

# **Ashwell Neighbourhood Plan**

## **Sustainability Statement**

**To accompany the Submission version**

**(Regulation 16) Neighbourhood Plan**

**December 2020**

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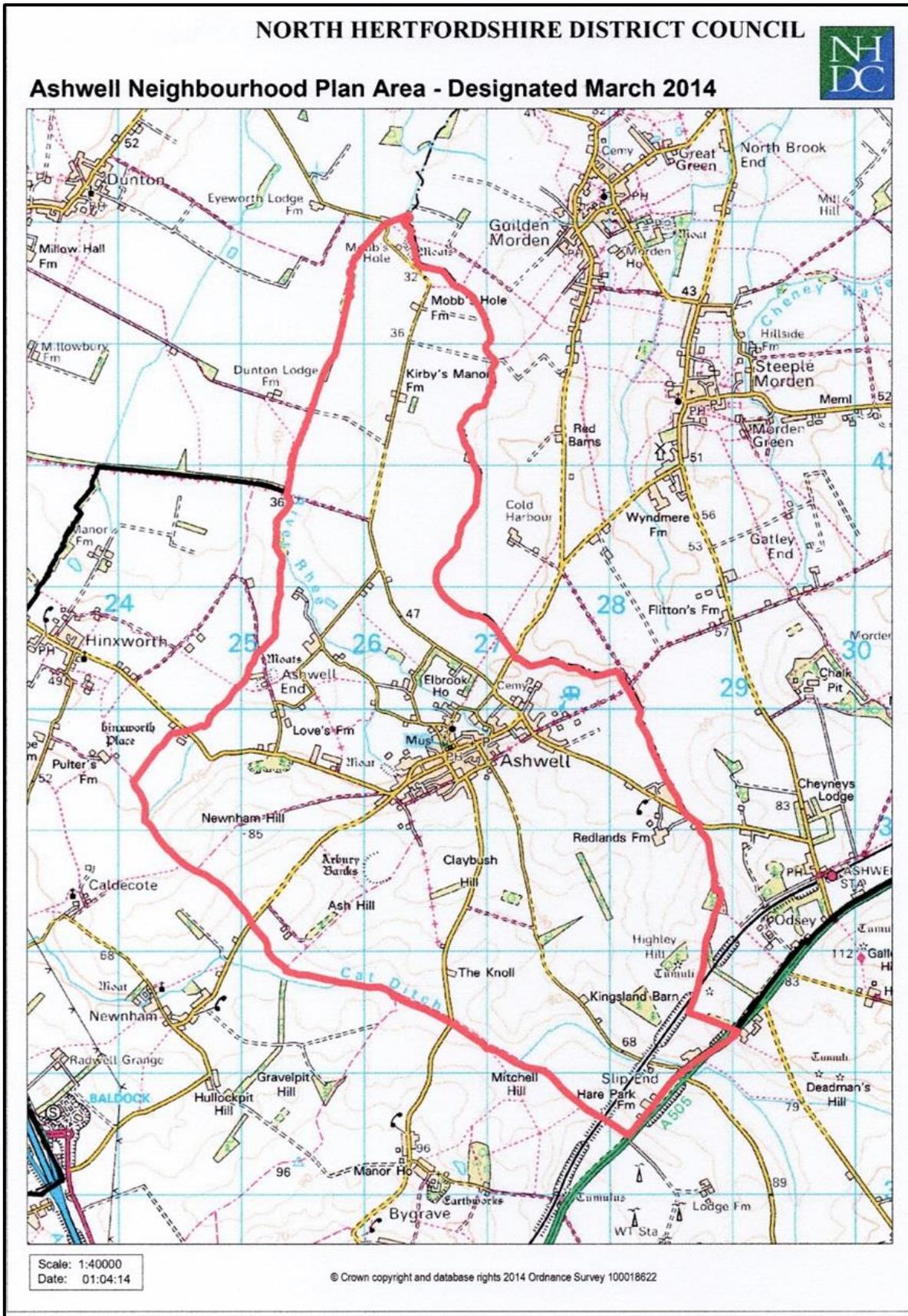
## **1. Introduction**

- 1.1. This Sustainability Statement has been prepared to support the Ashwell Neighbourhood Plan ('the Plan'). It demonstrates how the Plan contributes towards the achievement of sustainable development. It has been updated since the version submitted alongside the Pre-Submission Version Neighbourhood Plan at Regulation 14, in order to take account of comments received and amendments to the policies.
- 1.2. Sustainable development is about ensuring a better quality of life for everyone, now and for generations to come. It is about considering the long-term environmental, social and economic issues and impacts in an integrated and balanced way. The UK Government has set five guiding principles to achieve the sustainable development purpose. These principles form the basis for policy in the UK and are as follows:
- Living within environmental limits
  - Ensuring a strong, healthy and just society
  - Building a strong, stable and sustainable economy
  - Promoting good governance
  - Using sound science responsibly
- 1.3. One of the means by which sustainable development can be achieved is through the land-use planning process. The Plan can help to achieve sustainable development as it aims to ensure that development meets the needs of people living and working in the Neighbourhood Area, while at the same time helping to ensure that adverse environmental impacts are minimised.

