



Hoxne Neighbourhood Plan 2022 - 2037

Strategic Environmental Assessment Screening Determination

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

February 2022

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HOXNE NEIGHBOURHOOD PLAN

STRATEGIC ENVIRONMENTAL ASSESSMENT DETERMINATION

1. Introduction

This assessment relates to the 'Hoxne Neighbourhood Development Plan 2022 - 2037' which was published for Regulation 14 Pre-submission consultation in January 2022.

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.

This report therefore determines whether a Strategic Environmental Assessment is required for the Hoxne Neighbourhood Plan. In doing so it refers to:

- The SEA Screening Report prepared by Land Use Consultants [*hereafter referred to as LUC*] which can be viewed at: www.midsuffolk.gov.uk/HoxneNP
- The responses to this from the statutory consultees (See Appendix 1).

Section 2 below 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, Hoxne Parish Council (the qualifying body) asked Mid Suffolk District Council (MSDC), as the responsible authority, to determine whether an environmental report on this emerging Neighbourhood Plan was required due to significant environmental effects. In making that determination, the District Council must have regard to Schedule 1 of the Regulations.

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. MSDC therefore commissioned LUC to prepare a screening report to assess whether an SEA would be required.

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 an SA 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

The criteria are set out in the following table:

<p>The characteristics of plans and programmes, having regard, in particular, to:</p> <ol style="list-style-type: none">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,2. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,4. environmental problems relevant to the plan or programme,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>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p> <ol style="list-style-type: none">6. the probability, duration, frequency and reversibility of the effects,7. the cumulative nature of the effects,8. the trans-boundary nature of the effects,9. the risks to human health or the environment (e.g. due to accidents),10. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),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,12. the effects on areas or landscapes which have a recognised national, Community or international protection status.
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[Source: Annex II of SEA Directive 2001/42/EC]:

4. Assessment

The draft Neighbourhood Plan sets out six objectives for the long-term future of Hoxne. They are:

1. Retain and protect the heritage and historic character of the village.
2. Maintain and improve its green spaces and surrounding landscape.
3. Support local services which underpin the cohesion of the community.
4. Create a safe environment with traffic managed.
5. Support small scale, high quality, new housing development suitable for younger households and older people.
6. Support small scale high quality business development appropriate to the village.

These objectives translate into 16 planning policies and 2 community actions. The Plan allocates two sites for housing development which, together with existing commitments, means that this Plan provides for around 66 new dwellings over the plan period. The retention and future development of an existing employment site is also addressed. The remaining policies cover a range of topics including heritage, landscape, biodiversity and flood risk.

A full assessment of the likely effects of the Plan are set out in the Screening Report dated November 2021 prepared by LUC. A copy of this can be viewed at:

<https://www.midsuffolk.gov.uk/assets/Neighbourhood-Planning/Hoxne-NP-SEA-Screening-Report-Nov21.pdf>

5. Screening Conclusion

The Screening Report notes that the residential development allocated through this Plan could have a range of environmental effects both during and after the construction period. The proximity of the housing allocation sites to the Conservation Area and their being within the impact risk zone associated with a nearby SSSI are also noted. On that basis, it concludes that the Hoxne Neighbourhood Plan has the potential to have significant environmental effects and that SEA is therefore required.

Consultation on the Screening Report was carried out with the Environment Agency (EA), Historic England (HE), and Natural England (NE). No response was received from the EA.

HE agreed with the conclusion that SEA will be required, noting in particular the potential for likely significant effects (both positive and negative) upon the historic environment. The response from NE implies that, in so far as their interests are concerned, SEA will not be required but it then goes on to offer cautionary advice about decision making. Both responses are attached at Appendix 1.

6. Determination

In the light of the SEA Screening Report prepared by Land Use Consultant and, in particular, the response from Historic England, it is determined that a Strategic Environmental Assessment of the Hoxne Neighbourhood Plan **is required** in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.

Appendix 1

By e-mail dated 12 January 2022



Historic England

Re: Hoxne NP – SEA Screening Consultation request

Dear Paul,

Thank you for your email regarding the above consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Therefore we welcome this opportunity to review this request for a Screening Opinion. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the neighbourhood plan) likely to have a significant effect on the historic environment?." Our comments are based on the information supplied with the Screening Opinion.

The supporting information (screening report and draft neighbourhood plan) supplied with the consultation indicates that within the plan area there is a range of designated historic environment assets, including the remains of Hoxne Priory (comprising two scheduled monuments), as well as Hoxne Conservation Area. There is also likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic landscape. The documentation indicates that the Hoxne Neighbourhood Plan proposes to allocate two sites for housing, and a third for employment use.

Sites H13 and H14 are located outside the conservation area, and do not contain any designated heritage assets. Nonetheless, they are within the setting of a number of highly significant heritage assets, and the conservation area, and have the potential to cause harm to their significance. We note also that Policy H15, while not strictly an allocation for immediate development, supports the future development of a site that includes part of the Hoxne Priory scheduled monument. This may also result in harm to the significance [of] this nationally important heritage asset, despite the provision in the draft neighbourhood plan policy. Given the likely significant effects (both positive and negative) upon the historic environment, Historic England hence concurs with the Report's conclusion that a Strategic Environmental Assessment will be required.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

We should like to stress that this opinion is based on the information provided by you with your correspondence below. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Please do contact me, either via email or the numbers below, if you have any queries.

Kind regards,
Edward James
Historic Places Adviser - East of England



Historic England

Brooklands | 24 Brooklands Avenue | Cambridge | CB2 8BU
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Date: 22 December 2021
Our ref: 377548
Your ref: Hoxne N'hood Plan

Mid Suffolk District Councils

BY EMAIL ONLY

Dear Sir/Madam,



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Hoxne NP SEA Screening - Consultation request (MSDC)

Thank you for your consultation on the above dated 8 December 2021 which was received by Natural England on 8 December 2021

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Screening Request: Strategic Environmental Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Neighbourhood Plan

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

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

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

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

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

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

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

Yours sincerely

Amy Knafler
Consultations Team

[Ends]