



Strategic Environmental Assessment Screening Determination updated

Pirton Neighbourhood Plan 2018

January 2018

North Herts District Council Pirton Neighbourhood Plan Screening Determination updated to reflect 2018 Plan

A report by **CAG Consultants**

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CAG Consultants

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1. Introduction

This report sets out a draft Screening Determination for the Pirton Neighbourhood Plan and has been prepared on behalf of North Hertfordshire District Council by CAG Consultants. The purpose of the screening is to assess if the Neighbourhood Plan will require a Strategic Environmental Assessment (SEA). More detail is given in the following sections on SEA and Neighbourhood Plans, and the Pirton Neighbourhood Plan specifically.

The assessment of the Pirton Neighbourhood Plan and the Draft Determination is included in sections 5 and 6.

This assessment was originally undertaken in April 2016. It has now been updated to reflect the final version of the Plan which includes the modification agreed with the Examiner at the Examination in Public. This update is included as Appendix 1.

2. Strategic Environmental Assessment context

European Union Directive 200142/EC requires a Strategic Environmental Assessment to be undertaken for certain types of plans or programmes that could have significant environmental effects. The Directive has been transposed into law for England and Wales in the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).

Under the Regulations, the responsible body is required to determine whether a plan covered by the Regulations is likely to have significant environmental effects, and therefore whether a SEA is required. This process is called screening, and is undertaken using a specified set of criteria (set out in Schedule 1 of the Regulations). The Regulations require that the results of this process are set out in an SEA Screening Determination (this document), which must be publicly available.

Before the responsible body makes a formal determination, there is a requirement to consult three statutory consultation bodies designated in the regulations (Historic England, the Environment Agency & Natural England) on whether an environmental assessment is required. This draft document has been produced to facilitate that consultation.

3. Neighbourhood Plans and Strategic Environmental Assessment

Planning Practice Guidance states¹ 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”*.

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 North Hertfordshire District Council (NHDC) is providing assistance by undertaking the screening determination.

The Guidance notes particular circumstances which may require a SEA³:

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

² ibid

³ Paragraph: 046 Reference ID: 11-046-20150209

“A strategic environmental assessment may be required, for example, 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 is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan”.

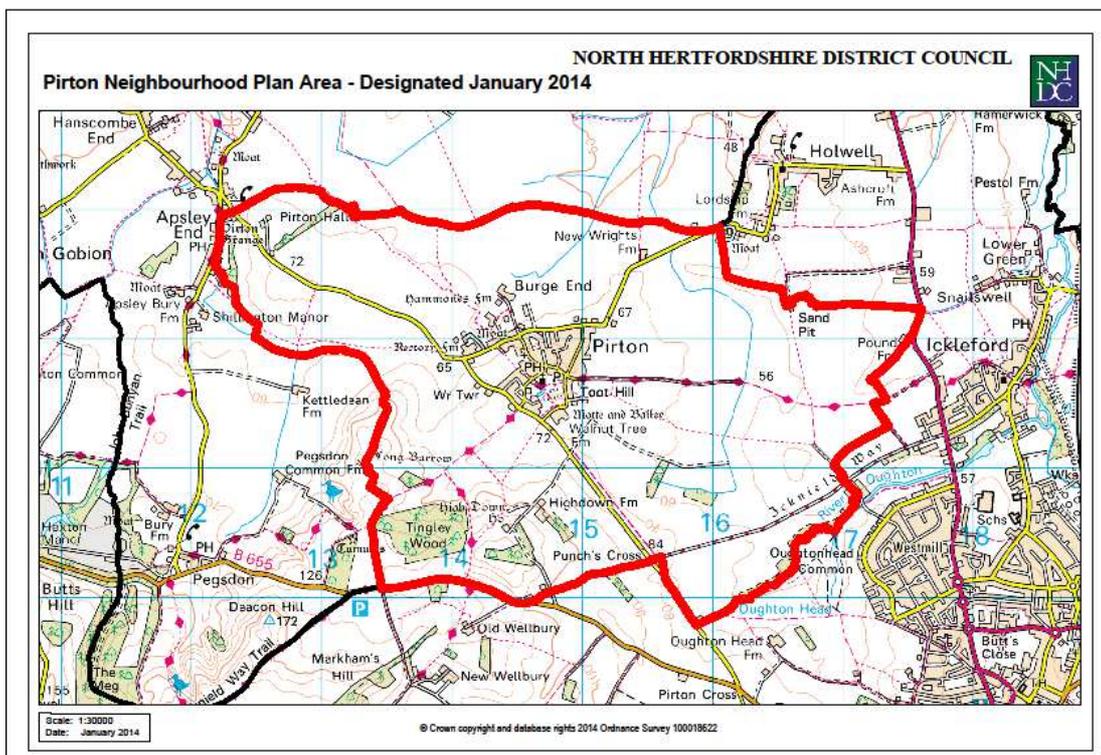
The Determination has taken account of the Guidance in reaching its conclusions, and it notes that the particular circumstances described above are encompassed by the criteria outlined in Schedule 1 of the Regulations.

