

Guildford Borough Council

Green Belt

Supplementary Planning Document

Strategic Environmental Assessment Screening and Habitat Regulations Assessment Determination Statement

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

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

November 2023

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1. The purpose of this document

- 1.1 This statement sets out the Council’s determination under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004¹ (“the SEA regulations”) on whether or not the Green Belt Supplementary Planning Document (“the SPD”) is likely to have significant environmental effects.
- 1.2 It also sets out whether, under regulation 105 of The Conservation of Habitats and Species Regulations 2017² (“The Habitats Regulations”), the SPD is likely to lead to significant effects upon a European protected site and therefore requires an ‘Appropriate Assessment’.

2. Screening

- 2.1 The SPD was subject to SEA and HRA screening. The screening report can be seen at Appendix 1. The screening report established that the SPD is not likely to lead to significant environmental effects, and that it is not likely to lead to significant effects upon European protected habitats and accordingly does not require an Appropriate Assessment.

3. Consultation

- 3.1 Before making the final determination under Regulation 9 of the SEA regulations, the Council must consult with the three SEA statutory consultees: the Environment Agency, Historic England and Natural England. Before ascertaining whether or not the SPD is likely to lead to significant effects on European sites and therefore requires an Appropriate Assessment, the Council must consult with Natural England.
- 3.2 We consulted with the three bodies on the findings of the screening report in February 2023. The responses received are set out in the table below.

Consultation body	Comments
Historic England	In light of the Environmental Assessment of Plans and Programmes Regulations 2004, our view is that a SEA <u>is not</u> required in this instance for the reason set out in paragraph 4.11 of the Screening Report (February 2023).
Environment Agency	No comment received.
Natural England	Natural England agree with the conclusions of the Green Belt Supplementary Planning Document (SPD) SEA/HRA Screening Report that a SEA/HRA are not required.

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

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

4. Determination

- 4.1 The Council has determined that the SPD is not likely to result in significant environmental effects under the SEA regulations and has ascertained that the SPD will not lead to likely significant effects on a European site under the habitats regulations and, accordingly, an Appropriate Assessment is not required.
- 4.2 The reasons for making these determinations are set out in the SEA and HRA screening reports (see Appendix 1).
- 4.3 These determinations were made on 18 October 2023.

Appendix 1: Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

Guildford Borough Council

Green Belt

Supplementary Planning Document

Strategic Environmental Assessment Screening and Habitat Regulations Assessment Screening Report

February 2023

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1. Introduction

The Purpose of this report

- 1.1 Guildford Borough Council has prepared a Green Belt Supplementary Planning Document (the 'SPD'). The purpose of this report is to ascertain whether the draft SPD may have a significant effect on the environment and therefore require a Strategic Environmental Assessment ('SEA') under European Directive 2001/42/EC (the 'SEA Directive').
- 1.2 It also determines whether or not the contents of the SPD 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 (the 'Habitats Directive') and the associated Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations').
- 1.3 To this end, a screening exercise is undertaken which looks at the proposals in the SPD to determine whether a significant effect is likely.
- 1.4 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 assessments for the SPD which will be used to determine whether there are likely to be any significant environmental effects and a requirement for a full SEA (Environmental Report) and HRA (Appropriate Assessment).

Habitat Regulation Assessment

- 1.5 Habitats Regulations Assessment 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 need for HRA is set out within the EC Habitats Directive 92/43/EEC and transposed into British Law by Regulation 105 of the Conservation of Habitats and Species Regulations 2017.

Strategic Environmental Assessment

- 1.6 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. 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 plan that set the framework for the future development consent of projects must be subject to an environmental assessment.
- 1.7 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 whether a plan requires an environmental assessment. Where the Borough Council determines that SEA is not required then under Regulation 9(3) the Council must prepare a statement setting out the reasons for this determination.

Green Belt Supplementary Planning Document

- 1.8 The purpose of the SPD is to supplement Policy P2: Green Belt, contained in the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (LPSS). The SPD provides further guidance on how the exceptions listed in paragraphs 149 and 150 of the National Planning Policy Framework (NPPF) will

be interpreted in relation to whether a proposal can be considered to constitute 'not inappropriate' development.

2. Legislative background

Habitat Regulations Assessment

- 2.1 The Habitats Regulations transpose the Habitats Directive into UK law and require HRA to be undertaken for any plan or project likely to have a significant effect upon a European protected site.
- 2.2 The Habitats Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Habitats 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.
- 2.3 It is a requirement of Section 105 of the Habitats 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.
- 2.4 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:
 - Special Areas of Conservation (SACs) – designated by the Habitats Directive (92/43/EEC).
- 2.5 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.

