

Hook Heath Neighbourhood Plan

Strategic Environmental Assessment, Habitat Regulations Assessment & Environmental Impact Assessment

Screening Report

22 August 2014

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Screening Report for Preliminary Draft Hook Heath Neighbourhood Plan

Introduction

On 13 June 2014, Hook Heath Neighbourhood Forum (hereafter known as 'HHNF') wrote to Woking Borough Council to formally request a Screening Opinion for the need to carry out a Strategic Environmental Assessment (SEA), Habitat Regulations Assessment (HRA) and Environmental Impact Assessment (EIA) on their emerging neighbourhood plan. This screening report is designed to determine whether or not the contents of the emerging Hook Heath Neighbourhood Plan (hereafter known as 'HHNP') requires these series of assessments.

The HHNF was formally approved by Woking Borough Council in October 2013. During the following months, three working groups were formed focusing on issues related to the Built Environment, Open Spaces and Local Infrastructure. The collective result of their work to date, having extensively consulted with the local community, is the 'Preliminary Draft Hook Heath Neighbourhood Plan' (July 2014).

This screening opinion is based upon the following information provided to the Council in June and July 2014:

- a letter dated 13 June 2014 formally requesting a screening opinion on the need for the HHNP to pursue an SEA, EIA and HRA, and summarising the key issues the HHNP aims to address;
- the Preliminary Draft Hook Heath Neighbourhood Plan, 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 HHNP and the need for a full SEA. Section 2 provides a screening assessment of both the likely significant effects of the implementation of the HHNP and the need for HRA. Section 3 assesses the need for an EIA. Section 4 sets out the Council's final determinations, and a statement of its reasons for the determinations.

In forming its determinations, the Council consulted the three statutory consultation bodies designated in the Regulations (English Heritage, Environment Agency and Natural England) on whether environmental assessment is required. Comments made by the consultation bodies are set out in Appendix A.

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 HHNP 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 Hook Heath neighbourhood area does feature sensitive natural and heritage assets including a Site of Nature Conservation Importance, two Conservation Areas and listed buildings;

¹ National Planning Practice Guidance is available here: <http://planningguidance.planningportal.gov.uk/blog/guidance/> (accessed July 2014)

- **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).

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/uksi/2004/1633/pdfs/uksi_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 HHNP 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 HHNP policies and their conformity to the adopted Core Strategy will be undertaken once the HHNP has reached a final draft stage. If the draft HHNP 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 HHNP meets this condition and there is general conformity between the Core Strategy and the HHNP, and there are no significant changes introduced by the HHNP, it can be concluded that the implementation

