



# **North West Hatfield Masterplan SPD**

**Strategic Environmental Assessment (SEA)  
& Habitat Regulations Assessment (HRA)  
Screening Opinion**

**August 2024**

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## Acronyms & Abbreviations

AAS	Area of Archaeological Significance
AONB	Area of Outstanding Natural Beauty
BC	Borough Council
EIA	Environmental Impact Assessment
EPS	European Protected Species
EU	European Union
HRA	Habitat Regulations Assessment
LCA	Landscape Character Area
LWS	Local Wildlife Site
LNR	Local Nature Reserve
NNR	National Nature Reserve
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SEA	Strategic Environmental Assessment
SPA	Special Protection Area
SPD	Supplementary Planning Document
SNCI	Site of Nature Conservation Importance
SSSI	Site of Special Scientific Interest

## Part 1: Introduction & Legal Context

- 1.1 The Environmental Assessment of Plans & Programmes Regulations 2004 (the SEA Regulations) implement the requirements of EU Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment. Under the terms of the Regulations certain types of plans and programmes, which as defined in Regulation 2 includes those prepared and adopted by any authority at national, regional, or local level, and required by legislative, regulatory, or administrative provisions, must be subject to an assessment of their likely implications for the environment. The environmental assessment must be undertaken during the preparation of the plan or programme in order to inform its development and must be completed and reported on prior to the adoption of the plan or programme.
- 1.2 The SEA Regulations make provision under Regulation 9 (determinations of the responsible authority) for public authorities to decide whether a particular plan or programme requires environmental assessment. Where implementation of the plan or programme would not result in significant impacts on the environment SEA is not required. When making a determination under Regulation 9 the responsible authority must establish whether the plan or programme is one:
- For which the first formal preparatory act was carried out after 21 July 2004 (Regulation 5(1)(a) and (4)(a)).
  - Concerned with activities in one of the following sectors – agriculture; forestry; fisheries; energy; industry; transport; waste management; water management; telecommunications; tourism; or town and country planning or land use (Regulation 5(2)(a)).
  - That sets the framework for future development consent of projects<sup>1</sup> listed in Annex I or II to Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (the Environmental Impact Assessment (EIA) Directive), as amended by Council Directive 97/11/EC (Regulation 5(2)(b) and (4)(b)).
  - That requires assessment under Article 6 or 7 of the Habitats Directive (Directive 91/43/EC) in that it would give rise to adverse impacts on the integrity of sites of European importance for nature conservation (Regulation 5(3)).

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<sup>1</sup> Article 1(2) of the EIA Directive defines ‘projects’ as “the execution of construction works or of other installations or schemes,” or as “other interventions in the natural surroundings and landscape including those involving the extraction of minerals”.

1.3 Regulation 5(6) sets out the circumstances in which an environmental assessment may not be required for a plan or programme that otherwise falls within the scope of the Regulations, so long as there would be no significant environmental effects. Exceptions can be made for a plan or programme that determines the use of a small area at the local level, or for minor modifications to a plan or programme.

1.4 When making a determination under Regulation 9 the responsible authority must take account of the criteria (see below) set out in Schedule 1 to the SEA Regulations (Regulation 9(2)(a)). They must also consult Natural England, the Environment Agency and Historic England – the ‘consultation bodies’ specified in Regulation 4(1) of the SEA Regulations.

Paragraph 1: The characteristics of the plan or programme, having regard, in particular to –

- (a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size & operating conditions or by allocating resources;
- (b) The degree to which the plan or programme influences other plans & programmes including those in a hierarchy;
- (c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
- (d) Environmental problems relevant to the plan or programme; &
- (e) The relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans or programmes linked to waste management or water protection).

Paragraph 2: Characteristics of the effects and of the area likely to be affected having regard, in particular, to –

- (a) The probability, duration, frequency & reversibility of the effects;
- (b) The cumulative nature of the effects;
- (c) The transboundary nature of the effects;
- (d) The risks to human health or the environment (for example, due to accidents);
- (e) The magnitude & spatial extent of the effects (geographical area & size of the population likely to be affected);
- (f) The value & 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; &
- (g) The effects on areas or landscapes which have recognised national, Community or international protection status.

- 1.5 A statement of reasons must be prepared, and published, where the responsible authority, having taken account of the available evidence and the views of the consultation bodies, determines that a plan or programme does not require environmental assessment (i.e., that it is unlikely to have significant environmental effects) (Regulation 9(3) and Regulation 11).
- 1.6 The responsible authority's determination on the need for environmental assessment of a given plan or programme, and the statement of their reasons for that decision, must be published within 28 days of the determination having been made. Regulation 11 of the SEA Regulations sets out the following requirements with respect to the publication of determinations made under Regulation 9.
- A copy of the determination (and statement of reasons where environmental assessment is not required) must be sent to each of the consultation bodies (Natural England, the Environment Agency, and Historic England) (Regulation 11(1)(a) and 1(b)).
  - The determination (and statement of reasons where environmental assessment is not required) must be available for inspection by the public at the responsible authority's principal office, at all reasonable times and free of charge (Regulation 11(2)(a)).
  - The responsible authority must take appropriate steps to bring to the attention of the public the title of the plan to which the determination relates, the fact that it has been determined that environmental assessment is not required, and the address (including websites) at which the determination and any accompanying statement of reasons may be inspected or from which a copy may be obtained (Regulation 11(2)(b)).

## Part 2: The proposed North West Hatfield Supplementary Planning Document

### 2.A Context for the North West Hatfield Supplementary Planning Document (SPD)

- 2.1 The Welwyn Hatfield Local Plan was adopted by Welwyn Hatfield Borough Council in October 2023. The Local Plan sets out the spatial strategy for the development of the borough for the period up to 2036. The Plan addresses the borough’s objectively assessed need for additional housing and employment space and supporting infrastructure including accessible greenspace. The Plan allocates five strategic sites for development: one Class E(g) and residential site, and four residential-led mixed use sites, one of which is North West Hatfield (as shown in Appendix A).
- 2.2 The development of the North West Hatfield site is provided for by policies SADM 26 (New dwellings in Hatfield) and SP 22 (North West Hatfield – SDS5). The number of houses that could be delivered at the site is referenced in these policies as being approximately 1,750 dwellings, 25% of which should be affordable housing and 15 gypsy and traveller pitches (policy SP 7). The development of the site is also required to deliver an employment area of approximately 13,900sqm employment space in Class E(g) use (policy SADM 10), a new neighbourhood centre including convenience retail floorspace (policy SP 5), new community facilities, a new secondary school (8-10 FE) and primary school (up to 3 FE) (policy SP 14), as well as sustainable transport measures, suitable access, formal and informal open space, landscaping, necessary utilities infrastructure and sustainable drainage/flood mitigation.
- 2.3 The site benefits from planning permission for the removal of sand and gravel deposits located in the central and western parts of the site (HCC application ref PL/0963/18, granted conditional permission subject to the completion of a s106 Agreement). The deposits will be removed in stages, starting with the eastern side of the site and thereafter progressing west and southwest over a period of approximately 10 years. Following extraction activity, land will be “made good” to support future residential-led development, while sand and gravel extraction is still being undertaken in later phases. Policy SP 22 makes reference to the need for prior extraction of minerals to be considered.
- 2.4 The policies and allocations set out in the adopted Local Plan were subject to Sustainability Appraisal (including SEA) and to HRA during the preparation of the Plan.

