

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

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.

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:

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 • Local heritage and historical references • Building and streetscape • Community infrastructure and assets • Local design exemplars and benchmarks for new building and extensions

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.

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 plan areas 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
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 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 any development will be restricted by the settlement boundary. Any potential environmental problems are likely to be of a local scale and could be addressed 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 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,	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"> - 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 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 Whepstead, 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 Consultation

7.1 Consultation with Statutory Consultees; Environment Agency, Natural England and Historic England was undertaken between 3 November 2017 and 4 December 2017. Consultation responses are attached in Appendix 3.

8.0 Conclusions

8.1 This report contains the detail of the assessment of the need for the Hargrave 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 Section 2 of this report. Based on the environmental information, the scope of the policies in the Hargrave 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 Hargrave 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 Hargrave Neighbourhood Plan concluded that likely significant effects can be screened out (section 6) and Appropriate Assessment is not required.

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 no Conservation Areas. 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"> • 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>

Appendix 3 – Consultation responses.



Historic England

EAST OF ENGLAND OFFICE

Sir/Madam Neighbourhood Planning Team
Strategic Planning, St Edmundsbury BC
West Suffolk House
Western Way
Bury St Edmunds
Suffolk
IP33 3YU

Direct Dial: 01223 582746

Our ref: PL00230242

4 December 2017

Dear Sir/Madam Planning Team

Thank you for your email of 3 November 2017 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 comment on the SEA process for the Hargrave Neighbourhood Plan 2017-2031. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Hargrave 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 Statement indicates that the Council considers that the Hargrave Neighbourhood Plan will not affect any 'special natural characteristics or cultural heritage' in the area.

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 three 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 3 November 2017. 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 later versions of the plan/guidance) where we consider that, despite the SA/SEA, these would have an adverse effect upon the environment,



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Historic England is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.



Historic England

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Historic England strongly advises that the conservation and archaeological staff of the (local authority) 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 HER; how the 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.

Yours sincerely,


Electronic signature of Edward James

Edward James
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Date: 13 December 2017
Our ref: 230420
Your ref: Hargrave Neighbourhood Plan



West Suffolk Planning department
neighbourhood.planning@westsuffolk.gov.uk

BY EMAIL ONLY

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Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Sir/Madam

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

Thank you for your consultation on the above dated 03 November 2017, which was received by Natural England on the same day

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.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance¹. 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 relating to the specific advice in this letter only please contact Francesca Shapland on 02080 265792. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk. We really value your feedback to help us improve the service we offer.

We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours faithfully

Hannah Bottomley
Consultations Team



Wed 13/12/2017 14:53

Anglian Central, Planning_Liaison <planning.brampton@environment-agency.gov.uk>

RE: Hargrave Neighbourhood Plan – Screening for Strategic Environmental Assessment and habitats Regulations Assessment

To Wright, Amy

f Follow up. Start by 14 December 2017. Due by 14 December 2017.
You forwarded this message on 14/12/2017 09:01.

Dear Amy,

We are aware that this consultation was for a neighbourhood plan.

Our previous advise to you remains pertinent. We have no further comment to add.

Kind regards,

Emily

Emily Davies
Sustainable Places - Senior Planning Advisor
East Anglia Area (West)

Working days Monday – Thursday

Environment Agency, Sustainable Places Team, Bromholme Lane, Brampton, Huntingdon, Cambs. PE28 4NE
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Direct Dial: 02030251828
Email: planning.brampton@environment-agency.gov.uk



Does Your Proposal Have Environmental Issues or Opportunities? Speak To Us Early!

If you're planning a new development, we want to work with you to make the process as smooth as possible. We offer a bespoke advice service where you will be assigned a project manager who be a single point of contact for you at the EA, giving you detailed specialist advice within guaranteed delivery dates. This early engagement can significantly reduce uncertainty and delays to your project. More information can be found on our website [here](#).

From: Anglian Central, Planning_Liaison [<mailto:planning.brampton@environment-agency.gov.uk>]
Sent: 08 November 2017 10:50
To: neighbourhood.planning <neighbourhood.planning@westsuffolk.gov.uk>
Subject: RE: Hargrave Neighbourhood Plan – Screening for Strategic Environmental Assessment and habitats Regulations Assessment.

Dear Sir/Madam,

Thank you for your email advising us of the above proposal. I attach for your information our generic planning guidance documents. We hope this is of assistance to you.

