



SEA Screening Report



Prepared by:
Govresources Ltd for the Neighbourhood Plan Steering Group

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1. Introduction

- 1.1 This report sets out a draft Screening Determination for the Hertford Heath Neighbourhood Plan (hereinafter referred to as the Neighbourhood Plan) and has been prepared for Hertford Heath Neighbourhood Plan Steering Group by Govresources Ltd.
- 1.2 The Neighbourhood Plan has been prepared for Hertford Heath Parish Council (as the accountable body) for the Hertford Heath Neighbourhood Plan Area (agreed by East Herts Council on 5th September 2017), which encompasses the whole of the Parish of Hertford Heath. It will guide the future evolution of the village and hamlets and help inform planning decisions to 2033.
- 1.3 The purpose of the screening report is to determine whether the Neighbourhood Plan is likely to have any significant environmental effects and so require a Strategic Environmental Assessment (SEA) or Habitats Regulation Assessment. More detail is given in the following sections on Legislative Background, section 2, Establishing a Need for an SEA, section 3, and Hertford Heath Neighbourhood Plan, section 4.
- 1.4 National and Local Policy in relation to the Neighbourhood Plan and Neighbourhood Plan policies are reviewed in sections 5 and 6.
- 1.5 A summary of the site assessment process is contained in section 7 and a Screening Assessment table can be found in section 8 followed by a draft Screening Determination in section 9.
- 1.6 A summary document containing the Policies Map, all the policies and site plans of each site allocation, prepared for the Regulation 14 consultation, and the full version of the Pre-submission Neighbourhood Plan is available at: <https://www.hhnp.co.uk/>
- 1.7 The full version of the Neighbourhood Plan includes details of the single housing site allocation. In addition, the assessment of potential sites and the process followed to arrive at the decision on which sites to allocate can be found in Appendix C of the Pre-submission draft Neighbourhood Plan.
- 1.8 Little Amwell Conservation Area covers a small area of the village centred around Holy Trinity Church and the village green. The Little Amwell Conservation Area Character Appraisal and Management Proposal, adopted 25th July 2018 can be viewed at https://cdn-eastherts.onwebcurl.com/s3fs-public/documents/Little_Amwell_Conservation_Area_Appraisal.pdf
- 1.9 When this updated appraisal was carried out, there were some small additions to the conservation area, but the overall area covered was reduced by approximately half, deleting the northern section including Portland Place and Downfield Road, with the exception of a row of cottages 4-12 Downfield Road.
- 1.10 In addition, resources on flooding, wildlife sites and other local and national environmental designations have been used in the preparation of the Neighbourhood Plan, including a comprehensive set of maps and descriptions kindly provided by Herts and Middlesex Wildlife Trust.

2. Legislative Background

- 2.1 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.
- 2.2 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.
- 2.3 Under Article 3(2) of the SEA Directive and Regulation 5 paragraph 6 of the Regulations, 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'.
- 2.4 The Conservation of Habitats and Species Regulations 2010 (as amended in 2012) transpose the requirements of the European Habitats Directive 92/43/EEC into English law. The Habitats Directive and Conservation of Habitats and Species Regulations afford protection to plants, animals and habitats that are rare and vulnerable in a European context.
- 2.5 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).
- 2.6 Under Regulation 9 of the Regulations (2004), 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 report, which must be publicly available, submitted with the Neighbourhood Plan proposal and made available to the independent examiner.
- 2.7 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

- 3.1 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 .
- 3.2 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."² In this case East Herts District Council (EHDC) as the responsible authority will provide assistance by seeking the opinions of the three statutory consultation bodies in undertaking the screening determination.
- 3.3 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".
- 3.4 The Hertford Heath Neighbourhood 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.
- 3.5 The three statutory environmental bodies designated in the regulations (Historic England, the Environment Agency & Natural England) are to be consulted on the Pre-submission version of the Neighbourhood Plan to determine whether an environmental assessment is required. This draft document has been produced to facilitate that consultation.

