

Strategic Environmental Assessment Screening Opinion Determination

Bungay Neighbourhood Plan

February 2021



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1. Introduction

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 (as amended, including through EU Exit legislation) and so require Strategic Environmental Assessment.

One of the basic conditions that will be tested by the independent examiner is whether the making of the Plan is compatible with European Union obligations. Whether a Neighbourhood Plan requires a strategic environmental assessment, and the level of detail needed, will depend on what is proposed in the draft Neighbourhood Plan.

This report is written to assess whether or not the contents of the Bungay Neighbourhood Development Plan (the draft NP) requires a full Strategic Environmental Assessment (SEA). The legislative background below outlines the regulations that require the use of this screening exercise.

Bungay Town Council is the Qualifying Body for the neighbourhood plan and they have set up a working group to oversee the preparation of the plan. Planning consultants 'Collective Community Planning' have produced a screening assessment of the draft NP.

The Bungay Neighbourhood area is covered by both the Broads Authority and East Suffolk Council. As such there are two local planning authorities for the neighbourhood area. The Bungay Neighbourhood Plan will need to be in general conformity with the strategic policies of the Local Plans of both the Broads Authority and East Suffolk Council. The adopted Local Plans are currently the Local Plan for the Broads (2019) and the East Suffolk Council Waveney Local Plan (2019) (referred to collectively as the 'local plans' for the purposes of this document). The Bungay Neighbourhood Plan is being developed within the context of both of the local plans.

2. Legislative Background

The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the Environment'. This document is also known as the Strategic Environmental Assessment (or SEA) Directive. European Directive 2001/42/EC was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended, including through EU Exit legislation), or SEA Regulations.

The SEA Regulations include a definition of 'plans and programmes' to which the regulations apply, and which programmes are required by legislative, regulatory or administrative provisions.

A Neighbourhood Plan is not required by legislative, regulatory or administrative provisions. It is an optional process under the provision of the Town and Country Planning Act 1990 (subsequently amended by the Localism Act 2011). However, once a Neighbourhood Plan is 'made' it becomes part of the statutory development plan for the area to which it applies. As such, it therefore forms part of a plan that is required by legislative provisions.

3. Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC

The neighbourhood plan triggers a requirement to determine whether it is likely to have a significant environmental effect. This requirement is discharged by the 'responsible authority' being the authority by which or on whose behalf the plan is prepared. Before making a determination, the responsible authority shall: -

- a) Take into account the criteria specified in Schedule 1 to these Regulations (EIA Regulations); and
- b) Consult the consultation bodies.

The consultation bodies are defined in section 4 of the SEA Regulations (as amended through EU Exit legislation). As a responsible authority, East Suffolk Council has sought opinions from the statutory consultation bodies: Historic England; the Environment Agency; and Natural England. Their responses (where provided) are in the Appendices to this screening determination.

Schedule 1 of the EIA Regulations sets out the criteria for determining likely significant effects as follows:

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 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; and
 - the effects on areas or landscapes which have a recognised national, community or international protection status.

Source: Annex 2 of SEA Directive 2001/42/EC

4. Assessment

The SEA Screening Assessment in Appendix 1 makes the assessment of the draft NP. It concludes that the intention to allocate a site(s) for residential development could give rise to significant effects on the environment. There could also be cumulative impacts in relation to the quantum of housing proposed in Bungay overall. The Assessment found that the neighbourhood plan should therefore be screened in for the requirement for Strategic Environmental Assessment.

The Statutory Consultees have been consulted on the findings of this Assessment. Historic England and Natural England responded (see appendices 2 and 3), agreeing with the conclusion that Strategic Environmental Assessment is required. The Environment Agency did not provide a response.

In addition, the neighbourhood plan has been screened in for the requirement for appropriate assessment under the Habitats Regulations. See here:

<https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Bungay/Bungay-Habitats-Regulations-Assessment-Screening-Statement-Pre-Submission-draft-May-2020.pdf>

5. Conclusion

The draft Bungay Neighbourhood Plan proposes to allocate land for residential development and will be used for determining planning applications alongside the local plans. The draft neighbourhood plan has been screened in for the requirement for appropriate assessment under the Habitats Regulations. Responses from the statutory consultees support the requirement for Strategic Environmental Assessment. Therefore, the Bungay neighbourhood plan is screened in for the requirement for Strategic Environmental Assessment.