Strategic Environmental Assessment

- 2.6 SEA involves evaluation of the environmental impacts of a plan or programme. The requirement for SEA is set out in the European Directive 2001/42/EC adopted into UK law as the "Environmental Assessment of Plans or Programmes Regulations 2004". The SEA Directive sets out a legal assessment process that must be followed. Often within the planning context, the SEA requirements are met by incorporating it within a Sustainability Appraisal (SA), which is a requirement for Development Plan Documents.

- 2.7 There is no legal requirement for Supplementary Planning Documents to be accompanied by Sustainability Appraisal, and this is reinforced in Planning Practice Guidance (PPG ref: 11-008-20140306). However, “in exceptional circumstances” there may be a requirement for SPDs to undertake Strategic Environmental Assessment where it is felt they may have a likely significant effect on the environment that has not been assessed within the SEA/SA of the Local Plan.
- 2.8 To establish whether the SPD is thought to have significant environmental effects and therefore require SEA to be undertaken, a Screening Process has been followed and is presented in Section 4 of this report.

3. Habitat Regulations Assessment Screening

HRA Methodology

- 3.1 HRA follows a three-stage process as outlined in the Department Environment, Food and Rural Affairs and Natural England guidance "Habitats regulations assessments: protecting a European site". These stages are described below:

HRA Stage 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.

Following the 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, cannot be taken into account at this stage.

If no likely significant effects are determined, the project or plan can proceed. If any likely significant effects are identified, stage 2 commences.

HRA Stage 2 – Appropriate Assessment

Stage 2 is subsequent to the identification of likely significant effects upon a European site in stage 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, stage 3 is commenced.

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.

HRA Stage 3 – Derogation

In certain circumstances a proposal which has failed the integrity test can go ahead. Three legal tests must be passed for a derogation to be granted.

1. There are no feasible alternative solutions that would be less damaging or avoid damage to the site.
2. The proposal needs to be carried out for imperative reasons of overriding public interest.
3. The necessary compensatory measures can be secured.

HRA Stage 1 Screening – methodology

- 3.2 Screening is undertaken to identify the likely impacts of the SPD upon European sites, and to determine whether these impacts are likely to be significant and whether an Appropriate Assessment and Derogation (HRA stages 2 and 3) are required.

Deciding whether effects are “significant”

- 3.3 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 that 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.
- 3.4 The first stage, screening for HRA, will determine whether the measures in the SPD would lead to likely significant effects (LSEs) on the conservation objectives of the Natura 2000 sites. This will determine whether stages 2 and 3 of the HRA are required.
- 3.5 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.
- 3.6 Table 1, on the following page, summarizes the characteristics of policies that can usually be screened out.

Table 1. Policy “types” that can usually be screened out

Broad Policy Type	Notes
General statements of policy	The European Commission recognises that plans or plan component that are general statements of policy or political aspirations cannot have significant effects
General design/guidance criteria	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)
External plans/projects	Plans or projects that are proposed by other plans and are referred to in the plan being assessed for completeness
Environmental protection policies	Policies designed to protect the natural or built environment will not usually have significant or adverse effects

The Precautionary Principle

- 3.7 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 stage 2).

HRA Screening Consultation

- 3.8 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 draft Screening report.

Limitations

- 3.9 No limitations were encountered.

HRA Screening Assessment

- 3.10 This section screens the SPD for impacts on European sites at stage 1 of the HRA process. The sites relevant to this screening assessment are:
- Thames Basin Heaths SPA
 - Thursley, Ash, Pirbright & Chobham SAC
- 3.11 Each guidance section within the SPD has been primarily assessed against the criteria provided in the guidance prepared by Tydesley and Associates for Natural England titled, ‘The Assessment of Regional Spatial Strategies and Sub Regional Strategies under the Provisions of the Habitats Regulations 2006.’ The analysis details are presented in Table 2 below:

Table 2. Green Belt SPD screening

Guidance sections	Guidance summary	Likely to have an impact	Why guidance will have no impact on Natura 2000 sites	Essential recommendations to avoid potential negative effects on European sites
Section A	Introduction: This sets out the purpose and structure of the SPD, including relevant national and local policies and guidance.	No	The information explains how to read the document, including relevant policy and terminology and does not govern the development or use of land so will not lead to development.	None
Section B	Main document: This section sets out the key criteria that applications for development in the Green Belt must meet to be considered permissible. For example, it explains the difference between “Inappropriate development” and “Not inappropriate development”, and provides additional guidance on the Council’s approach in assessing each of the exceptions listed in paragraphs 149 and 150 of the NPPF such as for “Buildings for agriculture and forestry”. Furthermore, this section provides additional guidance on the key characteristic of “Openness”.	No	While this section does provide further guidance and clarifies the Council’s approach, it is closely aligned with national and local policy so does not add any new requirements. It could have an impact on the quality of planning applications and the way schemes are delivered by improving compliance with adopted policy.	None

HRA Screening Conclusions

3.12 None of the guidance outlined within the SPD is likely to lead to significant effects on European sites. Therefore stage 2 (appropriate assessment and ascertaining adverse impacts on site integrity) and stage 3 (derogations) of the HRA process are not considered necessary.

4. SEA screening

SEA Screening Methodology

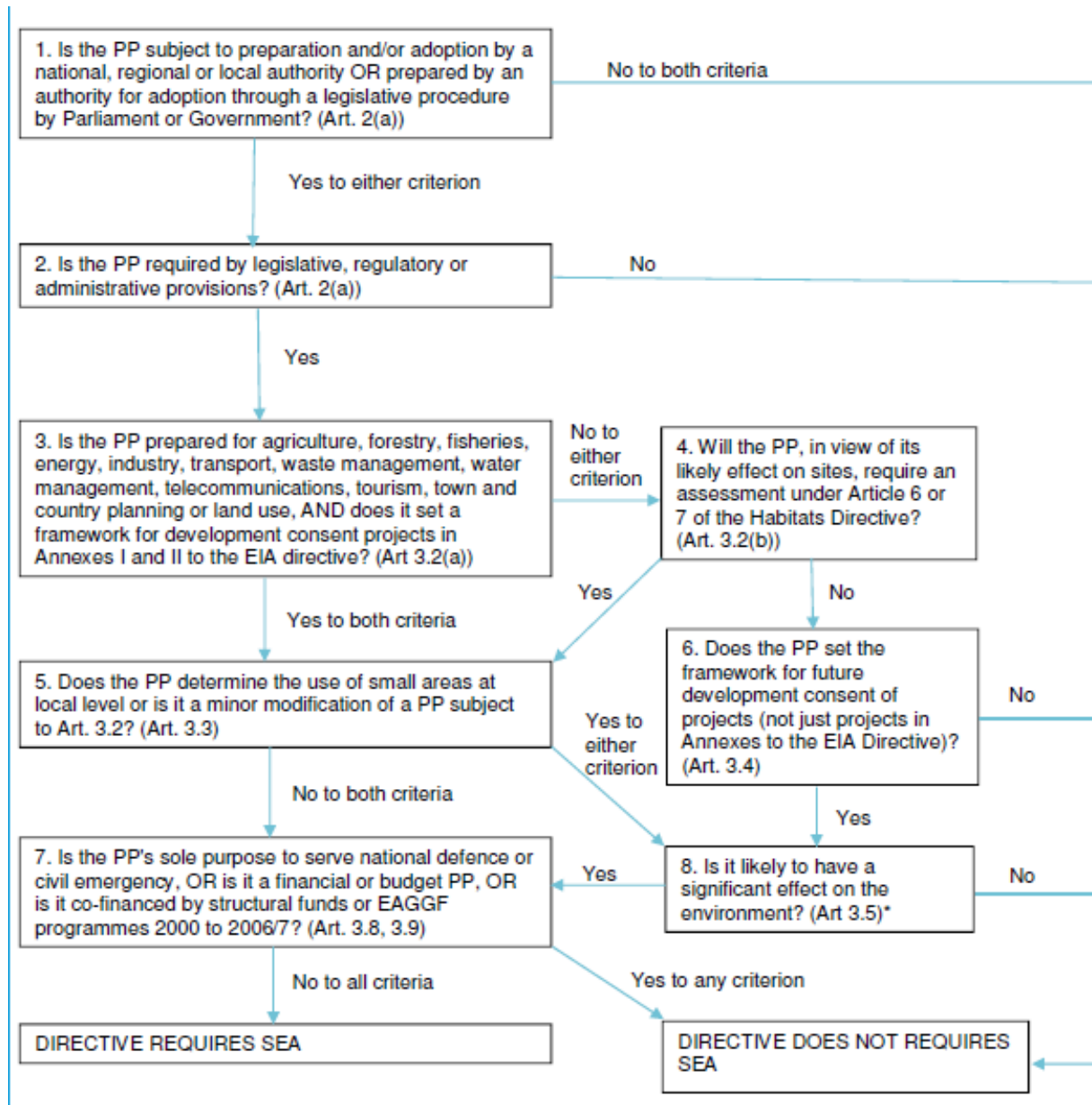


Figure 1. Application of the SEA Directive to plans and programmes (from "A Practical Guide to the Strategic Environmental Assessment Directive", ODPM, 2005).

