

SELE

NEIGHBOURHOOD AREA PLAN 2018 – 2033



Strategic Environmental Assessment Screening Report – Sele Neighbourhood Area Plan

1. Introduction

This report sets out a draft Screening Determination for the Sele Neighbourhood Area Plan (hereinafter referred to as the Neighbourhood Plan) and has been prepared for Sele Community Steering Group and Hertford Town Council (HTC) by Govresources Ltd. It is based on the Pre-submission version of the Neighbourhood Plan.

The Neighbourhood Plan has been prepared for Hertford Town Council as the accountable body. The Neighbourhood Plan Area was designated on 5th April 2016 for the Hertford Sele Ward. It will help inform planning decisions to 2033.

The purpose of the screening report is to determine whether the Neighbourhood Plan is likely to have any significant environment effects and so require a Strategic Environmental Assessment (SEA).

More detail is given in the following sections on the Legislative Background (section 2), Establishing A Need for an SEA (section 3), and on the Sele Neighbourhood Area Plan specifically (section 4). The assessment of the Sele Neighbourhood Area Plan is included in sections 5, 6 and 7.

2. Legislative Background

The European Union Directive 2001/42/EC requires an SEA to be carried out for certain types of plans and programmes that could have significant environmental effects. The Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations) transposed this Directive in law for England and Wales.

Neighbourhood Plans fall within the scope of this legislation. They are a plan as defined by Article 3(2) of the SEA Directive and Regulation 5 paragraph 2 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Under Article 3(2) of the SEA Directive and Regulation 5 paragraph 6 of the Environmental Assessment of Plans and Programmes Regulations 2004, Strategic Environmental Assessment (SEA) is only required for documents that determine land use in small areas at the local level where it is considered that they are likely to have 'significant environmental effects'.

The Conservation of Habitats and Species Regulations 2010 (as amended in 2012) transpose the requirements of the European Habitats Directive 92/43/EEC into UK law. The Habitats Directive and Regulations afford protection to plants, animals and habitats that are rare and vulnerable in a European context.

Habitats Regulations Assessment (HRA) is a systematic process through which the performance of a plan or project can be assessed for its likely impact on the integrity of a European Site (European Sites, also referred to as Natura 2000 sites, consist of Special Protection Areas (SPA), Special Areas of Conservation (SAC); Potential Special Protection Areas and candidate Special Areas of Conservation (pSPA and cSAC); and listed or proposed Ramsar sites). Under Regulation 9 of the Regulations the responsible body (local parish or town council or neighbourhood forum) is required to determine whether a plan or programme is likely to have ‘significant environmental effects’. This assessment is carried out through a screening determination, using a specified set of criteria (set out in Schedule 1 of the Regulations). In accordance with the Regulations, the results of the screening process are set out in this SEA Screening Determination report, which must be publicly available, submitted with the Neighbourhood Plan proposal and made available to the independent examiner.

Paragraph 177 of the National Planning Policy Framework (NPPF) 2019 states that “The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site”. According to the NPPF, a Habitats site is “Any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites” (p.67).

3. Establishing a Need for an SEA

Planning Practice Guidance states that *“to decide whether a draft Neighbourhood Plan might have significant environmental effects, it must be assessed (screened) at an early stage of the plan’s preparation according to the requirements set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004”*¹.

The Guidance also suggests that *“The local planning authority, as part of its duty to advise or assist, should consider putting in place processes to determine whether the proposed Neighbourhood Plan will require a strategic environmental assessment.”*²In this case East Herts District Council (EHDC) as the responsible authority will provide

¹Paragraph: 028 Reference ID: 11-028-20150209

assistance by seeking the opinions of the three statutory consultation bodies in undertaking the screening determination.

The Guidance notes that as a general rule, an SEA is more likely to be necessary if:

- *“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 is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan”.*

Sele Neighbourhood Area Plan has been assessed in accordance with the criteria outlined in Schedule 1 of the SEA Regulations taking account of the Planning Practice Guidance in reaching its conclusions.