### **The Plan**

- 1.4. The designated Neighbourhood Plan Area is shown in Figure 1.1.

Figure 1.1: Ashwell Neighbourhood Area



- 1.5. The Plan has been developed by members of the Plan Steering Group following an extensive programme of engagement with the local community. The Plan's vision for development of the area up to 2031 is as follows:

*Our vision is to ensure Ashwell continues to thrive and grow as a community, whilst safeguarding the village's character. We want to ensure that growth is sustainable and the village continues to meet the needs of its people.*

*We want to enhance the facilities of the village to meet the challenges and changing needs of the community, to ensure that the parish remains sustainable and cohesive. Our village also needs a strong local economy and well-maintained infrastructure that supports its needs and connects the parish to the wider community.*

- 1.6. In order to deliver the vision, the Plan sets out to meet a series of objectives:

**Objective 1:** To encourage sustainable development that reflects the needs of the village and ensures that the community can develop and evolve in an appropriate way.

**Objective 2:** To support sustainable local businesses and encourage the development of a strong local economy.

**Objective 3:** To provide recreation and sporting facilities that meet the needs of the community and reflect changing requirements.

**Objective 4:** To promote healthy communities.

**Objective 5:** To safeguard against the loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

**Objective 6:** To provide high quality education facilities for local children.

**Objective 7:** To ensure that the village can support the changing needs of the residents by providing improved accessibility and enhancements to key village facilities.

**Objective 8:** To conserve and enhance the historic character of the village and its rural setting.

**Objective 9:** To conserve and enhance the natural environment of the parish, its flora and its fauna.

**Objective 10:** To reduce greenhouse gas emissions by using renewable and low carbon energy technologies in new housing and infrastructure developments, as the NPPF (2019) recommends in paras 150 and 151.

#### **Policy context**

- 1.7. The Plan has been prepared having regard to national policy and to be in general conformity with the strategic policies of the local development plan. At the national level, the National Planning Policy Framework (NPPF) establishes the scope and purpose of neighbourhood plans. At the local level, the development plan comprises the North Hertfordshire District Local Plan, which was originally adopted in 1996. Since 1996, the district's planning policies have been

contained in the District Local Plan No.2 with Alterations<sup>1</sup>. Under the Planning & Compulsory Purchase Act 2004, those policies expired on 27 September 2007, except for those which were given permission from the Secretary of State to endure beyond this date. That permission has been granted in respect of 33 of the policies. NHDC is in the process of developing a new Local Plan 2011-2031, which has been subject to Regulation 19 consultation and is now undergoing Examination. It is anticipated that the Local Plan will be adopted later in 2020. The Neighbourhood Plan must be in conformity with the current Local Plan, but because the emerging Local Plan has reached Examination, it has provided much of the strategic context for the Neighbourhood Plan.

**Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)**

August 2018 Version of the Ashwell Neighbourhood Plan

- 1.8. North Hertfordshire District Council (NHDC) undertook an initial SEA and HRA Screening of the emerging Ashwell Neighbourhood Plan (Version dated 31 August 2018) on 29 April 2019. The three statutory consultees – Environment Agency, Historic England and Natural England – were sent the standard NHDC screening template alongside a copy of the draft Neighbourhood Plan.
- 1.9. At this stage, the Neighbourhood Plan was seeking to allocate three sites for housing development.
- 1.10. Responses were received from Historic England and Natural England and full copies of their responses are contained in Appendix A. No response was received from the Environment Agency. In summary:

Statutory consultee	Response
Environment Agency	No response received
Historic England	Historic England noted that the neighbourhood plan proposes to allocate three sites for housing and that within the neighbourhood plan area there are a range of designated historic environment assets. At that stage, concerns had been raised in the response to the first consultation draft of the neighbourhood plan that it was not clear whether an assessment of the heritage assets has been undertaken or what consideration of alternative sites had been made. Historic England concluded they did not concur with the screening opinion that there were no significant environmental effects and that there was insufficient evidence to support that conclusion. Historic England state that given the likely significant effects on the historic environment that a Strategic Environmental Assessment of the neighbourhood plan should be undertaken.

<sup>1</sup> <https://www.north-herts.gov.uk/sites/northherts-cms/files/Written%20Statement%20Sep%202007.pdf>

Natural England	Based on the material supplied, Natural England concluded that there are unlikely to be significant environmental effects from the proposed plan.
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1.11. NHDC collated the responses and published their Screening Determination Statement in July 2019. This is contained in Appendix B and concluded the following in respect of the SEA and HRA:

**SEA:** *The SEA screening assessment concluded that the neighbourhood plan could have significant environmental effects and that a SEA might be required. The SEA screening assessment concluded that:*

- *three sites are allocated for development, two greenfield sites outside the settlement boundary and one brownfield site within the settlement boundary;*
- *that the policies in the neighbourhood plan would have a positive effect on the environment by providing an additional layer of protection; and*
- *whilst the neighbourhood plan area contained sensitive heritage and natural features, the allocated sites and policies would not have significant effects on them.*

