



East Bergholt Neighbourhood Plan

Strategic Environmental Assessment and Habitats Regulation Assessment Screening Determination

Statement of reasons for Babergh District Council's
determination

January 2016

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Neighbourhood Planning Strategic Environmental Assessment Screening Determination

1. Introduction

1.1 This screening report is designed to determine whether or not the content of the East Bergholt Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

1.2 The purpose of the East Bergholt Neighbourhood Plan is to provide for the sustainable development of East Bergholt and the creation of a balanced community. It seeks to do this by providing appropriately sized homes with an expectation that these will be provided in smaller developments to enable easier integration within the community and a greater ability for the local infrastructure to adapt to changes. The neighbourhood plan covers a 15 year period from 2015 to 2030, and sets a minimum number of 86 new homes to be largely delivered within 800 metres of the 'village heart' or other focal points. The plan also seeks to retain and expand existing employment opportunities within the village while maintaining its rural character.

1.3 The legislative background set out below outlines the regulations that require the need for this screening exercise. This report was sent to the three statutory consultees, the Environment Agency, Historic England, and Natural England to obtain their views. They have concluded that there is no requirement for a Strategic Environmental Assessment. The consultation responses are attached to this report.

2. Legislative Background

2.1 European Union Directive 200142/EC requires a Strategic Environmental Assessment to be undertaken for certain types of plans or programmes that would have a significant environmental effect. The Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations) require that this is determined by a screening process, which should use a specified set of criteria (set out in Schedule 1 of the Regulations). The results of this process must be set out in an SEA Screening Statement, which must be publicly available.

2.2 In accordance with Regulation 9 of the SEA Regulations 2004, East Bergholt Parish Council (the qualifying body) has requested Babergh District Council (BDC), as the responsible authority, to consider whether an environmental assessment of the emerging East Bergholt Neighbourhood Plan is required due to significant environmental effects. In making this determination, the District Council has had regard to Schedule 1 of the Regulations.

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- 2.3 The draft Neighbourhood Plan has reached the pre-submission stage and further consultation is being undertaken by the Parish Council. In line with the advice contained within the National Planning Policy Framework, Planning Practice Guidance, the plan's potential scope should be assessed at an early stage against the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004. Babergh District Council are therefore consulting the statutory consultees (English Heritage/Natural England/Environment Agency) on whether an environmental assessment is required.
- 2.4 A SEA can be required in some limited situations where a sustainability appraisal is not needed; Neighbourhood Planning is one of these situations. Sustainability Appraisals incorporate the requirements of the Strategic Environmental Assessment Regulations, which implement the requirements of the 'Strategic Environmental Assessment Directive' on the assessment of the effects of certain plans and programmes on the environment.
- 2.5 A sustainability appraisal ensures that potential environmental effects are given full consideration alongside social and economic issues and it is good practice to do one to understand how a plan is to deliver sustainable development. However the Planning Practice Guidance states that there is no legal requirement for a neighbourhood plan to have a sustainability appraisal as set out in section 19 of the Planning and Compulsory Purchase Act 2004. It is down to the qualifying body to demonstrate how its plan or order will contribute to achieving sustainable development.
- 2.6 This report details the assessment of the East Bergholt Neighbourhood Plan against the need for an SEA to be produced to accompany the Plan. It concludes that, subject to the findings of a Habitats Regulation Assessment, a SEA is not required. Supporting information is provided in the Appendix.**

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3. Criteria for Assessing the Effects of Supplementary Planning Documents

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

1. The characteristics of plans and programmes, having regard, in particular, to

- the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
- environmental problems relevant to the plan or programme,
- the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to

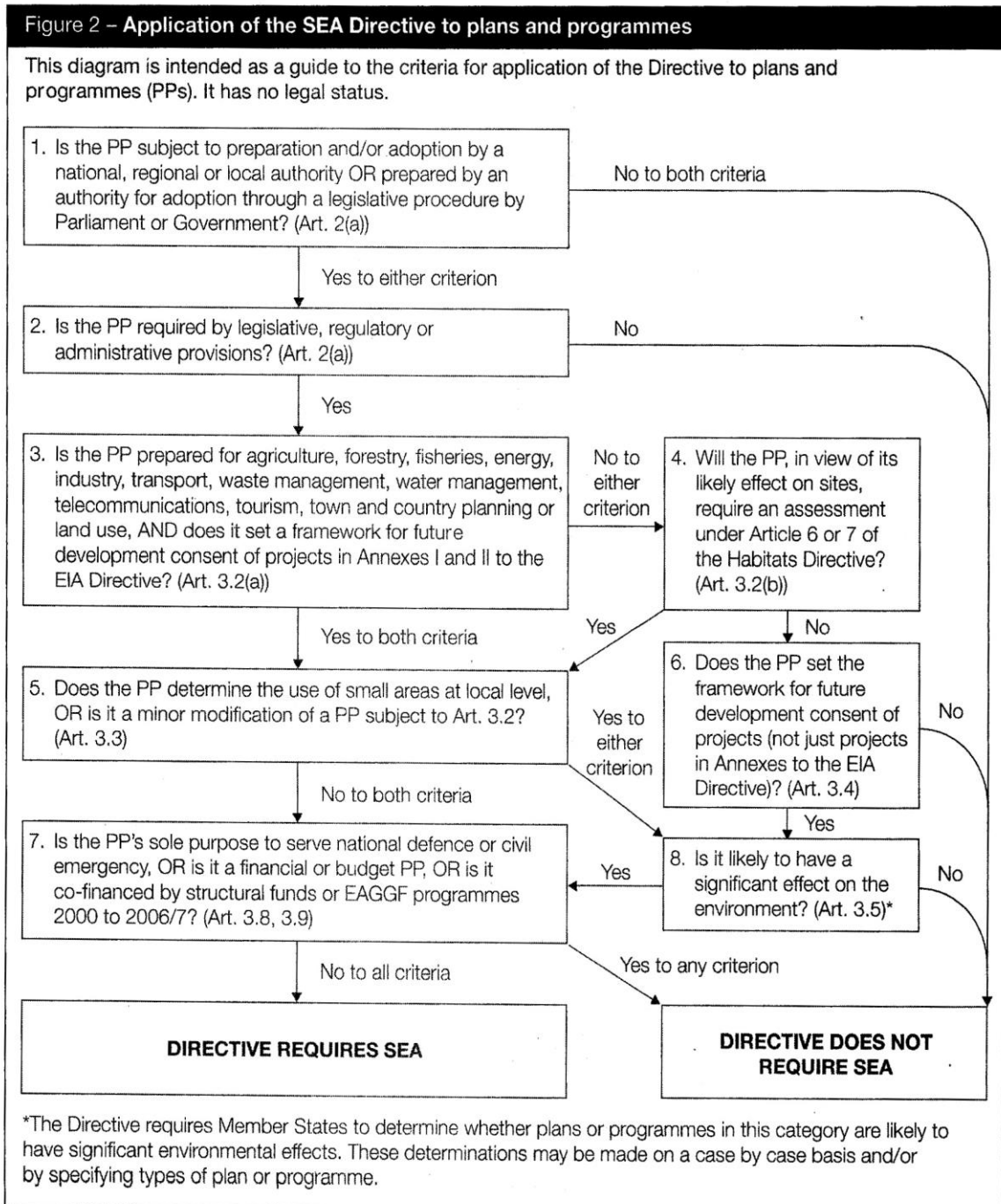
- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the trans-boundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and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

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

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4. Assessment

4.1 The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.



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4.2 The table below shows the assessment of whether the Neighbourhood Plan will require a full SEA. The questions below are drawn from the previous diagram which sets out how the SEA Directive should be applied.

| Stage | Y/N | Reason |
|--|-----|--|
| 1. Is the Neighbourhood Plan 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)) | Y | The preparation and adoption of the NP is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NP is being prepared by East Bergholt Parish Council (as the "relevant body") and will be "made" by Babergh District Council as the local authority subject to passing an independent examination and community referendum. The preparation of NPs is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and the Neighbourhood Planning (referendums) Regulations 2012. |
| 2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a)) | Y | Whilst the Neighbourhood Plan is not a requirement and is optional under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will if "made", form part of the statutory Development Plan for the District. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive. |
| 3. Is the Neighbourhood Plan 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)) | N | The Neighbourhood Plan does not set the framework for future development consent of projects in Annexes I and II to the EIA Directive. East Bergholt has been identified as a 'Core Village' by the Babergh Core Strategy (2014). Core Villages will act as a focus for development within their functional cluster and, where appropriate, site allocations to meet housing and employment needs will be made in the Site Allocations document. This process for these site allocations has evolved in the Babergh Core Strategy with a policy that enables residential development to be approved (subject to meeting the policy criteria) on greenfield sites which are well related to Core or Hinterland villages. The Neighbourhood Plan does not allocate sites, but focuses on shaping how development comes forward under Policies CS11 and CS15 of the adopted Core Strategy. The draft neighbourhood plan identifies a minimum number of 86 new homes over the plan period, which is a refinement of Babergh Core Strategy policy CS2 which proposes minimum of 1,050 over the Core and Hinterland Villages across the district. Development will be approved where proposals score positively against matters in the higher level plan; the Babergh Local Plan (2011-2031) Core Strategy and Policies. |
| 4. Will the Neighbourhood Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? | N | The NP is unlikely to have a substantial effect on the identified network of protected sites. A Habitat Regulations Assessment Screening Report was carried out as part of the Babergh Local Plan (2011-2031) Core Strategy and Policies. This report |

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Strategic Environmental Assessment Screening Determination**

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| <p>(Art. 3.2 (b))</p> | <p>concludes that the Babergh Core Strategy alone, or in combination with other plans, is unlikely to have an adverse impact on any of the identified sites within approximately 20km of the boundary of the District.</p> <p>There are 21 European sites within 20 km of Babergh District (see Appendix 1 for location of sites in relation to East Bergholt, description of sites and their distances to East Bergholt). Some areas are covered by more than one designation. These are listed below:</p> <ul style="list-style-type: none"> • Blackwater Estuary SPA and Ramsar site; • Staverton Park and the Thicks, Wantisden SAC; • Stour and Orwell Estuaries SPA and Ramsar site; • Deben Estuary SPA and Ramsar site; • Sandlings SPA; • Hamford Water SPA and Ramsar site; • Breckland SAC and SPA; • Abberton Reservoir SPA and Ramsar site; • Colne Estuary SPA and Ramsar site; • Essex Estuaries SAC; • Orfordness- Shingle Street SAC; • Alde-Ore Estuary SPA and Ramsar site; and • Alde, Ore and Butley Estuaries SAC. • Redgrave & South Lopham Fens Ramsar site <p>Babergh District Council is committed to the implementation of a series of measures to ensure that the Core Strategy policies will not have a significant effect on the European sites. These measures included:</p> <ol style="list-style-type: none"> 1. Reducing/ preventing an increase in recreational demand on the estuaries (from the resident population) (see Policies CS13 and CS14); 2. Monitoring Programme. Reporting on this monitoring plan will be tied in with the annual monitoring programme described under Policy CS22; and 3. Planned Mitigation Measures - if during the monitoring programme it is found that recreational pressure is increasing, this will trigger the requirement to consider whether additional mitigation is required. <p>Amongst the sites above, only the Stour and Orwell Estuaries SPA / Ramsar Site fall within the district (with the European sites forming the eastern edge of Babergh District). The remainder of the European sites fall within 20 km of the District. The Core Strategy HRA screening report (see page 39) and Sustainability Appraisal (see page 112 and 175) found that the policies and site allocations in the emerging Local Plan are unlikely to have significant effects on the European sites. This was due to:</p> <ul style="list-style-type: none"> • The distance of the European Sites away from the district boundary ; • The rural nature of the district and good access to the countryside within the district itself; • The accessibility of the countryside (including its availability) meant that the new development proposed in the Local Plan is unlikely to have a negative impact; |
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| | | <ul style="list-style-type: none"> The nature of the proposed policies themselves. <p>The HRA and Sustainability Appraisal report does note, however, that in order to reduce the likelihood of increased development within the district having an impact on the European Sites, Local Plan policies should seek to avoid the loss of recreational open space within the District, encourage sufficient access to existing open spaces, and make provision for new space within or nearby allocated residential sites. The Neighbourhood Plan complements this approach by seeking to protect and maintain and improve the existing network of accessible open spaces within the neighbourhood plan area.</p> <p>The HRA screening report and Sustainability Appraisal concluded that the Core Strategy would not lead to significant adverse effects. . The East Bergholt Neighbourhood Plan is a lower level plan than the Core Strategy and focuses, amongst other things, on shaping development, protecting, maintaining and enhancing existing open space assets. The Sustainability Appraisal did recommend that policies be considered in the submission Core Strategy, Site Specific Allocations and Development Management DPDs that would mitigate the predicted effects against the environmental objectives. The Neighbourhood Plan itself does not propose specific residential development sites, but instead provides further local criteria for developers to meet which is in harmony with the District Council's Core Strategy ambitions. Similarly to developments that are currently being proposed under the Core Strategy, any development proposal that would be likely to have a significant effect on a European site, either alone or in combination with other plans or projects, will be subject to assessment at the project application stage. It therefore follows that a full SEA is not deemed to be required for the East Bergholt Neighbourhood Plan.</p> |
| 5. Does the Neighbourhood Plan 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) | N | Not site specific, but provides guidance on how areas should shaped during the plan period. |
| 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) | Y | The Neighbourhood Plan is to be used by Babergh District Council in helping determine future planning applications. The neighbourhood plan however focuses on shaping how development comes forward. |
| 7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9) | N | |
| 8. Is it likely to have a significant effect on the environment? (Art. 3.5) | N | The environmental designations have been identified further in the East Bergholt Baseline information which includes maps, distances and vulnerability (see |