The SA considered a number of reasonable alternative sites in Hatfield including one reasonable alternative strategic site (Hat2). The Inspector concluded that for the allocation of the site for the development of c.1,750 new residential properties, *“The evidence does not suggest the availability of (an) alternative site(s) available, adjacent to Hatfield, for this amount of development at this point in time and which would result in less harm to Green Belt purposes or achieve better sustainability credentials.”* (paragraph 283, p.71, Report on the Examination of the Welwyn Hatfield Local Plan (2016), 25 September 2023). The allocation of the North West Hatfield site was found to be sound and was confirmed in the Plan adopted in October 2023.

- 2.5 During the course of the examination, additional sites were considered and the capacity of the North West Hatfield site was increased from 1,650 to 1,750 dwellings. To ensure that the requirements of the development are precise and policy SP 22 is effective, the inspector recommended main modification MM45 and further main modification FMM19 to policy SP 22. These included the increased site capacity and clarified on the delivery of the educational facilities, cycle/pedestrian access including across/under the A1(M), and the conservation/enhancement of nearby heritage assets and their settings.
- 2.6 The additional sites, main modifications and further main modifications were considered under addendums to the 2016 Sustainability Appraisal (examination documents EX200, EX297 and EX303B<sup>2</sup>). It was concluded that overall, the cumulative effects of the Welwyn Hatfield Local Plan remain unchanged and the overall sustainability of the Local Plan is not considered to be changed by the modifications (paragraphs 5.2 and 5.3, page 11, Sustainability Appraisal Report Local Plan Addendum Main Modifications, November 2022; and paragraph 1.8, page 2, Sustainability Appraisal Report Local Plan Addendum Further Main Modifications, June 2023).
- 2.7 Policy SP 22 requires that a masterplan is produced for the overall site which is agreed by the Council, working with the landowners and other key stakeholders. The masterplan is to be informed by the Strategy Diagram in Figure 14 of the Local Plan, and is to form the basis of a Supplementary Planning Document which will provide further guidance on site specific matters. Any application for development should be preceded by and consistent with the masterplan.
- 2.8 A masterplan for the development of the North West Hatfield strategic site is in the process of being produced by the landowner.

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<sup>2</sup> The Sustainability Appraisal and subsequent addendums are available at: <https://www.welhat.gov.uk/homepage/36/local-plan>, and relevant extracts included in Appendix B of this report

## **2.B Structure and content of the North West Hatfield Masterplan SPD**

2.9 The North West Hatfield Masterplan SPD will set out a masterplan framework for the development of the North West Hatfield site. The SPD will incorporate the provisions set out in Policy SP 22 and will be informed by Figure 14 of the Local Plan.

2.10 The proposed SPD is likely to be composed of the following key parts:

- Introduction: setting out the purpose of the document, the planning policy context and status of the SPD
- Vision: an overarching vision for the future development of the site with broad thematic statements
- Context: an overview of the key features and constraints of the site and wider area summarised in a Considerations Plan
- Engagement: a summary of the stages of consultation and engagement undertaken in preparation of the masterplan, and feedback from the Hertfordshire Design Review Panel
- Place-Making Principles: a number of principles which represent the combined ambitions of the landowner and Welwyn Hatfield Borough Council
- The Masterplan Framework: a series of strategies/strategy diagrams covering land use, transport and movement, green infrastructure, place making, and sustainability, incorporated into a framework masterplan, with the identification of neighbourhood character areas
- Implementation and Delivery: a phasing plan providing an estimated timetable for delivery of development on site following minerals extraction, and delivery of social and physical infrastructure.



# Part 3: Determining the need for Environmental Assessment of the proposed North West Hatfield Masterplan SPD

## 3.A Establishing the need for Environmental Assessment

**Does the plan or programme fall within the scope of the definition given in Regulation 2 (Interpretation)?**

3.1 Yes. The proposed SPD will be a material planning consideration in planning decisions once adopted. The SPD will be prepared by the developer/landowner in conjunction with Welwyn Hatfield Borough Council. It will be adopted by Welwyn Hatfield Borough Council, an organisation that is a local level government body in England acting in its capacity as the Local Planning Authority for the borough of Welwyn Hatfield. The SPD will be prepared and adopted in accordance with the relevant provisions of the Planning & Compulsory Purchase Act 2004 as amended by the Planning Act 2008 and of the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended).

**Was the first formal preparatory act for the plan or programme carried out after 21 July 2004? Regulation 5(1)(a) and 5(4)(a)**

3.2 Yes. Preparation of the proposed North West Hatfield Masterplan SPD commenced in 2023.

**Is the plan or programme concerned with activities in one of the following sectors – agriculture; forestry; fisheries; energy; industry; transport; waste management; water management; telecommunications; tourism; or town and country planning or land use? Regulation 5 (2)(a)**

3.3 Yes. The proposed SPD is concerned with activities that fall within the scope of the ‘town and country planning or land use’ sector.

3.4 The proposed SPD will provide additional guidance to that already set out in Policies SADM 26 and SP 22 (as well as policies SADM 10, SP 5, SP 7 and SP 14) of the adopted Welwyn Hatfield Local Plan (October 2023) and provide for the development of the North West Hatfield site to create a new residential-led sustainable neighbourhood of approximately 1,750 new homes and approximately 13,900sqm employment floorspace.

3.5 The main parameters for the development and key issues that would need to be addressed are set out in Policy SP 22 (North West Hatfield – SDS5) of the adopted Local Plan.

- 3.6 The proposed SPD will comprise a masterplan framework for the site and will provide further detail on the density, form, and composition of the development to be provided as part of the new neighbourhood whilst respecting the limitations on the number of new homes and the amount of additional floorspace to be provided set out in the adopted Plan.

