

Send Neighbourhood Development Plan 2019 – 2034



Basic Conditions Statement

3rd October 2019

Contents

1. Introduction	P3
2. Legal Requirements	P4
3. Background	P6
4. The Basic Conditions	
1. “Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;	P8
2. The making of the neighbourhood plan contributes to the achievement of sustainable development;	P13
3. The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority.	P16
4. The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.	P22
5. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan”.	P23
5. Conclusion	P30
Appendix	
Draft Screening Report for Strategic Environmental Assessment and Habitats Regulations Assessment	P31

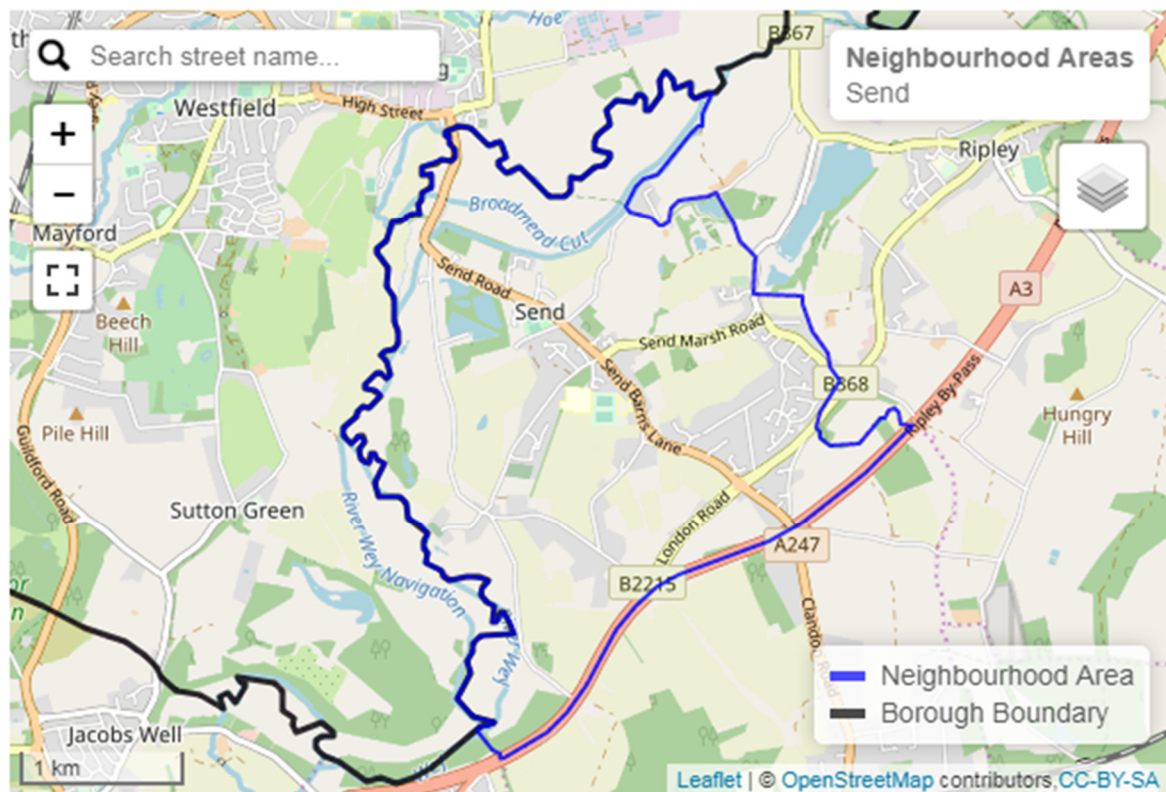
1. Introduction

- 1.1 This Basic Conditions Statement has been prepared to accompany the Send Neighbourhood Development Plan being submitted under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 to Guildford Borough Council.
- 1.2 The Neighbourhood Planning (General) Regulations 2012 states that when a plan proposal is submitted to the local planning authority it must include a statement explaining how the proposed Plan meets the requirements of paragraph 8 of Schedule 4B to the Town & Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The core basic conditions for Neighbourhood Plans are as follows:
1. “Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 2. The making of the neighbourhood plan contributes to the achievement of sustainable development;
 3. The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority.
 4. The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
 5. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan”.
- 1.3 The Neighbourhood Development Plan must also comply with the following legal requirements:
- The plan is being submitted by a qualifying body – which in a neighbourhood area that covers the whole or any part of the area of a parish can only be the Town or Parish Council.
 - The plan sets out policies in relation to the development and use of land in the whole or any part of a neighbourhood area. A neighbourhood development plan must include land use planning policies that can be used in the determination of planning applications. It must also relate to a designated neighbourhood area. The statement needs to confirm these two matters, clearly stating which designated neighbourhood area the draft plan relates to.
 - The proposed neighbourhood development plan states the period in which it is to have effect. This should be clearly shown on the front of the plan and confirmation of the period should also be included within the basic conditions statement.
 - The policies do not relate to excluded development. For example, county matters (mineral extraction and waste development) and Nationally Significant Infrastructure Projects.
 - The proposed neighbourhood plan does not relate to more than one neighbourhood area and there is no other neighbourhood development plan in force for any part of the neighbourhood area.

2. Legal Requirements

- 2.1 The Send Neighbourhood Development Plan is submitted by Send Parish Council, which, as a qualifying body, is entitled to submit a Neighbourhood Plan for its own parish. The Plan has been prepared by the Send Neighbourhood Plan Working Group, which comprises volunteers and members of the Parish Council and is assisted by a consultancy team led by Action in Rural Sussex.
- 2.2 The Neighbourhood Area covers the whole parish of Send as designated by Guildford Borough Council on 2nd July 2015 under the Neighbourhood Planning Regulations 2012 (part2 S6).
- 2.3 The Send Neighbourhood Development Plan contains policies relating to the development and use of land within the neighbourhood area. Proposals relating to planning matters (the use and development of land) have been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
- 2.4 The Send Neighbourhood Development Plan identifies the period to which it relates as 2019 to 2034, which aligns with the end date of the Guildford Local Plan: Strategy and Sites.
- 2.5 The Send Neighbourhood Development Plan does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.
- 2.6 The Send Neighbourhood Development Plan relates only to the parish of Send. It does not relate to more than one neighbourhood area. There are no other neighbourhood development plans in place within the neighbourhood area.

Send Neighbourhood Area



3. Background

- 3.1 In May 2015, Send Parish Council considered whether to prepare a Neighbourhood Development Plan and announced its intentions on its stand at the Annual May Fair. Once the decision to go ahead with the Plan was taken, a launch event was organised in September 2015.
- 3.2 Following some early engagement activity, the Plan was re-launched at the Send Parish Council's Annual Parish Meeting which took place in early April 2017 and at the 2017 Send May Fair. In spring 2018 a survey was developed and undertaken by Action in rural Sussex working in conjunction with the Working Group. A total of 1665 paper survey forms were distributed by post on the 23rd April 2018 to each household in Send Parish including pre-paid envelopes for returns. There was also an option to complete the survey online via Survey Monkey. Residents were asked to complete and return their forms by the 23rd May 2018 (which was later extended to 31st May 2018) so that the results could be analysed. The same deadlines applied to those who aimed to complete the survey online. A total of 353 responses were received to the survey of which 294 were returned by post and 59 completed online. This provides the survey with a response rate of 21.2%.
- 3.3 In the summer of 2018 the Working Group in collaboration with Send Church of England Primary School undertook a short and simple questionnaire with pupils of 6-11 years. 16 completed forms were returned. An online survey with businesses was also carried out aimed at businesses operating from and within Send Parish as well as those working from home. The purpose was to gather further evidence from this target group to help draw up policies about local business in the Parish. 5 businesses responded to the survey of which 2 had been in operation for over 21 years, 2 had been operating between 10-12 years and 1 had been operating between 6 months and 3 years so fairly new.
- 3.4 The outcomes of the consultation activities referred to above are detailed in the Consultation Statement and were used to inform the vision and objectives set out in Chapter 5 of the Neighbourhood Development Plan and the policies and community aspirations set out in Chapters 6 and 7.
- 3.5 In the spring of 2019 a draft Send Neighbourhood Development Plan was published for public consultation for 6 weeks between 8th April and 28th May. The responses received informed the final version of the Plan submitted for examination as detailed in the Consultation Statement.

4. The Basic Conditions

Basic Condition 1. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.

- 4.1 The Send Neighbourhood Development Plan has been prepared with regard to national policies set out in the National Planning Policy Framework (NPPF) as updated in February 2019. The Planning Practice Guidance (PPG) that sits alongside the NPPF is gradually being updated to the new NPPF.

Policies in the NPPF and Guidance in the PPG	How the Send Neighbourhood Development Plan (NDP) has had regard to national policies and advice.
NPPF Chapter 2. Achieving Sustainable Development Paragraphs 7 - 14	The vision for the NDP is “By 2034, Send Parish will be vibrant and sustainable with a distinct character, good facilities, a strong sense of community and retain a rural village feel. Send will have an enhanced local centre and provide a mix of housing types for all, whilst retaining the character, environmental and heritage assets of the parish and separate identities of the various settlements, which have not merged into surrounding towns and villages”.
NPPF Chapter 3. Plan-making Paragraphs 15 - 37	The preparation of the Send Neighbourhood Development Plan has followed the advice in this chapter insofar as it was relevant to the role and content of the Plan.
NPPF Chapter 4. Decision Making Paragraphs 38 - 58	Not relevant to plan-making.
NPPF Chapter 5. Delivering a sufficient supply of homes with accompanying PPG advice on deliverability Paragraphs 59 - 79	The Guildford Local Plan: Strategy and Sites includes housing and employment allocations for Send. These allocations are of a significant scale and planned to meet the development needs for the Borough up to 2034. Policy Send 2 – Housing Development - seeks to influence the type, style, tenure and design of these allocated developments and any other future windfall developments.
NPPF Chapter 6. Building a strong, competitive economy Paragraphs 80 - 84	Policy Send 3 – Supporting the local economy - supports new business space of under 100sqm – which is a threshold set by

	the Local Plan for such development outside of town centres or strategic employment areas.
NPPF Chapter 7. Ensuring the vitality of town centres Paragraphs 85 - 90	Policy Send 3 – Supporting the local economy - supports new retail space of under 100sqm – which is a threshold set by the Local Plan for such development outside of town centres.
NPPF Chapter 8. Promoting healthy and safe communities Paragraphs 91 - 101	Policy Send 5 designates Local Green Spaces in compliance with the criteria in NPPF paragraph 100. Policy Send 6 identifies community facilities that are important to Send and should be retained.
NPPF Chapter 9. Promoting sustainable transport Paragraphs 102 - 111	Policy Send 7 supports proposals that enhance sustainable and accessible transport opportunities and help address the transport issues, and includes as examples only: the provision or improvement of public transport facilities; the provision or improvement of public footpaths and cycleways; the provision of electric charging points; and park and ride facilities for local stations. Policy Send 8 requires off-street vehicle parking for new developments such that the level of any resulting parking on the public highway does not adversely impact road safety or the movement of other road users.
NPPF Chapter 10. Supporting high quality communications Paragraphs 112 - 116	This subject area is not included in the Send NDP as it is already adequately covered by existing Local Plan policies.
NPPF Chapter 11. Making effective use of land Paragraphs 117 - 123	This subject area is not included in the Send NDP as it is already adequately covered by existing Local Plan policies.
NPPF Chapter 12. Achieving well-designed places Paragraphs 124 - 132	Policy Send 1 – Design - uses the Send Character Assessment to inform the implementation of design policies so that development is locally distinctive. It includes a requirement that the River Wey Conservation Area and its setting is conserved and enhanced.
NPPF Chapter 13. Protecting Green Belt Land Paragraphs 133 - 147	Policy Send 2 – Housing Development – includes criteria about development within the Green Belt which conform with the NPPF.

