** There are no Sites of Special Scientific Interest (SSSIs), National Nature Reserves, Special Protection Areas, Special Areas of Conservation or Ramsar Sites within the Parish. The

closest internationally designated site to the Parish is the Stour and Orwell Estuaries SPA and Ramsar site, which is approximately 2.5km away to the south. The nearest nationally designated site is Freston and Cutler's Woods with Holbrook Park SSSI which is around 4km to the east of the Parish.

- 2.10** There are also no Local Nature Reserves (LNRs) within Capel St Mary. There is a nature reserve to the west of Mill Hill, adjacent to the small stream (Stutton Brook); however this is an informal designation rather than a formal designation through Natural England.

- 2.11** There are two County Wildlife Sites in the Parish: Springhills Meadows to the west of the village, which comprises damp, flower-rich unimproved grasslands; and Great Martins Hill Wood, a complex of ancient woodland and other habitats, straddling the border with East Bergholt Parish.

- 2.12** The following Species of Principal Importance in England have been recorded within the Parish: common toad, skylark, cuckoo, yellowhammer, herring gull, linnet, house sparrow, marsh tit, dunnock, turtle dove, starling, song thrush, stag beetle, white admiral, numerous moth species, slow-worm, grass snake, common lizard, water vole, hedgehog, brown hare, otter, dormouse, brown long-eared bat.

- 2.13** The following Priority Habitats are within the Parish: deciduous woodland, coastal and floodplain grazing marsh, good quality semi-improved grassland, traditional orchard and lowland fens. Also, the following Habitats of Principal Importance in England (HPIE) are thought to be present within the Parish: hedgerows, eutrophic standing waters, lowland dry acid grassland, lowland heathland, lowland mixed deciduous woodland, and wet woodland.

### Population

- 2.14** At the time of the 2021 census, the population of Capel St Mary was 3,107. The 60 to 74 age bracket makes up the largest group in the Parish. Capel St Mary's population in 2021 reflects trends found in many villages that indicates an increasing proportion of elderly residents compared with 20 years ago. It also shows a smaller proportion of children living in the village.

### Human Health

- 2.15** In terms of the health of Capel St Mary residents, according to the 2021 Census, just over 49.7% of people are classified as in very good health, 34.8% as good, 12.0% as fair, 2.7% as bad and 0.8% as very bad. These health statistics are similar to those for Babergh District and for England as a whole.

- 2.16** Capel St Mary has an ageing population which is likely to lead to more cases of residents suffering from age-related conditions such as dementia.

## Soil

**2.17** The Parish is comprised of naturally wet, very acid sandy and loamy soils and is entirely Grade 2 and Grade 3 agricultural land. It is not known whether the Grade 3 land is the high quality Grade 3a or lower quality Grade 3b.

## Water

**2.18** Capel St Mary has constrained surface water drainage systems. Most of the Parish relies on discharge to an unmaintained watercourse which drains to the East and then via a pumped system adjacent to the A12 interchange underpass.

**2.19** Whilst the village is not at risk of fluvial (river) flooding, there are large areas of the village that are likely to be affected by pluvial (surface water) flooding. A narrow area of flood zones 2 and 3 runs along Stutton Brook in the west of the Parish.

## Air Quality and Climatic Factors

**2.20** There are no Air Quality Management Areas (AQMAs) that have been declared within Capel St Mary, the nearest being approximately 10km away in Ipswich.

**2.21** Climate data is not available at Parish level, but within Babergh District as a whole, reductions in greenhouse gas emissions of 41% were achieved between 2005 and 2022. 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.

## Material Assets

**2.22** For a village with a community of approximately 3,107 residents, Capel St Mary benefits from a wide range of services and facilities, including:

- A community Centre incorporating the library, village hall, family and lounge bars.
- Various shops - including supermarket (and Post Office), convenience store, bakery, hairdresser, takeaways/restaurants and garden centre and café.
- Commercial premises including offices, building society/insurance broker, petrol station and the White Horse public house.
- Medical provision including medical and dental practices.
- Various churches including the Methodist Church, St. Mary's Church and Days Road Community Church and hall.
- Capel St Mary CEVC Primary School including early years nursery, reception and forest school.
- Playing fields and open spaces including playing fields with football, tennis and pickleball.

