



South West Herts Joint

Strategic Plan

Sustainability Appraisal Scoping Report

South West Hertfordshire Authorities

Final report

Prepared by LUC

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Contents

Chapter 1	5
Introduction	
The Plan Area	6
South West Herts Joint Strategic Plan	8
Sustainability Appraisal and Strategic Environmental Assessment	8
Health Impact Assessment	10
Equalities Impact Assessment	10
Habitat Regulations Assessment	10
Approach to Scoping	11
Meeting the requirements of the SEA Regulations	12
Structure of the Scoping Report	16
Chapter 2	18
Policy Context for the Joint Strategic Plan	
Chapter 3	25
Baseline Information	
Chapter 4	79
Key Sustainability Issues and Likely Evolution without the Plan	
Chapter 5	85
Sustainability Appraisal Framework	

Contents

Chapter 6	96
SA Findings for the Vision, Objectives and Growth Types	
Chapter 7	109
Next Steps	
Appendix A	110
Review of Relevant International and National Plans and Programmes	
References	140

Chapter 1

Introduction

1.1 The South West Hertfordshire authorities, supported by Hertfordshire County Council (HCC), commissioned LUC in December 2021 to carry out the Scoping stage of a Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) for the emerging South West (SW) Hertfordshire Joint Strategic Plan (JSP). As explained later in this chapter, Health Impact Assessment (HIA) and Equalities Impact Assessment (EqIA) will be carried out as part of the SA and are addressed within this Scoping Report; however for simplicity most references throughout the report are just to the SA, which should be taken as incorporating SEA, HIA and EqIA.

1.2 The purpose of this Scoping Report is to provide the context for, and determine the scope of, the SA of the JSP and to set out the framework for undertaking the later stages of the SA.

1.3 The Scoping stage of SA is summarised below:

- Reviewing other plans, policies and programmes.
- Considering the current state of the environment, as well as social economic factors in the plan area (South West Hertfordshire)
- Identifying any key environmental, social and economic issues which may be affected by the JSP.
- Setting out the 'SA framework', which comprises specific sustainability objectives against which the likely effects of the JSP can be assessed.

