



Spelthorne Borough Council

LOCAL PLAN

Habitats Regulations Assessment - Stage 1
Screening





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1 INTRODUCTION

- 1.1.1. The Spelthorne Local Plan¹, which has been prepared by Spelthorne Borough Council (SBC) in consultation with the community, sets out the policies and allocations that will guide how new development and infrastructure comes forward in the Borough for the next 15 years. This emerging Local Plan will set out how the local area will develop over at least the next 15 years and, once adopted, will replace the 2009 Development Plan.
 - 1.1.2. The Local Plan is a statutory document² that forms part of the Council's strategy to deliver sustainable development, tackle climate change and deliver new homes, jobs and infrastructure for current and future Spelthorne residents. Local Plans must be positively prepared, justified, effective and consistent with national policy, in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework (NPPF)³.
 - 1.1.3. The Local Plan sits within a wider framework of planning documents, including national guidance set out by the government in the NPPF (as referenced above), regional and county planning policies and guidance, strategic plans, supporting strategies and background studies. The Local Plan will form the basis on which planning applications will be determined within SBC's administrative area.
 - 1.1.4. WSP has been appointed by SBC to undertake the Habitats Regulations Assessment (HRA) for the Local Plan. The focus of the HRA process is on identifying the potential for adverse effects as a result of the Local Plan policies on the integrity of European nature conservation sites (hereafter referred to as "Habitats sites").
 - 1.1.5. Under The Conservation of Habitats and Species Regulations 2017⁴ (as amended) (the 'Habitats Regulations') 'Competent Authorities' must assess plans and projects for their potential to cause Likely Significant Effects (LSE) on Habitats sites. Where the plan or project may lead to LSE it must be subject to an Appropriate Assessment to determine whether there will be adverse effects to any Habitats sites.
 - 1.1.6. Stage 1 (Screening), as presented within this report, represents the first step in the HRA process and comprises a desk-based review of relevant information, including biodiversity information and relevant HRA reporting (relating to other relevant plans and projects).
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¹ Spelthorne Borough Council Pre-submission Spelthorne Local Plan 2022 – 2037. Available online: <https://www.spelthorne.gov.uk/article/17619/Emerging-Local-Plan-2022-2037#:~:text=Full%20Council%20approved%20the%20Pre.and%20Communities%20for%20Independent%20Examination> Accessed on: [06/07/22].

² [Section 19 of the Planning and Compulsory Purchase Act 2004](#) sets out specific matters to which the local planning authority must have regard when preparing a local plan. [Regulations 8 and 9 of the Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) prescribe the general form and content of local plans and adopted policies maps, while [regulation 10](#) states what additional matters local planning authorities must have regard to when drafting their local plans.

³ The National Planning Policy Framework 2021. Available online: <https://www.gov.uk/government/publications/national-planning-policy-framework--2> Accessed on: [06/07/22]

⁴ The Conservation of Habitats and Species Regulations 2017. Available at: <http://www.legislation.gov.uk/uksi/2017/1012/contents/made> (Accessed 31/03/2022)

- 1.1.7. This exercise identifies all relevant Habitats sites where LSE could occur and the information captured here will form the evidence base for this Stage 1 HRA (Screening) and part of any subsequent HRA stages (including if necessary, a Stage 2 Appropriate Assessment (AA) (see Methodology Section 2).

1.2 REPORT FRAMEWORK

- 1.2.1. This HRA screening report has been produced alongside the Sustainability Appraisal (SA) that incorporates the requirement of a Strategic Environmental Assessment (SEA) for the Local Plan and associated plans.
- 1.2.2. At a screening level, this report will ensure that all HRA-related considerations are fully integrated into the Local Plan documents as they develop.
- 1.2.3. This report details:
- the HRA process and methodology for assessment;
 - the relevant Habitats sites within the Zone of Influence (ZOI) for the Local Plan policies;
 - the challenges of the Local Plan policies and how these may impact upon relevant Habitats sites, and;
 - the screening of LSE (Stage 1) of the Local Plan policies.
- 1.2.4. It should be noted that this HRA has been based solely upon the SBC Local Plan⁵ and does not include a detailed analysis of any projects that may arise as a result of this Local Plan.

1.3 THE SBC LOCAL PLAN

- 1.3.1. The Spelthorne Corporate Plan (2021-23)⁶ sets out SBC's five overarching 'CARES' priorities/objectives to focus on. By 2037 the SBC Local Plan seeks to have achieved the priorities set out within it. The 'CARES' objectives are:

Community: Our communities are at the heart of everything we do, we have built strong relationships with our residents and businesses, and have forged links within those communities, so that they feel empowered, included, supported, safe and healthy.

Affordable housing: We have supported the delivery of affordable and market housing which meets the needs of all sections of our communities by supporting the development of new homes of a variety of type, size and tenure.

Recovery: We provided support to our business communities to help enable them to recover, be resilient to economic challenges, be dynamic and respond to the changing economic and retail climate.

⁵ Spelthorne Borough Council Pre-submission Spelthorne Local Plan 2022 – 2037. Available online: <https://www.spelthorne.gov.uk/article/17619/Emerging-Local-Plan-2022-2037#:~:text=Full%20Council%20approved%20the%20Pre,an%20Communities%20for%20Independent%20Examination> Accessed on: [06/07/22].

⁶ Spelthorne Borough Council Corporate Plan 2021-23. Available online: <https://www.spelthorne.gov.uk/article/16732/Corporate-publications> Accessed on [06/07/22]



Environment: We worked with our communities and partners to minimise our effects on the environment, played our part in tackling climate change and moved further towards a clean, green and attractive Borough and protected biodiversity.

Service delivery: We delivered an efficient and effective Local Plan which provides for all sections of our communities.

- 1.3.2. The Local Plan⁷ sets out the vision and targets for development over the Plan period, including:

“...seeking to deliver 9,270 homes, which equates to an average of 618 homes per year. This figure is Spelthorne’s objectively assessed need, based on the Government Standard methodology, which is set out in the NPPF and the accompanying Planning Practice Guidance.

- 1.3.3. The introduction to the Local Plan also states:

“Although most of the attention is understandably focused on housing numbers, the Plan also includes important policies that reflect our local concerns and needs.

- A robust Affordable Housing policy that will see us increase significantly the number of homes that meet the needs of our community.
- Actions to address the effects of climate change and protect and enhance local biodiversity.
- A strategy to make sure that there is infrastructure in place to support existing and future residents, with a delivery plan that sets out how this will be achieved and funded.
- Policies that will support economic recovery and encourage more employment into the borough.
- A new Staines Development Framework will help the Borough’s largest town to develop and grow in as sensitive a way as possible and that takes account of its existing assets and distinctive character.

In order to demonstrate the ability to meet the imposed housing targets, it has proved necessary to release some Green Belt land. Our Plan calls for the release of 0.7% of the existing Green Belt area.”

- 1.3.4. The Local Plan policies which are the focus of this screening exercise are listed in Table 1-1, but for more detail refer to the primary source document⁸. A brief summary of each policy is also given in the screening Table 7-3 Section 7.