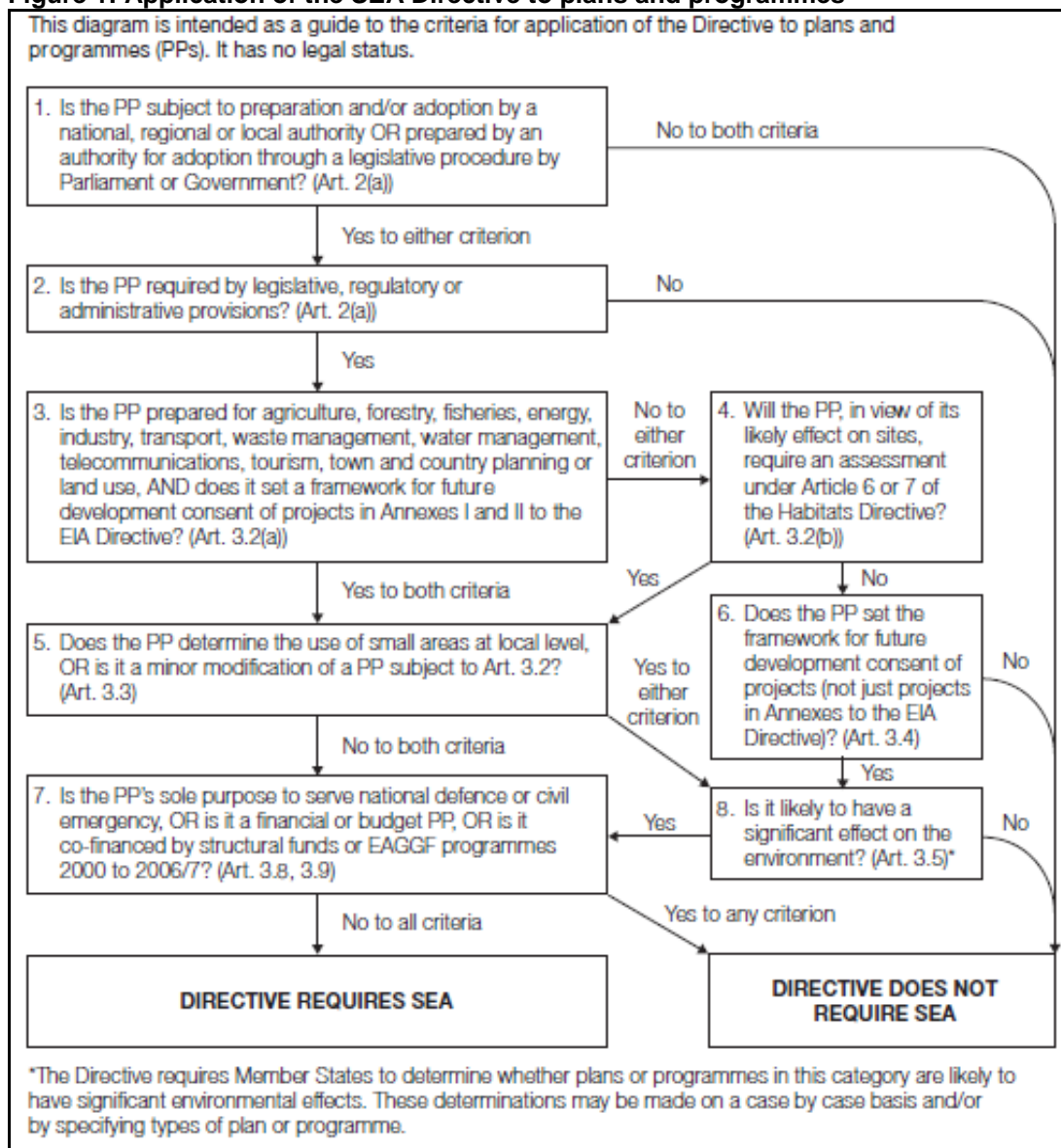
² The Woking Core Strategy Sustainability Appraisal (July 2011) is available here: <http://www.woking.gov.uk/planning/policy/ldf/cores/woking2027/saofcorestrpd>

of the HHNP 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.

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 HHNP 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 HHNP 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,	N (/Y)	Communities have a right to be able to

regulatory or administrative provisions? (Art. 2(a))	(go to no. 3)	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 HHNP is prepared for town and country planning and land use and does set out a framework for future development in the Hook Heath Plan area, including Infrastructure development which may fall under no.10 of Annex II 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 HHNP does not determine the use of an area of land; but for the purposes of the SEA Regulations, the plan does effectively make minor modifications to Woking's Local Plan by building on the planning policies contained within Woking Core Strategy.
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 HHNP sets policies which planning applications within the HHNP area must take account of.
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 HHNP 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 2004. Using the information supplied by HHNF at the current stage of preparation, the assessment in Table 2 has been made (on the following page).

³ The newly 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.

