

Lawshall Neighbourhood Plan Review SEA Screening Opinion

Final report

Prepared by LUC
November 2022

Lawshall Neighbourhood Plan Review

SEA Screening Opinion

Version	Status	Prepared	Checked	Approved	Date
1.	Draft SEA screening report	O. Price	O. Dunham	K. Nicholls	18.11.2022
2.	Final SEA screening report	O. Dunham	O. Dunham	K. Nicholls	24.11.2022

Bristol
Cardiff
Edinburgh
Glasgow
London
Manchester

landuse.co.uk

Land Use Consultants Ltd
Registered in England
Registered number 2549296
Registered office:
250 Waterloo Road
London SE1 8RD

100% recycled paper

Landscape Design
Strategic Planning & Assessment
Development Planning
Urban Design & Masterplanning
Environmental Impact Assessment
Landscape Planning & Assessment
Landscape Management
Ecology
Historic Environment
GIS & Visualisation



OHS627041

Contents

Chapter 1
Introduction **1**

Chapter 2
SEA Screening **3**

Scope of the Neighbourhood Plan	3
Baseline Information	4
SEA Screening	5
SEA Screening Conclusion	9
Next Steps	9

Chapter 1

Introduction

1.1 Lawshall Parish Council is in the process of preparing a new Neighbourhood Plan (the Lawshall Neighbourhood Plan Review 2021-2037). This will replace the existing Lawshall Neighbourhood Plan which was made in 2017. Unless stated otherwise, all references to the 'Neighbourhood Plan' in this screening report mean the new Plan.

1.2 Lawshall is located within Babergh District and lies just west of the A134 which runs between Bury St Edmunds and Sudbury. LUC has been appointed by Babergh and Mid Suffolk District Councils to consider whether there is a need for Strategic Environmental Assessment (SEA) to be undertaken for the new Neighbourhood Plan.

1.3 SEA may be required for a Neighbourhood Plan if it is likely to have significant environmental effects. Sustainability Appraisal (SA) is similar to SEA but includes assessment of the likely significant effects of a plan or programme on economic and social factors, as well as environmental factors. Planning Practice Guidance¹ (PPG) clarifies that there is no legal requirement for a Neighbourhood Plan to be subject to SA, but that SA can be used to demonstrate how the plan will contribute to sustainable development.

1.4 Babergh and Mid Suffolk District Councils have commissioned LUC to carry out SEA Screening of a draft version of the Lawshall Neighbourhood Plan Review 2021-2037 in order to determine whether an assessment is required under European Directive 2001/42/EC (the SEA Directive), transposed into UK law through the SEA Regulations².

1.5 On 11th May 2022 the Government published the Levelling up and Regeneration Bill, which sets out in detail the Government's proposals for reforming the planning system. Amongst other things, the Bill proposes the replacement of the current SEA regime with a new requirement for an Environmental Outcomes Report. The specific requirements will be set out in forthcoming regulations, along with information about transition arrangements; however at present

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

² The Environmental Assessment of Plans and Programmes Regulations 2004 (SI 2004/1633), as amended by The Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit)

Regulations 2018 (SI 2018/1232). It should be noted that the purpose of the amendments to the SEA Regulations is to ensure that the law functions correctly after the UK has left the European Union. No substantive changes are made to the way the SEA regime operates.

Chapter 1

Introduction

Lawshall Neighbourhood Plan Review
November 2022

the requirement for SEA remains as set out in existing legislation.

Chapter 2

SEA Screening

Scope of the Neighbourhood Plan

2.1 Lawshall Parish Council has prepared a Regulation 14 Pre-Submission Draft version of its new Neighbourhood Plan which is being subject to public consultation in October/November 2022.

2.2 The Lawshall Neighbourhood Plan covers the entire parish. The Pre-Submission Neighbourhood Plan includes a vision and 13 objectives for the long-term future of Lawshall. The Plan is organised around six themes:

- Natural Environment
- Amenities and Services
- Historic Environment
- Housing
- Infrastructure
- Development Design

2.3 The Neighbourhood Plan then sets out 23 planning policies (LWL 1 – LWL 23). Many of these policies are carried over from the 2017 Lawshall Neighbourhood Plan, and are revised to varying degrees.

2.4 While the Neighbourhood Plan does not allocate any new dwellings or other built development, Policy LWL 1 – Spatial Strategy for Lawshall states that proposals within the settlement boundary will be supported provided they accord with other provisions in the development plan. Outside the settlement boundary, development proposals will only be permitted where they do not have a detrimental impact on heritage and landscape designations, as well as not undermining important gaps between settlements defined on the Policies Map.

