

# **Strategic Environmental Assessment and Habitats Regulations Assessment Screening Opinion: Hargrave Neighbourhood Plan**

Draft for Consultation (October 2017)

## **1.0 Introduction**

1.1 This Screening Report is to determine whether or not the content of the Hargrave 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 Hargrave is a small rural parish located in St Edmundsbury Borough. The Hargrave Neighbourhood Plan (the Plan) is a Neighbourhood Development Plan which is being prepared by Hargrave Parish 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 likely 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:**

### Vision and objectives

2.1 The over-arching vision for Hargrave in 2031 is to protect and enhance the distinctive character and assets of the village for the community both young and old. This vision is supported by four topic areas each with objectives that will contribute to the delivery of the vision. These are listed in section 5.2 of the Plan and replicated below:

<b>Prosperity and Welfare</b>  Assess the scope to improve the residents' access within the village and within the region to provide: <ul style="list-style-type: none"> <li>• A range of housing to meet lifetime and generational needs</li> <li>• Employment, including the facilities necessary to support home working</li> <li>• Communication and technology</li> <li>• Education</li> <li>• Health and welfare</li> <li>• Shops, services and amenities</li> <li>• Sports, leisure and culture</li> </ul>	<b>Highways, Transport and Access</b>  Assess the needs of our community and define its existing and future requirements by: <ul style="list-style-type: none"> <li>• Rebalancing the competitive demands on highways between dominant vehicular traffic and a safer pedestrian environment</li> <li>• Improving public footpaths to enhance accessibility and connectivity</li> <li>• Improving access to bridleways to offer safer equestrian facilities</li> <li>• Securing access to public transport</li> </ul>
<b>Green Infrastructure and Natural Environment</b>  Appraise, define, protect and enhance all the green features of the village and the parish. In particular: <ul style="list-style-type: none"> <li>• Public and private open space</li> <li>• The road environment, in particular grass verges, hedges and trees</li> <li>• Protect and encourage wild life</li> <li>• Liaise with, support and protect agriculture and its husbandry of productive land within the parish.</li> <li>• Neighbourhood Plan – The Green Infrastructure and Natural Environment</li> </ul>	<b>The Character of the Village and Countryside</b>  Identify, define, protect and enhance the distinctive features of the village settlement and its setting within the parish, including: <ul style="list-style-type: none"> <li>• Local heritage and historical references</li> <li>• Building and streetscape</li> <li>• Community infrastructure and assets</li> <li>• Local design exemplars and benchmarks for new building and extensions</li> </ul>

## Neighbourhood area

2.2 The Neighbourhood area was designated by St Edmundsbury Borough Council in November 2015 and includes the whole of the Parish defined by the Parish boundary and shown in section 2 of the Plan.

## Draft policies

2.3 The Neighbourhood plan includes ten policies on a number of topics that seek to protect features of landscape and biodiversity value (HAR5), the landscape setting of Hargrave (HAR6), local green spaces (HAR7), village playing field (HAR8), local heritage assets (HAR9), and the village character (HAR10). The plan sets criteria for the consideration of proposals for communications technology (HAR4).

2.4 The plan does not seek to allocate sites for development but recognises that there is a need for minor growth that will provide an opportunity to maintain and slightly increase the population of the village (section 7.2) and this is reflected in the spatial strategy (HAR1). The plan therefore allows for new residential development comprising single dwellings or small groups of five homes or less within a defined settlement boundary (HAR2) and would also allow development of affordable homes adjacent. In certain circumstances some smaller dwellings would be required (HAR3)

## **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<sup>5</sup>.

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, Hargrave Parish Council (the qualifying body) has requested St Edmundsbury Borough Council (SEBC), as the Responsible authority, to consider whether an 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. It is considered best practice to incorporate requirements of the SEA Directive into a SA.

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 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 2010, and consist of candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas. The National Planning Policy Framework requires decision makers to apply the same protection and process to Ramsar sites.

3.9 If the conclusion 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 likely significant 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 \*below:

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

Significant effect criteria	Assessment
<b>The characteristics of the plan having regard to:</b>	
- 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 Hargrave neighbourhood plan seeks to allow new residential development comprising single dwellings or small groups of five homes or less within a defined settlement boundary or potentially adjacent to it. 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 Hargrave Neighbourhood Plan must be in conformity with the strategic policies of the Local Plan for St Edmundsbury. It does not influence other plans.
- 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 telecommunication technology.
- environmental problems relevant to the plan;	The environmental impact of the proposals within the Hargrave 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 and form of the 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 planning application process.
- 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.
<b>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>	
- 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 affects are unlikely to be significant in terms of duration, frequency, and reversibility
- the cumulative nature of the effects,	Other policies in the plan (and 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 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"> <li>- special natural characteristics or cultural heritage,</li> <li>- exceeded environmental quality standards or limit values,</li> <li>- intensive land-use</li> </ul>	The environmental sensitivities in the Plan area and immediate vicinity are listed in Appendix 1. The Plan includes other 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 closest nationally designated site is Hay Wood SSSI in Whelpstead, the level of development would not pose a risk to this site. The closest internationally designated site is Breckland SPA. HRA screening below has screened out likely significant effects. There are no designated landscapes in the vicinity of the Plan area. Given the scale of the development proposed there is unlikely to be any significant effects on designated areas which are close to the boundaries in the north and southeast.

