

Stutton Neighbourhood Plan SEA Screening Opinion

Final report

Prepared by LUC
January 2022



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Chapter 1

Introduction

1.1 Stutton Parish Council is in the process of preparing a Neighbourhood Plan. Stutton Parish is situated on the Shotley peninsula which lies between the Orwell and Stour Rivers, approximately seven miles south of Ipswich. 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 (Regulation 14) version of the Stutton Neighbourhood Plan 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) and The Environmental Assessment

of Plans and Programmes (Amendment) Regulations 2020 (SI 2020/1531). 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 Stutton Neighbourhood Plan

2.1 Stutton Parish Council has prepared the Pre-Submission (Regulation 14) version of the Stutton Neighbourhood Plan, which has been published for consultation between 8th November and 20th December 2021. The Neighbourhood Plan covers the entire parish of Stutton. The Pre-Submission consultation document includes a vision for the long-term future of Stutton and 18 objectives that sit within seven themes:

- Spatial Strategy
- Housing
- Landscape and Natural Environment
- Leisure and Tourism
- Heritage and Culture
- Getting Around
- Community Facilities and Businesses

2.2 The Neighbourhood Plan also outlines three responsibilities that underpin the plan, as follows:

1. Protect and enhance Stutton's outstandingly beautiful landscape, and the flora and fauna we share it with, for the long-term benefit of all.
2. Support a diverse, thriving, and sustainable rural community so that people of all ages, all incomes and backgrounds, and many interests can live and, increasingly, work here. Achieving this means maintaining, enhancing, and developing the support mechanisms and community activity that make Stutton a thriving, sustainable community.
3. Share this place and this community in ways that enhance rather than destroy its unique qualities, retaining the features that make it unique and enjoyable - the peace and tranquillity, the open spaces, the village atmosphere - so that the people who live here, and the people who visit, will be able to enjoy what it offers well into the future.

2.3 The Neighbourhood Plan then sets out 23 planning policies (SN1-23) to realise and deliver the vision for Stutton. These policies are categorised under seven themes, as stated above.

2.4 The overall strategy for development in Stutton is set out in Policy SN1 - Spatial Strategy, which states that the Neighbourhood Plan area will only accommodate development commensurate with Stutton's status as a Hinterland Village. The Neighbourhood Plan notes that the emerging Joint Babergh and Mid Suffolk Local Plan (November 2020) has identified a requirement for at least 65 new homes within Stutton Parish. This requirement is met by the outstanding planning permissions granted as of 1st April 2018. As such, no sites are allocated for housing development or other built development within the Neighbourhood Plan.

2.5 Other policies in the Neighbourhood Plan address a range of topics including landscape, flooding, biodiversity, transport and the protection of the historic environment. Together these policies seek to ensure that new development in Stutton is high quality and sensitively designed so as not to have adverse impacts on the surroundings.

Baseline Information

2.6 This section summarises the baseline information for the parish of Stutton, drawing from the information set out in the Pre-Submission (Regulation 14) version of the Neighbourhood Plan.

Context

2.7 Stutton Parish is located on the Shotley peninsula which lies between the Orwell and Stour Rivers, approximately seven miles south of Ipswich.

Biodiversity, Flora and Fauna

2.8 Stutton Parish borders the Stour and Orwell Estuaries Ramsar site, Special Protection Area (SPA) and Special Site of Scientific Interest (SSSI) to the south. Stutton is located within the 13 kilometre "Zone of Influence" (ZoI) of the Stour and Orwell Special Protection Area (SPA).

2.9 There are four County Wildlife Sites within the parish, including Alton Water, Argent Manor Wood (also Ancient Woodland), Wolves Wood Meadow and Kiln Spinney. There are patches of Ancient Woodland and valued trees within the northern portion of the parish.

2.10 In addition, there is one priority habitat present, traditional orchards. Stutton is also a hotspot for Stag Beetles, which are a priority species, as well as butterflies, moths, reptiles, mammals, such as the brown hare, hedgehog and dormouse, and many wintering birds.

Population

2.11 The 2011 Census showed that Stutton had a population of 812, with 45.9% being female and 54.1% male. The mean age of the population of Stutton was 50.7 years old, compared

to 43.1 for Babergh District and 41.7 for the County of Suffolk as a whole. The percentage of people aged over 65 in 2011 was 32.4% which is much higher than the average for Babergh District (21.4%) and the national average (16.4%).