**HRA:** *The Habitats Regulations Assessment screening concluded that whilst there are three sites allocated in the neighbourhood plan, because the parish is not situated in, or in close proximity to, the Thames River Basin there are not likely to be any significant adverse effects on a designated European site.*

1.12. Therefore, NHDC concluded:

*In light of the SEA screening assessment prepared by Ashwell Parish Council Based and the consultation responses from the statutory environmental bodies, North Hertfordshire District Council determines that a Strategic Environmental Assessment of the Ashwell Neighbourhood Plan is required in accordance with the Environmental Assessment of Plans and Programmes Regulation 2004.*

*The Council also determines that the Neighbourhood Plan is not likely to result in significant effects on any European site.*

March 2020 Version of the Ashwell Neighbourhood Plan

1.13. The August 2018 version of the Ashwell Neighbourhood Plan was subject to a Regulation 14 consultation. The comments received led the Neighbourhood Planning group to rethink a number of the policies contained in the Plan. In particular, a decision was taken not to allocate housing sites. This was because the emerging Local Plan was allocating sites in the parish and in addition, the Settlement Boundary was to be amended with the expectation that this would enable sufficient growth across the Plan period (both Local and Neighbourhood) to meet housing need. Furthermore, some new policies were added in respect of Local Green Spaces,

local views and green infrastructure and these changes were felt to be sufficiently significant to warrant both a new Regulation 14 consultation and a new SEA/HRA Screening.

- 1.14. On 3 April 2020, NHDC issued a new screening request to the three statutory consultees, based on the March 2020 version of the draft Neighbourhood Plan. A copy of the correspondence sent out is contained in Appendix C along with the resulting Determination Statement from NHDC.
- 1.15. Responses were received from all three statutory bodies and full copies of their responses are contained in Appendix D.

Statutory consultee	Response
Environment Agency	On the basis that the plan doesn't allocate any further development, and that future development is steered away from the sensitive aspects of the environment highlighted, we do not consider there to be potential significant environmental effects relating to these environmental constraints. Nevertheless we recommend the inclusion of relevant policies to cover the management of flood risk, and to give adequate protection to the chalk streams and SSSI.
Historic England	As the draft neighbourhood plan no longer contains the three proposed allocations and follows the settlement boundary from the emerging local plan, so long as the new settlement boundary has been tested through the SEA process of the emerging local plan we would not ask for an additional SEA.
Natural England	Based on the material supplied, Natural England concluded that there are unlikely to be significant environmental effects from the proposed plan.

- 1.16. Following this second screening of the March 2020 version of the Ashwell Neighbourhood Plan, NHDC determined that neither a SEA nor a HRA would be required. Historic England's point about the extension of the Settlement Boundary has been assessed by NHDC in their Sustainability Appraisal process. Nevertheless, this Sustainability Statement has been prepared to accompany the Pre-submission Regulation 14 Version of the Ashwell Neighbourhood Plan.

## 2. Sustainability Assessment

2.1 In order to demonstrate that the Plan contributes to the achievement of sustainable development, it is necessary to identify sustainability objectives to enable an assessment to be made of the Plan. Whilst there are objectives established at the strategic level through the NHDC Local Plan No.2 with Alterations (and the emerging Local Plan), for a neighbourhood plan that must confine the matters it deals with to local issues, these are most appropriately established at the local level. Accordingly, the sustainability objectives of the Plan have been taken directly from the Draft Sustainability Appraisal of North Hertfordshire Proposed Submission Local Plan NHDC Sustainability Appraisal Environmental Report (September 2016)<sup>2</sup> and supplementary paper (undated)<sup>3</sup>. It is considered that the emerging Local Plan is at a stage where its Sustainability Appraisal can provide the framework objectives against which to assess the Neighbourhood Plan.

2.2 The qualitative scoring system used to assess the likely effects is shown below:

++	The policy is likely to contribute significantly towards the sustainability objective
+	The policy is likely to contribute positively towards the sustainability objective, although not significantly
0	The policy is considered to have no significant positive or negative effect
-	The policy is likely to detract from the achievement of the sustainability objective, although not significantly
--	The policy is likely to detract significantly from the achievement of the sustainability objective
?	The policy has an uncertain relationship to the sustainability objective. Alternatively, insufficient information may be available to enable an assessment to be made.

2.3 Table 2.1 shows the assessment and provides a commentary as to which policies in the Plan are relevant to each of the NHDC Sustainability Assessment (SA) criteria.

2.4 Table 2.1 shows that all of the policies in the Plan will either have no significant effect (positive or negative), a positive effect or a significant positive effect.