4.1 The screening process is based upon consideration of standard criteria to determine whether the plan or programme (in this case, the SPD) is likely to have "significant environmental effects" and therefore require a full SEA Environmental Report. The three consultation bodies (Historic England,

Environment Agency and Natural England) will be consulted to determine whether they agree with the conclusion of this screening assessment.

- 4.2 Should it be determined by the local authority and consultation bodies that a full SEA does need to be undertaken, the Council will need to undertake the Scoping stage of SEA.
- 4.3 The methodology for the SEA screening assessment is set out in A Practical Guide to the Strategic Environmental Assessment Directive (ODPM, 2005).
- 4.4 To establish whether an SPD requires SEA, a screening assessment is required against a series of criteria set out in the SEA Directive. **Figure 1** sets out the screening process and how a plan should be assessed against the SEA Directive criteria.
- 4.5 Assessing the significance of the environmental effects that this SPD will have depends on the provisions 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 2**.

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 2: Criteria for assessing significance

- 4.6 The SEA screening assessment is therefore split into two parts. Part 1 runs the SPD 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 SPD against these criteria is set out in **Tables 3** and **4** of this report.

Part 1 – Application of the Directive to the SPD

Table 3. Establishing the need for SEA by following the flowchart in Figure 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))	Yes (proceed to Q2)	The SPD will be adopted by Guildford Borough Council and will be a material consideration in planning decisions.
2.	Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes (Yes when 'made' so proceed to Q3)	SPDs are optional; there is no legislative or regulatory requirement to prepare them. This particular SPD has been produced primarily to supplement Policy P2 of the LPSS and provide further guidance on how the exceptions listed in paragraphs 149 and 150 of the NPPF will be interpreted in relation to whether a proposal can be considered to constitute 'not inappropriate' development.
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))	Yes and no Yes to both criteria (proceed to Q5)	Whilst the SPD has been prepared for town and country planning purposes, it is a guidance document for adopted policy and does not set out new policy. The policy that the SPD supplements has already been subject to SA/SEA in the development of the Local Plan document. The SPD does not set a framework for future development consent of projects in Annexes I and II – this is set by the policy.
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))	No	The policy that the SPD supplements has already been subject to Habitats Regulations Assessment. An HRA screening is provided in this document which finds that the SPD will not lead to likely significant effects under the Habitats Directive.
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)	No	The PP does not determine the use of small areas at local level and is not a minor modification of a PP subject.
6.	Does the PP set the framework for future development consent of	Yes	The SPD provides further guidance to supplement policy P2 in the Local Plan and does not constitute new policy, it

	Stage	Yes/No	Justification
7.	projects (not just projects in annexes to the EIA Directive)? (Art 3.4)		therefore does not set a framework. Rather, it will be used to guide the implementation and application of existing policy.
	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	Not applicable.
	8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	The purpose of the SPD is to provide guidance to assist in the interpretation of Policy P2 in the Local Plan. The relevant policies were subject to SEA (incorporated within the Sustainability Appraisal) through the respective Local Plan processes, and no significant effects were expected. Therefore, the SPD will not itself have any significant effects on the environment.
			SPD does not require SEA.

Part 2 – Likely significant effects on the environment

- 4.7 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 SPD would trigger the need for a full assessment.

Table 4. Assessing Likely Significant Effects (LSE)

SEA Directive Criteria	Yes/No	Justification
1. The Characteristics of Plans and Programmes, having regard, in particular, to:		
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	No	The SPD will not set a framework for other projects or activities. It will provide additional guidance on existing policy within the Local Plan that have been subject to SEA (concluding no significant effects expected)
b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	No	The Local Plan documents provide the adopted policies which the SPD will supplement. The SPD only expands and provides guidance on policy within the Local Plan and does not introduce new policy. The SPD will be at the bottom of the hierarchy and will have no influence on the documents above it.
c) The relevance of the plan or programme for the integration	No	The SPD will contribute to sustainable development by providing more detail and guidance to support Policy P2

