



Woolpit Neighbourhood Plan

Strategic Environmental Assessment Screening Determination

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

May 2019

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WOOPIT NEIGHBOURHOOD PLAN

STRATEGIC ENVIRONMENTAL ASSESSMENT DETERMINATION

1. Introduction

This assessment relates to the Woolpit Neighbourhood Plan 2016 - 2036 Pre-Submission Draft which was published for consultation in February 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:

Woolpit in 2036 is...

... an integrated community where people of all ages and from diverse backgrounds and cultures benefit from a wide range of facilities and employment opportunities.

The historic character of the village has been preserved and can be enjoyed by everyone, through a diverse range of footpaths, cycle ways and roads.

Congestion in the village centre has been dealt with by careful management and taking opportunities from new development.

Modern facilities and infrastructure have been supported by steady growth of housing and businesses at a rate that could be integrated into the community, supporting the existing shops and services. The village centre is a vibrant place, not only because of its range of essential shopping facilities, but because of the many suitable locations for local clubs and societies.

This has maintained Woolpit as a key hub in the network of nearby communities.

Investing in the village has kept us up to date with amenities demanded by residents, ranging from technology like high speed internet connections to sporting facilities for all. Careful design of new buildings has ensured that not only does their character and density complement the village, but they integrate new residents with old and maintain a mixed community. It is a modern village with a traditional feel where people want to live and work.

The draft Plan makes provision for at least 250 dwellings to be developed in the Neighbourhood Plan area between 2017 and 2036. The Plan notes that there are existing commitments of 169 dwellings not yet built and allocates the following sites for development:

- (WPT3) – up to 120 new dwellings at land south of Old Stowmarket Road
- (WPT4) – up to 49 new dwellings at land east of Green Road

- (WPT5) – up to 36 new dwellings at land north of Woolpit Primary School

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.midsuffolk.gov.uk/WoolpitNP

The statutory consultees were consulted in April 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, Woolpit Parish Council (the qualifying body) requested Mid Suffolk District Council (MSDC) as the responsible authority, to determine whether an environmental report on the emerging Woolpit 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 (Regulation 14 stage) was carried out during March/April 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 MSDC 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). <p>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p> <ul style="list-style-type: none">- 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:<ul style="list-style-type: none">- 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 April 2019 prepared by Place Services which can be viewed at:

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

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

- The Plan allocates three sites for residential development in advance of the emerging Babergh and Mid Suffolk Joint Local Plan, two of which have planning permission. The allocation of the third site (WPT5), which does not have planning permission, would normally warrant the application of the SEA Directive in the form of a SEA Environmental

Report, in order to justify the allocation of the site in light of reasonable alternatives, if significant environmental effects could not be ruled out.

- Although site assessment work has been undertaken to influence the site selection process, the area of land making up site WPT5 has not specifically been included, although it is not dissimilar to Area Search 8 in the site assessment report. The assessment of Area Search 8 identifies no environmental or heritage designations on site but that the site may have some landscape value that would have to be mitigated through effective policy.
- The District Council's Strategic Housing & Employment Land Availability (SHELAA) assessed all submitted sites in Woolpit, including the specific boundary of the site allocated as WPT5, which did not identify any determinantal local landscape effects.

5. Conclusion

The Screening Report prepared by Place Services notes that the Neighbourhood Development Plan allocates three sites for development in advance of the emerging Babergh & Mid Suffolk Local Plan, one of which (WPT5) does not have planning permission. That would normally warrant the full application of the SEA Directive in the form of a SEA Environmental Report but, in consideration of the findings of the relevant environmental assessment work undertaken for the Plan's allocations, those concerns have been satisfactorily addressed.

As such, the content of the Woolpit Neighbourhood Plan has therefore been **screened out** for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC. Further analysis of the environmental characteristics of the Plan area and the Plan's policies within the Screening Report has further indicated that there would be no significant effect on the environment.

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

All agree 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 Woolpit Neighbourhood Plan **is not required** in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.

Date: 18 April 2019
Our ref: 280166

Mid Suffolk Council

BY EMAIL ONLY



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T 0300 060 3900

Dear Sir/Madam,

Woolpit Neighbourhood Plan SEA and HRA Screening Report

Thank you for your consultation on the above dated and received by Natural England on 16 April 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 and Habitat Regulations Assessment

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.

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

Yours faithfully

Matthew Dean
Consultations Team



Mr Paul Bryant
[Mid Suffolk District Council]
Endeavour House Russell Road
Ipswich
Suffolk
IP1 2BX

Our Ref: AE/2019/124042/01-L01

Your ref: SEA Screening

Date: 17 May 2019

Dear Mr Bryant

WOOLPIT SEA SCREENING REPORT

Thank you for consulting us on the Strategic Environmental Assessment on the 16 April 2019. We have reviewed the Strategic Environmental Assessment Screening report- April 2019. We can confirm that we agree with the conclusions outlined within the report.

The Woolpit Neighbourhood Plan puts forward 3 sites for new development. Two of these sites have already obtained planning permission. The third site allocation (WPT5) has been reviewed within the screening report. We do not disagree with the conclusions of this review on the site allocation.

We trust the above is useful.

Yours sincerely

Miss Natalie Kermath
Planning Advisor

Environment Agency,
Cobham Road, Ipswich, Suffolk, IP3 9JD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency
End



Historic England

By e-mail to: Paul Bryant
Neighbourhood Planning Officer
Babergh and Mid-Suffolk District Councils

Our ref: PL00576530
Your ref:
Date: 17/05/2019

Direct Dial:
Mobile:



Dear Mr Bryant,

RE: Woolpit Neighbourhood Plan SEA Screening

Thank you for your email of 16 April 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 this plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Woolpit 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 indicates that the Council considers that the plan will not have any significant effects on the historic environment. We note that the plan does propose to allocate any sites for development, but on examination concur with the report's findings regarding the potential for significant effects as a result of the development of site covered by Policy WPT5.

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 dated 16 April. 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/guidance) 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 above, if you have any queries.

Yours sincerely,

Edward James
Historic Places Advisor, East of England



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