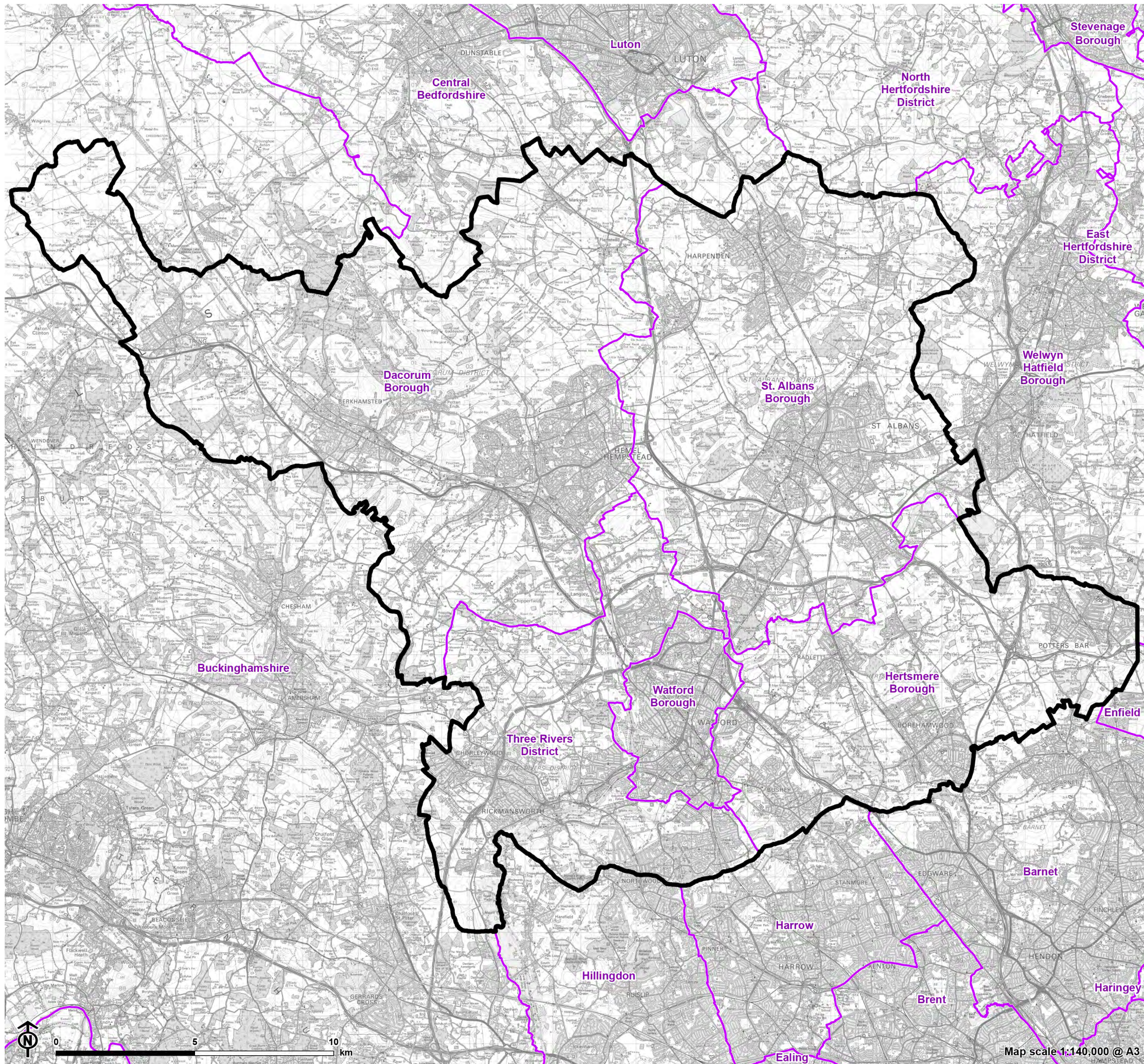
The Plan Area

1.4 SW Hertfordshire consists of the following five Local Planning Authorities: Dacorum, Hertsmere, St. Albans, Three Rivers and Watford (see **Figure 1.1**).

1.5 The area has a rich and varied natural and historic environment, which makes it an attractive place to live, visit and work. SW Hertfordshire is defined by its varied urban character and proximity to London as well as its rural character and access to the countryside. There is a diversity in character across the area, from rural villages to historic market towns and areas with more in common with outer London. SW Hertfordshire also contains important landscapes such as the Chilterns Area of Outstanding Natural Beauty (AONB) and Colne Valley Regional Park.

1.6 The M1, West Coast Mainline and Midland Mainline all cut across the west of Hertfordshire, close to three of Hertfordshire's largest towns, Watford, Hemel Hempstead and St Albans.

Figure 1.1: Joint Strategic Plan Area



South West Hertfordshire
 Local Authority boundary

South West Herts Joint Strategic Plan

1.7 The five SW Hertfordshire authorities – Dacorum Borough Council, Hertsmere Borough Council, St. Albans City and District Council, Three Rivers District Council and Watford Borough Council – have committed to producing a JSP for SW Herts, supported by Hertfordshire County Council.

1.8 The JSP will provide an integrated strategic planning framework and evidence base to support sustainable growth across SW Hertfordshire to 2050, including the planned delivery of new homes and economic development, and the anticipated supporting infrastructure needed with an overall focus on combating the climate crisis and enhancing the natural environment.

1.9 As part of the formation of the plan, the authorities are committed to ensuring there will be early, proportionate and meaningful engagement between plan makers and communities, local organisations, businesses, infrastructure providers and statutory bodies. A Statement of Community Involvement (SCI) has been adopted and is supplemented by a more detailed Communications and Engagement Plan specifically covering the Issues and Options (Regulation 18) engagement.

1.10 The current programme anticipates that the JSP will be submitted to the Planning Inspectorate for independent examination in mid-2024 and adopted in late 2024, subject to the examination process. The programme is, however, dependent on progress made on the current round of district-level Local Plans and any national changes that may be announced to the plan-making system.

