

Lovelace Neighbourhood Plan

Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) determinations

December 18 2019

1. Introduction

- 1.1 This document forms Guildford Borough Council's determination, and the reasons for making the determination, that the Lovelace Neighbourhood Plan 2019-2034 (submission version August 2019):
- a. is not likely to lead to significant environmental effects under the Environmental Assessment of Plans and Programmes Regulations (2004) (SEA regulations) and accordingly does not require an environmental report, and
 - b. is likely to lead to significant environmental effects on the Thames Basin Heaths Special Protection Area (TBHSPA) under the Conservation of Habitats and Species Regulations (2010) (HRA regulations) and accordingly requires an 'appropriate assessment' under those regulations, and that an appropriate assessment has been carried out that demonstrates that as a result of mitigation there will not be any adverse effects on the integrity of European protected sites,

2. Background

Strategic Environmental Assessment

- 2.1 Under European Union Directive 2001/42/EC (the 'SEA Directive') and the Regulation 9(1) of the SEA regulations, the Council must determine whether a neighbourhood plan would be likely to have significant environmental effects and therefore requires an 'environmental report'. Where the Council determines that an environmental report is not required then under Regulation 9(3) the Council must prepare a statement setting out the reasons for that determination.

Habitats Regulations Assessment

- 2.2 Under European Union Habitats Directive 92/43/EC (the 'habitats directive') and Regulation 102 of the Conservation of Habitats and Species Regulations (2010) (the 'Habitats regulations') as amended, the Council is required to determine whether the policies in a neighbourhood plan will be likely to lead to significant effects upon European protected sites of nature conservation importance or Natura 2000 sites. If significant effects are likely, the Council must undertake an 'appropriate assessment' to consider whether mitigation measures would be sufficient to avoid 'significant adverse effects' upon the integrity of the European protected sites.

Basic conditions

- 2.3 Neighbourhood plans must meet the 'basic conditions' set out in the Town and Country Planning Act 1990 (as amended). Compliance with these basic conditions is tested through examination. The basic conditions require that making the plan must not breach, and

otherwise be compatible with, EU obligations, such as those in the SEA and Habitats directives.

3. SEA and HRA screening of the Lovelace Neighbourhood Plan

- 3.1 The Lovelace Neighbourhood Plan (the plan) is a proposed Neighbourhood Development Plan for the Lovelace Neighbourhood Area. The Lovelace Neighbourhood Area follows the boundary of Lovelace ward, which is the same as the area covered by the parishes of Ripley, Ockham and Wisley. Once adopted, the plan will form part of the Development Plan for Guildford Borough.
- 3.2 The neighbourhood area includes a number of sites protected for their environmental value and also an area of land that falls within the TBHSPA. This is a European protected habitat with relevance for HRA. More information about these protected sites can be found in the SEA and HRA screening.
- 3.3 The plan contains a number of policies covering a range of matters but does not allocate sites. The Council commissioned JBA Consulting to undertake SEA and HRA screening assessments of these policies. The screening document is attached at Appendix 1.
- 3.4 The SEA screening assessment concluded that the policies in the plan are not likely to lead to significant environmental effects and, consequently, an environmental report is not required.
- 3.5 The HRA screening assessment concluded that two policies (LNPH1 and LNPH3) could have significant effects upon the TBHSPA and therefore an appropriate assessment was required. The Council produced an appropriate assessment (see Appendix 2) which considered available mitigation and concluded that they would be sufficient to avoid an adverse effect on the integrity of the SPA.

4. Consultation

- 4.1 In accordance with the SEA regulations, the Council consulted on the SEA screening assessment with Natural England, Historic England and the Environment Agency who are the statutory consultees for SEA. The Council also contacted Natural England as the statutory consultee for HRA to consult on the HRA screening assessment and appropriate assessment.
- 4.2 Natural England agreed with the findings of the SEA and HRA screening assessments and the appropriate assessment.
- 4.3 Historic England agreed with the findings of the SEA screening.
- 4.4 The Environment Agency responded with no comment.

5. Conclusion

- 4.5 No objections to the findings of the SEA and HRA screenings or the appropriate assessment were received from the relevant statutory bodies and therefore the Council determines that the plan will not lead to significant environmental effects and accordingly does not require an SEA environmental report, and that it will not lead to adverse effects on the integrity of European protected sites. The reasons for making that determination are set out in the screening assessments and the appropriate assessment.

Appendix 1: SEA and HRA Screening Report

(See next page)

Lovelace Neighbourhood Plan 2019-2034 Strategic Environmental Assessment and Habitat Regulations Assessment

Screening Report

August 2019

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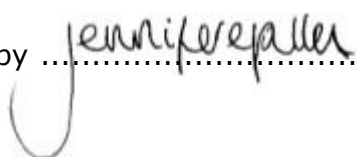
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Contract

This report describes work commissioned by Dan Knowles, on behalf of Guildford Borough Council, by an email dated 17th September 2018. Jennifer Pullen of JBA Consulting carried out this work.

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Purpose

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Abbreviations

| | |
|--------|---|
| AONB | Area of Outstanding Natural Beauty |
| CEMP | Construction Environmental Management Plan |
| DCLG | Department for Communities and Local Government |
| ECJ | European Court of Justice |
| EIA | Environmental Impact Assessment |
| EU | European Union |
| GB | Great Britain |
| GBC | Guildford Borough Council |
| HGV | Heavy Goods Vehicle |
| HRA | Habitats Regulations Assessment |
| LNR | Local Nature Reserve |
| LRN | Local Roads Network |
| NPPF | National Planning Policy Framework |
| OPDM | Office of the Deputy Prime Minister |
| PP | Plan or Programme |
| PRoW | Public Right of Way |
| RES | Rural Exception Sites |
| SAC | Special Area of Conservation |
| SANG | Suitable Alternative Natural Greenspace |
| SAMM | Strategic Access Management and Monitoring |
| SEA | Strategic Environmental Assessment |
| SHMA | Strategic Housing Market Assessment |
| SPA | Special Protection Area |
| SSSI | Site of Special Scientific Interest |
| TBHSPA | Thames Basin Heaths Special Protection Area |

UK

United Kingdom

1 Introduction

A Neighbourhood Plan for the Lovelace Ward of Guildford Borough, Surrey which comprises of Ripley, Ockham and Wisley (see Figure 1-1), is currently being produced by the Lovelace Neighbourhood Plan Group. This plan is being prepared under the Localism Act 2011 and in accordance with the Neighbourhood Planning Regulations 2012 (amended 2016). The plan covers a 15-year period from 2019 to 2034 and will put in place planning policies (see Table 3-9) that can be used to influence the outcome of future planning application in the Ward and will sit alongside the current Guildford Borough Local Plan.

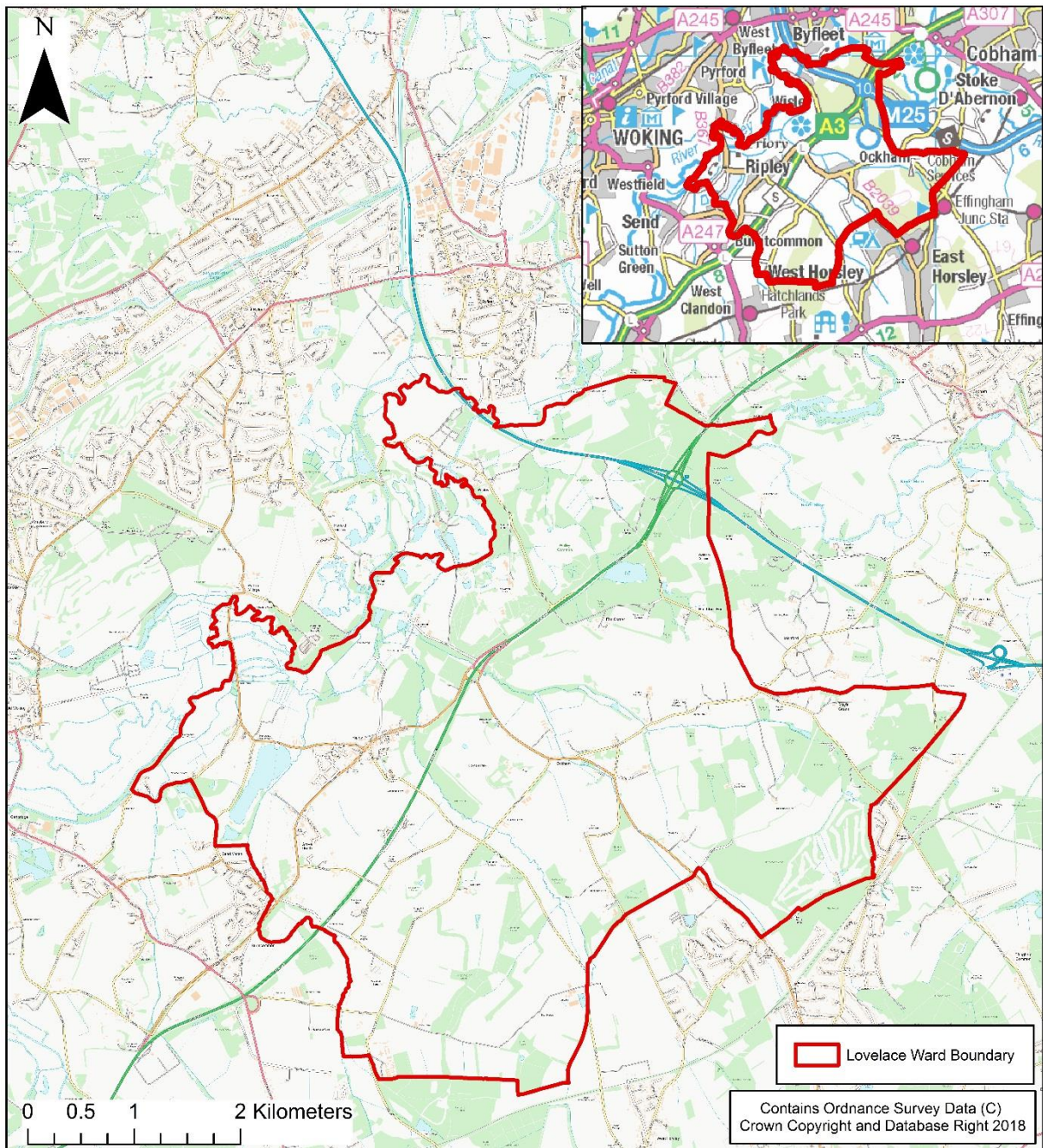


Figure 1-1: Lovelace Ward Boundary.

The primary aims of this Screening Report are to:

- 1) identify whether the Lovelace 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 an around the ward of Lovelace as part of a Habitats Regulations Assessment (HRA).

The above two aims of this Screening Report are closely interlinked, with the HRA providing supporting evidence for the conclusions reached within the SEA. For clarity and ease of reference this report contains the assessments and conclusions required for both the SEA and the HRA.

2 Legislative Regime

2.1 Strategic Environmental Assessment

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

The Regulations form the basis by which all SEAs are carried out to assess the effects and impacts of certain plans and programmes on the environment. Detailed practical guidance on these Regulations can be found in the Office of the Deputy Prime Minister (ODPM) Government publication, *A Practical Guide to the Strategic Environmental Assessment Directive* (ODPM, 2005). This document has been used as the basis for undertaking this Screening Report, in conjunction with the SEA Regulations.

It is a basic condition of producing a Neighbourhood Plan that EU obligations, as incorporated into UK law, are met; this includes those of the SEA Directive. In some limited circumstances, where a Neighbourhood Plan is likely to have significant environmental effects, it may require a SEA (Planning Practice Guidance, 2015). Draft Neighbourhood Plan proposals should therefore be assessed to determine if they are likely to have significant environmental effects (i.e. through a screening assessment as contained within this report). For example, a Neighbourhood Plan may require an SEA where:

1. sites are allocated for development.
2. the plan area contains sensitive natural or heritage assets that may be affected by the proposals in the plan.
3. 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.

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.

2.2 Habitats Regulations Assessment

European Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) provides legal protection to habitats and species of European importance. The principal aim of this directive is to maintain at, and where necessary restore to, favourable conservation the status of flora, fauna and habitats found at these designated sites (i.e. SACs, SPAs and Ramsar sites). The Directive is transposed into English legislation through the Conservation of Habitats and Species Regulations 2017.

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)"*.

The HRA process is underpinned by the precautionary principle, especially in the assessment of potential impacts and their resolution. If it is not possible to rule out likely significant effects on the evidence available, then it is assumed that a risk may exist and it needs to be addressed in the assessment process, preferably through changes to the proposed measure or through options such as avoidance or control measures. Only once this assessment has been completed can it be concluded that there is no adverse risk to a European site resulting from the plan.

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 Lovelace Neighbourhood Plan is not connected with, or necessary to, the management of European designated sites, it is necessary to undertake a HRA.

3 Habitat Regulations Assessment Screening

3.1 Habitat Regulations Assessment 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 in Table 3-1.

Table 3-1: The HRA Process.

| Stage/Task | Description |
|--|---|
| HRA Task 1 - Screening | <p>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.</p> <p>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.</p> <p>If no likely significant effect is determined, the project or plan can proceed. If a likely significant effect is identified, Task 2 is commenced.</p> |
| HRA Task 2 - Appropriate Assessment | <p>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.</p> <p>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).</p> <p>If no likely significant effect is determined, the project or plan can proceed. If a likely significant effect is identified, task 3 is commenced.</p> |
| HRA Task 3 - Mitigation and Alternatives | <p>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.</p> <p>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.</p> <p>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.</p> |

3.1.1 HRA Task 1 Screening - Methodology

The following section details the methodology of the screening assessment undertaken to identify the likely impacts of the Lovelace 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.

