

Dacorum Borough Council 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 Bovingdon Neighbourhood Development Plan

04 NOVEMBER 2022

Summary

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

Introduction

1. This statement determines whether or not the contents of the emerging Bovingdon Neighbourhood Plan (Bovingdon NP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2011/42/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 Bovingdon 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.

Bovingdon Neighbourhood Development Plan

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

Vision for Bovingdon parish to 2036:

Bovingdon's vision to 2036 is to be a village in which residents enjoy an excellent quality of life, where they feel valued, safe and connected. Bovingdon will preserve its historic legacy and welcoming character, while ensuring that green spaces are protected, and any planned development is sustainable. There will be a flourishing local economy, and the infrastructure will be enhanced to benefit all residents, visitors and businesses. Development in Bovingdon will strengthen the community, enrich the rural identity and enhance the safe and inclusive essence of the village.

The objectives are split across four themes each with its own set of objectives for the Bovingdon NP and are as follows:

Housing

- a. Ensure that any new housing developments are inclusive, affordable and accommodating to the different needs of local residents
- b. Require new development to be of high-quality design, complementary to the existing built environment in the parish and built to a high sustainability standard

Transport

- c. Protect and enhance current public transport infrastructure to encourage residents and visitors to take advantage of the public transport available
- d. Improve Road Safety on our roads in partnership with key stakeholders
- e. Create safe routes and encourage alternative, sustainable modes of travel, including encouraging new technologies

- f. Improve the village centre pedestrian environment for all abilities and needs
- g. Provide information in the village centre with transport routes clearly shown

Economy and Employment

- h. Protect and enhance the public realm in and around the High Street as the core of Bovingdon village
- i. Ensure that the High Street is safe for pedestrians and easily accessible for current and future generations
- j. Improve parking provision for the village centre to support shops and to ensure the free flow of traffic
- k. Ensure that the needs of businesses are identified, and measures are out in place to ensure that these needs are met
- l. Improve Bovingdon's infrastructure and connectivity, including providing broadband with sufficient speed and reliability to attract new businesses while ensuring current enterprises flourish

Community, Environment and Heritage

- m. Improve social facilities and spaces for all generations, to promote social inclusivity, foster well-being and build on the already strong sense of community and social harmony in Bovingdon
- n. Protect existing Local Green Spaces, wildlife corridors and natural habitats, ensuring future developments include green space and space for wildlife
- o. Enhance existing recreational spaces such as playgrounds, sports facilities or nature reserves, developing new resources such as allotments
- p. Ensure public footpaths are maintained and build new footpath and cycle networks that promote greater access to the countryside, while retaining old paths and routes
- q. Protect existing views from being compromised through future development
- r. Protect Bovingdon's history, including existing and potential conservation areas, as designated and non-designated heritage assets

The objectives will be delivered through fifteen policies which cover a range of topics, and are listed as follows:

Policy BOV H1: Affordable Housing: Main intent is to ensure that new homes provide an appropriate affordable housing mix for local people.

Policy BOV H2: Accessible Housing: Main intent is to ensure that housing and its surroundings are appropriate for older and vulnerable users.

Policy BOV H3: Design Code: Main intent is to support the Bovingdon Design Code.

Policy BOV T1: Road Safety: Main intent is to recommend that all major development proposals consider options for reducing traffic impacts.

Policy BOV T2: Public Transport Infrastructure: Main intent is to encourage the use of public transport through enhanced financial contributions.

Policy BOV T3: Village Centre Parking: Main intent is to require development proposals to consider improving on and off-street parking in the village centre.

Policy BOV T4: Encouraging Walking and Cycling: Main intent is to ensure that development delivers improvements to walking and cycling routes and sets out how this should be prioritised.

Policy BOV EE1: Safeguarding Existing Employment: Main intent is to protect existing employment land and sets out the requirements for when their expansion or modernisation would be supported.

Policy BOV EE2: Protect and Promote Retail Employment: Main intent is to set out how employment in the High Street Commercial Zone will be protected and enhanced through new development.

Policy BOV EE3: Improving Accessibility and Reducing Congestion: Main intent is to protect the character of the High Street, ensuring proposals do not have a detrimental impact and supports the councils parking standards SPD.

Policy BOV EE4: Encouraging New Employment: Main intent is to set out the approach for providing new employment space and the requirements for such development in relation to the Green Belt.

Policy BOV EE5: Support Home-based Businesses and Home Working: Main intent is to protect the amenity and character of nearby occupiers of small scale home-based businesses.

