

Appendix A: St Albans Publication Local Plan: SA/SEA Representations

SA/SEA responses to issues raised in the representations

Representations requiring response or further action	SA/SEA response to representation
Historic England	
<p>Policy S6 i)</p> <p>We note that the SA refers to the three listed buildings at Wood End Farmhouse but makes no mention of the assets to the east centred on Gorhambury and considers that the effects of the allocation on the historic environment are uncertain. The SA will need to be reviewed to take into consideration the nearby heritage assets.</p>	<p>The assessment for Policy S6 i) states that “Development of the site would also have the potential to impact upon the setting of Gorhambury Grade II Registered Park and Garden and its associated heritage assets.”</p> <p>No update to SA required.</p>
<p>Policy S6 ii) We note that the SA makes reference to Breakspear house and states that the effects of development on this asset is uncertain. There is no mention however of the heritage assets centred on Gorhambury to the east of the site. The SA will need to be reviewed to take into consideration the nearby heritage assets.</p>	<p>The assessment for Policy S6 ii) states that “Development of the site would also have the potential to impact upon the setting of Gorhambury Grade II Registered Park and Garden and its associated heritage assets.”</p> <p>No update to SA required.</p>
<p>Policy S6 iii) We note that the SA mentions both the listed buildings on the site and nearby listed buildings but states that the effects of the proposed development on these assets is uncertain. Again however, no mention is made of the heritage assets centred on Gorhambury to the east of the site. The SA will need to be reviewed to take into consideration the nearby heritage assets.</p>	<p>The assessment for Policy S6 iii) states that “Development of the site would also have the potential to impact upon the setting of Gorhambury Grade II Registered Park and Garden and its associated heritage assets.”</p> <p>No update to SA required.</p>
<p>Policy S6 iv)</p> <p>We note that the SA makes reference to the listed buildings, again concluding uncertain effects, but it makes no reference of the nearby scheduled monument. Again the SA will need to be revisited to make reference to the scheduled monument.</p>	<p>The SA has been updated to make reference of the nearby scheduled monument. No update to the assessment ‘score’ required.</p>
<p>Policy S6 v)</p> <p>We note that the SA finds that the effects of the allocation on the historic environment are uncertain.</p>	<p>Noted</p>
<p>Policy S6 vi)</p> <p>The SA makes no reference of the heritage assets in the area. The SA will need to be reviewed to take into consideration the nearby heritage assets and their settings.</p>	<p>The SA has been updated to make reference to the heritage assets in the area. The assessment has been updated to reflect the uncertainty relating to the potential effects on these heritage assets.</p>
<p>Policy S6 vii)</p>	<p>The SA has been updated to make reference of the nearby</p>

The SA makes no reference of the nearby designated heritage assets. The SA will need to be reviewed to take into consideration the nearby heritage assets. We consider that the impact is likely to be negative/adverse. The land forming this allocation site from part of the setting of the Farm and the NPPF is clear that the development within the setting of a heritage asset may lead to harm to the significance of that asset.	Listed Building and Conservation Area. The assessment has been updated to reflect the potential minor adverse effects on these heritage assets.
Policy S6 viii) We note that the SA mentions these assets [Cooters End Farm; The Old Bell Public House] but states that the impact on the historic environment is uncertain. We disagree. Without sufficient policy protection in place, and with development proposed on three sides of Cooters End Farm, we consider that the impact is likely to be negative/adverse. The land forming this allocation site from as part of the setting of the Farm and the NPPF is clear that the development within the setting of a heritage asset may lead to harm to the significance of that asset.	The SA has been updated to reflect the potential minor adverse effects on these heritage assets.
Policy S6 ix) The SA makes no mention of the listed buildings and structure to the south of the site. The SA identifies adverse effects on the historic environment. Given this conclusion, it is surprising to find neither further assessment of the impacts nor any mention within the Plan.	The SA has been updated to make reference of the nearby Listed Buildings. No update to the assessment 'score' required.
Policy S6 xi) We note that the SA mentions the nearby heritage assets (with the exception of the Turret) but states that the impact on the historic environment is uncertain. We disagree. Without sufficient policy protection in place, and with the development proposed we consider that the impact is likely to be negative/adverse.	The SA has been updated to make reference of the Allan-Williams Turret. The assessment has been updated to reflect the potential minor adverse effects on heritage assets.
Natural England	
The Regulation 19 response from Natural England stated that <i>"Natural England does not consider that this St Albans District Council Local Plan Publication 2018 poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation."</i> Further correspondence with Natural England – March 2019 Natural England agree with the conclusion of the Habitats Regulations Assessment (HRA) that there will be no likely significant effects on any European Site.	Noted
Environment Agency (ID1147557)	
The SA doesn't currently provide any explicit commentary on the process the Council undertook to apply the sequential test based on the latest SFRA, taking future climate change into account	The SA Report information has been updated to reflect the findings of the update to the SFRA, published in January 2019. This identifies the potential future flood risk taking climate change into account. The SA Report (September 2018) provided an assessment of Policy L29 'Green and Blue Infrastructure, Countryside,