<sup>2</sup> [https://www.north-herts.gov.uk/sites/northherts-cms/files/LP4%20Draft%20Sustainability%20Appraisal%20of%20the%20Proposed%20Submission%20Local%20Plan\\_0.pdf](https://www.north-herts.gov.uk/sites/northherts-cms/files/LP4%20Draft%20Sustainability%20Appraisal%20of%20the%20Proposed%20Submission%20Local%20Plan_0.pdf)

<sup>3</sup> <https://www.north-herts.gov.uk/sites/northherts-cms/files/LP8%20Sustainability%20Appraisal%20supplementary%20paper.pdf>

**Table 2.1: Assessment of policies in the Ashwell Neighbourhood Plan against NHDC Sustainability Appraisal Objectives**

NHDC Objective (Sept 2016)	SA Relevant Neighbourhood Objective	Ashwell Plan	Assessment	Commentary
<b>Economic Activity</b>				
1 Achieve sustainable levels of prosperity and economic growth	<b>Objective 2:</b> To support sustainable local businesses and encourage the development of a strong local economy.		+	<p>Policy ASH13 (Incubator/ flexible start-up business space) sets out support for new business development within the parish, which will help to encourage the provision of more employment opportunities for work locally. This in turn will support the overarching aim to reduce the numbers of people commuting out of the area, often by car.</p> <p>Policy ASH14 (Broadband provision) seeks to ensure that development is connected to the broadband network, which is necessary to make sure that businesses can operate effectively, including from rural areas such as Ashwell. This will contribute to the aim of reducing the need for workers to commute out to larger urban centres by enabling greater opportunities for home-working.</p> <p>Policy ASH15 (Ashwell Village Centre) seeks to support the viability and vitality of the village centre, which serves the local population.</p>

NHDC SA Objective (Sept 2016)	Relevant Ashwell Neighbourhood Plan Objective	Assessment	Commentary
<b>Land Use and Development Patterns</b>			
<p>2(a) Minimise the development of greenfield land and other land with high environmental and amenity value</p> <p>2(b) Provide access to green spaces</p> <p>2(c) Deliver more sustainable location patterns and reduce use of motor vehicles</p>	<p><b>Objective 1:</b> To encourage sustainable development that reflects the needs of the village and ensures that the community can develop and evolve in an appropriate way.</p> <p><b>Objective 3:</b> To provide recreation and sporting facilities that meet the needs of the community and reflect changing requirements.</p> <p><b>Objective 7:</b> To ensure that the village can support the changing needs of the residents by <b>providing</b> improved accessibility and enhancements to key village facilities.</p> <p><b>Objective 9:</b> To conserve and enhance the natural environment of the parish, its flora and its fauna</p>	+	<p>Policy ASH1 (Location of Development) reinforces the settlement boundary for the neighbourhood area, directing development to the most appropriate locations and prioritising the use of brownfield land in preference to greenfield. The settlement boundary mirrors that of the boundary set out in the emerging Local Plan, which has been tested against the Sustainability Objectives and no adverse implications identified.</p> <p>Policy ASH12 (Local Green Spaces) identifies a Local Green Space that is felt to be demonstrably special to the local community for recreational, well-being and biodiversity reasons.</p> <p>Policy ASH16 (Provision of Leisure and Recreational Facilities) details how development that supports the continued provision – and improvement – of local facilities will be encouraged.</p> <p>Policy ASH20 (Accessible Paths) seeks to encourage the connectivity of development to the walking and cycling network, in order to reduce the number of car journeys taken for local journeys. Improvements to the path network, including widening for use by those with mobility scooters or pushchairs, will become increasingly important in light of social distancing measures in place.</p>

NHDC SA Objective (Sept 2016)	Relevant Ashwell Neighbourhood Plan Objective	Assessment	Commentary
<b>Environmental Protection</b>			
<p>3(a) Protect and enhance biodiversity</p> <p>3(b) Protect and enhance landscapes</p> <p>3(c) Conserve and where appropriate enhance the historic environment</p> <p>3(d) Reduce pollution from any source</p>	<p><b>Objective 9:</b> To conserve and enhance the natural environment of the parish, its flora and its fauna</p> <p><b>Objective 8:</b> To conserve and enhance the historic character of the village and its rural setting.</p> <p><b>Objective 9:</b> To conserve and enhance the natural environment of the parish, its flora and its fauna</p> <p><b>Objective 8:</b> To conserve and enhance the historic character of the village and its rural setting.</p> <p><b>Objective 10:</b> To reduce greenhouse gas emissions by using renewable and low carbon energy technologies in new housing and infrastructure developments, as the NPPF (2019) recommends in paras 150 and 151</p>	<p>++</p>	<p>Policy ASH10 (Natural Landscape and Rural Character) identifies the natural features within the neighbourhood area that are intrinsic to its natural landscape character and which should be preserved. It sets out guidance as to how this should be undertaken. Finally the policy encourages the provision of additional open space that is safe, accessible and connected to the wider public realm.</p> <p>Policy ASH11 (Natural Wildlife Assets, Wildlife Corridors and Green Infrastructure) maps the green infrastructure network within the neighbourhood area, as recommended for plans by the NPPF. In doing so, it seeks to preserve this valued network of spaces and corridors that provide habitats for flora and fauna as well as movement corridors for wildlife.</p> <p>Policy ASH12 (Local Green Spaces) identifies a Local Green Space that is felt to be demonstrably special to the local community for recreational, well-being and biodiversity reasons.</p> <p>Policy ASH3 (Character of Development) seeks to ensure that development does not adversely impact on the villagescape character, rather it contributes to it, being guided by the existing character of the area.</p> <p>Policy ASH4 (Design of Development) seeks to ensure the highest quality design, setting out specific criteria drawing on needs identified at the local neighbourhood level. This considers national guidance, and also the Ashwell</p>

