



Sproughton Neighbourhood Plan 2018 - 2037

Strategic Environmental Assessment Screening Determination

Regulation 11 of the Environmental Assessment
of Plans and Programmes Regulations 2004

September 2022

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SPROUGHTON NEIGHBOURHOOD PLAN

STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING DETERMINATION

1. Introduction

This assessment relates to a post pre-submission draft version of the ‘Sproughton Neighbourhood Development Plan 2018 - 2037’ [the Sproughton NP], a copy of which was made available for screening in May 2022.

In some circumstances a neighbourhood plan could have significant environmental effects and may fall within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 and require a Strategic Environmental Assessment (SEA).

One of the basic conditions that will be tested by the independent examiner is whether the making of the 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.

This report therefore determines whether a SEA is required for the Sproughton NP. In doing so it refers to:

- The SEA Screening Report (June 2022) prepared by Land Use Consultants, which can be found online at:

<https://www.babergh.gov.uk/assets/Neighbourhood-Planning/Sproughton-NP-SEA-Screening-Report-Jun22.pdf>

- The responses to this from the Statutory Consultees (see Appendix 1).

Section 2 below sets out the legislative background. Section 3 sets out the criteria for determining the likely significance of effects. Section 4 summarises the assessment and Section 5 sets out the conclusions based on the screening assessment. The determination is set out in Section 6.

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, Sproughton Parish Council (the qualifying body) asked Babergh District Council (BDC), as the responsible authority, to screen this emerging neighbourhood plan to determine whether an environmental report 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 above, Land Use Consultants (LUC) were commissioned by Babergh District Council to prepare the 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 the likely significance of effects on the environment

The criteria are set out in the following table:

<ol style="list-style-type: none">1. The characteristics of plans and programmes, having regard, in particular, to:<ol style="list-style-type: none">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 hierarchyc) (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:<ol style="list-style-type: none">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:<ol style="list-style-type: none">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.
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[Source: Schedule 1 of Environmental Assessment of Plans & Programmes Regulations 2004]

4. Assessment

The Sproughton NP sets out the following vision which feeds into 24 objectives that sit within seven themes:

In 2037 Sproughton will be a thriving, safe parish that will have balanced the provision of housing growth with the need to maintain and enhance its special character, historic landscape and environment and ensuring that the needs of existing and future residents and businesses are respected.

The Plan then sets out 21 policies (SPTN1 to SPTN21) to realise the vision and deliver the objectives. These policies cover the overall spatial strategy, protection of the natural and historic environment and design and infrastructure considerations. The Plan does not make any site allocations for new housing or other built development.

A full assessment of the likely effects of the Plan are set out in the Screening Report. [See link in section 1 above].

5. Screening Conclusion

The Screening Report notes that the Sproughton NP sets out a vision and detailed planning policies to shape development in the Parish up to 2037 and that decision makers will need to consider the criteria of these policies when determining future applications in the Parish. It also notes that the Plan does not directly impact on land use through the allocation of sites for housing or other forms of development. On that basis, it concludes that the Sproughton NP is unlikely to have significant environmental effects and that full SEA is therefore not required.

Consultation on the Screening Report was carried out with Natural England, Historic England, and the Environment Agency.

Written responses were received from Historic England and Natural England. Both agreed with the conclusion that an SEA is not required. Their full responses are set out in Appendix 1. No formal response was received from the Environment Agency.

6. Determination

In the light of the SEA Screening Report prepared by LUC, and the responses from the two statutory bodies, it is determined that the Sproughton Neighbourhood Plan **does not require** a Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.

By e-mail dated 12 July 2022

Re: Sproughton NP SEA Screening Consultation request



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 Sproughton 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,

Edward James
Historic Places Adviser - East of England
Historic England

Brooklands | 24 Brooklands Avenue | Cambridge | CB2 8BU
www.historicengland.org.uk

By e-mail dated 12 July 2022
Re: Sproughton NP SEA & HRA Screening Consultation request



Dear Mr Bryant

ref: Consultation on Sproughton NP SEA & HRA Screening Reports (Babergh DC)
Our ref: 398226

Natural England has no further comments to make on this application.

Habitats Regulations Assessment

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects. Your assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. On the basis of the information provided, Natural England concurs with this view.

We also welcome the policy amendments contained in the updated Habitats Regulations Assessments related to recreational disturbance which will strengthen the protection for European sites (Chapter 5, SPTN 12).

Strategic Environmental Assessment

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

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on [ancient woodland and veteran trees](#) which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on [Magic](#) and as a downloadable [dataset](#)) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Yours faithfully

Daniel Turner
Lead Adviser | Sustainable Development | Norfolk & Suffolk
www.gov.uk/natural-england