2.5 Policy LWL 2 – Housing Development provides for around 26 additional dwellings within the Neighbourhood Plan area up to 2037. This growth will be met through the completion of existing planning permissions as of 1 August 2022 and the development of small brownfield 'windfall' sites.

2.6 The remaining policies address a wide range of topics including the local green spaces, heritage assets, community facilities, employment and development design.

Baseline Information

2.7 This section summarises baseline information for the parish of Lawshall, drawing from the information set out in the Pre-Submission Consultation Draft Lawshall Neighbourhood Plan Review 2021-2037 (October 2022).

Context

2.8 Lawshall is a rural parish within the Babergh District of the County of Suffolk, eastern England. It is located approximately nine miles south of Bury St. Edmunds and about 10 miles north of Sudbury. Lawshall parish is made up of a string of hamlets, totalling 2,900 acres.

Biodiversity, flora and fauna

2.9 There are no internationally designated sites within the parish, the nearest being Breckland SAC and SPA around 18km and 11km, respectively, to the north west of Lawshall. Additionally, Waveney and Little Ouse Valley Fens SAC and Redgrave and South Lopham Fens Ramsar are both located around 25km to the north east of Lawshall.

2.10 Frithy and Chadacre Wood SSSI lies within the parish and it consists of three ancient and semi-natural woods of wet ash, maple and hazel. The SSSI also has pedunculate Oak and other tree scrub/species (Aspen, Wild Cherry, Midland Hawthorn, Hornbean, Crab apple, holly, Spindle and Common Dogwood). As such, the parish also sits within the Impact Risk Zones (IRZs) for the SSSI, which flags up various scales and types of development as a potential risk.

2.11 There are patches of priority habitats deciduous woodland, traditional orchard, and good quality semi-improved grassland throughout the parish. There are also 10 designated local green spaces.

2.12 A priority species, Lapwing, can be found within the parish. Also, the Parish's farms are home to many wildlife including Muntjack deer and Badgers.

Population

2.13 Based on ONS mid-2020 population estimates, the population of Lawshall was 1,022 residents. According to the 2011 Census, the average resident's age was 44.2 years, while 39.1% of residents were aged 30-59 and 22.4% were aged 65 and over. The gender balance was 48.9% male and 51.1% female.

2.14 Ethnic diversity is very low with 98.8% of residents being white, only 0.1% Asian/Asian British and 0.1% Black/African/Caribbean/Black British.

2.15 The 2011 Census showed 70.9% of the population were in some form of employment (part time, full time or self-employed) and 75.2% were economically active. A further

24.8% were economically inactive as a result of retirement, providing care, long-term sickness or disability.

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

Human Health

2.17 According to the 2011 Census, Lawshall residents consider their health to be:

- Very Good: 51.1%
- Good: 31.9%
- Fair: 13.0%
- Bad: 2.8%
- Very Bad: 1.1%

Soil

2.18 Lawshall Parish comprises mainly Grades 2 and 3 agricultural land. However, it is not known if any or all of the Grade 3 land is Grade 3a (classed as best and most versatile agricultural land) or the lower quality Grade 3b.

2.19 There is one type of soil found within the parish: lime-rich loamy and clayey soils with impeded drainage.

Water

2.20 The Environment Agency's Flood Risk Maps for planning indicate that the entirety of the parish lies within Flood Zone 1 and therefore has a lower probability of flooding. There is an area of Flood Zones 2 and 3 to the east of the village.

Air and Climatic Factors

2.21 There are no Air Quality Management Areas (AQMAs) that have been declared within or near to Lawshall Parish, the nearest being in Sudbury.

2.22 Climate data are not available at parish level, but within Babergh District as a whole, reductions in overall carbon emissions of 38% were achieved between 2005 and 2020. This reduction was mostly due to progress in reducing emissions from domestic sources, closely followed by industrial and commercial sectors, with minimal progress on transport emissions. Transport makes the largest contribution to carbon emissions in Babergh District.

2.23 The 2011 census shows most households have a car, with only 8.9% having no car. Travel by private vehicle within Lawshall is higher than the Babergh District average due to the lack of choice of sustainable modes of transport within the parish.

Material Assets

2.24 Two of Lawshall's most notable buildings are All Saints Church and Lawshall Hall. The Hall, re-built in 1557, is available for private hire and hosts a Tuesday Club for local villagers. Further assets in the parish include a public house, school, three churches, stables, cottages, woodlands and farms. The settlement is based on its three main centres: The Street, Lambs Lane and Bury Road.

