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**Strategic Environmental Assessment
Screening Determination Statement
for
Draft Codicote Neighbourhood Plan Policies
August 2023**

Strategic Environmental Assessment Screening Determination

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1. Introduction to Strategic Environmental Assessments?

- 1.1. Strategic Environmental Assessment or SEA is commonly used to mean an environmental assessment required by the European Directive “on the assessment of the effects of certain plans and programmes on the environment”. The Strategic Environmental Assessment Directive is implemented through the [Environmental Assessment of Plans and Programmes Regulations 2004](#)¹ (“the Regulations”).
- 1.2. In summary the Regulations define “environmental assessment” as a procedure comprising:
 - preparing an Environmental Report on the likely significant environmental effects of the draft plan or programme;
 - carrying out consultation on the draft plan or programme and the accompanying Environmental Report;
 - taking into account the Environmental Report and the results of consultation in decision making; and
 - providing information when the plan or programme is adopted and showing how the results of the environmental assessment have been taken into account.
- 1.3. The Regulations define the environment to include such issues as: ‘biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors’².

What is the difference between Strategic Environmental Assessment and Sustainability Appraisal?

- 1.4. Broadly, the difference between SEA and Sustainability Appraisal (SA) is that the latter also considers the social and economic effects of the Plan, although it is worth noting that the SEA Regulations also include some social issues (such as health and material assets) in its definition of the environment quoted above.
- 1.5. SA of Local Plans is currently required by the National Planning Policy Framework. Planning Practice Guidance requires that SEA be addressed as an integral part of the sustainability appraisal process.

Legal requirements

- 1.6. Planning Practice Guidance notes that: ‘*there is no legal requirement for a Neighbourhood Plan to have a sustainability appraisal as set out in section 19 of the Planning and Compulsory Purchase Act 2004*’³.
- 1.7. However, it goes on to say that ‘a qualifying body must demonstrate how its plan or order will contribute to achieving sustainable development and that preparing a sustainability appraisal is one approach that can be used.
- 1.8. Planning Practice Guidance acknowledges that there may be some limited circumstances where a neighbourhood plan is likely to have significant environmental

¹ <http://www.legislation.gov.uk/uksi/2004/1633/contents/made>

² <http://www.legislation.gov.uk/uksi/2004/1633/schedule/2/made>

³ Paragraph: 026 Reference ID: 11-026-20140306 Revision date: 06 03 2014

effects and that a strategic environmental assessment is required. A strategic environmental assessment may be required, for example, where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the local plan or other strategic policies for the area.⁴

1.9. The SEA Regulations⁵ require the responsible authority to determine whether a plan is likely to have significant environmental effects, and therefore whether a SEA is needed. This process is commonly called “screening” and is the focus of this document. The responsible authority is required to consult with the SEA consultation bodies in making this determination. The Guidance goes on to say:

1.10. ‘Where it is determined that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), a statement of reasons for the determination should be prepared. A copy of the statement must be submitted with the Neighbourhood Plan proposal and made available to the independent examiner’⁶.

1.11. The detailed criteria for determining whether a plan is likely to have significant environmental effects are outlined in the regulations⁷. These criteria have been included in the template which follows.

⁴ [Paragraph: 046 Reference ID: 11-046-20150209](#) Revision date: 09 02 2015

⁵ The Environmental Assessment of Plans and Programmes Regulations 2004 para 9

⁶ Environment Agency, Natural England, and Historic England

⁷ <http://www.legislation.gov.uk/uksi/2004/1633/schedule/1/made>

2. Screening the neighbourhood plan

- 2.1. This report sets out a draft Screening Determination for the draft policies for the Codicote Neighbourhood Plan and has been prepared by North Herts Council. The purpose of the screening is to assess if the Codicote Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) to be prepared.