Signed:

A handwritten signature in black ink that reads "Desi Reed". The signature is written in a cursive style with a large, looped 'D'.

Dated: 26th February 2021

Desi Reed
Planning Policy and Delivery Manager
East Suffolk Councils

Appendix 1: SEA Screening Assessment by Collective Community Planning

Bungay Neighbourhood Development Plan

SEA Screening Assessment



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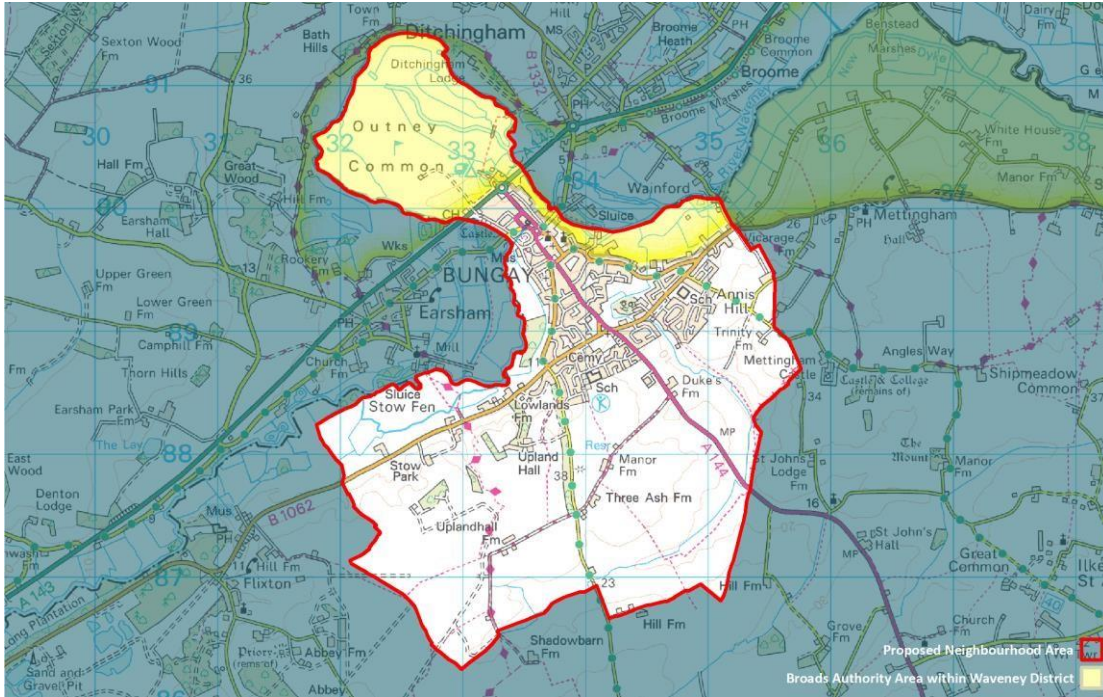
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Introduction

Neighbourhood Plan Area

The Bungay Neighbourhood Plan Area has been designated to cover the area identified in **Figure 1**.

Figure 1: Designated Area



Vision

Vision for Bungay

As a historic and distinctive market town with a strong local identity and a vibrant town centre, Bungay is a place that people choose to visit. In the next 15 to 20 years the town will host a mix of new housing built to a high green standard and community facilities that meet the needs of its residents and the surrounding rural communities. Our Plan is to develop a sustainable Bungay with increased local employment and leisure facilities; to establish a green policy to encourage walking, cycling and a greener approach to local transport generally. Enhancing access to open spaces and the surrounding countryside is to be a priority within the Plan with a focus on the health and well-being of residents. Facilities for tourists will be encouraged.

Objectives

The objectives for Bungay are:

Objective 1 - Meet the housing and infrastructure needs of Bungay's residents and future population.

Objective 2 – Protect and enhance community and public facilities and services.

Objective 3 - Support the vitality and regeneration of the town centre.

Objective 4 - Enable Bungay to realise its potential as a visitor attraction.

Objective 5 - Improve the attractiveness of walking and cycling.

Objective 6 - Ensure that the built character of Bungay is preserved and is reflected in new developments.

Objective 7 - Promote the quality and enjoyment of the natural environment, especially the surrounding fen and marshes.

Objective 8 - Ensure that new development manages flood risk in the most sustainable way possible.

