



Hintlesham & Chattisham Neighbourhood Plan 2025 - 2037

Strategic Environmental Assessment *and* Habitat Regulation Assessment Determination Notices

October 2025

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HINTLESHAM & CHATTISHAM NEIGHBOURHOOD PLAN 2025 - 2037

Strategic Environmental Assessment & Habitat Regulation Assessment Screening Determination Notices (October 2025)

Overview

This report, which is divided into two parts, relates to the Regulation 14 Pre-submission draft version of the Hintlesham & Chattisham Neighbourhood Plan 2025 - 2037'. A copy of this was made available for screening purposes in August.

The purpose of this document is to determine whether a Strategic Environmental Assessment (SEA) and or an Appropriate Assessment in relation to Habitat Regulation Assessment (HRA) matters are required.

Part A addresses SEA. Part B addresses HRA.

The report also refers to:

- the SEA and HRA Screening Reports that have been prepared on behalf of Babergh District Council by Land Use Consultants. These can be found online at:

<https://www.babergh.gov.uk/documents/d/babergh/hintchat-np-sea-screening-report-sept25>

<https://www.babergh.gov.uk/documents/d/babergh/hintchat-np-hra-screening-report-sept25>

- the screening consultation responses to the above from the statutory bodies reproduced in Appendix 1.

The Hintlesham & Chattisham Neighbourhood Plan contains the following vision, which underpins its objectives and policies:

In 2041 Hintlesham and Chattisham will remain as two distinct villages where development has reflected the linear form and character of these settlements as well as the distinct qualities of the landscape. Services, facilities and infrastructure will have been maintained and improved and the highways and transport networks will have been improved to meet the needs of residents

This vision and the twelve objectives then translate into thirteen policies (H&C 1 to H&C 13). The Plan does not allocate any sites for new housing or other built development but Policy H&C 1 does offer support for new (small, infill) development within the defined settlement boundary where such proposals are within an existing frontage, they would not result in backland development, and where they would not have a detrimental impact on the built and natural character of the site and its surroundings, the amenity of residents and infrastructure, including highways. The Plan also encourages the development of more one and two bedroom dwellings. Other policies in the Neighbourhood Plan address topics including the natural environment, important views, flooding, services and facilities, and the historic environment; including the designated of a Special Character Area around St Margarets church in Chattisham.

Part A - Strategic Environmental Assessment Determination

1. Introduction

One of the basic conditions that all neighbourhood plans will be tested against by the independent examiner is whether the making of that Plan is compatible with European Union obligations, as incorporated into UK law. Whether a neighbourhood plan requires a SEA and the level of detail needed will depend on what is proposed in the draft Neighbourhood Plan and the characteristics of the local area.

2. Legislative Background

European Union Directive 2001/42/EC (the SEA Directive), transposed into UK law through the SEA Regulations, 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 & 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 a SEA Screening Statement, which must be publicly available.

In accordance with Regulation 9 of the SEA Regulations 2004, Hintlesham & Chattisham Parish Council (the qualifying body) asked Babergh District Council (BDC) (the responsible authority) to determine whether an environmental report on their pre-submission draft neighbourhood plan was required due to significant environmental effects. In making this determination, BDC have had regard to Schedule 1 of the Regulations.

In line with the advice contained within the National Planning Policy Framework (NPPF) and Planning Practice Guidance, the Plan's potential scope has been assessed against the criteria set out in Schedule 1 of the 2004 Environmental Assessment Regulations. As mentioned already, Land Use Consultants (LUC) were commissioned to prepare a screening report to assess whether SEA would be required.

SEA can be required in some limited situations where a sustainability appraisal is not needed. Neighbourhood Planning is one of these situations. Sustainability Appraisals (SAs) may 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.

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, NPPF Planning Practice Guidance states that there is no legal requirement for a neighbourhood plan to undertake 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 whether the plan is likely to have significant environmental effects. This is the purpose of the SEA Screening Report.

3. Criteria for determining likely significance of effects

The criteria are set out in the following table:

1. The characteristics of plans and programmes, having regard, in particular, to:
 - a) 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,
 - b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy
 - c) (the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - d) environmental problems relevant to the plan or programme,
 - e) 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:
 - a) the probability, duration, frequency and reversibility of the effects,
 - b) the cumulative nature of the effects,
 - c) the trans-boundary nature of the effects,
 - d) the risks to human health or the environment (e.g. due to accidents),
 - e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - f) the value and vulnerability of the area likely to be affected due to:
 - i) special natural characteristics or cultural heritage,
 - ii) exceeded environmental quality standards or limit values,
 - iii) intensive land-use,
 - g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

[Source: Schedule 1 of Environmental Assessment of Plans & Programmes Regulations 2004]

4. Assessment

The Neighbourhood Plan vision, and a summary of its policies are set out in the Overview. A full assessment of the likely effects of the Plan are set out in the relevant screening report.