Regards

Emily Davies
Sustainable Places - Senior Planning Advisor
East Anglia Area (West)

Working days Monday – Thursday

Environment Agency, Sustainable Places Team, Bromholme Lane, Brampton, Huntingdon, Cambs. PE28 4NE
Phone: 02084745242
Email: planning.brampton@environment-agency.gov.uk



Does Your Proposal Have Environmental Issues or Opportunities? Speak To Us Early!

If you're planning a new development, we want to work with you to make the process as smooth as possible. We offer a bespoke advice service where you will be assigned a project manager who be a single point of contact for you at the EA, giving you detailed specialist advice within guaranteed delivery dates. This early engagement can significantly reduce uncertainty and delays to your project. More information can be found on our website [here](#).

East Anglia Area Pre-Application Planning Advice Guide

This short guide has been produced to help you plan and prepare your development proposal. The guide contains basic information and links to the type of environmental issues we expect to be considered as part of a planning application. Please be aware that this guide is not exhaustive and further details may be requested by us at planning application stage to address site specific environmental issues.

This document is only for use in the area covered by the Environment Agency's East Anglia Area and should be read alongside our detailed national guidance which can be found on the GOV.UK website.



If you require bespoke guidance or review of technical details prior to the submission of a planning application we can do this as part of our [charged for pre-application planning advice service](#).

We also recommend that you consult with the relevant Local Planning Authority or County Council to ensure that your planning application meets their requirements.

Contents:

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- [Charged for planning advice service](#) [page 3](#)
- [Guide for developers](#) [page 3](#)
- [Checking environmental risk](#) [page 3](#)

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This guide is for use within the following areas:

East Anglia Sustainable Places Team East covers the following local planning authorities and county councils:

- ❖ **Essex:** [Basildon](#) Borough Council, [Braintree](#) District Council, [Brentwood](#) Borough Council, [Castle Point](#) Borough Council, [Chelmsford](#) City Council, [Colchester](#) Borough Council, [Epping Forest](#) District Council, Essex County Council, [Harlow](#) Council, [Maldon](#) District Council, [Rochford](#) District Council, South End-on-Sea Borough Council, [Tendring](#) District Council, Thurrock Council and [Uttlesford](#) District Council.
- ❖ **Norfolk:** Broadland District Council, Great Yarmouth Borough Council, North Norfolk District Council, Norwich City Council, Norfolk County Council (except for King's Lynn and West Norfolk Borough Council and Breckland Council).
- ❖ **Suffolk:** Babergh District Council, Ipswich Borough Council, Mid Suffolk District Council, Suffolk County Council (except for St Edmundsbury Borough Council and Forest Heath District Council), Suffolk Coastal District Council and Waveney District Council.

To contact East Anglia Sustainable Places Team (East):

- **Write to:** Environment Agency, East Anglia Sustainable Places Team (East), Icen House, Cobham Road, Ipswich, Suffolk, IP3 9JD
- **Email:** planning.ipswich@environment-agency.gov.uk
- **Call:** 020302258389

Flood Maps, Modelling and Historic Flood Records: If you would like to obtain copies of any flood modelling or historic flood levels we may have please e-mail is EAn_C&E_Internal@environment-agency.gov.uk. There may be a fee for this data.

East Anglia Sustainable Places Team West covers the following local planning authorities and county councils:

- ❖ **Bedfordshire:** Bedfordshire Borough Council and Central Bedfordshire Council
- ❖ **Buckinghamshire:** Milton Keynes Council
- ❖ **Cambridgeshire:** Cambridge City Council, Cambridgeshire County Council, East Cambridgeshire District Council, Fenland District Council, Huntingdonshire District Council and South Cambridgeshire District Council.

- ❖ **Suffolk:** Forest Heath District Council, St Edmundsbury Borough Council and Suffolk County Council (only the area within Forest Heath and St Edmundsbury Councils).
- ❖ **Norfolk:** King's Lynn & West Norfolk Borough Council (KLWN), Breckland District Council and Norfolk County Council (only the area within KLWN and Breckland District Councils).

To contact East Anglia Sustainable Places Team (West):

- **Write to:** Environment Agency, East Anglia Sustainable Places Team (West), Bromholme Lane, Brampton, Huntingdon, Cambridgeshire, PE28 4NE
- **Email:** planning.brampton@environment-agency.gov.uk
- **Call:** 02084745242

Flood Maps, Modelling and Historic Flood Records: If you would like to obtain copies of any flood modelling or historic flood levels we may have please e-mail is Enquiries_EastAnglia@environment-agency.gov.uk. There may be a fee for this data.