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| | <p>Appendix 1 for summary). Whilst it is inevitable that the level of development coming forward in the neighbourhood plan area will have some impact on the environment, it is the Babergh Core Strategy itself which provides the planning framework for the actual level of growth and a full SEA has been undertaken on Core Strategy (2014) as part of the Sustainability Appraisal.</p> <p>The East Bergholt NP focuses on shaping how development comes forward and the proposed minimum growth distribution is contained within the District Council's Core Strategy.</p> |
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Neighbourhood Planning Strategic Environmental Assessment Screening Determination

5. Screening Outcome

5.1 As a result of the assessment in section 4, it is unlikely there will be any significant environmental effects arising from the draft Neighbourhood Development Plan that were not covered in the [Sustainability Appraisal](#) (including 2013 [update](#)) of the Babergh Core Strategy. Any development proposal that would be likely to have a significant effect on a European site, either alone or in combination with other plans or projects, will be subject to assessment at the project application stage.

5.2 As such, the East Bergholt Neighbourhood Plan does not require a full SEA to be undertaken. The outcome of this screening determination will be subject to review by Natural England, English Heritage and Environment Agency if changes are made to the Neighbourhood Plan.

6. Conclusion

6.1 The Statutory Consultees were contacted and invited to comment upon the content of the screening opinion dated November 2015. The conclusion reached upon the basis of the SEA Screening Assessment set out in the Table above and the subsequent Habitats Regulations Assessment Screening Report dated January 2016 is that the East Bergholt Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations.

6.2 Should the Neighbourhood Plan policies and proposals change significantly at a later stage a review of this screening determination will be requested from the Statutory Consultees. The three statutory consultees will be involved and kept up-to-date with the plan's progress to alleviate any concerns.

Neighbourhood Planning Strategic Environmental Assessment Screening Determination

APPENDIX

STATUTORY DESIGNATIONS¹

Area of Outstanding Natural Beauty

Under the Countryside and Rights of Way Act 2000, Natural England has the power to designate Areas of Outstanding Natural Beauty (AONBs) in England that are outside national parks that are considered to have such natural beauty that it is desirable they are conserved and enhanced. Powers also exist to set up conservation boards for individual AONBs following consultation with Natural England and all affected local authorities.

Babergh District Council is represented on the boards that exist for the Dedham Vale AONB and Suffolk Coasts and Heaths AONB and is required in partnership with the other relevant local authorities to prepare and publish a management plan, take into account the purpose of conserving and enhancing the natural beauty of AONBs, and consult Natural England in connection with development plans.

The Dedham Vale AONB is located on the Essex-Suffolk border and extends to approximately 90 kilometres square. It stretches upstream along the River Stour from Manningtree to a point approximately 2km to the east of Bures. The remainder of the Stour valley landscape is mostly of high a quality and is identified as a Countryside Project Area.

The Dedham Vale AONB and Stour Valley Management Plan 2010-2015 was published following consultations with a wide variety of organisations and individuals throughout the Project area. The Management Plan seeks to co-ordinate the actions of a wide variety of organisations that make up the Dedham Vale AONB and Stour Valley Partnership to ensure that the area retains and enhances its special qualities. It provides a framework for those individuals and organisations whose activities have an impact on the area

The Dedham Vale AONB contains important landscapes that were once associated with eminent artists such as Thomas Gainsborough and John Constable. The south western half of the parish of East Bergholt is located within the AONB.

¹ Designation relates to, or having the nature of, a statute (such as Wildlife and Countryside Act, 1981, or the National Parks and Countryside Act, 1949). The National Planning policy Framework states for plan-making that Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: specific policies in this Framework indicate development should be restricted. For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

[See circular 05/2006](#)

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The Suffolk Coasts and Heaths AONB

The Suffolk Coast and Heaths AONB extends from the Stour estuary in the south to Kessingland in the north. It is a low-lying and distinctive coastal area which contains a mixture of shingle beaches, crumbling cliffs, marshes, estuaries, heathland, forests and arable farmland. The Suffolk Coasts and Heaths AONB is located approximately 5 km to the east of East Bergholt.

Ramsar Sites

A Ramsar site is the land listed as a Wetland of International Importance under the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (the Ramsar Convention) 1973. The Stour and Orwell Estuaries Ramsar is located approximately 2 km to the east of East Bergholt and includes extensive mud-flats, low cliffs, saltmarsh and small areas of vegetated shingle on the lower reaches. The Ramsar supports important numbers of breeding Avocet *Recurvirostra avosetta*, while in winter they hold major concentrations of water birds, especially geese, ducks and waders. The geese feed and the waders roost in agricultural land beyond the designated area. The vulnerability of the Ramsar is affected by natural coastal processes exacerbated by fixed sea defences, port development and maintenance dredging.

The Stour and Orwell Estuaries Special Protection Area

A Special Protection Area (SPA) is the land classified under Directive 79/409 on the Conservation of Wild Birds. The Stour and Orwell Estuaries SPA is located 2 km to the south east of East Bergholt. It contains an internationally important assemblage of birds. Qualifying species include; Avocet (breeding), Northern pintail *Anas acuta* (wintering), Dark-bellied Brent goose *Branta bernicla bernicla* (wintering), Red knot *Calidris canutus* (wintering), Black-tailed godwit (Icelandic) *Limosa limosa islandica* (wintering), Grey plover *Pluvialis squatarola* (wintering), and Redshank *Tringa totanus* (wintering and passage). The vulnerability of the SPA is affected by pressure for increased port development and marine recreation in this area including tourism.

Special Areas of Conservation

A Special Area of Conservation (SAC) is the land designated under Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora. The Alde, Ore and Butley Estuaries is located approximately 55 km to the north east of East Bergholt and is an estuary made out of three rivers. It is the only bar-built estuary in the UK with a shingle bar. The estuary contains large areas of shallow water and is diverse and species-rich containing many lengths of vegetated or shingle habitat, saltmarsh, grassland and reed bed.

Site of Special Scientific Interest

Sites of Special Scientific Interest (SSSI) are important as they support plants and animals that find it difficult to survive elsewhere in the countryside, and they represent the country's best wildlife and geological sites. SSSI are legally protected under the Wildlife and Countryside Act 1981.

Neighbourhood Planning Strategic Environmental Assessment Screening Determination

The Cattawade Marshes SSSI lies at the head of the Stour Estuary, between freshwater and tidal channels of the River Stour. These grazing marshes with associated open water and fen habitats are of major importance for the diversity of their breeding bird community, which includes species that have become uncommon throughout lowland Britain as a result of habitat loss. The site has benefited from a sympathetic management regime aimed at enhancing the ornithological interest. The marshes are also of value as a complement to the adjacent Stour Estuary SSSI where breeding habitats for birds are relatively scarce.

The Stour Estuary SSSI is nationally important for 13 species of wintering waterfowl and three species on autumn passage. The estuary is also of national importance for coastal saltmarsh, sheltered muddy shores, two scarce marine invertebrates and a vascular scarce plant assemblage. The Stour Estuary includes three nationally important geological sites. These provide exposures of early Eocene sediments containing the volcanic ash formations between Harwich and Wrabness. The same rocks are also important for the fossil fruits and seeds that they contain. At Stutton, much younger Pleistocene sediments have yielded an important and rich fossil vertebrate fauna.

Environmental Sensitive Areas (Suffolk River Valleys)

Environmentally Sensitive Areas were introduced in 1987 to offer incentives to encourage farmers to adopt agricultural practices which would safeguard and enhance parts of the country of particularly high landscape, wildlife or historic value. The scheme has subsequently been replaced by Environmental Stewardship Schemes. Land within the Dedham Vale AONB is designated as an ESA. The ESA designation does not however have any planning status and cannot be used for decision-making purposes.

Designated Heritage Assets

East Bergholt is the birthplace of the artist John Constable and contains a number of heritage assets, including Flatford Mill and Willy Lott's Cottage which featured as a significant part of his work. The National Heritage List for England ([the List](#)) records 90 entries in the parish, including five Grade 1, and seven Grade 2* listed buildings. The draft Neighbourhood Development Plan includes, as a project, proposals to create a locally defined list of undesignated heritage assets.

In 1968 the historic village core was designated as a Conservation Area and the draft Neighbourhood Development Plan includes, as a project, proposals for the review and possible extension of the Conservation Area.

Neighbourhood Planning

Strategic Environmental Assessment Screening Determination

NON-STATUTORY DESIGNATIONS²

County Wildlife Sites

County Wildlife Sites (CWS) play a key role in the conservation of Suffolk's biodiversity. Suffolk has over 900 County Wildlife Sites, amounting to 19,200 hectares and covering 5% of the county. County Wildlife Site designation is non-statutory, but it recognises the high value of a site for wildlife. Many sites are of county, and often regional or national, importance. They are often designated because they support characteristic or threatened species or habitats included in Local or National Biodiversity Action Plans. CWSs have been identified throughout Suffolk and range from small meadows, green lanes, dykes and hedges through to much larger areas of ancient woodlands, heathland, greens, commons and marsh. Outside of statutorily protected designations (such as Sites of Special Scientific Interest, Local and National Nature Reserves), CWSs are one of the most important areas for wildlife in Suffolk. Suffolk Wildlife Trust (SWT) monitors planning applications for any potential impact on County Wildlife Sites.

There is one CWS within the parish of East Bergholt and a further three immediately to the north east and east of the parish. Gibbonsgate Field (Flatford Mill) East Bergholt has been designated as a habitat mosaic while Great Martins Hill Wood (Capel St Mary), Dodnash Wood (Bentley), and The Haugh (Brantham) are ancient woodlands.

Special Landscape Areas

The adopted Babergh Local Plan (2006) Saved Policies designates significant areas of the district's landscape as 'Special Landscape Areas', particularly the river valleys. Given the status of these as a local level designation and as an inherently site specific matter, it is not considered appropriate for these to be addressed within the Core Strategy and Policies document. Adopted and saved Local Plan Policy CR04 therefore remains extant at this point in time. A review of the SLA approach, including whether to retain this designation and the extent of the designation, will be dealt with in the future production of Babergh's new local plan documents.

