

WEST BYFLEET NEIGHBOURHOOD PLAN

Strategic Environmental Assessment, Habitat Regulations Assessment and Environmental Impact Assessment

Screening Report

2nd September 2016

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Strategic Environmental Assessment and Habitat Regulations Assessment Draft Screening Report for Preliminary Draft West Byfleet Neighbourhood Plan

2nd September 2016

Introduction

On 1st August 2016, West Byfleet Neighbourhood Forum (hereafter known as 'WBNF') wrote to Woking Borough Council to formally request a Screening Opinion for the need to carry out a Strategic Environmental Assessment (SEA), Environmental Impact Assessment (EIA), and Habitat Regulations Assessment (HRA) on their emerging neighbourhood plan. This screening report is designed to determine whether or not the contents of the emerging West Byfleet Neighbourhood Plan (hereafter known as 'WBNP') requires these series of assessments.

The WBNF was formally approved by Woking Borough Council in March 2014. During the following months working groups were formed focusing on issues related to the Built Environment, Open Spaces, Infrastructure, Social and Community facilities and Commercial activities. The collective result of their work, having extensively consulted with the local community, is the 'Preliminary Draft West Byfleet Neighbourhood Plan' (July 2016). This screening opinion is based upon the following information provided to the Council in August 2016:

- a letter dated 1st August 2016 formally requesting a screening opinion on the need for the WBNP to pursue an SEA, EIA and HRA, and summarising the key issues the WBNP aims to address;
- the Preliminary Draft West Byfleet Neighbourhood Plan (dated June 2016), upon the understanding that this document is a '**work in progress**' and the objectives and policies therein are subject to further refinement.

This report is split into four sections. Section 1 provides a screening assessment of both the likely significant environmental effects of the WBNP and the need for a full SEA. Section 2 provides a screening assessment of both the likely significant effects of the implementation of the WBNP and the need for HRA. Section 3 assesses the need for an EIA. Section 4 provides a summary of findings and conclusions for all screening processes.

Before the Council make a formal determination, there is a requirement to consult three statutory consultation bodies designated in the Regulations (English Heritage, Environment Agency and Natural England) on whether an environmental assessment is required. The Council formally consulted the three statutory consultation bodies on 4th August 2016 and their responses are set out in full in Appendix C.

Section 1: SEA Screening

A neighbourhood plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. The first to be considered is Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (known as the 'SEA Directive') and transposed into UK law by the Environmental Assessment of Plans and Programmes Regulations 2004 (referred to as the 'SEA Regulations').

In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may fall within the scope of the SEA Regulations and the SEA Directive. National Planning Practice Guidance¹ sets out how an SEA may be required, for example, where:

- **a neighbourhood plan allocates sites for development** – the draft WBNP does not allocate sites for development;
- **the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan** – the West Byfleet neighbourhood area does feature sensitive natural and heritage assets including a Site of Special Scientific Interest, ancient woodland, six Conservation Areas and listed buildings;
- **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 (Woking Core Strategy)** – this is assessed in more detail below.

It is for the Council to determine whether an SEA is required, through a screening process. To decide whether a draft neighbourhood plan might have significant effects, SEA Regulations require that its potential scope should be assessed at an early stage against the criteria set out in Schedule 1 to the SEA Regulations (or Annex II of the SEA Directive), reproduced below:

SCHEDULE 1 CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT
1. The characteristics of plans and programmes, having regard, in particular, to – a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources; b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy; c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development; d) environmental problems relevant to the plan or programme; and e) the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).

¹ National Planning Practice Guidance is available here: <http://planningguidance.planningportal.gov.uk/blog/guidance>

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to –

- a) the probability, duration, frequency and reversibility of the effects;
- b) the cumulative nature of the effects;
- c) the transboundary nature of the effects;
- d) the risks to human health or the environment (e.g. due to accidents);
- e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- f) the value and vulnerability of the area likely to be affected due to –
 - (i) special natural characteristics or cultural heritage;
 - (ii) exceeded environmental quality standards or limit values; or
 - (iii) intensive land-use; and
- g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

Source: The Environmental Assessment of Plans and Programmes Regulations 2004, accessed at http://www.legislation.gov.uk/ukxi/2004/1633/pdfs/ukxi_20041633_en.pdf, which replicate the criteria in Annex II of the SEA Directive 2001/42/EC.

