



# **Laxfield Neighbourhood Plan**

## **Strategic Environmental Assessment Screening Determination**

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

**May 2020**

## Contents

|   | Page |
|---|------|
| 1. Introduction   | 2    |
| 2. Legislative Background                                   | 2    |
| 3. Criteria for assessing the effects of Planning Documents | 3    |
| 4. Assessment   | 4    |
| 5. Screening Conclusion                                     | 4    |
| 6. Determination  | 4    |
| Appendix 1: Responses from Statutory Consultees             | 5    |

# LAXFIELD NEIGHBOURHOOD PLAN

## STRATEGIC ENVIRONMENTAL ASSESSMENT DETERMINATION

### 1. Introduction

This assessment relates to the 'Laxfield Neighbourhood Development Plan 2018 – 2036' which was published for Regulation 14 Pre-submission consultation in late February 2020.

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. Whether a neighbourhood plan requires a Strategic Environmental Assessment 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 Strategic Environmental Assessment is required for the Laxfield Neighbourhood Plan. In doing so it refers to:

- The SEA Screening Report prepared by Land Use Consultants [*hereafter referred to as LUC*] which can be viewed at: [www.midsuffolk.gov.uk/LaxfieldNP](http://www.midsuffolk.gov.uk/LaxfieldNP)
- 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 and the responses of the statutory consultees. The determination is set out in Section 6.

### 2. Legislative Background

European Union Directive 2001/42/EC 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 and 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, Laxfield Parish Council (the qualifying body) requested Mid Suffolk District Council (MSDC), as the responsible authority, to determine whether an environmental report on the emerging Laxfield Neighbourhood Plan is required due to significant environmental effects. In making this determination, MSDC should have regard to Schedule 1 of the Regulations.

Pre-Submission Consultation on this draft plan was carried out between late February and early April 2020. In line with the advice contained within the National Planning Policy Framework (NPPF) and Planning Practice Guidance, the plan's potential scope should be assessed at an early stage against the criteria set out in Schedule 1 to the Environmental

Assessment of Plans and Programmes Regulations 2004. As indicated above MSDC therefore commissioned LUC to prepare a screening report to assess whether an SEA would be required.

A 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 its 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 referred to in Article 3(5) of Directive 2001/42/EC**

The criteria are set out in the following table:

|  |
|--|
| <p>The characteristics of plans and programmes, having regard, in particular, to:</p> <ol style="list-style-type: none"><li>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,</li><li>2. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy</li><li>3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,</li><li>4. environmental problems relevant to the plan or programme,</li><li>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).</li></ol> <p>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p> <ol style="list-style-type: none"><li>6. the probability, duration, frequency and reversibility of the effects,</li><li>7. the cumulative nature of the effects,</li><li>8. the trans-boundary nature of the effects,</li><li>9. the risks to human health or the environment (e.g. due to accidents),</li><li>10. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),</li><li>11. the value and vulnerability of the area likely to be affected due to:<ul style="list-style-type: none"><li>o special natural characteristics or cultural heritage,</li><li>o exceeded environmental quality standards or limit values,</li><li>o intensive land-use,</li></ul></li><li>12. the effects on areas or landscapes which have a recognised national, Community or international protection status.</li></ol> |
|--|

[Source: Annex II of SEA Directive 2001/42/EC]:

## 4. Assessment

The Neighbourhood Plan includes the following Vision Statement:

*“[Laxfield] should be a vibrant, inclusive place to live for all residents, that it values and cares for all generations and takes particular care of its young and old people. We want to live in a greener and more sustainable way, reducing our reliance on cars and facilitating conditions for a range of employment types in the locality. We value our natural environment and our built heritage and will work actively to maintain and enhance them for future generations as well as developing village amenities and outdoor leisure facilities to encourage everyone to live active and healthy lives.”*

The draft Plan then sets out twenty planning policies structured around seven main themes. Of those, two are site specific housing allocation policies, both of which already benefit from the grant of planning permission. Other policies seek to shape future development within the designated plan area and to protect and enhance the natural and built environment.

