

Capel St Mary Neighbourhood Plan SEA Screening Opinion

Final report

Prepared by LUC

July 2022



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Chapter 1

Introduction

1.1 Capel St Mary Parish Council is in the process of preparing a Neighbourhood Plan. Capel St Mary is located within Babergh District, close to the A12 trunk route between Colchester to the south and Ipswich to the north. LUC has been appointed by Babergh and Mid Suffolk District Councils to consider whether there is a need for Strategic Environmental Assessment (SEA) to be undertaken for the Neighbourhood Plan.

1.2 SEA may be required for a Neighbourhood Plan if it is likely to have significant environmental effects. Sustainability Appraisal (SA) is similar to SEA but includes assessment of the likely significant effects of a plan or programme on economic and social factors, as well as environmental factors. Planning Practice Guidance¹ (PPG) clarifies that there is no legal requirement for a neighbourhood plan to be subject to SA, but that SA can be used to demonstrate how the plan will contribute to sustainable development.

1.3 Babergh and Mid Suffolk District Councils have commissioned LUC to carry out SEA Screening of the 2021 version of the Regulation 14 Pre-Submission Draft Capel St Mary Neighbourhood Plan in order to determine whether an assessment is required under European Directive 2001/42/EC (the SEA Directive), transposed into UK law through the SEA Regulations².

1.4 LUC conducted SEA Screening in September 2021 and concluded that the Capel St Mary Neighbourhood Plan was unlikely to have significant environmental effects and that full SEA was therefore not required. Since this time an updated Habitats Regulations Assessment (HRA) screening of the Neighbourhood Plan has been undertaken separately by LUC on behalf of Babergh and Mid Suffolk District Councils and the outcomes have informed this update to the original SEA Screening outcome.

¹ <https://www.gov.uk/government/collections/planning-practice-guidance>

² The Environmental Assessment of Plans and Programmes Regulations 2004 (SI 2004/1633) as amended by The Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018 (SI 2018/1232) and The Environmental Assessment

of Plans and Programmes (Amendment) Regulations 2020 (SI 2020/1531). It should be noted that the purpose of the amendments to the SEA Regulations is to ensure that the law functions correctly after the UK has left the European Union. No substantive changes are made to the way the SEA regime operates.

Chapter 2

SEA Screening

Scope of the Capel St Mary Neighbourhood Plan

2.1 Capel St Mary Parish Council has prepared the 2021 version of the Regulation 14 Pre-Submission Draft Capel St Mary Neighbourhood Plan which will be subject to public consultation. An earlier draft of the Regulation 14 Neighbourhood Plan was subject to public consultation between March and April 2020.

2.2 The Neighbourhood Plan covers the entire Parish of Capel St Mary. The 2021 version of the Regulation 14 Pre-Submission Draft consultation document includes a vision for the long-term future of Capel St Mary along with 11 objectives, which are presented throughout the various chapters of the Plan:

- 1.** To develop and sustain the core village status of Capel St Mary by ensuring any future development is sustainable and supports a range of employment, services, housing and recreational facilities.
- 2.** Through facilitating development, ensure that the needs of the community are met as these have not been met through recent speculative developments. This should include affordable housing and high-quality and affordable retirement bungalows.
- 3.** Seek to encourage the development of a mix of housing stock in the village which meets the demands created by a changing climate and are specifically made using low-carbon methods; to encourage the construction of homes using new and proven materials and techniques which will reduce the total cost of ownership of the property and be responsive to the potential impact of climate change.
- 4.** To create a green environment which is pleasant to walk through, which encourages people to walk around and through the village and reduces dependency on the car for short journeys. This green environment should extend beyond the built-up boundary.
- 5.** To set out the style of the built environment in the village through the creation of appropriate policies.
- 6.** Maintain a strong and vibrant community with a better supply and a good mix of home types, sizes and tenures enabling people to stay in the village throughout their

lifetime with special focus on good quality financially accessible housing for young families, housing suitable for older people and mechanisms to support people wanting to get on to the housing ladder.

7. To introduce housing, the design and layout of which encourages the creation of a sustainable social environment which maintains the village character of Capel St Mary and does not allow it to become a large dormitory housing estate located alongside the A12 between Ipswich and Colchester.
8. To create a safer road system within the Parish for vehicles, cyclists, pedestrians and other users.
9. To ensure the infrastructure of the village is maintained in relation to the needs of its residents, and that assets important to the village are protected.
10. Villagers should be able to enjoy Capel St Mary's natural environment and every opportunity should be taken to enhance and access it.
11. Wherever possible the existing community commercial assets and the opportunity they provide for employment should be preserved.