4. Hertford Heath Neighbourhood Plan

- 4.1 Hertford Heath Located in the District of East Hertfordshire, Hertford Heath Parish covers approximately 45 hectares and lies between the towns of Hertford, Ware and Hoddesdon. It is located above the River Lea valley, on its south side, and most of the village is about 90m (300 ft) above sea level. The area around the Village Green is a Conservation Area which includes Holy Trinity Church, The Goat Public House and properties with many original features.
- 4.2 The village is surrounded by countryside. The Hertford Heath nature reserve and Balls Wood nature reserve cover nearly 80 hectares of surrounding countryside and woodland. Hertford Heath itself is a Site of Special Scientific

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

² ibid

Interest, owned by Haileybury School and managed by the Herts and Middlesex Wildlife Trust.

- 4.3 Ermine Street, the former Roman Road from London to York, runs from the rear of Hertford Heath Motors to Goose Green near Hoddesdon and onwards to London (it is now a bridleway to the South). The former route across the village through what is now Hogsdell Lane, on to Rush Green, has been bisected by the main route through Hertford Heath (B1197) and the development of housing across the village.
- 4.4 Census Data shows that in 2011 2,672 people lived in Hertford Heath (Resident population) and that there were approximately 934 Households. 26.6% of residents were under 24 years old and 14.7% are 65 years old or over.
- 4.5 Both the natural and historic heritage of the parish have been carefully considered through the preparation of the Neighbourhood Plan and the policies have been written specifically to take these assets into account.
- 4.6 The Neighbourhood Plan covering the period 2019 to 2033 was prepared by the Hertford Heath Neighbourhood Plan Steering Group, on behalf of the Parish Council. It was informed by an extensive evidence base which includes the results of public consultations, technical studies relevant to the parish such as flood risk mapping and site assessments, and data from public records such as the census. The qualifying body for the submission of the Neighbourhood Plan is Hertford Heath Parish Council.
- 4.7 The Neighbourhood Plan allocates one site for housing development to deliver a net gain of 74 homes by 2033. The Housing Site Allocation is defined in Policy HH-H-1: Housing Numbers and detailed in Policy HH-H-3: Land to West of London Road Opposite Haileybury. The village boundary is amended to include the housing site allocation.
- 4.8 The Neighbourhood Plan Area does not contain or border any sensitive sites of European significance (Natura 2000), National Parks, or World Heritage Sites. It does however contain a SSSI.
- 4.9 The Parish contains a number of listed buildings including one Grade II*. The parish church (Holy Trinity) dates back to 1863. These listed buildings are found both within and outside the conservation area.
- 4.10 The Neighbourhood Plan's overall approach is to support appropriate development which protects the character of the built environment, has a limited impact on the Green Belt and ensures that the natural environment is cared for.
- 4.11 The vision of the Neighbourhood Plan is:

Our Neighbourhood Plan will determine the development of Hertford Heath by recognising and meeting the objectives of residents and businesses. We will preserve its historic character as a distinct village within the Green Belt ensuring that development is sustainable, protects green spaces and promotes community spirit within a healthy environment. The Neighbourhood Plan will thereby ensure that

Hertford Heath develops as a vibrant community and is an attractive place to live, work or visit.

4.12 The Neighbourhood Plan contains the following objectives:

- A. To ensure that all new development is sustainable and in sympathy with Hertford Heath's identity as an attractive, self-contained village**
- B. To identify housing sites to achieve a total of at least 84 new homes required in the East Herts District Plan by 2033**
- C. To maximise funding opportunities to maintain and provide better facilities for residents, such as a community café, better medical services or space for recreation and educational pursuits including through the development of land for housing**
- D. To achieve a list of infrastructure improvements including traffic management and better footpath and cycle links to connecting towns through negotiation and planning agreements**
- E. Protect and enhance green spaces and biodiversity in order to improve Hertford Heath's environment**
- F. Preserve and cherish the unique character of the village by prioritising this over any future developments.**
- G. Reduce all forms of pollution and explore opportunities for Green Energy proposals in order to ensure that Hertford Heath is sustainable**
- H. Promote the health of the village through the use of green spaces and improved cycle/footpath routes for public health and wellbeing**
- I. Improve and maintain Hertford Heath's connectivity, through providing better mobile coverage, reliable parish wide broadband and business services e.g. postal service/parcel delivery, to attract new businesses and help existing businesses flourish**
- J. Encourage and promote local farm diversification proposals including conversion of existing buildings, in order to help establish local businesses**
- K. Ensure that all new service provision and amenities are inclusive and easily accessible to the public**
- L. Foster a thriving, healthy community by improving health and wellbeing, facilitating volunteering, encouraging sports activity and increasing opportunities for learning, through partnerships with Haileybury.**

