

Strategic Environmental Assessment and Habitats Regulations Assessment Screening Opinion: Newmarket Neighbourhood Plan

July 2018

1.0 Introduction

1.1 This Screening Report is to determine whether or not the content of the Newmarket Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. This draft has been prepared to inform consultation with the Statutory Consultees, Natural England, Heritage England and Environment Agency.

1.2 Newmarket is a market town located in Forest Heath District. The Newmarket Neighbourhood Plan (the Plan) is a Neighbourhood Development Plan which is being prepared by Newmarket Town Council (a qualifying body as defined by the Localism Act 2011). The Plan has reached the pre-submission consultation stage of preparation. The information on the Plan is in section 2.

1.3 The legislative background, set out in section 3, outlines the regulations that require the need for this screening exercise. Section 5, provides a screening assessment of the significant environmental effects of the Neighbourhood Plan, section 6 is the Habitats Regulations Assessment screening and section 7 is the screening outcome.

2.0 Key information on the emerging neighbourhood plan:

Aim and objectives

2.1 The underlying aim of the Neighbourhood Plan (section 4.1 of the Plan) is to preserve the special character and landscape of Newmarket, in particular the town's historic core and the unique features arising from the horseracing and thoroughbred breeding industry, ensuring that development is sustainable in the long term and that Newmarket remains clearly distinct from neighbouring towns. The aim will be delivered through the following 6 objectives (section 4.2 of the Plan):

Objective 1: To promote and maintain the character of the town

Objective 2: To improve and promote well-being for all residents

Objective 3: To value and protect our environment

Objective 4: To develop sustainable housing within the boundary of the designated area

Objective 5: To develop a sustainable transport network

Objective 6: To create a vibrant, attractive town centre which enhances Newmarket as a major tourist destination

2.2 The Neighbourhood Plan includes 33 Policies and 43 Community Actions. The community actions are initiatives to address local issues identified through the community engagement undertaken in preparing the Plan.

Neighbourhood area

2.3 The Newmarket Neighbourhood Plan Area was designated by Forest Heath District Council in December 2015 and amended in June 2018. The plan Area includes the whole of the Parish of Newmarket defined by the Parish boundary with the addition of Exning cemetery and a small area of land to its north.

Draft polices

2.4 The Neighbourhood plan includes thirty three policies under the identified objective topics which seek to control land use. The policies have been reviewed to identify policies that seek to allocate sites for development. In general the policies are focused on the protection of or support for the existing environment and land use or environmental improvements. A summary of the policies is presented in table 1 below

2.5 Three policies in the plan allocate sites for development. Policy NKT5 *Town Museum/Arts Centre/Tourist Information* and Policy NKT9 *Special educational needs provision* identify sites where a change of use is promoted. Policy NKT11 *Community Sports and Recreation Area* allocates existing playing field land for a shared community sports hall.

Table 1 Summary of policies in the Newmarket neighbourhood Plan

Policy Number	Policy Title	Policy does not allocate land for development	Policy allocates development	Notes
NKT1	Key Views	√		The policy protects views in the conservation area
NKT2	St. Mary's Square and St. Mary's Churchyard	√		The policy supports the designation of a local green space and environmental improvements in the surrounding area
NKT3	Newmarket Conservation Area Appraisal	√		The policy protects non-designated features in the conservation area
NKT4	Shop fronts	√		The policy supports the West Suffolk shop front guidance
NKT5	A Town Museum/Arts Centre/Tourist Information		√	The policy supports the change of use of existing buildings
NKT6	Market	√		The policy protects the market site
NKT7	Hospital site	√		The policy protects the existing use and outlines circumstances where change of use might be acceptable
NKT8	Education sites	√		The policy protects the educational use of existing sites and sets out where change of use might be acceptable
NKT9	Special educational needs provision		√	The policy supports the change of use of existing buildings