Draft Planning Policies

The neighbourhood Plan for Bungay contains policies that seek to deliver the vision, this includes identifying and proposing sites to be allocated for development within the parish. Below is a summary of key points from the draft policies.

Housing: The Plan proposes to make an allocation for additional homes within the town to meet local housing need. This is over and above the allocations made within the current East Suffolk Waveney Local Plan. The Local Plan for the Broads proposes no allocations in the BNDP area. Further to this the Plan includes design codes, requiring that new residential developments are designed to a high quality and a housing mix requirement.

Community matters: The Plan supports a new community hub within Bungay as well as expanded provision for medical facilities, sports, education and pre-school.

Cultural Heritage: Bungay has a rich cultural heritage and the Plan contains policies to ensure any development protects the integrity of this. There is support for regeneration of a key heritage asset within the town centre.

Town centre and economy: The Plan supports development that enhances the vitality of the town centre, including tourist accommodation.

Environment: The Plan supports creation of a green infrastructure corridor and requires delivery of ecological gain as part of development, providing some additional local detail over and above the Environment Bill.

Traffic and Transport: The Plan sets requirements with respect to parking provision and encourages improved pedestrian and cycle connections.

The Bungay Neighbourhood Plan will need to be in general conformity with the East Suffolk Council Waveney Local Plan and Broads Authority Local Plan, for which a Sustainability Appraisal, incorporating the requirements for SEA, has been undertaken. BNDP seeks to provide additional local detail, including in relation to housing provision.

Legislative Background

To be 'made' a Neighbourhood Plan must meet certain Basic Conditions. These include that making of the Plan 'does not breach, and is otherwise compatible with EU obligations'. One of these obligations is Directive 2001/42/EC 'on the assessment of the effects of certain Plans and programmes on the environment'. This is often referred to as the Strategic Environmental Assessment (SEA) Directive. This seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing Plans and programmes. The SEA Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations (the SEA Regulations) and it is these regulations that the Plan will need to be compatible with. A key stage in the Neighbourhood Planning process is determining whether or not SEA is required.

As a general rule of thumb, SEA is more likely to be necessary if:

- A Neighbourhood Plan allocates sites for development;
- The Neighbourhood Plan area contains sensitive environmental assets that may be affected by the policies or proposals; or
- The Neighbourhood Plan is likely to have significant environmental effects not already addressed through the Sustainability Appraisal of the relevant Local Plan.

Another key obligation is Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, often referred to as the Habitats Directive. Under the Habitats Directive an assessment referred to as an Appropriate Assessment must be undertaken if the Plan in question is likely to have a significant effect on a European protected wildlife site. The SEA Directive requires that if a Plan or programme requires an Appropriate Assessment under the Habitats

Directive, then that Plan or programme will also require an SEA. A separate HRA screening assessment has been undertaken which has concluded that Appropriate Assessment is required.

Screening Process

Three steps will be followed for this screening process:

1. Preparation of a screening report – this report
2. Request a screening opinion from the consultation bodies in light of the report – East Suffolk Council responsibility
3. In light of their responses, determine whether the Plan requires SEA – East Suffolk Council in discussion with Bungay Town Council.

Assessment

SEA Screening Assessment

Emerging policies for the draft Neighbourhood Development Plan have been used to undertake this screening assessment. If the conclusion of the screening exercise is that SEA is not required, any major changes to emerging policies or introduction of new ones will be subject to further screening to ensure significant effects are not likely.

Figure 2 identifies the environmental characteristics of the Bungay Neighbourhood Development Plan (BNDP) area, including key environmental designations whilst Figure 3 assesses for likely significant impact on the environment. This assessment has been made based on criteria from Article 3.5 of the SEA Directive.

Figure 2: Environmental characteristics

Characteristic	Identification within and around the Neighbourhood Plan Area
National Nature Reserve	None
Natura 2000 sites – SPAs & SACs	None within the NP area. Broadland SAC / Ramsar and The Broads SPA lies 4.5km to the north east.
Sites of Special Scientific Interest SSSI	None within the NP area. Abby Wood, Flixton SSSI lies just over 1km to the south west. Tindal Wood and Sexton Wood SSSIs are around 2km north of the area.
National Parks	Norfolk and Suffolk Broads which has status equivalent of a National Park which is Britain's largest protected wetland and third largest inland waterway. It is home to some of the rarest Plants and animals in the UK.
Areas of Outstanding Natural Beauty	None

