

Guildford Borough Council

Albury Neighbourhood Plan Proposal

Strategic Environmental Assessment and
Habitat Regulations Assessment Screening

November 2024

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1. Introduction

The Purpose of this report

- 1.1 Albury Parish Council is preparing the Albury Neighbourhood Plan (the 'NP') and has provided a proposal (the 'proposal') to Guildford Borough Council setting out the types of policies that the NP will cover. The purpose of this report is to ascertain whether the NP, as described in the proposal, could have a significant effect on the environment and therefore require a Strategic Environmental Assessment ('SEA') under European Directive 2001/42/EC (the 'SEA Directive').
- 1.2 It also determines whether the NP would 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 (the 'Habitats Directive') and the associated Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'). To this end, a screening exercise is undertaken to determine whether a significant effect on the habitat and species protected by the regulations is likely.
- 1.3 The legislative background, set out in Section 2, outlines the regulations that stipulate the need for this exercise. Section 3 describes the proposal that is subject to SEA and HRA screening. Sections 4 and 5 provide screening assessments which are used to determine whether there are likely to be any significant environmental effects which would trigger a requirement for a full SEA (Environmental Report) and/or HRA (Appropriate Assessment).

2. Legislative background

Habitats Regulations Assessment

- 2.1 HRA is required in order to determine whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance, or Natura 2000 sites. The need for HRA is set out within the EC Habitats Directive 92/43/EEC and transposed into British Law by Regulation 105 of the Conservation of Habitats and Species Regulations 2017.
- 2.2 The Habitats Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into UK law. They also transpose elements of the EU Wild Birds Directive in England and Wales. They require HRA to be undertaken for any plan or project likely to have a significant effect upon a European protected site.
- 2.3 A 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).

- 2.4 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.
- 2.5 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.
- 2.6 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 must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be)".
- 2.7 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, which is the case for the Albury proposal.

Strategic Environmental Assessment

- 2.8 The purpose of SEA is to integrate considerations of the environment into the preparation and adoption of plans with a view to promoting sustainable development. Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive) and the Environmental Assessment of Plans and Programmes Regulations (2004), specific types of plans that set the framework for the future development consent of projects must be subject to an environmental assessment.
- 2.9 In accordance with the provisions of the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9 (1)), the Council must determine whether a plan requires an environmental report. If the Council determines

that an environmental report is not required, Regulation 9(3) requires the Council to prepare a statement setting out the reasons for the determination.

- 2.10 SEA involves evaluation of the environmental impacts of a plan or programme. The requirement for SEA is set out in the European Directive 2001/42/EC adopted into UK law as the Environmental Assessment of Plans or Programmes Regulations 2004. The SEA Directive sets out a legal assessment process that must be followed. Often within the planning context, the SEA requirements are met by incorporating it within a Sustainability Appraisal (SA), which is a requirement for many Development Plan Documents, but not neighbourhood plans.
- 2.11 The Planning Practice Guidance makes it clear that SEA may be of relevance for neighbourhood plans where they could have significant environmental effects. To establish whether the plan proposal is thought to have significant environmental effects and therefore require an SEA environmental report, a screening process is necessary.

3. Albury Neighbourhood Plan Proposal

- 3.1 The proposed plan will form part of the statutory Development Plan for the designated Albury Neighbourhood Area (the 'NA'). The NA follows the Albury Parish boundary as shown in the map in Appendix 1. As a Development Plan Document, planning decision makers will use the Albury Neighbourhood Plan to decide whether applications for planning permission should be granted.
- 3.2 The Council received a request for SEA and HRA screening from Albury Parish Council. Within these screening requests were a description of the vision and objectives of the NP, and the proposed scope of the policies it will contain to meet the vision and objectives. The details are set out in the following sections and are used as the basis of the SEA and HRA screening assessments.

Vision

- Albury Parish will grow successfully as a sustainable community whilst protecting the openness and permanence of the Green Belt and retain its special historic and landscape qualities. New affordable housing, rural economic growth and community facilities will meet local needs and be designed to address climate change. The character of settlements, landscape, habitats, species, and views will be preserved, tourist assets and the Conservation Area enhanced.
- Advances in broadband and sustainable energy will help rural business growth and working from home and improve carbon footprint.
- Traffic management and parking will deliver less pollution, better safety and quality of life for residents and visitors, without detriment to the area's special qualities.

- Whilst change in the wider area will be significant, this will provide opportunities for improved connectivity beyond the Parish.

Objectives

- To build a long-term and climate resilient sustainable community.
- To sustain and improve local services, businesses, amenities and the visitor experience.
- To protect and enhance the natural environment and green spaces and biodiversity.
- To honour the character of the parish, its settlements, Conservation Area and its historic landscape setting.
- To meet identified affordable housing needs.
- To reduce the impact of traffic and improve connectivity to neighbouring villages, towns and services.

Proposed scope of policies

- Housing need/affordability, type, size and tenure
- Allocation of a small number of affordable housing sites
- Design of new buildings
- Design codes
- Protecting key views and heritage assets
- Safeguarding of the parish's natural environment (including Surrey Hills National Landscape) and biodiversity
- Policies to address local transport and traffic issues, parking and supporting sustainable transport
- Supporting the visitor economy
- Protecting and supporting local businesses
- Protecting and supporting community facilities
- Sustainability of new development
- Land use

3.3 The commentary within the screening requests notes a past limited delivery of new homes, identifies a need for more affordable housing locally and states an intention to “allocate a small number of affordable housing sites through the Neighbourhood Plan to address”. It further notes that local evidence indicates a need for 17 affordable homes over the NP plan period and that the intention is to allocate a small number of rural exception housing sites, which it states would be consistent with the Local Plan, specifically Policy H3: Rural exception homes of the Local Plan: Strategy and Sites 2015-2034.