**Does the plan or programme set the framework for future development consent of projects<sup>3</sup> listed in Annex I or II to Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, as amended by Council Directive 97/11/EC? Regulation 5(2)(b) and 5(4)(b)**

- 3.7 Yes. The development to be covered by the SPD includes land-uses that fall within project categories listed in Annex II of the Environmental Impact Assessment (EIA) Directive (Schedule 2 of the EIA Regulations 2017 (as amended)). The development of the North West Hatfield site would involve works that falls within the scope of paragraphs 10(a) (industrial estate development projects) and 10(b) (urban development projects) of Schedule 2 of the EIA Regulations.
- 3.8 The proposed SPD would not alter the type, mix or quantum of development to be delivered as part of the development of the North West Hatfield site from that defined by policies in the adopted Welwyn Hatfield Local Plan. The Local Plan was subject to Sustainability Appraisal, and to HRA, during its preparation and no allocation would have been made if the examining Inspector were not convinced that the evidence supported the conclusion that the Plan would not give rise to significant environmental effects.
- 3.9 The North West Hatfield site extends to some 130 hectares, and in accordance with Policies SADM 26 and SP 22 of the Welwyn Hatfield Local Plan, would be expected to deliver up to 1,750 new homes and c.13,900 square metres of employment space. On that basis any planning application for the redevelopment of the site would require EIA, a fact that would not be materially altered by the proposed SPD.
- 3.10 There are also mineral deposits within the site. The Local Plan notes the importance of preventing the sterilisation of mineral resources (which is a requirement of national policy and the Hertfordshire Minerals Local Plan) whilst ensuring that the site can be developed within the plan period (paragraph 15.36) and consideration of minerals is also included in policy SP 22. Mineral extraction can fall within the scope of paragraphs 2 (extractive industry) and 5 (mineral industry) of Schedule 2 of the EIA Regulations.

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<sup>3</sup> Article 1, paragraph 2 of the EIA Directive defines ‘projects’ as “the execution of construction works or of other installations or schemes,” or as “other interventions in the natural surroundings and landscape including those involving the extraction of minerals”.

- 3.11 An application has been determined for the extraction of minerals at the site (Herts County Council reference: PL/0963/18) and conditional permission granted 22/12/2023. This application was subject to EIA.

**Does the plan or programme require assessment pursuant to Article 6 or 7 of the Habitats Directive (Directive 91/43/EC)? Regulation 5(3)**

- 3.12 The proposed SPD will be a material planning consideration for projects of a type that could give rise to impacts on the integrity of European designated sites.
- 3.13 There are four European sites identified as being within 10km of Welwyn Hatfield Borough. Their location is shown in Appendix C:
- Epping Forest SAC
  - The Lee Valley SPA
  - The Lee Valley Ramsar
  - Wormley Hoddesdonpark Woods SAC
- 3.14 The Welwyn Hatfield Local Plan was subject to Habitat Regulations Assessment (HRA) as part of the plan preparation process. The HRA considered the potential effects of the Plan, including the allocation of the North West Hatfield site for development as a new neighbourhood of c.1,750 homes, on European sites within a 10km radius of Welwyn Hatfield borough. The HRA concluded that the Welwyn Hatfield Local Plan would not have any significant environmental effects on any of these sites.
- 3.15 The proposed masterplan framework SPD will not alter the amount of development that could be brought forward at the North West Hatfield site from that allowed for under Policy SADM 26 and Policy SP 22 of the adopted Local Plan. There would be no material change to the type or amount of development on the site and the conclusions of the earlier HRA for the Plan would remain valid. Further consideration of HRA screening is included below (see section 4 of this report).

**Does the plan or programme determine the use of a small area at local level?**  
*Regulation 5(6)(a)*

- 3.16 Yes. The proposed masterplan framework SPD will focus solely on development of the allocated site at North West Hatfield and would not apply beyond that area.

### 3.B Determining whether significant environmental effects are likely

- 3.17 The proposed North West Hatfield SPD is a plan or programme of a type that falls within the scope of the SEA Regulations but relates to the use of a small area at local level. To determine whether SEA is required consideration must be given to the extent that the proposed SPD could result in significant environmental effects. As the allocation of the site for redevelopment was subject to SEA during the preparation of the adopted Local Plan further assessment of the SPD would only be warranted if impacts different or additional to those considered in the earlier SEA work would result from the adoption of the SPD.
- 3.18 In line with the requirements of Regulation 9(2)(a) the proposed SPD has been considered against the criteria listed in Schedule 1 of the SEA Regulations. The findings of that work with respect to Schedule 1(1) are set out in Table 3-1. The findings of that work with respect to Schedule 1(2) are set out in Table 3-2.

**Table 3-1: Consideration of the SPD against Schedule 1(1) of the SEA Regulations – Characteristics of plans and programmes**

Schedule 1 Criteria	Discussion
<p>The degree to which the plan ... sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources</p> <p><i>Schedule 1(1)(a)</i></p>	<p>The proposed SPD would expand on the design guidance set out in Policy SP 22 of the adopted Welwyn Hatfield Local Plan in respect of the development of a new neighbourhood on land at North West Hatfield.</p> <p>The site to be addressed by the proposed SPD is allocated for future development under Policies SADM 26 and SP 22 of the adopted Welwyn Hatfield Local Plan, and the quantum and mix of development to be included in that settlement is also defined in those policies with further design guidance and principles set out in policy SP 22.</p> <p>The proposed SPD would not alter those pre-determined parameters but would provide further detailed guidance on the design, form and character of the settlement that is to be created.</p> <p>The environmental effects associated with the development of the allocated site as previously assessed in the SEA and SA for the Local Plan would not be significantly altered or added to as a result of the adoption of the SPD. <b>No further assessment is required.</b></p>
<p>The degree to which the plan ... influences other plans ... including those in a hierarchy</p> <p><i>Schedule 1(1)(b)</i></p>	<p>The proposed SPD would support the objectives of the adopted Welwyn Hatfield Local Plan with respect to the design, form, and character of the new neighbourhood at North West Hatfield, but would not influence (as in change) the aims and objectives of any other plans or programmes in the land use sector that apply in the borough.</p> <p>No previously assessed environmental effects would be altered or added to as a result of the adoption of the SPD. <b>No further assessment is required.</b></p>