The three statutory environmental bodies designated in the regulations (Historic England, the Environment Agency & Natural England) have been consulted at the pre-submission consultation stage of the Neighbourhood Plan’s preparation. They have all responded to the consultation. Further details can be found in section 6.

4. Sele Neighbourhood Area Plan

Sele ward is one of four wards in the Hertford Town Council Area, in the District of East Hertfordshire. It lies on the north-west side of the town, covering an area of about 275 hectares and bounded to the west and north by open spaces. In 2011, there were 5,564 residents in the Sele ward and 2,513 dwelling houses in the Ward (Source: nomisweb.co.uk, Census 2011).

Sele is rich in environmental assets including registered Historic Parks and Gardens and locally designated wildlife sites. Sele’s heritage assets include the Goldings Grade II listed 19th century Historic Park, a small part of the Grade II listed Panshanger park, Broadoak Manor Gardens and Hertford Cemetery. All these matters have been carefully considered through the preparation of the Neighbourhood Plan and the Neighbourhood Plan policies have been written specifically to take into account these assets.

The Neighbourhood Plan does not allocate any sites for housing development, or any other significant development. The Neighbourhood Plan Area does not contain or border any sensitive sites of European significance (Natura 2000) or any of the sensitive areas identified in the Environment Impact Assessment (EIA) Regulations i.e. Sites of Special Scientific Interest (SSSI), Areas of Outstanding National Beauty (AONB), World Heritage Sites or Scheduled Monuments.

The Neighbourhood Plan seeks to protect the environment through policies addressing heritage assets, landscape character and settings and biodiversity (See Table 1). The Neighbourhood Plan's overall approach is to support appropriate development which protects the character and environment of the area.

The vision of the Neighbourhood Plan is as follows:

The community of Sele Ward will have easy access to attractive and historic countryside that is protected for future generations; be a vibrant and healthy community with a variety of accessible, appropriate and affordable facilities and public services; provide new housing developments that respect the principles of sustainability for climate change, accessibility, suitability and affordability; and ensure that that the transport infrastructure provides improved links to Hertford and surrounding towns by bus, foot and bicycle.

The Neighbourhood Plan contains a number of sustainable objectives (A-K):

- A. Help improve key health indicators for residents of Sele ward through improving access to the countryside and enhancing recreational open space.
- B. Preserve and improve the biodiversity of natural habitats including gardens, wildlife corridors and the River Beane wetlands. Identify and protect local wildlife sites and the links between them. Create new habitat in green corridor buffer zones and in Sustainable Urban Drainage Systems (SUDS).
- C. Designate Local Green Spaces (LGS) according to legislation and identify important views.
- D. Highlight the importance of designated heritage assets and their settings, including Goldings and its historic parkland, identify buildings, features and landscapes of historic interest and ensure their conservation and enhancement.
- E. Retain and expand existing community facilities, including new sports facilities and training facilities to meet children and adults' educational need and improve key health indicators.
- F. Ensure access to and provision of a local doctors' surgery that is Sele residents focused, staffed by qualified medical practitioners, and open seven days a week to meet residents' medical requirements and to improve key health indicators.
- G. Retain Fleming crescent shopping parade and actively support both the existing shops and changes of use, which provide community facilities.
- H. Ensure all new housing developments include a mix of house sizes and types to match local needs in Hertford and include an accessible environment, accessible homes, homes for the elderly active and affordable starter homes.

- I. Ensure that the design and layout of new housing and the redevelopment of existing housing areas creates a safe, attractive and sustainable living environment to enhance the lives of residents in Sele.
- J. Ensure that sufficient resident and visitor parking is provided in any new development and retained according to need, to prevent overspill into the existing estates and avoid congestion on residential and surrounding roads.
- K. Provide effective infrastructure and support to enable and enhance good walking and cycling routes throughout the area and high-quality public and community transport.