NPPF Chapter 14. Meeting the challenge of climate change, flooding and coastal change Paragraphs 148 - 169	This subject area is not included in the Send NDP as it is already adequately covered by existing Local Plan policies.
NPPF Chapter 15. Conserving and enhancing the natural environment Paragraphs 170 - 183	Policy Send 4 – Green and Blue Infrastructure - seeks to protect the environment that makes Send a special place. The supporting text refers to Local Plan policy P5 relating to the Thames Basin Heaths Special Protection Area and to other designations such as the Papercourt SSSI.
NPPF Chapter 16. Conserving and enhancing the historic environment Paragraphs 184 - 202	Policy Send 1 – Design - includes a requirement that the River Wey Conservation Area and its setting is conserved and enhanced.
NPPF Chapter 17. Facilitating the sustainable use of minerals Paragraphs 203 - 211	The Send Neighbourhood Development Plan does not include policies relating to minerals.

- 4.2 The above tables demonstrate that the planning policies of the Send Neighbourhood Development Plan have regard to national policies and advice contained in guidance issued by the Secretary of State and therefore the Plan complies with Basic Condition 1.

Basic Condition 2. The making of the neighbourhood plan contributes to the achievement of sustainable development.

- 4.3 Guildford Borough Council produced a draft Strategic Environmental Assessment Screening and Habitat Regulations Assessment Report in April 2019 (appended to this Statement) which found that the NDP is unlikely to have significant environmental effects, and accordingly the Qualifying Body has determined that the plan will not lead to significant environmental effects and therefore does not require Strategic Environmental Assessment for the reasons set out in the screening report. Once the plan has been submitted this screening report will be reviewed in the light of the final plan and the statutory consultees will be sent a copy of the report for their views.
- 4.4 In order to satisfy Basic Condition 2 and ensure the Plan meets community aspirations for sustainability, an assessment has been carried out of each planning policy against sustainability objectives. These objectives have been taken from the Sustainability Appraisal of the Guildford Borough Local Plan produced by AECOM. The scores are red for a negative impact, green for a positive impact and uncoloured for a neutral impact. A justification for the score is provided in the last column.

Policy Send 1 - Design

Sustainability Objective	Score	Justification for Score
1. Maintain, conserve and enhance biodiversity and the natural environment		This policy requires that development shall conserve and enhance environmental assets and refers to the Send Character Assessment for details of what these are in each area.
2. Mitigate climate change through reducing emissions of greenhouse gases		This policy requires sustainable design, which by definition would contribute positively to this objective.
3. Create and sustain vibrant communities		This policy does not impact on this objective.
4. Maintain Guildford borough and Guildford town's competitive economic role		This policy does not impact on this objective.
5. Facilitate employment development opportunities to meet the changing needs of the economy		This policy does not impact on this objective.
6. Reduce the risk of flooding and the resulting detriment to public well-being, the economy and the environment.		This policy does not impact on this objective.

9. Provide sufficient housing of a suitable mix taking into account local housing need, affordability, deliverability, the needs of the economy, and travel patterns		This policy does not impact on this objective.
10.Minimise use of best and most versatile agricultural land and encourage the remediation of contaminated land		This policy does not impact on this objective.
11.Conserve and enhance landscape character		This policy refers to the Send Character Assessment which details the landscape character of each area.
12.Reduce poverty and social exclusion for all sectors of the community		This policy does not impact on this objective.
13.Make the best use of previously developed land and existing buildings		This policy does not impact on this objective.
14.Enhance the borough's rural economy		This policy does not impact on this objective.
15.Create and maintain safer and more secure communities		This policy does not impact on this objective.
16.Achieve a pattern of development which minimizes journey lengths and encourages the use of sustainable forms of transport (walking, cycling, bus and rail)		This policy does not impact on this objective.
17.Reduce waste generation and achieve the sustainable management of waste		This policy does not impact on this objective.
18.Maintain and improve the water quality of the borough's rivers and groundwater, and to achieve sustainable water resources management		This policy does not impact on this objective.

Policy Send 2 – Housing Development

Sustainability Objective	Score	Justification for Score
1. Maintain, conserve and enhance biodiversity and the natural environment		This policy does not impact on this objective.
2. Mitigate climate change through reducing emissions of greenhouse gases		This policy does not impact on this objective.
3. Create and sustain vibrant communities		This policy supports the provision of new homes which would make a positive contribution to this objective.
4. Maintain Guildford borough and Guildford town's competitive economic role		This policy does not impact on this objective.
5. Facilitate employment development opportunities to meet the changing needs of the economy		This policy does not impact on this objective.
6. Reduce the risk of flooding and the resulting detriment to public well-being, the economy and the environment.		This policy does not impact on this objective.
9. Provide sufficient housing of a suitable mix taking into account local housing need, affordability, deliverability, the needs of the economy, and travel patterns		This policy supports the provision of new homes, including affordable homes, which would make a positive contribution to this objective.
10. Minimise use of best and most versatile agricultural land and encourage the remediation of contaminated land		This policy does not impact on this objective.
11. Conserve and enhance landscape character		This policy requires development within the inset area to reflect the character and settlement pattern of the surrounding area and restricts development within the Green Belt.
12. Reduce poverty and		This policy facilitates the provision of

social exclusion for all sectors of the community		affordable housing which would contribute positively to this objective.
13. Make the best use of previously developed land and existing buildings		This policy does not impact on this objective.
14. Enhance the borough's rural economy		This policy does not impact on this objective.
15. Create and maintain safer and more secure communities		This policy does not impact on this objective.
16. Achieve a pattern of development which minimizes journey lengths and encourages the use of sustainable forms of transport (walking, cycling, bus and rail)		This policy guides most housing development towards land within and adjacent to existing settlements which are likely to provide more options for sustainable forms of transport.
17. Reduce waste generation and achieve the sustainable management of waste		This policy does not impact on this objective.
18. Maintain and improve the water quality of the borough's rivers and groundwater, and to achieve sustainable water resources management		This policy does not impact on this objective.

Policy Send 3 – Supporting the local economy

Sustainability Objective	Score	Justification for Score
1. Maintain, conserve and enhance biodiversity and the natural environment		The policy requires that any new employment or retail development be suitably located in terms of its impact on the environment.
2. Mitigate climate change through reducing emissions of greenhouse gases		This policy does not impact on this objective.
3. Create and sustain vibrant communities		This policy supports the provision of new employment and retail space which would make a positive contribution to this objective.
4. Maintain Guildford borough and Guildford town's competitive economic role		This policy supports the provision of new employment and retail space which would make a positive contribution to this objective.
5. Facilitate employment development		This policy supports the provision of new employment and retail space which would

opportunities to meet the changing needs of the economy		make a positive contribution to this objective.
6. Reduce the risk of flooding and the resulting detriment to public well-being, the economy and the environment.		This policy does not impact on this objective.
9. Provide sufficient housing of a suitable mix taking into account local housing need, affordability, deliverability, the needs of the economy, and travel patterns		This policy does not impact on this objective.
10.Minimise use of best and most versatile agricultural land and encourage the remediation of contaminated land		This policy does not impact on this objective.
11.Conserve and enhance landscape character		The policy requires that any new employment or retail development be suitably located in terms of its impact on the environment.
12.Reduce poverty and social exclusion for all sectors of the community		This policy facilitates the provision of employment opportunities which would contribute positively to this objective.
13.Make the best use of previously developed land and existing buildings		This policy does not impact on this objective.
14.Enhance the borough's rural economy		This policy supports the provision of new employment and retail space which would make a positive contribution to this objective.
15.Create and maintain safer and more secure communities		This policy does not impact on this objective.
16.Achieve a pattern of development which minimizes journey lengths and encourages the use of sustainable forms of transport (walking, cycling, bus and rail)		This policy requires new employment and retail development to be suitably located in terms of its impact levels of traffic movement, its accessibility to public transport and its link with infrastructure.
17.Reduce waste generation and achieve the sustainable		This policy does not impact on this objective.

management of waste		
18. Maintain and improve the water quality of the borough's rivers and groundwater, and to achieve sustainable water resources management		This policy does not impact on this objective.

Policy Send 4 – Green and Blue Infrastructure

Sustainability Objective	Score	Justification for Score
1. Maintain, conserve and enhance biodiversity and the natural environment		This policy protects the countryside setting of the settlements and requires development to include the provision and enhancement of green and blue infrastructure, including wildlife habitats and corridors, to achieve net biodiversity gain. It also seeks to contribute to meeting the objectives of the River Wey Biodiversity Opportunity Area development and requires that proposals within the vicinity of the River Wey and Navigation will only be supported if they do not harm local biodiversity or water quality.
2. Mitigate climate change through reducing emissions of greenhouse gases		The requirements of this policy will contribute positively to mitigating climate change.
3. Create and sustain vibrant communities		This policy does not impact on this objective.
4. Maintain Guildford borough and Guildford town's competitive economic role		This policy does not impact on this objective.
5. Facilitate employment development opportunities to meet the changing needs of the economy		This policy does not impact on this objective.
6. Reduce the risk of flooding and the resulting detriment to public well-being, the economy and the environment.		This policy does not impact on this objective.
9. Provide sufficient housing of a suitable mix taking into account local housing need,		This policy does not impact on this objective.

affordability, deliverability, the needs of the economy, and travel patterns		
10.Minimise use of best and most versatile agricultural land and encourage the remediation of contaminated land		This policy does not impact on this objective.
11.Conserve and enhance landscape character		This policy protects the countryside setting of the settlements.
12.Reduce poverty and social exclusion for all sectors of the community		This policy does not impact on this objective.
13.Make the best use of previously developed land and existing buildings		This policy does not impact on this objective.
14.Enhance the borough's rural economy		This policy does not impact on this objective.
15.Create and maintain safer and more secure communities		This policy does not impact on this objective.
16.Achieve a pattern of development which minimizes journey lengths and encourages the use of sustainable forms of transport (walking, cycling, bus and rail)		This policy does not impact on this objective.
17.Reduce waste generation and achieve the sustainable management of waste		This policy does not impact on this objective.
18.Maintain and improve the water quality of the borough's rivers and groundwater, and to achieve sustainable water resources management		This policy requires that proposals within the vicinity of the River Wey and Navigation will only be supported if they do not harm local biodiversity or water quality.

Policy Send 5 – Local Green Space

Sustainability Objective	Score	Justification for Score
1. Maintain, conserve and		This policy designates Local Green Spaces and

enhance biodiversity and the natural environment		protects them from development which will contribute positively to this objective.
2. Mitigate climate change through reducing emissions of greenhouse gases		This policy does not impact on this objective.
3. Create and sustain vibrant communities		This policy does not impact on this objective.
4. Maintain Guildford borough and Guildford town's competitive economic role		This policy does not impact on this objective.
5. Facilitate employment development opportunities to meet the changing needs of the economy		This policy does not impact on this objective.
6. Reduce the risk of flooding and the resulting detriment to public well-being, the economy and the environment.		This policy does not impact on this objective.
9. Provide sufficient housing of a suitable mix taking into account local housing need, affordability, deliverability, the needs of the economy, and travel patterns		This policy does not impact on this objective.
10.Minimise use of best and most versatile agricultural land and encourage the remediation of contaminated land		This policy does not impact on this objective.
11.Conserve and enhance landscape character		This policy designates Local Green Spaces and protects them from development which will contribute positively to this objective.
12.Reduce poverty and social exclusion for all sectors of the community		This policy does not impact on this objective.
13.Make the best use of previously developed land and existing buildings		This policy does not impact on this objective.
14.Enhance the borough's rural economy		This policy does not impact on this objective.

