



Strategic Environmental Assessment Screening Opinion

Custom and Self-Build Housing Supplementary Planning Document

August 2023

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1. Introduction

The Custom and Self-Build Housing Supplementary Planning Document (SPD) has been produced by East Suffolk Council. The SPD will apply to the whole of the East Suffolk Council area, excluding the parts of East Suffolk that are within the Broads National Park, for which the Broads Authority is the local planning authority.

In some circumstances a Supplementary Planning Document could have significant environmental effects and may fall within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 and so require Strategic Environmental Assessment.

This screening report is designed to test whether or not the contents of the Custom and Self-Build Housing Supplementary Planning Document require a full Strategic Environmental Assessment (SEA). The legislative background below outlines the regulations that require the use of this screening exercise. Section 4 provides a screening assessment of the likely significant effects of the SPD and the need for a full SEA. This SEA report reviewed an early draft of the Custom and Self-Build Housing Supplementary Planning Document (SPD).

2. Legislative Background

The basis for Strategic Environmental Assessment legislation is European Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the Environment'. This document is also known as the Strategic Environmental Assessment (or SEA) Directive. European Directive 2001/42/EC was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended, including through EU exit legislation), or SEA Regulations.

The SEA Regulations include a definition of 'plans and programmes' to which the regulations apply. SEA requirements relate to plans or programmes which are subject to preparation or adoption by an authority at national, regional or local level, which includes those prepared for town and country planning and land use. SEA is required where the plan or programme is likely to have significant environmental effects. It is therefore necessary to screen the SPD

to identify whether significant environmental effects are likely. Where screening identifies significant environmental effects, a full Strategic Environmental Assessment is required.

3. Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC

The preparation of the SPD triggers a requirement to determine whether it is likely to have a significant environmental effect. This requirement is discharged by the 'responsible authority' being the authority by which or on whose behalf the plan is prepared. Before making a determination, the responsible authority shall: -

- a) Take into account the criteria specified in Schedule 1 to the Regulations;
and
- b) Consult the consultation bodies.

The consultation bodies are defined in section 4 of the SEA Regulations. The opinions from the statutory consultation bodies: Historic England, the Environment Agency and Natural England, are therefore to be taken into account. The Council consulted with the three consultation bodies and provided five weeks for a response. The responses are contained in Appendix 1. The consultation bodies agreed with the conclusions of the draft screening.