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 HHNP will set out a spatial vision for the designated Hook Heath 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. HHNF does not intend to include any but minor projects (such as reduction of on-street parking, and improving pedestrian and cycling routes); 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 HHNP 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 HHNP do not, however, add significantly to the policies in existing LDDs. In preparing future LDDs, the Council should take account of the HHNP, 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	<p>The draft policy objectives set out on the HHNP website are to balance environmental, social and economic considerations of sustainable development. However, the HHNF recognises that due to the Arcadian character and green nature of the area, the importance of the surrounding environment is particularly acute.</p> <p>It is considered that the HHNP will have a positive impact on local environment assets and places valued by local people in the HHNP area. This will be achieved primarily through the protection and enhancement of open spaces, wildlife habitats and landscape features. Development is required to respect the character of the surrounding area and retain green infrastructure. The draft HHNP seeks to prevent development that would be harmful to important natural features.</p> <p>In addition, the draft HHNP supports development that seeks to mitigate environmental issues relating to traffic.</p> <p>The positive environmental effects expected to result from the HHNP are not considered to be 'significant' as per Article 3.5 of the SEA Directive, and a 'No' response is therefore included in column 2.</p>
1d) environmental problems relevant to the plan or programme;	No	As described above, the draft HHNP seeks to minimise existing environmental problems in the area such as traffic congestion and poorly maintained footpaths, by supporting

		development proposals which improve local infrastructure. 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.
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	The draft HHNP will have no relevance to the implementation of Community legislation – it does not allocate potentially polluting development. 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.
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	It is highly unlikely that there will be any irreversible damaging environmental impacts associated with the HHNP. The policies in the HHNP seek to ensure that any new development is built to preserve and enhance the environment. The Built Environment policies would ensure that new development retains and enhances the character of the area and avoids traffic impacts; the Open Space policies are designed to protect and enhance amenity, wildlife and recreational value of open spaces; and Local Infrastructure policies support development proposals that contribute to infrastructure improvements to reduce levels of on-street parking and increase pedestrian safety. Essentially there would be no detrimental effects.
2b) the cumulative nature of the effects;	No	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.
2c) the transboundary nature of the effects;	No	Effects will be local, but the effects of policies on neighbouring communities (such as the wider neighbourhood of Mayford and St John's) 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. It is not considered that the HHNP would have any impact on key environmental designations of international, national, regional or local significance within and beyond the boundary of the HHNP 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.
2d) the risks to human health or the environment (e.g. due to accidents);	No	The HHNP will pose no risk to human health. Draft policy objectives of the HHNP seek to enhance and protect the environment. By

		addressing traffic issues and improving walkways, for example, the HHNP 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 HHNP relates to a very small area (232ha, of approximately 700 dwellings). The resident population of Hook Heath Neighbourhood Area was 2,021 in 2011 (source: 2011 Census).</p> <p>It is expected that the HHNP policies will have a very local impact, focused within the urban area (which takes up only 57% 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 HHNP 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 Nature Conservation Importance, Escarpment of Rising Ground of Landscape Importance, and Green Belt.</p> <p>The draft Built Environment policies do not provide specific policies in relation to design of development within or adjacent to the Fishers Hill and Pond Road Conservation Areas, or in relation to other heritage assets such as listed buildings; this should be addressed in the normal way through the appropriate planning application process, ensuring that applications are in accordance with Core Strategy policy CS20, and Saved Local Plan policies BE9 and BE10.</p> <p>Draft policy objectives seek to protect and enhance open spaces for amenity, recreation and wildlife value. The HHNP policies seek to minimise impacts from development to sites of ecological or environmental importance. Part of the HHNP area is designated as a Site of Nature Conservation Importance. 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 HHNP will not adversely affect areas or landscapes which have a recognised national, community or international protection status. Parts of the HHNP area are designated as Green Belt, but any HHNP policies will be in compliance with

		<p>Green Belt policy in the Woking Core Strategy and the National Planning Policy Framework, which protects this area from harmful development, and provide strict control over inappropriate development. The HHNP will therefore have a positive effect in terms of reinforcing these policy aims.</p> <p>The draft policies of the HHNP are also designed to seek protection and enhancement of locally designated landscape features, including the 'Escarpment and Rising Ground of Landscape Importance'; as well as locally designated biodiversity features including the Site of Nature Conservation Importance.</p>
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Screening Outcome

Having reviewed the criteria, the Council has concluded that the preliminary draft HHNP (July 2014) is not likely to have a significant environmental effect and accordingly will not require a Strategic Environmental Assessment.

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 HHNP 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 HHNP 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 HHNP 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 Report⁴ (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 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 birds⁵;
- **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 area⁶. A map illustrating these sites is replicated in Appendix B of this screening opinion. 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 Hook Heath neighbourhood area – the map in Appendix B 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 Hook Heath 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 Hook Heath 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 Hook Heath 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 Council's Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015⁷.

