

## **West Clandon Neighbourhood Development Plan 2020-2034**

### **Strategic Environmental Assessment and Habitats Regulations Assessment**

**The Environmental Assessment of Plans and Programmes Regulations 2004**  
**The Conservation of Habitats and Species Regulations 2017**

### **Determination Statement**

**This notice fulfils the publicity requirements in accordance with Regulations 11(1) and 11(2) of the  
Environmental Assessment of Plans and Programmes Regulations 2004**

**29 July 2021**

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## The Purpose of this document

This statement sets out the Council's determination under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004<sup>1</sup> ("the SEA regulations") on whether or not a Strategic Environmental Assessment is required for the West Clandon Neighbourhood Development Plan 2020-2034 (hereinafter referred to as the Plan). It also sets out the Council's determination under the Conservation of Habitats and Species Regulations 2017 (as amended)<sup>2</sup> ("The Habitats Regulations") on whether or not an appropriate assessment is required.

## West Clandon Neighbourhood Development Plan 2020-2034

The Plan sets out the Vision and objectives of West Clandon and provides a framework to guide development within West Clandon until 2034. This framework is based on and supports, the following vision for the future of the Parish:

"To achieve the sustainable, well planned and high-quality development of West Clandon in a manner which preserves and respects its rural setting, its open character and its architectural heritage and which offers housing, community facilities and communications that will continue to meet the needs of all generations to the highest environmental standards."

The Plan's proposed policies and aspirations align with national legislation and with the adopted Guildford Borough Local Plan: strategy and sites 2019. The Guildford borough Local Plan 2019 includes housing allocations within the parish of West Clandon at Gosden Hill Farm. These allocations are planned to meet the development needs of the borough up to 2034, and as such, the West Clandon Neighbourhood Plan does not allocate further development but seeks to influence the type, style, tenure and design of the strategic development site and any other future windfall development and proposes means by which the impact of these and other surrounding development can be mitigated.

### **Objectives of the Plan:**

#### 1. Design and Development

- (i) To encourage and support design standards which reflect and maintain the rural and village character of West Clandon;
- (ii) To support the provision of a mix of dwelling types including smaller homes suitable for young families and opportunities for downsizing.

#### 2. Transport and Travel

- (i) To support initiatives which reduce the volume and speed of traffic through the village;
- (ii) To encourage alternatives to the private car including better facilities for pedestrians and cyclists.

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<sup>1</sup> The Environmental Assessment of Plans and Programmes Regulations 2004, <http://www.legislation.gov.uk/uk/si/2004/1633/regulation/9/made>

<sup>2</sup> The Conservation of Habitats and Species Regulations 2017, <http://www.legislation.gov.uk/uk/si/2017/1012/contents/made>

### 3. Community Facilities

- (i) To retain and improve existing community facilities and support proposals that help meet modern standards and the changing needs of the Parish;
- (ii) To encourage and support developments which enhance and protect the natural environment, biodiversity and progress towards carbon neutrality.

## Habitats Regulations Assessment

Habitats Regulations Assessment (HRA) is required to determine whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance, or Natura 2000 sites. The EC Habitats Directive 1992 and Wilds Birds Directive 2009 as transposed into UK law by the Conservation of Habitats and Species Regulations (2017) require a HRA of a plan or project to establish whether the plan, alone, or in combination with other plans or projects, is likely to have a significant effect on an international nature conservation sites (Special Protection Areas (SPA), Special Areas of Conservation (SAC) or Ramsar sites). If this is the case, then the impacts on the integrity of the site must be considered by an Appropriate Assessment.

The Directive states that any plan or project not connected or necessary for a site's management, but likely to have significant effects thereon shall be subject to appropriate assessment.

## Habitat Regulations Assessment Screening Process

This part of the report seeks to determine whether the Plan will have any significant impacts on nearby Natura 2000 sites. Habitat Regulations Assessment follows a three-stage process as outlined in the DCLG guidance "Planning for the Protection of European Sites: Appropriate Assessment". These stages are described below:

### **HRA Task 1 – Screening**

This process identifies the likely effects upon a European site of a project or plan, either alone or in-combination with other projects or plans, and determines whether these effects are likely to be significant.

### **HRA Task 2 – Appropriate Assessment**

Task 2 is subsequent to the identification of likely significant effects upon a European site in Task 1. This assessment determines whether a project or plan would have an adverse impact on the integrity of a European site, either alone or in combination with other projects or plans.

### **HRA Task 3 – Mitigation and Alternatives**

Where a plan or project has been found to have adverse impacts on the integrity of a European site, potential avoidance/mitigation measures or alternative options should be identified.

Screening analysis of a Habitat Regulations Assessment (HRA) screening (stage 1) has been undertaken to assess the impact of the Plan. This is set out in **table 3.2 in Appendix 1**. The

findings presented in table 3.2 in Appendix 1 of the Screening Report indicate that the Plan is not likely to have significant effects on the European sites and therefore it is deemed not to require an appropriate assessment at stages 2 and 3 of the HRA.

## Strategic Environmental Assessment

Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive) and Environmental Assessment of Plans and Programmes Regulations (2004) specific types of plans that set the framework for the future development consent of projects must be subject to an environmental assessment.

There are exceptions to this requirement for plans that determine the use of a small area at a local level and for minor modifications, if it has been determined that the plan is unlikely to have significant environmental effects.

In accordance with the provisions of the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9 (1)), the Council must determine if a plan requires an environmental assessment. Where the Borough Council determines that an environmental assessment is not required then under Regulation 9(3) the Council must prepare a statement setting out the reasons for this determination.

This document is the Borough Council's Regulation 9(3) statement.

## The SEA Screening Process

Plans and programmes are screened for environmental effects in order to determine whether an environmental assessment is required. In order to screen, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Annex II of the Directive and Schedule I of the Regulations. A determination cannot be made until the three statutory consultation bodies have been consulted: The Environment Agency, Natural England and Historic England.

Within 28 days of making its determination, the authority must publish a statement, such as this one, setting out its decision. If it determines that an SEA is not required, the statement must include the reasons for making this determination.

## SEA: a statement of reasons for the determination

**Table 4.2 in Appendix 1** sets out the process in detail for determining whether the Plan will have significant environmental effects using the criteria set out in Annex II of the Directive and Schedule I of the Regulations. It concludes that the Plan does not require a full SEA to be undertaken due to the following reasons:

Preparation of the Plan is being undertaken in accordance with the Neighbourhood Planning Regulations 2012. The Plan covers the period 2020 - 2034 and sets out a vision for the

neighbourhood area. Within the Plan there is a number of policies relating to transport and infrastructure, natural environment, building design and community.

This SEA Screening Report, supported by a Habitats Regulations Screening Assessment, has identified whether or not the Plan requires a SEA by assessing the potential high-level environmental impacts that may arise from implementing the Plan.

The assessment concluded that the Plan does not require a SEA. This is primarily because the nature, scale and location of the policies within the Plan are not likely to adversely impact on any of the sensitive environmental receptors within or around the neighbourhood area. The Plan's Policy 2: The Strategic Site at Gosden Hill, does not result in a material change to the impact on the environment as this proposal was previously assessed through the SA/SEA process for the Guildford Borough Local Plan: strategy and sites 2019. Furthermore, overall the Plan's proposed policies align with national legislation and are consistent with the adopted Guildford Borough Local Plan: strategy and sites 2019 and do not allocate further development. Instead, the Plan seeks to influence the type, style, tenure and design of the strategic development site at Gosden Hill and any other future windfall development. It proposes means by which the impact of these and other surrounding development can be mitigated.

The adopted Guildford Borough Local Plan policies were subject to SA/SEA process. They will be used for applications potentially affected by flooding or impacting the quality of watercourses and rivers falling within the boundary of the Plan. As the Plan policies align with the adopted Local Plan policies and do not allocate new sites for development, the Plan proposals do not introduce new significant effects that have not been previously addressed through the strategic SA/SEA process.

Therefore, due to the nature of the Plan policies and the absence of new proposed allocations for housing development within the Plan, the Plan intends to influence the existing and strategically assessed allocated housing provision set out within the Guildford Borough Local Plan 2019 document and not any of its own. As such, this should not trigger the requirement for SEA of the Plan and its likely significant effects.

Having regard to the considerations above and the responses from consultation bodies, the Council determines that the Plan does not require a full SEA to be undertaken.

This conclusion and report were sent to the Environment Agency, Natural England and Historic England for consideration in accordance with Regulation 9(2) of the SEA Regulations, and their summary responses are included in Table 1. The text of responses in full can be found in Appendix 2.

## Consultation

Before making the final determination under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 and regulation 105 of the Conservation of Habitats and Species Regulations 2017 (as amended), we consulted the three statutory consultation bodies - Natural England, Historic England and the Environment Agency - on the findings of the screening report on 22 April 2021 in accordance with the Regulations. The responses received are set out in the table below. Our consultant updated the screening report in light of comments received from The Environment Agency, and we sent a revised copy to The Environment Agency on 6

July 2021. We have carefully considered their comments and updated the report. Whilst we have not received their further comment, we are comfortable that their concerns have been addressed and the updated report provides the clarification that was necessary. In this light we consider that a determination can be made without any further comment.

