



# DRINKSTONE

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## NEIGHBOURHOOD PLAN

**STRATEGIC ENVIRONMENTAL  
ASSESSMENT AND HABITATS  
REGULATIONS ASSESSMENT SCREENING  
REPORT AND DETERMINATION**

**OCTOBER 2019**





# Drinkstone Neighbourhood Plan 2018 - 2036 (Regulation 14 Pre-submission draft)

## **Strategic Environmental Assessment (SEA) & Habitat Regulations Assessment (HRA):**

### **Screening Report – September 2019**





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# 1. Introduction

## 1.1 The purpose of this report

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This screening report is an assessment of whether or not the contents of the Drinkstone Neighbourhood Plan 2018-2036 Regulation 14 Pre-submission draft requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/ EC and associated Environmental Assessment of Plans and Programmes Regulations. A SEA is required if the Neighbourhood Plan is deemed to have a likely significant effect on the environment.

This report will also screen to determine whether the Neighbourhood Plan requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 63 of the Conservation of Habitats and Species Regulations 2017. A HRA is required when it is deemed that likely adverse significant effects may occur on protected European Sites (Natura 2000 sites or 'Habitats Sites') as a result of the implementation of a plan/project.

## 1.2 The Drinkstone Neighbourhood Plan 2018-2036 (Regulation 14 Pre-submission draft)

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The Neighbourhood Plan will set out planning policies for Drinkstone and within the confines of the Drinkstone Parish boundary. Once formally adopted, a Neighbourhood Plan carries the same legal weight as Local Development Plans adopted up by the Local Planning Authority (LPA), in this case Mid Suffolk District Council.

The Neighbourhood Plan states that the Vision for the Plan is:

*'In 2036 Drinkstone will be a place that has developed so that:*

- *it still has its own character and individuality;*
- *it is a place where people of all ages can live in a vibrant and friendly community;*
- *the natural landscape has been protected and enhanced'.*

To deliver this Vision, the following Objectives have been established for the Plan:

Objectives	
Housing	
1	Ensure that Drinkstone's housing growth is commensurate with the level of services and facilities in the village.
2	Deliver housing that is tailored to meet the needs of local residents.



Objectives	
<b>Natural Environment</b>	
3	Protect the important green spaces, woodland and countryside and public rights of way.
4	Protect important views and links to the wider countryside.
5	Deliver net gains to the extent and quality of natural habitats.
<b>Built Environment and Design</b>	
6	Conserve and enhance the village's heritage assets.
7	Ensure that new development is designed in a way that reflects local character.
8	Reduce the impact of new development through the incorporation of measures that reduce their environmental impact.
<b>Infrastructure and Services</b>	
9	Ensure that the scale of development is at a level and in a location that the local infrastructure and services can support.
10	Protect and improve the range of existing community facilities and services.

To support the Neighbourhood Plan, a number of evidence base documents have been produced, covering a range of local issues. These amount to:

- Built Character Appraisal (August 2019);
- Landscape Appraisal (August 2019); and
- Natural Environment Report and Local greenspace Assessment (August 2019).

These evidence base documents have been considered within this screening assessment, where the findings of these documents have been factored into the Neighbourhood Plan's policy content or otherwise considered in the selection of site allocations.

### 1.3 The Mid Suffolk Core Strategy (2008) & Focused Review (2012)

The adopted Mid Suffolk Core Strategy (2008) & Focused Review (2012) contain current strategic planning policy for the District and thus Drinkstone. The Core Strategy was originally adopted in 2008 and includes a number of policies related to a strategy for growth in the District, the delivery of growth and the provision of infrastructure. A Sustainability Appraisal was carried out for the Core Strategy as well as 'Appropriate Assessment' in accordance with the Habitats Directive and Regulations.

The Core Strategy categorised the settlement of Drinkstone as a 'Countryside Village'. It established that towns should be the main focus for development in the District, and that Key Service Centres are the main focus for development outside of the towns. No growth was earmarked for Countryside Villages, but that development;

*'will be restricted to particular types of development to support the rural economy, meet*



*affordable housing, community needs and provide renewable energy.'*

## 1.4 The Emerging Babergh and Mid Suffolk District Councils' Joint Local Plan

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Work has been underway for a new Joint Local Plan with Babergh and Mid Suffolk District Councils. At the time of writing, a Regulation 18 stage consultation had most recently closed on the 10<sup>th</sup> November 2017 and a second Regulation 18 'Preferred Options' Local Plan is currently being consulted on. In both instances, these iterations of the emerging Joint Local Plan were accompanied by a Sustainability Appraisal.

The Regulation 18 stage Local Plan identifies Drinkstone Church and Drinkstone Green as Hamlets with identified settlement boundaries.

Emerging Joint Local Plan policy LP01 – Hamlets and Clusters of development in the Countryside states that,

*'1. Within the settlement boundary of identified hamlets the principle of development is acceptable.*

*2. Proposals for new dwellings located within small clusters of housing[1] may be acceptable, subject to satisfying the following criteria:*

- a. Where it would not be detrimental to the character of the surroundings;*
- b. The scale of development consists of infilling by one dwelling or a pair of semi-detached dwellings within a continuous built up frontage;*
- c. It would not cause undue harm to the character and appearance of the cluster or any harmful visual intrusion into the surrounding landscape; and*
- d. Particular care will be exercised in sensitive locations such as conservation areas and the Area of Outstanding Natural Beauty and any other designated land.*

*3. Proposals which would consolidate sporadic or ribbon development or the infilling of large gaps or extending edges, will be resisted. The cumulative impact of proposals will be a major consideration as development should be proportionate to the location and context, having regard to the level of local infrastructure provision.'*

Policy SP04 – Housing Spatial Distribution of the emerging Joint Local Plan identifies that in Hamlets in Mid Suffolk, there were 245 outstanding planning permissions (at 01/04/2018) and that 191 new homes have been identified as required within the Plan period to 2036 (from a base date of 2018). Policy SP04 also outlines regarding Neighbourhood Plans that,

*'In order to assist with delivery of the overall district housing need requirements, designated Neighbourhood Plan areas will be expected to plan to deliver the minimum housing requirements set out in Table 4 between 2018 and 2036. Neighbourhood Plan documents can seek to exceed these requirements, should the unique characteristics and planning context of the designated area enable so.'*





Table 4 as referenced within Policy SP04 of the emerging Joint Local Plan outlines the minimum housing requirement for neighbourhood plan areas, which correspond to outstanding planning permissions granted as at 1st April 2018. For the Drinkstone Neighbourhood Plan this figure represents a single dwelling.

As can be derived from the above, the emerging Local Plan does not have an identifiable conflict with any of the content within the emerging Drinkstone Neighbourhood Plan regarding the principle of development within settlement boundaries or regarding an overall housing quantum that the Neighbourhood Plan should seek to deliver.



## 2. Legislative Background

### 2.1 Strategic Environmental Assessment (SEA)

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Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment states that,

*'Environmental assessment is an important tool for integrating environmental considerations into the preparation and adoption of certain plans and programmes which are likely to have significant effects on the environment.'*

*(10) All plans and programmes which are prepared for a number of sectors and which set a framework for future development consent of projects listed in Annexes I and II to Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment(7), and all plans and programmes which have been determined to require assessment pursuant to Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna(8), are likely to have significant effects on the environment, and should as a rule be made subject to systematic environmental assessment. When they determine the use of small areas at local level or are minor modifications to the above plans or programmes, they should be assessed only where Member States determine that they are likely to have significant effects on the environment.'*

*(11) Other plans and programmes which set the framework for future development consent of projects may not have significant effects on the environment in all cases and should be assessed only where Member States determine that they are likely to have such effects.'*

The Drinkstone Neighbourhood Plan may influence frameworks for future development, or become used ancillary to those plans and programmes that do set such a framework, and as such it has been determined that the principle of the Neighbourhood Plan should be screened for the necessary application of the SEA Directive. The Report from the Commission to The Council, The European Parliament, The European Economic and Social Committee and the Committee of the Regions states, on the application and effectiveness of the Directive on Strategic Environmental Assessment (Directive 2001/42/EC), that

*'the following P&P, and modifications to them, are covered when prepared and/or adopted by an authority[2] and required pursuant to legislative, regulatory or administrative provisions:*

- P&P prepared for certain sectors and which set the framework for future development consent in respect of projects under the Environmental Impact Assessment-EIA-Directive.*
- P&P requiring an assessment under the Habitats Directive (92/43/EEC).*
- P&P setting the framework for development consent in respect of projects (not limited to those listed in the EIA Directive; see above) and determined by "screening" as being likely to have significant environmental effects.'*

This report represents this screening process in regard to the content and influence of the Drinkstone Neighbourhood Plan.



## 2.2 Habitats Regulations Assessment (HRA)

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Under the provisions of the EU Habitats Directive and translated into English law by the Habitats Regulations (*The Conservation of Habitats and Species Regulations 2017*), a competent authority must carry out an assessment of whether a plan or project will significantly affect the integrity of any European Site, in terms of impacting the site's conservation objectives.

HRA is the screening assessment of the impacts of a land use proposal against the conservation objectives of Habitats (European) sites. Specifically, it is to ascertain whether or not a proposal (either alone or in combination with other proposals) would potentially damage the internationally designated features of that site. European sites are also known as Natura 2000 sites and Habitats Sites (NPPF 2019).

This HRA Screening Report has been undertaken in order to support the Drinkstone Neighbourhood Development Plan which is being produced by Drinkstone Parish Council in accordance with the Neighbourhood Planning (General) Regulations 2012.

The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA.

In line with the recent Court judgement (CJEU *People Over Wind v Coillte Teoranta C-323/17*), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a plan or project is likely to result in significant effects on a Habitats site.



## 3. SEA Screening

### 3.1 When is SEA Required?

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Planning Practice Guidance – Strategic environmental assessment requirements for neighbourhood plans (Paragraph: 026 Reference ID: 11-026-20140306) states that,

*'In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is commonly referred to as a "screening" assessment and the requirements are set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.*

*If likely significant environmental effects are identified, an environmental report must be prepared in accordance with paragraphs (2) and (3) of regulation 12 of those Regulations.*

*One of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with European Union obligations (including under the Strategic Environmental Assessment Directive).*

*To decide whether a draft neighbourhood plan might have significant environmental effects, it must be assessed (screened) at an early stage of the plan's preparation according to the requirements set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004. These include a requirement to consult the environmental assessment consultation bodies.*

*Each consultation body will be able to advise on particular topics relevant to its specific area of expertise and responsibility, and the specific information that it holds.*

*Where it is determined that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), a statement of reasons for the determination should be prepared. A copy of the statement must be submitted with the neighbourhood plan proposal and made available to the independent examiner.'*

Articles 2 and 3 of the SEA Directive set out the circumstances in which an SEA is required. Table 1 sets out the assessment of whether the principle of the Drinkstone Neighbourhood Plan will require a 'full SEA', culminating in a SEA Environmental Report.