Schedule 1 Criteria	Discussion
<p>The relevance of the plan ... for the integration of environmental considerations in particular with a view to promoting sustainable development <i>Schedule 1(1)(c)</i></p>	<p>The proposed SPD would provide guidance on the design, form, and character of the new neighbourhood to be located at North West Hatfield. The site has been allocated for development in the adopted Welwyn Hatfield Local Plan which seeks to enable the sustainable development of the borough by, inter alia, identifying land that can be appropriately developed to meet the projected housing needs of the borough and the wider area over the Plan period. Regarding the allocation of the site, the examining Inspector concluded that, "...The evidence does not suggest the availability of (an) alternative site(s) available, adjacent to Hatfield, for this amount of development at this point in time and which would result in less harm to Green Belt purposes or achieve better sustainability credentials...There are clearly exceptional circumstances to remove this sustainable site to facilitate the comprehensive development discussed above from the Green Belt." (paragraph 283, p.70-71, Welwyn Hatfield Local Plan: Inspectors Report, 25 September 2023).</p> <p>The sustainability of the development of the allocated site as previously assessed in the SEA and SA for the Local Plan would not be significantly altered as a result of the adoption of the SPD. <b>No further assessment is required.</b></p>
<p>Environmental problems relevant to the plan ... <i>Schedule 1(1)(d)</i></p>	<p>The North West Hatfield site is not subject to any environmental problems that are relevant to the adopted Local Plan or the proposed SPD.</p> <p>The extraction of sand and gravel deposits will be removed in stages, with land "made good" to support future residential development.</p> <p>The need for sustainable transport measures, suitable access, sustainable drainage and flood mitigation are included in policy SP 22 and have been considered as part of the SEA and SA process.</p> <p>Regarding noise and disturbance, the examining inspector commented that, "North-West Hatfield is primarily a residential proposal (SP22) within the Green Belt but with an employment area proposed adjacent to the A1M", and, "The site at North-West Hatfield, which is a part of an extended mixed-use neighbourhood (SDS5), will utilise land adjacent to the A1M, where there are very likely to be noise and disturbance issues that reduce its suitability for residential use." (paragraph 56, pp.18, Welwyn Hatfield Local Plan: Inspectors Report, 25 September 2023).</p> <p>The environmental effects associated with the development of the allocated site as previously assessed in the SEA and SA for the Local Plan would not be significantly altered or added to as a result of the adoption of the SPD. <b>No further assessment is required.</b></p>

Schedule 1 Criteria	Discussion
<p>The relevance of the plan... for the implementation of European legislation on the environment (for example, plans ... linked to waste management or water protection)</p> <p><i>Schedule 1(1)(e)</i></p>	<p>The proposed SPD would form part of the Welwyn Hatfield Local Plan with respect to the development of the North West Hatfield site.</p> <p>Strategies relating to waste disposal or water protection are mostly dealt with by Hertfordshire County Council.</p> <p>The adopted Local Plan includes a number of policies that contribute to the implementation of EU environmental law and Welwyn Hatfield Borough Council has a number of strategies in place, relating to waste management and environmental protection.</p> <p>The environmental protections provided by other policies in the adopted Local Plan would not be altered or disapplied by the proposed SPD and no previously assessed environmental effects would be altered. <b>No further assessment is required.</b></p>

**Table 3-2: Consideration of the SPD against Schedule 1(2) of the SEA Regulations – characteristics of the effects and the area to be affected**

Schedule 1 Criteria	Discussion
<p>The probability, duration, frequency &amp; reversibility of the effects</p> <p><i>Schedule 1(2)(a)</i></p>	<p>The development of the North West Hatfield site will give rise to both temporary and permanent effects.</p> <p>In the case of temporary effects these would arise during the construction phase and would be more likely to be adverse in character – e.g. emissions of noise and dust, additional HGVs on the local highway network, etc. Such effects would be subject to control through conditions attached to any planning permission granted. Such conditions would be formulated in the context of relevant policies in the adopted Local Plan. Such effects are not matters that would be appropriately addressed within the context of a site masterplan and would be unaffected by the proposed SPD.</p> <p>In the case of the permanent effects on the land associated with the construction and occupation of the new neighbourhood the vision set out in the adopted Local Plan policy for the site (SP 22) would be largely positive and would contribute to the sustainable development of the borough over the Plan period. The SPD would build on the design principles already set out for the site in the adopted Local Plan policies to ensure that redevelopment delivers a high quality settlement with a distinct local character.</p> <p>The sustainability of the development of the allocated site as previously assessed in the SEA and SA for the Local Plan would not be significantly altered as a result of the adoption of the SPD. <b>No further assessment is required.</b></p>

Schedule 1 Criteria	Discussion
<p>The cumulative nature of the effects <i>Schedule 1(2)(b)</i></p>	<p>The North West Hatfield site is located adjacent to existing development and would extend and wrap around Hatfield Garden Village.</p> <p>Policy SP 22 of the adopted Local Plan states that the site will be planned comprehensively to create a new sustainable neighbourhood incorporating principles of high quality design.</p> <p>The examining inspector also commented that “The proposal involves a neighbourhood centre, containing shopping and community facilities and a small employment area, as well as proposals for new primary and secondary schools. These new facilities would also be of benefit to the existing residents of the adjacent Hatfield Garden Village. The extension and improved frequency of the local bus services, providing links to Welwyn Garden City and Hatfield town centres and their railway stations, as well as to local employment areas, will also help to ensure that a comparatively sustainable community, from a movement perspective, will reside here. The large employment area to the south of the site, as well as the additional new employment area within the site itself, will provide local employment opportunities.” (paragraph 283, pp.71, Welwyn Hatfield Local Plan: Inspectors Report, 25 September 2023)</p> <p>In this way there would be benefits to both the existing urban area and the new development at North West Hatfield.</p> <p>The proposed SPD would not alter the quantum of development to be delivered at the site, which is set by policies SADM 26 and SP 22 of the adopted Local Plan. <b>No further assessment is required.</b></p>
<p>The trans-boundary nature of the effects <i>Schedule 1(2)(c)</i></p>	<p>None of the guidance set out in the proposed SPD would impact upon land within the jurisdictions of any EU Member States.</p> <p>None of the guidance set out in the proposed SPD would significantly impact upon land within the jurisdictions of any neighbouring Local Authority. Cross boundary matters have been discussed and agreed as part of the Duty to Cooperate under the Local Plan Making process.</p> <p><b>No further assessment is required.</b></p>
<p>The risks to human health or the environment (for example, due to accidents) <i>Schedule 1(2)(d)</i></p>	<p>The proposed development of the North West Hatfield site does not include any forms of development that would give rise to novel or particularly hazardous risks to the environment or human health.</p> <p>The adopted Local Plan includes policies that provide for the protection of the environment and human health that apply across all applications for planning permission. The proposed SPD would not alter or disapply any of those policies in the context of the development of the North West Hatfield site and no previously assessed environmental effects would be altered. <b>No further assessment is required.</b></p>

