



Long Melford Neighbourhood Plan

Strategic Environmental Assessment Screening Determination

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

April 2019

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LONG MELFORD NEIGHBOURHOOD PLAN

STRATEGIC ENVIRONMENTAL ASSESSMENT DETERMINATION

1. Introduction

This assessment relates to the Long Melford Neighbourhood Plan 2019-2036 Pre-Submission Draft which was published for consultation in January 2019.

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.

The Neighbourhood Plan includes the following vision:

This vision looks ahead to 2036, the final year of the Plan Period. Not all of it will be delivered by the Policies of the Plan; some things will follow as an addition to the Plan and others are included as Community Actions, which will be worked on with other parties as appropriate, after the Plan is adopted.

Long Melford is a large village and there are real constraints on further growth, largely because of the rich heritage and landscape assets of the village. There is also a sense that the character of Long Melford would change, for the worse, if significant additional development were to take place. However, any living organism needs to change, to adapt to a changing environment. So, in the vision of the Plan, by 2036 additional housing will have been provided in a sustainable fashion to enable all in the parish to access satisfactory housing. In particular young people will have been able to secure a suitable home in Long Melford.

The heritage assets (e.g. historic private houses) of the village, that are open to visitors, will be maintained and enhanced and they will attract visitors from all sections of the community. They will make a bigger contribution to the activities offered by the village. More generally the heritage assets will have been cared for and adapted to suit contemporary lifestyles and to ensure their viability.

The natural features that surround the village and which help to define it, will be preserved and enhanced. Where compatible with the main, usually agricultural, use of the land, access for the public will be facilitated. More people will want to walk or cycle in the countryside, either on their way to a destination or for the enjoyment of exercise and the natural world. The network of paths and bridleways will have been extended in order to open up either attractive circuits or more off-road routes to local destinations, with safe pedestrian routes joining all parts of the village.

Fundamental to Long Melford's success is the ability to access its services safely and conveniently. In an ideal world through-traffic will have been largely eliminated from Hall Street and there will be an easy mingling of shoppers parking, pedestrians, delivery vehicles and cars moving along Hall Street. This might borrow something from the concept of shared surfaces which have been successfully introduced elsewhere.

Increasingly the favoured mode of transport will be pollution-free electric vehicles, some of which will be operating as public transport. Walking is the ultimate sustainable form of transport and Long Melford will offer more attractive and safer opportunities for walking and cycling.

There will be a wide range of viable businesses and tourist facilities in and around the parish providing employment and contributing positively to the local economy and village life.

Long Melford, as a core village in the context of BDC's Core Strategy 2014, is a service centre for ten hinterland villages. For the sake of the people of the hinterland villages, Long Melford residents and the many visitors from further afield, it is essential that the services provided in Long Melford are maintained and improved. Key facilities that will be flourishing and offering a high standard of service in the future are the shops and services focused in Hall Street, the GP surgery, the primary school and the hospitality establishments.

This Neighbourhood Plan is seen as the beginning of a new era of localism, in which the village will take more control over facilities and the environment in Long Melford. Measures such as the Community Infrastructure Levy (CIL), of which the Parish Council will receive 25% once this Plan is adopted, will provide funds with which to secure greater local control.

Overall Long Melford will have been cared for, such that it remains an attractive place to live, work and enjoy for families, for retirees, for young people and children.

The Plan provides for around 253 dwellings to be developed in the Neighbourhood Plan area between 2019 and 2036. The Plan notes that there are existing commitments of 168 dwellings not yet built and allocates the following sites for development:

- a. Land at Spicers Lane – 1 dwelling
- b. Land at Cordell Road - 3 dwellings
- c. Land at Cordell Road adjacent to r/o Bull - 3 dwellings
- d. Land at Borley Road - 18 dwellings
- e. Land west of High Street - 30 dwellings
- f. Land west of Rodbridge Hill - 30 dwellings

In addition, the Plan includes a contingent allocation of a site off Station Road.

A SEA/HRA Screening Report for the Plan has been prepared by Place Services, Essex CC [*hereafter referred to as Places Services*] on behalf of Babergh District Council and Long Melford Parish Council. This can be viewed at: www.babergh.gov.uk/LongMelfordNP

The statutory consultees were consulted in March 2019 and their responses are attached at Appendix 1.

Section 2 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, Long Melford Parish Council (the qualifying body) requested Babergh District Council (BDC) as the responsible authority, to determine whether an environmental report on the emerging Long Melford Neighbourhood Plan is required due to significant environmental effects. In making this determination, BDC should have regard to Schedule 1 of the Regulations.

Pre-Submission Consultation (Regulation 14 stage) was carried out in January and February 2019. 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 Place Services to prepare a screening report to assess whether a 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

Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out in the following table:

- | |
|---|
| <p>1. The characteristics of plans and programmes, having regard, in particular, to:</p> <ul style="list-style-type: none">- 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,- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy |
|---|

- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
- environmental problems relevant to the plan or programme,
- 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:

- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the trans-boundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
- the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
- the effects on areas or landscapes which have a recognised national, Community or international protection status.