² Local designated sites (which include 'Local Wildlife Sites' and 'Local Geological Sites') make an important contribution to ecological networks and are overseen by Local Sites systems. These systems vary considerably in terms of size (both the administrative area they cover and the number of sites selected) and cover contrasting landscapes in coastal, rural and urban situations. Local Sites systems encompass both biodiversity and geological conservation. Natural England has published advice on the development and management of systems to identify locally designated sites. The NPPF states that local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged.

Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks

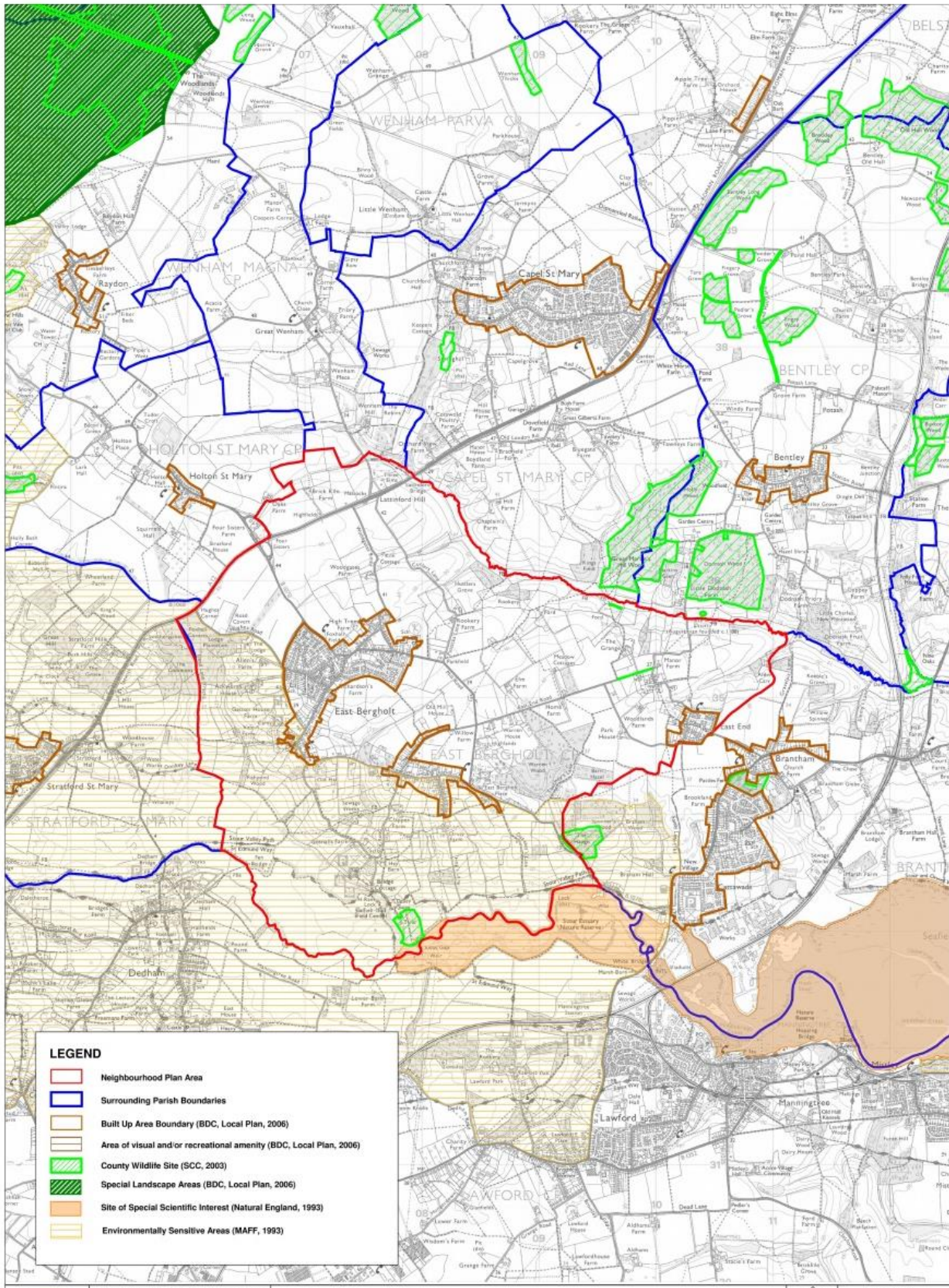
Neighbourhood Planning Strategic Environmental Assessment Screening Determination

Areas of visual or recreational value

Babergh Local Plan (2006) - Important open spaces and areas of visual or recreational value are identified in Villages in the context of the Built-Up Area Boundaries. These locations are referred to as Areas of Visual and/or Recreational Amenity (AVRA). Like the BUABs, AVRAs were introduced in the 1995 Supplementary Planning Guidance for villages in the District and were incorporated into the 2006 Local Plan. A review of the AVRAs, including whether to retain this designation and if so, which areas should be covered, will be dealt with in the future production of Babergh's new local plan documents.

Historic Environment

The Suffolk County Historic Environment Record records more than 50 entries in the parish, including several archaeological sites. The historic settlement core dates from the late Saxon period and once hosted a market.



LEGEND

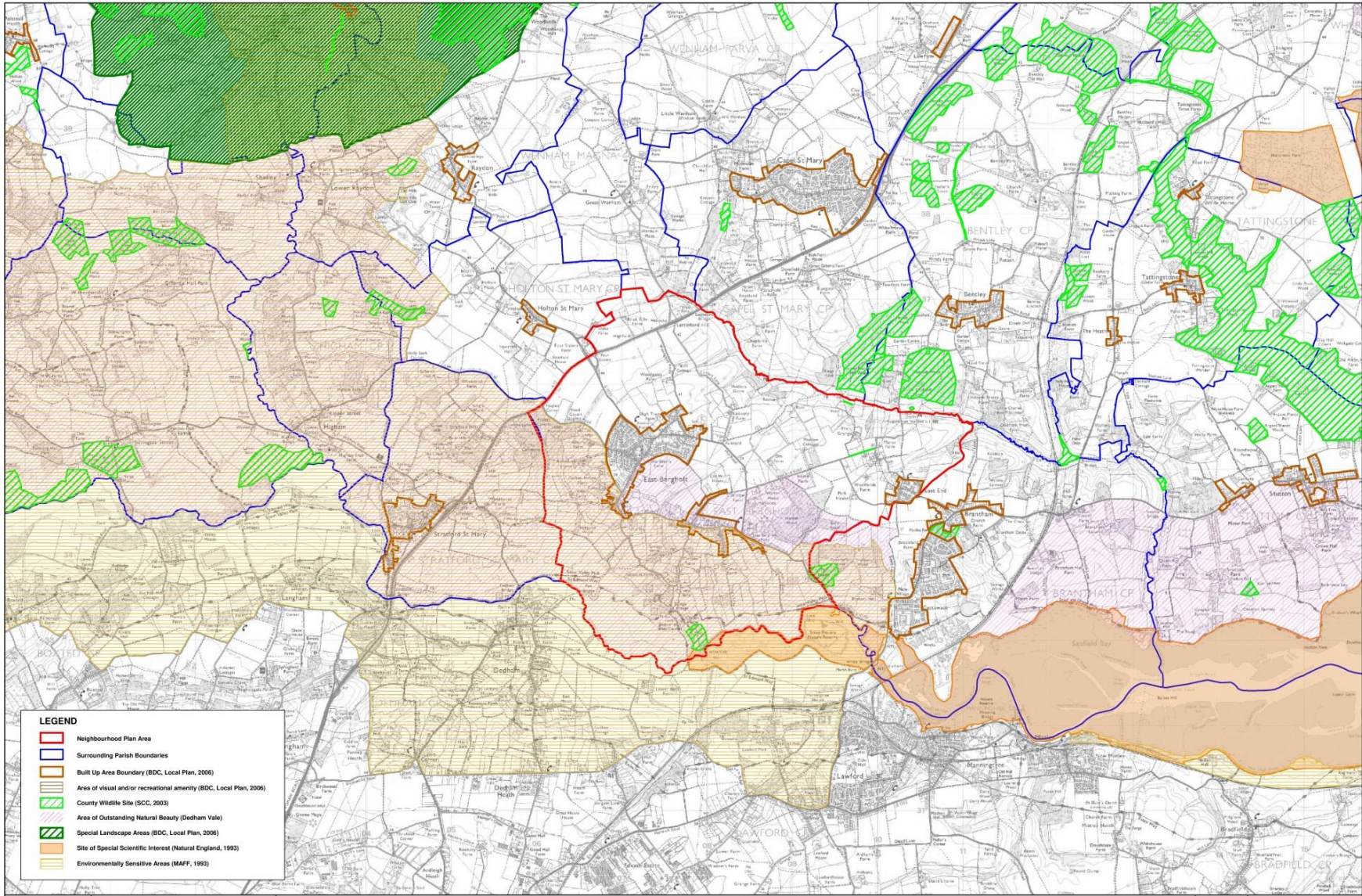
- Neighbourhood Plan Area
- Surrounding Parish Boundaries
- Built Up Area Boundary (BDC, Local Plan, 2006)
- Area of visual and/or recreational amenity (BDC, Local Plan, 2006)
- County Wildlife Site (SCC, 2003)
- Special Landscape Areas (BDC, Local Plan, 2006)
- Site of Special Scientific Interest (Natural England, 1993)
- Environmentally Sensitive Areas (MAFF, 1993)

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East Bergholt Neighbourhood Area Plan

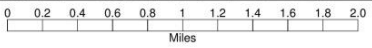


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East Bergholt Neighbourhood Area Plan



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Consultation Responses

The responses received from the consultation bodies concurred with the District Council's Screening Opinion.

Copies of the replies received from the Environment Agency, Historic England and Natural England are reproduced overleaf.

Mr Nick Ward
Corporate Manager – Community
Planning, Heritage and Design
Babergh District Council
Planning Department
Council Offices
Corks Lane
Hadleigh
Ipswich
IP7 6SJ

Our ref: AE/2006/000226/SE-
01/SC1-L01
Your ref:
Date: 15 December 2015

Dear Mr Ward

**1. THE ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES
REGULATIONS 2004, REGULATION 9 SCREENING DETERMINATION
2. EAST BERGHOLT NEIGHBOURHOOD DEVELOPMENT PLAN**

Thank you for inviting us to comment on the above Screening Opinion under the Environmental Assessment of Plans and Programmes Regulations 2004 and we apologise for the delayed response.

We have reviewed the Strategic Environmental Assessment Screening Report ('the report') dated November 2015 and confirm that we agree with the assessment under section 4 of the report. We agree with the conclusion under section 5 of the report that there is no requirement to conduct a Strategic Environmental Assessment in this case.

Yours sincerely



Andrew Hunter
Sustainable Places - Planning Advisor

Direct dial 020 302 58346
Direct e-mail andrew.hunter@environment-agency.gov.uk



Historic England

N J Ward
Corporate Manager – Community Planning
Babergh District Council

Our ref:
Your ref:
Date: 01 Dec 2015

By e-mail to: nick.ward@baberghmidsuffolk.gov.uk

Direct Dial: 01223 582717

Dear Mr Ward

Ref: East Bergholt Neighbourhood Development Plan, SEA Screening Opinion

Thank you for your letter dated 11 November 2015 and the attached Screening Report for the above plan. For the purposes of this consultation, Historic England will confine its advice to the question, “Is it likely to have a significant effect on the environment?” in respect to our area of concern, cultural heritage. Our comments are based on the information supplied with the Screening Report as well as Draft 5.2 of the East Bergholt Neighbourhood Plan (dated September 2015). Ultimately, it will be for Babergh District Council to make the final decision in terms of whether SEA is required.

The Screening Report indicates that the Council considers that the Neighbourhood Plan will not result in any significant environmental effects. It would appear that the Neighbourhood Plan focuses on shaping how development comes forward and will respond to policies and proposals in the Babergh Core Strategy / Local Plan rather than allocating land itself. We note that the draft neighbourhood plan allows for a minimum of 85 new homes but does not identify specific locations (but with the recommendation that sites should generally be small with a maximum capacity of 15 dwellings). In the absence of specific locations, it is difficult to assess the precise environmental effect of this amount of housing, although it would seem likely that there would be some cumulative effect. We note the report’s assertion that the Sustainability Appraisal process for the Babergh Core Strategy / Local Plan contains environmental assessment relevant to this neighbourhood plan, and we hope that sufficient assessment will be carried out at the appropriate point.