3.4 A parish newsletter was provided to parishioners to canvass their views on potential site allocations. The newsletter identified 6 potential sites (sites A-F) for housing that could accommodate an estimated total of 61 homes. The newsletter makes it clear that not all

these sites will be brought forward, but that the NP intends to allocate enough sites to meet the identified affordable housing need, potentially with a small amount market homes if needed for viability reasons in accordance with Local Plan policy. Alongside housing, the newsletter also identifies two sites for industrial and commercial development (sites G and H) and a site for a solar array (site I). The locations of the sites are shown in Appendix 2: Map of Albury NA potential sites and designations.

- 3.5 The sites selection is supported by the “Site Options and Assessment – Final Report”¹ produced by AECOM. This report notes that one of the sites, site E, is unsuitable for allocation due to its impact on designated heritage assets.
- 3.6 As the NP is still at an early stage, it cannot be assumed that the allocations will be limited to proposed sites A-F. The screenings are undertaken on that basis.

Other information

- 3.7 The screening request notes that the NP will be conformity with the Local Plan which has already been subject to a Strategic Environmental Assessment and that as a result the Parish Council does not consider a SEA to be required.
- 3.8 Regarding HRA, the screening request notes that there are no SPAs, SACs or Ramsar sites located within the Neighbourhood Area and that the parish lies outside of the 5km zone surrounding the Thames Basin Heath SPA. It suggests that as the NP will only allocate a modest number of small rural exception housing sites, and that any new development within the parish will need to comply with Policy P5 of the Local Plan (which provides mitigation for impacts on the SPA), the NP will not give rise to adverse impacts on European sites. This assessment assumes the reference to “small rural exception housing sites” means sites of fewer than 10 homes.

Plan boundary

- 3.9 The NA/civil parish boundary comprises the village of Albury and several smaller, sparse settlements (Little London, Brook, Farley Green and Newlands Corner). Albury village, the main settlement, has a total population of approximately 870 people and approximately 355 homes. Albury is located 4 km south-east of Guildford town. The A248 Dorking Road runs through the centre of the settlement and the village is close to the A25 that links Guildford and Dorking. The nearest train station is Chilworth, 1.8km to the west.

Heritage and character

- 3.10 Albury parish is situated in the Albury and Hackhurst Chalk Ridge landscape character area which is a narrow south facing scarp slope extending eastward from Guildford to the borough boundary with Mole Valley. The boundaries of the area are defined by the change

¹ Available at <https://alburyparishneighbourhoodplan.org/neighbourhood-plan-supporting-documentation/>

in underlying geology from the Seaford Chalk to the Greensand to the south and, to the north, by the top of the scarp slope. The key elements that contribute to the parish character are:

- the mix of open pasture with woodland,
- the sparse settlement pattern,
- the open views to the south and across Guildford from the upper grassland slopes such as at Pewley Down, and
- the vistas afforded along the wooded ridgeline, which acts as a backdrop to surrounding areas.

- 3.11 Albury village has a rural character; there are green fields in the centre of the village, green fields and trees around the edge and a fishing lake to the north-east. The homes along the main road are of varied appearance and size, and the parts of the settlement that run alongside the main road are of rural character. There is an area to the south of the settlement with newer 1950s semi-detached homes.
- 3.12 The whole parish is washed over by the Green Belt, the Surrey Hills AONB and the locally designated Area of Great Landscape Value. These designations recognise the open nature of the parish and settlements and the high landscape value throughout the parish.
- 3.13 The whole settlement of Albury village is designated a conservation area (Albury Conservation Area). A small part of the Chilworth Gunpowder Mills Conservation Area in neighbouring St Martha Parish extends across the NA's western boundary just north of the A248.
- 3.14 There is one Registered Park and Garden, Albury Park, in the NA. Albury Park is a large site, approximately 370 metres to the East of Albury village and extending to the east across the parish boundary.
- 3.15 There are two County Sites of Archaeological Importance; a small site encompassing a bowl barrow at Newlands Corner in the North of the NA and a larger site containing the remains of a Romano-Celtic temple which is also a Scheduled Ancient Monument located just north of Farley Heath.
- 3.16 There are seven Areas of High Archaeological Potential, 44 listed buildings and no locally listed buildings contained within the NA.

Natural Environment

- 3.17 Two Sites of Special Scientific Interest (SSSI) (Colyers Hanger and Blackheath) fall partially within the NA, extending across its western boundary into neighbouring St Martha Parish. A third SSSI, Shere Woodlands, adjoins the NA on its eastern boundary.
- 3.18 There are 13 Sites of Nature Conservation Importance (SNCI) mainly in the northern half of the NA, and others adjoining the NA boundary.

- 3.19 There are seven designated Regionally Important Geological/Geomorphological sites in the parish.
- 3.20 The NA contains numerous patches of ancient woodland, including a significant woodland approximately 100 metres north of Albury village.
- 3.21 There are no Local Nature Reserves (LNR) within the NA, but the NA boundary abuts the Shere Woodlands LNR in the adjacent Shere Parish.
- 3.22 There are two stretches of the Tilling Bourne water course running through the NA east/west. Both stretches are Statutory Main Rivers for some or all of their length. Floodzones 2 and 3 are concentrated along the watercourses.

4. Habitat Regulations Assessment Screening

HRA Methodology

- 4.1 HRA follows a three-stage process as outlined in the Department Environment, Food and Rural Affairs and Natural England guidance "Habitats regulations assessments: protecting a European site"². These stages are described below:

HRA Stage 1 – Screening

- 4.2 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.
- 4.3 Following the 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.
- 4.4 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.
- 4.5 It is recognised that some policy ‘types’ cannot affect any European sites. Different guidance documents suggest various classification and referencing systems to help identify

² Available online at <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>

those policies that can be safely screened out to ensure the HRA focuses on the policies with any potential to result in likely significant effects.