Sustainability Appraisal and Strategic Environmental Assessment

1.11 Under the amended Planning and Compulsory Purchase Act 2004 **[See reference 1]**, SA is mandatory for Development Plan Documents. For these

documents it is also necessary to conduct an environmental assessment in accordance with the requirements of the Strategic Environmental Assessment (SEA) Directive (European Directive 2001/42/EC) as transposed into law in England by the SEA Regulations [See reference 2], which remain in force despite the UK exiting the European Union in January 2020. Therefore, it is a legal requirement for the JSP to be subject to SA and SEA throughout its preparation.

1.12 The requirements to carry out SA and SEA are distinct, although it is possible to satisfy both using a single appraisal process (as advocated in the national Planning Practice Guidance [See reference 3]), whereby users can comply with the requirements of the SEA Regulations through a single integrated SA process – this is the process that is being undertaken for SW Hertfordshire. From here on, the term ‘SA’ should therefore be taken to mean ‘SA incorporating the requirements of the SEA Regulations’.

1.13 The SA process comprises a number of stages, with Scoping being Stage A as shown below.

Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope.

Stage B: Developing and refining options and assessing effects.

Stage C: Preparing the Sustainability Appraisal Report.

Stage D: Consulting on the JSP and the SA Report.

Stage E: Monitoring the significant effects of implementing the JSP.

Health Impact Assessment

1.14 Although not a statutory requirement, Health Impact Assessment (HIA) aims to ensure that health-related issues are integrated into the plan-making process. The SA objectives will address health issues and the HIA of the JSP will be carried out as part of the SA. Recommendations will be made in relation to how the health-related impacts of the JSP can be optimised as the options are developed into detailed policies and broad locations for development.

Equalities Impact Assessment

1.15 The requirement to undertake formal Equalities Impact Assessment (EqIA) of development plans was introduced in the Equality Act 2010 but was abolished in 2012. Despite this, authorities are still required to have regard to the provisions of the Equality Act, namely the Public Sector Duty which requires public authorities to have due regard for equalities considerations when exercising their functions.

1.16 In fulfilling this duty, similar to the HIA, the SA objectives will address equality issues and the EqIA of the JSP will be carried out as part of the SA. Recommendations will be made in relation to how the equality-related impacts of the JSP can be optimised as the options are developed into detailed policies and broad locations for development.

Habitat Regulations Assessment

1.17 The requirement to undertake Habitats Regulations Assessment (HRA) of development plans was confirmed by the amendments to the Habitats Regulations published for England and Wales in July 2007 and updated in 2010 and again in 2012 and 2017 [**See reference 4**]. The Regulations translate Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna

and Flora (Habitats Directive) and 79/409/EEC (Birds Directive) into UK law and remain a legal requirement despite the UK exiting the European Union.

1.18 The purpose of HRA is to assess the impacts of a land-use plan against the conservation objectives of a European site and to ascertain whether it would adversely affect the integrity of that site.

1.19 The HRA will be undertaken separately but the findings will be taken into account in the SA where relevant (for example to inform judgements about the likely effects of potential broad development locations on biodiversity).

1.20 Recently the HRA for the emerging Dacorum Local Plan concluded that there may be likely significant effects on the Chiltern Beechwoods SAC due to recreational impacts and therefore an Appropriate Assessment was required. The visitor survey and recreation impact assessment [\[See reference 5\]](#) published in March 2022 to inform the HRA of the emerging Local Plan includes the need for mitigation in the form of a 'development exclusion zone' of 500m around the European site. The same issues are likely to arise within the HRA that will be carried out for the emerging JSP.

Approach to Scoping

1.21 There are five tasks involved at the Scoping Stage:

Stage A1: Setting out the policy context for the SA of the JSP (i.e. key government policies and strategies that influence what the JSP and the SA need to consider).

Stage A2: Setting out the baseline for the SA of the JSP (i.e. the current and likely future environmental, social and economic conditions in SW Herts).

Stage A3: Drawing on A1 and A2, identify the particular sustainability problems and/or opportunities ('issues') that the JSP and SA should address.

Stage A4: Drawing on A1, A2 and A3, develop a framework for SA objectives and assessment criteria to appraise the constituent parts of the JSP in isolation and in combination.