NHDC SA Objective (Sept 2016)	Relevant Ashwell Neighbourhood Plan Objective	Assessment	Commentary
			<p>Village Design Statement, to add more locally specific detail.</p> <p>Policy ASH3 (Character of Development) seeks to ensure that development recognises the local context within which it is located and is sympathetic to this. It identifies the Conservation, Character Areas and Visual Character Areas within the village, and the historic features and assets – including Scheduled Ancient Monuments and listed buildings - that contribute to the village character. It also identifies key gateways into the village in order to enhance the visual impact of the area. The policy will help to foster a greater understanding and appreciation of the local heritage and history.</p> <p>Policy ASH8 (Protecting Historic Assets) seeks to mitigate negative impacts on non-listed heritage assets within the village. An associated action is to work with partnership (including NHDC and Historic England) to include these assets on the Local List and also to monitor heritage assets either currently at risk or in danger of being at risk and identify a strategy to bring them back to their former glory.</p> <p>Policy ASH9 (Locally Significant Views) identifies 13 views that are considered locally important to the preserve as they contribute to the character of the village.</p> <p>Policy ASH7 (Environmentally Friendly Design) encourages development to achieve the highest level of sustainable design, to take advantage or renewable</p>

NHDC SA Objective (Sept 2016)	Relevant Ashwell Neighbourhood Plan Objective	Assessment	Commentary
			sources of energy and to minimise loss of energy.

NHDC SA Objective (Sept 2016)	Relevant Ashwell Neighbourhood Plan Objective	Assessment	Commentary
<b>Climate change</b>			
<p>4(a) Reduce greenhouse gas emissions</p> <p>4(b) Improve the District's ability to adapt to climate change</p>	<p><b>Objective 10:</b> To reduce greenhouse gas emissions by using renewable and low carbon energy technologies in new housing and infrastructure developments, as the NPPF (2019) recommends in paras 150 and 151.</p>	<p style="text-align: center;">++</p>	<p>Policy ASH5 (Flood Risk) recognises the potential for flooding in parts of the neighbourhood area and seeks to ensure that developments plan for this and incorporates facilities that will mitigate risk, both to the development and elsewhere.</p> <p>Policy ASH6 (Sustainable Water Supply) considers the potential negative impact that water consumption might have in the area, in particular in to the sensitive chalk streams and Ashwell Springs SSSI. The policy seeks to limit water consumption in new development.</p> <p>Policy ASH7 (Environmentally Friendly Design) encourages development to achieve the highest level of sustainable design, to take advantage or renewable sources of energy and to minimise loss of energy.</p>

NHDC SA Objective (Sept 2016)	Relevant Ashwell Neighbourhood Plan Objective	Assessment	Commentary
<b>A Just Society-</b>			
<p>5(a) Share access to services and benefits of prosperity fairly</p> <p>5(b) Provide access to services and facilities for all</p> <p>5(c) Increase access to decent affordable housing</p> <p>5(f) Improve conditions and services that engender good health and reduce health inequalities</p>	<p><b>Objective 3:</b> To provide recreation and sporting facilities that meet the needs of the community and reflect changing requirements.</p> <p><b>Objective 4:</b> To promote healthy communities.</p> <p><b>Objective 5:</b> To safeguard against the loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.</p> <p><b>Objective 6:</b> To provide high quality education facilities for local children.</p> <p><b>Objective 7:</b> To ensure that the village can support the changing needs of the residents by providing improved accessibility and enhancements to key village facilities</p>	++	<p>Policy ASH2 (Housing Mix) supports the delivery of housing that will meet local housing need within Ashwell, including affordable housing. The Neighbourhood Plan does not allocate sites, rather it acknowledges the amendment of the settlement boundary, which will enable the necessary growth over the plan period.</p> <p>Policy ASH16 (Provision of Leisure and Recreational Facilities) details how development that supports the continued provision – and improvement – of local facilities will be encouraged, which in turn will aid the cohesion and health of the local community.</p> <p>Policy ASH17 (Protection of Public Houses) recognises the vital social role that such establishments have, particularly in a rural setting. The policy supports the continued operation of existing public houses, where this is viable, and encourages additional uses where this can help to sustain them.</p> <p>Policy ASH18 (Maintaining Existing Health Services) supports the need for continued provision of health facilities in the village, including expansion. This is considered important in a Category A settlement, where local access negates the need for unnecessary travel elsewhere and added burdens to other health services.</p> <p>Policy ASH19 (Education Provision) recognises the important role of the local primary school and encourages</p>

NHDC SA Objective (Sept 2016)	Relevant Ashwell Neighbourhood Plan Objective	Assessment	Commentary
			proposals to consider their impact on education provision.