4.6 Table 1 below summarizes the characteristics of policies that can usually be screened out.

Table 1 Policy “types” that can usually be screened out

Broad Policy Type	Notes
General statements of policy	The European Commission recognises that plans or plan components that are general statements of policy or political aspirations cannot have significant effects
General design/guidance criteria	A general “criteria based” policy expresses the tests or expectations of the plan-making body when it comes to consider particular proposals, or relate to design or other qualitative criteria which do not themselves lead to development (e.g. controls on building design)
External plans/projects	Plans or projects that are proposed by other plans and are referred to in the plan being assessed for completeness
Environmental protection policies	Policies designed to protect the natural or built environment will not usually have significant or adverse effects

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

4.8 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 that 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 “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.

4.9 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 stage 2).

HRA Stage 2 – Appropriate Assessment

4.10 Stage 2 is subsequent to the identification of likely significant effects upon a European site in stage 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.

- 4.11 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.
- 4.12 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.
- 4.13 If an adverse impact is identified following consideration of avoidance/mitigation and alternatives, stage 3 is commenced.

HRA Stage 3 – Derogation

- 4.14 In certain circumstances a proposal which has failed the integrity test can go ahead. Three legal tests must be passed for a derogation to be granted.
1. There are no feasible alternative solutions that would be less damaging or avoid damage to the site.
 2. The proposal needs to be carried out for imperative reasons of overriding public interest.
 3. The necessary compensatory measures can be secured.

HRA Screening Assessment

Limitations

- 4.15 The precise detail of the NP policies is currently unknown. If the policies deviate from the NP scope set out in section 3, the HRA assessment must be revisited.

European sites

- 4.16 There are no internationally designated sites within the NA, but the following sites fall within 10 km (approximate distances at closest point, see map in Appendix 2):
- 5.5 km from the Thames Basin Heaths Special Protection Area ('SPA') site at Whitmoor Common,
 - 8 km from the Thames Basin Heaths SPA site at Wisley and Ockham commons,
 - 9km from the Thames Basin Heaths SPA and Special Area of Conservation (SAC) site at Thursley, Ash, Pirbright & Chobham, and
 - 9.6 km from the Mole Gap to Reigate Escarpment SAC site.
- 4.17 The sites relevant to this screening assessment are therefore:
- Thames Basin Heaths SPA
 - Thursley, Ash, Pirbright & Chobham SAC
 - Mole Gap to Reigate Escarpment SAC

Potential impacts and pathways of impact

- 4.18 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.
- 4.19 It is known that when new homes are built within the vicinity of the Thames Basin Heaths SPA, the resulting increase in recreational pressure can have negative impacts on the breeding success of the three bird species for which the SPA is designated. As a result:
- Net new residential development is prohibited within 400m of the SPA.
 - Within 5km, the recreational impact of all net new residential development must be mitigated through the provision of Suitable Alternative Natural Greenspace (SANG) to attract visitors away from the SPA and through the Strategic Access Management and Monitoring programme (SAMM).
 - Within the 5-7km zone, residential developments of over 50 net new dwellings only may be considered to have a level of recreational impact, established on a case-by-case basis.
- 4.20 More detail on this approach is provided in the Guildford Thames Basin Heaths Special Protection Area Avoidance Strategy SPD.³
- 4.21 The northwest corner of the NA falls within the 5-7km zone. The remainder of the NA falls outside all of the zones.
- 4.22 The qualifying features and conservation objectives for the European sites are set out in Table 2.
- 4.23 Table 3 identifies the hazards to which the sites are potentially sensitive.

Table 2 Details of European Sites within 10km buffer around Albury NA (data sourced from Natural England)⁴

European Site	Qualifying Features and Conservation Objectives
Thames Basin Heaths SPA	<p>Qualifying Features:</p> <ul style="list-style-type: none"> • A224 Caprimulgus europaeus; European nightjar (Breeding) • A246 Lullula arborea; Woodlark (Breeding) • A302 Sylvia undata; Dartford warbler (Breeding) <p>Conservation objectives:</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:</p>

³ Available at [Thames Basin Heaths Special Protection Area SPD - Guildford Borough Council](#)

⁴ Available at [Natural England Access to Evidence - Conservation objectives European Sites: London and South East](#)

European Site	Qualifying Features and Conservation Objectives
	<ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features; • The structure and function of the habitats of the qualifying features; • The supporting processes on which the habitats of the qualifying features rely; • The population of each of the qualifying features; and • The distribution of the qualifying features within the site.
Thursley, Ash, Pirbright & Chobham SAC	<p>Qualifying Features:</p> <ul style="list-style-type: none"> • 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> <p>Conservation objectives:</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats • The structure and function (including typical species) of qualifying natural habitats, and • The supporting processes on which qualifying natural habitats rely.
Mole Gap to Reigate Escarpment SAC	<p>Qualifying Features:</p> <ul style="list-style-type: none"> • H4030. European dry heaths • H5110. Stable xerothermophilous formations with <i>Buxus sempervirens</i> on rock slopes (Berberidion p.p.); Natural box scrub • H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (FestucoBrometalia) (important orchid sites); Dry grasslands and scrublands on chalk or limestone (important orchid sites) • H9130. Asperulo-Fagetum beech forests; Beech forests on neutral to rich soils • H91J0. <i>Taxus baccata</i> woods of the British Isles; Yew-dominated woodland* • S1166. <i>Triturus cristatus</i>; Great crested newt • S1323. <i>Myotis bechsteinii</i>; Bechstein`s bat <p>Conservation objectives:</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site.