NKT10	Employment Sites	✓		The policy supports a particular type of employment use but does not allocate land for this use.
NKT11	Community Sports and Recreation Area		✓	The policy allocates existing playing field land for a shared community sports hall
NKT12	Cinema	✓		The policy supports the allocation of a cinema however a site is not allocated
NKT13	Trees	✓		The policy supports the protection of trees and requires the retention and planting of trees
NKT14	Air quality	✓		The policy protects air quality
NKT15	Biodiversity	✓		The policy encourages biodiversity enhancement
NKT16	Yellow Brick Road Linear Park	✓		The policy protects the Yellow Brick Road Linear Park
NKT17	Sustainable design features	✓		The policy supports sustainable design of new homes
NKT18	Broadband	✓		The policy requires communication infrastructure
NKT19	Affordable housing	✓		The policy requires integration of affordable housing
NKT20	Dwelling statements	✓		The policy requires housing applications to submit a dwelling statement about housing mix and meeting the local need.
NKT21	Travel plans	✓		The policy requires housing applications to submit a travel plan which should also consider cumulative effects
NKT22	Pedestrian and cycle network	✓		The policy supports new and improved pedestrian and cycle provision
NKT23	Cambridge-Newmarket Cycle Path	✓		The policy supports this cycle path
NKT24	Cycle Racks	✓		The policy supports additional cycle racks
NKT25	Movement on Newmarket High Street	✓		The policy supports the change in priority from vehicles to pedestrians and cycles on Newmarket High Street
NKT26	Railway Station	✓		The policy supports the expansion of the railway station and associated car parking
NKT27	Bus Station	✓		The policy supports improvements to the bus station
NKT28	Coach Park	✓		The policy supports the use of an existing car park for coach parking
NKT29	Enhancement and continued provision of car parks	✓		The policy protects car park provision and supports improvements to the existing provision
NKT30	Lorry park	✓		The policy supports the allocation of a lorry park close to the A14 but no site is identified or allocated
NKT31	Guineas Shopping Centre	✓		The policy supports the re-use of the Guineas shopping centre
NKT32	Proportion of retail units	✓		The policy sets a target for the proportion of retail and non-retail outlets
NKT33	Attractive entrances to the town	✓		The policy supports improvements to the towns gateways

3.0 Legislative background

3.1 The basis for Strategic Environmental Assessment legislation is European Union Directive 2001/42/EC4 which requires a Strategic Environmental Assessment to be undertaken for certain types of plans or programmes that could have a significant environmental effect. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, commonly referred to as the SEA Regulations.

3.2 To decide whether a draft neighbourhood plan might have significant environmental effects, it must be assessed (screened) at an early stage of the plan's preparation according to the requirements set out in regulation 9 of the

Environmental Assessment of Plans and Programmes Regulations 2004. These include a requirement to consult the environmental assessment consultation bodies.

3.3 Where it is determined that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), a statement of reasons for the determination should be prepared. A copy of the statement must be submitted with the neighbourhood plan proposal and made available to the independent examiner.

3.4 If likely significant environmental effects are identified, an environmental report must be prepared in accordance with paragraphs (2) and (3) of Regulation 12 of those regulations.

3.5 In accordance with Regulation 9 of the SEA Regulations 2004, Newmarket Town Council (the qualifying body) has requested Forest Heath District Council (FHDC) to consider whether a Strategic Environmental Assessment of the emerging Neighbourhood Plan is required due to significant environmental effects.

3.6 Sustainability Appraisal is not legally required for Neighbourhood Plans, but it must be demonstrated how the Neighbourhood Plan contributes to the achievement of sustainable development in the area. It is down to the qualifying body to demonstrate how its Neighbourhood Plan will contribute to achieving sustainable development.

3.7 Strategic Environmental Assessment is a process for evaluating, at the earliest appropriate stage, the environmental effects of a plan before it is made. A Habitats Regulations Assessment (HRA) identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. This assessment must determine whether significant effects on a European site can be ruled out on the basis of objective information.

