

Dacorum Borough Council Re-Screening Statement on the determination of the need for a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC for the Kings Langley Neighbourhood Development Plan

22 JUNE 2022

SUMMARY

Dacorum Borough Council (the 'Council') determines that Kings Langley Neighbourhood Plan (Kings Langley NP) does not require a Strategic Environmental Assessment (SEA).

INTRODUCTION

1. This statement determines whether or not the contents of the emerging Kings Langley Neighbourhood Plan (Kings Langley NP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC (the Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).
2. Any land use plan or programme 'which sets the framework for future development consent of projects' must be screened according to a set of criteria from Annex II of the Directive and Schedule 1 of the Regulations. These criteria include exceptions for plans 'which determine the use of a small area at local level' or which only propose 'minor modifications to a plan', if it is determined that the plan is unlikely to have significant environmental effects.
3. This initial screening opinion must be subject to consultation with Historic England, the Environment Agency and Natural England. The results of the screening process must be detailed in a Screening Statement, made available to the public.

THE SCREENING PROCESS

1. Using the criteria set out in Annex II of the Directive and Schedule 1 of the Regulations, a Screening Opinion determines whether a plan or programme is likely to have significant environmental effects.
2. The extract from 'A Practical Guide to the Strategic Environmental Assessment Directive' in Appendix 1 provides a flow diagram to demonstrate the SEA screening process.

3. Table 1 in Appendix 1 sets out the criteria from the Practical Guide, along with an assessment of the Kings Langley NP against each criterion to ascertain whether a SEA is required.
4. Also part of the screening process is the Habitats Regulations Assessment Screening, which can be found in Appendix 2, and the assessment of likely significance effects on the environment, which can be found in Appendix 3.
5. These two assessments feed into Table 1 and the SEA screening opinion.

KINGS LANGLEY NEIGHBOURHOOD DEVELOPMENT PLAN

6. The Kings Langley NP will contain the following vision, objectives and policies:

Vision for Kings Langley parish to 2038:

To preserve and enhance what villagers most value about Kings Langley in line with the priorities suggested by the 2019 Parish Plan Survey - its village status, environmental action, greenbelt, proximity to open countryside, canal, woods and common, its thriving high street and strong sense of community.

The four objectives of the Kings Langley NP are as follows:

Objectives	
1.	To direct new development to appropriate, sustainable locations within the parish in order to protect, so far as possible, the Green Belt, valued green space in and around Kings Langley and local character and heritage. Development should contribute towards a proven local need.
2.	To require, of any new development, an assurance of the credibility of the developer and an assurance of the environmental sustainability of any proposed development, with plans ideally approaching a 'zero carbon' goal through building materials, alternative energy sources, energy saving design, encouraging walking and cycling.
3.	To ensure that development delivers community benefit, in line with initiatives promoted by the other three Parish Plan working groups, for instance car free/car sharing development; enhanced public access; contribution to recreation facilities and on-site food growing land allocation.
4.	To support a vibrant and diverse High Street and a strong local economy that offers job opportunities to local people. Any future development, large or small, must not diminish existing business workspace or local employment opportunities. To generate new employment and replace any lost workspace, we will seek to provide small business units.

The four objectives will be delivered through twenty policies which cover a range of topics, and are listed on the next page:

Policies	Main intent
Spatial Strategy	
Policy KL1: Location of Development (Page 17)	Direct new development towards the most sustainable locations, whilst protecting the Green Belt and the green spaces within the Parish and avoiding coalescence.
Housing	
Policy KL2: Meeting Local Housing Needs (Page 19)	Ensure that new homes meet the needs of local people and achieve a balanced mix of development.
Character, Heritage, and Design	
Policy KL3: Character of Development (Page 24)	Protect and enhance the character of the area, incorporating the principles set out in the Conservation Area and Urban Design Zones.
Policy KL4: Design of Development (Pages 29-30)	Ensure good quality design is incorporated into new developments.
Policy KL5: Energy Efficiency and Design (Page 31)	Ensure all developments meet the highest energy efficiency and environmental standards.
The Village Centre and Wider Employment Opportunities	
Policy KL6: Enhancing the High Street and the Village Centre (Page 35)	Support the Arup Report recommendations to enhance Kings Langley High Street and Village Centre.
Policy KL7: Commercial Premises and Land (Pages 36-37)	Safeguard existing employment land (including compensation for displaced businesses) whilst also encouraging new businesses to locate to the area.
Policy KL8: Supporting Sustainable Tourism (Page 38)	Ensure Kings Langley benefits from the development of local tourism.
Policy KL9: High Speed Broadband (Page 38)	Promote the provision of high speed broadband into all residential, commercial and community development proposals.
Environment and Green Space	
Policy KL10: Conserving and Enhancing the Network of Green Infrastructure (Pages 40-41)	Protect, enhance and extend areas and corridors featuring valuable flora and/or fauna.
Policy KL11: Local Green Spaces (Page 42)	Protect Green Spaces that are demonstrably special to the local community.
Policy KL12: Minimising the Environmental Impact of Development (Page 44)	Protect and enhance identified habitats to ensure the Rural and Green character of the Parish is retained.
Policy KL13: Kings Langley Farming Sector (Page 46)	Protect the viability of farming, which contributes to both the local economy and the landscape.
Policy KL14: Protection of Significant Local Views. (Page 47)	Protect individual views throughout the Parish that hold particular significance of local heritage.
Transport and Movement	
Policy KL15: Protection and Enhancement of Key Movement Routes (Page 51)	Protect and enhance key movement routes (particularly footpaths and cycle routes) within the Parish.
Policy KL16: Public Car Parking (Page 51)	Provide additional publicly accessible off-road car parking spaces, including the expansion of the Nap Car Park.
Community Facilities, Leisure and Recreation	
Policy KL17: Improving Opportunities for Sport and Recreation (Page 54-55)	Set out the parameters for assessing new community, recreational and leisure facilities.
Policy KL18: Provision of Leisure Facilities for Children and Teenagers (Page 56)	Ensure all new major developments consider and provide for the needs of children and young people.
Policy KL19: Allotments and Community Growing Spaces (Page 57)	Require all major developments to provide for new allotment and/or Community Growing spaces.
Policy KL20: The Provision of Accessible Public Toilets (Page 588)	Support the provision of accessible public toilets within the Village Centre.