Notwithstanding the above, on the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of ‘SEA’ Directive], Historic England concurs with the Council that the preparation of an SEA is not required for this plan



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Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



The views of other statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made. I would be pleased if you can send a copy of the determination as required by Regulation 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We should like to stress that this opinion is based on the information provided by you with your letter dated 11 November 2015 as well as Draft 5.2 of the Neighbourhood Plan. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SA/SEA process and, potentially, object to specific proposals which may subsequently arise in the Neighbourhood Plan where we consider that, despite the absence of SA/SEA, these would have an adverse effect upon the historic environment.

As you may be aware, we have already provided comments on the draft Neighbourhood Plan to the East Bergholt Parish Council in our letter dated 21 October 2015. We regard the historic environment and cultural heritage of East Bergholt to be of considerable quality and importance and are keen to remain engaged in the neighbourhood plan process. We look forward to further consultations on the neighbourhood plan from both the Parish Council and Babergh District Council.

If you have any queries regarding this letter, please let me know.

Yours sincerely



David Grech

Historic Places Adviser

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Date: 17 December 2015
Our ref: 171207



Mr N J Ward

Corporate Manager – Community Planning, Heritage and Design
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Dear Mr Ward

Thank you for your consultation on the above dated 11 November 2015 which was received by Natural England the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Screening Request: East Bergholt Neighbourhood Development Plan Strategic Environmental Assessment (SEA)

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), there are unlikely to be significant environmental effects from the proposed plan.

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, it is our view that the proposals contained within the plan are unlikely to have significant effects on sensitive sites that Natural England has a statutory duty to protect.

This conclusion is, however, dependent on the findings of the Habitats Regulations Assessment (HRA) screening of the East Bergholt Neighbourhood Plan as requested in our previous advice to East Bergholt Parish Council (our ref: 168017, dated 25th November 2015). There is a clear condition set out in Paragraph 1 of Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 which states that a Neighbourhood Plan cannot proceed if there is a Likely Significant Effect (LSE) on a European site, either alone or in combination with other plans and projects. Therefore, should the Neighbourhood Plan trigger a LSE on a European site then an appropriate assessment (AA) of the implications of the plan for the site, in view of the site's conservation objectives, must be



undertaken. If a plan is considered to require an AA under the Habitats directive then it will normally also require an SEA.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local wildlife centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Jack Haynes using the details given below . For any new consultations, or to provide further information on this consultation, please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Jack Haynes

Land Use Operations Norfolk & Suffolk Team

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Tel: 0300 060 1498

Date: 14 January 2016
Our ref: 175980



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BY EMAIL ONLY

Dear Mr Ward

Planning consultation: East Bergholt Neighbourhood Development Plan – Habitats
Regulations Assessment (HRA) Screening Report

Thank you for your consultation on the above dated 11 January 2016 which was received by Natural England the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Advice under the Conservation of Habitats & Species Regulations 2010 (as amended)

Internationally designated sites

The Plan area partly includes and abuts European designated sites (also commonly referred to as Natura 2000 (N2K) sites), and therefore has the potential to affect their interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The Plan area is partly within the following European sites:

- Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site¹

The HRA Screening Report concludes that the Plan can be screened out from further stages of assessment because significant effects on the aforementioned designated sites are unlikely to occur, either alone or in combination. This conclusion has been made having regard for Natural England's previous advice on the East Bergholt Neighbourhood Plan Consultation (our ref: 168017, dated 25th November 2015), with particular reference to *Policy EB8 (Open Spaces)* and *Policy EB9 (Biodiversity)*. We also note that changes have been made to the wording of *Project EB5 (Management of Green Spaces)*, *Policy EB15 (New Developments, Footpaths, Cycleways and Bridleways)* and *Project EB14 (Footpaths and Cycle Routes)* (for which a separate Project Level HRA screening report will be required). **The amendments to the wording of these policies and projects should ensure appropriate protection is given the above designated sites and, on this basis, Natural England agrees with the conclusion of the HRA Screening Report.**

¹ Listed or proposed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Paragraph 118 of the National Planning Policy Framework applies the same protection measures as those in place for European sites.



I hope you will find these comments helpful. For clarification of any points in this letter, please contact Jack Haynes using the contact details given below. For any new consultations or issues, please contact consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Jack Haynes

Land Use Operations Norfolk & Suffolk Team

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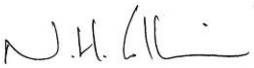
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Habitats Regulations Assessment Screening Report

East Bergholt Neighbourhood Plan

Prepared by Natural Environment Ecology team
Suffolk County Council

For Babergh and Mid Suffolk District Councils

| | | |
|---------------|--|--------------------------------|
| Authors | Gen Broad MCIEEM and Sue Hooton CEnv MCIEEM | Ecologist Senior Ecologist |
| Approval |  Nick Collinson MCIEEM | Natural Environment Manager |
| Report Status | Final | |
| Date of Issue | 7 January 2016 | |

DISCLAIMER: This information has been produced by Suffolk County Council's Natural Environment Team on behalf of Babergh District Council, at their request. However, the views and conclusions contained within this report are those of the officers providing the advice and are not to be taken as those of Suffolk County Council.

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Conservation of Habitats and Species Regulations 2012, Regulation 61 Draft Assessment

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Appendix 1

Map showing East Bergholt Neighbourhood Plan area

Appendix 2

**Map showing locations East Bergholt parish in relation to European (Natura 2000)
Sites within 8 km and 20 km**

1 INTRODUCTION

1.1 Habitat Regulations Assessment of Development Plans

This report is a plan level Habitats Regulations Assessment as required by Regulation 61 of The Conservation of Habitats and Species (Amendment) Regulations 2012.

Under the provisions of the EU Habitats Directive and translated into English law by the Habitats Regulations (*The Conservation of Habitats and Species (Amendment) Regulations 2012*), a competent authority must carry out an assessment of whether a plan or project will significantly affect the integrity of any European Site, in terms of impacting the site's conservation objectives.

Habitats Regulations Assessment (HRA) is the screening assessment of the impacts of a land use proposal against the conservation objectives of European sites. Specifically, it is to ascertain whether or not a proposal (either alone or in combination with other proposals) would potentially damage the internationally designated features of that site. European sites are also known as Natura 2000 sites.

This Habitat Regulations Assessment Screening Report has been undertaken in order to support the East Bergholt Neighbourhood Plan which is being produced by the East Bergholt Neighbourhood Plan Production Group in accordance with the Neighbourhood Planning (General) Regulations 2012. The area covered by the Plan is shown in Appendix 1.

The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a Habitat Regulations Assessment.

1.2 Natura 2000 Sites

Natura 2000 is the centrepiece of EU nature and biodiversity policy. It is an EU wide network of nature protection areas. The aim of the network is to assure the long-term survival of Europe's most valuable and threatened species and habitats.

The sites are designated under the **EU Birds Directive** (Council Directive 79/409/EEC on the Conservation of Wild Birds) and the **EU Habitats Directive** (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora).

The Birds Directive requires the establishment of Special Protection Areas (SPAs) for birds. The Habitats Directive similarly requires Special Areas of Conservation (SACs) to be designated for other species, and for habitats. Wetlands of International Importance (Ramsar sites) are also part of the Natura 2000 network. This is because all SPAs and SACs are comprised of Sites of Special Scientific Interest (SSSIs) and all Ramsar sites in England are SSSIs. Together, SPAs, SACs and Ramsar Sites make up the Natura 200 network in England.

Explanation of SPAs, SACs and Ramsar Sites

Special Protection Areas (SPAs)

SPAs are areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within EU

countries. Example: Brent Geese and Avocets on the Deben Estuary. *Legislation: EU Birds Directive.*

Special Areas of Conservation (SACs)

SACs are areas designated to protect habitat types that are in danger of disappearance, have a small natural range, or are highly characteristic of the region; and to protect species that are endangered, vulnerable, rare, or endemic. Example: the standing water, fens, marshes and broadleaved woodland of the Waveney and Little Ouse Valley Fens.

Legislation: EU Habitats Directive.

Wetlands of International Importance (Ramsar Sites)

Ramsar Sites are designated to protect the biological and physical features of wetlands, especially for waterfowl habitats. For example, the Stour and Orwell Estuary is internationally important for its Waterbird Assemblage, including Redshank and Dunlin. Ramsar sites often overlap with SACs and SPAs and UK planning policy determines that they should be accorded the same importance when developments are proposed.

Legislation: Ramsar Convention (1971) – Wetlands of International Importance.

1.3 Report Aims

This report aims to:

- Identify the European sites within 20km of East Bergholt.
- Summarise the reasons for designation and Conservation Objectives for each site to be considered in this assessment.
- Screen the East Bergholt Neighbourhood Plan for its potential to impact upon a European site.
- Assess the potential for in combination effects from other projects and plans in the area.
- Identify if there are any outstanding issues that need further investigation.

2.0 Neighbourhood Plan Information

2.1. European Sites to be considered

There are 13 European sites which lie within 20 km of East Bergholt. These were identified by Suffolk Biological Records Centre and are shown on the map in Appendix 2. Only two European Sites lie within 8 km of East Bergholt: the Stour and Orwell Estuaries SPA / Ramsar Sites.

Note that each designation qualifies as a site, for example Abberton Reservoir has two European sites, one is an SPA and the other is a Ramsar site.

The 13 European Sites are listed below:

Abberton Reservoir SPA and Ramsar site

Blackwater Estuary SPA and Ramsar site

Colne Estuary SPA and Ramsar site

Deben Estuary SPA and Ramsar site

Essex Estuaries SAC

Hamford Water SPA and Ramsar site

Stour and Orwell Estuaries SPA and Ramsar site

After consideration of the Babergh District Council Core Strategy HRA Screening Report (Atkins 2011) and consultation with Natural England (letter dated 25th November 2015), it was concluded that only the two European sites shown in Table 1 which lie within 8 km of the site should be assessed for 'likely significant effects' in the Neighbourhood Plan. The locations and boundaries of the above sites are shown on the map in Appendix 2.

Table 1 European Sites within 8 km of the development to be considered in this assessment*

| SPA | SAC | Ramsar |
|----------------------------|------|----------------------------|
| Stour and Orwell Estuaries | None | Stour and Orwell Estuaries |

*Note that these European sites have the same boundaries.

2.1 Conservation Objectives

Information on each of the above European sites has been collated. Table 2 indicates the reason why each site is important and has been designated; the relevant SSSI compartments; and the Conservation Objectives for each site. This information has been obtained from the Natural England website.