2.25 Compared to other parishes within the area, there is a limited network of public rights of way in Lawshall.

2.26 A public consultation during the preparation of the 2017 Neighbourhood Plan identified a strong community consensus that public transport was very poor within the parish and in need of improvement. The parish has a bus service to Sudbury via the 375 bus which runs through the parish, however the services are very infrequent.

Cultural Heritage

2.27 Lawshall has an ancient history which dates back to the Bronze Age. The villages buildings range from the 15th century to the 21st century. The parish has one Grade I Listed Building (All Saints Church), one Grade II* Listed Building (Lawshall Hall) and 25 Grade II Listed Buildings which are evenly distributed around the parish.

2.28 None of these assets are on Historic England's 'Heritage at Risk' register.

2.29 There are a number of buildings and structures of Local Significance within the parish. The Neighbourhood Plan identifies 26 of these. In addition, although there is no designated Conservation Area within the parish, the Neighbourhood Plan designates a Special Character Area which covers many of the parish's Listed Buildings and a number of the buildings and structures of Local Significance.

Landscape

2.30 There are no designated landscapes within or close to Lawshall Parish. the closest being Dedham Vale Area of Outstanding Natural Beauty (AONB) which is 16km to south east.

2.31 The Suffolk Landscape Character Assessment found two landscape character types in the parish: Undulating ancient farmlands and Ancient rolling farmlands. The majority of the parish falls within "Undulating ancient farmlands" but in the east of the parish between Lawshall Green and the A134 the area is defined as "Ancient rolling farmlands".

2.32 A Character Assessment was also undertaken in support of the 2017 Neighbourhood Plan which identified a number of key landscape features that are of significance to the parish. The Lawshall Area of Local Landscape Sensitivity, which includes Frithy Wood, was designated as part of the 2017 Neighbourhood Plan and is still identified as such within the Neighbourhood Plan review.

SEA Screening

2.33 An assessment has been undertaken to determine whether the Pre-Submission Stage Consultation Draft version of the Lawshall Neighbourhood Plan (October 2022) requires SEA in accordance with the SEA Regulations.

2.34 **Figure 2.1** overleaf presents the flow diagram entitled 'Application of the SEA Directive to plans and programmes' which is taken from the Practical Guide to the Strategic Environmental Assessment Directive, published in September 2005. This is a useful guide when considering whether a plan should be subject to SEA (The Practical Guide has been superseded by the National Planning Practice Guidance; however, it still provides a useful and relevant guide to the process to use in making SEA screening decisions).

