

Lavenham Neighbourhood Plan 2023 SEA Screening Opinion

Final report

Prepared by LUC
October 2022

Lavenham Neighbourhood Plan 2023
SEA Screening Opinion

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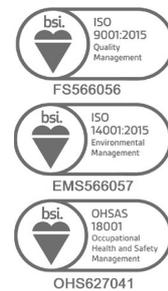
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Chapter 1

Introduction

1.1 Lavenham Parish Council is in the process of preparing a new Neighbourhood Plan (the Lavenham Neighbourhood Plan 2023). This will replace the existing Lavenham Neighbourhood Plan (LNP1) which was made in 2016. Unless stated otherwise, all references to the 'Neighbourhood Plan' in this screening report mean the new Plan.

1.2 Lavenham is located within Babergh District, approximately six miles to the north east of Sudbury and 11 miles from Bury St Edmunds which lies to the north west. 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 Lavenham Neighbourhood Plan 2023 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

Lavenham Neighbourhood Plan 2023

October 2022

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

Chapter 2

SEA Screening

Scope of the Neighbourhood Plan

2.1 Lavenham Parish Council are preparing a Regulation 14 Pre-submission draft of their new Neighbourhood Plan which will be subject to public consultation in late 2022.

2.2 The Lavenham Neighbourhood Plan covers the entire parish and is organised around four themes:

- Theme 1: Climate Change (Lavenham to respond with efficiency at the local level to the climate change emergency).
- Theme 2: A flourishing community, thriving and resilient.
- Theme 3: Protecting our heritage and landscape.
- Theme 4: Movement of people and vehicles.

2.3 The Neighbourhood Plan then sets out 42 planning policies (LAV1 – 42). Many of these policies are carried over from the 2016 Lavenham Neighbourhood Plan. The new policies now place a strong emphasis on climate change.

2.4 While the Neighbourhood Plan does not allocate any new dwellings or other built development, Policy LAV 13 – A Spatial Strategy for Lavenham 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 will be restricted to a small number of uses including rural exception sites and replacement dwellings. Standalone renewable energy infrastructure will also be supported outside the settlement boundary subject to landscape considerations.

2.5 The remaining policies address a wide range of topics including community facilities, green spaces, heritage, the economy and transport.

Baseline Information

2.6 This section summarises baseline information for the parish of Lavenham, drawing from the information set out in the working draft Neighbourhood Plan 2023 and published supporting evidence including the updated Landscape Character and Sensitivity Assessment Report and the Design Guide.

Context

2.7 Lavenham is a rural parish within the Babergh District of the County of Suffolk, eastern England. It is located approximately six miles to the north east of Sudbury and around 11 miles from Bury St. Edmunds which lies to the north west.

Biodiversity, flora and fauna

2.8 There are no internationally designated sites within the parish, the nearest being Breckland SPA approximately 20km to the north west and Stour and Orwell Estuaries SPA approximately 21km to the south east.

2.9 Lineage Wood and Railway Track Site of Special Scientific Interest (SSSI) lies immediately to the west of the parish and extends slightly within the boundary of Lavenham. There are Impact Risk Zones (IRZs) around the SSSI which flag up various scales and types of developments as a potential risk, and the entirety of the parish is within the Impact Risk Zone for Lineage Wood and Railway Track SSSI.

2.10 The Railway Walks Local Nature Reserve crosses from the west through the centre of the parish. There are some small areas of Ancient Woodland in the parish, mainly to the south of the village of Lavenham.

Population

2.11 The population of Lavenham was 1,722 residents according to the 2011 Census. Of these people, based on ONS population estimates for 2020, 38.9% were aged over 65 compared to 18.5% nationally and the population aged under 30 was 21.9% compared to 37.6% nationally. The gender balance was 47.7% male and 52.3% female.

2.12 Ethnic diversity is low with 95.2% of people being white British. A further 0.7% of people are white Irish, while 0.5% are white European and 0.2% are Gypsy or Irish Traveller. 0.5% are Asian British.

2.13 The 2011 Census showed that 60% of the population was in some form of employment (full-time, part-time or self-employed), with 3.9% unemployed or in full-time education. A further 36% were economically inactive which consists of being retired, providing care, long-term sick or disabled.

2.14 There is no predominant employment sector in the parish, with employment sources including tourism, building services, professional services, retail, health and education services.