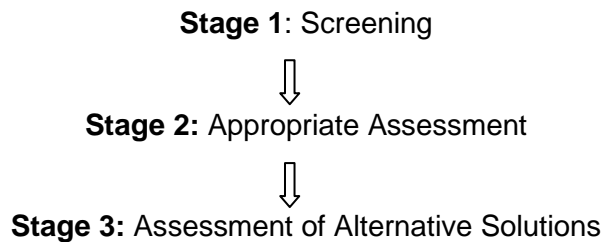
Table 2 European sites considered within this assessment - Reasons for Site Designation and Conservation Objectives

| European site | Reason for importance | Conservation Objectives for the European Site |
|---|--|--|
| Stour and Orwell Estuary SPA & Ramsar Site | <p>Comprises the following SSSI sites: Cattawade Marshes, Orwell Estuary, Stour Estuary.</p> <p>Extensive mud-flats, low cliffs, saltmarsh and small areas of vegetated shingle.</p> <p>Important numbers of breeding Avocet in summer and major concentrations of waterbirds in winter, especially geese, ducks and waders.</p> <p>Close ecological links with the Hamford Water and Mid-Essex Coast SPAs.</p> <p>The site contains 7 nationally scarce plants, 5 British Red Data Book invertebrates and internationally important assemblage of water fowl.</p> | <p>Subject to natural change, to maintain the following habitat in favourable condition:</p> <ul style="list-style-type: none"> • Littoral Sediment • Neutral grassland – lowland • Boundary and linear features (“Tidal-bank”) • Coastal open waters <p>The qualifying features are:</p> <p>Dark-bellied Brent Goose <i>Branta bernicla bernicla</i> (Non-breeding)</p> <p>Northern Pintail <i>Anas acuta</i> (Non-breeding)</p> <p>Pied Avocet <i>Recurvirostra avosetta</i> (Breeding)</p> <p>Grey Plover <i>Pluvialis squatarola</i> (Non-breeding)</p> <p>Red Knot <i>Calidris canutus</i> (Non-breeding)</p> <p>Dunlin <i>Calidris alpina alpina</i> (Non-breeding)</p> <p>Black-tailed Godwit <i>Limosa limosa islandica</i> (Non-breeding)</p> <p>Common redshank <i>Tringa totanus</i> (Non-breeding)</p> <p>Waterbird assemblage □</p> |

3. METHOD AND APPROACH

3.1 Introduction

3.1.1 An assessment under the Habitats Regulations can be split into three stages:



The three stages and their outcomes are described in more detail in Table 3. This document relates only to Stage 1 of the HRA process.

Table 3 Stages of the Habitats Regulations Assessment Process

| Stage | Tasks | Outcome |
|--|--|---|
| Stage 1 Screening | <ul style="list-style-type: none"> • Description of the policies or projects • Identification of potential effects on a European site • Assessing the effects on European site | <p>Where effects are unlikely, prepare a 'finding of no significant effect' report.</p> <p>Where effects judged likely, or lack of information to prove otherwise, go to Stage 2.</p> |
| Stage 2 Appropriate Assessment | <ul style="list-style-type: none"> • Gather information about the policies or projects and relevant European sites • Make prediction of impacts • Evaluate potential impacts in light of conservation objectives • If impacts considered to affect qualifying features, identify alternative options. • If no alternatives available, define and evaluate mitigation measures | <p>Appropriate Assessment report describing a) the plan, b) European site baseline conditions, c) adverse effects of the plan on the European site, d) how effects will be avoided through avoidance and mitigation (specific mechanisms and timescales).</p> <p>If effects remain after alternatives and mitigation measures have been considered, go to</p> |
| Stage 3 Assessment where adverse impacts remain and there are no alternatives | <ul style="list-style-type: none"> • Identify 'imperative reasons for overriding public interest' (IROPI) • Identify potential compensatory measures | <p>This stage should be avoided if at all possible.</p> |

3.2 Stage 1: Screening

The screening stage identifies if an 'Appropriate Assessment' is needed because any policies or projects will have an impact on a European Site. Category A identifies those policies or projects that may not need an Appropriate Assessment and are considered to have No Negative Effect. Category B identifies those policies or projects that will have No Likely Significant Effect. Category C identifies those policies or projects that might have Likely Significant Effect and thus impact

upon a European Site either alone or in combination with other plans or projects. Section 4 considers each policy or projects and the results of the screening exercise recorded.

Table 4 Screening categorisation

| |
|--|
| Category A : No negative effect |
| Policies or projects that will not be likely to have any negative effect on a European site. |
| Category B : No Likely Significant Effect |
| Policies or projects that could have an effect but would not be likely to have a <i>significant</i> negative effect on a European site alone or in combination. This conclusion could only be reached if the effects, even in combination and taking the precautionary principle into account, are considered trivial. |
| Category C Likely Significant Effect |
| Policies or projects which are predicted to have a likely significant effect on their own or in combination with other plans and projects. |

Stage 2: Appropriate Assessment

If Stage 1 screening identifies the need for an Appropriate Assessment, then more detailed work will need to be undertaken to establish what the potential impacts of the plan will be on European Site integrity. A process is then undertaken to change the site allocation document in a manner that removes any risk of a negative impact on a European Site.

In making the assessment of how site integrity is impacted by a policies and projects, it is essential that the precautionary principle is adopted. The key premise of the precautionary principle is that in situations where an impact on site integrity cannot definitely be ruled out, then an adverse impact should be assumed.

Stage 3: Imperative Reasons of Overriding Public Interest

In the unlikely event that it is not possible to adapt a policies and projects sufficiently to avoid any adverse impact on a European Site, then it would be necessary to establish whether there are any imperative reasons of overriding public interest that mean the policies and projects should progress. If it is considered that such reasons exist, which outweigh the damage that will be caused to the site, then the next stage is to notify the Secretary of State who will consider whether the policies and projects should proceed.

4. RESULTS FROM SCREENING OF NEIGHBOURHOOD PLAN POLICIES AND PROJECTS

Each of the policies and projects in the East Bergholt Neighbourhood Plan were screened to identify whether they would have any impact on a European Site (refer to Natural England planning response dated 25th November 2015). Table 5 summarises the findings of the screening.