3.8 European Sites are defined in Regulation 8 of the Conservation of Habitats and Species Regulation 2017, and includes Special Areas of Conservation and Special Protection Areas, potential Special protection Areas, and possible Special Areas of Conservation. The National Planning Policy Framework requires decision makers to apply the same protection and process to listed or proposed Ramsar sites.

3.9 If the conclusion of the HRA screening is that the plan is likely to have a significant effect on a European site then an appropriate assessment of the implications of the plan for the site, in view of the site's conservation objectives, must be undertaken. If a plan is one which has been determined to require an appropriate assessment under the Habitats Directive then it will normally also require a Strategic Environmental Assessment.

4.0 Screening process

4.1 The sites environmental constraints are set out in Appendix 1 of this document.

4.2 The criteria from Schedule 1 of the SEA Regulations has been used in the consideration of environmental effects.

5.0 Screening Assessment

5.1 A Neighbourhood Plan may have a significant effect on the environment depending on the proposals within it and that a case by case assessment was required. The criteria for undertaking this assessment are drawn from Article 3(5) of Directive 2001/42/EC (Annex 11) and Schedule 1 of the UK Environmental Assessment of Plans and Programmes Regulations 2004 as set out in Table 2 below:

Table 2 Consideration of likely significant effects, using the criteria from Schedule 1 of the SEA Regulations

Significant effect criteria	Assessment
The characteristics of the plan having regard to:	
- the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The Newmarket neighbourhood plan does not allocate any land for housing or for employment. The plan does set a framework for projects and other activities however the nature and size of this are limited in extent and the potential for an effect on the environment resulting from the Plan is therefore unlikely to be significant.
- the degree to which the plan influences other plans and programmes including those in a hierarchy;	The Newmarket Neighbourhood Plan must be in conformity with the strategic policies of the Local Plan for Forest Heath District. Once made it becomes part of the development plan
- the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development;	A Neighbourhood Plan is required to contribute to the achievement of sustainable development. The plan protects locally important environmental assets and supports improvements to infrastructure that will promote sustainable transport and telecommunication technology.
- environmental problems relevant to the plan;	The environmental impact of the proposals within the Newmarket Neighbourhood Plan is likely to be minimal due to the scale of development that would come forward as a result of the policies. The location of any development will be restricted by the settlement boundary. Any potential environmental problems are likely to be of a local scale and could be tackled through the implementation of the plan.
- 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).	The Neighbourhood Plan has to be in conformity with the strategic policies of the Local Plan. The Local Plan has had regard to European Community legislation on the environment.
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,	Development that could come forward through the plan would be of such a small scale that

	any effects are unlikely to be significant in terms of duration, frequency, and reversibility
- the cumulative nature of the effects,	Policies in the plan but more particularly policies in other Local Plan documents that would continue to be relevant protect local environmental assets; cumulative effects are unlikely to be significant.
- the transboundary nature of the effects,	The scale and potential location of the minor development in the Plan is unlikely to lead to transboundary effects
- the risks to human health or the environment (e.g. due to accidents),	The level of development in the Plan is unlikely to lead to additional risks to human health or the environment.
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	The potential development that could occur as a result of the Plan is limited in its geographical area; any effects are likely to be local and are unlikely to be significant
- the value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> - special natural characteristics or cultural heritage, - exceeded environmental quality standards or limit values, - intensive land-use 	The environmental sensitivities in the Plan area and immediate vicinity are listed in Appendix 1. The Plan includes policies that protect the local environmental assets; other Local Plan documents would also continue to be relevant. The environmental effects arising from the Plan are unlikely to be significant.
- the effects on areas or landscapes which have a recognised national, Community or international protection status.	The Nationally designated sites are listed in Appendix 1, the level of development would not pose a risk to these sites. HRA screening below has screened out likely significant effects on any International sites. There are no designated landscapes in the vicinity of the Plan area.

