

Revised Walkern Neighbourhood Plan
Draft SEA Screening Report

May 2022

Prepared by Govresources Ltd
for
Walkern Parish Council

1. SEA in Walkern Neighbourhood Plan Area

- 1.1 This report sets out a draft Screening Determination for the Revised Walkern Neighbourhood Plan Area and has been prepared for Walkern Parish Council by Govresources Ltd.
- 1.2 The Revised Walkern Neighbourhood Plan has been prepared for Walkern Parish Council (as the accountable body) for the Walkern Neighbourhood Plan Area (agreed by East Herts Council on 6th January 2015), which encompasses the entire Walkern Parish (see Figure 1). It will guide the future sustainable growth of the parish and help inform planning decisions to 2033.

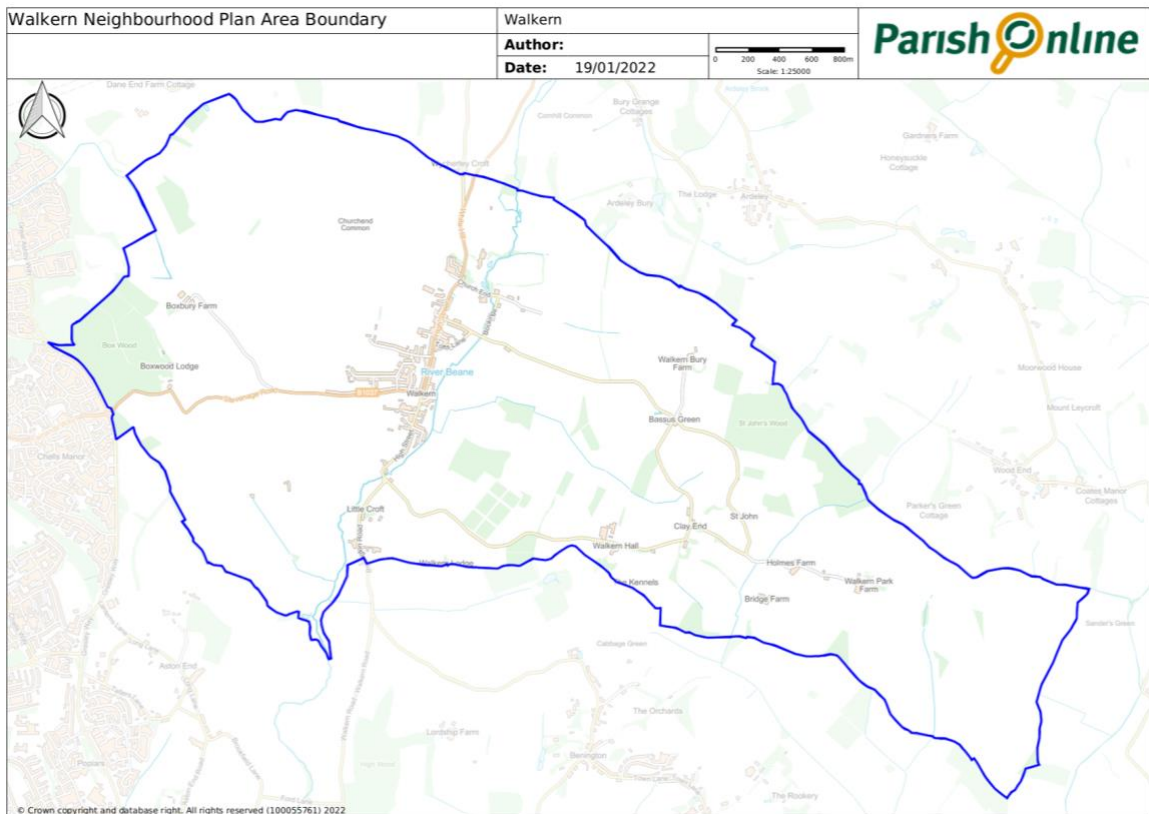


Figure 1 Walkern Neighbourhood Plan Designated Area

- 1.3 The purpose of the screening report is to determine whether the Revised Walkern Neighbourhood Plan is likely to have any significant environmental effects and so require a Strategic Environmental Assessment (SEA). More detail is given in the following sections on Legislative Background (section 2), Establishing a Need for an SEA (section 3), and Walkern Neighbourhood Plan (section 4).
- 1.4 National and Local Policy are reviewed in sections 5 and 6.
- 1.5 A Screening Assessment table can be found in section 7 followed by a draft Screening Determination in section 8.

- 1.6 The Pre-submission draft of the Revised Walkern Neighbourhood Plan is pending approval of the Parish Council see low res in progress draft version attached. This is for the purposes of the Screening Determination only.
- 1.7 A considerable amount of research was carried out into the historical features of the area including consultation with Hertfordshire County Council's Historic Environment Records office. In addition, resources on wildlife sites and other local and national environmental designations have been gathered in the process of preparing the revision to the Plan, including a comprehensive set of maps and descriptions kindly provided by the Herts Environmental Records Centre.

