



Strategic Environmental
Assessment
Screening Opinion
Cycling and Walking Strategy
September 2022

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1. Introduction

The draft Cycling and Walking Strategy (the Strategy) has been produced by East Suffolk Council. The Strategy will apply to the whole of the East Suffolk Council area, and will be endorsed by the Broads Authority which is the local planning authority for the Broads area.

In some circumstances a planning strategy 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 draft Cycling and Walking Strategy 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 Strategy and the need for a full SEA. This SEA report reviews the consultation draft Cycling and Walking Strategy (published for consultation in November 2021).

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, 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 Strategy 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 Strategy 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.

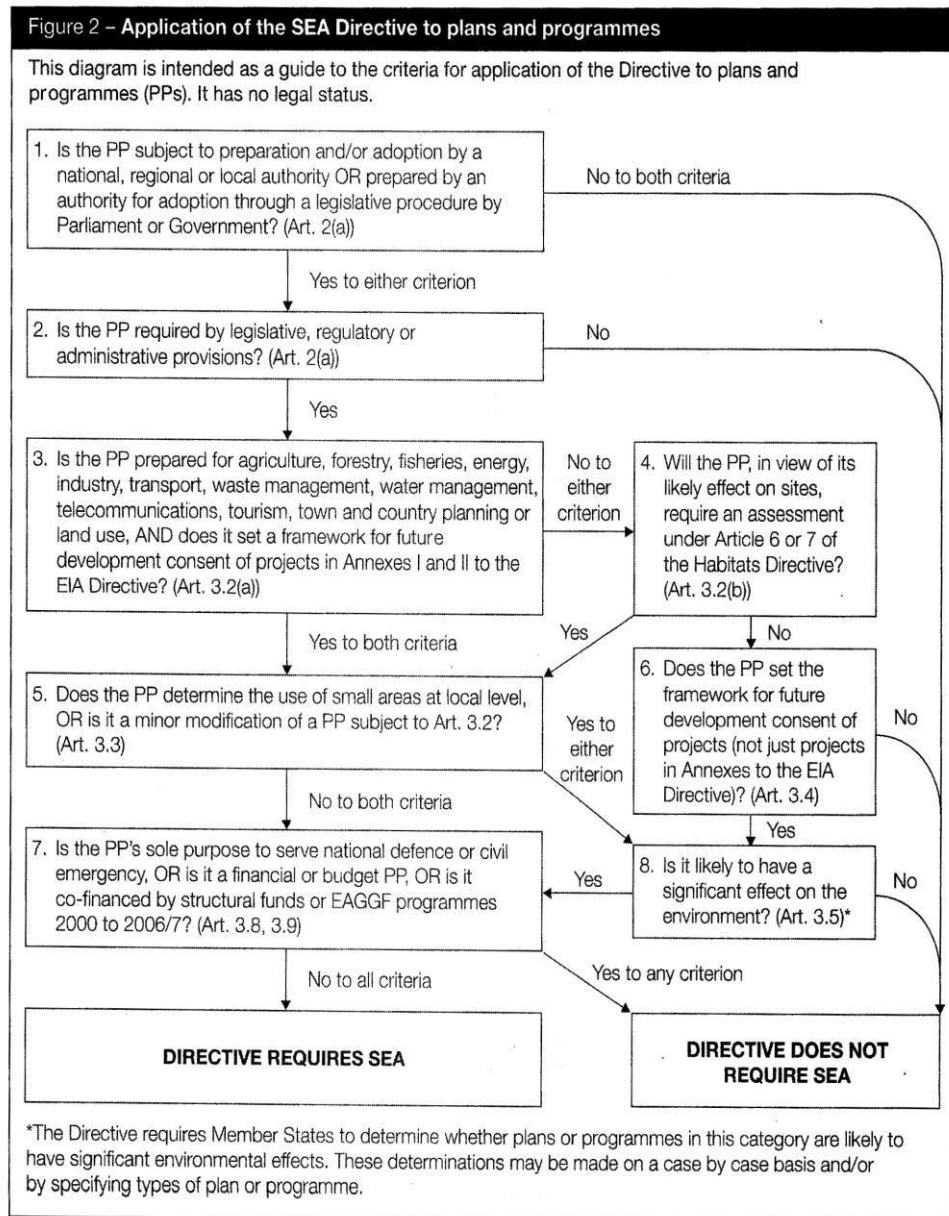
Schedule 1 of the SEA Regulations sets out the criteria for determining likely significant effects as follows:

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 Strategy 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 draft Cycling and Walking Strategy is being carried out by East Suffolk Council.

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

No. The Strategy is not a Supplementary Planning Document and will not form part of the statutory Development Plan.

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 Strategy is being prepared in support of the delivery of town and country planning and land use policies.

The Strategy 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))

No.

- 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 draft Cycling and Walking Strategy identifies potential cycling and walking infrastructure opportunities across East Suffolk. It provides context and information to support future detailed infrastructure proposals, and inform decision making to support cycling, walking, and equestrian use. The strategy builds on policies within both the Suffolk Coastal Local Plan and the Waveney Local Plan, specifically those relating to sustainable transport:

- Suffolk Coastal Local Plan Policy SCLP7.1: Sustainable Transport
- Waveney Local Plan Policy WLP8.21: Sustainable Transport

Part of East Suffolk falls within the Broads Authority area and is therefore covered by the Broads Authority Local Plan which was adopted in May 2019. In the north of the district some recommendations within the Strategy extend into the Broads Authority area.