6.0 HRA Screening

6.1 There are no *Natura 2000* sites within the Newmarket Neighbourhood Plan Area, however Devils Dyke SAC is located on the south western boundary. European sites outside of the Neighbourhood Plan Area but with 20km include Fenland SAC (nearest component is 2.5km), Chippenham Fen Ramsar (2.5km), Wicken Fen Ramsar (7.5 km), Breckland SPA (nearest component is 7km), Breckland SAC (nearest component is 11.6km), and Rex Graham Reserve SAC (12.4km).

6.2 Recent HRA work in FHDC has highlighted possible effects associated with the international sites as follows:

- direct loss or physical damage due to construction;
- disturbance and other urban edge effects from construction or occupation of buildings;
- disturbance from construction or operation of roads;
- recreational pressure;
- water quantity;
- water quality; and
- air quality.

6.3 There is no potential for land-take as all the *Natura 2000* sites are outside of the Plan area.

The scale of development arising from the Plan is unlikely to lead to significant issues in relation to air quality, water quality and water supply as any development which is proposed is within the existing settlement boundary adjacent to existing properties and would benefit from the existing infrastructure available.

6.4 The scale of development likely to occur as a result of the Plan is unlikely to lead to disturbance and other urban edge effects from construction or occupation of buildings of the construction or operation of roads.

6.5 Policy CS2 of the FHDC Core Strategy states that Development which is likely to lead to an adverse effect the integrity of the [Breckland] SPA will not be allowed. The plan does not propose development within the 1500km buffers around Breckland SPA.

6.6 The scale of development in the plan is unlikely to lead to an increase in visitors or in recreational pressure to any of the designated sites in the vicinity.

6.7 A study of visitors to, primarily, Thetford Forest (a component site within Breckland SPA) was carried out by Footprint Ecology in 2010 (Fearnley, H., Liley, D. and Cruickshanks, K. 2010). This showed that visitors overwhelmingly travelled by car to visit the Forest, mostly for walking with or without dogs, or for cycling. Around 56% of visitors visited weekly or more often, and so would be using the Forest as convenient local greenspace for their activities. There is concern that increased development in the vicinity could lead to increased visitor pressure; Natural England has advised that a distance of 7.5km should be considered. The plan does not propose any development within 7.5km of Breckland SPA.

6.8 The scale of development likely to occur as a result of the Plan is unlikely to lead to in-combination effects.

6.9 It is concluded that likely significant effect on any European site can be screened out.

7.0 Consultation

7.1 Consultation with Statutory Consultees; Environment Agency, Natural England and Historic England was undertaken between 16 August 2018 and 21 September 2018. Consultation responses were received from Natural England and Heritage England which are attached in Appendix 3.

8.0 Conclusion

8.1 This report contains the detail of the assessment of the need for the Pre-submission Newmarket Neighbourhood Plan to be subject to Strategic Environmental Assessment as required by SEA Directive (2001/42/EC) and Appropriate Assessment as required by the Habitats Directive (92/43/EEC). The assessment for both these requirements has been undertaken on the basis of the level of growth outlined in the Plan and summarised in Section 2 of this

report. Based on the environmental information, the scope of the policies in the Newmarket Neighbourhood Plan, and responses from statutory consultees, the outcome of the assessment is set out below.

8.2 The Strategic Environmental Assessment screening of the potential effects from the proposals in the Newmarket Neighbourhood Plan concluded that likely significant environmental effects can be screened out (section 5) and a Strategic Environmental Assessment is not required.

8.3 The Habitats Regulations screening of the potential for effects from the proposals in the Newmarket Neighbourhood Plan concluded that likely significant effects can be screened out (section 6) and Appropriate Assessment is not required.