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 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 Determination 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. For the avoidance of doubt, ‘early stage’ is clarified in the Environmental Assessment of Plans and Programmes Regulations 2004 reg 5(4) which requires the responsible authority to “carry out, or secure the carrying out of an environmental assessment, in accordance with Part 3 of these Regulations, during the preparation of that plan or programme and before its adoption or submission to the legislative procedure.” The draft Revised Walkern Neighbourhood Plan is about to be consulted upon at Regulation 14 by Walkern Parish Council.
- 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 help by seeking the opinions of the three statutory consultation bodies in undertaking the screening determination.
- 3.3 The Guidance notes that generally, 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

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

² ibid

- 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 Revised Walkern 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 and Natural England) are to be consulted on the draft Neighbourhood Plan to determine whether an environmental assessment is required. This draft screening report has been produced to facilitate that consultation.
- 3.6 The Plan was previously screened in September 2017, as being unlikely to have significant environmental effects nor a significant effect upon a Natura 200 designation. East Herts Council concluded that an Environmental Assessment (SEA) was not required and that a Habitat Regulations Assessment (HRA) was also not required (Screening Determination attached at APPENDIX A).

4. Revised Walkern Neighbourhood Plan

- 4.1 The Plan was first adopted in 2018. This revision 2021 - 2033 reflects the changes in policy at national level and physical changes in the Plan area. Local circumstances have also changed, including the construction of the Froghall Lane development, threats to the Scheduled Monument and Ancient Woodland at Box Wood and the loss of the doctor's surgery. There has been continued development pressure on the village and new developments in the hamlets and on farmsteads.
- 4.2 To ensure the Walkern Neighbourhood Plan remains effective and up to date a review of the Plan has been undertaken by Walkern Parish Council. This revised version of the Neighbourhood Plan will ensure the policies contained within it make it clear where development is acceptable, what it should look like and what should be protected.
- 4.3 The Plan includes additional Local Green Space designations, a Tree Charter, new policies for Non-designated Heritage Assets, archaeology, and trees and hedges, additional protected recreational open spaces, and up dated guidance on design and infill developments. It contains no housing site allocation or other specific development proposals.

4.4 The Plan Vision Statement is:

The Walkern Neighbourhood Plan will shape the evolution of Walkern over the next 16 years by meeting the aspirations and needs of the local community. We are committed to preserving Walkern's historic character and strong rural identity by ensuring that development in the Parish is sustainable, protects valued natural features, strengthens a sense of community and enhances wellbeing of new and existing residents. We want to make sure Walkern Parish remains a great place to live.

4.5 The Plan contains the following objectives:

- A. Ensure the River Beane, a rare chalk stream that runs through Walkern Parish, is preserved, protected from over-abstraction and public access is maintained
- B. Enhance and improve the environmental quality of the Parish, minimising noise, air pollution and water pollution
- C. Ensure the mix, size and type of new housing meets local needs, including a sufficient supply of affordable housing for sale and rent and preferential access to some new homes for people with a strong local connection
- D. Require new development to be of high-quality design, built to a high sustainability standard and to be sympathetic to, and improve, the look and feel of the Parish
- E. Ensure that new development is phased and located to minimise the impact on the already limited road infrastructure in the village
- F. Ensure the design and location of new developments are resilient to the effects of climate change and flooding
- G. Support existing businesses, creative industries and home working, and encourage new local employment opportunities for residents
- H. Preserve and enhance public transport services to and from the village for residents who do not have use of a car, and encourage safe walking and cycling options
- I. Ensure that community facilities and services enhance the health and wellbeing of residents
- J. Ensure the village has recreational facilities that meet the needs of young children, teenagers and adults, and strengthen the sense of community
- K. Make the best possible use of funding through Section 106, a Community Infrastructure Levy or other funding related to development in the parish, to improve parish facilities.

5. National Policy

5.1 The following paragraphs consider national environmental policy in relation to the Revised Walkern Neighbourhood Plan.

Historic Environment

5.2 Two paragraphs in the National Planning Policy Framework 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.

5.3 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 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.

5.4 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.”

5.5 Historic England provides guidance on the prediction and identification of significant effects and mitigation measures. In the context of the KNP Area 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 area
- Impact on the ‘at risk’ status of assets or risk to the historic environment
- Cumulative, secondary or synergistic impacts on heritage assets or the area

The guidance goes on to say that mitigation measures may include historic environment policy guidance and detailed historic characterisation studies. The Conservation Area Appraisal and Management Plan for Walkern was adopted in 2016. Detailed consideration of the impact on heritage including the Scheduled Monument at Box Wood and the identification of Non-designated Heritage Assets are an addition to the revised version of the Plan.

Natural Environment

- 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 make an area more resilient to current and future pressures.
- 5.8 Of relevance to the Neighbourhood Plan, paragraph 174 says that plans should identify, map and safeguard wildlife-rich habitats and 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.
- 5.9 The information provided by Herts and Middlesex Wildlife Trust (Herts Environmental Records Centre) has been used to identify important trees within the Plan area.