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

4. Assessment

A full assessment of the likely effects of the Plan is set out in the Screening Report dated March 2019 prepared by Place Services which can be viewed at:

<https://www.babergh.gov.uk/assets/Neighbourhood-Planning/Long-Melford-NP-SEA-HRA-Screening-Report-Final.pdf>

In the light of the assessment the Screening Report concludes that:

- The Plan allocates sites for development in advance of the emerging Babergh and Mid Suffolk Joint Local Plan and therefore could give rise to a significant effect on the environment that would warrant the application of the SEA Directive, in the form of a SEA Environmental Report. The Joint Local Plan is not yet at a stage to identify a quantum of development or sites for development within the Neighbourhood Plan area. As such, the degree to which the Plan sets a framework for projects is high.
- In regard to effects, the Plan's allocations have been subject to a site selection process within Appendix 3 of the Plan. Although a good first step in justifying the allocations in light of alternatives, unfortunately this exercise does not meet the requirements of the SEA Directive. To this extent the "significance" of effects will need to be determined through a SEA Environment Report as they can not be ruled out at this stage. Similarly, cumulative effects have not been formally identified and assessed to date. It is possible that cumulative effects could be forthcoming that would warrant the full assessment of alternative approaches. As such, the cumulative effects of the Plan's allocations can not be ruled out at this stage and should be identified through the application of the SEA Directive in the form of a SEA Environment Report.

5. Conclusion

In the light of the conclusions set out in the assessment in section 4 above the report by Place Services has therefore **screened in** the content of the Long Melford Neighbourhood Plan to require a Strategic Environmental Assessment in line with Directive 2001/42/EC

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

All three bodies agreed with the conclusion of the Screening Report.

The consultation responses are attached at Appendix 1.

6. Determination

In the light of the Screening Report for Consultation prepared by Place Services and the consultation with Historic England, Natural England and the Environment Agency it is determined that a Strategic Environmental Assessment of the Long Melford Neighbourhood Plan **is required** in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.

Date: 25 March 2019
Our ref: 274969

Babergh District Councils

BY EMAIL ONLY



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Dear Sir/Madam

LONG MELFORD NEIGHBOURHOOD – SEA/HRA SCREENING

Thank you for your consultation on the above dated and received by Natural England on 26 February 2019.

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 Request: Strategic Environmental Assessment/HRA screening

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. Therefore we agree with the conclusions of the HRA screening.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk

Yours faithfully

Yours faithfully

Dawn Kinrade
Consultations Team



Mr Paul Munson
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Our Ref: AE/2019/123902/01-L01

Your ref: *

Date: 01 April 2019

Dear Mr Munson

LONG MELFORD NEIGHBOURHOOD PLAN - SEA/HRA SCREENING

Thank you for your consultation request received on 26 February 2019. We have reviewed the Strategic Environmental Assessment screening report for the Long Melford Neighbourhood Plan, as submitted, and agree with the conclusions and recommendations of the report.

Strategic Environmental Assessment

The report highlights that the policies in the Draft Plan at the time of writing allocate sites for built development, and combined with the significant number of environmental constraints found within the parish, as shown in our data maps and discussed in greater detail throughout the report, it is considered that the cumulative effects of development in the parish have not been formally identified. We agree that there is potential risk of significant effects arising from the plan, which should be explored further, as recommended in the report, through a full SEA Environmental Report.

We therefore consider the Long Melford Neighbourhood Plan should be screened in for its requirement of the Strategic Environmental Assessment.

Habitats Regulations Assessment

The competent body to review if a HRA report is required is Natural England. Please contact them, if not done so already.

We trust that this advice is useful.

Yours sincerely

Miss Natalie Kermath
Planning Advisor

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End



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Our ref: PL00552809

21 March 2019

Dear Mr Munson,

Thank you for your email of 26 February 2019 regarding the above 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 the Long Melford Neighbourhood Plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Long Melford 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 supporting information (screening report and draft neighbourhood plan) supplied with the consultation indicates that within the plan area there is a wealth of designated historic environment assets associated with the historic village of Long Melford, including over 200 listed buildings and Long Melford Conservation Area. There is also likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic landscape around the settlement too. The documentation indicates that the Long Melford Neighbourhood Plan proposes to allocate a number of sites for development, both within the settlement boundary (and within the Conservation Area) and outside the built up area, but potentially within the setting of the conservation area and other listed buildings. It is considered possible, therefore, that the neighbourhood plan will result in significant effects upon the historic environment.

Given the likely significant effects (both positive and negative) upon the historic environment, Historic England hence concurs with the Screening Report's view that a Strategic Environmental Assessment will be required.

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 would also be grateful for the opportunity to review and comment upon the Strategic Environmental Assessment report once it is completed.

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.

We should like to stress that this opinion is based on the information provided by you with your correspondence dated 26 February 2019. 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.

Yours sincerely,

Edward James
Historic Places Advisor, East of England



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