

**Babergh & Mid Suffolk District
Councils**

**Newton Neighbourhood
Plan
SEA Screening Opinion**

Final report
Prepared by LUC
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Babergh & Mid Suffolk District Councils

Newton Neighbourhood Plan SEA Screening Opinion

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1.	Draft Report	K Nicholls O Dunham	K Nicholls	J Owen	20.10.2020
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Contents

Chapter 1
Introduction **1**

Chapter 2
SEA Screening **2**

Scope of the Newton Neighbourhood Plan	2
Baseline Information	3
SEA Screening Conclusion	8
Next steps	8

Chapter 1

Introduction

1.1 Newton Parish Council is in the process of preparing a Neighbourhood Plan. Newton is located within Babergh District, approximately 2.5km to the east of 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 Neighbourhood Plan.

1.2 SEA may be required for a Neighbourhood Plan if it is likely to have significant environmental effects. Sustainability Appraisal (SA) is similar to SEA but includes assessment of the likely significant effects of a plan or programme on economic and social factors, as well as environmental factors. Planning Practice 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.

1.3 Babergh and Mid Suffolk District Councils have commissioned LUC to carry out SEA Screening of the Pre-Submission Draft version of the Newton Neighbourhood Plan (NNP) 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 <https://www.gov.uk/government/collections/planning-practice-guidance>

² The Environmental Assessment of Plans and Programmes Regulations 2004 (SI 2004/1633), as amended by The Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018 (SI

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

Chapter 2

SEA Screening

Scope of the Newton Neighbourhood Plan

2.1 Newton Parish Council has prepared the Pre-Submission Draft (Regulation 14) version of the NNP which was subject to public consultation between August and October 2020.

2.2 The NNP covers the entire parish, including the main settlement of Newton.

2.3 The Pre-Submission Draft NNP includes a vision for the long-term future of Newton along with six objectives:

1. Ensure new development will meet Newton's needs.
2. To preserve and enhance the character of Newton as a rural village.
3. To protect local green spaces and wildlife habitat that are valued by the community.
4. To improve the resilience of the village to adapt to the impacts of climate change.
5. To promote a safer environment for pedestrians and other road users through the village.
6. To identify and enhance community assets and identify opportunities for new amenities.

2.4 Those six objectives sit within three themes, which the NNP policies are also structured around:

1. Development and character
2. Natural environment and sustainability
3. Safer environment, community assets and amenities

2.5 The NNP then sets out nine planning policies (NEWT1-9) to realise and deliver the vision. The overall development strategy for the plan area is set out in Policy NEWT1 which specifies that new development proposals in Newton should be commensurate with its designation as a Hinterland Village, and that development will be prioritised on underused parcels of land within the defined settlement boundary. Proposals for development located outside the settlement boundary will only be permitted where specific criteria are met.

2.6 There are no allocations made through the NNP for new housing or other built development, although Policy NEWT2 (concerning local housing need) sets out criteria that would apply to proposals for the development of small-scale

affordable housing schemes on rural exceptions sites outside the settlement boundary.

Baseline Information

2.7 This section summarises baseline information for the parish of Newton, drawing from the information set out in the Pre-Submission Draft NNP.

Context

2.8 Newton is a village and civil parish in the Suffolk District of Babergh, eastern England. It is located around 2.5km to the east of Sudbury. The A134 runs through the built-up area of the village, taking traffic to and from Sudbury, Colchester, Hadleigh and Ipswich. The total area of the parish is around 960ha.

Biodiversity, flora and fauna

2.9 There are no internationally designated nature conservation sites within Newton Parish. At the national level, part of Edwardstone Woods Site of Special Scientific Interest (SSSI) is located in the northern tip of the parish.

2.10 There are a number of County Wildlife Sites in the parish including Newton Green County Wildlife Site on the southern side of the A134; Alstrop Wood (also an area of Ancient Woodland) to the north of the parish; and Lord's Wood County Wildlife Site which is located in the southern tip of the parish.

Population

2.11 At the time of the 2011 Census, the population of Newton was 495 and according to the NNP consultation document it is believed to have increased to around 505 by 2019. At the time of the 2011 Census the gender balance was 49.9% male and 50.1% female while the average age of residents was 46 years.

2.12 The 2011 Census showed that there were 239 (68.1%) economically active residents aged 16 to 74 which was slightly lower than both the Babergh average of 70.3% and the England average of 69.9%.