6. Local Policy

- 6.1 The East Herts District Plan was adopted on 23 October 2018. The policies relevant to the protection of heritage assets and the natural environment in the Plan Area 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

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

WAT3 Water Quality & the Water Environment

- 6.2 All of the above policies were taken into account throughout the preparation of the Neighbourhood Plan. 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. The development strategy was to concentrate development in or around the larger settlements in the district, where possible. The sustainability of this approach in terms of the natural and historic environment and the water environment were fully considered in the Sustainability Appraisal. There are no housing sites proposed in this Neighbourhood Plan and so a Sustainability Appraisal was not necessary.

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- 6.4 Natural and historic environment policies in the Neighbourhood Plan include:
- Policy WLK 2 Cherished Views, Vistas and Landscape Features
 - Policy WLK3 Walkern Conservation Area
 - Policy WLK4 Non-designated Heritage Assets
 - Policy WLK5 Archaeology
 - Policy WLK6 Conserve and Enhance Biodiversity
 - Policy WLK7 Protection of Trees and Hedges
 - Policy WLK8 Protected Recreational Open Space
 - Policy WLK9 Green Corridors
 - Policy WLK10 Local Green Space

7. Screening assessment

- 7.1 As mentioned above, 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 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 Walkern. 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 Plan does not contain housing site allocations.</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 complement East Herts District Plan policies, as they relate to the Plan Area. However, the Neighbourhood Plan will respond to and align with 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 the Walkern, including statutory environmental designations and Local Green Space designations. Several policies in the Plan will contribute to the social sustainability of Walkern and provide socially sustainable development as defined in the NPPF, for the benefit of the local community. Wellbeing and protecting the environment are strong theme in this Plan. Therefore, it is considered that the Neighbourhood Plan will have a positive impact on local environmental assets.
1(d) environmental problems relevant to the plan	No	None have been identified. 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.
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.

Criteria for determining the likely significance of effects	Likely to have significant effects?	Justification for assessment
2 (a) the probability, duration, frequency and reversibility of the effects	No	<p>No significant effects have been identified.</p> <p>The Neighbourhood Plan will result in positive environmental effects through policies that seek to protect, important heritage assets; the River Beane and identified special trees; and have positive social and economic effects by ensuring open space for leisure and recreation to improve wellbeing. These positive effects are small and low frequency but are likely to be long term.</p>
2 (b) the cumulative nature of the effects	No	<p>No significant effects have been identified.</p> <p>A combination of the Neighbourhood Plan, which seeks to protect and enhance the historic and natural environment of Walkern and wider environmental policy in the East Herts District Plan is likely to have cumulative positive environmental effects and benefits for the area. Notwithstanding the above, the effects of the Plan will be small scale.</p>
2 (c) the trans-boundary nature of the effects	No	<p>These will be limited with just the one centre of population in Walkern Village. However, protection of the Beane will be felt downstream.</p>

Criteria for determining the likely significance of effects	Likely to have significant effects?	Justification for assessment
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	No significant effects have been identified. The Neighbourhood Plan aims to enhance the environment and to provide the infrastructure required to meet the social and economic needs 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 historic and environmentally sensitive features such as the river and heritage assets. However, there are no proposals in the Neighbourhood Plan which are likely to have significant negative environmental effects. In addition, design policies, will help to protect and enhance the natural and historic environment. East Herts planning policies and the NPPF will also protect natural assets, listed and unlisted heritage assets and designated assets contained within the boundary of the KNP.
2 (g) the effects on areas or landscapes which have a recognised national, community or international protection status.	No	The Neighbourhood Plan contains policies aimed at protecting the Beane Valley from further incursion of housing or other development.

8. Screening determination

- 8.1 In conclusion the Revised Walkern Neighbourhood Plan is not likely to have significant environmental effects and therefore a SEA is not required. The principal reasons for this conclusion are:

The Plan Area contains sensitive features, which have been identified and have special policies to protect them, particularly the Scheduled Monument at Box Wood, the River Beane, listed buildings, Local Wildlife Sites and particularly important trees. Neighbourhood Plan policies do not negatively impact these assets and it is hoped that they will have a positive impact.

The Revised Walkern Neighbourhood Plan makes adequate provision within its policies to prevent or mitigate harm that might result from new development.



Appendix A

Your contact: George Pavey
Ext: 1623
Date: 06/09/2017

Dear Heidi,

Re: Walkern Neighbourhood Plan – Strategic Environmental Assessment and Appropriate Assessment Screening Report

I write to advise that on the 25th August 2017 the following recommendations were made:

- (a) **In accordance with Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004, the District Council, as the responsible authority, has determined that an environmental assessment of the emerging Walkern Neighbourhood Plan is not required as it is unlikely to have significant environmental effects. In making this determination, the District Council has had regard to Schedule 1 of the Regulations and has carried out consultation with the consultation bodies; and**
- (b) **The emerging Walkern Neighbourhood Plan is unlikely to have a significant effect upon a Natura 2000 designation and therefore does not require an HRA.**

The recommendations were agreed and the non-key process which has a call-in period expired on Monday 4th September. This letter should be attached to your Basic Conditions Statement when you submit your Neighbourhood Plan for Regulation 16 consultation.

If you require any further information please do not hesitate to contact me.

Yours sincerely,



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