A full assessment of the likely effects of the Plan is set out in the Screening Report dated March 2020 prepared by LUC. A copy of this can be viewed at:

<https://www.midsuffolk.gov.uk/assets/Neighbourhood-Planning/Laxfield-NP-SEA-Screening-Report-Mar20.pdf>

## 5. Screening Conclusion

The Screening Report prepared by LUC notes that the neighbourhood plan allocates two small sites for residential development and that both already have planning permission. It also recognises residential development allocated through the Plan could have a range of environmental effects both during construction and afterwards but, given the number of new home being -planned for, the scale of such effects will be small. It also recognises that other policies in both the neighbourhood plan and adopted / emerging policies at the district level may also provide mitigation.

On that basis, it considers that the Laxfield Neighbourhood Plan does not have the potential to have significant environmental affects and can therefore been ‘**screened out**’ for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC.

Consultation on the Screening Report was carried out with the three statutory bodies. All agreed with the conclusion of the Screening Report and their responses are reproduced at Appendix 1.

## 6. Determination

In the light of the SEA Screening Report for consultation prepared by Land Use Consultant and the responses to this from the statutory bodies it is determined that the Laxfield Neighbourhood Plan **does not require** a Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.

Date: 22 May 2020  
Our ref: 315542  
Your ref: Laxfield NP - SEA / HRA Screening Consultation



[communityplanning@baberghmidsuffolk.gov.uk](mailto:communityplanning@baberghmidsuffolk.gov.uk)

**FAO Paul Bryant**  
**BY EMAIL ONLY**

Customer Services  
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CW1 6GJ

T 0300 060 3900

Dear Mr Bryant

**Screening consultation: Neighbourhood Plan SEA / HRA Screening Consultation.**  
**Location: Laxfield.**

Thank you for your consultation on the above dated 27 April 2020 that was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**Screening Opinion Report: Strategic Environmental Assessment (SEA)**

Natural England concur with the conclusions of the SEA Screening Opinion Report. It is our advice, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), that the neighbourhood plan does not have the potential to have significant environmental effects in relation to the baseline, and that SEA is therefore not required.

**Screening Report: Habitats Regulations Assessment (HRA)**

Natural England agrees with the conclusion of the "Habitats Regulations Assessment (HRA): Screening Report – April 2020" that the Pre-Submission draft Laxfield Neighbourhood Plan is not predicted to have any Likely Significant Effect on any international site, either alone or in combination with other plans and projects.

For any queries relating to the specific advice in this letter only please contact me on [REDACTED]. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

Yours sincerely,

Patrick Robinson.  
Norfolk and Suffolk Area Team



Ms Karen Gregory  
Laxfield Parish Council  
Hill Farm Barn  
Badingham  
Woodbridge  
IP13 8JL

Our Ref: AE/2020/125125/01-L01

Your ref: SEA Screening

Date: 06 May 2020

Dear Ms Gregory

**LAXFIELD (SUFFOLK) NEIGHBOURHOOD PLAN – SEA SCREENING OPINION**

**LAXFIELD PARISH COUNCIL HILL FARM BARN BADINGHAM WOODBRIDGE IP13 8JL**

Thank you for consulting us on 27 April 2020 regarding the SEA screening report for the Laxfield Neighbourhood Plan.

We have reviewed the screening opinion, as submitted, and can confirm that we do not disagree with the conclusion which states that the plan has been screened out.

We are satisfied that the two development sites proposed by the plan already benefit from planning permission and do not present any environmental concerns under the constraints which fall within our remit.

Yours sincerely

Mr Mark Macdonald  
Planning Advisor

Environment Agency  
Iceni House Cobham Road, Ipswich, IP3 9JD.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)  
End

**By e-mail dated Thur 28 May 2020**

Re: Laxfield NP – SEA / HRA Screening Consultation



Historic England

Dear Paul,

I apologise for the time it has taken to respond to this.

I have now had a chance to review the documentation provided and have concluded that the allocation of sites LAX 3 and 4 are unlikely to result in significant effects from the perspective of designated heritage assets, and we note that they have already benefitted from planning permission.

I trust that this is helpful, but if you have any queries please contact me.

Kind regards,

Edward James  
Historic Places Advisor, East of England

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