^{7/8} Spelthorne Borough Council Pre-submission Spelthorne Local Plan 2022 – 2037. Available online: <https://www.spelthorne.gov.uk/article/17619/Emerging-Local-Plan-2022-2037#:~:text=Full%20Council%20approved%20the%20Pre, and%20Communities%20for%20Independent%20Examination> Accessed on: [06/07/22]

Table 1-1 – Spelthorne Local Plan policies screened in the HRA

Policy number	Title
Strategy and Strategic Policies	
ST1	Presumption in Favour of Sustainable Development
ST2	Planning for the Borough
Place Setting	
PS1	Responding to the climate emergency
PS2	Designing places and spaces
PS3	Heritage, Conservation and Landscape
Spatial Policies	
SP1	Staines-upon-Thames
SP2	Ashford, Shepperton and Sunbury Cross
SP3	Stanwell and Stanwell Moor
SP4	Local Centres, Shopping Parades and Isolated Retail Units
SP5	Colne Valley Regional Park
SP6	River Thames and its Tributaries
SP7	Heathrow Airport
Housing	
H1	Homes for all
H2	Affordable Housing
H3	Gypsy, Traveller & Travelling Showpeople Pitches and Plots
Environment	
E1	Green Belt
E2	Biodiversity
E3	Managing Flood Risk
E4	Environmental Protection
E5	Open Space and Recreation

Economy	
EC1	Meeting Employment Needs
EC2	Retail
EC3	Local Centres, Shopping Parades and Isolated Retail Units
EC4	Leisure and Culture
Infrastructure and Delivery	
ID1	Infrastructure and delivery
ID2	Sustainable Transport for New Developments

- 1.3.5. The Allocated development sites which are referred to primarily in Policy H1 are listed below and given graphically in Figure 1 (*sites which are mentioned specifically in the text).

Years 1-5 (2023-2027)

AS1/011 (Land at Former Bulldog Nurseries, Town Lane)*

AS2/006 (Land East of Desford Way)

AT1/002 (Land East of Ashford Sports Club, Woodthorpe Road)

AT1/012 (Ashford Community Centre, Woodthorpe Road)

AT3/007 (Ashford multi-storey car park, Church Road)

AT3/016 (23-31 (not 11-19) Woodthorpe Road)

HS1/002 (Land at Croysdale Avenue/ Hazelwood Drive)

HS1/009 (Bugle Nurseries, Upper Halliford Road)

HS1/012 (Land East of Upper Halliford, Nursery Road)

HS2/004 (Land south of Nursery Road)

LS1/024 (Land at Staines Road West and Cedar Way)

SE1/005 (Benwell House, Green Street)

SE1/024 (Annandale House, Hanworth Road)

SN1/006 (Land to west of Long Lane and south of Blackburn Trading Estate)

ST1/037 (Thameside House, South Street)

ST1/043 (Land East of 355 London Road)*

ST3/004 (Oast House, Kingston Road)

ST4/002 (Bridge Street Car Park, Hanover House & Sea Cadet Building, Bridge Street, Staines)



- ST4/019 (Former Debenhams Site, High Street)
- ST4/025 (Coppermill Road)*
- ST4/026 (Communications House, South Street, Staines)
- ST4/028 (William Hill / Vodafone/ Monsoon, High Street)

Years 6-10 (2028-2032)

- AE3/006 (158-166 Feltham Road)
- AS1/001 (Tesco Extra, Town Lane)*
- AS1/003 (Former Staines Fire Station, Town Lane)*
- HS1/012b (Land East of Upper Halliford Road)
- RL1/011 (Land at Staines and Laleham Sports Club, Worple Road)
- SC1/006 (Tesco Extra, Escot Road)
- SE1/020 (Sunbury Adult Education Centre, The Avenue)
- SE1/025 (Elmbrook House, Station Road)
- SH1/010 (Shepperton Library, High Street)
- ST1/028 (Leacroft Centre, Leacroft, Staines)
- ST1/029 (Surrey County Council buildings, Burges Way, Staines)
- ST1/030 (Fairways Day Centre, Knowle Green, Staines)
- ST3/014 (Birch House/London Road, Fairfield Avenue, Staines)
- ST4/004 (96-104 Church Street, Staines)
- ST4/010 (Riverside car park, Thames Street, Staines)
- ST4/011 (Thames Lodge Hotel, Thames Street, Staines)
- ST4/023 (Two Rivers Retail Park Terrace, Mustard Mill Road, Staines)
- ST4/024 (Frankie & Benny's/Travelodge, Two Rivers, Hale Street, Staines)

Years 11-15 (2033-2037)

- AS2/001 (Ashford Youth Club, Kenilworth Road)*
- AT3/009 (Ashford Telephone Exchange, Church Road)
- SC1/013 (RMG Warehouse & Delivery Office, Staines Road West)
- SC1/019 (Sunbury Social Services Centre, Vicarage Road)
- SC1/021 (Land at Spelthorne Grove)
- SE1/003 (Builder's Yard, Staines Road East)
- SE1/008 (Telephone Exchange, Green Street)



SH1/015 (Shepperton Youth Centre, Shepperton Court Drive)

SH2/003 (Shepperton Delivery Office, High Street)

SN1/005 (Land at Northumberland Close)

SN1/012 (Stanwell Bedsits, De Havilland Way)

ST1/031 (Thameside Arts Centre, Wyatt Road)

ST2/006 (Builders Yard, Gresham Road)

ST3/012 (Staines Telephone Exchange, Fairfield Avenue)

ST4/009 (Elmsleigh Centre and Adjoining Land, South Street)

2 RELEVANT POLICY, LEGISLATION, CASE LAW AND GUIDANCE

2.1 LEGISLATIVE BACKGROUND

- 2.1.1. Under The Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations') 'Competent Authorities' must assess Plans and projects for their potential to cause LSE on Habitats sites. Where the plan or project may lead to LSE it must be subject to an AA to determine whether there will be adverse effects to any Habitats sites. Any plan or project that would lead to adverse effects on the integrity of Habitats site(s) cannot be permitted without meeting strict additional tests.
- 2.1.2. Defra guidance⁹ states that Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) in the UK no longer form part of the EU's Natura 2000 ecological network. The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 have created a National Site Network (NSN) on land and at sea, including both the inshore and offshore marine areas in the UK. The national site network includes:
 - existing SACs and SPAs; and
 - new SACs and SPAs designated under these Regulations.
- 2.1.3. Any references to Natura 2000 in the 2017 Regulations and in guidance now refers to the new NSN.
- 2.1.4. It is a matter of Government policy (NPPF paragraph 118) that sites designated under the 1971 Ramsar Convention for their internationally important wetlands (commonly known as Ramsar sites) are also considered in the same way as Habitats sites. Together, these sites are referred to as 'Habitats sites' in the NPPF and in this report.
- 2.1.5. Other site designations of national or local importance are not assessed by the HRA process, but with respect to Sites of Special Scientific Interest (SSSI) these designations largely overlap with European or Ramsar sites.
- 2.1.6. Maintaining a coherent network of protected sites with overarching conservation objectives is still required in order to:
 - fulfil the commitment made by government to maintain environmental protections; and
 - continue to meet our international legal obligations, such as the Bern Convention, the Oslo and Paris Conventions (OSPAR), Bonn and Ramsar Conventions.
- 2.1.7. This report presents information to enable the screening assessment required as part of Stage 1 of the HRA process, to establish whether or not the SBC Local Plan will have a LSE upon the NSN and Habitats sites.

⁹ Defra Policy Paper Changes to the Habitats Regulations 2017 (Published 1 January 2021). Available online: <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017/changes-to-the-habitats-regulations-2017> Accessed on [06/07/22]

2.1.8. The principle of Favourable Conservation Status (FCS) of features within Habitats sites as set out in the original Habitats Directive¹⁰ is central to this assessment. The use of the term FCS is not amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 and the term still has the meaning given by Article 1 of the Habitats Directive. Defra guidance¹¹ does however note that

"an appropriate authority is only responsible for managing and adapting the national site network to secure FCS of a feature proportionately to the importance of the UK within the feature's natural range".

