



## North Hertfordshire District Council

### Examination of the

### North Hertfordshire Local Plan 2011 - 2031

### Schedule of

### Matters and Issues for the Examination

**1.1 Overall, has the Local Plan ('the Plan') been prepared in accordance with the 'duty to cooperate' imposed by Section 33A of the Planning & Compulsory Purchase Act 2004 (as amended)?**

Natural England confirms that from our perspective the Council has complied with the duty to cooperate in relation to the ecological aspects of the plan. Natural England considers that further cooperation is required to find a strategic solution to impacts on Therfield Heath from allocations in and around Royston but has made significant progress with the applicants for development of allocation RY1 - Land west of Ivy Farm, Baldock Road.

**1.8 Has the Habitats Regulations Assessment been undertaken in accordance with the Regulations? Has Natural England confirmed that the information set out in the HRA is sufficient and that the conclusions drawn are supported?**

Natural England is largely satisfied with the findings of the Habitats Regulations Assessment however we made representations SP11 Natural Resources and Sustainability regarding a potential impact on the Lee Valley Special Protection Area (SPA). The current wording and propose alterations received as part of a potential 'statement of common ground' are not considered compliant with the Habitats Regulations. Natural England advises that the policy should make it clear that new development post 2026 will only be permitted if the required capacity is available at Rye Meads Sewerage Treatment Works, including any associated sewer connections.

**9.1 Have all sites put forward for allocation been considered through the SA? Is the SA based on appropriate criteria and is it a robust and sound base of evidence?**

Natural England made representations regarding Sustainability Appraisal criteria. North Hertfordshire District Council has provided a list of suggested amendments relating to the assessment of recreational impacts. Natural England will comment in further detail when agreeing statement of common ground.

#### **Royston**

**10.20 Are all of the proposed housing allocations deliverable? In particular, are they:**

- a) confirmed by all of the landowners involved as being available for the use proposed?**
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?**
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and and environmental or other constraints?**

North Hertfordshire District Council and Natural England appear to agree that a mitigation strategy is required to avoid recreational impacts on Therfield Heath. Natural England has made significant progress in discussions with the applicant for development at RY1 – Land west of Ivy Farm, Baldock Road but no wider mitigation for allocations within and around Royston has yet been proposed by the District Council. Natural England advises that the mitigation strategy should be fully developed prior to adoption of the plan.

**Matter 19 – The natural environment (Policies SP11, SP12, NE1, NE2, NE3, NE4, NE5, NE6, NE7, NE8, NE9, NE10, NE11 and NE12)**

**Issues**

**19.1 Is Policy SP11 justified, effective and consistent with national policy? Is it appropriate to embed the Water Framework Directive within the policy?**

The current wording and propose alteration are not considered compliant with the Habitats Regulations. Natural England advises that the policy should make it clear that new development post 2026 will only be permitted if the required capacity is available at Rye Meads Sewerage Treatment Works, including any associated sewer connections.

**19.11 Is Policy NE10 justified, effective and consistent with national policy?**

The current wording and propose alteration are not considered compliant with the Habitats Regulations. Natural England advises that the policy should make it clear that all new development within the Rye Meads catchment post 2026 will only be permitted if the required capacity is available at Rye Meads Sewerage Treatment Works, including any associated sewer connections.