**Table 1: Consultation responses**

| Consultation body         | Comments   |
|---------------------------|--|
| <b>Historic England</b>   | In light of the Environmental Assessment of Plans and Programmes Regulations 2004, Historic England's view is that neighbourhood plan would not result in a material change to the impact as assessed in the SA/SEA for the Local Plan and as such should not result in a need for SEA of the neighbourhood plan for likely significant effects within areas of interest to Historic England.              |
| <b>Natural England</b>    | Natural England considers that there is not likely to be any requirement for a full SEA or HRA in the case of the NP in this instance given the nature of the plan policies given there are no allocations for any housing as part of the plan and it will only be looking to influence the existing strategically assessed and allocated housing in the LPAs main allocations rather than any of its own. |
| <b>Environment Agency</b> | Environment Agency has reviewed the SEA Screening Report with regards to their remit. The EA concludes that in this instance there are potential significant environmental effects that relate to the Neighbourhood Plan area.   |

## Determination

The Council has determined that the Plan will not result in likely significant environmental effects under the SEA regulations and that the Plan will not result in likely significant effects on a European site under the Habitats regulations. The reasons for making these determinations are set out in the SEA and HRA screening reports (see Appendix 1). As a result, the Council concludes that neither an SEA environmental assessment nor an HRA Appropriate Assessment are required.

These determinations were made on **29 July 2021**.

## **Appendix 1:**

### **West Clandon Neighbourhood Plan 2020 – 2034**

### **Strategic Environmental Assessment Screening and Habitat Regulations Assessment Screening Report**

**October 2020**



## Contents

|  |                                     |
|--|-------------------------------------|
| 1. Introduction.....   | 10                                  |
| 1.1 Background.....  | 10                                  |
| 1.2 The aims of this report.....   | 11                                  |
| 1.3 The West Clandon Neighbourhood Plan .....  | 11                                  |
| 2. Legislative background .....  | 13                                  |
| 2.1 Habitat Regulations Assessment .....   | 13                                  |
| 2.2 Strategic Environmental Assessment .....   | 14                                  |
| 3. Habitat Regulations Assessment Screening .....                                      | 15                                  |
| 3.1 HRA Methodology .....  | 15                                  |
| 3.2 HRA Task 1 Screening – methodology .....   | 16                                  |
| 3.2 European Sites .....   | 17                                  |
| 3.2.1 European Sites in and around West Clandon Parish.....                            | 18                                  |
| 3.2.2. Potential impacts on the European Sites .....                                   | 22                                  |
| 3.3 Other Relevant Plan and Projects that might act in –combination .....              | 23                                  |
| 3.4 Screening Assessment.....  | 25                                  |
| 3.4 HRA Screening Conclusions .....  | 31                                  |
| 4. West Clandon Neighbourhood Plan SEA screening .....                                 | 32                                  |
| 4.1 SEA Screening Methodology .....  | 32                                  |
| 4.2 Part 1 – Application of the Directive to the West Clandon Neighbourhood Plan ..... | 34                                  |
| 4.3 Part 2 – Likely significant effects on the environment.....                        | 35                                  |
| 4.4 SEA Screening Assessment Conclusion .....  | 40                                  |
| 5. SEA Screening Consultation .....  | <b>Error! Bookmark not defined.</b> |

## 1. Introduction

### 1.1 Background

The Localism Act (2011) introduced new powers to enable local communities to guide and shape development through the production of Neighbourhood Plans, with further accompanying detail on how to do this set out in The Neighbourhood Planning (General) Regulations 2012 (as amended).

The purpose of the West Clandon Neighbourhood Plan is to provide locally derived and agreed planning policy which will be used when making planning decisions within the designated Neighbourhood Area.

Strategic Environmental Assessment (SEA) is required under European Directive 2001/42/EC (the SEA Directive) for all plans which may have a significant effect on the environment. For neighbourhood plans, this particularly relates to plans which designate sites for development. The purpose of the SEA is to provide a high level of protection of the environment and to integrate considerations of the environment into the preparation and adoption of plans with a view to promoting sustainable development.

To ascertain if SEA is required, a screening exercise is undertaken which looks at the policies and proposals in a neighbourhood plan to determine whether a significant effect is likely. The criteria for this screening are set out in the relevant legislation<sup>3</sup>. It also determines whether or not the contents of the West Clandon Neighbourhood Plan require a Habitats Regulations Assessment (HRA) in accordance with European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, i.e. the 'Habitats Directive' and the associated Conservation of Habitats and Species Regulations 2017 (otherwise known as the 'Habitats Regulations').

The legislative background, set out in Section 2, outlines the regulations that stipulate the need for this screening exercise. Sections 3 and 4 provide screening assessment of the West Clandon Neighbourhood Plan which will be used to determine if there are likely to be any significant environmental effects and a requirement for a full SEA and HRA (Appropriate Assessment).

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<sup>3</sup> European Directive 2001/42/EC (the SEA Directive) and Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).

## 1.2 The aims of this report

The primary aims of this Screening Report are to:

1. Identify whether the West Clandon Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) by appraising the potential high-level environmental impacts that may arise from the Neighbourhood Plan and concluding whether there is a need to conduct a full SEA.
2. Identify, describe and assess the likely significant effects of implementing the Plan on European designated sites (i.e. Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and also Ramsar sites) within and around the neighbourhood area of West Clandon as part of a Habitats Regulations Assessment (HRA).

These two aims are closely interlinked, with the HRA providing supporting evidence for the conclusions reached within the SEA.

This report details whether there is a need for the West Clandon Neighbourhood Plan to be accompanied by a SEA or HRA. It will be sent to the three statutory consultees (Environment Agency, Historic England and Natural England) to seek their views on its contents.

## 1.3 The West Clandon Neighbourhood Plan

The Vision and objectives of the West Clandon Neighbourhood Plan are outlined below:

### **Vision:**

The Plan provides a framework to guide development within West Clandon until 2034. This framework is based on, and supports, the following vision for the future of the Parish:

***“To achieve the sustainable, well planned and high-quality development of West Clandon in a manner which preserves and respects its rural setting, its open character and its architectural heritage and which offers housing, community facilities and communications that will continue to meet the needs of all generations to the highest environmental standards.”***

The West Clandon Neighbourhood Development Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of these strategic development sites and any other future windfall development and proposes means by which the impact of these and other surrounding development can be mitigated.

### **Objectives of the Plan**

#### 1. Design and Development

- (i) To encourage and support design standards which reflect and maintain the rural and village character of West Clandon;
- (ii) To support the provision of a mix of dwelling types including smaller homes suitable for young families and opportunities for downsizing.

#### 2. Transport and Travel

- (i) To support initiatives which reduce the volume and speed of traffic through the village;
- (ii) To encourage alternatives to the private car including better facilities for pedestrians and cyclists.

### 3. Community Facilities

- (i) To retain and improve existing community facilities and support proposals that help meet modern standards and the changing needs of the Parish;
- (ii) To encourage and support developments which enhance and protect the natural environment, biodiversity and progress towards carbon neutrality.

### ***Plan boundary***

The Parish of West Clandon lies in the Greenbelt in a predominantly rural setting to the North East of the Borough of Guildford. The south of the Parish lies within the Surrey Hills Area of Outstanding Natural Beauty. At its core is the village of West Clandon, a linear settlement predominantly spaced out along 'The Street'(A247), a busy A road linking the South with the A3 and other major routes towards London and the M25.

### ***Heritage***

The southern section of The Street runs through a conservation area characterised by low density development and including a number of listed buildings some of which are of significant historical interest. The Clandon Park Estate remains in private hands although Clandon Park House, a Palladian mansion dating from the 1730's, and the immediate surroundings are owned by the National Trust. In 2015 the House was badly damaged by fire and is now the subject of major restoration project. The ancient core of the village, including the Church, is designated as a conservation area. There is strong community spirit with a number of active community based associations.

### ***Natural and Water Environment***

West Clandon is situated in the green belt about 30 miles South West of London and four miles east of Guildford on the edge of the Surrey Hills Area of Outstanding Natural Beauty. According to the 2011 census, it comprises 508 homes with a population of 1363, up 8% on the same survey a decade earlier.

There are no internationally designated biodiversity sites within the parish. However, the parish is within a 'zone of influence' of the Thames Basin Heath Special Protection Area (SPA), which is an area of heathland identified as an important habitat for various species of birds. The "zone of influence" is between 400m and 5km linear distance from the SPA boundary, and therefore new residential development is restricted and subject to stringent tests and impact assessments. This is on the principle that increased recreational use of the area is likely to result in significant effects on its integrity.

The upper west half of the parish lies within the 400m and 5km zone and the remainder of the parish lies within the 5-7km buffer zone.

There are two areas of areas of flood risk in West Clandon, stretching south of Ripley By Pass<sup>4</sup>. The Plan falls within River Wey (Shalford to River Thames confluence at Weybridge) catchment with the overall Water Framework Directive (WFD) classification for 2019 as 'moderate'<sup>5</sup>. The WFD requires achievement of good ecological and good chemical status for all groundwater and surface water waterbodies by 2027 at the latest." The water body currently has an overall WFD status of 'Moderate', with the alternative objective to maintain 'Moderate' status by 2021. The current 'Moderate' fish status, targeted to be 'Good' by 2027 is linked to numerous pressures including impoundments from navigation and rural land management, barriers to fish migration and urbanisation.

## 2. Legislative background

### 2.1 Habitat Regulations Assessment

The Conservation of Habitats and Species Regulations 2017 transpose the Directive on Conservation of Natural Habitats and of Wild Fauna and Flora 92/43/EEC (the Habitats Directive) into UK law and require Habitats Regulations Assessment (HRA) to be undertaken for any plan or project likely to have a significant effect upon a European protected site.

The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into UK law. They also transpose elements of the EU Wild Birds Directive in England and Wales.

It is a requirement of Article 102 of the Conservation of Habitats and Species Regulations 2017 that "the plan-making authority for that plan must, before the plan is given effect, make an Appropriate Assessment of the implications for the site in view of that site's conservation objectives", where the plan is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and where it is not directly connected with or necessary to the management of the site.

Article 102 also requires that "in the light of the conclusions of the assessment, and subject to regulation 103 (considerations of overriding public interest), the plan-making authority or, in the case of a regional strategy, the Secretary of State must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be)".

