

Burpham Neighbourhood Plan (Referendum Version)

Habitats Regulations Assessment Screening

19/10/2015

1. Introduction

- 1.1 Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential implications for European wildlife sites. A 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 need for HRA is set out within the EC Habitats Directive 92/43/EC and transposed into British Law by Regulation 102 of the Conservation of Habitats and Species Regulations (2010) as amended, the 'Habitats Regulations'. In accordance with Article 6 of the Habitats Directive (92/43/EEC) and Regulation 102 of the Habitats Regulations, Guildford Borough Council must determine whether a plan requires Appropriate Assessment.
- 1.2 The legislation sets out a process to assess the potential implications of a plan on internationally designated sites. The first stage of this process is a 'screening' exercise where the details of nearby internationally designated sites are assessed to see if there is the potential for the implementation of the Plan to have an impact on the site.
- 1.3 This statement sets out the Council's determination as to whether Appropriate Assessment is required under Regulation 102 of the Conservation of Habitats & Species Regulations 2010 (as amended).

2. Background

- 2.1 The Burpham Neighbourhood Plan (the plan) is a Neighbourhood Development Plan for the Burpham Neighbourhood Area. The Burpham Neighbourhood Area follows the Burpham ward boundary. Burpham is an urban ward in the north east of Guildford town. The boundary of the Neighbourhood Area may be seen on the map at **Appendix 1**.
- 2.2 Once adopted, the Burpham Neighbourhood Plan will form part of the Development Plan for Guildford Borough, and will be in conformity with the strategic policies in adopted Local Plans for the Borough. The Local Plan has been subject to both Strategic Environmental Assessment and Habitat Regulations Assessment.
- 2.3 Although the plan does not allocate sites, it provides general policies to guide development, so a high level screening assessment has been undertaken.

3. Relevant wildlife sites

3.1 The wildlife sites covered by HRA are:

- Special Protection Areas (SPA) designated under the Birds Directive (79/409/EEC)
- Special Areas of Conservation (SAC) designated under the Habitats Directive (92/43/EEC)
- Ramsar sites

3.2 European wildlife sites relevant to the plan are those within the Thames Basin Heaths Special Protection Area (TBHSPA). Some parts of the TBHSPA are also covered by the SAC designation. There are no Ramsar sites in or near the Burpham Neighbourhood Area.

4. Conservation objectives

4.1 The TBHSPA was designated in March 2005 for its lowland heathland, supporting significant populations of three ground-nesting birds (Nightjar, Woodlark and Dartford Warbler). The conservation objectives of the TBHSPA are to 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;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

Source: European Site Conservation Objectives for Thames Basin Heaths Special Protection Area UK9012141 (Natural England) ¹

5. Potential adverse effects

5.1 The regulations covering the SPA designation require that any plan or proposal should have regard to whether it will adversely affect the integrity of the Special Protection Area.

5.2 Natural England is the statutory body that oversees the protection of the SPA. Natural England's view is that the cumulative effect of further residential development anywhere within 5 kilometres of these protected heathlands has a significant adverse impact on the heaths and the three European protected species of ground nesting birds. The plan area falls within 5km of the TBHSPA (see **Appendix 1**).

5.3 In order to overcome potential adverse effects, which principally arise from the recreational use by local people, Natural England requires:

¹ Available at <http://publications.naturalengland.org.uk/publication/4952859267301376>

- the provision of SANG (Suitable Alternative Natural Greenspace) to attract people away from the SPA and reduce pressure on it
- access management measures and monitoring on the SPA to reduce the impact of people who visit it (SAMM) and
- habitat management of the SPA to improve the habitat for the ground nesting birds.

The approach detailed above is set out in Guildford Borough Council's Thames Basin Heaths SPA Avoidance Strategy 2009-2016².

- 5.4 The South East Plan, brought into force in 2009, included policy NRM6 which formalised the protection of the SPA and the approach in planning policy. While the South East Plan was revoked by central government in 2013, policy NRM6 was saved and remains in force.
- 5.5 Under the terms of this approach, residential development is not permitted unless adequate measures are put in place to avoid or mitigate any potential adverse effects on the SPA.
- 5.6 The following table considers the possibility of adverse effects from each Burpham Neighbourhood Plan policy

BNP Draft Policy	Detail of Policy	Comment	Significant effect likely?
Environment Policies			
B-EN 1: Residential Gardens	Regulation of back garden development	This policy will not lead to development of new dwellings	No
B-EN 2: Public Open Space	Protection of public open space	This policy will not lead to development of new dwellings	No
B-EN 3: Local Green Spaces	Designation of Local Green Space	This policy will not lead to development of new dwellings	No
B-EN 4: Historic Environment	Protection for the historic environment	This policy will not lead to development of new dwellings	No
Future Development Policies			