All policies within the relevant Local Plans have been subject to a full Sustainability Appraisal, incorporating the requirements for Strategic Environmental Assessment.

It is unlikely that the Strategy will have a significant impact upon the environment.

5. Conclusion

The draft East Suffolk Cycling and Walking Strategy 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 Cycling and Walking Strategy to ensure compliance with SEA legislation.

Signed:



Dated: 22nd September 2022

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

Appendix 1: Responses from Statutory Consultees

Natural England Response

Date: 12 November 2021
Our ref: 372722

Anthony.Taylor@eastsoffolk.gov.uk
BY EMAIL ONLY



Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Mr. Taylor

Planning Consultation: Screening for the Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) for the Draft East Suffolk Cycling & Walking Strategy

Thank you for your consultation on the above dated 01 November 2021 which was received by Natural England on the same date.

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 Opinion Request: Strategic Environmental Assessment and Habitats Regulation Assessment

Habitats Regulation Assessment

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects. Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

Your assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. On the basis of the information provided, Natural England concurs with this view.

Strategic Environmental Assessment

Where plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004 (as amended). Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the [planning practice guidance](#).

Planning practice guidance also outlines that if an appropriate assessment is required for your neighbourhood plan this will also engage the need for a SEA. One of the basic conditions that will be tested by the independent examiner is whether the neighbourhood plan is compatible with European obligations, including those under the SEA Directive. Where a SEA is required it should be prepared in accordance with [regulation 12](#) of the SEA Regulations.

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 and therefore we concur with your conclusion that an SEA is not required.

Natural England advises that where opportunities for cycling and walking enhancement have been identified in proximity to European sites particularly which would lead to increased recreation, careful consideration is given to potential implications of increased recreational pressures on these sites.

Natural England would encourage close collaboration with the Suffolk RAMs strategy to ensure that where increased recreational usage of these sites may take place there is sufficient mitigation to ensure vulnerable features are protected. For example where a new or improved cycle path intersects an entrance into a designated area, there could signage which highlights the designations and the relevant vulnerable features.

This advice has been provided on a draft plan and Natural England recognises that there may be further iterations within which new or altered proposals may feature. Consequently this advice constitutes the best advice that can be given based on the information provided so far. Its quality and detail is dependent upon the quality and depth of the information which has been provided. It does not constitute a statutory response or decision, which will be made by Natural England acting corporately in its role as statutory consultee to the competent authority after an application has been submitted. The advice given is therefore not binding in any way and is provided without prejudice to the consideration of any statutory consultation response or decision which may be made by Natural England in due course. The final judgement on any proposals by Natural England is reserved until an application is made and will be made on the information then available, including any modifications to the proposal made after receipt of discretionary advice. All pre-application advice is subject to review and revision in the light of changes in relevant considerations, including changes in relation to the facts, scientific knowledge/evidence, policy, guidance or law. Natural England will not accept any liability for the accuracy, adequacy or completeness of, nor will any express or implied warranty be given for, the advice. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of Natural England.

Natural England are happy to discuss any of the advice provided in this email.

Further general advice on neighbourhood planning and the natural environment, including natural environment information sources is provided in Annex I.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours Faithfully

Niall Walkden
Senior Adviser | Sustainable Development | Norfolk and Suffolk Team

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](#)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones). Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local landscape character assessment covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a National Park or Area of Outstanding Natural Beauty (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on soil types and Agricultural Land Classification is available (under 'landscape') on the [Magic](#)⁵ website and also from the [LandIS website](#)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfor.org.uk/nfor.php>

³ <http://web.archive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#)¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

Environment Agency Response

From:Ipswich, Planning <[REDACTED]>
Sent on: Friday, November 12, 2021 2:21:57 PM
To:Anthony Taylor <[REDACTED]>
Subject:RE: Draft East Suffolk Cycling and Walking Strategy - SEA screening opinion

Good Afternoon

Thank you for your email.

I can confirm the Environment Agency have no comments to make in relation to these documents.

Kind Regards

Liam

Liam Robson
Sustainable Places Planning Advisor – East Anglia Area (East)
Environment Agency | Icen House, Cobham Road, Ipswich, Suffolk, IP3 9JD

Please be aware that due to COVID-19 – any post will not be picked up. Please direct all correspondence electronically.

[REDACTED]

Historic England Response

From: Marsh, Andrew <[REDACTED]>
Sent on: Monday, December 6, 2021 9:19:05 AM
To: Anthony Taylor <[REDACTED]>
CC: Marsh, Andrew <[REDACTED]>
Subject: RE: Draft East Suffolk Cycling and Walking Strategy - SEA screening opinion

Dear Anthony

Thank you for consulting Historic England on the SEA screening opinion relating to the East Suffolk Cycling and Walking Strategy. Having reviewed the report I can confirm that we support the conclusion that it is not necessary for a Strategic Environmental Assessment to be undertaken of draft Cycling and Walking Strategy to ensure compliance with SEA legislation. I would be grateful if you would confirm receipt of this email.

Best wishes

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



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www.historicengland.org.uk