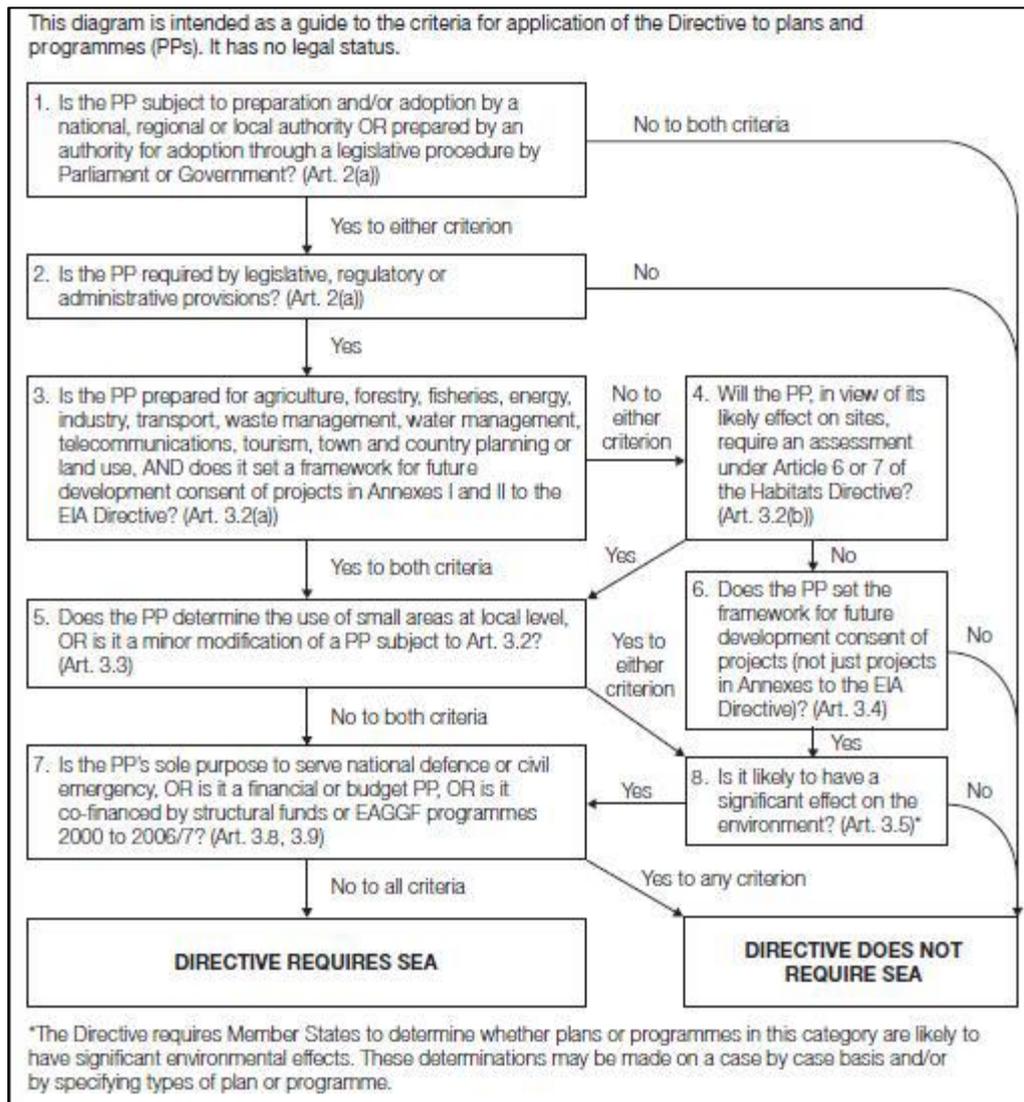
It is required by the Localism Act that neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. Woking Borough Council has a Core Strategy which was adopted in October 2012. Therefore the WBNP must be in general conformity with this document. The Core Strategy was subject to a full Sustainability Appraisal which included a SEA assessment². This ensured that there were no likely significant effects which would be produced from the implementation of the Core Strategy and if so ensured mitigation measures were in place. An assessment of the draft WBNP policies and their conformity to the adopted Core Strategy will be undertaken once the WBNP has reached a final draft stage. If the draft WBNP is not in general conformity with the strategic policies in the Core Strategy, it will not be legally compliant and will not be able to continue to community referendum stage. Assuming, therefore, that the draft WBNP meets this condition and there is general conformity between the Core Strategy and the WBNP, and there are no significant changes introduced by the final WBNP, it can be concluded that the implementation of the WBNP would not result in any likely significant effects upon the environment. Nevertheless, a more detailed assessment has been carried out below.

SEA Screening Assessment

Practical guidance to the SEA Directive, published by the Department of Environment in 2005 but still relevant, provides a useful diagram of the criteria for application of the Directive to plans and programmes (PPs), shown in Figure 1.

² The Woking Core Strategy Sustainability Appraisal (July 2011) is available here: <http://www.woking.gov.uk/planning/policy/ldf/cores/woking2027/saofcorestrpd>

Figure 1: Application of the SEA Directive to plans and programmes



The process in Figure 1 has been undertaken and the findings can be viewed in Table 1. Table 1 shows the assessment of whether the WBNP will require a full SEA. The questions in Table 1 are drawn from the diagram above which sets out how the SEA Directive should be applied.

Table 1: Establishing the need for SEA

Stage	Y/N	Reasoning
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y (go to no. 2)	The WBNP is not a Development Plan Document (DPD), however if the document received 50% or more 'yes' votes through a referendum it will be adopted by Woking Borough Council. The adoption process is prescribed by legislation.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N (/Y) (go to no. 3)	Communities have a right to be able to produce a neighbourhood plan; however communities are not required by legislative, regulatory or

		administrative purposes to produce a neighbourhood plan. This plan however if adopted would form part of the statutory development plan, therefore it is considered necessary to answer the following questions to determine further if an SEA is required.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a)) ³	Y (go to no. 5)	The WBNP is prepared for town and country planning and land use and does set out a framework for future development in the West Byfleet Neighbourhood Plan area, including Infrastructure development which may fall under no.10 of Annex II ⁴ of the EIA directive (for example, for potential social/community infrastructure, which may fall under 'urban development project').
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	N (go to no. 6)	See screening assessment for HRA in following section of this report.
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)	Y (go to no. 8)	The WBNP does not determine the use of an area of land; but for the purposes of the SEA Regulations, the plan is effectively a minor modification to the Woking Core Strategy by building on the planning policies contained within that document.
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)	Y (go to no. 8)	The WBNP sets policies which planning applications within the WBNP area must adhere to.
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N	None of these apply.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	The WBNP is unlikely to have any significant effect on the environment – see Table 2 for the detailed assessment.

Likely Significant Effects

The table above explains why SEA is not required, supported by the following table which assesses the answer to question 8 of the flowchart. A range of criteria as depicted in Figure 1 has been considered, which leads to the box in the flowchart stating "Directive Does Not Require SEA". The following table supports this outcome and shows how the Council has systematically reached its conclusion.

To decide whether a draft neighbourhood plan might have significant environmental effects, its potential scope should be assessed against the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations

³ The amended Environmental Impact Assessment (EIA) Directive (2014/52/EU) entered into force on 15 May 2014. Annex I and Annex II of this Directive has been referred to in this assessment.

⁴ Schedule II <http://www.legislation.gov.uk/ukxi/2011/1824/schedule/2/made>

2004. Using the information supplied by WBNF at the current stage of preparation, the assessment in Table 2 has been made.

Table 2: Assessment of likely significant effects against Schedule 1 criteria

Schedule 1 Criteria	Likely to have significant environmental effects?	Comments
1. The characteristics of plans and programmes, having regard, in particular, to -		
1a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	No	The WBNP will set out a spatial vision for the designated West Byfleet Neighbourhood Area and provide a framework for proposals for development in that area regarding housing design, community facilities, local infrastructure (primarily mitigation of traffic issues) and the protection and enhancement of valued open spaces. WBNP does not intend to include any but minor projects (such as improving pedestrian and cycling routes and community facilities); or any site allocations in the Plan. The Plan, therefore, has limited framework for future projects. Each development would also need a site specific planning application.
1b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	No	The WBNP will sit in a hierarchy of Local Development Documents (LDDs), and must be in conformity with strategic policies in the Woking Core Strategy. The policies of the draft WBNP do not, however, add significantly to the policies in existing LDDs. In preparing future LDDs, the Council should take account of the WBNP, but the degree of influence is such that it would not lead to significant environmental effects.
1c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	No/Yes	<p>The draft policy objectives set out in Section 3.0 of the WBNP are to balance environmental, social and economic considerations of sustainable development. The WBNP recognises that the Arcadian character and Green Belt of the area are particularly important characteristics of the surrounding environment.</p> <p>It is considered that the WBNP will have a positive impact on local environment assets and places valued by local people in the WBNP area. This will be achieved primarily through</p>