Figure 2.1 Application of the SEA Directive to plans and programmes

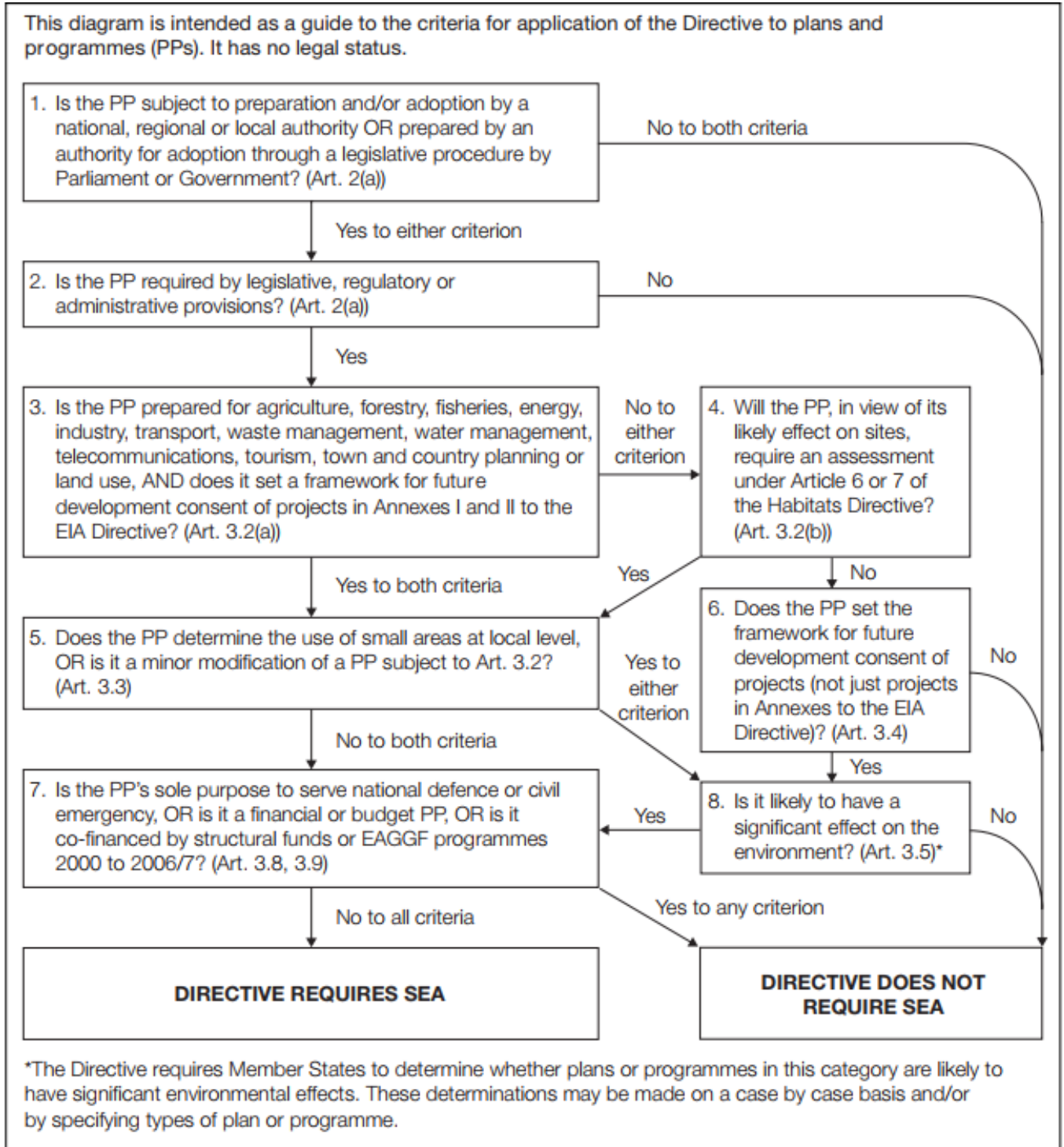


Table 2.1 Application of SEA Directive to Lawshall Neighbourhood Plan

Stage	Yes/No	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	The Neighbourhood Plan is being prepared under the Localism Act 2011 and will be adopted ('made') by the Local Authority (Babergh District Council) as part of the statutory development plan. Move to Q2.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	No	The Neighbourhood Plan is being prepared under the Localism Act 2011 and in accordance with the Neighbourhood Planning (General) Regulations 2012. However, there is no requirement to produce a Neighbourhood Plan; it is an optional plan. Once made it will become part of the statutory development plan. Therefore, it should continue to be screened. Move to Q3.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Yes and No	The Neighbourhood Plan is being prepared for town and country planning and land use, but it does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive. Move to Q4.
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	No	HRA screening of the Neighbourhood Plan has been undertaken separately on behalf of Babergh District Council and has concluded that the Neighbourhood Plan is not likely to have significant effects on European sites, either alone or in combination. No: Move to Q6.
6. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	Yes	The Neighbourhood Plan does not allocate sites for development; however, it includes policies which proposals for development within the parish will be assessed against. Move to Q8.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	See Table 2.2 . SEA IS NOT REQUIRED.

2.35 Schedule 1 of the SEA Regulations sets out the criteria for determining the likely significance of effects. These are listed in **Table 2.2** below along with comments on the extent to which the Lawshall Neighbourhood Plan meets these criteria.

Table 2.2 Likely Significant Effects

SEA Requirement	Comments
The characteristics of plans and programmes, having regard, in particular, to:	
1. the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	Once made, the Neighbourhood Plan will become part of the statutory development plan and will guide the delivery of development in Lawshall Parish, including in terms of design. The Neighbourhood Plan does not allocate sites for residential or other forms of development. The adopted Babergh Core Strategy (2014) identifies Lawshall as a Hinterland Village in Policy CS2 – Settlement Pattern. This policy seeks to direct development to towns/urban areas (which includes