NHDC SA Objective (Sept 2016)	Relevant Ashwell Neighbourhood Plan Objective	Assessment	Commentary
<b>Resource Use and Waste</b>			
<p>6(a) Use natural resources efficiently; reuse, use recycled where possible</p> <p>6(b) Reduce waste</p>	<p><b>Objective 10:</b> To reduce greenhouse gas emissions by using renewable and low carbon energy technologies in new housing and infrastructure developments, as the NPPF (2019) recommends in paras 150 &amp; 151.</p>	+	<p>Policy ASH7 (Environmentally Friendly Design) encourages development to minimise waste through the development of more energy efficient buildings, e.g. incorporating grey water systems</p>

## **APPENDIX A**

### **August 2019 Version Ashwell Neighbourhood Plan – SEA/HRA Screening responses from statutory consultees**

#### **Environment Agency**

No response received



By e-mail to:  
Clare Skeels  
Senior Planning Officer  
North Herts District Council.

Our ref: PL00580365  
Your ref:  
Date: 12/06/2019  
Direct Dial: 01223 582747

Dear Ms Skeels,

**RE: Ashwell Neighbourhood Plan SEA Screening**

Thank you for your email of 29 April 2019 regarding the above consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Ashwell Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

The supporting information (screening report and draft neighbourhood plan) supplied with the consultation indicates that within the plan area there is a range of designated historic environment assets. There is also likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic landscape. The documentation indicates that the Ashwell Neighbourhood Plan proposes to allocate three sites for housing. Historic England made the following comments regarding these site allocations at Regulation 14 Consultation Stage:

*Historic England has concerns about two of the three areas identified for housing development. Site two is adjacent to grade II The Orchard (41 West End) and opposite grade II 39 West End. The policy and supporting text only considers any harm to 41 West End and should also include 39 West End. The policy also does not seek to avoid harm first before seeing where harm can be mitigated. If a site assessment has identified appropriate mitigation measures, these could be incorporated into your policy. The test for assessing harm against public benefit differs as to whether it is substantial or less than substantial harm. For substantial harm the public benefit has to outweigh the harm or loss; for less than substantial harm the public benefits have to be weighed against the harm or loss. These are*



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Telephone 01223 58 2749 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

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



*different tests to balancing harm against public benefit. Please see section 16 of the NPPF for the appropriate wording.*

*The access to site three appears to be the access beside grade II Woodlands and its attached barns. This access is opposite two further grade II listed buildings - The Old Cottage and 1 & 3 West End. The northern most boundary of the site comes close to the grade II registered park and garden of Ashwell Bury. It abuts the conservation area boundary to the south and is close to the boundary to the north. The proposed site also impacts on identified key views out of the conservation area 6 and 9. None of these points are picked up in the supporting text or policy of site 3. Whether or not Site 3 is a formal site allocation, it is not clear what consideration there has been of alternative sites and whether an assessment of heritage impacts has been carried out. If this site is carried forward within the Plan a heritage impact assessment should be undertaken to define an appropriate site boundary and identify appropriate avoidance and mitigation measures. These should be incorporated into the policy and not left to a developer masterplan.*

*The development of these two sites would potentially have significant effects on the historic environment, and we would note, therefore, that a Strategic Environmental Assessment may need to be carried out for this plan.*

We do not concur with the Screening Report where it states, in reference to heritage assets in the vicinity of site allocations, "The proposals in the Plan are not felt to have significant environmental effects on these features", and the report does not provide evidence to support this assertion.

Given the likely significant effects upon the historic environment, Historic England hence considers that that a Strategic Environmental Assessment will be required.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

We should like to stress that this opinion is based on the information provided by you with your correspondence dated 29 April 2019. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SA/SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we



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consider that, despite the SA/SEA, these would have an adverse effect upon the environment.

Please do contact me, either via email or the number above, if you have any queries.

Yours sincerely,



Dr Natalie Gates  
Team Leader, Partnerships Team, East of England  
Natalie.Gates@HistoricEngland.org.uk



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Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.



## Natural England

Date: 20 May 2019  
Our ref: 282330  
Your ref: Ashwell Neighbourhood Plan



Ms Clare Skeels  
Senior Planning Officer  
North Hertfordshire District Council  
PO Box 10613  
Nottingham  
NG6 6DW

Hornbeam House  
Crewe Business Park  
Electra Way  
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CW1 6GJ

**BY EMAIL ONLY**

T 0300 060 3900

Dear Ms Skeels,

### **Ashwell Neighbourhood Plan – SEA Screening**

Thank you for your consultation on the above dated and received by Natural England on 29 April 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

### **Screening Request: Strategic Environmental Assessment**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Natural England has no further comments to make on the SEA screening.

