

Delegated Report

North Hertfordshire District Council

Screening Opinion in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

Site: Land Off Claybush Road, Ashwell, Hertfordshire

Proposal: Proposed residential development of up to 57 dwellings, green infrastructure, access, and associated works.

This screening opinion relates to the above proposed development and is based on the information provided on the 14th of May 2026.

The applicant has requested a formal Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) to determine whether a full Environmental Impact Assessment (EIA) is required for the proposed development.

This report confirms the view of the Local Planning Authority that the proposed development described above does not fall within Schedule 1 of the EIA Regulations and does not there require a mandatory Environmental Statement.

The proposed development falls within Schedule 2 Category 10(b) (Urban Development Projects) as the site area exceeds 5-hectares.

This report appraises the characteristics of the site and the proposed development against the criteria in Schedule 3 of the Regulations and against the current Planning Practice Guidance and concludes that the proposed development would not likely give rise to significant impacts and so would not require a formal EIA and an Environmental Statement (ES) to accompany a planning application.

1. Summary of the Proposed Development

- 1.1. The proposed development would comprise 57 dwellings, green infrastructure, access, and associated works.
- 1.2. The site comprises of approximately 6.75 hectares of agricultural land. The site is located to the south of Ashwell on land between Claybush Road and Kingsland Way.

2. Assessment against Schedule 1 and Schedule 2 of the Regulations

- 2.1. The proposed development does not fall within any of the descriptions or categories of project listed within Schedule 1 of the regulations.
- 2.2. The proposed development would comprise an 'Urban Development Project' as described under Schedule 2 Category 10(b) of the Regulations. Column 2 of Category 10(b) establishes that a project qualifies as Schedule 2 development if:
 1. The development includes more than 1 hectare of urban development which is not dwellinghouse development; or

- 2. the development includes more than 150 dwellings; or
- 3. the overall area of the development exceeds 5 hectares

2.3. In this case, the proposal would comprise 57 dwellings and therefore does not exceed the 150 dwellings threshold, nor does it include non-residential development. However, the application site extends to 6.75 hectares and therefore exceeds the 5 hectare threshold, meaning the proposal constitutes Schedule 2 development.

3. Site and Environmental Constraints

3.1. The application site is not located directly within a “Sensitive Area” as defined by Regulation 2(1) of the EIA Regulations. However, there are two Sites of Special Scientific Interest (SSSI) within the wider locality including:

- a. Ashwell Springs SSSI situated approximately 200m to the north of the site.
- b. Therfield Heath SSSI situated approximately 4.6km to the east of the site.

3.2. The application site itself consists of agricultural land on the edge of the village settlement boundary. The proximity of the Ashwell Springs SSSI is noted and while it would require consideration of any indirect impacts as part of a planning application, it is separated from the development site by existing residential development. There is no identified hydrological or functional link between the site and the Ashwell Springs SSSI.

3.3. Two Scheduled Monuments are located within the wider vicinity of the application site. The Arbury Banks Iron Age Hillfort is approximately 750m to the west, and a site of five Ring Ditches are located approximately 300m to the east. The site is not located within the designated boundaries of the Scheduled Monuments.

4. Selection Criteria for Screening Schedule 2 Development (Schedule 3 Criteria)

Characteristics of development:

4.1. Schedule 3 states *‘the characteristics of development must be considered with particular regard to’* the following:

- a. The size and design of the whole development:

The development site comprises 6.75 hectares. The scale of development would include 57 dwellings, green infrastructure, access, and associated works. The residential units would not exceed three storeys in height. While the overall site area is physically large, the majority of the space would remain as green infrastructure with the development remaining commensurate with the scale of the existing development in the vicinity.

- b. Cumulation with other existing development and/or approved development:

The potential for cumulative impact with other development is not considered significant. The proposal does not form part of a wider scheme and there are no extant permissions of scale within the immediate locality of the site. There is existing residential development in the locality of the site. The impact of an additional 57 homes would be localised and able to be mitigated through the usual planning process.

- c. The use of natural resources, in particular land, soil, water and biodiversity:

The development would result in the loss of agricultural land. However, the site is situated on the settlement edge and does not feature sensitive land, rare or non-renewable natural resources. For a development of this scale, water usage would not be untypical for this type of development. Furthermore, the development would be required to deliver biodiversity net gains and enhancements to the landscaping.

- d. The production of waste:

Waste generated during both the construction and operation of the site would be domestic and standard construction waste. Domestic waste generated by the site would be handled by the Local Authorities waste collection service. No significant waste effects would arise from the proposal.

