

**Sandridge Neighbourhood Plan**

**Strategic Environmental Assessment  
Screening Report**



**27th July 2018**

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## 1. Introduction

- 1.1 This screening report is designed to determine whether or not the contents of the Sandridge Neighbourhood Development Plan require Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2 The purpose of the Sandridge Neighbourhood Development Plan is to provide planning policies to guide development in the designated Sandridge Neighbourhood Plan area.
- 1.3 Following review of the Planning Practice Guidance (PPG) and best practice it is the view of St Albans City and District Council (SADC) that it is the responsibility of the qualifying body, in this case Sandridge Parish Council, to carry out the SEA screening assessment.
- 1.4 SADC however recognises that it is also, ultimately, the responsibility of the Local Planning Authority (LPA) to ensure that SEA requirements have been met. It has to do this when it considers whether the plan preparation process and content meets the requirements of relevant legislation. It does this before passing the Plan to independent examination and, potentially, again when it receives the Neighbourhood Plan Examiner's Report on whether the Neighbourhood Plan basic conditions are met ([paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#)) and when deciding if the Plan should be passed to referendum. It is therefore advantageous for the qualifying body and the LPA to work together on this issue from an early stage to provide clarity and an efficient approach.
- 1.5 SADC has therefore agreed to provide Sandridge Parish Council with a SEA screening assessment.
- 1.6 There are numerous examples of Neighbourhood Plan SEA screening assessments from across the country. Best practice research suggests that the approach taken by Cornwall Council provides a useful model. Cornwall Council uses a simple and clear assessment and report template. Several other Hertfordshire LPAs have used this approach as a basis for their Neighbourhood Plan screening work.
- 1.7 Section 2 outlines the legislation that necessitates this screening exercise. Section 3 sets out the statutory criteria against which the screening assessment is made. Section 4 provides the specific screening assessment of the likely significant environmental effects of the Neighbourhood Plan and draws a conclusion on whether there is a need to undertake SEA.

## 2. Legislative Background

- 2.1 The basis for SEA legislation is European Directive [2001/42/EC](#). This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance on these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005). There are related EU requirements to consider environmental impacts of plans and programmes under the Habitats Directive (ref. Council Directive [92/43/EEC](#)).
- 2.2 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all Development Plans (Local Development Documents - LDDs). This was to provide a method of meeting the legal requirement of

the EU Directive on SEA alongside a wider socio – economic appraisal of Development Plans.

- 2.3 Neighbourhood Plans are not LDDs and are not therefore legally required to be subject to SA. It is however advisable to carry out some form of sustainability (economic, social and environmental) assessment as part of the overall Neighbourhood Plan preparation process. Various forms of best practice guidance are available. SADC recommends guidance by CABE/Levett-Therivel and URS Scott Wilson - 'DIY SA': Sustainability Appraisal (including strategic environmental assessment) of Neighbourhood Plans (<https://levetttherivel.files.wordpress.com/2015/09/diysa.pdf>) and CPRE - How to shape where you live: a guide to neighbourhood planning (<http://www.cpre.org.uk/resources/housing-and-planning/planning/item/download/3038>).
- 2.4 Neighbourhood Plans are produced under the Localism Act 2011. The Localism Act requires Neighbourhood Plans to be compatible with EU and human rights legislation. Depending on their content, Neighbourhood Plans may therefore trigger the Strategic Environmental Assessment Directive and Habitats Directive. They therefore need to be screened to decide whether SEA is required. Where SEA is required, if the Qualifying body prepares its Neighbourhood Plan on the basis of an SA approach in a form similar to that required for DPDs, this will meet SEA requirements.
- 2.5 If the qualifying body prepares their Plan using a comprehensive SA approach from the outset, this will obviate the need for a separate SEA process. It follows that there will then be no need to undertake an SEA screening assessment.
- 2.6 This screening assessment reported here is made in a case where the Neighbourhood Plan does not feature a comprehensive SA approach/report. The assessment screens for potential significant environmental effects that may arise taking account of the statutory SEA criteria. This determines whether SEA should be undertaken.