World Heritage Sites	None
Scheduled Monuments	Bungay Castle, an early medieval fortress dating from the early decades following the Norman Conquest, and further developed and enlarged over the next two centuries, scheduled for its archaeological potential, diversity of features, period and group value.
Locally designated nature conservation sites	Outney Common County Wildlife Site with wet meadows and acid grassland. Directly to the north of the NP area lies Bath Hills Local Nature Reserve, a 12.2 ha site. This is a sheltered south facing steep valley side where spring flowers bloom earlier than anywhere else in England. Broome Heath Local Nature Reserve lies 1km to the north east of the NP area.
Biodiversity Action Plan Priority Habitat	Around the Waveney river valley there is a substantial area of good quality semiimproved grassland and coastal and floodplain grazing marsh. There is also a scattering of deciduous woodland in the southern part of the NP area.
Nationally listed buildings	Bungay has 189 Listed Buildings, the majority of which are Grade II and clustered in and around the Conservation Area in the town centre
Buildings at risk	Bungay Castle is on the at risk register
Conservation area	A Conservation Area exists in the older part of the town, initially designated in 1970.
Flood Zone 3	Bungay is constrained by flood risk, Zone 3, which follows the path of the River Waveney along the north border of the Plan area. This is currently effectively managed through a Catchment Management Plan, Flood Risk Strategy and retention of the floodplain and automated sluices. This
Areas with surface water flooding issues	There is medium and high risk from surface water flooding in several parts of the town, particularly the area between Beccles Road, Hillside Road East and St John's Hill.
Air Quality Management Area	None in Bungay or its vicinity.
The best and most versatile agricultural land	Bungay is predominantly identified as land in urban use, though there is some poor to good agricultural land surrounding the town and in the wider area as identified by the Agricultural Land Classification map.
Source Protection Zones	Around a third of the NP area is within a Source Protection Zone, this includes Zones 1, 2 and 3. This includes a large area to the north west around the River Waveney, which runs along the Norfolk/Suffolk border.

Figure 3 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.