Table 5 Initial HRA screening results and recommendations

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|----------------------------|---|---|------------------------------------|
| <p>Policy - EB1</p> | <p>Housing Numbers and Phasing The Plan will allow for a minimum number of 86 new homes over the Plan period, 2015 to 2030, to be phased in proportion over three 5 year periods. Subject to other criteria based policies within this Plan, proposed housing which meets these criteria, may be accommodated, if appropriate, using the current Strategic Housing Land Availability Assessment sites that informed Babergh’s Core Strategy 2014 or sites that have come forward more recently.</p> | <p>No, Category A</p> | <p>No specific recommendations</p> |
| <p>Policy - EB2</p> | <p>Development Size and Location Housing requirements will be met through small scale developments of up to 15 homes, either on small sites or larger sites that are phased in accordance with policy EB1. Proposals will be permitted within or immediately adjacent to the village Built Up Area Boundaries subject to meeting all policies in this Plan and all the specified criteria as follows: 1. 800 metres from the Village Heart or Focal Points (Appendix D.9) 2. Infill development will be designed in a manner that is sensitive to its immediate and wider context in accordance with Policy - EB10 and Policy - EB11 and respecting the rhythm, pattern, proportions and height of existing development within the street scene. 3. Proposals for small scale housing development on brown field land within or in close proximity to the village Built Up Area Boundaries will be permitted subject to meeting all policies in this plan including in particular design, views and landscape considerations. Development schemes outside the 800m zones or not located adjacent to the village Built Up Area Boundaries will be permitted</p> | <p>No, Category A</p> | <p>No specific recommendations</p> |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|--------------------------|---|---|-----------------------------|
| | <p>subject to meeting all policies in this Plan and any of the following criteria are met:</p> <p>4. The site is previously developed</p> <p>5. Self-build of a maximum of 2 homes on land adjacent to existing properties</p> <p>6. Involves the conversion of existing buildings or is for rural exception site affordable housing</p> <p>Development schemes larger than 15 will be permitted where they meet all the following criteria:</p> <p>7. They are within or immediately adjacent to the village Built Up Area Boundaries and are within 800 metres from the Village Heart or Focal Points</p> <p>8. Deliver exceptional benefit to the community including provision of housing for older and younger people of or with direct connections to East Bergholt</p> <p>9. Satisfy Policy - EB10 and Policy - EB11</p> | | |
| Policy - EB3 | <p>Village Heart</p> <p>Within the Village Heart small scale infill development will be permitted subject to being in line with all other policies in the plan, demonstrating a positive contribution to the village's built environment and must comply with the specific size, plot ratio as stated in Chapter 5.</p> <p>To conserve the presence of large gardens that are a feature of the village, backland development will be resisted.</p> | No, Category A | No specific recommendations |
| Policy - EB4 | <p>Housing Type and Tenure</p> <p>Residential units will provide a mix of type and size of new housing to support the identified housing needs of the Parish and incorporate a five year review corresponding with Policy EB1.</p> <p>At least 40% of properties on suitable sites should be one or two bedroomed terraced, semi-detached or maisonette properties or similar in line with Babergh District Council Core Strategy 2014 and Affordable Housing SPD 2014.</p> <p>The replacement of smaller homes with larger homes will be resisted</p> | No, Category A | No specific recommendations |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|--------------------------|---|---|-----------------------------|
| Policy - EB5 | <p>Supporting Older People Development of up to 1/3 of the total new homes over the Plan period to meet the needs of older people will be supported. This will include purpose built and sheltered housing (not including specially adapted homes) as well as market housing suitable for older people and retirees. This allocation is part of that defined in Policy - EB1 and will need to conform to the other policies in the plan. Development proposals should reflect the changing demographics of the Parish and require that developers demonstrate how they have considered this issue. Within a radius of 400 metres of St Mary's Church a proportion of this need is likely to have potential to be met from limited small scale infill development that provides easy access to the Village Heart and is suitable for the needs of older people. Development which can demonstrably meet this need and subject to being in line with all other policies in the plan will be welcomed.</p> | No, Category A | No specific recommendations |
| Policy - EB6 | <p>Supportive Care Accommodation for Older People Supportive care accommodation for older people living in or with close connection to the village will be encouraged.</p> | No, Category A | No specific recommendations |
| Project - EB1 | <p>Support Development Proactively work with land owners and developers during the pre-submission stage of plans to actively seek appropriate housing provision that reflects the aims of this Plan.</p> | No, Category A | No specific recommendations |
| Project - EB2 | <p>Community Land Trust Establish a Community Land Trust as the means of delivering homes for local people and to deliver affordable housing, to offset private sector provision, in or near to the village centre for shared ownership or rentable properties. This will meet the identified needs of East Bergholt and the proportion of the needs of the Hinterland Villages relating to East Bergholt as a Core Village. The intention is to provide housing for younger people and to provide for key workers employed in or providing services for East Bergholt or its Hinterland Villages.</p> | No, Category A | No specific recommendations |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|--------------------------|--|---|---|
| Project - EB3 | <p>Enforcement Work in close collaboration with Babergh District Council to monitor the implementation of development schemes to ensure compliance with the approved plans.</p> | No, Category A | No specific recommendations |
| Project - EB4 | <p>Sheltered Housing Investigate the need for and feasibility of providing sheltered accommodation for older people.</p> | No, Category A | No specific recommendations |
| Policy - EB7 | <p>Landscape and Views Development proposals will be permitted where they meet all the following criteria: 1. Demonstrate full account has been taken of the capacity assessment set out in the Landscape Sensitivity and Capacity Assessment (Appendix D.8) 2. Should respond positively to the special qualities and scenic beauty of the Area of Outstanding Natural Beauty and the landscape setting of the village 3. Complies with existing policies relating to the Dedham Vale AONB and the wider landscape 4. Maintain the character of the distinctive views of the surrounding countryside identified in the Views Assessment and marked on the map of Significant and Valued Views shown above 5. Satisfy the development tests as described in paragraph 116 of the National Planning Policy Framework 6. Would not have a significant impact on the landscape setting of the Parish</p> | No, Category A | No specific recommendations |
| Policy - EB8 | <p>Open Spaces Development which would result in the loss of, or would adversely affect the function or appearance of, an Area of Important Open Space identified on the map shown above will only be permitted in cases where there are exceptional circumstances relating to essential utility infrastructure and no alternative is available. Any developments must comply with other relevant policies in this Plan.</p> <p>Exception: 1. A school developing or expanding its educational or ancillary</p> | Category B No Likely Significant Effect with the wording changed as recommended | <p>Natural England planning response dated 25th November 2015: NE recommends the use of the Accessible Natural Greenspace Standard (ANGSt) which can be a useful tool in ensuring adequate provision of accessible natural greenspace within a particular area.</p> |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|----------------------------|--|--|--|
| | <p>facilities, the development will be considered in terms of need and mitigation measures.</p> | | <p>Recommended amendments to policy wording have been agreed with East Bergholt PC:</p> <p>Amend <i>Exception</i> to read:</p> <ol style="list-style-type: none"> 1. <i>A school developing or expanding its educational or ancillary facilities, the development will be considered in terms of need and sufficient mitigation measures.... to meet NE Accessible Green Space Standard (ANGSt).</i> <p>Additional text for policy: This includes measures such as retaining Important Open Spaces (map Appendix D11) within the village which provide important recreational amenity value to the village and reduce recreational pressure on the Stour & Orwell Estuaries SPA.</p> |
| <p>Policy - EB9</p> | <p>Biodiversity Proposals for development must protect and enhance biodiversity and geodiversity to reflect the requirements of paragraphs 109 and 117 of the National Planning Policy Framework and comply with all the following criteria: 1. Protecting and enhancing internationally, nationally and locally designated sites, protected and priority species and habitats, ancient or species-rich hedgerows, grasslands and woodlands 2. Conserving ecological networks, and the migration or transit of flora and fauna</p> | <p>Category B No Likely Significant Effect with the wording changed as recommended</p> | <p>Natural England planning response dated 25th November 2015: NE recommends that the sites are mapped within <i>Appendix A.1 Baseline Data for East Bergholt</i> to reflect their high importance.</p> <p>Recommended amendment has been agreed with East</p> |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|--------------------------|---|---|--|
| | <p>3. Protecting ancient trees or trees of arboricultural value, and</p> <p>4. Promoting the mitigation preservation, restoration and re-creation of wildlife priority habitats and the protection and recovery of priority species</p> <p>5. Providing a net gain in biodiversity</p> <p>6. Avoiding potential impacts on the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site. Any potential impacts must be assessed and steps taken to either avoid and/or mitigate any such impacts prior to any development being consented</p> <p>7. Promoting the conservation, , restoration and re-creation of priority habitats and the protection and recovery of priority species</p> <ul style="list-style-type: none"> Proposals must demonstrate that ecological considerations have been properly assessed in relation to the application site and those adjacent to it where appropriate. Where necessary appropriate mitigation measures will be carried out. Where adverse impacts on biodiversity cannot be avoided, necessary appropriate mitigation measures or, as a last resort, compensation measures will be carried out as required. | | <p>Bergholt PC:</p> <p>Add SPA and RAMSAR site to map in Appendix A.1</p> <p><i>NB. See attached email for explanation of amendments in second column</i></p> <p>NE considers that the penultimate sentence of the policy could be strengthened to better reflect the avoidance-mitigation-compensation hierarchy as described in paragraph 118 of the NPPF.</p> <p>Recommended amendment to policy wording has been agreed with East Bergholt PC:</p> <ul style="list-style-type: none"> <i>“...will be carried out. Where adverse impacts on biodiversity cannot be avoided, necessary appropriate mitigation measures or, as a last resort, compensation measures will be carried out as described in paragraph 118 of the NPPF.</i> <p>NE advises that, in line with paragraph 118 of the NPPF, wording should be included to encourage the incorporation of biodiversity in and around new</p> |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|-----------------------------|---|---|--|
| | | | <p>developments. .</p> <p>Recommended amendment to policy has been agreed with East Bergholt PC:</p> <ul style="list-style-type: none"> Additional bullet point: <i>In line with paragraph 118 of the NPPF, biodiversity features should be incorporated in and around new developments and biodiversity enhancements added wherever possible.</i> |
| <p>Project EB5</p> | <p>Management of Green Spaces Work with relevant landowners to ensure the future management of the green spaces identified in the map East Bergholt Important Open Spaces and consider support for local biodiversity</p> | <p>Category B No Likely Significant Effect with the wording changed as recommended</p> | <p>Additional recreational open space would reduce existing pressure on Stour & Orwell SPA.</p> <p>Recommended amendment to policy has been agreed with East Bergholt PC:</p> <ul style="list-style-type: none"> Add text: <i>Where possible, new recreational opportunities should be considered.</i> |
| <p>Project - EB6</p> | <p>Community Farm Establish a community farm within the Parish taking due consideration of the important views and green spaces in the village.</p> | <p>No, Category A</p> | <p>No specific recommendations</p> |
| <p>Policy - EB10</p> | <p>Housing and Non-Residential Design Proposals must plan positively for the achievement of high quality and inclusive design reinforcing the locally distinctive and aesthetic qualities of the buildings and landscape in the Parish as described in the Character Assessment and follow the Local Design Guidance. The spirit of this guidance is to encourage good design whether it</p> | <p>No, Category A</p> | <p>No specific recommendations</p> |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|-----------------------------|---|---|------------------------------------|
| | <p>may be historically-derived or in a contemporary idiom. Any development (whether new build, extensions or alterations) is required to respond to local character and reflect the surroundings. Development should protect or enhance the positive elements of an area, as identified within the Plan's Character Assessment, and proposals must demonstrate that this is the case Developments in the conservation area should preserve or enhance the character and appearance of the conservation area, whilst developments within the setting of a listed building should not result in harm to that building's significance. Due to the highest status of landscape protection afforded to AONBs, the highest standards of design will be required for development within the AONB and, where appropriate, its setting. In accordance with paragraph 125 of the National Planning Policy Framework proposals must ensure that light pollution from development avoids negative impacts on the natural environment. Proposals must submit a statement demonstrating regard for the findings of the Character Assessment and where relevant compliance with the Local Design Guidance.</p> | | |
| <p>Policy - EB11</p> | <p>Preservation of Designated and Non-Designated Heritage Assets This plan supports the existing policies providing protection for designated assets. Proposals for development that affect non-designated heritage assets defined on the Village Local List, will be considered taking account of the scale of any harm or loss and the significance of the heritage asset. The criteria for identifying these Non-Designated Heritage Assets are:</p> <ul style="list-style-type: none"> • Archaeological interest • Recorded in the Suffolk County Historic Environment Record • Architectural interest • Aesthetic value • Known architect • Integrity | <p>No, Category A</p> | <p>No specific recommendations</p> |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|--------------------------|--|---|-----------------------------|
| | <ul style="list-style-type: none"> • Landmark status • Group value • Artistic interest • Aesthetic value • Known designer • Historic interest • Association • Rarity • Representativeness • Social and communal value <p>(Criteria sourced from http://www.suffolkcoastal.gov.uk/assets/Documents/District/Planning-policy/Conservation-areas/Final-adopted-criteria-of-non-designated-heritage-assets.pdf)</p> | | |
| Project EB7 | <p>Update the Village Local List Review the buildings and other landscape features within the Parish to provide an updated Village Local List. Structures on this list will be protected as non-designated heritage assets. Register this list with Babergh.</p> | No, Category A | No specific recommendations |
| Project EB8 | <p>Review the Conservation Area Work with the East Bergholt Society and other relevant statutory authorities to review and, if appropriate, extend or modify the boundaries of the East Bergholt Conservation Area ensuring the identified views and open spaces are protected.</p> | No, Category A | No specific recommendations |
| Policy - EB12 | <p>Red Lion Car Park Proposals for use of the Red Lion Car and Coach Park identified on the map below and in Appendix D.13 for anything other than parking as the predominant use will be refused.</p> | No, Category A | No specific recommendations |
| Policy - EB13 | <p>New Developments, Parking New developments must demonstrate how they remove the need for on-road parking and provide for well-located cycle and short term parking spaces. Proposals for the provision of well-located cycle and short-term parking spaces to meet the needs of local businesses will be</p> | No, Category A | No specific recommendations |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|--------------------------|---|---|--|
| | positively considered. | | |
| Policy - EB14 | New Developments, Walking and Cycling New developments will provide an adequate and safe footpath layout within the development and good pedestrian links to the existing settlement. Schemes should demonstrate cycle friendly road layout and safe connections to the highway | No, Category A | No specific recommendations |
| Policy - EB15 | New Developments, Footpaths, Cycleways and Bridleways Where possible, new development should take advantage of any opportunity to enhance and protect existing networks, create new networks and improve connections between existing and proposed networks. | Category B No Likely Significant Effect with the wording changed as recommended | Recommended amendment to policy wording has been agreed with East Bergholt PC: <i>“...and proposed networks to reduce recreational pressure on Stour & Orwell SPA.</i> |
| Project – EB9 | Impact of Proposals Investigate and implement design and highways proposals that mitigate the impact of traffic within East Bergholt, ensuring these are of an appropriate scale for their location. Proposals may include traffic management measures. | No, Category A | No specific recommendations |
| Project – EB10 | Parking Consider means to actively deter and discourage parking on verges and pavements working with the authorities where appropriate. | No, Category A | No specific recommendations |
| Project – EB11 | Village Heart Propose and implement, with appropriate agencies and partners, the redesign and reconfiguration of road and pavement space in the Village Heart and introduce traffic management measures to ensure traffic travels at a safe and appropriate speed through the village to decrease congestion and to provide a safe environment to encourage walking and cycling. Consideration should be given to enhancing the Public Realm through the reduction of visual clutter and the use of good quality materials for all hard landscaping, footpaths and roadways. | No, Category A | No specific recommendations |
| Project – EB12 | Red Lion Car Park Reconfigure the Red Lion Car Park to increase capacity and promote its use as a car and coach park. | No, Category A | No specific recommendations |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|--------------------------|---|---|---|
| Project – EB13 | <p>Cycling Provide cycle parking in appropriate locations to encourage cycling.</p> | No, Category A | No specific recommendations |
| Project – EB14 | <p>Footpaths and Cycle Routes Provide a new cycle path route to Manningtree railway station from East Bergholt and between East End to Village Heart. The project will also consider identifying routes which could be enhanced or extended to support travel by sustainable means and use by mobility scooters, to enable enjoyment of the countryside and to promote healthy and active lifestyles.</p> | Category C Likely Significant Effect | <p>There is, without mitigation, a risk of Likely Significant Effect for the cycle path route to Manningtree station. Such a scheme will therefore require a project level HRA.</p> <p>Recommended amendment to project wording has been agreed with East Bergholt PC: <i>Create a network of footpaths and cycle routes within the parish to reduce recreational pressure on the Stour & Orwell SPA.</i></p> |
| Project – EB15 | <p>A12 Junction Work with Highways England and Suffolk County Council to seek funding to ensure adequate entry and exit junctions with the A12 and the B1070.</p> | No, Category A | No specific recommendations |
| Project – EB16 | <p>B1070 Weight Restriction Work alongside appropriate agencies to encourage enforcement of any weight limit restrictions on the B1070 and throughout the village.</p> | No, Category A | No specific recommendations |
| Policy - EB16 | <p>Maintaining and Enhancing Existing Facilities Existing service outlets, employment sites and uses in the Parish will be supported. The expansion of existing businesses and new businesses will be supported provided that all the following conditions are met: 1. The service or facility can demonstrate an acceptable relationship with nearby residential or other uses 2. The proposal would not lead to an unacceptable increase in traffic through East Bergholt village 3. Adequate off-street car parking or other alternative provision for parking can satisfactorily be made 4. The proposal would accord with the other planning policies in this</p> | No, Category A | No specific recommendations |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|--------------------------|---|---|-----------------------------|
| | Plan | | |
| Policy - EB17 | <p>Change of Business Use Proposals for change of use that result in the loss of jobs, services or community facilities in the Parish will only be supported where the facility is to be replaced by one of a similar or enhanced quality or where the service or facility is no longer viable. Mixed-uses must be considered before a residential option is entertained. A twelve month period to explore other options must be allowed, consistent with the provisions of the District Council's Supplementary Planning Guidance on safeguarding employment sites and premises.</p> | No, Category A | No specific recommendations |
| Policy - EB18 | <p>Agricultural Land New development for uses that are not connected with the farming activity of the Parish should avoid the loss of good quality agricultural land in accordance with paragraph 112 of the National Planning Policy Framework. Any proposed developments should demonstrate how these safeguard the best and most versatile (BMV) land; this is land classified as grade 1, 2 and 3a within the Agricultural Land Classification (ALC) system.</p> | No, Category A | No specific recommendations |
| Policy - EB19 | <p>New Development and Farm Vehicle Access New developments should have due regard to access routes or roads around East Bergholt village that are used by farmers to move their agricultural machinery and access fields while maintaining and enhancing existing hedgerows and trees. (Map in Appendix D.12)</p> | No, Category A | No specific recommendations |
| Policy – EB20 | <p>Conversion of Agricultural Buildings The reuse of redundant farm and other rural buildings 15 or more years old may be permitted for residential use, business, or tourism purposes, including the provision of tourist accommodation, provided that the proposed use meets all the following criteria: 1. The buildings in question can be converted to a high standard using local materials, where appropriate, compliant with the Housing Design Guidance (Section 5.3.1) and to Historic England's guidance for the conversion of traditional farm buildings</p> | No, Category A | No specific recommendations |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|--------------------------|---|---|-----------------------------|
| | 2. Make a positive contribution to the surrounding landscape 3. Would have an acceptable impact on the road network 4. Would have an acceptable relationship with agricultural and other land based activities 5. Would maintain or enhance the amenities of adjoining or nearby occupiers 6. Conversions should be sensitive to their locations, boundaries. Land use must be maintained so that the conversion respects the original rural location of the property. | | |
| Policy – EB21 | Tourist Facilities and Services for developments which are related to leisure, tourist and visitor facilities or services, including accommodation for visitors and retail and food and drink outlets and associated businesses, will be granted provided that the development meets all the following criteria: 1. Able to demonstrate a positive impact on the surrounding landscape and the character and appearance of the area 2. Have an acceptable impact on the traffic generation and parking in the surrounding area 3. Of a scale which is sensitive to the character of the area and is consistent with conservation of the visitor attraction 4. Proposals must assess the impact on the landscape and traffic movements and any residential or business amenity. Development likely to harm these aspects will be refused 5. Special consideration should be given to developments in and abutting the Dedham Vale Area of Outstanding Natural Beauty and the East Bergholt Conservation Area. | No, Category A | No specific recommendations |
| Policy – EB22 | Working Hub Small scale development that provides a Working Hub in a sustainable and convenient location within the Parish will be supported, subject to compliance with other policies in this plan. This could be established through the change of use or conversion of an existing building or through the development of a new building. | No, Category A | No specific recommendations |
| Project – EB17 | Establish a Working Hub This project will begin by identifying the potential need for a Working Hub and gain support from significant stakeholders. | No, Category A | No specific recommendations |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|--------------------------|---|---|-----------------------------|
| | <p>In the absence of a development proposal, identify unused and underused premises close to the Village Heart or Focal Points which have the potential to provide shared business services to encourage home working and to support those currently working from home. Consideration will also be given to the identification and establishment of a 'drop off and collection point' for internet deliveries for residents and local businesses.</p> | | |
| Project – EB18 | <p>Visitor Facilities Encourage the owners and operators of visitor attractions and heritage assets in the Parish to maintain these assets to a good standard. Work with other appropriate bodies to ensure that the village is maintained to a high standard and is clean, safe and well maintained and remains a pleasant place to visit.</p> | No, Category A | No specific recommendations |
| Project – EB19 | <p>Safeguarding Village Assets Establish a process to identify and list Village Assets and where appropriate formally designate them as an Asset of Community Value.</p> | No, Category A | No specific recommendations |
| Policy – EB23 | <p>Physical Infrastructure Provision Any new development will need to estimate the additional likely impact on existing physical infrastructure, such as roads, schools and utilities and demonstrate that these will not have a severe impact on current capacity or that capacity can be enhanced to meet demand. All proposals for new housing and commercial development will be required to be supported by, and make adequate provision for, appropriate infrastructure, services and facilities to ensure that the development is sustainable and of a high quality in compliance with Policy CS21 of the Babergh Core Strategy</p> | No, Category A | No specific recommendations |
| Project – EB20 | <p>Physical Infrastructure Provision Work with statutory bodies to highlight issues and mitigate problems. Key areas for immediate focus are: 1. Surface water drainage 2. Mobile connectivity 3. Broadband services Other issues will be addressed as they arise.</p> | No, Category A | No specific recommendations |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|--------------------------|---|---|-----------------------------|
| Policy – EB24 | <p>Electric Cars New development will provide electric charging points for cars and other domestic vehicles.</p> | No, Category A | No specific recommendations |
| Policy – EB25 | <p>Sustainable Drainage Systems New residential development of ten or more units or on development sites of 0.5 or more of a hectare (where it is not known whether the number of residential units will be ten or more) or where floor space of 1000 square metres or more is to be created or development is carried out on a site which has an area of 1 hectare or more will be expected to provide sustainable drainage systems for the management of run-off. New development should take note of Suffolk County Council Protocol for Advising Babergh District Council on Surface Water Drainage Aspects of Planning & Development Control'. This document provides guidance on those elements of flood risk management for which the County Council is responsible.</p> | No, Category A | No specific recommendations |
| Project – EB21 | <p>Energy Efficiency, Decarbonisation and Recycling Introduce a Parish Policy to encourage and take a positive view of development proposals that help to achieve the objective that all buildings in East Bergholt consume resources in the most effective way possible and reduce carbon emissions. Namely: 1. The use of energy and water conservation measures including loft, wall and window insulation, energy efficient lighting and heating systems, water recycling and conservation measures and other low carbon technologies. 2. To meet or exceed building regulation standards, ideally to be certified against the BRE Passivhaus Certification Scheme 3. Include low carbon technologies such as solar thermal water heating, photovoltaic panels, ground or air source heat pumps, etc. in the design of new buildings in a way that minimise visual impact. 4. Maximise recycling levels and minimise waste to landfill and provide facilities for food waste composting.</p> | No, Category A | No specific recommendations |
| Project – EB22 | <p>Energy Efficiency Promote the upgrading of existing homes to meet a minimum Energy Performance Certificate rating grade C.</p> | No, Category A | No specific recommendations |

