



Historic England

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Our ref: 16 01 12
Buntingford NP
Screening

Your ref:
HD/P5220

Direct Dial:
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FAO: Isabelle Haddow, Senior Planning Officer
East Hertfordshire District Council

By e-mail only to Isabelle.haddow@eastherts.gov.uk

14th January
2016

Dear Ms Haddow

**Strategic Environmental Assessment for the Buntingford Community Area
Neighbourhood Plan – Screening Request**

Thank you for email dated 7th January 2016 and submission of papers dated 22nd December 2015 as matters of consultation with Historic England (formally English Heritage) on the SEA Screening Opinion for the above plan.

For the purposes of this consultation, Historic England will confine our advice to the question, “*Is it likely to have a significant effect on the environment?*” in respect of our area of concern, cultural heritage. Our comments are based on the information supplied in your email, including the attached Buntingford Community Area Neighbourhood Plan. It is for the Council to make the final decision in terms of whether SEA is required.

From our reading of the Neighbourhood Plan it would appear that the Neighbourhood Plan focuses on shaping how development comes forward and will respond to allocations in the Local Plan rather than allocating land itself. Reference is made to the draft East Hertfordshire District Council (Local) Plan for 2014 and following the basic conditions of a neighbourhood plan will be in conformity with those policies and the Local Plan will allocate land for housing. This is accepted in Policy HD1 Housing Development policies at page 36 of the Neighbourhood Plan. We also are grateful for the point made in the Council’s covering letter that, ‘*The neighbourhood plan does not allocate land for housing or for any other significant development*’.

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Correspondence or information which you send us may therefore become publicly available.



On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations, 'CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT' [Annex II of 'SEA' Directive], and the assessment duties in the Regulations Part 2 (5)(6), Historic England would take the view that an SEA is not required.

The views of other statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made. I would be pleased if you can send a copy of the determination as required by Regulation 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 emails dated 7th January 2016 and letter of 22nd December 2014, containing the draft Neighbourhood Plan and Neighbourhood map. 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 in the Neighbourhood Plan where we consider that, despite the absence of SA/SEA, these would have an adverse effect upon the historic environment.

We hope that the above comments are of assistance.

Yours sincerely

Michael Stubbs

Historic Environment Planning Adviser

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Isabelle Hadow
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Our ref: NE/2010/109214/OR-05/IS1-L01

Date: 9 February 2016

Dear Isabelle

Buntingford Community Area Neighbourhood Plan Strategic Environmental Assessment (SEA) Screening Request.

Thank you for consulting us on your Neighbourhood Plan. To help you with any revisions you need to make, I have spilt my comments up in line with the document.

Issues that have influenced the development of the Neighbourhood Plan

Environment and Sustainability page 17: We welcome the reference to the importance of the River Rib and the negative impacts of over abstraction on the water environment. Because of this, we would encourage you to include a policy relating to water efficiency and conservation. In particular, new developments must achieve a water efficiency standard of 110 litres per person per day and non-residential development to similarly achieve a BREEAM 'excellent' rating for water. This is in line with Government Optional Housing Standards for water efficiency: <http://planningguidance.planningportal.gov.uk/blog/guidance/housing-optional-technical-standards/water-efficiency-standards/>

Reference to the Thames River Basin Management Plan (TRBMP) should also be included in this section. This is because our investigations show that in 2015 the status of the River Rib was Moderate Ecological Status, and the Rivers Quin and Beane were at Poor Ecological Status. You can access any information regarding this waterbody on our external database: Catchment Data Explorer: <http://environment.data.gov.uk/catchment-planning/>.

The National Planning Policy Framework (NPPF) states that neighbourhood plans must reflect and where appropriate promote relevant EU obligations and statutory requirements. This includes the Water Framework Directive (WFD) of which the TRBMP aims to implement at a local level. Planning is a great mechanism you can use to deliver these actions to improve the water environment and ensure there is no deterioration in WFD status as a result of any new development. The risk of WFD deterioration from physical works is assessed by considering direct and indirect impacts to:

- physical habitat
- water quality



- fish
- macrophytes
- invertebrates

Some activities that may result in deterioration include culverting, installation of weirs and canalising channels.

Vision Statement

Bullet point 4: This could be strengthened to read “maintaining *and enhancing* biodiversity”.

Bullet point 5: We are concerned that there is no mention of watercourses and their habitats ('blue' infrastructure) or other wetland habitats in your objectives. These elements form a key part of biodiversity in your plan area and should not be omitted

Bullet point 8: We are pleased with this wording and hope it applies to both flood risk and habitat fragmentation.

Environment and Sustainability Policies

Wildlife and Biodiversity Paragraph page 31: This paragraph could be made stronger by including specific wildlife species that are unique to the plan area. However we acknowledge that this is covered elsewhere in the plan.

Flooding paragraph page 31: This paragraph could be improved by providing a clearer definition of 'low' and 'high' flood risk. An explicit reference to Flood Zone 2/3 with a supporting map or link to Flood Map for Planning would make this paragraph stronger. This is available at <http://maps.environment-agency.gov.uk/wiyby/wiybyController?topic=floodmap&layerGroups=default&lang=e&ep=map&scale=7&x=531500&y=181500>. In addition there could also be more detail on the existing flood defences in Buntingford and Aspenden.

