



# **Little Waldingfield Neighbourhood Plan**

## **Strategic Environmental Assessment Screening Determination**

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

**June 2020**

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# LITTLE WALDINGFIELD NEIGHBOURHOOD PLAN

## STRATEGIC ENVIRONMENTAL ASSESSMENT DETERMINATION

### 1. Introduction

This assessment relates to a draft of the 'Little Waldingfield Neighbourhood Development Plan 2018 – 2036' which was made available for screening in advance of Parish Council commencing their Regulation 14 Pre-submission consultation in early June 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 Little Waldingfield 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.babergh.gov.uk/LittleWaldingfieldNP](http://www.babergh.gov.uk/LittleWaldingfieldNP)
- 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, Little Waldingfield Parish Council (the qualifying body) requested Babergh District Council (BDC), as the responsible authority, to determine whether an environmental report on the emerging Neighbourhood Plan is required due to significant environmental effects. In making this determination, BDC should have 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 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 BDC 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>○ special natural characteristics or cultural heritage,</li><li>○ exceeded environmental quality standards or limit values,</li><li>○ 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>
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[Source: Annex II of SEA Directive 2001/42/EC]

## 4. Assessment

The Neighbourhood Plan includes the following Vision Statement:

*“In 2036 Little Waldingfield will be a distinct vibrant rural village accommodating limited sustainable development together with facilities and services that:*

- *Meets the needs of the local community;*
- *Respects the high quality historic and natural environment; and*
- *Embraces new technology”*

The draft Plan contains nineteen planning policies. It provides for around 10 additional dwellings to be built over the plan period, of which 3 are expected to come forward on two allocated sites. All benefit from existing planning permissions. Other plan policies seek to realise and deliver the vision.

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

<https://www.babergh.gov.uk/assets/Neighbourhood-Planning/Little-Waldingfield-NP-SEA-Screening-Report-Apr20.pdf>

## 5. Screening Conclusion

The Screening Report prepared by LUC notes that the neighbourhood plan allocates two small sites for residential development, delivering a total of three homes, and that both sites already have planning permission. On that basis, it considers that the Little Waldingfield 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 Natural England, Historic England, and the Environment Agency.

In response, all three bodies agreed with the conclusion of the Screening Report. Their consultation responses are attached 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 Little Waldingfield Neighbourhood Plan **does not require** a Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.

Date: 29 May 2020  
 Our ref: 316035  
 Your ref: Little Waldingfield NP - SEA / HRA Screening Consultation



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

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

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Dear Mr Bryant

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

Thank you for your consultation on the above dated 1 May 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 Little Waldingfield Parish Council Neighbourhood Plan 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 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 Little Waldingfield 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

**By e-mail dated Fri 29 May 2020**

**Re: Little Waldingfield NP – SEA / HRA  
Screening Consultation**



Historic England

Dear Paul,

Thank you for inviting Historic England to comment on this consultation. I have now had an opportunity to review the Waldingfield Neighbourhood Plan, and the accompanying SEA Screening Report. I would like to commend the Parish Council on their approach to the historic environment in the plan, especially the inclusion of consideration of local heritage assets (non-designated), and policies protecting important views. Furthermore the accompanying character assessment, available on the Parish Council website, reinforces the evidence base in a very helpful way. I will not make further comment on this now, as I am aware that the draft plan will be consulted upon at Regulation 14 in due course, but may do so then.

With regard to 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 Little Waldingfield 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 considers that the plan will not have any significant effects on the historic environment. We note that the plan proposes to allocate two small sites for development to include up to 3 homes, but that both of these sites already benefit from planning permission.

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 MA BA ACIfA  
(Historic Places Adviser - East of England)

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Mr Paul Bryant  
Babergh and Mid Suffolk District Council  
Spatial Planning Policy Team  
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Our Ref: AE/2020/125168/01-L01  
Your ref: SEA

Date: 29 May 2020

Dear Mr Bryant

**LITTLE WALDERINGFIELD NEIGHBOURHOOD PLAN, SEA SCREENING.**

Thank you for consulting us on the above consultation. We have reviewed the SEA Screening report as submitted and can confirm that we do not disagree with the conclusion reached that a SEA report has been screened out.

The designated Neighbourhood Plan area lies on a source protection zone and has areas of flood zones 2 and 3. However, the two allocated sites in the Neighbourhood Plan already have planning permission. Due to this, we do not disagree with the conclusion reached in the report dated April 2020.

We trust the above is useful.

Yours sincerely

Miss Natalie Kermath  
Planning Advisor

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End