An HRA is required for a plan or project to assess the potential implications for European wildlife sites, i.e. 'European sites' or 'Natura 2000 sites'. It explores whether the implementation of a plan or project would harm the habitats or species for which the European sites are designated. The European sites are:

- Special Protection Areas (SPAs) – designated by the Birds Directive (79/409/EEC as amended and 2009/147/EC), and:

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<sup>4</sup> <https://flood-map-for-planning.service.gov.uk/confirm-location?eastings=504542&northing=152327&placeOrPostcode=west%20clandon>

<sup>5</sup> <https://environment.data.gov.uk/catchment-planning/WaterBody/GB106039017630>

- Special Areas of Conservation (SACs) – designated by the Habitats Directive (92/43/EEC).

In addition to SPAs and SACs, Ramsar sites are designated under the Ramsar convention. The Ramsar convention's mission is to conserve and sustainably utilise wetland habitats. Although Ramsar sites are not covered by the Habitats Regulations, as a matter of Government Policy, they should be treated in the same way as European wildlife sites (i.e. SPAs and SACs). European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites. Sites of Community Importance (SCIs), which are sites that have been adopted by the European Commission but not yet formally designated by the government, must also be considered.

Spatial planning documents, such as Neighbourhood Plans, are required to undergo HRA if they are not directly connected with, or necessary to, the management of a European site. As the West Clandon Neighbourhood Plan is not connected with, or necessary to, the management of European designated sites, it is necessary to undertake a HRA.

The Neighbourhood Planning (General) Regulations 2012 require a submitted neighbourhood plan to include a statement explaining how the proposed Neighbourhood Plan meets the basic conditions set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990. One of the basic conditions requires Neighbourhood Plans to be compatible with EU obligations and to demonstrate that it is not likely to have a significant effect on a European Site. If likely significant effects are identified, the HRA process should proceed to a second stage which is called an 'Appropriate Assessment' at which point mitigation effects are considered.

An Appropriate Assessment will consider the implications for the European Site in view of the conservation objectives (generally to restore or maintain the features which led to the designation of the site), and consider whether the plan could affect the integrity of the site. More detailed mitigation measures may be considered at this stage but as stated above a plan should only be agreed once the competent authority has established that the plan will not adversely affect the integrity of the European Sites.

The Council is of the view that a purposive reading of the 1990 Act means that where adverse effects in the integrity of European Sites are avoided, it can be concluded that likely significant effects are not present and the Neighbourhood Plan can be made (adopted). The Ministry of Housing, Communities and Local Government intends to produce guidance which may require the Council to reconsider this view.

## 2.2 Strategic Environmental Assessment

The Environmental Assessment of Plans and Programmes Regulations 2004 transpose European Directive 2001/42/EC (the SEA Directive) into English Law. This Directive and the Regulations require a Strategic Environmental Assessment (SEA) to be undertaken for certain types of plans or programmes that could have a significant environmental effect.

The objective of the SEA Directive (2001/42/EC) is set out in Article 1 therein, which states:

'The objective of this Directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in

accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.'

Whether a neighbourhood plan requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed in the neighbourhood plan. A strategic environmental assessment may be required, for example where:

- a neighbourhood plan allocates sites for development;
- the neighbourhood plan area contains sensitive natural or heritage assets that may be affected by the proposals in the plan; and
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan for the area.

If significant environmental impacts are triggered by the implementation of a Neighbourhood Plan, it is considered prudent to advise that a SEA is required. As such, it is important to determine whether there would be significant environmental impacts as per the SEA Directive.

### 3. Habitat Regulations Assessment Screening

#### 3.1 HRA Methodology

Habitat Regulations Assessment follows a three-stage process as outlined in the DCLG guidance "Planning for the Protection of European Sites: Appropriate Assessment". These stages are described below:

##### **HRA Task 1 – Screening**

This process identifies the likely impacts upon a European site of a project or plan, either alone or in-combination with other projects or plans, and determines whether these impacts are likely to be significant.

Following the recent ECJ judgement in the case of "people over wind" (Case C-323/17). Measures that are necessary to avoid or reduce impacts on the European site, even when considered standard environmental best-practice, can only be considered at Stage 2.

If no adverse impact is determined, the project or plan can proceed. If an adverse impact is identified, Task 2 is commenced.

##### **HRA Task 2 – Appropriate Assessment**

Task 2 is subsequent to the identification of likely significant effects upon a European site in Task 1. This assessment determines whether a project or plan would have an adverse impact on the integrity of a European site, either alone or in combination with other projects or plans.

This assessment is confined to the effects on the internationally important habitats and species for which the site is designated (i.e. the interest features of the site). If no adverse impact is determined, the project or plan can proceed. If an adverse impact is identified, task 3 is commenced.

##### **HRA Task 3 – Mitigation and Alternatives**

Where a plan or project has been found to have adverse impacts on the integrity of a European site, potential avoidance/mitigation measures or alternative options should be identified. If suitable avoidance/mitigation or alternative options are identified, that result in there being no adverse impacts from the project or plan on European sites, the project or plan can proceed. If no suitable avoidance/mitigation or alternative options are identified, as a rule the project or plan should not proceed.

However, in exceptional circumstances, if there is an 'imperative reason of overriding public interest' for the implementation of the project or plan, consideration can be given to proceeding in the absence of alternative solutions. In these cases compensatory measures must have to be put in place to offset negative impacts.

### 3.2 HRA Task 1 Screening – methodology

Screening is undertaken to identify the likely impacts of the West Clandon Neighbourhood Plan upon European sites, and to determine whether these impacts are likely to be significant and whether an Appropriate Assessment, and mitigation and assessment of alternatives (HRA Task 2 and 3) are required.

#### Deciding whether effects are “significant”

European case law has ruled that the question of whether an effect would be “significant” is linked to the site’s conservation objectives. Under this test:

- A “significant effect” only includes effects which would undermine a European site’s conservation objectives, for example by reducing the area or quality of protected habitat for which the site was designated, or by the disturbance or displacement of species for which the site was designated.
- A plan or project with effects that do not impact on a European site’s conservation objectives would not be considered to be “significant” for the purpose of this decision. For example, this might be the case for low-impact temporary effects, or effects such as the loss of a small area of land which is not an interest feature of the site and has no effect, or an insignificant effect, on the habitat or species which are an interest feature.

The first stage, screening for HRA, will determine whether the measures in the West Clandon Neighbourhood Plan are likely to have a significant effect (LSE) on the conservation objectives of the Natura 2000 sites. This will determine whether stages 2 and 3 of the HRA are required.

When considering the LSEs of a policy, it is recognised that some policy ‘types’ cannot affect any European sites. Different guidance documents suggest various classification and referencing systems to help identify those policies that can be safely screened out to ensure the HRA focuses on the policies with any potential to result in LSEs.

Table 3.1 summarizes the characteristics of policies that can usually be screened out.

**Table 3.1: Policy “types” that can usually be screened out**

| Broad Policy Type | Notes |
|-------------------|-------|
|-------------------|-------|



|  |  |
|--|--|
| <b>General statements of policy</b>      | The European Commission recognises that plans or plan component that are general statements of policy or political aspirations cannot have significant effects   |
| <b>General design/guidance criteria</b>  | A general “criteria based” policy expresses the tests or expectations of the plan-making body when it comes to consider particular proposals, or relate to design or other qualitative criteria which do not themselves lead to development (e.g. controls on building design) |
| <b>External plans/projects</b>           | Plans or projects that are proposed by other plans and are referred to in the plan being assessed for completeness   |
| <b>Environmental protection policies</b> | Policies designed to protect the natural or built environment will not usually have significant or adverse effects   |

## Methodology

In order to complete the screening assessment it is necessary to:

- Identify the European sites within and outside the plan area likely to be affected, reasons for their designation and their conservation objectives.
- Describe the plan and its aims and objectives and also those of other projects or plans that in combination have the potential to impact upon the European sites.
- Identify the potential effects on the European sites.
- Assess the significance of these potential effects on the European sites.

## The Precautionary Principle

If there is uncertainty, and it is not possible, based on the information available, to confidently determine that there will be no significant effects on a site then the precautionary principle will be applied, and the plan will be subject to an Appropriate Assessment (HRA Task 2).

## HRA Screening Consultation

It is a requirement of the Habitat Regulations to consult the appropriate nature conservation statutory body. Consultation on the approach to this HRA screening and the information on European sites considered will be undertaken with Natural England as required by sending them this Screening report.

## 3.2 European Sites

Each site of European importance has its own intrinsic qualities, besides the habitats or species for which it has been designated, that enables the site to support the ecosystems that it does. An important aspect of this is that the ecological integrity of each site can be vulnerable to change from natural and human induced activities in the surrounding environment (pressures and threats). For example, sites can be affected by land use plans in a number of different ways, including the direct land take of new development, the type of use the land will be put to (for

example, an extractive or noise-emitting use), the pollution a development generates and the resources used (during construction and operation for instance).

An intrinsic quality of any European site is its functionality at the landscape ecology scale. This refers to how the site interacts with the zone of influence of its immediate surroundings, as well as the wider area. This is particularly the case where there is potential for developments resulting from the plan to generate water or air-borne pollutants, use water resources or otherwise affect water levels. Adverse effects may also occur via impacts to mobile species occurring outside of a designated site but which are qualifying features of the site. For example, there may be effects on protected birds that use land outside the designated site for foraging, feeding, roosting or other activities.

### 3.2.1 European Sites in and around West Clandon Parish

Best practice guidance suggests that sites occurring within a wider area of approximately 10km to 15km from the boundary of the area directly affected by a plan should be identified and assessed as part of the HRA screening process, in addition to those sites located within the plan area. However, it is important to consider the possibility of impacts for any European site which might be affected, whatever their location, given the activities included in the plan and their range of influence. This may extend some distance from the area within the immediate influence of a plan. For the West Clandon Neighbourhood Plan a buffer of 10km has been applied given the relatively small size of the Parish and it is considered that no pathways, including hydrological connections, exist that would impact upon any European sites beyond this extent.