### 3. Criteria for Assessing the Effects of the Neighbourhood Plan

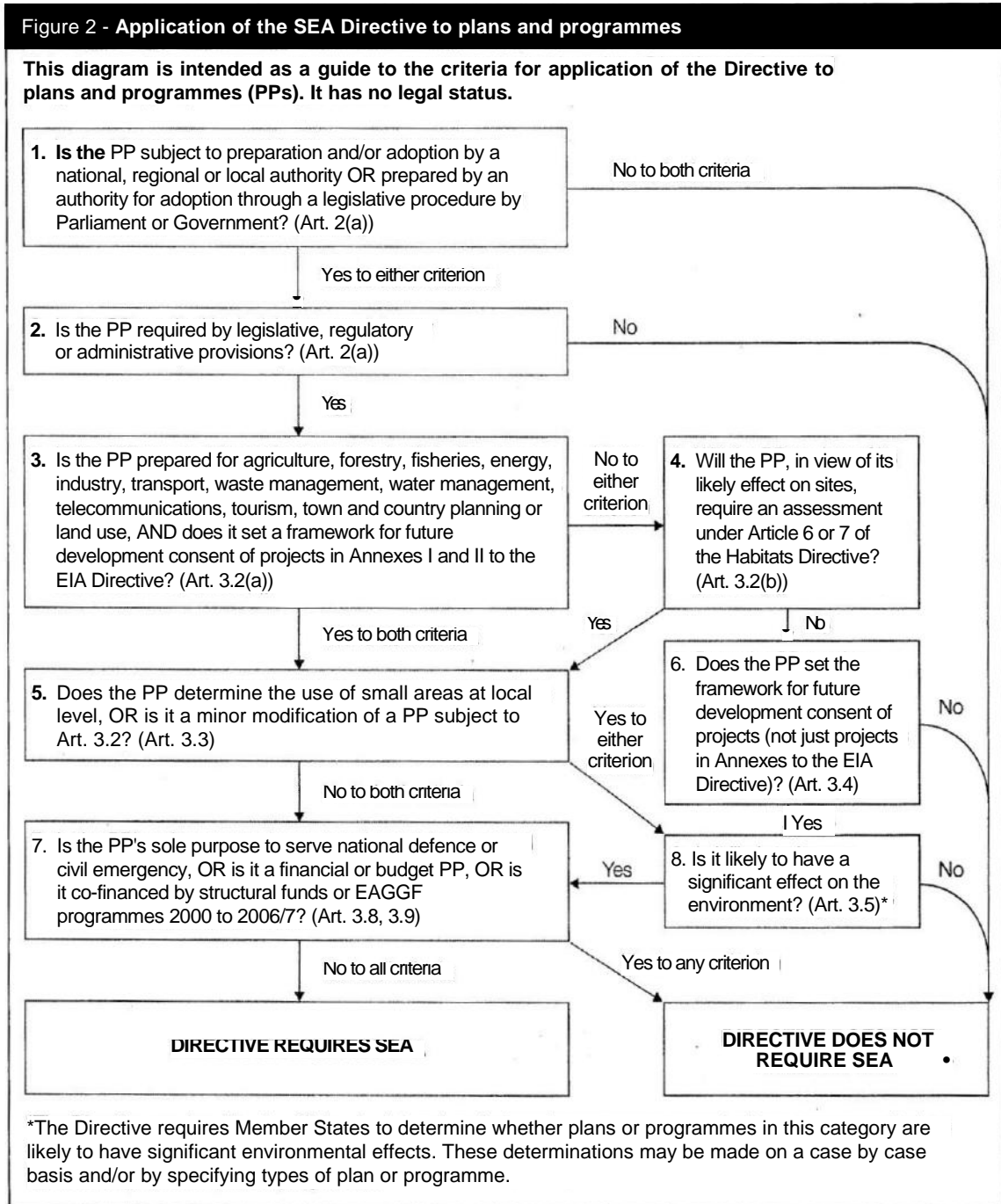
#### 3.1 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

1. The characteristics of plans and programmes, having regard, in particular, to
  - 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,
  - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
  - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
  - environmental problems relevant to the plan or programme,
  - 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).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
  - the probability, duration, frequency and reversibility of the effects,
  - the cumulative nature of the effects,
  - the transboundary nature of the effects,
  - the risks to human health or the environment (e.g. due to accidents),
  - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
  - the value and vulnerability of the area likely to be affected due to:
    - special natural characteristics or cultural heritage,
    - exceeded environmental quality standards or limit values,
    - intensive land-use,
  - the effects on areas or landscapes which have a recognised national, Community or international protection status.

Source: Annex II of SEA Directive 2001/42/EC

#### 4. Assessment

4.1 The extract below from government guidance 'A Practical Guide to the Strategic Environmental Assessment Directive' sets out the process for determining whether SEA is required.



4.2 Table 1 below shows the assessment of whether the neighbourhood plan will require full SEA. The questions below are drawn from the diagram above which sets out how the SEA Directive should be applied.