5. National Policy

Historic Heritage

- 5.1 Two paragraphs in the NPPF address the historic environment and heritage assets in local plans and proposals, namely paragraph 185 and paragraph 190. For the purposes of this SEA Screening Report, the Neighbourhood Plan is treated as a local plan.
- 5.2 Paragraph 185 advises that local planning authorities should set out in their local plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:
- “a) the desirability of sustaining and enhancing the significance of heritage assets,
and putting them to viable uses consistent with their conservation;
b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
c) the desirability of new development making a positive contribution to local character and distinctiveness; and
d) opportunities to draw on the contribution made by the historic environment to the character of a place.”
- 5.3 Paragraph 190 states that “Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”
- 5.4 Historic England provides guidance on the prediction and identification of significant effects and mitigation measures. In the context of the Hertford Heath village these can be summarised as:
- Loss of or damage to a heritage asset or its setting
 - Conservation and enhancement of a heritage asset
 - Loss or erosion of the historic character of the village
 - Impact on the ‘at risk’ status of assets or risk to the historic environment
 - Cumulative, secondary or synergistic impacts on heritage assets or the village
- 5.5 The guidance goes on to say that mitigation measures may include historic environment policy guidance and detailed historic characterisation studies. There is an up to date Conservation Area Appraisal for Little Amwell

Conservation Area and a Characterisation Study was written by AECOM as part of the preparation of the Neighbourhood Plan.

Natural Heritage

- 5.6 The NPPF also addresses the conservation and enhancement of the natural environment in plan making. Paragraph 170 of the NPPF refers to the enhancement of the natural and local environment and paragraph 174 refers to the protection and enhancement of biodiversity and geodiversity.
- 5.7 Paragraph 170 refers to providing net gains for biodiversity, including establishing coherent ecological networks that area more resilient to current and future pressures. Hertford Heath has historically been under pressure and is currently under the management of Herts and Middlesex Wildlife Trust.
- 5.8 Of particular relevance to the Neighbourhood Plan, paragraph 174 says that plans should identify, map and safeguard wildlife -rich habitats and “b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.” Hertford Heath SSSI is divided into three units; the unit named ‘Roundings’ extends to almost 10Ha is assessed by Natural England as currently in an unfavourable but recovering condition.

Rivers and Flood Risk

- 5.9 There are no rivers or significant bodies of water in Hertford Heath and the entire parish lies within Flood Zone1

6. Local Policy

East Herts District Plan

- 6.1 The East Herts District Plan was adopted on the 23 October 2018. The policies relevant to the protection of natural and historic environment in Hertford Heath are listed as follows:
- GBR1 Green Belt
 - VILL1 Group 1 Villages
 - HA1 Designated Heritage Assets
 - HA2 Non-Designated Heritage Assets
 - HA3 Archaeology
 - HA4 Conservation Areas
 - HA7 Listed Buildings
 - DES2 Landscape Character
 - NE1 International, National and Locally Designated Nature Conservation Sites
 - NE2 Sites or Features of Nature Conservation Interest (Non-Designated)
 - NE3 Species and Habitats