Schedule 1 Criteria	Discussion
<p>The magnitude &amp; spatial extent of the effects (geographical area &amp; size of the population likely to be affected) <i>Schedule 1(2)(e)</i></p>	<p>The proposed SPD will focus solely on development of the allocated site at North West Hatfield and would not apply beyond that area. The likely impacts of the development of the site were subject to SEA and SA during the preparation of the Welwyn Hatfield Local Plan, which includes the policies (SADM 26 and SP 22) that allocated the site for development and defined the type and quantum of development to be provided for on the site. The SPD would not alter the site boundary or area.</p> <p>The environmental effects associated with the development of the allocated site as previously assessed in the SEA and SA for the Local Plan would not be significantly altered or added to as a result of the adoption of the SPD. <b>No further assessment is required.</b></p>
<p>The value &amp; vulnerability of the area likely to be affected due to: special natural characteristics or cultural heritage <i>Schedule 1(2)(f)(i)</i></p>	<p>There is a listed building (Old Cottage) just outside the site boundary and two Areas of Archaeological Significance within the site.</p> <p>Policy SP 22 of the adopted Local Plan makes explicit reference to heritage assets and their settings, requiring the development of the site to conserve and, where appropriate, enhance these heritage assets. The proposed SPD will expand on the principles set out in policy SP 22 of the adopted Local Plan and will provide further guidance on the ways in which the site can be developed in a manner that is sympathetic to its heritage.</p> <p>The adopted Local Plan includes policies that provide for the protection of the historic environment that apply across all applications for planning permission. The proposed SPD would not alter or disapply any of those policies in the context of the development of the North West Hatfield site and no previously assessed environmental effects would be altered. <b>No further assessment is required.</b></p>
<p>The value &amp; vulnerability of the area likely to be affected due to: exceeded environmental quality standards or limit values <i>Schedule 1(2)(f)(ii)</i></p>	<p>The North West Hatfield site is not subject to any environmental problems that are relevant to the adopted Local Plan or the proposed SPD.</p> <p>The adopted Local Plan includes policies that protect the environment and apply across all applications for planning permission. The proposed SPD would not alter or disapply any of those policies in the context of the development of the North West Hatfield site and no previously assessed environmental effects would be altered. <b>No further assessment is required.</b></p>



Schedule 1 Criteria	Discussion
<p>The value &amp; vulnerability of the area likely to be affected due to: intensive land-use</p> <p><i>Schedule 1(2)(f)(iii)</i></p>	<p>The North West Hatfield site is allocated for development under Policies SADM 26 and SP 22 of the adopted Local Plan, which outline the intensity of future use and the types of land-uses to be accommodated.</p> <p>The proposed SPD would not alter those pre-determined parameters but would provide further detailed guidance on the design, form and character of the settlement that is to be created.</p> <p>Prior to development of the North West Hatfield site, minerals extraction will take place over much of the developable area. Therefore the prior agricultural land classification of Grade 2 will already have been altered.</p> <p>The environmental effects associated with the development of the allocated site as previously assessed in the SEA and SA for the Local Plan would not be significantly altered or added to as a result of the adoption of the SPD. <b>No further assessment is required.</b></p>
<p>The effects on areas or landscapes which have recognised national, European or international protection status</p> <p><i>Schedule 1(2)(g)</i></p>	<p>The North West Hatfield site is not located within any national or higher level designations for landscape or nature conservation.</p> <p>Welwyn Hatfield has a number of sites of importance for nature conservation, but these are protected by separate policies in the adopted Welwyn Hatfield Local Plan. The proposed SPD does not seek to disapply the nature conservation policies of the adopted Local Plan with reference to the development of the North West Hatfield site and does not alter the quantum of development from that defined by policies SADM 26 and SP 22.</p> <p>The proposed SPD will build on those principles and would not disapply policies already referred to with respect to the development of the site. The quantum of development would not be altered as a consequence of the proposed SPD.</p> <p>The environmental effects associated with the development of the allocated site as previously assessed in the SEA and SA for the Local Plan would not be significantly altered or added to as a result of the adoption of the SPD.</p> <p>The Welwyn Hatfield Local Plan was subject to Habitat Regulations Assessment (HRA) as part of the plan preparation process. That HRA considered the potential effects of the Plan, including the allocation of the North West Hatfield site for development as a new neighbourhood of c.1,750 homes, on European sites within a 10km radius of Welwyn Hatfield borough. The HRA concluded that the Welwyn Hatfield Local Plan would not have any significant environmental effects on any of these sites. A HRA screening has been undertaken for this SPD (see section 4 below). <b>No further assessment is required.</b></p>

### **3.C Conclusion on the need for Environmental Assessment**

- 3.19 The proposed SPD falls within the scope of the description given in Regulation 5(6)(a) as it would determine the use of a small area at the local level. The type and volume of development to be provided at the North West Hatfield site is defined by Policies SADM 26 and SP 22 of the adopted Local Plan, the preparation of which was subject to and informed by a combined SA and SEA. The proposed SPD would not alter the quantum of development to be provided at North West Hatfield but would further expand on the design guidance and principles set out in Policy SP 22 of the adopted Local Plan. The area of land covered by the proposed SPD would be consistent with that identified by Policy SP 22 of the adopted Local Plan.
- 3.20 Based on the available evidence and taking account of the relationship of the proposed SPD to the adopted Local Plan it is concluded that the SPD would not give rise to activities that would result in significant environmental effects of a type or scale different to those already considered in the SEA and SA of the Local Plan. The proposed SPD would not alter or disapply any of the policies set out for the protection of the environment or communities in the adopted Local Plan, and it can therefore be concluded that any environmental effects arising from the development of the North West Hatfield site would be appropriately addressed in the context of any planning permission that may be granted.
- 3.21 It is recommended that the preparation and adoption of the proposed North West Hatfield Masterplan SPD would not give rise to significant environmental effects. The SPD therefore does not require environmental assessment under the provisions of the Environmental Assessment of Plans and Programmes Regulations 2004.