Our Planning Role

The Environment Agency is a statutory consultee for planning purposes. This means that Local Planning Authorities must consult us on certain types of planning application and Local Plan documents.

We provide guidance and advice to Local Planning Authorities on specific kinds of environmental matters, such as flood risk and water quality. We only comment on planning policies or applications - we do not decide them.

For further information on our planning role please see the GOV.UK website:

- [Local Planning Authorities](#): what types of development we should be consulted on for environmental advice.
- [Developers](#): get environmental advice on your planning proposals.
- [Neighbourhood Planning Groups](#): Get environmental advice on neighbourhood plans, development orders and community right to build orders.

Charged for Pre-Application Planning Advice

If you're planning a new development, we want to work with you to make the process as smooth as possible. We offer a bespoke advice service where you will be assigned a project manager who be a single point of contact for you at the Environment Agency, giving you detailed specialist advice within guaranteed delivery dates. This early engagement can significantly reduce uncertainty and delays to your project. More information can be found on our website [here](#).

Our charge is £84 per hour and we do not charge VAT. If you would like to use our charged for service please reply to this email and we will provide you with a quote.

If you would like to use our charged for service please contact the appropriate sustainable places team (see page 2), providing details of your proposal and copies of any documents you would like us to review, and we will provide you with a quote.

Guide for Developers

We have produced a national guide for developers which describes our role and how we can help the planning application process run smoothly. This document includes further information on environmental considerations for new developments and can be viewed on the GOV.UK website: [Guide for Developers](#)

Checking Environmental Risk

Maps showing areas with environmental risk are available online. Applicants and developers should assess their site against the information found on these maps. Particular attention should be given to the Flood Map for Planning, Groundwater Source Protection Zones and Aquifers.

Planning applications will need to demonstrate that environmental risks can be managed, through design and construction, for the development's lifetime. Guidance follows on particular aspects of environmental risk.

Some useful sources of environmental information include:

- <https://www.gov.uk/check-local-environmental-data>
- <http://magic.defra.gov.uk/home.htm>
- <https://www.gov.uk/check-flood-risk>

Flood Risk

Flood Risk Assessment (FRA)

Planning applications for development in areas at risk of flooding must be accompanied by a Flood Risk Assessment.

Information on which developments require a FRA and what to include is available on the GOV.UK website. National guidance is available for sites where flood risk is considered to be low; this is called Flood Risk Standing Advice. We will only be consulted and comment on planning applications where the risk is sufficiently great. Some useful guidance on flood risk and FRA can be found at:

- To check if your site is at risk of flooding please see: <https://www.gov.uk/check-flood-risk>
- Flood risk assessment for planning applications: <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>
- A checklist for producing a site specific flood risk assessment can be viewed at: <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/site-specific-flood-risk-assessment-checklist/>
- Flood Risk Assessments for Local Planning Authorities: <https://www.gov.uk/flood-risk-assessment-local-planning-authorities>
- For guidance on climate change allowances see: [Flood risk assessments: climate change allowances on the GOV.UK website.](#)
- Flood Resilient Measures: <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>
- [If your home or business is at risk of flooding you can register to receive our free flood warning service: https://www.gov.uk/sign-up-for-flood-warnings](https://www.gov.uk/sign-up-for-flood-warnings)

Applicants / developers are also strongly recommended to contact the relevant Local Planning Authority and/or Lead Local Flood Authority to obtain any local flood risk information they may hold; such as Strategic Flood Risk Assessment or developer guidance. FRAs should be undertaken by

suitably qualified professionals. We do not recommend consultants but a simple web search may help you to find a competent individual or company.

Flood Maps, Modelling and Historic Flood Records: If you would like to obtain copies of any flood modelling or historic flood levels we may have please e-mail the appropriate customer services team (see page 2). There may be a fee for this data.

Flood Risk Sequential and Exception Tests: Paragraphs 100-102 of the National Planning Policy Framework (NPPF) and the Planning Practice Guidance require Local Planning Authorities to steer new development to areas at lowest probability of flooding by applying a flood risk sequential test.