15.Create and maintain safer and more secure communities		This policy does not impact on this objective.
16.Achieve a pattern of development which minimizes journey lengths and encourages the use of sustainable forms of transport (walking, cycling, bus and rail)		This policy does not impact on this objective.
17.Reduce waste generation and achieve the sustainable management of waste		This policy does not impact on this objective.
18.Maintain and improve the water quality of the borough's rivers and groundwater, and to achieve sustainable water resources management		This policy does not impact on this objective.

Policy Send 6 – Supporting Community Facilities

Sustainability Objective	Score	Justification for Score
1. Maintain, conserve and enhance biodiversity and the natural environment		This policy does not impact on this objective.
2. Mitigate climate change through reducing emissions of greenhouse gases		This policy does not impact on this objective.
3. Create and sustain vibrant communities		This policy supports the provision of new community facilities that provide for everyday needs and resists the loss of existing community facilities. The most important of these are identified within the policy. This policy would therefore contribute positively to this objective.
4. Maintain Guildford borough and Guildford town's competitive economic role		This policy does not impact on this objective.
5. Facilitate employment development opportunities to meet the changing needs of the economy		This policy does not impact on this objective.

6. Reduce the risk of flooding and the resulting detriment to public well-being, the economy and the environment.		This policy does not impact on this objective.
9. Provide sufficient housing of a suitable mix taking into account local housing need, affordability, deliverability, the needs of the economy, and travel patterns		This policy does not impact on this objective.
10.Minimise use of best and most versatile agricultural land and encourage the remediation of contaminated land		This policy does not impact on this objective.
11.Conserve and enhance landscape character		This policy does not impact on this objective.
12.Reduce poverty and social exclusion for all sectors of the community		Community facilities help to prevent social exclusion by providing places for people in all sectors of the community to meet. This policy therefore contributes positively to this objective.
13.Make the best use of previously developed land and existing buildings		This policy does not impact on this objective.
14.Enhance the borough's rural economy		This policy does not impact on this objective.
15.Create and maintain safer and more secure communities		This policy does not impact on this objective.
16.Achieve a pattern of development which minimizes journey lengths and encourages the use of sustainable forms of transport (walking, cycling, bus and rail)		Promotion and retention of community facilities close to where people live reduces the amount they have to travel and makes it more likely that they will use sustainable means of transport to access these facilities.
17.Reduce waste generation and achieve the sustainable management of waste		This policy does not impact on this objective.
18.Maintain and improve the water quality of the		This policy does not impact on this objective.

borough's rivers and groundwater, and to achieve sustainable water resources management		
---	--	--

Policy Send 7 – Supporting sustainable transport

Sustainability Objective	Score	Justification for Score
1. Maintain, conserve and enhance biodiversity and the natural environment		This policy does not impact on this objective.
2. Mitigate climate change through reducing emissions of greenhouse gases		This policy supports proposals that enhance sustainable and accessible transport opportunities which will help to mitigate climate change.
3. Create and sustain vibrant communities		This policy does not impact on this objective.
4. Maintain Guildford borough and Guildford town's competitive economic role		This policy does not impact on this objective.
5. Facilitate employment development opportunities to meet the changing needs of the economy		This policy does not impact on this objective.
6. Reduce the risk of flooding and the resulting detriment to public well-being, the economy and the environment.		This policy does not impact on this objective.
9. Provide sufficient housing of a suitable mix taking into account local housing need, affordability, deliverability, the needs of the economy, and travel patterns		This policy does not impact on this objective.
10. Minimise use of best and most versatile agricultural land and encourage the remediation of contaminated land		This policy does not impact on this objective.
11. Conserve and enhance landscape character		This policy does not impact on this objective.

12.Reduce poverty and social exclusion for all sectors of the community		This policy does not impact on this objective.
13.Make the best use of previously developed land and existing buildings		This policy does not impact on this objective.
14.Enhance the borough's rural economy		This policy does not impact on this objective.
15.Create and maintain safer and more secure communities		This policy does not impact on this objective.
16.Achieve a pattern of development which minimizes journey lengths and encourages the use of sustainable forms of transport (walking, cycling, bus and rail)		This policy supports proposals that enhance sustainable and accessible transport opportunities and help to address the transport issues within Send Parish.
17.Reduce waste generation and achieve the sustainable management of waste		This policy does not impact on this objective.
18.Maintain and improve the water quality of the borough's rivers and groundwater, and to achieve sustainable water resources management		This policy does not impact on this objective.

Policy Send 8 – Car parking provision

Sustainability Objective	Score	Justification for Score
1. Maintain, conserve and enhance biodiversity and the natural environment		This policy does not impact on this objective.
2. Mitigate climate change through reducing emissions of greenhouse gases		This policy does not impact on this objective.
3. Create and sustain vibrant communities		This policy does not impact on this objective.
4. Maintain Guildford borough and Guildford town's competitive economic role		This policy does not impact on this objective.
5. Facilitate employment development		This policy does not impact on this objective.

opportunities to meet the changing needs of the economy		
6. Reduce the risk of flooding and the resulting detriment to public well-being, the economy and the environment.		This policy does not impact on this objective.
9. Provide sufficient housing of a suitable mix taking into account local housing need, affordability, deliverability, the needs of the economy, and travel patterns		This policy does not impact on this objective.
10.Minimise use of best and most versatile agricultural land and encourage the remediation of contaminated land		This policy does not impact on this objective.
11.Conserve and enhance landscape character		This policy does not impact on this objective.
12.Reduce poverty and social exclusion for all sectors of the community		This policy does not impact on this objective.
13.Make the best use of previously developed land and existing buildings		This policy does not impact on this objective.
14.Enhance the borough's rural economy		This policy does not impact on this objective.
15.Create and maintain safer and more secure communities		This policy supports the provision of off-street vehicle parking such that the level of any resulting parking on the public highway does not adversely impact road safety or the movement of other road users. This will make communities safer and therefore contribute positively to this objective.
16.Achieve a pattern of development which minimizes journey lengths and encourages the use of sustainable forms of transport (walking, cycling, bus and rail)		This policy does not impact on this objective.
17.Reduce waste		This policy does not impact on this objective.

generation and achieve the sustainable management of waste		
18.Maintain and improve the water quality of the borough's rivers and groundwater, and to achieve sustainable water resources management		This policy does not impact on this objective.

- 4.5 The above tables demonstrate that the policies of the Send Neighbourhood Development Plan have some positive impacts on sustainability objectives and no negative impacts. It is therefore considered that the Plan contributes to the achievement of sustainable development in the parish and complies with Basic Condition 2.

Basic Condition 3. The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plans for the areas of the authorities.

4.6 The Send Neighbourhood Development Plan has been prepared to ensure its general conformity with the Guildford Local Plan: Strategy and Sites which was adopted on 25th April 2019. There also remain some saved policies of the Guildford Local Plan 2003.

4.7 Surrey County Council has adopted the following documents:

- Surrey Waste Plan 2008
- Surrey Minerals Plan Core Strategy Development Plan Document 2011

It has also submitted for examination the following document:

- Surrey Waste Local Plan 2019-2033

None of these documents contained policies or site allocations relating to Send parish. Send Neighbourhood Development Plan does not include any policies relating to waste or minerals and there are no active waste or mineral sites in the Neighbourhood Plan area.

Table B: Neighbourhood Plan and Development Plan Conformity Summary	
Guildford Local Plan (2019 Plan unless stated otherwise)	Send NDP Policy Title and Commentary
Policy S1: Presumption in favour of sustainable development – follows NPPF paragraph 14 (now 11) Policy S2: Planning for the borough - our spatial development strategy – sets development requirements for housing, employment and gypsies and travellers	<u>General</u> The Send NDP supports the local implementation of these policies by identifying the social, economic and environmental characteristics of the parish and guiding the design of allocated and unidentified development sites.
Policy D1: Place shaping Policy D2: Climate change, sustainable design, construction and energy Policy D3: Historic environment	<u>Policy Send 1 – Design</u> The Send NDP does not duplicate the design policies in the Local Plan but rather uses the Send Character Assessment to inform their implementation so that development is locally distinctive. It includes a requirement that the River Wey Conservation Area and its setting is conserved and enhanced.
Site allocations A40, A41 and A43 Policy H1: Homes for all	<u>Policy Send 2 – Housing Development</u> The Local Plan includes housing allocations for Send for 650 homes and travelling showman pitches. Because

Policy H2: Affordable homes Policy H3: Rural exception homes Policy P2: Green Belt	these allocations are of a significant scale and planned to meet the development needs for the Borough up to 2034, the Send Neighbourhood Development Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of these allocated developments and any other future windfall developments. Policy Send 2a) acknowledges these allocations and refers to development briefs or guidelines that may be set by GBC 2b) sets criteria for future windfall development within the inset area of Send which are in general conformity with the Local Plan policies but also acknowledge local concerns about infrastructure capacity and the character of the settlements in Send 2c) sets criteria for future windfall development within the Greenbelt which complies with Local Plan policy P2 and cross refers to paragraphs. 145 and 146 of the NPPF. 2d) allows for rural exception sites which comply with Policy H3 of the Local Plan. 2e) sets housing mix standards which follow Local Plan policy H1 in requiring developments to meet needs identified in the latest Strategic Housing Market Assessment, but go further to require a minimum proportion of small units (1-3 bedrooms) based on the SHMA and evidence of an overprovision of larger units in the existing housing stock in Send.
Site Allocation A45 Policy E1: Meeting employment needs Policy E2: Locations of new employment floorspace Policy E3: Maintaining employment capacity and improving employment floorspace Policy E5: Rural economy Policy E9: Local Centres and isolated retail units Site allocations	<u>Policy Send 3 – Supporting the local economy</u> This policy acknowledges the site allocation A45 for Land around Burnt Common warehouse, London Road, Send - for a minimum of 14,800 sq m of employment space and the identification of a 'Strategic Employment Site' at Send Business Centre/Tannery Studios Tannery Lane, Send. Within the settlements of Send, Send Marsh and Burnt Common The supporting text refers to Local Plan policy E3 which then protects these sites from alternative uses. Policy Send 3 supports new business or retail space of under 100sqm – which is a threshold set by the Local Plan for such development outside of town centres or strategic employment areas. Such support is subject to two criteria: In 3a) relates to impact on the environment, transport and local amenities, which are all acknowledged planning considerations; and b) relates to supporting Send Local Centre and its role