	Landscape and Trees' and found that the policy's requirement of seeking to avoid development in areas at risk from flooding and ensuring that water and flood risk are fully addressed by new development should have a positive effect on the 'flood risk' objective (SA3).
Hertfordshire County Council (ID 837689)	
Agree with the supporting statement in the SA with regards to flood risks but recommend the creation of an aim of new development that contributes to reducing existing flood risk (where applicable)	The SA Objective for flood risk (SA3) was updated in xxx to take account of comments from the Environment Agency. That updated objective was used in the assessments included in the SA Report (September 2018). It is not appropriate at this stage in the SA process to update the objective a further time, however the comment from HCC is noted and will be considered for inclusion in future SA work undertaken by the Council.
Individual respondent (ID 334023)	
The SA has not considered the impact of increasing the East Hemel South proposed dwellings development by 140%	The assessment of 'Policy S6 iii) - East Hemel Hempstead (South) Broad Location' identified the potential effects of building 2,400 new homes at this Broad Location. This included an identification of the environmental constraints associated with this area.
Stackbourne Limited (ID1153646)	
There is no compatibility between the Vision and Objectives listed within the Plan and the SA objectives	Table 3-2 in the SA Report provides an assessment of the compatibility between the Local Plan Vision and Objectives and the SA objectives.
Department of Health & Social Care and Bloor Homes (ID1156886)	
<p>The SA is flawed as it does not consider alternatives for Park Street Garden Village</p> <p>The Plan is not considered to be deliverable, an objection is made to Policy S1 in particular the introduction of Park Street Garden Village in Category 2, there is no justification or evidence to support the inclusion of the Garden Village. The Plan in this respect is not justified or consistent with national policy as exceptional circumstances have not been demonstrated to support the inclusion of Park Street Garden Village. It is considered that not all reasonable alternatives have been considered and consequently the Sustainability Assessment is flawed and the Plan is therefore unsound.</p>	<p>During the process to develop the Local Plan there has been extensive and detailed consideration of options and reasonable alternatives. Whilst the SA has informed the process it is not the purpose of the SA to decide the alternative to be chosen for the Local Plan, nor is it the role of the SA to determine what is and what isn't a 'reasonable alternative' – those are both decisions to be made by the plan-making authority.</p> <p>The SA has assessed all the options which the Council has</p>