2.1.9. The Habitats Directive provides further interpretation of the meaning of 'favourable conservation status' within Article 1 parts a, e and i as below.

'(a) conservation means a series of measures required to maintain or restore the natural habitats and the populations of species of wild fauna and flora at a favourable status as defined in (e) and (i);.....

(e) conservation status of a natural habitat means the sum of the influences acting on a natural habitat and its typical species that may affect its long-term natural distribution, structure and functions as well as the long-term survival of its typical species within the territory referred to in Article 2. The conservative status of a natural habitat will be taken as "favourable" when:

- *its natural range and areas it covers within that range are stable or increasing, and*
- *the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and*
- *the conservation status of its typical species is favourable as defined in (i);*

(i) conservation status of a species means the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its populations within the territory referred to in Article 2; The conservation status will be taken as "favourable" when:

- *population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and*
- *the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and*
- *there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis'.*

¹⁰ The Habitats Directive, European Commission. Available online:

https://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm Accessed on [06/07/22]

¹¹ Defra Policy Paper Changes to the Habitats Regulations 2017 (Published 1 January 2021). Available online:

<https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017/changes-to-the-habitats-regulations-2017> Accessed [06/07/22]

2.2 STAGES OF HABITATS REGULATIONS ASSESSMENT

2.2.1. Guidance on the Habitats Directive¹² sets out the step-wise approach which should be followed to enable Competent Authorities to discharge their duties under the Habitats Directive and provides further clarity on the interpretation of Articles 6 (3) and 6 (4). As set out in Regulation 3 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 where Natura 2000 sites are referenced in previously issued guidance, this should be interpreted as relating to the NSN, but does not otherwise affect guidance as it applied before EU exit day.

- **Stage 1:** Screening: the process which initially identifies the likely impacts upon a NSN site of a plan or project, either alone or in combination with other plans or projects and considers whether these impacts are likely to be significant.
- **Stage 2: AA:** the detailed consideration of the impact on the integrity of the NSN sites of the plan or project, either alone or in combination with other plans or projects, with respect to the site's conservation objectives and its structure and function. This is to determine whether there will be adverse effects on the integrity of the site. Specific guidance on this stage and stage 1 is provided in Defra guidance¹³.
- **Stage 3:** Assessment of Alternative Solutions: the processes that examine alternative ways of achieving the objectives of the plans or projects that avoid adverse impacts on the integrity of the NSN site.
- **Stage 4:** Assessment where no Alternative Solutions Exist and where Adverse Impacts Remain: an assessment of whether the development is necessary for Imperative Reasons of Overriding Public Interest (IROPI) and, if so, of the compensatory measures needed to maintain the overall coherence of the NSN.

2.3 RELEVANT CASE LAW

- 2.3.1. There are a number of recent Court of Justice of the European Union (CJEU) rulings which are relevant to this assessment and these are given for information in Appendix A.
- 2.3.2. As the general provisions for the protection of Habitats sites and the procedural requirements to undertake HRA to assess the implications of Plans or Projects for Habitats sites remain, this previous case law established prior to the UK's exit from the EU is considered to apply unless superseded by the judgement of an appropriate UK court.

¹² European Commission (2000). Managing Natura 2000 Sites, the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC. Available online: http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision_of_art6_en.pdf. Accessed [12/04/2022]

¹³ Defra Guidance: Habitats regulations assessments: protecting a Habitats site. How a competent authority must decide if a plan or project proposal that affects a Habitats site can go ahead. Feb 2021. Available online: <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site> Accessed [06/07/22]

2.4 NATIONAL PLANNING POLICY

NATIONAL PLANNING POLICY FRAMEWORK

2.4.1. In relation to biodiversity and the SBC Local Plan, the following paragraphs in the document are relevant:

- Paragraph 170, which states 'Planning policies and decisions should contribute to and enhance the natural and local environment by:
 - a) *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
 - b) *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
 - d) *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate; and*
 - e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans'.*
- Paragraph 171 which states:

'Plans should distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'

2.5 RELEVANT GUIDANCE

NATURAL ENGLAND'S INTERNAL GUIDANCE

2.5.1. In June 2018, Natural England published guidance¹⁴ on their approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations. The document draws upon Annex F of the DMRB (now withdrawn) but takes into account the Wealden Judgement and need to assess 'in-combination' effects on Habitats sites as a result of air pollution.

¹⁴ Natural England (June 2018) Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations. Available online: <http://publications.naturalengland.org.uk/publication/4720542048845824> Accessed [31/03/2022]

- 2.5.2. The guidance provides a framework around the assessment of road traffic emissions and subsequent effects on Habitats sites. Notably:
- Step 1 – Does the proposal give rise to emissions which are likely to reach a Habitats site;
 - Step 2 – Are there qualifying features within 200m of a road sensitive to air pollution;
 - Step 3 – Could the sensitive qualifying features of the site be exposed to emissions; and
 - Step 4 – Application of the Screening Thresholds.
 - Step 4a: apply the threshold alone;
 - Step 4b: apply the threshold in-combination with emissions from other road traffic plans and projects; and
 - Step 4c: apply the threshold in-combination with emissions from other non-road plans and projects.
 - Step 5: Advise on the need for Appropriate Assessment where thresholds are exceeded, either alone or in-combination.

- 2.5.3. The relevant thresholds in relation to Step 4 are as follows:

- Changes in AADT of 1000 vehicles a day (or more); and/or
- Changes of 1% of the relevant Critical Load and/or Level as a result of the Plan/Project.

IAQM'S GUIDE TO THE ASSESSMENT OF AIR QUALITY IMPACTS ON DESIGNATED NATURE CONSERVATION SITES

- 2.5.4. The Guide to the Assessment of Air Quality Impacts on Designated Nature Conservation Sites¹⁵ provides advice for ecologists relating to air quality assessments (AQAs), to evaluate the effects of air pollution on habitats and species, by increasing their understanding of the information provided by air quality specialists. The Guide focusses on the AQA process and no specific detail on the subsequent stage of the overall process, i.e. the assessment of the effects that air quality impacts may have on habitats and species, is provided in this guidance.

CIEEM ADVISORY NOTE: ECOLOGICAL ASSESSMENT OF AIR QUALITY IMPACTS

- 2.5.5. This guidance from the Chartered Institute of Ecology and Environmental Management¹⁶ is intended to take ecologists (and air quality specialists) through the issues that they should consider in order to make an informed judgement as to the ecological effects of changes in pollution concentrations and deposition rates. The approaches set out build on the advice and guidance from Natural England and IAQM, but focus on the ecologist role to interpret the numerical output of air quality assessments to reach evidence-based conclusions on ecological significance.
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¹⁵ Holman et al (2020). *A guide to the assessment of air quality impacts on designated nature conservation sites – v1.1* Available online: <https://iaqm.co.uk/text/guidance/air-quality-impacts-on-nature-sites-2020.pdf> Accessed [31/03/2022]

¹⁶ CIEEM (January 2021) *Advisory Note: Ecological Assessment of Air Quality Impacts*. Available online: <https://cieem.net/resource/advisory-note-ecological-assessment-of-air-quality-impacts/#:~:text=Advisory%20Note%3A%20Ecological%20Assessment%20of%20Air%20Quality%20Impacts.,of%20changes%20in%20pollution%20concentrations%20and%20deposition%20rates> Accessed [12/04/22].