Table 1: Establishing the need for SEA

Stage	Yes/No	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	The PP will be prepared by Sandridge Parish Council and will be 'brought into force' by St Albans District Council.  Go to Stage 2
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	A Neighbourhood Plan is not required by legislation but is optional under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011. If a Neighbourhood Plan is however 'brought into force' it will form part of the Development Plan for the District. There should therefore be a screening process to consider whether the PP is likely to have significant environmental effects, and therefore whether SEA is required.  Go to Stage 3
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Yes  AND  No	Prepared for town and country planning.  AND  The PP will sit within a wider framework (NPPF and Local Plan) and although the PP will set out a framework for future development, such projects are not on the scale referred to in Article 4(2) of the EIA Directive.  Go to Stage 4
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	No	There are no Natura 2000 sites in the District or adjacent the PP area, therefore an assessment is not required.  Go to Stage 6
5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes	The PP will determine the use of small areas at a local level.
6. Does the PP set the framework for future development consent of	Yes	The PP will be used, together with national planning policy and Local Plan

<p>projects (not just projects in annexes to the EIA Directive)? (Art 3.4)</p>		<p>policy, to assess and determine planning applications.</p> <p>Go to Stage 8</p>
<p>7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)</p>		<p>Not applicable</p>
<p>8. Is it likely to have a significant effect on the environment? (Art. 3.5)</p>	<p>No</p>	<p>The Sandridge Neighbourhood Plan does not allocate sites for development.</p> <p>The plan includes policies which seek to protect and enhance biodiversity landscape and heritage assets and generally mitigate adverse environment effects.</p> <p>The Plan will not therefore have a significant effect on the environment (see assessment in Table 2).</p> <p><b>SEA not required</b></p>



<b>Table 2: Potential significant effects</b>	
<b>SEA requirement</b>	<b>Comments</b>
The characteristics of the plan or programmes having regard, in particular, to:	
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,	<p>The Plan will set a framework for projects and other activities as it will form part of the Development Plan.</p> <p>The Plan will however sit within the wider planning policies in the National Planning Policy Framework (NPPF) and the adopted Development Plan (primarily the St Albans District Local Plan Review - DLPR). The Plan adds local detail to these policies. It does not promote or propose new development contrary to existing Development Plan policies (e.g. urban areas available for development and areas that are constrained for development, such as Green Belt / Landscape Conservation Areas).</p>
b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,	<p>The plan sits below the DLPR in the hierarchy of plans.</p> <p>A Neighbourhood Plan can however seek to influence the preparation of a new St Albans District Local Plan in a way that might have significant environmental effects.</p> <p>In this case, as noted above, the plan does not seek such influence. It primarily works within the policies of the DLPR.</p>
c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	<p>The NPPF requires a presumption in favour of sustainable development which should be seen as ‘a golden thread running through both plan-making and decision-taking’ (paragraph 14, NPPF). To meet the basic conditions, the Plan must contribute to the achievement of sustainable development.</p> <p>The Plan is therefore relevant in this respect.</p>

<p>d) environmental problems relevant to the plan or programme,</p>	<p>The Plan does not seek to allocate development sites. The Plan does not seek to add further additional levels of constraint to national or local Plan policies.</p> <p>The Plan has policy relating to managing flood risk. Development in ancient woodland is discouraged, although not specifically referenced, relying on strategic policy in the NPPF.</p> <p>The Plan area is partly within a Natural England 'Impact Risk Zone' for the Sherrardspark Wood Site of Special Scientific Interest. There is no expected impact on the SSSI from the Plan. There are no other relevant national environmental designations in the Plan area.</p> <p>The Plan will not have a significant effect on the environmental issues and related designations.</p>
<p>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).</p>	<p>The plan is not directly relevant to the implementation of Community legislation on the environment.</p>
<p>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p>	
<p>a) the probability, duration, frequency and reversibility of the effects,</p>	<p>Decisions made using the policies of the plan will lead to some permanent changes in the local environment that can be readily predicted (high probability). The changes can be of long duration, but are generally, potentially, reversible.</p> <p>These changes will, however, be low in frequency and of small scale. They will therefore have very limited effects, particularly on fundamental environmental systems.</p>
<p>b) the cumulative nature of the effects,</p>	<p>The Plan does not seek to allocate development sites. There will be some cumulative effects on local infrastructure (e.g. roads and water treatment) from windfall sites, but environmental effects would not be significant and can be mitigated.</p>

c) the transboundary nature of the effects,	<p>The plan covers the areas administered by Sandridge Parish Council only.</p> <p>Because of the hierarchy of Neighbourhood Plan, national policy (NPPF) and Local Plan, policy decisions taken in respect of the plan area will not have transboundary impacts.</p>
d) the risks to human health or the environment (e.g. due to accidents),	<p>The policies proposed by the plan do not present significant or direct risks to human health or the environment.</p>
e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	<p>The plan area covers approximately 1,500 hectares and has a population of approximately 11,451 (2011 census). Development of the scale proposed (see above) will not have significant environmental effects on surrounding areas.</p>