The Environment Agency's role in the Sequential Test is limited to providing advice, on the likelihood, scale and impacts of fluvial and tidal flooding, which Local Planning Authorities need to make informed planning decisions.

The application of the Sequential Test requires an in-depth understanding of a variety of issues, many of which fall outside of our remit; we are therefore not best placed to advise on this. We recommend applicants / developers discuss this matter with the relevant Local Planning Authority if a proposed site is located within Flood Zone 2 and / or 3 (medium and high probability of flooding) on our maps.

If the Local Planning Authority confirms that the Sequential Test has been passed, the development may also need to pass the Exception Test in accordance with Paragraph 103 of the NPPF. The first part of the test requires demonstration of the development providing wider sustainability benefits; this should be agreed with the Local Planning Authority. The second part requires the production of a site specific Flood Risk Assessment.

Further guidance on the sequential and exception tests can be found on the GOV.UK website:

- [National Planning Policy Framework and Planning Practice Guidance](#)
- [Flood Risk Standing Advice on Sequential Test \(general\)](#)
- [Flood Risk Standing Advice on Sequential Test \(detailed advice for applicants\)](#)

Surface Water

We are no longer a statutory consultee for surface water flood risk. You should contact the appropriate Lead Local Flood Authority for further guidance on any surface water management requirements they may have. Your Lead Local Flood Authority will normally be the upper tier authority (County Council or Unitary Authority).

Site Drainage

Where appropriate we recommend that the use of Sustainable Drainage Systems (SuDS). These techniques can provide a method for reducing runoff that could otherwise lead to flooding. They can also minimise pollution impacts, improve biodiversity and provide amenity areas. [Please be aware that we are no longer a statutory consultee for surface water flood risk.](#)

If infiltration drainage is proposed then it must be demonstrated that it will not pose a risk to groundwater quality. We consider any infiltration SuDS greater than 2.0 m below ground level to be a deep system and generally not acceptable. All infiltration SuDS require a minimum of 1.2 m clearance between the base and peak seasonal groundwater levels. In addition, they must not be constructed in ground affected by contamination.

All SuDS need to meet the criteria set out in our Groundwater Protection: Principles and Practice (GP3) document; this document details our approach to the management and protection of groundwater. Further SuDS guidance can be found at:

- [Groundwater protection guides](#) on GOV.UK
- [NPPF Planning Practice Guidance: why are SuDS important?](#)

Wastewater

Foul Drainage: In accordance with the National Planning Policy Framework Planning Practice Guidance, new development should be connected to the public mains (with the prior written approval of the statutory undertaker) where possible. Proliferation of individual treatment plants can cause deterioration in local water quality (ground and surface water). The [FDA1 Foul drainage assessment form](#) should be used to establish whether non-mains drainage, either a new system or connection to an existing system, would be acceptable

Some 'non mains' foul water drainage systems will require our prior written consent in the form of an [Environmental Permit](#); consent is required in addition to planning permission. Additional information on septic tanks and treatment plants please see the permits and general binding rules on [GOV.UK](#).

Many Local Authorities may have a Water Cycle Study (WCS) which will indicate any constraints in wastewater networks and the available headroom at some Water Recycling Centres (Wastewater Treatment Works). We recommend that you check the WCS to ascertain if capacity is available and also contacts the sewerage undertaker about connection to the public sewer. Confirmation from the sewerage undertaker should be submitted with your planning application.

Trade Effluent: Effluent discharged from any premises carrying on a trade or industry and effluent generated by a commercial enterprise, where the effluent is different to that which would arise from domestic activities in a normal home, is described as trade effluent. If you are proposing to:

- Discharge to non-mains - If you wish to discharge effluent after appropriately treating it to groundwater or surface water you will require a permit under the Environmental Permit Regulations.
- Discharge to mains - A trade effluent consent or a trade effluent agreement with your water and sewerage company must be obtained before you discharge trade effluent to a public foul sewer or a private sewer that connects to a public foul sewer.

If you are not able to discharge effluent it will be classed as waste and you must then comply with your duty of care responsibilities.

Further pollution prevention information can be found at the GOV.UK website:

- [Discharges to surface water and groundwater: environmental permits](#)
- [Dispose of business or commercial waste](#) and [general waste guidance](#)
- [Storing oil at your home or business](#)
- [Storing silage, slurry and agricultural fuel oil](#)
- [Protecting our Water, Soil and Air - A Code of Good Agricultural Practice for farmers, growers and land managers](#)

Contaminated Land

The National Planning Policy Framework (NPPF) takes a precautionary approach to land contamination. Before the principle of development can be determined, land contamination should be investigated to see whether it could preclude certain development due to environmental risk or cost of clean-up (remediation).