	considered to be reasonable alternatives. Section 4 of the SA Report provides information on the various stages at which different sites have been considered in the SA process.
The Plan and the accompanying SA rely on much of the previous work undertaken to support the Strategic Local Plan (SLP) and draft Detailed Local Plan (DLP), the evidence base for which is out of date	The SA work on the SLP/DLP and now the new Local Plan have been part of the ongoing process to replace the 1994 Local Plan. SA is an iterative process and has been updated as appropriate when work moves forward. This has included taking into account updates to the evidence base, in terms of both other relevant policies, plans and programmes and baseline information.
Helioslough Ltd (ID1182085)	
The SA is misleading in its assessment of PSGV. It includes ambiguous statements, does not consider site constraints which could hinder development proposals, and ignores the loss of benefits resulting from not providing the SRFI.	<p>The comment relating to ambiguous statements and constraints is addressed below for the various SA topic related comments.</p> <p>The assessment for PSGV was undertaken using the baseline as being the site in its current status and was not a comparison between the PSGV and the SRFI. It did not consider benefits lost or benefits gained between one proposed use and another potential use.</p>
The biodiversity score for the SA of PSGV should be downgraded to 'very unsustainable'	This comment is made on the premise that PSGV should be assessed against an 'SRFI baseline' and not a 'current status baseline'. As described above that has not been the case.
The SA for PSGV fails to mention that flood risk zone 3 is a relatively wide band (approximately 140m) which runs along the eastern boundary of the Park Street urban area in the vicinity of the station, thereby creating a gap in development. This does not affect the flood risk score but it is related to subsequent objectives.	The SA has recognised that the area of flood risk zone would not be suitable for new built development.
<p>The greenhouse gas emissions score for the SA of PSGV should be graded as 'unsustainable'.</p> <p>Significant benefits are claimed due to the range of planned facilities. This is agreed with reference to facilities such as schools and local shops, however there is no significant other employment proposed and there are only a very limited number of existing employment areas within an acceptable walking or cycling distance.</p> <p>The site and specifically the developable area is not next to a train station as claimed. Equally it is claimed that the P&Ra is a benefit which, for the reasons set out above, may encourage more cars to access the car park.</p> <p>In contrast, as the SRFI will enable freight to be transferred from road to rail, it is forecast that the SRFI will result in a significant reduction in greenhouse gases.</p> <p>For these reasons the PSGV assessment can certainly not be marked as 'Very Sustainable'. Indeed, when compared to the</p>	<p>As described above the assessment has been made against the 'current status baseline' and not an 'SRFI baseline'.</p> <p>The policy requirement for the development to deliver transport network (including walking and cycling links) and public transport services upgrades/improvements, including a new park and rail facility and increased rail services were considered in the assessment to warrant a score of 'significant positive'. This view still stands.</p> <p>The site is next to the rail station but it is acknowledged that without any new access the walk to the station is further and</p>

consented scheme which is currently being progressed and is forecast to reduce greenhouse gas emissions then the PSGV should be scored as 'Unsustainable'	due to the size of the site some of the PSGV will be some distance. However the whole site is still relatively close to a station, particularly as it is a relatively level walk/cycle.
Air Quality – This is scored twice on the basis of local facilities and location with respect to St Albans. The first score of 'Sustainable' is on the same basis as greenhouse emissions hence for similar reasons it should be neutral at best. The poor relationship to St Albans is correct and hence this is correct as 'Unsustainable'.	See comments above relating to greenhouse gas emissions.
Sustainable Locations – The appraisal admits that the location with respect to St Albans is not good. It then seeks to justify a sustainable score due to the limited local facilities and possible rail improvements which could be used by local residents. For the reasons noted in this report, the rail opportunities are limited in terms of facilities and proximity, and the local facilities would only account for a small number of car trips. The score for location should therefore be 'Unsustainable'.	The appraisal identified that <i>"This site is located some distance from the city/town centres"</i> . Whilst the site is some distance from St Albans it is planned as a sustainable community supported by the necessary infrastructure and facilities and therefore the level of facilities that will be provided make the development more sustainable, as identified in the assessment.
Given the points above the PSGV should be scored less for three objectives.	See comments above for each of these three objectives
SA incorrect to refer to site as previously developed land - land developed for minerals extraction excluded by paragraph 70 of NPPF. Therefore, the PSGV site is not considered to be a previously developed site and should be rated as 'unsustainable'.	The SA identified that <u>part</u> of the site is PDL, not the whole of the site. However the assessment has been updated from 'uncertainty of effects' to 'minor adverse effects' as the majority of the site is not classified as being previously developed land.
In considering the wider strategic implications of not providing the SRFI, the PSGV rating for resource efficiency should be downgraded to 'unsustainable'.	See previous comments regarding the approach taken to the assessment with regard to the baseline assumptions.
SA incorrect that prior gravel extraction will have destroyed any archaeological remains if they existed as some of the site has not been quarried. Therefore, the PSGV development has potential to have an adverse impact on below ground archaeological features. Due to the uncertainty of whether the unquarried section of the site contains below ground archaeology, the sustainability rating is correct as 'uncertain'.	Noted
The approved SRFI proposals include a 334ha Country Park which includes substantial benefits considered to exceed the requirements of policy S6 xi for the PSGV. When factoring in the loss of the landscape and biodiversity benefits proposed by the SRFI, the 'sustainable' score should be reduced to at least 'Neutral'.	See previous comments regarding the approach taken to the assessment with regard to the baseline assumptions.
The recreational opportunities set out by policy S6 xi would undoubtedly be beneficial for local residents of the PSGV, however there are conflicts with existing infrastructure that need to be given further consideration. These proposals also need to be considered in light of the substantial Country Park offered by the SRFI proposals not being delivered. The scale of the SRFI Country Park has the potential to offer health benefits to not only the lifestyles of local residents but the lifestyles of those living in the wider district and county. It is for these reasons that the PSGV health score should be downgraded to 'neutral'.	See previous comments regarding the approach taken to the assessment with regard to the baseline assumptions.
Whilst the local centre and new schools are likely to reduce some trips by car, PSGV residents will have to travel to the	The SA identified 'minor positive' effects against the SA