	as a community hub, which is in general conformity with Local Plan Policy E9 which identifies this centre as the focus for local communities in providing for their everyday shopping and service needs. The policy map identifies this centre in line with the area identified in the Local Plan Inset Map for Send.
Saved Policy G11 of the 2003 Guildford Local Plan ‘The corridor of the River Wey and the Guildford and Goldalming Navigations’ Policy P5: Thames Basin Heaths Special Protection Area Policy ID4: Green and blue infrastructure Policy E6: The leisure and visitor experience	<u>Policy Send 4 – Green and Blue Infrastructure</u> This policy seeks to protect the environment that makes Send a special place. The supporting text refers to Local Plan policy P5 relating to the Thames Basin Heaths Special Protection Area and to other designations such as the Papercourt SSSI. 4a) identifies and protects gaps between settlements in the parish and between them and adjacent towns, as evidenced in the Character Assessment. 4b) seeks the provision of blue and green infrastructure proportionate to the scale of the development proposed. This is in general conformity with Local Plan policy ID4. 4c) seeks to achieve net biodiversity gain in accordance with the NPPF and Local Plan policy ID4(2). The last sentence refers specifically to the River Wey and is in general conformity with saved policy G11 of the 2003 Local Plan and Policy E6: The leisure and visitor experience which supports proposals which promote greater use of the River Wey as a leisure and recreational resource without harming local biodiversity or water quality.
Policy ID4: Green and blue infrastructure	<u>Policy Send 5 – Local Green Space</u> The supporting text for Local Plan policy ID4 states “4.6.65 The NPPF allows for the designation of Local Green Space (LGS), through the Local Plan and neighbourhood plans. The designation can be used to protect open spaces of particular local significance from development in a manner consistent with Green Belt policy. LGS is not included in this strategic policy due to the local nature of these spaces and because doing so would limit the scope for neighbourhood plans to bring forward their own LGS policies”.
No relevant strategic policies	<u>Policy Send 6 – Supporting Community Facilities</u> Whilst there is no directly relevant strategic policy, the wording for the viability justification is taken from that used in Local Plan policy E3 to safeguard employment uses.
Policy ID3: Sustainable transport for new developments	<u>Policy Send 7 – Supporting sustainable transport</u> This policy supports proposals that enhance sustainable and accessible transport opportunities and help address

	the transport issues, and includes as examples only: the provision or improvement of public transport facilities; the provision or improvement of public footpaths and cycleways; the provision of electric charging points; and park and ride facilities for local stations. This is in general conformity with Local Plan Policy ID3 (1) and (2) but also provides examples of proposals that would be particularly welcomed locally.
Policy ID3: Sustainable transport for new developments	<u>Policy Send 8 – Car parking provision</u> Local Plan policy ID3 (4) requires off-street vehicle parking for new developments such that the level of any resulting parking on the public highway does not adversely impact road safety or the movement of other road users. Policy Send 8 includes this wording but additionally requires that the standards set out in the Surrey County Council ‘Vehicular and Cycle Parking Guidance’ be applied as a minimum. This is based on the significant level of local concern about on-street parking and its impact on congestion and the high levels of car ownership in the parish.

- 4.8 The above tables demonstrate that the planning policies of the Send Neighbourhood Development Plan are in general conformity with the strategic policies contained in the development plans for the area, and that the Plan therefore complies with Basic Condition 3.

Basic Condition 4. The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.

- 4.9 Guildford Borough Council produced a draft Strategic Environmental Assessment Screening and Habitat Regulations Assessment Report in April 2019 (appended to this Statement) which found that the NDP is unlikely to have significant environmental effects, and accordingly the Qualifying Body has determined that the plan will not lead to significant environmental effects and therefore does not require Strategic Environmental Assessment for the reasons set out in the screening report. Once the plan has been submitted this screening report will be reviewed in the light of the final plan and the statutory consultees will be sent a copy of the report for their views.
- 4.10 However, this screening report found that the Neighbourhood Development Plan will require a Habitats Regulations Assessment because the parish is within the zone of influence of the Thames Basin Heaths Special Protection Area and therefore mitigation for development will be required. This assessment process will be undertaken by Guildford Borough Council before the Send Neighbourhood Development Plan is examined.
- 4.11 The preparation and content of the Send Neighbourhood Development Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.
- 4.12 Overall the preparation and content of the Send Neighbourhood Plan is considered to be compatible with EU obligations and therefore complies with Basic Condition 4.

Basic Condition 5. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.

- 4.13 Since December 2018 prescribed conditions includes that “The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(3)” (The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which amends The Neighbourhood Planning (General) Regulations 2012(1)). This means that, if the neighbourhood development plan is likely to have a significant effect on a European protected site, even if that effect could be mitigated, a full Habitats Regulations Assessment of the plan needs to be undertaken.
- 4.14 Article 6 of the Habitats Directive (92/43/EEC) requires all Member States to undertake an ‘appropriate assessment’ of any plan or project requiring authorisation which would be likely to have a significant effect upon a European site (including Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar wetland sites; this is commonly referred to as a Habitats Regulations Assessment.
- 4.15 As stated above, the draft screening report by Guildford Borough Council found that the Neighbourhood Development Plan will require a Habitats Regulations Appropriate Assessment because the parish is within the zone of influence of the Thames Basin Heaths Special Protection Area and therefore mitigation for development will be required. This assessment process will be undertaken by Guildford Borough Council before the Send Neighbourhood Development Plan is examined.
- 4.16 It is therefore considered that, on completion of the Appropriate Assessment, the Send Neighbourhood Development Plan will comply with Basic Condition 5.

5. Conclusion

- 5.1 The above statement demonstrates that the Send Neighbourhood Development Plan meets the legal requirements and the Basic Conditions required under the Neighbourhood Planning (General) Regulations 2012.

Appendices - Draft Strategic Environmental Assessment Screening and Habitat Regulations Assessment Report



GUILDFORD
BOROUGH

Send Neighbourhood Plan 2019 – 2034

Strategic Environmental Assessment Screening and Habitat Regulations Assessment Report

April 2019

Contents

1. Introduction	34
1.1 Background	34
1.2 The aims of this report	34
1.3 The Send Neighbourhood Plan	35
2. Legislative background	36
2.1 Habitat Regulations Assessment	36
2.2 Strategic Environmental Assessment	38
3. Habitat Regulations Assessment Screening	38
3.1 HRA Methodology	38
3.2 HRA Task 1 Screening - methodology	39
3.3 European Sites	39
3.3.1 European Sites in and around Send Neighbourhood Area	40
3.3.2 Potential impacts on the European Sites	43
3.4 Other Relevant Plan and Projects that might act in-combination	43
3.5 Screening Assessment	45
3.6 HRA Screening Conclusions	48
3.7 Appropriate Assessment of “ <i>Policy Send 2 – Housing Development</i> ”	48
Potential for adverse effects on the integrity of the SPA	49
Avoidance and mitigation measures	49
3.8 Conclusion	50
4. Send Neighbourhood Plan SEA screening	50
4.1 SEA Screening Methodology	50
4.2 Part 1 – Application of the Directive to the draft Send Neighbourhood Plan	53
4.3 Part 2 – Likely significant effects on the environment	54
4.4 SEA Screening Assessment Conclusion	58
5. HRA and SEA Screening Consultation	58

1. Introduction

1.1 Background

The Localism Act (2011) introduced new powers to enable local communities to guide and shape development through the production of Neighbourhood Plans, with further accompanying detail on how to do this set out in The Neighbourhood Planning (General) Regulations 2012 (as amended).

The purpose of the Send Neighbourhood Plan is to provide locally derived and agreed planning policy which will be used when making planning decisions within the designated Send Neighbourhood Area.

Strategic Environmental Assessment (SEA) is required under European Directive 2001/42/EC (the SEA Directive) for all plans which may have a significant effect on the environment. For neighbourhood plans, this particularly relates to plans which designate sites for development. The purpose of the SEA is to provide a high level of protection of the environment and to integrate considerations of the environment into the preparation and adoption of plans with a view to promoting sustainable development.

To ascertain whether SEA is required, a screening exercise is undertaken which looks at the draft policies and proposals in a neighbourhood plan to determine whether a significant effect is likely. The criteria for this screening are set out in the relevant legislation¹. It also determines whether or not the contents of the Send Neighbourhood Plan require a Habitats Regulations Assessment (HRA) in accordance with European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, i.e. the 'Habitats Directive' and the associated Conservation of Habitats and Species Regulations 2017 (otherwise known as the 'Habitats Regulations').

The legislative background, set out in Section 2, outlines the regulations that stipulate the need for this screening exercise. Sections 3 and 4 provide screening assessment of the Send Neighbourhood Plan which will be used to determine if there are likely to be any significant environmental effects and a requirement for a full SEA and HRA (Appropriate Assessment).

1.2 The aims of this report

The primary aims of this Screening Report are to:

1. Identify whether the Send Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) by appraising the potential high-level environmental impacts that may arise from the Neighbourhood Plan and concluding whether there is a need to conduct a full SEA.
2. Identify, describe and assess the likely significant effects of implementing the Plan on European designated sites (i.e. Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and also Ramsar sites) within and around the neighbourhood area of Send as part of a Habitats Regulations Assessment (HRA).

These two aims are closely interlinked, with the HRA providing supporting evidence for the conclusions reached within the SEA.

¹ European Directive 2001/42/EC (the SEA Directive) and Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).

This report details whether there is a need for the Send Neighbourhood Plan to be accompanied by an SEA or HRA. It will be sent to the three statutory consultees (Environment Agency, Historic England and Natural England) to seek their views on its contents.

1.3 The Send Neighbourhood Plan

The Vision and objectives of the Send Neighbourhood Plan are outlined below:

Vision:

“By 2034, Send Parish will be vibrant and sustainable with a distinct character, good facilities, a strong sense of community and retain a rural village feel. Send will have an enhanced local centre and provide a mix of housing types for all, whilst retaining the character, environmental and heritage assets of the parish and separate identities of the various settlements, which have not merged into surrounding towns and villages.”

Objectives of the Plan

1. **Design and Development**

- a. support the provision of a mix of dwelling types including in particular smaller dwellings for young families or those downsizing, and encourage a proportion of development which enables people to live independently within their home.
- b. encourage and support sensitive design standards that reflect the rural character of the Parish.

2. **Transport and Travel**

- a. Support improvements to transport links and create measures to promote and improve access for pedestrians and cyclists.
- b. Provide more parking facilities (preferably on-drive/off road) within all new developments and reduce traffic speed and congestion on our roads.

3. **Local Economy**

- a. Support and promote the growth of our local centre and encourage new business start-up premises and facilities within the centre.

4. **Environment**

- a. Protect and enhance the natural and built environment in particular our blue and green corridors.
- b. Support the conservation objectives of the designated habitats affected by development and activities within the Parish.

5. **Facilities**

- a. Retain and improve existing facilities and support initiatives that meet the changing needs of the Parish.

Plan boundary

The Civil Parish of Send comprises the three settlements of Send, Send Marsh and Burnt Common together with surrounding countryside. It is located in the north west of Guildford Borough in the centre of Surrey. Primarily a rural area, the settlements are bordered by both green belt and sections of the River Wey which separate it from adjacent settlements. It has a long history and was first recorded in the Domesday Book of 1086 as Sande.

The Parish is adjacent to the main A3 road which runs north east to south west and forms its entire southern border. This road provides connectivity to Portsmouth via Petersfield and Guildford (located approximately 5 miles to the south west) and to the M25 London Circular located approximately 5 miles to the north east. In addition, there are A and B road links to nearby villages and the towns of Guildford and Woking.

Heritage

Send Neighbourhood Area contains six areas of high archaeological potential and is partially within the corridor of the River Wey.

It contains a part of the River Wey and Godalming Navigation Conservation Area. The southwestern most corner of the parish is adjacent to the Sutton Park Conservation Area in Woking borough. There are 21 Grade II and two Grade II* listed buildings.

Natural Environment

Send Neighbourhood Area is approximately 2 km from the Thames Basin Heaths SPA site at Whitmoor Common. The entirety of the neighbourhood area falls within the SPA 5km zone of influence, within which net new dwellings are likely to have significant effects on the SPA by increasing recreational pressure².

The neighbourhood area contains two parts of the Papercourt SSSI and is adjacent to two other parts of the same SSSI.

The neighbourhood area contains the Send Ponds SNCI and Broadmead Cut and Wey Navigation SNCI. It is adjacent to the Oldlands Copse SNCI in Ripley parish and Roundbridge Farm and River Wey – Woking SNCIs in Woking borough. There are no Local Nature Reserves or Special Areas of Conservation. The River Wey and the River Wey Navigation pass through the neighbourhood area. Between the river and the navigation, in the far north of the parish, are the Papercourt and Broad Mead SSSIs.