**2.23** The Parish contains multiple Public Rights of Way that provide access to the surrounding countryside. The Neighbourhood Plan has also identified 14 local green spaces.

## Cultural Heritage

**2.24** There is evidence that Capel St Mary has been occupied since prehistoric, roman and medieval periods through to the current day. The Suffolk Heritage Explorer website includes 68 records for Capel St Mary, with finds dating back to the Iron Age, and evidence of early Bronze Age pits, Roman kilns and cremation pots and coins from various time periods.

**2.25** There are 23 listed buildings within the village of Capel St Mary, 21 of which are Grade II listed and two of which are Grade II\* listed. None of these buildings are on Historic England's 'Heritage at risk' register.

## Landscape

**2.26** The south of Capel St Mary Parish sits within the Suffolk Coast and Heaths National Landscape and the Parish also lies two miles from the Dedham Vale National Landscape.

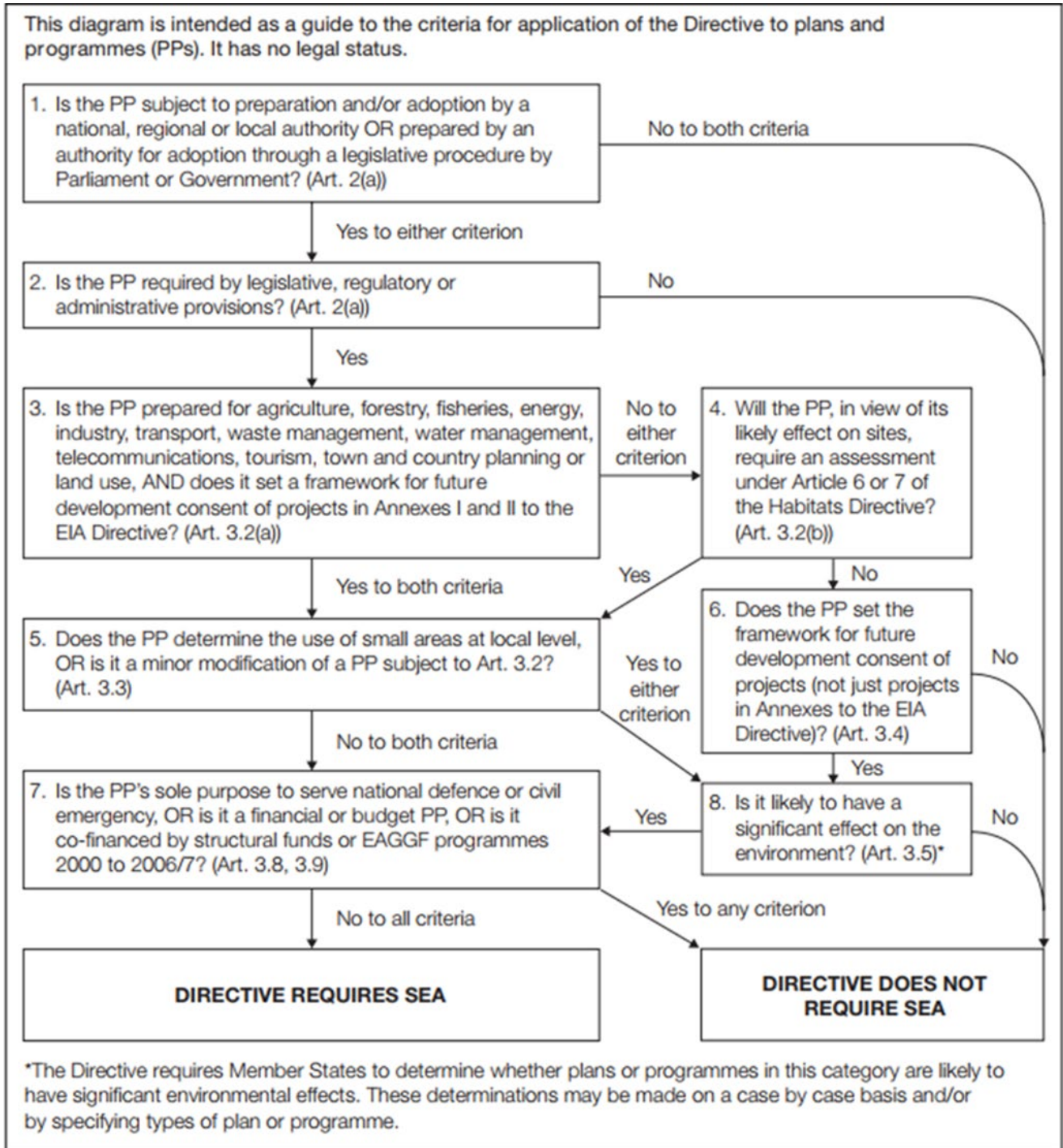
## SEA Screening

**2.1** An assessment has been undertaken to determine whether the Pre-Submission Draft Capel St Mary Neighbourhood Plan (2024) requires SEA in accordance with the SEA Regulations.

