

WALLINGTON NEIGHBOURHOOD PLAN

2022 – 2035

SEA and HRA Screening Determination

**For consultation with Historic England, Environment Agency, and Natural
England**

March 30 2022

Application reference:	Wallington Neighbourhood Plan
Application address:	Rushden and Wallington Parish Council clerk@rushdenandwallingtonpc.co.uk Contact: Mark and Michelle Hopley (Clerks)
Application description:	Request for SEA and HRA screening of the Wallington Neighbourhood Plan

1. Introduction

This report sets out the Screening Determination for the Wallington Neighbourhood Plan and has been prepared by Wallington and Rushden Parish Council. The purpose of the screening is to assess if the Wallington Neighbourhood Plan will require a Strategic Environmental Assessment (SEA). More detail is given in the following sections on SEA (section 2) and Neighbourhood Plans (section 3), and Wallington Neighbourhood Plan specifically (section 4).

The assessment of the Wallington Neighbourhood Plan and the Final Determination is included in sections 5, 6 and 7.

In addition to the SEA screening, this document also includes a Determination to assess whether a Habitats Regulations Assessment is required. This is set out, with the draft conclusion, in Section 8.

2. Strategic Environmental Assessment Context

European Union Directive 200142/EC requires an SEA to be undertaken for certain types of plans or programmes that could have significant environmental effects. The Directive has been transposed into law for England and Wales in the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). The purpose of Strategic Environmental Assessment is to promote sustainable development through assessing the extent to which the plan will help to achieve relevant environmental, economic and social objectives.

Under Regulation 9 of the Regulations, the responsible body (local parish or town council or neighbourhood forum) is required to determine whether a plan or programme is likely to have significant environmental effects, and therefore whether an SEA is required. This process is called screening, and is undertaken using a specified set of criteria (set out in Schedule 1 of the Regulations). The Regulations require that the results of this process are set out in an SEA Screening Determination (this document), which must be publicly available. This document should be submitted with the Neighbourhood Plan proposal and made available to the independent examiner.

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

3. Neighbourhood Plans and Strategic Environmental Assessment

Planning Practice Guidance states that *“to decide whether a draft Neighbourhood Plan might have significant environmental effects, it must be assessed (screened) at an early stage of the plan’s preparation according to the requirements set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004”*¹ .

The Guidance also suggests that *“The local planning authority, as part of its duty to advise or assist, should consider putting in place processes to determine whether the proposed Neighbourhood Plan will require a strategic environmental assessment.”*² In this case North Hertfordshire District Council (NHDC) is providing assistance by undertaking the screening determination.

The Guidance notes particular circumstances which may require a SEA³:

“A strategic environmental assessment may be required, for example, where:

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

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

4. Wallington Neighbourhood Plan

The Wallington Neighbourhood Plan (WNP) relates to Wallington village and its rural surrounds, as shown in Figure 1. Rushden village, although within the parish boundary, is not included in the neighbourhood plan area.

