# Runnymede Borough Council

## Draft Virginia Water Neighbourhood Plan

## Strategic Environmental Assessment (SEA)

## FINAL Screening Statement and Determination under Regulation 9 of the SEA Regulations 2004

## Habitats Regulations Assessment (HRA)

## FINAL Screening Statement and Determination under Regulation 105 & 106 of the Conservation of Habitats and Species Regulations 2017

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**Produced by the Planning Policy Team**

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# 1. Summary

1.1 A Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening exercise has been undertaken by Runnymede Borough Council for a draft version of the Virginia Water Neighbourhood Plan (VWNP).

1.2 The assessment has concluded that the draft VWNP is unlikely to give rise to any significant environmental effects or have significant effects on a European site. Accordingly, RBC has determined that no SEA and/or HRA assessment is required for the VWNP.

# 2. Introduction

## Strategic Environmental Assessment (SEA); Sustainability Appraisal (SA) & Habitats Regulations Assessment (HRA)

2.1 Strategic Environmental Assessment (SEA) is a systematic process used during the preparation of plans and policies and it aims to provide a high level of protection for the environment; it contributes to the integration of environmental considerations in the plan preparation with a view to promoting sustainable development.

2.2 Sustainability Appraisal (SA) is a process that similarly investigates plans and policies, including consideration of socio-economic factors in the same way as environmental factors and to the same level of detail. SA incorporating SEA is a mandatory requirement for Local Plans in accordance with planning legislation and paragraph 38 of the National Planning Policy Framework[1] (revised December 2024). Government advises that an integrated approach is taken so that the SA process incorporates the requirements for SEA – and to the same level of detail[2].

2.3 There is no statutory requirement for Neighbourhood Plans to be subject to SA. However, a qualifying body must demonstrate how its plan will contribute to achieving sustainable development. Legislation[3] requires Neighbourhood Plans to meet a series of 'basic conditions', including that they must:

- be appropriate having regard to national policy and guidance;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies in the Development Plan of the local area;
- not breach, and otherwise be compatible with EU regulations; and
- meet and comply with prescribed conditions e.g., whether it has a significant effect on European sites.

2.4 In some limited circumstances, where a Neighbourhood Plan is likely to have significant environmental effects on the environment, it may require a SEA. This is determined through a SEA screening process by the 'responsible authority' regarding the SEA Directive and UK SEA Regulations – for this Neighbourhood Plan, this is Runnymede Borough Council (RBC).

[1] MHCLG (July 2024), National Planning Policy Framework, available at: National Planning Policy Framework - GOV.UK (www.gov.uk)
[2] Planning Practice Guidance Paragraph: 007 Reference ID: 11-007-20140306
[3] Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990, as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

2.5 Within 28 days of RBC making its determination, the determining authority must publish a statement, such as this one, setting out its decision. If it is determined that an SEA is not required, the statement must include the reasons for this.

2.6 Neighbourhood Plans may also require assessment in relation to the Habitats Regulations 2017[4]. The aim of the Habitats Regulations Assessment (HRA) process is to assess the potential effects arising from a plan against the nature conservation objectives of any site designated for its nature conservation importance. The HRA process has its own legislative drivers and requirements and, while the different processes can inform each other, it is important that the HRA remains distinguishable from the wider SA/SEA process. However, if an appropriate assessment is required then this will engage the need for a SEA.

## The Runnymede 2030 Local Plan

2.7 Runnymede Borough Council (RBC) has prepared a Local Plan (adopted July 2020) to guide future development in the Local Authority area during the period to 2030[5]. In accordance with legislative and policy requirements, the Council carried out a Sustainability Appraisal (SA), incorporating Strategic Environmental Assessment (SEA), of its Local Plan. The SA/SEA and HRA of the Local Plan was undertaken alongside the preparation of the plan, with SA/SEA and HRA Reports published as evidence to support each stage of plan-making.

2.8 A Neighbourhood Plan attains the same legal status as the Local Plan once it has been agreed at a referendum and is adopted or "made" (brought into legal force) by the local planning authority. At this point it becomes part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

## The SEA & HRA Screening Report

2.9 This statement provides a screening determination of the need to carry out a Strategic Environmental Assessment (SEA) and a Habitats Regulations Assessment (HRA) of the emerging Virginia Water Neighbourhood Plan (VWNP), in accordance with EU Directives, as incorporated into English law. Runnymede Borough Council, as the "Responsible Authority" under the SEA Regulations, and the "Competent Authority" under the HRA Regulations, is responsible for undertaking this screening process that will determine if the Neighbourhood Plan is likely to have any significant environmental effects and therefore, whether an SEA and an HRA is required. This Screening Report was sent to the environmental consultation bodies (Environment Agency, Historic England & Natural England) for the statutory five weeks consultation period finishing on 28th June 2023.

[4] The Conservation of Habitats and Species Regulations 2017 (legislation.gov.uk)
[5] Full details are available on the Council's website at: Runnymede 2030 Local Plan and review – Runnymede Borough Council

# 3. Legislative Requirements and Guidance, and Methodology

## Legislative Requirements

3.1 A Neighbourhood Plan must be compatible with European Union (EU) obligations, as incorporated into UK law, to be legally compliant. Directive 2001/42/EU[6] on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive) seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing plans. The SEA Directive is transposed into English law through the Environmental Assessment of Plans and Programmes Regulations (the 'SEA Regulations'). Directive 92/43/EEC[7] on the conservation of natural habitats and of wild fauna and flora a (often referred to as the Habitats Directive) ensures the conservation of a wide range of rare, threatened or endemic animal and plant species. This Directive is implemented in England through the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitat Regulations')[8].

3.2 Following the UK's withdrawal from the EU on 31 January 2020, the Regulations, which previously implemented the requirements of the EU Directives in England, continue to apply as before, unless and until new legislation is introduced. Part 5 of The Levelling Up and Regeneration Act(2023)[9] provides the Secretary of State power to replace the SEA and HRA regimes with alternative measures. However, the Bill is still being scrutinised and thus any amendments to the environment assessment process will be subject to further consultation. Until any legislative changes are made, the existing Regulations will continue to be applied.

3.3 Regulation 5 of the SEA Regulations requires an environmental assessment of plans which:

*1. are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use (Regulation 5, para. (2)(a),* ***and*** *which set the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC (EIA Directive) on the assessment of the effects of certain public and private projects on the environment (Regulation 5, para. (2)(b)*

*2. in view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive (92/43/EEC) (Regulation 5, para. (3)*

*3. set the framework for future development consent of projects[10] (Regulation 5, para. (4)(b)*

*4. are determined to be likely to have significant environmental effects as determined under regulation 9(1) (Regulation 5, para. (4)(c)*

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[6] EUR-Lex - 32001L0042 - EN - EUR-Lex (europa.eu)
[7] Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (legislation.gov.uk)
[8] The Conservation of Habitats and Species Regulations 2017 (legislation.gov.uk)
[9] The Levelling-up and Regeneration Act is available at: Levelling-up and Regeneration Act 2023 - Parliamentary Bills - UK Parliament
[10] European Commission guidance states that plans and programmes which set the framework for future development consent of projects would normally contain 'criteria or conditions which guide the way a consenting authority decides an application for development consent'. Development consent is defined in the EIA Directive as "the decision of the competent authority or authorities which entitled the developer to proceed with the project" (Article 1(2) of the EIA Directive).

3.4 An environmental assessment need not be carried out for:

*a) plans which determine the use of a small area[11] at local level (Regulation 5, para. (6)(a); or*
*b) plans which are a minor modification[12] to a plan or programme (Regulation 5, para. (6)(b) unless it has been determined under regulation 9(1) that the plan is likely to have significant environmental effects.*

3.5 UK Government guidance provides a flow diagram with questions/criteria for the SEA Directive and its application to the plan-making process, as illustrated in Figure 1. It does not have any legal status.