Human Health

2.12 In terms of the health of Stutton residents, according to the 2011 Census, 42.5% of people were classified as in very good health, 35.7% as good, 16.4% as fair, 4.1% as bad and 1.4% as very bad. These health statistics are similar to those for Babergh District and for England as a whole.

Soil

2.13 Stutton Parish is comprised of freely draining lime rich soils.

2.14 The parish is comprised of Grades 2 and 3 agricultural land. It is not known if this land is Grade 3a (classed as high quality) or the lower quality Grade 3b.

Water

2.15 The Environment Agency's Flood Risk Maps for planning indicate that the entirety of the southern section of Stutton Parish lies within Flood Zones 2 and 3. In addition, the area around Alton Water Reservoir in the northern portion of the parish lies within Flood Zones 2 and 3. However, much of the areas within Flood Zones 2 and 3 lie outside of the built up areas of the parish. The rest of the parish lies within Flood Zone 1 and therefore has a lower probability of flooding.

Air and Climatic Factors

2.16 There are no Air Quality Management Areas (AQMAs) that have been declared within Stutton, the nearest being approximately 9.07 km away in Ipswich.

2.17 Climate data is not available at parish level, but within Babergh District as a whole, reductions in overall carbon emissions of 30% were achieved between 2005 and 2019. 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

2.18 Stutton Parish has a number of services and facilities including two pubs, St. Peters Church, a primary school and adjoining nursery, a community hall, a hairdresser, local garage servicing, and a volunteer-run community shop. There are 40 small businesses in the parish.

2.19 Stutton is well served with Public Rights of Way (PRoWs), which run throughout the centre of the parish and provide access to the wider countryside to the north. In addition, there are play facilities and fields and allotments within the parish.

2.20 There are no GP surgeries within the parish.

2.21 In terms of public transport, the 92 bus connects Stutton to Manningtree and Ipswich, providing regular services until 5:30pm on weekdays; however there is limited service on Saturdays and no service on Sundays.

Landscape

2.22 The land to the south of Holbrook Road/Manningtree Road (the B1080) lies within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). In July 2020, the AONB was extended to the west of the village down to Samford Valley.

2.23 The Suffolk County Council Landscape Character Assessment identifies four landscape types in Stutton Parish:

- Plateau Estate Farmlands;
- Rolling Valley Farmlands;
- Ancient Estate Farmlands; and
- Rolling Estate Farmlands.

Cultural Heritage

2.24 There are 30 listed buildings in Stutton Parish, 26 of which are Grade II and four of which are Grade II* (Church of St Peter, Crowe Hall, Stutton Hall and its Garden Wall and Gateway). There are no buildings in Stutton on Historic England's Buildings at Risk Register.

SEA Screening

2.25 An assessment has been undertaken to determine whether the Pre-Submission (Regulation 14) version of the Stutton Neighbourhood Plan requires SEA in accordance with the SEA Regulations.