7. The Kings Langley NP contains policies to maintain a sensible balance in the Parish between housing, character and design, employment opportunities, green infrastructure, open spaces, agriculture, landscape, wildlife habitats, transport, health and well-being and community facilities.

8. The policies are wide-ranging and seek many benefits for existing and new residents in the parish. On housing, there is a strong emphasis on

addressing the particular shortfalls in housing mix, such as delivering more 2-bed units, and meeting the needs of the aging population.

9. A lot of detail has been developed to support design principles that accord with local character, and to ensure key views/prospects are protected. A number of new Local Green Spaces are also proposed and will be offered the same level of protection as Green Belt land.
10. Policies support the broad retention of existing employment land and premises as well as new employment development, alongside the delivery of high quality broadband which can enable greater flexibilities such as working from home.
11. A number of environment policies are proposed which seek to combat and mitigate against the effects of climate change, and deliver net gains in biodiversity.
12. Policies are also supportive of enhanced connectivity, including the delivery of new and enhanced footpaths and cycleways. There are also general policies which support the provision of new sports and leisure facilities alongside new or enhanced community facilities in the parish.
13. Overall, we note that the plan does not allocate any sites for development and places great emphasis on conserving the character and appearance of the area.
14. It is therefore concluded that the implementation of the Kings Langley NP would not result in likely significant effects on the environment.

RESPONSES TO INITIAL SCREENING

15. The Council initially consulted with the statutory consultees, Environment Agency, Historic England and Natural England on the screening opinion from 1 February 2021 to 15 March 2021. Responses were received from each of the three bodies and these are attached as Appendix 4.
16. Historic England noted that the draft Neighbourhood Plan does not propose to allocate any sites for development. Historic England agreed with the Council's opinion that the Neighbourhood Plan is not likely to have a significant effect on the historic environment and therefore does not require an SEA.
17. The Environment Agency whilst noting a number of potential environmental constraints existing within the Neighbourhood Plan area advised by email to the Council, dated 25 March 2021, that it agreed with the Council's opinion that the Neighbourhood Plan does not require an SEA.

18. Natural England advised at the time that it is not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the Neighbourhood Plan and that there are unlikely to be significant environmental effects from the Neighbourhood Plan. Natural England confirmed that on the information provided in its view the proposals contained within the Neighbourhood Plan would not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

RESPONSES TO RE-SCREENING

1. The Council consulted again with the statutory consultees, Environment Agency, Historic England and Natural England on the screening opinion from 9 May 2022 to 30 May 2022. Responses were received from each of the three bodies and these are attached as Appendix 5.
2. Historic England confirmed that their response remains the same as that provided through the initial screening in 2021, concluding that SEA is not required.
3. The Environment Agency did not provide a detailed response, instead providing an advice note for Neighbourhood Plans in the Hertfordshire and North London area. This includes information relating to SEA screening and scoping of Neighbourhood Plans.
4. Natural England agreed with the conclusions that neither an SEA nor an HRA would be required for the Neighbourhood Plan.

CONCLUSION

5. As a result of the re-screening undertaken by the Council, the following determination has been reached.
6. The Kings Langley NP is unlikely to have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment for the Kings Langley Neighbourhood Development Plan is not required.
7. Based on the assessment presented in Appendices 1 & 3, the Kings Langley NP is unlikely to have a significant effect on the environment.
8. The Kings Langley NP does not require a Strategic Environment Assessment.

Appendix 1 – Extract from ‘A Practical Guide to the Strategic Environmental Assessment Directive’ (DCLG) (2005)