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

² ibid

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

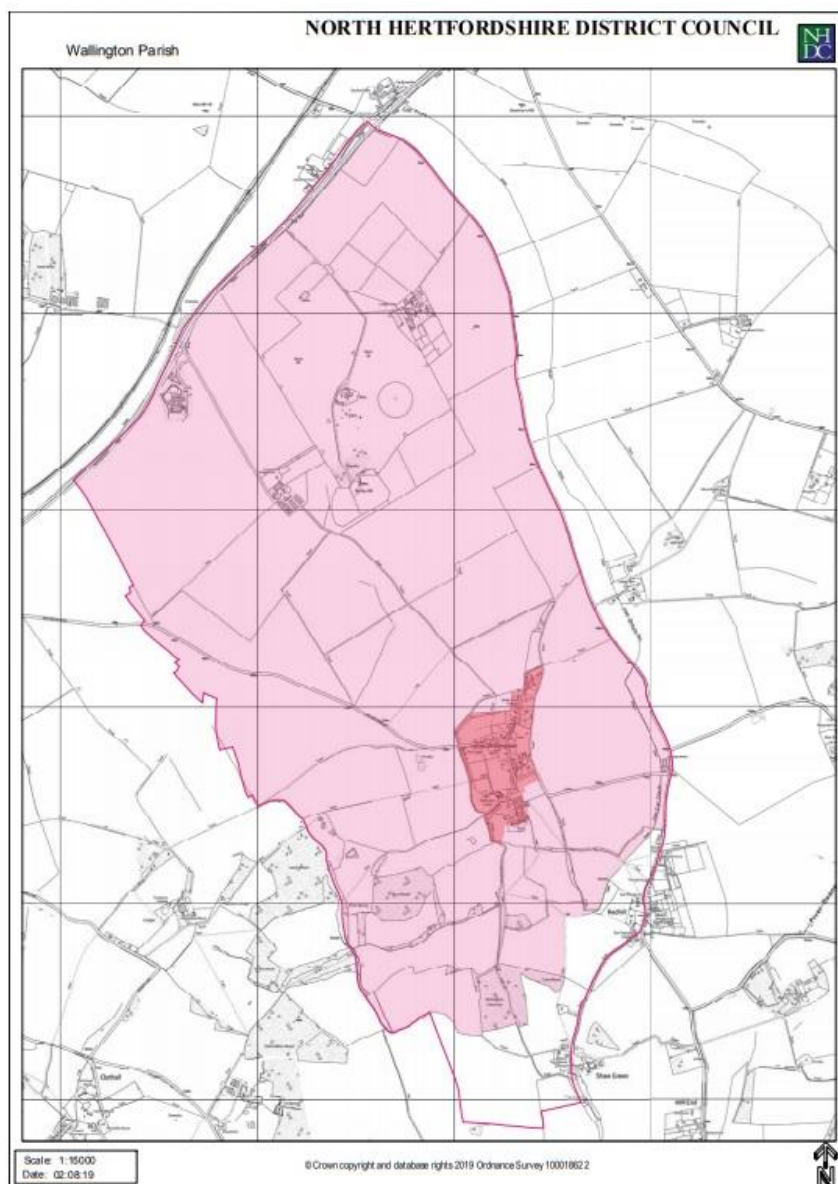


Figure 1: Wallington Neighbourhood Plan designated area – the dark pink line denotes the parish boundary. Dark pink shaded area relates to the village itself and the light pink area indicates the surrounding rural area. Both shaded areas form the neighbourhood area.

North Hertfordshire District Council (NHDC), as the local planning authority, designated the neighbourhood area on 22 April 2020. Once 'made', the WNP will form one part of the development plan for this part of the parish over the period 2022 to 2035, the other part being the saved policies from the North Hertfordshire District Local Plan No.2 with Alterations (adopted 1996). North Hertfordshire District Council (NHDC) is well advanced at February 2022 in the process of developing a new Local Plan, which will set out a development strategy for the district up to 2031.

The WNP provides guidance to any interested parties wishing to submit planning applications for development within the neighbourhood area. The process of producing the Plan has involved the community as widely as possible. The Neighbourhood Plan Working Group has comprised up to 12 volunteers at any one time, representing almost 10% of the population of the village. In consultation with the wider community, they have put together a vision for the future of the neighbourhood area

and set out how that vision will be realised through planning land use and development change over the plan period.

The village of Wallington is very small, home to approximately 150 residents. It is very rural in nature and is perhaps best-known as providing the inspiration for George Orwell's Animal Farm.

The community has been heavily involved in the development of the WNP. A summary of the engagement and other activities to prepare the WNP is shown in Table 1.

Table 2.1: Summary of engagement activity

Date	Milestone	Key activities
2020	Parish Council decides to undertake a neighbourhood plan Develop draft vision and objectives Community engagement to gather feedback on vision and objectives and evidence on each topic	<ul style="list-style-type: none"> • Neighbourhood Area designated • Neighbourhood Plan Working Group formed • Provisional topic areas considered and draft vision and objectives developed • Local exhibition to launch the plan • Postcard delivered to all households to gain views on the future of Wallington
2020 to 2021	Developing robust evidence base on the topics Further local consultation	<ul style="list-style-type: none"> • Commission Local Housing Needs Assessment to understand the type of housing needed locally • Commission Design Codes work to provide assessment of local character • Devise and undertake Local a Housing Needs Survey to understand the wish for type of housing locally • First of several planned village walks to see environment first hand • Local housing and Green spaces surveys • Face-to-face meetings with local groups and interested parties where necessary • Various updates provided via Village newsletters, social media etc. • Initial drafting of plan and policies
2022	Developing and testing the options Regulation 14 Consultation	<ul style="list-style-type: none"> • Feedback from the community on the Informal Draft plan including refined vision, objectives and emerging policies • Feedback sought from NHDC to amend plan in readiness for Regulation 14 • Plan finalised following feedback from the community • Statutory period of consultation undertaken

	Finalising the Plan – to be completed	<ul style="list-style-type: none"> • Village consultation events • Responses and amending the Plan • Submission of Plan to NHDC • Regulation 16 Consultation • Examination • Referendum
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Engagement with the local community has enabled the following vision and objectives to be agreed:

Vision:

The purpose of this plan is to protect the character of Wallington and enhance the community as this small rural village evolves. We aim to maintain an attractive environment for the evolving lifetime requirements of individuals and families, whilst preparing for future challenges. We intend to maintain a sympathetic mix of building styles, interspersed with green spaces. Opportunities will be sought to facilitate appropriate, small-scale economic activity.

