

# BILATERAL MEMORANDUM OF UNDERSTANDING

BETWEEN

STEVENAGE BOROUGH COUNCIL (SBC)

AND

NATURAL ENGLAND (NE)

IN RESPECT OF

THE STEVENAGE BOROUGH LOCAL PLAN, SUBMISSION VERSION, JUNE 2016

## Summary

- SBC and NE agree that Stevenage Borough's draft Local Plan is sound having worked together to find solutions for the issues that NE identified as being unsound.
- 1.1 We, the undersigned, set out in this memorandum those matters of joint interest to both the Authority and the Statutory Consultee as they are dealt with in the Stevenage Borough Local Plan (SBLP), Submission Version, June 2016 (hereinafter 'the plan') in accordance with paragraph 181 of the National Planning Policy Framework, March 2012 (hereinafter 'the NPPF').
- 1.2 This statement identifies, specifically, those areas upon which SBC and NE agree (marked in **bold**) and those areas of disagreement (marked in text boxes). Where the Authority and Statutory Consultee are in disagreement, potential routes to resolution are identified, where possible.
- 1.3 All matters where SBC and NE perceive that there is a joint or strategic interest are detailed in this memorandum. Matters which are not considered to be of joint or strategic interest are excluded. It may, therefore, be taken as read that the Authority and Statutory Consultee are content on those other matters.

## Strategic Issues

- 2.1 Paragraph 178 of the NPPF states that "*public bodies have a duty to co-operate on planning issues that cross administrative boundaries, particularly those that relate to strategic priorities...*"
- 2.2 Paragraph 156 states that the strategic priorities are strategic policies to deliver:
- *"the homes and jobs needed in the area;*
  - *the provision of retail, leisure and other commercial development;*
  - *the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk...and the provision of minerals and energy (including heat);*

- *the provision of health, security, community and cultural infrastructure and other local facilities; and*
  - *climate change mitigation and adaption, conservation and enhancement of the natural and historic environment, including landscape.”*
- 2.3 SBC and NE have had much correspondence over the past few months. A copy of our most recent correspondence is set out in Appendix A.
- 2.4 The Authority and the Statutory Consultee **agree** that, in their view, the plan has been prepared in accordance with:
- the Duty to Co-operate;
  - legal requirements;
  - procedural requirements; and
  - that it is sound.
- 2.5 In respect of the latter, the Authority and the Statutory Consultee **agree** that the plan has been:
- positively prepared;
  - is justified;
  - is effective; and
  - is consistent with national policy.

### **Preamble**

- 3.1 Stevenage is tightly bounded by its administrative boundary and Green Belt. Its neighbour, to the north, east and south Stevenage is North Herts District Council. To the east, Stevenage is neighboured by East Herts District Council.
- 3.2 The SBLP sets out the allocation and delivery proposals for homes, jobs and infrastructure in Stevenage.
- 3.3 Areas of Green Belt surrounding Stevenage have national designation, such as SSSI.
- 3.4 Sewerage from Stevenage, including any new development allocated in the plan, discharges to Rye Meads STW which is located with the Lee Valley SPA (a European designation).
- 3.5 NE is the government’s adviser for the natural environment in England, helping to protect England’s nature and landscapes for people to enjoy and for the services they provide.
- 3.6 Within England NE is responsible for:
- helping land managers and farmers protect wildlife and landscapes;
  - advising on the protection of the marine environment in inshore waters (0 to 12 nautical miles);

- improving public access to the coastline;
- managing 140 National Nature Reserves and supporting National Trails;
- providing planning advice and wildlife licences through the planning system;
- managing programmes that help restore or recreate wildlife habitats;
- conserving and enhancing the landscape; and
- providing evidence to help make decisions affecting the natural environment.

3.7 SBC / NE have worked constructively, actively and on an ongoing basis to maximise the effectiveness of the plan and its supporting evidence contained within the Appropriate Assessment Screening document.

### **Detailed Memorandum**

The detailed memorandum now follows, broadly in the order set out in paragraph 156 of the NPPF:

#### **Waste water**

- 4.1 SBC and NE **agree** that *Policy SP5 Infrastructure* should make reference to the capacity issue at Rye Meads STW post 2026. SBC confirm the submission of potential rewording to the Planning Inspector for them to consider as part of the examination process.
- 4.2 SBC and NE **agree** that *para 8.19* should remove the reference to Grampian Conditions and simply state that developers should ensure that wastewater infrastructure can support development. SBC confirm the submission of potential rewording to the Planning Inspector for them to consider as part of the examination process.

#### **Climate change mitigation and adaption**

- 5.1 SBC and NE **agree** that *Policy SP11 Climate change, flooding and pollution* should recognise the role that the provision of greenspace can play in addressing climate change impact. SBC confirm the submission of potential rewording to the Planning Inspector for them to consider as part of the examination process.

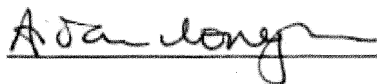
#### **Natural environment and landscape**

- 6.1 SBC and NE **agree** that *para 4.28* should make reference to the protection and enhancement of the natural environment, as set out in para 156 of the NPPF. SBC confirm the submission of potential rewording to the Planning Inspector for them to consider as part of the examination process.
- 6.2 SBC and NE **agree** that *Policy SP2 Sustainable Development in Stevenage* should include reference to the protection and improvement of landscape. SBC confirm the submission of potential rewording to the Planning Inspector for them to consider as part of the examination process.

- 6.3 SBC and NE **agree** that *Policy SP12 Green Infrastructure and the natural environment* should identify a strategic approach for the creation and enhancement of biodiversity and green infrastructure, as set out in para 114 of the NPPF. The policy should reflect the 'avoid, mitigate and compensate' hierarchy set out in para 118 of the NPPF and distinguish between the different types of designation, making reference to nationally important sites. SBC confirm the submission of potential rewording to the Planning Inspector for them to consider as part of the examination process.
- 6.4 SBC and NE **agree** that *para 5.145* should make reference to the 'conservation' rather than the 'preservation' of green spaces. SBC confirm the submission of potential rewording to the Planning Inspector for them to consider as part of the examination process.
- 6.5 SBC and NE **agree** that *para 5.149* should recognise Knebworth Woods SSSI, as well as Rye Meads SSSI and the Lee Valley SPA. SBC confirm the submission of potential rewording to the Planning Inspector for them to consider as part of the examination process.
- 6.6 SBC and NE **agree** that *Policy HO2 Stevenage West* should make reference to the requirement for development to provide suitable mitigation for recreational impacts and monitoring of the impacts of the proposal are properly accounted for through a mitigation and monitoring strategy. SBC confirm the submission of potential rewording to the Planning Inspector for them to consider as part of the examination process.
- 6.7 SBC and NE **agree** that *Policies HO2 – HO4* (strategic housing allocation sites) should make reference to the grade of the agricultural land that is developed on. Whilst SBC **disagrees** with the broad statement that NE makes regarding the agricultural land around Stevenage being classified as BMV ('best and most versatile') – grades 1, 2 and 3a, SBC does recognise that within the grade 3 designation, identified by NE's agricultural land classification map, there will be pockets of higher grade land and these should be protected through the provision of open space. Notwithstanding this point, SBC is required to meet its OAN for housing within the Borough boundary. No other parcels of land are available for SBC to develop. SBC and NE **agree** that this point should be made clear within the supporting text for each strategic housing allocation site. SBC confirm the submission of potential rewording to the Planning Inspector for them to consider as part of the examination process.