Stage A5: Consultation on the scope of the SA.

1.22 This Scoping Report fulfils the requirements set out above with a view to establishing the likely significant effects of constituent parts of the JSP in isolation and in combination. In accordance with national Planning Practice Guidance (PPG), published on-line by the Government, the Scoping Report should be proportionate and relevant to the JSP, focussing on what is needed to identify and assess the likely significant effects.

1.23 This report also includes an appraisal of the draft vision, objectives and high-level growth types as set out in the Regulation 18 consultation document (August 2022).

Meeting the requirements of the SEA Regulations

1.24 The relevant sections of the Scoping Report that are considered to meet the SEA Regulations requirements are signposted below (the remainder will be met during subsequent stages of the SA of the JSP). Signposting information should be included in the full SA Report at each stage of the SA to show how the requirements of the SEA Regulations have been met through the SA process.

1.25 The SEA Regulations require the responsible authority to prepare, or secure the preparation of, an 'environmental report', which in this case will comprise the SA report. The report shall identify, describe and evaluate the likely significant effects on the environment of the following:

a. An outline of the contents, main objectives of the plan or programme, and relationship with other relevant plans and programmes.

■ Covered in Chapters 1 and 3 and Appendix A.

b. The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme.

■ Covered in Chapters 3 and 4.

c. The environmental characteristics of areas likely to be significantly affected.

■ Covered in Chapter 3.

d. Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC.

■ Covered in Chapters 3 and 4.

e. The environmental protection, objectives, established at international, Community or national level, which are relevant to the plan or programme and the way those objectives and any environmental, considerations have been taken into account during its preparation.

■ Covered in Chapter 3 and Appendix A.

f. The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and

archaeological heritage, landscape and the interrelationship between the above factors. (Footnote: These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects).

■ Requirement will be met at a later stage in the SA process.

g. The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme.

■ Requirement will be met at a later stage in the SA process.

h. An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.

■ Requirement will be met at a later stage in the SA process.

i. A description of measures envisaged concerning monitoring in accordance with Reg. 17.

■ Requirement will be met at a later stage in the SA process.

j. A non-technical summary of the information provided under the above headings.

■ Requirement will be met at a later stage in the SA process.

The report shall include the information that may reasonably be required taking into account current knowledge and methods of assessment, the contents and level of detail in the plan or programme, its stage in the decision-making process and the extent to which certain matters are more appropriately assessed at different levels in that process to avoid duplication of the assessment (Reg. 12(3)).

- This Scoping Report and the Environmental Reports will adhere to this requirement.

Authorities with environmental responsibility, when deciding on the scope and level of detail of the information which must be included in the environmental report (Reg. 12(5)).

- This SA Scoping Report will be published for consultation with the three statutory bodies (the Environment Agency, Historic England and Natural England) for a minimum of five weeks.

Authorities with environmental responsibility and the public, shall be given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before the adoption of the plan or programme (Reg. 13).

- Public consultation on the Joint Strategic Plan and accompanying SA Reports will take place as the Plan develops.

Other EU Member States, where the implementation of the plan or programme is likely to have significant effects on the environment of that country (Reg. 14).

- The JSP is not expected to have significant effects on other EU Member States.

Provision of information on the decision:

When the plan or programme is adopted, the public and any countries consulted under Reg. 14 must be informed and the following made available to those so informed:

- the plan or programme as adopted;
- a statement summarising how environmental considerations have been integrated into the plan or programme and how the environmental report, the opinions expressed, and the results of consultations entered into have been taken into account, and the reasons for choosing the

plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and

- the measures decided concerning monitoring.
- To be addressed after the JSP is adopted.

Monitoring of the significant environmental effects of the plan's or programme's implementation (Reg. 17).

- To be addressed after the JSP is adopted.

Quality assurance: environmental reports should be of a sufficient standard to meet the requirements of the SEA Regulations.

- This report has been produced in line with current guidance and good practice for SEA/SA and this section demonstrates where the requirements of the SEA Regulations have been met.