Objectives:

Objective 1: Preserving the beautiful natural setting of the village, maximising biodiversity and safeguarding valued green spaces in the village.

Objective 2: Reinforcing the distinctive character of the village, by safeguarding local heritage assets and setting out locally-specific, sustainable design principles for developments.

Objective 3: Supporting village life through the safeguarding of community assets and facilities and encouraging participation in village activities.

Objective 4: Supporting the provision of limited infill housing where it meet local needs.

Objective 5: Supporting opportunities for economic activity locally that can be achieved sympathetically to the village, for instance home-working and farm diversification.

The plan comprises ten policies to contribute to the delivery of the objectives and overarching vision. The WNP does not seek to allocate sites for development. Rather it sets out a suite of policies to guide development and land-use locally, with the overarching aim of retaining the rural nature of the village, preserving local heritage and supporting a thriving community. It is not anticipated that there will be much development in the area, beyond small-scale windfall or extensions/ redevelopments of existing sites (mainly former agricultural).

A summary of what they seek to achieve is provided below:

Policy W1: Location of development: The policy sets out where development is considered appropriate. No sites are allocated for development in either the Local Plan or the WNP. It is anticipated that any development coming forward therefore will be as windfall. The Local Plan suggests that any such infill should be directed to the village core and suggests that the WNP might define what this means in the Wallington context. The policy defines this, based on a set of criteria exploring settlement patterns, green spaces, local heritage and key routes for instance. It is

considered that this is a positive policy to direct any small-scale development that may occur to the most sustainable parts of the area, including the reuse of brownfield sites. In this way, the more sensitive rural parts of the area are safeguarded.

Policy W2: Meeting local housing needs: Whilst the Plan does not allocate sites for housing, it includes a policy which seeks to influence the type (mix, affordability etc.) of any housing proposals that might come forward during the life of the Plan. These are likely to be small-scale (infill) in nature.

Policy W3: Residential development within the built core: The policy sets out the parameters for any infill development to ensure that it is in-keeping with the existing built context of the village and is achieved sustainably.

Policy W4: Reinforcing Wallington's local character through design: The policy provides additional detail to the Local Plan policies, but defining what is meant by local character in the Wallington context and seeking to ensure that new development is designed to reinforce this character. It is underpinned with a Wallington Design Guide.

Policy W5: Heritage assets in Wallington: Many of Wallington's buildings are nationally listed, reflecting the important heritage role of the village and wider area. There is also a Conservation Area covering much of the village itself. There are several heritage assets, however, which are not listed but which are considered to contribute greatly to the history and character of the village. These are identified as non-designated heritage assets, to afford them greater protection in any planning decisions that may impact them. The conservation of above and below ground heritage assets – both designated and non-designated – is supported.

Policy W6: Design to mitigate climate change: The policy recognises the need for development proposals to contribute to climate change mitigation and supports a series of measures to ensure that developments are undertaken to the highest environmental standards.

Policy W7: Locally significant views: The character and landscape of the parish is greatly valued and a series of important views/viewpoints have been identified that are considered to contribute greatly to the enjoyment of this. These should, where possible, be safeguarded from the impacts of any development.

Policy W8: Green and blue infrastructure, landscape features and biodiversity: The policy maps out, at the local level, the main habitats and wildlife corridors that exist in the area. The policy seeks to conserve and enhance these where possible. Additionally, natural features that are particular to the area are identified and the policy seeks to safeguard these. This includes, for instance, trees and hedgerows.

Policy W9: Local Green Spaces: The community has identified 13 green spaces that are demonstrably special and which should be safeguarded from inappropriate development.

Policy W10: Rural enterprise: The policy supports the diversification of farm buildings to enable small-scale employment opportunities. Home-working is also supported.

In addition to the policies, the WNP identifies several community projects that are not planning related, but which will contribute to the delivery of the vision.