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).

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 draft Screening report.

3.1.2 Limitations

No limitations were encountered.

3.2 European Sites

European sites are often collectively known as Natura 2000 sites. Natura 2000 is an EU-wide network of nature protection areas established under the Habitats Directive. The aim of the network is to assure the long-term survival of Europe's most valuable and threatened habitats and species.

Natura 2000 consists of:

- **Special Areas of Conservation (SACs)** - these are designated under the UK Regulations made under the Habitats Directive to protect those habitat types and species that are considered to be most in need of conservation at a European level (excluding birds).
- **Special Protection Areas (SPAs)** - these are designated under the UK Regulations under the Birds Directive to protect rare and vulnerable birds, and also regularly occurring migratory species.
- **Ramsar sites** - these are wetlands of international importance designated under the Ramsar Convention.

Although not included in the European legislation, as a matter of policy, Ramsar sites in England are protected as European sites. The vast majority are also classified as SPAs and Sites of Special Scientific Interest (SSSIs).

3.2.1 European Sites in and around Lovelace Ward

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 Lovelace Neighbourhood Plan a buffer of 10km has been applied given the relatively small size of the Ward and it is considered that no pathways, including hydrological connections, exist that would impact upon any European sites beyond this extent.

There are no SACs or Ramsar sites located within the Lovelace Ward, however, the Thames Basin Heaths SPA is located within the ward.

There are two SACs, two SPAs and one Ramsar within 10km of Lovelace Ward, these sites are listed in Table 3-2 below, and shown on Figure 3-1.

Table 3-2: European Sites within and adjacent to Lovelace Ward.

| Designation | Site | Distance and Direction at Closest Point to Ward Boundary |
|-------------|------------------------------------|--|
| SAC | Mole Gap to Reigate Escarpment | 5.2km SE |
| SAC | Thursley, Ash, Pirbright & Chobham | 6.7km NW |
| SPA | Thames Basin Heaths | Within the Ward and 3.4km NW |
| SPA | South West London Waterbodies | 7.6km NE |
| Ramsar | South West London Waterbodies | 7.6km NE |

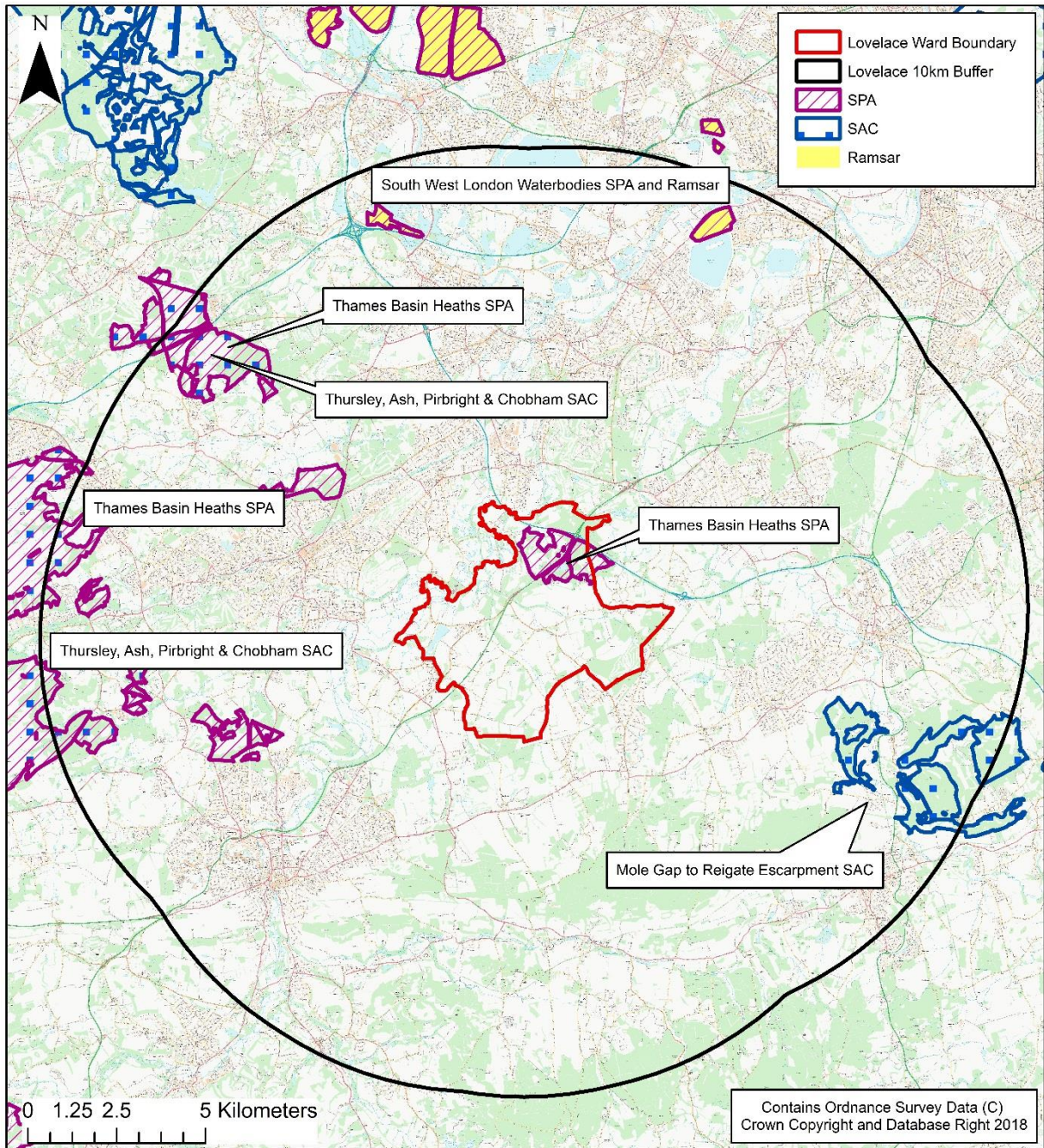


Figure 3-1: Location of European Sites within the Lovelace Ward and a 10km buffer.

Table 3-3: Details of European Sites within 10km buffer around Lovelace Ward (Information from JNCC, 2018; Natural England, 2018).

| European Site | Qualifying Feature (Broad Habitat/Species Groupings) (Environment Agency, 2013) | Qualifying Features and Conservation Objectives | Site Vulnerability |
|-------------------------|---|--|--|
| Thames Basin Heaths SPA | <p>Birds of woodland and scrub</p> <p>Birds of lowland heaths and brecks</p> | <p>During the breeding season:</p> <p>Dartford Warbler <i>Sylvia undata</i>, 445 pairs representing at least 27.8% of the breeding population in Great Britain (Counts as at 1999)</p> <p>Nightjar <i>Caprimulgus europaeus</i>, 264 pairs representing at least 7.8% of the breeding population in Great Britain (Count mean (1998-99))</p> <p>Woodlark <i>Lullula arborea</i>, 149 pairs representing at least 9.9% of the breeding population in Great Britain (Count as at 1997)</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"> • 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. | <p>Public Access/Disturbance</p> <p>Under-grazing</p> <p>Forestry and woodland management</p> <p>Hydrological changes</p> <p>Inappropriate scrub control</p> <p>Invasive species</p> <p>Wildfire/arson</p> <p>Air Pollution: impact of atmospheric nitrogen deposition</p> <p>Feature location/ extent/ condition unknown</p> <p>Military</p> <p>Habitat fragmentation</p> |

| European Site | Qualifying Feature (Broad Habitat/Species Groupings) (Environment Agency, 2013) | Qualifying Features and Conservation Objectives | Site Vulnerability |
|------------------------------------|--|--|---|
| Mole Gap to Reigate Escarpment SAC | <p>Dry woodlands and scrub</p> <p>Dry grassland</p> <p>European dry heaths</p> <p>Amphibia</p> <p>Mammals of woodland habitats</p> | <p>Stable xerothermophilous formations with <i>Buxus sempervirens</i> on rock slopes (<i>Berberidion</i> p.p.) [5110]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (*important orchid sites) [6120]</p> <p><i>Taxus baccata</i> woods of the British Isles [91J0]</p> <p>European dry heaths [4030]</p> <p><i>Asperulo-Fagetum</i> beech forests [9130]</p> <p>Great crested newt <i>Triturus cristatus</i> [1166]</p> <p>Bechstein's bat <i>Myotis bechsteinii</i> [1323]</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitat of qualifying species; • The structure and function (including typical species) of qualifying natural habitats; • The structure and function of the habitats of qualifying species; • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely; • The populations of qualifying species, and, • The distribution of qualifying species within the site. | <p>Disease</p> <p>Inappropriate scrub control</p> <p>Change in land management</p> <p>Public Access/Disturbance</p> <p>Air Pollution: risk of atmospheric nitrogen deposition</p> |

| European Site | Qualifying Feature (Broad Habitat/Species Groupings) (Environment Agency, 2013) | Qualifying Features and Conservation Objectives | Site Vulnerability |
|--|---|--|--|
| Thursley, Ash, Pirbright & Chobham SAC | <p>Wetland heath with cross-leaved heath</p> <p>Dry heath</p> <p>Depressions on peat substrates</p> | <p>Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010]</p> <p>European dry heaths [4030]</p> <p>Depressions on peat substrates of the Rhynchosporion [7150]</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats; • The structure and function (including typical species) of qualifying natural habitats, and • The supporting processes on which qualifying natural habitats rely. | <p>Public Access/Disturbance</p> <p>Under-grazing</p> <p>Forestry and woodland management</p> <p>Hydrological changes</p> <p>Inappropriate scrub control</p> <p>Invasive species</p> <p>Wildfire/arson</p> <p>Air Pollution: impact of atmospheric nitrogen deposition</p> <p>Feature location/ extent/ condition unknown</p> <p>Military</p> <p>Habitat fragmentation</p> |

| European Site | Qualifying Feature (Broad Habitat/Species Groupings) (Environment Agency, 2013) | Qualifying Features and Conservation Objectives | Site Vulnerability |
|--------------------------------------|---|---|--|
| South West London Waterbodies SPA | Birds of lowland freshwaters and their margins | <p>Gadwall <i>Anas strepera</i>, 786 individuals representing at least 2.6% of the wintering Northwestern Europe population (5 year peak mean 1991/2 – 1995/6)</p> <p>Shoveler <i>Anas clypeata</i>, 1,075 individuals representing at least 2.7% of the wintering Northwestern/Central Europe population (5 year peak mean 1991/2 - 1995/6)</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • 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. | <p>Public Access/Disturbance</p> <p>Changes in species distributions</p> <p>Invasive species</p> <p>Natural changes to site conditions</p> <p>Fisheries: Fish stocking</p> <p>Inappropriate weed control</p> <p>Invasive species</p> |
| South West London Waterbodies Ramsar | Birds of lowland freshwaters and their margins | <p>The site qualifies under Ramsar Convention Criteria:</p> <p>Ramsar criterion 6 – species/populations occurring at levels of international importance.</p> <p>Qualifying species/populations:</p> <p>Species with peak counts in spring/autumn:</p> <ul style="list-style-type: none"> • Northern shoveler <i>Anas clypeata</i>, NW & C Europe. 397 individuals, representing an average of 2.6% of the GB population (5 year peak mean 1998/9-2002/3) <p>Species with peak counts in winter:</p> <ul style="list-style-type: none"> • Gadwall <i>Anas strepera strepera</i>, NW Europe. 487 individuals representing an average of 2.8% of the GB population (5 year peak mean 1998/9-2002/3). | |

3.3 Description of the Vision of the Neighbourhood Plan

This section provides a summary of the Lovelace Neighbourhood Plan objectives (July 2019). The objectives and associated policies were developed to summarise the views of residents and stakeholders in the area obtained through public surveys and consultations. These objectives and policies are detailed below in Table 3-4 as displayed in the Lovelace Neighbourhood Plan (July 2019).