Neighbourhood Plans and Strategic Environmental Assessment

- 2.2. European Union Directive 200142/EC requires an SEA to be undertaken for certain types of plans or programmes that could have significant environmental effects. The Directive has been transposed into law for England and Wales in the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). The purpose of Strategic Environmental Assessment is to promote sustainable development through assessing the extent to which the plan will help to achieve relevant environmental, economic and social objectives.
- 2.3. Under Regulation 9 of the Regulations, the responsible body (local parish or town council or neighbourhood forum) is required to determine whether a plan or programme is likely to have significant environmental effects, and therefore whether an SEA is required. This process is called screening and is undertaken using a specified set of criteria (set out in Schedule 1 of the Regulations). The Regulations require that the results of this process are set out in an SEA Screening Determination (this document), which must be publicly available. This document should be submitted with the Neighbourhood Plan proposal and made available to the independent examiner.
- 2.4. Before the responsible body makes a formal determination, there is a requirement to consult three statutory consultation bodies designated in the regulations (Historic England, the Environment Agency & Natural England) on whether an environmental assessment is required.
- 2.5. Planning Practice Guidance states that “to decide whether a draft [Neighbourhood Plan](#) might have significant environmental effects, it must be assessed (screened) at an early stage of the plan’s preparation according to the requirements set out in regulation 9 of the [Environmental Assessment of Plans and Programmes Regulations 2004](#)”⁸.
- 2.6. The Guidance also suggests that the “The local planning authority, as part of its duty to advise or assist, should consider putting in place processes to determine whether the proposed Neighbourhood Plan will require a strategic environmental assessment.”⁹ In this case North Herts Council (NHC) is providing assistance by undertaking the screening determination.
- 2.7. The Guidance notes particular circumstances which may require a SEA¹⁰:
- “A strategic environmental assessment may be required, for example, where:*
- *a Neighbourhood Plan allocates sites for development*

⁸ Paragraph: 028 Reference ID: 11-028-20150209

⁹ ibid

¹⁰ Paragraph: 046 Reference ID: 11-046-20150209

- *the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan*
- *the Neighbourhood Plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the [Local Plan](#)".*

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

3. Codicote Neighbourhood Plan

- 3.1. Codicote parish is situated at the southernmost tip of the district of North Hertfordshire and encompasses the village known as Codicote and several outlying hamlets: Drivers End, Nup End, Hogsnorton, Rabley Heath and Potters Heath.
- 3.2. The village has a variety of shops and service located in the High Street, including a school, shops, pubs, village hall and a church. The B656 runs through the village, along the old coaching route from Welwyn to Hitchin. There is one conservation area covering the linear part of Codicote. The wider parish also includes parts of the Ayot St Lawrence and Old Knebworth conservation areas and also parts of the Ayot House and Knebworth Park designated historic parks and gardens.
- 3.3. The North Herts Local Plan 2011 – 2031 allocated four sites for residential development in the village.
- 3.4. The Neighbourhood Plan will be produced by the Qualifying Body, Codicote Parish Council, and will cover the period 2021 to 2031. North Herts Council (NHC), as the local planning authority, designated a Neighbourhood Area contiguous with the parish boundary on 24 June 2014 to enable the Parish Council to initiate the Plan. A map of the designated neighbourhood area is shown in Figure 1 below.

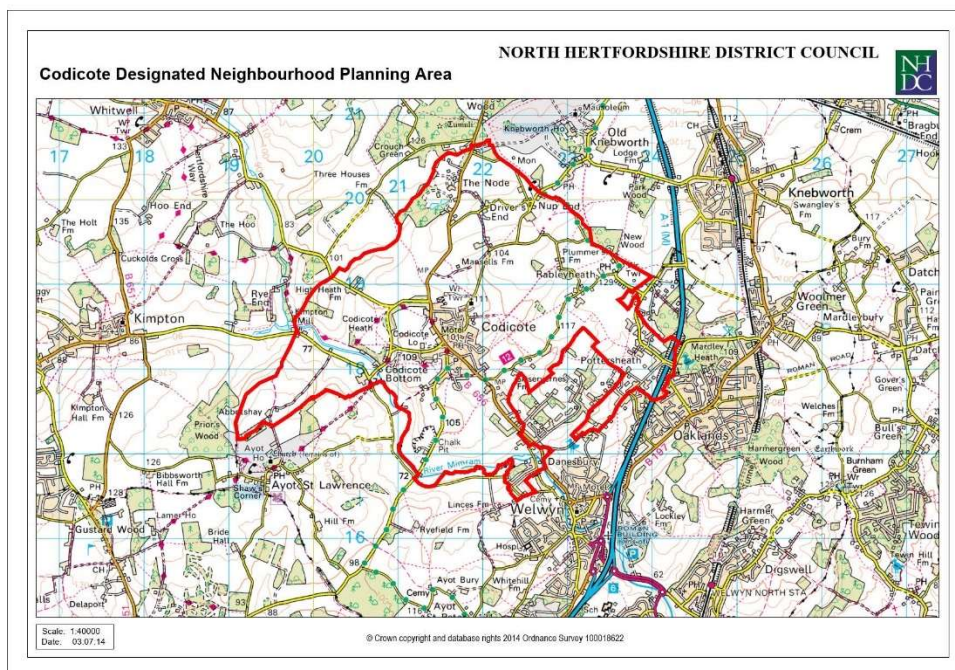


Figure 1: Map of the designated Codicote Neighbourhood Plan area

- 3.4. The neighbourhood plan sets out the following vision for the Parish:

Vision

To retain the 'village' feel and village character, development will blend with the built area whilst reflecting the countryside around it. Homes will include a variety of styles, sizes, and affordability, to retain the diversity of its village residents. Village shops, services and amenities are valued and will grow in number to meet local needs. Infrastructure will keep pace with developments and the needs of the population. To ensure all development in the parish is sustainable, the natural

environment, heritage assets and landscape character, will be protected from harm, nurtured, and made available to residents and visitors

3.5. The Neighbourhood Plan also sets out a number of objectives derived from the Vision Statement :

Design		
No.	Objective	Policies
1	To retain the village's relaxed, rural feel, and sense of community by thoughtful, attractive, development designed to enhance the village.	COD1, COD5, COD7, COD17, COD21
2	To ensure realistic numbers of formally designated parking places for residents and visitors are provided within each new development.	COD1, COD7, COD9, COD21
3	To encourage renewable energy and low carbon technology to be incorporated into new housing and other developments.	COD1, COD2,
Amenities		
No.	Objective	Policies
4	To ensure the High Street remains attractive to existing and new shops and services.	COD1, COD5, COD6, COD8, COD11, COD12, COD14, COD15, COD17, COD21, COD22, COD23
5	To ensure provision of social, leisure, health and education facilities keep pace with population growth and wider needs of the diverse community.	COD8, COD9, COD10, COD11, COD15, COD23
6	To protect precious green spaces for recreation and leisure use.	COD3, COD8, COD10, COD11, COD19, COD20, COD23
Infrastructure		
No.	Objective	Policies
7	To ensure infrastructure improvements are sympathetic to the rural setting of the village	COD1, COD7, COD9, COD17, Cod18, COD20, COD23
8	To alleviate the existing parking problem in the village, especially the High Street and feeder	COD1, COD6, COD9, COD12, COD13,

	roads, and the impact on pedestrian safety, disabled access and traffic congestion.	COD14, COD15, COD21, COD23
9	To minimize the impact of traffic generated by new developments on air quality, congestion, delays and safety within the village, especially the High Street and at key junctions, prevent cut throughs on country lanes and misuse by HGV's	COD1, COD6, COD9, COD12, COD13, COD14, COD15, COD23
10	To improve the frequency and accessibility of public transport.	COD13, COD23
11	To improve the uptake of active travel modes, on foot, by bicycle and by horse, ensuring easy, attractive and safe access to the village centre and amenities.	COD1, COD14, COD15, COD23
12	To ensure the demand for water does not exceed extraction capacity of local water courses	COD1, COD16
Natural Environment		
No.	Objective	Policies
13	To ensure development design protects the flow rate and health of the River Mimram (chalk stream).	COD1, COD16
14	To ensure development design retains existing hedgerows and established trees, enhances green corridors and wildlife habitats, to increase biodiversity and retain their amenity value.	COD1, COD4, COD16, COD18, COD19, COD20, COD23
15	To ensure development design enhances landscape features, minimises the impact on existing vistas and opens new vistas to the countryside.	COD1, COD17
16	To minimise vulnerability and improve resilience to climate change and its impacts.	COD1, COD2, COD3, COD16, COD20
Heritage Assets		
No.	Objective	Policies
17	To protect the historic environment, including the conservation area, by avoiding, minimising and mitigating the impact of development.	COD1, COD21, COD22
18	To identify, reveal and enhance the significance of heritage assets and their settings.	COD22

4. Screening assessment

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

Table 1: Screening of the draft policies for the Codicote Neighbourhood Plan against SEA criteria

Criteria for determining the likely significance of effects	Likely to have significant effects	Justification for assessment
1 (a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	No	<p>The draft policies which have been submitted for assessment set out a framework which can be used when considering development proposals in Codicote Parish in conjunction with the North North Hertfordshire Local Plan 2011 – 2031 and the NPPF.</p> <p>The draft policies do not indicate that any site allocations will be included in the neighbourhood plan.</p> <p>However, the draft policies do make provision for supporting the provision of a car park in the village which might have environmental effects in the future, but it is not possible to assess whether there would be any significant effects without more detail.</p>
1 (b) the degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	No	A Neighbourhood Plan is at the bottom of the planning hierarchy and must be in general conformity with the strategic policies of the Local Plan.
1 (c) the relevance of the plan or programme for the integration of environmental considerations in	No	The draft policies appear to focus on protecting the quality of the neighbourhood and its