## Part 4: Habitat Regulation Assessment (HRA) Screening for the North West Hatfield Masterplan SPD

- 4.1 The requirement to undertake HRA of development plans was confirmed by the amendments to the Habitats Regulations published for England and Wales in 2007; the currently applicable version is the Habitats Regulations 2017 as amended. These updates were consolidated into the Conservation of Habitats and Species Regulations 2017. The assessment process examines the likely significant effects of the different spatial options on the integrity of the European wildlife sites of nature conservation importance within, close to or connected to the plan area. European wildlife sites are areas of international nature conservation importance that are protected for the benefit of the habitats and species they support. This assessment is known as a Habitat Regulation Assessment (HRA).
- 4.2 For the purposes of the HRA, international designated wildlife sites are Special Protection Areas (SPA), Special Areas of Conservation (SAC), and Ramsar wetland sites.
- 4.3 The SEA Directive requires that if an eligible plan or programme requires an appropriate assessment under the Habitats Directive, then that plan or programme will also require an SEA. It is therefore advisable to check whether an assessment under the Habitats Regulations is required by undertaking HRA screening at the same time as screening for SEA.
- 4.4 The Welwyn Hatfield Local Plan document has been subject to both SEA and HRA. These documents can be found on the WHBC website, under Submission Documents. Both the Sustainability Appraisal and the Habitats Regulation Assessment were updated in 2020, following the promotion of additional sites for housing (including an increase from 1,650 to 1,750 dwellings for the North West Hatfield site). Further updates/addendums were made for the main modifications and further main modifications stages of the Local Plan examination.
- 4.5 The following four European sites are identified as being within 10km of Welwyn Hatfield Borough. Their location is shown in Appendix C.
- Epping Forest SAC
  - The Lee Valley SPA

- The Lee Valley Ramsar
- Wormley Hoddesdonpark Woods SAC

4.6 The environmental effects of the policies contained in the Welwyn Hatfield Local Plan were subject to a screening assessment. In relation to policies SADM 26 and SP 22, the outcome of the screening was that European sites could potentially be affected in the following ways:

- Epping Forest SAC could be affected by increased disturbance from recreational pressure.
- Lee Valley SPA and Ramsar site could be affected by air pollution, recreational disturbance, water pollution and change in water quantity.
- Wormley Hoddesdonpark Woods SAC could be affected by air pollution from increased vehicle use and damage from increased levels of recreational disturbance.

4.7 An Appropriate Assessment was carried out and concluded that adverse effects on the integrity of any of the European sites were able to be ruled out in relation to air pollution, recreational pressure and water quality and quantity. It also concluded that there would also be no adverse effects on the integrity of European sites in combination with other plans and projects.

4.8 However, it did refer to issues that relate to the capacity of Rye Meads Wastewater Treatment Works and its relationship with the Lee Valley Special Protection Area and Ramsar site. The examining inspector recommended changes to Policy SP13 and its supporting text to address this.

4.9 As noted by the examining inspector, “An updated HRA was prepared to accompany the MMs consultation and a further one to accompany the FMMs consultation. They do not recommend any further changes. In its responses to the consultations, Natural England has indicated that it does not object to the plan as modified by the MMs and FMMs.” (paragraph 32, p.12, Report on the Examination of the Welwyn Hatfield Local Plan (2016), 25 September 2023).

#### **4.A HRA screening of the North West Hatfield Masterplan SPD conclusion**

4.10 The HRA of the Welwyn Hatfield Local Plan assessed the impact of development in Welwyn Hatfield on the four international designated European sites and concluded

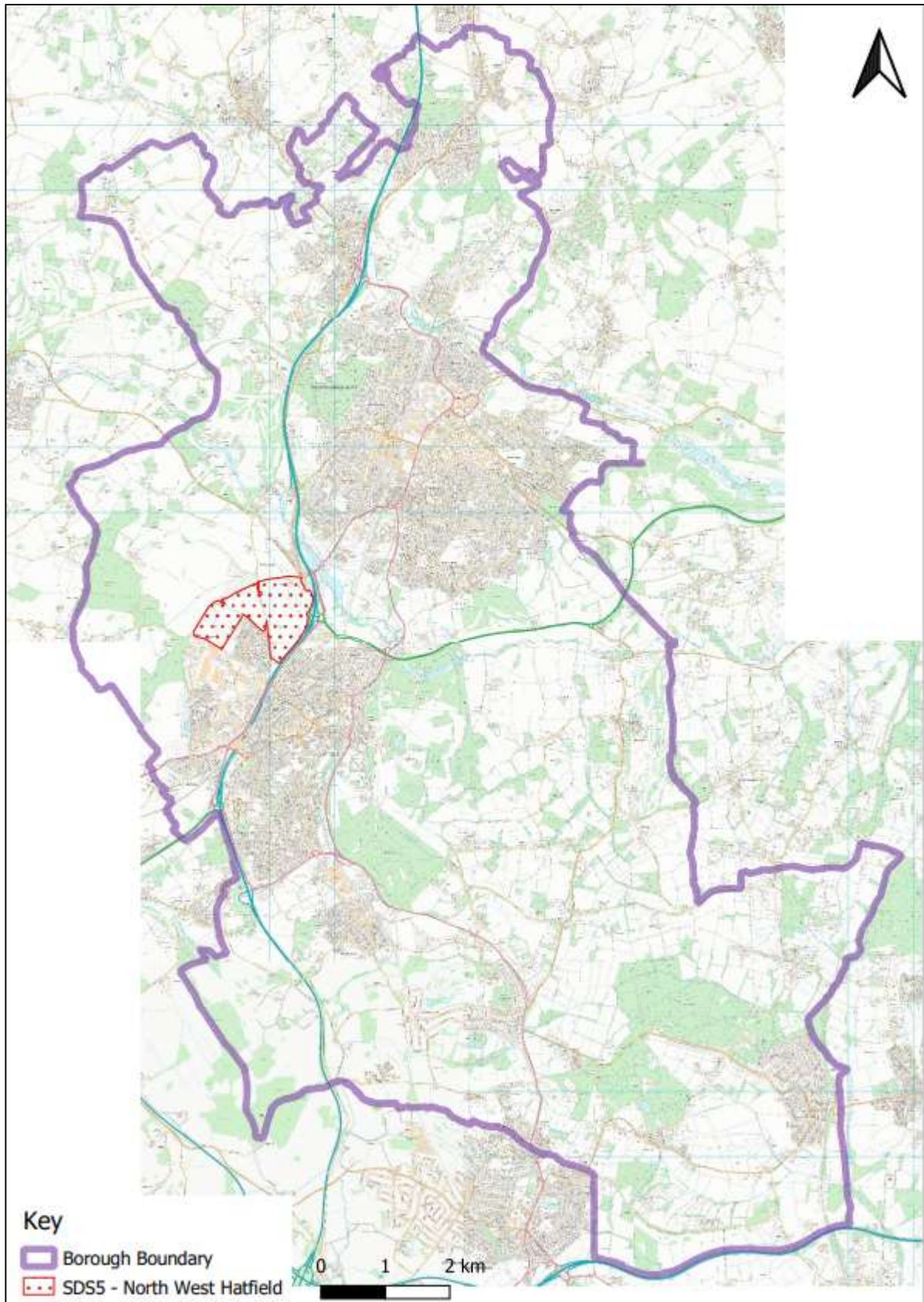
that the Welwyn Hatfield Local Plan would not have any significant environmental effects on any of these sites.