There are no SPAs, SACs or Ramsar sites located within the Parish.

Within 10 km of the Parish, there is two SPAs within 10km of the Parish underpinned by three SSSIs. They are listed in **Table 3.1** below, and shown on **Figure 3.1**. The Parish falls within the 5km to the Thames Basin Heath SPA.

Details of European Sites within 10km buffer around the Parish of West Clandon are presented in **Table 3.1**.

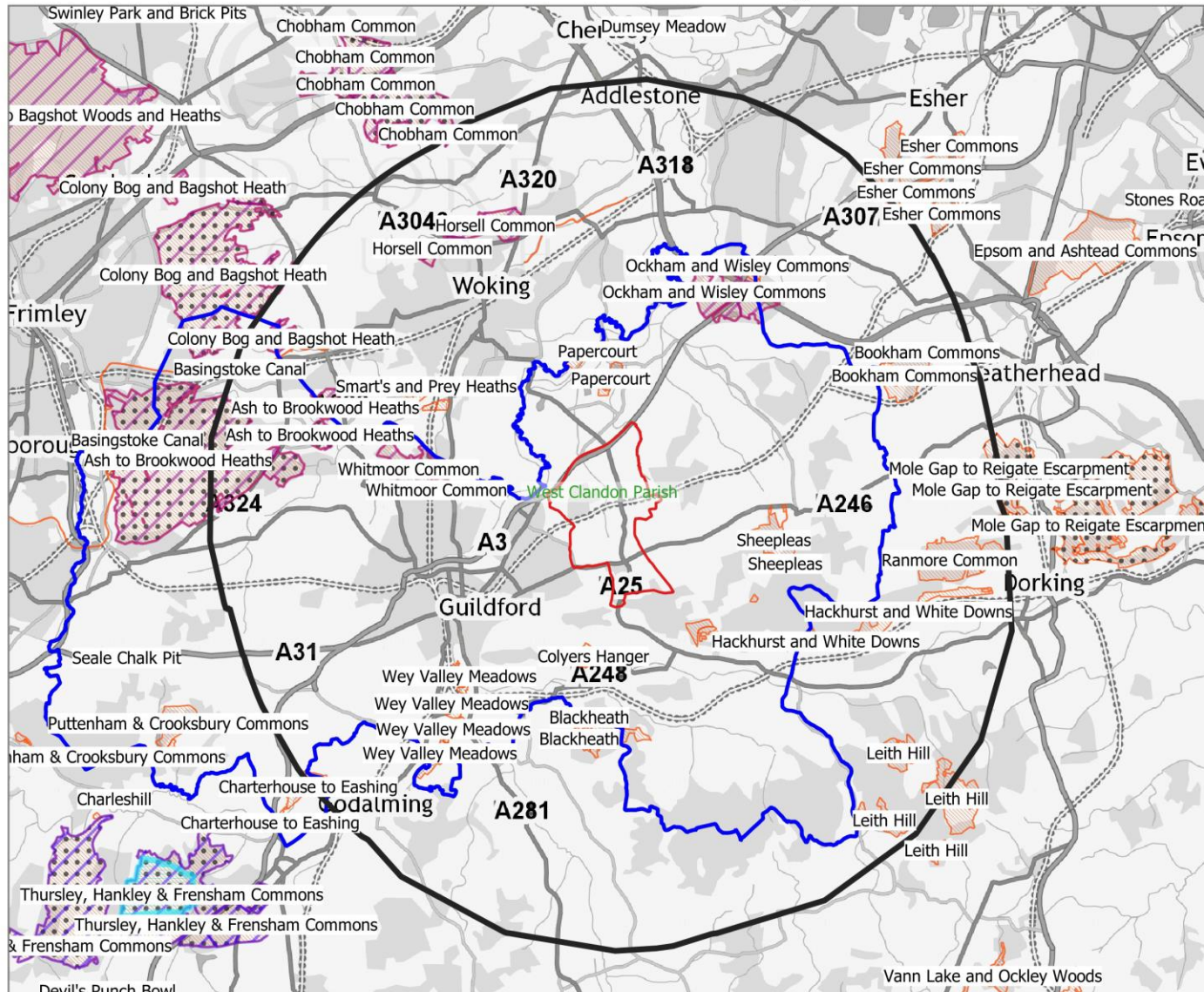
**Table 3.1: European Sites within and adjacent to the Parish of West Clandon**

| Designation | Site   | Distance at closest point parish boundary |
|-------------|--|---|
| SPA         | Thames Basin Heaths SPA,(legally underpinned by Ockham and Wisley SSSI): 3.742km                                       | 3.7 km                                    |
| SPA         | Thames Basin Heaths SPA (legally underpinned by Whitmoor Common SSSI)  | 3.2 km                                    |
| SPA SAC     | Thames Basin Heaths SPA, Thursley, Ash, Pirbright & Chobham SAC (legally underpinned by Ash to Brookwood Heaths SSSI): | 6.3km                                     |









**Figure 3.1: Location of European Sites within the West Clandon Parish and a 10km buffer**



**Protected Sites within 10km of West Clandon Neighbourhood Area**



**Legend**

-  Ramsar Sites
-  Special Areas of Conservation
-  Sites of Special Scientific Interest
- Special Protection Areas**
-  Thursley, Hankley & Frensham Commons
-  Thursley, Hankley & Frensham Commons
-  Thames Basin Heaths
-  Borough Boundary
-  West Clandon 10km Buffer

Publication Date: 2020-02-13



Scale at A4:  
1:170000

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**Table 3.2: Details of European Sites within 10km buffer around West Clandon Parish (Information from JNCC, 2018; Natural England, 2018)**

| European Site   | Qualifying Features and Conservation Objectives  |
|---|--|
| <p><b>Thursley, Hankley and Frensham Commons (Wealden Heaths Phase 1) SPA</b></p> | <p><b>Qualifying Features:</b></p> <p>During the breeding season:</p> <ul style="list-style-type: none"> <li>• Dartford Warbler <i>Sylvia undata</i>, 20 pairs (which represented 4% of the British breeding population in 1984).</li> <li>• Nightjar <i>Caprimulgus europaeus</i>, 20 pairs (which represented 1% of the British breeding population in 1984).</li> <li>• Woodlark <i>Lullula arborea</i>, 27 pairs (which represented 12% of the British breeding population in 1984).</li> </ul> <p>Conservation objectives:</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features;</li> <li>• The structure and function of the habitats of the qualifying features;</li> <li>• The supporting processes on which the habitats of the qualifying features rely;</li> <li>• The population of each of the qualifying features; and</li> <li>• The distribution of the qualifying features within the site.</li> </ul>             |
| <p><b>Thames Basin Heaths SPA</b></p>   | <p><b>Qualifying Features:</b></p> <p>During the breeding season:</p> <ul style="list-style-type: none"> <li>• Dartford Warbler <i>Sylvia undata</i>, 445 pairs representing at least 27.8% of the breeding population in Great Britain (Counts as at 1999)</li> <li>• Nightjar <i>Caprimulgus europaeus</i>, 264 pairs representing at least 7.8% of the breeding population in Great Britain (Count mean (1998-99))</li> <li>• Woodlark <i>Lullula arborea</i>, 149 pairs representing at least 9.9% of the breeding population in Great Britain (Count as at 1997)</li> </ul> <p><b>Conservation objectives:</b></p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features;</li> <li>• The structure and function of the habitats of the qualifying features;</li> <li>• The supporting processes on which the habitats of the qualifying features rely;</li> <li>• The population of each of the qualifying features; and</li> </ul> |

| European Site | Qualifying Features and Conservation Objectives  |
|---------------|--|
|               | <ul style="list-style-type: none"> <li>The distribution of the qualifying features within the site.</li> </ul> |

### 3.2.2. Potential impacts on the European Sites

Neighbourhood Plans, with the spatial planning policies they contain, can potentially have adverse impacts on the habitats and species for which European sites are designated. These impacts can be direct such as habitat loss, fragmentation or degradation, or indirect such as disturbance from recreational activities or pollution from construction and transportation.

This section identifies the potential hazards to European sites within the 10km buffer around West Clandon Parish which may arise as a result of the implementation of the Neighbourhood Plan, and then goes on to identify the types of hazards to which the qualifying features present within the sites are particularly sensitive.

### Qualifying Features and Sensitivity to Hazards

**Table 3.3** below, shows the qualifying features of the European sites within the 10km buffer around West Clandon Parish and identifies the hazards to which they are potentially sensitive.

It must be noted that during the assessment of the potential impacts of the Neighbourhood Plan on a European site, all of the potential hazards will be considered.