To strengthen this plan and East Hert's policies WAT1 and WAT2, you should consider writing your own flood risk policy based on the actual flood risk in this area. This is your chance to make sure any aspirations for the area are met and comply with your vision statement in regards to the impacts of climate change. For example you should consider whether it is necessary to have any development in Flood Zone 3 (FZ3). If you believe there are other areas outside of FZ3 that can accommodate the necessary growth, you should implement a policy to state that no development can take place in FZ3 whatsoever. In addition, we noticed you have only made reference to fluvial flooding in this section. You should incorporate other sources of flood risk such as groundwater and surface water. We acknowledge you have included surface water as part of infrastructure policies; however this doesn't include the other benefits that Sustainable Drainage Systems (SuDS) can provide.

Managing surface water runoff is a great opportunity to improve the quality of surface water discharges into the river network and comply with the TRBMP. SuDS and green spaces, including green roofs and swales, should be integrated into new and regenerated areas of development to provide improvements in water quality attenuate surface water runoff and create opportunities for wildlife and habitat improvements. Green spaces throughout sites should be linked to

provide ecological connectivity. SuDS should follow the SuDS hierarchy to prioritise multiple benefits through implementation. *A link to the SuDS hierarchy can be found at: http://www.sustainabledrainagecentre.co.uk/suds-hierarchy_c2236.aspx*

ES2: We strongly support the inclusion of this policy which will contribute to improved function, resilience and recovery of the rivers in the area. The inclusion of a 12 metre (m) buffer zone and restoring the aquatic environment where it has been damaged is also in compliance with the TRBMP.

You have acknowledged on page 32 that chalk streams are internationally important corridors for biodiversity. Chalk streams require higher levels of light than other types of rivers due to the importance of their aquatic vegetation and the species which rely on this. The generally acknowledged ratio is 70% light to 30% shade where this shade is provided by trees. Development schemes adjacent to rivers should have regard to this and applicants should be aware that they may need to incorporate tree works and set back buildings to increase light levels.

You could expand this policy to include a stance on new development that might propose to modify existing watercourses. For example we suggest something like: *“We will not support any new development that may result in deterioration of an existing watercourse”*. This is a key requirement of the TRBMP where there must be no Deterioration in WFD status. Some activities that may result in deterioration include culverting, installation of weirs and canalising channels.

ES8: We support policy ES8 and its emphasis on the rivers in the area. Its commitment to ecologically regenerating the tributaries of the Upper Lee is also encouraging. To make this policy even stronger you could make reference to how it fits in with *‘Biodiversity 2020: A strategy for England’s wildlife and ecosystem services’* particularly target 11 which aims to ensure areas of importance for biodiversity and ecosystems are conserved through equitably managed and well-connected systems.

General comments

There should be a policy within this section which covers invasive non native species and their management, including biosecurity measures. Invasive species are a growing issue and must be addressed to stop the spread. Development sites should be checked for invasive species and measures should be put in place to follow biosecurity and eradicate the invasive species on site. Any new planting should be of appropriate native species.

Infrastructure Policies

Water and Sewerage page 44: The area covered by this plan lies within an area of severe water stress and, as mentioned earlier, we strongly encourage you to consider a policy that will deliver robust water efficiency and quality measures.

Your document abbreviates Surface Drainage Systems to SuDS. However, SuDS is generally taken to mean Sustainable Drainage Systems. Nonetheless, we welcome the policy requirement that future development must ensure that Sustainable Drainage Systems (SuDS) are designed so that surface water run-off quantity and speed do not increase the risk of localised flooding. You could go further by including a surface water flood map and incorporating these ideas into

a separate policy which takes account of all benefits of SuDS as mentioned in our comments in the flooding paragraph.

INFRA5: We are pleased to see that you have identified that inadequate waste water infrastructure may pose a problem for future development. It is therefore important that developers liaise with Thames Water at the earliest opportunity. This will ensure that not only are there no adverse amenity impacts, but also that water quality is protected in line with TRBMP.

If you have any questions, please get in touch.

Yours faithfully

Georgina Howell
Planning Advisor - Sustainable Places

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Date: 4th February 2016

Our ref: 175128

Your ref:



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Dear Ms Haddow,

Screening consultation: Buntingford Neighbourhood Plan SEA Screening

Thank you for your consultation on the above dated 24th December 2015 and received 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.

Natural England is supportive of the Environment and Sustainability policies within the plan, but would like to see reference to Great Hornead Park Site of Special Scientific Interest (SSSI). SSSIs are designated under the Wildlife and Countryside Act 1981 (as amended) because they have features of significant national importance for nature conservation. Great Hornead Park SSSI is within the boundary of the Buntingford Neighbourhood Plan. Two other SSSIs are located outside the boundary but have Impact Risk Zones (IRZs) extending into the area. IRZs are zones around SSSIs where development may impact upon that SSSI, and therefore Natural England should be consulted. The following areas are included in IRZs:

- Blagrove Common SSSI IRZ extends into Buckland and Cottered parishes.
- Moor Hall Meadows SSSI IRZ extends into Aspenden and Cottered parishes.
- Great Hornead Park SSSI is located within Hornead parish and the IRZ also extends just into Buntingford parish.

More information on the SSSIs can be found at this link: <https://designatedsites.naturalengland.org.uk/>

More information on IRZs can be found in the document attached to this email, titled 'SSSI IRZ User Guidance'.

The Neighbourhood Plan should make reference to policies NE1: International, National and Locally Designated Nature Conservation Sites, NE2: Species and Habitats and NE3: Green Infrastructure of the East Hertfordshire Draft District Plan (2014). For example whilst we support Policy ES7, we would welcome minor amendment to ensure consistency with the local plan as follows: ES7: Development will be expected to protect and enhance biodiversity in line with NPPF requirements and Policy NE1 of the Local Plan.

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 are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), 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 Guidance. 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 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 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 Kate Ginn on 07876034621. 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 sincerely,

Kate Ginn

Sustainable Land Use Adviser