2.3 The Neighbourhood Plan then sets out 21 policies (CSM1-21) to realise and deliver the vision for Capel St Mary. Each policy is linked to a particular objective under the following nine themes: Housing and Design, Localised Flooding, Transport, Infrastructure, Community and Heritage Assets, Environment, Conservation of Flora and Fauna, Enriching our Lives, Local Green Space, Economy and Employment.

2.4 The overall spatial strategy for the plan area is set out in policy CM1 which specifies that area will accommodate development commensurate with its designation as a Core Village in the District's settlement hierarchy.

2.5 No sites are allocated for development within the Neighbourhood Plan, as the minimum housing figure for Capel St Mary of 792 (as set out in the emerging Joint Local Plan (JLP)) is to be met through the existing planning permission for 100 dwellings at Site LA054 off Little Tufts and Site LA055 which is allocated in the emerging JLP for 520 homes, along with the outstanding planning permissions for 142 homes at the JLP base date of 1st April 2018. At the time of preparing the Neighbourhood Plan, a planning application had been submitted to Babergh District Council but the outcome is not yet known.

2.6 Policies CSM1- CSM21 address a range of topics including landscape, flooding, biodiversity and the protection of the historic environment. Together these policies seek to ensure that new development in Capel St Mary is high quality

and sensitively designed so as not to have adverse impacts on the surroundings.

Baseline Information

2.7 This section summarises baseline information for the village of Capel St Mary, drawing from the information set out in the 2021 version of the Regulation 14 Pre-Submission Draft Neighbourhood Plan.

Context

2.8 Capel St Mary is a large village located off the A12 about six miles southwest of Ipswich. The total area of the village is around 779 hectares.

Biodiversity, Flora and Fauna

2.9 There are no Sites of Special Scientific Interest (SSSIs), National Nature Reserves, Special Protection Areas, Special Areas of Conservation or Ramsar Sites within the Parish. The closest internationally designated site to the Parish is the Stour and Orwell Estuaries SPA, which is approximately 10km away to the north east. The nearest nationally designated site is Freston and Cutler's Woods with Holbrook Park SSSI which is 7.5 km to the east of the Parish.

2.10 There are also no Local Nature Reserves (LNRs). There is a nature reserve to the west of Mill Hill, adjacent to the small stream (Stutton Brook); however this is an informal designation rather than a formal designation through Natural England.

2.11 There are two County Wildlife Sites in the Parish: Springhills Meadows to the west of the village, which comprises damp, flower-rich unimproved grasslands; and Great Martins Hill Wood, a complex of ancient woodland and other habitats, straddling the border with East Bergholt Parish.

2.12 The following Species of Principal Importance in England have been recorded within the Parish: common toad, skylark, cuckoo, yellowhammer, herring gull, linnet, house sparrow, marsh tit, dunnoek, turtle dove, starling, song thrush, stag beetle, white admiral, numerous moth species, slow-worm, grass snake, common lizard, water vole, hedgehog, brown hare, otter, dormouse, brown long-eared bat.

2.13 The following Habitats of Principal Importance in England (HPIE) are thought to occur within the Parish: hedgerows, eutrophic standing waters, lowland dry acid grassland, lowland heathland, lowland mixed deciduous woodland, and wet woodland. More detailed assessment may show that the following HPIE also exist here: traditional orchards, ponds (qualifying criteria apply), lowland meadows, lowland fens.

Population

2.14 At the time of the 2011 census, the population of Capel St Mary was 2,847. The 45-59 and 75-84 age brackets make up the largest groups in the Parish. Data from the Suffolk Observatory highlights that the population of Suffolk has a higher percentage of over 60's than England as a whole, with Capel St Mary having a higher percentage than the Suffolk average.

Human Health

2.15 In terms of the health of Capel St Mary residents, according to the 2011 Census, just over 47% of people are classified as in very good health, 36.8% as good, 12.0% as fair, 3.2% as bad and 0.8% as very bad. These health statistics are similar to those for Babergh District and for England as a whole.

2.16 Capel St Mary has an ageing population which is likely to lead to more cases of residents suffering from age-related conditions such as dementia.

Soil

2.17 The village is comprised of naturally wet, very acid sandy and loamy soils and is entirely Grade 2 and Grade 3 agricultural land. It is now known whether the Grade 3 land is the high quality Grade 3a or lower quality Grade 3b.