- 4.11 The proposed SPD would not alter the parameters set out in policies SADM 26 and SP 22 but rather would provide further detailed guidance on the design, form and character of the neighbourhood that is to be created. The environmental effects associated with the North West Hatfield site allocated site as previously assessed would not be significantly altered as a result of the adoption of the SPD. Therefore, a HRA of the proposed North West Hatfield Masterplan SPD is not required.

## **Part 5: SEA/HRA screening opinion determination**

- 5.1 The Initial Screening Report (June 2024) was sent to the consultation bodies for a six-week consultation period, in June/July 2024, as set out in Regulation 4 of the Environmental Assessment of Plans and Programmes Regulations 2004; these are Historic England, Natural England and the Environment Agency.
- 5.2 The responses received from the three statutory consultees did not raise any matters or issues that changed the Council's opinion that SEA/HRA would not be required for the North West Hatfield Masterplan SPD.
- 5.3 Welwyn Hatfield Council therefore determines that the North West Hatfield Masterplan SPD does not require further environmental assessment (SEA or HRA) under the provisions of the Environmental Assessment of Plans & Programmes Regulations 2004 or The Conservation of Habitats & Species Regulations 2017 (as amended).
- 5.4 The consultation responses are included as Appendices to this report.

**Appendix A: Map to show Welwyn Hatfield borough boundary and the North West Hatfield site (SDS5)**



# Appendix B: Extract from the Sustainability Appraisal of the Welwyn Hatfield Local Plan (LUC, January 2020)

EX200

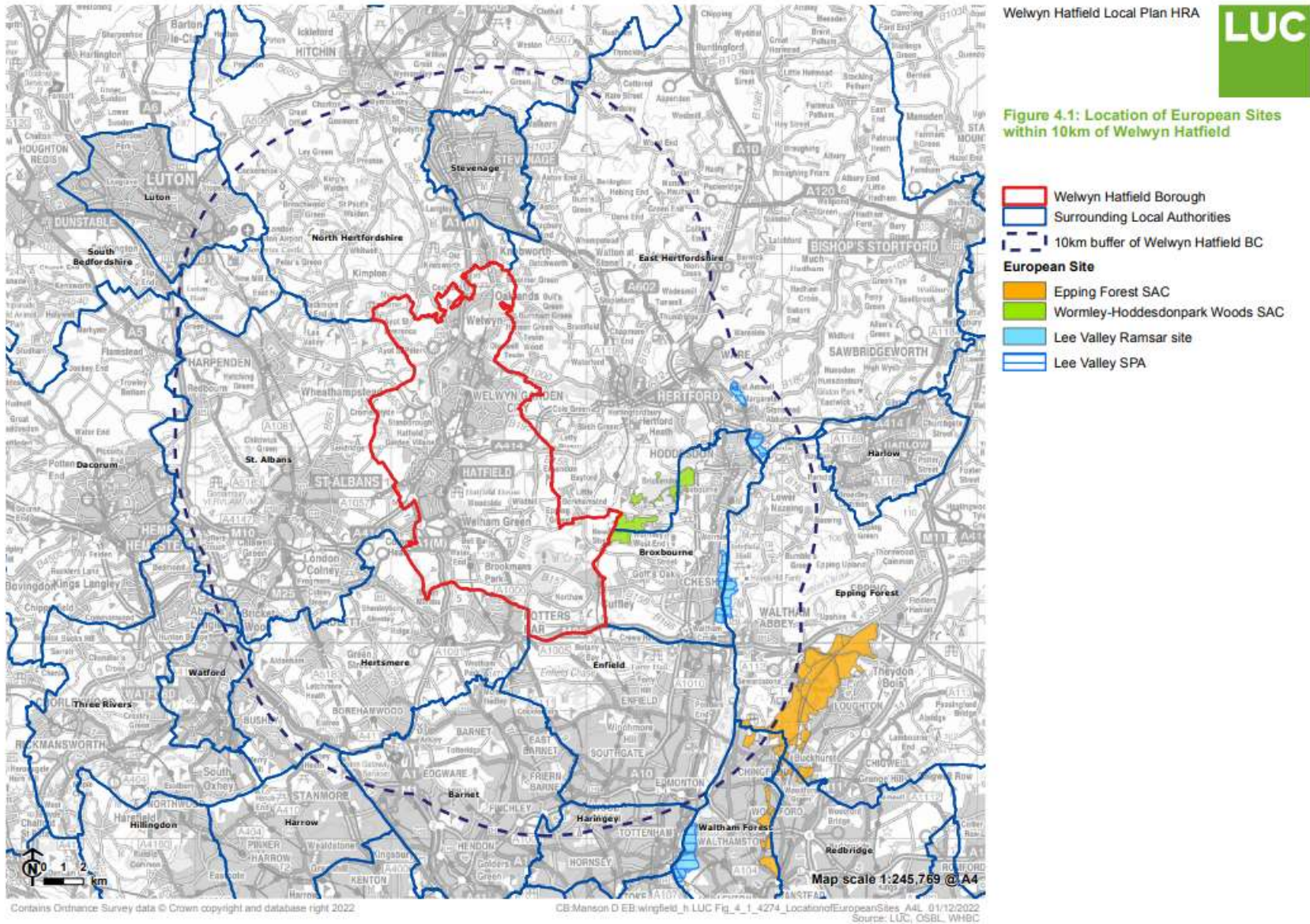
Chapter 4  
Appraisal of Previously Assessed Sites

Addendum to the Sustainability Appraisal of the Welwyn Hatfield Local Plan  
January 2020

	1.1 & 1.2 Health		2.2 flood risk				4.2 greenhouse gas emissions from transport		4.3 air pollution		4.4 open space and landscape character, retaining local distinctiveness				4.5 Character, sense of place and local distinctiveness, historic environment		4.6 Protect and enhance biodiversity and geodiversity		4.8 water pollution		4.10 productive agricultural land and previously developed land			5.1 Housing			6.1 business and employment		6.2 economic investment and regeneration		6.3 Enhance the vitality and attraction of Welwyn Garden City and Hatfield town		6.4 Sustain rural communities and their economies		6.5 mineral resources		6.6 Learning and skills	
			Proximity to employment and services	Proximity to transport	Proximity to employment and services	Proximity to transport	Open Space	Landscape character	Previously Developed Land	local distinctiveness							Amount of housing	Affordable housing	Dwellings for older people																			
SDSS / Hat 1 & Hat 13	+	0	++	++	++	++	0	-?	0	-	-?	-?	0	-	++	++	++	++	++	+	0	0	0	++?														
HS11/Hat11 (Scenario 1)	+	0	++	++	++	++	0	-?	0	-	-?	-?	0	-	0	++	++	0	0	N/A	0	N/A	0	++?														
SDS7/WeG4b	+	0	++	++	++	++	0	-?	+?	0	-	-?	0	-/+	0	++	++	++	++	+	0	+?	0	++?														
HS22/BrP4	+	-	+	++	+	++	0	-?	0	-	0	-?	-?	-	+	++	++	++	0	N/A	0	N/A	0	++?														
HS24/BrP7	+	0	++	++	++	++	0	-?	0	-	-?	?	0	-	0	++	++	++	0	N/A	0	N/A	0	++?														
SDS6/Hat15	+	0	++	0	++	0	0	-?	0	0	-?	-?	0	-	++	++	++	++	0	N/A	0	N/A	0	++?														