2.26 **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

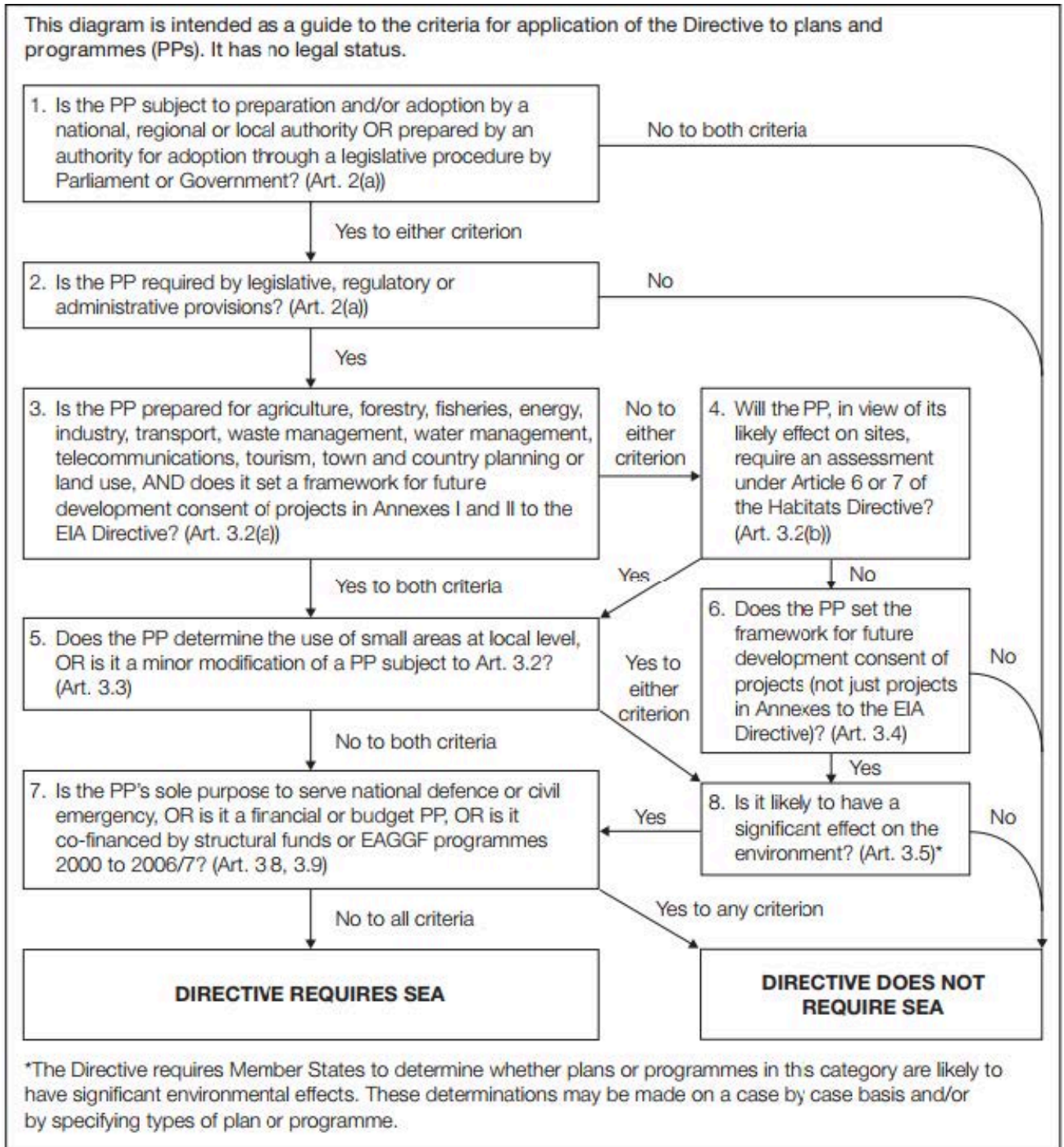


Table 2.1: Application of SEA Directive to the Stutton Neighbourhood Plan

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 Stutton 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 Stutton 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 Stutton 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))	Yes	HRA screening (January 2022) of the Stutton Neighbourhood Plan has been undertaken separately on behalf of Babergh District Council and the outcome of that work is that an Appropriate Assessment is required. Yes: Move to Q5.
5. Does the PP 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)	Yes and No	The Stutton Neighbourhood Plan does not allocate any sites for development although it sets out policies that will apply to proposals for development within the Neighbourhood Plan area. It is not a minor modification of a PP subject to Art.3.2. Move to Q8.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	Yes	See Table 2.2. SEA IS REQUIRED

2.27 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 Stutton Neighbourhood Plan meets these criteria.

Table 2.2: Likely Significant Effects

SEA Requirement	Comments
The characteristics of the 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	Once made, the Stutton Neighbourhood Plan will become part of the statutory development plan and will guide the delivery of development in Stutton Parish, including in terms