| Policy or Project Number | Policy Wording | Will Policy or Project have Likely Significant Effects on the European Sites? | Recommendations |
|---------------------------------|---|--|-----------------------------|
| Project – EB1 | Electric Vehicle Charging Points in Village Heart Install electric vehicle charging points in Village Heart for vehicles parking to use the facilities. | No, Category A | No specific recommendations |

5. Delivery of recommendations

There are no specific recommendations to deliver for policies and projects in Category A.

However there are recommended amendments for Policy numbers EB8, EB9, EB15 and Project number EB5, all of which fall into Category B; as East Bergholt PC has agreed (email 7 Jan 2016) to the recommended changes to the wording for the policies, these will have no Likely Significant Effect.

Project EB14 falls into Category C Likely Significant Effect and a separate Project Level HRA screening report will be required.

The In-combination effects from other plans and projects are considered in in Section 6.

6. Other Plans and Projects – In-combination effects

There are five relevant Plan level HRAs that have been carried out by neighbouring Councils or other organisations due to the possibility of likely significant effects on the one European site being assessed: Stour and Orwell Estuary SPA.

In the context of this HRA, the relevant other plans to be considered are:

- Colchester Borough Council Focused Review of the Local Plan Sustainability Appraisal Report 2013
- Ipswich Borough Council Core Draft Strategy and Policies 2014
- Suffolk Coastal District Council Core Strategy and Development Plan Policies 2011
- Suffolk Coastal District Council Sustainability Appraisal Scoping Report November 2014. Policies and projects and Area Specific Policies DPD and Felixstowe Peninsula AAP.
- Tendring District Local Draft Core Strategy Final Report (Regulation 27 Consultation). November 2010

There is a further Project (HRA screening in preparation) for Land off Moore's Lane, East Bergholt, which has the potential for in combination effects on Stour & Orwell Estuaries SPA.

The HRAs listed below are considered in the Appropriate Assessment of East Bergholt Neighbourhood Plan HRA (Table 6).

Table 6: Other plans or projects considered for in combination effects

| Statutory Body | Title of HRA or Project | Findings of HRA or Project | Potential for in combination effects |
|----------------------------|---|--|--|
| Colchester Borough Council | Habitat Regulations Assessment Screening Opinion Colchester Focused Review of the Local Plan Sustainability Appraisal Report: Appendix (March 2013) | <i>“The Council considers that the need for an appropriate assessment must be appropriate to the scope of the Plan. The Focussed Review makes limited changes to the Borough’s adopted spatial plans and all of these Plans have been subject to appropriate assessments with the conclusion, which was supported by Natural England, that they will not adversely affect the integrity of Natura 2000 sites. The only change made by the Focussed Review that has the potential to affect Natura 2000 sites is changes to rural housing and employment policies. However, as any development in rural areas will be small scale this will not result in any significant impacts on the integrity of Natura 2000 sites.”</i> | It is considered that in combination likely significant effects are not predicted. |
| Ipswich Borough Council | Appropriate Assessment for Ipswich Borough Council Draft Core Strategy and Policies DPD Focused Review January 2014. | <i>“The assessment concluded that there would be no adverse effect upon the integrity of European sites from policy CS7 (The amount of new housing required) and related policies in the Ipswich Borough Council Draft Core Strategy and Policies DPD Focused Review.”</i> <i>“The Assessment concluded that all other policies in the Ipswich Borough Council Draft Core Strategy and Policies DPD Focused Review document are not likely to have a significant effect on any European site.”</i> □ | There is potential for likely significant effect through recreational disturbance on the Stour and Orwell Estuaries SPA. However, if the mitigation measures proposed in Ch. 6 are implemented, there will be no likely significant effect. |
| Babergh District Council | East Bergholt Land off Moore’s Lane (HRA Screening Report in preparation) | NE consultation response (17 th July 2015) states that <i>“Whilst the provision of high quality on-site GI within individual developments will, to some extent, minimise the increase in visits made to internationally designated sites through absorbing day-to-day activities such as routine dog walking, it should not be used alone as mitigation for in-combination impacts.”</i> | There is potential for likely significant effect through recreational disturbance on the Stour and Orwell Estuaries SPA. However, if sufficient mitigation measures proposed are implemented, there will be no likely significant effect |
| Suffolk Coastal District | Appropriate Assessment for Suffolk Coastal District Council Core Strategy and Development | The Assessment concluded <i>“that it was not possible to ascertain that Policy SP2 would have no adverse effect upon the integrity of a number of European sites</i> | There is potential for likely significant effect through recreational |

| Statutory Body | Title of HRA or Project | Findings of HRA or Project | Potential for in combination effects |
|----------------------------------|---|--|---|
| Council | Management Policies November 2011. | <p><i>(without mitigation), because of increased visitor pressure on those sites.</i></p> <p><i>However, it was considered that, if the mitigation in Sec 7.2 of the HRA is implemented, the impacts of additional housing provisions in Policy SP2 and related housing policies, alone or in combination with provision in the Ipswich Borough Core Strategy and Policies, will be reduced to an insignificant level. It was ascertained that, with the proposed mitigation, Policy SP2 and related housing policies will have no adverse effect upon the integrity of any European site.</i></p> <p><i>The Assessment concluded that there was no adverse effect upon the integrity of any European sites for the policies</i></p> <ul style="list-style-type: none"> • <i>SP5 Employment land.</i> • <i>SP8 Tourism.</i> • <i>SP13 Nuclear energy.</i> • <i>SP17 Green Space.</i> <p><i>The Assessment concluded all other policies in the Reviewed Suffolk Coastal Core Strategy and Development Management Policies document are not likely to have a significant effect on any European site". □</i></p> | <p>disturbance on the Stour and Orwell Estuaries SPA.</p> <p>However, if the mitigation measures proposed are implemented, there will be no likely significant effect.</p> |
| Suffolk Coastal District Council | Sustainability Appraisal Scoping Report November 2014. Policies and projects and Area Specific Policies DPD and Felixstowe Peninsula AAP. | <p>At the very early stage of document production, no detailed draft policies have been prepared for the Policies and projects and Area Specific Policies DPD and the Felixstowe Peninsula AAP. However, once they are available, then an HRA Scoping and Screening exercise should be undertaken to establish which policies are likely to have a significant effect on the European designations, leading to a full Appropriate Assessment if necessary.</p> | <p>There is potential for likely significant effect through recreational disturbance on the Stour and Orwell Estuaries SPA.</p> |
| Tendring District Council | Tendring District Local Development Framework. Habitats Regulations Assessment of Tendring District Council's Draft Core Strategy Final Report (Regulation 27 Consultation). November 2010. | <p>The HRA concluded that <i>"the following plans and strategies have the potential to cause in-combination impacts with the Core Strategy:</i></p> <ul style="list-style-type: none"> • <i>Colchester, Maldon, Rochford, Southend-on-Sea, Babergh, Ipswich,</i> • <i>Suffolk Coastal Strategies;</i> • <i>Essex Minerals Local Plan;</i> | <p>There is potential for likely significant effect through recreational disturbance on the Stour and Orwell Estuaries SPA.</p> <p>However, if the mitigation measures proposed are implemented</p> |

| Statutory Body | Title of HRA or Project | Findings of HRA or Project | Potential for in combination effects |
|----------------|-------------------------|--|--|
| | | <ul style="list-style-type: none"> • <i>Suffolk and Essex Rights of Way Improvement Plans</i> • <i>Essex Local Transport Plan;</i> • <i>Harwich International Container Terminal; and</i> • <i>Devereux Farm Managed Realignment Scheme</i> <p><i>However, due to the nature of the impacts and the associated interactions, providing that the measures described within the report (Sec 7) and the recommendations in Sec 9 are implemented, it is considered that the policies in the Tendring District, alone and in combination with other plans and projects can be determined as having no adverse effect on site integrity.” □</i></p> | <p>there will be no likely significant effect.</p> |