## Sustainability Appraisal


- SBC and NE agree that Stevenage's Sustainability Appraisal is sound having worked together to find solutions for the issues that NE identified as being unsound.
- 7.1 SBC and NE **agree** that *Policy HO2 Stevenage West* has been extensively and sufficiently assessed through the 1998 Hertfordshire Structure Plan, 2004 Stevenage District Plan Second Review, the 2008 East of England Plan along with the West of Stevenage SPD and the detailed masterplan and application. SBC confirm that this will be clarified in the SA document prior to submission.
- 7.2 SBC and NE **agree** that the 45 sites in Stevenage identified for their wildlife value and local importance should be more clearly assessed throughout the SA. SBC confirm that this assessment will take place under the appraisal of each policy (where appropriate) the submission of potential rewording to the Planning Inspector for them to consider as part of the examination process.
- 7.3 SBC and NE **agree** that the assessment of *Policy EC1 Allocated sites for employment development* should clarify that new habitat can be created in Central Bedfordshire and North Herts, through our Duty to Co-operate, to contribute to the protection and enhancement of the Chilterns AONB. SBC confirm that this will be clarified in the SA document prior to submission.
- 7.4 SBC and NE **agree** that the Highways England biodiversity plan document, 'Our plan to protect and increase biodiversity', provides sufficient mitigation measures to address the negative effects that the provision of the SMART motorway scheme will have on the biodiversity adjacent to the A1(M) corridor. SBC confirm that this will be clarified in the SA document prior to submission.



Aidan Lonergan

Area Team Manager-West Anglia Team  
Signed on behalf of

**Natural England**



Cllr John Gardner

Deputy Leader of the Council  
Signed on behalf of

**Stevenage Borough Council**

## Appendix A

Correspondence from SBC to NE – 15 April 2016

# Planning and Engineering

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Date: 15 April 2016

Dear Sarah

## Natural England comments on the Stevenage Local Plan

Thank you for meeting with myself, Zayd Al-Jawad and Richard Javes on 23rd March 2016. We believe it was a productive meeting with yourself and Gordon Wyatt. We understand that we have now satisfactorily addressed the concerns that you raised in your response to our Draft Local Plan consultation. This letter confirms the potential changes that we will submit to the Planning Inspector for them to consider as part of the examination process and will provide the basis for our Memorandum of Understanding.

I have highlighted the points where we agree and any additional proposed amendments as **bold and underlined** within the body of our original response set out below.

## Comments on the Local Plan

1. ***Vision and Objectives: Natural England welcomes the objective 4.26 which aims to increase green links and protected open spaces. However, we advise that objective 4.28 is strengthened to commit to protecting and enhancing the natural environment and landscape. This should be a strategic priority as stated in paragraph 156 of the NPPF which requires Local Plans to set out strategic priorities, including for the conservation and enhancement of the natural environment, including landscape.***

- Potential to reword para 4.28 to read as follows:

4.28 We recognise that we cannot meet our homes target without investment in infrastructure. We will work with the environmental and infrastructural limits to development. We will work to commit to protect and enhance the natural environment and landscape of the Borough by:

- a) protecting existing open space and areas designated for environmental purposes;
- b) requiring new developments to include open space to meet locally defined targets;
- c) requiring developments to make links to the surrounding countryside where possible;
- d) seeking to create an ecological network; and
- e) protecting and enhancing our heritage assets.

**It was agreed at the meeting that this was acceptable to Natural England.**



2. **Policy SP2 Sustainable Development in Stevenage:** *Natural England supports this policy but bullet point 'n' should also include "landscape".*

- Potential to reword Policy SP2 to read as follows:

*m. Avoid or prevent harm from flood risk, contamination and pollution;*

*n. Protect and improve important open spaces, wildlife site, habitats and landscapes;*

*o. Preserve or enhance areas and buildings of historical and archaeological interest; and...*

**It was agreed at the meeting that this was acceptable to Natural England.**

3. **Policy SP5 Infrastructure:** *Any mitigation required to address impacts on the Lee Valley Special Protection Area (SPA) and Ramsar site will need to be a priority in terms of infrastructure provision. We advise that this policy should reflect the capacity issue with respect to the Rye Meads Sewage Treatment Works post 2026. To give the certainty that development will not be permitted, when it has the potential to impact on the SPA and to ensure compliance with the Habitats Regulations, this policy needs to be amended. We suggest rewording along the lines of "to ensure new development does not have an adverse effect on the Lee Valley Special Protection Area, new development post 2026 will not be given planning permission unless the required capacity is available at Rye Meads Sewage Treatment works, including any associated sewer connections.". Without a policy commitment to phasing development in line with the capacity of the Sewage Treatment Works at Rye Meads we would not be able to conclude that the plan was compliant with the Habitats Regulations. Please see further comments on the HRA Screening report below. This is considered to be necessary as there is uncertainty as to whether there will be capacity at the STW post 2026.*

- Potential to reword Policy SP5 to read as follows:

*e. Co-operate with other utilities and service providers to ensure that appropriate capacity is available to serve new development; and*

*f. Ensure new development does not have an adverse effect on the Lee Valley Special Protection Area. New development post 2026 will only be permitted if the required capacity is available at Rye Meads STW, including any associated sewer connections.*

- Evidence from the Rye Meads Water Cycle Strategy (SBC 2015)

*To address any ambiguity regarding Rye Meads capacity post 2026, para 7.3 of the Rye Meads Water Cycle Strategy Review (SBC 2015) states that 'it is now considered that Rye Meads should now have capacity to treat all wastewater arising from within its catchment over the period to 2026, with a reasonable prospect of being able to accommodate demand to 2031. This arises from a combination of reduced future development allied with increased long-term decreases in consumption from existing homes that are now predicted by Affinity Water. Furthermore, some of the development assumed in the modelling results in this report may ultimately be served by alternate works or even not come to pass in the timescales currently envisaged'.*

*Para 7.4 goes on to state that 'Thames Water have confirmed that they consider the modelling in this report an appropriate basis for updating the 2009 WCS and that their own figures bear out the suggestion arising from this modelling that flows to the Rye Meads WwTW may have peaked'.*

Para 7.9 confirms that Thames Water have physical capacity beyond 2026 *‘The extent to which the AMP6 (Asset Management Periods) upgrade provides capacity for the period beyond 2026 will need to be kept under review. Further treatment capacity may be required beyond this time. TW have confirmed physical capacity exists, recognising that any further treatment streams will be subject to appropriate regulatory regimes and / or WFD requirements’.*

Thames Water has not raised concerns in their response to the Local Plan consultation about a capacity issue at Rye Meads or the current sewerage infrastructure. They do suggest additional wording to the supporting text to the effect that if development does lead to an expected overloading of the existing infrastructure, the developer should fund appropriate improvements.

**It was agreed at the meeting that this was acceptable to Natural England.**

4. **Policy SP11 Climate change, flooding and pollution:** *Natural England is generally supportive of this policy. However, we suggest that it could be strengthened by recognising the role that the provision of greenspace can play in addressing climate change impacts.*

- Potential to reword Policy SP11 to read as follows:

We will work to limit, mitigate and adapt to the negative impacts of climate change, flood risk and all forms of pollution. We will:

- a. ensure new development minimises and mitigates its impact on the environment and climate change by considering matters relating (but not necessarily limited) to the provision of greenspace, renewable energy, energy efficiency, water consumption, drainage, waste, pollution, contamination and sustainable construction techniques;
- b. ensure new developments...