SEA Requirement	Comments
<p>to the location, nature, size and operating conditions or by allocating resources.</p>	<p>of design. The Stutton Neighbourhood Plan does not allocate sites for residential or other forms of development.</p> <p>The adopted Babergh Core Strategy (2014) identifies Stutton 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. Hinterland Villages will accommodate some development to help meet the needs within them.</p> <p>While the new Local Plan is unlikely to be adopted until 2022, it has been taken into consideration in the preparation of the Stutton Neighbourhood Plan. It is noted that the Regulation 19 (Pre-Submission) version of the Joint Local Plan (JLP) (November 2020) makes provision for building at least 9,611 new homes across Babergh between 2018 and 2037 and that it is proposed that 9% of these will be at the Hinterland Villages. In the emerging JLP, a housing requirement of 65 is identified for Stutton. The Neighbourhood Plan highlights that 65 new homes are under construction, recently completed or have planning permission. Therefore, there is no requirement for the Neighbourhood Plan to identify additional housing or employment sites.</p>
<p>2. The degree to which the plan or programme influences other plans and programmes including those in a hierarchy</p>	<p>The Stutton 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 Stutton Neighbourhood Plan must also have regard to the National Planning Policy Framework. The Stutton Neighbourhood Plan does not have influence over other plans. Once made, the Stutton Neighbourhood Plan will form part of the statutory development plan for the Stutton Parish and will be used in conjunction with the emerging Babergh and Mid Suffolk Joint Local Plan (once adopted) to determine planning applications.</p>
<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>	<p>One of the Basic Conditions which the Stutton Neighbourhood Plan must meet is to contribute to sustainable development.</p>
<p>4. Environmental problems relevant to the plan or programme.</p>	<p>Baseline information relating to Stutton was described earlier in this chapter. Key issues of relevance to the Neighbourhood Plan are the proximity of the Stour and Orwell Estuaries Ramsar site, Special Protection Area (SPA), and Special Site of Scientific Interest (SSSI), the presence of four County Wildlife Sites, Ancient Woodland and priority habitats and species within the parish. There are also designated heritage features and areas of high quality agricultural land within the parish.</p>
<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>	<p>N/A</p>
<p>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p>	

SEA Requirement	Comments
6. The probability, duration, frequency and reversibility of the effects.	The Stutton Neighbourhood Plan does not allocate sites for housing or other forms of development. The Stutton Neighbourhood Plan covers the period up to 2037. Effects of the Stutton Neighbourhood Plan are expected to be indirect (due to not allocating sites) but long-term and permanent.
7. The cumulative nature of the effects.	<p>Cumulative effects could result from the Stutton Neighbourhood Plan in combination with development that takes place in the surrounding towns and villages, although the Stutton Neighbourhood Plan does not allocate sites for housing or other forms of development.</p> <p>The emerging Babergh and Mid Suffolk JLP identifies a minimum housing requirement of 65 new homes for Stutton, all of which are either completed, under construction or have planning permission. The Stutton Neighbourhood Plan does not allocate sites for housing or other forms of development</p> <p>The Adopted Babergh Core Strategy (2014) identifies Stutton as a 'Hinterland Village' in Policy CS2. This policy seeks to direct development to towns/urban areas and to the Core Villages and Hinterland Villages. Hinterland Villages will accommodate some development to help meet the needs within them.</p>
8. The transboundary nature of the effects.	The Neighbourhood Plan focuses on Stutton Parish only. Transboundary effects under the SEA Regulations refers transboundary effects on other EU Member States; therefore they are not relevant to the 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 Stutton Neighbourhood Plan.
10. The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The Stutton Neighbourhood Plan covers all of Stutton Parish. The population of the parish in 2011 was 812 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; and ■ Intensive land-use. 	Part of the parish lies within the Suffolk Coast and Heaths AONB. The parish also lies adjacent to the Stour and Orwell Estuaries Ramsar site, Special Site of Scientific Interest (SSSI) and Special Protection Area (SPA) and is within the 13 kilometre "Zone of Influence" (Zoi) of the Stour and Orwell SPA. There are four County Wildlife Sites, areas of Ancient Woodland and priority habitats and species present in the parish. There are 30 Listed Buildings within the parish. The parish contains a significant proportion of Grade 2 and 3 agricultural land.
12. The effects on areas or landscapes which have a recognised national, Community or international protection status.	The land to the south of Holbrook Road/Manningtree Road (the B1080) lies within the Suffolk Coast and Heaths AONB.

SEA Screening Conclusion

2.28 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 Stutton Neighbourhood Plan is likely to have significant environmental

effects when assessed against the topics listed in the SEA Regulations.

2.29 The Stutton Neighbourhood Plan sets out a vision, objectives and detailed 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. Although, the Neighbourhood Plan does not directly impact on land use through the allocation of sites for housing or other forms of development, the separate January 2022 HRA Screening Report prepared on behalf of Babergh District Council by Place Services has concluded that an Appropriate Assessment is required as Policies SN11, SN14 and SN22 may result in a likely significant effect on one or more European sites. **On this basis, it is considered that the Stutton Neighbourhood Plan is likely to have significant environmental effects and that full SEA is therefore required.**

Next Steps

2.30 This SEA screening report 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.

LUC
January 2022