2. Legislative background

2.1 Habitat Regulations Assessment

The Conservation of Habitats and Species Regulations 2017 transpose the Directive on Conservation of Natural Habitats and of Wild Fauna and Flora 92/43/EEC (the Habitats Directive) into UK law and require Habitats Regulations Assessment (HRA) to be undertaken for any plan or project likely to have a significant effect upon a European protected site.

The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into UK law. They also transpose elements of the EU Wild Birds Directive in England and Wales.

It is a requirement of Article 102 of the Conservation of Habitats and Species Regulations 2017 that "the plan-making authority for that plan must, before the plan is given effect, make an Appropriate Assessment of the implications for the site in view of that site's conservation objectives", where the plan is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and where it is not directly connected with or necessary to the management of the site.

Article 102 also requires that "in the light of the conclusions of the assessment, and subject to regulation 103 (considerations of overriding public interest), the plan-making authority or, in the case of a regional strategy, the Secretary of State must give effect to the land use plan only after

² See Policy NRM6 of the South East Plan and the Guildford Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 SPD for more information

having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be)".

An HRA is required for a plan or project to assess the potential implications for European wildlife sites, i.e. 'European sites' or 'Natura 2000 sites'. It explores whether the implementation of a plan or project would harm the habitats or species for which the European sites are designated. The European sites are:

- Special Protection Areas (SPAs) – designated by the Birds Directive (79/409/EEC as amended and 2009/147/EC), and:
- Special Areas of Conservation (SACs) – designated by the Habitats Directive (92/43/EEC).

In addition to SPAs and SACs, Ramsar sites are designated under the Ramsar convention. The Ramsar convention's mission is to conserve and sustainably utilise wetland habitats. Although Ramsar sites are not covered by the Habitats Regulations, as a matter of Government Policy, they should be treated in the same way as European wildlife sites (i.e. SPAs and SACs). European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites. Sites of Community Importance (SCIs), which are sites that have been adopted by the European Commission but not yet formally designated by the government, must also be considered. Spatial planning documents, such as Neighbourhood Plans, are required to undergo HRA if they are not directly connected with, or necessary to, the management of a European site. As the Send Neighbourhood Plan is not connected with, or necessary to, the management of European designated sites, it is necessary to undertake a HRA.

Deciding whether effects are "significant"

European case law has ruled that the question of whether an effect would be "significant" is linked to the site's conservation objectives. Under this test:

- A "significant effect" only includes effects which would undermine a European site's conservation objectives, for example by reducing the area or quality of protected habitat for which the site was designated, or by the disturbance or displacement of species for which the site was designated.
- A plan or project with effects that do not impact on a European site's conservation objectives would not be considered to be "significant" for the purpose of this decision. For example, this might be the case for low-impact temporary effects, or effects such as the loss of a small area of land which is not an interest feature of the site and has no effect, or an insignificant effect, on the habitat or species which are an interest feature.

The Neighbourhood Planning (General) Regulations 2012 require a submitted neighbourhood plan to include a statement explaining how the proposed Neighbourhood Plan meets the basic conditions set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990. One of the basic conditions requires Neighbourhood Plans to be compatible with EU obligations and to demonstrate that it is not likely to have a significant effect on a European Site. If likely significant effects are identified, the HRA process should proceed to a second stage which is called an 'Appropriate Assessment' at which point mitigation effects are considered. An Appropriate Assessment will consider the implications for the European Site in view of the conservation objectives (generally to restore or maintain the features which led to the designation of the site), and consider whether the plan could affect the integrity of the site. More detailed mitigation measures may be considered at this stage but as stated above a plan

should only be agreed once the competent authority has established that the plan will not adversely affect the integrity of the European Sites.

2.2 Strategic Environmental Assessment

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

The objective of the SEA Directive (2001/42/EC) is set out in Article 1 therein, which states:

‘The objective of this Directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.’

Whether a neighbourhood plan requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example where:

- a neighbourhood plan allocates sites for development;
- the neighbourhood plan area contains sensitive natural or heritage assets that may be affected by the proposals in the plan; and
- 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 for the area.

If significant environmental impacts are triggered by the implementation of a Neighbourhood Plan, it is considered prudent to advise that a SEA is required. As such, it is important to determine whether there would be significant environmental impacts as per the SEA Directive.

3. Habitat Regulations Assessment Screening

3.1 HRA Methodology

Habitat Regulations Assessment follows a three-stage process as outlined in the DCLG guidance "Planning for the Protection of European Sites: Appropriate Assessment". These stages are described below:

HRA Task 1 – Screening

This process identifies the likely effects upon a European site of a project or plan, either alone or in-combination with other projects or plans, and determines whether these effects are likely to be significant.

Following the recent ECJ judgement in the case of “people over wind” (Case C-323/17).

Measures that are necessary to avoid or reduce impacts on the European site, even when considered standard environmental best-practice, cannot be taken into account at this stage.

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

HRA Task 2 – Appropriate Assessment

Task 2 is subsequent to the identification of likely significant effects upon a European site in Task 1. This assessment determines whether a project or plan would have an adverse impact on the integrity of a European site, either alone or in combination with other projects or plans. This assessment is confined to the effects on the internationally important habitats and species for which the site is designated (i.e. the interest features of the site). If no adverse impact is determined, the project or plan can proceed. If an adverse impact is identified, task 3 is commenced.

HRA Task 3 – Mitigation and Alternatives

Where a plan or project has been found to have adverse impacts on the integrity of a European site, potential avoidance/mitigation measures or alternative options should be identified. If suitable avoidance/mitigation or alternative options are identified, that result in there being no adverse impacts from the project or plan on European sites, the project or plan can proceed. If no suitable avoidance/mitigation or alternative options are identified, as a rule the project or plan should not proceed.

However, in exceptional circumstances, if there is an 'imperative reason of overriding public interest' (IROPI) for the implementation of the project or plan, consideration can be given to proceeding in the absence of alternative solutions. In these cases, compensatory measures must be put in place to offset negative impacts.

3.2 HRA Task 1 Screening - methodology

Screening is undertaken to identify the likely impacts of the Send Neighbourhood Plan upon European sites, and to determine whether these impacts are likely to be significant and whether an Appropriate Assessment, and mitigation and assessment of alternatives (HRA Task 2 and 3) are required.

Methodology

In order to complete the screening assessment it is necessary to:

- Identify the European sites within and outside the plan area likely to be affected, the reasons for their designation and their conservation objectives.
- Describe the plan and its aims and objectives and also those of other projects or plans that in combination have the potential to impact upon the European sites.
- Identify the potential effects on the European sites.
- Assess the significance of these potential effects on the European sites.

The Precautionary Principle

If there is uncertainty, and it is not possible, based on the information available, to confidently determine that there will be no significant effects on a site then the precautionary principle will be applied, and the plan will be subject to an Appropriate Assessment (HRA Task 2).

HRA Screening Consultation

It is a requirement of the Habitat Regulations to consult the appropriate nature conservation statutory body. Consultation on the approach to this HRA screening and the information on European sites considered will be undertaken with Natural England as required by sending them this draft Screening report.

Limitations

No limitations were encountered.

3.3 European Sites

Each site of European importance has its own intrinsic qualities, besides the habitats or species for which it has been designated, that enables the site to support the ecosystems that it does. An important aspect of this is that the ecological integrity of each site can be vulnerable to change from natural and human induced activities in the surrounding environment (pressures and threats). For example, sites can be affected by land use plans in a number of different ways, including the direct land take of new development, the type of use the land will be put to (for example, an extractive or noise-emitting use), the pollution a development generates and the resources used (during construction and operation for instance).

An intrinsic quality of any European site is its functionality at the landscape ecology scale. This refers to how the site interacts with the zone of influence of its immediate surroundings, as well as the wider area. This is particularly the case where there is potential for developments resulting from the plan to generate water or air-borne pollutants, use water resources or otherwise affect water levels. Adverse effects may also occur via impacts to mobile species occurring outside of a designated site but which are qualifying features of the site. For example, there may be effects on protected birds that use land outside the designated site for foraging, feeding, roosting or other activities.

3.3.1 European Sites in and around Send Neighbourhood Area

Best practice guidance suggests that sites occurring within a wider area of approximately 10km to 15km from the boundary of the area directly affected by a plan should be identified and assessed as part of the HRA screening process, in addition to those sites located within the plan area. However, it is important to consider the possibility of impacts for any European site which might be affected, whatever their location, given the activities included in the plan and their range of influence. This may extend some distance from the area within the immediate influence of a plan. For the Send Neighbourhood Plan a buffer of 10km has been applied given the relatively small size of the neighbourhood area and it is considered that no pathways, including hydrological connections, exist that would impact upon any European sites beyond this extent. There are no SPAs, SACs or Ramsar sites located within the neighbourhood area, however Send Parish is within 5km of the Thames Basin Heaths Special Protection Area (SPA).

Within the 10km buffer zone, there is the Thames Basin Heaths SPA, Thursley, Ash, Pirbright & Chobham SAC and a number of SSSI sites, as shown on **Figure 3.1**. The Parish does not have any internationally designated sites within its boundaries, however the neighbourhood area falls within 5km of the Thames Basin Heath SPA.