SEA Requirement	Comments
	<p>the Ipswich Fringe) and to the Core Villages and Hinterland Villages, and states that development in the countryside will only be permitted in exceptional circumstances subject to a proven justifiable need. The Core Strategy (2014) made provision for 1,050 homes to be delivered within the Core and Hinterland Villages over the Plan period to 2031.</p> <p>The emerging Babergh and Mid Suffolk Joint Local Plan identifies Lawshall as a parish with four Hamlet Villages: Lawshall – Bury Road, Lawshall – Lambs Lane, Lawshall – Street and Lawshall – Lawshall Green. While the new Local Plan is not yet adopted (this is expected to be sometime in 2023), it has been taken into consideration in the preparation of the Neighbourhood Plan. It is noted that the Regulation 19 (Pre-Submission) version of the Joint Local Plan (November 2020) makes provision for building at least 9,611 new homes across Babergh between 2018 and 2037 and it is proposed that 4% of these will be in the Hamlets. For Lawshall specifically, the emerging Joint Local Plan proposes an additional 23 homes in the parish, of which three had planning permission as of 1 April 2018. As at 1 August 2022, there were permissions for 26 new homes in Lawshall that had yet to be finished.</p>
2.the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	<p>The Neighbourhood Plan has to be in general conformity with the local strategic framework (i.e. the adopted Babergh Core Strategy (2014) and the emerging Babergh and Mid Suffolk Joint Local Plan). The Neighbourhood Plan must also have regard to the National Planning Policy Framework. The Neighbourhood Plan does not have influence over other plans. Once made, the Neighbourhood Plan will form part of the statutory development plan for Lawshall Parish and will be used in conjunction with the emerging Babergh and Mid Suffolk Joint Local Plan (once adopted) to determine planning applications.</p>
3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	<p>One of the Basic Conditions which the Neighbourhood Plan must meet is to contribute to sustainable development.</p>
4. environmental problems relevant to the plan or programme,	<p>Baseline information relating to Lawshall Parish was described earlier in this chapter. Key issues of relevance to the Neighbourhood Plan are the presence of Frithy and Chadacre Wood SSSI within the parish, as well as high-quality agricultural land and a number of designated heritage assets.</p>
5. the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	<p>N/A</p>
<p>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p>	
6. the probability, duration, frequency and reversibility of the effects,	<p>The Neighbourhood Plan does not allocate sites for housing or other forms of development. The Lawshall Neighbourhood Plan covers the period up to 2037. Effects of the Lawshall Neighbourhood Plan are expected to be indirect (due to not allocating sites) but long-term and permanent.</p>
7. the cumulative nature of the effects,	<p>Cumulative effects could result from the Neighbourhood Plan in combination with development that takes place in the surrounding towns and villages, although the Neighbourhood Plan does not allocate sites for housing or other forms of development.</p> <p>The Adopted Babergh Core Strategy (2014) identifies Lawshall as a Hinterland Village in the settlement hierarchy. Policy CS3 made provision for 1,050 homes to be delivered within the Core and Hinterland Villages over the Plan period to 2031. The emerging Babergh and Mid Suffolk Joint Local Plan identifies a minimum housing requirement for Lawshall of 23 new homes although three of these already had planning permission as of 1 April 2018 and as of</p>

SEA Requirement	Comments
	1 st August 2022, there were permissions for 26 new homes in Lawshall that had yet to be finished.
8. the transboundary nature of the effects,	The Neighbourhood Plan focuses on Lawshall Parish only. Transboundary effects under the SEA Regulations refers to transboundary effects on EU Member States; therefore, they are not relevant to this Neighbourhood Plan.
9. the risks to human health or the environment (e.g. due to accidents),	There are no anticipated risks to human health or the environment from the Neighbourhood Plan.
10. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	The Neighbourhood Plan covers all of Lawshall Parish. According to the ONS mid-2020 population estimates the population of the parish was 1,022.
11. the value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> ■ special natural characteristics or cultural heritage, ■ exceeded environmental quality standards or limit values, ■ intensive land-use, 	The nationally designated Frithy and Chadacre Wood SSSI lies within the boundary of the parish. There are numerous listed buildings within Lawshall and the presence of high-quality agricultural land (Grade 2 and 3).
12. the effects on areas or landscapes which have a recognised national, Community or international protection status.	The parish does not lie within or near to an AONB or National Park.

SEA Screening Conclusion

LUC
November 2022

2.36 A screening assessment has been undertaken by applying the criteria from the SEA Directive and Schedule 1 of the SEA Regulations to determine whether or not the Lawshall Neighbour Plan is likely to have significant environmental effects when assessed against the topics listed in the SEA Regulations.

2.37 The Neighbourhood Plan sets out 23 planning policies to shape development in the parish up to 2037 and decision makers will need to consider the criteria of these policies when determining future applications in the parish. The Neighbourhood Plan does not directly impact on land use through the allocation of sites for housing or other forms of development.

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

Next Steps

2.39 This SEA screening opinion will be sent to the three statutory consultees (Natural England, Historic England and the Environment Agency) and will be reviewed as appropriate in light of any comments received.