



Fressingfield Neighbourhood Plan Review 2024 - 2044

Strategic Environmental Assessment *and* Habitat Regulation Assessment Determination Notices

June 2026

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FRESSINGFIELD NEIGHBOURHOOD PLAN REVIEW (January 2026)

Strategic Environmental Assessment & Habitat Regulation Assessment Screening Determination Notices (March / April 2026)

Overview

The purpose of this notice, which is divided into two parts, is to determine whether a Strategic Environmental Assessment (SEA) and or an Appropriate Assessment in relation to Habitat Regulation Assessment (HRA) matters are required for Fressingfield Neighbourhood Plan Review 2024 - 2044', [hereafter referred to as the 'Fressingfield NP Review']. A Regulation 14 Pre-submission draft version of this plan was published for public consultation in January 2026, and the same was made available for screening purposes that same month.

Part A of this notice addresses SEA matters. Part B addresses HRA matters.

It also refers to:

- the SEA and HRA Screening Reports prepared on behalf of the district council by Land Use Consultants, which can be found online at:

<https://www.midsuffolk.gov.uk/documents/d/mid-suffolk/fressingfield-np-review-sea-screening-2026>

<https://www.midsuffolk.gov.uk/documents/d/mid-suffolk/fressingfield-np-review-hra-screening-2026>

- and the screening consultation responses from the statutory bodies, reproduced in Appendix 1.

The Fressingfield NP Review contains the following vision, which feeds into five themes and ten objectives:

“Fressingfield will continue to be a good place to live with a welcoming and cohesive community, a vibrant and diverse range of facilities and activities, which meet the existing and future needs of residents.

Fressingfield will have a robust sustainable infrastructure supporting small scale developments where natural and historic assets are protected. Any new housing will be of high quality design, in keeping with the range of architectural styles and materials already prevalent.

It will meet the housing needs of all sectors of the community, using appropriate materials and construction methods which contribute to increasing sustainable outcomes.”

The vision and the thirteen objectives are translated into sixteen policies (FRES1 to FRES16). The Plan allocates two sites for new housing: site FRES1a: Land at Stradbroke Road, and site FRES1b: Land south of Laxfield Road. Both are allocated for approx. 10-15 dwellings. In addition, Policy FRES1 stipulates that other new housing development in Fressingfield during the Plan period will be located within the adopted settlement boundary, and that proposals outside the settlement boundary will only be permitted where they are in accordance with national policy or where they constitute an exception site for affordable housing to meet identified local needs. Other policies in the Plan address a range of topics including infrastructure, community facilities, design, and flooding.

Part A - Strategic Environmental Assessment Determination

1. Introduction

One of the basic conditions that all neighbourhood plans will be tested against by the independent examiner is whether the making of that Plan is compatible with European Union obligations, as incorporated into UK law. Whether a neighbourhood plan requires a SEA and the level of detail needed will depend on what is proposed in the draft plan and the characteristics of the local area.

2. Legislative Background

European Union Directive 2001/42/EC (the SEA Directive), transposed into UK law through the SEA Regulations, 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 & 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, Fressingfield Parish Council (the qualifying body) asked Mid Suffolk District Council (MSDC) (the responsible authority) to determine whether an environmental report on their revised pre-submission draft neighbourhood plan was required due to significant environmental effects. In making this determination, MSDC have had 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 has been assessed against the criteria set out in Schedule 1 of the 2004 Environmental Assessment Regulations. As mentioned already, Land Use Consultants (LUC) were commissioned to prepare a screening report to assess whether 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 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 the plan is likely to have significant environmental effects. This is the purpose of the SEA Screening Report.

3. Criteria for determining likely significance of effects

The criteria are set out in the following table:

1. The characteristics of plans and programmes, having regard, 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 transboundary 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,
 - g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

[Source: Schedule 1 of Environmental Assessment of Plans & Programmes Regulations 2004]

4. Assessment

The vision, and a summary of the Plan policies are set out in the Overview. A full assessment of the likely effects of the Plan are set out in the relevant screening report.

5. SEA Screening Conclusion

The LUC Screening Report concludes that: *“Given the allocation of development sites and the potential for associated environmental effects, it is considered that a full SEA will be required to assess the likely significant effects of the Fressingfield Neighbourhood Plan. The separate Habitats Regulations Assessment screening has identified potential likely significant effects on European sites; therefore a full SEA is required.”*

Consultation on the screening report was carried out with the Environment Agency (EA), Historic England (HE), and Natural England (NE). Their responses are set out in Appendix 1.