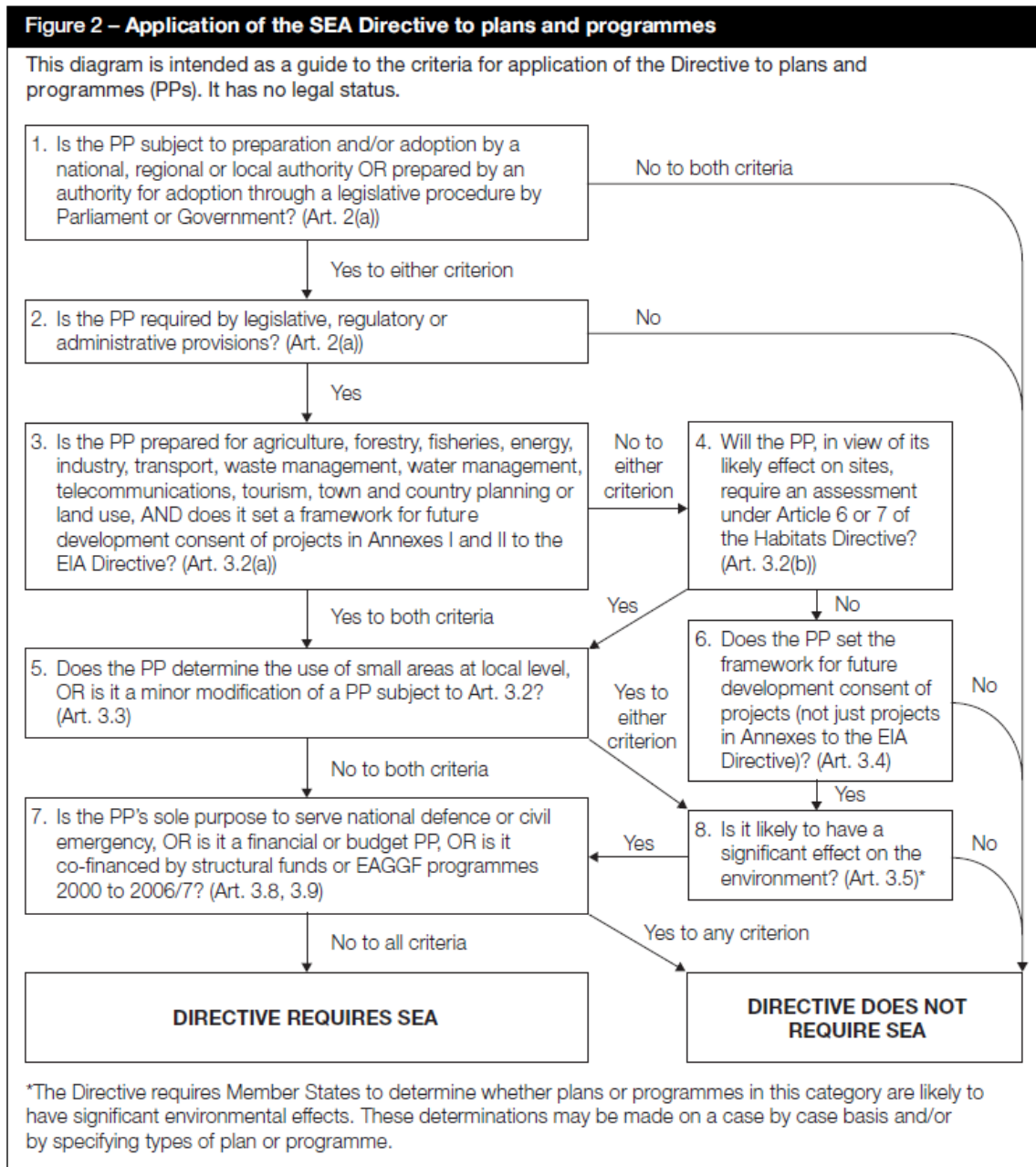


Table 1: Application of SEA Directive as shown in Appendix 1

[Note to author – most of these boxes contain standard text –greyed out. Those where specific details need to be included are Qs 3,4,5 & 8]

Stage	Y/N	Explanation
<p>1. Is the Neighbourhood Plan 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))</p>	Y	<p>The preparation of and adoption of the Neighbourhood Development Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The Neighbourhood Plan is being prepared by the Kings Langley NP Steering Group, a working group who report to the Kings Langley Parish Council (as the “relevant body”) and will be “made” by Dacorum Borough Council as the local authority. The preparation of Neighbourhood Plans is subject to the following regulations:</p> <ul style="list-style-type: none"> • The Neighbourhood Planning (General) Regulations 2012 • The Neighbourhood Planning (referendums) Regulations 2012 • The Neighbourhood Planning (General) (Amendment) Regulations 2015 • The Neighbourhood Planning (Referendums) (Amendment) Regulations 2016 • The Neighbourhood Planning (General) (Amendment) Regulations 2016 • The Neighbourhood Planning (General) (Amendment) Regulations 2017
<p>2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))</p>	Y	<p>Whilst the Neighbourhood Development Plan is not a requirement and is optional under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will, if “made”, form part of the Development Plan for the Borough. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.</p>

<p>3. Is the Neighbourhood Plan 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 (see Appendix 2) to the EIA Directive? (Art 3.2(a))</p>	<p>N</p>	<p>The Kings Langley NP is prepared for town and country planning and land use and will not set out a framework for future development of projects that would require an EIA.</p>
<p>4. Will the Neighbourhood Plan, 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))</p>	<p>N</p>	<p>The Kings Langley NP is unlikely to have significant effects on Natura 2000 sites. See Habitat Regulations Assessment (HRA) Screening Opinion for the Kings Langley NP in Appendix 2.</p>
<p>5. Does the Neighbourhood Plan 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)</p>	<p>Y</p>	<p>The Kings Langley NP will determine the use of sites/small areas at a local level.</p>
<p>6. Does the Neighbourhood Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)</p>	<p>Y</p>	<p>When made, the Kings Langley NP will include a series of policies to guide development within the village. This will inform the determination of planning applications providing a framework for future development consent of projects.</p>
<p>7. Is the Neighbourhood Plan'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,</p>	<p>N</p>	<p>N/A</p>

3.9)		
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	The plan is not likely to have significant effects on the environment. See assessment of the likely significance of effects on the environment in Appendix 3.

Appendix 2 - Habitat Regulations Assessment (HRA) Screening Opinion for the Kings Langley Neighbourhood Development Plan

INTRODUCTION

1. The Local Authority is the “competent authority” under the Conservation of Habitats and Species Regulations 2017, and needs to ensure that Neighbourhood Plans have been assessed through the Habitats Regulations process. This looks at the potential for significant impacts on nature conservation sites that are of European importance¹, also referred to as Natura 2000.
2. This Screening Assessment relates to a Neighbourhood Development Plan that will be in general conformity with the strategic policies within the development plan² (the higher level plan for town and country planning and land use). This Screening Assessment has had regard to the information contained in the Habitats Regulations Assessment of Dacorum Borough Council’s adopted Core Strategy and more recently the Footprint Ecology Report which forms part of the evidence gathering for the next stage of Dacorum Borough Council’s new Local Plan as its basis for assessment. From this, the Local Authority will determine whether the Kings Langley Neighbourhood Development Plan is likely to result in significant impacts on Natura 2000 sites either alone or in combination with other plans and policies and, therefore, whether an ‘Appropriate Assessment’ is required. It should be noted that the emerging Local Plan has been delayed on the findings of the Footprint Ecology report and resulted in a temporary halt to all development within the borough. The findings of the Footprint Ecology report represent a material change in circumstances with respect to emerging work on the HRA. It is for this reason that the Kings Langley Neighbourhood Plan is being re-screened and consulted on with the relevant bodies, namely Natural England.

LEGISLATIVE BASIS

3. Article 6(3) of the EU Habitats Directive provides that:

“Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national

¹ Special Protection Areas (SPAs) for birds and Special Areas of Conservation (SACs) for other species, and for habitats.

² The Dacorum Borough Council Core Strategy and the Site Allocations DPD.

authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”

4. Regulations 105-106 of the Conservation of Habitats and Species Regulations 2017 state:

“105.—(1) Where a land use plan—

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of the site,
the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site’s conservation objectives.

(2) The plan-making authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specifies.

(3) The plan-making authority must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate.

(4) In the light of the conclusions of the assessment, and subject to regulation 107, the plan-making authority must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).

(5) A plan-making authority must provide such information as the appropriate authority may reasonably require for the purposes of the discharge by the appropriate authority of its obligations under this Chapter.

(6) This regulation does not apply in relation to a site which is—

(a) a European site by reason of regulation 8(1)(c), or

(b) a European offshore marine site by reason of regulation 18(c) of the Offshore Marine Conservation Regulations (site protected in accordance with Article 5(4) of the Habitats Directive).

106.—(1) A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the

assessment under regulation 105 or to enable it to determine whether that assessment is required.

(2) In this regulation, “qualifying body” means a parish council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area as a result of section 61F of the TCPA 1990 (authorisation to act in relation to neighbourhood areas)(159), as applied by section 38C of the 2004 Planning Act (supplementary provisions)(160).