Human Health

2.13 In terms of the health of Newton residents, just over 47% of people are classified as in very good health, 33.5% as good, 13.9% as fair, 4.2% as bad and 1.0% as very bad. These health ratings mirror the Babergh and England averages; however the 'bad' figure for Newton Parish is higher than the average for Babergh District as a whole.

Soil

2.14 The central part of the parish is comprised of two soil types: freely draining slightly acid loamy soils; and lime-rich loamy and clayey soils with impeded drainage. The south western and north eastern parts of the parish are comprised of slightly acid loamy and clayey soils with impeded drainage.

2.15 Newton Parish comprises almost entirely Grade 2 agricultural land.

Water

2.16 Almost all of the parish is outside of Flood Zones 2 and 3, aside from a small area of land in the north east of the parish (associated with a tributary of the River Box) which is within Flood Zone 3. Flood Zone 3 comprises land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year.

Air and Climatic Factors

2.17 There are no Air Quality Management Areas (AQMAs) that have been declared within Newton, the nearest being on the far side of Sudbury.

2.18 Climate data is not available at parish level, but within Babergh District as a whole, reductions in overall carbon emissions of 37% were achieved between 2005 and 2017. This reduction was mostly due to progress in reducing emissions from domestic sources, closely followed by industrial and commercial sectors, with minimal progress on transport emissions. Transport makes the largest contribution to carbon emissions in Babergh District.

Material assets

2.19 Newton's community amenities include the 14th Century All Saints Church, the Saracens Head public house (a former 14th century coaching inn), a village hall, playing field, local walks and a community allotment. The village green was converted to a golf course, where villagers can play the first nine holes for free. A mobile library visits Newton fortnightly.

2.20 The Business Survey which was undertaken in February 2019 showed that at that time there were seven operational businesses within the Newton settlement area. There were also a small number of people working from home. The most significant businesses include Newton Green Golf Club, the Saracens Public House, Mills Building Company, Homefield shed builders, Manders Auctioneers and Perrywoods Garden Centre. People working from home also provide a range of services including beauty and cosmetics, real estate, building work and garden maintenance.

2.21 The parish has a number of important open areas that make important contributions to the character and setting of the built environment. The NNP designates four local green spaces.

2.22 There are a number of bus stops along the A134 through Newton. The nearest railway station is located in Sudbury and provides services to Marks Tey via Bures, Chapel and Wakes Colne.

2.23 There are a number of Public Rights of Ways within the parish, most of which are in the south and west.

2.24 There are no general admission schools within the parish.

2.25 Part of Newton Parish (most of the eastern part) has been included within a Minerals Consultation Area in the Suffolk Minerals Core Strategy.

Cultural heritage

2.26 Of the 229 dwellings in the village of Newton, 37 are Grade II listed. The 14th century All Saints church is Grade II* listed. It is of flint construction and was rebuilt in the 14th century to replace an earlier Norman structure including the north, oldest, doorway, which is believed to date from the mid-12th century.

2.27 Although there are no designated Conservation Areas in the village, there are a number of distinctive historic assets that reflect the local character of Newton. In particular, the area around the Green is significant because the 45-acre open space is flanked by listed buildings and dwellings of significant interest. Numerous important trees, hedges and other natural features such as ancient ponds are also situated within the Green. Consequently, the Green is classified in draft

Policy LP28 of the Emerging Joint Local Plan as a Designated Open Space. Any development proposals within this area will need to demonstrate how they are sensitive to the special characteristics of the area.

2.28 None of the heritage assets within Newton are on the Historic England 'Heritage at Risk' register.

Landscape

2.29 Newton parish sits within an area classified in the Suffolk Landscape Character Assessment as Ancient Rolling Farmlands, which are rolling clayland landscapes dissected by river valleys. The area retains much of the organic pattern of ancient and species-rich hedgerows and associated ditches.

2.30 There are no nationally designated landscapes within or immediately adjacent to Newton although Dedham Vale AONB is just over 2km to the south east of the parish at the nearest point.

SEA Screening

2.31 An assessment has been undertaken to determine whether the Regulation 14 Pre-Submission Draft NNP requires SEA in accordance with the SEA Regulations.

2.32 **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 Directive³, 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).