5. Screening assessment

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

Table 2: Assessment of likelihood of significant effects on the environment

Criteria for determining the likely significance of effects	Likely to have significant effects?	Justification for assessment
1 (a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	No	The WNP does not include site allocations and does not seek to promote more development than that set out in the adopted local plan, which is small-scale windfall. The WNP includes policies to safeguard valued natural and built features of the neighbourhood area.
1 (b) the degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	No	The policies of the WNP are in conformity with the strategic policies of the adopted Local Plan and the national planning policy framework.
1 (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	No	The WNP has been drafted with sustainability at its heart. The policies seeks to safeguard and enhance valued natural assets, conserve the built heritage and celebrate local character, and support a thriving village life. It is considered that the Neighbourhood Plan's likely impact will be to have a positive effect on the environment by providing these additional

		layers of policy protection at the local level.
1(d) environmental problems relevant to the plan	No	The plan does not promote sites for development. It directs any windfall development, which is likely to be small-scale, to the most sustainable / least vulnerable parts of the village. There are a number of policies aimed at protecting and enhancing the environment of the neighbourhood area.
1 (e) the relevance of the plan or programme for the implementation of community legislation on the environment (e.g. plans and programmes linked to waste management or water protection)	No	This is not within the scope of the WNP.
2 (a) the probability, duration, frequency and reversibility of the effects	No	The plan does not allocate sites for development and does not seek to enable more development than set out in the adopted local plan, which is likely to be small-scale windfall.
2 (b) the cumulative nature of the effects	No	As above.
2 (c) the trans-boundary nature of the effects		As above.
2 (d) the risks to human health or the environment (e.g. due to accidents)		As above.
2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)		As above.
2 (f) the value and vulnerability of the area likely to be affected due to: (i) special natural characteristics or cultural heritage (ii) exceeded environmental quality standards (iii) intensive land-use		As above. The neighbourhood area contains features that are sensitive, such as ancient woodland, heritage assets, local wildlife sites, and green

		<p>belt. Numerous important species are found in the area.</p> <p>The Plan does not allocate sites for development and the suite of policies included has the primary aim of protecting these valued features.</p>
2 (g) the effects on areas or landscapes which have a recognised national, community or international protection status	No	<p>Landscapes which have a recognised protection status include local wildlife sites, proposed Local Green Spaces and ancient woodland. The Plan does not allocate sites, rather the policies seek to reinforce the protection of these valued areas.</p>

6. Consultation responses

The Council have consulted the three statutory consultation bodies designated in the Regulations (English Heritage, the Environment Agency and Natural England) on whether an environmental assessment is required. Responses were received from two of the statutory consultees: Environment Agency and Natural England.

Due to limited resources the Environment Agency are only providing individual comments on strategic plans where the environmental risks and opportunities are at the highest. The Environment Agency have provided an advice note which sets out their substantive response to Neighbourhood Plan consultations including Strategic Environmental Assessment screening and scoping.

Natural England agreed with the draft screening report that an SEA is not required. A copy of the responses are attached as appendix B.

7. SEA Screening determination

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

- The WNP does not allocate sites for development.
- The WNP does not promote more development than is catered for in the adopted Local Plan.
- Any development in the area is likely to be small-scale, for instance windfall.
- The policies within the Plan focus on protecting and, where possible, enhancing features of the area such as habitats, wildlife corridors, heritage assets and local character.

8. Habitats Regulations Assessment

Stage 1 – Details of the plan or planning application	
a) Purpose of plan or planning application:	This is a Neighbourhood Development Plan for the neighbourhood area of Wallington, which shares its boundary with the parish, except for Rushden village.
b) Is new development or allocation of sites for development being proposed? If yes, provide details including whether the site is also allocated (or proposed for allocation) at Borough level.	The Wallington Neighbourhood Plan does not allocate sites for development nor does it support development of a greater quantum than that set out in the adopted (and emerging) Local Plans.
c) Distance and direction from plan or project area to the European Site protection area.	Eversden and Wimpole Woods SPA is located approximately 18km to the northeast of the neighbourhood area. Wormley-Hoddesdonpark Woods are located approximately 27km to the south.
d) Is the planning application or plan directly connected with or necessary to the management of the European site? If yes, provide details.	The plan has no direct connection to the way in which the sites noted above are managed.

e) Are there any other projects or plans that together with the planning application or plan being assessed could affect the European site?	This is very unlikely as the Plan is in conformity with the strategic policies of the adopted local plan, which has been subject to its own HRA, as has the emerging Local Plan.
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Stage 2 – HRA screening assessment

Screening under Regulation 63(1)(a) of the Habitats Regulations – The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA/SAC/Ramsar (excluding mitigation). See Appendix B.