Figure 3: Application of the SEA Directive to Plans and programmes

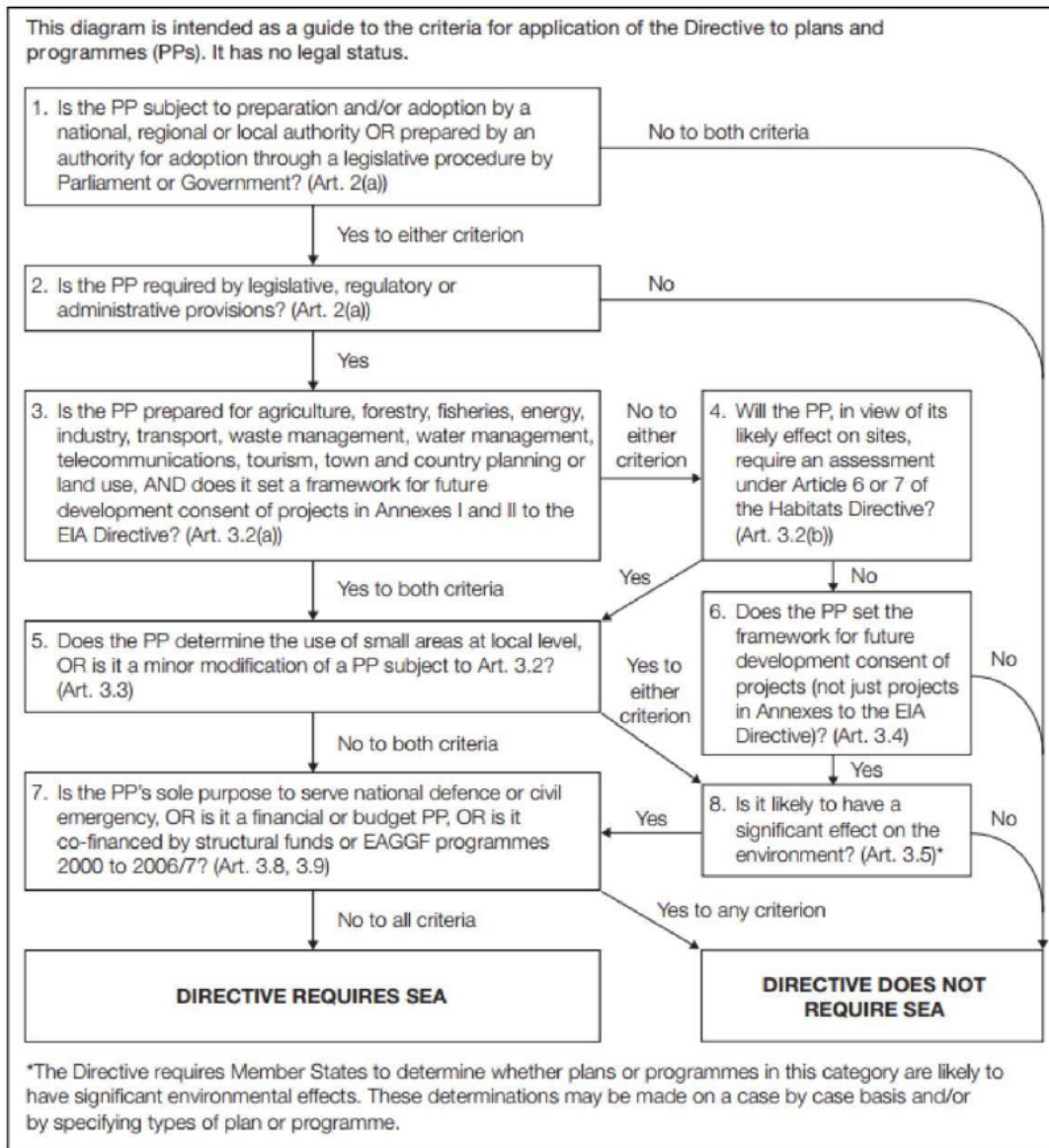


Figure 4 below assesses whether BNDP will require a full SEA. The questions in the first column are drawn from the diagram above which sets out how the SEA Directive should be applied.

Figure 4: Application of SEA Directive to BNDP

Stage	Y/N	Justification
1	Y	If passed through a referendum, BNDP becomes part of the District Council's adopted Development Plan GO TO STAGE 2

2	Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	It is not a requirement for a parish or area to produce a Neighbourhood Plan. However, because the Plan (if adopted) will form part of the Development Plan, it must be screened for SEA GO TO STAGE 3
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))	Y	BNDP is prepared for town and country Planning and land use. The Plan sets out a framework within the Neighbourhood Plan area for future development including the allocation of housing, which may fall under parts 10 and 12 of Annexe II of the EIA Directive GO TO STAGE 5
4	Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.3)	SKIPPED AS PER FIGURE 3 (note the neighbourhood plan has been <u>screened in</u> for Appropriate Assessment)	
5	Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	BNDP allocates sites for residential development. The policies relating to this will likely lead to small areas of development, but at this stage are not limited to small allocations. BNDP also designates Local Green Spaces. GO TO STAGE 8
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)	SKIPPED AS PER FIGURE 3	
7	Is the PP's sole purpose to serve national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)	N	None of these apply
8	Is it likely to have a significant effect on the environment? (Art. 3.5)	Y	SEE FIGURE 5

Schedule 1 of the SEA Regulations sets out the criteria for determining the likely significance of effects. These are listed in Figure 5 below along with the comments on the extent to which BNDP meets these criteria.

Figure 5: Likely Significant Effects

SEA Directive Criteria	LSE Y/N	Justification for decision
1. The Characteristics of Plans and Programmes, having regard, in particular, to:		
<p>a) 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>Yes</p>	<p>BNDP will set out policies against which development proposals in the NP area will be considered, alongside Local Plan policies. The Plan sets out general policies with a focus on preserving and enhancing the character of the area and promoting appropriate and sensitive growth. Policies seek to achieve good design, protect heritage and green spaces, enhance the environment, delivering net gains for biodiversity and improving sustainable transport infrastructure.</p> <p>The BNDP will allocate land for housing development and sets out positive Planning policies seeking to encourage development to meet local need. It also requires associated infrastructure improvements to support the housing growth.</p>
<p>b) The degree to which the Plan or programme influences other Plans and programmes including those in the hierarchy.</p>	<p>No</p>	<p>Once 'made' the BNDP will form part of the adopted Local Development Plans, setting nonstrategic policies. East Suffolk Waveney Local Plan was adopted in March 2019. This allocates land for up to 485 new homes, of which 150 have Planning permission already. The BNDP is being produced to be in general conformity with the East Suffolk Waveney Local Plan 2014-2036, adopted March 2019, and the Local Plan for the Broads 2015-26, which was adopted in May 2019.</p>

