

Elmswell Neighbourhood Plan SEA Screening Opinion

Final report

Prepared by LUC

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Elmswell Neighbourhood Plan SEA Screening Opinion

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Contents

Chapter 1
Introduction **1**

Chapter 2
SEA Screening **2**

Scope of the Neighbourhood Plan	2
Baseline Information	2
SEA Screening	4
SEA Screening Conclusion	8
Next Steps	8

Chapter 1

Introduction

1.1 Elmswell Parish Council is in the process of preparing a Neighbourhood Plan.

1.2 Elmswell is located within Mid Suffolk District, halfway between Bury St. Edmunds and Stowmarket, and lies just north of the A14. LUC has been appointed by Babergh and Mid Suffolk District Councils to consider whether there is a need for Strategic Environmental Assessment (SEA) to be undertaken for the Neighbourhood Plan.

1.3 SEA may be required for a Neighbourhood Plan if it is likely to have significant environmental effects. Sustainability Appraisal (SA) is similar to SEA but includes assessment of the likely significant effects of a plan or programme on economic and social factors, as well as environmental factors. Planning Practice Guidance¹ (PPG) clarifies that there is no legal requirement for a Neighbourhood Plan to be subject to SA, but that SA can be used to demonstrate how the plan will contribute to sustainable development.

1.4 Babergh and Mid Suffolk District Councils have commissioned LUC to carry out SEA Screening of the Pre-Submission Version of the Elmswell Neighbourhood Plan (Spring 2022) in order to determine whether an assessment is required under European Directive 2001/42/EC (the SEA Directive), transposed into UK law through the SEA Regulations².

1.5 On 11th May 2022 the Government published the Levelling up and Regeneration Bill, which sets out in detail the Government's proposals for reforming the planning system. Amongst other things, the Bill proposes the replacement of the current SEA regime with a new requirement for an Environmental Outcomes Report. The specific requirements will be set out in forthcoming regulations, along with information about transition arrangements; however at present the requirement for SEA remains as set out in existing legislation.

¹ <https://www.gov.uk/government/collections/planning-practice-guidance>

² The Environmental Assessment of Plans and Programmes Regulations 2004 (SI 2004/1633), as amended by The Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit)

Regulations 2018 (SI 2018/1232). It should be noted that the purpose of the amendments to the SEA Regulations is to ensure that the law functions correctly after the UK has left the European Union. No substantive changes are made to the way the SEA regime operates.

Chapter 2

SEA Screening

Scope of the Neighbourhood Plan

2.1 Elmswell Parish Council has prepared the Pre-Submission version of the Neighbourhood Plan (Spring 2022) which was subject to public consultation in Summer 2022.

2.2 The Elmswell Neighbourhood Plan covers the entire parish. The Pre-Submission Neighbourhood Plan sets out five planning policies that cover the following themes:

- Planning Strategy and Settlement Boundaries.
- Landscape Character and Views.
- Local Green Spaces.
- Sport and Recreation Facilities.
- Employment Sites.

2.3 While the Neighbourhood Plan does not allocate any new dwellings, Policy ELM1 – Planning Strategy states that the Neighbourhood Area will accommodate development commensurate with its designation as a Key Service Centre in the Mid Suffolk Core Strategy and Core Village in the Joint Local Plan. Policy ELM 5 – Employment Sites supports the retention and development of existing employment and other business uses.

2.4 The remaining policies address the protection of local green spaces, recreation facilities and landscape character.

Baseline Information

2.5 This section summarises baseline information for the parish of Elmswell, drawing from the information set out in the Pre-Submission Neighbourhood Plan (Spring 2022) and published supporting evidence.

Context

2.6 Elmswell is a village within the Mid Suffolk District of the County of Suffolk, eastern England. It is located halfway between Bury St. Edmunds and Stowmarket and lies just north of the A14.