5. Screening Assessment

As mentioned above, the Regulations specify a set of criteria against which the likely environmental effects of any plan covered by the Regulation must be assessed to determine whether it requires an SEA. The table below considers each of these criteria in turn, showing that if there are any significant environmental effects arising from policies or proposals in the Neighbourhood Plan, they will be positive effects.

Table 1: Assessment of likelihood of significant effects on the environment

Criteria for determining the likely significance of effects	Likely to have significant effects?	Justification for assessment
1 (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	No	<p>The Sele Neighbourhood Area Plan will form part of the Statutory Development Plan and therefore would set a framework for future development projects in Sele.</p> <p>However, the Neighbourhood Plan sits within a wider framework set out by the NPPF and the adopted East Herts District Plan 2018. In addition, the projects for which the neighbourhood plan contributes to setting a planning framework are very local in nature.</p> <p>The Sele Neighbourhood Area Plan does not include site allocations or put forward for any other projects which are likely to have significant effects.</p>

<p>1 (b) the degree to which the plan or programme influences other plans or programmes including those in a hierarchy.</p>	<p>No</p>	<p>The Neighbourhood Plan will sit alongside the statutory development plan and provide a greater degree of detail to illuminate the Development Plan policies, as they relate to the Sele Ward. Therefore, the Neighbourhood Plan will respond to, rather than influence other plans or programmes.</p>
<p>1 (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</p>	<p>No</p>	<p>The Neighbourhood Plan will work to protect and enhance the character, natural environment and landscape of Sele, including statutory environmental designations and Local Green Space designations. A number of policies in the Neighbourhood Plan will contribute to the social sustainability of Sele and provide socially sustainable development as defined in the NPPF, including accommodating a supply of housing which meets the needs of current and future generations, balancing growth with infrastructure provision. Therefore, it is considered that the Neighbourhood Plan will have a positive impact on local environmental assets and therefore will promote sustainable development.</p>
<p>1(d) environmental problems relevant to the plan</p>	<p>No</p>	<p>None have been identified. There will be an increase in the number of houses in the ward as a result of new development. However, the Neighbourhood Plan will help to address wider environmental problems as highlighted in the NPPF at a local level, such as climate change, air pollution, traffic congestion, loss of biodiversity and flooding; without any negative effects.</p>

<p>1 (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)</p>	<p>No</p>	<p>The Neighbourhood Plan complies with the East Herts District Plan which, has taken account of existing legislation for environmental protection.</p>
<p>2 (a) the probability, duration, frequency and reversibility of the effects</p>	<p>No</p>	<p>No significant effects have been identified</p> <p>The Neighbourhood Plan will result in positive environmental effects through policies that seek to protect Historic Parks and Gardens and Local Green Spaces. The Neighbourhood Plan will result in positive social effects through policies that seek to improve access to the countryside, improve recreational facilities and ensure that new development is safe and attractive. Positive economic effects will be achieved through policies which seek to support existing shops. These positive effects are small and low frequency but are likely to be long term.</p>
<p>2 (b) the cumulative nature of the effects</p>	<p>No</p>	<p>No significant effects have been identified</p> <p>A combination of the Neighbourhood Plan, which seeks to protect and enhance the character, environment and landscape of Sele and wider environmental policy in the adopted East Herts District Plan 2018 is likely to have cumulative positive environmental effects and benefits for Sele. Notwithstanding the above, the effects of the Neighbourhood Plan will be small scale.</p>
<p>2 (c) the trans-boundary nature of the effects</p>	<p>No</p>	<p>All effects will be very local There will be no impacts on neighbouring areas.</p>