- e. Pollution and nuisances:

The development would give rise to localised noise, dust and vibration during the construction phase. This can be controlled through standard planning mechanisms, including a Construction Environmental Management Plan. The operational pollution from the site would be minor and typical for a residential development.

- f. The risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge:

Given the residential nature of the proposal, the risk of major accidents or disasters is negligible.

- g. The risks to human health (for example due to water contamination or air pollution):

The proposal would not result in unacceptable risks to human health, including air quality, contamination, or construction impacts, given the nature of the scheme. Any potential impacts relating to air quality, contamination, or construction can be appropriately managed through standard assessment and mitigation.

Location of development:

- 4.2. Schedule 3 states *'the environmental sensitivity of geographical areas likely to be affected by development must be considered with particular regard to'* the following:

- a. The existing and approved land use:

The existing site is agricultural land. The site is not considered to be of high environmental sensitivity.

- b. The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground:

The development would not likely have a significant impact on immediate, onsite, or nearby natural resources. There are no known designated or high value ecological features on site.

c. The absorption capacity of the natural environment:

The site of the proposed development:

- i. Is not wetland, riparian area of river mouth;
- ii. Is not within a natural coastal or maritime habitat;
- iii. Is not within a mountain or forest area;
- iv. Is not within a nature reserve;
- v. Is not within a European site;
- vi. Is not within an area known to exceed existing environmental quality standards;
- vii. The site lies on the edge of a rural settlement and is not within a highly urbanised context; and
- viii. The site falls outside designated areas of historical, cultural, or archaeological significance. However, the potential for archaeological remains within the site is noted and can be appropriately addressed through a programme of archaeological mitigation. The historic environment is therefore not considered to justify the need for EIA in this case

Types and characteristics of the potential impact:

4.3. The likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs 1 and 2, with regard to the impact of the development on the factors specified in regulation 5(2) taking into account:

a. The magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected):

The impact of the development is strictly localised and limited to the site boundary and access points, and not the surrounding area.

b. The nature of the impact:

The impacts of the development are considered typical of a proposal of this type and can be suitably addressed through the submission of technical reports as part of a planning application.

c. The transboundary nature of the impact:

There would be no transboundary impacts from the development. The application is wholly within the local authority boundary.

d. The intensity and complexity of the impact:

There are no particular complexities in either construction or operation of a development of this type.

e. The probability of the impact:

The development would give rise to traffic, surface water runoff, and localised habitat change, but these impacts can be mitigated, and the risk of significant harmful effects is low.

f. The expected onset, duration, frequency and reversibility of the impact:

The development is likely to have a permanent impact, although not of a substantial local significance.

- g. The cumulation of the impact with the impact of other existing and/or approved development:

There are no developments that the proposed development is considered likely to combine with to cause significant cumulative environmental effects and would be localised.

- h. The possibility of effectively reducing the impact:

There would be a high probability of effectively reducing identified impacts through the design of the scheme and use of appropriate planning conditions.

5. Conclusion

- 5.1. The proposed development for the erection of 57 dwellings, green infrastructure, access, and associated works has been screened under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).
- 5.2. The project does not fall within Schedule 1 of the Regulations. It does, however, constitute a Schedule 2 development under Category 10(b) (Urban Development Projects) by reason of the site area exceeding the 5 hectare threshold. The proposal has therefore been assessed against the selection criteria set out in Schedule 3 of the Regulations.
- 5.3. The Local Planning Authority recognises that the EIA Planning Practice Guidance states that only a very small proportion of Schedule 2 development will require an assessment. The Planning Practice Guidance states that the exclusive thresholds offer only a broad indication of the scale of development, which is likely to be a candidate for EIA, but that the requirements need to be considered on a case-by-case basis. In this case, the proposed development would not be of a scale or a nature to justify the need for an EIA or ES.
- 5.4. Taking into account the nature, small scale, and localised context of the development, it is considered that the impacts of the proposed development can be adequately addressed by specific studies and reports that would accompany a future planning application. Such technical report would include transport, ecology, and drainage assessments. Furthermore, the proposed development can be further mitigated through planning conditions that relate to SuDs, biodiversity net gain, and construction management.
- 5.5. Having regard to the selection criteria set out in Schedule 3 of the EIA Regulations, and taking into account the characteristics, location and potential impacts of the development, the proposal is not considered likely to have any significant effects on the environment and an EIA is not required in this case.