**It was agreed at the meeting that this was acceptable to Natural England.**

5. **Policy SP12 Green Infrastructure and the natural environment:** *Natural England advises that this policy needs to be strengthened, in our opinion as currently worded the policy is unsound. It needs to be amended so that it properly reflects the need for local plans to identify a strategic approach for the creation and enhancement of biodiversity and green infrastructure (para 114 of the NPPF). The policy also doesn't accurately reflect the avoid, mitigate and compensate hierarchy as detailed in para 118 of the NPPF. The policy should also distinguish between the different types of designation and should make reference to nationally important sites (e.g. Knebworth SSSI) and also the Lee Valley SPA (as specified in paragraph 113 of the NPPF). Whilst these are not located within the boundary of the borough, development occurring within it does have the potential to impact upon these nationally and internationally important sites. The policy should also identify measures for the protection and enhancement of priority habitats and species (as detailed in para 117 of the NPPF).*

*Given the SA identifies that there is the potential for development to have a recreational impact on the Chilterns Area of Outstanding Natural Beauty we would expect Policy SP12 to make reference to this in the supporting text. We would also expect the plan to include a policy on landscape, which could be incorporated into Policy SP12.*

- Potential to reword Policy SP12 to read as follows:

The green infrastructure, natural environment and landscape of Stevenage will be protected, enhanced and managed, and will positively acknowledge its influence on Knebworth SSSI and Lee Valley SPA. We will:

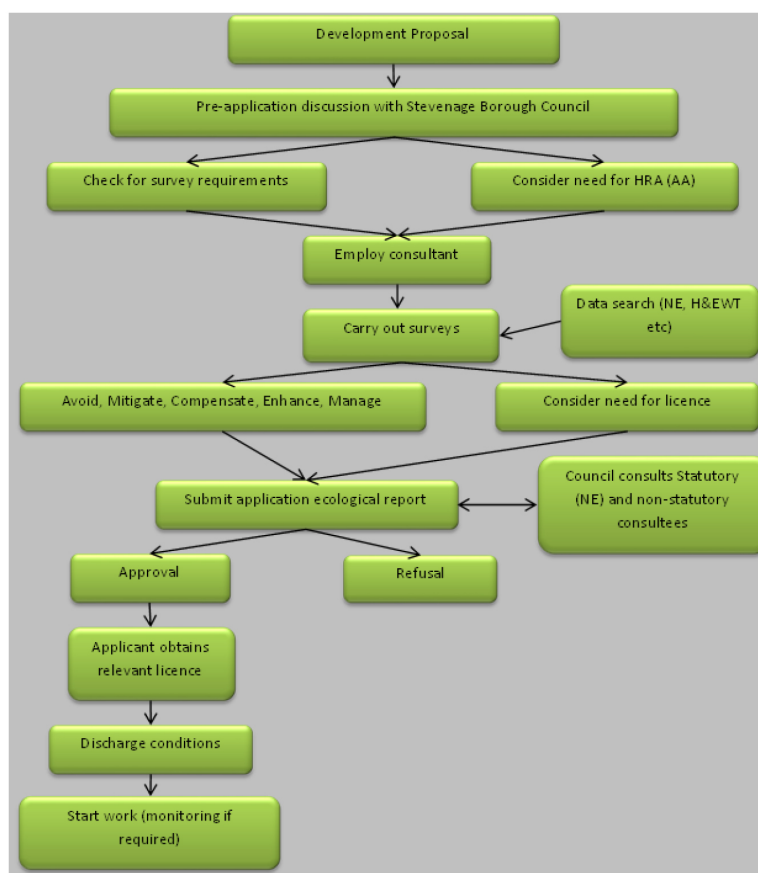
- a. create, protect and enhance key areas of open space and biodiversity value including:
  - i. parks, recreation grounds, amenity spaces and woodlands which are integral to the open space structure of Stevenage as Principal Open Spaces. This will include Fairlands Valley Park.
  - ii. locally important wildlife sites; and
  - iii. a series of ten green links around the town. These will be collections of spaces that are worthy of protection for their connectivity and their recreation, amenity or wildlife value.
- b. Create, protect and enhance locally important linear features including:
  - i. the historic lanes and hedgerows which pre-date the New Town; and
  - ii. structural green spaces along major routes within the town.
- c. Create and protect multi-functional green space and sports facilities as an integral part of new developments in accordance with the latest standards and permit the creation of other new open spaces where they will meet an identified deficit; and
- d. Mitigate or, as a last resort, compensate, for the loss of green infrastructure or assets of biodiversity importance resulting from development; and
- e. Only grant planning permission if an adequate assessment of priority habitats and species has been undertaken. Any identified impact on these habitats and/or species will need to be avoided, mitigated or compensated for.

- Potential to reword para 5.150 and 5.151 as follows:

5.150 The elements of Policy SP12 described above will allow us to protect individual sites that are important in their own right. However, it is also important to safeguard the connections between these sites and other green areas, e.g. Chilterns AONB, Knebworth SSSI. Stevenage New Town was designed to provide corridors of open spaces which connect the neighbourhoods of the town and the surrounding countryside. The plan identifies a series of green links and corridors.

5.151 Development in Stevenage will inevitably result in an increase in recreational demand in green spaces within and out with the town, e.g. Chilterns AONB, Knebworth SSSI. New developments will be required to make reasonable provision of open space to mitigate and cater for the additional demand they will create....

- In addition, we suggest the inclusion of this flow chart (or iteration of it) under supporting text at 5.145 to provide



additional guidance to developers about the expectations that we have of them to carry out sufficient work to safeguard the biodiversity value surrounding their development site.

**It was agreed at the meeting that this was acceptable to Natural England.**

6. **Paragraph 5.145:** *Natural England would prefer the word ‘conservation’ to ‘preservation’ as this better reflects actions which may need to be taken to ensure a site is managed to its full environmental potential.*

- Potential to reword para 5.145 to read as follows:

5.145 Identifying and conserving a network of green spaces is a vital part of the planning process. Government guidance recognises the importance of providing access to high quality open spaces. It recognises that the planning system should contribute to and enhance the natural and local environment. We should plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure.

**It was agreed at the meeting that this was acceptable to Natural England.**

7. **Paragraph 5.149:** *This paragraph should recognise Knebworth Woods SSSI, although just over the boundary as well as Rye Meads SSSI and the Lee Valley SPA as the plan has the potential to impact on these sites.*

- Potential to reword para 5.149 to read as follows:

5.149 As well as sites specifically designed for public use, we will preserve important natural habitats. The plan recognises 45 sites in Stevenage for their wildlife value and local importance. There are no European or nationally designated sites in the Borough, however, there are a number outside the Borough boundary including Knebworth **Woods** SSSI, Rye Meads SSSI, Chilterns AONB and the Lee Valley SPA.

**It was agreed at the meeting that this was acceptable to Natural England.**

8. **Paragraph 8.19:** *Natural England is of the view that using Grampian Conditions to secure mitigation identified in a Habitats Regulations Assessment can sometimes be problematical. We would advise a more straightforward approach through policy wording to ensure the SPA is properly protected. Such an approach should clearly state that development will not be allowed to proceed if there isn't sufficient capacity at the Rye Meads STW (including any sewer connections to it). This should either be reflected in Policy IT3, or Policy ST5 (see above comments). As a number of adjacent LPA's will also be relying on this SWT it is important that a strategic approach is taken. Grampian Conditions should only be used as long as it can be shown that there are **some** prospects of the action in question being performed (rather than no prospects at all) within the time-limit imposed by the permission, and there are no adverse planning implications caused by such a condition. It is currently unclear whether in this instance this approach could meet these criteria.*

- Policy SP5 addresses ‘Development will not be allowed to proceed if there isn't sufficient capacity at the Rye Meads STW (including any sewer connections to it)’.
- Potential to reword para 8.19 to read as follows:

8.19 Our environmental appraisals recognise that it will be necessary to take a precautionary approach to avoid causing harm to the Lee Valley SPA, which surrounds the Rye Meads wastewater treatment works. Proposals will only be approved where it can be demonstrated that the existing or planned wastewater infrastructure can accommodate the proposals.