- HE have concluded that, given the likely significant effects (both positive and negative) upon the historic environment, they concur with the view that a Strategic Environmental Assessment will be required.
- NE have concluded that, on the basis of the material supplied with the consultation, that significant effects on statutorily designated nature conservation sites or landscapes are unlikely.

- The EA have concluded that they do not consider there to be potential significant environmental effects relating to these environmental constraints or other environmental sensitivities of interest to them.

6. SEA Determination

Guided by the conclusion reached in SEA Screening Report (April 2026) prepared by LUC, and noting the responses to this from the statutory bodies, this Council considers that a cautionary approach be taken and therefore determine that that the Fressingfield Neighbourhood Plan Review **does require** a Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.

* * * * *

Part B – Habitats Regulations Determination

1. Introduction

It is a requirement of European Law that a plan or project is subject to an assessment to determine whether it is likely to have a significant effect on the integrity of any 'European Site' in terms of impacting on the site's conservation objectives.

Submitted neighbourhood plans need to be accompanied by a statement to explain how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a Habitats Regulations Assessment (HRA). This is one of the matters that will be tested at the independent examination.

The assessment itself and the level of detail needed will depend on what is proposed in the draft Neighbourhood Plan and the potential impacts on Habitats Sites designated for their nature conservation interest.

This report therefore determines whether a HRA under the UK Conservation of Habitats and Species Regulations 2017, which enacts the Habitats Directive¹, is required for the Baylham NP.

2. Legislative Background

One of the basic conditions that neighbourhood plans must meet is that:

"The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017"

The Conservation of Habitats and Species Regulations 2017 include regulations on the assessment of plans (including neighbourhood plans) and projects on a Habitats Site (European Site or a European offshore marine site). The first stage is to screen the Plan to see whether it is likely to have a significant effect on any Habitats sites. If the Plan is 'screened-in' because likely significant effects cannot be ruled out, the next stage is for an Appropriate Assessment to be carried out considering

¹ Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>.

the impact on the Habitats site's conservation objectives. Consent for the Plan can only be given if it is 'screened-out' at the first stage, or the Appropriate Assessment concludes the integrity of the Habitats site will not be adversely affected.

Case law is also relevant, most notably the 'People over Wind' and 'Holohan' rulings. The 'People Over Wind, Peter Sweetman v Collie Teoranta' judgement ruled that it is not permissible to take account of measures intended to reduce or avoid any harmful effects of a plan or project on a European Site at the screening stage. Any mitigation measures can now only be considered at the Appropriate Assessment stage. The 'Holohan and Others v An Bord Pleanála' judgement also imposes more detailed requirements on the competent authority for any plans or projects at the Appropriate Assessment stage, including, but not limited to cataloguing the entirety of habitat types and species for which a site is protected and being beyond reasonable scientific doubt concerning the effects of the work envisaged on the site concerned.

3. Assessment

In determining whether a proposed development plan or programme is likely to have significant effects, the local authority must incorporate the 'precautionary principle' into its decision. This means that if there is uncertainty as to whether the plan or programme would cause significant effects on a Habitats Site, the full Appropriate Assessment would be required.

The vision, and a summary of the Plan policies are set out in the Overview. A full assessment of the likely effects of the Plan are set out in the relevant screening report. The screening has also been prepared in accordance with the relevant CJEU judgements.

The following European sites were identified for inclusion in the HRA on the basis of being within 20km of the boundary of the designated plan area:

- Benacre to Easton Bavents SPA (approx. 18km away)
- Broadland SPA and Ramsar site (approx. 16km away)
- The Broads SAC (approx. 16.5km away)
- Dew's Pond SAC (approx. 10km away)
- Minsmere-Walberswick SPA and Ramsar site (approx. 15km away)
- Minsmere to Walberswick Heaths and Marshes SAC (approx. 15km away)
- Norfolk Valley Fens SAC (approx. 19km away)
- Outer Thames Estuary SPA (approx. 17.5km away)
- Redgrave and South Lopham Fens Ramsar site (approx. 18.5km away)
- Sandlings SPA (approx. 19km away)
- Southern North Sea SAC (approx. 19km away)
- Waveney and Little Ouse Valley Fens SAC (approx. 18.5km away)

Additionally, the Breydon Water SPA/Ramsar site was identified as being hydrologically connected to the plan area via the River Waveney, so it too was considered in the assessment despite being outside of the 20km buffer.