		<p>the protection and enhancement of open spaces, wildlife and green infrastructure corridors and other landscape features. Development is required to respect the character of the surrounding area and retain green infrastructure. The draft WBNP seeks to prevent development that would be harmful to important natural features.</p> <p>In addition, the draft WBNP supports development that seeks to mitigate environmental issues relating to traffic and air quality.</p> <p>Despite answering 'Yes' to this criteria, the positive environmental effects expected to result from the WBNP are not considered to be 'significant' as per Article 3.5 of the SEA Directive.</p>
1d) environmental problems relevant to the plan or programme;	No	<p>As described above, the draft WBNP seeks to minimise existing environmental problems in the area such as traffic congestion, by supporting development proposals which improve local infrastructure and retain or replace trees and hedges. The Plan does not allocate sites or propose development that would give rise to environmental problems. There are no other existing identified environmental problems in the area, such as Air Quality Management Areas.</p>
1e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection);	No	<p>The draft WBNP will have no relevance to the implementation of Community legislation – it does not allocate potentially polluting development.</p> <p>The overarching Woking Core Strategy takes account of the relevant legislative framework for environmental protection. Surrey County Council is the relevant authority for waste and minerals.</p>
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -		
2a) the probability, duration, frequency and reversibility of the effects;	No	<p>It is highly unlikely that there will be any irreversible damaging environmental impacts associated with the WBNP. The policies in the WBNP seek to ensure that any new development is built to preserve and</p>

		<p>enhance the environment. The Built Environment policies should ensure that new development retains and enhances the character of the area; the Open Space policies are designed to protect and enhance amenity, wildlife and the recreational value of open spaces; the Commercial Environment policies seek to retain existing community facilities and services, the Social and Community Policies support development proposals that contribute to infrastructure improvements and Infrastructure policies are intended to reduce the impact of traffic, congestion and air pollution as a result of development proposals as well as increase pedestrian safety. Essentially there would be no detrimental effects.</p>
2b) the cumulative nature of the effects;	No	<p>The cumulative effect of this plan and Woking's Core Strategy will likely lead to sustainable development in the Borough. It is not considered that the policies cumulatively will result in negative effects; but rather result in moderate positive effects. It is considered that all effects will be local in impact.</p>
2c) the transboundary nature of the effects;	No	<p>Effects will be local, but the effects of policies on neighbouring communities (such as the adjacent neighbourhoods of Pyrford, Woodham and Byfleet) have been considered. It is expected that the draft policies would lead to minor positive effects on the environment of these communities, for example, by supporting development that protects and maintains pedestrian walkways to and from adjacent areas.</p> <p>It is not considered that the WBNP would have any impact on key environmental designations of international, national, regional or local significance within and beyond the boundary of the WBNP area beyond that which has already been assessed as part of the Sustainability Appraisal and Habitats Regulation Assessment of the Core Strategy for the Borough (SAs and HRAs have been carried out separately for the emerging Development Management Policies</p>

		DPD and Site Allocations DPD).
2d) the risks to human health or the environment (e.g. due to accidents);	No	The WBNP will pose no risk to human health. Draft policy objectives of the WBNP seek to enhance and protect the environment. By seeking to address traffic issues and improving green infrastructure corridors, for example, the WBNP could help to reduce pollution and increase fitness respectively, and thus improve human health.
2e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	No	<p>The WBNP relates to a small area (294ha, of approximately 2,320 dwellings). The resident population of WBNA was 5,600 in 2011 (source: 2011 Census).</p> <p>It is expected that the WBNP policies will have a very local impact, primarily focused within the urban area (which makes up 71.1% of the neighbourhood plan area). Policies aim to protect and enhance existing residential areas, so any impacts of development on existing local residents are minimised, subject to detailed design matters being appropriately dealt with through any planning application. The proposed protection of open spaces and landscape features relates mostly to small, very specific areas and environmental features which the community has identified as being of importance to them. Therefore the protection of these areas has a positive impact on the local people who use and enjoy these areas (i.e. the impact is local in nature).</p>
2f) the value and vulnerability of the area likely to be affected due to – i) special natural characteristics or cultural heritage; ii) exceeded environmental quality standards or limit values; or iii) intensive land-use;	No	<p>The WBNP is unlikely to adversely affect the value and vulnerability of the built, natural or historic environment of the area. If anything it will provide greater support to enhance the setting of heritage, heritage assets and green spaces, including Conservation Areas, nationally and locally listed buildings, a Site of Special Scientific Interest, Ancient Woodland and Green Belt.</p> <p>The draft Built Environment policies provide specific policies in relation to design of development within or adjacent to Conservation Areas, or in relation to other heritage assets such</p>

		<p>as listed buildings. In addition to this Core Strategy Policy CS20, Development Management Policies DPD Policy DM20 and Saved Local Plan Policies BE9 and BE10 set out the requirement to protect and enhance heritage assets.</p> <p>Proposed Policy BE4 of the WBNP sets out an in principle support for the redevelopment of the Sheer House site, Station Approach. This site is allocated for development in the draft Site Allocations DPD (2015) (UA51) and therefore has been subject to the Sustainability Appraisal of the emerging Development Plan Document. Given this, and the scope of other environmental and heritage policies within the WBNP, it is considered unlikely that there will be any significant environmental effects arising from Policy BE4 of the WBNP that were not given detailed consideration in the Sustainability Appraisal of the draft Site Allocations DPD (June 2015).</p> <p>Draft policy objectives seek to protect and enhance open spaces for amenity, recreation and wildlife value. The WBNP policies seek to minimise impacts from development to sites of ecological, amenity, recreational and environmental importance.</p> <p>The WBNP policies also seek to minimise impacts from development to sites of ecological or environmental importance. Part of the Neighbourhood Area contains a designated SSSI (Site of Special Scientific Interest). None of the policies are likely to have any negative impacts on this designation.</p>
2g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	It is considered that the WBNP will not adversely affect areas or landscapes which have a recognised national, community or international protection status. Parts of the WBNP area are designated as Green Belt, but any WBNP policies will be in compliance with Green Belt policy of the Woking Core Strategy and the National Planning Policy Framework. The