Biodiversity, flora and fauna

2.7 The parish boundary is adjacent to the Norton Wood SSSI to the south west. There are Impact Risk Zones (IRZs) around the SSSI which flag up various scales and types of

developments as a potential risk, and the entirety of the parish is within the Impact Risk Zone for Norton Wood Site of Scientific Interest (SSSI). Norton Wood is also designated as ancient woodland. There are no internationally designated sites within the parish, the nearest being Waveney and Little Ouse Valley Fens SAC approximately 16km to the north.

2.8 There are two priority habitats within the parish, including a few patches of deciduous woodland and one patch of traditional orchard.

2.9 There are no County Wildlife Sites or Local Wildlife Sites within Elmswell, however the parish is home to a four-acre community wild space known as Lukeswood. There are also eight areas within the parish that are designated as Local Green Spaces.

Population

2.10 The population of Elmswell was 3,950 residents according to the 2011 Census. The gender balance was 49.4% male and 50.6% female. The median age within the parish was 40.6.

2.11 Ethnic diversity is low with only 1.8% of residents being of non-white ethnicities. The 2011 Census showed that 70.5% of the population was in some form of employment (full-time, part-time or self-employed), with 4.7% unemployed or in full-time education. A further 24.8% were economically inactive which consists of being retired, providing care, long-term sick or disabled.

2.12 There is no predominant employment sector in the parish, with employment largely in wholesale and retail trade, manufacturing and human health and social work activities.

Human Health

2.13 The majority of Elmswell's residents are in good or very good health (83.5%) with a small proportion (3.6%) in bad to very bad health. Information from the 2011 Census indicates that the proportion of the Elmswell population that is in very good health (47.4%) is slightly lower than the Mid Suffolk (47.9%) average, but slightly higher than the England (47.2%) average.

Soil

2.14 Elmswell Parish comprises mainly Grade 3 agricultural land; however, it is not known if any or all of this is Grade 3a (classed as best and most versatile agricultural land) or the lower quality Grade 3b. There is an area of Grade 2 agricultural land to the west of the parish centre.

2.15 There are three types of soils found within Elmswell: a mix of slowly permeable seasonally wet slightly acid but base-rich loamy and clayey soils, lime-rich loamy and clayey soils

with impeded drainage and slightly acid loamy and clayey soils with impeded drainage.

Water

2.16 The Environment Agency's Flood Risk Maps for planning indicate that the majority of the parish lies within Flood Zone 1 and therefore has a lower probability of flooding. There is a small section in the west of the parish that lies within Flood Zones 2 and 3. This area of higher flood risk is associated with a small stream. The area within Flood Zones 2 and 3 lies outside of the built-up areas of the parish.

Air and Climatic Factors

2.17 There are no Air Quality Management Areas (AQMAs) that have been declared within or near to Elmswell Parish, the nearest being in Ipswich 20 miles away to the south east.

2.18 Climate data are not available at parish level, but within Mid Suffolk District as a whole, reductions in overall carbon emissions of 28% were achieved between 2005 and 2019. This reduction was mostly due to progress in reducing emissions from large industrial installations followed by electricity from industrial and commercial sectors and domestic sources. There was minimal progress on reducing transport emissions, which make the largest contribution to carbon emissions in Mid Suffolk District.

2.19 Most households had a car according to the 2011 Census, with only 10.8% having no car.

Material Assets

2.20 Elmswell has 1,703 dwellings, a community centre, a village hall, a Co-op food store, two churches, a library, Lukeswood community greenspace and Public Rights of Way. The Public Rights of Way run through the centre of the parish and provide access to the wider countryside to the north and south, however the network is disjointed. There is one primary school, Elmswell Community Primary School, and one nursery, Street Farm Day Nursery, within the Parish.

2.21 In terms of public transport, the parish benefits from a train station within the north of the village. The station is serviced by the Greater Anglia train line. The parish also has bus services to Stowmarket and Thurston.

2.22 There are no GP surgeries within Elmswell Parish.

2.23 All of Elmswell Parish is included within a Minerals Consultation Area in the Suffolk Minerals Core Strategy.

Cultural Heritage

2.24 The parish has 21 Grade II listed buildings and one Grade II* listed building. The majority of the listed buildings

are within the built-up area of the parish. None of these assets are on Historic England's 'Heritage at Risk' register.