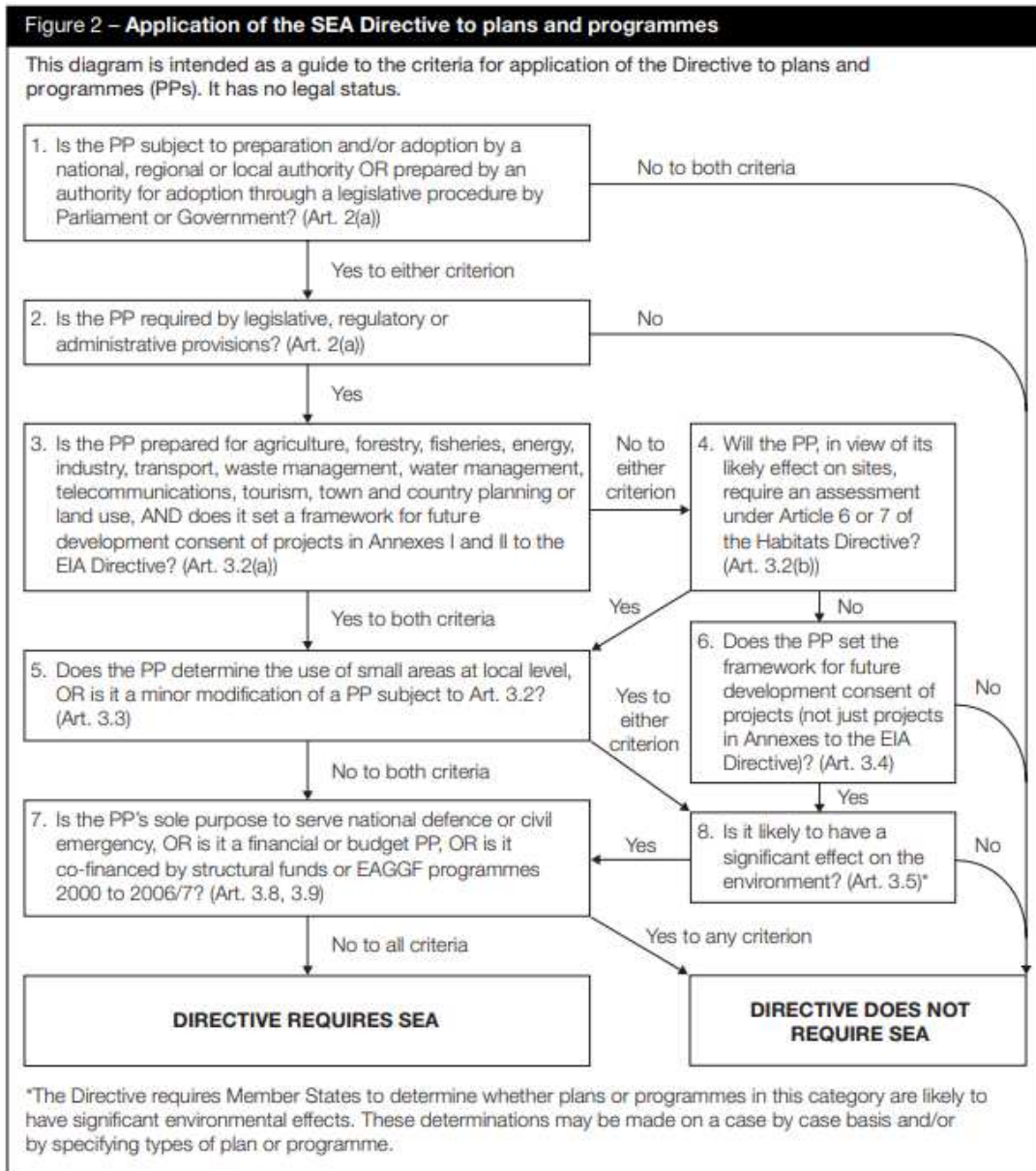
Schedule 1 of the SEA Regulations sets out the criteria for determining likely significant effects as follows:

1. The characteristics of plans and programmes, having regards, in particular to:
 - a. The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.
 - b. The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.

- c. The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.
 - d. Environmental problems relevant to the plan or programme.
 - e. The relevance of the plan or programme for the implementation of community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:
- a. The probability, duration, frequency and reversibility of the effects.
 - b. The cumulative nature of the effects.
 - c. The trans boundary nature of the effects.
 - d. The risks to human health or the environment (e.g. due to accidents).
 - e. The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - f. the value and vulnerability of the area likely to be affected due to:
 - i. special natural characteristics or cultural heritage;
 - ii. exceeded environmental quality standards or limit values;
 - iii. intensive land-use; and
 - g. the effects on areas or landscapes which have a recognised national, community or international protection status.

4. Assessment

The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.



Source: A Practical Guide to the Strategic Environmental Assessment Directive (2005)

The following assessment applies the questions from the preceding diagram. The answers determine whether the Supplementary Planning Document will require a full Strategic Environmental Assessment.

1. Is the PP 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 preparation and adoption of the Custom and Self-Build Housing Supplementary Planning Document (SPD) is being carried out by East Suffolk Council. The SPD is being produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))

Yes. The production of the SPD forms part of the delivery of the statutory Development Plan and the process for preparing SPDs is set out in the Town and Country Planning (Local Development) (England) Regulations 2012 and relates to the administration of the Council's planning service.

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))

The SPD has been prepared in support of the delivery of town and country planning and land use policies.

The SPD will not set a framework for the future consent of projects listed in Annexes I and II of the EIA Directive.

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))

A separate screening exercise has been carried out under the Habitats Directive (92/43/EEC) and Conservation of Habitats and Species Regulations (2017) (as amended). This has determined that a full Appropriate Assessment is not required.

5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)

Not applicable (based on the responses to questions 3 and 4 above).

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 Custom and Self-Build Housing Supplementary Planning Document will be a material consideration in the determination of planning applications and will be applied alongside the policy framework provided by the Local Plans.

7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)

No. Not applicable.