surrounding city/town centres for goods and services beyond the daily essentials. Furthermore, as discussed in the greenhouse gas emissions paragraphs above, the PSGV does not appear to provide any substantial sources of employment beyond the new schools and shops. In comparison, the SRFI scheme would create significant additional employment opportunities of approximately 3,400 full time jobs and a further 500 jobs related to the scheme.	objectives relating to the economy. This assessment still stands. See previous comments regarding the approach taken to the assessment with regard to the baseline assumptions.
In terms of rail improvements, the requirements of policy S6 xi has various limitations which relate to the Abbey Line. Firstly, the policy states that there should be services every 15-20 minutes at peak times, with no mention of off peak timetabling. Secondly, the St Albans Abbey train station is not located centrally and would require additional travel to access the centre. Thirdly, the Park Street station is not best positioned for the PSGV, being located on the western side of the railway. Finally, the developable area is not located next to a rail station as suggested, located 900m from the nearest house, which may encourage more cars to park in the park and rail facility. All of these points are discussed in more detail in the TTM at Appendix B. The sustainable location score should be 'unsustainable'	See comment above relating to the distance of the site from Park Street Station
The SA gives the PSGV a 'sustainable' rating based on the new local centre and the potential for new employment opportunities. Whilst the new local centre is likely to provide daily essentials for residents of the PSGV, services and facilities beyond this will be sought from surrounding town/city centres. As discussed in the greenhouse gas emissions paragraphs above, the PSGV does not appear to provide any substantial sources of employment beyond the new schools and shops. In comparison, the SRFI scheme would create significant additional employment opportunities of approximately 3,400 full time jobs and a further 500 jobs related to the scheme. The sustainability rating should be reduced to 'neutral' for the reasons set out above.	The SA identified 'minor positive' effects against the SA objectives relating to the economy. This reflected the potential for PSGV to support the local economy and to provide some additional employment opportunities. This assessment still stands. See previous comments regarding the approach taken to the assessment with regard to the baseline assumptions.
SA and the Plan are not considered to be consistent with national policy as they don't aim to deliver sustainable development	The SA helps to guide the development of the Local Plan, including providing an assessment of the reasonable alternatives considered. It cannot in itself 'deliver' sustainable development.
Helioslough Ltd (ID1182085) Department of Health & Social Care and Bloor Homes (ID1156886)	
The Plan and SA have not been positively prepared as they disregard the planning permission that exists for the SRFI.	The view of the Council is that the SRFI is not a 'reasonable alternative' for that site and therefore it was not assessed in the SA. However for purposes of completeness the principle of developing an SRFI on the same site as that allocated for PSGV has now been assessed as part of this SA Report Addendum (see Section 4 and Appendix C).
Taylor Wimpey Strategic Land (ID1187472), Martin Grant Homes and Kearns Land (ID975683), ERLP 1 Sarl (ID1123561), M Scott Properties (ID1185993), Individual respondent (ID1153268), Department of Health & Social Care and Bloor Homes (ID1156886), Owner Pound Farm & East of Sandridge (ID1187227), Helioslough Ltd (ID1182085)	
The SA/SEA does not consider other/all specific sites that have been put forward and fails to provide an assessment for them, explaining why they have been rejected	The SA/SEA has provided an assessment of all the sites considered by the Council to be reasonable alternatives. Section 4 of the SA Report provides information on the