OTHER RELEVANT GUIDANCE AND POLICY:

- Chapman, C. and Kite, B. (2021). Guidance on Decision-Making Thresholds for Air Pollution. JNCC Report No.696 (Main Report), JNCC, Peterborough, ISSN 0963-8091 (Note: Plan-level limitation of use is set out in this document; advice on ZOI has been applied)
- Department for Communities and Local Government (August 2006). Planning for the protection of Habitats sites: Appropriate Assessment. Guidance for Regional Spatial Strategies and Local Development Documents. Draft.
- English Nature (2006). Draft Guidance – The Assessment of Regional Spatial Strategies and Sub-regional strategies under the provisions of the Habitats Regulations
- European Commission (2000). Managing Natura 2000 Sites, the provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC. Available online:
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HRA POLICY GUIDANCE

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3 METHODOLOGY

- 3.1.1. This report presents the findings of the Screening undertaken as part of Stage 1 of the HRA process to establish whether or not the likely impacts of the SBC Local Plan could have LSE on Habitats sites.
- 3.1.2. This document provides this information by undertaking the following steps:
 - determining whether the plan is directly connected with or necessary for the management of applicable Habitats sites;
 - describing the project/plan impacts that may have the potential for significant effects upon applicable Habitats sites; and
 - describing the potential pathways of impacts, both alone and in-combination with other plans and projects.
- 3.1.3. The precautionary principle is applied at all stages of the HRA process. In relation to screening this means that projects and plans where effects are considered likely and those where uncertainty exists as to whether effects are likely to be significant must be subject to the second stage of the HRA process, AA.
- 3.1.4. The first part of the review is to establish whether the SBC Local Plan should be subject to HRA.
- 3.1.5. The second part comprises the information gathering stage and in particular the identification of Habitats sites which will likely require consideration and on which background information is collated. This information includes the qualifying features of these sites, the conservation objectives and the sensitivities of those sites.
- 3.1.6. As part of the information gathering stage, consideration is given to the air quality sensitivities of these Habitats sites, specifically their qualifying features, to changes in both NO_x and NH₃ concentrations and N Dep and then consideration of these changes in relation to the Critical Level and relevant Critical Loads¹⁷.
- 3.1.7. Critical Loads and Levels are metrics used for assessing the risk of air pollution impacts to sensitive vegetation and ecosystems.
- 3.1.8. Critical Levels are used to estimate the exposure of sensitive vegetation and ecosystems to some important airborne pollutants, below which significant harmful effects are not expected to occur. They are not habitat specific, as with Critical Loads, but have been set to cover broad vegetation types. These levels have been adopted by the European Union and the United Nations Economic Commissions for Europe (UNECE) and are used as regulatory standards and are expressed in units of µg/m³ (micrograms per cubic metre).

¹⁷ Critical Loads and Levels are metrics used for assessing the risk of air pollution impacts to sensitive vegetation and ecosystems.

- 3.1.9. In addition to the direct effect of pollutant concentrations in the air, vegetation can also be affected by the deposition of pollutants and particles onto both the ground and vegetation. Close to roads, nitrogen deposition can be of concern for sensitive ecological sites as it can result in a variety of adverse effects depending on the habitats present (e.g. interfering with photosynthesis, increasing acidification, altering species composition etc).
- 3.1.10. The final element of the information gathering stage is to review the availability of relevant data sets and sources which will form the evidence base of the assessment of the Local Plan policies alone and in-combination with other relevant plans and projects. Information on sources of HRA guidance are given below and the legislative and policy background including the relevant CJEU rulings, are given in Appendix A.

4 REVIEW RESULTS

4.1 IS HRA REQUIRED?

- 4.1.1. The review looked to specifically answer each of the questions set out in the HRA review methodology. It should be noted that the level of detail of the Local Plan only allows for an anticipated assessment of the need for HRA based on experience of similar plans and projects (see Table 4-1 below).

Table 4-1 – Is HRA required?

Question	Response
1 Is the whole of the plan directly connected with or necessary to the management of a Habitats site for nature conservation purposes?	No
2 Is the plan a ‘strategic development plan’ or ‘local development plan’ or ‘supplementary guidance’ or a core path plan or a revision thereof?	Yes
3 Does the plan provide a framework for deciding applications for project consents and / or does it influence decision makers on the outcome of applications for project consents?	Yes
4 Does the plan contain a programme, or policies, or proposals which could affect one or more particular Habitats site?	Yes
5 Is the plan a general statement of policy showing only the general political will or intention of the plan-making body, and no effect on any particular Habitats site can reasonably be predicted?	No

- 4.1.2. When the answer to either questions (1) or (5) is ‘no’, but the answer to any of questions (2), (3) or (4) is ‘yes’, then the requirement for further HRA is identified.
- 4.1.3. In this case, the answers to questions (1) and (5) are both ‘no’, while the answers to questions (2) to (4) are all ‘yes’. It is therefore confirmed based on the availability of current information that the SBC Local Plan does therefore require HRA.

5 REVIEW OF HABITATS SITES

- 5.1.1. The following section provides a summary of the results of the review of Habitats sites data which will form the baseline for subsequent stages of HRA.

5.2 HABITATS SITES

- 5.2.1. It is necessary to consider all the Habitats sites that form part of the NSN (SACs, SPAs and proposed or candidate SPAs or SACs, expanded by the NPPF to include Ramsar sites) within a broad area or zone of influence (ZoI) of the Local Plan and the specific policies therein.
- 5.2.2. The ZoI is defined by the potential effects arising from the project or plan and the available pathways for those effects to reach and impact the interest features of Habitats sites.
- 5.2.3. In order to identify all strategic corridors where potential direct, indirect and in-combination effects could reasonably be considered possible, a ZoI buffer is set up around the primary activities, or in this case Policies, which are likely to affect the qualifying features of Habitats sites.
- 5.2.4. SBC has provided an indicative list of site allocations to meeting the housing needs of the Borough. These have been used as the primary basis on which to set up the ZoI and assume:
- dispersal of development across the Borough as shown on supplied plans; and
 - delivery of 618 dwellings per annum around the SBC boundary was applied.
- 5.2.5. A ZoI of 10km has therefore been applied around the allocated sites identified, the premise being that 10km represents the average trip length as noted in the National Transport Survey¹⁸ and as included in the Joint Nature Conservation Committee (JNCC) guidance for air quality¹⁹.
- 5.2.6. Five Habitats sites, as presented in Table 5-1, lie within the potential ZoI for the SBC Local Plan, including two SPAs and three SACs located (see Figure 2 and Appendix B). One Ramsar site falls within these site designations, the South West London Waterbodies.
- 5.2.7. Wimbledon Common SAC is located within 10km of the SBC boundary (in its south-eastern extent), but not within 10km of any of the proposed site allocations (see Figure 2). Given its proximity this Habitats site was initially included in this screening exercise (see 7.2.19).
- 5.2.8. The reasons for designation of these sites and their known vulnerabilities are given in Appendix B, which has been collated from the Natura 2000 standard data forms and the Natural England Site Improvement Plans.
- 5.2.9. With regard to the qualifying features and information on vulnerability of the Habitats sites detailed in Appendix B, the broad conservation objectives for SACs and SPAs are to:

¹⁸ As cited within the Air quality and emissions mitigation guidance for Sussex (2020)

¹⁹ Chapman, C. and Kite, B. (2021). Guidance on Decision-Making Thresholds for Air Pollution.