Table 3-4: Objectives and policies as detailed in the Lovelace Neighbourhood Plan (July 2019).

| Objectives | Policies |
|---|--|
| Housing | |
| Any development to be located on sites which do not significantly increase car usage, have good public transport, do not have an impact on the European environmentally designated areas and are appropriate to the character and landscape of the area. | Policy LNPH1: Suitability of Development Sites |
| Meet the need of the local housing requirements plus a proportion of the numbers required by the Local Authority. Ensure any major developments provide a mix of housing type to meet the established local need. Provide maximum affordable housing. | Policy LNPH2: Housing Mix |
| Provide housing design and density which are appropriate to the surrounding streetscape and landscape. | Policy LNPH3: Housing Design and Density |
| Environment | |
| Protection of Local Green Spaces of community value. Protection of views which provide an open aspect surrounding the villages. | Policy LNPN1: Local Green Spaces (LGS) and Views |
| Protect and enhance natural habitats and biodiversity. Protect the environmentally designated sites, particularly the European and UK Thames Basin Heath Special Protection Area (TBHSPA) and Sites of Scientific Interest and the Local Authority Sites of Nature Conservation Importance (SNCI). | Policy LNPN2: Biodiversity and Natural Habitats |
| Mitigate surface water flooding, protect vulnerable flood areas and ensure pollution does not enter the TBHSPA. | Policy LNPN3: Flooding |
| Control light pollution in the rural areas. | Policy LNPN4: Light Pollution |
| Reduce the current above legal limits air quality in Ripley. Maintain or improve air quality in the environmentally sensitive locations, e.g. TBHSPA. Avoid significant future traffic in Ripley and LRN. | Policy LNPN5: Air Quality and Traffic |

| Objectives | Policies |
|---|--|
| Infrastructure and Facilities | |
| Avoid pressure on current infrastructure and ensure future infrastructure is in place when needed. | Policy LNPI1: Infrastructure |
| Encourage reduced car usage by ensuring frequent bus services to Woking and Guildford are provided as required. Avoid pollution on the environmentally sensitive sites. | Policy LNPI2: Public Transport and Sustainable Travel |
| Ensure any cycle lanes and footways are safe and well-lit. Avoid increased recreational pressure on the environmentally sensitive sites. | Policy LNP13: Cycling and Walking |
| Ensure all developments include sufficient off-street parking to avoid on-street parking pressure. Ensure domestic and retail premises retain any current off-street parking facilities. Consider additional public parking facilities. | Policy LNPI4: Parking |
| Increase the provision of community facilities to meet the needs of all members of the community. Provide recreational spaces that do not cause harm to the TBHSPA and SNCI. | Policy LNPI5: Provision of Community Facilities |
| Ensure sufficient health and education facilities are available when required and accessible by public transport. | Policy LNPI6: Healthcare and Education |
| Business and Employment | |
| Retain and expand commercial activities in Ripley village centre. Encourage new business where it does not have an adverse effect on residents. | Policy LNPBE1: Commercial and Development |
| Encourage countryside related business which does not significantly increase traffic and does not cause nuisance to neighbouring residents. | Policy LNPBE2: Agricultural and Horticultural Land Use |

3.4 Potential Hazards to 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 Lovelace Ward 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.

3.4.1 Hazards to Sites

The Thames Basin Heaths SPA, located within the Lovelace Ward boundary, mainly consist of woodland and heathland. The European sites located within the 10km buffer mainly consist of dry grassland and heath, dry woodland, and wet heath. Potential hazards to the interest features are identified in Table 3-5 below.

Table 3-5: Potential Hazards to the European sites within the 10km buffer around Lovelace Ward.

| Potential Hazard | Description |
|-------------------------------------|--|
| Habitat loss | This is a loss of habitat within the designated boundaries of a European site. The Thames Basin Heaths SPA is located within the Lovelace Ward boundary. Developments in or adjacent to the boundary of the SPA could result in habitat loss that would impact on the protected area. The Lovelace Neighbourhood Plan details that development adjoining the SPA boundary may be approved and therefore, the Lovelace Neighbourhood Plan currently has a high probability of causing habitat loss within the Thames Basin Heaths SPA. |
| Habitat fragmentation | <p>This is where activities result in the separation of available habitats or split extensive areas of suitable habitat. This hazard is most likely to affect species by disrupting movement corridors. It can also damage the integrity of European Sites by isolating habitats and the species present from other areas, outwith the site boundaries, that are important for certain aspects of their lifecycle.</p> <p>In relation to the Thames Basin Heaths SPA, Natural England (2014b) identifies that fragmentation of the complex means that recovery after adverse impacts such as fires or severe winters is restricted, potentially preventing species from recolonising and this has led to high risk of local extinctions in parts of the complex.</p> |
| Changes in physical regime | These are changes to physical processes that will alter the present characteristics of the European site e.g. fluvial and geomorphological processes, erosion processes, deposition. Development can alter land drainage which leads to changes in physical regime. |
| Physical damage | This includes recreational pressures such as trampling and erosion, and where sites are close to urban areas, other damaging activities may occur such as rubbish tipping, vandalism, arson, and predation (particularly by cats). The inevitable population expansion of the Lovelace ward through development may increase recreational pressures and physical damage to European sites. |
| Habitat/community simplification | Changes to environmental conditions, due to human activities, that result in a reduction and fragmentation of habitats that will reduce biodiversity. Development proposals that may lead to habitat fragmentation should not be approved and the Lovelace Neighbourhood Plan contains several environmental policies aiming to protect the local environment. |
| Disturbance (noise, visual) | Activities which result in disturbance, causing sensitive birds and mammals to deviate from their normal, preferred behaviour. These can be caused by construction activities, recreational/amenity use of an area, traffic etc. Natural England (2014b) identify that the Thames Basin Heaths SPA and Thursley, Ash, Pirbright and Chobham SAC is subject to high levels of recreational use, with dog walkers making up a large proportion of visitors. Similarly, Natural England (2014a) identify increasing population and disturbance impacts as a threat to the Mole Gap to Reigate Escarpment SAC given that Surrey is heavily populated. |
| Competition from non-native species | Activities may cause the introduction or spread of non-native animals and plants which could result in changes to community composition and even to the complete loss of native communities. Natural England (2014b) identify that the Thames Basin Heaths SPA is at risk from the shrubs Rhododendron and Gaultheria. |

| Potential Hazard | Description |
|-----------------------------------|--|
| Change in water levels or table | Activities which may affect surface and groundwater levels, such as land drainage and abstraction, may have adverse impacts on water dependant habitats and species. Natural England (2014b) identify that in certain parts of the Thames Basin Heaths SPA, drainage impacts are damaging. Developments will need to demonstrate adequate and appropriate consideration has been given to water management, which the Lovelace Neighbourhood Plan considers. |
| Changes in water quality | Activities which may impact upon water quality, such as accidental pollution spills, run-off from urban areas, nutrient enrichment from agriculture, and discharge from sewage works, may adversely affect wetland habitats and species. |
| Changes to surface water flooding | Activities may result in a reduction or increase in the frequency and extent of surface water flooding which may affect riverine and floodplain habitats. The Lovelace Neighbourhood Plan has a policy detailing how developments must incorporate Sustainable Drainage Systems (SuDS). |
| Turbidity and siltation | Increases in turbidity within water environments can impact upon aquatic plants, fish and wildfowl due to sedimentation and reduction in penetrable light. |
| Pollution | Activities (e.g. development) may lead to the release of pollutants to the air such as oxides of nitrogen, oxides of sulphur or ammonia, or pollutants deposited on the ground through acidification or terrestrial eutrophication via soil (deposition of nitrogen). Natural England (2014a and 2014b) identify that for both Mole Gap to Reigate Escarpment SAC, Thames Basin SPA and Thursley, Ash, Pirbright and Chobham SAC nitrogen deposition exceeds the site-relevant critical load for ecosystem protection, potentially resulting in harmful effects. |

3.4.2 Qualifying Features and Sensitivity to Hazards

Table 3-6 below, shows the qualifying features of the European sites within the 10km buffer around Lovelace Ward and identifies the hazards to which they are potentially sensitive (see Table 3-3).

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 3-6: Sensitivity of European Sites to Potential Hazards.

| | Potential Hazards | | | | | | | | | | | |
|---|-------------------|-----------------------|----------------------------|-----------------|--------------------------------------|-----------------------------|-------------------------------------|---------------------------------|--------------------------|-----------------------------------|-------------------------|-----------|
| | Habitat loss | Habitat fragmentation | Changes in physical regime | Physical damage | Habitat/ community simplification | Disturbance (noise, visual) | Competition from non-native species | Change in water levels or table | Changes in water quality | Changes to surface water flooding | Turbidity and siltation | Pollution |
| Mole Gap to Reigate Escarpment SAC | | | | | | | | | | | | |
| Dry woodlands and scrub | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | ✓ |
| Dry grassland | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | ✓ |
| European dry heaths | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | ✓ |
| Amphibia | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Mammals of woodland habitats | ✓ | ✓ | | ✓ | ✓ | ✓ | | | | | | ✓ |
| Thames Basin Heaths SPA | | | | | | | | | | | | |
| Birds of woodland and scrub | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | | | | | |
| Birds of lowland heaths and brecks | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | | | | | |
| Thursley, Ash, Pirbright & Chobham SAC | | | | | | | | | | | | |
| Northern Atlantic wet heaths | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | ✓ |
| European dry heaths | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | ✓ |
| Depressions on peat substrate | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | ✓ |
| South West London Waterbodies SPA | | | | | | | | | | | | |
| Birds of wetland habitats | ✓ | ✓ | | | ✓ | ✓ | | ✓ | | | | ✓ |
| South West London Waterbodies Ramsar | | | | | | | | | | | | |
| Birds of wetland habitats | ✓ | ✓ | | | ✓ | ✓ | | ✓ | | | | ✓ |

3.5 Other Relevant Plans 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 or 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 3-7 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 Lovelace Neighbourhood Plan. The National Infrastructure Planning system has been reviewed and one project was identified (M25 Junction 10/A3 Wisley Interchange) which is discussed in the below table (Table 3-7).

Table 3-7: Other Plans and Projects.

| Plan/Project | Potential In-combination Effects |
|--|--|
| National Planning Policy Framework (NPPF) (June, 2019) | <p>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.</p> <p>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.</p> <p>The presumption in favour of sustainable development, enshrined within the NPPF, does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.</p> |
| Guildford borough Local Plan Strategy and sites 2015-2034 (Adopted 2019) (Guildford Borough Council, 2019) | <p>The Guildford Local Plan (2019) contains a number of policies relating to housing, infrastructure, cultural heritage, recreation and the environment.</p> <p>The Lovelace Neighbourhood Plan forms part of the Development Plan alongside the Local Plan for Guildford as soon as it passes referendum. The Lovelace Neighbourhood Plan must conform with the Local Plan's strategic policies in order to be adopted.</p> <p>The Guildford Local Plan has proposed several sites for housing development, detailed in the Lovelace Neighbourhood Plan. Two large sites have been proposed which are located within the Lovelace Ward boundary, these are Three Farm Meadows (Former Wisley Airfield) and Garlicks Arch. The Guildford Local Plan propose this site to include approx. 2000 C3 homes, a primary school and new community services. Garlick's Arch proposes approx. 550 homes and 6 travelling show-people plots.</p> <p>These proposed developments could have an in-combination effect with the Lovelace Neighbourhood Plan, however, the Guildford Local Plan contains a policy (P5) which relates directly to the protection of the Thames Basin Heaths</p> |

| Plan/Project | Potential In-combination Effects |
|--|---|
| | <p>SPA and Policy ID4 provides protection to SPA, SAC, SSSI, LNR and SNCI. Furthermore, Policy P5 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.</p> <p>Therefore, it is considered that these developments would not be granted planning permission if an adverse impact upon European designated sites was anticipated.</p> |
| <p>Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 Supplementary Planning Document (Guildford Borough Council, 2017)</p> | <p>This document was adopted on 18th July 2017 and replaces the earlier Thames Basin Heaths SPA Avoidance Strategy 2009-2016.</p> <p>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 Lovelace Neighbourhood Plan may result in adverse impacts on the SPA and this is taken into account throughout this HRA.</p> |
| <p>The South East Plan – Regional Spatial Strategy for the South East 2009</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.</p> <p>Policy NRM6 relates to new residential development which is likely to have a significant effect on the ecological integrity of the Thames Basin Heaths SPA. Any development which may impact upon the SPA is required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effect, and these measures must be agreed with Natural England.</p> <p>Policy NRM6 advocates directing development to areas where potential adverse effects can be avoided without the need for mitigation. However, where mitigation measures are required three principles are set out, including:</p> <ol style="list-style-type: none"> 1. A zone of influence set at a 5km linear distance from the SPA boundary is established where measures must be taken to ensure that the integrity of the SPA is protected. 2. Within this zone of influence there will be a 400m 'exclusion zone' where mitigation measures are unlikely to be capable of protecting the integrity of the SPA. In exceptional circumstances, this may vary with the provision of evidence to demonstrate that the integrity of the SPA will be protected. These locally determined zones will be set out in local development frameworks and agreed with Natural England. 3. Where development is proposed outside the exclusion zone, but within the zone of influence, mitigation measures will be delivered prior to occupation and in perpetuity. Measures will be based on a combination of access management, and the provision of Suitable Accessible Natural Greenspace (SANG). |

| Plan/Project | Potential In-combination Effects |
|---|--|
| | <p>Policy NRM6 also details the requirements of SANG provision, namely;</p> <ol style="list-style-type: none"> 1. A minimum of eight hectares of SANG land (after discounting to account for current access and capacity) should be provided per 1,000 new occupants. 2. Developments of fewer than 10 dwelling should not be required to be within a specified distance of SANG land provided it is ensured that a sufficient quantity of SANG land is in place to cater for the consequent increase in residents prior to occupation of the dwellings. 3. Access management measure will be provided strategically to ensure that adverse impacts on the SPA are avoided and that SANG functions effectively. 4. Authorities should co-operate and work jointly to implement mitigation measures. These include, inter alia, assistance to those authorities with insufficient SANG land within their own boundaries, co-operation on access management and joint development plan documents. 5. Relevant parties will co-operate with Natural England and landowners and stakeholders in monitoring the effectiveness of avoidance and mitigation measures and monitoring visitor pressure on the SPA and review/amend the approach set in this policy, as necessary. 6. Local authorities will collect developer contributions towards mitigation measures, including the provision of SANG land and joint contributions to the funding of access management and monitoring the effects of mitigation measures across the SPA. 7. Large developments may be expected to provide bespoke mitigation that provides a combination of benefits including SANG, biodiversity enhancement, green infrastructure, and potentially, new recreational facilities. <p>Where further evidence demonstrates that the integrity of the SPA can be protected using different linear thresholds or with alternative mitigation measures (including standards of SANG provision different to those set out in this policy) these must be agreed with Natural England.</p> <p>This policy provides a framework for the protection of the Thames Basin Heaths SPA and will therefore help to prevent adverse in-combination effects with other plans, policies and programmes implemented in the region. The Lovelace Neighbourhood Plan will have to ensure that its policies are consistent with the requirements of policy NRM6.</p> |
| <p>Send Ward Neighbourhood Development Plan (Send Parish Council, 2019)</p> | <p>The ward of Send abuts the western extent of Lovelace Ward. The Send Neighbourhood Development Plan is currently in draft and is under public consultation. The Neighbourhood Plan will undergo a Habitat Regulations Screening Assessment and will have to adhere to the policies detailed in the GBC Local Plan. It is therefore considered that there will be no in-combination effects.</p> |
| <p>Clandon and Horsley Ward (GBC, 2018)</p> | <p>Clandon and Horsley Ward abut the southern extent of the Lovelace Ward.</p> <p>The East Horsley Neighbourhood Plan was screened before the ECJ case "People over Wind" and likely significant effects were screened out on the basis that SANG would mitigate for likely significant effects for policies EH-H8 and EH-H9. Prior to adoption, the implications of "People over Wind" came into force and therefore, the East Horsley Neighbourhood Plan was subject to an Appropriate Assessment which determined no adverse effects on the integrity off the SPA. The East Horsley Neighbourhood Plan was adopted by GBC on the 24th July 2018.</p> <p>The West Horsey Neighbourhood Plan was adopted in December 2018 and no likely significant effects were determined.</p> |