Criteria for determining the likely significance of effects	Likely to have significant effects	Justification for assessment
particular with a view to promoting sustainable development.		environment. The adopted Local Plan has been subject to sustainability appraisal at all stages in its preparation and the outcomes of those assessments have been considered with regard to the draft policies for this Neighbourhood Plan. It is considered that the impact of the draft policies will be to have a positive effect on the environment by providing an additional layer of policy protection.
1(d) environmental problems relevant to the plan	No	None have been identified
1 (e) the relevance of the plan or programme for the implementation of community legislation on the environment (e.g. plans and programmes linked to waste management or water protection)	No	The draft policies will be in conformity with the policies in the Local Plan and the NPPF, which have each taken account of existing legislation for environmental protection. As noted above it is likely to have a positive effect by improving environmental protection.
2 (a) the probability, duration, frequency and reversibility of the effects	No	No significant effects have been identified
2 (b) the cumulative nature of the effects	No	No significant effects have been identified
2 (c) the trans-boundary nature of the effects	No	No significant effects have been identified
2 (d) the risks to human health or the environment (e.g. due to accidents)	No	No significant effects have been identified

Criteria for determining the likely significance of effects	Likely to have significant effects	Justification for assessment
2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	No significant effects have been identified
<p>2 (f) the value and vulnerability of the area likely to be affected due to:</p> <p>(i) special natural characteristics or cultural heritage</p> <p>(ii) exceeded environmental quality standards</p> <p>(iii) intensive land-use</p>	No	<p>There appear to be no draft policies which are likely to have significant environmental effects on these features.</p> <p>In fact, there are a number of draft policies which are designed to protect these features:</p> <p>Policy COD6: Protected recreational open spaces</p> <p>Policy COD7: Local Green Spaces</p> <p>Policy COD8: Sustainable water supply</p> <p>COD14: Biodiversity and ecological connectivity</p> <p>COD15 Climate change resilience</p> <p>COD16: Designated heritage assets</p> <p>COD17: Non-designated heritage assets</p>
2 (g) the effects on areas or landscapes which have a recognised national, community or international protection status	No	<p>The draft policies identify two Local Nature Reserves in the parish. The draft policy COD14: Biodiversity and ecological connectivity seeks to protect and enhance these features.</p> <p>The District Council updated the Habitats Regulation Assessment, September 2018. Where a neighbourhood plan</p>

Criteria for determining the likely significance of effects	Likely to have significant effects	Justification for assessment
		does not allocate a site for development, it is not necessary for an HRA to be prepared.

5. Consultation Responses

- 5.1. Consultation with the three statutory consultation bodies took place in July and August 2023. Responses were received from Historic England and Natural England and both agreed that on the basis of the information pro. Both organisations have concluded that on the basis of the draft policies provided, an SEA of the neighbourhood plan is not necessary. No response was received from the Environment Agency.
- 5.2. Copies of the full responses from Historic England and Natural England are attached as Appendices A and B respectively.

6. Screening Determination for the draft policies

- 6.1. In summary, it is concluded that the draft policies for the Codicote neighbourhood plan are not likely to have significant environmental effects and therefore a SEA is unlikely to be required. The principal reasons for this conclusion are:
 - there are no sites allocated for development;
 - the neighbourhood plan focuses on protecting the character of the village and its environment;
 - there are no proposals in the neighbourhood plan which are likely to have significant environmental effects on the natural and heritage features in the neighbourhood planning areas; and
 - the neighbourhood plan does not seek to change the outcomes of the development proposals in the Local Plan to the extent that it might lead to substantively different effects to those which have already assessed.
- 6.2. This determination will be reviewed once a full draft of the neighbourhood plan has been published for public consultation.

APPENDICES

Responses from Historic England and Natural England

Clare Skeels

From: Goodman, Thomas <[REDACTED]>
Sent: 10 August 2023 15:12
To: Clare Skeels
Subject: RE: North Herts Council - Codicote Neighbourhood Plan - SEA Screening Determination

Categories: Codicote NP

Dear Clare Skeels,

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 Codicote 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,

Tom Goodman on behalf of Will Fletcher
Team leader – Development Advice

Historic England | Brooklands
24 Brooklands Avenue | Cambridge | CB2 8BU

Date: 22 August 2023
Our ref: 444154
Your ref: Codicote Neighbourhood Plan



Ms Clare Skeels
North Hertfordshire Council

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

BY EMAIL ONLY

T 0300 060 3900

Dear Ms Skeels

Codicote Neighbourhood Plan - SEA Screening Consultation

Thank you for your consultation on the above dated and received by Natural England on 28 July 2023.

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 (SEA)

It is Natural England's advice, on the basis of the material supplied with the consultation, that significant effects on statutorily designated nature conservation sites or landscapes are unlikely.

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection area (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the [Planning Practice Guidance](#). This identifies three triggers that may require the production of an SEA:

- 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.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's [standing advice](#) on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in

Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to

[REDACTED]

Yours sincerely

Sally Wintle
Consultations Team