## Appendix C: Location of European Sites within 10km of Welwyn Hatfield



## Appendix D: Extract from the Habitats Regulation Assessment of the Welwyn Hatfield Local Plan (LUC, February 2020)

Local Plan Policy	Likely activities (operations) to result as a consequence of the proposal	Likely effects if proposal implemented	European site(s) potentially affected
Zone (Lemsford Road Opportunity Area)			
SADM25: High View Neighbourhood Shopping Centre (MUS3)	Mixed use development. Increase in vehicle use. Increase water demand and treatment.	Increased air pollution. Increased water pollution and change in water quality.	Epping Forest SAC could be affected by increased disturbance from recreational pressure. Lee Valley SPA and Ramsar site could be affected by air pollution, recreational disturbance, water pollution and change in water quantity. Wormley Hoddesdonpark Woods SAC could be affected by air pollution from increased vehicle use and damage from increased levels of recreational disturbance.
SP21: University of Hertfordshire	Development relating to the University.	No effect as any development relating to the policy will be a significant distance from any European site and will be small-scale within the campus of the University.	N/A
SADM26: New Dwellings in Hatfield	Mixed use development (including 1,750 new dwellings at North West Hatfield and 822 net new dwellings elsewhere in Hatfield). Increase in vehicle use. Increase in recreational activities. Increase water demand and	Increased air pollution. Disturbance from recreation. Increased water pollution and change in water quantity.	Epping Forest SAC could be affected by increased disturbance from recreational pressure. Lee Valley SPA and Ramsar site could be affected by air pollution, recreational disturbance, water pollution and change in water quantity.

## Appendix D: Extract from the Habitats Regulation Assessment of the Welwyn Hatfield Local Plan (LUC, February 2020)

Local Plan Policy	Likely activities (operations) to result as a consequence of the proposal	Likely effects if proposal implemented	European site(s) potentially affected
	treatment.		Wormley Hoddesdonpark Woods SAC could be affected by air pollution from increased vehicle use and damage from increased levels of recreational disturbance.
SP22: North West Hatfield (SDS5)	<p>Development of 1,750 new homes.</p> <p>Increase in vehicle use.</p> <p>Increase in recreational activities.</p> <p>Increase water demand and treatment.</p>	<p>Increased air pollution.</p> <p>Disturbance from recreation.</p> <p>Increased water pollution and change in water quantity.</p>	<p>Epping Forest SAC could be affected by increased disturbance from recreational pressure.</p> <p>Lee Valley SPA and Ramsar site could be affected by air pollution, recreational disturbance, water pollution and change in water quantity.</p> <p>Wormley Hoddesdonpark Woods SAC could be affected by air pollution from increased vehicle use and damage from increased levels of recreational disturbance.</p>
SADM27: Woolmer Green	<p>Development of 184 new homes.</p> <p>Increase in vehicle use.</p> <p>Increase in recreational activities.</p> <p>Increase water demand and treatment.</p>	<p>Increased air pollution.</p> <p>Disturbance from recreation.</p> <p>Increased water pollution and change in water quantity.</p>	<p>Epping Forest SAC could be affected by increased disturbance from recreational pressure.</p> <p>Lee Valley SPA and Ramsar site could be affected by air pollution, recreational disturbance, water pollution and change in water quantity.</p> <p>Wormley Hoddesdonpark Woods SAC could be affected by air pollution from increased vehicle use and damage from increased levels of recreational disturbance.</p>
SADM28: Oaklands and Mardley Heath	<p>Development of 25 new homes.</p> <p>Six pitch extension to Gypsy and</p>	<p>Increased air pollution.</p> <p>Disturbance from recreation.</p>	<p>Epping Forest SAC could be affected by increased disturbance from recreational pressure.</p>

## Appendix E: SEA and HRA Initial Screening Report - Statutory Consultee Responses

**Liz Burnham**

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**From:** McGivern, Ross <Ross.McGivern@HistoricEngland.org.uk>  
**Sent:** 14 June 2024 15:24  
**To:** Liz Burnham  
**Cc:** Jenny Ponsford  
**Subject:** North West Hatfield Masterplan SPD - SEA Screening

**\*\* WARNING: This email originated outside the WHBC Network. Please be extra vigilant when opening attachments or clicking links \*\***

Dear Liz,

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 (North West Hatfield Masterplan SPD) 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 the site was allocated in the Local Plan and subject to a Sustainability Appraisal process. Additionally, we note *'the proposed SPD would not alter the quantum of development to be provided at North West Hatfield but would further expand on the design guidance and principles set out in Policy SP 22 of the adopted Local Plan'*.

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.

## Appendix E: SEA and HRA Initial Screening Report - Statutory Consultee Responses

Kind regards,  
Ross

Ross McGivern (he/him)  
Historic Places Adviser  
Mobile no – 07766 206210

East of England Region  
Partnerships Team  
Historic England | Brooklands  
24 Brooklands Avenue | Cambridge | CB2 8BU  
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Follow us on Twitter at [@HE\\_EoE](#)



Work with us to champion heritage and improve lives. Read our Future Strategy and get involved at [historicengland.org.uk/strategy](https://historicengland.org.uk/strategy).

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## Appendix E: SEA and HRA Initial Screening Report - Statutory Consultee Responses

### Liz Burnham

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**From:** SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>  
**Sent:** 19 July 2024 14:26  
**To:** Liz Burnham  
**Subject:** North West Hatfield Masterplan SPD - SEA/HRA Screening Consultation Response  
\*REVISED REF NUMBER\*

**\*\* WARNING: This email originated outside the WHBC Network. Please be extra vigilant when opening attachments or clicking links \*\***

Dear Elizabeth Burnham,

Our Ref: 478607

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.

**Natural England does not consider that the North West Hatfield Masterplan SPD poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.**

The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document.

If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.

Yours sincerely,

Dominic Rogers  
Consultations Team  
Natural England  
Hornbeam House, Electra Way  
Crewe, Cheshire, CW1 6GJ

Enquiries line: 0300 060 3900  
Email: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