Water

2.18 Capel St Mary has constrained surface water drainage systems. Most of the Parish relies on discharge to an unmaintained watercourse which drains to the East and then via a pumped system adjacent to the A12 interchange underpass.

2.19 Whilst the village is not at risk of fluvial (river) flooding, there are large areas of the village that are likely to be affected by pluvial (surface water) flooding.

Air and Climatic Factors

2.20 There are no Air Quality Management Areas (AQMAs) that have been declared within Capel St Mary, the nearest being approximately 10km away in Ipswich.

2.21 Climate data is not available at Parish level, but within Babergh District as a whole, reductions in overall carbon emissions of 37% were achieved between 2005 and 2017. This reduction was mostly due to progress in reducing emissions from domestic sources, closely followed by industrial and commercial sectors, with minimal progress on transport emissions. Transport makes the largest contribution to carbon emissions in Babergh District.

Material Assets

2.22 For a village with a community of approximately 2,847 residents, Capel St Mary benefits from a wide range of services and facilities:

- Community Centre incorporating the library, village hall, family and lounge bars
- Children's play area
- Shops - supermarket including a Post Office, convenience store, bakers, hairdressers, and takeaway restaurants
- Offices, Building Society/insurance broker
- Parish Council office
- Local medical practice
- Methodist Church and hall
- St. Mary's Church and hall
- Days Road Community Church and hall
- Dove Close accommodation for older people
- Capel St Mary CEVC Primary School
- Robin's Childcare
- Playing field with football, tennis and pickleball courts, bowling green, sports pavilion, and play area
- Garden centre and cafe
- Restaurants
- Petrol station
- Dental practice
- Public house
- Allotments
- Public footpaths
- Green spaces

Landscape

2.23 Capel St Mary lies two miles from the Dedham Vale AONB.

Cultural Heritage

2.24 There are 23 listed buildings within the village of Capel St Mary, 21 of which are Grade II listed and two of which are Grade II* listed. None of these buildings are on Historic England's 'Heritage at risk' register.

SEA Screening

2.25 An assessment has been undertaken to determine whether the 2021 version of the Regulation 14 Pre-Submission Draft Capel St Mary Neighbourhood Plan requires SEA in accordance with the SEA Regulations.

2.26 **Figure 2.1** overleaf presents the flow diagram entitled 'Application of the SEA Directive to plans and programmes' which is taken from the Practical Guide to the Strategic Environmental Assessment Directive, published in September 2005. This is a useful guide when considering whether a plan should be subject to SEA (The Practical Guide has been superseded by the National Planning Practice Guidance; however, it still provides a useful and relevant guide to the process to use in making SEA screening decisions).