**It was agreed at the meeting that this was acceptable to Natural England.**

9. **Policy HO2 Stevenage West:** *Natural England has significant concerns about the potential this allocation has to impact on a number of important environmental assets listed below and as such we currently view this allocation to be unsound as it is not compliant with the NPPF (Paras 112 and 118). The policy has the potential to impact on:*

- *Knebworth Woods SSSI which is immediately adjacent to the allocation,*
- *A number of local wildlife sites which are also located immediately adjacent to the allocation,*
- *All of the allocation is located on Grade 3 agricultural land which is categorised as the Best and most Versatile Agricultural land, and*
- *Part of the allocation is located on land which is currently in Entry Level Stewardship and Higher level Stewardship.*

*Knebworth Woods Site of Special Scientific Interest (SSSI). The allocation is in close proximity to Langley Meadows and Burleigh Meadows, which form part of the SSSI. We have concerns that this development, plus any enhancements to the A1(M), has the potential to impact on the important grassland features of this site. There are existing footpaths across Burleigh meadows and any increase in recreational pressure could be damaging as the site is already suffering from recreational impacts and vandalism. We therefore advise as currently worded this policy is unsound as the potential for recreational disturbance issues hasn't been reflected in the policy and the policy does not include any mitigation measures to address any such impacts. The policy should therefore be strengthened to require that any development provides suitable mitigation for recreational impacts on the SSSI and local wildlife sites and that monitoring of the impacts of the proposal are properly taken into account. Any development proposal would require a mitigation and monitoring strategy.*

*We are also concerned that the potential for impacts on the SSSI and local wildlife sites haven't been properly considered in the Sustainability Appraisal.*

- The site does not adjoin the SSSI and any new development would include boundary landscaping, as the boundary of the site allocation would also be the green belt boundary. This protects the key features of the SSSI including the woodland, meadows and grassland [http://www.english-nature.org.uk/citation/citation\\_photo/1001506.pdf](http://www.english-nature.org.uk/citation/citation_photo/1001506.pdf). The North Hertfordshire and Stevenage Landscape Character Assessment reviews the area <http://www.stevenage.gov.uk/content/15953/26379/45609/Area-208.pdf>.
- Potential to reword Policy HO2 to read as follows:
  - n. A full flood risk assessment is undertaken;
  - o. A satisfactory mitigation and monitoring strategy would need to be submitted to demonstrate development minimises and mitigates the recreational and environmental impact on the Knebworth **Woods** SSSI and local wildlife sites;
  - p. The scheme incorporates a network of green infrastructure...

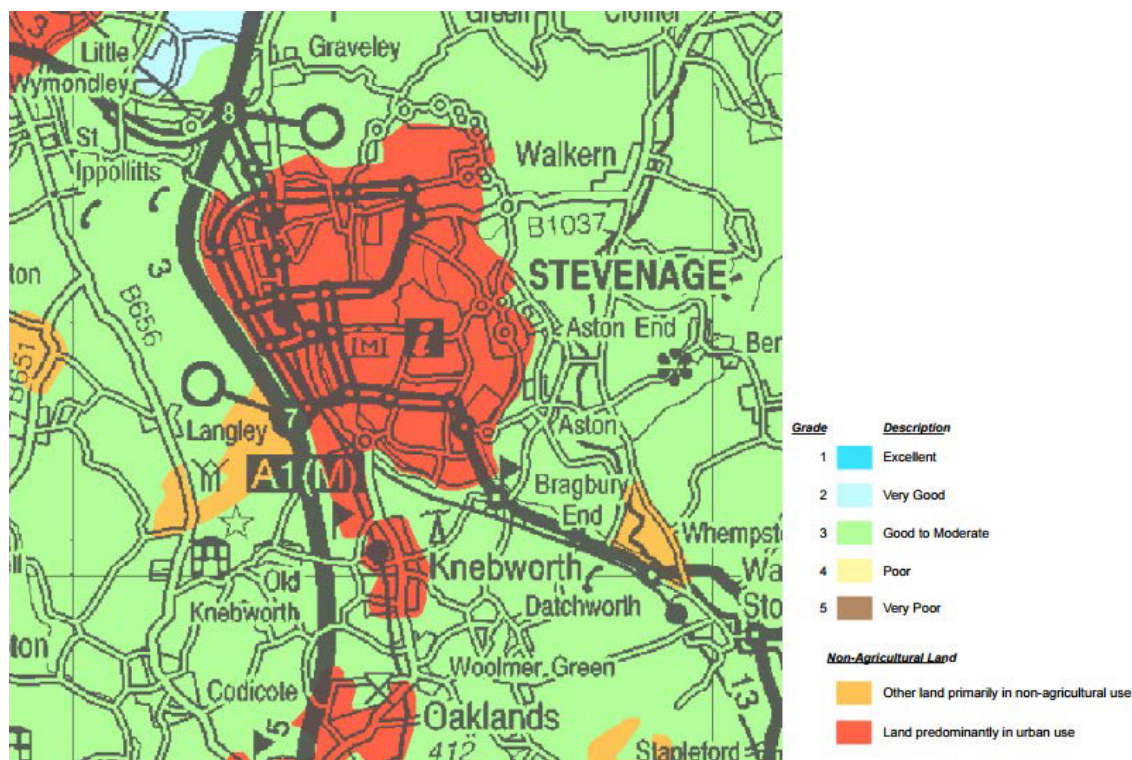
**It was agreed at the meeting that this was acceptable to Natural England.**

10. This allocation (HO2) is also allocated on Grade 3 agricultural land – please see comments for Policy HO3 in relation to this issue.

**HO3 North of Stevenage:** This housing allocation for 800 houses is allocated on Grade 3 agricultural land. The conservation and sustainable management of soils is reflected in the [National Planning Policy Framework](#) (NPPF), particularly in paragraphs 109 and 112. When planning authorities are considering land use change, the permanency of the impact on soils is an important consideration. Particular care over planned changes to the most potentially productive soil is needed, for the ecosystem services it supports including its role in agriculture and food production. Plan policies should therefore take account of the impact on land and soil resources and the wide range of vital functions (ecosystem services) they provide in line with paragraph 17 of the NPPF, for example to safeguard the long term capability of best and most versatile agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future. We would also have expected the Sustainability Appraisal to consider this.

**Policy HO4 Land South East of Stevenage:** This housing allocation for 550 dwellings is also located on BMV land, the same issues identified for Policy HO3 apply.

- Agricultural land surrounding Stevenage is Grade 3 (good to moderate) based on the maps provided by [Natural England's webpage](#). Only Grades 1, 2 and 3a are defined as 'best and most versatile' (Annex 2 NPPF). The Natural England classification map is not sufficiently detailed to identify the subdivision of Grade 3. However, we will consider any updated evidence that you have to support the classification of the agricultural land around Stevenage as BMV and address this accordingly.





- **The Sustainability Appraisal should contain additional information to clarify that agricultural land is the only land available within the limitations of Stevenages boundary where development can take place. Green space, which will be incorporated into the larger housing developments of HO2, HO3 and HO4, should be sited in areas that would safeguard the highest quality grade agricultural land. Further information will be supplied by Natural England to help identify areas of Grade 3a agricultural land at these sites.**

**It was agreed at the meeting that this was acceptable to Natural England.**

## **Habitats Regulations Assessment (HRA) – Screening Report**

*Natural England recognises the efforts taken to update the HRA Screening Report in light of Natural England's previous comments in our letter dated 16 November 2015. However, Natural England is still unable to agree with the conclusion of the HRA Screening Report of no likely significant effect for the following reasons:*

### **1. Recreational Disturbance Issues**

- a) *In relation to recreational disturbance we disagree with the wording in the HRA (pg. 22) which states that "Given their distance from Stevenage, and their location in, or adjacent to, north London surrounded by a dense suburban population, it is not considered that visitor numbers from Stevenage are likely to have any more than a de minimis impact". There isn't any locally derived information to support this conclusion.*
- Natural England's 'Monitor of Engagement with the Natural Environment: the national survey on people and the natural environment' annual report from 2013-14 states that visits to the countryside show a declining trend; and that visits over 5 miles accounted for only 17% of all visits. If socio-economic status trends are carried across from previous years (2010-2011), this % would decrease through the classes (i.e. DE % would be lower than 17%).
- The distance from central Stevenage to the Lee Valley Regional Park is approx. 22 miles. Recreational facilities at the Regional Park include angling, athletics, canoeing, cycling, golf, hockey, horse riding, ice skating and tennis. Many of these facilities can be found in Stevenage itself. For example, Fairlands Valley Park facilities include 120 acres of parkland hosting grass sledging, orienteering, mountain biking and power kiting, rope courses and climbing walls; and a 11 acre sailing lake which hosts canoeing, kayaking, windsurfing and powerboats, and angling. It is a more likely scenario that residents of Stevenage would seek to use the facilities in the town over and above travelling to use the same facilities in the Lee Valley.

