

**From:** EastAnglia, Planning <Planning.EastAnglia@environment-agency.gov.uk>  
**Sent:** Wednesday, April 3, 2024 1:44 PM  
**To:** Planning Policy <planning.policy@tendringdc.gov.uk>  
**Subject:** RE: Elmstead Neighbourhood Plan SEA & HRA

Good afternoon,

Thank you for consulting us on the SEA screening report for the Elmstead Neighbourhood Plan. We have reviewed the report and can confirm that we do not disagree with the conclusion reached within the report.

We trust this is sufficient.

**Natalie Kermath**

Sustainable Places Planning Advisor | East Anglia area  
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**From:** Planning Policy <[planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk)>  
**Sent:** Tuesday, February 27, 2024 5:09 PM  
**To:** Planning Policy <[planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk)>; EastAnglia, Planning <[Planning.EastAnglia@environment-agency.gov.uk](mailto:Planning.EastAnglia@environment-agency.gov.uk)>; SM-NE-Consultations (NE) <[consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)>; 'eastofengland@historicengland.org.uk' <[eastofengland@historicengland.org.uk](mailto:eastofengland@historicengland.org.uk)>; 'eastplanningpolicy@historicengland.org.uk' <[eastplanningpolicy@historicengland.org.uk](mailto:eastplanningpolicy@historicengland.org.uk)>; 'e-east@historicengland.org.uk' <[e-east@historicengland.org.uk](mailto:e-east@historicengland.org.uk)>  
**Subject:** Elmstead Neighbourhood Plan SEA & HRA

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Dear Stakeholder,

This email relates to the Elmstead Neighbourhood Plan. It looks at the Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) work undertaken in relation to the proposed Plan and asks you to consider the findings of those Assessments.

Background:

You may recall being consulted on the Emerging Plan, the SEA and HRA by the Parish Council in mid 2022, and then again by us in autumn 2023. In November 2023, the Emerging Plan was submitted for examination. After carrying out a public hearing in February 2024, the Examiner identified the following issue:

A SEA and HRA Screening Report was produced by Place Services and is dated January 2022. However, it appears this was not specifically sent to the statutory consultees for their comments (as per Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004). Instead it seems to have been consulted upon in general terms (i.e. specific comments about the screening report were not sought) alongside the Plan itself at both Regulation 14 and 16 stages.

The SEA process follows the basic principles of 'screen first, then scope, then assess.' To allow the statutory consultees the opportunity to comment on the SEA and HRA screening process, the Parish Council commissioned Essex Place Services to prepare an SEA and HRA Screening Report. A copy of that report, which is dated January 2022 is attached to this email.

The SEA concludes:

The Neighbourhood Plan is being prepared for town and country planning purposes and sets a framework for future development consent. The policies of the Neighbourhood Plan can be considered to determine the use of small areas at local level commensurate with their status in determining local planning applications.

The Plan is at an early stage of preparation, however this screening report has a strong indication of its proposed policy framework. At the time of writing, the Plan does not intend to allocate any land for development purposes and does not include any content that could give rise to significant negative effects on the environment, or any social or economic tenets of sustainability.

The Elmstead Neighbourhood Plan can therefore be screened out for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC. Despite this determination, it may be necessary for the Neighbourhood Plan to be rescreened at a future date should the direction of any policies change substantively.

The HRA concludes:

Subject to Natural England's review, this HRA screening report indicates that the Elmstead Neighbourhood Plan is not predicted to have likely significant effects on any Habitats site, either alone or in combination with other plans and projects. The requirement for the Plan to undertake further assessment under the Conservation of Habitats and Regulations 2017 (as amended) is therefore screened out.

Our first questions are:

Q1: Do you agree with the conclusion reached in the 'SEA Screening Report (January 2022)' that "the Elmstead Neighbourhood Development Plan can therefore be screened out for its requirement of SEA in line with the requirements of Directive 2001/42/EC."?

Q2: Do you agree with the conclusion reached in the 'HRA Screening Report (January 2022)' that "the Elmstead Neighbourhood Development Plan can therefore be screened out for its requirement of HRA in line with the requirements of the Conservation of Habitats and Regulations 2017 (as amended)

**When responding, it would be appreciated if you could clearly set out your separate responses to both questions.**

**Please submit your comments no later than 5PM on Wednesday 27th March 2024.**

At the end of this consultation, we will share your responses with the Independent Examiner and, together with this email, make them publicly available on the Council's website.

Please respond via email to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk)

Best wishes

The Planning Policy Team

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