



# **Needham Market Neighbourhood Plan**

## **Strategic Environmental Assessment Screening Determination**

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

**May 2020**

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# NEEDHAM MARKET NEIGHBOURHOOD PLAN

## STRATEGIC ENVIRONMENTAL ASSESSMENT DETERMINATION

### 1. Introduction

This assessment relates to the 'Needham Market Neighbourhood Development Plan 2020 – 2036' which was published for Regulation 14 Pre-submission consultation in late January 2020.

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 Needham Market 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/NeedhamMarketNP](http://www.midsuffolk.gov.uk/NeedhamMarketNP)
- 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, Needham Market Town Council (the qualifying body) requested Mid Suffolk District Council (MSDC), as the responsible authority, to determine whether an environmental report on the emerging Needham Market Neighbourhood Plan is required due to significant environmental effects. In making this determination, MSDC should have regard to Schedule 1 of the Regulations.

Pre-Submission Consultation on this draft plan was carried out between January and March 2020. In line with the advice contained within the National Planning Policy Framework (NPPF) and Planning Practice Guidance, the plan's potential scope should be assessed at an early

stage against the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004. As indicated above MSDC therefore commissioned LUC to prepare a screening report to assess whether an SEA would be required.

A SEA can be required in some limited situations where a sustainability appraisal is not needed. Neighbourhood Planning is one of these situations. Sustainability Appraisals (SAs) may incorporate the requirements of the Strategic Environmental Assessment Regulations, which implement the requirements of the 'Strategic Environmental Assessment Directive' on the assessment of the effects of certain plans and programmes on the environment.

A Sustainability Appraisal ensures that potential environmental effects are given full consideration alongside social and economic issues and it is good practice to do one to understand how a plan is to deliver sustainable development. However, NPPF Planning Practice Guidance states that there is no legal requirement for a neighbourhood plan to undertake a sustainability appraisal as set out in section 19 of the Planning and Compulsory Purchase Act 2004. It is down to the qualifying body to demonstrate whether its plan is likely to have significant environmental effects. This is the purpose of the SEA Screening Report.

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

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"><li>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,</li><li>2. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy</li><li>3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,</li><li>4. environmental problems relevant to the plan or programme,</li><li>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).</li></ol> <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"><li>6. the probability, duration, frequency and reversibility of the effects,</li><li>7. the cumulative nature of the effects,</li><li>8. the trans-boundary nature of the effects,</li><li>9. the risks to human health or the environment (e.g. due to accidents),</li><li>10. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),</li><li>11. the value and vulnerability of the area likely to be affected due to:<ul style="list-style-type: none"><li>o special natural characteristics or cultural heritage,</li><li>o exceeded environmental quality standards or limit values,</li><li>o intensive land-use,</li></ul></li><li>12. the effects on areas or landscapes which have a recognised national, Community or international protection status.</li></ol>
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[Source: Annex II of SEA Directive 2001/42/EC]:

#### 4. Assessment

The Neighbourhood Plan includes the following Vision Statement:

*“To ensure that Needham Market’s future growth occurs in a balanced and sustainable way, which preserves and enhances its attractive, historic core and maintains the community way of life already present in the town. Needham Market will continue to be a self-contained settlement providing the necessary housing and jobs needed by its local residents.”*

The draft Plan does not allocate sites for housing or employment development but does contain detailed planning policies that seek to shape future development within the designated plan area.

A full assessment of the likely effects of the Plan is set out in the Screening Report dated February 2020 prepared by LUC, a copy of which can be viewed at:

<https://www.midsuffolk.gov.uk/assets/Neighbourhood-Planning/N-Market-NP-SEA-Screening-Report-Feb20.pdf>

#### 5. Screening Conclusion

The Screening Report prepared by LUC notes that the Plan does not directly impact on land use through the allocation of sites for housing or other forms of development. On that basis, it considers that the Needham Market Neighbourhood Plan is unlikely to have significant environmental affects and can therefore been **screened out** for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC.

Consultation on the Screening Report was carried out with Natural England, Historic England, and the Environment Agency.

In response, all three bodies agreed with the conclusion of the Screening Report. Their consultation responses are attached at Appendix 1.

#### 6. Determination

In the light of the SEA Screening Report for consultation prepared by Land Use Consultant and the responses to this from the statutory bodies it is determined that the Needham Market Neighbourhood Plan **does not require** a Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.

Date: 23 April 2020  
Our ref: 311842  
Your ref: SEA & HRA Screening Reports

[communityplanning@baberghmidsuffolk.gov.uk](mailto:communityplanning@baberghmidsuffolk.gov.uk)

**FAO Paul Bryant**  
**BY EMAIL ONLY**



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Dear Paul Bryant

**Planning Consultation: SEA and HRA Screening Report on the Needham Market Neighbourhood Plan**

Thank you for your consultation on the above dated 12 March 2020 which was received by Natural England on the same day. Please accept our apologies for our delayed response.

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.

Natural England notes that your authority, as competent authority, has undertaken SEA and HRA Screening Reports.

Your assessments conclude that your authority is able to screen out the need for further assessment. Having considered the documents, Natural England advises that we concur with the conclusions.

Yours sincerely

Patrick Robinson  
Norfolk and Suffolk Area Team



Historic England

Mr Paul Bryant  
Babergh & Mid Suffolk District Councils  
Endeavor House  
8 Russell Road  
Ipswich  
Suffolk  
IP7 6SJ

Direct Dial: [REDACTED]

Our ref: PL00701022

31 March 2020

Dear Mr Bryant

**RE: New Needham Market Neighbourhood Plan SEA Screening**

Thank you for inviting Historic England to comment on the above consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Therefore we welcome this opportunity to review the Screening Report for this plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the new Needham Market 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 as redrafted 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 dated 12 March 2020. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

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

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

Yours sincerely,

Edward James  
Historic Places Advisor, East of England



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



Mr Kevin Hunter  
NEEDHAM MARKET TOWN COUNCIL  
School Street  
Needham Market  
Ipswich  
IP6 8BB

Our Ref: AE/2020/124987/01-L01  
Your ref: SEA/HRA

Date: 12 March 2020

Dear Mr Hunter

STATUTORY CONSULTATION, SEA AND HRA SCREENING OPINION, NEEDHAM MARKET  
NEIGHBOURHOOD PLAN

NEEDHAM MARKET TOWN COUNCIL, SCHOOL ST, NEEDHAM MARKET, IPSWICH IP6  
8BB

Thank you for consulting us on 12 March 2020 regarding the SEA screening for the Needham  
Market Neighbourhood Plan.

We have reviewed the documents submitted and do not disagree with the findings of the report  
which state that "it is considered that the Needham Market NDP is unlikely to have significant  
environmental effects and that full SEA is therefore not required".

We trust you find this information useful.

Yours sincerely

Mr Mark Macdonald  
Planning Advisor

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Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)  
End