4. HRA Screening Conclusion

The Screening Report concludes that: "*likely significant effects on European sites could not be ruled out in relation to the following matters:*

- *Recreation pressure at Broadland SPA/Ramsar and The Broads SAC.*
- *Abstraction and wastewater treatment at The Broads SAC or Broadlands Ramsar (direct impacts on qualifying habitats and plants)."*

It goes on to say that: *"These issues will therefore require further consideration through an Appropriate Assessment."*

Consultation on the HRA Screening Report was carried out with the Environment Agency (EA) and Natural England (NE). Their responses are set out in Appendix 1.

- The EA have concluded that they do not consider there to be potential significant environmental effects relating to these environmental constraints or other environmental sensitivities of interest to them.

NE have concluded that, on the basis of the material supplied with the consultation, that significant effects on statutorily designated nature conservation sites or landscapes are unlikely.

5. HRA Determination

Guided by the conclusions reached in HRA Screening Report (March 2026), and noting the responses to this from the statutory bodies, this Council considers that a cautionary approach be taken and therefore determine that the Fressingfield NP Review is '**screened in** for further assessment under the Habitats Regulations 2017 and that an Appropriate Assessment will be required.

Appendix 1

By e-mail dated 29 April 2026
Re: PL00801749 Fressingfield Neighbourhood Plan
SEA Screening Opinion



Historic England

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. 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 Fressingfield Neighbourhood Plan proposes to allocate two sites for housing/other use.

Given the likely significant effects (both positive and negative) upon the historic environment, Historic England hence concurs with the Council's view 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.

Ross McGivern (he/him)
Historic Places Adviser
East of England Region | Partnerships Team
Historic England | Brooklands | 24 Brooklands Avenue | Cambridge | CB2 8BU

Date: 07 May 2026
Our ref: 546384
Your ref: Fressingfield Neighbourhood Plan



Mr Paul Bryant
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BY EMAIL ONLY

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Dear Mr Bryant

Fressingfield Neighbourhood Plan Review - SEA/HRA Screening Report Consultation

Thank you for your consultation on the above dated and received by Natural England on 17 April 2026.

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) and Habitats Regulations Assessment (HRA)

It is Natural England's advice, on the basis of the material supplied with the consultation, that:

- **significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,**
- **significant effects on Habitats sites¹, either alone or in combination, are unlikely.**

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the [Planning Practice Guidance](#). This identifies three triggers that may require the production of an SEA:

- 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.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's [standing advice](#) on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to consultations@naturalengland.org.uk

Yours sincerely

Sally Wintle
Consultations Team

1 Habitats sites are those referred to in the [National Planning Policy Framework](#) (Annex 2 - glossary) as "any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites".

creating a better place
for people and wildlife



Paul Bryant
Babergh & Mid Suffolk District Councils
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Our Ref: AE/2026/131340/SE-01/SC1

Date: 27 April 2026

Dear Paul,

Fressingfield Neighbourhood Plan – SEA Screening

Thank you for consulting us on the Strategic Environmental Assessment Screening Report for the Fressingfield Neighbourhood Plan.

Based on a review of environmental constraints for which we are a statutory consultee, there are no areas of fluvial flood risk or watercourses within the neighbourhood plan area, or any water quality concerns. Therefore, we do not consider there to be potential significant environmental effects relating to these environmental constraints or other environmental sensitivities of interest to us.

The Lead Local Flood Authority's Suffolk County Council Surface Water Management Plan will indicate if there are any critical drainage areas from local sources of flood risk (e.g. surface water, groundwater and sewerage) which coincide with the neighbourhood plan area.

We encourage you to seek ways in which your neighbourhood plan can improve the local environment. For your information, together with Natural England, Historic England and Forestry Commission we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: [How to consider the environment in Neighbourhood Plans - Locality Neighbourhood Planning](#)

We trust that this advice is useful.

Yours sincerely,

Miss Emily Halliwell
Sustainable Places - Planning Advisor

Team e-mail: Planning.Eastanglia@Environment-agency.gov.uk
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