4. Pirton Neighbourhood Plan

Pirton is a village of approximately 1300 people with more than 520 homes. The village is situated on the slopes of the Chiltern Hills and on the edge of the Chilterns Area of Outstanding Natural Beauty (AONB) within Pirton Parish. It is located in North Hertfordshire on the border with Bedfordshire.

A large part of Pirton Village is covered by Archaeological Alert Areas, as designated by Hertfordshire County Council working with NHDC. Pirton Parish has 55 listed buildings and four Scheduled Monuments, the majority within Pirton Village. Much of the village is designated as a conservation area.

The Neighbourhood Plan has been produced by the Qualifying Body, Pirton Parish Council (PPC), and covers the period 2011 to 2031. In July 2013 the PPC established the Pirton Neighbourhood Plan Steering Group (PNPSG) which has included Parish Council members and community volunteers. The Neighbourhood Plan area was designated in January 2014 and is shown in the map below.



The Plan is the result of consultation within the community through questionnaires and informal open consultation events. It has also involved liaison with statutory bodies such as Historic England and Natural England and dialogue between the NHDC and the wider community, either through direct communication or through the Pirton Neighbourhood Plan dedicated web site and Facebook pages.

The Plan does not include proposals for housing or other development. Its overall approach is to support appropriate development which protects the character of the village and the environment. The Plan objectives⁴ are shown in the box below.

- Mixed housing growth that encompasses the needs of all ages and social strata with an emphasis on young families, elderly downsizers and affordable homes.
- Sensitive and intelligent development in accordance with the existing character of Pirton village and Parish, including its greenery, wildlife habitats, its built and archaeological heritage and connectivity to the countryside.
- Pirton Parish remains a safe place to live, including pedestrian and vehicle safety on our narrow roads.
- Protection and enhancement of the local landscape and biodiversity of the Parish of Pirton including the Chilterns Area of Outstanding Natural Beauty.
- Protection and enhancement of Pirton’s rich heritage.
- Maintain separation from other centres of population.
- Maintain, and where possible enhance the distinctive views on entering and leaving Pirton Village, and within the village itself.
- Protect important green and open spaces within Pirton Village and Pirton Parish and establish new green and open spaces within new developments.
- Support, maintain and develop community facilities for the benefit of all residents and the business community.
- Support the rural economy and facilitate and increase the opportunity to work in Pirton and for others to enjoy the opportunities for recreation and improving health and well-being

5. Screening assessment

As noted above, the Regulations specify a set of criteria which must be used to assess whether any plan covered by the Regulation is likely to have a significant environmental effect and therefore require a SEA. The table below considers each of these criteria in turn.

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	The framework for development in Pirton is currently set by the saved policies of the existing North Hertfordshire Local Plan and the NPPF. A new Local Plan is currently being developed, with adoption timetabled for March 2018. The Pirton Neighbourhood Plan does not

⁴ Draft Plan page 12

		include site allocations or provide for any other projects which are likely to have significant effects.
1 (b) the degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	No	A Neighbourhood Plan is at the bottom of the planning hierarchy and must be in conformity with the Local Plan.
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 Plan focuses on protecting the quality of the village and its environment, particularly in the case of any development of any development which arises out of the existing District planning framework or the developing new Local Plan (which has been subject to sustainability appraisal at all stages). It is considered that the Neighbourhood Plan's likely impact will be to have a positive effect on the environment by providing an additional layer of protection.
1(d) environmental problems relevant to the plan	No	None have been identified
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 Plan will be in conformity with the saved Local Plan Policies, the NPPF and the emerging Local Plan which have taken account of existing European and National legislation for environmental protection. As noted above it is likely to have a positive effect by assisting with improving environmental protection.
2 (a) the probability, duration, frequency and reversibility of the effects	No	No significant effects have been identified
2 (b) the cumulative nature of the effects	No	No significant effects have been identified
2 (c) the trans-boundary nature of the effects	No	No significant effects have been identified
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
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 area does contain sensitive features, particularly heritage features as noted above but there are no proposals in the Plan which are likely to have significant environmental effects on these features. In fact, key Plan policies are designed to protect these features. A detailed and thorough Character Assessment for the area has been produced and published alongside the Neighbourhood Plan.