(3) Where the competent authority decides to revoke or modify a neighbourhood development plan after it has been made, it must for that purpose make an appropriate assessment of the implications for any European site likely to be significantly affected in view of that site’s conservation objectives; and regulation 105 and paragraph (1) apply with the appropriate modifications in relation to such a revocation or modification.

(4) This regulation applies in relation to England only.”

ASSESSMENT

5. The HRA of the emerging new Dacorum Borough Council Local Plan 2038 used a screening distance of 15km to identify European sites which could be affected by development from the plan. This distance has been subject to consultation with Natural England and reflects the average travel to work distance in the district. As such, the same distance has been applied in this HRA Screening.
6. Only one European sites lie wholly or partly within 15km of the built-up area of Kings Langley and this been taken into consideration as follows:

Chilterns Beechwood SAC – 7.4km from Kings Langley parish boundary

7. The Chilterns Beechwoods SAC comprises nine separate sites scattered across the Chilterns. There are three features of interest: semi-natural grasslands and scrubland on chalk; Asperulo-Fagetum beech woodland (for which this is considered to be one of the best areas in the UK and lies in the centre of the habitat's UK range); and Stag beetle *Lucanus cervus*, for which the area is considered to support a significant presence. The rare coralroot *Cardamine bulbifera* is found in these woods.
8. The main pressures and threats to this site include the impacts of forestry and woodland management, disease, deer and the invasive species of grey squirrel upon beech. Additionally, the changes in species distribution of stag beetle as well as the impact of public

access and disturbance upon stag beetle. Air pollution and the impact of atmospheric nitrogen deposition also threaten the dry grasslands, beech and stag beetle.

9. Two components sites of the Chiltern Beechwoods SAC are within 15km of the parish of Kings Langley. These are also Sites of Special Scientific Importance and listed as follows:

- Ashridge Common and Woods SSSI (7.4km from parish)
- Tring Woodlands (14.2km from parish)

10. The potential pathways to impacts on the SAC are likely to constitute the following:

- Planned development may give rise to additional recreational pressures which could impact upon the special features of the SAC;
- Planned development may give rise to air quality issues through an increase in pollution as a result of additional transport in close proximity to the site. This increase in levels (i.e. atmospheric nitrogen deposition) has the potential to impact the special features of the SAC; and
- Planned development may give rise to an increase in water abstraction which could result in changes to groundwater quality and quantity below the site, with the potential to impact the special features of the SAC.

Conclusion for Chiltern Beechwoods SAC

11. Appendix 2 of this assessment has considered how the development proposed in the Kings Langley Neighbourhood Plan is unlikely to have significant effects on Natura 2000 sites. Given the plan does not propose any allocations and having regard to the conclusions of Appendix 2, it is considered that the development proposed in the Kings Langley Neighbourhood Plan is not likely to give rise to significant in combination effects.

CONCLUSION

The Kings Langley NP is unlikely to have significant effects on Natura 2000 sites, either alone or in combination with other plans or projects, therefore, an Appropriate Assessment for the Kings Langley NP is not required (*NB. Under Schedule 2 of the Regs, an NP cannot progress if there is a likely significant effect on a Natura 2000 site, therefore all NPs should be screened for HRA).

Appendix 3 - Assessment of the likely significance of effects on the environment

[Note to author – most of these boxes contain standard text (greyed out). Those where specific details need to be included are Qs 1a,c,d, 2a,b,e,f and g]

1. Characteristics of the Plan, having regard 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;	The Kings Langley NP would, if adopted, form part of the Statutory Development Plan and as such does contribute to the framework for future development consent of projects. However, the Plan will sit within the wider framework set by the National Planning Policy Framework and the strategic policies of the Dacorum Borough Council Core Strategy (2013) and Site Allocations DPD (2017) until these are replaced by the emerging Local Plan.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	A Neighbourhood Development Plan must have regard to national policy and be in conformity with the strategic policies for the Borough. It does not influence other plans. It should also have regard to the emerging planning policies for the area. The Kings Langley Neighbourhood Plan is unlikely to influence other Plans or Programmes within the Statutory Development Plan.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>National policy requires a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making, including the Kings Langley NP. A basic condition of the Kings Langley NP is to contribute to the achievement of sustainable development. Within this wider context the Kings Langley NP itself is unlikely to have a significant positive or negative effects. It is noted that a number of the NP objectives do relate to the integration of environmental considerations in particular with a view of promoting sustainable development. These include:</p> <p>1.3 Ensure that any development is of high quality design, is built to high sustainability standards and complements local distinctiveness.</p> <p>2.2 Conserves the local environment and its flora.</p> <p>3.1 Ensure adequate capacity for handling surface and foul water.</p> <p>4.1 Support sustainable development within the settlement boundaries which is in keeping with and enhances the character of</p>

	<p>both the surrounding built environment and the adjacent open rural landscape and which best meets the local housing need.</p> <p>In order to meet the basic conditions the plan will have to integrate environmental considerations in particular with a views to promote sustainable development</p>
<p>(d) environmental problems relevant to the plan or programme; and</p>	<p>The environmental impact of the proposals within the Kings Langley NP is likely to be minimal as the plan does not allocate any sites for development or support additional development beyond what is supported in the Development Plan. Policies in the Kings Langley NP will aim to support sustainable development in the village that will not adversely impact on the rural nature of the village. Retaining the character and appearance of the village is particularly important.</p> <p>The Kings Langley NP will contain policies to maintain the character of the village and to specify design criteria for new houses.</p> <p>Policies in the Kings Langley NP will aim to support sustainable development in the villages that will not adversely impact on the rural nature of the villages. Retaining the character and appearance of the villages is particularly important. The plan does not allocate any sites for housing but does propose to use settlement boundaries which define Kings Langley.</p> <p>The Neighbourhood Plan proposes an amendment to the settlement boundary to accommodate a small area of previously development land at Rectory Farm. This land was granted planning permission for 55 residential units. Construction works have commenced on site and there are no outstanding conditions to be discharged which go to the heart of the planning permission.</p> <p>The Kings Langley NP area contains the following environmental designations:</p>

Wildlife Sites:

- Kings Langley Common
- The Nucket
- Grand Union Canal (edge of parish boundary)
- Grassland east of Barnes Lodge
- Phasels Wood/Great Wood
- Green Lane west of Great Wood
- Scatterdwells Wood, the Wings and the Grove
- Langley Lodge Farm Area

Flood Zones 2/3

- River Gade (edge of parish boundary)

Tree Preservation Orders

- Land at Cock's Head Wood, Shendish Manor
- Land at Shendish House
- Shendish Lodge
- Land adjacent to 17 Ridgeway Close
- Land rear of 13-31 Abbots Rise
- Regent Close
- Rear of Barnsway
- Land at Rectory Farm
- Langleys
- Langley House, 52 High Street
- Land between Station Footpath & Home Park
- A number of smaller TPOs also exist within the parish.