Structure of the Scoping Report

1.26 This chapter describes the background to the production of the JSP and the requirement to undertake SA and other assessment processes. The remainder of this Scoping Report is structured into the following sections:

- **Chapter 2** describes the other plans, policies and programmes of relevance to the SA of the JSP.
- **Chapter 3** presents the baseline information which will inform the assessment of the JSP.
- **Chapter 4** identifies the key environmental, social and economic issues in SW Hertfordshire of relevance to the emerging JSP and considers the likely evolution of those issues without its implementation.
- **Chapter 5** presents the SA framework that will be used for the appraisal of the JSP and the proposed method for carrying out the SA.

- **Chapter 6** presents an appraisal of the emerging Regulation 18 vision and objectives and alternative spatial growth scenarios presented within the JSP.
- **Chapter 7** describes the next steps to be undertaken in the SA of the JSP.

1.27 Appendix A sets out the international and national plans, policies and programmes which are of most relevance to the JSP.

Chapter 2

Policy Context for the Joint Strategic Plan

2.1 Schedule 2 of the SEA Regulations requires:

(a) “an outline of the contents and main objectives of the Plan and its relationship with other relevant plans or programmes” and

(e) “the environmental protection objectives established at International, Community or Member State level, which are relevant to the plan and the way those objectives and any environmental considerations have been taken into account during its preparation”

Outline of the SW Hertfordshire Joint Strategic Plan

2.2 The SW Hertfordshire JSP will provide a strategic policy framework for SW Hertfordshire to 2050. It will consider cross boundary issues and will set out high level policies for SW Hertfordshire. The JSP will cover the south west portion of the county of Hertfordshire, and will be prepared jointly by:

- Dacorum Borough Council.
- Hertsmere Borough Council.
- St. Albans City and District Council.
- Three Rivers District Council.
- Watford Borough Council.

2.3 The JSP is being prepared in partnership with Hertfordshire County Council, which has a key role given its responsibilities for the delivery of key infrastructure and services such as transport and education. It will also seek to address linkages to wider planning considerations.

2.4 In order to establish a clear scope for the SA it is necessary to review and develop an understanding of the environmental, social and economic objectives contained within international, national and local policies, plans and strategies that are of relevance to the JSP. Given the SEA Regulations requirements above, it is also necessary to consider the relationship between the JSP and other relevant plans, policies and programmes.

2.5 This chapter summarises the relationship of the JSP to the relevant international and national policies, plans and programmes which should be taken into consideration during preparation of the plan and its SA, as well as those plans and programmes which are of relevance at a County/sub-regional level. The objectives of these plans and programmes have been taken into account when drafting the SA framework in Chapter 5.

The Implications of Brexit

2.6 As of the end of January 2020 the UK has left the EU. As set out in the Explanatory Memorandum accompanying the Brexit amendments [See [reference 6](#)], the purpose of the Brexit amendments to the SEA Regulations is to ensure that the law functions correctly after the UK has left the EU. No substantive changes are being made by this instrument to the way the SEA regime operates.

2.7 Relevant international plans and policy (including those at the EU level) are transposed into national plans, policy and legislation and these have been considered.

Relationships with other relevant plans or programmes

2.8 The National Planning Policy Framework (NPPF) **[See reference 7]** provides the national policy context for the JSP and it must be consistent with the NPPF requirements for local plan making. The JSP will then provide the spatial planning framework that will set the context for a future round of Local Plans to be prepared by the five SW Hertfordshire councils. This approach will allow those authorities to subsequently establish detailed planning policies and site allocations at a borough and district level. In doing so, it will also help to set the SW Hertfordshire planning policy framework for the preparation of neighbourhood local plans at the local community level. Other relevant national policies and plans are outlined in Appendix A.

2.9 Relevant plans and initiatives at the County and area level include:

Hertfordshire Local Transport Plan 2018 - 2031

2.10 The Hertfordshire Local Transport Plan 2018 - 2031 **[See reference 8]** sets out how transport can help deliver a positive future vision for Hertfordshire by having a major input into wider policies such as economic growth, meeting housing needs, improving public health and reducing environmental damage whilst also providing for safe and efficient travel. The plan also considers how future planning decisions and emerging technology might affect the way that transport needs to be provided in the longer term.