Appendix 1 – Environmental Constraints

Biodiversity

There are a number of Natura 2000 sites within close proximity of the Plan boundary. These, including Special Areas of Conservation, Special Protection Areas and Ramsar sites are listed in the table below

SAC	SPA	Ramsar
Breckland Devils Dyke Rex Graham Fenland	Breckland	Chippenham Fen Wicken Fen

Nationally important sites in the vicinity include:

Newmarket Heath SSSI - located within and adjacent to the Plan Area

Chippenham Fen SSSI and NNR - located to the north of the Plan Area

Wicken Fen SSSI and NNR - located to the north west of the Plan area

Devils Ditch SSSI - located to the south west adjacent to the Plan Area

Snailwell Meadows SSSI - located to the north

Brackland Rough SSSI - located to the north.

Natural England's SSSI risk zones give an indication on the types and scale of development that might have an effect on these SSSI. No risks are identified associated the level of development in the plan.

Non-statutory sites include:

Newmarket Heath County Wildlife Site (CWS) is located within the Plan Area. Side Hill CWS, Warren Hill & adjacent areas CWS, and Lime Kilns & adjacent areas CWS are all located to the east of the Plan Area, Snailwell grassland and woods CWS and Old Rectory Meadows CWS are both to the north.

Soil

Much of the land within the plan area is urban or non agricultural. The remainder of the land within the Plan Area is grade III Agricultural Land with a small area of grade II to the north west.

Water

The Plan Area is within a Source Protection Zone with some areas identified as Inner protection Zone

Newmarket Brook (formally the Number One drain) flows through the town and the Plan Area. There is a corresponding narrow corridor which is susceptible to flooding (Flood risk 2 and 3).

Cultural heritage, including architectural and archaeological heritage

The Devils Ditch on the south western boundary of the area is a Scheduled Monument. In addition a Bowl barrow is located just outside the Plan Area to the south west. The nearest Registered Park and Garden is Chippenham Hall to the north, Swaffham Prior House to the west, and Dullingham House to the south of the Plan Area. July Racecourse in Newmarket is a locally listed historic park and garden.

Newmarket has a large conservation area which includes the historic town centre and horse racing training yards and facilities around it. There are a large number of Listed Buildings within the Plan Area concentrated in the centre of Newmarket town but also along Bury Road (p18 of the Plan). Four buildings are on the *at risk* register.

There are also areas of Archaeological Interest as identified in the Suffolk County Council register throughout the plan area.

Landscape

The landscape character of the Plan Area is described in the Suffolk Landscape Character Assessment. The land outside of the urban area is described as Rolling Estate Chalklands.

Air Quality

There is one AQMA within the District, and it is located within the centre of Newmarket, and was established in 2009 due to elevated levels of NO₂, primarily arising from traffic emissions.

Noise

Sources of noise pollution include transport links, such as areas of dual carriageway (A14) and railway lines which runs through Newmarket

Access and recreation

There are a limited number of Public Rights of Way in the Plan Area. However the route of the Newmarket Brook forms a linear park that is accessible to pedestrians and cyclists –known as the yellow Brick Road Linear Park (YBRLP)(p42 of the Plan).

The main public recreational and sport pitches are at George Lambton Playing Field which is located off the route of the YBRLP. Other community facilities are available at the Newmarket Leisure Centre.

Many areas of the gallops in the Town are accessible to the public in the afternoon when they are not required for exercising horses.