³https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

Figure 2.1 Application of the SEA Directive to plans and programmes

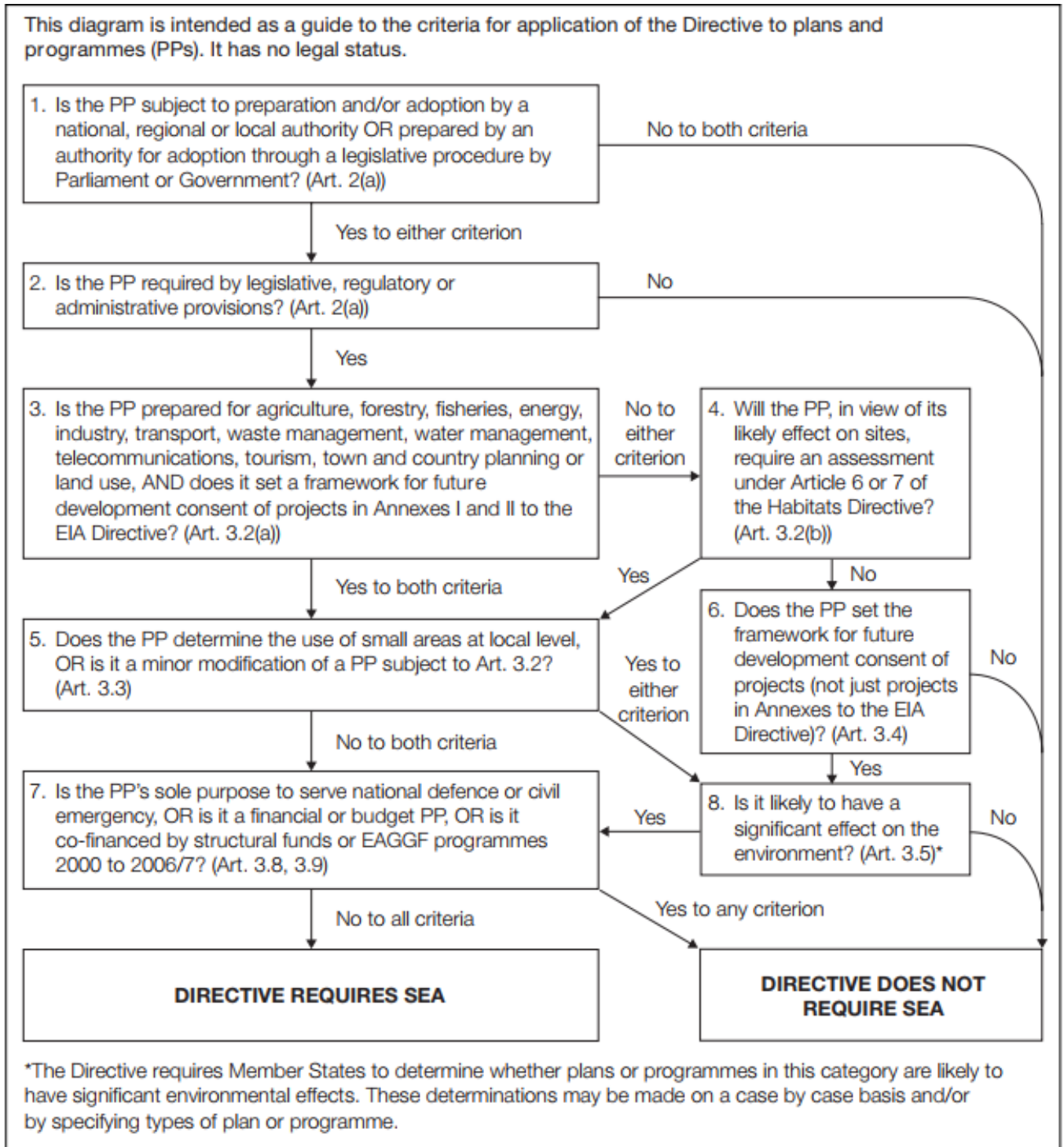


Table 2.1: Application of SEA Directive to the Newton Neighbourhood Plan

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 NNP 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 NNP 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 NNP 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. The NNP 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))	Unlikely	As the NNP does not allocate sites for housing or employment development it is considered unlikely that the NNP will require assessment under the Habitats Directive. 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)	No	The NNP does not allocate sites for development although it does direct the design of future housing sites through setting design criteria. Move to Q8 for assessment of significant effects.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	See Table 2.2 . SEA IS NOT REQUIRED.