Hertfordshire's Rail Strategy

2.11 The Hertfordshire Rail Strategy **[See reference 9]** aims to demonstrate how the railway in Hertfordshire can support economic growth and development. The strategy sets out overall aspirations for the rail network in

Hertfordshire from improvements to local to long-distance services to achieving net zero emissions from all forms of transport by 2050.

South West Hertfordshire Growth and Transport Plan Prospectus

2.12 The Growth and Transport Plan (GTP) [See reference 10] is a new approach to sub-county transport planning. This report is the first of a suite of new GTPs which will cover different sub-areas of Hertfordshire with the intention of promoting modal shift to non-motorised and public transport, providing greater modal choice, and facilitating growth sustainably. The Plan sets out seven objectives to address the transport challenges across SW Hertfordshire.

South Central Hertfordshire Growth and Transport Plan

2.13 The Growth and Transport Plan (GTP) [See reference 11] sets out a vision and objectives for the south-central area of Hertfordshire with an emphasis on a connected, reliable and accessible transport network for the area.

Hertfordshire Public Health Service Strategy (2017-2021)

2.14 The Hertfordshire Public Health Service Strategy (2017- 2021) [See reference 12] outlines the Council's vision and principles for improving the health and wellbeing of people in Hertfordshire.

Hertfordshire Adult Mental Health Strategy (2016-2021)

2.15 The Hertfordshire Adult Mental Health Strategy (2016-2021) [See reference 13] outlines the steps that need to be taken to ensure that people in

Hertfordshire can manage their own mental health and well-being, access treatment and help when they need it and recover, with support if required, and maximise the independence of Hertfordshire's residents.

Hertfordshire County Active Travel Strategy

2.16 The Hertfordshire County Council (2013) Active Travel Strategy [See reference 14] sets out how the County Council and its partners will identify, deliver and promote interventions to increase the number of people walking and cycling in Hertfordshire.

Hertfordshire's Recovery Plan, 2020

2.17 Hertfordshire's Recovery Plan 2020 [See reference 15] outlines the short- and medium-term economic effects of the Covid-19 pandemic and defines recovery actions. The plan is structured around three main Delivery Packages:

- Enterprise and Innovation.
- Skills and Creativity.
- International Trade and Investment.

Perfectly Placed for Business Strategic Economic Plan 2017 - 2030

2.18 The Perfectly Placed for Business Strategic Economic Plan: 2017-2030 [See reference 16] outlines four key economic strategies for Hertfordshire, reflecting the changes to the wider political landscape and the uncertainties surrounding the UK's departure from the European Union for the County:

- Priority 1: Maintaining global excellence in science and technology.
- Priority 2: Harnessing Hertfordshire's relationships with London and elsewhere.

- Priority 3: Reinvigorating our places for the 21st Century.
- Priority 4: Foundations for growth.

Hertfordshire Air Quality Strategy

2.19 The Hertfordshire Air Quality Strategy [See reference 17] includes the County Council's strategic vision, aims and objectives for improving air quality for Hertfordshire. The aims are as follows:

- To gain a stronger understanding of the air quality issues within Hertfordshire.
- To ensure that air quality is an integral part of everything that the County Council do.
- To develop a productive relationship with partners, in particular the District and Borough Councils, to achieve positive air quality outcomes.
- To create clear leadership on air quality
- To establish a coherent workstream on air quality, including clarification on roles and responsibilities.

Sustainable Hertfordshire Strategy

2.20 Following the County's Climate Emergency Declaration in July 2019, Hertfordshire County Council committed to developing a Sustainable Hertfordshire Strategy [See reference 18] that sets out the initial policies and strategies needed to embed sustainability across all Council operations and services and throughout the county. The strategy covers areas such as energy and carbon, climate change and flooding, biodiversity and air quality.

National and International

2.21 At the international level, there is a wide range of plans and programmes which act to inform and shape national level legislation. Planning policy in England at a national and local level (i.e. the NPPF, the JSP and the individual authorities' Local Plans) should be aware of and in conformity with the relevant legislation. The main sustainability objectives of international plans and programmes which are of most relevance for the JSP and the SA are included in **Appendix A**.