Where contamination is known or suspected a desk study, investigation, remediation and other works may be required to enable safe development (Paragraph 121 of the NPPF). Our minimum requirements for submission with a planning application, where contamination is suspected, are a desk study and preliminary risk assessment such as a site walkover or conceptual model.

Site Investigation and Remediation Strategy reports may be required for submission with a planning application for sensitive land use types or where significant contamination or uncertainty is found. The local council's Environmental Health team may hold records on locations of known / potential land contamination. If during site works contaminated material is suspected, you are advised to stop works and seek further guidance. Remediation of contaminated land may require an authorisation under Environmental Permitting legislation.

Contaminated land assessments should be undertaken by a suitably qualified person. We do not recommend consultants but a simple web search may help you to find a competent individual or company.

Further contaminated land guidance can be found at:

- [NPPF: Land affected by contamination](#)
- [Groundwater protection guides on GOV.UK](#)

Biodiversity

The planning system has an important part to play in maintaining, restoring and enhancing biodiversity. The National Planning Policy Framework paragraph 109 recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity.

Natural England is the principal statutory planning consultee for protected species; for information on their role and what to provide with your planning application please see the [GOV.UK website: protected species](#). Our involvement would usually be limited to commenting on development proposals which could:

- significantly affect aquatic species or water dependent species not covered by [Natural England standing advice](#)
- affect a river or canal and need an environmental impact assessment
- pollute the air, water or land, increase flood risk or affect land drainage and need an [environmental permit](#)

For such sites we would expect that an assessment of the potential risks should be carried out. This would need to show that the development can proceed without demonstrable harm and propose mitigation, compensation or enhancements where required. A survey should be carried out if protected species are thought to be present within the proximity of a proposed development. If the survey confirms the presence of protected species or their habitat, measures should be taken to

manage the risks posed by the development. These measures may include compensation, mitigation or enhancement.

Water Environment

[River Basin Management Plans](#) (RBMPs) set out measures to improve water in rivers, estuaries, coasts and aquifers. Development proposals or activities which have the potential to cause deterioration of a waterbody or prevent its improvement must provide evidence to demonstrate that the requirements of the relevant RBMP have been taken into account.

As part of your planning application you must demonstrate that the risks posed by the development can be satisfactorily mitigated or removed. An assessment should be provided of the impacts of the development on the water body and must demonstrate that the proposal will not:

- cause deterioration of the water body condition
- prevent improvement measures in the river basin management plan from being carried out
- have a detrimental impact on water quality and/or habitat/species

Further information:

- [Catchment Data Explorer](#) - helps you explore and download information about the water environment.
- [River Basin Management Plans](#) can be viewed on the GOV.UK website.

Other Consent and Permit Requirements

Environmental Permitting

You might need an [Environmental Permit](#) from us for your proposed development to cover water discharges, groundwater activities, radioactive substances, waste, mining waste, installations and work on or near a main river or sea defence. An environmental permit is required in addition to any planning permission you may obtain. To check if your planned development requires an environmental permit please see the GOV.UK website: [Check if you need an environmental permit](#)

Permitting for Flood Risk Activities

Please be aware that, notwithstanding the planning permission(s) that may be granted or extant on the site, under the Environmental Permitting Regulations (2010), an Environmental Permit may be required for any proposed activities which will take place:

- on or near a main river
- on or near a flood defence structure
- in a flood plain
- on or near a sea defence

For further guidance and advice please visit the [GOV.UK website Flood risk activities: environmental permits](#) or contact our National Customer Contact Centre on 03702 422 549.

It should not be assumed that such consent will automatically be forthcoming, and the applicant should consult with us at the earliest opportunity in order to determine and secure formal consent for the proposed works as appropriate.

Works Affecting Ordinary Watercourses

Any works affecting an ordinary watercourse, including culverting, may require prior written consent from the Lead Local Flood Authority under the Land Drainage Act 1991 (as amended by the Flood and Water Management Act 2010). Further information can be obtained from the relevant Lead Local Flood Authority which, in general, is the upper tier authority (i.e. County or Unitary).