- NE4 Green Infrastructure

- 6.2 All of the above policies were taken into account throughout the preparation of the Neighbourhood Plan. Policies GBR1, VILL1, HA1, DES2, NE1, NE3 are strategic policies. This Neighbourhood Plan is in accordance with the strategic policies in East Herts District Plan and this will be further tested at the Examination of the Plan.
- 6.3 The Sustainability Appraisal for the East Herts District Plan was published in 2016, by AECOM. At that time the preferred approach to growth in villages was similar to the final approach in the adopted District Plan; that 500 new homes would be provided in the larger villages (Group 1 Villages including Hertford Heath) over the plan period, equating to a minimum growth factor of 10% based on the 2011 census. The sustainability of this approach in terms of the natural and historic environment and the water environment were fully considered in the Sustainability Appraisal.
- 6.4 In terms of the options considered in the Sustainability Appraisal, Option 1a including the strategy of 500 homes being located in Group 1 villages was shown to have no negative significant effects on the natural or historic environment. The only relevant potential significant environmental effects that were identified for the chosen development strategy were on landscape. Special regard was had to the impact on landscape of the housing options considered during the preparation of the Neighbourhood Plan.

Hertford Heath Neighbourhood Plan

- 6.5 Environment policies in the Neighbourhood Plan include:
- HH-EN-1 Priority Views and Vistas
 - HH-EN-2 Conservation Area and Heritage Assets
 - HH-EN- 4 Conserve and Enhance Biodiversity
 - HH-EN- 5 Local Green Space
- 6.6 Only one significant Housing Site is allocated in the Neighbourhood, Policy HH-H-3. The draft scheme prepared by the landowner indicates the provision of 84 homes, including the demolition of 10 homes on The Roundings, all in the ownership of the land promoter.
- 6.7 Plan Policy HH-H-3 contains criteria to protect the village's character, whilst making the most efficient use of land suitable to the size and constraints of the site (Green Belt land in this case); that the layout ensures that habitats including the SSSI and protected views are not impacted significantly and that measures to mitigate any impacts are conditioned if any planning permission; that the SUDs scheme includes ecological enhancements; boundary hedges are retained (with the exception of the vehicular access to the site); and that a Heritage Impact Assessment includes measures to minimise the impact on designated and non-designated heritage assets.

7. Site Allocation Assessment

- 7.1 In order to ensure that all the environmental constraints and impacts of the site allocation process were properly considered, the Assessment Criteria Scoring Matrix included questions about both the natural and historic environment (see Appendix C of the Pre-submission Hertford Heath Neighbourhood Plan).
- 7.2 Site Allocation HH-H-3 is promoted by the landowner, Haileybury School. The vast majority of the designated heritage assets in the parish are within the school grounds or otherwise owned by the school, including the only Grade II* listed Quadrangle and Memorial Hall.
- 7.3 Hertford Heath SSSI is also in the ownership of Haileybury School. The Neighbourhood Plan Housing Site Allocation is within the SSSI Impact Risk Zone. The site owner is well aware of their responsibilities in terms of the SSSI and the impact of development within SSSI Impact Risk Zone will be fully assessed and appropriate mitigation dealt with through the planning application process.
- 7.4 The responsibility of the owner/site promoter and the important role the school assumes in the village has the potential to provide significant benefits to improve the condition and future management of the SSSI and in particular to overcome the 'unfavourable/recovering' status of the portion of the SSSI on the Roundings to 'favourable' status.

8. Screening assessment

- 8.1 The Regulations specify a set of criteria against which the likely environmental effects of any plan covered by the Regulations must be assessed to determine whether it requires a SEA. The table below considers each of these criteria in turn, showing that if there are any significant environmental effects of 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 Neighbourhood Plan) will form part of the Statutory Development Plan and therefore would set a framework for future development projects in Hertford Heath. However, the Neighbourhood Plan sits within a wider framework set out by the National Planning Policy Framework (NPPF), and East Herts District Plan. In addition, the projects for which the neighbourhood plan contributes to setting a planning framework are very local in nature.</p> <p>The Hertford Heath Neighbourhood Plan does include one site allocated for housing.</p>
1 (b) the degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	No	<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 Hertford Heath Parish. However, the Neighbourhood Plan will respond to rather than influence other plans or programmes.</p>

Criteria for determining the likely significance of effects	Likely to have significant effects?	Justification for assessment
1 (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	No	The Neighbourhood Plan will work to protect and enhance the character, natural environment and landscape of Hertford Heath, including statutory and non-statutory environmental designations and Local Green Space designations. A number of policies in the Neighbourhood Plan will contribute to the social sustainability of Hertford Heath and provide socially sustainable development as defined in the NPPF, including 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 an overall positive impact on local environmental assets and therefore will promote sustainable development.
1(d) environmental problems relevant to the plan	No	None have been identified. There will be an increase in the number of houses in the village 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, and loss of biodiversity; without any negative effects.