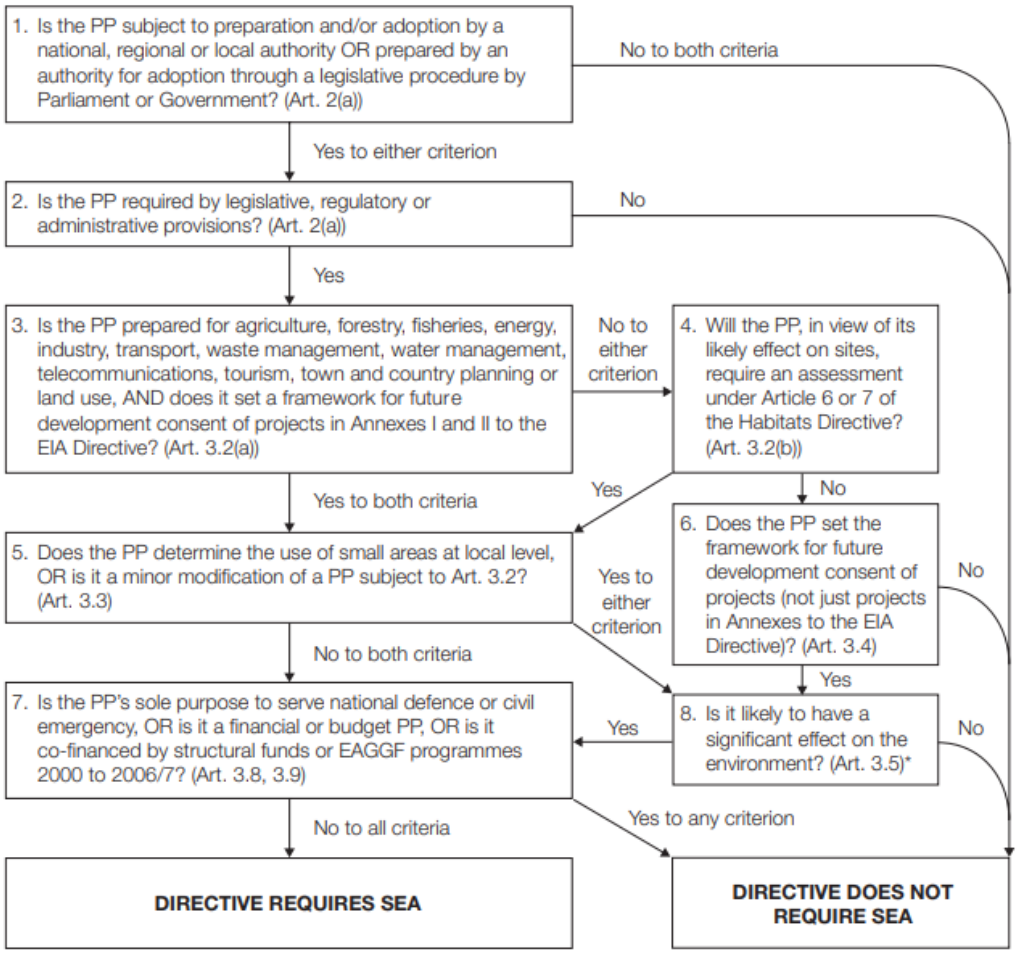


*Figure 1: Flow diagram for determining if a plan is likely to have Significant Environmental Effects. Source: 'A Practical Guide to the SEA Directive' 2005. PP refers to plans and programmes.*

3.6 There is no legal requirement for a Neighbourhood Plan (NP) to have a Sustainability Appraisal[13], as set out in section 19 of the Planning & Compulsory Purchase Act 2004[14].

[11] European Commission guidance suggests that plans which determine the use of small areas at local level might include "a building plan which, for a particular, limited area, outlines details of how buildings must be constructed, determining, for example, their height, width or design"
[12] 'Minor modifications' should be considered in the context of the plan or programme which is being modified and of the likelihood of their having significant environmental effects. A modification may be of such small order that it is unlikely to have significant environmental effects.
[13] Planning Practice Guidance Paragraph: 026 Reference ID: 11-026-20140306. Strategic environmental assessment and sustainability appraisal - GOV.UK (www.gov.uk)
[14] Planning and Compulsory Purchase Act 2004 (legislation.gov.uk)

Government advises that in some limited circumstances, where a Neighbourhood Plan is likely to have significant environmental effects, it may require a Strategic Environmental Assessment. To decide whether a draft NP might have significant environmental effects, it must be screened at an early stage according to the requirements set out in regulation 9 of the SEA Regulations. This includes a requirement to consult with the SEA consultation bodies (in England – the Environment Agency, Historic England and Natural England); each body can advise on particular topics relevant to its specific area of expertise and responsibility.

## Guidance on SA/SEA & HRA

3.7 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (PPG) have advised that a Neighbourhood Plan:

- would need SEA "…in limited circumstances…";
- should be screened early;
- screening should consult with the consultation bodies; and
- if 'screened out', should have a 'statement of reasons' prepared.

3.8 Whether a Neighbourhood Plan proposal requires a SEA, and (if so) the level of detail needed, will depend on what is proposed. Planning practice guidance[15] describes how an SEA may be required, for example, where:

- a neighbourhood plan allocates sites for development;
- the neighbourhood area contains significant environmental constraints, such as, for example, an AONB, World Heritage Site, SSSI or has large concentrations of heritage assets, which 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.

3.9 Government planning guidance further advises that before deciding whether significant environmental effects are likely, the local planning authority should take into account the criteria specified in Schedule 1[16] to the SEA Regulations (2004) and consult the statutory environmental consultation bodies. Schedule 1 sets out the criteria for determining likely significant effects on the environment taking into account the characteristics of plans and the characteristics of the effects and the area likely to be affected.

3.10 The qualifying body (i.e., RBC for the VWNP) is required to provide the following – to demonstrate that the basic condition[17] in the planning legislation has been met:

- "a statement of reasons for a determination… that the proposal is unlikely to have significant environmental effects; or
- An environmental report".

3.11 Planning practice guidance[18] also provides advice on HRA screening and the subsequent appropriate assessment stage of the process for neighbourhood planning.

[15] Planning Practice Guidance Paragraph: 046 Reference ID: 11-046-20150209 Strategic environmental assessment and sustainability appraisal - GOV.UK (www.gov.uk)
[16] The Environmental Assessment of Plans and Programmes Regulations 2004 (legislation.gov.uk)
[17] A Neighbourhood Plan should no breach, and must be compatible with, European Union obligations in order for it to be legally compliant.
[18] Planning Practice Guidance Paragraph: 008 Reference ID: 65-008-20190722 Appropriate assessment - GOV.UK (www.gov.uk)

An appropriate assessment for a more strategic plan, such as the Local Plan, can consider the impacts on sites and confirm the suitability or likely success of mitigation measures for associated non-strategic policies and projects. An individual assessment of non-strategic policies and projects may not be necessary in some limited cases where the strategic appropriate assessment is sufficiently robust. This needs to contain conclusions capable of removing all reasonable scientific doubt on the impacts of non-strategic policies, such as in neighbourhood plans.

### Methodology

3.12 Following a process of evidence gathering / analysis and consultation since 2019, the VWNF must be able to decide whether a SEA will be required, the Council needs to screen based on a broad understanding of the proposed plan's scope. This involves considering the plan's overall objectives, as well as reviewing the draft direction of the proposed policies. The following issues in particular are considered during this screening process:

- how they might affect the environment, community, or economy;
- whether they propose a higher level of development than is already identified in the adopted Runnymede 2030 Local Plan planning policies;
- whether any of the proposals are likely to affect a "sensitive area", such as a Site of Special Scientific Interest (SSSI) or designated European site for nature conservation (Special Area of Conservation (SAC), Special Protection Area (SPA);
- whether implementation of policies in the plan might lead to new development in the future;
- whether the cumulative impact of the policies and proposals when assessed together may give rise to a likely significant effect, for example, several relatively small housing proposals may have cumulative significant effects on a nearby important wildlife habitat.

3.13 Available information, for example, from the Council's Geographic Information System datasets, Environment Agency flood risk maps, the Council's evidence base for the adopted Runnymede 2030 Local Plan, and the evidence base for the VWNP, together with professional judgment, was used to identify the sensitivity of the Virginia Water area's environment and whether significant effects are likely that have not been previously assessed through SA, such that an SEA would be required, and whether an HRA/Appropriate Assessment is necessary.

## 4. The Draft Virginia Water Neighbourhood Plan (VWNP)

### Context

4.1 The Virginia Water Neighbourhood Forum (the 'Forum') is the qualifying body designated for the purposes of preparing the VWNP who have approved the draft plan for submission to RBC for SEA/HRA screening. The Virginia Water Neighbourhood Area (the 'Neighbourhood Area') consists of, with minor exceptions, the Virginia Water ward. It extends from just north of Longcross / the M3 motorway in the south to just south of Egham Wick in the north, and from the Borough boundary in the west to the M25 motorway in the east. The area is shown in Figure 2 below.