Figure 2.1: Application of the SEA Directive to plans and programmes

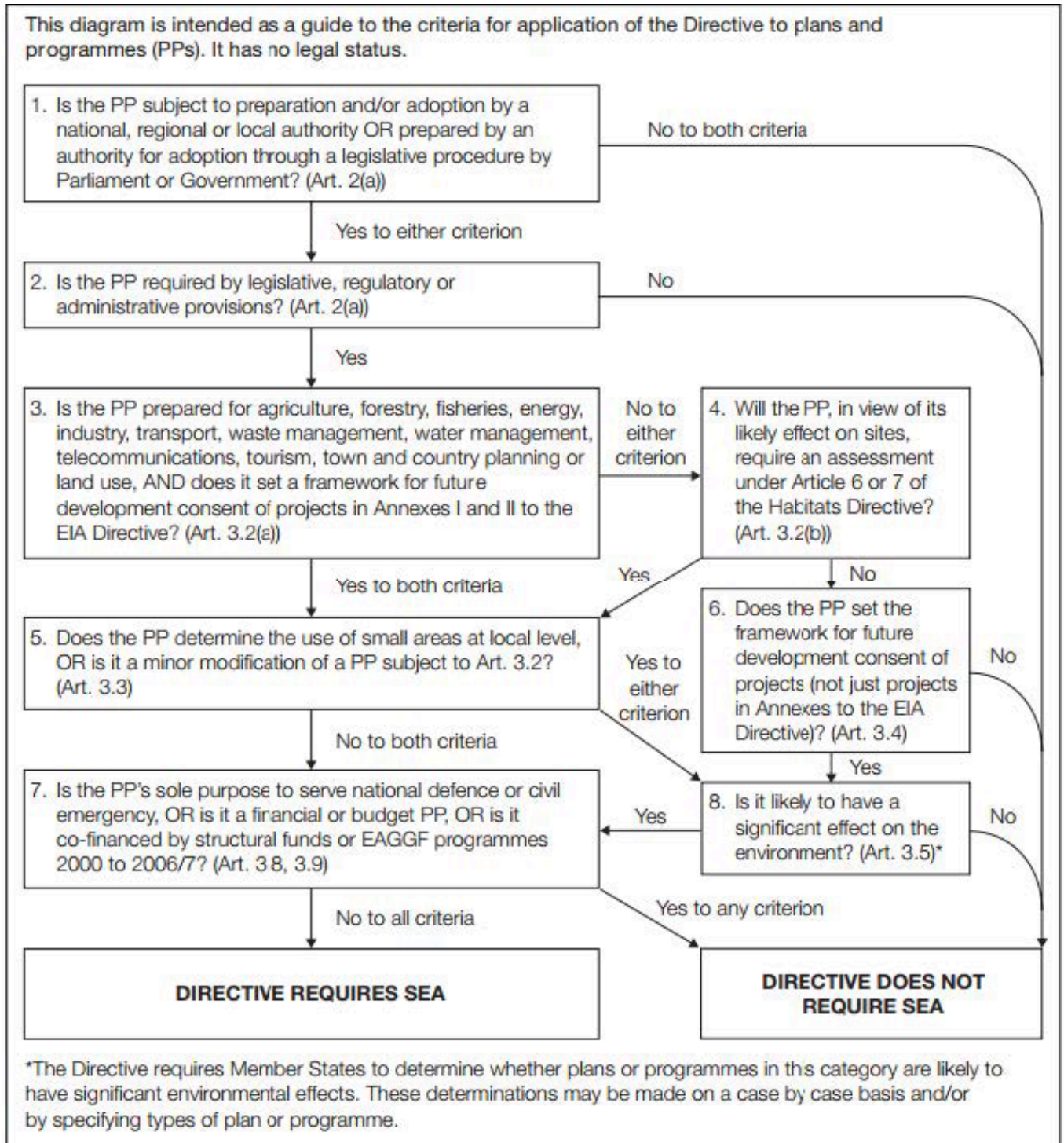


Table 2.1: Application of SEA Directive to the Capel St Mary Neighbourhood Plan

Stage	Yes/No	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	The Capel St Mary Neighbourhood Plan is being prepared under the Localism Act 2011 and will be adopted ('made') by the Local Authority (Babergh District Council) as part of the statutory development plan. Move to Q2.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	No	The Capel St Mary Neighbourhood Plan is being prepared under the Localism Act 2011 and in accordance with the Neighbourhood Planning (General) Regulations 2012. However, there is no requirement to produce a Neighbourhood Plan; it is an optional plan. Once made it will become part of the statutory development plan. Therefore, it should continue to be screened. Move to Q3.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Yes and No	The Capel St Mary Neighbourhood Plan is being prepared for town and country planning and land use, but it does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive. Move to Q4.
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	No	HRA screening of the Neighbourhood Plan has been undertaken separately on behalf of Babergh District Council and has concluded that the Neighbourhood Plan is not likely to have significant effects on European sites, either alone or in combination. No: Move to Q6.
6. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	Yes	The Capel St Mary Neighbourhood Plan does not allocate sites for development; however it includes policies which proposals for development within the Parish will be assessed against. Move to Q8 for assessment of significant effects.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	See Table 2.2. SEA IS NOT REQUIRED.