**Table 3.3: Threats and pressures for each European site identified as potentially being affected by West Clandon NP**

| Threats and pressures                                   | Thames Basin Heaths SPA                     | Thursley, Hankley and Frensham Commons SPA |
|---|---|--|
| <b>Air pollution</b>                                    | √ <sup>ab</sup><br>All qualifying features  | √ <sup>ab</sup><br>All qualifying features |
| <b>Biocenotic evolution, succession</b>                 | √ <sup>a</sup>                              | √ <sup>a</sup>                             |
| <b>Forestry and woodland/plantation management</b>      | √ <sup>ab*</sup><br>All qualifying features | √ <sup>b</sup><br>All qualifying features  |
| <b>Public access and sports/recreational activities</b> | √ <sup>ab</sup><br>All qualifying features  | √ <sup>ab</sup><br>All qualifying features |
| <b>Hydrological changes</b>                             | √ <sup>b</sup><br>All qualifying features   | √ <sup>b</sup><br>All qualifying features  |
| <b>Grazing regime</b>                                   | √ <sup>b</sup><br>All qualifying features   | √ <sup>b</sup><br>All qualifying features  |
| <b>Wildlife/arson</b>                                   | √ <sup>b</sup>                              | √ <sup>b</sup>                             |

|                              |                         |                         |
|------------------------------|-------------------------|-------------------------|
|                              | All qualifying features | All qualifying features |
| <b>Habitat fragmentation</b> | √ <sup>b</sup>          | √ <sup>b</sup>          |
|                              | All qualifying features | All qualifying features |
| <b>Military activities</b>   | √ <sup>b</sup>          | √ <sup>b</sup>          |
|                              | All qualifying features | All qualifying features |

a - Indicates that this is highlighted as a threat / pressure in the relevant Natura 2000 Data Form

b - Indicates that this is highlighted as a threat in the relevant Site Improvement Plan

\*- Indicates that this threat / pressure is also identified as a potentially positive impact on the relevant Natura 2000 Data Form

### 3.3 Other Relevant Plan and Projects that might act in –combination

A series of individually modest effects may in-combination produce effects that are likely to adversely affect the integrity of one of more European sites. Article 6(3) of the Habitats Directive tries to address this by taking into account the combination of effects from other plans or projects. The Directive does not explicitly define which other plans and projects are within the scope of the combination provision. Guidance in section 4.4.3 of ‘Managing Natura 2000 sites: The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC’, published by the European Commission, states: ‘When determining likely significant effects, the combination of other plans or projects should also be considered to take account of cumulative impacts. It would seem appropriate to restrict the combination provision to other plans or projects which have been actually proposed’.

**Table 3.4** below lists the relevant plans and projects that have been identified as having the potential to result in adverse effects on European sites in-combination with the West Clandon Neighbourhood Plan.

**Table 3.4: Other Plans and Projects**

| Plan/Projects   | Potential in-combination effects  |
|---|---|
| <b>National Planning Policy Framework (NPPF) (February, 2019)</b> | The NPPF sets out national planning policy to be taken into account by councils when preparing new local plans and making decisions on planning applications. In relation to conserving and enhancing the natural environment the NPPF states that the planning systems should contribute and enhance the natural and local environment through minimising impacts on biodiversity and providing net gains in biodiversity where possible, including by establishing coherent ecological networks that are more resilient to current and future pressures. It also requires local planning authorities to set criteria based policies against which proposals for any developments on, or affecting, protected wildlife will be judged, with distinctions made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status. The presumption in favour of sustainable development, enshrined within the NPPF, does not apply where development |

| Plan/Projects   | Potential in-combination effects  |
|---|---|
|   | <p>requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.</p>  |
| <p><b>Guildford Local Plan (2003) and Guildford Local Plan (2019)</b></p>   | <p>The Guildford Local Plan (2003) contains a number of policies relating to housing, infrastructure, cultural heritage, recreation and the environment. Once the West Clandon Neighbourhood Plan has been adopted or 'made' it will form part of the Development Plan alongside the Local Plan for Guildford. The West Clandon Neighbourhood Plan must conform with the Local Plan's strategic policies in order to be adopted. The Guildford Local Plan 2019 allocates a housing target for the village of West Clandon, whilst the West Clandon Neighbourhood Development Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of previously allocated strategic development sites and any other future windfall development and proposes means by which the impact of these and other surrounding development can be mitigated. Therefore, no in-combination effects are likely to occur.</p> <p>The Guildford Local Plan has undergone a Habitats Regulations Assessment (AECOM, 2018). Additionally, the Plan contains a policy (P5) specifically related to the Thames Basin Heath SPA that states permission will not be granted for development proposals unless it can be demonstrated that doing so would not give rise to adverse effects on the ecological integrity of the Thames Basin Heaths SPA, whether alone or in-combination with other development (Guildford Borough Council, 2019).</p>  |
| <p><b>Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 Supplementary Planning Document (Guildford Borough Council, 2017)</b></p> | <p>This document was adopted on 18th July 2017 and replaces the earlier Thames Basin Heaths SPA Avoidance Strategy 2009-2016. Natural England has recognised that residential development across the South East region could have potentially adverse impact on the Thames Basin Heaths SPA through increased recreational use creating disturbance impacts. Guildford Borough Council, along with other councils where development has the potential to impact upon the SPA, have therefore adopted avoidance strategies in conjunction with Natural England, to identify where adverse impacts may arise and the avoidance and/or mitigation measures required. The avoidance strategy should prevent a situation arising where Local Authorities will not be able to grant planning permission for further residential development within 5km of these designated heathlands (the area identified as the Zone of Influence for cumulative impacts). This strategy therefore provides an assessment framework to identify where policies of the West Clandon Neighbourhood Plan may result in adverse impacts on the SPA and this is taken into account throughout this HRA.</p> <p>Although the Regional Spatial Strategy for the South East has now been partially revoked under the 2013 Localism Bill, policy NRM6 relating to the Thames Basin Heaths SPA was retained and remains a material consideration as part of development planning. This policy is linked to the Avoidance Strategy detailed above. Policy NRM6 relates to new residential development which is likely to have a significant effect on the ecological integrity of the Thames Basin</p> |



| Plan/Projects | Potential in-combination effects   |
|---------------|--|
|               | Heaths SPA. The West Clandon Neighbourhood Plan will have to ensure that its policies are consistent with the requirements of policy NRM6. |

### 3.4 Screening Assessment

This process identifies the likely impacts upon a European site of a project or plan, either alone or in combination with other projects or plans, and determines whether these impacts are likely to be significant. If no adverse impact is determined, the project or plan can proceed. If an adverse impact is identified, Task 2 is commenced.

This section considers the objectives identified in the West Clandon Neighbourhood Plan (March 2019) that are considered to have an impact on European Sites and identifies whether or not they are likely to have significant effects on site integrity, either alone or in-combination with other plans and/or projects, as detailed in **Table 3.5**.

Taking into account the location of the European Sites in relation to the Parish and the identified potential hazards associated with the objectives and policies of the Neighbourhood Plan, an assessment has been made as to whether the Neighbourhood Plan, alone and in-combination with other plans and/or projects, will have likely significant effects on any European Sites. This assessment is detailed in **Table 3.5**.

### West Clandon Neighbourhood Plan HRA screening assessment

Table 3.5: Screening assessment of the West Clandon Neighbourhood Plan objectives and policies on European Sites

| Policies                               | Policy Summary  | Assessment of likelihood of significant effects   | Significant effects |
|--|---|---|---------------------|
| <b>Land Use and transport Policies</b> | <p><b>Policy 1 Design within West Clandon Village (Settlement and Conservation Areas)</b></p> <p>The overall approach in policy terms is to require new development to reflect the character and style of their local surroundings in alignment with the relevant Character Assessment for each area, while allowing for variations where these are required to achieve clear environmental and sustainability gains.</p>   | <p>This policy would not be likely to create any pathways of impact onto European sites.</p> <p>A general “criteria based” policy expresses the tests or expectations of the plan-making body when it comes to consider particular proposals, or relate to design or other qualitative criteria which do not themselves lead to development (e.g. controls on building design).</p> <p>It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.</p> | <p><b>None</b></p>  |
|  | <p><b>Policy 2 The Strategic Site at Gosden Hill Farm</b></p> <p>Policy 2 seeks to address the design and implementation of the Local Plan strategic site at Gosden Hill, of which approximately half is within the West Clandon Neighbourhood Area. The overall approach in policy terms is to require new development to reflect and manage the traffic implications across the parish of such a substantial new development both during construction and for the future through:</p> <ul style="list-style-type: none"> <li>• Provision of footpaths, natural green spaces for wildlife and wildlife corridors; planting trees;</li> </ul> | <p>This policy would not be likely to create any pathways of impact onto European sites.</p> <p>The policy will not itself lead to development (e.g. it relates to design or other qualitative criteria for development, or it is not a land use planning policy).</p> <p>It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.</p>  | <p><b>None</b></p>  |

| Policies | Policy Summary  | Assessment of likelihood of significant effects   | Significant effects |
|----------|---|---|---------------------|
|          | <ul style="list-style-type: none"> <li>• Using specific housing types and built forms to maintain an appropriate transitional edge to the development and maintain local character and countryside views;</li> <li>• Retaining the established planting and trees within the development and the protection of Ancient Woodland in Frithys and Cotts Wood;</li> <li>• Providing wildlife areas including gaps in fencing for wildlife runs unless demonstrated to be inappropriate; and</li> <li>• Providing sufficient facilities to the needs of the local community.</li> </ul>  |   |                     |
|          | <p><b>Policy 3 Developments in Other Areas of the Parish</b></p> <p>Policy 3 outlines design criteria for development within the Neighbourhood Area but which falls outside of the identified village settlement area and Conservation Areas (and therefore outside of the scope of Policies 1 and 2). The overall approach entails: avoiding coalescence and loss of separate identity of the village of West Clandon with neighbouring settlements or the Guildford Conurbation; (ii) maintaining the quality of the local environment; (iii) promoting and reinforcing local character and distinctiveness; (iv) ensuring access to local community facilities and sustainable transport links; (v) use of good design and use high quality materials; and (vi) demonstrating protection of local character and context while making efficient use of land delivering sustainable development and strategic priorities; etc.</p> | <p>This policy would not be likely to create any pathways of impact onto European sites.</p> <p>A general “criteria based” policy expresses the tests or expectations of the plan-making body when it comes to consider particular proposals, or relate to design or other qualitative criteria which do not themselves lead to development (e.g. controls on building design).</p> <p>It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.</p> | <p><b>None</b></p>  |