| Plan/Project | Potential In-combination Effects |
|---|---|
| | <p>West Clandon has recently been designated as a neighbourhood area and are at the early draft stage for developing a Neighbourhood Plan. This Neighbourhood Plan will be subject to Habitat Regulations Assessment.</p> |
| <p>Woking Local Development Document (2012)</p> | <p>The Woking development plan, also known as Woking 2027, contains a number of policies relating to the environment, housing, sustainable infrastructure, heritage, and renewable energy.</p> <p>The Woking development plan contains policies which provide protection to European designated sites (Policy CS7) and has a policy solely for the Thames Basin Heaths SPA (Policy CS8) and supports that 'no sites are allocated or granted planning consent for (net) new residential development within the 400 metres exclusion zone of the Thames Basin Heath SPA'.</p> |
| <p>M25 Junction 10/A3 Wisley Interchange</p> | <p>Highways England are currently applying for planning consent to improve the M25 at Junction 10 to reduce congestion and support planned growth. This scheme was included as one of the key investments in the Governments Road Investment Strategy (2014). It will involve enlarging the current roundabout, increasing Junction 10 to four lanes from three lanes, and widening the A3 from Ockham to M25 Junction 10. The construction works are due to start on March 2020.</p> <p>This junction of the M25 is within the Lovelace Ward boundary, located to the east of Wisley, and has been acknowledged in the Lovelace Neighbourhood Plan. Environmental mitigation and compensation measures will be included within the development, including replacement land to offset any impacts on the adjoining Ockham and Wisley Commons SSSI (Highways England, 2017).</p> <p>The Environmental Scoping report (Highways England, 2017) discusses the requirement of a Habitats Regulations Screening assessment and have been undergoing consultation with Natural England. During the assessment stage further surveys such as bird population surveys, noise levels, and likely disturbance will be undertaken. The Environmental Scoping report discusses relevant local plans (e.g. GBC Local Plan, Woking Core Strategy and Surrey Transport Plan) and therefore will adhere to the policies detailed in these plans. Several environmental mitigation measures within the Environmental Scoping report (Highways Agency, 2017) have been detailed and ecological surveys are still ongoing.</p> <p>This major infrastructure project is likely to have potential in-combination effects with the Lovelace Neighbourhood Plan and therefore will be discussed further in the Screening Assessment.</p> |
| <p>RHS Wisley Expansion</p> | <p>RHS Wisley are currently undergoing an expansion and the works are due to end in 2021. The expansion aims to increase the annual visitors from 1 million to 1.4 million by 2024-25. This expansion will likely increase traffic pressures within the Lovelace Ward, however, it may provide an indirect benefit for European designated sites by reducing visitor pressure.</p> |
| <p>Drift Golf Club</p> | <p>The Drift Golf Club in Ockham is undergoing re-development. This project has not yet commenced but is proposed to take nine months and will increase traffic during works. It is not expected that the re-development of this golf club will lead to any in-combination effects with the Lovelace Neighbourhood Plan.</p> |

3.6 Screening Assessment

This section considers the objectives identified in the Lovelace Neighbourhood Plan (July 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 3-9.

Taking into account the location of the European Sites in relation to Lovelace Ward 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 3-9. Full wording of the policies and proposals can be found within the Lovelace Neighbourhood Plan (July 2019). The assessment criteria used against each of the policies in the Plan is provided in Table 3-8.

Table 3-8: Scoring criteria.

| Effects on European Sites | Abbreviation |
|---------------------------|--------------|
| Positive impact | + |
| No impact | 0 |
| Negative impact | - |
| Unknown or uncertain | U |

It should be noted that the current Lovelace Neighbourhood Plan (July 2019) does not allocate any specific sites for development, it provides only planning policies that can be used to influence the outcome of future planning applications in the Ward, and will sit alongside the current Guildford Borough Council Local Plan.

Table 3-9: Assessment of Lovelace Neighbourhood Plan Objectives and Policies on European Sites.

| Policies and Proposals | Policy Summary* | Assessment of likelihood of significant effects | Significant effects | |
|------------------------|---|--|---|---|
| Housing | LNPH1: Suitability of Development Sites | <p>This policy aims to ensure new development is sensitive to their surroundings, environment and to the character of the wider area. The policy details 11 bullet points where new development in Lovelace will be supported. For example, new development in Lovelace will be supported where:</p> <ul style="list-style-type: none"> - Residential development is not located within 400m of the Thames Basin Heaths SPA (TBHSPA). - New residential development should not have an adverse impact on the TBHSPA. - Does not result in the loss of a Local Green Space or community facilities. - Other than permitted development, it does not result in the loss of existing viable employment sites. | <p>This policy aims to ensure new developments do not harm the environment or impact the historical characteristics of the Ward. Any developments within the conservation areas that will result in the loss of a Local Green Space will not be permitted.</p> <p>Although the Policy does state that new development should not have an adverse impact upon the TBHSPA. As the Lovelace Ward is within close proximity to TBHSPA, any future developments will have to adhere to the Thames Basin Heaths SPA Avoidance Strategy and provide a SANG to avoid recreational pressure upon the TBHSPA. This is considered a mitigation measure and therefore will have to be discussed at the next HRA stage.</p> <p>As the neighbourhood plan does not detail specific development sites, the Lovelace Ward will need to ensure that future development proposals do not conflict with the replacement land that has been proposed for the M25 Junction 10 improvement works (Highways England, 2017).</p> <p>It is considered that this policy will result in likely significant effects upon European designated sites.</p> | U |

| | | | | |
|--|---------------------------------------|---|---|----------|
| | <p>LNPH2: Housing for All</p> | <p>This policy states that development proposals should meet the needs of the local community. For major developments of 10+ dwellings the following mix of dwelling size is recommended:</p> <ul style="list-style-type: none"> - The 40% affordable homes element of Major sites should provide the following mix of affordable homes: - A minimum of 25% will be three-bedroom dwellings - A minimum of 25% will be two-bedroom dwellings - A maximum of 25% will be one-bedroom dwellings - Developments in Lovelace of 5 or more dwellings comprise a mix of market value and affordable housing, with a minimum of 40% to be affordable. - On developments of between 6 and 10 dwellings, or more than 1,000 square metres of internal floor space, a financial contribution in line with Local Plan policy H2(2a) may be payable to GBC for the provision of new affordable homes by | <p>As this policy is concerned with mix housing types within developments, and not development per se, with no specific areas allocated for development, there will be no likely significant effects upon the European designated sites as a result of this policy.</p> | <p>0</p> |
|--|---------------------------------------|---|---|----------|

| Policies and Proposals | Policy Summary* | Assessment of likelihood of significant effects | Significant effects |
|------------------------|--|---|--|
| | | <p>GBC in the Lovelace Ward as an alternative.</p> <ul style="list-style-type: none"> - Rural Exception Sites may include a limited proportion of market housing. - New housing developments, including Rural Exception Sites, should not have an adverse impact on the TBHSPA. | |
| | <p>LNPH3: Housing Design and Density</p> | <p>This policy details that developments will be supported if they are well designed, enhance the special qualities of each area, and are sympathetic to local character and history. The policy details 16 bullets that developments will have to adhere to. The 16 points are primarily about the overall character of the development, ensuring suitable amenity space is provided and maximum dwelling density.</p> | <p>This policy is concerned with the design, density and character of housing to ensure the developments are sympathetic to the local character and history. The policy does not mention any allocated development sites, but it does limit the number of dwellings to 40 per hectare within the Ripley and Wisley settlement boundaries.</p> <p><u>Recreational Pressure</u></p> <p>The policy supports development subject to certain criteria, including that it does not increase recreational pressure on the TBHSPA. Where this policy results in new housing, an increase in recreational pressure will be avoided through the provision of SANG in accordance with adopted policy and the Thames Basin Heaths SPA Avoidance Strategy.</p> <p>SANG mitigation measures cannot be assessed at this stage. An Appropriate Assessment is required.</p> <p><u>Air Quality</u></p> <p>Currently, no sites have been allocated for development and therefore, specifics are unknown (e.g. distance from European designated site, population increase) and cannot be assessed. Air quality could be negatively impacted upon due to</p> |

| Policies and Proposals | Policy Summary* | Assessment of likelihood of significant effects | Significant effects |
|------------------------|-----------------|--|---------------------|
| | | <p>increased population and the following European designated sites within 10km of the Ward are vulnerable to air pollution:</p> <ul style="list-style-type: none"> - Thursley, Ash, Pirbright and Chobham SAC - Mole Gap to Reigate Escarpment SAC - Thames Basin Heaths SPA <p>However, policy LNPEN5 will ensure air quality is not negatively impacted upon due to developments for both temporary and permanent works affording protection to other European designated sites.</p> <p>An Appropriate Assessment is not required.</p> | |

| Policies and Proposals | | Policy Summary* | Assessment of likelihood of significant effects | Significant effects |
|------------------------|---|---|---|---------------------|
| Environment | LNPEN1: Local Green Spaces and Local Views | <p>Developments are not supported where:</p> <ul style="list-style-type: none"> - They result in negative impacts upon Local Green Spaces. - Result in the loss of any LGS unless it is ancillary to and supports existing use of the site, such as on cricket pitches where a pavilion is needed. - They link together individual settlement areas or hamlets within Lovelace or surrounding parishes. - Increased population density would have an adverse impact upon European Designated sites due to recreational visitor pressure. - They adversely impact on existing landscape character and the views across the LNP area both from within and from outside the area. | <p>This policy provides protection to LGS, stating that developments will not be supported should they result in negative impacts upon LGS. Additionally, the policy states that should a development lead to adverse impacts upon European designated sites due to recreational pressure the development will not be permitted.</p> <p>It is therefore considered that this policy will not lead to likely significant effects upon European designated sites.</p> | 0 |

| Policies and Proposals | Policy Summary* | Assessment of likelihood of significant effects | Significant effects | |
|------------------------|--|---|---|---|
| | <p>LNPEN2: Biodiversity and Natural Habitats</p> | <p>This policy stipulates that all proposed developments must encourage local biodiversity and demonstrate that developments will deliver net gains to wildlife, biodiversity and the landscape.</p> <p>The policy states 10 bullet points which provide protection to the TBHSPA, ensures developments will not lead to loss or harm to protected species, and ensure species-rich landscape features are retained and enhanced.</p> | <p>This policy will not permit development that will increase recreational use of the TBHSPA. It provides protection to the local habitats and will ensure there is no negative impact upon the landscape and biodiversity within Lovelace.</p> <p>Furthermore, this policy states that any new development must take into consideration the M25/A3 Junction 10 upgrade and ensure the replacement Thames Basin Heaths SPA land is not impacted upon.</p> <p>This policy will not lead to likely significant effects upon European designated sites.</p> | 0 |
| | <p>LNPEN3: Flooding</p> | <p>This policy states that all development proposals should ensure that adequate and appropriate consideration has been given to mitigating flood risk in Lovelace. The policy details that all flooding measures must be designed to avoid adverse impacts on the TBHSPA.</p> | <p>This policy is concerned with flooding and ensuring appropriate flood management has been taken into consideration with new development.</p> <p>This policy does state that flooding measures must be designed appropriately to avoid adverse impacts on the TBHSPA, but there are other European designated sites within 10km of the Lovelace ward boundary and therefore, these European designated sites will also need to be considered. In particular, Thursley, Ash, Pirbright and Chobham SAC which is vulnerable to hydrological changes is located within 6.7km.</p> <p>However, the policy states that developers will be required to provide a Water Management Plan and Flood Risk Assessment for major developments (i.e.</p> | 0 |

| Policies and Proposals | Policy Summary* | Assessment of likelihood of significant effects | Significant effects |
|------------------------|--------------------------------|--|---------------------|
| | | <p>10+ dwellings, or commercial: 250sqm+).</p> <p>It is considered that although other European designated sites have not been considered within this policy, the measures put in place to avoid adverse impacts on the TBHSPA will provide protection to other European designated sites. Additionally, Thursley, Ash, Pirbright and Chobham SAC is located 6.7km north-west from Lovelace ward and is upstream of the waterbodies, specifically the Wey (Shalford to River Thames confluence at Weybridge) (Environment Agency, 2019) within Lovelace ward.</p> <p>It is, therefore, assessed that this policy will have no likely significant effects upon European designated sites.</p> | |
| | <p>LNPEN4: Light Pollution</p> | <p>All developments will conform to the Dark Skies principles (see Lovelace Neighbourhood Plan). The policy details that external lighting must not significantly harm wildlife and major developments must include 'part-night lighting'.</p> | <p>0</p> |