Table 1: Exploring whether the Principle of the Plan would warrant SEA

Q	Criteria	Response	Outcome	Commentary
1	Is the Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through legislative procedure by Parliament or Government	Yes	Go to question 2	The Neighbourhood Plan has been prepared for adoption through legislative procedure.
2	Is the Plan required by legislative, regulatory or <u>administrative provision</u>  Typical characteristics of "administrative provisions" are that they are publicly available, prepared in a formal way, probably involving consultation with interested parties. The administrative provision must have sufficient formality such that it counts as a "provision" and it must also use language that plainly requires rather than just encourages a Plan to be prepared.	Yes	Go to question 3	The Neighbourhood Plan would be considered as falling within the category of an 'administrative provision'.
		No	DOES NOT REQUIRE SEA	
3	Is the Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive?	Yes to both criteria	Go to question 5	The Neighbourhood Plan has been prepared for town and country planning and sets a framework for future development consent.
		No to either criteria	Go to question 4	
4	Will the Plan, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive?	Yes	Go to question 5	Please refer to Section 4 of this Screening Report.
		No	Go to question 6	
5	Does the Plan determine the use of small areas at local level, OR is it a minor modification of a Plan likely to require assessment under the Habitats Directive?	Yes to either criteria	Go to question 8	The policies of the Neighbourhood Plan can be considered to determine the use of small areas at a local level commensurate with their status in determining local planning applications.
		No to both criteria	Go to question 7	
6	Does the Plan set the framework for	Yes	Go to question 8	The Neighbourhood Plan sets the



Q	Criteria	Response	Outcome	Commentary
	future development consent of projects (not just projects in the Annexes of the EIA Directive)?	No	DOES NOT REQUIRE SEA	framework for future development consent of projects through policy considerations.
7	Is the Plans sole purpose to serve national defence or civil emergency, OR is it a financial or budget Plan, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7	Yes to any criteria	DOES NOT REQUIRE SEA	N/A
		No to all criteria	REQUIRES SEA	
8	Is it likely to have a significant effect on the environment?	Yes	REQUIRES SEA	Likely significant effects are explored in more detail elsewhere in this Screening Report.
		No	DOES NOT REQUIRE SEA	

The following section looks at the criteria for assessing the effects of the Neighbourhood Plan and the identified effects of the Neighbourhood Plan in line with the criteria. Crucially, it will determine whether there are any likely significant effects on the environment.



## 3.2 Criteria for Assessing the Effects of the Neighbourhood Development Plan

Criteria for determining the likely significant effects on the environment, referred to in Article 3(5) of Directive 2001/42/EC are set out below.

### Annex II of SEA Directive 2001/42/EC – Significant Effects

1. The characteristics of plans and programmes, having regard, in particular, to
  - 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 transboundary 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.



### 3.3 Likely Significant Effects on the Environment resulting from the Neighbourhood Plan

The following assessment will consider the likelihood of the Drinkstone Neighbourhood Plan Pre-Submission Draft (at the time of writing) to have significant effects on the environment.

**Table 2: Assessment of Likely Significant Effects on the Environment**

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
<p>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.</p>	<p>The Plan sets out relevant policies which will be used to determine proposals for development within the Neighbourhood Plan area once adopted. Policy DRN1 - Spatial Strategy identifies broad locations within which development shall be focused and specifies under which locational circumstances any forthcoming proposals would be supported. Policy DRN3 (and Policy DRN2) respond to housing allocations within the Plan area, with housing needs identified as being met through a number of small proposals that have planning permission.</p> <p>The principle of the eventual development that is identified as coming forward within the Neighbourhood Plan period is already established and beyond the influence of the Neighbourhood Plan and its evidence base. Additionally, any significant effects on the environment resulting from these proposals would have already been identified at the planning application stage and mitigated as part their determination in compliance with LPA and national policy requirements. For this reason it has been determined that the degree to which the Plan sets a framework for projects alone would not warrant the full application of the SEA Directive in the form of a SEA Environmental Report.</p>
<p>The degree to which the plan or programme influences other plans or programmes including those in a hierarchy.</p>	<p>The Neighbourhood Plan provides policies for the Plan area, relevant to a local level only. The policies of the Neighbourhood Plan do influence the emerging Babergh and Mid Suffolk District Councils’ Joint Local Plan in so far as there is an intention for it to be ‘made’ prior to the adoption of the Joint Local Plan, which is currently at the Regulation 18 stage. The stance of the Neighbourhood Plan in including a Spatial Strategy for development purposes can be seen as contributing to that process.</p> <p>The Plan is however in general conformity to policies CS1, CS5 and CS9 of the Mid Suffolk adopted Core Strategy.</p> <p>The emerging Babergh and Mid-Suffolk District Councils’ Joint Local Plan outlines an approach that Hamlets will have a small proportion of new growth within the Joint Local Plan period to 2036. Table 4 of the Joint Local Plan identifies a minimum housing requirement for the Drinkstone Neighbourhood representing a single dwelling, and includes that Neighbourhood Plans can seek to exceed these requirements, should the unique characteristics and planning context of the designated area enable so. There is therefore no conflict regarding the principle of development in Drinkstone within the Neighbourhood Plan and the emerging Joint Local Plan.</p>





Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
<p>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.</p>	<p>Neighbourhood Plans are required to contribute to the achievement of sustainable development. The Neighbourhood Plan policies seek to ensure environmental considerations are taken into account. The Neighbourhood Plan is compatible and does not conflict with adopted Mid Suffolk Core Strategy policies CS5 and CS9, or those policies in the emerging Joint Local Plan which have been subject to a thorough process of plan preparation and accompanying Sustainability Appraisal.</p> <p>The following policies exist within the Neighbourhood Plan relevant to environmental protection:</p> <ul style="list-style-type: none"> <li>• Policy DRN 6 – Area of Local Landscape Sensitivity</li> <li>• Policy DRN 7 – Dark Skies</li> <li>• Policy DRN 8 – Local Green Spaces 34</li> <li>• Policy DRN 9 – Biodiversity</li> </ul> <p>In addition, Policy DRN 12 – Design Considerations, Policy DRN 10 – Buildings of Local Significance, and Policy DRN 11 – Heritage Assets are consistent with aspirations in regard to the protection of character, historic buildings, trees and hedgerows. The policies contained within the Plan are considered to be more than sufficient to ensure that effects on the environment are minimised.</p>
<p>Environmental problems relevant to the plan.</p>	<p>The Neighbourhood Plan reflects a small area.</p> <p>The policy content of the adopted MSDC Core Strategy will additionally apply to any proposals within the Neighbourhood Plan area, as well as appropriate weight in regard to the emerging Joint Local Plan. These policies have been subject to Sustainability Appraisal And Habitats Regulations Assessment Screening within their context. The potential environmental problems relevant to the Neighbourhood Plan area include:</p> <ul style="list-style-type: none"> <li>• There are currently approximately 36 listed buildings in Drinkstone, including a Grade I listed 'post mill 120m north of Mill Cottage', the Grade II* listed 'Drinkstone Smock Mill (including attached engine shed and oil engine)', the Grade II* listed 'The Old Rectory' to the east of the Drinkstone Church Development Boundary, and the Grade II* listed 'Church of All Saints' also to the east of the Drinkstone Church Development Boundary.</li> <li>• Small parts of the Plan area (to the immediate north and south-west) are in SSSI Impact Risk Zones. Despite this, no development is planned within the Neighbourhood Plan that would conflict with these or require consultation with Natural England.</li> <li>• The plan area contains a large number of scattered priority habitats. These include Good quality semi-improved grassland, Woodpasture and Parkland BAP Priority Habitat, young tree woodland, Deciduous Woodland, and Wood-pasture and Parkland.</li> <li>• The Neighbourhood Plan Area is entirely within a Groundwater Source Protection Zone – Total Catchment (Zone 3).</li> <li>• Areas of Flood Risk Zone 3 and 2 exist in the north-east extending</li> </ul>



Criteria for determining the likely significance of effects (Annex II SEA Directive)		Likelihood and summary of significant effects
	<p>to the south-west of the Plan area. This area of fluvial flooding risk runs through the Drinkstone Church Development Boundary.</p> <ul style="list-style-type: none"> <li>The majority of the Plan area is within Grade 3 agricultural land (good to moderate), with some significant swathes of Grade 2 (very good) agricultural land which is defined as “best and most versatile agricultural land” within the wider District.</li> <li>The northern part of the Plan area’s boundary is within areas identified as experiencing noise from the A14 at 75dB and over (based on a 24 hour annual average noise level in decibels with weightings applied for the evening and night periods). Noise dissipates towards the built up area of the hamlet of Drinkstone Church.</li> <li>Drinkstone is located within two landscape character areas as identified within the Suffolk Landscape Assessment: ‘Rolling Valley Farmland and Furze’ and ‘Ancient Rolling Farmlands.’ There are multiple important views into and from the village that are sensitive to development.</li> </ul>	
<p>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>	<p>The content of the Neighbourhood Plan is not in conflict with those relevant planning documents within the wider district and county area related to waste management or water protection.</p>	
<p>The probability, duration, frequency and reversibility of the effects on the following factors:</p> <p><b>Sustainability Theme</b></p> <ul style="list-style-type: none"> <li>- Biodiversity</li> <li>- Population</li> <li>- Human health</li> </ul>	<p>The following impacts have been identified within this Screening Assessment:</p> <p>There are no wildlife designations within the Plan area although the Plan area contains a number of scattered priority habitats. The Plan area is within the Impact Risk Zones of two SSSIs; however there are no identified incompatibilities with any development relevant to Neighbourhood Planning identified by Natural England. Significant effects that would warrant the application of the SEA Directive can be ruled out. The HRA Screening element of this Report determines that no Habitats Sites lie within 13km of Drinkstone, which is the largest ‘Zone of Influence’ for any such site in Suffolk and the distance recently confirmed by Natural England as the zone of influence to identify potential recreational impacts on coastal statutory sites in Suffolk.</p> <p>The Neighbourhood Plan does not allocate any sites for residential development that do not have planning permission. There is therefore expected to be no impact on the current population resulting from the Plan.</p> <p>The Plan seeks to safeguard local green spaces within the Plan area in Policy DRN 8 - Local Green Spaces in order to ensure that this space is</p>	



Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
	<p>preserved for the purposes of health and well-being.</p> <p>It can be considered that no significant effects will occur upon Human health in the Neighbourhood Plan area. Any potential impacts regarding contamination of any future proposals are best addressed at the 'project level', through the development management process and in adherence to relevant policies at the LPA level.</p>
- Fauna	<p>The impacts of the Neighbourhood Plan on fauna are not considered significant. It is possible that developments that could be forthcoming within the Plan area could have negative impacts on protected species; however these cannot be identified as strategically significant to warrant Strategic Environmental Assessment at the Plan level. Such issues are more appropriate to be considered on a case-by-case application basis at the development management stage in consideration of the Neighbourhood Plan policies and relevant policies contained within Mid Suffolk's adopted Core Strategy and emerging Joint Local Plan (commensurate to the level of weight those policies would have at the time of application).</p>
- Flora	<p>Although Priority Habitats exist in close proximity to the Drinkstone Development Boundaries, Policy DRN9 – Biodiversity and Policy DRN12 – Design Considerations ensures that distinctive features will be retained. As a result, no such areas are likely to be lost as a result of development or any other element of the Plan. There will be no likely effects on Flora that can be significant to warrant the application of the SEA Directive.</p>
- Soil	<p>The Neighbourhood Plan area is predominantly within Grade 3 Agricultural Land ('good to moderate') with some areas of Grade 2 ('very good') Agricultural Land that are distant from the Development Boundaries. Grade 2 Agricultural Land represents the best and most versatile agricultural land within the wider District. The Plan does not allocate land for development purposes that do not have planning permission and the wider Spatial Strategy (Policy DRN1) seeks proposals only within the Development Boundaries. This ensures that there should not be any losses of Grade 2 soils. Although the Plan does not directly seek the protection of Grade 2 soils, no significant effects on soil can be expected as a result of the Plan content.</p>
- Water	<p>The entirety of the Plan area is within a Groundwater (Source) Protection Zone – Total Catchment (Zone 3). Source Protection Zones (SPZs) respond to sources such as wells, boreholes and springs used for public drinking water supply. These zones show the risk of contamination from any activities that might cause pollution in the area. The Neighbourhood Plan does not allocate land for residential development purposes that does not have planning permission (at which point considerations would have been made regarding water quality). Residential land uses are not considered to give rise to ground water pollutants (e.g. give rise to hazardous substances such as pesticides, oils, petrol and diesel, solvents, arsenic, mercury or chromium</p>



Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
	<p>VI; or non-hazardous substances such as ammonia or nitrates).</p> <p>The HRA Screening element of this report determines that Drinkstone is outside the Zone of Influence of any Habitats sites regarding impacts on water quantity and quality.</p>
- Air	<p>No AQMAs or other identified air quality issues exist within or in close proximity to the Neighbourhood Plan area. As such, no significant effects on air quality have been deemed likely.</p>
- Climatic factors	<p>The majority of the Neighbourhood Plan area is within Flood Zone 1 however areas of Flood Risk Zones 2 and 3 exist in and around the Development Boundary area of Drinkstone Church. The Plan does not allocate any land for development that is within these zones and all have planning permission. As such, no significant effects have been identified.</p>
- Material assets	<p>The majority of the Plan area is within a Minerals Consultation Area, indicating that potential mineral deposits are present. Despite this, the content of the Neighbourhood Plan is not considered to have any significant impacts on material assets due to the extent / size of the Neighbourhood Plan area and policy content that ensures that development is contained within Development Boundaries. Regarding any Greenfield development proposals that may come forward within the Neighbourhood Plan period, it can be considered that such issues are more appropriate to be considered on a case-by-case basis at the development management stage and in accordance with relevant development management policies contained within Mid Suffolk's adopted Core Strategy and adopted Minerals &amp; Waste Local Plan policies at the County level.</p>
- Cultural heritage	<p>An approximate total of 36 Listed Buildings exist within the Neighbourhood Plan area. The Plan does not allocate any sites for development purposes that have been deemed to have any adverse impacts on the integrity of these heritage assets or their settings, as evidenced by their having planning permission. Suitable protection of heritage assets (and their settings) from any non-plan-led growth that may be forthcoming within the Plan period, is included within Policy DRN10 – Buildings of Local Significance, Policy DRN11 – Heritage Assets, and Policy DRN12 – Design Considerations.</p> <p>Irrespective of the adequacy of the Plan's policies in regard to the protection and enhancement of the historic environment, further policy can be found in relevant policies at the LPA level. Detail on any individual impacts of schemes would be a development management matter, on a case-by-case basis, and not strategic in scope to warrant the application of SEA at the plan-level. There is considered to be no likely significant effect on cultural heritage / the historic environment that would specifically warrant the application of the SEA Directive and a commitment to undertake a SEA Environmental Report.</p>



Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
<p>- Landscape</p>	<p>The Suffolk Landscape Character Assessment includes Drinkstone within two landscape character areas: ‘Rolling Valley Farmland and Furze’ and ‘Ancient Rolling Farmlands.’ This character type includes the following key characteristics:</p> <ul style="list-style-type: none"> <li>• Dissected widely, and sometimes deeply, by river valleys</li> <li>• Field pattern of ancient random enclosure.</li> <li>• Hedges of hawthorn and elm with oak, ash and field maple as hedgerow trees</li> <li>• Network of winding lanes and paths, often associated with hedges, create visual intimacy</li> <li>• Dispersed settlement pattern of loosely clustered villages, hamlets and isolated farmsteads of mediaeval origin</li> <li>• Villages often associated with village greens or the remains of greens</li> <li>• Valleys with prominent river terraces of sandy soil</li> <li>• Fragmentary cover of woodland</li> </ul> <p>Land management guidelines related to these Landscape Character Areas, include:</p> <ul style="list-style-type: none"> <li>• Reinforce the historic pattern of sinuous field boundaries</li> <li>• Recognise localised areas of late enclosure hedges when restoring and planting hedgerows</li> <li>• Maintain and restore greens commons and ties</li> <li>• Maintain and increase the stock of hedgerow trees</li> <li>• Reinforce the historic pattern which is a mix of sinuous and regular hedge boundaries.</li> </ul> <p>These guidelines are largely reiterated within relevant policies of the Plan.</p> <p>Drinkstone additionally lies within the ‘South Suffolk and North Essex Claylands’ National Character Area. This area is described as an ancient landscape of wooded, arable countryside with a distinct sense of enclosure set on a gently undulating chalky boulder clay plateau. Although the Plan area can be considered to not be wholly reflective of the features of this National Character Area, those elements that are relevant are suitably protected through Neighbourhood Plan policy.</p> <p>Policy DRN5 – Protection of Important Views ensures that landscape is conserved with appropriate policy criteria. Policy DRN6 – Area of Local Landscape Sensitivity also ensures that development proposals to the north, north-east and south-east of the Plan area protect and enhance the landscape qualities of the area and are designed to harmonise with the landscape setting. Policy DRN12 – Design Considerations ensures that development must be designed to recognise and address key features through a landscape character appraisal amongst other criteria. Policy DRN1 - Spatial Strategy also ensures that development should be focused within the Development Boundaries. To this extent, the Plan ensures that potential</p>



Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
	landscape implications of proposals are suitably considered and significant effects minimised.
The cumulative nature of the effects.	The Plan does not allocate land for development purposes that do not have planning permission. Further, all allocations are for two dwellings or less. Therefore there are not considered to be any direct impacts that would warrant any subsequent cumulative impacts.
The trans boundary nature of the effects.	The findings of the HRA Screening element of this Report do not indicate any trans boundary effects.
The risks to human health or the environment (e.g. due to accidents).	There is limited risk to human health or the environment as a result of the Neighbourhood Plan. This is in consideration of the above screening requirements related to sustainability themes. The Neighbourhood Plan is primarily focused on ensuring appropriate residential development through any forthcoming non plan-led schemes that may come forward within the Plan period, whilst retaining the character of Drinkstone. Residential land use is unlikely to give rise to any accidents that can be considered to have a significant risk to human health or the environment.
The magnitude spatial extent of the effects (geographical area and size of the population likely to be affected).	There is no spatial extent of development resulting from the Neighbourhood Plan as sites or an overall quantum is not identified. The magnitude of effects can be considered small in both the local and wider District context.
<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>- special natural characteristics or cultural heritage</li> <li>- exceeded environmental quality standards</li> <li>- intensive land use</li> </ul>	As highlighted above in the screening of the Plan per sustainability theme, the Neighbourhood Plan has been assessed as not having any potential significant effects on environmental quality standards as a result of intensive land use that would warrant further assessment through SEA.
The effects on areas or landscapes which have a recognised national, community or international protection status.	As highlighted above in the screening of the Plan per sustainability theme, the Neighbourhood Plan has been assessed as not having any significant effects on areas or landscapes which have a recognised national, community or international protection status.



## 4. HRA Screening

### 4.1 Habitat Regulations Assessment of Development Plans

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This section forms a plan level Habitats Regulations Assessment (HRA) as required by Regulation 63 of The Conservation of Habitats and Species Regulations 2017.

Under the provisions of the EU Habitats Directive and translated into English law by the Habitats Regulations (The Conservation of Habitats and Species Regulations 2017), a competent authority must carry out an assessment of whether a plan or project will significantly affect the integrity of any European Site, in terms of impacting the site's conservation objectives.

The first stage of HRA is the screening assessment of the impacts of a land use proposal against the conservation objectives of European sites. Specifically, it is to ascertain whether or not a proposal (either alone or in combination with other proposals) would potentially damage the internationally designated features of that site. European sites are also known as Natura 2000 sites.

This HRA Screening Report has been undertaken in order to support the Drinkstone Neighbourhood Plan which is being produced by Drinkstone Parish Council in accordance with the Neighbourhood Planning (General) Regulations 2012. The area covered by the Plan is shown in Appendix 1.

The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA.

This section of this Report aims to:

- Identify the Habitats sites within 20km of Drinkstone.
- Summarise the reasons for designation and Conservation Objectives for each site to be considered in this assessment.
- Screen the Drinkstone Neighbourhood Plan for its potential to impact upon a Habitats site.
- Assess the potential for in combination effects from other projects and plans in the area.
- Identify if there are any outstanding issues that need further investigation.



## 4.2 Recent Court Judgements and their consideration in this Report

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### 4.2.1 CJEU People Over Wind v Coillte Teoranta C-323/17

As previously mentioned, in line with the Court judgement (CJEU People Over Wind v Coillte Teoranta C-323/17), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a plan or project is likely to result in significant effects on a Habitats Site.

This HRA Screening Report does not therefore consider mitigation measures within the assessment of Likely Significant Effects resulting from the Drinkstone Neighbourhood Plan.