Table 3 Threats and pressures for each European site identified as potentially being affected by the plan (data sourced from the Joint Nature Conservation Committee (JNCC)⁵)

Threats and pressures	Thames Basin Heaths SPA	Thursley, Hankley and Frensham Commons SAC	Mole Gap to Reigate Escarpment SAC
H04 Air pollution, air-borne pollutants	Yes	Yes	Yes
G05 Other human intrusions and disturbances	Yes	Yes	
B02 Forest and Plantation management & use	Yes		
K02 Biocenotic evolution, succession	Yes	Yes	Yes
G01 Outdoor sports and leisure activities, recreational activities	Yes		
J02 Human induced changes in hydraulic conditions		Yes	
A04 Grazing		Yes	
A02 Modification of cultivation practices			Yes
K04 Interspecific floral relations			Yes

Description of the NP and potential for in-combination effects

- 4.24 The NP will become a Development Plan Document that will form part of the statutory Development Plan for the borough of Guildford, though it will only take effect across the area of Albury Parish. A description of the proposed content for the NP is provided at 3.2.
- 4.25 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'*.
- 4.26 Table 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 NP.

⁵ SAC data sourced from <https://sac.jncc.gov.uk/>. SPA data sourced from <https://jncc.gov.uk/our-work/list-of-spas/>

Table 4 Other Plans and Projects

Plan/ Projects	Potential in-combination effects
National Planning Policy Framework (NPPF)	<p>The NPPF sets out national planning policy to be taken into account when preparing new Development Plan Documents 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 (paragraph 180). It also requires local planning authorities to include policies against which proposals for any developments on, or affecting, protected habitats 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, <i>“does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site”</i> (paragraph 188).</p>
<p>Guildford Local Plan (comprising the Local Plan: Strategy and Sites (2019), Local Plan Development Management Policies (2023) and remaining policies of the Local Plan 2003)</p>	<p>Once the Albury plan has passed a local referendum, it will form part of the Development Plan alongside the Local Plan for Guildford. The plan will be tested for conformity with the Local Plan’s strategic policies during examination and will be amended where it does not conform. The Guildford Local Plan: Strategy and Sites (2019) does not allocate a housing target or housing sites for the parish of Albury, therefore no in-combination effects are likely to occur.</p> <p>The 2019 and 2023 local plans have undergone a Habitats Regulations Assessment and it has been established at examination that they will not lead to adverse effects on the integrity of European sites. Additionally, the 2019 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. The two Local Plans contain a number of policies that protect the natural environment.</p>
<p>Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 Supplementary Planning Document (Guildford Borough Council, 2017)</p>	<p>This document was adopted on 18th July 2017. Natural England has recognised that residential development across the South East region could have potentially adverse impact on the Thames Basin Heaths SPA through increased recreational use creating disturbance impacts. Guildford Borough Council, along with other councils where development has the potential to impact upon the SPA, have therefore adopted avoidance strategies in conjunction with Natural England, to identify where adverse impacts may arise and the avoidance and/or mitigation measures required. The avoidance strategy should prevent a situation arising where Local Authorities will not be able to grant planning permission for further residential development within 5km of these designated heathlands (the area identified as the Zone of Influence for cumulative impacts). This strategy therefore provides an assessment framework to identify where policies of the plan may</p>

Plan/ Projects	Potential in-combination effects
	result in adverse impacts on the SPA and this is taken into account throughout this HRA. The strategy is silent on SAC sites. Negative in-combination effects on either the SPA or SACs are therefore unlikely.
The South East Plan	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 and requires mitigation measures to prevent the adverse impacts. The plan will have to ensure that its policies are consistent with the requirements of policy NRM6 in order to pass examination. The policy is silent on SAC sites. Negative in-combination effects on either the SPA or SACs are therefore unlikely.

Screening

- 4.27 Each part of the proposal has been primarily assessed against the criteria provided in the guidance prepared by Tydesley and Associates for Natural England titled, 'The Assessment of Regional Spatial Strategies and Sub Regional Strategies under the Provisions of the Habitats Regulations 2006.' The analysis details are presented in Table 5.

Table 5 Albury Neighbourhood Plan proposal screening

Proposed policies	Likely impact ?	Why proposed policy will have no impact on Natura 2000 sites	Recommendations to avoid potential negative effects on European sites
Allocation of a small number of small sites for affordable housing	No	<p>The proposed policy would allocate a “small number” of “small” sites for affordable housing to meet local need under the ‘rural exception’ Green Belt rule. Small is assumed to mean fewer than ten homes in accordance with the national definition of minor development and typical practice with rural exception sites. Local need is set at 17 homes. Additionally, the plan must be in general conformity with strategic policies in the LPSS, which includes ‘H3: Rural Exception Homes’, tested through examination and amended to bring it into line if found to be not generally compliant. LPSS policy H3 requires rural exception sites to be ‘small scale’. Site allocations will therefore be for fewer than 50 homes. The parish sits outside the SPA 5km zone within which new homes are considered to impact the SPA through increased recreational pressure, and is partially within the SPA 5-7km zone where only sites above 50 homes are considered to have this impact. New housing sites, as proposed in the plan scope, will not lead to likely significant effects on the SPA through recreational pressure either individually or cumulatively. Given the distances to the SPA and SAC sites, small scale housing sites are not likely to have impacts through any other pathways of impact (e.g. by increasing traffic around European sites).</p>	<p>Ensure sites are ‘small’ and that total delivery does not exceed 50 homes within the SPA 5-7km zone.</p>
Design of new buildings, design codes, housing need, affordability, type, size and tenure	No	<p>The proposed policy could regulate the provision of affordable housing and the type, size and tenure of new homes, as well as the design of new buildings. The proposed policies could regulate the design of new buildings through a criteria-based approach and/or a design code approach. A general “criteria based” policy expresses the tests or expectations of the plan-making body when it comes to consider particular proposals, or relate to design or other qualitative criteria which do not themselves lead to development (e.g. controls on building design). This would not result in a pathway of impact to Natura 2000 sites for any of the identified threats and pressures.</p>	<p>None</p>