Landscape

2.25 There are no designated landscapes within or close to Elmswell Parish, the nearest being the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) which is approximately 31km to the south east.

2.26 The Suffolk County Landscape Character appraisal identifies two landscape character types within the parish: Ancient Plateau Claylands and Rolling Valley Farmlands and Furze.

2.27 The District-level Heritage and Settlement Sensitivity Assessment notes that the setting of the church on the southern boundary of the settlement is of high value and sensitivity.

SEA Screening

2.28 An assessment has been undertaken to determine whether the Pre-Submission version of the Elmswell Neighbourhood Plan (Spring 2022) requires SEA in accordance with the SEA Regulations.

2.29 **Figure 2.1** overleaf presents the flow diagram entitled 'Application of the SEA Directive to plans and programmes' which is taken from the Practical Guide to the Strategic Environmental Assessment Directive, published in September 2005. This is a useful guide when considering whether a plan should be subject to SEA (The Practical Guide has been superseded by the National Planning Practice Guidance; however, it still provides a useful and relevant guide to the process to use in making SEA screening decisions).

Figure 2.1 Application of the SEA Directive to plans and programmes

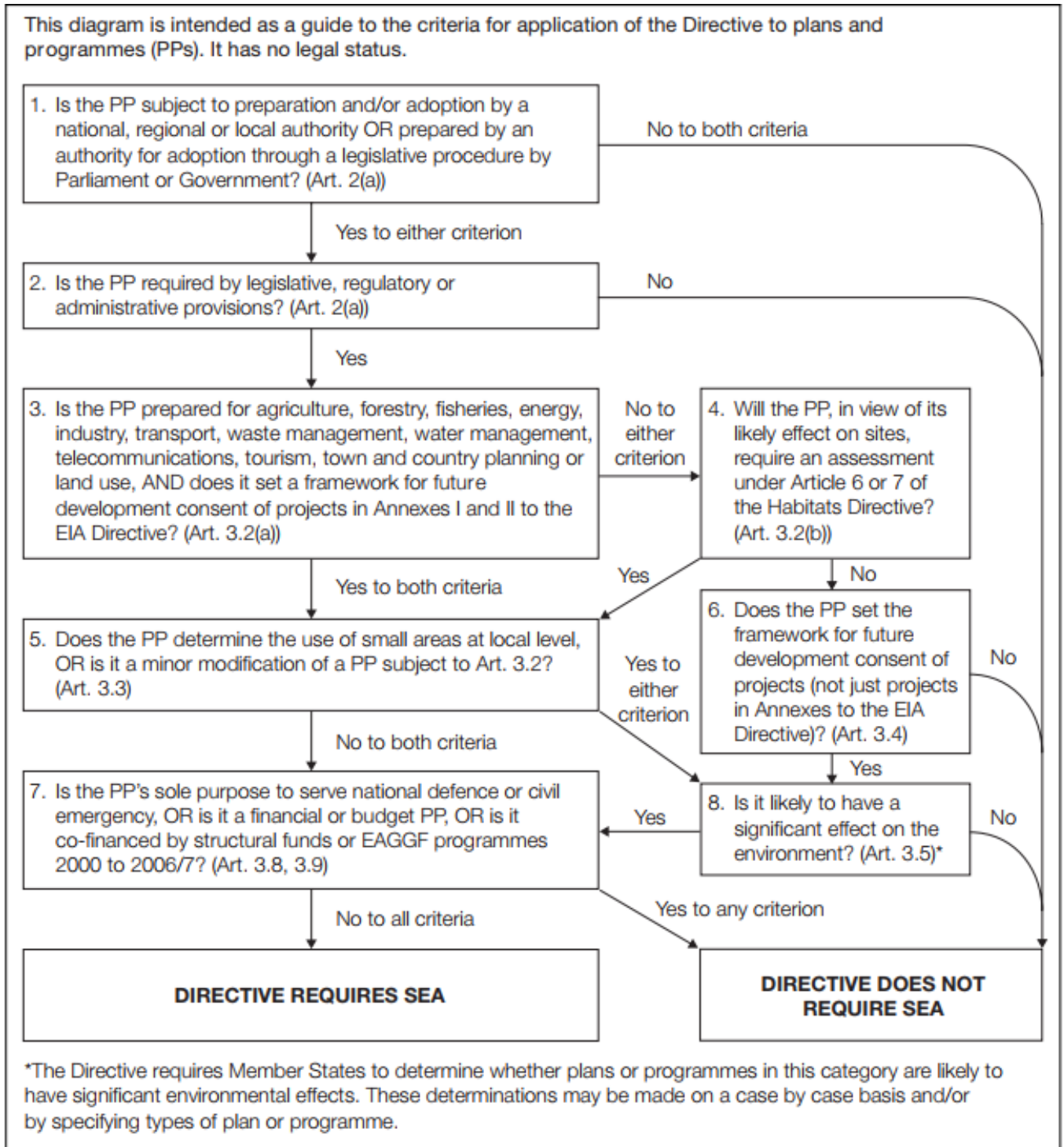


Table 2.1 Application of SEA Directive to the Elmswell Neighbourhood Plan

Stage	Yes/No	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	The Neighbourhood Plan is being prepared under the Localism Act 2011 and will be adopted ('made') by the Local Authority (Mid Suffolk District Council) as part of the statutory development plan. Move to Q2.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	No	The Neighbourhood Plan is being prepared under the Localism Act 2011 and in accordance with the Neighbourhood Planning (General) Regulations 2012. However, there is no requirement to produce a Neighbourhood Plan; it is an optional plan. Once made it will become part of the statutory development plan. Therefore, it should continue to be screened. Move to Q3.