The table below illustrates the findings of the screening assessment for each of the policies within the Wallington Neighbourhood Plan with reference to each of the 5 reasons (noted in Appendix A) where applicable. This assessment determines whether there is a likely significant effect (LSE) from these policies on European protected sites within 20km of the area.

Theme	Policy description	LSE?	Explanation
Spatial Strategy and Housing	Three policies setting out where development is considered appropriate and the type, size, mix and affordability of homes required to meet local needs. The policies do not seek to allocate sites for development.	N	These policies will either not lead to change, or make provision for change that has no significant effect on any European sites or is designed to protect the environment. Reasons A, B and D
Character and heritage	Four policies setting out criteria which should be considered in proposals to encourage high quality, sustainable design, reinforce local character, ensure that heritage assets – designated and non-designated – are carefully considered, and safeguard locally important views/viewpoints.	N	These policies are designed to protect the natural and historic environment, as well as supporting climate change mitigation. Reasons A and B
Countryside and green space	Two policies covering the topics of biodiversity, managing environmental impacts, and designating Local Green Spaces.	N	The policies are designed to protect the natural and historic environment, also touching on design. Reasons A and B
Rural Economy	One policy supporting proposals that will enable opportunities for work within the parish and home working.	N	The policy aims to support opportunities for employment in the parish, for instance through the provision of units to reuse agricultural sites or support home-working. It is not anticipated to

			have significant effects on European sites in the radius of the area. Reasons C and D
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Applicants should now submit this form to the Local Planning Authority.

Stage 3 – Summary of the HRA process. To be carried out by the Competent Authority (the Local Planning Authority) in liaison with Natural England.

<p>Would the proposal lead to a likely significant effect on European site integrity?</p>	<p>No</p>
<p>Planning Authority Comments:</p>	
<p>The nearest European site to the neighbourhood area is 18km away to the north.</p> <p>The Neighbourhood Plan does not allocate sites for development. It does not promote more development than is set out in strategic policy.</p> <p>The policies of the Neighbourhood Plan are largely protective in nature, emphasising the importance of safeguarding the area’s natural and built assets.</p> <p>Cumulatively, the Plan is not considered likely to have significant effects as its policies are in conformity with the strategic local plan policies, which itself has been subject to an HRA.</p> <p>Consequently, it is the opinion of North Herts District Council that an HRA is not required for the Wallington Neighbourhood Plan.</p>	
<p>Natural England Comments:</p>	
<p>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.</p>	

HRA Screening determination

In summary, it is concluded that the Wallington Neighbourhood Plan is not likely to have significant environmental effects and therefore a HRA is not required.

Appendix A

In general, the following types of effects must be considered on European sites:

- Certain effects
- Possible effects
- Uncertain effects

Where effects are uncertain, a precautionary approach must be adopted.

For it to be concluded that a planning application or policy within a plan would have no likely significant effect on a European site, one of the reasons listed below usually applies:

- (A)** The planning application or plan policy is intended to protect the natural environment, including biodiversity, or to conserve or enhance the natural, built or historic environment, where enhancement measures will not be likely to have any negative effect on a European site;
- (B)** The planning application or plan policy will not itself lead to development or other change, for example, because they relate to design or other qualitative criteria for development or other kinds of change;
- (C)** The planning application or plan policy makes provision for change which has no conceivable effect on a European site, because there is no link or pathway between them and the qualifying interests, or any effect would be a positive effect, or would not otherwise undermine the conservation objectives for the site;
- (D)** The planning application or plan policy makes provision for change which has no significant effect on a European site, because any potential effects would be insignificant, being so restricted or remote from the site that they would not undermine the conservation objectives for the site;
- (E)** The planning application or plan policy for which effects on any particular European site cannot be identified, because the policy is too general, for example, it is not possible to identify where, when or how the policy may be implemented, or where effects may occur, or which sites, if any, may be affected.

Applicants should consider the above reasons in relation to:

- All draft policies in a plan
- All phases of development for a planning application

Appendix A – Response received from Natural England

Date: 23 March 2022
Our ref: 386031
Your ref: Wallington Neighbourhood Plan – SEA Screening Determination



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BY EMAIL ONLY

Dear Hollie Hawkins

Wallington Neighbourhood Plan - SEA Screening Determination

Thank you for your consultation on the above dated 09 March 2022 which was received by Natural England on 09 March 2022

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.

Yours sincerely

Dominic Rogers
Consultations Team