



Strategic Environmental Assessment Screening Opinion

Rushmere St Andrew Neighbourhood Plan

December 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 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 screening report is designed to test whether or not the contents of the Rushmere St Andrew Neighbourhood Plan requires a full Strategic Environmental Assessment (SEA). The Screening was undertaken on the Draft Rushmere St Andrew Neighbourhood Plan (September 2021). The legislative background below outlines the regulations that require the use of this screening exercise. Section 4 provides a screening assessment of the likely significant effects of the Plan and the need for a full SEA.

2. Legislative Background

The basis for Strategic Environmental Assessment 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).

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 preparation of a 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 the Regulations;
and
- b) Consult the consultation bodies.

The consultation bodies are defined in section 4 of the SEA Regulations. The opinions from the statutory consultation bodies: Historic England, the Environment Agency and Natural England, are therefore to be taken into account. The Council consulted with the three consultation bodies and provided five weeks for a response. Responses were received from Historic England and Natural England and these are contained in Appendix 1.

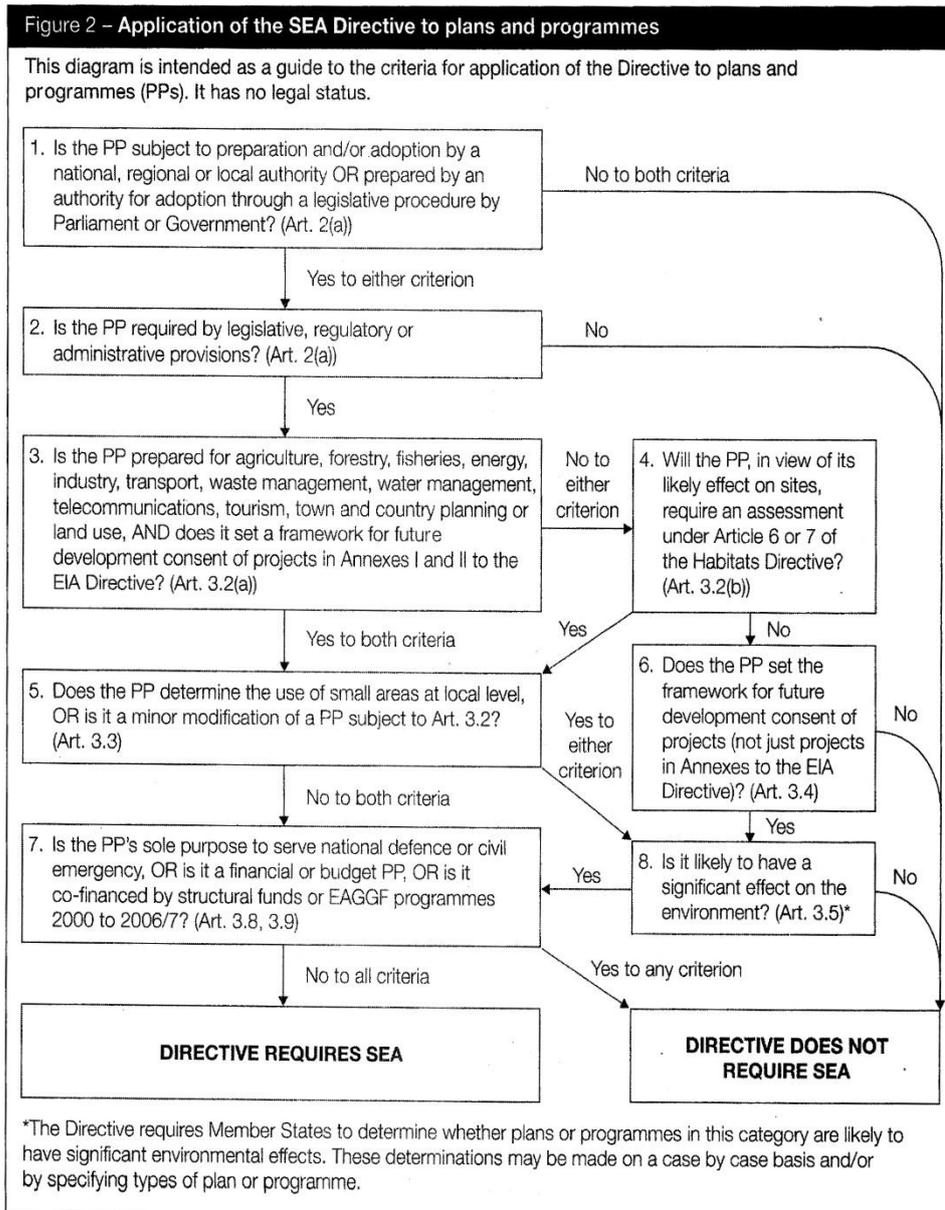
Schedule 1 of the SEA Regulations sets out the criteria for determining likely significant effects as follows:

1. The characteristics of plans and programmes, having regards, in particular to:
 - 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.
 - b. The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.
 - c. The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.

- d. Environmental problems relevant to the plan or programme.
 - e. 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:
- a. The probability, duration, frequency and reversibility of the effects.
 - b. The cumulative nature of the effects.
 - c. The trans boundary nature of the effects.
 - d. The risks to human health or the environment (e.g. due to accidents).
 - e. The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - f. the value and vulnerability of the area likely to be affected due to:
 - i. special natural characteristics or cultural heritage;
 - ii. exceeded environmental quality standards or limit values;
 - iii. intensive land-use; and
 - g. the effects on areas or landscapes which have a recognised national, community or international protection status.

4. Assessment

The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.



Source: A Practical Guide to the Strategic Environmental Assessment Directive (2005)

The following assessment applies the questions from the preceding diagram. The answers determine whether the Neighbourhood Plan will require a full Strategic Environmental Assessment.

1. Is the PP 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 preparation and adoption of the Rushmere St Andrew Neighbourhood Plan is allowed under the Town and Country Planning Act 1990- as amended by the Localism Act 2011. The Neighbourhood Plan is being prepared by Rushmere St Andrew Parish Council as the relevant body and, subject to successful completion of the relevant processes as set out in the Neighbourhood Planning (General) Regulations 2012 (as amended) and the Neighbourhood Planning (Referendums) Regulations 2012 (as amended), will be made by East Suffolk Council as the local authority.

2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))

No. A Neighbourhood Development Plan is not required by legislative, regulatory or administrative provisions. It is an optional process under the Town and Country Planning Act 1990 (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 forms part of a plan that is required by legislative provisions.

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. The Neighbourhood Plan falls within the category of town and country planning and relates to the local (parish) level. The designated neighbourhood plan area is identical to the Rushmere St Andrew Parish administrative boundary. The current draft Neighbourhood Plan contains 12 numbered policies, none of which allocate land for built development.

The policies cover a number of topics, namely, planning strategy; land at Humber Doucy Lane; protection of landscape character and important views; protection of trees, hedgerows and other natural features; settlement gaps; local green spaces; non-designated heritage assets; Rushmere village special character area; design; village services and facilities; open space, sport and recreation; and public rights of way.

Neighbourhood plan policies have their basis in strategic policies set out in the Suffolk Coastal Local Plan (September 2020). The Local Plan identifies the village of Rushmere

St Andrew as a Small Village and the rest of the parish as falling in the East of Ipswich Major Centre. The Local Plan allocates land at Humber Doucy Lane (Policy SCLP12.24), a large part of which is in Rushmere St Andrew parish, for the development of approximately 150 dwellings. The allocation forms part of an emerging cross-boundary allocation with adjacent land in Ipswich Borough being brought forward as an allocation in the Ipswich Local Plan Review which is currently undergoing Examination. The Local Plan sets out Settlement Boundaries for Rushmere St Andrew village and for the built up areas that form part of the East of Ipswich Major Centre.

The Neighbourhood Plan contains a policy (RSA2) relating to the allocation at Humber Doucy Lane, setting out expectations for landscaping and vehicular access. While Policy RSA2 sets out policy which will inform the way in which the allocated development will be considered, it does not alter the expected quantum and location of development. The Neighbourhood Plan also does not propose alterations to the Settlement Boundary. Regarding the Settlement Boundary it is acknowledged that there are some discrepancies between the mapping of the Settlement Boundary in the September 2021 draft Neighbourhood Plan and the Settlement Boundary on the Local Plan policies map, however we have received confirmation that these are errors and will be corrected as the Plan progresses. The Local Plan has been subject to both Sustainability Appraisal (including Strategic Environmental Assessment) and Appropriate Assessment under the Habitat Regulations.