Appendix 2 - Internationally designated sites

Site	Conservation Objectives of the International Site
Breckland SPA	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features • The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely • The population of each of the qualifying features, and, • The distribution of the qualifying features within the site. <p>Qualifying Features: A133 <i>Burhinus oedicephalus</i>; Stone-curlew (Breeding) A224 <i>Caprimulgus europaeus</i>; European nightjar (Breeding) A246 <i>Lullula arborea</i>; Woodlark (Breeding)</p>
Breckland SAC	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. <p>Qualifying Features: H2330. Inland dunes with open <i>Corynephorus</i> and <i>Agrostis</i> grasslands; Open grassland with grey-hair grass and common bent grass of inland dunes H3150. Natural eutrophic lakes with Magnopotamion or Hydrocharition-type vegetation; Naturally nutrient-rich lakes or lochs which are often dominated by pondweed H4030. European dry heaths H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>); Dry grasslands and scrublands on chalk or limestone H91E0. Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>); Alder woodland on floodplains* S1166. <i>Triturus cristatus</i>; Great crested newt</p>
Rex Graham Reserve SAC	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats • The structure and function (including typical species) of qualifying natural habitats, and • The supporting processes on which qualifying natural habitats <p>Qualifying Features: H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>) (important orchid sites); Dry grasslands and scrublands on chalk or limestone (important orchid sites)*</p>
Devils Dyke SAC	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats • The structure and function (including typical species) of qualifying natural habitats, and • The supporting processes on which qualifying natural habitats rely <p>Qualifying Features: H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>) (important orchid sites); Dry grasslands and scrublands on chalk or limestone (important orchid sites)</p>

Fenland SAC	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <input type="checkbox"/> The extent and distribution of qualifying natural habitats and habitats of qualifying species <input type="checkbox"/> The structure and function (including typical species) of qualifying natural habitats <input type="checkbox"/> The structure and function of the habitats of qualifying species <input type="checkbox"/> The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely <input type="checkbox"/> The populations of qualifying species, and, <input type="checkbox"/> The distribution of qualifying species within the site. <p>Qualifying Features: H6410. Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae); Purple moor-grass meadows H7210. Calcareous fens with Cladium mariscus and species of the Caricion davallianae; Calcium-rich fen dominated by great fen sedge (saw sedge)* S1149. Cobitis taenia; Spined loach S1166. Triturus cristatus; Great crested newt</p>
Chippenham Fen Ramsar	<p>Reasons for designation</p> <p>Criterion 1: Spring-fed calcareous basin mire with a long history of management, which is partly reflected in the diversity of present-day vegetation.</p> <p>Criterion 2: The invertebrate fauna is very rich, partly due to its transitional position between Fenland and Breckland. The species list is very long, including many rare and scarce invertebrates characteristic of ancient fenland sites in Britain.</p> <p>Criterion 3: The site supports diverse vegetation types, rare and scarce plants. The site is the stronghold of Cambridge milk parsley (<i>Selinum carvifolia</i>).</p>
Wicken Fen Ramsar	<p>Reasons for designation</p> <p>Criterion 1: One of the most outstanding remnants of the East Anglian peat fens. The area is one of the few which has not been drained. Traditional management has created a mosaic of habitats from open water to sedge and litter fields.</p> <p>Criterion 2: The site supports one species of British Red Data Book plant, fen violet (<i>Viola persicifolia</i>), which survives at only two other sites in Britain. It also contains eight nationally scarce plants and 121 British Red Data Book invertebrates.</p>

Appendix 3 - Consultation responses.



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Our ref: PL00472668

18 September 2018

Dear Sir/Madam Planning Team

RE: Newmarket Neighbourhood Plan SEA Screening

Thank you for your email of 16 August 2018 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 the Screening Report for this plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Newmarket 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 Newmarket Neighbourhood Plan will not have any significant effects on the historic environment. We have reviewed the Screening Report, and note the comments regarding allocation of land.

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 16 August 2018 and a review of the draft neighbourhood plan. 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



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later versions of the plan/guidance) where we consider that, despite the SA/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.

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Date: 17 September 2018
Our ref: 255781



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Dear Sir/Madam

Newmarket Neighbourhood Plan – Screening for Strategic Environmental Assessment and Habitats Regulations Assessment.

Thank you for your consultation on the above dated 16 August 2018 which was received by Natural England on 16 August 2018.

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 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 are concerned (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 and Natural England are satisfied with the conclusions in the screening report.

Neighbourhood Plan

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

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

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

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

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

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

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

Yours faithfully

Alice Watson
Consultations Team