### 4.2.2 CJEU Holohan C- 461/17

This recent Court judgement now imposes more detailed requirements on the competent authority at Appropriate Assessment stage:

1. [...] an 'Appropriate Assessment' must, on the one hand, catalogue the entirety of habitat types and species for which a site is protected, and, on the other, identify and examine both the implications of the proposed project for the species present on that site, and for which that site has not been listed, and the implications for habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site.
2. [...] the competent authority is permitted to grant to a plan or project consent which leaves the developer free to determine subsequently certain parameters relating to the construction phase, such as the location of the construction compound and haul routes, only if that authority is certain that the development consent granted establishes conditions that are strict enough to guarantee that those parameters will not adversely affect the integrity of the site.
3. [...] where the competent authority rejects the findings in a scientific expert opinion recommending that additional information be obtained, the 'Appropriate Assessment' must include an explicit and detailed statement of reasons capable of dispelling all reasonable scientific doubt concerning the effects of the work envisaged on the site concerned.

Within this HRA Screening report, the assessment determines the requirement for whether an Appropriate Assessment is needed for the Drinkstone Neighbourhood Plan.

## 4.3 Habitats (European) Sites

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Habitats Sites is the term used in the NPPF (2019) to describe any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations. European sites are the centrepiece of EU nature and biodiversity policy. It is an EU wide network of nature protection areas. The aim of the network is to assure the long-term survival of Europe's most valuable and threatened species and habitats.





The sites are designated under the European Union (EU) Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds) and the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora).

The Birds Directive requires the establishment of Special Protection Areas (SPAs) for birds. The Habitats Directive similarly requires Special Areas of Conservation (SACs) to be designated for other species, and for habitats. Wetlands of International Importance (Ramsar sites) are also part of the Natura 2000 network. This is because all SPAs and SACs are comprised of Sites of Special Scientific Interest (SSSIs) and all Ramsar sites in England are SSSIs. Together, SPAs, SACs and Ramsar Sites make up the Natura 200 network in England (NPPF, 2019).

### 4.3.1 Explanation of SPAs, SACs and Ramsar Sites

#### Special Protection Areas (SPAs)

SPAs are areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within EU countries. Example: The Breckland SPA is internationally important for Stone Curlew, Woodlark and Nightjar. Legislation: EU Birds Directive.

#### Special Areas of Conservation (SACs)

SACs are areas designated to protect habitat types that are in danger of disappearance, have a small natural range, or are highly characteristic of the region; and to protect species that are endangered, vulnerable, rare, or endemic. Example: Waveney and Little Ouse Valley Fens for calcareous fens, *Molinia* meadows and Desmoulin’s whorl snail. Legislation: EU Habitats Directive.

#### Wetlands of International Importance (Ramsar Sites)

Ramsar Sites are designated to protect the biological and physical features of wetlands, especially for waterfowl habitats. For example, Redgrave and South Lopham Fens is an extensive example of lowland base-rich valley, remarkable for its lack of fragmentation which supports many rare and scarce invertebrates, including a population of the fen raft spider *Dolomedes plantarius*. Ramsar sites often overlap with SACs and SPAs and UK planning policy determines that they should be accorded the same importance when developments are proposed. Legislation: Ramsar Convention (1971) – Wetlands of International Importance.

### 4.3.2 Habitats Sites to be considered

There are four Habitats sites which lie within 20 km of Drinkstone parish.

**Table 3: Habitats Sites within 20km of the development**

SPA	SAC	Ramsar
Breckland	Waveney & Lt Ouse Valley Fens Breckland	Redgrave & South Lopham Fens

The locations and boundaries of the above sites are shown on the map in Appendix 1.



No Habitats Sites lie within 5km of Drinkstone parish, which is the Impact Risk Zone for all four designated sites listed above.

There are therefore no Habitats sites to be considered to be within scope for this assessment.

## 4.4 Method and Approach

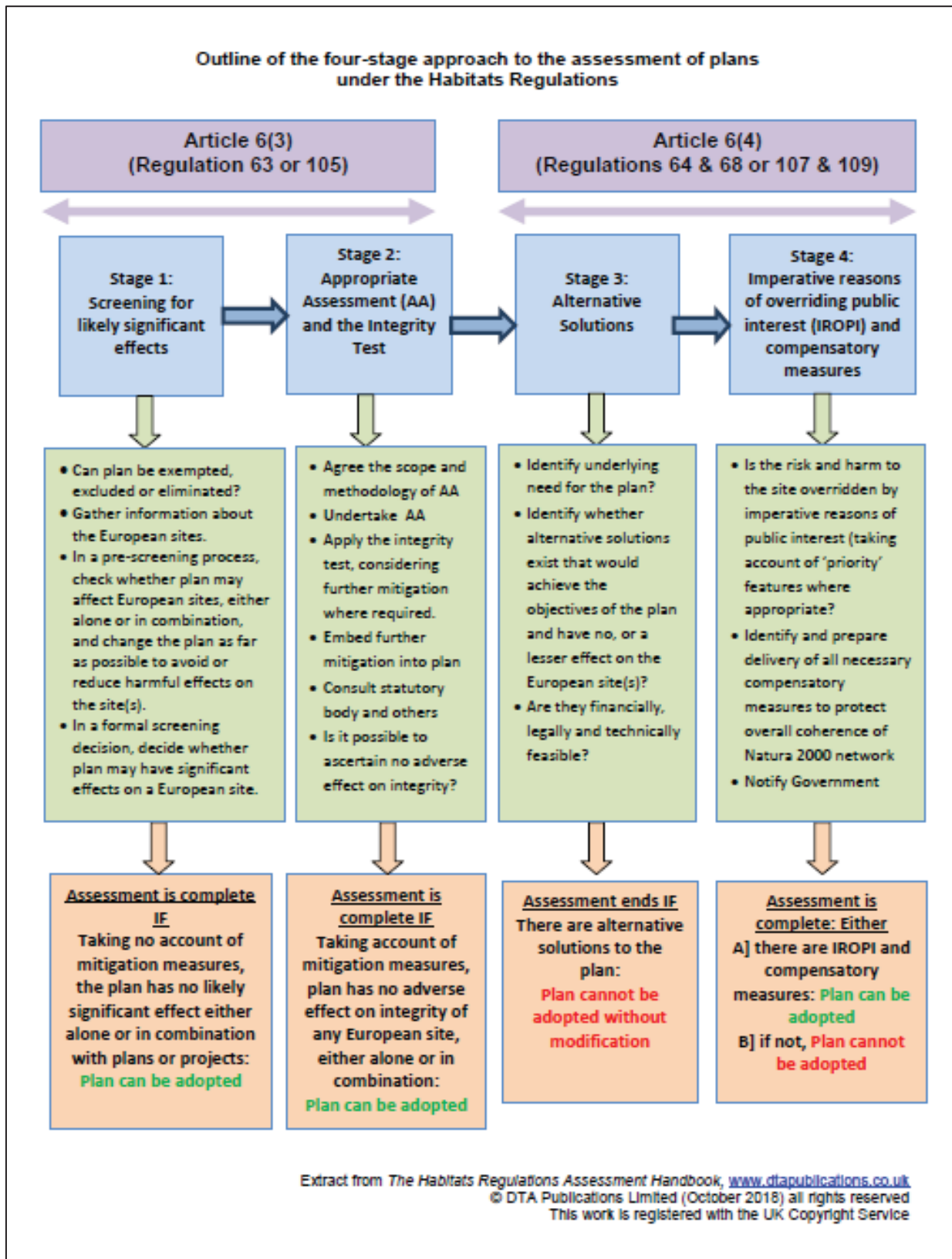
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The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA screening report; this is necessary to ensure the making of the neighbourhood plan is not likely to have a significant effect on a Habitats site or a Habitats offshore marine site, either alone or in combination with other plans or projects.

This document relates only to Stages 1 and 2 of the HRA process as set out in Figure 1 below.



Figure 1: Outline of the Four Stage Approach to the Assessment of Plans under the Habitats Regulations (taken from the DTA handbook).





The CJEU ruling means that mitigation measures cannot be considered at HRA screening. This document relates only to Stage 1 of the HRA process.

#### 4.4.1 Stage 1: HRA Screening

The screening stage identifies if alternatives are needed because any policies or projects will have an impact on a Habitats Site, amendments need to be made in Neighbourhood Plans. Table 4 identifies the different categories assigned to each policy in the plan: Category A identifies those policies or projects that may not result in a Likely Significant Effect and are considered to have No Negative Effect. Category B identifies those policies or projects that will have No Likely Significant Effect. Category C identifies those policies or projects that might have Likely Significant Effect and thus upon a Habitats Site either alone or in combination with other plans or projects. Section 4 considers each policy or projects and the results of the screening exercise recorded.

**Table 4: Screening categorisation**

##### Category A : No negative effect

Policies or projects that will not be likely to have any negative effect on a Habitats site.

##### Category B : No Likely Significant Effect

Policies or projects that could have an effect but would not be likely to have a *significant* negative effect on a Habitats site alone or in combination. This conclusion could only be reached if the effects, even in combination and taking the precautionary principle into account, are considered trivial.

##### Category C : Likely Significant Effect

Policies or projects which are predicted to have a likely significant effect on their own or in combination with other plans and projects.

#### 4.4.2 Potential impacts of Drinkstone Neighbourhood Plan on Habitats sites

There are a wide range of impacts and these can be summarised as -

- Land take by developments;
- Impact on protected species found within but which travel outside the protected sites may be relevant where development could result in effects on qualifying interest species within the Habitats site, for example through the loss of feeding grounds for an identified species.
- Increased disturbance, for example from recreational use resulting from new housing development and / or improved access due to transport infrastructure projects;
- Changes in water availability, or water quality as a result of development and increased demands for water treatment, and changes in groundwater regimes due to increased impermeable areas;
- Changes in atmospheric pollution levels due to increased traffic, waste management facilities etc. Pollution discharges from developments such as industrial developments, quarries and waste management facilities.

In line with the HRA Appropriate Assessment for the emerging Babergh and Mid Suffolk District Councils Joint



Local Plan, each policy will be assessed against the criteria in the table below.

**Table 5: Assessment of potential impacts**

Nature of potential impact	How the Drinkstone Neighbourhood Plan (alone or in combination with other plans and project) could affect a Habitats site?	Why these effects are not considered significant?
Land take by development	Drinkstone is outside the boundaries of any Habitats sites	N/A
Impact on protected species outside the protected sites	Drinkstone is outside the Zone of Influence of any Habitats sites	N/A
Recreational pressure and disturbance	Drinkstone is outside the boundaries of any Habitats sites	N/A
Water quantity and quality	Drinkstone is outside the boundaries of any Habitats sites	N/A
Changes in pollution levels	Drinkstone is outside the boundaries of any Habitats sites	N/A

## 4.5 Results from HRA Screening of Neighbourhood Plan Policies

The Screening exercise explores whether there will be any Likely Significant Effect resulting from the Plan's policies. These Policies are:

- Policy DRN1 – Spatial Strategy
- Policy DRN2 – Housing Development
- Policy DRN3 – Housing Allocations
- Policy DRN4 – Affordable Housing on Rural Exception Sites
- Policy DRN5 – Protection of Important Views
- Policy DRN6 – Area of Local Landscape Sensitivity
- Policy DRN7 – Open Skies
- Policy DRN8 – Local Green Spaces
- Policy DRN9 - Biodiversity
- Policy DRN10 – Buildings of Local Significance
- Policy DRN11 – Heritage Assets
- Policy DRN12 – Design Considerations
- Policy DRN13 – Sustainable Construction Practices



Each of the policies in the Drinkstone Neighbourhood Plan has been screened to identify whether they would have any impact on a Habitats site. This assessment can be found in the following table.