Protecting key views and heritage assets, safeguarding of the parish's natural environment and biodiversity	No	Policies designed to protect the natural and/or built environment are generally not considered to have significant or adverse effects as they do not result in pathways of impact to Natura 2000 sites for any of the identified threats and pressures.	None
Policies to address local transport and traffic issues, parking and supporting sustainable transport	No	There is potential for such a policy to influence land use in a way that could have environmental effects e.g. by identifying land for new transport links or parking space. However, the distance from Natura 2000 sites means that no pathway of impact is identified for any of the threats and pressures.	None
Supporting the visitor economy, protecting and supporting local businesses	No	There is potential for such policies to influence land use in a way that could have environmental effects e.g. by identifying land for new economic development. However, the distance from Natura 2000 sites means that no pathway of impact is identified for any of the threats and pressures. Additionally, encouraging tourism in Albury may draw visitors away from SPA sites (which suffer from recreational pressure).	
Protecting and supporting community facilities	No	A retention policy designed to protect community facilities would generally not be considered to lead to likely significant effects as it preserves the status quo. A policy that seeks improvements to community facilities could result in new development that would be capable of having an impact through land use change. However, given the distance to Natura 2000 sites, no pathway of impact is identified for any of the threats and pressures.	None
Sustainability of new development	No	This could cover reducing energy use in new developments, requiring the use of low impact building materials, supporting building level renewable energy and climate change adaptation. Such policies will mainly regulate the design of new developments. As this relates to design, it is not considered to lead to significant or adverse effects and would not result in a pathway of impact to Natura 2000 sites for any of the identified threats and pressures.	None
Land use	No	There is potential for land use policies to influence land use in a way that could have environmental effects e.g. by identifying land for development or to change the way land is managed or exploited. However, the very limited changes in land use proposed in the NP and the distance from Natura 2000 sites means that no pathway of impact is identified.	None

HRA Screening Conclusions

- 4.28 None of the proposed policies are likely to lead to significant effects on European sites. Therefore stage 2 (appropriate assessment and ascertaining adverse impacts on site integrity) and stage 3 (derogations) of the HRA process are not necessary.

5. SEA screening

SEA Screening Methodology

- 5.1 The screening process is based upon consideration of standard criteria to determine whether the plan or programme (in this case, the proposal for an Albury Neighbourhood Plan) is likely to have “significant environmental effects” and therefore require a full SEA Environmental Report. Should it be determined by the local authority and consultation bodies that a full SEA does need to be undertaken, the qualifying body will need to undertake the Scoping stage of SEA.
- 5.2 To establish whether a plan or programme requires SEA, a screening assessment is required against a series of criteria set out in the SEA Directive. Figure 1 sets out the screening process and how a plan should be assessed against the SEA Directive criteria.