3. Is the PP 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? (Art 3.2(a))	Yes and No	The Neighbourhood Plan is being prepared for town and country planning and land use, but it does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive. Move to Q4.
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	No	HRA screening of the Neighbourhood Plan has been undertaken separately on behalf of Mid Suffolk District Council and has concluded that the Neighbourhood Plan is not likely to have significant effects on European sites, either alone or in combination. No: Move to Q6.
6. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	Yes	The Neighbourhood Plan does not allocate sites for development; however it includes policies which proposals for development within the parish will be assessed against. Move to Q8.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	See Table 2.2. SEA IS NOT REQUIRED.

2.30 Schedule 1 of the SEA Regulations sets out the criteria for determining the likely significance of effects. These are listed in **Table 2.2** below along with comments on the extent to which the Elmswell Neighbourhood Plan meets these criteria.

Table 2.2 Likely Significant Effects

SEA Requirement	Comments
The characteristics of plans and programmes, having regard, in particular, to:	
1. the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	Once made, the Neighbourhood Plan will become part of the statutory development plan and will guide the delivery of development in Elmswell Parish, including in terms of design. The Neighbourhood Plan does not allocate sites for residential or other forms of development. The adopted Mid Suffolk Core Strategy (2008, review 2012) identifies Elmswell as a Key Service Centre in Policy CS1 – Settlement Hierarchy. This policy seeks to direct development to towns and key service centres but also with some provision for meeting local housing needs in primary and secondary villages. The Core Strategy (2008) made provision for 500 homes to be delivered