**Table 6: Assessment of individual policies**

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
Policy DRN1 – Spatial Strategy	<p>The Neighbourhood Plan area will accommodate development commensurate with Drinkstone’s designation as a Countryside Village in the adopted Core Strategy and emerging designation as a Hamlet in the Joint Local Plan.</p> <p>The focus for new development will be within the Settlement Boundaries of Drinkstone and Drinkstone Green, as defined on the Policies Map.</p> <p>Proposals for development located outside the Settlement Boundaries will only be permitted for that which is essential for the operation of agriculture, horticulture, forestry, outdoor recreation and other exceptional uses, where:</p> <ul style="list-style-type: none"> <li>i) It can be satisfactorily demonstrated that there is an identified local need for the proposal; and</li> <li>ii) It cannot be satisfactorily located within the Settlement Boundaries.</li> </ul>	No, Category A	No specific recommendations
Policy DRN2 – Housing Development	<p>This Plan provides for around 10 additional dwellings to be developed in the Neighbourhood Plan area between 2018 and 2036. This growth will be met through:</p> <ul style="list-style-type: none"> <li>i) The site allocations as identified in Policy DRN3 in the Plan and on the Policies Map;</li> <li>ii) Small brownfield ‘windfall’ sites and infill plots within the Settlement Boundaries that come forward during the plan period and are not identified in the Plan;</li> <li>iii) In exceptional circumstances dwellings outside the Settlement Boundaries where it can be demonstrated that the dwelling is essential for the operation of agriculture, horticulture, forestry, outdoor recreation and other exceptional uses for which it can be satisfactorily be demonstrated that it needs to be located in the</li> </ul>	No, Category A	No specific recommendations



Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	<p>countryside.</p> <p>In addition, proposals for the conversion of redundant or disused agricultural barns into dwellings outside the Settlement Boundaries will be permitted where:</p> <ul style="list-style-type: none"> <li>a) The building is structurally sound and capable of conversion without the need for extension, significant alteration or reconstruction; and</li> <li>b) The proposal is a high-quality design and the method of conversion retains the character and historic interest of the building; and</li> <li>c) The proposal would lead to an enhancement to the immediate setting of the building, and the creation of a residential curtilage and any associated domestic paraphernalia would not have a harmful effect on the character of the site or setting of the building, any wider group of buildings, or the surrounding area.</li> </ul>		
Policy DRN3 – Housing Allocations	<p>The following sites, as identified on the Policies Map, are allocated for housing development. Development will be expected to take place in accordance with the current planning consent for each site (as noted) unless superseded by a subsequent planning permission for residential development.</p> <ul style="list-style-type: none"> <li>i) Land west of The Street (1 dwelling – MSDC ref DC/19/01959);</li> <li>ii) Abbots Lodge, The Street (1 dwelling – MSDC ref DC/18/05409);</li> <li>iii) Adjacent to Greyfriars, Rattlesden Road (1 dwelling – MSDC ref DC/18/01727);</li> <li>iv) Briar Cottage, Gedding Road (1 dwelling – MSDC ref DC/18/01476);</li> <li>v) Land west of Shortgate, Beyton Road (2 dwellings – MSDC ref DC/18/01268)</li> </ul>	No, Category A	No specific recommendations
Policy DRN4 – Affordable Housing on Rural Exception	Proposals for the development of small-scale affordable housing scheme, including entry level homes for purchase (as defined by paragraph 71 of the NPPF) on rural exception sites outside the Settlement Boundaries, where housing would not	No, Category A	No specific recommendations



Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
Sites	<p>normally be permitted by other policies, will be supported where there is a proven local need and provided that the housing:</p> <ul style="list-style-type: none"> <li>i) Remains affordable in perpetuity; and</li> <li>ii) Is for people that are in housing need because they are unable to buy or rent properties in the village at open-market prices; and</li> <li>iii) Is offered, in the first instance, to people with a demonstrated local connection, as defined by the Mid Suffolk Choice Based Lettings Scheme. Where there is no need, a property should then be offered to those with a demonstrated need for affordable housing in neighbouring villages.</li> </ul> <p>These restrictions should be delivered through a legal agreement attached to the planning consent for the housing. Applications for such development will be considered in relation to the appearance and character of the surrounding area, the potential impact on residential amenity and highway safety.</p> <p>To be acceptable, proposals should demonstrate that a local need exists which cannot be met by applying normal planning policy for the provision of affordable homes in association with market housing.</p> <p>Any application for affordable housing in respect of this policy should be accompanied by a detailed needs assessment and the accommodation proposed should contribute to meeting this proven need.</p> <p>In exceptional circumstances, a small number of market homes will be permitted where it can be demonstrated:</p> <ul style="list-style-type: none"> <li>a) That no other means of funding the construction of the affordable homes is available; and</li> <li>b) The market housing is subsidiary to the affordable housing element of the proposal and the amount of market housing required is, as demonstrated through a viability assessment, the minimum required to deliver the affordable housing.</li> </ul>		





Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	Where sites for affordable housing in the countryside are brought forward with an element of market housing, both housing tenures should be built to the same design standards and contribute towards the character of the area.		
Policy DRN5 – Protection of Important Views	<p>To conserve the essential landscape, heritage and rural character of the Neighbourhood Plan Area, development proposals shall, where appropriate, demonstrate how they:</p> <ul style="list-style-type: none"> <li>i) Have regard to the rural and landscape character and the setting of the village as identified in the Drinkstone Landscape Appraisal;</li> <li>ii) Conserve the open countryside in and around the village area; and</li> <li>iii) Will not have a detrimental impact on the important views identified on the Policies Map.</li> </ul>	No, Category A	No specific recommendations
Policy DRN6 – Area of Local Landscape Sensitivity	<p>Development proposals in the Area of Local Landscape Sensitivity, as identified on the Policies Map, will be permitted only where they:</p> <ul style="list-style-type: none"> <li>i) Protect and enhance the special landscape qualities of the area, as identified in the Drinkstone Landscape Appraisal; and</li> <li>ii) Are designed and sited so as to harmonise with the landscape setting.</li> </ul>	No, Category A	No specific recommendations
Policy DRN7 – Open Skies	While ensuring that new developments are secure in terms of occupier and vehicle safety, dark skies are to be preferred over streetlights. Any future outdoor lighting systems should have a minimum impact on the environment, minimising light pollution and adverse effects on wildlife subject to highway safety, the needs of particular individuals or groups, and security. Schemes should reduce the consumption of energy by promoting efficient outdoor lighting technologies, keeping the night-time skies dark and reducing glare.	No, Category A	No specific recommendations
Policy DRN8 – Local Green Spaces	<p>The following Local Green Spaces are designated in this Plan and identified on the Policies Map.</p> <ol style="list-style-type: none"> <li>1. All Saints' Churchyard</li> <li>2. Albert Horrex memorial oak and green</li> <li>3. Gedding Road allotments</li> </ol>	No, Category A	No specific recommendations



Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	<ul style="list-style-type: none"> <li>4. Cherry Tree Rise</li> <li>5. Green Close</li> <li>6. The Cricket</li> <li>7. Park Road verges</li> <li>8. Gedding Road verges</li> <li>9. Rattlesden Road allotments and parish meadow</li> <li>10. Black Bourn verges</li> </ul> <p>Development on these sites will only be permitted in very special circumstances. Permitted development rights, including the operational requirements of infrastructure providers, are not affected by this designation.</p>		
<p>Policy DRN9 - Biodiversity</p>	<p>Development proposals should avoid the loss of, or substantial harm to, important trees, hedgerows and other natural features such as ponds and watercourses. Where such losses or harm are unavoidable:</p> <ul style="list-style-type: none"> <li>i) The benefits of the development proposal must be demonstrated clearly to outweigh any impacts; and</li> <li>ii) Suitable mitigation measures, that may include equivalent or better replacement of the lost features, will be required.</li> </ul> <p>It is expected that the mitigation proposals will form an integral part of the design concept and layout of any development scheme and that development will be landscape-led and appropriate in relation to its setting, context and ongoing management.</p> <p>Where new access is created, or an existing access is widened, through an existing hedgerow, a new hedgerow of native species shall be planted on the splay returns into the site to maintain the appearance and continuity of hedgerows in the vicinity.</p> <p>Development proposals will be supported where they provide a net gain in biodiversity through, for example,</p> <ul style="list-style-type: none"> <li>a) The creation of new natural habitats including ponds;</li> <li>b) The planting of additional trees and hedgerows (reflecting the character of</li> </ul>	<p>No, Category A</p>	<p>No specific recommendations</p>



Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	<p>Drinkstone's traditional hedgerows), and;</p> <p>c) Restoring and repairing fragmented biodiversity networks.</p>		
Policy DRN10 – Buildings of Local Significance	<p>The retention and protection of local heritage assets and buildings of local significance, including buildings, structures, features and gardens of local interest, will be secured.</p> <p>Proposals for any works that would lead to the loss of, or substantial harm to, a building of local significance should be supported by an appropriate analysis of the significance of the asset together with an explanation of the wider public benefits of the proposal.</p> <p>Appendix C identifies buildings of local significance which are also identified on the Policies Map.</p>	No, Category A	No specific recommendations
Policy DRN11 – Heritage Assets	<p>To ensure the conservation and enhancement of the village's heritage assets, proposals must:</p> <ol style="list-style-type: none"> <li>a. Preserve or enhance the significance of the heritage assets of the village, their setting and the wider built environment, including views into, within and out of the conservation area as identified on the Policies Map;</li> <li>b. Retain buildings and spaces, the loss of which would cause harm to the character or appearance of the conservation area;</li> <li>c. Contribute to the village's local distinctiveness, built form and scale of its heritage assets, as described in the landscape Appraisal and Built Character Assessment, through the use of appropriate design and materials;</li> <li>d. Be of an appropriate scale, form height, massing, alignment and detailed design which respects the area's character, appearance and its setting, in line with the AECOM Design Guidelines for Drinkstone;</li> <li>e. Demonstrate a clear understanding of the significance of the asset and of the wider context in which the heritage asset sites, alongside an assessment of the potential impact of the development in the heritage asset and its context; and</li> <li>f. Provide clear justification, for any works that would lead to substantial harm or total</li> </ol>	No, Category A	No specific recommendations



Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	<p>loss of designated heritage asset yet be of wider substantial public benefit, through detailed analysis of the asset and the proposal. A balanced judgement will be taken having regard to the scale of any harm or loss to a non-designated heritage asset in relation to significance.</p> <p>Where a planning proposal affects a heritage asset, it must be accompanied by a Heritage Statement identifying, as a minimum, the significance of the asset, and an assessment of the impact of the proposal on heritage assets. The level of detail of the Heritage Statement should be proportionate to the importance of the asset, the works proposed and sufficient to understand the potential impact of the proposal on its significance and/or setting.</p>		
<p>Policy DRN12 – Design Considerations</p>	<p>Proposals for new development must reflect the local characteristics of Drinkstone and create and contribute to a high quality, safe and sustainable environment.</p> <p>Planning applications should, as appropriate to the proposal, demonstrate how they satisfy the requirements of the Development Design Checklist in Appendix D of this Plan and, as appropriate to the proposal.</p> <p>In addition, proposals will be supported where they:</p> <ul style="list-style-type: none"> <li>a. Recognise and address the key features, characteristics, landscape/building character, local distinctiveness and special qualities of the area and/or building as identified in the Built Character Assessment and, where necessary, prepare a landscape character appraisal to demonstrate this;</li> <li>b. Maintain or create the village's sense of place and/or local character avoiding, where possible, cul-de-sac developments which do not reflect the lane hierarchy and form of the settlement;</li> <li>c. Do not involve the loss of gardens, important open, green or landscaped areas or the erosion of the settlement gaps identified on the Policies Map, which make a positive contribution to the character and appearance of that part of the village;</li> </ul>	<p>No, Category A</p>	<p>No specific recommendations</p>



Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	<p>d. Taking mitigation measures into account, do not affect adversely:</p> <ul style="list-style-type: none"> <li>i) Any historic character, architectural or archaeological heritage assets of the site and its surroundings, including those locally identified Buildings of Local Significance listed in Appendix C;</li> <li>ii) Important landscape characteristics including trees and ancient hedgerows and other prominent topographical features as set out in the Landscape Appraisal;</li> <li>iii) Sites, habitats, species and features of ecological interest;</li> <li>iv) The amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light, other pollution (including light pollution), or volume or type of vehicular activity generated; and/or residential amenity;</li> </ul> <p>e. Not locate sensitive development where its users and nearby residents would be significantly and adversely affected by noise, smell, vibration, or other forms of pollution from existing sources, unless adequate and appropriate mitigation can be implemented;</p> <p>f. Produce designs that respect the character, scale and density of the locality;</p> <p>g. Produce designs, in accordance with standards, that maintain or enhance the safety of the highway network ensuring that all vehicle parking is provided within the plot and seek always to ensure permeability through new housing areas, connecting any new development into the heart of the existing settlement;</p> <p>h. Wherever possible ensure that development faces on to existing lanes, retaining the rural character and creates cross streets or new back streets in keeping with the settlement's hierarchy of</p>		



Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	<p>routes;</p> <ul style="list-style-type: none"> <li>i. Not result in water run-off that would add to or create surface water flooding;</li> <li>j. Where appropriate, make adequate provision for the covered storage of wheelie bins and for cycle storage in accordance with adopted cycle parking standards;</li> <li>k. Include suitable ducting capable of accepting fibre to enable superfast broadband; and</li> <li>l. Provide one electronic vehicle charging point per new off-street parking place created.</li> </ul>		
Policy DRN13 – Sustainable Construction Practices	<p>Proposals that incorporate current best practice in energy conservation will be supported where such measures are designed to be integral to the building design and minimise any detrimental impact on the building or its surroundings. Development proposals should demonstrate how they:</p> <ul style="list-style-type: none"> <li>a. Maximise the benefits of solar gain in site layouts and orientation of buildings;</li> <li>b. Incorporate best practice in energy conservation and be designed to achieve maximum achievable energy efficiency;</li> <li>c. Avoid fossil fuel based heating systems; and</li> <li>d. Incorporate sustainable design and construction measures and energy efficiency measures including, where feasible, ground/air source heat pumps, solar panels and grey/rainwater harvesting.</li> </ul>	No, Category A	No specific recommendations

### 4.5.1 Recommendations

There are no recommendations for the site allocation policies in this draft Neighbourhood Plan as they have all been assigned to Category A. There will therefore be no need for any development subsequently coming forward to be subject to a project level HRA and secure sufficient mitigation measures, to avoid a Likely Significant Effect on any Habitats sites. As such there is no requirement to progress to Appropriate Assessment.

The in-combination effects from other plans and projects are considered in the following section.



## 4.6 Other Plans and Projects – In-combination Effects

There are no relevant Plan level HRAs that have been carried out by Babergh & Mid Suffolk DCs or other organisations and none have been found to have a likely significant effect on the Habitats sites within scope of this assessment.

In the context of this HRA, the relevant other plans to be considered are listed below in combination with Drinkstone Neighbourhood Plan.

**Table 7: Other plans or projects considered for in combination effects**

Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
Mid Suffolk District Council	Core Strategy Habitats Regulations Assessment (Appropriate Assessment) October 2007)	The HRA found no likely significant effects from the Plan on the Breckland SAC/SPA and Waveney and Little Ouse Valley Fens SAC.	It is considered that in combination likely significant effects are not predicted.
St Edmundsbury Borough Council	Development Management Policies Document  Habitats Regulations Assessment: Stage 1 – Screening (February 2015)	The HRA found that there will be no likely significant effects to international sites from any of the policies included in the Plan. Furthermore, there was considered to be no potential for ‘in combination’ effects as either no other current plans or projects that could lead to likely significant effects on the Breckland SAC/SPA or the Waveney and Little Ouse Valley Fens SAC, Devils Dyke SAC or Rex Graham Reserve SAC have been identified, or where such likely significant effects have been identified, mitigation has been recommended to ensure that no likely significant effects occur.	It is considered that in combination likely significant effects are not predicted.
Forest Heath District Council	HRA of the Forest Heath Site Allocations Local Plan Proposed Submission (Regulation 19 consultation stage)	Appropriate Assessment in relation to the first three of these potential effects was able to rule out an adverse effect on the integrity of any European site, either alone or in combination with other plans and projects.  In relation to potential air quality effects, likely significant effects on Breckland SAC, Breckland SPA and Rex Graham Reserve SAC cannot be ruled out without further traffic modelling and air quality assessment work.	It is considered that in combination likely significant effects are not predicted.
Forest Heath District Council	HRA of the Single Issue Review Proposed Submission of Forest Heath Core Strategy Policy CS7 Overall	Appropriate Assessment in relation to this potential effect was unable to rule out an adverse effect on the integrity of Breckland SPA. For the allocation to site 9(c) Land east of Red Lodge (south), the Appropriate	It is considered that in combination likely significant effects are not predicted.



Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
	Housing Provision and Distribution (Regulation 19 stage) (including Appropriate Assessment)	Assessment found that insufficient safeguards existed within Policy 9 to ensure that any future amendments to the current proposals for this site or any new planning application can be required to provide appropriate mitigation for the effects on stone curlew nest attempts outside of Breckland SPA. To avoid the potential for an adverse effect on the integrity of Breckland SPA it is recommended that the requirement for project level HRA described at para. 5.8.20 of the supporting text to Policy SA9 be included in the policy itself. If this recommendation is adopted then it will be possible to rule on adverse effects on the integrity of any European site from the SALP allocations that have associated project level HRAs.	
Babergh District Council	Habitat Regulations Assessment of Core Strategy 2011	The Core Strategy aims to minimise impacts on the Orwell and Stour estuaries, a European-designated site which supports species that are susceptible to disturbance. The principal potential impact on the European sites as a result of development proposed under the Core Strategy relates to increased recreational pressure. The Strategy therefore sets out a series of measures to ensure that the policies will not have a significant effect on the European sites.	It is considered that in combination likely significant effects are not predicted.
Suffolk Coastal District Council	Habitats Regulations Assessment of the Suffolk Coastal District Local Plan at Final Draft Plan Stage (2018) (including Appropriate Assessment)	The appropriate assessment themes were assessed within this iteration of the HRA and provided a number of recommendations at the end of each themed section. These recommendations were made before the finalisation of the Final Draft Local Plan by Suffolk Coastal District Council. All recommendations have been taken forward in the Final Draft Local Plan, with policies and supporting text amended accordingly. This now enables a conclusion that the plan will not lead to any adverse effects on European wildlife sites within and in the vicinity of the Suffolk Coastal District.	It is considered that in combination likely significant effects are not predicted.
Babergh and Mid Suffolk DCs	Babergh and Mid Suffolk Joint Local Plan HRA Appropriate Assessment (2019)	<p>The Appropriate Assessment found no potential for in combination effects as no other current plans or projects that are likely to lead to significant effects on the Breckland SAC/SPA.</p> <p>The only potential identified for impacts on the Waveney and Little Ouse Valley Fens SAC Including Redgrave &amp; South Lopham Fen Ramsar) relate to water quality and air quality</p>	It is considered that in combination likely significant effects are not predicted.





Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
		issues from development within the ZOIs, and these have been adequately mitigated.	
Breckland District Council	Breckland Local Plan HRA at Main Modifications stage (Feb 2019)	All recommendations made within this HRA report have been fully incorporated into the Local Plan, and a check at Main Modifications stage concludes that there are no further concerns, enabling a conclusion of compliance with the requirements of the legislation.	It is considered that in combination likely significant effects are not predicted.

Due to the Parish of Drinkstone lying outside the Impact Risk Zone for any Habitats sites, this HRA screening concludes that it is possible to rule out likely significant effects. There is therefore no need for an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017.



## 5. Conclusions

### 5.1 Strategic Environmental Assessment (SEA)

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The Neighbourhood Plan has been prepared for town and country planning purposes and sets a framework for future development consent. The policies of the Neighbourhood Plan can be considered to determine the use of small areas at local level commensurate with their status in determining local planning applications.

Planning Practice Guidance on SEA of Neighbourhood Plans indicates that a strategic environmental assessment may be required, for example, 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; or the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

The Plan allocates a small number of sites for development, all of which are for two or less dwellings and all have existing planning permission. There is therefore no specific content that is newly introduced by the Plan that could give rise to an identified effect of the magnitude or 'significance' that would warrant the application of the SEA Directive. 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 Drinkstone Neighbourhood Plan has therefore been **screened out** for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC.