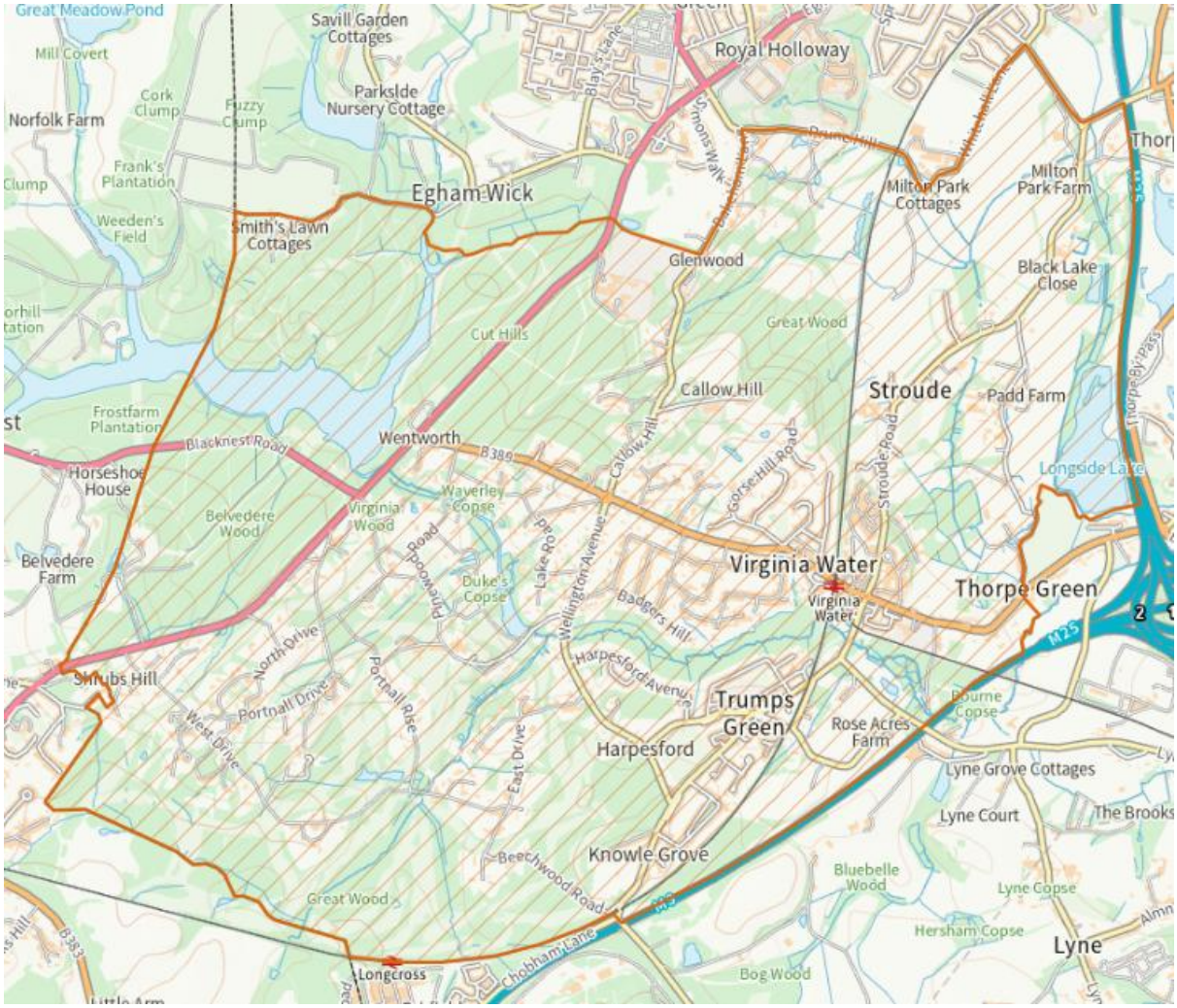


*Figure 2: Virginia Water Neighbourhood Area. Crown copyright and database rights 2022 Ordnance Survey 1000006086*

4.2 The VWNP must be in general conformity with the strategic policies set out in the adopted Runnymede 2030 Local Plan. It is proposed that the time period covered by the VWNP extends to 2035 i.e., five years beyond that of the adopted Runnymede 2030 Local Plan. A review of the Runnymede 2030 Local Plan is underway but is at an early stage, and no documents are currently available against which to assess conformity with the VWNP for the 2030-35 period at the current time.

4.3 The adopted Runnymede 2030 Local Plan designates Virginia Water as a 'local centre', which meets the day-to-day needs of the local community that it serves. Lower levels of growth are expected to be accommodated within the local centre of Virginia Water, which is anticipated to come forward through redevelopment in the urban area and on urban extensions, with limited scope for additional retail and employment development.

4.4 The spatial distribution of growth over the period of the Local Plan (2015-2030), as set out in policy SD1, is for Virginia Water to accommodate around 424 net additional dwellings (including 68 completions) and two traveller pitches. This will be delivered in part on land allocated at Virginia Water North for a minimum of 120 dwellings and Virginia Water South 140 dwellings and two serviced Gypsy/Traveller pitches. A large proportion of the Neighbourhood Area is located within the Green Belt such that national policies apply, further supported by Runnymede 2030 Local Plan Green Belt policies. Monitoring indicates that 85 dwellings have been completed between 2015 and 2022, mainly through windfall development consisting of small-scale redevelopments. An

outline planning application for part of the Virginia Water South allocation has been permitted (under application reference RU.22/0278 for the demolition of existing structures and erection of up to 67 new homes (35% affordable), provision of one traveller's pitch, and new vehicular access via Trumps Green Road) on 15/02/2023.

4.5 The policies and quantum of growth of the Runnymede 2030 Local Plan, including those referred to above which affect Virginia Water Neighbourhood Area, were comprehensively assessed for their environmental and sustainability effects through the Sustainability Appraisal (incorporating SEA) (various documents from 2018-2020) and the Habitats Regulations Assessment (April 2018)[19]. Further SEA/ SA and HRA will be undertaken as part of the review of the Runnymede 2030 Local Plan.

4.6 The VWNP must also be in general conformity with the Surrey County Council's (SCC) Minerals[20] and Waste[21] Local Plans. Areas in the east of the neighbourhood area have been designated as Mineral Safeguarding Areas for concreting aggregate. Policy MC6 of the Minerals Plan 2011 Core Strategy seeks to prevent sterilisation of these resources by other development. Local planning authorities should work with the MPA to ensure that new development does not prejudice land safeguarded to protect minerals resources. Safeguarding is a material planning consideration but does not rule out alternative development. SCC is preparing a new Minerals and Waste Local Plan to provide an up-to-date minerals and waste planning framework for a period of 15 years. An Issues and Options public consultation has taken place as the first formal stage of the plan-making process. At the time of the preparation of the Screening Report, a 'Preferred Options' consultation is due to take place in June 2023[22].

4.7 This SEA and HRA screening has been carried out based on information provided by the VWNF about what their pre-submission draft VWNP contains, provided in March 2023. This report sets out the screening assessments and decisions to demonstrate that due processes have been followed in line with regulatory requirements. The submission version of the neighbourhood plan has not introduced any additional policy requirements to that previously screened.

## The Draft Virginia Water Neighbourhood Plan

4.8 The outline of the draft VWNP (March 2023) contains five overarching objectives together with 14 proposed outline policies. The objectives and policies do not set out the quantum of development required during the NP period, nor do they allocate any land for development but instead they provide a set of guiding principles for developments within the VWNP area.

4.9 The key objectives in the Plan include the following:

- High quality design and landscape;
- Village Centre and neighbourhood centre improvements;
- Walking, cycling and traffic management;
- Climate change and nature recovery; and
- Community assets.

[19] Available on the Council's website: Planning policy – Runnymede Borough Council
[20] Available on Surrey County Council's website: Surrey Minerals Plan Core Strategy Development Plan Document 2011 - Surrey County Council (surreycc.gov.uk)
[21] Available on Surrey County Council's website: Surrey Waste Local Plan 2019-2033 - Surrey County Council (surreycc.gov.uk)
[22] Minerals and Waste Local Plan - Surrey County Council (surreycc.gov.uk)

4.10 There are a series of draft policies which are summarised as follows:

4.11 **VW1 A Spatial Strategy for the Village.** The aim of this policy is to articulate the NP vision into a spatial strategy of specific elements illustrated with a key diagram. This general policy is intended to reinforce the key components of the village – its centre, the railway station, Trumps Green and the surrounding Green Belt and green infrastructure.

4.12 **VW2 Design Character Areas.** The VWNF have identified seven-character areas across the village as indicated on a map that will be included in the Plan. These areas include:

4.13 Areas A & B - The Wentworth Estate includes the original Tarrant designed layout around the golf course and village. The area has been split into two parts Part A being the area of the Estate within the Green Belt and Part B land outside the Green Belt.

4.14 Area C - St Ann's and Virginia Park – the private developments close to the village centre, including the Orchard and Sandhills Court.

4.15 Area D - Trumps Green – covering Trumps Green Road, and adjacent streets as it winds up the hill towards Longcross, Cabrera Avenue, Crown Road, and Harpesford Avenue.

4.16 Area E - Crown Estate – The Lake and surrounds which give the village its name, incorporating Callow Hill and the areas North of Wentworth towards Englefield Green.

4.17 Area F - Virginia Water Local Centre and Parade – the 'heart' of the village which comprises the shops, railway station, library and Court.

4.18 Area G - Stroude Valley – incorporating the 'ribbon village' of Stroude, and the area from St Annes Heath towards Thorpe Green.

4.19 **VW3 The Virginia Water Design Code.** The Forum has identified some key design characteristics for each of the character areas to make sure infill and plot redevelopment schemes reflect local character. They are preparing a Design Code that will establish the essential design considerations including:

- dwelling design;
- boundary design;
- building materials;
- landscaping; and
- basements.

4.20 These will give weight to the Wentworth Estate Roads Committee planning guidelines. The Design Code will be included as an appendix to the VWNP and will be a material consideration in determining planning applications.

4.21 **VW4 Local Gaps and Corridors of Significance.** While the land to the north of the village is Green Belt, the Forum is proposing to undertake further landscape analysis to determine whether it is appropriate to identify local gaps between the settlements of Virginia Water and Englefield Green and Egham to prevent new development from making them merge into each other. There is also the risk of more ribbon development on the roads leading out of the village to the north.

4.22 The policy will not (and cannot) stop development, but it aims to prevent coalescence or require that the scale and height of new buildings to be carefully designed.

4.23 **VW5 A Thriving Village Centre.** The village centre is well used by local people for convenience shopping and local services. Due to changes in shopping behaviour and the impact of the COVID 19 pandemic, the Forum want to ensure the Centre is protected. The vision is to make it a more attractive and safer destination by slowing traffic on the Christchurch Road, improving crossing points, and closing one of the two road accesses

from Christchurch Road into Station Parade. This would enable the creation of more green space which better connects the two parades and links the memorial garden with the restaurants and shops to form a piazza for evening dining. The Forum takes the view that this will encourage people to stay longer and for it to become the "Heart of the Village".