Whilst there is not locally derived information to support this conclusion, there is nationally derived information that does support this conclusion. We have contacted Lee Valley Park to ascertain whether they have any visitor information that we can use to either support our assertions, or support the need for further research on this subject. We are still awaiting a response.

- **In addition, the recreational impact that Stevenage residents will have upon Wormley Hoddesdonpark Woods SAC, Epping Forest SAC and Chilterns AONB will likely be de minimis due to the main trunk road that residents**

**travel is the A1(M) which transports residents directly south, and not in an east or westerly direction towards these sites.**

- b) *The in-combination assessment hasn't taken into account any large planning applications which have been submitted which could impact on the SPA in terms of recreational disturbance. If there aren't any then it would be helpful for the Report to state this.*
  - We will clarify the text by stating that 'there are no large planning applications that have been submitted that could impact on the SPA in terms of recreational disturbance'.
- c) *The assessment still doesn't provide enough information and certainty to justify the assessment conclusion in relation to the potential for significant recreational in-combination effects. In our view, more work is required to adequately assess the in combination impacts of plans from neighbouring authorities in detail.*
  - East Herts, North Herts, Broxbourne and Welwyn and Hatfield are further behind than we are in their Plan formation. It would be unreasonable to expect us to assess Plans that are yet to be consulted upon. They, however, should assess our Plan and the potential for significant recreational in-combination effect
- d) *The Site Improvement Plan (SIP) (Lee Valley SIP – produced by Natural England) cannot be used as a mitigation measure to address the impacts of recreational disturbance impacts of the Stevenage Local Plan. The SIP is a much wider based document which looks at all of the impacts on the SPA. If there are impacts from the Local Plan then the plan must provide its own specific mitigation.*
  - We consider it to be reasonable to conclude that we have demonstrated that the recreational disturbance impact that development in Stevenage will have on the SPA is minimal. Therefore, the Local Plan has no impacts that it must mitigate for.

**It was agreed at the meeting that this was acceptable to Natural England.**

## **2. Water quality and Rye Meads Sewage Treatment Works (STW)**

- a) *There is ambiguity as to whether there is capacity for the Rye Meads STW to accommodate growth post 2026. Given there is some uncertainty there needs to be stronger wording in the relevant Local plan policy around how this will be tackled. Any mitigation required to address impacts on the SPA needs to be in the policy itself and not the supporting text, to give it the weight and certainty required.*
  - We believe that we have addressed this under our comments in Local Plan point 3 - Policy SP5 Infrastructure.
  - Thames Water has raised no concerns in their response to the Local Plan consultation about a capacity issue at Rye Meads or the current sewerage infrastructure. They do suggest additional wording to the supporting text to the effect that if development does lead to an overloading of the existing infrastructure, the developer should fund appropriate improvements.

Anglian Water currently have an agreement with Thames Water to pump the waste water from the small part of Stevenage that falls into their catchment area, over the operational border into the Thames Water network via the Coreys Mill pumping



station. As such, their comments on the capacity of the network that serves Stevenage are limited to encouraging developers to contribute to upgrades of the waste water network.

- b) *We therefore advise that the suggested rewording of the supporting text to Policies SP5 and IT3 are not sufficient to be able to conclude no likely significant effect. Our advice with respect to phasing development to ensure housing doesn't go ahead until the required infrastructure / capacity at Rye Meads is in place is required as detailed in our comments above on Policy ST5.*
- We believe that we have addressed this under our comments in Local Plan point 3 - Policy SP5 Infrastructure.

### 3. Other issues

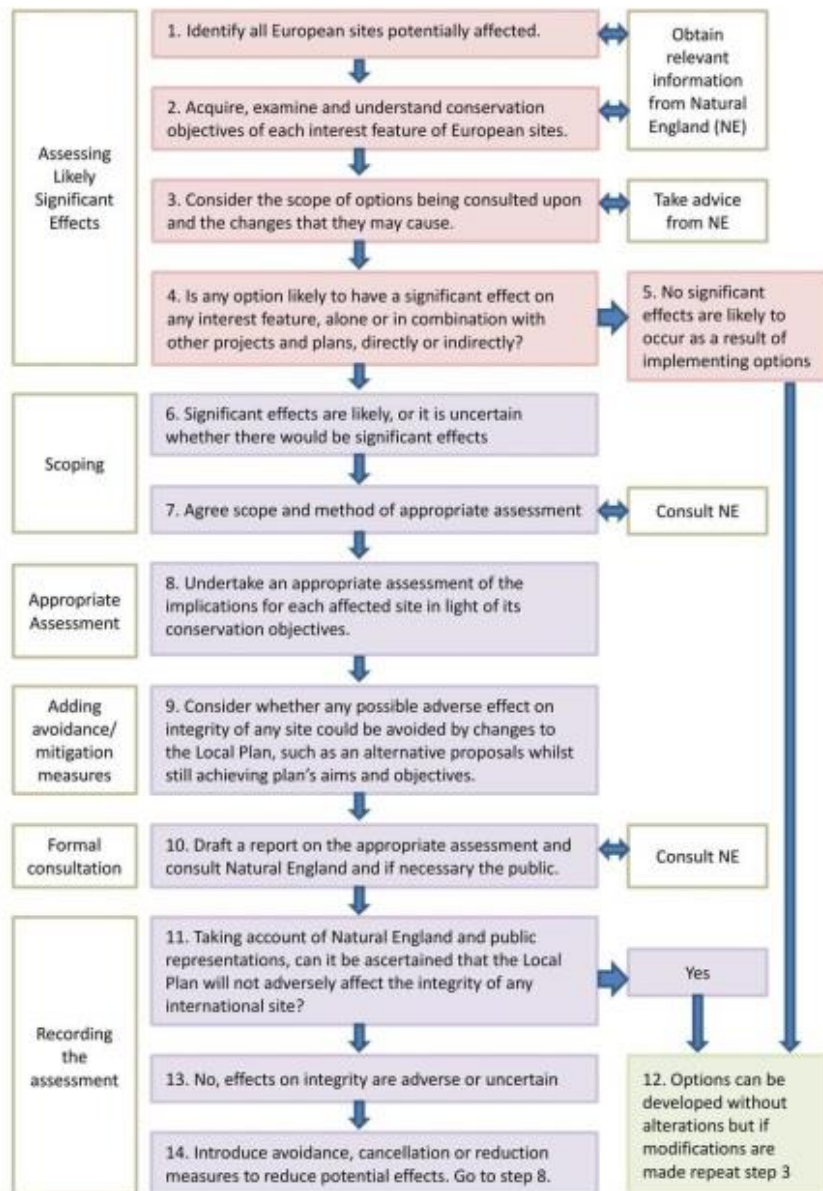
- a) *We recognise that the Screening Report has attempted to assess each policy, as requested in our previous advice. However, we recommend that the justifications given to screen out policies within the local plan relate to whether or not there is likely to be any direct or indirect impact pathways, rather than using the type of development as a justification to screen the policy out.*
- We have amended the screening table with a fuller explanation of the reasons why the policies were screened out (attached on separate sheet).