<p>c) The relevance of the Plan or programme for the integration of environmental considerations.</p>	<p>No</p>	<p>BNDP seeks to promote sustainable development overall and does not seek any relaxations to the principles set out in higher-level Plans. BNDP policies seek to ensure that environmental considerations are taken into account with any new development. It is being produced to be in general conformity with the adopted East Suffolk Waveney Local Plan and Local Plan for the Broads, which were both subject to a thorough process of Plan preparation and accompanying Sustainability Appraisal.</p> <p>Policies covering the following topics are being prepared within the BNDP relevant to environmental protection:</p>
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SEA Directive Criteria	LSE Y/N	Justification for decision
		<ul style="list-style-type: none"> • Policy CH1: Conservation Area • Policy ENV1: Green Corridors • Policy ENV2: Open Space • Policy ENV3: Landscape and Ecological Character • Policy ENV4: Biodiversity • Policy ENV5: Flooding <p>The BNDP will contain policies which will aim to protect the environment and will ensure that effects on the environment are minimised.</p>
<p>d) Environmental problems relevant to the Plan or programme.</p>	<p>No</p>	<p>Environmental concerns within the NP area include Flood Risk Zone 2 and 3 and surface water flooding issues. This will need to be considered through the production of the Plan and determination of the site for allocation. Policy ENV5 on flooding requires that measures in place to mitigate flood risk deliver a net ecological gain, this policy sits alongside others in the Plan on delivering ecological gain.</p>
<p>e) The relevance of the Plan or programme for the implementation of Community legislation on the environment.</p>	<p>No</p>	<p>The content of BNDP is not in conflict with those relevant Planning documents of the wider district and county area and is in general conformity with the East Suffolk Waveney Local Plan and Local Plan for the Broads. A separate assessment is being undertaken</p>

		under the Habitats Directive.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular to:		
a) The probability, duration, frequency and reversibility of the effects.	Yes	BNDP will allocate land for housing development over and above that required by the adopted Local Plan. The effects of this housing development that will occur are expected to be long term and permanent. Any effects associated specifically with construction are likely to be short-term and temporary.
b) The cumulative nature of effects	Yes/No	It is likely that BNDP will allocate greenfield land, bearing in mind the characteristics of Bungay and likely site availability. This will be in addition to the 485 new homes proposed within the East Suffolk Waveney Local Plan. The cumulative effects of this have not been formally identified and assessed to date. It is possible that there will be cumulative impacts that warrant consideration of alternative approaches. It is proposed that this is identified through a full SEA and Environmental Report. The Local Plan for the Broads has no housing allocations in the BNDP area.
c) The transboundary nature of the effects.	No	BNDP is unlikely to result in transboundary effects on another Member State

SEA Directive Criteria	LSE Y/N	Justification for decision
d) The risks to human health or the environment.	No	There are no anticipated risks to human health or the environment from BNDP.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	Yes	BNDP is being produced to be in general conformity with the East Suffolk Waveney Local Plan and Local Plan for the Broads. The likely scale of growth will need to be compatible with the strategy of the Local Plan and whilst a reasonable level of additional growth could be expected this is unlikely to be disproportionate to what is already allocated.

<p>f) The value and vulnerability of the area likely to be affected due to –</p> <ul style="list-style-type: none"> i. Special natural characteristics or cultural heritage; ii. Exceeded environmental quality standards or limit values; or iii. Intensive land-use 	<p>Yes</p>	<p>The BNDP is situated within a sensitive environmental area, with the Waveney River Valley a key natural feature. There is a substantial area of priority habitat around the River, including coastal and floodplain grazing marshes and good quality semi-improved grasslands. There are also a number of all blocks of deciduous woodland in the southern part of the area. The NP area is home to a County Wildlife Site and there are a number of Local Nature Reserves just past the boundary. Given its sensitive nature, there is potential for additional housing growth to have a significant effect.</p> <p>Designated sites are considered in section g) below.</p> <p>The NP area has a rich cultural heritage. There are 189 listed buildings and a Conservation Area in the town centre. Bungay castle is on the at-risk register. There is a listed building nearby to the site being considered for allocation, so there is potential for effects.</p>
<p>g) The effects on areas of landscapes which have recognised national, community or international protection status</p>	<p>Yes</p>	<p>Although there are no European or national designations within the area, there are several SSSIs within close proximity. The entire NP area lies within a SSSI impact risk zone.</p> <p>The nearest European designated site, Broadland SAC / Ramsar and The Broads SPA is 4.5km north east. Though the area falls within the Broads Authority Executive Area, the entirety of which has status equivalent of a National Park. Effects on European designated nature conservation sites, which are likely to lead to a Habitats Regulations Appraisal (HRA), have been considered as part of an HRA Screening Assessment, which determined Appropriate Assessment was required.</p>