4.24 **VW6 Virginia Water Railway Station.** VWNF have suggested that the station ticket office needs updating, the derelict lock up garages are an eyesore and by careful replanning of the parking area this could make more efficient use of the site for sustainable commercial buildings. The Forum believes that these developments could generate added value to fund a new ticket office and other improvements. The intention is for this policy to provide support for these ideas.

4.25 **VW7 '20 Minute Neighbourhoods'.** This policy acknowledges the locally important shopping parades offering day to day services at Virginia Water Local Centre and Trumps Green. The Forum wants to support their continuing role with the Trumps Green shopping parade playing an even more vital role in the future as further housing development takes place at Knowle Hill and Longcross. Providing convenient access to day-to-day requirements is a key element of a sustainable '20-minute neighbourhood' and may be the sole accessible shops for less mobile residents.

4.26 The policy aims to enhance the space around the shopping parades and retain the established mix of Class E uses. Where a change of use is proposed that falls within the Local Community Use Class F2(a), the applicant will be expected to accompany their planning application with a robust assessment of its value to the local community.

4.27 **VW8 Encouraging Active and Healthy Travel.** VWNF have identified a series of important walking and cycling proposals to encourage active and healthy travel and to better connect key facilities such as schools, and to improve the connectivity to the Local Plan allocations at Callow Hill (VW North) and Trumps Green (VW South).

4.28 A key purpose of the policy is to ensure these development proposals contribute to funding the walking and cycling infrastructure necessary to make the development acceptable in planning terms.

4.29 **VW9 Managing Traffic.** As further development takes place throughout the Borough this is placing increasing pressure on local roads. The transport study undertaken for the NP by PJA[23] has identified a number of 'key locations' where public realm improvements and traffic mitigation measures are required to enhance the active travel environment and improve residential amenity and highway safety.

4.30 As well as tackling HGV construction traffic with Policy VW10 (see below), VWNF want to maximise the financial contributions from future developments to improve public spaces and to install traffic management and safety measures.

4.31 **VW10 Reducing Heavy Goods Vehicles.** This policy is intended to have influence over the management of construction traffic that will inevitably result as the three strategic allocations that are within / close to Virginia Water move into their development phase.

4.32 The adoption of a Construction Management Plan for each site would require construction vehicles over 3.5T to follow the set routings with signage provided by the developer. The intention is to encourage Runnymede Borough Council to adopt these

[23] Transport Planning, Engineering & Placemaking - PJA

routings by using a planning condition that would be applied to the relevant planning applications / grants of planning permission.

4.33 **VW11 Virginia Water Green and Blue Infrastructure Network.** VWNF have identified the existing network and highlighted opportunities to improve connectivity.

4.34 The policy will require future development proposals to relate their scheme to this network and leave nature in a better state than before. It can also be used as a signal to the Surrey Nature Partnership that it should consider the role of this network as part of the area's future Local Nature Recovery Strategy.

4.35 By embracing these nature and biodiversity features it gives them more importance in the planning system and will contribute to the local community's health and wellbeing.

4.36 **VW12 Net Zero Carbon Building Design.** One of the most important measures that can be taken to tackle climate change relates to how new buildings are designed to ensure they are 'zero carbon ready' now, so occupants do not have to expensively retrofit them in a few years' time, at an estimated cost per dwelling of between £15-£25,000.

4.37 PassivHaus[24] is the most common and rigorous design approach, although the build cost is slightly higher than normal, the ongoing energy cost to occupiers is a fraction of that currently, helping to avoid fuel poverty. This design approach also avoids the 'performance gap', and although not every location can be designed in this way, many can, and the Forum wants them to do so where possible, to avoid adding to the retrofitting costs of the existing building stock.

4.38 **VW13 Community Infrastructure.** VWNF are preparing a list of facilities in the village that the local communities enjoy and cherish, ranging from schools, sports grounds, play areas to community centres and pubs. This policy is intended to protect them from loss and to support proposals to improve and extend them.

4.39 **VW14 Virginia Water Design Panel.** This policy would require applications for detailed consent / Reserved Matters and the discharge of design-related planning conditions to be approved by a new Design Panel.

4.40 This idea is recommended principally to ensure that the delivery of proposals at Longcross and Virginia Water North and South match the expectations of the community and the ambitions of the Local Plan policies. It will enable the Forum to participate in making decisions on reserved matters and planning condition applications, rather than being left solely to LPA officers to determine. The cost of running the Panel may be met by fees paid by applicants.

[24] Home (passivhaustrust.org.uk)

# 5. SEA Screening Assessment

5.1 Runnymede Borough Council (RBC), as the responsible authority, considers that the VWNP is within the scope of the SEA Regulations since it is a plan that:

- is subject to preparation or adoption by an authority at local level (Regulation 2[25])
- is prepared for town and country planning or land use and it is a plan that sets the framework for future development consent of projects generally (Regulation 5, para.4)
- will apply to a wider area other than a small area at local level and is a minor modification to an existing plan or programme (Regulation 5, para.6).

A determination under Regulation 9 is therefore required as to whether VWNP is likely to have significant effects on the environment.

5.2 The first step is to assess the plan against the flowchart in Figure 1 to establish the need for SEA. The following table illustrates the findings.

| Stage | Y/N | Reasoning |
|---|---|---|
| 1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a)) | Y | The VWNP is subject to adoption by the Local Authority if the document received 50% or more 'yes' votes through a referendum. At this point it becomes part of the Development Plan for the Borough.<br>The preparation and adoption process is prescribed by the Town and Country Planning Act 1990[26] as amended by the Localism Act 2011[27]. The preparation of the VWNP is also subject to a number of Regulations.<br>**Go to stage 2** |
| 2. Is the PP required by legislative, regulatory or administrative provisions? (Art.2(a)) | N (/Y) | Communities have a right to be able to produce a neighbourhood plan, however communities are not required by legislative, regulatory or administrative purposes to produce a neighbourhood plan. This plan however if adopted would form part of the statutory development plan, therefore it is considered necessary to answer the following questions to determine further if an SEA is required.<br>**Go to stage 3** |
| 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)) | Y | The VWNP is prepared for town and country planning and land use and does set out a framework for future development in the Virginia Water Neighbourhood Area, including Infrastructure development which may fall under no.10 of Annex II of the EIA directive (for example, for potential social/community infrastructure, which may fall under 'urban development project').<br>**Go to Stage 5** |
| 4. Will the PP, in view of its likely effect on sites, require an assessment for future development | N | See HRA Screening below. |

[25] Of the Environmental Assessment of Plans and Programmes Regulations 2004, available at: The Environmental Assessment of Plans and Programmes Regulations 2004 (legislation.gov.uk)
[26] Town and Country Planning Act 1990 (legislation.gov.uk)
[27] Localism Act 2011 (legislation.gov.uk)

| Stage | Y/N | Reasoning |
|---|---|---|
| under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b)) | | |
| 5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art.3.3) | Y | The VWNP does not determine the use of an area of land; but for the purposes of the SEA Regulations, the plan does effectively make minor modifications to the Council's 2030 Local Plan by building on the planning policies contained within it. In addition, the time period for the VWNP extends beyond the period covered by the Runnymede 2030 Local Plan by 5 years i.e., 2030-2035. **Go to Stage 8** |
| 6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4) | Y | The VWNP sets policies which planning applications within the Neighbourhood Area must take account of. The period covered by the VWNP extends beyond the time frame covered by the Runnymede 2030 Local Plan by 5 years. **Go to Stage 8** |
| 7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9) | N | None of these apply. |
| 8. Is it likely to have a significant effect on the environment? (Art. 3.5) | N | The VWNP is unlikely to have any significant effect on the environment – see Table 2 for the detailed assessment which supports this conclusion. |

*Table 1: SEA Screening Step 1*

5.3 The second step is to consider whether the VWNP will have significant environmental effects when considered against criteria set out in Schedule 1 of the Regulations. The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations include two sets of characteristics for determining the likely significance of effects of the environment:

- the characteristics of the plan itself and
- the characteristics of the effects and of the area likely to be affected by the plan.

5.4 Therefore, this screening assessment is structured in the following table (Table 2) according to the criteria specified in Schedule 1 of the Regulations.

| Criteria (Schedule 1 SEA Regulations) | Likely to have significant effects? (Yes/No) | Justification and evidence |
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| **1. The characteristics of plans, having regard, in particular, to:** | | |
| (a) the degree to which the plan 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 VWNP will set out a vision and a number of aims to shape future development in the Virginia Water Neighbourhood Area for the period to 2035. A number of planning policies have been formulated to help deliver the vision and aims. The VWNP would, if made, form part of the statutory Development Plan and, as such, does contribute to the framework for future development consent of projects. However, the VWNP will sit within |