		<p>WBNP will therefore have a positive effect in terms of reinforcing these policy aims.</p> <p>The draft policies of the WBNP are also designed to seek protection and enhancement of locally designated landscape features and habitats, including the Site of Special Scientific Interest, Ancient Woodland and wildlife corridors.</p> <p>The Neighbourhood Area is within 5km of the Thames Basin Heaths SPA. The draft WBNP policies do not allocate sites for development and therefore is unlikely to cause direct adverse effects on the SPA.</p> <p>The combination of WBNP with other DPDs may result in new housing development however the effects would effectively be mitigated by the implementation of the Thames Basin Heath Delivery Framework through the provision of SANG and SAMM - where the Council has identified sufficient SANG to meet future development needs.</p>
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Screening Outcome

As a result of the assessment above, it is unlikely that there will be any significant environmental effects arising from the West Byfleet Neighbourhood Plan that were not covered in the Sustainability Appraisal of either the Woking Core Strategy (2012), Development Management Policies DPD (2016) or the draft Site Allocations DPD (2015). As such, it is considered that the WBNP does not require a full SEA to be undertaken.

Nevertheless, any development that will take place within the neighbourhood area on the back of the Core Strategy, or the WBNP, will have to comply with heritage and conservation policies of the Core Strategy and the Development Management Policies DPD (CS20 and DM20 respectively). In addition, development proposals within the neighbourhood area will also have to comply with the flooding and watercourse policies of the Core Strategy (CS9 and CS17) and Development Management Policies DPD (DM4).

Section 2: HRA Screening

To reiterate, a neighbourhood plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. This section of the report has been prepared to determine whether an appropriate assessment of the WBNP is required under Directive 92/43/EEC on the conservation of natural habitats and wild fauna and flora (known as the 'Habitats Directive') and Directive 2009/147/EC on the conservation of wild birds (known as the 'Birds Directive'). These aim to protect and improve Europe's most important habitats and species. These Directives are transposed into UK law by The Conservation of Habitats and Species Regulations 2010 (as amended), which require Habitats Regulations Assessments (HRA) to be undertaken for plans and programmes in order to identify any significant effects that the plan might have on Environmental criteria or Habitats in the implementation of the plan.

Article 6 (paragraph 3) of the Habitats Directive provides that:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to an appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public”.

As set out in Section 1, the WBNP is a document that is intended to form part of the Statutory Planning Framework for the Woking Borough, following the process set out in the 2011 Localism Bill and the 2004 Town and Country Planning Act (as amended) and associated Regulations. These state that a Neighbourhood Development Plan must be in ‘general conformity’ with the ‘strategic policies’ of the planning framework, which currently consists of the Woking Core Strategy. The adoption of the Core Strategy document has been subject to both a Strategic Environmental Appraisal and a Habitat Regulations Screening Report, which have been accepted as an appropriate assessment of the plan.

Although the draft WBNP does not allocate sites (rather it provides general policies that clarify and provide detail to the policies within the Woking Core Strategy), a high level screening assessment has been undertaken to build upon the HRA Screening Report for the Woking Core Strategy. Therefore, this section of the report should be read in conjunction with the Woking Core Strategy HRA Screening Report⁵ (December 2011) and further assesses the degree to which there will be any significant impacts upon European sites.

European Designated Habitats

European sites (also known as Natura 2000 sites) recognised under the Habitats Directive consist of Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Offshore Marine Sites (OMS). Ramsar sites in England are also protected as European sites, as set out in The Conservation of Habitats and Species Regulations 2010. The vast majority are also classified as SPAs and all terrestrial

⁵ The Core Strategy HRA Report can be accessed here: <http://www.woking.gov.uk/planning/policy/ldfresearch/hra>

Ramsar sites in England are also notified as Sites of Special Scientific Interest (SSSIs). From hereon in, all SAC, SPA and Ramsar sites will be referred to as 'European sites'.

The two main European sites within the Borough boundary and in close proximity to the Borough are:

- **Thames Basin Heaths Special Protection Area (SPA)** – designated for its lowland heathland, supporting significant populations of three specialist ground-nesting birds (Nightjar, Woodlark and Dartford warbler). The regulations covering this designation require that any plan or proposal should have regard to whether it would have a significant effect on these rare birds⁶;
- **Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC)** – designated for its North Atlantic wet heaths and European dry heaths and bog, with extremely important assemblages of rare reptiles, dragonflies, invertebrates and plants.

The Core Strategy HRA Screening Report also screened for potential impacts on European sites located within 20km of Woking Town Centre. Appendix A of the HRA Screening Report sets out maps and citations for all of the designated sites within the 20km study area⁷. A map illustrating these sites is replicated in Appendix A. At the time of writing, there are no 'candidate SACs' or 'possible SPAs' within this 20km study area. By extending the study area to consider European sites within neighbouring boroughs, the HRA screening covered the potential trans-boundary and cumulative impacts on sites in adjacent boroughs arising from developments in Woking Borough.

The Thames Basin Heaths SPA and Thursley, Ash, Pirbright and Chobham SAC are illustrated on the Proposals Map accompanying Woking Core Strategy. Neither site falls within the boundary of the West Byfleet neighbourhood area – the map in Appendix A shows the location of the neighbourhood area in relation to these European sites. However, all land in the Borough is within 5km of a component of the Thames Basin Heaths SPA, and new residential development in the West Byfleet neighbourhood area is therefore considered to have the potential to affect features within them, through, for example, potential additional recreational impacts.

Any development that comes forward in the West Byfleet neighbourhood area will be subject to policy CS7 of the Core Strategy, on 'Biodiversity and nature conservation', which states that any development with potential impact on the SPA or the SAC will be subject to a Habitats Regulations Assessment to determine the need for Appropriate Assessment. It will also be subject to policy CS8 on 'Thames Basin Heaths Special Protection Areas', which requires any new residential development likely to have a significant effect on the purpose and integrity of the SPA to demonstrate that adequate mitigation measures are put in place to avoid any potential adverse effects. New residential development within the West Byfleet neighbourhood area will also be required to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM), as per guidance in the

⁶ Annex II of the Habitats Directive lists the animal and plant species of community interest whose conservation requires designation as a European site, which can be accessed here: <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01992L0043-20070101&from=EN>

⁷ The Appendices to the HRA Screening Report can be found here: <http://www.woking.gov.uk/planning/policy/ldfresearch/hra/habregassapp>

Council's Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015⁸.