Table 3.1: European Sites within and adjacent to the Send Neighbourhood Area

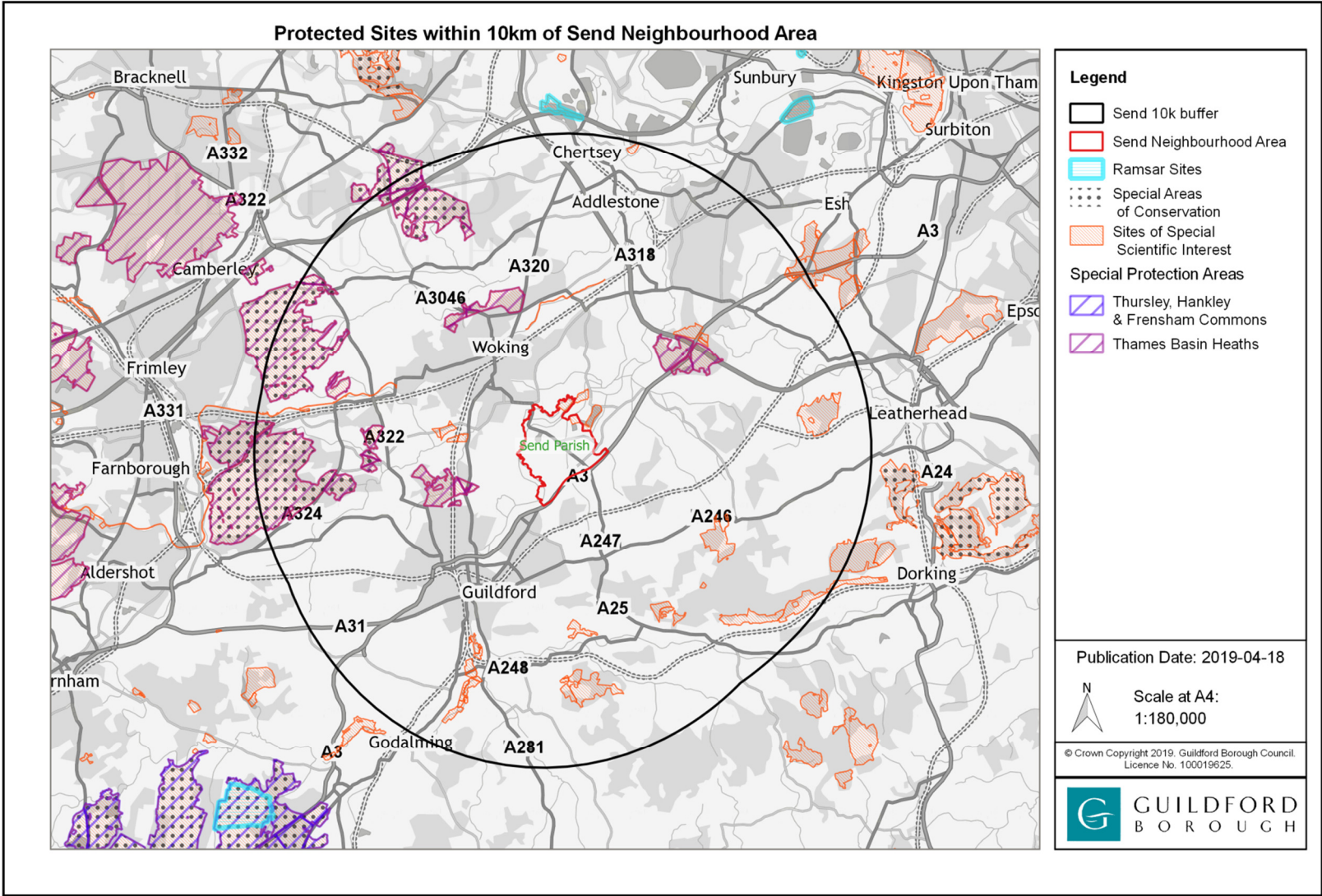
Designation	Site	Distance at closest point
SPA	Thames Basin Heaths SPA site at Whitmoor Common	2 km
SPA	Thames Basin Heaths SPA site at Ockham and Wisley Commons	3.5 km
SPA	Thames Basin Heaths SPA site at Horsell Common	6.3 km
SAC/SPA	Thursley, Ash, Pirbright & Chobham at Ash to Brookwood Heaths	5.2 km
SAC/SPA	Colony Bog and Bagshot Heath	8.1 km
SAC/SPA	Chobham Common	6.2 km

Details of European Sites within 10km buffer around the neighbourhood area are presented in Table 3.2.

Table 3.2: Details of European Sites within 10km buffer around Send Neighbourhood Area (Information from JNCC, 2018; Natural England, 2018)

European Site	Qualifying Features and Conservation Objectives
Thames Basin Heaths SPA	Qualifying Features: During the breeding season: • Dartford Warbler <i>Sylvia undata</i>, 445 pairs representing at least 27.8% of the breeding population in Great Britain (Counts as at 1999) • Nightjar <i>Caprimulgus europaeus</i>, 264 pairs representing at least 7.8% of the breeding population in Great Britain (Count mean (1998-99)) • Woodlark <i>Lullula arborea</i>, 149 pairs representing at least 9.9% of the breeding population in Great Britain (Count as at 1997) Conservation objectives: Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring; • The extent and distribution of the habitats of the qualifying features; • The structure and function of the habitats of the qualifying features; • The supporting processes on which the habitats of the qualifying features rely; • The population of each of the qualifying features; and • The distribution of the qualifying features within the site.
Thursley, Ash, Pirbright & Chobham SAC	Qualifying Features: H4010. Northern Atlantic wet heaths with <i>Erica tetralix</i>; Wet heathland with cross-leaved heath H4030. European dry heaths H7150. Depressions on peat substrates of the <i>Rhynchosporion</i> Conservation objectives: Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; • The extent and distribution of qualifying natural habitats • The structure and function (including typical species) of qualifying natural habitats, and • The supporting processes on which qualifying natural habitats rely.

Figure 3.1: Location of European Sites within Send Neighbourhood Area and a 10km buffer



3.3.2 Potential impacts on the European Sites

Neighbourhood Plans, with the spatial planning policies they contain, can potentially have adverse impacts on the habitats and species for which European sites are designated. These impacts can be direct, such as habitat loss, fragmentation or degradation, or indirect, such as disturbance from recreational activities or pollution from construction and transportation. This section identifies the potential hazards to European sites within the 10km buffer around the neighbourhood area which may arise as a result of the implementation of the Neighbourhood Plan, and then goes on to identify the types of hazards to which the qualifying features present within the sites are particularly sensitive.

Qualifying Features and Sensitivity to Hazards

Table 3.3 below, shows the qualifying features of the European sites within the 10km buffer around the neighbourhood area and identifies the hazards to which they are potentially sensitive.

It must be noted that during the assessment of the potential impacts of the Neighbourhood Plan on a European site, all of the potential hazards will be considered.

Table 3.3: Threats and pressures for each European site identified as potentially being affected by Send NP

Threats and pressures	Thames Basin Heaths SPA	Thursley, Hankley and Frensham Commons SPA
Air pollution	$\sqrt{ab}$ All qualifying features	$\sqrt{ab}$ All qualifying features
Biocenotic evolution, succession	$\sqrt{a}$	$\sqrt{a}$
Forestry and woodland/plantation management	$\sqrt{ab^*}$ All qualifying features	$\sqrt{b}$ All qualifying features
Public access and sports/recreational activities	$\sqrt{ab}$ All qualifying features	$\sqrt{ab}$ All qualifying features
Hydrological changes	$\sqrt{b}$ All qualifying features	$\sqrt{b}$ All qualifying features
Grazing regime	$\sqrt{b}$ All qualifying features	$\sqrt{b}$ All qualifying features
Wildlife/arson	$\sqrt{b}$ All qualifying features	$\sqrt{b}$ All qualifying features
Habitat fragmentation	$\sqrt{b}$ All qualifying features	$\sqrt{b}$ All qualifying features
Military activities	$\sqrt{b}$ All qualifying features	$\sqrt{b}$ All qualifying features

a - Indicates that this is highlighted as a threat / pressure in the relevant Natura 2000 Data Form

b - Indicates that this is highlighted as a threat in the relevant Site Improvement Plan

*- Indicates that this threat / pressure is also identified as a potentially positive impact on the relevant Natura 2000 Data Form

3.4 Other Relevant Plan and Projects that might act in-combination

A series of individually modest effects may in-combination produce effects that are likely to adversely affect the integrity of one of more European sites. Article 6(3) of the Habitats Directive tries to address this by taking into account the combination of effects from other plans or projects. The Directive does not explicitly define which other plans and projects are within the scope of the combination provision. Guidance in section 4.4.3 of 'Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC', published by the European Commission, states: 'When determining likely significant effects, the combination of other plans or projects should also be considered to take account of cumulative impacts. It would seem appropriate to restrict the combination provision to other plans or projects which have been actually proposed'.

Table 3.4 below lists the relevant plans and projects that have been identified as having the potential to result in adverse effects on European sites in-combination with the Send Neighbourhood Plan.

Table 3.4: Other Plans and Projects

Plan/ Projects	Potential in-combination effects
National Planning Policy Framework (NPPF) (February 2019)	The NPPF sets out national planning policy to be taken into account by councils when preparing new local plans and making decisions on planning applications. In relation to conserving and enhancing the natural environment the NPPF states that the planning systems should contribute and enhance the natural and local environment through minimising impacts on biodiversity and providing net gains in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. It also requires local planning authorities to set criteria based policies against which proposals for any developments on, or affecting, protected wildlife will be judged, with distinctions made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status. The presumption in favour of sustainable development, enshrined within the NPPF, does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.
Guildford Local Plan (2003) and Guildford Local Plan (2019)	The Guildford Local Plan (2003) contains a number of policies relating to housing, infrastructure, cultural heritage, recreation and the environment. Once the Send Neighbourhood Plan has been adopted or 'made' it will form part of the Development Plan alongside the Local Plan for Guildford. The Send Neighbourhood Plan must conform with the Local Plan's strategic policies in order to be adopted. The Guildford Local Plan 2019 does not allocate a housing target for the village of Send, therefore no in-combination effects are likely to occur. The Guildford Local Plan has undergone a Habitats Regulations Assessment (AECOM, 2018). Additionally, the Plan contains a policy (P5) specifically related to the Thames Basin Heath SPA that states permission will not be granted for development proposals unless it can be demonstrated that doing so would not give rise to adverse effects on the ecological integrity of the Thames Basin Heaths SPA, whether alone or in-combination with other development (Guildford Borough Council, 2019).
Thames Basin Heaths Special	This document was adopted on 18th July 2017 and replaces the earlier Thames Basin Heaths SPA Avoidance Strategy 2009-2016. Natural England has recognised that residential development across the South East region could have potentially adverse impact on the Thames Basin Heaths SPA through increased recreational use creating

Plan/ Projects	Potential in-combination effects
Protection Area Avoidance Strategy 2017 Supplementary Planning Document (Guildford Borough Council, 2017)	disturbance impacts. Guildford Borough Council, along with other councils where development has the potential to impact upon the SPA, have therefore adopted avoidance strategies in conjunction with Natural England, to identify where adverse impacts may arise and the avoidance and/or mitigation measures required. The avoidance strategy should prevent a situation arising where Local Authorities will not be able to grant planning permission for further residential development within 5km of these designated heathlands (the area identified as the Zone of Influence for cumulative impacts). This strategy therefore provides an assessment framework to identify where policies of the Send Neighbourhood Plan may result in adverse impacts on the SPA and this is taken into account throughout this HRA. Although the Regional Spatial Strategy for the South East has now been partially revoked under the 2013 Localism Bill, policy NRM6 relating to the Thames Basin Heaths SPA was retained and remains a material consideration as part of development planning. This policy is linked to the Avoidance Strategy detailed above. Policy NRM6 relates to new residential development which is likely to have a significant effect on the ecological integrity of the Thames Basin Heaths SPA. The Send Neighbourhood Plan will have to ensure that its policies are consistent with the requirements of policy NRM6.

3.5 Screening Assessment

This process identifies the likely impacts upon a European site of a project or plan, either alone or in combination with other projects or plans, and determines whether these impacts are likely to be significant. If no adverse impact is determined, the project or plan can proceed. If an adverse impact is identified, Task 2 is commenced.

This section considers the objectives identified in the Send Neighbourhood Plan (April 2019) that are considered to have an impact on European Sites and identifies whether they are likely to have significant effects on site integrity, either alone or in-combination with other plans and/or projects, as detailed in **Table 3.5**.

Taking into account the location of the European Sites in relation to the neighbourhood area and the identified potential hazards associated with the objectives and policies of the Neighbourhood Plan, an assessment has been made as to whether the Neighbourhood Plan, alone and in-combination with other plans and/or projects, will have likely significant effects on any European Sites. This assessment is detailed in **Table 3.5**.