**2.2** **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<sup>3</sup>, 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).

<sup>3</sup> Office of the Deputy Prime Minister (2005) A Practical Guide to the Strategic Environmental Assessment Directive

Figure 2.1 Application of the SEA Directive to plans and programmes





**2.3 Table 2.1** below presents the assessment of whether the Capel St Mary 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 Capel St Mary 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.  <b>Move to Q2.</b>
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.  <b>Move to Q3.</b>
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 & 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.  <b>Move to Q4.</b>
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 with other plans or projects.  <b>Move to Q6.</b>
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	Although the Neighbourhood Plan does not allocate sites for development, it includes policies which proposals for development within the parish will be assessed against.  <b>Move to Q8.</b>
8. Is it likely to have a significant effect on the environment? (Article 3.5)	No	See <b>Table 2.2.</b>  <b>SEA IS NOT REQUIRED.</b>

**2.4** 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 Capel St Mary Neighbourhood Plan meets these criteria.

**Table 2.2 Likely Significant Effects of the Capel St Mary Neighbourhood Plan**

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 Capel St Mary, 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 Capel St Mary as a 'Core Village' under Policy CS2: Settlement Pattern. This policy also sought to direct development to towns/urban areas (which includes the Ipswich Fringe) and then to the Core Villages and Hinterland Villages. Policy CS3 made provision for 1,050 homes to be delivered at Core and Hinterland Villages over the Plan period to 2031.</p> <p>The 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 for some time.</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 Capel St Mary Parish and will be used in conjunction with the adopted Babergh and Mid Suffolk Joint Local Plan Part 1 and the emerging Babergh and Mid Suffolk Joint Local Plan Part 2 (once adopted) 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 Capel St Mary Parish was described earlier in this report. Key issues of relevance to the Neighbourhood Plan are the presence of high quality agricultural land in the Parish, land within flood zones 2 and 3, biodiversity assets including County Wildlife Sites and designated heritage assets.</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>N/A</p>

SEA Requirement	Comments
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 would be long-term and permanent.
7. The cumulative nature of the effects.	<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 previously adopted Babergh Core Strategy (2014) identified Capel St Mary as a 'Core Village' in the settlement hierarchy, with the expectation that it would act as a focus for development within its functional cluster. The adopted Part 1 Babergh and Mid Suffolk Joint Local Plan does not identify a minimum housing requirement for Capel St Mary.</p>
8. The transboundary nature of the effects.	The Neighbourhood Plan focuses on Capel St Mary 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 Capel St Mary Parish. The population of the Parish, according to the 2021 Census, was 3,107 people.
<p>11. The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>■ Special natural characteristics or cultural heritage;</li> <li>■ Exceeded environmental quality standards or limit values; and</li> <li>■ Intensive land-use.</li> </ul>	Capel St Mary Parish is home to a number of Priority Habitats as well as ancient woodland and there are 23 listed buildings within the Parish. The Parish contains Grade 2 and Grade 3 agricultural land. There are no internationally designated nature conservation sites within the Parish although there are two County Wildlife Sites.
12. The effects on areas or landscapes which have a recognised national, Community or international protection status.	The south of Capel St Mary sits within the Suffolk Coast and Heaths National Landscape and the Parish also lies two miles from the Dedham Vale National Landscape.

## SEA Screening Conclusion

**2.5** 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 Capel St Mary Neighbourhood Plan is likely to have significant environmental effects when assessed against the topics listed in the SEA Regulations.

**2.6** 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.

**2.7** On this basis, it is considered that the Capel St Mary Neighbourhood Plan is unlikely to have significant environmental effects and full SEA is therefore not required.

## Next Steps

**2.8** 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

October 2024