Policy BOV EE6: Ensuring High-quality Digital Communications: Main intent is to promote the delivery of ultrafast fibre broadband and how infrastructure should be delivered to minimise the impact to the area.

Policy BOV COV1: Community and Recreation Facilities: Main intent is to support the delivery of new and enhanced community facilities and sets out how this should be prioritised.

Policy BOV NE1: Designated Local Green Spaces: Main intent is to protect Green Spaces that are demonstrably special to the local community.

Policy BOV NE2: Provision of Allotments: Main intent is to support the delivery of new allotments to meet demand.

Policy BOV NE3: Access to the Countryside: Main intent is to protect and enhance the footpaths into the countryside.

Policy BOV NE4: Wildlife Corridors: Main intent is to protect the existing wildlife corridors that surrounds the village.

Policy BOV NE5: New Areas for Children's play: Main intent is to set out the approach for providing play areas in new developments.

Policy BOV NE6: Important Hedges and Significant Trees: Main intent is to protect the hedges and significant trees that are important to the character of the area and to biodiversity.

Policy BOV NE7: Important Views: Main intent is to identify and protects locally important views and sets out an approach for development in these locations.

Policy BOV HE1: Bovingdon Green: Main intent is to protect locally important green space.

Policy BOV HE2: Bovingdon Conservation Area: Main intent is to provide detail on how the conservation area can be enhanced.

Policy BOV HE3: Non-designated Heritage Assets: Main intent is to protect locally important non-designated heritage assets.

7. The Bovingdon NP contains policies to maintain a sensible balance in the Parish between Housing, Transport, Employment and Community and Environment.
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 standards for accessible housing.
9. Importantly, 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.
10. It is therefore concluded that the implementation of the Bovingdon NP would not result in likely significant effects on the environment.