HRA Screening Assessment

This screening assessment is carried out with regard to a series of conservation objectives and ecological indicators to help determine whether proposed WBNP issues and policies will be consistent with the protection and enhancement of the conservation features of importance to European sites, and whether any significant effect is likely. These objectives and indicators were identified by the Core Strategy HRA Screening Report. However, in May 2012, Natural England published an updated set of SAC and SPA Conservation Objectives. The UK Post-2010 Biodiversity Framework, delivered via the Government's Biodiversity 2020 Strategy (August 2011)⁹, has also now replaced the UK Biodiversity Action Plan. The list of objectives and indicators from the Core Strategy HRA Screening Report has therefore been updated, and is produced in Appendix B. This includes objectives and indicators for the two main European sites within a reasonable travel distance from the WBNP area boundary, which is at a much smaller scale than that of the Borough.

Only if a significant effect is likely is there a need for an appropriate assessment of the plan to be undertaken. The essential question is:

"is the WBNP (or any part of the plan), either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?"

The draft WBNP issues and policies could potentially have the following effects on European sites:

- Recreational pressures, including people pressure, trampling, eutrophication, and pet predation;
- fly tipping;
- release of non-native species;
- fire-raising;
- hydrology/hydrogeological effects (including water abstraction);
- direct pollution (e.g. proposed Part A and Part B Processes, landfill extensions, construction impacts);
- increasing traffic levels causing airborne nitrogen enrichment of the soil;
- transboundary and cumulative impacts.

Taking the conservation objectives, indicators and potential effects into account, the table below presents a Habitats Regulations Assessment Screening for the Preliminary Draft WBNP:

⁸ Woking Borough Council's Thames Basin Heaths Special Protection Avoidance Strategy 2010-2015 is available here: <http://www.woking.gov.uk/planning/policy/ldf/tbhspa/spastrategy2010>

⁹ The Government's Biodiversity 2020 Strategy is available here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69446/pb13583-biodiversity-strategy-2020-111111.pdf

	WBNP Draft Policy / Issue	Detail of policy/issue to be screened	Comment	Significant effect likely?
BUILT ENVIRONMENT	BE1	Good quality design to preserve and enhance character of area	This policy itself will not lead to development – it sets criteria for appropriate design	No significant effect
	BE2	High quality design to reflect and enhance the character of the area for residential development	This policy itself will not lead to development – it sets criteria for appropriate design	No significant effect
	BE3	Design of proposals in the commercial area to reflect local character and Conservation Areas	This policy is intended to preserve and enhance the built environment and heritage assets	No significant effect
	BE4	Redevelopment of commercial centre supported in principle, should reflect local character and enhance the Conservation Areas	This policy itself will not lead to development – it sets criteria for appropriate design to preserve and enhance heritage assets and local character	No significant effect
	BE5	Provision of specialist accommodation supported subject to proximity to village centre	This policy itself will not lead to development – it sets development criteria that promotes accessibility to existing local services	No significant effect
	BE6	Provision of off-road car parking	This policy itself will not lead to development – it sets criteria for appropriate car parking provision	No significant effect

COMMERCIAL ENVIRONMENT	CO1	Development that supports the District Centre will be supported	This policy itself will not lead to development – it supports the local economy	No significant effect
	CO2	The loss of retail space (A1) will not be encouraged	This policy itself will not lead to development - it sets criteria for preferred land uses	No significant effect
	CO3	Redevelopment of commercial centre should include retail, office and residential accommodation	This policy itself will not lead to development - it sets criteria for preferred land uses	No significant effect
	CO4	Redevelopment of commercial centre to include the NF and Business Association and provide continuity of business activities	This policy itself will not lead to development - it encourages community involvement and retention of existing community facilities	No significant effect
	CO5	Redevelopment of commercial centre should provide community facilities and services	This policy itself will not lead to development - it protects existing community facilities	No significant effect
INFRASTRUCTURE	I1	Development proposals on A245 will require a Transport Assessment and Air Quality Assessment	Policy expected to conserve and enhance the natural environment and have a positive impact on health	No significant effect
	I2	Development proposals should ensure highways safety	This policy itself will not lead to development – it sets criteria for appropriate design	No significant effect
	I3	Appropriate parking should be provided within the commercial area	This policy itself will not lead to development – it supports the improvement of existing local infrastructure	No significant effect

	14	Residential proposals should assess their impact on local services	This policy itself will not lead to development – it supports the improvement of existing local infrastructure	No significant effect
	15	Overhead power cables should be placed underground where practical	This policy itself will not lead to development – it supports the improvement of existing local infrastructure	No significant effect
OPEN SPACES	OS1 Green Belt	To protect the integrity and purpose of the Green Belt	The policy is expected to conserve and enhance the natural environment	No significant effect
	OS2 Local Green Space	Designate specific land as Open Green Space	The policy is expected to conserve and enhance the natural environment	No significant effect
	OS3 Wildlife and Plant Habitats	Protect and enhance existing wildlife and plant habitats, including wildlife corridors	The policy is expected to conserve and enhance the natural environment	No significant effect
	OS4 Trees and Hedges	Conservation of existing trees and hedges	The policy is expected to conserve and enhance the natural environment	No significant effect
	OS5 Access	Protect and enhance existing and provide new footpaths and cycle routes	The policy is expected to conserve and enhance access to the natural environment	No significant effect
SOCIAL AND COMMUNITY	S&C1	Proposals for a new community facilities will be supported	This policy itself will not lead to development – it supports the provision of local infrastructure	No significant effect
	S&C2	Proposals for a new community facilities will be	This policy itself will not lead to development – it	No significant effect

		supported	supports the improvement of existing local infrastructure	
	S&C3	Proposals for a new community facilities will be supported	This policy itself will not lead to development – it supports the improvement of existing local infrastructure	No significant effect
	S&C4	Proposals for a new sport and recreational facilities will be supported	This policy itself will not lead to development – it supports the provision of local infrastructure	No significant effect
	S&C5	Proposals for a new community facilities will be supported	This policy itself will not lead to development – it supports the improvement of existing and the provision of local infrastructure	No significant effect
	S&C6	Proposals for a new community facilities should have access to car parking	This policy itself will not lead to development – it supports improvement of and access to existing local infrastructure	No significant effect
	S&C7	Proposals within Area A should consider preparing a Concept Plan to make efficient use of the land	This policy itself will not lead to development – it supports improvement of existing local infrastructure within a specified area	No significant effect
	S&C8	Proposals for a new community facilities will be funded through CIL contributions	These projects will not lead to development – they support improvement of and capacity of existing local infrastructure	No significant effect

In-Combination Effects

Existing plans and proposals must be considered when assessing new plans or programmes for likely significant effects as they may create 'in combination' effects.