Conclusions

Bungay Neighbourhood Development Plan is being prepared for Planning purposes and sets a framework for future development consent. Planning Practice Guidance on SEA of Neighbourhood Plans indicates that an SEA may be required, for example, where neighbourhood Plans allocate sites for development; the area contains sensitive natural or heritage assets that may be affected by 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 on the Local Plan.

The Neighbourhood Plan intends to allocate land for development, which is in addition to allocations within the East Suffolk Waveney Local Plan. The Local Plan for the Broads has no allocations within the BNDP area. Overall, the degree to which this Plan sets a framework for projects is high given the potential size of the allocation, which could give rise to significant effects on the environment. There could also be cumulative impacts in relation to the quantum of housing proposed in Bungay overall, and it could give rise to significant effects on the environment.

As such, the Bungay Neighbourhood Development Plan has therefore been **screened in** for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC.



Signed:

Dated: 26th February 2021

Desi Reed
Planning Policy and Delivery Manager
East Suffolk Council

Appendix 2 Response from Historic England

Dear Dickon,

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 Bungay 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) supplied with the consultation indicates that within the plan area there is a range of designated historic environment assets, including Bungay Castle, a Scheduled Monument which is on the at risk register. 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 Bungay Neighbourhood Plan proposes to allocate a single site for housing. We have also reviewed the site assessment report on Bungay Neighbourhood Plan's website, which identifies the site proposed to be taken forward (BNDP – 04).

Site BNDP 04 is located to the south of Bungay centre, and is in relatively close proximity to Manor Farmhouse (grade II). It is a site of considerable size, and we concur with the screening report that there may therefore be impacts upon the setting of Bungay conservation area and assets within it.

Given the likely significant effects (both positive and negative) upon the historic environment, Historic England hence concurs 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 SA/SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we consider that, despite the SA/SEA, these would have an adverse effect upon the environment.

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

Kind regards,

Edward

Edward James
Historic Places Adviser - East of England
Historic England

Direct Line: [REDACTED]

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Appendix 3 Response from Natural England

Date: 08 January 2021

Our ref: 338485



Dear Mr Povey,

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

T 0300 060 3900

Bungay Neighbourhood Plan SEA Screening Assessment – November 2020

Thank you for your consultation on the above dated November 2020 which was received by Natural England on 23 December 2020.

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 (SEA)

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 the plan

has the potential to have significant environmental impacts, and therefore we agree with your conclusion that an SEA is required. Furthermore, where a neighbourhood plan requires an appropriate assessment under the Habitats Directive, Article 3.2 of the SEA Directive also requires a SEA to be undertaken.

Neighbourhood Plan

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004 (as amended). Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the [planning practice guidance](#).

Planning practice guidance also outlines that if an appropriate assessment is required for your neighbourhood plan this will also engage the need for a SEA. One of the basic conditions that will be tested by the independent examiner is whether the neighbourhood plan is compatible with European obligations, including those under the SEA Directive. Where a SEA is required it should be prepared in accordance with [regulation 12](#) of the SEA Regulations.

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.

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.

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.

Further general advice on neighbourhood planning and the natural environment, including natural environment information sources is provided in Annex I.

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

Yours faithfully

Sam Kench
Norfolk and Suffolk Team

Annex I - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](#)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park or Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfbr.org.uk/nfbr.php>

³

<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making> ⁵ <http://magic.defra.gov.uk/>

area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)⁵ website and also from the [LandIS website](#)⁵, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁶ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)⁷ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species.

⁵ <http://www.landis.org.uk/index.cfm>

⁶

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf

⁷ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

You may also want to consider enhancing your local area in other ways, for example by:

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#)¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.

- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-ofway-and-local-green-space/local-green-space-designation/>