JNCC Report No.696 (Main Report), JNCC, Peterborough, ISSN 0963-8091 (Note: Plan-level limitation of use is set out in this document; advice on ZoI has been applied)



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 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.*

5.2.10. Specific conservation objectives for Ramsar sites are not currently available.

5.2.11. The Habitats sites which fall within the identified Zol are listed in Table 5-1.

Table 5-1 – Habitat sites falling within the 10km Zol of proposed Housings Allocations

Habitats site
South West London Water Bodies SPA and Ramsar
Thames Basin Heaths SPA
Thursley, Ash, Pirbright and Chobham SAC
Windsor Forest and Great Park SAC
Richmond Park SAC
Wimbledon Common SAC*

*Falls within 10km of the SBC boundary rather than Allocations (see 5.2.9 above)

5.3 INFORMATION RELATING POTENTIAL EFFECTS ON HABITATS SITES

- 5.3.1. Table 5-2 below summarises pressures and threats listed on the Site Improvement Plans (SIPs) for SPAs and SACs that will need to be considered during screening and appropriate assessment (if required) of the Local Plan.
- 5.3.2. Table 5-3 below gives the distances from each Allocated site to the nearest Habitats site within the 10km Zol buffer.

Table 5-2 - Pressures and threats listed on Habitats sites SIPs²⁰

Impacts highlighted as red should be given primary consideration in screening and appropriate assessment of the Local Plan policies, and those highlighted green are less likely to be considerations in screening and appropriate assessment of the LTP policies (note that abbreviations are those pressures and threats listed in the JNCC data sheet for the respective Habitats site).

Site Name	Air pollution: impact of atmospheric nitrogen deposition	Hydrological changes	Public access/ disturbance	Habitat fragmentation	Inappropriate Management	Invasive species	Changes in species distribution	Disease	Fisheries : Fish stocking	Military	Forestry and woodland management	Natural Changes to site conditions	Undergrazing	Wildfire/ arson
Thames Basin Heaths SPA	P/T	T	P/T	P	P – scrub control	P/T	T			T	P		P	P
Thursley, Ash, Pirbright and Chobham SAC ²¹	P/T	T	P/T	P	P – scrub control	P/T				T	P		P	P
Richmond Park SAC	No current issues affecting the Habitats site feature(s) have been identified for this site													
South West London Waterbodies SPA and Ramsar			P/T		T – weed control	P/T	P/T		P		P/T			
Wimbledon Common SAC	P		P	T		T								
Windsor Forest and Great Park SAC	P					T		T			P/T			

Table 5-3 - Proximity of proposed site allocations to Habitats sites within 10km of SBC's administrative boundary

Site ID	Address	Settlement	Area (ha)	Distance of Habitats sites within 10km (km) ²²						Total no. Habitats sites within 10km
				South West London Water Bodies SPA and Ramsar	Thames Basin Heaths SPA	Thursley, Ash, Pirbright and Chobham SAC	Windsor Forest and Great Park SAC	Richmond Park SAC	Wimbledon Common SAC	
AE3/006	158-166, Feltham Road	Ashford	1.32	2.4			9.8			2
AS1/001	Tesco Extra, Town Lane	Ashford	3.98	0.086			8.6			2

²⁰ P = Pressure, T = Threat

²¹ The Thames Basin Heaths SPA and Thursley, Ash, Pirbright and Chobham SAC overlap and share a SIP.

²² Where the Habitats site lies outside of 10km from the listed site allocation, no value is shown.

Site ID	Address	Settlement	Area (ha)	Distance of Habitats sites within 10km (km) ²²						Total no. Habitats sites within 10km
				South West London Water Bodies SPA and Ramsar	Thames Basin Heaths SPA	Thursley, Ash, Pirbright and Chobham SAC	Windsor Forest and Great Park SAC	Richmond Park SAC	Wimbledon Common SAC	
AS1/003	Staines Fire Station, Town Lane	Stanwell	0.4	0.0			7.5			2
AS1/011	Land at Former Bulldog Nurseries, Town Lane	Ashford		0.05			8.6			2
AS2/001	Ashford Youth Club, Kenilworth Road	Ashford	0.25	0.05			8.6			2
AS2/005	Land west of Edward Way	Ashford	1.87	0.6			8.2			2
AS2/006	Land East of Desford Way	Ashford		0.917			8.6			2
AT1/002	Ashford Sports Club, Woodthorpe Road	Ashford	1.15	0.7	9.7	9.7	7.5			4
AT1/012	Ashford Community Centre, Woodthorpe Road	Ashford		1.17			8.5			2
AT3/007	Ashford Multi-storey car park, Church Road	Ashford	0.20	1.3			8.4			2
AT3/009	Ashford Telephone Exchange, Church Road	Ashford	0.26	1.3			8.5			2
AT3/016	23-31 (not 11-19) Woodthorpe Road	Ashford		0.92			8.5			2

Site ID	Address	Settlement	Area (ha)	Distance of Habitats sites within 10km (km) ²²						Total no. Habitats sites within 10km
				South West London Water Bodies SPA and Ramsar	Thames Basin Heaths SPA	Thursley, Ash, Pirbright and Chobham SAC	Windsor Forest and Great Park SAC	Richmond Park SAC	Wimbledon Common SAC	
HS1/002	Land at Croysdale Avenue, Croysdale Avenue	Shepperton	1.68	1.5	9.5			9.1		3
HS1/009	Bugle Nurseries, Upper Halliford Road	Shepperton		5.25						
HS1/012	Land East of Upper Halliford, Nursery Road	Shepperton	1.60	2.4	9.8			9.6		3
HS1/012 b	Land East of Upper Halliford Road	Shepperton		2.6	9.25					2
HS2/004	Land South of Nursery Road, Nursery Road	Sunbury	0.66	2.5				9.6		3
LS1/006	Land at Windmill Close, Windmill Close	Sunbury	0.92	2.6				9.6		3
LS1/024	Land at Staines Road West and Cedar Way	Sunbury		2.65				9.8		2
RL1/007	Land off Worple Road, Worple Road	Staines	6.52	1.9	7.7	7.7	6.7			4
RL1/011	Land at Staines and Laleham Sports Club, Worple Road	Staines	6.03	2.0	7.5	7.5	6.7			4

Site ID	Address	Settlement	Area (ha)	Distance of Habitats sites within 10km (km) ²²						Total no. Habitats sites within 10km
				South West London Water Bodies SPA and Ramsar	Thames Basin Heaths SPA	Thursley, Ash, Pirbright and Chobham SAC	Windsor Forest and Great Park SAC	Richmond Park SAC	Wimbledon Common SAC	
SC1/006	Tesco Extra, Escot Road	Sunbury		2.6				9.8		2
SC1/013	RMG Warehouse and Delivery Office, 47-79, Staines Road West	Sunbury	0.25	1.8				8.8		2
SC1/019	Sunbury Social Services Centre, Vicarage Road	Sunbury		2.8				9.8		2
SC1/021	Land at Spelthorne Grove	Sunbury		2.8				9.8		2
SE1/003	77, Staines Road East	Sunbury	0.75	1.2				8.3		2
SE1/005	Benwell House, Green Street	Sunbury		2.8				9.8		2
SE1/008	Telephone Exchange, Green Street	Sunbury	0.25	1.8				8.9		2
SE1/020	Sunbury Adult Education Centre, The Avenue	Sunbury	0.43	1.2				8.2		2
SE1/024	Annandale House, 1, Hanworth Road	Sunbury	0.97	1.5				8.5		2
SE1/025	Elmbrook House, Station Road	Sunbury		2.8				8.5		2