For reference, the relevant plans or programmes which should be considered when reviewing in combination effects are listed below:

- Woking Core Strategy DPD
- Woking Local Plan Saved Policies

The Core Strategy HRA Screening Report identified possible in-combination effects with regards to development in the South-East region. The report concluded that there would be no impacts on European sites as a result of potential hydrological changes, hydrogeology, direct pollution or transport-related nitrogen deposition caused by implementing policies in the Core Strategy. It also concluded that *"there are unlikely to be any significant recreational effects arising from WBC's Core Strategy on European sites in the boroughs around Woking"*. In addition, the report highlighted that sufficient Avoidance Strategies have been put in place by all Borough members of the Thames Basin Heaths Joint Strategy Partnership Board to prevent any impact upon the qualifying features of the European sites due to the proposed increase in urban development.

The emerging Development Management Policies DPD and Site Allocations DPD have been subject to separate HRAs. The draft HRA for the emerging Development Management Policies DPD was screened out as *"having no likelihood of leading to significant adverse effects on European sites either alone or in combination with other plans or projects"*. Although the draft HRA for the emerging Site Allocation DPD has not fully screened out that there will be no *"likelihood of leading to significant adverse effects on European sites"* the proposed DPD is still draft and will have to demonstrate this through identifying appropriate mitigation strategies where such effects are identified (Appropriate Assessment).

As the Preliminary Draft West Byfleet Neighbourhood Plan a) will not allocate sites; b) does not contain policies intended to lead to new development; and c) will be in general conformity with existing plans – including Woking Core Strategy policies - which have been assessed at a higher level; it is concluded that no significant in-combination likely effects will occur due to its implementation.

Screening Outcome

The screening assessment which has been undertaken concludes that no likely significant effects will occur with regards to the European sites within and around Woking Borough, due to the implementation of the Draft WBNP. As such, the WBNP does not require a full HRA to be undertaken.

Nevertheless, any residential development that will take place within the neighbourhood area on the back of the Core Strategy, or the WBNP, will have to comply with policies CS7 and CS8 of the Core Strategy, which set out criteria for 'Biodiversity and nature conservation' and 'Thames Basin Heaths Special Protection Areas' respectively.

Section 3: EIA Screening

The process of Environmental Impact Assessment is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (hereafter known as the EIA Regulations), which apply the EU directive "on the assessment of the effects of certain public and private projects on the environment" (usually referred to as the 'EIA Directive'). It should be noted that a newly amended EIA Directive entered into force on 15 May 2014 to simplify the rules for assessing the potential effects of projects on the environment (Directive 2014/52/EU), but the UK Government has yet to transpose the requirements of these arrangements into new regulation (due 2017).

As stated above, a neighbourhood plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. EIA is a procedure to be followed for only certain types of proposed development, to ensure that decisions are made in full knowledge of any likely significant effects on the environment and that the public are given early and effective opportunities to participate in the decision making procedures. The EIA Regulations define "EIA development" as that which is either Schedule 1 development¹⁰; or Schedule 2 development¹¹ likely to have significant effects on the environment by virtue of factors such as its nature, size or location. EIA is mainly of relevance to Neighbourhood Development Orders, and to development with significant transboundary effects. WBNF are not proposing any of these and therefore in this respect an EIA is not required. The draft WBNP also includes only minor projects to be supported by development proposals which are not of a type listed in Schedule 1 or Schedule 2 of the EIA Regulations (as well as the updated Schedules in the latest EIA Directive).

A Local Planning Authority is generally called upon to provide an EIA screening opinion in order to gain its opinion as to whether development is EIA development. As WBNF does not intend to establish an NDO, and the WBNP policies will not lead to development with significant transboundary effects, it is concluded that an EIA screening opinion is not applicable in this instance.

¹⁰ Schedule 1 development is listed here: <http://www.legislation.gov.uk/ukksi/2011/1824/schedule/1/made>

¹¹ Schedule 2 development is listed here: <http://www.legislation.gov.uk/ukksi/2011/1824/schedule/2/made>

Section 4: Conclusions and Recommendations of the Screening Assessments

It should be noted that the following determinations are made in respect of the Draft West Byfleet Neighbourhood Plan (dated June 2016). Should the final draft alter substantially from the preliminary draft, the Council may need to conduct a fresh screening exercise, which may lead to different determinations.

SEA

A screening assessment to determine the need for a SEA in line with the Regulations and guidance was undertaken and can be found in Section 1 of this report. The assessment finds no negative significant effects will occur as a result of the WBNP. The assessment also expects that all the WBNP policies will be in conformity with the local plan policies which have a full SA/SEA which identified no significant effects will occur as a result of the implementation of policies. Where conflicts occur, appropriate mitigation measures have been incorporated into the local plan policies.

Each of the three statutory consultation bodies with environmental responsibilities have been consulted on the initial screening report. The responses received are as follows:

Natural England: No SEA required

Historic England: No SEA required. It may be prudent to undertake an independent proportionate SEA to confirm and demonstrate that Policy BE4 would not likely lead to significant environmental effects.

Environment Agency: There are environmental effects that relate to the Neighbourhood Plan area including flood risk and main watercourses. However as the neighbourhood plan does not propose any site allocations, a SEA/SA is not required.

It is determined that as a result of the screening undertaken by the Council in Section 1, along with the responses received from the statutory consultation bodies, a Strategic Environmental Assessment is not required.

HRA

A screening assessment to determine the need for a HRA in line with regulations and guidance was undertaken and can be found in Section 2 of this report. The assessment also expects that all the WBNP policies will be in conformity with the local plan policies which have undergone HRA screening, which identified no likely significant effects will occur as a result of the implementation of policies. Where conflicts are likely to occur, appropriate mitigation measures have been incorporated into the local plan policies. It is also identified that no likely in-combination significant effects will occur as a result of the implementation of the WBNP.

Each of the three statutory consultation bodies with environmental responsibilities have been consulted on the initial screening report. The comments received are as follows:

Natural England: No comments relating to HRA

Historic England: No comments relating to HRA

Environment Agency: No comments relating to HRA

From the findings of the screening assessment it is recommended that a full HRA does not need to be undertaken for the WBNP.

EIA

It is concluded that the proposed project – the WBNP – does not fall within the remit of the Regulations, and is not likely to have a significant effect on the environment (as per assessments above), and therefore does not require an assessment.