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| | | the wider framework of the National Planning Policy Framework, the adopted 2030 Local Plan (albeit that the VWNP period extends beyond the end of the Local Plan period by 5 years from 2030-35), and the Surrey Minerals and Waste Local Plans. It will supplement policies in these Plans, which have been subject to full Sustainability Appraisal (found to be robust at an Examination in Public). The VWNP does not propose allocation of sites for development, thus the degree to which the plan sets a framework for new development projects is limited to more detailed design considerations associated with new development. Whilst the VWNP does seek to influence new development through various policies, the projects for which the VWNP helps to set a framework is very localised in nature and therefore the resource implications are likely to be relatively limited. |
| (b) The degree to which the plan or programme influences other plans and programmes, including those in a hierarchy | No | The VWNP is prepared by the local community to influence development at the neighbourhood level. The VWNP forms the lower tier of the hierarchy of land-use plans and as such is influenced by the strategic policies of the adopted Runnymede 2030 Local Plan up to 2030. It does not strongly influence strategic plans higher up in the spatial planning hierarchy, although the Borough Council does need to consider the proposals in the NP during the preparation of any future, revised Local Plan. The degree of influence is not such that it would lead to significant environmental effects. |
| (c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development | No | The basic conditions require a neighbourhood plan to contribute to the achievement of sustainable development. The VWNP contains a series of sustainable development principles which it seeks to promote through policies which are intended to have a positive impact within the neighbourhood area: for example, by protecting and enhancing green and blue infrastructure, protecting and enhancing community facilities, supporting the delivery of high quality, sustainably constructed buildings, and supporting existing E Class uses. The VWNP seeks to prevent development that would be harmful to the natural environment. In addition, the NP supports development that seeks to mitigate issues relating to traffic.<br><br>Although the VWNP seeks to promote the principles of sustainable development, it is not specifically relevant as a plan for integrating environmental considerations. Any development proposed must be in accordance with the environmental protection policies in the adopted 2030 Local Plan and the NPPF.<br><br>The positive environmental effects expected to result from the VWNP are not considered to be 'significant' as per the SEA Regulations and a 'No' response is therefore appropriate. |
| (d) Environmental problems relevant to the plan or programme | No | Implementation of the VWNP policies will not result in any significant environmental problems. Indeed, the VWNP should have a positive impact through the inclusion of, for example, policies which seek to protect/enhance green and blue infrastructure and improve biodiversity. The VWNP does not allocate sites |

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| | | or propose development that would give rise to environmental problems.<br><br>There are no specific environmental problems relevant to the NP that have not been identified in the higher-level Local Plan and its accompanying SA/SEA. |
| (e) The relevance of the plan for the implementation of [European] Community legislation on the environment (for example, plans and programmes linked to waste management or water protection) | No | The VWNP is not relevant as a plan for implementing Community legislation. Issues such as waste management and water protection are addressed by other plans in the Development Plan framework, which take account of relevant Community legislation for environmental protection. The VWNP provides additional support for the effective implementation of this higher tier policies at the neighbourhood level. |
| **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 | This has been tested through the SA/SEA at Local Plan level and with strong mitigation measures through Local Plan policies, the SA/SEA concluded that there will be no significant residual negative environmental effects. The VWNP does not propose allocation of sites for development projects. Whilst the VWNP does cover areas that are a national designation for cultural heritage, nature conservation and Green Belt / landscape, no likely significant adverse effects have been identified. |
| (b) The cumulative nature of the effects | No | As above in 2(a) |
| (c) The transboundary nature of the effects | No | No significant transboundary effects with EU countries are likely from the proposals. |
| (d) The risks to human health or the environment (for example, due to accidents) | No | No significant negative environmental effects are considered likely to risk 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 VWNP does not propose allocation of sites for development projects. The geographical size of the plan area is small, and the size of the population is small at around 7,000 permanent residents. Therefore, there are no significant adverse effects identified. |
| (f) The value and vulnerability of the area likely to be affected due to –<br>i) special natural characteristics or cultural heritage;<br>ii) exceeded environmental quality standards or limit values; or<br>iii) intensive land-use | No | As above. No likely significant negative effects on locally important characteristics – the VWNP does not propose allocation of sites for development projects.<br><br>The Neighbourhood Area to which the NP applies contains numerous locally and nationally important natural characteristics and cultural heritage, including:<br><br>Windsor Forest and Great Park (Special Areas of Conservation, Sites of Nature Conservation Importance (SNCI), Site of Special Scientific Interest (SSSI), Biodiversity Opportunity Area and Park and Garden of Special Historic Interest);<br>Longside Lake (Special Protection Areas Relevant Site);<br>The Dell - Ancient Woodland (SNCI);<br>Trumps Mill (SNCI);<br>Riverside Walk, The Bourne (SNCI);<br>Knowle Grove (SNCI);<br>Duke's Copse and Wentworth Pond (SNCI);<br>Valley Wood (inc. Great Wood) (SNCI);<br>Fishponds Wood (SNCI);<br>West Wood (SNCI); |

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| | | Chobham Common North and Wentworth Heaths (Biodiversity Opportunity Area);<br>Langham Pond (SSSI);<br><br>Royal Holloway Sanatorium and Great Fosters, Stroude Road (both Grade I);<br>The Chapel at former Holloway Sanatorium, Stroud Road, The Temple of Augustus, Blacknest Road and Fort Belvedere, off London Road (all Grade II*);<br>15 Grade II buildings and structures; and<br>A number of other locally listed and non-designated heritage assets and valued green spaces and landscapes, including areas of Ancient Woodland outside the urban area. The most significant green space within the urban area is King George V Playing Field.<br><br>Some of these assets form the broader Thames Valley Biodiversity Opportunity Areas which make up Surrey's ecological network and contain a number of priority species and habitats. The condition of these areas is summarised in Appendix 1.<br><br>The River Bourne runs between Virginia Water and Trumps Green. The northeast corner of the Area has a notable area that lies within flood zone 3, as well as a small area in the south east. For the majority of the Urban Area within the Neighbourhood Area, flooding is not a major consideration.<br><br>The Thames Basin Heaths Special Protection Area (TBH SPA) supports important species and habitats, including vulnerable ground nesting birds. The entirety of the urban area lies within the 400m-5km of the TBH SPA – any new development projects will need to put in place adequate measures to avoid and mitigate potential effects on the Special Protection Area. These must be delivered prior to occupation and in perpetuity and agreed with Natural England. (as required by Policy EE10 of the 2030 Local Plan).<br><br>The South West London Waterbodies SPA lies 0.5km of the east of boundary of the Neighbourhood Area. The EU Water Framework Directive (WFD) requires all surface water bodies and groundwater bodies in the UK to be in good ecological and chemical status by 2027. Recent trends in the ecological status of waterbodies within Runnymede are either in moderate or poor status with many declining over time and none improving. Reasons for this include sewage discharge and drainage from agriculture/transport or physical modifications. This could make the area to the east of the Neighbourhood Area vulnerable to further new development, but Green Belt and flood risk constraints prevent inappropriate new development in this area, supported by policies in the National Planning Policy Framework, the 2030 Local Plan (the effects of which have been comprehensively assessed as part of its SA/SEA), and supported by the policies of the VWNP. |

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| | | A narrow strip (circa 60m wide) of the VWNP along its eastern edge lies within the M25 Air Quality Management Area (AQMA). Therefore (under Policy EE2 of the 2030 Local Plan) development proposals which may give rise to adverse impacts on air quality including sources of odour or fumes or which may place sensitive receptors in areas exceeding adopted air quality standards, or near existing sources of odour will be expected to be accompanied by an air quality assessment or odour impact study. Depending on the outcome of that study, planning permission will only be granted where abatement or mitigation measures to reduce impacts to acceptable levels can be secured and implemented.<br><br>The VWNP aims to protect and where possible enhance the Area's special natural characteristics and cultural heritage. Its policies seek to ensure that new development mitigates any detrimental effects that they impose on both the natural environment (including pollution, air quality, noise, land contamination, flooding) while enhancing existing landscape features and promoting habitat creation and connectivity, and on the historic environment. Thus, policies in the VWNP alongside policies in higher tier plans will ensure that any effect is unlikely to have a significant impact on any special natural characteristics or cultural heritage. Future proposals will be assessed against policies within the Development Plan which, in totality, mitigate against the over-development of land within the Neighbourhood Area. |
| (g) The effects on areas of landscapes which have a recognised national, Community or international protection status. | No | The VWNP area is washed over (in large parts, but not entirely) by the Green Belt and these areas are nationally protected. The Green Belt is made up of open landscape, historic parks, and mansions with large grounds. Policy VW4: Local Gaps and Corridors of Significance seeks to potentially add an additional layer of protection to the Green Belt policies in the Local Plan, which will follow on from further landscape analysis to identify local gaps between the settlements of Virginia Water and Englefield Green and Egham to prevent new development from making them merge into each other.<br><br>There are many nationally important heritage assets within the Neighbourhood Area including Royal Holloway Sanatorium and Great Fosters, Stroude Road (both Grade I), The Chapel at former Holloway Sanatorium, Stroude Road, The Temple of Augustus, Blacknest Road and Fort Belvedere, off London Road (all Grade II*) and some 15 Grade II listed buildings and structures. Historic assets and their settings are protected by the higher tier 2030 Local Plan policies EE3, EE4, EE5, EE6, EE7 and EE8, supported by a Design Supplementary Planning Document which sets out how applicants should take heritage assets into account in their development proposals.<br><br>There are no Special Protection Areas (SPAs) or Ramsar sites within the Neighbourhood Area to which |