### 5.2 Habitats Regulations Assessment (HRA)

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Subject to Natural England's review, this HRA screening report indicates that the Drinkstone Neighbourhood Plan is not predicted to have any likely significant effects on a Habitats site. The requirement for the Plan to undertake further assessment under the Habitats Regulations 2017 is therefore **screened out**.



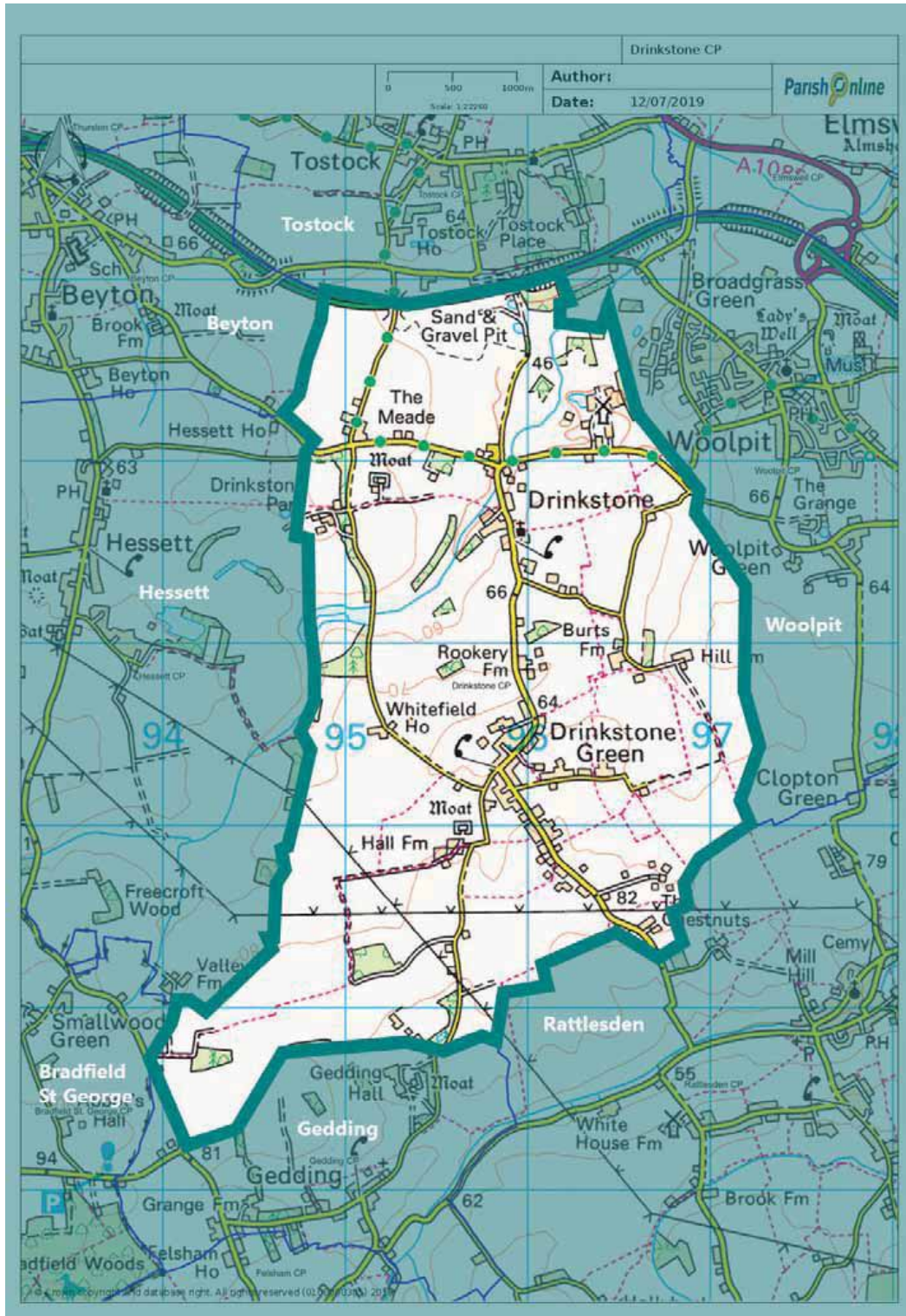
## References

- Atkins (2011) Habitats Regulations Assessment for Babergh District Council Core Strategy
- Habitats Regulations Assessment (Appropriate Assessment) for Mid Suffolk District Council Core Strategy(2007)
- Forest Heath and St Edmundsbury councils (2015) St. Edmundsbury Borough Council & Forest Heath District Council Development Management Policies Document Habitats Regulations Assessment: Stage 1 – Screening
- LUC (2017) HRA of the Forest Heath Site Allocations Local Plan Proposed Submission (Regulation 19 consultation stage) & HRA of the Single Issue Review Proposed Submission of Forest Heath Core Strategy Policy CS7 Overall Housing Provision and Distribution (Regulation 19 stage)
- Babergh District Council (2014) Local Plan Core Strategy and Policies
- Drinkstone Neighbourhood Plan 2018-2036 Regulation 14 Pre-Submission Draft (August 2019)
- Natural England Conservation objectives for European Sites: East of England Website
- Footprint Ecology (2018) Habitats Regulations Assessment of the Suffolk Coastal District Local Plan at Final Draft Plan Stage
- Place Services (2019) Babergh and Mid Suffolk Joint Local Plan HRA Appropriate Assessment



# Appendix 1

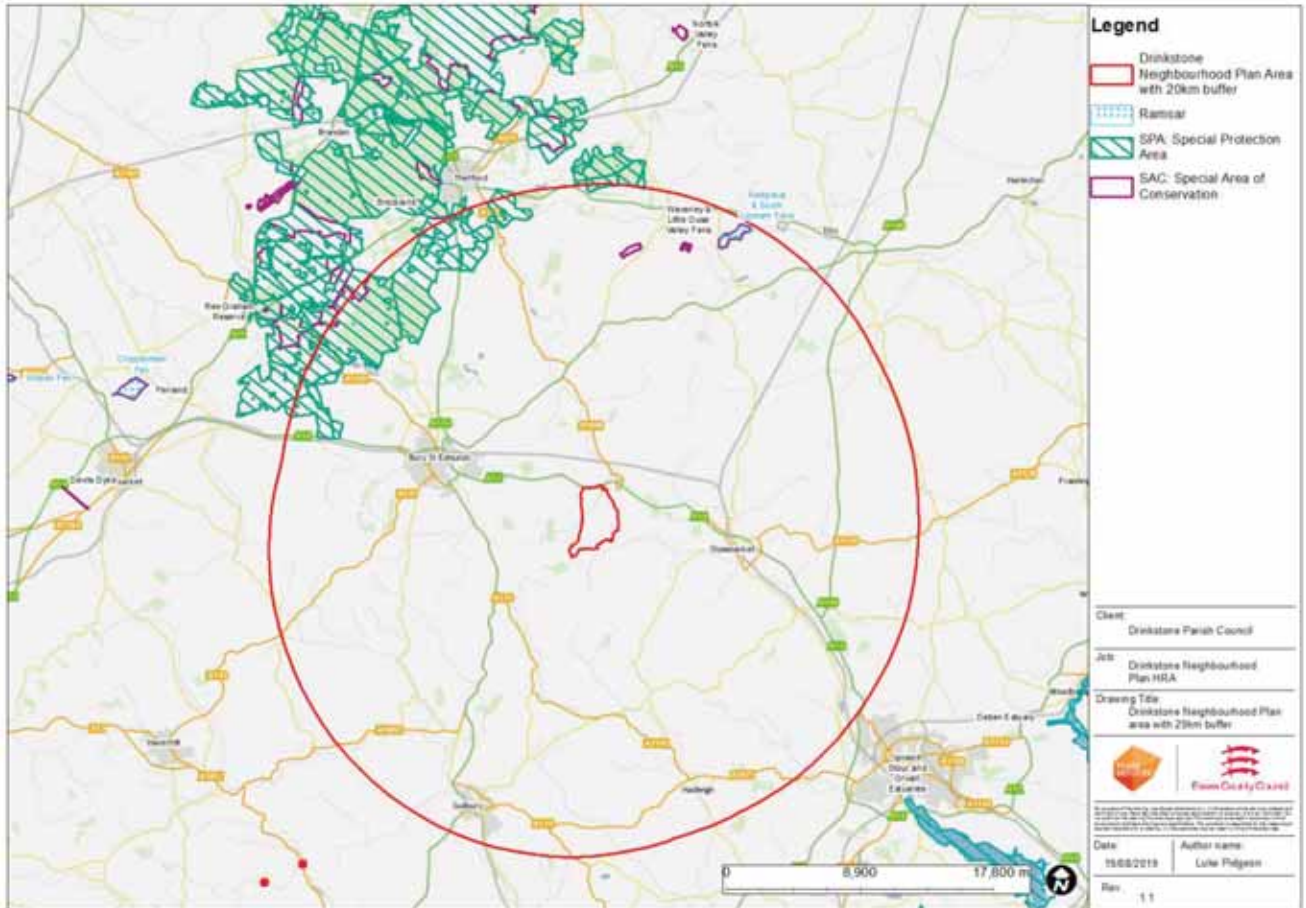
## Drinkstone Neighbourhood Plan area



Source: Mid Suffolk DC, 2018

# Appendix 2

## Drinkstone NP area and Locations of Habitats sites within 20km



Source: Place Services, 2019



## Place Services

Essex County Council

County Hall, Chelmsford, Essex CM1 1QH

T: +44 (0)333 013 6840

E: [enquiries@placeservices.co.uk](mailto:enquiries@placeservices.co.uk)

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September 2019



Essex County Council



# Drinkstone Neighbourhood Plan

## Habitats Regulations Screening Determination

October 2019

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# DRINKSTONE NEIGHBOURHOOD PLAN

## HABITATS REGULATIONS DETERMINATION

### 1. Introduction

This assessment relates to the Drinkstone Neighbourhood Development Plan 2018 - 2036 Pre-Submission Draft which was published for consultation in August 2019.

It is a requirement of European law that a plan or project is subject to an assessment to determine whether it is likely to have a significant effect on the integrity of any European Site, in terms of impacting on the site's conservation objectives.

Submitted Neighbourhood Plans need to be accompanied by a statement to explain how the proposed plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a Habitats Regulations Assessment (HRA). This is one of the matters that will be tested as part of the independent examination of the Plan.

Whether a neighbourhood plan requires a Habitats Regulations Assessment and the level of detail needed will depend on what is proposed in the draft Neighbourhood Plan and the potential impacts on European sites designated for their nature conservation interest.

This report therefore determines whether a Habitats Regulations Assessment under the UK Conservation of Habitats and Species Regulations 2017, which enacts the Habitats Directive<sup>1</sup>, is required for the Drinkstone Neighbourhood Plan.