⁴ The Core Strategy HRA Report can be accessed here: <http://www.woking.gov.uk/planning/policy/ldfresearch/hra>

⁵ These birds are listed to be protected in European Directive 2009/147/EC, on the conservation of wild birds, available here: http://ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm

⁶ The Appendices to the HRA Screening Report can be found here: <http://www.woking.gov.uk/planning/policy/ldfresearch/hra/habregassapp>

⁷ 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>

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 HHNP 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)⁸, 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 C. This includes objectives and indicators for the two main European sites within a reasonable travel distance from the HHNP 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 HHNP (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 HHNP 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 HHNP:

	HHNP Draft Policy / Issue	Detail of policy/issue to be screened	Comment	Significant effect likely?
BUILT ENVIRONMENT	BE1: New Developments	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: Mix and density of housing developments	Appropriate density design to preserve and enhance character of area	This policy is intended to set indicative density ranges to preserve and enhance the built and natural environment. The HHNP density requirements would not lead to additional development beyond that expected to come forward on the	No significant effect

⁸ 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

			back of Woking Core Strategy.	
	BE3: Off-road parking	Minimum parking standards for residential development	This policy is intended to preserve and enhance the built environment	No significant effect
	BE4: Commercial development	Design of commercial development to avoid harm to the environment and general amenity	This policy itself will not lead to development – it sets criteria for appropriate design	No significant effect
	BE5: Older and Disabled People	Protection of existing specialist accommodation	This policy itself will not lead to new development – it is intended to retain existing development	No significant effect
OPEN SPACE	Pedestrian and Cycling Routes	Ensuring development proposals provide appropriate new/upgrade existing footpaths and cycling routes to promote sustainable transport modes, and health and wellbeing	Once drafted, policy(ies) will be intended to conserve and enhance green infrastructure	No significant effect
	Facilities for Recreation, Leisure and Sport	Promotion of social and community infrastructure to support growth	Once drafted, policy(ies) expected to set criteria for appropriate location and design	No significant effect
	Wildlife and Plant Habitat	Conservation and enhancement of biodiversity and green infrastructure	Once drafted, policy(ies) expected to conserve and enhance the natural environment	No significant effect
	Protection of green spaces and landscape character	Conservation and enhancement of landscape character and local distinctiveness	Once drafted, policy(ies) expected to conserve and enhance the natural environment	No significant effect
	Arboriculture	Conservation and enhancement of amenity value provided by trees	Once drafted, policy(ies) expected to conserve and enhance the natural environment	No significant effect
LOCAL INFRASTRUCTURE	LI1: Infrastructure Improvement	Ensuring development proposals provide appropriate infrastructure measures	This policy itself will not lead to development – it supports improvement of existing local infrastructure	No significant effect
	Local Infrastructure Projects	Minor projects for support by infrastructure service providers and developers, including: <ul style="list-style-type: none"> Improved road 	These minor projects are not expected to lead to development – they support the improvement and capacity of existing	No significant effect

		markings <ul style="list-style-type: none"> • Improved signage • Improved pedestrian safety • Updating rights of way 	local infrastructure	
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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.

As the Preliminary Draft Hook Heath 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 Preliminary Draft HHNP. As such, the HHNP 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 HHNP, 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 HHNF has also requested that the Council determine the need for an Environmental Impact Assessment (EIA). 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.

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 development⁹; or Schedule 2 development¹⁰ 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.

The HHNF has indicated that it does not intend to adopt a Neighbourhood Development Order, and therefore in this respect an EIA is not required. The draft HHNP also includes only minor projects to be supported by development proposals (such as improvements to footpaths and cycling routes), 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 HHNF does not intend to establish an NDO, and the HHNP policies will not lead to development with significant transboundary effects, it is concluded that an EIA screening opinion is not applicable in this instance.