| Policies       | Policy Summary   | Assessment of likelihood of significant effects  | Significant effects |
|----------------|--|--|---------------------|
| Infrastructure | <p><b>Policy 4 Green Gap, Valued Landscape and Views</b></p> <p>Policy 4 seeks to outline protection for specific areas of land that are proposed to constitute a ‘green gap’, and a series of views through identification several criteria: (i) enhancing the open landscape character of the gap, and not reducing the physical gap between West Clandon and the surrounding settlements having regard to the recommendations of the relevant Guildford BC and Surrey CC Landscape Character Assessments; (ii) accord with national and Local Plan Green Belt Policies and respect and enhance the rural nature; (iii) supporting the provision of cycle routes and footpaths between the village of West Clandon and surrounding settlements; (iv) promoting the use of appropriate plant species and boundary treatments at urban edges to better integrate development into the adjacent rural character; (v) giving special consideration to and assessing the impact on protected views.</p> | <p>Supporting the provision of cycle routes and footpaths between the village of West Clandon and surrounding settlements should not create any pathways of impact onto European sites providing they do not cause an increased recreational use of the area in Thames Basin Healths SPA and is not likely to result in significant effects on its integrity.</p> <p>A general “criteria based” policy expresses the tests or expectations of the plan-making body when it comes to consider particular proposals, or relate to design or other qualitative criteria which do not themselves lead to development (e.g. controls on building design).</p> <p>It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.</p> | None                |
|                | <p><b>Policy 5 Community Facilities</b></p> <p>Policy 5 sets out a list of criteria that seek to protect and enhance community facilities within the Neighbourhood Area. The NP policy supports proposals for the improvement, expansion and redevelopment or the provision of new community facilities that provide for the needs of West Clandon Parish.</p>   | <p>Supporting the provision of cycle routes and footpaths between the village of West Clandon and surrounding settlements should not create any pathways of impact onto European sites providing they do not cause an increased recreational use of the area in Thames Basin Healths SPA and is not likely to result in significant effects on its integrity.</p> <p>A general “criteria based” policy expresses the tests or expectations of the plan-making body when it comes to consider particular proposals,</p>   | None                |

| Policies            | Policy Summary   | Assessment of likelihood of significant effects   | Significant effects |
|---------------------|--|---|---------------------|
| Natural Environment |  | <p>or relate to design or other qualitative criteria which do not themselves lead to development (e.g. controls on building design).</p> <p>It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.</p>  |                     |
|                     | <p><b>Policy 6 Biodiversity and Environment</b></p> <p>The policy seeks to promote biodiversity and improvements to the natural environment within the Neighbourhood Area through seeking to maximise the potential for biodiversity and the preservation of wildlife; retaining natural verges to the highway; providing net gains to biodiversity, etc.</p>  | <p>This policy would not be likely to create any pathways of impact onto European sites.</p> <p>Policies designed to protect the natural or built environment will not usually have significant or adverse effects.</p> <p>It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.</p> | <b>None</b>         |
| Natural Environment | <p><b>Policy 7 Protected Green Space</b></p> <p>Policy 7 addresses the provision of and protection of open space within the Neighbourhood Area. The policy identifies green areas as designated as a Local Green Space which is of particular importance to the local community. It prohibits development affecting the openness of a Local Green Space unless the developer demonstrates that there are very special circumstances. Proposals that protect, enhance and sustain a Local</p> | <p>This policy would not be likely to create any pathways of impact onto European sites.</p> <p>Policies designed to protect the natural or built environment will not usually have significant or adverse effects.</p> <p>It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.</p> | <b>None</b>         |

| Policies | Policy Summary   | Assessment of likelihood of significant effects  | Significant effects |
|----------|--|--|---------------------|
|          | Green Space in a way which is consistent with its significance to the local community will be supported.   |  |                     |
|          | <p><b>Policy 8 Car Parking</b></p> <p>The policy supports the provision of adequate off street Car Parking appropriate to the needs of the household. It sets out criteria for the level of provision of car parking and encourages the developer to provide appropriately sited electric fast charging points for every home for which there is a designated parking space.</p> | <p>This policy would not be likely to create any pathways of impact onto European sites.</p> <p>The policy will not itself lead to development – it relates to different design and qualitative criteria for development and provides further clarifications for the provision of car parking.</p> <p>It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.</p> | <p><b>None</b></p>  |

### 3.4 HRA Screening Conclusions

This HRA Screening Assessment has examined the West Clandon Neighbourhood Plan policies for any impacts on the European sites within the neighbourhood area or within 10km of the neighbourhood area.

There are no European sites within the West Clandon neighbourhood area. However, the upper and west half of the parish lies within the 400m and 5km zone and the remainder of the parish lies within the 5-7km buffer zone of the Thames Basin Heath SPA.

The West Clandon Neighbourhood Development Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of the previously allocated strategic development sites and any other future windfall development and proposes means by which the impact of these and other surrounding development can be mitigated.

Assessment presented in table 3.5 concludes that none of the proposed policies are likely to lead to likely significant effects on the SPA through increased recreational pressure and thus unlikely to have HRA implications.

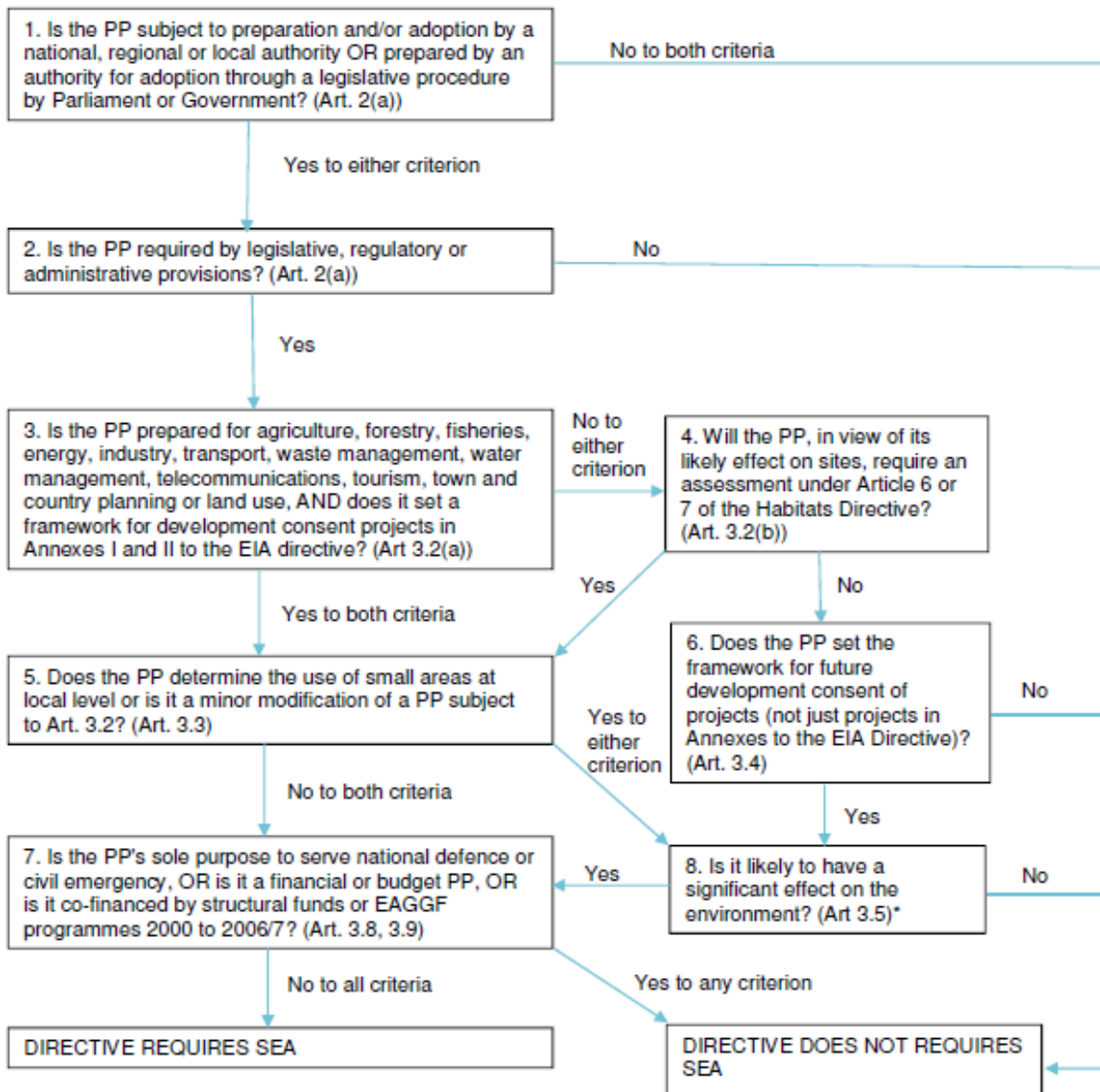
***On the basis of the above HRA screening assessment, the Council has concluded that there will be no adverse effects on the integrity of the SPA as a result of the making of the West Clandon Neighbourhood Plan. Making the plan is therefore compatible with European obligations.***

## 4. West Clandon Neighbourhood Plan SEA screening

### 4.1 SEA Screening Methodology

The methodology for the SEA screening assessment is set out in A Practical Guide to the Strategic Environmental Assessment Directive (ODPM, 2005).

To establish if a neighbourhood plan requires SEA, a screening assessment is required against a series of criteria set out in the SEA Directive. **Figure 4.1** sets out the screening process and how a plan should be assessed against the SEA Directive criteria.



**Figure 4.1: Application of the SEA Directive to plans and programmes (from “A Practical Guide to the Strategic Environmental Assessment Directive”, ODPM, 2005.**



Assessing the significance of the environmental effects that a Neighbourhood Plan will have depends on the policies within it. The criteria for assessing significance are referred to in Article 3.5 and set out within Annex II of the SEA Directive and is presented in **Figure 4.2** below:

1. The characteristics of plans and programmes, having regard, in particular, to
  - The degree to which the plan or programme sets a framework for projects and other activities, either with regards to location, nature, size and operating conditions or by allocating resources;
  - The degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
  - The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
  - Environmental problems relevant to the plan or programme;
  - The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. Plans and programmes linked to waste-management or water protection)
  
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
  - The probability, duration, frequency and reversibility of the effects;
  - The cumulative nature of the effects;
  - The transboundary nature of the effects;
  - The risks to human health or the environment (e.g. due to accidents);
  - The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
  - The value and vulnerability of the area likely to be affected due to:
    - Special natural characteristics or cultural heritage;
    - Exceeded environmental quality standards or limit values;
    - Intensive land-use;
    - The effects on areas or landscapes which have a recognised national, Community or international protection status.