Send Neighbourhood Plan HRA screening assessment

Table 3.5: Screening assessment of the Send Neighbourhood Plan objectives and policies on European Sites

Policies	Policy Summary	Assessment of likelihood of significant effects	Significant effects
Policy Send 1 – Design	The policy sets out requirements for specific areas to demonstrate how developments promote and reinforce the local distinctiveness and high quality built and natural environment of Send with reference to the Send Neighbourhood Development Plan Character Assessment, with reference to specific areas.	This policy would not be likely to create any pathways of impact onto European sites. It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.	None
Policy Send 2 – Housing Development	The policy supports development on sites allocated in the Local Plan or other Development Plan Document and complies with borough guidance and where it: • reflects the character and settlement pattern of the surrounding area • avoids or mitigates increased pressure on community or transport infrastructure • If within the Green Belt, it complies with Green Belt policy or is a rural exception site that complies with Local Plan policy • Meets the following housing mix: 85% of market dwellings are small units, 95% of affordable units are small units.	Although the Send Neighbourhood Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of these allocated developments, the policy supports any other future windfall developments and therefore is likely to lead to significant effects on the SPA through increased recreational pressure due to the parish falling within the 5km zone of influence of the Thames Basin Heath SPA. Therefore, this policy is likely to require appropriate assessment to assess avoidance and mitigation measures. There is an established approach to mitigation and avoidance, which the appropriate assessment will be able to draw upon and it will very likely conclude that the policy will not lead to adverse effects on the integrity of the SPA and	Yes

		thus is compatible with European obligations. ³	
Policy Send 3 – Supporting the local economy	The policy supports proposals for new business and retail development of under 100sqm within the settlements, subject to suitability in terms of environmental and traffic impacts, accessibility for public transport and impact on amenity and supports the uses within Send Local Centre if it falls adjacent.	This policy would not be likely to create any pathways of impact onto European sites. It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.	None
Policy Send 4 – Green and Blue Infrastructure	The policy supports development where it protects the countryside setting of settlements, provides and enhances green and blue infrastructure including wildlife corridors, seeks to achieve net biodiversity gain, supports the River Wey Biodiversity Opportunity Area and does not harm biodiversity or water quality.	This policy would not be likely to create any pathways of impact onto European sites. It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.	None
Policy Send 5 – Local Green Space	The policy designates Local Green Spaces in accordance with the Policies Map and stipulates that proposals for any development on these Local Green Spaces will only be permitted in very special circumstances, for example, where it is essential to meet specific necessary utility infrastructure needs and no alternative feasible site is Available, or where it is beneficial to the space.	This policy would not be likely to create any pathways of impact onto European sites. It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.	None
Policy Send 6 – Supporting Community Facilities	The policy identifies and protects community facilities that are of particular importance and provides support for the proposals for the provision of new community facilities that provide for everyday needs within Send Parish.	This policy would not be likely to create any pathways of impact onto European sites. It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.	None

³ The Council's view is that this approach is compatible with the recent People over Wind judgement from the European Court of Justice, notwithstanding paragraph 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

Policy Send 7 – Supporting sustainable transport	The policy supports the provision of sustainable transport – public transport, foot and cycleways, electric charging points for electric vehicles and park and ride facilities.	This policy would not be likely to create any pathways of impact onto European sites. It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.	None
Policy Send 8 – Car parking provision	The policy supports proposals where they provide adequate off-street vehicle parking based on the standards set out in the Surrey County Council 'Vehicular and Cycle Parking Guidance'.	This policy would not be likely to create any pathways of impact onto European sites. It is unlikely to lead to likely significant effects on the SPA through increased recreational pressure. This policy is unlikely to have HRA implications.	None

3.6 HRA Screening Conclusions

This HRA Screening Assessment has examined the Send Neighbourhood Plan policies for any impacts on the European sites within the neighbourhood area or within 10km of the neighbourhood area.

There are no European sites within the Send neighbourhood area. However, the Send Neighbourhood Area is approximately 2 km from the Thames Basin Heaths SPA site at Whitmoor Common. The entirety of the neighbourhood area falls within the SPA 5km zone of influence, within which net new dwellings are likely to have significant effects on the SPA by increasing recreational pressure. Likely significant effects are identified for "Policy Send 2 – Housing Development".

Appropriate assessment need for "Policy Send 2 – Housing Development"

The Send Neighbourhood Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of these allocated developments. However, the Housing Development policy supports any other future windfall developments and therefore is likely to lead to significant effects on the SPA through increased recreational pressure due to the parish falling within the 5km zone of influence of the Thames Basin Heath SPA and will require appropriate assessment to assess avoidance and mitigation measures.

To this end, an appropriate assessment of these policies will be carried out and presented in the next section of this report. There is an established approach to mitigation and avoidance, which the appropriate assessment will be able to draw upon and it will very likely conclude that these policies will not lead to adverse effects on the integrity of the SPA and thus is compatible with European obligations.

3.7 Appropriate Assessment of "Policy Send 2 – Housing Development"

This appropriate assessment should be read in conjunction with the Send Neighbourhood Plan Screening Assessment, which sets out additional background information relating to HRA, the SPA and approaches to avoidance and mitigation.

The Send Housing Development policy, if implemented without avoidance and/or mitigation measures, could lead to likely significant effects on the SPA through increased recreational pressure brought by new dwellings between 400m and 5km from the SPA. This matter is considered in the section below.

Potential for adverse effects on the integrity of the SPA

The SPA has been designated because it supports three species of birds that are protected under the Wild Birds Directive; Nightjar, Woodlark and Dartford Warbler. The conservation objectives for the site are to ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:

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

The Send Neighbourhood Area is approximately 2 km from the Thames Basin Heaths SPA site at Whitmoor Common. The entirety of the neighbourhood area falls within the SPA 5km zone of influence, within which any other future windfall developments that this policy supports are likely to have significant effects on the SPA by increasing recreational pressure. The SPA is currently subject to high levels of recreational use that can lead to disturbance in the behavioural patterns of the three species, and consequently can reduce breeding success. Therefore, by supporting residential development in this zone, and without any appropriate avoidance and mitigation strategy in place, Policy Send 2 – Housing Development y could potentially lead to adverse effects on the integrity of the SPA through negative impacts on conservation objectives 1, 4 and 5.

Avoidance and mitigation measures

Policy NRM6 of the South East Plan and the Guildford Borough Council Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 Supplementary Planning Document (the SPA strategy) set out an approach to avoidance and mitigation of the effects of increased recreational pressure. This is achieved through the provision of SANG to attract people away from the SPA and through the funding of the SAMM program which monitors the SPA and provides mitigation measures for the impact of visitors (including wardening, access management and education measures for SPA users).

SANGs provide an attractive natural or semi-natural environment and visitor experience equivalent to the SPA and in doing so prevent new dwellings bringing an increase in recreational pressure on the SPA by “soaking up” potential SPA visitors. In this way, adverse impacts on the integrity of the SPA from new residential developments within the 400m to 5 km zone are avoided.

The Council currently has a large amount of available SANG capacity across the borough. Under the terms of policy NRM6 and the SPA strategy developments of fewer than 10

dwellings, the size of development very likely to be covered by “Policy Send 2 – Housing Development “, do not need to be within the catchment of any specific SANG⁴. Therefore, it can be concluded that any development that goes ahead as a result of proposed “Policy Send 2 – Housing Development” will be supported by appropriate SANG and that adverse effects on the integrity of the SPA will be avoided.

3.8 Conclusion

On the basis of the above appropriate assessment, the Council has determined that there will be no adverse effects on the integrity of the SPA as a result of the making of the Send Neighbourhood Plan. Making the plan is therefore compatible with European obligations.

4. Send Neighbourhood Plan SEA screening

4.1 SEA Screening Methodology

The methodology for the SEA screening assessment is set out in A Practical Guide to the Strategic Environmental Assessment Directive (ODPM, 2005).

To establish if a neighbourhood plan requires SEA, a screening assessment is required against a series of criteria set out in the SEA Directive. **Figure 4.1** sets out the screening process and how a plan should be assessed against the SEA Directive criteria.

⁴ The basis for this approach is that individually developments of less than 10 dwellings will not have a significant impact on the SPA and that this justifies a more flexible approach in terms of SANG location, but the cumulative impact should still be addressed. See the Thames Basin Heaths Special Protection Area Delivery Framework (TBH Joint Strategic Partnership Board, 2009).

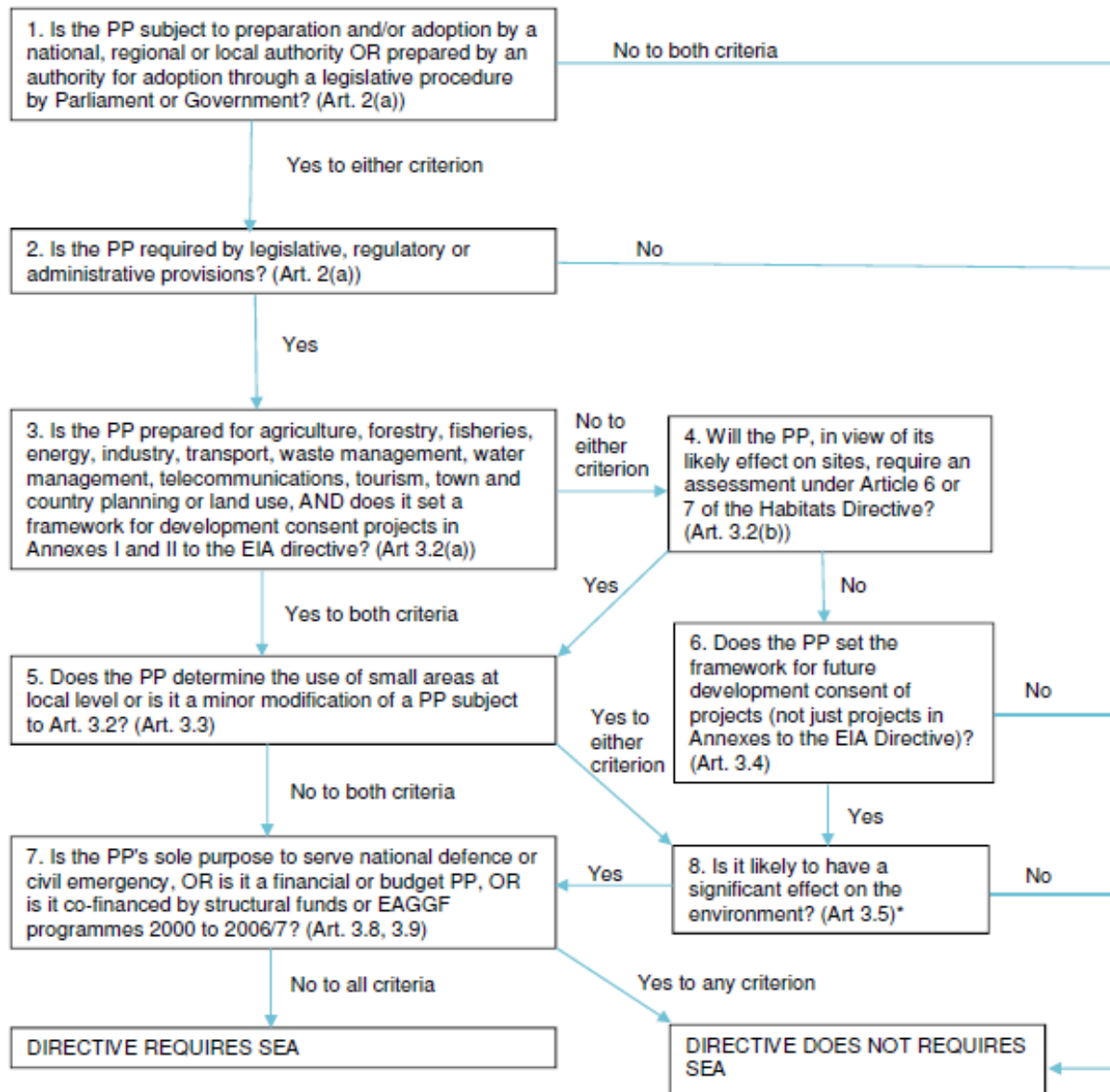


Figure 4.1: Application of the SEA Directive to plans and programmes (from “A Practical Guide to the Strategic Environmental Assessment Directive”, ODPM, 2005.