Section 4: Determinations, and Statement of Reasons for Determinations

It should be noted that the following determinations are made in respect of the Preliminary Draft Hook Heath Neighbourhood Plan (July 2014). 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 preliminary draft HHNP. The assessment also expects that all the HHNP 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 were consulted on the initial screening report. The responses received from the consultation bodies were as follows:

Natural England: no SEA required

English Heritage: no comments submitted

Environment Agency: no further comments to make

It is determined that as a result of the screening undertaken by the Council in Section 1 of this report, 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 the Regulations and guidance was undertaken and can be found in Section 2 of this report. The Council has concluded that the preliminary draft HHNP is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010), alone or in combination with other plans and projects. The assessment also expects that all the HHNP 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.

Each of the three statutory consultation bodies were consulted on the initial screening report. The responses received from the consultation bodies were as follows:

Natural England: no HRA required

English Heritage: no comments submitted

⁹ Schedule 1 development is listed here: <http://www.legislation.gov.uk/ukxi/2011/1824/schedule/1/made>

¹⁰ Schedule 2 development is listed here: <http://www.legislation.gov.uk/ukxi/2011/1824/schedule/2/made>

Environment Agency: no further comments to make

It is determined that as a result of the screening undertaken by the Council in Section 2 of this report, along with the responses received from the statutory consultation bodies, a Habitats Regulation Assessment is not required.

EIA
It is concluded that the proposed project – the HHNP – 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 were consulted on the initial screening report. The responses received from the consultation bodies were as follows:

Natural England: no EIA required

English Heritage: no comments submitted

Environment Agency: no further comments to make

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

APPENDIX A: Consultation Responses

creating a better place



Woking Borough Council
Policy & Performance
Civic Offices Gloucester Square
Woking
Surrey
GU21 6YL

Our ref: WA/2011/110020/OT-
03/IS1-L01
Your ref:
Date: 15 August 2014

Dear Sir/Madam

Re: Draft Screening Opinion for Hook Heath Neighbourhood Plan

Thank you for consulting us on the Draft Screening Opinion for Hook Heath Neighbourhood Plan (HHNP). This consultation was received on 11 July 2014.

After reviewing the draft HHNP, the screening request and the draft screening opinion we have no comments to make.

If you require any further information then please do not hesitate to contact the undersigned.

Yours faithfully

Mrs Marie Martin
Planning Specialist - Major Projects

Direct dial 01252 729627
Direct e-mail marie.martin@environment-agency.gov.uk

End



0116.264

From: Lister, John (NE)
Sent: 14 August 2014 16:06
To: Stephanie Broadley
Subject: 126345 - Draft Screening Opinion for Hook Heath Neighbourhood Plan

Dear Stephanie

Thank you for consulting Natural England on your Screening Opinion.

On the basis of your assessment and a quick review of the plan, I can confirm that I agree with your conclusions that there is no need for the plan (as it stands) to be subject to full Strategic Environment Assessment, a Habitat Regulations Assessment, or an Environment Impact Assessment.

In the event that windfall development comes forward, Local Plan policies should apply to matters beyond the scope of the Neighbourhood Plan, and I trust that matters such as indirect impacts on SSSIs and N2Ks will thereby be addressed.

Yours sincerely,

John Lister

Lead Adviser

Development Plans Network

Natural England

Mobile - 0790 060 8172

www.naturalengland.org.uk

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings but attend via audio, video or web conferencing.