Human Health

2.15 According to the 2011 Census, Lavenham's residents considered their health to be:

- Very good: 37.6%
- Good: 39%
- Fair: 17.3%
- Bad: 4.6%
- Very Bad: 1.5%

Soil

2.16 Lavenham Parish comprises mainly Grade 3 agricultural land; however, it is not known if any or all of this is Grade 3a (classed as best and most versatile agricultural land) or the lower quality Grade 3b. There is an area of Grade 2 agricultural land to the north west of the parish.

2.17 There are two types of soils found within Lavenham: most of the parish is covered by lime-rich loamy and clayey soils with impeded drainage, while an area in the south of the parish comprises slightly acid loamy and clayey soils with impeded drainage.

Water

2.18 The Environment Agency's Flood Risk Maps for planning indicate that the majority 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, which is associated with Lavenham Brook, which is part of the River Brett main river system. Some parts of the village site on the floodplain adjacent to the river.

Air and Climatic Factors

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

2.20 Climate data are 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.

2.21 Most households had a car according to the 2011 Census, with only 18.3% having no car.

Material Assets

2.22 The village hall was completed in 2005 and is a busy central meeting point for many clubs, societies and leisure activities. It houses the library, and hosts an award-winning Farmers Market every month. The village has a butchers, a bakery, a pharmacy and three general stores, as well as a

variety of hospitality venues and retail outlets supporting the important tourist trade. Together with other services, business units, and a doctors' surgery, these facilities establish Lavenham's credentials as a Core Village within the Babergh area. Lavenham has playing fields and tennis courts, and several children's play areas. The northern part of Lavenham is included within a Minerals Consultation Area in the Suffolk Minerals Core Strategy.

Cultural Heritage

2.23 The historic core of the village is a Conservation Area. There are 201 listed buildings, 13 of which are Grade I listed, and the village layout is much as it was when first laid out in 1257 by Lord of the Manor Hugh de Vere, Earl of Oxford. The Market Cross, a Scheduled Ancient Monument, dates back 1502. Lavenham village was built in five distinct phases and is an example of a medieval village.

Landscape

2.24 There are no designated landscapes within or close to Lavenham Parish, the nearest being Dedham Vale Area of Outstanding Natural Beauty (AONB) which is approximately 9km to the south east.

2.25 The Suffolk County Landscape Character appraisal identifies two landscape character types within the parish: Rolling Valley Farmlands and Ancient Rolling Farmlands. The Lavenham Landscape Character & Sensitivity Assessment identified seven Landscape Character Areas around the core of the village ranging from level farmed uplands to the steep-sided River Brett valley. There are also 12 Defined Views selected by residents as important.

SEA Screening

2.26 An assessment has been undertaken to determine whether the draft version of the Lavenham Neighbourhood Plan 2023 requires SEA in accordance with the SEA Regulations.