² Available at http://www.guildford.gov.uk/media/11294/Thames-Basin-Heaths-Special-Protection-Area-Avoidance-strategy-2009---2016/pdf/Thames_Basin_Heaths_Special_Protection_Area_Strategy_2009_-_2016.pdf

BNP Draft Policy	Detail of Policy	Comment	Significant effect likely?
B-FD 1: General Development Standards	Design guidance for new development	This policy could influence the size of dwellings and number of occupants, which could impact on the level of recreational pressure on the SPA.	No – policy NRM6 requires potential impacts on the SPA from new dwellings to be mitigated
B-FD 2: Dwelling Density and Land Use	Regulation of dwelling density	This policy could influence the size of dwellings and number of occupants, which could impact on the level of recreational pressure on the SPA.	No – policy NRM6 requires potential impacts on the SPA from new dwellings to be mitigated
B-FD 3: Improvements to General Infrastructure	Requires the provision of infrastructure	This policy will not lead to development of new dwellings	No
B-FD 4: Water Supply & Sewerage Infrastructure	Requires the provision of infrastructure and flood risk mitigation	This policy will not lead to development of new dwellings	No
B-FD 5: Green Man Site/Aldi Site	Suggests a range of uses for a single development site	This policy could support the development of dwellings on the Green Man site	No – policy NRM6 requires potential impacts on the SPA from new dwellings to be mitigated
Employment Policies			
B-EMP 1: Home Working	Supports working from home	This policy will not lead to development of new dwellings	No
B-EMP 2: Shopping Parades	Regulates change of use for commercial properties	This policy will not lead to development of new dwellings	No
B-EMP 3: Business Accommodation	Regulates change of use for commercial properties	This policy will not lead to development of new dwellings	No
Transport Policies			
B-T 1: Parking Standards	Requires the provision of parking in new developments	This policy will not lead to development of new dwellings	No

BNP Draft Policy	Detail of Policy	Comment	Significant effect likely?
B-T 2C: Cycle Routes	Requires the provision of cycle routes	This policy will not lead to development of new dwellings	No
B-T 2f: Foot Paths	Supports the provision of cycle and foot paths	This policy will not lead to development of new dwellings	No
Community Policies			
B-C 1 Enhancing Community Facilities	Prevents the loss of community facilities	This policy will not lead to development of new dwellings	No
Aspirational Policies (these are not development plan policies)			
B-AT 1: Improvements to Public Transport	Supports improvements to roads, pavements and public transport	This policy will not lead to development of new dwellings	No
B-AT 2: The Railway	Supports the provision of a new railway station	This policy will not lead to development of new dwellings	No
B-AT 3: School Parking	Supports the provision of school parking	This policy will not lead to development of new dwellings	No
B-AT 4: London Road Parade and Kingpost Parade Parking	Supports a free stay limit for parking at the Kingpost parade	This policy will not lead to development of new dwellings	No
B-AC 1: Access to Natural Leisure Facilities	Supports access improvements to Riverside Nature Reserve and Merrow Common	This policy will not lead to development of new dwellings	No
B-AC 2: Improvements to A3	Supports soundproofing on the A3	This policy will not lead to development of new dwellings	No
B-ASE 1: Provision of Schools	Supports the provision of additional school spaces	This policy will not lead to development of new dwellings	No

6. Summary of potential adverse effects

6.1 The Burpham Neighbourhood Plan is not proposing to allocate sites. It has several policies that could influence the number, size and type of dwellings that are delivered,

and this could potentially lead to an increase in the number of people that visit the SPA. However, under the terms of saved policy NRM6 of the South East Plan and the SPA Avoidance Strategy, these impacts must be mitigated through the provision of SANG.

- 6.2 Existing plans and proposals must be considered when assessing new plans or programmes for likely significant effects as they may create 'in combination' effects. The neighbourhood plan must be in general conformity with existing strategic policies in the Development Plan which have been assessed at a higher level to determine possible in-combination effects. Therefore, it is concluded that no significant in-combination likely effects will occur due to the implementation of the plan.

7. Consultation

- 7.1 The Council has provided a copy of this screening report to Natural England. Natural England have advised that they concur with the view that there will be no likely significant effects and there is no need for an Appropriate Assessment .

8. Conclusions

- 8.1 The screening assessment concludes that no likely significant effects are likely to occur with regards to the integrity of the European sites within and around Guildford Borough, due to the implementation of the Burpham Neighbourhood Plan. As such, the Burpham Neighbourhood Plan does not require an Appropriate Assessment to be undertaken.

Appendix 1