**Figure 4.2: Criteria for assessing significance**

The SEA screening assessment is therefore split into two parts. Part 1 runs the neighbourhood plan through the questions outlined in the diagram above and includes commentary of whether the need for SEA is triggered. Part 2 further assesses stage 8, on whether there is a likely significant impact. The screening opinion takes a ‘precautionary approach’ and when it is unclear as to how the Directive may be applied it is assumed that there are possible likely significant effects. An assessment of the characteristics of the West Clandon Neighbourhood Plan against these criteria is set out in **Tables 4.1** and **4.2** of this report.

## 4.2 Part 1 – Application of the Directive to the West Clandon Neighbourhood Plan

**Table 4.1. Establishing the need for SEA by following the flowchart in Figure 4.1**

| Stage | Yes/No  | Justification   |
|-------|---|---|
| 1.    | Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))   | <b>Yes</b><br>(proceed to Q2)                         |
| 2.    | Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))   | <b>No</b><br>(Yes when 'made' so proceed to Q3)       |
| 3.    | Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a)) | <b>Yes</b><br>Yes to both criteria<br>(proceed to Q5) |
| 4.    | Will the PP, in view of its likely effects on sites require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))   | N/A   |
| 5.    | Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)  | <b>Yes</b><br>(proceed to Q8)                         |

| Stage  | Yes/No    | Justification   |
|--|-----------|---|
| 6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)   | N/A       | Not applicable as both criterion to Q5 answered "No". The West Clandon Neighbourhood Development Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of these strategic development sites and any other future windfall development and proposes means by which the impact of these and other surrounding development can be mitigated.                     |
| 7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9) | N/A       | The Neighbourhood Plan is not prepared for any of the purposes opposite.  |
| 8. Is it likely to have a significant effect on the environment? (Art. 3.5)  | <b>No</b> | The West Clandon Neighbourhood Plan is unlikely to have any significant effects on the environment. the West Clandon Neighbourhood Development Plan does not allocate further development but rather seeks to influence the type, style, tenure and design and proposes means by which the impact of these and other surrounding development can be mitigated.<br><br><b>See Table 4.2 below for justification.</b> |

### 4.3 Part 2 – Likely significant effects on the environment

Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below, together with a commentary on whether the West Clandon Neighbourhood Plan would trigger the need for a full assessment.

**Table 4.2: Assessing Likely Significant Effects (LSE)**

| SEA Directive Criteria   | Yes/No    | Justification   |
|--|-----------|---|
| <b>1. The Characteristics of Plans and Programmes, having regard, in particular, to:</b>   |           |   |
| <p>a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources</p> | <b>No</b> | <p>The Neighbourhood Plan sets out a vision for the Parish which can be used to influence the outcome of future planning applications, consistent with the needs and expressed opinions of residents.</p> <p>The West Clandon Neighbourhood Development Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of the previously allocated strategic development sites and any other future windfall development and proposes means by which the impact of these and other surrounding development can be mitigated.</p> |
| <p>b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy</p>   | <b>No</b> | <p>The West Clandon Neighbourhood Plan covers a small, defined Parish within the context of the Guildford Local Plan area. The Neighbourhood Plan will be in general conformity with the strategic policies of the Guildford Local Plan and the NPPF (2019). Once adopted/'made' the Neighbourhood Plan will form part of the Development Plan for Guildford borough.</p> <p>If the West Clandon Neighbourhood Plan is not delivered, the Guildford Local Plan is not affected. The Guildford Local Plan was subject to SA/SEA process.</p>                                   |
| <p>c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</p>  | <b>No</b> | <p>Throughout the Neighbourhood Plan, integration of environmental considerations and promotion of sustainable development is central to the specific objectives and policies. The Plan seeks to promote sustainable development overall and does not seek any relaxations to sustainable development principles set out in higher-level plans. The West Clandon Neighbourhood Plan includes specific policies relating to the protection of the natural environment.</p>   |

| SEA Directive Criteria   | Yes/No           | Justification   |
|--|------------------|---|
| <p>d) Environmental problems relevant to the plan or programme</p> |                  | <p>The West Clandon Neighbourhood Plan does not seek to address any significant environmental problems in the area.</p>   |
|  | <p><b>No</b></p> | <p>The West Clandon Neighbourhood Area is approximately 3.2 km from the Thames Basin Heaths SPA site, 6.3 km from the Thursley, Hankley and Frensham Commons SPA.</p> <p>The West Clandon Neighbourhood Plan does not allocate specific land for small-scale development that falls within the SPA 5km zone of influence. The West Clandon Neighbourhood Development Plan rather seeks to influence the type, style, tenure and design of the previously allocated strategic development sites and any other future windfall development and proposes means by which the impact of these and other surrounding development can be mitigated.</p> <p>There are two areas of areas of flood risk in West Clandon, stretching south of Ripley By Pass. Approximately 60% of the Strategic Site at Gosden Hill Farm identified in the Guildford Local Plan lies within the Parish of West Clandon is not in the flood zones 2 or 3.</p> <p>The Plan falls within River Wey (Shalford to River Thames confluence at Weybridge) catchment with the overall Water Framework Directive (WFD) classification for 2019 as 'moderate'. The WFD requires achievement of good ecological and good chemical status for all groundwater and surface water waterbodies by 2027 at the latest." The water body currently has an overall WFD status of 'Moderate', with the alternative objective to maintain 'Moderate' status by 2021. The current 'Moderate' fish status, targeted to be 'Good' by 2027 is linked to numerous pressures including impoundments from navigation and rural land management, barriers to fish</p> |

| SEA Directive Criteria   | Yes/No           | Justification  |
|--|------------------|--|
| <p>e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection)</p> |                  | <p>migration and urbanisation. The adopted Guildford Borough Local Plan policies were subject to SA/SEA process. They will be used for applications potentially affected by flooding or impacting the quality of watercourses and rivers falling within the boundary of the Plan. As the Plan policies align with the recently adopted Local Plan policies and do not allocate new sites for development, the Plan proposals do not introduce new significant effects that have not been previously addressed through the strategic SA/SEA process.</p> <p>Therefore, due to the nature of the Plan policies and the absence of new proposed allocations for housing development within the Plan, the Plan intends to influence the existing and strategically assessed allocated housing provision set out within the Guildford Borough Local Plan 2019 document and not any of its own. As such, this should not trigger the requirement for SEA of the Plan and its likely significant effects.</p> <p>At this stage it is considered that the West Clandon Neighbourhood Plan will not introduce any environmental problems, rather it will seek to encourage sensitive development in relation to the environment through integration of environmental protection measures within a number of the policies of the Plan. Consequently, it is not considered that it will have significant environmental effects.</p> |
|  | <p><b>No</b></p> | <p>The West Clandon Neighbourhood Plan will not affect implementation of European Community environmental legislation. The Water Framework Directive will need to be taken into account. The Neighbourhood Plan supports the implementation of higher-level policies at the Neighbourhood Area level. It is therefore not considered to have significant influence on other plans and</p>  |

| SEA Directive Criteria  | Yes/No    | Justification   |
|---|-----------|---|
|   |           | programmes or their effects on the environment.   |
| <b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b> |           |   |
| <b>a) The probability, duration, frequency and reversibility of the effects</b>                                   | <b>No</b> | The West Clandon Neighbourhood Development Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of the previously allocated strategic development sites and any other future windfall development and proposes means by which the impact of these and other surrounding development can be mitigated. The Plan is supportive of sustainable development within the overall protective policy context of the Guildford Local Plan in terms of the built and natural environment. The significant effects are considered to be unlikely. |
| <b>b) The cumulative nature of the effects</b>  | <b>No</b> | The West Clandon Neighbourhood Development Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of the already allocated strategic development sites and any other future windfall development and proposes means by which the impact of these and other surrounding development can be mitigated.   |
| <b>c) The transboundary nature of the effects</b>   | <b>No</b> | No significant transboundary effects of the policies contained within the West Clandon Neighbourhood Plan are anticipated given that they focus on small-scale areas within the neighbourhood area itself.<br><br>Furthermore, Neighbourhood Plans are required to relate to discrete administrative areas. By definition, “transboundary” issues are “strategic” matters; therefore beyond the scope of a Neighbourhood Plan.  |
| <b>d) The risks to human health or the environment (e.g. due to accidents)</b>                                    | <b>No</b> | The West Clandon Neighbourhood Plan does not create any significant risks to human health or the environment.   |
| <b>e) The magnitude and spatial extent of the effects</b>   | <b>No</b> | The West Clandon Neighbourhood Plan covers the Parish of West Clandon. The  |

| SEA Directive Criteria   | Yes/No    | Justification  |
|--|-----------|--|
| (geographical area and size of the population likely to be affected)   |           | magnitude and spatial extent of the Neighbourhood Plan is limited and will not have significant environmental effects across or outside of this geographical area.   |
| f) The value and vulnerability of the area likely to be affected due to:<br>(i) special natural characteristics or cultural heritage,<br>(ii) exceeded environmental quality standards or limit values,<br>(iii) intensive land-use, | <b>No</b> | The southern section of The Street runs through a conservation area characterised by low density development and including a number of listed buildings some of which are of significant historical interest. The Clandon Park Estate remains in private hands although Clandon Park House, a Palladian mansion dating from the 1730's, and the immediate surroundings are owned by the National Trust.  |
| g) The effects on areas or landscapes which have a recognised national, Community or international protection status.  | <b>No</b> | It is not anticipated that the West Clandon Neighbourhood Plan will adversely impact on the Thames Basin Heaths SPA and Thursley, Hankley and Frensham Commons SPA as well as SSSIs and/or other areas/landscapes of community importance, as detailed above.<br><br>Furthermore, the policies include the protection of green space, biodiversity, landscape, community assets and it is likely that the Plan will be positive by maximising the positive environmental effects of development and minimising or avoiding negative impacts. |
| <b>Part 2 Overall Conclusion</b>   |           | <b><i>The West Clandon Neighbourhood Plan is unlikely to have significant effects on the environment.</i></b>  |

#### 4.4 SEA Screening Assessment Conclusion

Preparation of a Neighbourhood Plan for West Clandon is being undertaken in accordance with the Neighbourhood Planning Regulations 2012. The plan covers the period 2020 - 2034 and sets out a vision for the neighbourhood area. Within the plan there is a number of policies relating to the transport and infrastructure, natural environment, building design and community.