| Policies and Proposals | Policy Summary* | Assessment of likelihood of significant effects | Significant effects | |
|------------------------|--|--|---|---|
| | <p>LNPEN5: Air Quality and Traffic</p> | <p>Planning proposals which actively encourage the transition to a low carbon future and demonstrate that air quality will not significantly deteriorate will be supported.</p> <p>Developments which would have an adverse impact on European designated sites will not be supported.</p> <p>This policy details 6 bullet points that major developments must adhere to when applying for planning. These points will ensure air quality and traffic movements are controlled and suitable for the proposed location.</p> | <p>As this policy is concerned with air pollution and traffic and ensuring that all proposed developments, during and after construction, abide to relevant UK and EU law, it is not considered to have an impact upon European designated sites. Furthermore, this policy details that major developments must provide an Ecological Assessment and a CEMP.</p> <p>The proposed M25 Junction 10 development and two proposed large residential developments (Garlick’s Arch and Three Farm Meadows) proposed by GBC Local Plan (adopted 25th April 2019) are likely to increase road users within the Lovelace Ward. However, this policy will ensure that air pollution is sufficiently monitored and therefore, it is assessed that this policy will not have a likely significant effect upon European designated sites.</p> | 0 |

| | | | | |
|--------------------------------------|------------------------------|--|--|----------|
| <p>Infrastructure and Facilities</p> | <p>LNPI1: Infrastructure</p> | <p>All developments where new or improved infrastructure is required must ensure:</p> <ul style="list-style-type: none"> - The provision is delivered prior to occupation. - Infrastructure improvements are delivered at each stage of the development to allow for population growth. - Proposals for infrastructure must not lead to adverse impacts upon the TBHSPA. - Provision of a joined up sustainable public transport network. - All roads and footways within the development are paved prior to occupation to ensure safe walking and cycling routes. - Fast broadband infrastructure provided prior to occupation. - Sufficient sewage facilities do not pollute existing or new waterways or the TBHSPA. - Piped gas is provided to new dwellings | <p>This policy is concerned with ensuring that developments provide suitable infrastructure to support the local population. Improving or developing new road networks could lead to habitat fragmentation of other European designated sites if not appropriately designed and mitigated for. However, policy LNPEN2 states that developers must demonstrate measurable net gains to wildlife and biodiversity and the policy details that there should be “no significant loss or harm to protected species or other priority species”. It is therefore considered that other policies within the LNP will ensure protection of habitats and species and therefore, no likely significant effects upon European designated sites are anticipated due to this policy.</p> | <p>0</p> |
|--------------------------------------|------------------------------|--|--|----------|

| Policies and Proposals | Policy Summary* | Assessment of likelihood of significant effects | Significant effects |
|------------------------|---|---|---|
| | <p>LNPI2: Public Transport and Sustainable Travel</p> | <p>where possible.</p> <p>Developments will be supported which reduce the need for car use and offer sustainable public transport choices that increase, or otherwise support, the delivery of public transport services in perpetuity, where:</p> <ul style="list-style-type: none"> - All major developments submit a Green Travel Plan. - Provision of public transport should be directed away from the European designated sites. - All major developments should be located within 500m of a regular bus service. - Major developments should provide public electric car-charging points with a minimum of 1 per dwelling. - Major developments will provide car parking spaces for commuter car-sharing. | <p>This policy details that all significant developments must submit a Green Travel Plan and ensure suitable public transport services are available. It is considered this policy will not have a likely significant effect upon European designated sites.</p> <p>0</p> |

| Policies and Proposals | Policy Summary* | Assessment of likelihood of significant effects | Significant effects |
|-------------------------------|---|---|---------------------|
| LNPI3: Cycling and Walking | <p>All developments are required to provide footpaths within the development. Major developments will provide safe and convenient walking and cycling links to nearby facilities.</p> <p>a) The provision or improvement of footpaths and cycleways should be directed away from the European designated sites and must not lead to adverse impacts upon the TBHSPA, including through increased visitor pressure.</p> <p>b) CIL funds be used to secure the provision of, or contribute towards, improvements to safe walking and cycling to local facilities.</p> | <p>This policy encourages sustainable travel ensuring that all developments provide suitable facilities for cyclists and walkers. The policy details that the footpaths and/or cycleways should be directed away from European designated sites. This should reduce the possibility of increased visitor numbers upon the European designated sites. Additionally, the provision of green spaces, as detailed in LNPH3, will further deter visitors from utilising European designated sites for recreational use.</p> <p>It is therefore assessed that this policy will not have a likely significant effect upon the European designated sites.</p> | 0 |
| LNPI4: Parking | <p>This policy details how parking should be managed for residential, including visitors, commercial, public areas and cycle stands. The policy further details that all parking facilities are directed away from the TBHSPA.</p> | <p>This policy states the minimum parking spaces that should be made available within varying developments (e.g. residential and commercial). This policy is not considered to have a likely significant effect upon European designated sites.</p> | 0 |

| Policies and Proposals | Policy Summary* | Assessment of likelihood of significant effects | Significant effects |
|------------------------|--|---|---|
| | <p>LNPI5: Community Facilities</p> | <p>This policy states that social facilities should be provided on new developments and current facilities should be enhanced. Community facilities should incorporate adequate parking facilities and, if appropriate, recreational green space. No community facility should be located where it would encourage recreational use on the TBHSPA.</p> | <p>This policy is concerned with developments providing suitable community facilities as well as retaining current community facilities. Providing community facilities may indirectly benefit the European designated sites as it may reduce visitor numbers to these designated sites. It is therefore assessed that this policy will not have a likely significant effect upon European designated sites.</p> <p>0</p> |
| | <p>LNPI6: Healthcare and Education</p> | <p>Major developments requiring healthcare and education facilities will be supported where:</p> <ul style="list-style-type: none"> - They do not increase car use through the villages. - They provide bus services to reduce car use in the Lovelace villages. - They are provided prior to occupation to meet wider community needs. - They do not have an adverse impact on the TBHSPA. | <p>This policy is concerned with ensuring adequate healthcare and education facilities are available for the inevitable growing population within the Lovelace Ward. Therefore, it is considered this policy will not have a likely significant effect upon European designated sites.</p> <p>0</p> |

| Policies and Proposals | | Policy Summary* | Assessment of likelihood of significant effects | Significant effects |
|-------------------------|---------------------------------|--|--|---------------------|
| Business and Employment | LNPBE1: Business and Employment | Proposals promoting additional retail facilities will be supported. Proposals which result in the loss of shops, commercial spaces, pubs and restaurants or community facilities from the settlement areas are not supported, outside of permitted development. This policy states 7 bullet points that developers must adhere to for support. One of which afford protection of the TBHSPA. | <p>Although this policy will lead to an increased population within the Lovelace ward it is not anticipated to impact upon the European designated sites directly as the population increase will only be employment related not recreational. Additionally, the policy states that proposals to create or expand employment opportunities will only be supported where it will not have any adverse effects on the TBHSPA.</p> <p>Commuting into the Lovelace ward could increase air pollution, however, policy LNPEN5 will ensure any developments that will lead to a negative impact upon air quality will not be supported.</p> <p>It is therefore assessed that this policy will not have a likely significant effect upon European designated sites.</p> | 0 |

| Policies and Proposals | Policy Summary* | Assessment of likelihood of significant effects | Significant effects |
|------------------------|--|--|--|
| | <p>LNPBE2: Agricultural and Horticultural Land Use</p> | <p>Proposals relating to agricultural or horticultural use that contribute to the rural economy will be supported where it is demonstrated that:</p> <ul style="list-style-type: none"> a) They are consistent with agricultural or horticultural activity. b) They provide employment. c) There are no significant additional traffic movements. d) They do not cause significant nuisance to neighbours by way of noise, smell, light pollution, increased carbon emissions or other nuisance. d) They do not have a negative impact on the TBHSPA. | <p>This policy is concerned with ensuring agricultural and horticultural uses on rural land will be supported as long as they adhere to the points made in the policy wording. As this policy does not state any proposed areas for development and wants to retain the rural landscape of the Ward, it is considered this policy will not have a likely significant effect upon European designated sites.</p> <p>0</p> |

*For full policy wording please refer to the Lovelace Neighbourhood Plan (July 2019).

3.7 Habitats Regulations Assessment Statement and Conclusions

This Screening Assessment has examined the Lovelace Ward Neighbourhood Plan objectives and policies for any impacts on the European sites within the Ward or within 10km of the Ward. The assessment further took into account in-combination effects with other relevant plans and strategies.

The Plan comprises of a number of key objectives relating to housing, environment, infrastructure and business growth, under which are a number of specific policies. Following on from the EC judgement in the case of "People over Wind" mitigation measures can no longer be assessed at Screening stage and can only be considered at Stage 2 (Appropriate Assessment). Therefore, likely significant effects could not be screened out for policies LNPH1 and LNPH3 due to the requirement of SANG provision for developments.

In conclusion, the Lovelace Ward Neighbourhood Plan (July 2019), specifically policies LNPH1 and LNPH3, could have a likely significant effect on European designated sites and therefore an Appropriate Assessment is required.

4 Strategic Environmental Assessment Screening

4.1 SEA Screening Methodology

To complete the SEA screening exercise for the Lovelace Neighbourhood Plan the following stages were applied:

1. The generic requirements of the SEA Directive were applied in accordance with the Assessment criteria specified in *A Practical Guide to the Strategic Environmental Assessment Directive* (ODPM, 2005), to determine whether a full SEA would be required.
2. The requirements of Article 3(5) of the SEA Directive were applied specifically in relation to the Lovelace Neighbourhood Plan area to determine if the plan could have a significant effect on the environment.

Article 3(5) of the SEA Directive describes and sets out the scope of application of the Directive. It makes SEA mandatory for plans or programmes that are likely to have significant effects on sites designated under the European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive). This includes Special Areas of Conservation (SAC) and Special Protection Areas (SPA).

Paragraph 5 of Article 3 of the Directive requires that the full criteria identified in Annex II are taken into account when considering the environmental effects of the Neighbourhood Plan and their significance. These criteria are set out below:

The characteristics of plans or programmes, having regard, in particular, to:

- 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.
- The degree to which the plan or programme influences other plans or 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).

The 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,
 - Exceed 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.

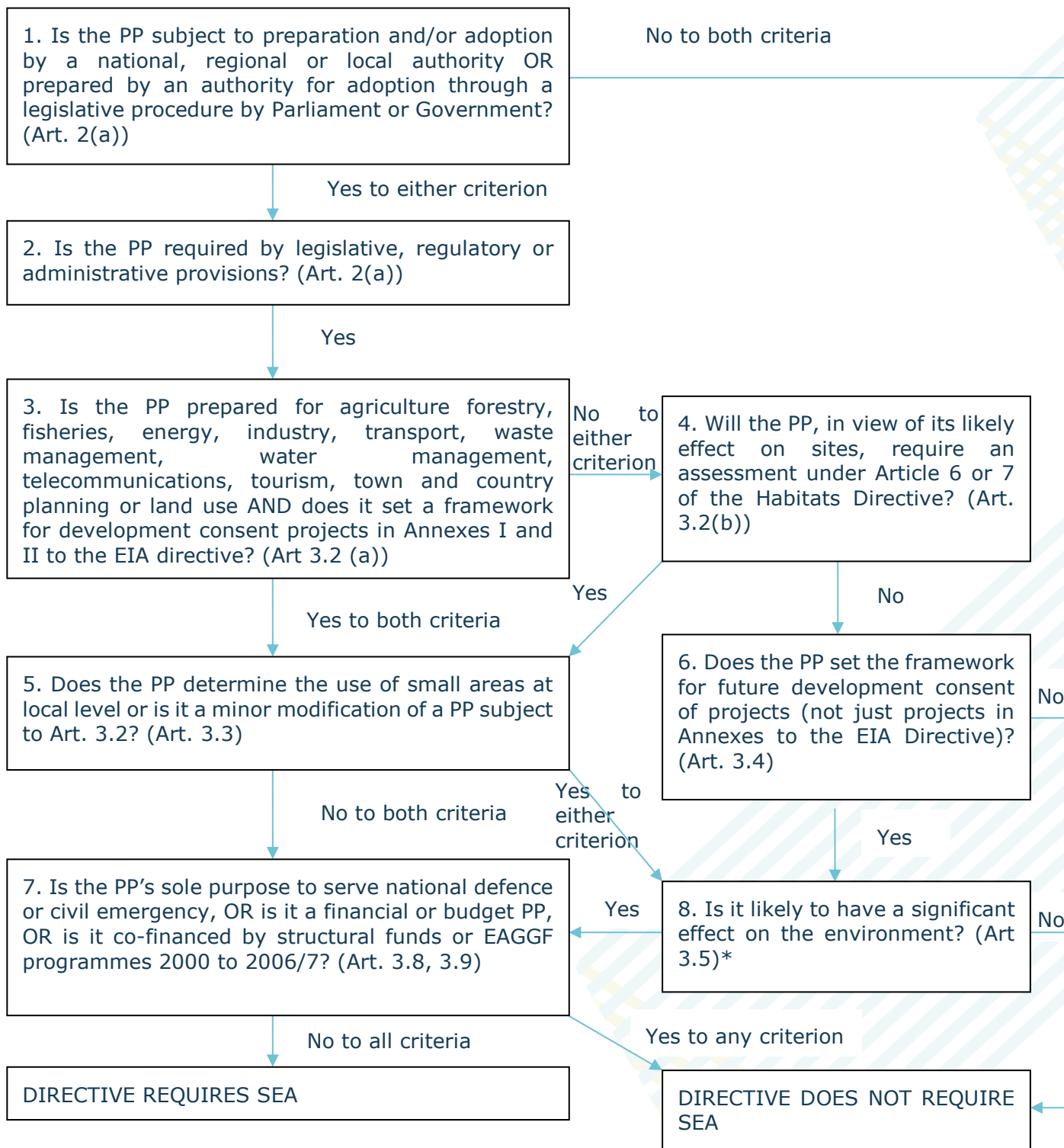
These criteria and characteristics are developed further in the following section and are presented with reason and comment in the context of the Lovelace Neighbourhood Plan.