<p>2 (d) the risks to human health or the environment (e.g. due to accidents)</p>	<p>No</p>	<p>No significant effects have been identified</p>
<p>2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>	<p>No</p>	<p>No significant effects have been identified. The Neighbourhood Plan aims to enhance the environment and to provide the infrastructure required to meet the social needs of Sele's residents.</p>
<p>2 (f) the value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> (i) special natural characteristics or cultural heritage (ii) exceeded environmental quality standards (iii) intensive land-use 	<p>No</p>	<p>The Neighbourhood Plan Area contains sensitive features including Grade II listed parks and gardens (i.e. Goldings 19th Century Historic Park, Panshanger Park), sites of local wildlife interest (e.g. Goldings meadows and wood, Great Molewood) as well as the River Beane.</p> <p>However, there are no proposals in the Neighbourhood Plan which are likely to have significant environmental effects on these features. In fact, key Neighbourhood Plan policies provide for the protection of the natural and historic environment from detrimental new development.</p> <p>The following specific policies protect sensitive features: HSHE3, HSHE4, HSHE6, HSHE7, HSHE8, HSHE9, HSHE10.</p> <p>East Herts planning policies and the NPPF will also protect natural assets and designated and non-designated heritage assets identified in this Neighbourhood Plan.</p>

<p>2 (g) the effects on areas or landscapes which have a recognised national, community or international protection status</p>	<p>No</p>	<p>The Neighbourhood Plan contains policies aimed at protecting the character and setting of nationally recognised parks and gardens, designated Local Green Spaces, listed buildings, non-designated heritage assets, recreational open space, and other wildlife sites. There are no RAMSAR sites or NATURA 2000 sites in or adjacent to the Neighbourhood Plan Area.</p> <p>The following specific policies protect sensitive features: HSHE2, HSHE3, HSHE4, HSHE6, HSHE7, HSHE8, HSHE9, HSHE10.</p>
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6. Consultation Responses

Historic England’s response, dated 14 March 2019, advised that important elements of the character and appearance of the neighbourhood area should be clearly set out in the Neighbourhood Plan. They have advised that the Neighbourhood Plan should include sufficient information about local non-designated heritage assets, including for example sites of archaeological interest, locally listed buildings, or identified areas of historic landscape character. Historic England have also highlighted the importance of the Goldings, advising that the Gardens Trust as well as the Hertfordshire Gardens Trust should be contacted to gather local knowledge regarding Goldings and the landscape around Hertford. the inclusion of a glossary of terms has been recommended to facilitate understanding of key terms.

These helpful comments have been taken on board and will be reflected in the Submission version of the Neighbourhood Plan.

In their consultation response, dated 26 February 2019, Natural England advised that they do not have any specific comments on the Neighbourhood Plan. However, they have provided general guidance that has been taken into consideration in the making of this Neighbourhood Plan

In their consultation response, dated 25 March 2019, the Environment Agency highlighted that there are Flood Zone 2, 3a and 3b within the Neighbourhood Plan Area, associated with the floodplain of the River Beane and its tributaries. They have advised that development should not be supported within Flood Zone 3b. and that a Sequential Test should be undertaken, followed by the submission of Flood Risk

Assessment in order for development to be considered appropriate in Flood Zone 2, 3a in line with paragraph 103 of the NPPF.

The Environment Agency said that they strongly support Policies HSHE3 and HSHE4 which make provision for the River Beane Wetlands and green corridors to be protected from any harmful impacts of development.

The Environmental Agency has recommended the drafting of an additional policy which would address the need to incorporate a naturalised buffer zone of at least 10 metres in any scheme adjacent to the River Beane and its tributaries.

This will be taken on board in the Submission version of the Neighbourhood Plan.

7. Screening Determination

In conclusion the Sele Neighbourhood Area Plan is not likely to have significant environmental effects and therefore an SEA is not required. The principal reasons for this conclusion are:

The Sele Neighbourhood Plan does not allocate any development sites, does not propose any more development within its area than the adopted East Herts District Plan 2018 and therefore, accords with the policies contained in the East Herts District Plan 2018.

The Neighbourhood Plan Area does contain sensitive features, particularly listed heritage features as noted above but there are no proposals in the Neighbourhood Plan which are likely to have significant environmental effects on these features. In fact, as previously mentioned, key plan policies are designed to encourage good management of these features and protect them from harmful development.