2.27 **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

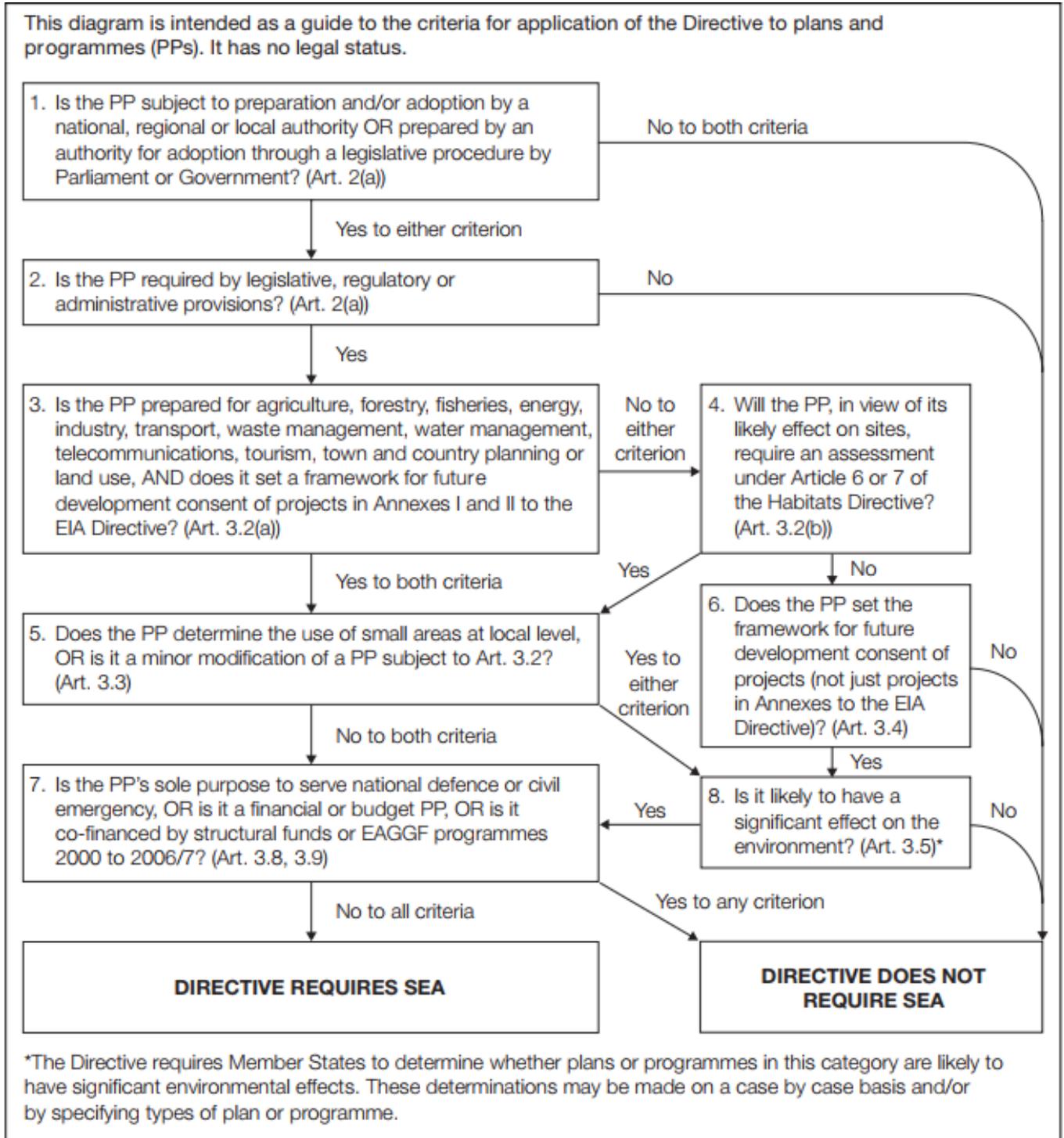


Table 2.1 Application of SEA Directive to the Lavenham Neighbourhood Plan

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.

2.28 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 Lavenham 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 Lavenham 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 Lavenham as a Core Village in Policy CS2 – Settlement Pattern. This policy seeks to direct development to towns/urban areas (which includes 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.

SEA Requirement	Comments
	<p>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 Lavenham as a Core Village. 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 that it is proposed that 28% of these will be in the Core Villages. For Lavenham specifically, the emerging Joint Local Plan proposes an additional 118 homes in the parish, of which 98 had planning permission as of 1 April 2018.</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 Lavenham 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 Lavenham Parish was described earlier in this chapter. Key issues of relevance to the Neighbourhood Plan are the proximity of Lineage Wood and Railway Track SSSI, the presence of potentially high-quality agricultural land in the parish, the presence of land within Flood Zone 3 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 Lavenham Neighbourhood Plan covers the period up to 2037. Effects of the Lavenham 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 Lavenham as a Core 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 Lavenham of 118 new homes although 98 of these already had planning permission in April 2018.</p>
8. the transboundary nature of the effects,	<p>The Neighbourhood Plan focuses on Lavenham Parish only. Transboundary effects under the SEA Regulations refers</p>

SEA Requirement	Comments
	transboundary effects on other 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 Lavenham Parish. According to the 2011 Census the population of the parish was 1,722.
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 Lineage Wood and Railway Track SSSI lies slightly within the boundary of the parish. There are numerous listed buildings within Lavenham and the core of the village is designated as a Conservation Area. There is potentially high quality (Grade 3) agricultural land in the parish.
12. the effects on areas or landscapes which have a recognised national, Community or international protection status.	The parish does not lie within or very near to an AONB or National Park.

SEA Screening Conclusion

2.29 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 Lavenham Neighbourhood Plan 2023 is likely to have significant environmental effects when assessed against the topics listed in the SEA Regulations.

2.30 The Neighbourhood Plan sets out 42 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.

2.31 On this basis, it is considered that the Lavenham Neighbourhood Plan 2023 is unlikely to have significant environmental effects and that full SEA is therefore not required.

Next Steps

2.32 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.

LUC
October 2022