Each of the three statutory consultation bodies with environmental responsibilities have been consulted on the initial screening report. The responses received are as follows:

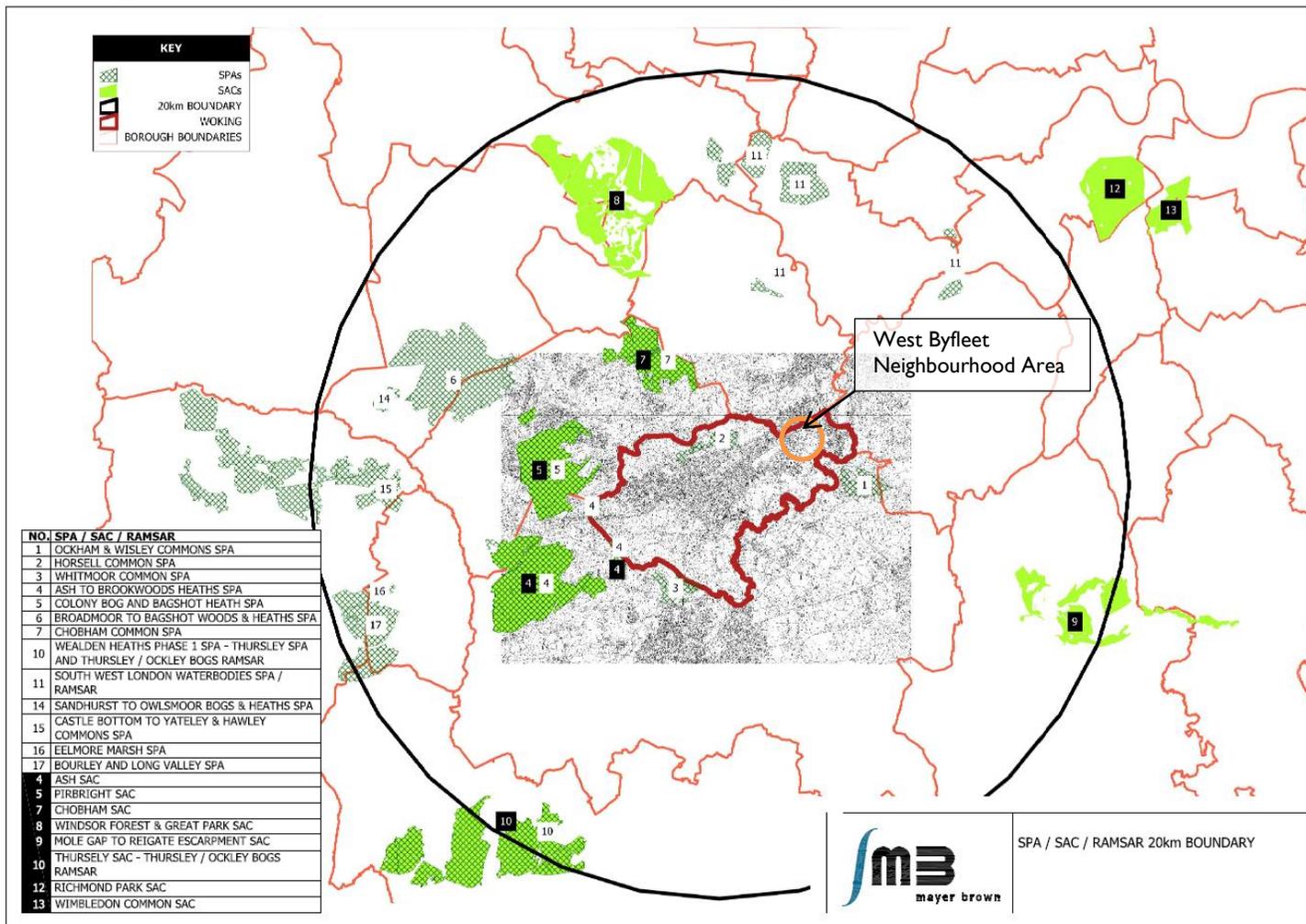
Natural England: No comments relating to EIA

Historic England: No comments relating to EIA

Environment Agency: No comments relating to EIA

It is determined that as a result of the screening undertaken by the Council in Section 3, along with the responses received from the statutory consultation bodies, an Environmental Impact Assessment is not required.

APPENDIX A: European sites located within 20km of Woking Town Centre



APPENDIX B: Conservation Objectives, Qualifying Features and Ecological Indicators

Site	Conservation Objectives	Qualifying Features	Indicators
<p>Thursley, Ash, Pirbright and Chobham SAC – comprised of 4 SSSIs</p>	<p>Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving 'Favourable Conservation Status' of each of the qualifying features.</p> <p>Subject to natural change, to maintain or restore:</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species; • The structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species; • The supporting processes on which qualifying natural habitats and habitats of qualifying species rely; • The populations of qualifying species; • The distribution of qualifying species within the site. <p>Biodiversity 2020 Strategy:</p> <ul style="list-style-type: none"> • Meet or support Biodiversity 2020 actions for SAC habitats and species present on SAC areas that were part of the reason for its designation as an internationally important site. 	<p>H4010. Northern Atlantic wet heaths with <i>Erica tetralix</i>; Wet heathland with cross-leaved heath</p> <p>H4030. European dry heaths</p> <p>H7150. Depressions on peat substrates of the <i>Rhynchosporion</i></p>	<ul style="list-style-type: none"> • Reported levels of damage to designated sites • Conclusions of relevant specialist assessments • Reported condition of SAC sites and their constituent SSSI units • Published reports from relevant lead partner/agencies delivering Biodiversity 2020 Strategy • Available information regarding species population/habitat extent and condition from Natural England, local Wildlife Trusts, RSPB etc.
<p>Thames Basin Heaths SPA – comprised of 13 SSSIs</p>	<p>Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.</p>	<p>A224 <i>Caprimulgus europaeus</i>; European nightjar (Breeding)</p> <p>A246 <i>Lullula arborea</i>;</p>	<ul style="list-style-type: none"> • Reported levels of damage to designated sites • Conclusions of relevant specialist assessments • Reported condition of SPA sites