The Local Plan including supporting documents and policy maps can be viewed here: <https://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/local-plans/>

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. The draft Neighbourhood Plan does not allocate any land for built development. The Suffolk Coastal Local Plan (September 2020) has been subject to an Appropriate Assessment under the Habitats Regulations. A separate Habitats Regulations Assessment Screening Statement has been produced and this concludes that an Appropriate Assessment will not be required (currently in draft form).

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)

Yes. The draft neighbourhood plan relates solely to the Rushmere St Andrew parish administrative area. Specific designations are included for 14 small areas of Local Green Space, 20 Non Designated Heritage Assets, Settlement Gaps and Rushmere St Andrew Village Special Character Area. A number of parish services and facilities are identified under policy RSA10 and policy RSA11 sets out policy on open space, sports and recreation facilities. Policy RSA2 sets out policy on landscaping and access for the area of land allocated under Local Plan policy SCLP12.24 (insofar as it covers Rushmere St Andrew parish). Other policies set out an approach to protect landscape character and important views, protect trees, hedgerows and other natural features, expect new development to reflect the local character of the area, incorporate design measures such as the inclusion of covered bin storage and cycle storage and the provision of electric vehicle charging points, and to support improvements and extensions to the public rights of way network.

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 draft NP does not, on its own, set the framework for future development consent of projects. By virtue of its inclusion as part of the Development Plan, upon the making of the Neighbourhood Plan, the Neighbourhood Plan contributes to the framework for future development consent of projects. Thus, the Neighbourhood Plan does contribute to the setting of the framework. The draft Neighbourhood Plan is prepared in the context of the Suffolk Coastal Local Plan which has been subject to Sustainability Appraisal (incorporating the requirement for SEA) and Habitats Regulations Assessment.

7. Is the PP's sole purpose to serve the 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)

No. Not applicable.

8. Is it likely to have a significant effect on the environment? (Art. 3(5))

No. the plan does not allocate land for built development. Within the Neighbourhood Plan area are areas of County Wildlife Site and Local Nature Reserve, and areas of Sites of Special Scientific Interest lie to the south west of the Parish and further afield to the south. There are a small number of Scheduled Monuments and five Listed Buildings in

the parish. The policies seek to protect the landscape, open and green spaces and the character of the area as well as identifying Non Designated Heritage Assets and therefore the Neighbourhood Plan is not considered to have a significant effect on the environment.

5. Conclusion

The Draft Rushmere St Andrew Neighbourhood Plan reviewed does not allocate land for built development and applies to a localised area. The plan has been prepared within the context of the strategic policies of the Suffolk Coastal Local Plan (September 2020) which has been subject to Sustainability Appraisal including Strategic Environmental Assessment and Appropriate Assessment under the Habitats Regulations Assessment. It is considered by East Suffolk Council that it is not necessary for a Strategic Environmental Assessment to be undertaken of the draft Rushmere St Andrew Neighbourhood Plan to ensure compliance with EU obligations.

Signed:  Dated: 30th December 2021

Desi Reed
Planning Policy and Delivery Manager
East Suffolk Council

Appendix 1: Responses from Statutory Consultees

From: James, Edward [REDACTED]
Sent: 29 November 2021 15:20
To: Andrea McMillan
Subject: RE: Rushmere St Andrew Neighbourhood Plan - Draft Strategic Environmental Assessment Screening Opinion

Dear Andrea,

Thank you for inviting Historic England to comment on this 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 Rushmere St Andrew 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 does not propose to allocate any sites for development.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment **is not required**.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

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

We should like to stress that this opinion is based on the information provided by you with your correspondence. 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 below, if you have any queries.

Kind regards,

Edward

Edward James

Historic Places Adviser - East of England
Historic England

Direct Line: [REDACTED]
Mobile: [REDACTED]



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We'd welcome your views.