5. SEA Screening Conclusion

The LUC Screening Report concludes that the Hintlesham & Chattisham NP “...does not directly impact on land use through the allocation of sites for housing or other forms of development” and that, on this basis, “the Plan is unlikely to have significant environmental effects and that full SEA is therefore not required.”

Consultation on the SEA Screening Report was carried out with the Environment Agency (EA), Historic England (HE), and Natural England (NE). Written responses were received from all three and are replicated in Appendix 1.

- The EA response refers to both flood risk and water quality matters. On the former, it advises that as long as future development is steered away from areas prone to fluvial flood risk it does not consider there to be any potential significant environmental effects. On water quality, it refers to the local Water Recycling Centre and that, as long as this Plan does not allocate sites for growth development across the plan period [which it does not], the EA do not have any significant

concerns. With regard to windfall development, they suggest that consideration for water quality should be captured in a relevant policy. Such matters are covered by Policy LP26 - Water Resources and infrastructure in the Babergh and Mid Suffolk Joint Local Plan - Part 1 (November 2023), so do not need to be repeated in this neighbourhood plan.

- HE have concluded that, 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], that the preparation of a Strategic Environmental Assessment is not required.
- NE have concluded that, on the basis of the material supplied with the consultation, that significant effects on statutorily designated nature conservation sites or landscapes are unlikely.

6. SEA Determination

In the light of the SEA Screening Report (Sept 2025) prepared by LUC and having considered the responses to this from the three statutory consultees, it is our determination that the Hintlesham & Chattisham Neighbourhood Plan 2025 - 2037 does not require a Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.

Part B – Habitats Regulations Determination

1. Introduction

It is a requirement of European Law that a plan or project is subject to an assessment to determine whether it is likely to have a significant effect on the integrity of any 'European Site', in terms of impacting on the site's conservation objectives.

Submitted neighbourhood plans need to be accompanied by a statement to explain how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a Habitats Regulations Assessment (HRA). This is one of the matters that will be tested at the independent examination.

The assessment itself and the level of detail needed will depend on what is proposed in the draft Neighbourhood Plan and the potential impacts on Habitats Sites designated for their nature conservation interest.

This report therefore determines whether a HRA under the UK Conservation of Habitats and Species Regulations 2017, which enacts the Habitats Directive¹, is required for the Hintlesham & Chattisham Neighbourhood Plan NP.

2. Legislative Background

One of the basic conditions that neighbourhood plans must meet is that:

"The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017"

¹ Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>.

The Conservation of Habitats and Species Regulations 2017 include regulations on the assessment of plans (including neighbourhood plans) and projects on a Habitats Site (European Site or a European offshore marine site). The first stage is to screen the plan to see whether it is likely to have a significant effect on any Habitats sites. If the plan is 'screened-in' because likely significant effects cannot be ruled out, the next stage is for an Appropriate Assessment to be carried out considering the impact on the Habitats site's conservation objectives. Consent for the Plan can only be given if it is 'screened-out' at the first stage, or the Appropriate Assessment concludes the integrity of the Habitats site will not be adversely affected.

Case law is also relevant, including most notably the 'People over Wind' and 'Holohan' rulings. The 'People Over Wind, Peter Sweetman v Collie Teoranta' judgement ruled that it is not permissible to take account of measures intended to reduce or avoid any harmful effects of a plan or project on a European Site at the screening stage. Any mitigation measures can now only be considered at the appropriate assessment stage. The 'Holohan and Others v An Bord Pleanála' judgement also imposes more detailed requirements on the competent authority for any plans or projects at the Appropriate Assessment stage, including, but not limited to cataloguing the entirety of habitat types and species for which a site is protected and being beyond reasonable scientific doubt concerning the effects of the work envisaged on the site concerned.

3. Assessment

In determining whether a proposed development plan or programme is likely to have significant effects, the local authority must incorporate the 'precautionary principle' into its decision. This means that if there is uncertainty as to whether the plan or programme would cause significant effects on a Habitats Site, the full Appropriate Assessment would be required.

The neighbourhood plan vision, and a summary of its policies are set out in the Overview. A full assessment of the likely effects of the Plan are set out in the relevant screening report. The screening has also been prepared in accordance with the relevant CJEU judgements.

The following European sites were identified for inclusion in the HRA on the basis of being within 20km of Hintlesham and Chattisham Parish:

- Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site
- Hamford Water Special Conservation Area (SAC), SPA and Ramsar site
- Deben Estuary SPA and Ramsar site

The Sandlings SPA was found to be just outside of the 20km buffer zone, so was not included in the list above.