There is 1 SAC within 15km of the Kings Langley Neighbourhood Development Plan. This is as follows:

- Chilterns Beechwood SAC – approx 7.4km from the Kings Langley Parish Boundary

There are also the following SSSI's located within the following distances of Kings Langley Parish boundary:

	<ul style="list-style-type: none"> • Roughdown Common SSSI (1km) • Westwood Quarry SSSI (1.6km) • Whippendell Wood SSSI (2.8km) • Sarratt Bottom SSSI (3.3km) • Frogmore Meadows SSSI (4.1km) • Bricket Wood Common SSSI (4.7km) • Little Heath Pit SSSI (5km) • Croxley Common Moor SSSI (5.9km) • Moor Mill Quarry, West SSSI (6.3km) • Ashridge Common and Woods SSSI (7.4km) <p>Given the NP is not allocating sites; the small amount of potential infill sites within the settlement boundary, its relationship to the other designations within the NP area; and finally the conformity of the drawn village boundaries with the Development Plan we are of the opinion the Neighbourhood Plan does not propose any development that is likely to harm these designations as the plan seeks to conserve the village, its character and setting. The policies in the Neighbourhood Plan will require these designations to be protected and therefore there would not be likely significant effects to the environment.</p>
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The proposed development in the Kings Langley NP has been judged not to have an impact on Community legislation.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	
(a) the probability, duration, frequency and reversibility of the effects;	The Neighbourhood Plan is generally likely to influence development for a period of 15 years from its adoption, which is in line with national guidance. The Kings Langley NP is likely to have modest but enduring positive environmental effects. The effects are not

	<p>likely to be reversible as they relate to development. However, they will be of a local scale through limited infill sites within the built-up area of the settlement, as defined by the Green Belt.</p> <p>The plan proposes to combat and mitigate against the effects of climate change, and deliver net gains in biodiversity, including enhancements to various forms of green infrastructure, including tree planting. This will have positive cumulative benefits for the area. However given the scale of what is proposed the positive effect is not likely to be significant.</p> <p>The plan is also likely to have positive social effects through the provision of residential development through infill and the protection of local green space.</p>
(b) the cumulative nature of the effects;	It is intended that the positive social effects of infill residential development will have positive cumulative benefits for the area.
(c) the transboundary nature of the effects;	The effects of the Plan are unlikely to have transboundary ³ impacts.
(d) the risks to human health or the environment (for example, due to accidents);	The policies in the plan are unlikely to present risks to human health or the environment.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	<p>The Kings Langley NP relates to the parish of Kings Langley, which includes the village and communities of Kings Langley, and the hamlet of Rucklers Lane. Some ribbon development extends from Hemel Hempstead into Kings Langley parish to the north of the site.</p> <p>The NP is not allocating any sites for development and therefore as it will not promote any development that is above and beyond what is already supported in the Development Plan, the potential for environmental effects is also likely to be small and localised.</p>
(f) the value and vulnerability of the area likely to be affected due to:	The Kings Langley NP area contains the following special natural characteristics and cultural heritage elements:
(i) special natural	<ul style="list-style-type: none"> • Listed buildings

³ Transboundary effects are understood to be in other Member States.

characteristics or cultural heritage;
(ii) exceeded environmental quality standards or limit values; or
(iii) intensive land-use; and

- Scheduled monuments
- Conservation Area
- Local heritage assets, such as locally registered parks and gardens.
- Areas of archaeological significance
- Ancient woodland
- TPOs

There is 1 SAC within 15km of the Kings Langley Neighbourhood Development Plan. This is:

- Chilterns Beechwood SAC – approx 7.4km

There are also the following SSSI's located within the following distances of the Kings Langley parish boundary:

- Roughdown Common SSSI (1km)
- Westwood Quarry SSSI (1.6km)
- Whippendell Wood SSSI (2.8km)
- Sarratt Bottom SSSI (3.3km)
- Frogmore Meadows SSSI (4.1km)
- Bricket Wood Common SSSI (4.7km)
- Little Heath Pit SSSI (5km)
- Croxley Common Moor SSSI (5.9km)
- Moor Mill Quarry, West SSSI (6.3km)
- Ashridge Common and Woods SSSI (7.4km)

The Kings Langley NP offers an opportunity to enhance the natural environment and the cultural heritage of the area through the proposals being considered. The main aspects of the plan that are most likely to affect the special natural characteristics and cultural heritage is the impact of householder and small scale developments within the village boundaries on the character and appearance of the Conservation Area, listed buildings, local heritage assets and archaeological sites. However, given the limited amount of potential infill and their relationship to the designated areas and that the plan aims to ensure development conserves and enhances the Conservation

Area through design and landscape policies it is considered there would not be likely significant effects to the environment.

The Kings Langley NP is not proposing any allocations and the NP has strong objectives to support the conservation and protection of the local landscape and environment. These include:

1. To direct new development to appropriate, sustainable locations within the parish in order to protect, so far as possible, the Green Belt, valued green space in and around Kings Langley and local character and heritage. Development should contribute towards a proven local need; and

2. To require, of any new development, an assurance of the credibility of the developer and an assurance of the environmental sustainability of any proposed development, with plans ideally approaching a 'zero carbon' goal through building materials, alternative energy sources, energy saving design, encouraging walking and cycling.

Therefore is not considered to cause likely significant effects.

The HRA Screening Assessment in appendix 2 concluded that: The Kings Langley Neighbourhood Plan is unlikely to have significant effects on Natura 2000 sites, either alone or in combination with other land and projects therefore, an Appropriate Assessment of the Kings Langley Neighbourhood Plan is not required.

There are sensitivities regarding cultural heritage within the Kings Langley NP area, with a number of listed buildings and local heritage assets spread around the parish. There is currently no collective detailed information on the risks and vulnerability of the listed buildings and their setting readily available. However, the Kings Langley NP is not seeking to make any allocations.