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| | | the NP applies, but the Thames Basin Heaths SPA (TBH SPA) lies just the other side of the southwestern boundary; and the South West London Waterbodies SPA and Ramsar site lies 0.5km to the east of the Neighbourhood Area. The internationally protected Windsor Great Park Special Area of Conservation (SAC) is largely located outside the Borough, but a portion of it lies within the Neighbourhood Area boundary in the west. Appendix 1 identifies the important habitats and species accommodated at this site.<br><br>Policy EE9 of the higher tier 2030 Local Plan on Biodiversity, Geodiversity and Nature Conservation refers to these important sites in the Borough and ensures there is embedded mitigation in place. Policy EE10 of the 2030 Local Plan sets out how new development, including within the Neighbourhood Area, will need to put in place adequate measures to avoid and mitigate potential adverse effects on the TBH SPA and/or bespoke Appropriate Assessment for development proposals may be required to determine whether there will be a likely impact on the integrity of the SPA.<br><br>Policy VW11: Virginia Water Green and Blue Infrastructure Network identifies opportunities to improve connectivity. The policy will require future development proposals to relate their scheme to this network and leave nature in a better state than before.<br><br>The National Nature Reserve at Chobham Common lies just over the southwestern boundary to the Neighbourhood Area, as well as the Local Nature Reserve at Riverside Walk. As per policy EE9 of the 2030 Local Plan, development proposals should demonstrate how they will archive net gains in biodiversity. If they are to cause damage to these sites, planning permission will only be granted where it can be demonstrated that the benefits of the development proposal clearly outweigh the harm to the site.<br><br>The countryside surrounding the Urban Area contains multiple significant areas of designated habitat and species including the Windsor Forest SSSI and multiple SNCIs including The Dell, Trumps Mill, Riverside Walk, The Bourne, Knowle Grove, Duke's Copse and Wentworth Pond, Valley Wood (inc. Great Wood), Fishponds Wood and West Wood. These support a wide diversity of woodland plants, including several rare species. These form part of the wider Biodiversity Opportunity Areas at Windsor Great Park and Chobham Common North and Wentworth Heaths.<br><br>Priority habitats include mixed deciduous woodland (including Ancient Woodland), meadows, wood pasture and parkland and ponds, wet woodland, fen, heathland, acid grassland and standing open water. Priority species include a variety of plants, fungi/lichens, invertebrates and vertebrates. |

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| | | The Windsor Forest SSSI is in Favourable condition. Within the countryside surrounding the Urban Area to the is the Windsor Great Park SNCI and Windsor Forest SSSI (within the wider SAC). These form part of the wider Biodiversity Opportunity Area TV01: Windsor Great Park. Priority habitats include wood pasture and parkland, mixed deciduous woodland, Priority species include a variety of plants, fungi/lichens, invertebrates and vertebrates.<br><br>The Runnymede 2030 Local Plan was adopted in July 2020; it was subject to iterative SA/SEA and HRA that independent examination found to be sound. Therefore, the approach and policies in the VWNP refer to and provide additional support for policies in the Local Plan which seek to avoid and mitigate effects on important landscapes, heritage assets and designated sites that have been previously subject to SA/SEA (and HRA), found to be sound, and adopted up to 2030.<br><br>It is considered that the Runnymede 2030 Local Plan SA/SEA (and HRA) remain valid and that there is no new material or relevant information that should be considered. |

*Table 2: SEA Screening Step 2*

# 6. SEA Screening Determination

6.1 Regulation 9 of the SEA regulations requires that the responsible authority shall determine whether or not a plan is likely to have significant environmental effects. The responsible authority shall:
(a) take into account the criteria specified in Schedule 1 to these Regulations, and
(b) consult the consultation bodies.

6.2 Where the responsible authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination.

6.3 Runnymede Borough Council considers that the draft Virginia Water Neighbourhood Plan (VWNP) is unlikely to have significant environmental effects and thus does not require a Strategic Environmental Assessment (SEA). This decision is made for the following key reasons:

- The likely significant effects on the environment in the NP area were identified at an early stage of plan development during initial investigations for strategic options for the Runnymede 2030 Local Plan – all subject to SA incorporating SEA. Mitigation measures for negative effects have been embedded in the Runnymede 2030 Local Plan (adopted July 2020), which apply to development coming forward in the Virginia Water Neighbourhood Area (to which the VWNP applies). It is recognised that the VWNP extends beyond the time period covered by the adopted Runnymede 2030 Local Plan by five years, but it is considered that any potential allocations coming forward in the 2030-35 period as a result of this review will be picked up in the SEA/SA work for the Local Plan. In addition, it is considered that the countryside surrounding the Urban Area of Virginia Water where important habitats and heritage assets are located is washed over by the Green Belt and thus subject to national policy constraints, reinforced by the adopted Runnymede 2030 Local Plan policies.

Further mitigation measures are provided through other Runnymede 2030 Local Plan Policies such as EE3-EE19 inclusive - ensuring that there will be no residual significant negative effects on the natural and historic environment.

- There will be no significant negative effects on the nationally designated and locally important environmental and cultural heritage assets and settings of the village.

- Likely significant effects have been previously assessed through SA incorporating SEA for the adopted 2030 Local Plan and therefore, further SEA of the VWNP for the period up to 2030 is not required. The VWNP does not propose to allocate any sites for development projects, so the quantum and spatial distribution of growth set out in the adopted Runnymede 2030 Local Plan is valid for the period up to 2030, although additional allocations in this vicinity may potentially be required in the 2030-35 period as a result of the review of the Local Plan. As set out above, any additional allocations in the VWNP area will be picked up in the SEA/ SA work undertaken for the review of the Runnymede 2030 Local Plan

- There will not be any adverse effects on the integrity of European sites designated for nature conservation up to 2030 due to the limited size and extent of any likely development in Virginia Water and the distance from and/or absence of identified environmental pathways to any designated sites. Any development proposals in this area in the 2030 – 2035 period will be assessed through the evidence documents produced to support the review of the Runnymede 2030 Local Plan.

# 7. Habitats Regulations Assessment (HRA) Screening

7.1 A Neighbourhood Plan must be compatible with European Union (EU) obligations, as incorporated into UK law, to be legally compliant. This section of the report has been prepared to determine whether an appropriate assessment of the VWNP is required to secure compliance with EU Directives, as transposed into English law, which aim to protect and improve Europe's most important habitats and species.

7.2 The Habitats Regulations Assessment (HRA) refers to the several distinct stages of Assessment which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) to determine if a plan or project may affect the protected features of a habitats site before deciding whether to undertake, permit or authorise it. European sites identified under these regulations are referred to as 'habitats sites' in the National Planning Policy Framework. Habitats sites relevant to the VWNP are:

- Special Protection Areas (SPA) designated under the Wild Birds Directive
  - the Thames Basin Heaths SPA;
  - the South West London Waterbodies SPA (also designated as a Ramsar site);
- Special Areas of Conservation (SAC) designated under the Habitats Directive
  - the Windsor Forest and Great Park SAC; and
  - the Thursley, Ash, Pirbright and Chobham SAC (which lies approximately 6km away from the Neighbourhood Area boundary).

7.3 There are no SPAs or Ramsar sites within the Virginia Water Neighbourhood Area boundary, but a small portion of European designated Windsor Forest and Great Park SAC falls within the boundary to the west (situated approximately 1.6km to the west of the Urban Area, where new development proposals are supported subject to a number of criteria being met). There could be environmental pathways indicated through the drains, ponds, watercourses and roads to the west of the Neighbourhood Area.

However, the value and importance of the SAC has been strongly recognised by the VWNP such that VWNP Policy VW11 includes up-to-date identification of a green and blue infrastructure network. This updating supports and extends the extant protection provided by the 2030 Local Plan policies – including Policy EE9 that specifically refers to the SAC and thus ensures protection.

7.4 The VWNP once adopted will form part of the Development Plan for Runnymede and will be in general conformity with the strategic policies in the adopted Runnymede 2030 Local Plan. The Runnymede 2030 Local Plan has been subject to both Strategic Environmental Assessment (integrated into the Sustainability Appraisal) and full Habitats Regulations Assessment up to 2030. The VWNP extends beyond this time period to 2035. The review of the Runnymede 2030 Local Plan could potentially result in additional development allocations in the VWNP area in the 2030-35 period. If this were to be the case further SEA and HRA assessments would be undertaken as part of the Local Plan review work.

7.5 None of the preferred policies or any of the preferred site allocations were considered to cause likely significant effects on the Windsor Forest and Great Park SAC, and the South West London Waterbodies SPA/Ramsar, so these sites were screened out from further assessment. However, likely significant effects on the Thames Basin Heath SPA and Thursley, Ash, Pirbright and Chobham SAC were identified, so these sites were taken forward to 'Stage 2' Appropriate Assessment. After further assessment, it was subsequently concluded that there would be no adverse effects on the SAC (either alone or in combination).

7.6 In relation to the TBH SPA, it was concluded that there would be no risk of an adverse effect on the integrity of the SPA since the Local Plan policies (specifically Policy EE10) would put in place mitigation measures to avoid harm to the SPA arising from new housing development. These measures include the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) contributions. The Council has demonstrated sufficient SANG capacity for mitigation over the period up to 2030, but not 2035. New development coming forward in the VWNP area will be within the zone of influence of the SPA and will be subject to the requirements in Policy EE10 of the Runnymede 2030 Local Plan. The VWNP does not allocate any sites for development. The quantum and spatial distribution of growth for the 2030-35 period will be determined through the review of the Runnymede 2030 Local Plan and will be subject to HRA.

7.7 The overall conclusion of the HRA report that accompanied the Runnymede 2030 Local Plan was that the development proposed in the Local Plan will not lead to likely significant effects either alone or in-combination with other plans or programmes, with the proposed mitigation and avoidance measures embedded into Local Plan policies. The HRA studies were updated in line with recent EU Court Judgements in 2018 and confirmed the development proposed through the 2030 Local Plan as a whole would not lead to likely significant effects either alone or in-combination with other plans or programmes. The updated HRA Report concluded that there will be no adverse effects on the integrity of any European site.