This determination refers to:

- A HRA Screening Report prepared by Place Services, Essex CC [*hereafter referred to as Place Services*] which can be viewed at: [www.midsuffolk.gov.uk/DrinkstoneNP](http://www.midsuffolk.gov.uk/DrinkstoneNP)
- The responses to this from the statutory consultees (See Appendix 1).

### 2. Legislative Background

One of the basic conditions that Neighbourhood Plans must meet is that:

*"The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017"*

The Conservation of Habitats and Species Regulations 2017 include regulations on the assessment of plans (including neighbourhood plans) and projects on European sites or European offshore marine sites. The first stage is to screen the plan to see whether it is likely to have a significant effect on any Habitats (European) sites. If the plan is "screened in" because likely significant effects cannot be ruled out, the next stage is for an appropriate

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<sup>1</sup> Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>.

assessment to be carried out considering the impact on the European site's conservation objectives. Consent for the Plan can only be given if it is "screened out" at the first stage or the appropriate assessment concludes the integrity of the European site will not be adversely affected.

Case law (*People Over Wind, Peter Sweetman v Collie Teoranta*) ruled that it is not permissible to take account of measures intended to reduce or avoid any harmful effects of a plan or project on a European site at the screening stage. Any mitigation measures can now only be considered at the appropriate assessment stage.

### 3. Assessment

In determining whether a proposed development plan or programme is likely to have significant effects, the local authority must incorporate the 'precautionary principle' into its decision. This means that if there is uncertainty as to whether the plan or programme would cause significant effects on a European site, the full Appropriate Assessment would be required.

The Neighbourhood Plan includes the following Vision Statement:

*"In 2036 Drinkstone will be a place that has developed so that:*

- *it still has its own character and individuality;*
- *it is a place where people of all ages can live*
- *in a vibrant and friendly community;*
- *the natural landscape has been protected and enhanced.*

The draft Plan makes provision for around 10 dwellings to be built in the Neighbourhood Plan area between 2018 and 2036. The Plan provides for this growth to be met through:

- the allocation of five sites which will deliver six dwellings in total
- small brownfield windfall sites and infill plots within the settlement boundaries
- in exceptional circumstances, dwellings outside the settlement boundaries where it can be demonstrated that they are for a specified essential use that needs to be located in the countryside.

There are four Habitats site which lies within 20 km of Drinkstone parish:

- Breckland Special Protection Area
- Waveney & Lt Ouse Valley Fens Special Area of Conservation
- Breckland Special Area of Conservation, and
- Redgrave & South Lopham Fens Ramsar

However, none of the individual Zones of Influence are triggered for this Plan. There are therefore no Habitats sites considered to be within scope for this assessment.

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

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

The screening has been prepared in accordance with the recent Court judgment (CJEU People Over Wind v Coillte Teoranta C323/17) which ruled that mitigation measures cannot be taken into account when carrying out a screening assessment to determine whether a plan or project is likely to result in significant effects on a Habitats site.

#### **4. Screening Conclusions**

The Screening Report concluded that, subject to Natural England's review, the Drinkstone Neighbourhood Plan is not predicted to have any likely significant effects on a Habitats site.

Natural England have subsequently confirmed that they concur with the conclusion of the HRA Screening.

The requirement for the Plan to undertake further assessment under the Habitats Regulations 2017 is therefore '**screened out.**'

#### **5. Determination**

In the light of the Screening Report prepared by Place Services and the responses from the statutory bodies it is determined that the Drinkstone Neighbourhood Plan **does not require** further assessment under the Habitats Regulations 2017.

Date: 06 September 2019  
Our ref: 294225

Mid Suffolk District Council  
communityplanning@babberghmidsuffolk.gov.uk

**BY EMAIL ONLY**



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

T 0300 060 3900

Dear Sir or Madam,

**Drinkstone Neighbourhood Plan; SEA/HRA Screening Report**

Thank you for your consultation on the above dated 05 September 2019 which was received by Natural England on 05 September 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 Habitats Regulation 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.

Natural England concurs with the findings of the HRA screening report.

**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](mailto:consultations@naturalengland.org.uk).

Yours faithfully

Danielle Priestner  
Consultations Team



Historic England

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

Our ref: PL00625546  
Your ref:  
Date: 08/10/2019  
Direct Dial: [REDACTED]  
Mobile: [REDACTED]

Dear Mr Bryant,

**RE: Drinkstone Neighbourhood Plan SEA Screening**

Thank you for inviting Historic England to comment on 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 Drinkstone 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 proposes to allocate a small number of sites for development, but that these already benefit from planning consent.

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 5th September 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.

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



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)



*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*



Ms Hillary Workman  
Drinkstone Parish Council  
123 York Road  
Bury St. Edmunds  
IP33 3EG

**Our ref:** AE/2019/124503/01-L01  
**Your ref:** Drinkstone NP SEA/HRA  
**Date:** 04 October 2019

Dear Ms Workman

**DRINKSTONE NP: SEA HRA SCREENING CONSULTATION**

**DRINKSTONE, SUFFOLK**

Thank you for consulting us on 5 September 2019. We have reviewed the documents as submitted: Drinkstone Neighbourhood Plan: SEA/HRA Screening Report (produced by Place Services).

We do not disagree with the conclusion of the report.

This concludes (pg.37) that Drinkstone Neighbourhood Plan has been 'screened out' due to their being no large site allocations in the area and no proposed large scale developments. There are a number of environmental constraints of interest in the area such as; areas susceptible to flooding, former and active landfill sites, areas of deciduous woodland and local wildlife sites. We believe the Neighbourhood Plan will have no impact on these constraints and we do not disagree with the conclusion of the report.

We trust this advice is useful.

Yours sincerely

Mr Mark Macdonald  
Planning Advisor

Direct dial  
Direct e-mail [REDACTED]

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

End





# Drinkstone Neighbourhood Plan

## Strategic Environmental Assessment Screening Determination

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

October 2019

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# DRINKSTONE NEIGHBOURHOOD PLAN

## STRATEGIC ENVIRONMENTAL ASSESSMENT DETERMINATION

### 1. Introduction

This assessment relates to the Drinkstone Neighbourhood Development Plan 2018 - 2036 Pre-Submission Draft which was published for consultation in August 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 Statement:

*"In 2036 Drinkstone will be a place that has developed so that:*

- it still has its own character and individuality;*
- it is a place where people of all ages can live*
- in a vibrant and friendly community;*
- the natural landscape has been protected and enhanced.*

The draft Plan makes provision for around 10 dwellings to be built in the Neighbourhood Plan area between 2018 and 2036. The Plan provides for this growth to be met through:

- the allocation of five sites which will deliver six dwellings in total
- small brownfield windfall sites and infill plots within the settlement boundaries
- in exceptional circumstances, dwellings outside the settlement boundaries where it can be demonstrated that they are for a specified essential use that needs to be located in the countryside.

In addition to the above, guidance is also provide on where proposals for the conversion of redundant and disused agricultural barns into dwellings outside the settlement boundaries might be considered acceptable.

An SEA/HRA Screening Report for the Plan has been prepared by Place Services, Essex CC [*hereafter referred to as Places Services*] on behalf of Mid Suffolk District Council and Drinkstone Parish Council. This can be viewed at: [www.midsuffolk.gov.uk/DrinkstoneNP](http://www.midsuffolk.gov.uk/DrinkstoneNP)

The statutory consultees were consulted in September 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, Drinkstone Parish Council (the qualifying body) requested Mid Suffolk District Council (MSDC) as the responsible authority, to determine whether an environmental report on the emerging Drinkstone 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 between August and October 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"><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></ul> |
|---|

- 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 September 2019 prepared by Place Services which can be viewed at:

<https://www.midsuffolk.gov.uk/assets/Neighbourhood-Planning/Drinkstone-NP-SEA-HRA-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 Place Services notes that the Plan allocates a small number of sites for development, all of which are for two or less dwellings and all have existing planning permission. There is therefore no specific content that is newly introduced by the Plan that could give rise to an identified effect of the magnitude or 'significance' that would warrant the application of the SEA Directive. 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 Drinkstone 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.

In their response, all three bodies 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 Natural England, Historic England and the Environment Agency it is determined that a Strategic Environmental Assessment of the Drinkstone Neighbourhood Plan **is not required** in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.

Date: 06 September 2019  
Our ref: 294225

Mid Suffolk District Council  
communityplanning@babberghmidsuffolk.gov.uk

**BY EMAIL ONLY**



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

T 0300 060 3900

Dear Sir or Madam,

**Drinkstone Neighbourhood Plan; SEA/HRA Screening Report**

Thank you for your consultation on the above dated 05 September 2019 which was received by Natural England on 05 September 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 Habitats Regulation 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.

Natural England concurs with the findings of the HRA screening report.

**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](mailto:consultations@naturalengland.org.uk).

Yours faithfully

Danielle Priestner  
Consultations Team





Historic England

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

Our ref: PL00625546  
Your ref:  
Date: 08/10/2019  
Direct Dial: [REDACTED]  
Mobile: [REDACTED]

Dear Mr Bryant,

**RE: Drinkstone Neighbourhood Plan SEA Screening**

Thank you for inviting Historic England to comment on 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 Drinkstone 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 proposes to allocate a small number of sites for development, but that these already benefit from planning consent.

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 5th September 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.

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



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)



*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*



Ms Hillary Workman  
Drinkstone Parish Council  
123 York Road  
Bury St. Edmunds  
IP33 3EG

**Our ref:** AE/2019/124503/01-L01  
**Your ref:** Drinkstone NP SEA/HRA  
**Date:** 04 October 2019

Dear Ms Workman

**DRINKSTONE NP: SEA HRA SCREENING CONSULTATION**

**DRINKSTONE, SUFFOLK**

Thank you for consulting us on 5 September 2019. We have reviewed the documents as submitted: Drinkstone Neighbourhood Plan: SEA/HRA Screening Report (produced by Place Services).

We do not disagree with the conclusion of the report.

This concludes (pg.37) that Drinkstone Neighbourhood Plan has been 'screened out' due to their being no large site allocations in the area and no proposed large scale developments. There are a number of environmental constraints of interest in the area such as; areas susceptible to flooding, former and active landfill sites, areas of deciduous woodland and local wildlife sites. We believe the Neighbourhood Plan will have no impact on these constraints and we do not disagree with the conclusion of the report.

We trust this advice is useful.

Yours sincerely

Mr Mark Macdonald  
Planning Advisor

Direct dial  
Direct e-mail [REDACTED]

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

End



# DRINKSTONE

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## NEIGHBOURHOOD PLAN

**STRATEGIC ENVIRONMENTAL  
ASSESSMENT AND HABITATS  
REGULATIONS ASSESSMENT SCREENING  
REPORT AND DETERMINATION**

**OCTOBER 2019**