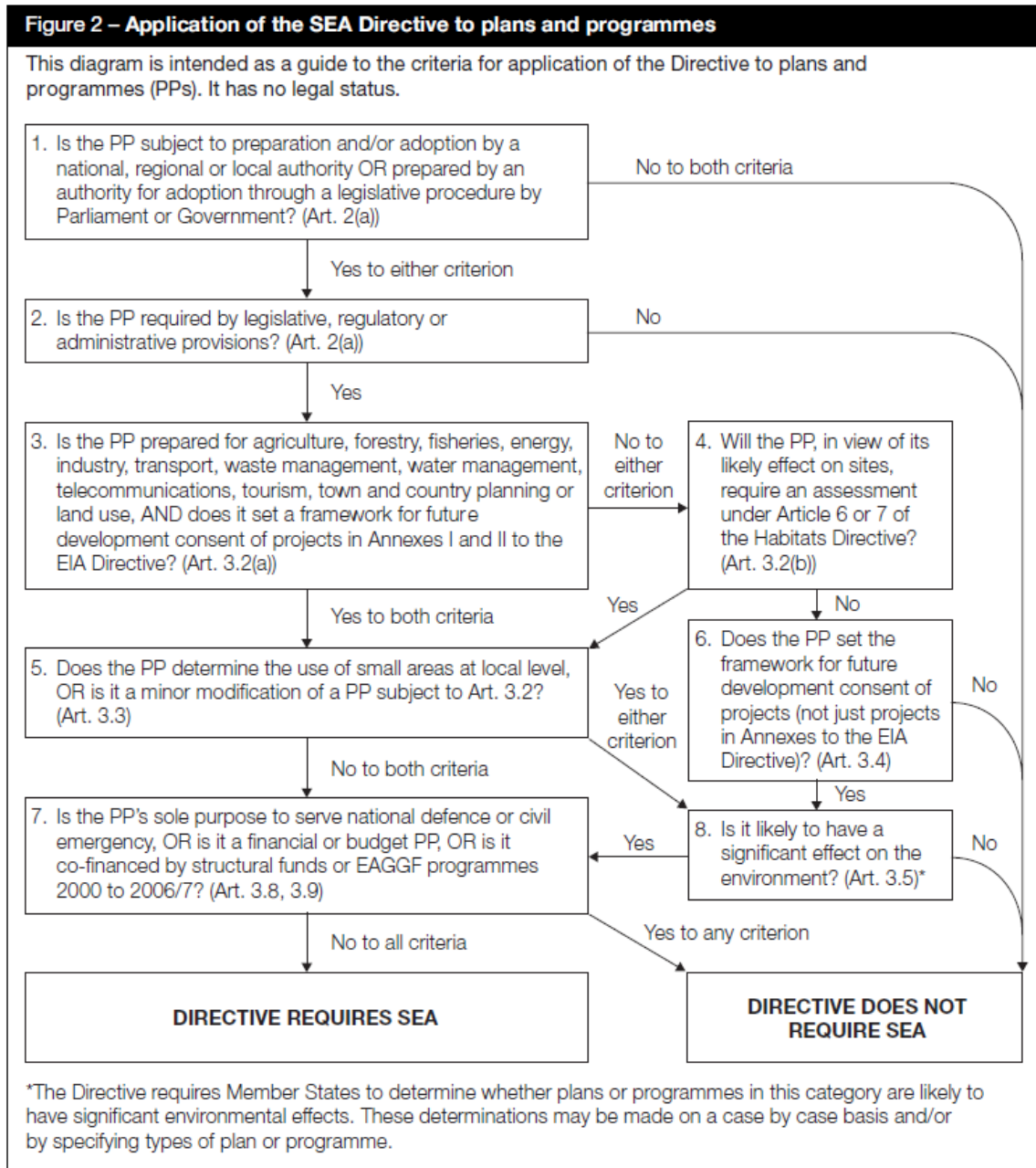
Responses

11. The Council consulted with the statutory consultees, Environment Agency, Historic England and Natural England on the screening opinion from 4 October 2022 to 1 November 2022. Responses were received from each of the three bodies and these are attached as Appendix 4.
12. Historic England note that the draft Neighbourhood Plan does not propose to allocate any sites for development. Historic England agree 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.
13. The Environment Agency are unable to formally respond due to limited resources, however have provided an advice note on the key issues they would consider in reviewing a plan. Many of the considerations do not apply to Bovingdon as the plan does not propose any development.
14. Natural England confirm that based on the information provided they are of the view that the proposals contained within the plan will not have significant effects on sensitive sites.

Conclusion

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

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



Process followed as shown in Appendix 1 – Extract from ‘A Practical Guide to the Strategic Environmental Assessment Directive (DCLG 2005)

Stage 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))

Yes, Explanation: 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 Bovingdon NP Steering Group, a working group who report to the Bovingdon 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:

- 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

Stage 2. Is the neighbourhood plan required by legislative, regulatory or administrative provisions? (art. 2(a))

Yes, Explanation: 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.

Stage 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))

No, Explanation: The Bovingdon 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.

Stage 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))

No, Explanation: The Bovingdon NP is unlikely to have significant effects on Natura 2000 sites. See Habitat Regulations Assessment (HRA) Screening Opinion for the Bovingdon NP in Appendix 2.

Stage 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)

Yes, Explanation: The Bovingdon NP will determine the use of sites/small areas at a local level.

Stage 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)

Yes, Explanation: When made, the Bovingdon 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.

Stage 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, 3.9)

No, Explanation: Non-Applicable.

Stage 8. Is it likely to have a significant effect on the environment? (Art. 3.5)

No, Explanation: 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 Bovingdon 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 uses the information contained in the Habitats Regulations Assessment of Dacorum Borough Council’s adopted Core Strategy as its basis for assessment. From this, the Local Authority will determine whether the Bovingdon 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.

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 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—

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.

- (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 European sites lie wholly or partly within 15km of the built-up area of Bovington and this has been taken into consideration as follows:

Chilterns Beechwood SAC – 3.89km from Bovington 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 Bovington. These are also Sites of Special Scientific Importance and listed as follows:

- Ashridge Common and Woods SSSI (3.89km from parish)
- Tring Woodlands (8.58km 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 Bovingdon 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 Bovingdon Neighbourhood Plan is not likely to give rise to significant effects alone or in combination with other plans and projects.

CONCLUSION

12. The Bovingdon 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 Bovingdon 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 Bovingdon 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 Bovingdon 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;

National policy requires a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making, including the Bovingdon NP. A basic condition of the Bovingdon NP is to contribute to the achievement of sustainable development. Within this wider context the Bovingdon NP itself is unlikely to have a significant positive or negative effects. It is noted that the number of NP objectives that relate to the integration of environmental considerations are limited. However there is reference to this in the following objectives:

- Require new development to be of high-quality design, complementary to the existing built environment in the parish and built to a high sustainability standard.
- Protect and enhance current public transport infrastructure to encourage residents and visitors to take advantage of the public transport available.

- Create safe routes and encourage alternative, sustainable modes of travel, including encouraging new technologies.
- Protect existing Local Green Spaces, wildlife corridor and natural habitats, ensuring future developments include green space and space for wildlife.