### **Neighbourhood Plan**

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely,

Clare Foster  
Consultations Team

## APPENDIX B

### August 2019 Version of Ashwell Neighbourhood Plan – NHDC Screening Determination



## Strategic Environmental Assessment (SEA) Screening Determination Statement

for

## Ashwell Neighbourhood Plan

July 2019

### Determination Statement

- 1.1. This statement has been prepared to ensure that the Neighbourhood Plan will, when examined, comply with the Neighbourhood Planning (General ) Regulations 2012 (as amended) and in particular, Regulations 32 and 15(1)e(ii) of the Neighbourhood Planning (General)(Amendment) Regulations 2015
- 1.2. A neighbourhood plan is required to meet a number of basic conditions (set out in the Town and Country Planning Act 1990), one of which being it must not breach and must be otherwise compatible with EU and Human Rights obligations. This requires neighbourhood plans to consider the requirements of the SEA regulations<sup>4</sup> which transpose the EU's SEA Directive<sup>5</sup> into law and which requires those making plans that could impact on the environment to consider whether they are likely to have a significant effect or not.
- 1.3. Regulation 32 in the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out an additional basic condition to those set out in the primary legislation. Regulation 32 states:
- 1.4. "The making of the neighbourhood development plan is not likely to have a significant effect on a European sites (as defined in the Conservation of Habitats and Species Regulations 2017 or a European

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<sup>4</sup> The Environmental Assessment of Plans and Programmes Regulations 2004

<sup>5</sup> European Union Directive 2001/42/EC

offshore marine site (as defined in the Conservation of Offshore Marine Habitats and Species Regulations 2017) (either alone or in combination with other plans and projects).”

- 1.5. Ashwell Parish Council completed an initial SEA screening assessment and Habitats Regulation Assessment for consultation with the Environment Agency, Historic England and Natural England to establish whether an SEA would be required for the Ashwell Neighbourhood Plan.
- 1.6. The SEA screening assessment concluded that the neighbourhood plan could have significant environmental effects and that a SEA might be required. The SEA screening assessment concluded that:
  - three sites are allocated for development, two greenfield sites outside the settlement boundary and one brownfield site within the settlement boundary;
  - that the policies in the neighbourhood plan would have a positive effect on the environment by providing an additional layer of protection; and
  - whilst the neighbourhood plan area contained sensitive heritage and natural features, the allocated sites and policies would not have significant effects on them.
- 1.7. The Habitats Regulations Assessment screening concluded that whilst there are three sites allocated in the neighbourhood plan, because the parish is not situated in, or in close proximity to, the Thames River Basin there are not likely to be any significant adverse effects on a designated European site.
- 1.8. Following consultation with the three agencies, responses were received from Historic England and Natural England which are summarised here:

Natural England : based on the material supplied, Natural England concluded that there are unlikely to be significant environmental effects from the proposed plan.
- 1.9. Historic England : Historic England noted that the neighbourhood plan proposes to allocate three sites for housing and that within the neighbourhood plan area there are a range of designated historic environment assets. At that stage, concerns had been raised in the response to the first consultation draft of the neighbourhood plan that it was not clear whether an assessment of the heritage assets has been undertaken or what consideration of alternative sites had been made. Historic England concluded they did not concur with the screening opinion that there were no significant environmental effects and that there was insufficient evidence to support that conclusion. Historic England state that given the likely significant effects on the historic environment that a Strategic Environmental Assessment of the neighbourhood plan should be undertaken.
- 1.10. Environment Agency : No response was received from the Environment Agency.
- 1.11. Copies of the full responses from Historic England and Natural England are attached as Appendices B and C respectively.
- 1.12. In light of the SEA screening assessment prepared by Ashwell Parish Council Based and the consultation responses from the statutory environmental bodies, North Hertfordshire District Council determines that a Strategic Environmental Assessment of the Ashwell Neighbourhood Plan **is** required in accordance with the Environmental Assessment of Plans and Programmes Regulation 2004. The Council also determines that the Neighbourhood Plan is not likely to result in significant effects on any European site.

## APPENDIX C

### March 2020 Version of Ashwell Neighbourhood Plan – Re-screening request sent to statutory consultees and resulting Determination Statement

The following email was sent to the statutory consultees – Environment Agency, Historic England and Natural England – on 3 April 2020, along with the Ashwell Neighbourhood Plan version dated March 2020. This was to see a new opinion on the need for an SEA / HRA in light of the amendments to the Neighbourhood Plan.

North Hertfordshire District Council

Ashwell Neighbourhood Plan – SEA Screening

Ashwell Parish Council are in the process of preparing a neighbourhood plan for the Parish. Last year, we asked you to screen a draft neighbourhood plan to determine whether a SEA would be required. At that time, the draft neighbourhood plan included three potential land allocations for residential development. The Parish Council has amended the draft neighbourhood plan and the three proposed allocations have been deleted. In light of the amendments, could we request that the neighbourhood plan is re-screened to determine whether a SEA is required or not?

I have attached a draft of the new neighbourhood plan. If there are any queries, my contact details are below or the email addresses for the neighbourhood planning group have been copied in above for your information.

