



**Elstree & Borehamwood Neighbourhood Plan
Strategic Environmental Assessment (SEA) / Habitats
Regulations Assessment (HRA)**

Screening Determination Statement

**Under Regulation 9 and 11 of the Environmental
Assessment of Plans and Programmes 2004**

Prepared by Hertsmere Borough Council

16th May 2024

1. Background

1.1 This statement has been produced to ensure the Elstree & Borehamwood Neighbourhood Plan will, when examined, comply with the Neighbourhood Planning (General) Regulations 2012 (as amended) and in particular, Regulation 32 and Regulation 15(1) e (ii) of the Neighbourhood Planning (General) (Amendment) Regulations 2015.

1.2 A neighbourhood plan is required to meet a number of basic conditions (which are set out in the Town and Country Planning Act 1990), one of which being it must not breach and must be otherwise compatible with EU and Human Rights obligations. This requires neighbourhood plans to fully consider the requirements of the SEA regulations which transpose the EU's SEA Directive into law and which requires those making plans that could impact on the environment to consider whether they are likely to have a significant effect or not.

1.3 Regulation 32 in the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out an additional basic condition to those set out in primary legislation. Regulation 32 states: "The making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (e)) (either alone or in combination with other plans or projects).

2. Screening opinion

2.1 A Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Opinion (included in Appendix 1) was prepared by Hertsmere Borough Council for the Elstree & Borehamwood Neighbourhood Plan in April 2024. The screening opinion considered that the Elstree & Borehamwood Neighbourhood Plan would not have a significant effect on the environment in so far as:

- The EDNP at the present time will not play a role in allocating land for housing or employment;
- The Neighbourhood Plan is unlikely to affect any designated sites in the vicinity or lead to other environmental effects;
- The Neighbourhood Plan seeks to align with the adopted Development Plan which has been subject to full SEA and Habitats Regulations Assessment and Sustainability Appraisal;
- The small spatial extent and the magnitude of the population affected are not considered significant for the purpose of the SEA.

3. Consultation with statutory bodies

3.1 The three statutory environmental bodies (Natural England, Historic England and Environment Agency) were consulted on the SEA/HRA Screening Opinion on 9th April 2024 for a 28 day period. Consultation responses were received from two of the three statutory consultees, Natural England and Historic England. The responses confirmed that no additional Screening was required.

3.2 Their conclusions are set out below, and their full comments are included in Appendix 2.

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

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

Historic England: 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.

4. Conclusions

The implementation of the Elstree & Borehamwood Neighbourhood Plan is not expected to result in likely significant effects. The SEA and HRA Screening Opinion (April 2024) determined that the Elstree & Borehamwood Neighbourhood Plan does not require a full SEA or HRA and these findings were not disputed by the statutory consultation bodies. The Council therefore concludes that the Elstree & Borehamwood Neighbourhood Plan does not require a full SEA or HRA.