8. Is it likely to have a significant effect on the environment? (Art. 3(5))

No. The guidance contained in the Custom and Self-Build Housing Supplementary Planning Document will provide information and advice concerning the implementation of the Council's Local Plan policies that relate to the delivery of custom and self-build housing. The SPD will provide guidance on policies within both the Suffolk Coastal Local Plan and the Waveney Local Plan, principally policies SCLP5.9 (Self Build and Custom Build Housing) of the Suffolk Coastal Local Plan, and WLP8.3 (Self Build and Custom Build) of the Waveney Local Plan. It is unlikely that the SPD will have a significant impact upon the environment. All policies within both Local Plans have been subject to a full Sustainability Appraisal, incorporating the requirements for Strategic Environmental Assessment.

5. Conclusion

The Custom and Self-Build Housing Supplementary Planning Document will support the implementation of policies in the East Suffolk Council - Suffolk Coastal Local Plan (adopted September 2020) and the East Suffolk Council - Waveney Local Plan (adopted March 2019) which were both subject to Sustainability Appraisal including Strategic Environmental Assessment.

It is considered by East Suffolk Council that it is not necessary for a Strategic Environmental Assessment to be undertaken of the draft Custom and Self-Build Housing Supplementary Planning Document to ensure compliance with SEA legislation.

Signed:



Dated: 22nd August 2023

Andrea McMillan
Planning Manager (Policy, Delivery and Specialist Services)
East Suffolk Council

Appendix 1: Responses from Statutory Consultees

Environment Agency Response



Laura Mundy
East Suffolk Council
East Suffolk House Station Road
Melton
Woodbridge
IP12 1RT

Our ref: AE/2023/128570/01-L01
Your ref: Custom Self build SPD
SEA SCRIN
Date: 19 July 2023

Dear Laura

**CUSTOM AND SELF-BUILD HOUSING SUPPLEMENTARY PLANNING
DOCUMENT- DRAFT SEA SCREENING OPINION**

EAST SUFFOLK COUNCIL PLANNING AREA

Thank you for consulting us on the SEA screening of the custom and self-build housing SPD. We have reviewed the SEA screening document dated June 2023 and can confirm that we do not disagree with the conclusion reached.

We look forward to being consulted on the draft Custom and Self-Build housing supplementary planning document in due course.

Yours sincerely

**Mr Giles Ward
Planning Officer**

Direct e-mail [REDACTED]

Historic England Response

RE: Custom and Self-Build Housing Supplementary Planning Document- draft SEA screening opinion



Marsh, Andrew <Andrew.Marsh@HistoricEng
To: ● Laura Mundy; ○ EastPlanningPolicy
Cc: ○ Marsh, Andrew



Fri 21/07/2023 15:02

Dear Laura,

RE: draft Strategic Environmental Assessment screening opinion relating to the draft Custom and Self-Build Housing Supplementary Planning Document

Thank you for consulting us on the draft Strategic Environmental Assessment screening opinion relating to the draft Custom and Self-Build Housing Supplementary Planning Document. 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, and therefore welcome the opportunity to comment on this document. I can confirm that Historic England has reviewed the SEA Screening alongside the early draft SPD and agree that no further SEA work is required.

I would be grateful if you would confirm receipt of this email.

Kind regards,

Andrew Marsh BSc MA MRTPI
Historic Environment Planning Adviser
Development Advice | East of England
Historic England

www.historicengland.org.uk

Natural England Response

Date: 27 July 2023
Our ref: 439796
Your ref: Custom & Self Build Housing SPD – SEA HRA Screening



Ms Laura Mundy
Policy and Delivery
East Suffolk Council
Planning Team at Riverside
4 Canning Road
Lowestoft NR33 0EQ.

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 8GJ

BY EMAIL ONLY - [REDACTED]

T 0300 060 3900

Dear Ms Mundy

Custom and Self Build Housing Supplementary Planning Document – draft SEA and HRA Screening

Thank you for your consultation request on the above dated and received by Natural England on 23rd June 2023.

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

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (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.

Natural England do not feel that an SEA is necessary.

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 new consultations, or to provide further information on this consultation please send your correspondences to [REDACTED]

Yours sincerely

Sharon Jenkins
Operations Delivery
Consultations Team
Natural England