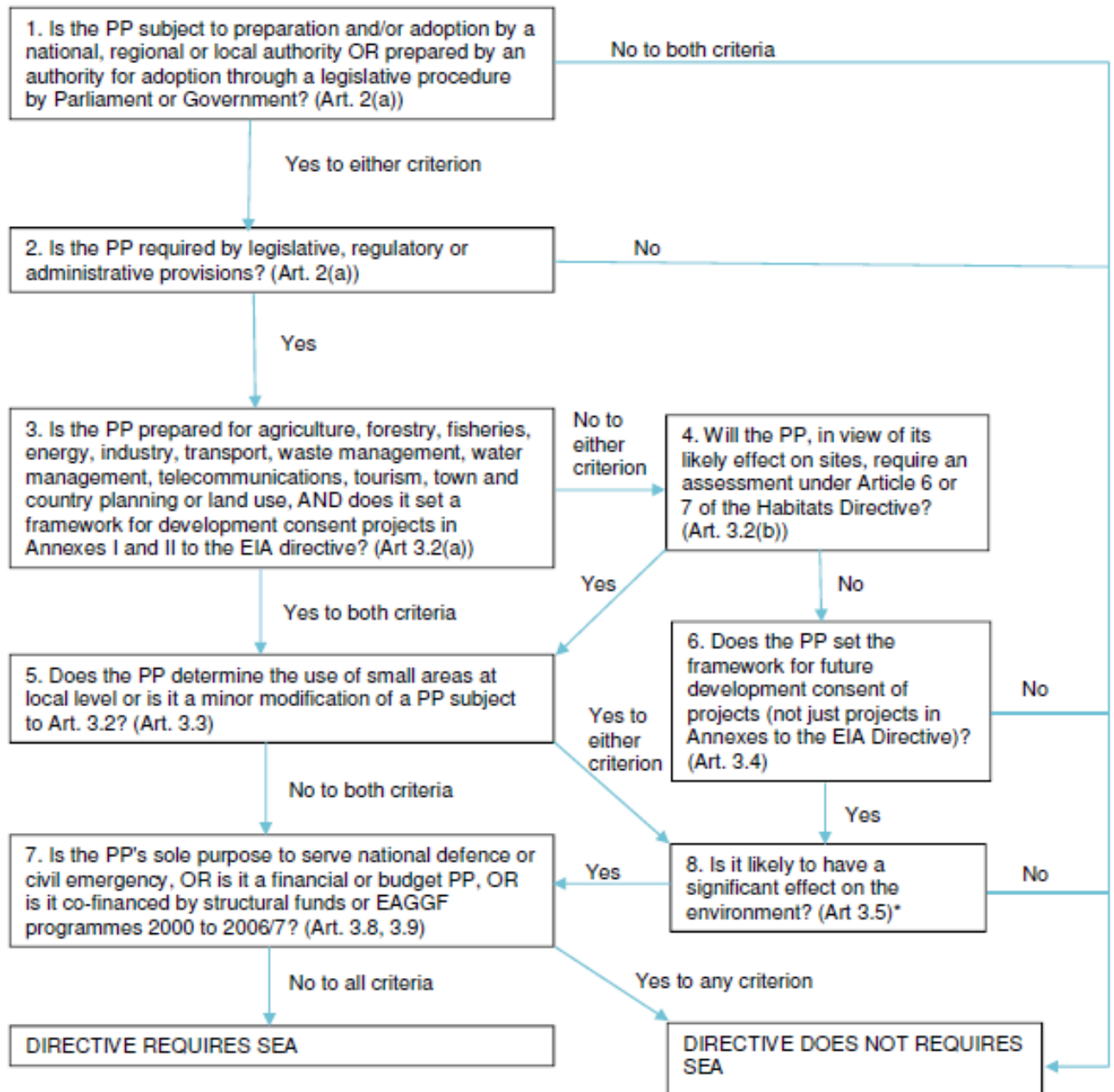


Figure 1. Application of the SEA Directive to plans and programmes (from "A Practical Guide to the Strategic Environmental Assessment Directive", ODPM, 2005).

5.3 Assessing the significance of the environmental effects that this proposal will have depends on the provisions 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 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.

Figure 2 Criteria for assessing significance

5.4 The SEA screening assessment is therefore split into two parts. Part 1 runs the proposal through the questions outlined in Figure 1 and includes commentary of whether the need for SEA is triggered. Part 2 assess the proposal across 8 stages to establish whether there are likely significant effects. The screening opinion takes a 'precautionary approach' and when it is unclear as to how the Directive may be applied it is assumed that there are possible likely significant effects. An assessment of the characteristics of the proposal against these criteria is set out in Table 6 and Table 7 of this report.

Part 1 – Application of the Directive to the proposal

Table 6 Establishing the need for SEA by following the flowchart in Figure 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 plan will be adopted (made) by Guildford Borough Council. It will form part of the statutory development plan following a referendum.
2.	Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes (when the plan is '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 must 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 to both criteria (proceed to Q5)	The plan is being prepared for town and country planning and land use. The plan will 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	Q3 answered "Yes".
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 plan is intended to determine the use of small areas at a 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	Q5 answered "Yes".
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	Q5 answered "Yes".
8.	Is it likely to have a significant effect on the environment? (Art. 3.5)	Yes	The NP could have a significant effect on the environment. Part 2 assesses whether a significant effect is likely.

Part 2 – Likely significant effects on the environment

- 5.5 The National Planning Practice Guidance section on [Strategic environmental assessment and sustainability appraisal](#) provides the following guidance on when likely significant effects could occur: “Whether a neighbourhood plan proposal requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed. A strategic environmental assessment may be required, for example, where:
- a neighbourhood plan allocates sites for development
 - the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
 - the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the local plan or other strategic policies for the area.”
- 5.6 The NP is proposing to allocate sites for development and the NA contains a significant number of natural and historic designations and sites, so the first two bullets are highly relevant. The site allocations are proposed to align with Local Plan: Strategy and Sites policy H3: Rural exception homes, which has been subject to SEA as a part of the Sustainability Appraisal of the Local Plan. While the type of development proposed by the NP has already been assessed, and Local Plan policy provides a framework for the sustainable delivery of those types of development, the NP is proposing to allocate sites that have not been subject to SEA as part of the Local Plan process.
- 5.7 The assessment of effects should be done in a proportionate way and it is acknowledged that at this early stage in the drafting of the NP that there are gaps in the data, most notably the number, size and location of site allocations. If the gaps create uncertainties that mean it is not possible to reasonably assess the likely significant effects of a plan, then the precautionary principle should apply and the NP should not be ‘screened-out’.
- 5.8 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 proposal would trigger the need for a full assessment.

Table 7 Assessing Likely Significant Effects using the criteria in Figure 2: The characteristics of plans and programmes

SEA Directive Criteria	Yes/No	Justification
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	Yes	The NP as described in the proposal will set out a planning policy framework which will be used to influence the outcome of future planning applications, consistent with the needs and expressed opinions of residents. It will also include site policies that allocate specific land parcels for small-scale development and will therefore

SEA Directive Criteria	Yes/ No	Justification
operating conditions or by allocating resources		be instrumental in considering planning applications for the allocated sites.
b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	Yes	<p>In order to meet the ‘basic conditions’ set by legislation and tested at examination, the NPs policies must be in general conformity with the strategic policies in the Local Plan. Additionally, some planning matters are beyond the remit of the NP, including County matters which cover waste, minerals and highways. However, outside of these strategic policies and county matters, the NP is free to shape and replace development plan policy. It may also exert an influence on future Local Plan strategic policy, and it will restrict future Local Plans from duplicating policy for the non-strategic matters it covers. It therefore influences the future development plan.</p> <p>As the NP creates development plan policy, it will influence development projects within the NA boundary.</p>
c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	Yes	<p>The NP will be subject to examination including being tested against the ‘Basic Conditions’ set by legislation. One of these basic conditions is that the NP must contribute to the achievement of sustainable development. The resulting plan will therefore promote sustainable development.</p> <p>The NP will also need to be in general conformity with strategic policies in the Local Plan which includes policies protecting and restoring/enhancing the natural and built environment and heritage assets. The integration of environmental considerations is therefore relevant to the NP. The NP proposal includes policies intended to support the environment and sustainable development through policies that protect views and heritage, safeguard the natural environment, support sustainable transport and improve the sustainability of new development which could result in significant positive environmental benefits.</p>
d) Environmental problems relevant to the plan or programme	Yes	<p>The UK suffers from severe biodiversity degradation and the government has a stated national ambition to halt the decline and bring about restoration, including through the planning system. As a Development Plan Document, the NP is capable of influencing the achievement of related national and local targets.</p> <p><u>European sites</u></p> <p>There are no SPA, SAC or Ramsar sites located within the NA. A small portion of the NA falls within the 5-7km SPA zone where residential developments of over 50 homes can have an influence on the SPA through increased recreational pressure. Strategic policy is in place which requires new development to mitigate this risk and the limited developments proposed by the NP are not considered to have an impact (see HRA in Section 4).</p> <p><u>National and local sites and designations</u></p>