	<p>Subject to natural change, to maintain or restore:</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 populations of the qualifying features; • The distribution of the qualifying features within the site. <p>Biodiversity 2020 Strategy:</p> <ul style="list-style-type: none"> • Meet or support Biodiversity 2020 actions for SPA habitats and species present on SPA areas that were part of the reason for its designation as an internationally important site. 	<p>Woodlark (Breeding)</p> <p>A302 <i>Sylvia undata</i>; Dartford warbler (Breeding)</p>	<ul style="list-style-type: none"> • Published reports from relevant lead partner/agencies delivering Biodiversity 2020 Strategy • Available information regarding species population/habitat extent and condition from Natural England, local Wildlife Trusts, RSPB etc.
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APPENDIX C: Statutory Consultee Consultation Responses



Historic England

Mr Terry De Sousa
Planning Policy Officer
Planning Services
Woking Borough Council
Civic Office
Gloucester Square
Woking, Surrey GU21 6YL

Our ref:
Your ref:

Telephone 01483 252040
Fax

24th August 2016

Dear Sir or Madam,

West Byfleet Neighbourhood Plan SEA Screening Opinion

Thank you for your e-mail of seeking the views of Historic England on your Council's West Byfleet Neighbourhood Plan Strategic Environmental Assessment Screening Opinion.

According to the National Heritage List for England West Byfleet has just three listed buildings, but we note that there are five designated conservation areas and a number of locally important buildings. There is, therefore, potential (albeit limited) for significant effects on the historic environment, depending on the nature and effects of the policies and proposals of the Neighbourhood Plan.

We note that the Draft Neighbourhood Plan does not allocate sites for development, a factor that understandably appears to have contributed significantly to the Council's draft opinion that it is unlikely that there will be any significant environmental effects arising from the Plan,

Policy BE 4 of the Plan, however, does support, in principle, the redevelopment of the Sheer House Complex. The Complex lies within the settings of the Byfleet Corner/Rosemount

Parade and Station Approach Conservation Areas and the redevelopment of this complex therefore has the potential to affect the special interest, character and appearance of these conservation areas (either positively or negatively).

This potential is recognised by Policy BE 4, which contains appropriate safeguards, and protection for the conservation areas is also provided by Policy BE 3 and, to a less specific extent, Policy BE 1. We therefore consider that the support for the redevelopment of the Sheer House Complex in Policy BE 4 would not be likely to give rise to significant effects on the historic environment of the conservation areas (and any effects would, hopefully, be positive).

In addition, part of the purpose of Strategic Environmental Assessment is to identify potential mitigation measures for potential adverse impacts. We consider that any such mitigation measures for any potential adverse impacts on the two conservation areas from the redevelopment of the Sheer House Complex would, effectively, be the requirements in Policy BE 4 (and Policy BE 3) to conserve and, where possible, enhance the Conservation Areas. We consider it unlikely therefore that a formal SEA would identify any additional mitigation measures.

In summary, therefore, Historic England agrees with your conclusion that an SEA is **not** required for the West Byfleet Neighbourhood Plan. However, should the nature of the Plan change from that set out in your Opinion we should be informed as we may wish to review our position.

Nevertheless, as you and the Neighbourhood Plan Steering Group are aware, one of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with European Union obligations (including under the Strategic Environmental Assessment Directive). The responsibility for ensuring that the Plan meets the basic conditions lies with the qualifying body and yourselves as the authority that will make the Plan if it passes the referendum.

Therefore, the Steering Group and/or yourselves may consider that it is prudent to undertake an independent proportionate (but compliant with the Environmental Assessment of Plans and Programmes Regulations 2004) SEA, to confirm and demonstrate that Policy BE 4 would not be likely to lead to significant environmental effects. This is a matter that we leave to the Steering Group and yourselves.

Even if a formal SEA is not believed to be necessary, we would nevertheless suggest that the Plan is subject to a form of sustainability appraisal to assess and monitor the Plan's policies and proposals against a set of agreed objectives.

Thank you again for seeking the views of Historic England on this Screening Opinion.

Yours faithfully,

A handwritten signature in black ink that reads "Martin Small". The signature is written in a cursive, slightly slanted style.

Martin Small
Principal Adviser, Historic Environment Planning
(Bucks, Oxon, Berks, Hampshire, IoW, South Downs National Park and Chichester)

E-mail: martin.small@historicengland.org.uk

Dear Terry,

Thank you for your email. I can confirm Natural England have no comments to make on these consultations. The conclusions drawn in the document for all three screenings seem logical and correct to me.

Kind Regards

Marc

Marc Turner
Senior Adviser
Sustainable Development and Regulation
Thames Valley Team
2nd Floor
Cromwell House
15 Andover Road
Winchester
SO23 7BT

Direct Dial: 02080267686

www.gov.uk/government/organisations/natural-england

Natural England offers two chargeable services – The Discretionary Advice Service (**DAS**) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service (**PSS**) provides advice for protected species mitigation licence applications.

These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

creating a better place



Terry De Sousa
Woking Borough Council
Policy & Performance

Our ref: WA/2011/110020/OR-10/PO1-L01

Date: 10 August 2016

By email:
Terry.DeSousa@woking.gov.uk

Dear Terry

West Byfleet Neighbourhood Plan SEA Screening

Thank you for consulting the Environment Agency on the screening opinion for the West Byfleet Neighbourhood Plan. We are a statutory consultee in the SEA process and aim to reduce flood risk and protect and enhance the water environment. Based on our review of the draft plan, we think there are environmental effects that relate to the Neighbourhood Plan area.

We have identified that the neighbourhood plan area will be affected by the following environmental constraints:

Flood Risk

Although the majority of the plan area lies within flood zone 1, there are areas to the north and the east of the plan area which lie in flood zone 2. However, you have confirmed in your consultation email that the Neighbourhood Plan does not propose any site allocations. If any housing sites are put forward within West Byfleet they should all be subject to the sequential test if proposed within areas of flood risk and we would suggest the inclusion of a policy to encourage a sequential approach to development.

Main River

The River Wey runs adjacent to the neighbourhood plan area (to the south) and the Basingstoke Canal to the north, both classed as main rivers. Development within or adjacent to these watercourse should not cause further deterioration and should seek to improve the water quality based on the recommendations of the Thames River Basin Management Plan. An assessment of the potential impacts of the neighbourhood plan on this watercourse under WFD should be included within the SEA/SA appraisal if sites are to be allocated near to these rivers.

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

This is available at:
<http://publications.environment-agency.gov.uk/PDF/GEHO0212BWAZ-E-E.pdf>

Cont/d..



I hope the above is helpful.

Yours sincerely

Mrs Jane Wilkin
Planning Advisor

Telephone: 020 3025 5538

E-mail: planning-famham@environment-agency.gov.uk