	various stages at which different sites have been considered in the SA process.
ERLP 1 Sarl (ID1123561)	
No reasonable alternatives to the 12 Broad Locations have been assessed. The SA is flawed and outdated.	The SA/SEA has provided an assessment of all the sites considered by the Council to be reasonable alternatives. Section 4 of the SA Report provides information on the various stages at which different sites have been considered in the SA process.
Owner Pound Farm & East of Sandridge (ID1187227)	
The council hasn't consulted on the SA	The Council consulted on the SA at the Regulation 18 Issues and Options Stage (January 2018) and at the Regulation 19 Publication Stage (September 2018). Section 2.4 of the SA Report provides a summary of the consultation that has been undertaken.
Individual respondent (ID1153741)	
The SA should contain a fuller assessment and development scoping exercise must be carried out on the East Hemel Hempstead (North) development to ensure that the area maintains an appropriate landscaping and character, sympathetic to the nearby settlement.	The SA has provided a 'high level' assessment of Policy S6 i) East Hemel Hempstead (North) Broad Location. More detailed consideration of landscaping and character will be given at the Masterplanning and detailed planning application stages.
The Dak (ID 1186131) and multiple individuals/groups/companies making the same representation	
<p>The audit trail of where and when the decision was made to solely focus on strategic sites is almost impossible to follow. It is not set out clearly within the Sustainability Appraisal report and seems to have been a decision arrived at through discussions at various Planning Policy Committee meetings.</p> <p>The Sustainability Appraisal report is required by European law to detail the likely significant environmental effects of the Local Plan and of the reasonable alternatives. It is also a soundness test for the Local Plan to be considered against reasonable alternatives.</p> <p>It is not clear where or how the Council has assessed the option of focusing solely on strategic sites and compared it with the reasonable alternative of allocating a larger number of smaller sites. There are advantages and disadvantages with strategic sites. For example, it is accepted that larger sites are often better able to provide on-site infrastructure. However, they take longer to deliver and are more prone to delays than smaller sites. This is an important consideration given the historic under-delivery of housing and the affordability issues that have been created. There does not appear to be any like-for-like comparison to enable respondents to understand how the decision has been taken and how different factors have been</p>	<p>During the process to develop the Local Plan there has been extensive and detailed consideration of options and reasonable alternatives. Whilst the SA has informed the process it is not the purpose of the SA to decide the alternative to be chosen for the Local Plan, nor is it the role of the SA to determine what is and what isn't a 'reasonable alternative' – those are both decisions to be made by the plan-making authority.</p> <p>The SA has assessed all the options which the Council has considered to be reasonable alternatives. Section 4 of the SA Report provides information on the various stages at which different sites have been considered in the SA process.</p> <p>As reiterated in the SA Working Note (January 2018), which</p>

<p>weighed.</p> <p>The housing issue is particularly important because of the strong influence on delivery rates that arises from the strategic-sites-only approach. Despite a five-year period that begins in 2020 and despite ignoring any historic shortfall, the Council is still unable to demonstrate a five-year land supply because of the lack of small- and medium-size sites. The “stepped” housing trajectory employed by the Council is only necessary because of the focus on strategic sites. The negative consequences of this should have been recorded in the Sustainability Appraisal and explicitly considered in the Council’s decision-making.</p>	<p>was produced at the Regulation 18 stage, the Council considered a series of options for the development strategy (see Section 4.4.1. of the SA Report (September 2018)). The Council’s preferred approach was based on Option 1a (Mixed Location / Scale Development) which relied on larger strategic sites to deliver the levels of development to meet local needs. As a result it was only strategic sites which were subsequently considered for inclusion in the Local Plan.</p> <p>However, whilst the larger strategic sites provide the best opportunities for infrastructure provision and planning gain opportunities, including biodiversity enhancements, when compared to a larger number of smaller developments, the SA of the Publication Local Plan did recognise that in addition to the larger sites, smaller sites do play an important role in delivering the housing requirement.</p> <p>In the assessment of Policy S4 Housing Strategy and Housing Requirement/Target the SA identifies positive effects against SA13 (Sustainable locations) in relation to the policy’s recognition that smaller sites, including those of half a hectare or less, have been and will continue to be an important source of housing land supply.</p>
Sustainability implications of the spatial strategy have not been properly assessed	The assessments of Policy S1 Spatial Strategy and Settlement Hierarchy, as well as Policy S2 Development Strategy, identify the implications of using the approach to the spatial strategy that is included in the Publication Local Plan.
M Scott Properties (ID 1185913 and ID 1185991)	
Flawed assessment of Park Street Garden Village. No acknowledgement of the planning permission for the SRFI on the site of the proposed Park Street Garden Village	See response above to similar comments made in the representation by Helioslough.
SA methodology excludes small to medium sites in sustainable locations with facilities beneficial for any development	See the comments above made in response to the representation by The Dak.
<p>SA is inconsistent with the proposed 2020 commencement date for the emerging Local Plan.</p> <p>The SAR contains no justification for the 2020 start date of the ELP. This is inconsistent with national policy, particularly the NPPF 2018 which states at paragraph 11 that: “11. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that: a) Plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change.”</p>	It is not the role of the SA to justify the start date for a Local Plan.