## 6.0 HRA Screening

6.1 There are no *Natura 2000* sites within the Hargrave Neighbourhood Plan Area. European sites outside of the Neighbourhood Plan Area but with 20km include Breckland SPA (nearest component is 4.5km), Breckland SAC (nearest component is 10km), Devils Dyke SAC (13km) and Rex Graham Reserve SAC (13km).

6.2 The HRA of the Rural Vision 2031 highlighted possible effects associated with the international sites as follows:

- Land-take
- Development within 1500m of part of Breckland SPA (supporting stone-curlew) or 400m of Breckland SPA (supporting woodlark and nightjar), according to SEBC Core Strategy policy CS2
- Development which would result in harmful recreational pressure to a European site
- An increase in air pollution

- Increased water use requiring water companies to abstract water which would result in a wetland European site drying unacceptably
- Increased sewage and surface water drainage polluting a European site

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 would occur adjacent to existing properties and would benefit from the existing infrastructure available.

6.4 Policy CS2 of the SEBC Core Strategy states that only development that will not adversely affect the integrity of the [Breckland] SPA will be permitted. In applying this policy a buffer zone has been defined that extends 1,500m from the edge of those parts of the SPA that support or are capable of supporting stone curlews. The nearest farmland component of the SPA supporting stone curlew is located 4.5km from the boundary of the Plan area.

6.5 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 nearest woodland component of Breckland SPA is located 10.3km to the north, and the closest component of Breckland SAC is 11km from the boundary of the Plan area.

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

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

## **7.0 Screening outcome**

7.1 Based on the environmental information and the scope of the policies in the Hargrave Neighbourhood Plan, the preliminary outcome of the assessment is:

- in respect of Strategic Environmental Assessment, likely significant environmental effects can be screened out (section 5)
- in respect to Habitats Regulations Assessment, likely significant effects can be screened out (section 6)

7.2 This report has been prepared to inform consultation with Statutory Consultees; Environment Agency, Natural England and Historic England. Following consultation the screening will be reviewed in light of any comments.

## **Appendix 1 – Environmental Constraints**

### **Biodiversity**

The nearest farmland component of Breckland SPA is located approximately 4.5km to the north (Appendix 2).

The nearest woodland component of Breckland SPA is located 10.3km to the north.

The closest component of Breckland SAC is 11km to the north.

The closest Site of Special Scientific Interest (SSSI) is Hay Wood in Whepstead which is approximately 4km.

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

There is a non-statutory roadside nature reserve (RNR St Edmundsbury 140) located on both sides of Barrow Hill between Willow Farm and Wash Cottage.

Whilst ancient woodland is commonly occurring in the vicinity, there are none in the Plan area.

### **Soil**

Land within the Plan area is grade II and grade III Agricultural Land.

### **Water**

A small stream, a tributary to the River Lark, emerges in Hargrave Plan area and flows through the village. There is a corresponding narrow corridor which is susceptible to flooding (Flood risk 2 and 3).

### **Cultural heritage, including architectural and archaeological heritage**

There are no Scheduled Monuments in the plan area or vicinity. The nearest Historic Park and Garden is Ickworth House located 1.5km away from the boundary of the Plan area.

There are a number of Listed Buildings within the Plan Area; these are in Appendix 1 of the Plan. There are no buildings on the *at risk* register. There are also some Areas of Archaeological Interest as identified in the Suffolk County Council register.

### **Landscape**

The landscape character of the Plan area is described in the Suffolk Landscape Character Assessment and is in section 4.5 of the Plan.

Land to the northeast and southwest of the Plan area is designated locally as Special Landscape Area.

## 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"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul> <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"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul> <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 (Festuco-Brometalia); Dry grasslands and scrublands on chalk or limestone  H91E0. Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, <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"> <li>• The extent and distribution of qualifying natural habitats</li> <li>• The structure and function (including typical species) of qualifying natural habitats, and</li> <li>• The supporting processes on which qualifying natural habitats</li> </ul> <p>Qualifying Features:  H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (Festuco-Brometalia) (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"> <li>• The extent and distribution of qualifying natural habitats</li> <li>• The structure and function (including typical species) of qualifying natural habitats, and</li> <li>• The supporting processes on which qualifying natural habitats rely</li> </ul> <p>Qualifying Features:  H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (Festuco-Brometalia) (important orchid sites); Dry grasslands and scrublands on chalk or limestone (important orchid sites)</p>