Site ID	Address	Settlement	Area (ha)	Distance of Habitats sites within 10km (km) ²²						Total no. Habitats sites within 10km
				South West London Water Bodies SPA and Ramsar	Thames Basin Heaths SPA	Thursley, Ash, Pirbright and Chobham SAC	Windsor Forest and Great Park SAC	Richmond Park SAC	Wimbledon Common SAC	
Shepperton	Shepperton Library, High Street	Shepperton	3.3		9.12					2
SH1/015	Shepperton Youth Centre, Laleham Road	Shepperton	0.31	3.6	8.1	8.9				3
SH2/003	Shepperton Delivery Office, 47, High Street	Shepperton	0.17	3.3	7.8	9.0				3
SN1/005	Land at Northumberland Close, Northumberland Close	Stanwell	1.75	0.9			8.0			2
SN1/006	Land to the west of Long Lane and South of Blackburn Trading Estate, Long Lane	Stanwell	4.83	0.8			8.0			2
SN1/012	Stanwell Bedsits, De Havilland Way	Stanwell	2.19	0.6			7.7			2
ST1/028	Leacroft Centre, Leacroft	Staines	0.15	0.6	8.7	8.7	6.1			4
ST1/029	Surrey CC Buildings, Burges Way	Staines	0.47	1.2	8.0	8.0	6.0			4
ST1/030	Fairways Day Centre, Knowle Green	Staines	0.66	1.1	8.1	8.1	5.9			4

Site ID	Address	Settlement	Area (ha)	Distance of Habitats sites within 10km (km) ²²						Total no. Habitats sites within 10km
				South West London Water Bodies SPA and Ramsar	Thames Basin Heaths SPA	Thursley, Ash, Pirbright and Chobham SAC	Windsor Forest and Great Park SAC	Richmond Park SAC	Wimbledon Common SAC	
ST1/031	Thameside Arts Centre, Wyatt Road	Staines	0.26	1.2	8.0	8.0	5.7			4
ST1/037	Thameside House, South Street	Staines	0.24	1.0	8.0	8.0	5.3			4
ST1/043	Land East of 355 London Road	Staines		0.05		10.0	6.9			3
ST2/006	Builders Yard, Gresham Road	Staines	1.36	0.8	8.1	8.1	5.5			4
ST3/004	34-36 (OAST House) /Car park, Kingston Road	Staines	0.92	0.6	8.3	8.3	5.6			4
ST3/012	Staines Telephone Exchange, Fairfield Avenue	Staines	0.59	0.4	8.4	8.4	5.4			4
ST3/014	Birch House/London Road, Fairfield Avenue, Staines	Staines		0.53		8.5	5.56			3
ST4/002	Car Park, Hanover House and Sea Cadet Building, Bridge Street	Staines	0.92	0.8	7.8	7.8	4.8			4
ST4/004	96-104, Church Street	Staines	0.88	0.7	7.8	7.8	4.7			4
ST4/009	The Elmsleigh Centre and	Staines	6.34	0.7	7.9	7.9	5.2			4

Site ID	Address	Settlement	Area (ha)	Distance of Habitats sites within 10km (km) ²²						Total no. Habitats sites within 10km
				South West London Water Bodies SPA and Ramsar	Thames Basin Heaths SPA	Thursley, Ash, Pirbright and Chobham SAC	Windsor Forest and Great Park SAC	Richmond Park SAC	Wimbledon Common SAC	
	adjoining land, South Street									
ST4/010	Riverside Surface Carpark, Thames Street	Staines	0.25	0.9	7.9	7.9	5.2			4
ST4/011	Thames Lodge, Thames Street	Staines	0.36	1.0	7.9	7.9	5.2			4
ST4/019	Debenhams site, 35-45, High Street	Staines	0.26	0.8	7.9	7.9	5.2			4
ST4/023	Two Rivers Retail Park Terrace, Mustard Mill Road, Staines	Staines		0.6		8.5	5.56			3
ST4/024	Frankie and Benny's/Travelodge, Two Rivers, Hale Street, Staines	Staines		0.6		8.5	5.56			3
ST4/025	Coppermill Road	Staines	0.92	0.08			4.78			2
ST4/026	Communications House, South Street, Staines	Staines		0.6			5.6			2
ST4/028	William Hill / Vodafone/ Monsoon, High Street	Staines		0.6			5.6			2

6 APPROACH TO STAGE 1 SCREENING

6.1 GUIDANCE

- 6.1.1. Government guidance, and Court rulings, has confirmed that the level of detail in the HRA of a plan, whilst meeting the relevant requirements of the Habitats Regulations, should be appropriate to the level (or tier) of plan or project that it addresses.
- 6.1.2. The guidance referred to in Section 2.5 has been referred to in undertaking the Stage 1 screening of the SBC Local Plan policies. The approaches set out by the guidance have been interpreted to the level of detail available within the objectives, policies and description of projects based on the descriptions contained within the Local Plan, noting that the Plan is a high-level document. At a greater level of detail, and as normally required with specific project level HRAs for example, the HRA stages have more specific data requirements.
- 6.1.3. A pre-screening advisory exercise was undertaken for SBC in 2020 and relevant findings from this are included in the HRA screening.

6.2 AIR QUALITY INPUT

- 6.2.1. The sensitivity of Habitats sites to changes in air quality is fundamental to the Stage 1 screening of the SBC Local Plan policies. The sensitivity of the identified Habitats sites has been informed by the review of identified pressures and threats (Table 5-2) and a review of the Air Pollution Information Service (APIS)²³.
- 6.2.2. In many locations across the UK, the Critical Load for N deposition is exceeded due to high background concentrations (reflecting that there are a variety of sources contributing to total N deposition including agriculture which in many locations represents the dominant source). This results in such Habitat sites being particularly sensitive to changes in air quality, including those that may arise due to forecast growth on the local road network, as there is no available ‘headroom’ before which adverse impacts may arise.
- 6.2.3. Where suitable traffic data is available, Stage 1 Screening would typically comprise a review of the traffic data and application of the identified Screening thresholds²⁴, both ‘alone’ and ‘in-combination’. Reference has been given to a further threshold of 50 AADT ‘alone’ which is the threshold that has been previously agreed with Natural England for other Local Plan projects below which effects are considered to be nugatory.
- 6.2.4. Where possible, the change in traffic in the vicinity of the identified Habitats sites has been determined using traffic flow information from Surrey County Council’s (SCC’s) Sub Regional Transport Model. However, the extent of the model does not cover all roads within the vicinity of the

²³ Air Pollution Information Service. Available at [Air Pollution Information System | Air Pollution Information System \(apis.ac.uk\)](http://Air%20Pollution%20Information%20System%20|%20Air%20Pollution%20Information%20System%20(apis.ac.uk))

²⁴ As contained within the guidance documents produced by Natural England (July 2018) and the IAQM (May 2020).

identified Habitat Sites and as such, the following information was also taken into account when determining the likelihood of LSE:

- The proximity of the proposed site allocations to the nearest Habitat site/s;
- The likely trip generation per allocation;
- Average journey length within SBC's administrative area;
- The proportion of traffic travelling varying distances (and therefore proportionally how much traffic is likely to be travelling within the vicinity of the identified Habitats Sites); and
- The distance of the Habitats site to the nearest road likely to be affected.