7.8 In consideration of the small geographical area of the VWNP, and the distance of any new development in its Urban Area from European sites outside and within the Neighbourhood Area boundary up to 2030, HRA screening considers that the VWNP is not likely to have significant effects on EU designated sites, either alone or in-combination with other plans and projects. The implications of effects from planned development on the integrity of the European sites has been previously tested through the HRA of the Runnymede 2030 Local Plan. The VWNP does not propose to allocate

any development sites and provides general policies, supported by requirements in design codes, which amplify the requirements of Local Plan policies which seek to protect and enhance designated sites. As set out above, further HRA work would be undertaken for any further allocations if they were to come forward in this area in the 2030-35 period as part of the review of the Runnymede 2030 Local Plan.

7.9 National Planning Practice Guidance[28] confirms that an individual assessment of non-strategic policies and project in a neighbourhood plan may not be necessary in cases where strategic appropriate assessment is sufficiently robust. They would need to contain complete, precise and definitive findings and conclusions capable of removing doubt on the impacts of the non-strategic policies and/or projects in a neighbourhood plan. If these measures have been properly considered in a recent plan, and the development will not create additional risks of a significant effect on a habitats site, they may not need further assessment at the non-strategic level. The adopted Runnymede 2030 Local Plan was adopted in July 2020 and is considered to be recent. Its policies incorporate all the measures recommended by the HRA Report, and an Independent Inspector concluded these policies were sound. The policies of the Runnymede 2030 Local Plan provide protective measures which are sufficiently robust and achieve the required certainty to effectively avoid or reduce any adverse effects that may be caused by development proposals coming forward in the Virginia Water Neighbourhood Area. The HRA of the Local Plan remains valid and there is no new material and relevant information that should be considered.

7.10 There are several distinct stages of assessment which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) to determine if a plan or project may affect the protected features of a habitats site before deciding whether to undertake, permit or authorise it. The four stages include:

**Step 1:** Screening – identification of likely impacts on European (now National Network) sites either alone or in combination with other plans/projects and consideration of whether these are significant. Following the decision of the ECJ in the People Over Wind & Sweetman v. Coillite Teoranta (C-323/17) case, avoidance and/or mitigation measures cannot be taken into account at the screening stage, and it is purely an exercise to determine if possible pathways for effect exist and whether these can be ruled out taking account of the precautionary principle. It is the opinion of this HRA screening assessment that adopted policies of the current development plan and draft policies in the Neighbourhood Plan which act as avoidance/mitigation cannot be taken into account at this stage of HRA.

**Step 2:** Appropriate Assessment – consideration of the impact on the integrity of the National Network site whether alone or in combination with other plans or projects with respect to the sites structure, function and conservation objectives. Where there are significant effects, step 2 should consider potential mitigation measures.

**Step 3**: Assessment of Alternative Solutions – assessing alternative ways of achieving the objectives of the plan/project which avoid impacts; and

**Step 4**: Assessment of Compensatory Measures – identification of compensatory measures should impact not be avoided and no alternative solutions exist and an assessment of imperative reasons of overriding public interest (IROPI) deems that a project should proceed.

[28] National Planning Practice Guidance Paragraph: 008 Reference ID: 65-008-20190722

7.11 Should step 1 reveal that significant effects are likely or an effect cannot be discounted because of uncertainty, then it is necessary to move onto step 2: Appropriate Assessment. If step 2 cannot rule out significant effects even with mitigation, then the process moves onto step 3 and finally step 4 if no alternative solutions arise.

7.12 There are four stages to consider under 'Step 1 – Screening'. **Stage 1** includes determining whether the plan/project is directly connected with or necessary to the management of the site. It can be confirmed that VWNP is not currently connected with or necessary to the management of a National Network site. **Stage 2** describes the plan / project and describes other plans / projects that have the potential for in-combination impacts. Information about the NP can be found in Section 4 of this document. Table 3 below identifies those other plans and projects which may have in-combination impacts.

*Table 3: Other Key Plans/Projects*

| Plan / project | Description |
|---|---|
| National Planning Policy Framework (NPPF) (2024) | High level national planning policy covering topics such as housing, economy, employment, retail as well as biodiversity, flood risk and heritage. |
| South East Plan 2009 | Saved Policy NRM6 sets out protection for the Thames Basin Heaths SPA. |
| Runnymede 2030 Local Plan Adopted July 2020. | Sets policies for the consideration of development and the spatial strategy for the Borough including provision of 7,507 dwellings up to 2030. |
| Other Local Authority Local Plans within zone of influence or adjoining sites identified in paras 7.2 | Housing targets for areas around National Network sites are set out in Table 4. |
| Large-scale projects within zone of influence or adjoining National Network sites (previously known as European Sites). | Large scale projects within zone of influence are subsumed in the consideration of 'Other Local Authority Local Plans' above. |
| Thames Basin Heaths Joint Delivery Framework 2009 | Sets out the agreed Framework regarding the approach and standards for avoiding significant effects on the Thames Basin Heaths SPA. |
| Environment Agency, Thames River Basin District Management Plan (2015) | Sets out actions to improve water quality. Future aims for the River Wey include implementing Lower Wey Oxbow Restoration Project to enhance and restore the main Wey river channel and Wey Diffuse Advice Project throughout the catchment. |
| Environment Agency, Thames Catchment Flood Management Plan (2009) | Aim is to promote more sustainable approaches to managing flood risk. Will be delivered through a combination of different approaches. Identifies that over 5,000 properties in Runnymede at risk in a 1% annual probability river flood. |
| Environment Agency, Thames Abstraction Licensing Strategy (2019) | Identifies the Thames having restricted 'Water available for licensing'. |
| Environment Agency River Wey Catchment Abstraction Management Strategy (2019) | Identifies the Wey having restricted 'Water available for licensing'. |
| Affinity Water Resource Management Plan (2020) | To put in place actions to help customers reduce their water usage. |
| River Thames Scheme | Runnymede Borough Council is working in partnership with the Environment Agency and other local authorities to deliver this flood alleviation and management scheme in the area affected by flooding. |

*Table 4: List of Local Authority Housing Targets within 5km of Thames Basin Heaths SPA*

| Site | Local Plan Area | Housing Target * |
|---|---|---|
| Thames Basin Heaths SPA | | |
| | Waverley Borough | 11,210 |
| | Guildford Borough | 10,678 |
| | Woking Borough | 4,964 |
| | Surrey Heath Borough | 3,240 |
| | Runnymede Borough | 7,507 |
| | Elmbridge Borough | 3,375 |
| | Bracknell Forest Borough | 11,139 |
| | Windsor & Maidenhead | 14,260 |
| | Wokingham Borough | 13,230 |
| | Rushmoor Borough | 8,884 |
| | Hart District | 6,214 |
| **Total** | | **94,701** |

* These targets are taken from the authorities Local Plans and the time periods covered will therefore vary.

7.13 **Stage 3** identifies potential effects on the National Network site(s). Information regarding the sites screened and the likely effects that may arise due to implementation of the NP can be found in Tables 5 and 6. All other National Network sites were screened out of this assessment at an early stage as it was considered that their distance from the NP urban area (where new development is directed) coupled with the nature and content of the proposed NP meant that there is no pathway or mechanism which would give rise to significant effects either alone or in combination. In consideration of the small geographical area of the VWNP, and the distance of any new development in its Urban Area from European sites outside and (in the case of Windsor Great Park SAC) just within the Neighbourhood Area boundary, HRA screening considers that the VWNP is not likely to have significant effects on EU designated sites, either alone or in-combination with other plans and projects. The implications of effects from planned development on the integrity of the European sites has been previously tested through HRA of the 2030 Local Plan. The VWNP does not propose to allocate any development sites and provides general policies which amplify the requirements of Local Plan policies which seek to protect and enhance designated sites.

*Table 5: Details of the Thames Basin Heaths SPA and Potential Effects Thereon*

| **European site:** | **Thames Basin Heaths SPA** |
|---|---|
| Site description: | The Thames Basin Heaths SPA was proposed in October 2000, and full SPA status was approved on 9 March 2005. It covers an area of some 8,274 ha, consisting of 13 Sites of Special Scientific Interest (SSSI) scattered from Surrey to Berkshire in the north, through to Hampshire in the west. The habitat consists of both dry and wet heathland, mire, oak, birch acid woodland, gorse scrub and acid grassland with areas of rotational conifer plantation. |
| Relevant international nature conservation features: | See Appendix 1. |
| Environmental conditions which support the site: | • Appropriate management<br>• Management of disturbance during breeding season (March to July)<br>• Minimal air pollution<br>• Absence or control of urbanisation effects, such as fires and introduction of non-native species<br>• Maintenance of appropriate water levels<br>• Maintenance of water quality |

| European site: | Thames Basin Heaths SPA |
|---|---|
| Potential effects arising from the Neighbourhood Plan | • Indirect effects arising from disturbance due to recreational activity on the SPA, atmospheric pollution and water resource as well as potential for direct urbanising impacts. |

7.14 **Stage 4** – the final stage of screening - assesses the significance of any effects. The consideration of potential effects is set out in Table 6.