	<p>Whilst the objectives imply that policies of the plan will seek to protect the rural character of the parish, the surrounding countryside, landscape, designated open spaces, farming and ecosystems. The neighbourhood plan is considered to have a neutral effect on cultural heritage because there is no indication given in the objectives that the plan would go beyond national and local policy and therefore it is considered that the effects of the proposals in the plan are not likely to be significant.</p> <p>Given the nature and scope of the NP, environmental quality standards or limit values are not considered likely to be significantly affected.</p> <p>The Kings Langley NP is not proposing any allocations, therefore the plan is not likely to cause significant effects in relation to intensive land use.</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The area covered by the Kings Langley NP is distant from Chilterns AONB, recognised to contain some of the finest landscapes in England. As the Kings Langley NP is not proposing to allocate any development and given the objectives of the plan, any effects of the Kings Langley NP on the landscape are not likely to be significant.</p>

Appendix 4 – Consultation responses to initial screening (2021)

It should be noted that because of the Covid-19 pandemic the normal period for consultation was extended. Therefore consultation responses needed to be received by 15 March 2021

Environment Agency – response received 9 March 2021:

creating a better place



Stephen Mendham
Dacorum Borough Council
The Forum
Marlowes
Hemel Hempstead
Hertfordshire
HP1 1DN

Our ref:
Your ref: StrategicPlanning/KLNP/SM
Date: 9 March 2021

Kings Langley Neighbourhood Plan - consultation on screening for Strategic Environment Assessment and Habitats Regulations Assessment.

Thank you for consulting us on your SEA screening opinion for the Kings Langley neighbourhood plan.

We are a statutory consultee in the SEA process and aim to reduce flood risk and protect and enhance the water environment. Based on our review of the environmental constraints affecting your neighbourhood plan area and for which we are a statutory consultee, we think there are potential significant environmental effects that relate to the Neighbourhood Plan area.

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

We have identified that the neighbourhood plan area will be affected by the following environmental constraints:

Flood risk
The neighbourhood plan lies within areas of flood zones 2 and 3.

Main river
The River Gade runs along the boundary of the neighbourhood plan area.

This watercourse is currently failing to reach good ecological status/potential under the Water Framework Directive. It is currently classified as having poor status. Developments within or adjacent to this watercourse should seek to improve the water quality and prevent deterioration based on the recommendations of the Thames River Basin Management Plan and in line with WFD objectives. An assessment of the potential impacts of the Neighbourhood Plan on this watercourse under WFD should be included within the SEA/SA appraisal.

Cont/d..



INNOVATION IN PEOPLE

SPZs/Aquifers

Your plan includes areas which are located on aquifers and Source Protection Zones. These should be considered within your plan if growth or development is proposed here. The relevance of the designation and the potential implication upon development proposals should be considered with reference to our Groundwater Protection guidance: <https://www.gov.uk/government/collections/groundwater-protection>

Policy KL1: Location of Development

We would like to see flood risk included as an area to avoid.

Policy KL10: Conserving and Enhancing the Network of green Infrastructure

We are pleased to see the inclusion of this policy but we would like it expanded to specifically mention blue infrastructure as well.

Policy KL12: Minimising the Environmental Impact of Development

We are pleased to see the inclusion of this policy

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

Yours sincerely,

Chris Padley
Sustainable Places Planning Specialist

Direct dial [REDACTED]
E-mail HNL.SustainablePlaces@environment-agency.gov.uk

End

2

By email dated 25 March 2021 the Environment Agency confirmed that an SEA would not be required.

Historic England – Email response received 4 March 2021

Dear Mr Mendham,

Thank you for inviting Historic England to comment on this 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 the Screening Report for this plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the King's Langley 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 plan will not have any significant effects on the historic environment. We note that the plan does not propose 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. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the 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) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

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.

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

Kind regards,

Edward

Edward James
Historic Places Adviser - East of England
Historic England

Natural England – response received 25 February 2021

Date: 25 February 2021
Our ref: 341911
Your ref: Kings Langley Draft Neighbourhood Plan



Stephen Mendham
Dacorum Borough Council
stephen.mendham@dacorum.gov.uk

Hornbeam House
Crewe Business Park
Ectra Way
Crewe
Cheshire
CW1 8GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Mendham,

Kings Langley Draft Neighbourhood Plan – consultation on screening for Strategic Environment Assessment and Habitats Regulations Assessment

Thank you for your consultation on the above dated 01 February 2021 which was received by Natural England on 01 February 2021

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,

Ben Jones
Consultations Team

Appendix 4 – Consultation responses to re-screening (2022)

Environment Agency – response received 9 May 2022:

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

Sent: 09 May 2022 16:06

To: Ronan Leydon <Ronan.Leydon@dacorum.gov.uk>

Subject: RE: Kings Langley Draft Neighbourhood Plan – re-screening for Strategic Environment Assessment and Habitats Regulations Assessment.

CAUTION: This message was sent from outside of Dacorum BC. Please do not reply to, click links or open attachments UNLESS you recognise the source of this email and know the content is safe. Please report all suspicious emails.

Dear

Thank you for re-consulting us on the Neighbourhood Plan consultation for Kings Langley.

We have had to prioritise our limited resource and focus on strategic plans where the environmental risks and opportunities are highest. We attach our advice note which sets out our substantive response to Neighbourhood Plan consultations including Strategic Environmental Assessment screening and scoping.

We recognise that Neighbourhood Plans provide a unique opportunity to deliver enhancements to the natural environment at the local level. This advice note sets out the key environmental issues, within our remit, which should be considered. It also references sources of data you can use to check environmental features.

We hope this is helpful as you prepare evidence and the Neighbourhood Plan itself.

If you have any feedback, please let us know.

Kind regards

Isabel Smith

Planning Advisor, Hertfordshire & North London Sustainable Places

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

Hertfordshire and North London Neighbourhood Plan Advice Note

Updated: June 2021

Neighbourhood Plans provide a unique opportunity to deliver enhancements to the natural environment at the local level. This document sets out the key environmental issues, within our remit, which should be considered.

We have had to prioritise our limited resource and focus on strategic plans where the environmental risks and opportunities are highest. This advice note sets out our substantive response to Neighbourhood Plan consultations including Strategic Environmental Assessment screening and scoping.