6.3 IN-COMBINATION ASSESSMENT

- 6.3.1. It is a requirement of the Habitats Regulations to consider the effects of projects or plans "in combination" at the screening stage. Articles 24, 63 and 105 of the Habitats Regulations require Natural England and other competent authorities to consider the effects of plans or projects alone and in combination with other plans or projects. The 'in-combination' requirement is undertaken in order to make sure that prior to their authorisation the effects of numerous proposals, which alone would not result in a significant effect, are further assessed to determine whether their combined effect would be significant enough to require more detailed assessment.
- 6.3.2. The landmark Waddenzee judgment provides a clear interpretation of the legislation. Paragraphs 53 and 54 of the Judgment state:
- 6.3.3. *"according to the wording of that provision [Article 6(3) of the Habitats Directive] an appropriate assessment of the implications for the site concerned of the plan or project must precede its approval and take into account the cumulative effects which result from the combination of the plan or project with other plans or projects in view of the sites conservation objectives. Such an assessment therefore implies that all the aspects of the plan or project which can, individually or in combination with other plans or projects, affect those objectives must be identified in the light of the best scientific knowledge in the field."*
- 6.3.4. Table 6-1 outlines the types of plans and projects that should be considered in an in-combination assessment:

Table 6-1 - Types of plans and projects considered at "In-combination" assessment

- | |
|---|
| <ul style="list-style-type: none">■ The incomplete or non-implemented parts of plans or projects that have already commenced; |
| <ul style="list-style-type: none">■ Plans or projects given consent or given effect but not yet started; |
| <ul style="list-style-type: none">■ Plans or projects currently subject to an application for consent or proposed to be given effect; |
| <ul style="list-style-type: none">■ Projects that are the subject of an outstanding appeal; |
| <ul style="list-style-type: none">■ Ongoing plans or projects that are the subject of regular review; |

- The incomplete or non-implemented parts of plans or projects that have already commenced;
- Any draft plans being prepared by any public body;
- Any proposed plans or projects published for consultation prior to application;
- Projects being proposed or being undertaken by a competent authority itself which require no external authorisation.

- 6.3.5. With reference to Section 2.2, case law and methodology relating to HRA has changed rapidly over recent years. One of the most notable changes as a result of CJEU rulings has been the clarification that mitigation measures cannot be included in HRA Stage 1 (Screening). As this was previously a common practice, many HRAs will have concluded no LSE on Habitats sites, based on the likely effectiveness of mitigation measures. The outcome of this is that preceding plan-level HRAs can be unreliable in terms of adopted conclusions of 'no LSE'.
- 6.3.6. Based on this complexity and need for consistency in the assumptions relating to mitigation, a precautionary approach has been adopted when considering the HRA conclusions of overlapping plans and projects in-combination.

7 HRA STAGE 1 SCREENING OF THE LOCAL PLAN POLICIES

- 7.1.1. The pressures and threats set out in Table 5-2 have been reviewed for those likely to arise from the policies within the local Plan and in particular the proposed delivery of dwellings within the Borough. Those considered relevant to this type and scale of development include:
- air pollution: impact of atmospheric nitrogen deposition;
 - public access/ disturbance/ recreational pressures; and
 - tall buildings (in relation to habitat fragmentation).
- 7.1.2. The pressures and threats set out in Table 5-2 which are considered at this early stage to be unlikely to arise from the draft development allocation scenario (except where this directly results secondarily from the pressures and threats included above) and are not considered further in this screening exercise, are: hydrological changes; habitat fragmentation; inappropriate management; invasive species; changes in species distribution; disease; fisheries: fish stocking; military; forestry and woodland management; natural changes to site conditions; under grazing; wildfire/ arson (as separate to public access/ disturbance).
- 7.1.3. Further information relating to those pressures and threats identified as relevant to the SBC Local Plan and the development allocation targets, including the Local Plan Preferred Options consultation with Natural England are also presented below.
- 7.1.4. The proximity of Heathrow Airport to the Borough and the potential of adverse affects on Habitats sites has been addressed through the National Policy Statement HRA²⁵ and a summary of the finding of this assessment are also given below in the context of the supporting policy of the SBC Local Plan SP7.

7.2 POTENTIAL AIR QUALITY EFFECTS

- 7.2.1. Consideration has been given to the potential effect of changes in air quality within the identified Habitats sites, where they fall within the specified ZOI, with a particular focus on qualifying features, including:
- changes in nitrogen oxide (NO_x) and ammonia (NH₃) concentrations in relation to the Critical Levels for these pollutants; and
 - Changes in nitrogen (N) deposition in relation to the relevant Critical Loads.
- 7.2.2. As per Table 5.2, air pollution is an identified pressure for Windsor Forest and Great Park SAC and an identified pressure and threat for Thames Basin Heaths SPA and Thursley, Ash, Pirbright and Chobham SAC. Air pollution is not considered to present either a pressure or threat to Richmond Park SAC or South West London Waterbodies SPA and Ramsar.

²⁵ Airports National Policy Statement - Habitats Regulations Assessment - Statement to inform Appropriate Assessment June 2018. Available from: <https://www.heathrow.com/company/about-heathrow/expansion/documents> [Accessed online 26/07/22]

CRITICAL LEVELS FOR NO_x AND NH₃

- 7.2.3. The relevant Critical Levels for NO_x and NH₃ relating to the protection of vegetation and ecosystems are summarised in Table 7-1.

Table 7-1 - Relevant NO_x and NH₃ Critical Levels for the Protection of Vegetation and Ecosystems

Pollutant	Concentration ($\mu\text{g}/\text{m}^3$)	Averaging Period
Nitrogen oxides (NO _x)	30	Annual Mean
	75	24-hours
Ammonia (NH ₃)	Lower Plants	1
	Higher Plants	2 – 4 (3)

CRITICAL LOADS

- 7.2.4. In addition to the direct effect of pollutant concentrations in the air, vegetation can also be affected by the deposition of pollutants and particles onto both the ground and vegetation. Close to roads, nitrogen deposition can be of concern for sensitive ecological sites as it can result in a variety of adverse effects depending on the habitats present (e.g. interfering with photosynthesis, increasing acidification, altering species composition etc).
- 7.2.5. When considering the effects of nitrogen deposition from the air onto habitats and vegetation, the relevant assessment benchmarks are known as 'Critical Loads'. Critical Loads are defined as:
- ...a quantitative estimate of exposure to one or more pollutants below which significant harmful effects on specified sensitive elements of the environment do not occur according to present knowledge*.
- 7.2.6. In the UK, Critical Loads have been established for a wide range of habitat and vegetation types, reflecting the variation in ecosystem responses. Details of the Critical Loads relevant to a specific habitat or designated site are available from the Air Pollution Information Systems (APIS) website²⁶. In relation to Critical Loads, N Dep is expressed in units of kilograms of nitrogen per hectare per year (Kg N/ha/yr).
- 7.2.7. A summary of the relevant Critical Loads for the identified Habitats sites is provided in Appendix C for both SPAs and SACs.

²⁶ <http://www.apis.ac.uk/>

BASELINE CONDITIONS AT SITES WHERE AIR POLLUTION IS IDENTIFIED AS A PRESSURE AND/OR THREAT

- 7.2.8. The below information has been taken from the pre-screening advisory exercise that was undertaken for SBC in 2020. No updates to the data have been completed for the purpose of this HRA Screening as the data/values are unlikely to have altered significantly/enough to change the overall conclusions of the baseline data review.