2.33 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 NNP 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 NNP will become part of the statutory development plan and will guide the delivery of development in Newton Parish, including in terms of design. The NNP does not allocate sites for residential or other forms of development. The adopted Babergh Core Strategy (2014) identifies Newton as a Hinterland Village in Policy CS2 – Settlement Pattern. This policy seeks to direct development to towns/urban areas and to the Core Villages and Hinterland Villages. The Core Strategy provides for a total of 1,050 dwellings at the Hinterland Villages over the Plan period to 2031.

SEA Requirement	Comments
	The emerging Babergh and Mid Suffolk Joint Local Plan also identifies Newton as a Hinterland Village. While the new Local Plan is unlikely to be adopted until 2021, it has been taken into consideration in the preparation of the NNP. It is noted that the Preferred Options Joint Local Plan document makes provision for building 9,343 new homes across Babergh between 2018 and 2036 and that it is proposed that 10% of these will be in the Hinterland Villages. For Newton specifically, the Preferred Options document identifies a minimum figure of 23 new homes. As there are 25 units either completed or with planning permission, Newton has already achieved its minimum requirement.
2.the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The NNP 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 NNP must also have regard to the National Planning Policy Framework. The NNP does not have influence over other plans. Once made, the NNP will form part of the statutory development plan for Newton Parish and will be used in conjunction with the emerging Babergh and Mid Suffolk Joint Local Plan (once adopted) to determine planning applications.
3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	One of the Basic Conditions which the NNP must meet is to contribute to sustainable development.
4. environmental problems relevant to the plan or programme,	Baseline information relating to Newton Parish was described earlier in this chapter. Key issues of relevance to the NNP are the presence of high-quality agricultural land in the parish, the presence of a SSSI and several County Wildlife Sites, and the presence of a number of designated heritage assets.
5. the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	N/A
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	
6. the probability, duration, frequency and reversibility of the effects,	The NNP does not allocate sites for housing or other forms of development. Instead, it sets out policies supporting the delivery of small-scale affordable housing opportunities subject to their accordance with specified criteria. The NNP covers the period up to 2036. Effects of the NNP are expected to be indirect (due to not allocating sites) but long-term and permanent.
7. the cumulative nature of the effects,	Cumulative effects could result from the NNP in combination with development that takes place in the surrounding towns and villages, although the NNP does not allocate sites for housing or other forms of development. As the emerging Babergh and Mid Suffolk Joint Local Plan is at an early stage in its development, it is not yet possible to assess the amount and location of development that may result from that Plan within and close to Newton. Through the emerging Joint Local Plan, the village of Newton is allocated a housing delivery figure of 23 which has already been met through completions and existing commitments. The Adopted Babergh Core Strategy (2014) identifies Newton as a 'hinterland village' in the settlement hierarchy, with the expectation that new development should meet local needs.
8. the transboundary nature of the effects,	The NNP focuses on Newton Parish only. Transboundary effects under the SEA Regulations refers transboundary effects on other EU Member States; therefore they are not relevant to the NNP.

SEA Requirement	Comments
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 NNP.
10. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	The NNP covers all of Newton Parish. The population of the parish, is estimated to be around 500 people.
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, 	Newton Parish is home to a number of County Wildlife Sites and one SSSI. There are 37 listed dwellings and a Grade II* listed church. The parish lies almost entirely within Grade 2 agricultural land.
12. the effects on areas or landscapes which have a recognised national, Community or international protection status.	There are no designated landscapes within Newton Parish, the nearest being Dedham Vale AONB over two kilometres to the south east.

SEA Screening Conclusion

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

2.35 The NNP sets out a vision and detailed planning policies to shape development in the parish up to 2036 and decision makers will need to consider the criteria of these policies when determining future applications in the parish. It does not directly impact on land use through the allocation of sites for housing or other forms of development.

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

2.37 Please note, this conclusion is based on the assumption that the HRA Screening exercise that is being carried out separately will conclude that Appropriate Assessment under the Habitats Regulations is not required. Should this not be the case, the need for HRA will automatically trigger a requirement for SEA to be carried out on the NNP.

Next steps

2.38 This SEA screening option 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.