Together with Natural England, English Heritage and Forestry Commission we have published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: <https://neighbourhoodplanning.org/toolkits-and-guidance/consider-environment-neighbourhood-plans/>

Drawing up a neighbourhood plan is a fantastic opportunity to build community resilience to climate change and make the local natural environment better. Opportunities include:

- New green spaces and improvements to public space through new development. This could include planting trees, creating rainwater gardens or enhancing local waterways for water quality and biodiversity.
- Recognising the value of certain environmental features within a plan area, e.g. a floodplain, wetland habitat or rivers. Identify these features and outline how you intend to protect them and improve them.
- Helping a community to manage and adapt to the risk of flooding and climate change by incorporating natural features and green space to manage and store water, and supporting the use of sustainable drainage systems (SuDS).
- Promoting energy and water efficiency measures for new builds. These measures will reduce the cost of construction for developers and help to reduce utility bills for future occupiers. This will also help reduce unsustainable water consumption and carbon emissions.

We also recommend your Plan takes account of relevant Local Planning Authority's policies, plans and strategies including Local Planning Authority's Strategic Flood Risk Assessment, flood risk strategies (<https://www.gov.uk/government/collections/flood-risk-management-current-schemes-and-strategies>), and the Thames River Basin Management Plan (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/289937/geh0910bswa-e-e.pdf) as appropriate.

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03708 506 506

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0800 80 70 60

floodline
03459 88 11 88

www.gov.uk/environment-agency

The information below explains the key issues we would consider in reviewing your Plan. We aim to reduce flood risk, while protecting and enhancing the water environment.

Infrastructure Delivery

We recommend that environmental infrastructure, including habitat enhancements, water storage areas, and green space, is taken into account if the Plan looks to fund local infrastructure.

Flood risk

Development must be safe and should not increase the risk of flooding.

Neighbourhood Plans should conform to national and local policies on flood risk:

If a Neighbourhood Plan is proposing sites for development please check whether there are any areas of Flood Zones 2 or 3 within the proposed site allocations. You can view a site's flood zone on the Flood Map for Planning on our website: <https://flood-map-for-planning.service.gov.uk/>

If the proposed allocation is located within Flood Zone 2 or 3 you should consult the Flood Risk and Coastal Change pages of the National Planning Policy Guidance (NPPG):

<http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/>

Here you can determine whether the flood risk vulnerability of the proposed development and the flood zone are compatible. In accordance with national planning policy the Sequential Test should be undertaken to ensure development is directed to the areas of lowest flood risk taking into account climate change. This should be informed by the Environment Agency's Flood Map for Planning and the Local Planning Authority's Strategic Flood Risk Assessment (SFRA), if they have one. We recommend you contact the Local Planning Authority to discuss this requirement further.

If the Neighbourhood Plan proposes development in flood risk areas, the Strategic Environmental Assessment should include baseline information about the flood risks, and include it as a key sustainability issue and as an objective.

We would have concerns if development is allocated in this high risk flood zone without the Sequential Test being undertaken. It is important that your Plan also considers whether the flood risk issues associated with these sites can be safely managed to ensure development can come forward.

We can provide any flooding information which we have available – such as predicted flood levels and historical flood data. Please note that there may be a charge for this information. Please contact our Customers and Engagement Team at HNLInquiries@environment-agency.gov.uk for further details. In addition to the above you should also check with the Local Planning Authority's Neighbourhood Planning team with regards to other sources of flooding (such as surface water, groundwater, sewers and historic flooding) as detailed in their Strategic Flood Risk Assessment (SFRA). The Lead Local Flood Authority (LLFA), now has responsibility for local flood risk management and may hold flooding information that is not identified on our Flood Map.

Climate Change Allowances

The Local Authority's Strategic Flood Risk Assessment should indicate the extent of flood zones with likely climate change. On 19 February 2016, we published new guidance for planners and developers on how to use climate change allowances: <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

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Flood Defences

Areas of your Neighbourhood Plan area, or proposed sites, may be given protection by a flood defence/alleviation scheme. Where this is the case the Plan should acknowledge this and identify the level of protection provided (including any climate change allowance). It should be noted that flood defences are intended to protect existing properties and are not to facilitate new development in areas that would otherwise be impacted by flooding. Any assessment of development behind flood defences should consider the impacts of a breach or overtopping. Where it is determined that new development should be behind a flood defence financial contributions may be sought to maintain or improve the structure.

Thames Estuary 2100 (Tidal Defences)

In line with requirements set out in the Thames Estuary 2100 (TE2100) plan, developments in this location will need to demonstrate how the flood defence could be raised in the future to meet the demands of climate change.

No activities on site should preclude access to the flood defence from maintenance or prevent the future raising of flood defences. In some cases we hold technical drawings of flood defence structures which may be of use. To request these you should contact our Customers and Engagement Team at hnlquiries@environment-agency.gov.uk.

Ecology and Water Management

Proximity to watercourse/ Ecology

Main rivers can be viewed on the Environment Agency's map:

<https://environment.maps.arcgis.com/apps/webappviewer/index.html?id=17cd53dfc524433980cc333726a56386>

The neighbourhood plan should draw upon evidence of designated or non-designated sites of nature conservation sites of international, national or local importance, and seek to ensure these sites are safeguarded and there is no degradation to these sites. The mitigation hierarchy of avoid mitigate and compensate should be followed to ensure this.

In accordance with national policy, any development proposal should avoid significant harm to biodiversity and seek to protect and enhance it; delivering **biodiversity net gain**. The forthcoming Environment Bill will mandate when enacted the demonstration of a minimum 10% biodiversity net gain using the Defra Biodiversity Metric 2.0 (or subsequent version), even where development proposals do not result in biodiversity loss. The Neighbourhood Plan could identify opportunities to incorporate requirements for achieving biodiversity and wider environmental net gains.

The provision of green infrastructure, particularly along rivers, can bring about benefits for people and wildlife. Creating networks of green space and habitats can also ensure wildlife are able to migrate and move across sites more easily enabling recovery and resilience of different wildlife species. The Neighbourhood Plan could play a role in helping to preserve, safeguard and establish green buffer zones along rivers by including policies or design guidance for their area. Even where buffer zones do not currently exist it is becoming more vital that we create them not just for the benefit of biodiversity but to reduce flood risk and increase our resilience to climate change.