7. Summary and Conclusions

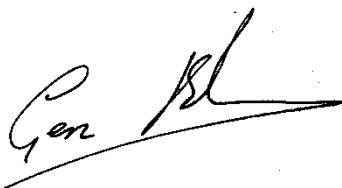
Subject to Natural England’s review, this screening report indicates that the East Bergholt Neighbourhood Plan is not, **on the basis of the amended policy text**, predicted to have likely significant effects on any European site, either alone or in combination with other plans and projects.

However a project level HRA screening report will be needed for projects such as EB14, which is likely to have recreational impacts on Stour & Orwell Estuaries SPA, to meet the requirements of the Habitats Regulations. **For Natural England to approve such a document, adequate mitigation would need to be sought and compensation agreed in order to reduce or negate any negative impacts. This should be sufficient to avoid a Likely Significant Effect from East Bergholt NDP.**

8. References

- Babergh District Council Core Strategy Submission Draft Habitats Regulations Assessment Screening September 2011 Atkins Ltd.
- Colchester BC Habitats Regulations Assessment screening opinion March 2013
- East Bergholt Neighbourhood Plan Strategic Environmental Assessment Screening Report. Babergh and Mid Suffolk November 2015
- Habitat Regulations Assessment Screening Opinion Colchester Focused Review of the Local Plan Sustainability Appraisal Report: Appendix (2013)
<http://www.colchester.gov.uk/CHttpHandler.ashx?id=11490&p=0>
- Ipswich BC Draft Core Strategy & Policies DPD Focused Review (Jan 2014) Natural England's draft HRA consultation response (letter dated 25 November 2015) from Jack Haynes
- Natural England Conservation objectives for European Sites: East of England Website:
<http://publications.naturalengland.org.uk/category/6581547796791296#content>
- Suffolk Coastal District Council Sustainability Appraisal Scoping Report November 2014 Policies and projects and Area Specific Policies DPD and Felixstowe Peninsula AAP.
- Tendring District Local Development Framework. Habitats Regulations Assessment of Tendring District Council's Draft Core Strategy Final Report (Regulation 27 Consultation). November 2010. Royal Haskoning
- Email from East Bergholt Parish Council (7 Jan 2016) agreeing to recommended changes to policy text.

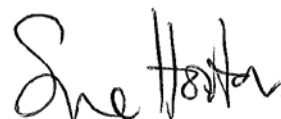
Date: 7th January 2016



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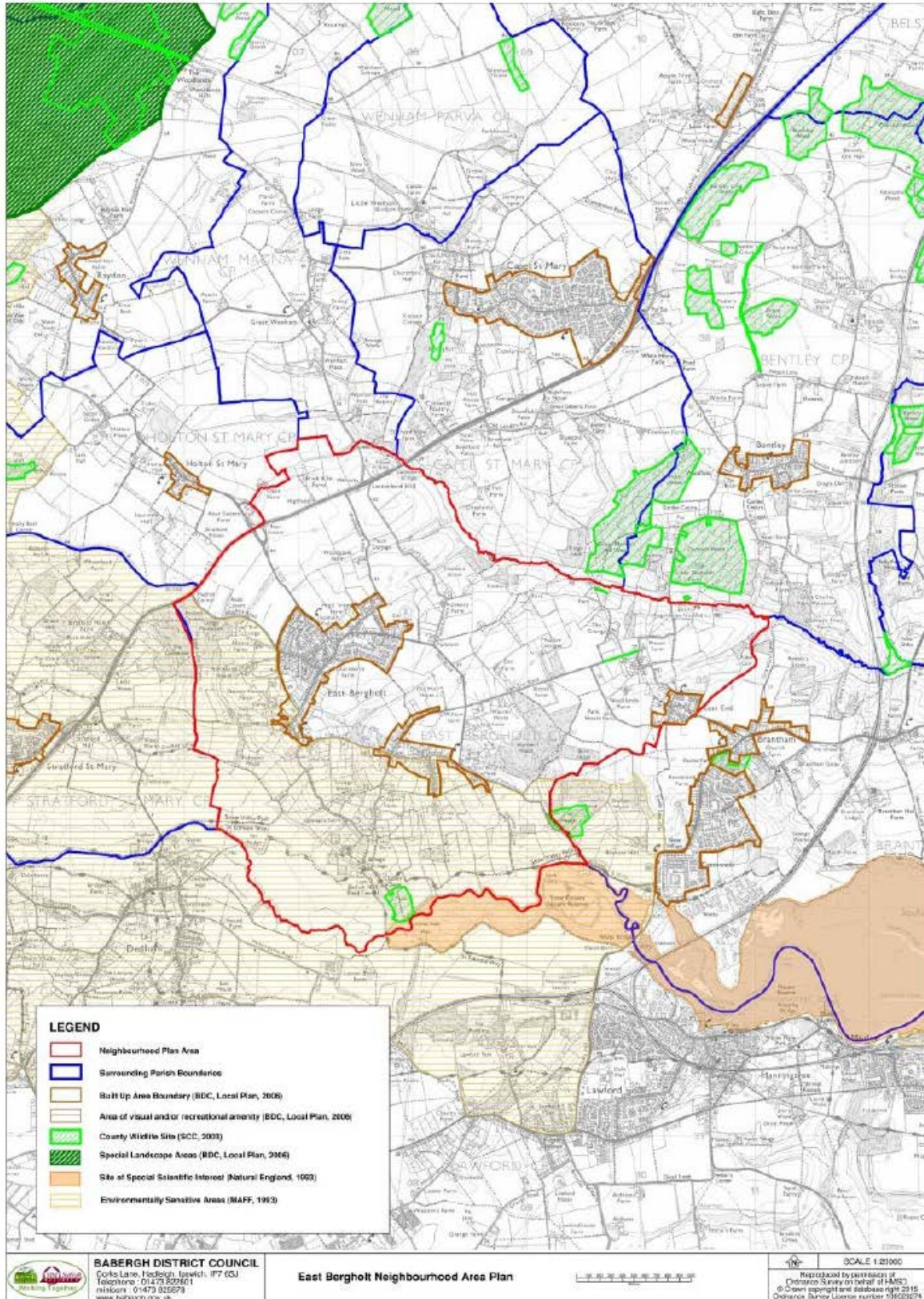
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Appendix 1

East Bergholt Neighbourhood Plan area

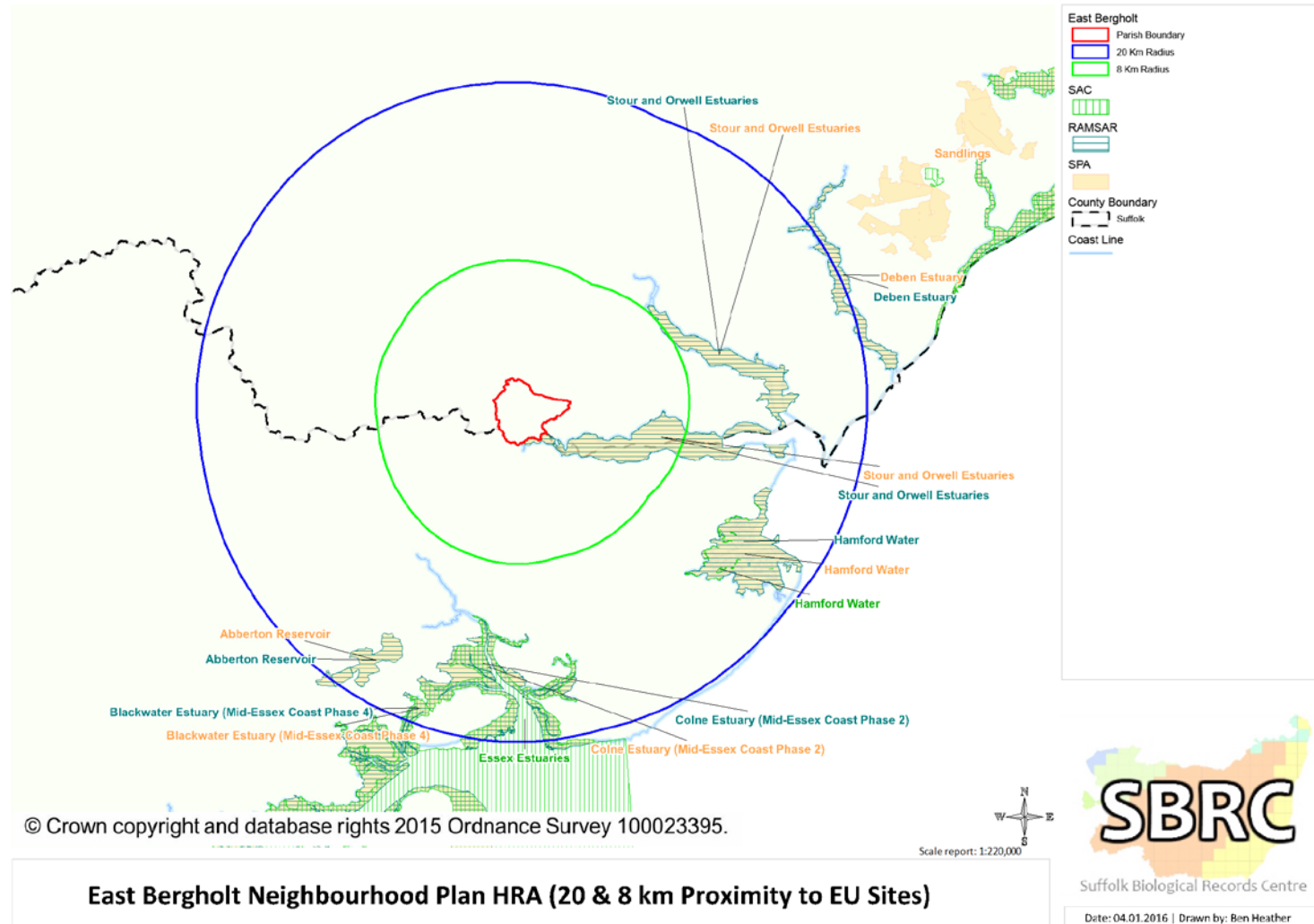
(Babergh and Mid Suffolk Strategic Environmental Assessment Screening Report Nov 2015)



Appendix 2

East Bergholt Parish and Locations of the European (Natura 2000) sites within 8 and 20 km

(Map provided by Suffolk Biological Records Centre)



East Bergholt Neighbourhood Plan HRA (20 & 8 km Proximity to EU Sites)