This assessment was undertaken of the Lovelace Neighbourhood Plan 2019 – 2034, issued in July 2019.

4.2 Lovelace Neighbourhood Plan Screening Assessment

The following section details the application of the SEA Directive to plans and programmes, and illustrates the screening process based on the flowchart presented in *A Practical Guide to the Strategic Environmental Assessment Directives* which is reproduced in Figure 4-1 (ODPM, 2005).

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

Figure 4-1: Application of the SEA Directive to Plans and Programmes (From: A Practical Guide to the Strategic Environmental Assessment Directive; ODPM, 2005).

Table 4-1: SEA Screening Process – Generic requirements of the SEA Directive.

| Stage and Question | Answer | Explanation |
|---|--|--|
| <p>1. Is the Plan or Programme (PP) 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))</p> | <p>Yes (proceed to Q2)</p> | <p>The Localism Act 2011 allows for the preparation of Neighbourhood Plans. Once it has successfully gone through all the relevant statutory preparation stages a Local Planning Authority has an obligation to adopt or 'make' a Neighbourhood Plan and it then becomes part of the statutory development plan for the relevant Local Authority area. Consequently, Neighbourhood Planning is directed by/ through a legislative procedure.</p> |
| <p>2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))</p> | <p>No (Yes when 'made' so proceed to Q3)</p> | <p>The preparation of Neighbourhood Plans is not mandatory; a Town/ Parish Council or Neighbourhood Forum can choose whether or not to undertake preparation of such a plan. However, if the relevant body decides to prepare a Neighbourhood Plan, that Town/ Parish Council or Neighbourhood Forum is required to follow the set regulatory and administrative procedures. It will also form part of the Development Plan when adopted or 'made' by the Local Planning Authority and it is important to determine whether significant environmental effects are likely and whether further assessment is required.</p> |
| <p>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 Environmental Impact Assessment EIA Directive? (Art. 3.2(a))</p> | <p>Yes to both criteria (proceed to Q5)</p> | <p>The Lovelace Neighbourhood Plan sets out a vision for the Ward and provides landowners and developers local policies to adhere to during the design stage. Once adopted or 'made' by the Local Planning Authority it will form part of the planning policy for the area and will provide a framework for future development consent and a material consideration in planning decisions. It is therefore prepared for town and country planning and land use, and it does set a framework for future development consent.</p> |
| <p>4. Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))</p> | <p>N/A</p> | <p>Not applicable as both criterion to Q3 answered "Yes". However, potential significant impacts on the European sites are addressed further below (see question 8 and section 3.2).</p> |
| <p>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)</p> | <p>Yes (proceed to Q8)</p> | <p>As discussed above, the Lovelace Neighbourhood Plan aims to establish a clear set of policies and guidelines to support the organic development of Ripley, Ockham and Wisley. Its scope covers:</p> <ul style="list-style-type: none"> - Housing, including design; - Community assets, infrastructure and |

| Stage and Question | Answer | Explanation |
|--|---------------------|--|
| | | business economy; - Environment and landscape. This is only in relation the Lovelace Ward itself and therefore, can be considered as determining the use of areas at a local level only. However, it is not a minor modification of a plan/project. |
| 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 Neighbourhood Plan, within its policies, does not allocate sites for future housing development. |
| 7. Is the PP's sole purpose to serve 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 Lovelace 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) | Yes (see Table 4-2) | The Lovelace Neighbourhood Plan is going to have significant effects on the environment. See Table 4-2 below and Section 3 which provide further justification of this conclusion. |

Following assessment against the generic requirements of the SEA Directive, the specific requirements of Article 3(5) have been considered, as detailed in Table 4-2.

Table 4-2: SEA Screening Process – Specific Requirements of Article 3(5).

| SEA Directive (Annex II) | Explanation | Will the Lovelace Neighbourhood Plan have a significant environmental impact? |
|---|--|---|
| Characteristics of the Neighbourhood Plan | | |
| 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>The Lovelace Neighbourhood Plan sets out a vision for the Ward which can be used to influence the outcome of future planning applications, consistent with the needs and expressed opinions of residents, including:</p> <ul style="list-style-type: none"> - Appropriate housing density and design suitable for the surrounding styles in the area; - Protect Local Green Spaces and biodiversity; - Ensure good public transport facilities; and - Support rural businesses. <p>In order to achieve this, a number of key objectives relating to housing and design, environment, infrastructure and business have been developed alongside several more detailed policies. Policies are worded in order to enshrine the protection of biodiversity, landscape, and community facilities throughout the planning policy. Once adopted, the Neighbourhood Plan will form part of the Guildford Local Plan and planning applications within the plan area must be determined in accordance with the Neighbourhood Plan policies.</p> | No |
| Degree to which the plan or programme influences other plans or programmes including those in a hierarchy | The Lovelace Neighbourhood Plan covers a small, defined Ward 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. Once adopted/'made' the Neighbourhood Plan will form part of the Development Plan for Guildford borough. | No |
| Relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development | <p>Throughout the plan, integration of environmental considerations and promotion of sustainable development is central to the specific objectives and policies, such as:</p> <ul style="list-style-type: none"> - Developments are not supported where they result in negative impacts upon Local Green Spaces (LNPEN1) - All developments must demonstrate no significant loss or harm to protected or other priority species (LNPEN2) - All developments are required to retain and enhance well-established species-rich features of the landscape (LNPEN2) - Limit light pollution (LNPEN4) - Maintain air quality (LNPEN5) | No |

| SEA Directive (Annex II) | Explanation | Will the Lovelace Neighbourhood Plan have a significant environmental impact? |
|---|---|---|
| | <ul style="list-style-type: none"> - Sustainable travel (LNPI2, LNPI3) | |
| <p>Environmental problems relevant to the plan or programme</p> | <p>Within and around Lovelace Ward there are a number of sensitive environmental receptors including:</p> <ul style="list-style-type: none"> - The Thames Basin Heaths SPA – see previous section 3 for the Habitat Regulations Assessment (HRA) screening which fully assessed the potential impacts of each individual objective and policy on the TBHSPA. The HRA concluded that the Lovelace Neighbourhood Plan could have a likely significant effect on the integrity of this European site. However, this is due to the recent EC judgement in the case of “people over wind”, stating that measures which are necessary to avoid or reduce impacts on the European site (e.g. provision of SANG) can only be considered at Stage 2. The LNP policies provide protection for the TBHSPA and no development will be permitted should they have the potential to cause an adverse impact upon the TBHSPA. Therefore, it is considered that the Neighbourhood Plan will not have an adverse impact on the integrity of this European site. - Ockham and Wisley Commons SSSI – this site is a component of the Thames Basin Heaths SPA and is designated for its heath, mire and standing water habitats and invertebrate assemblage, in particular its outstanding Dragonfly assemblage and a number of rare invertebrates (i.e. Hornet Robberfly <i>Asilus crabroniformis</i>, Heath Tiger Beetle <i>Cicindela sylvatica</i> and a fly <i>Thyridanthrax fenestratus</i>). Given that this SSSI is located within the Ward boundary, the same conclusions as reached in relation to the overlapping TBHSPA, can also be applied to this SSSI and consequently no adverse impacts to this designated site can be anticipated. - Papercourt SSSI – this site is located within the Lovelace Ward boundary and is designated for its complex wetland habitat, including unimproved meadows, marshes and flooded gravel pits, which provides substantial habitat for breeding and wintering birds (Natural England, 2018a). Given that this SSSI is located within the Ward boundary, the same conclusions as reached in relation to the overlapping TBHSPA, can also be applied to this SSSI and consequently no adverse impacts to this designated site can be anticipated. | <p>No</p> |

| SEA Directive (Annex II) | Explanation | Will the Lovelace Neighbourhood Plan have a significant environmental impact? |
|--------------------------|--|---|
| | <ul style="list-style-type: none"> - Bookham Commons SSSI – this site is located approximately 1.4km south-east to the closest point of Lovelace Ward boundary. This SSSI supports several habitat types, such as woodland, scrub, open water and grassland, which provides suitable habitat for a community of breeding birds and important invertebrate population (Natural England, 2018b). As this SSSI is located outside of the Ward boundary there will be no direct impacts upon this site, however, indirect impacts (e.g. recreational pressure) could arise from increased residential developments promoted by the Neighbourhood Plan. However, the Neighbourhood Plan does have a policy which provides protection to Local Green Spaces (LNPEN1) and developments will be required to provide appropriate green spaces for recreational use (LNPH3). Furthermore, policy LNPEN1 states that SANGs should be provided in accordance with the Thames Basin Heaths SPA Avoidance Strategy. Therefore, it is assessed that this designated site will not be adversely impacted upon by this Neighbourhood Plan. - Sheeples SSSI – this site is situated on the dip-slope of the North Downs which includes pedunculate oak-ash-beech woodland on chalk and fragments of south-east chalk grassland. These habitats support a considerable diversity of invertebrates, particularly butterflies (Natural England, 2018c). This SSSI is located approximately 2km south to the closest point of the Lovelace Ward boundary. As this SSSI is located outside of the Ward boundary there will be no direct impacts upon this site, however, indirect impacts (e.g. recreational pressure) could arise from increased residential developments promoted by the Neighbourhood Plan. However, the Neighbourhood Plan does have a policy which provides protection to Local Green Spaces (LNPEN1) and developments will be required to provide appropriate green spaces for recreational use (LNPH3). Furthermore, policy LNPEN1 states that SANGs should be provided in accordance with the Thames Basin Heaths SPA Avoidance Strategy. Therefore, it is assessed that this designated site will not be adversely impacted upon by this Neighbourhood Plan. - Esher Commons SSSI – this site is located approximately 3.3km north-east to the closest point of Lovelace Ward boundary. This SSSI lies partially on the acidic soils of the Bagshot Beds and Plateau levels locally overlain by peat. The site supports several habitats | |

| SEA Directive (Annex II) | Explanation | Will the Lovelace Neighbourhood Plan have a significant environmental impact? |
|--------------------------|---|---|
| | <p>including heathland, woodland, marsh and open water and is an important area for invertebrates (Natural England, 2018d). As this SSSI is located outside of the Ward boundary there will be no direct impacts upon this site, however, indirect impacts (e.g. recreational pressure) could arise from increased residential developments promoted by the Neighbourhood Plan. However, the Neighbourhood Plan does have a policy which provides protection to Local Green Spaces (LNPEN1) and developments will be required to provide appropriate green spaces for recreational use (LNPH3). Furthermore, policy LNPEN1 states that SANGs should be provided in accordance with the Thames Basin Heaths SPA Avoidance Strategy. Therefore, it is assessed that this designated site will not be adversely impacted upon by this Neighbourhood Plan.</p> <ul style="list-style-type: none"> - Basingstoke Canal SSSI – this site is located approximately 1.9km north-west to the closest point of the Lovelace Ward boundary. This canal, along with associated flashes and heathland, is a nationally important site for aquatic plants and invertebrates (Natural England, 2018e). As this SSSI is located outside of the Ward boundary there will be no direct impacts upon this site, however, indirect impacts (e.g. recreational pressure) could arise from increased residential developments promoted by the Neighbourhood Plan. However, the Neighbourhood Plan does have a policy which provides protection to Local Green Spaces (LNPEN1) and developments will be required to provide appropriate green spaces for recreational use (LNPH3). Furthermore, policy LNPEN1 states that SANGs should be provided in accordance with the Thames Basin Heaths SPA Avoidance Strategy. Therefore, it is assessed that this designated site will not be adversely impacted upon by this Neighbourhood Plan. - Horsell Common SSSI – this site is a component of the Thames Basin Heaths SPA and is located approximately 3.4km north-west to the closest point of the Lovelace Ward boundary. This site is designated for its rich mosaic of heathland habitats, supporting local or rare species. This SSSI is one of the richest areas in Surrey for bees, wasps and ants (Natural England, 2018f). As this SSSI is located outside of the Ward boundary there will be no direct impacts upon this site, however, indirect impacts (e.g. recreational pressure) could arise from increased residential developments promoted by the Neighbourhood Plan. However, the Neighbourhood Plan does | |