Work with us to champion heritage and improve lives. Read our Future Strategy and get involved at historicengland.org.uk/strategy.
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From: Andrea McMillan [REDACTED]
Sent: 27 October 2021 17:58
To: EastPlanningPolicy <eastplanningpolicy@HistoricEngland.org.uk>
Subject: Rushmere St Andrew Neighbourhood Plan - Draft Strategic Environmental Assessment Screening Opinion

THIS IS AN EXTERNAL EMAIL: do not click any links or open any attachments unless you trust the sender and were expecting the content to be sent to you

Dear Sir/Madam,

Please find attached a draft Strategic Environmental Assessment screening opinion relating to the Rushmere St Andrew Neighbourhood Plan, on which I would be grateful for your response. The Neighbourhood Plan which is subject to the screening is also attached.

The draft screening opinion concludes that no further SEA work is required.

I would be grateful if you could respond within five weeks, by **Wednesday 1st December**.

If you have any queries or require any assistance please do not hesitate to contact me.

Kind Regards

Andrea McMillan

Date: 24 November 2021
Our ref: 372569
Your ref: Rushmere St Andrew Neighbourhood Plan



East Suffolk Council
[REDACTED]

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

T 0300 060 3900

BY EMAIL ONLY

Dear Andrea McMillan

Rushmere St Andrew Neighbourhood Plan

Thank you for your consultation on the above dated 27 October 2021 which was received by Natural England on 27 October 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 and Screening Assessment in relation to Habitats Regulations 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.

Habitats Regulations Assessment (HRA) Screening

Natural England agrees with the report's conclusions that the Rushmere St Andrew Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.

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

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 03 December 2021 11:19
To: Andrea McMillan
Subject: LPA query regarding Rushmere St Andrew Neighbourhood Plan Natural England response

Dear Andrea McMillan

Thank you for your email dated 1st December 2021 regarding the draft SEA Screening Opinion for the Rushmere St Andrew Neighbourhood Plan.

I can confirm that Natural England are in agreement with the LPA's conclusion in the draft Screening Opinion that a Strategic Environmental Assessment is not required.

Many thanks.

Yours sincerely

Amy Knafler
Natural England
Consultation Service
Hornbeam House
Crewe Business Park, Electra Way,
Crewe, Cheshire, CW1 6GJ

Tel: [REDACTED]
Email: consultations@naturalengland.org.uk
www.gov.uk/natural-england



From: Andrea McMillan [REDACTED]
Sent: 01 December 2021 11:21
To: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Cc: Laura Mundy [REDACTED]
Subject: FAO Amy Knafler RE: Rushmere St Andrew Neighbourhood Plan Natural England response

Dear Amy

Thank you for your response to the draft SEA Screening Opinion for the Rushmere St Andrew Neighbourhood Plan.

Having read through it, I would be grateful if you could provide some clarification on the comments you have made.

I note that under the heading of 'Screening Request: Strategic Environmental Assessment and Screening Assessment in relation to Habitats Regulations Assessment', you have agreed that there are unlikely to be significant environmental effects. However reading on, under the heading 'Neighbourhood Plan' reference is made to assessing whether protected species are likely to be affected and that the responsible authority should raise environmental issues you have not identified before determining whether SEA is necessary. Further reference is then also made to scoping and environmental report stages.

For clarity, I would be grateful if you could confirm whether your position is that you are in agreement with our conclusion in the draft Screening Opinion that Strategic Environmental Assessment is not required for the Rushmere St Andrew Neighbourhood Plan.

I would be happy to discuss this with you – my mobile phone number that I can be contacted on is below.

Kind Regards

Andrea



Andrea McMillan BSc(Hons) MRTPI
Principal Planner (Policy and Delivery)
East Suffolk Council



www.eastsuffolk.gov.uk
www.eastsuffolkmeansbusiness.co.uk

East Suffolk Council will continue to review and prioritise the delivery of its services during this unprecedented time. The COVID-19 outbreak will severely impact what we are able to do, however we will continue to support and protect our communities, delivering the critical services you need.

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 24 November 2021 16:03
To: Andrea McMillan [Redacted]
Subject: Rushmere St Andrew Neighbourhood Plan Natural England response

Dear Andrea McMillan

Please find attached Natural England's response regarding Rushmere St Andrew Neighbourhood Plan.

Yours sincerely

Amy Knafler
Natural England
Consultation Service
Hornbeam House
Crewe Business Park, Electra Way,
Crewe, Cheshire, CW1 6GJ

Tel: [Redacted]
Email: consultations@naturalengland.org.uk
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