SEA Directive Criteria	Yes/ No	Justification
		<p>There are 13 SNCIs within the parish boundary and more adjoining the boundary, three SSSIs within or adjacent to the parish boundary, a Local Nature Reserve adjacent to the parish boundary and seven Regionally Important Geological/Geomorphological Sites (RIGS). Natural England's SSSI Risk Impact Zones map shows that the part of the NA includes zones where sites of 10 units or fewer could have an impact on the Blackheath SSSI.</p> <p>These designated sites are protected by national and local planning policy. The relevant protective policies in the Local Plan are strategic, so the NP must be in general conformity with them. The NP proposal includes policies to safeguard the natural environment and biodiversity.</p> <p>However, the NP proposes to allocate sites for development. The locations of these sites are not known at this stage, though it should be noted that from the proposed sites set out in the parish newsletter (sites A-F) that potential site G is directly adjacent to an area of Ancient Woodland and could promote development within its buffer zone.</p> <p>The NP will be required to take account of these sensitive local sites in its site allocation policies, but it must be acknowledged that site allocations, unless inclusive of appropriate avoidance and mitigation, could lead to significant effects upon designated sites and sites protected habitats.</p> <p><u>Surrey Hills National Landscape (formerly AONB)</u></p> <p>The parish has a rural character and falls wholly within the Surrey Hills National Landscape. Site allocations, depending on scale, location and the detail of the proposals, have the potential to harm the landscape value. The NP proposes only very limited, small-scale development and also specifically proposes to safeguard the Surrey Hills National Landscape, as well as the natural environment generally and character of the parish, but the impact of the sites (individually and cumulatively) are not yet known.</p> <p><u>Heritage assets</u></p> <p>The NA contains a number of sensitive heritage assets (see Heritage and character in section 3).</p> <p>Potential sites A-F all fall within the Albury Conservation Area and are within the vicinity of listed buildings. Conservation Areas and listed buildings are protected by national legislation and by national and local planning policies. The relevant protective policies in the Local Plan are strategic, so the NP must be in general conformity with them, and additionally the NP proposes to include policies that protect heritage assets.</p> <p>However, site allocations, if drafted without appropriate avoidance or mitigation clauses and located within the close vicinity of</p>

SEA Directive Criteria	Yes/ No	Justification
		heritage assets, could potentially lead to significant effects on these protected areas and assets.
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 NP does not intend to address European Community environmental legislation directly e.g. by covering waste management or water protection, except potentially as a facet of development standards. Conformity with relevant environmental legal requirements will be tested through the examination.

Table 8 Assessing Likely Significant Effects using the criteria in Figure 2: The characteristics of the effects and of the area likely to be affected

SEA Directive Criteria	Yes/ No	Justification
a) The probability, duration, frequency and reversibility of the effects	Yes	The NP is likely to have limited, short-term effects resulting from activity associated with the development of allocated sites. The effects from land use changes and developments that occur as a result of the NP will operate over the long-term.
b) The cumulative nature of the effects	Yes	The NP intends to allocate only a small number of limited sites, but limited cumulative effects could result depending on the number, size and location of those sites. The NP is intended to include a suite of protective policies that conserve and enhance the natural and built environment. These policies could have a cumulative positive environmental effect alongside national and borough policy.
c) The transboundary nature of the effects	No	No significant transboundary effects from the proposal are anticipated given that the NP proposes small-scale areas within the NA. The NA itself covers the limited area of a single parish, which is the smallest administrative boundary.
d) The risks to human health or the environment (e.g. due to accidents)	No	The NP is not proposed to include any policies that would lead to development that causes significant risks to human health or the environment. The positive environmental, construction and affordable housing policies proposed for the NP would likely improve human health and wellbeing.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	Yes	Given the small-scale nature of the proposals, the magnitude and spatial extent of most effects will be limited to the geographical area of the NA and likely to the immediate vicinity of the site allocations. Negative impacts on the landscape, which could operate at a wider scale, are possible due to the proposal to allocate sites. As the details of the proposals are not yet known, it is not possible to conclude that such affects will not occur.

SEA Directive Criteria	Yes/No	Justification
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,	Yes	<p>The NA contains sensitive heritage assets: Areas of High Archaeological Potential, County Sites of Archaeological Importance, Scheduled Ancient Monuments, Listed Buildings, a Local Historic Park and Garden and all or part of two Conservation Areas. It is within the Surrey Hills National Landscape where the landscape has a cultural and heritage value.</p> <p>The NA also contains special natural characteristics: SSSIs, SNCIs and Areas of Ancient Woodland, and the NA is adjacent to a Local Nature Reserve.</p> <p>Depending on proximity and the detail of sites, site allocations could potentially have significant environmental effects on sensitive cultural, heritage and natural assets and the National Landscape.</p> <p>The NP proposes a small number of small-scale developments. Due to their scale these are not considered to be significant in terms of environmental quality standards or environmental limits.</p> <p>Site allocations are expected to make the best and most efficient use of land – not to intensively use the land for development.</p> <p>Given the rural context and the proposed policies to protect local character, intensive land use should not occur.</p>
g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	Yes	<p>The NA falls within the Surrey Hills National Landscape. There is potential for site allocations to have an environmental impact on the landscape, whether individually or cumulatively, depending on the number, size, location and specific details of site policies.</p>

SEA screening conclusion

5.9 Applying the process set out in “A Practical Guide to the Strategic Environmental Assessment Directive”, the assessment concludes that the proposal could lead to likely significant effects on the environment and accordingly an SEA is required. This is primarily because:

- the NP proposes to allocate sites for development,
- there is uncertainty over the number, location and size of these sites,
- the NA contains a substantial number of sensitive natural and historic assets and designations and is wholly within the Surrey Hills National Landscape, and negative effects on these would be significant,
- while the Local Plan has been subject to SEA and it includes a policy covering the types of sites the NP intends to deliver (rural exception sites), the potential sites have not been subject SEA.