In order to meet the basic conditions the plan will have to integrate environmental considerations in particular with a views to promote sustainable development

(d) environmental problems relevant to the plan or programme; and

The environmental impact of the proposals within the Bovingdon 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 Bovingdon 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.

The Bovingdon NP will contain policies to maintain the character of the village and to specify design criteria for new houses.

Policies in the Bovingdon 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. The plan does not allocate any sites for housing

The Bovingdon NP area contains the following environmental designations:

Wildlife Sites:

- Bovingdon Brickworks Central
- Bovingdon Reach, Three Crofts, Barnfield
- Bury Wood (near Sheethanger Common)
- Coleshill Wood
- Fields between Darley Ash & Kenwood Nurseries
- Flaunden Chalk Quarry
- Gorsefield Wood & Ramacre Wood
- Great Wood (N. of Bovingdon airfield)

- Green Lane adjacent to The Larches
- Green Lane on Country Boundary, Bovingdon
- Hanging Wood (S. of Bourne End)
- Hay Wood
- Heathen Grove & The Larches
- Kenwood Farm Field
- Little Hay Golf Course
- Maulden Farm Area, Venus Hill
- Nuffield Farm Meadow and Orchard
- Pocketsdell Lane
- Rabbit Dell and Fir Wood
- Sheethanger Common
- Shoothanger Way Grassland East
- Simon Dean's Wood
- Strawberry Wood

Tree Preservation Orders:

- 36 & 37 Chesham Road, Bovingdon
- 58 Chipperfield Road, Bovingdon
- 63 Green Lane, Bovingdon
- Bakers Wood, Bovingdon
- Bobsleigh Inn, Hempstead Road, Bovingdon
- Coleshill Wood, Bovingdon Airfield, Bovingdon
- Grange Farm, Bovingdon (multiple)
- Hadland Photonics, Newhouse Road, Bovingdon
- Haywood, Leachcroft Wood

- Honours Mead, Chesham Road, Bovingdon
- Land at Gaelen House, Chipperfield Road, Bovingdon
- Land adjacent Appletree Cottage, Bovingdon
- Land adjacent Greinan Farm, Chipperfield Road
- Land adjacent Westbrook Hey
- Land at Garden Cottage, Bovingdon Green, Bovingdon
- Land at Long Lane, Bovingdon
- Land opposite The Conifers Long Lane, Bovingdon
- Little Park, off Green Lane, Bovingdon (multiple)
- Mauldens Cottage, Venus Hill, Bovingdon
- Rear of 30 Chipperfield Road, Bovingdon
- Rear of Little Ash House, Chipperfield Road
- Springfield' Vicarage Lane, Bovingdon
- Telephone Exchange, Hyde Lane, Bovingdon (multiple)
- The Close, Chipperfield Road, Bovingdon (multiple)
- The Nursery, Long Lane, Bovingdon
- Westbrook Hay, Bourne End (multiple)

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

- Chilterns Beechwood SAC – approximately 3.89km from the Bovingdon Parish Boundary

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

- Roughdown Common (1.19km)
- Little Heath Pit (2.17km)
- Ashridge Commons and Woods (3.89km)
- Alpine Meadow (4.33km)

- Ivinghoe Hills (8.81km)
- Dunstable and Whipsnade Downs (11.05km)
- Kensworth Chalk Pit (13.17km)
- Pitstone Hill (9.25km)
- Aldbury Nowers (8.15km)
- Pitstone Quarry (10.13km)
- Tring Reservoirs (10.30km)
- Oddy Hill and Tring Park (7.77km)
- Tring Woodlands (8.58km)
- Dancerend (9.38km)
- Dancerend Waterworks (9.20km)
- Aston Clinton Ragpits (11.66km)
- Weston Turville Reservoir (13.27km)
- Bacombe and Coombe Hills (12.98km)
- Millfield Wood (13.94km)
- Gomm Valley (13.77km)
- Froghall Brickworks (7.42km)
- Hodgemoor Wood (7.75km)
- Frogmore Meadows (2.48km)
- Sarratt Bottom (2.66km)
- Whippendell Wood (5.87km)
- Burnham Beeches (14.87km)
- Old Rectory Meadows (13.67km)
- Mid Colne Valley (10.77km)
- Harefield Pit (11.95km)
- Old Park Wood (10.17km)

- Ruislip Woods (12.18km)
- Harrow Weald (14.89km)
- Croxley Common Moor (8.62km)
- Bricket Wood Common (8.87km)
- Moor Mill Quarry, West (9.90km)
- Westwood Quarry (5.09km)

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.