Regards

Clare Skeels

**Senior Planning Officer**

Direct Dial: 01462 474424

North Hertfordshire District Council

PO Box 10613

Nottingham

NG6 6DW

## Determination Statement from North Hertfordshire District Council, 22 June 2020

### NORTH HERTFORDSHIRE DISTRICT COUNCIL

Correspondence address:  
North Hertfordshire District Council, PO Box 10613, Nottingham, NG6 6DW  
Telephone: (01462) 474000  
Text Phone: (01462) 474800  
DX324201, Nottingham 59



Ashwell Parish Council

Our Ref: LP18/Ashwell

By email only

Contact Officer: Clare Skeels  
Direct Line: 01462 474424  
Email: [clare.skeels@north-herts.gov.uk](mailto:clare.skeels@north-herts.gov.uk)  
Date: 22 June 2020

Dear Mr Lee

#### **SEA Screening Determination for the Ashwell Neighbourhood Plan – Pre-Submission (Regulation 14) Consultation Draft – June 2020**

Thank you for sending the Ashwell Neighbourhood Plan Pre-Submission (Regulation 14) Consultation Draft Sustainability Statement for consideration. The Statement outlines how the objectives of the neighbourhood plan and the draft policies will contribute towards sustainable development taking place in the Parish. The assessment of the draft policies suggests that none of the policies will have a negative effect when assessed against the NHDC Sustainability Appraisal Objectives. It is concluded that at this time the Ashwell Neighbourhood Plan is not likely to have significant environmental effects and therefore a SEA is not required. The principal reasons for this conclusion are that:

- No sites are allocated for development in the neighbourhood plan;
- The Plan focuses on the trying to encourage the right mix of new residential development with a particular emphasis on the design of new development to ensure that the historic character of the Parish is maintained; and
- While the neighbourhood area does contain sensitive features, particularly designated heritage assets, there are no proposals in the neighbourhood plan which are likely to have significant environmental effects on them. In fact, as already noted, key plan policies are designed to provide additional protection for these features.

This screening determination will be reviewed when the Regulation 16 version of the Ashwell Neighbourhood Plan is prepared.

Yours sincerely

Clare Skeels  
Senior Planning Officer

North Hertfordshire District Council, Council Offices, Gernon Road, Letchworth Garden City, Hertfordshire, SG6 3JF

David Scholes  
Chief Executive

[www.north-herts.gov.uk](http://www.north-herts.gov.uk)



## APPENDIX D

### March 2020 Version of Ashwell Neighbourhood Plan – Screening Request Responses from statutory consultees

#### Environment Agency:

From: HNL Sustainable Places <HNLsustainablePlaces@environment-agency.gov.uk>

Sent: 20 April 2020 14:53

To: Clare Skeels <Clare.Skeels@north-herts.gov.uk>

Subject: Ashwell Neighbourhood Plan SEA Screening - EA Response

Dear Claire,

Thank you for consulting us on the Strategic Environmental Assessment screening report for the Ashwell Neighbourhood Plan.

Based on a review of environmental constraints for which we are a statutory consultee, we find that there are areas of fluvial flood risk, watercourses and protected sites within the neighbourhood plan area. In particular, we note that the boundary extends into areas of Flood Zones 2 and 3. We also note the presence of chalk streams and Ashwell Springs SSSI within the plan area.

On the basis that the plan doesn't allocate any further development, and that future development is steered away from the sensitive aspects of the environment highlighted, we do not consider there to be potential significant environmental effects relating to these environmental constraints. Nevertheless we recommend the inclusion of relevant policies to cover the management of flood risk, and to give adequate protection to the chalk streams and SSSI.

We encourage you to seek ways in which your neighbourhood plan can improve the local environment. For your information, together with Natural England, English Heritage and Forestry Commission we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: <https://neighbourhoodplanning.org/toolkits-and-guidance/consider-environment-neighbourhood-plans/>

Kind regards,

Becki

**Becki Ingram**

Sustainable Places Planning Advisor, Herts & North London.

(Pronouns: she/her)

**Environment Agency** | Alchemy, Bessemer Road, Welwyn Garden City, Hertfordshire, AL7 1HE

[HNLsustainablePlaces@environment-agency.gov.uk](mailto:HNLsustainablePlaces@environment-agency.gov.uk)

Internal: 54985 | External: 0203 025 4985

## Historic England:

From: Gates, Natalie <Natalie.Gates@HistoricEngland.org.uk>  
Sent: 14 May 2020 16:53  
To: Clare Skeels <Clare.Skeels@north-herts.gov.uk>  
Cc: EastPlanningPolicy <eastplanningpolicy@HistoricEngland.org.uk>  
Subject: Re: Ashwell Neighbourhood Plan - SEA Screening

Dear Clare,

Thank you for your email. As the draft neighbourhood plan no longer contains the three proposed allocations and follows the settlement boundary from the emerging local plan, so long as the new settlement boundary has been tested through the SEA process of the emerging local plan we would not ask for an additional SEA.

We do note that the settlement boundary has been altered close to the scheduled monuments to include the completed development at Walkdens.

Best wishes,

Natalie

Dr Natalie Gates

Team Leader Partnerships | East of England

Historic England

Direct Line: 01223 582747 Mobile: 07766 497750

# Natural England

Date: 09 April 2020  
Our ref: 313660  
Your ref: Ashwell Neighbourhood Plan



Clare Skeels  
North Hertfordshire District Council  
[Clare.Skeels@north-herts.gov.uk](mailto:Clare.Skeels@north-herts.gov.uk)

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY**

Dear Clare

## **Ashwell Neighbourhood Plan - SEA Screening**

Thank you for your consultation on the above dated 03 April 2020 which was received by Natural England on 03 April 2020

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

### **Screening Request: Strategic Environmental Assessment**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

### **Neighbourhood Plan**

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Jacqui Salt  
Consultations Team