This SEA Screening Report, supported by a Habitats Regulations Screening Assessment, has identified whether or not the West Clandon Neighbourhood Plan requires a SEA by assessing the potential high-level environmental impacts that may arise from implementation of the plan.



The assessment concluded that the West Clandon Neighbourhood Plan does not require a SEA. This is primarily because the nature, scale and location of the policies within the plan are not likely to adversely impact on any of the sensitive environmental receptors within or around neighbourhood area.

This conclusion and report was sent to the Environment Agency, Natural England and Historic England for consideration in accordance with Regulation 9(2) of the SEA Regulations and their responses are included in Appendix 2.

### **Background Documents**

- [Conservation of Habitats and Species Regulations 2017](#)
- [The Neighbourhood Planning \(General\) Regulations 2012 \(as amended\)](#)
- [Guildford Borough Council Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 SPD](#)
- [The South East Plan, Policy NRM6](#)
- Designated Sites Natural England,  
<https://designatedsites.naturalengland.org.uk/SiteSearch.aspx>
- The Environmental Assessment of Plans and Programmes Regulations 2004,  
<http://www.legislation.gov.uk/ukxi/2004/1633/contents/made>
- Tyldesley and Associates - prepared for Natural England Guidance - The Assessment of Regional Spatial Strategies and Sub Regional Strategies under the Provisions of the Habitats Regulations 2006.
- Guildford borough Local Plan: strategy and sites 2015-2034 April 2019  
<https://www.guildford.gov.uk/article/22744/Adopted-Local-Plan-2015-2034>
- Draft River Wey Catchment Plan 2018  
[https://surreynaturepartnership.files.wordpress.com/2018/05/wlp-catchment-plan\\_sert\\_-\\_draft-v3.pdf](https://surreynaturepartnership.files.wordpress.com/2018/05/wlp-catchment-plan_sert_-_draft-v3.pdf)

## Appendix 2: Emails sent to statutory consultation bodies<sup>6</sup> (Natural England, Historic England and the Environment Agency) and their responses

### Guildford Borough Council

22/4/21

Dear Sir/Madam,

I am contacting you regarding the West Clandon Neighbourhood Plan. A Regulation 15 submission of the proposed West Clandon Neighbourhood Development Plan has recently been received. In order to determine whether or not the Plan requires a Strategic Environmental Assessment (SEA) the Council has undertaken a screening assessment. The Council considers that the West Clandon Neighbourhood Plan does not require a Strategic Environmental Assessment.

A Habitats Regulations Assessment screening and Stage 2 Appropriate Assessment has also been undertaken. On the basis of these two assessments, the Council considers that the plan is unlikely to lead to significant environmental effects on the Thames Basin Heaths SPA and there will be no adverse effects on the integrity of the SPA as a result of the plan being made (adopted).

Please find attached a SEA and Habitats Regulations Assessment (HRA) screening report including the Appropriate Assessment, along with a copy of the draft plan for your consideration.

I would be grateful if you would reply in writing to confirm if you agree with our conclusions. If you disagree with either determinations, you are invited to make representations in writing to xxx by **Thursday 13 May 2021**.

Kind regards  
Policy Officer, Planning Policy

### Natural England

<sup>6</sup> Under regulations 4(1) and 9(2) of the Environmental Assessment of Plans and Programmes Regulations 2004 and regulations 5(1) and 63(3) of The Conservation of Habitats and Species Regulations 2017.

20/5/21

Many thanks for sending through the above consultation regarding the SEA and HRA screening for the West Clandon NP.

Having taken a look at the submitted screening reports Natural England would concur with the LPAs findings that there is not likely to be any requirement for a full SEA or HRA in the case of the NP in this instance given the nature of the plan policies given there are no allocations for any housing as part of the plan and it will only be looking to influence the existing strategically assessed and allocated housing in the LPAs main allocations rather than any of its own.

I trust that this satisfies your requirements however do let me know if you need any further clarification.

Regards,

Planning and UAS, Thames Solent Team

## Historic England

23/6/21

Thank you for providing additional information on the SA/SEA of the Local Plan in addition to the Council's draft screening opinion for SEA of the West Clandon Neighbourhood Plan. Having considered the proposed policy for the Gosden Hill Farm development, we confirm our agreement that the neighbourhood plan would not result in a material change to the impact as assessed in the SA/SEA for the Local Plan and as such should not result in a need for SEA of the neighbourhood plan for likely significant effects within areas of interest to Historic England.

As the SA/SEA of the Local Plan does identify that outstanding impacts could be avoided/mitigated through site-specific measures, we would request that the monitoring report for the Local Plan SA/SEA should note the additional policy requirements for this site that have been introduced through the neighbourhood plan.

We also note that the colour-coded assessment of impacts for the SA/SEA of the local plan, where it is relevant to heritage assets appears to be based on a proximity measure. Historic England do not support such a means of assessing impact (or the likelihood of impact) to designated heritage assets. Assessment of likely significant environmental effects for heritage assets should be assessed based on an understanding of their significance (including the contribution made by their settings) and the likely effects of development proposal on this including an assessment of harm that may result and the potential to avoid or minimise these. This may require input of the professional judgement of a relevant heritage expert in the assessment process.

We hope these comments are of assistance to the District Council and thank you again for providing further evidence to inform our consideration. We reserve the right to request a review of this decision should the plan change significantly in scope at a later stage of drafting.

Yours sincerely  
Historic Places Adviser

## The Environment Agency

22/6/21

Thank you for your email and I'm sorry for not responding sooner. We are extremely busy at the moment and don't always get the chance to respond to Neighbourhood Plans and we tend to focus our efforts on locations which don't have a local plan in place or where significant allocations are being made. As that's not the case here then a formal response was not issued.

However, I've had a quick check and found that there are areas of flood risk not referred to within the Plan. Again as there are no allocations this shouldn't be significant as your own local plan will be used for decision making on any applications affected by flooding. It might be worth flagging that areas of the village are at risk of flooding and the Neighbourhood Plan team may wish to consider this. Flood maps can be seen on the gov.uk website.

Based on our review of the draft plan, we think there are potential significant environmental effects that relate to the Neighbourhood Plan area.

There is also an un-named main river running through the plan area in the west. It may be worth the team checking the current status of this watercourse within the Thames river basin management plan and whether its failing in terms of the Water Framework Directive. An assessment of the potential impacts of the neighbourhood plan on this watercourse under WFD should be included within the SEA/SA appraisal.

The river basin management plan is available through the following link:

<https://www.gov.uk/government/collections/river-basin-management-plans-2015#thames-river-basin-district-rbmp:-2015>

The plan covers the whole of the river basin district and does not include detailed and specific measures for any particular location because pressures within the river basin are likely to change over time. Please refer to the catchment data explorer web application to explore and obtain detailed information about the local catchment and waterbody this development is within.

<https://environment.data.gov.uk/catchment-planning/>

For your information we have published joint advice with Natural England, English Heritage and the Forestry Commission on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans.

This is available at:

[http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT\\_6524\\_7da381.pdf](http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf)

Kind regards,  
Planning Advisor, Thames Sustainable Places Team

**Email sent from Guildford Borough Council on 6 July 2021 in response:**

Thank-you so much for getting back to me with such a comprehensive response. I understand how busy you have been and do appreciate it.

I have asked our consultant to review the SEA HRA screening report in light of your comments. They have revised the screening report, which I now attach. The main changes in response to your comments seem to be on page 5 section 'Natural and water environment' and page 29 section 'Environmental problems relevant to the plan or programme' of the report. They conclude that 'due to the nature of the Neighbourhood Plan policies and the absence of new proposed allocations for housing development within the Plan, the Neighbourhood Plan intends to influence the existing and strategically assessed allocated housing provision set out within the Guildford Borough Local Plan 2019 document and not any of its own. As such, this should not trigger the requirement for SEA of the Plan and its likely significant effects.'

If you do have the opportunity to revisit your comments in light of the updates to the SEA HRA report I would really appreciate it. We hope to submit the information to the Inspector in the next few weeks.

Any questions please ask,

**Standard response received from the Environment Agency 6 July 2021:**

Notice Update: 1 June 2021

In light of the implications and advice regarding the COVID 19 pandemic the sustainable places team are continuing to work remotely. We are taking steps to ensure the continuation of our services, as far as practicable.

However, over the last few months we have experienced significant flooding, absences due to caring responsibilities and illness and are currently working at 50% of our normal capacity within this team.

Due to diminished resources, we are experiencing delays in both planning advisory agreements and statutory consultation response timeframes. Temporary measures are being put in place to prioritise the highest risk cases. This is likely to result in some responses being significantly delayed. We hope to resume normal service in the coming months.

We expect these temporary measures to be in place until October 2021. We apologise for the disruption this may cause.

Please note we are unable to receive post until further notice. Where possible, please send all documents via email (max attachment size of 9MB) or via file sharing services.