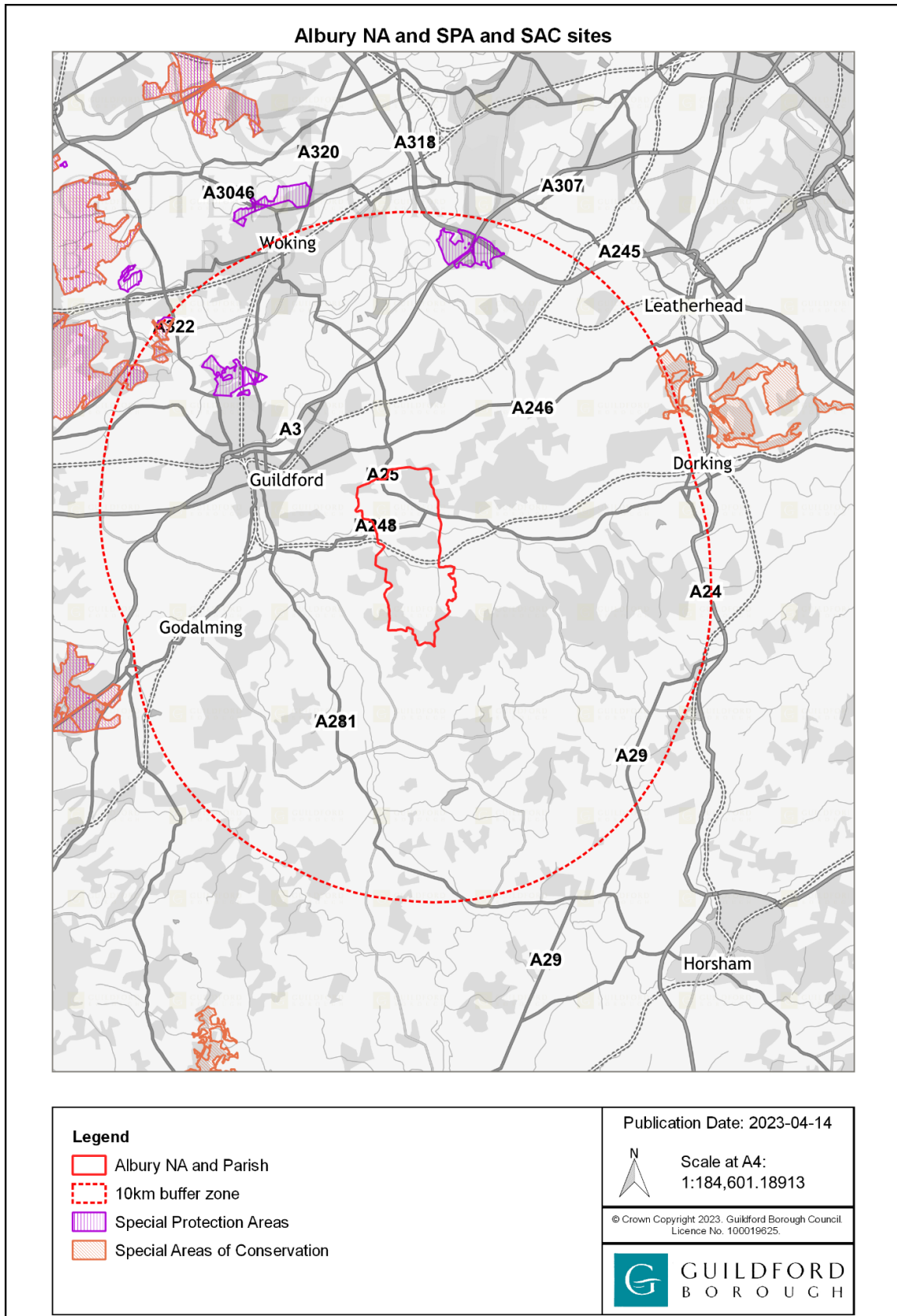
5.10 Undertaking a full SEA will allow potential environmental effects to be considered in more detail and for avoidance and mitigation measures to be incorporated into the NP.

6. HRA and SEA Screening Consultation and determination

- 6.1 In accordance with the SEA regulations (regulations 4(1) and 9(2)), the Council contacted Natural England, Historic England and the Environment Agency (the statutory 'consultation bodies') on 25 November 2024 by email to consult them on the findings of the SEA screening assessment. Under Regulation 63(3) of the Habitat Regulations, the Council also contacted Natural England (on the same date) to consult them on the HRA screening assessment. All three bodies were asked to respond by 16th December. None of the statutory bodies objected to the report's conclusions.
- 6.2 As a result, the Council has determined that the Albury Neighbourhood Plan, based on the proposed scope of policies,:
- could lead to significant environmental effects under the Environmental Assessment of Plans and Programmes Regulations 2004 and accordingly requires an environmental report, and
 - is not likely to lead to significant environmental effects on European sites under the Conservation of Habitats and Species Regulations (2017) and accordingly does not require Appropriate Assessment under those regulations.
- 6.3 These determinations were made on 20 December 2024.
- 6.4 In accordance with Regulation 11(1) of the SEA Regulations, the Council emailed this determination statement to the statutory bodies following (within 28 days of making) the determination being made. In accordance with Regulation 11(2) of the SEA Regulations the Council also published the statement and report on its website, along with the address at which people could inspect or obtain printed copies of these documents.

7. Appendices

Appendix 1: Map of Albury NA and SPA/SAC sites



Appendix 2: Map of Albury NA potential sites and designations