		<p>The following specific policies protect sensitive features:</p> <ul style="list-style-type: none"> • PNP5 Hedgerows and Trees • PNP6 Local Green Spaces and Open Spaces • PNP7 Wildlife • PNP8 Heritage Assets and Archaeological Heritage • PNP9 Key Views and Vistas
2 (g) the effects on areas or landscapes which have a recognised national, community or international protection status	No	<p>As noted above Pirton is located on the edge of the Chilterns AONB. Any effects are likely to be positive. The views of the AONB from the village will be protected by policy PNP9.</p> <p>As also discussed above, any other effects are also likely to be positive. The Habitats Regulation Assessment screening report produced by NHDC in February 2013 concluded that in combination, there is not likely to be any significant combined impact on European sites from any plans or projects developed for the District.</p>

6. Screening determination

In summary, it is concluded that the Pirton Neighbourhood Plan is not likely to have significant environmental effects and therefore a SEA is not required. The principal reasons for this conclusion are:

- No sites are allocated for development in the Plan.
- The Plan focuses on protecting the quality of the village and its environment, particularly in the case of any development which arises out of the existing District planning framework or the developing new Local Plan. It is considered that the Neighbourhood Plan's likely impact will be to have a positive effect on the environment by providing an additional layer of protection.
- The neighbourhood area does contain sensitive features, particularly heritage features as noted above but there are no proposals in the Plan which are likely to have significant environmental effects on these features. In fact, as already noted, key plan policies are designed to protect these features, and the Plan is supported by a comprehensive Village Character Assessment.

Appendix 1: Update to reflect 2018 Plan

This Appendix updates the preceding document to reflect the changes made to the Plan since the screening report was produced. These include the changes agreed at the Examination in Public (EIP). The effect of the changes on the judgement made are outlined in the table below. None of the changes made to policies have required any change to the screening determination made in section 6 above.

Table 2: Assessment of likelihood of significant effects on the environment (updated to reflect 2018 Plan)

Criteria for determining the likely significance of effects	Likely to have significant effects?	Justification for assessment	Effect of the changes made to the Plan on this judgement
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	The framework for development in Pirton is currently set by the saved policies of the existing North Hertfordshire Local Plan and the NPPF. A new Local Plan is currently being developed, with adoption timetabled for March 2018. The Pirton Neighbourhood Plan does not include site allocations or provide for any other projects which are likely to have significant effects.	None – the changes made do not include any site allocations or provide for projects which are likely to have significant effects. The new Local Plan examination is currently in progress.
1 (b) the degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	No	A Neighbourhood Plan is at the bottom of the planning hierarchy and must be in conformity with the Local Plan.	None
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 Plan focuses on protecting the quality of the village and its environment, particularly in the case of any development of any development which arises out of the existing District planning framework or the developing new Local Plan (which has been subject to sustainability appraisal at all stages). It is considered that the Neighbourhood Plan's likely	The changes strengthen this judgement, as some of the changes made (for example changes to Policy PNP 7) are likely to improve the effectiveness of the policies in protecting the quality of the village and its environment.

		impact will be to have a positive effect on the environment by providing an additional layer of protection.	
1(d) environmental problems relevant to the plan	No	None have been identified	None
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 Plan will be in conformity with the saved Local Plan Policies, the NPPF and the emerging Local Plan which have taken account of existing European and National legislation for environmental protection. As noted above it is likely to have a positive effect by assisting with improving environmental protection.	None
2 (a) the probability, duration, frequency and reversibility of the effects	No	No significant effects have been identified	None
2 (b) the cumulative nature of the effects	No	No significant effects have been identified	None
2 (c) the trans-boundary nature of the effects	No	No significant effects have been identified	None
2 (d) the risks to human health or the environment (e.g. due to accidents)	No	No significant effects have been identified	None
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	None
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	No	The neighbourhood area does contain sensitive features, particularly heritage features as noted above but there are no proposals in the Plan which are likely to have significant environmental effects on these features. In fact, key Plan policies are designed to protect these features. A detailed and thorough Character	None, though the policies have now been renumbered, and those which protect sensitive features are: <ul style="list-style-type: none"> • PNP4 Hedgerows and Trees • PNP5 Wildlife • PNP6 Local Green Spaces

standards (iii) intensive land-use		<p>Assessment for the area has been produced and published alongside the Neighbourhood Plan. The following specific policies protect sensitive features:</p> <ul style="list-style-type: none"> • PNP5 Hedgerows and Trees • PNP6 Local Green Spaces and Open Spaces • PNP7 Wildlife • PNP8 Heritage Assets and Archaeological Heritage • PNP9 Key Views and Vistas. 	<ul style="list-style-type: none"> • PNP7 Key Views and Vistas • PNP8 Heritage Assets and Archaeological Heritage. <p>As noted above, some of the changes made are likely to improve the effectiveness of the policies in protecting sensitive features.</p>
2 (g) the effects on areas or landscapes which have a recognised national, community or international protection status	No	<p>As noted above Pirton is located on the edge of the Chilterns AONB. Any effects are likely to be positive. The views of the AONB from the village will be protected by policy PNP9.</p> <p>As also discussed above, any other effects are also likely to be positive. The Habitats Regulation Assessment screening report produced by NHDC in February 2013 concluded that in combination, there is not likely to be any significant combined impact on European sites from any plans or projects developed for the District.</p>	<p>Policy protecting views of the AONB from the village is now PNP7. As noted above, the effectiveness of this particular policy is likely to be improved by the changes made.</p>