SEA Requirement	Comments
	<p>within Key Service Centres over the Plan period to 2025. The Focused Review (2012) set a new figure of 750 homes for Key Service Centres over a 15-year period ending in 2027.</p> <p>The emerging Babergh and Mid Suffolk Joint Local Plan identifies Elmswell as a Core Village. While the new Local Plan is not yet adopted (this is expected to be later in 2022), it has been taken into consideration in the preparation of the Neighbourhood Plan. It is noted that the Regulation 19 (Pre-Submission) version of the Joint Local Plan (November 2020) makes provision for building at least 12,616 new homes across Mid Suffolk between 2018 and 2037 and that it is proposed that 38% of these will be in the Core Villages. For Elmswell specifically, the emerging Joint Local Plan proposes an additional 834 homes in the parish, of which 480 had planning permission as of 1 April 2018.</p>
2. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	<p>The Neighbourhood Plan has to be in general conformity with the local strategic framework (i.e. the adopted Mid Suffolk Core Strategy (2008, review 2012) and the emerging Babergh and Mid Suffolk Joint Local Plan). The Neighbourhood Plan must also have regard to the National Planning Policy Framework. The Neighbourhood Plan does not have influence over other plans. Once made, the Neighbourhood Plan will form part of the statutory development plan for Elmswell Parish and will be used in conjunction with the emerging Babergh and Mid Suffolk Joint Local Plan (once adopted) to determine planning applications.</p>
3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	<p>One of the Basic Conditions which the Neighbourhood Plan must meet is to contribute to sustainable development.</p>
4. environmental problems relevant to the plan or programme,	<p>Baseline information relating to Elmswell Parish was described earlier in this chapter. Key issues of relevance to the Neighbourhood Plan are the proximity of Norton Wood SSSI, the presence of high-quality agricultural land in the parish, the presence of land within Flood Zone 3 and a number of designated heritage assets.</p>
5. the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	<p>N/A</p>
<p>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p>	
6. the probability, duration, frequency and reversibility of the effects,	<p>The Neighbourhood Plan does not allocate sites for housing or other forms of development. The Elmswell Neighbourhood Plan covers the period up to 2037. Effects of the Elmswell Neighbourhood Plan are expected to be indirect (due to not allocating sites) but long-term and permanent.</p>
7. the cumulative nature of the effects,	<p>Cumulative effects could result from the Neighbourhood Plan in combination with development that takes place in the surrounding towns and villages, although the Neighbourhood Plan does not allocate sites for housing or other forms of development.</p> <p>The Adopted Mid Suffolk Core Strategy (2008) identifies Elmswell as a Key Service Centre in the settlement hierarchy. Over the plan period, 2010-2025, Key Service Centres are expected to provide 500 new homes and associated infrastructure. The housing number was then updated via the Focused Review (2012) to 750 new homes for Key Service Centres over a 15-year period ending in 2027.</p> <p>The emerging Babergh and Mid Suffolk Joint Local Plan identifies a minimum housing requirement for Elmswell of 834 new homes.</p>
8. the transboundary nature of the effects,	<p>The Neighbourhood Plan focuses on Elmswell Parish only. Transboundary effects under the SEA Regulations refers</p>

SEA Requirement	Comments
	transboundary effects on other EU Member States; therefore, they are not relevant to this Neighbourhood Plan.
9. the risks to human health or the environment (e.g. due to accidents),	There are no anticipated risks to human health or the environment from the Neighbourhood Plan.
10. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	The Neighbourhood Plan covers all of Elmswell Parish. According to the 2011 Census the population of the parish was 3,950.
11. the value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> ■ special natural characteristics or cultural heritage, ■ exceeded environmental quality standards or limit values, ■ intensive land-use, 	The nationally designated Norton Wood SSSI lies adjacent to the south west boundary of the parish. There are numerous listed buildings both within and outside of the built-up parts of the parish. There is an area of high quality (Grade 2) agricultural land in the western portion of the parish.
12. the effects on areas or landscapes which have a recognised national, Community or international protection status.	The parish does not lie within or near to an AONB or National Park.

SEA Screening Conclusion

2.31 A screening assessment has been undertaken by applying the criteria from the SEA Directive and Schedule 1 of the SEA Regulations to determine whether or not the Elmswell Neighbourhood Plan is likely to have significant environmental effects when assessed against the topics listed in the SEA Regulations.

2.32 The Neighbourhood Plan sets out five planning policies to shape development in the parish up to 2037 and decision makers will need to consider the criteria of these policies when determining future applications in the parish. The Neighbourhood Plan does not directly impact on land use through the allocation of sites for housing or other forms of development.

2.33 On this basis, it is considered that the Elmswell Neighbourhood Plan is unlikely to have significant environmental effects and that full SEA is therefore not required.

Next Steps

2.34 This SEA screening opinion will be sent to the three statutory consultees (Natural England, Historic England and the Environment Agency) and will be reviewed as appropriate in light of any comments received.