This is a key way in which we can carry out our legal duty to further and promote the ecological and landscape value of rivers and land associated with them. In urban areas, in particular, rivers have often been degraded by past development, and we expect that any new development should go some way to redress the balance.

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Neighbourhood Plans provide an opportunity to promote river restoration and enhancements helping us all to achieve the targets to improve waterbodies as part of the Water Framework Directive (WFD). There should be no deterioration in water quality and development should bring about improvements to the ecological status of any water body. Local WFD catchment data for the rivers in your area can be obtained from: <http://environment.data.gov.uk/catchment-planning/RiverBasinDistrict/>. We have identified WFD action measures for specific locations or whole reaches of watercourse (e.g. river bank restoration, improving fish passage, etc) and can be obtained from hnenquiries@environment-agency.gov.uk on request.

Objectives to achieve WFD improvements across all sectors are outlined in the Thames River Basin Management Plan (RBMP) (<https://www.gov.uk/search?q=River+Basin+Management+Plans>).

An assessment of the potential impacts of the Neighbourhood Plan on watercourses under WFD should be included within the SEA/SA appraisal, making use of the datasets available above.

Groundwater Quality

Development must not cause pollution to the water environment.

Aquifers and Source Protection Zones

Some of your local area, and specific potential site allocations, may be located upon or within aquifers and Source Protection Zones (link below). SPZ 1 is especially sensitive. You might consider these within your Plan and when allocating sites. The relevance of the designation and the potential implication upon development proposals should be seen with reference to our Groundwater Protection guidance:

<https://www.gov.uk/government/collections/groundwater-protection>

To see if a proposed development is located within a Source Protection Zone, please use our online map: <https://www.gov.uk/guidance/groundwater-source-protection-zones-spzs>

Land Contamination

You must consider land contamination when preparing your plan. Managing it during development is key to addressing past contamination and preventing further impacts during development.

You can establish if a site may be contaminated in several ways. Your Local Authority may hold a register of sites it knows to be contaminated. A list of potentially contaminated sites can be accessed on the following link:

<https://www.clare.co.uk/useful-government-legislation-and-guidance-by-country/76-key-documents/198-doe-industry-profiles>

We recommend you contact your Local Authority's Environmental Health team who may hold records on known/potential land contamination. Please note our primary concern is with regards to water quality. Your Local Authority's Environmental Health team will advise you on issues related to human health.

Your plan may include areas which are located on aquifers and Source Protection Zones. These areas represent the most sensitive and highest risk in terms of potential pollution to protected groundwater supplies, some of which are used for drinking water. These should be considered within your plan if growth or development is proposed here. Further information can be accessed on the following links:

Guiding principles for the Land Contamination

<https://www.clare.co.uk/useful-government-legislation-and-guidance-by-country/192-guiding-principles-for-land-contamination-qplc>

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Approach to Groundwater Protection:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692989/Environment-Agency-approach-to-groundwater-protection.pdf

Water supply and foul drainage

When allocating sites in your Plan, you will need to consider if the water supply and foul drainage infrastructure can accommodate the development. Your local water company can provide further information about water supply and sewerage capacity. Our [‘Water Stressed Areas – final classification’ 2013](#) explains that our area is seriously water stressed. This is particularly significant as population numbers rise and there are increased impacts from climate change on water resource availability and reliability. The Neighbourhood Plan should consider what further measures could help the local area achieve water sustainability that are not already in the Local Plan, water efficiency standards and measures including the retrofitting of existing buildings.

Surface water drainage

The inclusion of Sustainable Drainage Systems (SUDS) should always be a consideration within any development to reduce the risk of surface water flooding on and off site. The Lead Local Flood Authority, is the main contact for SUDS issues. However, we have interest in SUDS from a groundwater protection perspective and improving water quality.

The collection and dispersal of clean surface water to ground to recharge aquifer units and prevent localised drainage or surface systems flooding in heavy rainfall is encouraged. However, dispersal into the ground through soakaways or other infiltration systems requires a site-specific investigation and risk assessment. Generally, we would accept roof drainage going to soakaway (or other systems), but other surface drainage may need to go through treatment systems or to foul main, for instance vehicle parking. Infiltrating water has the potential to cause mobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of underlying groundwater resources. Where contamination is known or suspected, remedial or other mitigating measures will likely be required so that it can be demonstrated that there is no resultant unacceptable risk to Controlled Waters.

We advise applicants to follow our guidance – Groundwater Protection. This is a report that highlights the importance of groundwater and encourages industry and other organisations to act responsibly and improve their practices. This can be found at: <https://www.gov.uk/government/collections/groundwater-protection>

The design of the drainage systems should be in line with G1, G9, G12 and G13 position statements: <https://www.gov.uk/government/publications/groundwater-protection-position-statements>

Please note

This document is a response to a Neighbourhood Plan consultation and does not represent our final view in relation to any future planning application made in relation to any site. You should seek your own expert advice in relation to technical matters relevant to your neighbourhood plan before submission.

If you have any questions please contact the Hertfordshire and North London Sustainable Places team: HNL.SustainablePlaces@environment-agency.gov.uk

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Natural England – response received 16 May 2022

Date: 16 May 2022
Our ref: 391584
Your ref: Kings Langley Draft Neighbourhood Plan – SEA Screening



Mr Ronan Leydon
Team Leader - Strategic Planning
Dacorum Borough Council
The Forum
Marlowes
Hemel Hempstead HP1 1DN

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

T 0300 060 3900

BY EMAIL ONLY - Ronan.Leydon@dacorum.gov.uk

Dear Mr Leydon

Kings Langley Draft Neighbourhood Plan – re-screening for Strategic Environment Assessment and Habitats Regulations Assessment.

Thank you for your consultation request on the above dated and received by Natural England on 9th May 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.

Natural England agree with your conclusion that neither an SEA nor an HRA would be required.

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

Sharon Jenkins
Operations Delivery
Consultations Team
Natural England

Historic England – response received 30 May 2022

Dear Ronan,

Thank you for your consultation on the Amended SEA Screening for the King's Langley Neighbourhood Plan. Having reviewed the documentation and information provided in your email I can confirm that our response remains the same as that sent in February 2021, and that from our perspective an SEA would not be required.

Please note that for future consultations of this type on this or any other neighbourhood plan, the consultation should be sent to our eastplanningpolicy@historicengland.org.uk mailbox. Thank you.

Kind regards,

Edward

Edward James
Historic Places Adviser - East of England
Historic England