- (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 Bovingdon 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 Bovingdon NP is likely to have modest but enduring positive environmental effects. The effects are not 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.

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.

- (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 transboundary³ 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);

The Bovingdon NP relates to the parish of Bovingdon, which includes the village of Bovingdon.

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.

(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 or limit values; or
- iii. intensive land-use; and

The Bovingdon NP area contains the following special natural characteristics and cultural heritage elements:

- Listed buildings
- 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 Bovingdon Neighbourhood Development Plan. This is:

- Chilterns Beechwood SAC – approx 3.89km

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

- Roughdown Common (1.19km)
- Little Heath Pit (2.17km)
- Ashridge Commons and Woods (3.89km)
- Alpine Meadow (4.33km)
- Ivinghoe Hills (8.81km)
- Dunstable and Whipsnade Downs (11.05km)
- Kensworth Chalk Pit (13.17km)
- Pitstone Hill (9.25km)
- Aldbury Nowers (8.15km)
- Pitstone Quarry (10.13km)
- Tring Reservoirs (10.30km)
- Oddy Hill and Tring Park (7.77km)
- Tring Woodlands (8.58km)
- Dancerend (9.38km)
- Dancerend Waterworks (9.20km)
- Aston Clinton Ragpits (11.66km)
- Weston Turville Reservoir (13.27km)
- Bacombe and Coombe Hills (12.98km)
- Millfield Wood (13.94km)
- Gomm Valley (13.77km)
- Froghall Brickworks (7.42km)

- Hodgemoor Wood (7.75km)
- Frogmore Meadows (2.48km)
- Sarratt Bottom (2.66km)
- Whippendell Wood (5.87km)
- Burnham Beeches (14.87km)
- Old Rectory Meadows (13.67km)
- Mid Colne Valley (10.77km)
- Harefield Pit (11.95km)
- Old Park Wood (10.17km)
- Ruislip Woods (12.18km)
- Harrow Weald (14.89km)
- Croxley Common Moor (8.62km)
- Bricket Wood Common (8.87km)
- Moor Mill Quarry, West (9.90km)
- Westwood Quarry (5.09km)

The Bovingdon 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 Bovingdon 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:

- Protect existing Local Green Spaces, wildlife corridors and natural habitats, ensuring future developments include green space and space for wildlife

- Protect existing views from being compromised through future development
- Protect Bovingdon's history, including existing and potential conservation areas, as designated and non-designated heritage assets

Therefore is not considered to cause likely significant effects.

The HRA Screening Assessment in appendix 2 concluded that: The Bovingdon 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 Bovingdon Neighbourhood Plan is not required.

There are sensitivities regarding cultural heritage within the Bovingdon 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 Bovingdon NP is not seeking to make any allocations.

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.

Given the nature and scope of the NP, environmental quality standards or limit values are not considered likely to be significantly affected.

The Bovingdon NP is not proposing any allocations, therefore the plan is not likely to cause significant effects in relation to intensive land use.

- (g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

The area covered by the Bovingdon NP is adjacent to the Chilterns AONB, recognised to contain some of the finest landscapes in England. As the Bovingdon NP is not proposing to allocate any development and given the objectives of the plan, any effects of the Bovingdon NP on the landscape are not likely to be significant.

Appendix 4 – Consultation responses to draft screening

Environment Agency – response received 4 October 2022

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/geth0910bswa-e-e.pdf) as appropriate.

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 proposed 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 HNLenquiries@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>

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 or 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 hnenquiries@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 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 proposals should avoid significant harm to biodiversity and see 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.

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 hnlenquiries@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 data sets 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.claire.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.claire.co.uk/useful-government-legislation-and-guidance-by-country/192-guiding-principles-for-land-contamination-gplc>

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' (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/244333/water-stressed-classification-2013.pdf) 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

Historic England – email response received 10 October 2022

Dear Jamie,

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 Bovingdon 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 10 October 2022

Dear Mr Glazebrook,

Bovingdon Neighbourhood Plan – Strategic Environmental Assessment (SEA) & Habitats Regulations Assessment (HRA) Screening

Thank you for your consultation on the above dated and received by Natural England on 04 October 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.

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.

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.

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.

If you have any queries relating to the advice in this letter please contact me on 07425 617458 or by email ryan.rees@naturalengland.org.uk

Yours sincerely,

Ryan Rees
Lead Adviser – Sustainable Development
West Anglia Area Team