Table 2.2: Likely Significant Effects

SEA Requirement	Comments
The characteristics of the plans and programmes, having regard, in particular, to:	
1. The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	<p>Once made, the Capel St Mary Neighbourhood Plan will become part of the statutory development plan and will guide the delivery of development in Capel St Mary, including in terms of design. The Capel St Mary Neighbourhood Plan does not allocate sites for residential or other forms of development.</p> <p>The adopted Babergh Core Strategy (2014) identifies Capel St Mary as a Core Village in Policy CS2- Settlement Pattern. This policy seeks to direct development to towns/urban areas and to the Core Villages and Hinterland Villages.</p> <p>The emerging Babergh and Mid Suffolk Joint Local Plan also identifies Capel St Mary as a Core Village. While the new Local Plan is unlikely to be adopted until later in 2021 or early 2022, it has been taken into consideration in the preparation of the Capel St Mary Neighbourhood Plan. It is noted that the Regulation 19 (Pre-Submission) version of the Joint Local Plan (November 2020) makes provision for building 9,611 new homes across Babergh between 2018 and 2036 and that it is proposed that 28% will be in Core Villages. Capel St Mary as one of the Core Villages has a minimum housing requirement of 792, 29% of the Core Village total. However, some of this has already been met through existing planning permissions.</p>
2. The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The Capel St Mary Neighbourhood Plan has to be in general conformity with the local strategic framework (i.e. the adopted Babergh Core Strategy (2014) and the emerging Babergh and Mid Suffolk Joint Local Plan). The Capel St Mary Neighbourhood Plan must also have regard to the National Planning Policy Framework. The Capel St Mary Neighbourhood Plan does not have influence over other plans. Once made, the Capel St Mary Neighbourhood Plan will form part of the statutory development plan for the Capel St Mary Parish and will be used in conjunction with the emerging Babergh and Mid Suffolk Joint Local Plan (once adopted) to determine planning applications.
3. The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	One of the Basic Conditions which the Capel St Mary Neighbourhood Plan must meet is to contribute to sustainable development.
4. Environmental problems relevant to the plan or programme.	Baseline information relating to Capel St Mary was described earlier in this chapter. Key issues of relevance to the Neighbourhood Plan are the presence of high-quality agricultural land, the proximity to Dedham Vale AONB and the presence of listed buildings within the Parish.
5. The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	N/A
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	
6. The probability, duration, frequency and reversibility of the effects.	The Capel St Mary Neighbourhood Plan does not allocate sites for housing or other forms of development. The Capel St Mary Neighbourhood Plan covers the period up to 2037. Effects of the Capel St

SEA Requirement	Comments
	Mary Neighbourhood Plan are expected to be indirect (due to not allocating sites) but long-term and permanent.
7. The cumulative nature of the effects.	<p>Cumulative effects could result from the Capel St Mary Neighbourhood Plan in combination with development that takes place in the surrounding towns and villages, although the Capel St Mary Neighbourhood Plan does not allocate sites for housing or other forms of development.</p> <p>As the emerging Babergh and Mid Suffolk JLP is still in its development, it is not yet possible to assess with certainty the amount and location of development that may result from the Plan within and close to Capel St Mary.</p> <p>The Adopted Babergh Core Strategy (2014) identifies Capel St Mary as a 'Core Village' in the settlement hierarchy, with the expectation that new development should meet local needs.</p>
8. The transboundary nature of the effects.	The Neighbourhood Plan focuses on Capel St Mary only. Transboundary effects under the SEA Regulations refers transboundary effects on other EU Member States; therefore they are not relevant to the Neighbourhood Plan.
9. The risks to human health or the environment (e.g. due to accidents).	There are no anticipated risks to human health or the environment from the Capel St Mary Neighbourhood Plan.
10. The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The Capel St Mary Neighbourhood Plan covers all of Capel St Mary Parish. The population of the Parish is estimated to be around 2,847 people.
<p>11. The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> ■ Special natural characteristics or cultural heritage; ■ Exceeded environmental quality standards or limit values; and ■ Intensive land-use. 	Capel St Mary is in close proximity to Dedham Vale AONB and there are 22 listed buildings within the Parish.
12. The effects on areas or landscapes which have a recognised national, Community or international protection status.	There are no designated landscapes within Capel St Mary; however Dedham Vale AONB is approximately two miles away.

SEA Screening Conclusion

2.27 A screening assessment has been undertaken by applying the criteria from the SEA Directive and Schedule 1 of the SEA Regulations to determine whether or not the Capel St Mary Neighbourhood Plan is likely to have significant environmental effects when assessed against the topics listed in the SEA Regulations.

2.28 The Capel St Mary Neighbourhood Plan sets out a vision and detailed planning policies to shape development in the Parish up to 2037 and decision makers will need to consider the criteria of these policies when determining future applications in the Parish. It does not directly impact on land use through the allocation of sites for housing or other forms of development.

2.29 On this basis, it is considered that the Capel St Mary Neighbourhood Plan is unlikely to have significant environmental effects and that full SEA is therefore not required.

Next Steps

2.30 This SEA screening option will be sent to the three statutory consultees (Natural England, Historic England and the Environment Agency) and will be reviewed as appropriate in light of any comments received.

LUC
July 2022