Assessing the significance of the environmental effects that a Neighbourhood Plan will have depends on the policies within it. The criteria for assessing significance are referred to in Article 3.5 and set out within Annex II of the SEA Directive and is presented in **Figure 4.2**:

1. The characteristics of plans and programmes, having regard, in particular, to
 - The degree to which the plan or programme sets a framework for projects and other activities, either with regards to location, nature, size and operating conditions or by allocating resources;
 - The degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
 - The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
 - Environmental problems relevant to the plan or programme;
 - The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. Plans and programmes linked to waste-management or water protection)
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - The probability, duration, frequency and reversibility of the effects;
 - The cumulative nature of the effects;
 - The transboundary nature of the effects;
 - The risks to human health or the environment (e.g. due to accidents);
 - The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
 - The value and vulnerability of the area likely to be affected due to:
 - Special natural characteristics or cultural heritage;
 - Exceeded environmental quality standards or limit values;
 - Intensive land-use;
 - The effects on areas or landscapes which have a recognised national, Community or international protection status.

4.2 Part 1 – Application of the Directive to the draft Send Neighbourhood Plan

Table 4.1. Establishing the need for SEA by following the flowchart in Figure 4.1

	Stage	Yes/No	Justification
1.	Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes (proceed to Q2)	The Send Neighbourhood Plan is prepared by the parish council under the provision of the Town and Country Planning Act 1990 as amended by the Localism act 2011.
2.	Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	No (Yes when 'made' so proceed to Q3)	It is not a requirement for a parish to produce a Neighbourhood Plan. However, once "made" the plan forms part of the statutory Development Plan and will be used when making decision on planning applications.
3.	Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Yes Yes to both criteria (proceed to Q5)	The Send Neighbourhood Plan is being prepared for town and country planning and land use. The Send Neighbourhood Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of these allocated developments, the policy supports any other future windfall developments. The Plan does contain a general framework for future development consent and thus projects which could be listed in Annex II of the EIA Directive.
4.	Will the PP, in view of its likely effects on sites require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))	N/A	Not applicable as both criterion to Q3 answered "Yes". However, potential significant impacts on the European sites are addressed further below (see question 8 and Table 2).
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)	Yes (proceed to Q8)	The Neighbourhood Plan does show preference for the type and form of development at local level.
6.	Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	N/A	Not applicable as both criterion to Q5 answered "No". However, the Neighbourhood Plan does direct a small-scale development to general locations such as in-fill plots and previously developed land within the

Stage		Yes/No	Justification
			three settlements which alongside the inclusion of policies to protect green spaces, village character and the environment will not cause rise to significant environmental effects.
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/A	The Neighbourhood Plan is not prepared for any of the purposes opposite.
8.	Is it likely to have a significant effect on the environment? (Art. 3.5)	No	The Send Neighbourhood Plan is unlikely to have any significant effects on the environment. The Send Neighbourhood Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of these allocated developments. The Plan sets out a framework for the consideration of a range of matters at the local level that due to their small size, nature and location will not cause rise to significant environmental effects. See Table 4.2 below for justification.

4.3 Part 2 – Likely significant effects on the environment

Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below, together with a commentary on whether the draft Send Neighbourhood Plan would trigger the need for a full assessment.

Table 4.2: Assessing Likely Significant Effects (LSE)

SEA Directive Criteria	Yes/No	Justification
1. The Characteristics of Plans and Programmes, having regard, in particular, to:		
a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	No	The Send Neighbourhood Plan sets out a vision for the parish which can be used to influence the outcome of future planning applications, consistent with the needs and expressed opinions of residents. The Plan does not allocate specific land for small-scale development.
b) The degree to which the	No	The Send Neighbourhood Plan covers a small,

SEA Directive Criteria	Yes/No	Justification
plan or programme influences other plans and programmes including those in a hierarchy		defined parish within the context of the Guildford Local Plan area. The Neighbourhood Plan will be in general conformity with the strategic policies of the Guildford Local Plan and the NPPF (2019). Once adopted/'made' the Neighbourhood Plan will form part of the Development Plan for Guildford borough. If the Send Neighbourhood Plan is not delivered, the Guildford Local Plan is not affected. The Guildford Local Plan was subject to SA/SEA process.
c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	No	Throughout the Send Neighbourhood Plan, integration of environmental considerations and promotion of sustainable development is central to the specific objectives and policies. The Plan seeks to promote sustainable development overall and does not seek any relaxations to sustainable development principles set out in higher-level plans. The Send Neighbourhood Plan includes specific policies relating to the protection of the natural environment – green and blue infrastructure. The Send Neighbourhood Plan does not seek to address any significant environmental problems in the area.
d) Environmental problems relevant to the plan or programme	No	There are no SPAs, SACs or Ramsar sites located within the neighbourhood area, however Send Parish is within 5km of the Thames Basin Heaths Special Protection Area (SPA). Within the 10km buffer zone, there is Thames Basin Heaths SPA, Thursley, Ash, Pirbright & Chobham SAC and a number of SSSI sites. The Send Neighbourhood Plan falls within the SPA 5km zone of influence and thus will be carried out in conformity with GBC's Thames Basin Heaths Special Protection Area Avoidance Strategy (2017). The Appropriate Assessment for policy "Send 2 – Housing Development" concluded that there will be no adverse effects on the integrity of the SPA as a result of the making of the Send Neighbourhood Plan (see Sections 3.5-3.6). At this stage it is considered that the Send Neighbourhood Plan will not introduce any environmental problems, rather it will seek to encourage sensitive development in relation to the environment through integration of environmental protection measures within a

SEA Directive Criteria	Yes/No	Justification
		number of the policies of the Plan. Consequently, it is not considered that it will have significant environmental effects.
e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection)	No	The Send Neighbourhood Plan will not affect implementation of European Community environmental legislation. The Water Framework Directive will need to be taken into account. The Send Neighbourhood Plan supports the implementation of higher-level policies at the Neighbourhood Area level. It is therefore not considered to have significant influence on other plans and programmes or their effects on the environment.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
a) The probability, duration, frequency and reversibility of the effects	No	The Send Neighbourhood Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of these allocated developments; the policy, however, it supports any other future windfall developments. The Plan is supportive of sustainable development within the overall protective policy context of the Guildford Local Plan in terms of the built and natural environment. The significant effects are considered to be unlikely.
b) The cumulative nature of the effects	No	The Send Neighbourhood Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of these allocated developments. The Plan supports any other future windfall developments and therefore is likely to lead to significant effects on the SPA through increased recreational pressure due to the parish falling within the 5km zone of influence of the Thames Basin Heath SPA. This has been assessed further as part of a Habitats Regulations Screening Assessment and the subsequent Appropriate Assessment (see Chapter 3), which concludes that the Plan policies will not lead to adverse effects on the integrity of the SPA and thus is compatible with European obligations.
c) The transboundary nature of the effects	No	No significant transboundary effects of the policies contained within the Send Neighbourhood Plan are anticipated given that they focus on small-scale areas within the neighbourhood area itself. Furthermore, Neighbourhood Plans are required to relate to discrete administrative areas. By

SEA Directive Criteria	Yes/No	Justification
		definition, “transboundary” issues are “strategic” matters, and therefore beyond the scope of a Neighbourhood Plan.
d) The risks to human health or the environment (e.g. due to accidents)	No	The Send Neighbourhood Plan does not create any significant risks to human health or the environment.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The Send Neighbourhood Plan covers the parish of Send. The magnitude and spatial extent of the Neighbourhood Plan is limited and will not have significant environmental effects across or outside of this geographical area.
f) The value and vulnerability of the area likely to be affected due to: (i) special natural characteristics or cultural heritage, (ii) exceeded environmental quality standards or limit values, (iii) intensive land-use,	No	The Send Neighbourhood Area contains six areas of high archaeological potential and is partially within the corridor of the River Wey. It contains a part of the River Wey and Godalming Navigation Conservation Area. The southwestern most corner of the parish is adjacent to the Sutton Park Conservation Area in Woking borough. There are 21 Grade II and two Grade II* listed buildings. The Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of these allocated developments. It supports any other future windfall developments which are likely to prevent impact upon the wider landscape but could potentially affect Conservation Area or the setting of listed buildings. However, the Plan seeks to prevent these impacts and uphold other policy at Borough and National level to ensure no significant environmental issues are created.
g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	No	It is not anticipated that the Send Neighbourhood Plan will adversely impact on the Thames Basin Heaths SPA and Thursley, Ash, Pirbright & Chobham SAC, as well as SSSIs and/or other areas/landscapes of community importance, as detailed above. Furthermore, the policies include the protection of green space, biodiversity, landscape, community assets and it is likely that the Plan will be positive by maximising the positive environmental effects of development and minimising or avoiding negative impacts. The Send Neighbourhood Plan does not allocate further development but rather seeks to influence the type, style, tenure and design of these

SEA Directive Criteria	Yes/No	Justification
		allocated developments only so risks to the protected sites are deemed minimal.
Part 2 Overall Conclusion The	<i>The Send Neighbourhood Plan is unlikely to have significant effects on the environment.</i>	

4.4 SEA Screening Assessment Conclusion

Preparation of a Neighbourhood Plan for Send is being undertaken in accordance with the Neighbourhood Planning Regulations 2012. The plan covers the period 2019 - 2034 and sets out a vision for the neighbourhood area and does not allocate further development but rather seeks to influence the type, style, tenure and design of these allocated developments only. Within the plan there are five themes covered with specific objectives, beneath which sit a number of policies relating to the design, development, transport, local economy, natural environment and facilities.

This SEA Screening Report, supported by a Habitats Regulations Screening Assessment, as well as the findings of the Appropriate Assessment of the Plan policies deemed having significant effects on the European sites, has identified whether or not the Send Neighbourhood Plan requires a SEA by assessing the potential high-level environmental impacts that may arise from implementation of the plan.

In conclusion, it is considered that the Send Neighbourhood Plan does not require a SEA.

This is primarily because the plan does not allocate further development but rather seeks to influence the type, style, tenure and design of these allocated developments, therefore, the scale and location of the policies within the plan are not likely to adversely impact on any of the sensitive environmental receptors within or around Send neighbourhood area.

This conclusion will be sent to the Environment Agency, Natural England and Historic England for consideration and their responses will be included in the final screening SEA and HRA report.

5. HRA and SEA Screening Consultation

Guildford Borough Council is required to consult on all SEA screening opinions with Historic England, the Environment Agency and Natural England, and with Natural England on all HRA screening opinions, before formally determining whether a strategic environmental assessment and/or appropriate assessment is needed. The plan is currently at a very early stage and could be subject to change that alters the outcome of the screening opinion. As a result, the Council will reserve the consultation stage for a later stage; a formal screening opinion will be produced and consulted upon before the plan is submitted to the Council. Once the consultation period with the consultation bodies is over, a determination will be made and a statement of reasons will be written and made available. A notice of the determination will be available for public access within 28 days of the date of the determination (in line with SEA Regulation 11). Should the determination be 'negative' then a statement of reasons will be prepared to submit to the Local Planning Authority (LPA) alongside the submission plan.

This report will be sent to the three statutory consultees (Environment Agency, Historic England and Natural England) to seek their views on its contents. Their responses will later be included in the final screening report.

It is a basic condition of producing a Neighbourhood Plan that EU obligations, as incorporated into UK law, are met. This includes those of the SEA and HRA Directives. The Send neighbourhood group will be able to use the pre-submission formal screening opinion to produce the Basic Conditions statement.

Background Documents

- [Conservation of Habitats and Species Regulations 2017](#)
- [Guildford Borough Council Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 SPD](#)
- [The South East Plan, Policy NRM6](#)
- Designated Sites Natural England,
<https://designatedsites.naturalengland.org.uk/SiteSearch.aspx>