



# **Thurston Neighbourhood Plan**

## **Strategic Environmental Assessment Screening Determination**

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

**October 2018**

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# THURSTON NEIGHBOURHOOD PLAN

## STRATEGIC ENVIRONMENTAL ASSESSMENT DETERMINATION

### 1. Introduction

This assessment relates to the Thurston Neighbourhood Plan 2016-2036 Pre-Submission Version Draft 6, dated May 2018.

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.

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.

In summary, the vision of the Neighbourhood Plan is to ensure that Thurston 2036 is a vibrant Suffolk village community surrounded by attractive countryside, that the village continues to be a safe, enjoyable place in which to live and bring up a family, and, that it is a thriving village serving a wider rural hinterland.

The Neighbourhood Plan does not allocate sites for development but does seek to provide a framework through which those planning permissions which have already been granted can contribute towards the villages role as a Key Service Centre / Core Village.

A SEA/HRA Screening Report for the Plan has been prepared by Essex Place Services on behalf of Mid Suffolk District Council and Thurston Parish Council. This can be viewed at:

[www.midsuffolk.gov.uk/ThurstonNP](http://www.midsuffolk.gov.uk/ThurstonNP)

The statutory consultees were consulted in September 2018 and their responses are attached. (See 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 200142/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, Thurston Parish Council (the qualifying body) requested Mid Suffolk District Council (MSDC) as the responsible authority, to determine whether an environmental report on the emerging Thurston 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 in July and August 2018. 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 Essex 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"><li>- 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>- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy</li><li>- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,</li><li>- environmental problems relevant to the plan or programme,</li><li>- 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></ul> <p>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p>
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- 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 July 2018 prepared by Essex Place Services which can be viewed at:

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

In the light of the assessment the Screening Report concludes that the Neighbourhood Plan does not warrant the full application of the SEA Directive in the form of a SEA Environmental Report.

#### 5. Conclusion

The Screening Report prepared by Essex Place Services noted that the Neighbourhood Development Plan does not allocate sites for development and therefore has no specific content that could give rise to an identified effect of the magnitude or 'significance' that would warrant the application of the SEA Directive, in the form of a SEA Environmental Report. Further analysis of the environmental characteristics of the Plan area and the Plan's policies within this Screening Report has further indicated that there would be no significant effect on the environment.

As such, the content of the Thurston Neighbourhood Plan has 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.

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 Essex Place Services and the consultation with Historic England, Natural England and the Environment Agency it is determined that a Strategic Environmental Assessment of the Thurston Neighbourhood Plan is not required in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.

Date: 25 September 2018  
Our ref: 257588

Babergh and Mid Suffolk District Council

**BY EMAIL ONLY**

Dear Sir/Madam

**THURSTON NEIGHBOURHOOD PLAN – SEA HRA SCREENING**



Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

Thank you for your consultation on the above dated and received by Natural England on 5 September 2018.

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**

It is our advice, on the basis of the material supplied with the consultation, 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) 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 SEA Directive 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](mailto:consultations@naturalengland.org.uk)

Yours faithfully  
Dawn Kinrade  
Consultations Team



[Babergh and Mid Suffolk District Councils]

**Our Ref:** AE/2018/123229/01-L01

**Your ref:** ThurstonNPSEAHRA

**Date:** 26 September 2018

Dear [Sir / Madam]

**THURSTON NEIGHBOURHOOD PLAN SEA, HRA SCREENING REPORT**

**THURSTON PARISH COUNCIL, PARISH COUNCIL OFFICE, NEW GREEN CENTRE,  
THURSTON, IP31 3TG**

Thank you for your consultation dated 05 September 2018. We have reviewed the SEA/HRA Screening Report for the Thurston Neighbourhood Plan, as submitted, and agree with the conclusions detailed in the report.

Our considerations at this stage reflect the depth and level of detail to which the Thurston Neighbourhood Plan demonstrates for future growth within the parish over the plan period 2018-2036. The policies do not currently highlight any specific newly allocated sites for development, other than those detailed in the policies map that already carry planning permission, and so the recommendations and conclusions of the report are suitable.

There has been discussion within the emerging new Joint local Plan between Babergh and Mid Suffolk District Councils for sites to be considered for allocations within the Neighbourhood Plan area. The environmental constraints found with the Plan area would require consideration in determining individual site application consultations when submitted, however, the screening report demonstrates that further assessments for a full SEA and HRA are not required.

We trust that this advice is useful

Mr Ed Abigail  
Planning Advisor

Babergh and Mid Suffolk District Councils

Direct Dial: 01223 582746

Our ref: PL00481012

25 September 2018

Dear [Sir / Madam]

**RE: Thurston Neighbourhood Plan SEA Screening**

Thank you for your email of 05 September 2018 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 Thurston 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 consultant undertaking the SEA Screening considers that the Thurston will not have any significant effects on the historic environment, owing to the fact it does not allocate land for any development.

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 05 September 2018. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SA/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 SA/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.

Yours sincerely,

Edward James  
Historic Places Advisor, East of England



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HistoricEngland.org.uk



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