| SEA Directive (Annex II) | Explanation | Will the Lovelace Neighbourhood Plan have a significant environmental impact? |
|--------------------------|--|---|
| | <p>have a policy which provides protection to Local Green Spaces (LNPEN1) and developments will be required to provide appropriate green spaces for recreational use (LNPH3). Furthermore, policy LNPEN1 states that SANGs should be provided in accordance with the Thames Basin Heaths SPA Avoidance Strategy. Therefore, it is assessed that this designated site will not be adversely impacted upon by this Neighbourhood Plan.</p> <ul style="list-style-type: none"> - Smarts & Prey Heaths SSSI – this site is located approximately 3.6km west to the closest point of the Lovelace Ward boundary. This site supports heathland habitats supporting several flora species which provide suitable breeding areas for heathland bird species (e.g. Nightjar <i>Caprimulgus europaeus</i>) (Natural England, 2018g). As this SSSI is located outside of the Ward boundary there will be no direct impacts upon this site, however, indirect impacts (e.g. recreational pressure) could arise from increased residential developments promoted by the Neighbourhood Plan. However, the Neighbourhood Plan does have a policy which provides protection to Local Green Spaces (LNPEN1) and developments will be required to provide appropriate green spaces for recreational use (LNPH3). Furthermore, policy LNPEN1 states that SANGs should be provided in accordance with the Thames Basin Heaths SPA Avoidance Strategy. Therefore, it is assessed that this designated site will not be adversely impacted upon by this Neighbourhood Plan. - Whitmoor Common SSSI – this site is located approximately 4.7km west to the closest point of the Lovelace Ward boundary. This site supports a variety of heathland habitats, woodland, grassland and both standing and running water. The site supports a rare spider, a scarce beetle, two rare plants and a strong breeding population of Nightjar (Natural England, 2018h). As this SSSI is located outside of the Ward boundary there will be no direct impacts upon this site, however, indirect impacts (e.g. recreational pressure) could arise from increased residential developments promoted by the Neighbourhood Plan. However, the Neighbourhood Plan does have a policy which provides protection to Local Green Spaces (LNPEN1) and developments will be required to provide appropriate green spaces for recreational use (LNPH3). Furthermore, policy LNPEN1 states that SANGs should be provided in accordance with the Thames Basin Heaths SPA Avoidance Strategy. Therefore, it is | |

| SEA Directive (Annex II) | Explanation | Will the Lovelace Neighbourhood Plan have a significant environmental impact? |
|--------------------------|--|---|
| | <p>assessed that this designated site will not be adversely impacted upon by this Neighbourhood Plan.</p> <ul style="list-style-type: none"> - Surrey Hills Area of Outstanding Natural Beauty (AONB) – the Lovelace Ward boundary is located approximately 2.3km north of the Surrey Hills AONB and therefore, there will be no direct impact upon this AONB. The Neighbourhood Plan contains a number of policies (e.g. LNPH1 and LNPEN1 both of which aim to ensure the character and views of the wider area is protected) within it that will help conserve the landscape of the Ward which in turn will help conserve the AONB. It is therefore considered that the Neighbourhood Plan will not adversely impact upon this site. - Ancient Woodland – within and around the Lovelace Ward boundary there are several areas of ancient woodland (e.g. Park Wood, Loveland’s Copse, Ridings Copse and The Decoy) which could be adversely affected by any future developments. However, policy LNPEN2 states that any well-established species-rich features of the landscape, including mature trees, must be retained and enhanced. It is therefore considered that any future developments will not have an adverse impact upon ancient woodlands. - Ripley, Ockham and Wisley Conservation Areas – the Lovelace Ward comprises of the three towns of Ripley, Ockham and Wisley all of which contain conservation areas. <ul style="list-style-type: none"> o Ripley: Ripley Conservation Area covers the central area of the village and contains 57 Grade II and one Grade I listed buildings. o Ockham: Ockham has two Conservation Areas and 29 Grade II and one Grade I listed buildings. o Wisley: Wisley Conservation Area comprises one Grade I and one Grade II listed buildings. <p>The Neighbourhood Plan policy LNPH3 details that developments must respect the Conservation Areas by ensuring there is no impact upon the historic environment, heritage assets and original local buildings. Additionally, the policy states the following ‘Developments in the Lovelace conservation areas follow the Lovelace Design Standard and are in keeping with relevant Lovelace Conservation Area Appraisal guidelines’. The Conservation Areas have been appropriately discussed within the</p> | |

| SEA Directive (Annex II) | Explanation | Will the Lovelace Neighbourhood Plan have a significant environmental impact? |
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| | <p>Neighbourhood Plan and it is considered that the Plan will not have an adverse impact upon the Conservation Areas within the Lovelace Ward.</p> <ul style="list-style-type: none"> - Rural landscape character – whilst development can have an adverse impact on rural landscape character, the Neighbourhood Plan contains several policies which will help to protect the landscape of the Ward, including those relating to design management within rural areas (LNPH1), light pollution (LNPH4) and local views (LNPH1). <p>At this stage it is considered that the Neighbourhood Plan will not cause any significant impacts upon the European designated sites. Furthermore, it is considered that the other environmentally sensitive areas (e.g. conservation area, ancient woodland, landscape character) will not be negatively impacted upon by the Neighbourhood Plan as the plan will seek to encourage sensitive development in relation to the historic and rural character of the Ward.</p> <p>It is currently considered that the plan will not have significant environmental effects upon the environment as the policies provide protection to the Thames Basin Heaths SPA and other environmentally sensitive areas.</p> | |
| <p>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>The Neighbourhood Plan has a single policy regarding mitigating flood risk (LNPH3) by developments providing a site Water Management Plan and Flood Risk Assessment for major developments (10+ dwellings, or 250sqm+ for commercial). Additionally, major developments must incorporate Sustainable Drainage Systems (SuDS). Furthermore, strategies relating to waste disposal or water protection will be predominantly dealt with by the Guildford Local Plan.</p> | <p>No</p> |
| <p>Characteristics of the effects and of the area likely to be affected</p> | | |
| <p>Probability, duration, frequency and reversibility of the effects</p> | <p>Changes that may occur as a result of implementation of the Lovelace Neighbourhood Plan will likely operate over the long-term. As concluded within the HRA, it is currently considered that the Neighbourhood Plan will not have an adverse impact upon designated sites. The Neighbourhood Plan provides protection to the Thames Basin Heaths SPA, located within the</p> | <p>No</p> |

| SEA Directive (Annex II) | Explanation | Will the Lovelace Neighbourhood Plan have a significant environmental impact? |
|--|--|---|
| | <p>Ward, as well as protection to Local Green Spaces, biodiversity and air quality.</p> <p>The Neighbourhood Plan addresses specific local development management issues, complementing the higher level strategic policy framework already established through the Guildford Local Plan and the NPPF.</p> | |
| Cumulative nature of the effects | <p>The future development proposals to support the need for affordable housing within the Lovelace Ward along with residential developments elsewhere in the wider area have the potential to cumulatively adversely impact on the Thames Basin Heaths SPA and several SSSIs through increased visitor pressures. However, the Neighbourhood Plan affords protection to the Thames Basin Heaths SPA within several policies including LNPEN1, LNPEN2 and LNPEN5. The Neighbourhood Plan abides to the Thames Basin Heaths SPA Avoidance Strategy. This has been assessed further as part of a Habitat Regulations Screening Assessment, see Section 3, and also discussed above.</p> <p>The Habitats Regulations Screening Assessment and text above concludes that, given the wording of the policies, there will not be an adverse impact upon designated sites.</p> | No |
| Transboundary nature of the effects | <p>In relation to the potential transboundary impacts from the Lovelace Neighbourhood Plan, it is important to consider other plans and policies in adjacent local authorities and neighbourhoods, in particular the local plans and development frameworks (or emerging plans) from Guildford Borough Council (2019), Horsley Ward (Guildford Borough Council, 2018a), and Woking Borough Council (2012). These have been reviewed and all contain policies within them to help protect sensitive environmental receptors.</p> | No |
| Risks to human health or the environment (e.g. due to accidents). | <p>No significant risks to human health are anticipated through the implementation of the Lovelace Neighbourhood Plan.</p> | No |
| Magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) | <p>The Neighbourhood Plan relates to the Ward of Lovelace only, which includes the villages of Ripley, Ockham and Wisley with a combined (approx.) population of 2,598 residents. The Neighbourhood Plan sets out planning policies which can be used to influence future planning application within the Ward. The majority of the policies within the plan relate to the villages only and are focussed on existing areas. Consequently, the magnitude and spatial extent of the Neighbourhood Plan is limited and will not have significant environmental effects.</p> | No |
| Value and vulnerability of the area likely to be affected due to: | <p>As discussed above the Lovelace Ward contains, and is surrounded by, a number of sensitive environmental receptors including:</p> | No |

| SEA Directive (Annex II) | Explanation | Will the Lovelace Neighbourhood Plan have a significant environmental impact? |
|--|--|---|
| <ul style="list-style-type: none"> - Special natural characteristics or cultural heritage - Exceeded environmental quality standards or limit values - Intensive Land-use | <ul style="list-style-type: none"> - Thames Basin Heaths SPA (see Section 3) - Ockham and Wisley Commons SSSI - Papercourt SSSI - Bookham Commons SSSI - Sheepleas SSSI - Esher Commons SSSI - Basingstoke Canal SSSI - Horsell Common SSSI - Smarts & Prey Heaths SSSI - Whitmoor Common SSSI - Surrey Hills AONB - Ancient Woodland - Ripley, Ockham & Wisley Conservation Areas - Rural Landscape Character <p>The Lovelace Neighbourhood Plan contains policies which aim to protect the local biodiversity, landscape, heritage and green spaces. Several of the policies detail that should developments pose adverse impacts upon the Thames Basin Heaths SPA the development will not be permitted. Additionally, developments must adhere to the Thames Basin Heaths SPA Avoidance Strategy (GBC, 2017) and the South East Plan, 2009 (Policy NRM6). Although the HRA determined likely significant effects on policies LNPH1 and LNPH3 this is because following the ECJ case of "People over Wind" the Screening stage of the HRA can no longer utilise mitigation measures as a method of screening out policies. Therefore, an Appropriate Assessment is required. However, the "People over Wind" case does not impact SEA procedures and therefore, the assessment undertaken has determined the Lovelace Neighbourhood Plan will not have significant environmental effects.</p> | |
| <p>Effects on areas or landscapes which have a recognised National, Community or International protection status</p> | <p>As detailed above, it is anticipated that the Neighbourhood Plan will not adversely impact upon the Thames Basin Heaths SPA , surrounding SSSIs, and/or other areas/landscapes of community importance, as detailed above. The policies wording affords protection to the Thames Basin Heaths SPA, as</p> | <p>No</p> |

| SEA Directive (Annex II) | Explanation | Will the Lovelace Neighbourhood Plan have a significant environmental impact? |
|---------------------------------|---|--|
| | well as Local Green Spaces, and states that developments must adhere to the Thames Basin Heaths SPA Avoidance Strategy (GBC, 2017). | |

4.3 SEA Screening Assessment Conclusion

Preparation of a Neighbourhood Plan by Lovelace Ward is being undertaken in accordance with the Neighbourhood Planning Regulations 2012. The plan covers the period 2019-2034 and sets out objectives for the Ward and policies for future development proposals consistent with the objectively assessed needs and expressed opinions of residents. Within the plan there are four objective headings (housing, environment, infrastructure, and business and employment), beneath which sit a number of policies covering these topics.

This SEA Screening Report, supported by a Habitats Regulations Screening Assessment (see Section 3), identified whether or not the Lovelace Neighbourhood Plan requires a SEA by assessing the potential high-level environmental impacts that may arise from implementation of the plan. Although the Habitat Regulations Screening Assessment determined likely significant effects, this was due to the EC judgement in the case of "People over Wind", stating that measures which are necessary to avoid or reduce impacts on the European site (e.g. provision of SANG) can only be considered at Stage 2 (Appropriate Assessment). However, with regards to the SEA, it is considered that the policies provide sufficient protection of the environmental sensitive areas.

In conclusion, it is considered that the Lovelace Neighbourhood Plan does not require a Strategic Environmental Assessment.



5 Conclusion

5.1 Conclusion

The Habitat Regulations Assessment has identified that the Lovelace Neighbourhood Plan could have a likely significant effect upon the integrity of European designated sites. An Appropriate Assessment is required.

The SEA Screening assessment has identified that the Lovelace Neighbourhood Plan will not have significant environmental effects upon the integrity of European designated sites and other environmentally sensitive areas.

5.2 Consultation

Lovelace Ward/ Guildford Borough Council are required to consult with the three statutory environmental consultees: Historic England, the Environment Agency and Natural England at the screening stage. Therefore, this HRA and SEA Screening assessment is submitted as a draft report for comment by these statutory consultees.