Thames Water make the assumption that trade wastewater flow remains constant regardless of the amount of development undertaken. As such, we can screen out all policies which promote non-residential development.

In addition, all wastewater in Stevenage is pumped to Rye Meads. As such, where development is allocated in Stevenage is of no consequence as it will pump to Rye Meads regardless. As such, the residential allocation sites can be screened out. Detailed and qualitative policies can be ruled out due to having no significant impact. That leaves policies SP5 and SP7 in the screening table.

- b) *The terminology used in the non-technical summary section of the HRA Report would benefit from a clearer explanation of the different stages involved in a Habitats Regulations Assessment. The first stage of the process is called screening, to determine if the plan will have a likely significant effect either alone or in-combination. If a likely significant effect is concluded then the plan needs to be subject to the appropriate assessment stage to determine if the plan is likely to have an adverse effect.*

- We suggest the insertion of the following flow chart to help explain the different stages of the HRA.



- c) *Map 1 – the 10km Buffer zone doesn't seem to be particularly useful given that the majority of sites included in the HRA are out with this buffer zone.*
- We disagree; Map 1 highlights the distance between Stevenage and the SSSI and SPA at Lee Valley and the amount of open space between us.
- d) *The HRA hasn't given a reason for why impacts other than recreational disturbance and water related impacts haven't been included in the HRA. Whilst we agree that the HRA has addressed the most relevant issues it still needs to document why other impacts have been screened out.*

- What other impacts do Natural England feel should be included in the HRA? We were of the understanding, from your comments to previous iterations of the assessment, that we had correctly identified the impacts.
- Development in Stevenage is of a sufficient distance to have a de minimis effect on the SACs of Wormley Hoddedonpark, Epping Forest and Lee Valley in respect of light and noise pollution. In addition, any air quality concerns resulting from increased traffic in and around Stevenage will likely be minimal due to the north/south nature of both the A1(M) and the A10 which are the main trunk roads that would transport residents of Stevenage.

**It was agreed at the meeting that this was acceptable to Natural England subject to confirmation from them that the flow chart was acceptable.**

### **Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA)**

*Natural England is generally satisfied with the sustainability objectives identified to assess the impacts of the plan. However, we have a wider concern that the SA hasn't adequately taken into account the impacts of development proposed in the local plan on the following important natural environmental assets:*

1. *Knebworth Woods SSSI, a nationally important site, whilst out with the boundary of Stevenage it is immediately adjacent to the borough boundary. Therefore, development proposed in the plan has the potential to impact upon this SSSI. This is particularly important for the Stevenage West Development and employment allocations in close proximity to Junction 7 of the A1. These impacts do not seem to have been adequately addressed in any of the impact matrices / tables. We are particularly concerned about the lack of detailed assessment of the impacts of Policy H02 on Knebworth Woods SSSI.*
- 'Stevenage West' (site H02) was considered, assessed and accepted for development in the 1998 Hertfordshire Structure Plan, 2004 Stevenage District Plan Second Review, the 2008 East of England Plan, along with the West of Stevenage SPD and the detailed masterplan and application. The current proposal does not alter the amount or type of development and is within the same parameters as the original allocation. The site does not adjoin the SSSI and any new development would include boundary landscaping, as the boundary of the site allocation would also be the green belt boundary. This protects the key features of the SSSI including the woodland, meadows and grassland [http://www.english-nature.org.uk/citation/citation\\_photo/1001506.pdf](http://www.english-nature.org.uk/citation/citation_photo/1001506.pdf). The North Hertfordshire and Stevenage Landscape Character Assessment reviews the area <http://www.stevenage.gov.uk/content/15953/26379/45609/Area-208.pdf>.

Policy H02 requires a masterplan, full archaeological assessment and full flood risk assessment to be undertaken with any application. Does Natural England feel that a further assessment of the impact on Knebworth Woods SSSI should be conducted with these other assessments during an application?

**It was agreed at the meeting that this was acceptable to Natural England.**

2. *Locally designated sites important for biodiversity are not specifically mentioned in the SA, other than those recognised as open space designations.*

- The plan recognises 45 sites in Stevenage for their wildlife value and local importance. All of our sites have been considered and included. Would Natural England like to see each of the locally designated sites important for biodiversity mentioned in relation to the appropriate policy? For example, mention:
  - Principal Woodland site NH1/45 (Shackleton Spring Woodland) under the assessment of Policy HC1/12 (Hydean Way Neighbourhood Centre); and
  - Wildlife Site NH2/16 (Margarets Wood and Spoil Bank Wood) under the assessment of Policy EC1/7 (Land west of Junction 8)
 Is this an acceptable approach?

**It was agreed at the meeting that this was acceptable to Natural England.**

3. *The impacts of development on the Best and Most Versatile Agricultural Land (BMV) doesn't appear to have been included in the SA. For example Housing allocations HO2, HO3 and HO4 are located on BMV land and there has been no assessment of the impact of this development on this finite soils resource. Whilst Natural England recognises that development within the town is constrained as the whole area out with the existing urban footprint is BMV land, the SA should have addressed this issue and explained why development wasn't possible on lower grade agricultural land or land of lesser environmental value.*

- We do not consider that BMV applies here. The town is constrained as the whole area out with the existing urban footprint is Grade 3 land. The SA makes reference to the loss of Grade 3 agricultural land, but it will be amended to clarify why development is not possible on lower grade agricultural land or land of lesser environmental value (if such land exists) elsewhere in the Borough boundary.  
**Add this information into the AA and Local Plan to make it clear that the Borough is constrained by its boundary and no other land is available for development.**

**It was agreed at the meeting that this was acceptable to Natural England.**

4. *We are also concerned that even where potential impacts on biodiversity and the protected landscape of the Chilterns AONB are identified, there doesn't appear to be any proposed mitigation identified to address such impacts. For example on page 313 the assessment on Policy EC1 states that "Loss of some greenfield on allocated sites will result in short term negative impacts, however, these can be mitigated against through the provision of new habitats that will establish over time". However, no further indication of how these habitats will be created, or any proposed mitigation measures identified to ensure this is delivered.*

- Policy SP12 wording has been amended (set out above) to address Natural England's concerns over the lack of clarity of the 'create, protect, enhance and manage' hierarchy as set out in para 114 of the NPPF. New developments throughout the Borough will have to mitigate for the loss of greenfield in these areas. They will be expected to create new habitats both onsite and, as necessary, elsewhere in the town. No part of the Chilterns AONB lies within or close to Stevenage Borough. However, through our Duty to Co-operate, new habitats can be created in Central Bedfordshire and North Herts to contribute to the protection and enhancement of the Chilterns AONB. This will be reflected in Appendix 2 of the SA under Biodiversity for Policy EC1 and also Policy's HO2 – 4.
5. *At various points in the matrices the SA states that there will be a need to increase the capacity of the A1(M) and that this will have a significant negative effect on biodiversity.*

*However, no further analysis or comment is provided and there aren't any mitigation measures identified to address this issue.*

- Highways England has allocated the SMART motorway scheme for the A1(M) (Junctions 7 – 8) post 2020. This will increase the capacity of the A1(M) but the scheme will result in less impact on biodiversity than if the motorway was physically widened including land take from the surrounding area.
- Highways England's biodiversity plan document [Our plan to protect and increase biodiversity](#) identifies measures to 'offset these negative impacts by means of carrying out better management of the road network, undertaking new biodiversity projects and influencing the management of surrounding areas. Overall, we will protect and increase biodiversity across the Strategic Road Network, and ensure our vulnerable plant and animal populations, and the habitats that support them, are robust and resilient in the face of change'.
- The SMART motorway scheme will be implemented **directly** adjacent to the following sites:
  - Knebworth Wood SSSI (NHDC)
  - NH2/11 – Garston Meadow
  - NH2/30 – Symonds Green
  - NH2/10 – Fishers Green Wood
  - NH2/16 – Margarets Wood & Spoil Bank Wood

Would this information sufficiently address your concerns with regard to comment and mitigation measures?