Criteria for determining the likely significance of effects	Likely to have significant effects?	Justification for assessment
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)	No	The Neighbourhood Plan complies with the East Herts planning documents and the NPPF which have taken account of existing legislation for environmental protection.
2 (a) the probability, duration, frequency and reversibility of the effects	No	The Neighbourhood Plan will result in positive environmental effects, in particular through better maintenance and management of the SSSI; through policies that seek to protect rural landscape setting and important heritage assets including views, designated heritage assets and the identification of a number of non-designated heritage assets; have positive social and economic effects by ensuring ongoing support for leisure and business facilities and promoting walking and cycling. These positive effects are small and low frequency but are likely to be long term.
2 (b) the cumulative nature of the effects	No	A combination of the Neighbourhood Plan, which seeks to protect and enhance the character, environment and landscape of Hertford Heath and wider environmental policy in the East Herts District Plan is likely to have cumulative positive environmental effects and benefits for Hertford Heath. Notwithstanding the above, the effects of the

Criteria for determining the likely significance of effects	Likely to have significant effects?	Justification for assessment
		Neighbourhood Plan will be small scale.
2 (c) the trans-boundary nature of the effects	No	The boundaries of the village have been modestly extended in one location for housing. However, all effects will have negligible or no impacts on neighbouring areas.
2 (d) the risks to human health or the environment (e.g. due to accidents)	No	No significant effects have been identified
2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The Neighbourhood Plan aims to enhance the environment and to provide the infrastructure required to meet the social needs of Hertford Heath's residents.
2 (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 (iii) intensive land-use	No	The Neighbourhood Plan area does contain sensitive features. As detailed in the narrative above. However, as noted above, there are no proposals in the Neighbourhood Plan which are likely to have significant negative environmental effects on these features as appropriate mitigation measures to protect and enhance the natural and historic environment are provided within key policies.

Criteria for determining the likely significance of effects	Likely to have significant effects?	Justification for assessment
2 (g) the effects on areas or landscapes which have a recognised national, community or international protection status	No	<p>The Neighbourhood Plan contains policies aimed at protecting the Conservation Area, Designated and Non-designated Heritage Assets, the SSSI, Local Green Spaces, Local Wildlife Sites, and the openness of the Green Belt.</p> <p>The following specific policies protect sensitive features:</p> <p>HH-EN-1 Priority Views and Vistas</p> <p>HH-EN-2 Conservation Area and Heritage Assets</p> <p>HH-EN- 4 Conserve and Enhance Biodiversity</p> <p>HH-EN- 5 Local Green Space</p>

9. Screening determination

9.1 In conclusion the Hertford Heath Neighbourhood Plan is not likely to have significant negative environmental effects and therefore a SEA/HRA is not required. Any environmental impacts will be mitigated through the planning application process. The potential however, to achieve positive environmental effects on the portion of the SSSI in 'unfavourable recovering' status is considerable.

9.2 The principal reasons for this conclusion are:

The Hertford Heath Neighbourhood Plan makes adequate provision within its key policies, to prevent or mitigate any harm that might result from new development. It does not propose any more development within its area than East Herts District Plan Policy VILL1 requires, as assessed in the Sustainability Appraisal for the District Plan and accords with the policies strategic polices contained in that plan.

The Neighbourhood Plan area does contain sensitive features, both designated and non-designated heritage assets and Hertford Heath SSSI. As noted above there are policies and safeguards in the Neighbourhood Plan to ensure that development does not have significant environmental effects on these features.