SEA Directive Criteria	Yes/No	Justification
of environmental considerations in particular with a view to promoting sustainable development		in the Local Plan. The policies within the Local Plan are not expected to have any significant effects on the environment. The SPD provides further guidance on how policies in the LPSS and NPPF will be applied in practice, providing clarity over what development is permissible in the Green Belt. In this context, the guidance will make an important contribution in realising sustainable development, in accordance with the strategy set out in the Local Plan.
d) Environmental problems relevant to the plan or programme	No	The policy within the Local Plan that the SPD supplements is not expected to have any significant effects on the environment. The SA/SEA expects overall positive benefits to arise from the Local Plan policies.
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)	No	The SPD is not directly relevant to the implementation of EC legislation such as waste management or water protection.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
a) The probability, duration, frequency and reversibility of the effects	No	The anticipated effects on the sustainability of the borough are expected to be positive. The duration of the effects is difficult to define; the effects will be linked to a planning permission which is (usually) permanent unless superseded by a subsequent permission on the same site.
b) The cumulative nature of the effects	No	The SA/SEA expects overall positive benefits to arise from the Local Plan policies.
c) The transboundary nature of the effects	No	No significant transboundary effects are expected.
d) The risks to human health or the environment (e.g. due to accidents)	No	The SPD does not create any significant risks to human health or the environment.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The SPD 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: (i) special natural characteristics or cultural heritage, (ii) exceeded environmental quality standards or limit values,	No	The anticipated effects on the sustainability of the borough are expected to be positive by providing further guidance on how the exceptions listed in paragraphs 149 and 150 of the NPPF will be interpreted in relation to whether a proposal can be considered to constitute 'not inappropriate' development. The SPD does not in itself allocate any land for development and therefore significant effects on natural characteristics and cultural heritage are unlikely as are significant

SEA Directive Criteria	Yes/No	Justification
(iii) intensive land-use,		effects on air quality, water availability/quality and intensive land use.
g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	No	The anticipated effects on the sustainability of the borough are expected to be positive by providing further guidance on how the exceptions listed in paragraphs 149 and 150 of the NPPF will be interpreted in relation to whether a proposal can be considered to constitute 'not inappropriate' development.
Part 2 Overall Conclusion The	<i>The SPD is unlikely to have significant effects on the environment.</i>	

SEA screening conclusions

- 4.8 The Local Plan: Strategy and Sites (adopted 2019) Policy P2, that the SPD supports, has itself been subject to Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA). As the SPD only provides guidance for this policy, it will not alter the conclusions reached in the Local Plan SA/SEA.
- 4.9 The SPD does not set out new policy.
- 4.10 Applying the guidance set out in "A Practical Guide to the Strategic Environmental Assessment Directive": Assessment Part 1 (table 3) concludes that the SPD Does Not Require SEA, whilst assessment Part 2 (table 4) concludes that there is No Significant Environmental Effects.
- 4.11 On this basis, and taking account of the SA/SEA undertaken at a higher level through preparation of the Local Plan and the effects expected, Guildford Borough Council concludes that the SPD does not require a full SEA to be undertaken.

5. HRA and SEA Screening Consultation

- 5.1 Guildford Borough Council is required to consult with Historic England, the Environment Agency and Natural England on all SEA screening opinions, and with Natural England on all HRA screening opinions, before formally determining whether a strategic environmental assessment and/or HRA appropriate assessment is needed. The conclusions outlined in this document will be sent to the Environment Agency, Natural England and Historic England for consideration and their responses will be included in the final SEA and HRA screening report.
- 5.2 Once the consultation period with the consultation bodies is over, a determination will be made and a statement of reasons will be written and made available. A notice of the determination will be available for public access within 28 days of the date of the determination (in line with SEA Regulation 11). The determination statement will set out the Council's determination under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 on whether or not a Strategic Environmental Assessment is required for the SPD. It will also set out the Council's determination under the Habitats Regulations on whether or not an appropriate assessment is required.

6. Background Documents

- The Conservation of Habitats and Species Regulations 2017. Available at: <http://www.legislation.gov.uk/uksi/2017/1012/contents/made>.
- Designated Sites Natural England. Available at: <https://designatedsites.naturalengland.org.uk/SiteSearch.aspx>
- The Environmental Assessment of Plans and Programmes Regulations 2004. Available at: <http://www.legislation.gov.uk/uksi/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.
- Habitats regulations assessments: protecting a European site guidance. Available at: <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>