**This clarification needs to be included in the SA in order to provide mitigation measures for this issue. It should also be noted that with an increase in capacity, it is reasonable to expect that traffic would ultimately flow more freely which would result in a reduction in pollution levels from stationary vehicles.**

I trust that you are confident that we have addressed your comments and concerns satisfactorily. I shall begin to draft a Memorandum of Understanding for us to agree and sign in due course.

If there is anything that I can help with in the meantime, please do contact me either by email or on the number above.

Kind regards

Deborah Horner  
Senior Policy Planning Officer

Draft local plan policy	Promotes the Principal of Development?	Residential (ancillary) Development?	Screened in / out	Reason(s)
<b>Part II – Strategic Policies</b>				
Policy SP1: Presumption in favour of sustainable development	No	No	Out	Qualitative and detailed criteria and / or general principles
Policy SP2: Sustainable Development in Stevenage	No	No	Out	Qualitative and detailed criteria and / or general principles
Policy SP3: A strong, competitive economy	Yes	No	Out	Whilst promoting development, relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy SP4: A Vital Town Centre	Yes	No	Out	Whilst promoting development, relates to non-residential development - ruled out in accordance with Thames Water assumptions
<b>Policy SP5: Infrastructure</b>	Yes	Yes	In	<b>Makes provision for additional utilities infrastructure</b>
Policy SP6: Sustainable transport	No	No	Out	Qualitative and detailed criteria / non-residential development - ruled out in accordance with Thames Water assumptions
<b>Policy SP7: High Quality Homes</b>	Yes	Yes	In	<b>Sets overall quantum of residential development</b>
Policy SP8: Good design	No	No	Out	Qualitative and detailed criteria / protection of environment [water efficiency]
Policy SP9: Healthy Communities	No	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy SP10: Green Belt	No	No	Out	Preservation / restricts development
Policy SP11: Climate change, flooding and pollution	No	No	Out	Protects the environment
Policy SP12: Green Infrastructure and the natural environment	No	No	Out	Protects the environment
Policy SP13: The historic environment	No	No	Out	Qualitative and detailed criteria and / or general principles -
<b>Part III – Detailed Policies</b>				
Policy EC1: Allocated Sites for Employment Development	Yes	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions

Draft local plan policy	Promotes the Principal of Development?	Residential (ancillary) Development?	Screened in / out	Reason(s)
Policy EC2: Gunnels Wood Employment Area and Edge-of-Centre Zone	Yes	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy EC3: Gunnels Wood Industrial Zones	Yes	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy EC4: Remainder of Gunnels Wood	Yes	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy EC5: Active frontages and gateways	No	No	Out	Qualitative and detailed criteria
Policy EC6: Pin Green Employment Area	Yes	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy EC7: Employment development on unallocated sites	Yes	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy TC1: Town Centre	No	No	Out	Qualitative and detailed criteria
Policy TC2: Southgate Major Opportunity Area	Yes	Yes	Out	Location of residential development / relates to non-residential development. Numbers are more important than location (numbers of dwellings covered by SP7
Policy TC3: Central West Major Opportunity Area	Yes	Yes	Out	Location of residential development / relates to non-residential development. Numbers are more important than location (numbers of dwellings covered by SP7
Policy TC4: Station Gateway Major Opportunity Area	Yes	Yes	Out	Location of residential development / relates to non-residential development. Numbers are more important than location (numbers of dwellings covered by SP7
Policy TC5: Central Core Major Opportunity Area	Yes	Yes	Out	Location of residential development / relates to non-residential development. Numbers are more important than location (numbers of dwellings covered by SP7
Policy TC6: Northgate Major Opportunity Area	Yes	Yes	Out	Location of residential development / relates to non-residential development. Numbers are more important than location (numbers of dwellings covered by SP7

Draft local plan policy	Promotes the Principal of Development?	Residential (ancillary) Development?	Screened in / out	Reason(s)
Policy TC7: Marshgate Major Opportunity Area	Yes	Yes	Out	Location of residential development / relates to non-residential development. Numbers are more important than location (numbers of dwellings covered by SP7
Policy TC8: Town Centre Shopping Area	No	No	Out	Relates to non-residential development / Qualitative and detailed criteria - ruled out in accordance with Thames Water assumptions
Policy TC9: High Street Shopping Area	No	No	Out	Relates to non-residential development / Qualitative and detailed criteria - ruled out in accordance with Thames Water assumptions
Policy TC10: Opportunity areas within the Primary Shopping Areas	No	No	Out	Relates to non-residential development / Qualitative and detailed criteria - ruled out in accordance with Thames Water assumptions
Policy TC11: New Convenience Retail Provision	Yes	No	Out	Relates to non-residential development / Qualitative and detailed criteria - ruled out in accordance with Thames Water assumptions
Policy TC12: New Comparison Retail Provision	Yes	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy TC13: Retail impact assessments	No	No	Out	Qualitative and detailed criteria
Policy IT1: Strategic development access points	No	No	Out	Does not directly lead to additional residential development
Policy IT2: West of Stevenage safeguarded corridors	No	No	Out	Does not directly lead to additional residential development
Policy IT3: Infrastructure	Yes	No	Out	Protect environment
Policy IT4: Transport assessments and travel plans	No	No	Out	Qualitative and detailed criteria
Policy IT5: Parking and access	No	No	Out	Qualitative and detailed criteria
Policy IT6: Sustainable transport	No	No	Out	Qualitative and detailed criteria
Policy IT7: New and improved links for pedestrians and cyclists	No	No	Out	Qualitative and detailed criteria
Policy IT8: Public parking provision	No	No	Out	Qualitative and detailed criteria
Policy HO1: Housing allocations	Yes	Yes	Out	Location of residential development. Numbers are more important than location (numbers of dwellings covered by SP7



Draft local plan policy	Promotes the Principal of Development?	Residential (ancillary) Development?	Screened in / out	Reason(s)
Policy HO2: Stevenage West	Yes	Yes	Out	Location of residential development. Numbers are more important than location (numbers of dwellings covered by SP7
Policy HO3: North of Stevenage	Yes	Yes	Out	Location of residential development. Numbers are more important than location (numbers of dwellings covered by SP7
Policy HO4: South East of Stevenage	Yes	Yes	Out	Location of residential development. Numbers are more important than location (numbers of dwellings covered by SP7
Policy HO5: Windfall Sites	Yes	Yes	Out	Location of residential development. Numbers are more important than location (numbers of dwellings covered by SP7
Policy HO6: Redevelopment of existing homes	Yes	Yes	Out	Location of residential development. Numbers are more important than location (numbers of dwellings covered by SP7
Policy HO7: Affordable housing targets	No	No	Out	Qualitative and detailed criteria
Policy HO8: Affordable housing tenure, mix and design	No	No	Out	Qualitative and detailed criteria
Policy HO9: House types and sizes	No	No	Out	Qualitative and detailed criteria
Policy HO10: Sheltered and supported housing	Yes	Yes	Out	Qualitative and detailed criteria. Dwelling numbers are covered by SP7
Policy HO11: Accessible housing	No	No	Out	Qualitative and detailed criteria
Policy HO12: Gypsy and traveller provision	Yes	Yes	Out	Location of residential development. Dwelling numbers are covered by SP7
Policy HO13: Gypsy and traveller provision on unallocated sites	Yes	Yes	Out	Location of residential development. Dwelling numbers are covered by SP7
Policy GD1: High Quality Design	No	No	Out	Qualitative and detailed criteria
Policy HC1: District, local and neighbourhood centres	No	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy HC2: Local shops	No	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy HC3: The Health Campus	Yes	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions

Draft local plan policy	Promotes the Principal of Development?	Residential (ancillary) Development?	Screened in / out	Reason(s)
Policy HC4: Existing health, social and community facilities	No	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy HC5: New health, social and community facilities	Yes	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy HC6: Existing leisure and cultural facilities	No	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy HC7: New and refurbished leisure and cultural facilities	Yes	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy HC8: Sports facilities in new developments	No	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy HC9: Former Barnwell East secondary school	No	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy HC10: Redundant school sites	No	No	Out	Relates to non-residential development - ruled out in accordance with Thames Water assumptions
Policy GB1: Green Belt	No	No	Out	Preservation / restricts development
Policy GB2: Green Belt settlements	Yes	No	Out	Restricts development / location of residential development
Policy FP1: Renewable energy and energy efficiency	No	No	Out	Qualitative and detailed criteria
Policy FP2: Flood storage reservoirs and Functional Floodplain	No	No	Out	Protects the environment
Policy FP3: Flood Risk in Flood Zones 2 and 3	No	No	Out	Protects the environment
Policy FP4: Flood Risk in Flood Zone 1	No	No	Out	Protects the environment
Policy FP5: Contaminated Land	No	No	Out	Qualitative and detailed criteria
Policy FP6: Hazardous Installations	No	No	Out	Qualitative and detailed criteria
Policy FP7: Light and Noise Pollution	No	No	Out	Qualitative and detailed criteria

Draft local plan policy	Promotes the Principal of Development?	Residential (ancillary) Development?	Screened in / out	Reason(s)
Policy FP8: Pollution Sensitive Uses	No	No	Out	Qualitative and detailed criteria
Policy NH1: Principal Open Spaces	No	No	Out	Protects the environment
Policy NH2: Wildlife Sites	No	No	Out	Protects the environment
Policy NH3: Green Corridors	No	No	Out	Protects the environment
Policy NH4: Green links	No	No	Out	Protects the environment
Policy NH5: Trees and woodland	No	No	Out	Protects the environment
Policy NH6: General protection for open space	No	No	Out	Protects the environment
Policy NH7: Open space standards	No	No	Out	Qualitative and detailed criteria
Policy NH8: North Stevenage Country Park	No	No	Out	Protects the environment
Policy NH9: Areas of Archaeological Significance	No	No	Out	Qualitative and detailed criteria
Policy NH10: Conservation Areas	No	No	Out	Qualitative and detailed criteria

## Appendix B

Correspondence from NE to SBC – 9 May 2016

Date: 09 May 2016  
Our ref: 184990

Deborah Horner  
Planning Policy  
Stevenage Borough Council  
Daneshill House, Danestrete  
Stevenage  
SG1 1HN

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
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CW1 6GJ

By email: [deborah.horner@stevenage.gov.uk](mailto:deborah.horner@stevenage.gov.uk)

T 0300 060 3900

Dear Ms Horner

**Planning consultation: Stevenage Local \_ Further Proposed Amendments and Updated Habitats Regulations Assessment (dated April 2016)**

Thank you for your email (dated 05 May 2016) and your letter (dated 15 April) regarding the above which we received on the 05 May 2016

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.

**1. Comments on the Local Plan**

Thank you for forwarding the proposed changes to the Local Plan which addresses Natural England's concerns identified in our formal consultation response (dated 17 February 2016) to the draft local plan. Natural England can confirm that we support the proposed changes as outlined in your letter dated 15<sup>th</sup> April 2016, the contents of which we also discussed at the very helpful meeting held at your offices on the 23 March 2016. In summary we support the following proposed changes:

- Rewording of paragraph 4.28 to include the protection and enhancement of the natural environment and landscape.
- Rewording Policy SP2 (Sustainable Development in Stevenage) to ensure bullet point 'n' also includes reference to "landscape".
- Rewording of bullet points e and f of Policy SP5 to ensure there is appropriate capacity for Rye Meads Sewage Treatment Works to serve new development. Rewording of bullet point f will ensure new development does not have an adverse effect on the Lee Valley SPA and development post 2026 will only be permitted if the required capacity is available at Rye Meads STW, including any associated sewer connections.
- Strengthening of Policy SP11 (Climate change, flooding and pollution) which now recognises *the role that the provision of greenspace can play in addressing climate change impacts*.
- Amendments to the wording of Policy SP12 (Green Infrastructure and the natural environment) which now identifies a strategic approach for the creation and enhancement of biodiversity and reflects the avoid mitigate and compensate hierarchy as required in para 118 of the NPPF. The proposed rewording distinguishes the different types of European, national and local designations (as required by para 113 of the NPPF). *The policy rewording also identifies measures for the protection and enhancement of priority habitats and species (as detailed in para 117 of the NPPF)*.
- Rewording of paras 5.150 and 5.151 to reflect the importance of the Chilterns AONB

- Inclusion of a flow chart in paragraph 5.145 to provide additional guidance to developers regarding biodiversity and landscape. Also use of the word “*conservation*” rather than “*preservation*”.
- Changes to para 5.149 which now recognises: *Knebworth Woods SSSI*.
- Removal of the reference to the use of Grampian Conditions in paragraph 8.19
- Rewording of Policy HO2 (Stevenage West) which now requires a mitigation and monitoring strategy to be produced as well as confirmation that the proposal does not immediately abut Knebworth Woods SSSI.
- We support the proposal for the Sustainability Appraisal to contain more detailed information to clarify that BMV agricultural land is the only land available within the limitations of Stevenage’s boundary where development can take place. We note the difficulties regarding the Natural England classification map being not sufficiently detailed to identify the subdivision of Grade 3. I will investigate whether there are more detailed maps available.
- Regarding Policy HO2, Natural England would support further assessment of the impact on Knebworth Woods SSSI in addition to the proposed masterplan, full archaeological assessment and full flood risk assessment.
- We support the proposal to identify any locally important wildlife sites in the relevant policies.
- We support the approach identified to address concerns relating to increasing the capacity of the A1

### 3. Habitats Regulations Assessment (HRA) – Updated Screening Report (April 2016)

Natural England recognises the efforts taken to update the HRA Screening Report in light of Natural England’s comments in our letter dated 17<sup>th</sup> February 2016. There are a few minor amendments which in our view are still required. However, we are now in a position to agree with the conclusion of the HRA Screening Report of no likely significant effect. The proposed clarifications which in our view are required are as follows:

- Paragraph 1.4: It would be helpful to state that “*The screening opinion determines whether the local plan will have a likely significant effect, either alone or in-combination*”. For clarity it would also be more accurate to say whether or not the Appropriate Assessment stage is required.
- Paragraph 1.15: The conclusion needs to clarify that there won't be any likely significant effects either alone or in combination.
- Paragraph 2.10: It is more accurate to say “*the Appropriate Assessment Stage*”
- Paragraph 5.7: Regarding the figures which estimate the percentage of the SPA which occurs in each county, our figures show that 17.97% in Essex, 39.77% in Greater London & 42.25% in Herts. The discrepancy may have arisen by using a map which predated “The Essex and Hertfordshire (County Boundaries) Order 1992”, which moved the boundary westwards to follow the line of the Lee Navigation, thereby increasing the percentage within Essex.
- Paragraph 5.13 – The designation “*Ramsar*” should not be spelt in capital letters as it isn’t an acronym (it is the name of the Iranian city where the convention was signed)
- Paragraph 8.39. As previously advised the SIP cannot be used for mitigating the impacts of recreational disturbance. If the conclusion is that there is no likely significant effect alone or in-combination then no further mitigation is required (other than the proposed policy re-wording already identified in the HRA).

We look forward to receiving a copy of the Memorandum of Understanding to comment on and sign in due course.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Sarah Fraser on 02080261725. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely



Sarah Fraser  
Senior Planning Adviser – Essex, Herts, Beds, Cambs & Northants Area Team