It is not considered that the ELP meets development needs nor is sufficiently flexible to adapt to rapid change given it does not cover the period to 2020.	
The SA should provide an objective-led approach whereby the potential impacts of a development plan, its allocations and all reasonable alternatives are appraised to the same level of detail in order to identify their contribution to sustainable development	At each separate stage of the SA process the policies/sites have been assessed at the same level of detail.
Support the SA statement that not all villages are suitable for accommodating growth	Noted
The SA does not consider financial implications of providing infrastructure	The Sustainability Appraisal process is not required to, or designed to, take such financial considerations into account.
Martin Grant Homes and Kearn Properties (ID975683)	
SA does not make it clear why Land East of Redbourn was rejected	Section 4.4.2. of the SA Report provides an explanation of why the Land East of Redbourn was not included as an allocation in the Publication Local Plan.
Individual respondent (ID1185630)	
The SA demonstrates full compliance with the Plan's requirement to consider social, economic and environmental factors	Noted
Redbourn Parish Council (ID759908)	
The SA fails to address the negative consequences of housing provision on large strategic sites and the impacts this has on supply	<p>The assessments for the strategic sites did identify adverse effects against some of the SA objectives.</p> <p>In relation to the comment on supply, see the response to The Dak above.</p>
No consultation was undertaken for North East Redbourn site at the Issues and Options stage. Unclear how the site (as well as other 'omission sites') was explored as an alternative in the Sustainability Appraisal (SA)	<p>The Issues and Options Regulation 18 consultation stage in January 2018 considered potential approaches for providing new development to meet the needs of the local population but did not include Broad Locations. Section 4.3.3.3. of the SA Working Note (January 2018) states "... At this new Regulation 18 stage in the development of the Local Plan there has been no new assessment of sites or wider broad locations. This work will be undertaken during the SA that is undertaken as part of the development of the Publication Local Plan."</p> <p>Subsequently, the North East Redbourn site was considered as a 'reasonable alternative' alongside assessments of 11 other broad locations in the SA Working Note prepared for</p>

	the Planning Policy Committee in May 2018. Section 4.4.2 of the SA Report (September 2018)) provides a summary of the findings, including the reasons behind North East of Redbourn not being taken forward into the Publication Local Plan, whilst the full SA Working Note is included as Appendix E12 to the SA Report. The opportunity for consultation on the SA Report was provided at the Regulation 19 stage.
Batford Community Action Group (ID 1185696)	
SA will not be finished until March 2019. No chance to respond.	<p>The SA Report was prepared in September 2018 and was part of the consultation at the Local Plan Regulation 19 stage. This is the statutory requirement for the publication of the SA Report.</p> <p>This SA Report Addendum provides some additional details to support the SA Report, but as the Local Plan has not been subject to any Major Changes between the Regulation 19 consultation and Submission there is no requirement for additional consultation to be undertaken.</p>
Leverstock Green Village Association	
The allocation of East Hemel Hempstead (South) does not appear to be evidence based, with the allocation of the broad location reaching far beyond the Green Belt Review's recommendations for release. The Sustainability Appraisal conclusions for this policy also do not seem to differ greatly for the previous conclusions for a site which was allocated for fewer dwellings.	The SA has highlighted the main opportunities and constraints for the Broad Location, both for the site identified in the Strategic Local Plan and for the larger area allocated in the Local Plan. Where additional constraints have been identified for the larger site these have been identified. However the larger site does not include any additional significant constraints and therefore the original assessments have not been substantially changed.
<p>5. Habitats Regulations Assessment</p> <p>5.1 Annex 1 of the SA (2018) of the St Albans Local Plan includes a copy of the HRA Screening update (originally prepared in 2008). This considers the impact of the recent EU Court Judgment of the 'People Over Wind' case and determines that the findings of the 2008 HRA Screening remain valid and that the current version of the Plan will not have likely significant effects on the Chilterns Beechwoods SAC.</p> <p>5.2 The Screening is reliant on assessment of earlier work including, for example, potential growth sites included in the 2006 Issues and Options Paper: Growth at Hemel Hempstead. Although it is acknowledged that this did consider a wide range of growth options the document is dated and must be considered in combination with growth that has taken place since then and potential impacts on the SAC.</p>	<p>The SA Screening Update reviewed the findings of the previous HRA and considered new evidence relating to the Chiltern Beechwoods SAC as well as other factors, including recreational disturbance and air quality effects, in order to confirm whether the findings still stood.</p> <p>Natural England agree with the conclusion of the Habitats Regulations Assessment (HRA) that there will be no likely significant effects on any European Site.</p>