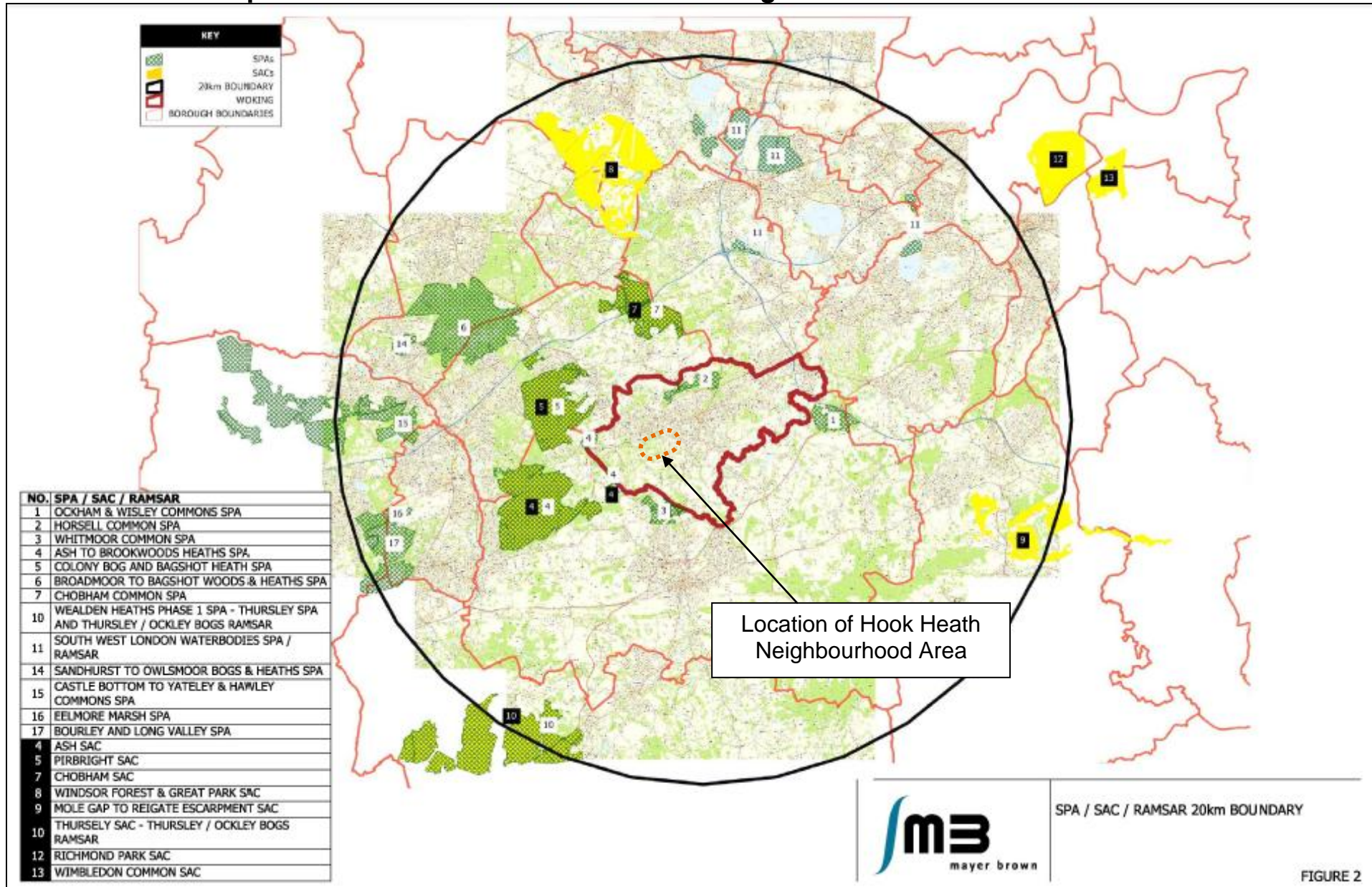
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APPENDIX B: European sites located within 20km of Woking Town Centre.



APPENDIX C: Conservation Objectives, Qualifying Features and Ecological Indicators

Site	Conservation Objectives	Qualifying Features	Indicators
Thursley, Ash, Pirbright and Chobham SAC – comprised of 4 SSSIs	<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.
Thames Basin Heaths SPA – comprised of 13 SSSIs	<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</p>	<p>A224 <i>Caprimulgus europaeus</i>; European nightjar (Breeding)</p> <p>A246 <i>Lullula</i></p>	<ul style="list-style-type: none"> • Reported levels of damage to designated sites • Conclusions of relevant specialist assessments • Reported condition of SPA

	<p>Directive.</p> <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><i>arborea</i>; Woodlark (Breeding)</p> <p>A302 <i>Sylvia undata</i>; Dartford warbler (Breeding)</p>	<p>sites</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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