*Table 6: Assessment of Potential Effects*

| European site: | Thames Basin Heaths SPA |
|---|---|
| Indirect effect from recreational disturbance and urbanisation. | The likely effects of recreational disturbance have been summarised in the Underhill-Day study for Natural England and RSPB (2005); this provides a review of the urban effects on lowland heaths and their wildlife. The main issues relating to the conservation objectives and the integrity of the SPAs and SACs effected by recreational disturbance and urbanisation as a whole are: fragmentation, disturbance, fires, cats, dogs (as a result of nest disturbance and enrichment), prevention of management, off-roading, vandalism and trampling.<br><br>Natural England has advised that recreational pressure, because of increased residential development within 5km of the Thames Basin Heaths SPA & Thursley, Ash, Pirbright & Chobham SAC (or sites of 50 or more dwellings within 7km), is having a significant adverse impact on the Annex I bird species. Woodlark and Nightjar are ground nesting and Dartford Warblers nest close to the ground. They are therefore sensitive to disturbance, particularly from dogs, but also from walkers, and cyclists etc. They are, in addition, vulnerable to other effects of urbanisation, in particular predation by cats.<br><br>Joint work involving Natural England and the authorities affected by the SPA / SAC have agreed a mechanism to avoid impacts to the SPA / SAC from recreational activities in the form of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management & Monitoring (SAMM) and from the impacts of urbanisation by not allowing any net additional dwellings within 400m of the SPA.<br><br>The draft VWNP does not allocate any land or sites for net additional dwellings or other types of development that could give rise to increased recreational or urbanisation impacts. It is also considered that the Plan's draft policies mainly deal with design, protection of the environment and sustainability and would not lead to pathways for effect. As such, there are no pathways for effect for impacts either alone or in combination with other plans and projects. Therefore, it is considered, at the time of undertaking this assessment and even in the absence of avoidance and/or mitigation measures which cannot be considered at the screening stage of HRA (including any adopted policies in the Runnymede 2030 Local Plan) that the draft VWNP will not give rise to likely significant effects on Thames Basin Heaths SPA in terms of recreation or urbanisation.<br><br>In this respect an Appropriate Assessment is not required. |
| Atmospheric Pollution | The Runnymede 2030 Local Plan HRA concludes no likely significant effect because of atmospheric pollution in combination with other plans and projects on the Thames Basin Heaths SPA, but states that there is a wider strategic approach to atmospheric |

| European site: | Thames Basin Heaths SPA |
|---|---|
| | pollution and the Thames Basin Heaths SPA, and the Council should accord with this.<br><br>However, the draft VWNP does not allocate any land or sites for development, and neither is it considered that any of the Plan's draft policies which mainly deal with the design, protection of the environment and sustainability would lead to pathways for effect. In this respect and even in the absence of avoidance / mitigation it is considered that the VWNP would not give rise to likely significant effect in terms of atmospheric pollution either alone or in combination with other plans and projects.<br><br>In this respect an Appropriate Assessment is not required. |
| Water Quality & Quantity | The Local Plan HRA does not identify water quality or resource as a potential linking pathway for effect on the Thames Basin Heaths SPA.<br><br>The draft VWNP does not allocate any land or sites for development, and neither is it considered that any of the Plan's draft policies which mainly deal with design, protection of the environment and sustainability would lead to pathways for effect. In this respect and even in the absence of avoidance / mitigation it is considered that the VWNP would not give rise to likely significant effect in terms of water resources or quality either alone or in combination with other plans and projects.<br><br>In this respect an Appropriate Assessment is not required. |

# 8. Statutory Screening Consultation and Overall Determination

8.1 The screening assessment outcomes were sent to the statutory environmental bodies (Environment Agency, Historic England, Natural England) for the formal five weeks consultation period to demonstrate that due processes have been undertaken to screen the draft Virginia Water Neighbourhood Plan (March 2023) with regard to HRA and SEA. The Environment Agency did not respond but the email from the Council stated that if we had not heard back from them by Wednesday 28th June that we would assume that they agreed with our screening assessment (an automatic email of 22nd May 2023 confirmed that due to resourcing issues the highest risk cases were being prioritised, and a bespoke response still had not been received by the Council as of 12th July 2023), the responses from Natural England and Historic England are presented in Appendix 2.

8.2 Natural England advised (emailed letter 23rd June 2023) that because of the material supplied with the consultation there are unlikely to be significant environmental effects from the proposed plan, in so far as their strategic environmental interests are concerned. In their view, the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect; and they are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan.

8.3 Historic England advised (email 28th June 2023) that based on the information provided, they consider that SEA would not be merited on grounds within their areas of interest.

8.4 Therefore, Runnymede Borough Council determines that the Virginia Water Neighbourhood Plan is unlikely to have significant environmental effects and thus does not require a Strategic Environmental Assessment (SEA).

8.5 Runnymede Borough Council also determines that the Virginia Water Neighbourhood Plan will not give rise to significant effects on National Network sites either alone or in-combination with other plans and/or projects. Given the findings of the screening assessment it is considered that a full appropriate assessment is not required.

## APPENDIX 1: EUROPEAN SITE CONSERVATION OBJECTIVES[29]

### South West London Waterbodies SPA

**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.

**Qualifying features:**

- A051: *Anas strepera*; Gadwall (non-breeding); and
- A056: *Anas clypeata*; Northern shoveler (non-breeding).

### South West London Waterbodies Ramsar

Ramsar sites do not have the Conservation Objectives in the same way as SPAs and SACs. Information regarding the designation of Ramsar sites is contained in INCC Ramsar Information Sheets. Ramsar Criteria are the criteria for identifying Wetlands of International Importance. The relevant criteria and ways in which this site meets the criteria are presented in the table below.

<table>
<tr><th>Ramsar Criterion</th><th>Justification for the application of each criterion</th></tr>
<tr><td>6</td><td>Ramsar criterion 6 – species/populations occurring at levels of international importance.
<table>
<tr><th colspan="2">Qualifying species/populations (as identified at designation):<br>Species with peak counts in spring/autumn</th></tr>
<tr><td>Northern shoveler, Anus clypeata, Northwest and Central Europe</td><td>397 individuals, representing an average of 2.6% of the GB population (5-year peak mean 1998/9- 2002/3)</td></tr>
<tr><th colspan="2">Species with peak counts in winter:</th></tr>
<tr><td>Gadwall, Anas strepera strepera, Northwest Europe</td><td>487 individuals, representing an average of 2.8% of the GB population (5-year peak mean 1998/9- 2002/3)</td></tr>
</table></td></tr>
</table>

### Thames Basin Heaths SPA

**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.

**Qualifying features:**

- A224: *Caprimulgus europaeus*; European nightjar (Breeding);
- A246: *Lullula arborea*; Woodlark (Breeding); and
- A302: *Sylvia undata*; Dartford warbler (Breeding).

### Thursley, Ash, Pirbright and Chobham SAC

**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.

[29] This information is drawn from the Joint Nature Conservancy Council (JNCC) and Natural England.

**Qualifying Features:**

- H4010: Northern Atlantic wet heaths with *Erica tetralix*; Wet heathland with cross-leaved heath;
- H4030: European dry heaths; and
- H7150: Depressions on peat substrates of the *Rhynchosporion*.

## Windsor Forest and Great Park SAC

**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 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.

**Qualifying Features:**

- H9120: Atlantic acidophilous beech forests with Ilex and sometimes also Taxus in the shrub layer (*Quercion robori-petraeae* or *Ilici-Fagenion*); Beech forests on acid soils;
- H9190: Old acidophilous oak woods with Quercus robur on sandy plains; Dry oak-dominated woodland; and
- S1079: *Limoniscus violaceus*; Violet click beetle.

## APPENDIX 2: RESPONSES FROM STATUTORY CONSULTEES

Date: 23 June 2023
Our ref: 436112
Your ref: Virginia Water Neighbourhood Plan

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Ms Judith Orr
Runnymede Borough Council

**BY EMAIL ONLY**
judith.orr@runnymede.gov.uk

Dear Ms Orr

**Virginia Water Neighbourhood Plan – Review SEA & HRA Screening**

Thank you for your consultation on the above dated and received by Natural England on 2021.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**Screening Request: Strategic Environmental Assessment**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

**Neighbourhood Plan**
Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the production of an SEA, for instance 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 may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local

record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

**Habitats Regulations Assessment (HRA) Screening**
Natural England agrees with the report's conclusions that the Virginia Water Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Sally Wintle
Consultations Team

Historic England

Judith Orr
Deputy Local Plans Manager
Runnymede Borough Council

judith.orr@runnymede.gov.uk
by email only

Our ref: PL00793231

28 June 2023

Dear Judith

**Virginia Water Neighbourhood Development Plan: Screening Report for Strategic Environmental Assessment (SEA)**

Thank you for consulting Historic England about the above screening opinion.

In terms of our area of interest, given the nature of the plan, we concur with your assessment that the plan is unlikely to result in any significant environmental effects and will simply provide additional guidance on existing policies within an adopted Development Plan Document which has already been subject to a Sustainability Appraisal/SEA. As a result, we endorse the conclusion that it is not necessary to undertake SEA of this plan.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

If you have any queries about any of the matters raised above or would like to discuss anything further, please do not hesitate to contact me.

Yours sincerely

Guy Robinson, BSc, MRTPI
Historic Environment Planning Adviser
Development Advice – London and the South East Region
guy.robinson@historicengland.org.uk