References

- AECOM (2018), Habitats Regulations Assessment for Guildford Borough Proposed Submission Local Plan Strategy and Site 2018 Update [Online], Available at: <https://www.guildford.gov.uk/newlocalplan/CHttpHandler.ashx?id=27796&p=0> [Accessed: 09/10/2018].
- Environment Agency (2013), *Habitats and species protected under the Habitats Regulations Quick Guide*. PDF. Doc. [Accessed: 30/10/2018]
- Environment Agency (2019), Catchment Data Explorer Wey (Shalford to River Thames confluence at Weybridge) [Online], Available at: <https://environment.data.gov.uk/catchment-planning/WaterBody/GB106039017630> [Accessed: 31/07/2019]
- Guildford Borough Council (2017), Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 Supplementary Planning Document [online], Available at: <https://www.guildford.gov.uk/tbhspa> [Accessed: 06/11/2018]
- Guildford Borough Council (2019), Guildford borough Local Plan Strategy and sites (2015 – 2034) () [online], Available at: [https://www.guildford.gov.uk/newlocalplan/media/29891/The-Guildford-borough-Local-Plan-strategy-and-sites-2015-2034/pdf/Guildford_Borough_Local_Plan_\(2015-2034\)_\(Web_Version\)_\(Reduced\)1.pdf](https://www.guildford.gov.uk/newlocalplan/media/29891/The-Guildford-borough-Local-Plan-strategy-and-sites-2015-2034/pdf/Guildford_Borough_Local_Plan_(2015-2034)_(Web_Version)_(Reduced)1.pdf), [Accessed: 30/07/19]
- Guildford Borough Council (2018a), Neighbourhood planning information [Online], Available at: <https://www.guildford.gov.uk/neighbourhoodplanninginformation> [Accessed: 18/10/18].
- Lovelace Neighbourhood Plan 2019 – 2034, A Plan for Ripley, Ockham and Wisley.
- Natural England (2014a), Site Improvement Plan: Mole Gap to Reigate Escarpment [online], Available at: publications.naturalengland.org.uk/file/6256378880458752, [Accessed: 09/10/18]
- Natural England (2014b), Site Improvement Plan: Thames Basin Heaths [online], Available at: <http://publications.naturalengland.org.uk/publication/6249258780983296>, [Accessed: 09/10/18]
- Natural England, (2018), Designated Sites View [online], Available at: <https://designatedsites.naturalengland.org.uk/SiteSearch.aspx>, [Accessed: 09/10/18]
- Natural England (2018a), Papercourt SSSI [online], Available at: <https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S1001037&SiteName=papercourt&countyCode=&responsiblePerson=>, [Accessed: 16/10/18]
- Natural England (2018b), Bookham Commons SSSI [online], Available at: <https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S1004456>, [Accessed: 16/10/18]
- Natural England (2018c), Sheepleas SSSI [online], Available at: <https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S1001171> [Accessed: 16/10/18]
- Natural England (2018d), Esher Commons SSSI [online], Available at: <https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S1000780> [Accessed: 16/10/18]
- Natural England (2018e), Basingstoke Canal SSSI [online PDF], Available at: <https://designatedsites.naturalengland.org.uk/PDFsForWeb/Citation/1006588.pdf>, [Accessed: 16/10/18]
- Natural England (2018f), Horsell Common SSSI [online PDF], Available at: <https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S1000870>, [Accessed: 16/10/18]
- Natural England (2018g), Smart's and Prey Heaths SSSI [online], Available at: <https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1006793>, [Accessed: 16/10/18].
- Natural England (2018h), Whitmoor Common SSSI [online], Available at: <https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S1001865>, [Accessed: 16/10/18].
- ODPM (2005), A Practical Guide to the Strategic Environmental Assessment Directive. Office of the Deputy Prime Minister [online]. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf [Accessed: 09/10/18]

Planning Practice Guidance (2015), Strategic environmental assessment and sustainability appraisal [online], Available at: <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal> [Accessed: 30/10/2018]

Send Parish Council (2018), Send Neighbourhood Development Plan [Online], Available at: <http://www.sendparishcouncil.gov.uk/page.php?id=134> [Accessed: 17/10/18]

Woking Borough Council (2012), Woking Local Development Document Woking Core Strategy October 2012 [Online. PDF]. Available at: <http://www.woking2027.info/corestrategy/adoptedcorestrategy> [Accessed: 17/10/2018].



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Appendix 2: Appropriate assessment of LNPH1 and LNPH3

(See next page)

Appropriate Assessment of Lovelace Neighbourhood Plan housing policies LNPH1- Suitability of Development Sites and LNPH3-Housing Design and Density

August 2019

1. Background

- 1.1 The Lovelace Neighbourhood Plan (LNP) was produced by Ripley and Ockham parish councils. As a basic condition, neighbourhood plans must not breach and must be compatible with EU obligations. The submission of the the LNP to Guildford Borough Council (the council) under regulation 15 of the regulations must include a Basic Conditions Statement that sets out how the plan complies with the basic conditions.
- 1.2 The Conservation of Habitats and Species Regulations 2017, thereafter referred to as 'Habitats Regulations', includes the requirement that plans must not lead to adverse effects on the integrity of European habitat sites (European sites). This is established through the Habitats Regulations Assessment (HRA) process. The HRA process includes the following two steps: firstly, screening proposals to identify any potential "likely significant effects" on European sites (either alone or in combination with other plans or projects) and, secondly, and where likely significant effects are identified, an "appropriate assessment" that assesses whether avoidance/mitigation measures would prevent adverse effects on the integrity of the European sites. This document constitutes an "appropriate assessment".
- 1.3 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 national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Habitats Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 1.4 This appropriate assessment should be read in conjunction with the Lovelace Neighbourhood Plan 2019-2034 Strategic Environmental Assessment and Habitat Regulations Assessment August 2019 (the screening assessment), which sets out detailed background information relating to HRA, the SPA, the conservation interests present on the SPA and approaches to avoidance and mitigation.

2. European sites

- 2.1 Guildford borough contains several areas of land that fall within the Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC) and/or the Thames Basin Heaths Special Protection Area (the SPA). Parts of Guildford borough also fall within the vicinity of the Mole Gap to Reigate Escarpment SAC. SACs and SPAs are 'European sites'; sites designated by the EU and benefitting from European protection. This protection has been codified into UK law through the Habitats Regulations. For further information about these sites, see the Lovelace Neighbourhood Plan HRA screening report Table 3-3.
- 2.2 The SPA is located in an area under considerable development pressure and as a result has suffered fragmentation. The heathland habitat is vulnerable to the effects of

urbanisation (e.g. flytipping and encroachment) and the three European protected bird species for which the SPA is designated are vulnerable to predation by cats, rats and crows, and to disturbance from recreational pressure.

- 2.3 A regional approach to protecting the SPA has been established through policy NRM6 of the South East Plan. The same approach is incorporated into the Guildford Local Plan: strategy and sites 2015-2034 through policy P5: Thames Basin Heaths Special Protection Area. The approach includes the following principles.
- Within 400 metres of the SPA - a prohibition on new residential development, and other development likely to lead to adverse effects on the SPA.
 - Between 400 metres and 5 km of the SPA – net new residential development will lead to impacts on the SPA through increased recreational pressure.
 - Between 5 and 7 km of the SPA – large residential developments (greater than 50 homes) may lead to impacts on the SPA through increased recreational pressure, established on a case by case basis.
 - The impacts on the SPA from net new residential development must be avoided and mitigated through the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM).
- 2.4 The Lovelace Neighbourhood Area includes land that falls within the SPA, land that falls within the 400m zone, and land that falls within the 400m to 5km zone. It is also 5.3km west of the Mole Gap to Reigate Escarpment SAC.
- 2.5 The Habitats Regulations set out an approach to protecting the European sites. In particular, in relation to land use plans (including neighbourhood plans) it requires the following:
- Where a land use plan is not directly connected with or necessary to the management of the European site, there must be an initial consideration of whether the plan is likely to have a significant effect on the site (sometimes referred to as a 'screening assessment') , and;
 - if the screening assessment indicates that significant effects are likely to occur an assessment of the implications for the site in view of the site's conservation objectives must be undertaken. This is known as an appropriate assessment.
- 2.6 Save where there are imperative reasons of overriding public importance, the Council is not permitted to make a plan which is likely to have significant effects, unless it has undertaken the appropriate assessment and ascertained that the plan will not lead to adverse effects on the integrity of the European site.
- 2.7 In April 2018, the European Court handed down judgement C-323/17 (commonly referred to as the Sweetman judgement) which has clarified the correct approach to this process. Prior to the judgement, avoidance and mitigation measures had been considered at the screening stage and 'likely significant effects' have been 'screened out' based on those measures. The Sweetman judgement has clarified that avoidance and mitigation measures should not be used to 'screen out likely significant effects'; instead, avoidance and mitigation measures must only be considered at the appropriate assessment stage.

3. HRA screening of the LNP

- 3.1 In line with the Sweetman judgement, the screening assessment of the LNP did not take avoidance and mitigation measures into account.
- 3.2 The HRA section of the screening assessment identified that two housing policies 'LNPH1-Suitability of Development Sites' and 'LNPH3-Housing Design and Density' could lead to likely significant effects on the SPA. It states:

“This Screening Assessment has examined the Lovelace Ward Neighbourhood Plan objectives and policies for any impacts on the European sites within the Ward or within 10km of the Ward. The assessment further took into account in-combination effects with other relevant plans and strategies.

The Plan comprises of a number of key objectives relating to housing, environment, infrastructure and business growth, under which are a number of specific policies. Following on from the EC judgement in the case of “People over Wind” mitigation measures can no longer be assessed at Screening stage and can only be considered at Stage 2 (Appropriate Assessment). Therefore, likely significant effects could not be screened out for policies LNPH1 and LNPH3 due to the requirement of SANG provision for developments.

In conclusion, the Lovelace Ward Neighbourhood Plan (July 2019), specifically policies LNPH1 and LNPH3, could have a likely significant effect on European designated sites and therefore an Appropriate Assessment is required.”

4. Appropriate Assessment of LNP housing policies LNPH1 and LNPH3

- 4.1 As described above, Housing Policies LNPH1 and LNPH3, if implemented without avoidance and/or mitigation measures, could lead to likely significant effects on the SPA through increased recreational pressure brought by new dwellings between 400m and 5km from the SPA. This matter is considered in the section below.

Potential for adverse effects on the integrity of the SPA

- 4.2 The SPA has been designated because it supports three species of birds that are protected under the Wild Birds Directive; Nightjar, Woodlark and Dartford Warbler. The conservation objectives for the site 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:
- 1) The extent and distribution of the habitats of the three species
 - 2) The structure and function of the habitats of the three species
 - 3) The supporting processes on which the habitats of the three species rely
 - 4) The population of each of the three species, and,
 - 5) The distribution of the three species within the site.
- 4.3 Within 5km of the SPA, net new residential development is likely to have an impact on the SPA due to increased recreational pressure. The SPA is currently subject to high levels of recreational use that can lead to disturbance in the behavioural patterns of the three species, and consequently can reduce breeding success. Therefore, by supporting residential development in this zone, and without any appropriate avoidance and mitigation strategy in place, policies LNPH1 and LNPH3 could lead to

adverse effects on the integrity of the SPA through negative impacts on conservation objectives 1, 4 and 5.

Avoidance and mitigation measures

- 4.4 Policy NRM6 of the South East Plan, policy P5 of the Local Plan: strategy and sites 2015-2034 and the Guildford Borough Council Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 Supplementary Planning Document (the SPA strategy) set out an approach to avoidance and mitigation of the effects of increased recreational pressure (see paragraph for 2.3 for a summary of the approach). This is achieved through:
- the prohibition of new homes within 400 metres of the SPA, because the impacts of residential pressure within this zone cannot be mitigated, and
 - for homes between 400 metres and five kilometres of the SPA:
 - the provision of Suitable Alternative Natural Greenspace (SANG) to attract people away from the SPA and
 - the funding of a Strategic Access Management and Monitoring (SAMM) programme which monitors the SPA and provides mitigation measures for the impact of visitors, including wardening, access management and education for SPA users.
- 4.5 SANGs provide an attractive natural or semi-natural environment and visitor experience equivalent to the SPA and in doing so prevent new dwellings leading to an increase in recreational pressure on the SPA by “soaking up” potential SPA visitors. In this way, adverse impacts on the integrity of the SPA from new residential developments within the 400 metre to five kilometre zone are avoided.
- 4.6 The Council currently has a large amount of available SANG capacity across the borough. Under the terms of policy NRM6 of the South East Plan, Policy P5 of the Local Plan: strategy and sites 2015-2034 and the SPA strategy, developments of fewer than 10 dwellings do not need to be within the catchment of any specific SANG¹.
- 4.7 In the event that sites of 10 dwellings or greater are proposed, these policies and the SPA strategy would require either permission to be refused, or permission granted with a condition preventing the start of construction or occupation of new dwellings until a SANG with an appropriate catchment is available.
- 4.8 Furthermore, permission has been granted for a new SANG (Long Reach SANG) that has a catchment covering the whole of the Lovelace Neighbourhood Area, except the northern most part north of the SPA. Long Reach SANG is 24 hectares, which will provide avoidance for around 1,250 homes. The Local Plan Infrastructure Delivery Framework shows that around 20 hectares may be needed to deliver the development in the emerging Local Plan², but that there will be four hectares spare at the end of the plan period. This is enough for just over 200 homes, a number that is very likely to

¹ The basis for this approach is that individually developments of less than 10 dwellings will not have a significant impact on the SPA and that this justifies a more flexible approach in terms of SANG location, but the cumulative impact should still be addressed. See the Thames Basin Heaths Special Protection Area Delivery Framework (TBH Joint Strategic Partnership Board, 2009).

² See the Guildford Infrastructure Delivery Plan, pages 69 and 70:
<http://www.guildford.gov.uk/newlocalplan/infrastructureanddelivery>

exceed the number of homes that may come forward within the Lovelace Neighbourhood Area outside of the sites in the emerging Local Plan.

- 4.9 In any event, development of new residential units must be delivered in accordance with the policies, the SPA strategy and the Habitats Regulations.
- 4.10 Therefore, it can be concluded that any residential development that results from policies LNPH1 and LNPH3 will be supported by appropriate SANG and SAMM contributions, and that, as a result, adverse effects on the integrity of the SPA will be avoided.

5. Conclusion

- 5.1 On the basis of this appropriate assessment and taking account of the August 2019 Habitats Regulations Screening Assessment, the Council has concluded that there will be no adverse effects on the integrity of the SPA as a result of the Lovelace Neighbourhood Plan becoming part of the development plan.

6. Background Documents

- [Conservation of Habitats and Species Regulations 2017](#)
- [Guildford Borough Council Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 SPD](#)
- [The South East Plan, Policy NRM6](#)
- [Guildford Local Plan: Strategy and Sites 2015-2034](#)

END