<p>f) the value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>i) special natural characteristics or cultural heritage,</li> <li>ii) exceeded environmental quality standards or limit values,</li> <li>iii) intensive land-use,</li> </ul>	<p>Potential value and vulnerability issues are only evident in:</p> <ul style="list-style-type: none"> <li>• <u>Built environment qualities</u>: The impact of small scale developments on the character and appearance of the Conservation Area or the Green Belt. The plan aims to ensure development preserves and enhances these designations through detailed policies.</li> <li>• <u>Natural / semi natural environment and Biodiversity</u>: There are areas of Ancient woodland and other Local Wildlife Sites. The Plan has been formulated around the need to avoid impacts on these designations.</li> <li>• <u>Landscape quality</u>: Development can damage valued landscapes. The area contains DLPR Landscape Conservation Areas. No sites have been allocated for development. The Plan will not have a significant effect on this designation.</li> <li>• <u>Air pollution</u>: Traffic levels can increase air pollution effects. There are no AQMAs in the Neighbourhood Plan area.</li> <li>• <u>Water resources</u>: Development levels increase effects on water resources and water quality. No sites have been allocated for development. The Plan will not have a significant effect.</li> </ul>
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g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	There are no Ramsar sites in the District and no SSSIs in the Neighbourhood Plan area. There are no recognised national landscape designations.
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## 5. Screening Outcome

- 5.1 As a result of the assessment in section 4, SADC has concluded that there are no significant environmental effects arising from the Sandridge Neighbourhood Development Plan in terms of statutory SEA requirements. SADC's screening decision is therefore that SEA of the plan is not required.
- 5.2 The draft report was sent to the environmental assessment consultation bodies, Historic England, the Environment Agency and Natural England 24 May 2018. Environment Agency (Appendix 1), Natural England (Appendix 2) and Historic England (Appendix 3) concurred with SADC's conclusions.
- 5.3 Based on the assessment in section 4 and the responses from the environmental assessment consultation bodies it is therefore concluded that the Sandridge Neighbourhood Development Plan would not have a significant effect on the environment and that SEA of the Sandridge Neighbourhood Development Plan is not required.

## APPENDIX 1

creating a better place



Joanna Woof  
St Albans District Council  
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St. Albans  
Hertfordshire  
AL1 3JE

**Our ref:** NE/2006/000316/SE-04/SC1-L01  
**Date:** 30 May 2018

Dear Joanna

### **Sandridge Neighbourhood Plan Screening Opinion for SEA**

Thank you for consulting us on the draft SEA screening report.

Based on a review of environmental constraints for which we are a statutory consultee, there are no areas of fluvial flood risk, Source Protection Zones for groundwater or watercourses affected by the neighbourhood plan area. Therefore we do not consider there to be potential significant environmental effects relating to these environmental constraints.

Please note that there are Source Protection Zones for groundwater in the north of the Neighbourhood Plan area.

Your Surface Water Management Plan will indicate if there are any critical drainage areas from local sources of flood risk (e.g. surface water, groundwater and sewerage) which coincide with the neighbourhood plan area.

For your information we have published joint advice with Natural England, English Heritage and the Forestry Commission on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans.

This is available at:  
[http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/lit\\_6524\\_7da381.pdf](http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/lit_6524_7da381.pdf).

Should you have any queries regarding this response, please contact me.

Yours sincerely

**Chris Padley**  
**Sustainable Places Planning Advisor**

Direct dial 0208 4749329  
E-mail [HNL.SustainablePlaces@environment-agency.gov.uk](mailto:HNL.SustainablePlaces@environment-agency.gov.uk)

End



## APPENDIX 2

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Date: 22 June 2018  
Our ref: 247903  
Your ref: Sandridge Neighbourhood Plan



[Joanna.Woof@stalbans.gov.uk](mailto:Joanna.Woof@stalbans.gov.uk)

BY EMAIL ONLY

Hornbeam House  
Crewe Business Park  
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T 0300 060 3900

Dear Ms Woof,

### Sandridge Neighbourhood Plan

Thank you for your consultation on the above dated and received by Natural England on 24 May 2018

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 are concerned (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 SEA Directive is contained within the National Planning Practice Guidance<sup>1</sup>. 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

Miss Rachel Bowden  
Consultations Team

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Ms Joanna Woof  
St. Albans City and District Council  
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ST. ALBANS  
Hertfordshire  
AL1 3JE

Direct Dial: 01223 582746

Our ref: PL00428842

29 June 2018

Dear Ms Woof

**Re: SEA Screening Report for Sandridge Neighbourhood Plan**

Thank you for your email of 24 May 2018 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. Therefore we welcome this opportunity to review this Screening Report. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Sandridge 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 Screening Report indicates that the Council considers that the Sandridge Neighbourhood Plan will not have any significant effects on the historic environment. We note that it does not seek to allocate any sites for development.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

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.

We should like to stress that this opinion is based on the information provided by you with your correspondence dated 24 May 2018. 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 consider that, despite the SA/SEA, these would have an adverse effect upon the environment.



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*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.*



Historic England

EAST OF ENGLAND OFFICE

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.

Yours sincerely,



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