<p>5.3 The Screening also suggests that because the remainder of the 2008 HRA Screening (i.e. that beyond issues associated with out-commuting for employment) concluded that there was no need for mitigation measures to conclude 'no likely significant effects', the 'People Over Wind' ruling does not have any implications for this update and, as such, an Appropriate Assessment is not required.</p> <p>5.4 Natural England is being consulted on the HRA Screening alongside consultation on the Local Plan and so, as yet, their response is unknown. We suggest that it is inappropriate to rely on evidence and material prepared more than a decade ago and that all up-to-date and current evidence must be considered before a conclusion can be satisfactorily made.</p>	
<p>8. East Hemel Hempstead (South) Broad Location (Site Specific Matters)</p> <p>...</p> <p>Sustainability Appraisal Findings</p> <p>8.26 The site was previously allocated in the 2016 Strategic Local Plan in Policy SLP13 a), which required the development to deliver a minimum of 1,000 dwellings.</p> <p>8.27 Given that the dwelling allocation has significantly increased by 1,400 dwellings to 2,400 dwellings, it is expected that there would be significant changes in the assessment of impacts in the Sustainability Appraisal.</p> <p>8.28 However, the Sustainability Appraisal does not conclude that there are significant differences between the allocation of fewer dwellings in the 2016 SLP and the 2018 Local Plan as shown in Figures 8.3 and 8.4 below.</p> <p>8.29 For two objectives, the 2018 SA assesses that the larger development would be marginally more sustainable than the smaller development assessed in the 2016</p> <p>Sustainability Appraisal. Differences are shown for the 'Soils' objective where the 2016 SA assesses 'significant adverse effects' and the 2018 SA assesses the soils objective as 'unsustainable'. The assessments for the landscape & townscape objective also differ between 2016 and 2018, with the assessment of the effect on landscape changing from 'significant adverse effects' to 'unsustainable'. This is curious given that the site is situated on the same area.</p> <p>8.30 There are only three objectives where the 2018 SA predicts marginally more unsustainable effects for the significantly larger development (revising the assessment from 'very sustainable' to 'sustainable'): 'equality/social inclusion', 'sustainable prosperity and growth' and 'fairer access to services'.</p> <p>8.31 The LGVA therefore do not consider that the Sustainability Appraisal has fully considered the impact of increasing the dwellings by 140%.</p>	<p>The assessment for the soils objective (SA4) was updated from "significant adverse" in 2016 to 'minor adverse' in 2018 in order to reflect the new information produced by Natural England in 2017 relating to agricultural land quality. The latest evidence indicated that approximately 19% of the site contains Best and Most Versatile (BMV) agricultural land.</p> <p>The 2016 assessment used a methodology whereby the presence of any amount of BMV resulted in a 'significant adverse' score, whereas in 2018 a more robust methodology was used which only allocated such a score if more than 25% of the site is classified as BMV land.</p> <p>The assessment for the landscape and townscape objective (SA11) was updated from "significant adverse" in 2016 to 'minor adverse' in 2018 as the later assessment took account of the fact that none of the area is designated as a Landscape Character Area in the St Albans Local Plan, nor is it covered by any other designation.</p>