4. HRA Screening Conclusion

The Screening Report concludes that: *'... no likely significant effects are predicted on European sites as a result of the Hintlesham & Chattisham Neighbourhood Plan, either alone or in combination with other policies and proposals..'*

and that: *"An Appropriate Assessment is not required."*

Consultation on the HRA Screening Report was carried out with the Environment Agency (EA) and Natural England (NE). Their responses are set out in Appendix 1.

- The EA response does not specifically comment on HRA matters.
- NE have concluded, on the basis of the material supplied with the consultation, that significant effects on Habitats sites, either alone or in combination, are unlikely.

5. HRA Determination

In light of the HRA Screening Report (Sept 2025) prepared by LUC and having considered the responses to this from the statutory consultees, it is our determination that the Hintlesham & Chattisham Neighbourhood Plan 2025 - 2037 is 'screened out' from further assessment under the Habitats Regulations 2017 and that an Appropriate Assessment is not required.

Appendix 1



Paul Bryant
Babergh District Council
Endeavour House Russell Road
Ipswich
Suffolk
IP1 2BX

Our ref: AC/2025/133012/01-L01
Your ref: HandCNHP
Date: 08 September 2025

Dear Paul

HINTLESHAM & CHATTISHAM NEIGHBOURHOOD PLAN - SEA/HRA SCREENING

HINTLESHAM AND CHATTISHAM

Thank you for consulting us on the Strategic Environmental Assessment Screening Report for the Hintlesham and Chattisham Neighbourhood Plan.

Flood Risk

Based on a review of environmental constraints for which we are a statutory consultee, we find that there are areas of fluvial flood risk and watercourses within the neighbourhood plan area. In particular, we note that the boundary does extend into areas of Flood Zones 2 and 3 of the designated main River Gipping.

On the basis that future development is steered away from the sensitive aspects of the environment highlighted, we do not consider there to be potential significant environmental effects relating to these environmental constraints. Nevertheless, we recommend the inclusion of relevant policies to cover the management of flood risk. Allocation of any sites and any windfall development delivered through the Plan period should follow the sequential approach. National Planning Policy Framework (NPPF) paragraph 161 sets this out.

Water Quality

We have identified that the Plan area boundary includes the Water Recycling Centre Hintlesham, which is currently exceeding its permitted capacity. Providing the Plan does not allocate sites for growth development across the Plan period, we do not have any significant concerns. We would still expect to see consideration for any windfall developments captured in a relevant policy for Water Quality in the catchment of the Plan Area and serving WRC.

Informative

We encourage you to seek ways in which your neighbourhood plan can improve the local environment. For your information, together with Natural England, Historic England and Forestry Commission we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: [How to consider the environment in Neighbourhood plans - Locality Neighbourhood Planning](#).

We trust that this advice is useful.

Yours sincerely

Miss Lucy Fielder
Sustainable Places - Planning Advisor

Team e-mail Planning.eastanglia@environment-agency.gov.uk

Team number 02084 745242

By e-mail dated 17 September 2025

**Hintlesham and Chattisham Neighbourhood Plan –
SEA Screening Opinion**



Historic England

Dear Paul,

Thank you for inviting Historic England to comment on this consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Therefore, we welcome this opportunity to review the Screening Report for this plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Hintlesham and Chattisham Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

The Screening Report indicates that the Council considers that the plan will not have any significant effects on the historic environment. We note that the plan does not propose to allocate any sites for development.

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 a Strategic Environmental Assessment is not required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 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 correspondence. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Please do contact me, either via email or the number below, if you have any queries.

Kind regards,

Ross McGivern (he/him)

Historic Places Adviser

East of England Region | Partnerships Team | East of England

Historic England | Brooklands | 24 Brooklands Avenue | Cambridge | CB2 8BU

Date: 26 September 2025
Our ref: 525733
Your ref: Hintlesham & Chattisham Neighbourhood Plan



Mr Paul Bryant
Babergh & Mid Suffolk District Councils

BY EMAIL ONLY
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T 0300 060 3900

Dear Mr Bryant

Hintlesham & Chattisham Neighbourhood Plan - SEA & HRA Screening Consultation

Thank you for your consultation on the above dated and received by Natural England on 8 September 2025.

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: Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)

It is Natural England's advice, on the basis of the material supplied with the consultation, that:

- **significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,**
- **significant effects on Habitats sites¹, either alone or in combination, are unlikely.**

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the [Planning Practice Guidance](#). This identifies three triggers that may require the production of an SEA:

- 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.

¹ Habitats sites are those referred to in the [National Planning Policy Framework](#) (Annex 2 - glossary) as "any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites".

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's [standing advice](#) on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to consultations@naturalengland.org.uk

Yours sincerely

Sally Wintle
Consultations Team