NO_x Concentrations

- 7.2.9. Background annual mean NO_x values for 2020 for the identified Habitats sites (where air pollution has been identified as a pressure and/or threat) have been taken from the national maps provided by the Department for Environment Food and Rural Affairs (Defra)²⁷, where background concentrations of NO_x have been mapped at a grid resolution of 1x1km for the whole of the UK, and are provided in Appendix E.
- 7.2.10. The estimated background concentrations obtained from Defra's webpages for 2020 indicate existing exceedances of the Critical Level for annual mean NO_x concentrations (of 30µg/m³) at background locations within the vicinity of Thursley, Ash, Pirbright and Chobham SAC.
- 7.2.11. The Critical Level is predicted to be met at all other Habitats sites (i.e. Wimbledon Common SAC, Windsor Forest and Great Park SAC, Thursley, Ash, Pirbright and Chobham Common SAC and Thames Basin Heaths SPA). Notwithstanding this, it should be noted that background concentrations are representative of concentrations that can be experienced away from a pollution source. Therefore, within increasing distance towards a pollution source, such as a busy road, annual mean NO_x concentrations will increase such that there could be the potential for exceedances of the Critical Level for this pollutant at all Habitats sites at locations near to the road edge, and the use of background annual mean NO_x concentrations in the screening process should be treated with caution.

NH₃ Concentrations

- 7.2.12. From an initial review of the data provided in Appendix C, baseline concentrations of annual mean NH₃ are already above the relevant Critical Levels at the following Habitats sites:
- Thursley, Ash, Pirbright and Chobham SAC where the maximum value indicates the potential for exceedances of the Critical Level for Lower Plant Assemblages of 1µg/m³ (albeit the average value is below the relevant CL value); and
 - Windsor Forest and Great Park SAC where the maximum, minimum and average values all indicate exceedances of the Critical Level for Lower Plant Assemblages of 1µg/m³.
- 7.2.13. At the remaining Habitats sites, the relevant Critical Level for annual mean NH₃ concentrations is being met. Notwithstanding this, the potential for effects due to increased NH₃ as a result of the

²⁷ <https://laqm.defra.gov.uk/review-and-assessment/tools/background-maps.html>

emerging LP cannot be discounted, particularly taking into account that background concentrations of NH₃ are forecast to increase year on year²⁸.

N Deposition

- 7.2.14. In relation to the maximum N Dep values presented in Appendix C, these show that there are some locations within the identified Habitats sites²⁹ where the Critical Loads are already being exceeded (based on the Lower Critical Load range, applying precautionary principle). This includes locations within the following designated sites:
- Thursley, Ash, Pirbright and Chobham SAC;
 - Windsor Forest and Great Park SAC; and
 - Thames Basin Heaths SPA.
- 7.2.15. This is not to say that all these areas will be significantly impacted by SBC's emerging LP but it does highlight areas that will be particularly sensitive to any changes in air quality as a result of SBC's emerging LP.

PUBLIC ACCESS / DISTURBANCE

- 7.2.16. As part of the screening exercise, consideration has also been given to the sensitivities of the Habitats sites to public access and disturbance. Development in proximity to these sites can lead to an increase in visits to the sites, with the result that additional pressures can arise including increased incidence of fire, disturbance to roosting, feeding and breeding birds, trampling and increased predation rates in heathland environments³⁰.
- 7.2.17. The Habitats sites identified in this screening include those designated for habitats, specifically heathland and woodland, those designated for heathland or wetland bird species, and sites designated for invertebrate interest. The habitats or qualifying features of the Habitats sites are therefore vulnerable to additional pressures from public access or disturbance through different mechanisms.
- 7.2.18. The location of the identified Habitats sites in South East England places them in a location of acute pressure from high population density and predicted growth, with the corresponding identified trend to visit these sites more³¹.

TALL BUILDINGS

- 7.2.19. Tall buildings are not specifically listed as a pressure or threat on the identified Habitats sites and specifically their qualifying features, but are considered in relation habitat fragmentation. This is an issue identified by Natural England (see section 7.2.19 below) which has potential for impact pathways on the qualifying features of the South West London Waterbodies SPA/Ramsar site. Close

²⁸ <https://data.jncc.gov.uk/data/04f4896c-7391-47c3-ba02-8278925a99c5/JNCC-Report-665-FINAL-WEB.pdf>

²⁹ i.e. that fall within the identified Zol.

³⁰ Underhill-Day, 2005 *A literature review of urban effects on lowland heaths and their wildlife* English Nature Report 623

³¹ Lake, S.; Liley, D.; Saunders, P. 2020 *Recreation use of the New Forest SAC/SPA/Ramsar: Impacts of recreation and potential mitigation approaches*. Unpublished report by Footprint Ecology

proximity of such development could lead to disturbance of qualifying wintering bird species during development construction and operation and potentially limit the movement of birds between Habitats sites and functionally linked land or supporting habitats.

PREFERRED OPTIONS CONSULTATION WITH NATURAL ENGLAND

- 7.2.20. Consultation responses were received from Natural England on the Local Plan – Issues and Options³² and on the Local Plan Preferred Options – Policies and Site Allocations Plan³³ and in a further meeting on 21 June 2022.
- 7.2.21. Natural England has provided written commentary over the consultation process in formal letter to the Issues and Options consultation, 22 June 2018³⁴ and through online comments made on 21 Jan 2020 to the Preferred Options Consultation: Policies and Site Allocations: Spelthorne³⁵
- 7.2.22. The 2018 commentary identifies primarily issues potentially associated with air quality. The 2020 commentary focusses on tall buildings and ‘very close proximity’ as well as ‘functionally linked land’, but also references air quality and recreational disturbance.
- 7.2.23. In the meeting held on 21 June 2022, agreement was reached on the Habitats sites and pressures/threats scoped in to this assessment. Clarification was sought on what ‘very close proximity’ means in relation to tall building close to the South West London Waterbodies SPA/Ramsar site. The SSSI impact zones, at 50m, 200m and 500m provide a sound baseline for this assessment, but the SSSI Zone criteria do not mention tall buildings. It was generally agreed that a 200m ZOI would be utilised as a screening distance, neatly matching the SSSI Zone criteria, but NE would require this buffer to be increased where functionally linked land or a lack of existing barriers are present. It was also agreed that the 200m buffer could be disregarded where it is well within existing elevated urban development areas, or where the embanked sides of a waterbody would effectively reduce the impact of taller buildings.
- 7.2.24. In summary the following guidance was provided:
 - Air quality - the impacts of air quality on the natural environment are expected to be addressed. In particular, the traffic impacts associated with new development. In most instances the potential for LSE can be discounted based on the likely change in traffic due to the Local Plan ‘alone’. However, further evidence/traffic data information is required in relation to Windsor Forest and Great Park SAC (see Table 7-2 below).

³² Natural England Consultation response on Issues and Options. Available from: <https://spelthorne.inconsult.uk/gf2.ti/af/925666/161439/PDF-/Natural%20England%20-%20Chris%20Baines.pdf> [Accessed online 25/07/22]

³³ Natural England Consultation response on Preferred Options - policies and site allocations. Available from: <https://spelthorne.inconsult.uk/DraftLocalPlan/listRepresentations?docid=11065172&objectoruid=25806657> [Accessed online 25/07/22]

³⁴ Chris Baines, 22 June 2018. Available from: <https://spelthorne.inconsult.uk/gf2.ti/af/925666/161439/PDF-/Natural%20England%20-%20Chris%20Baines.pdf> [Accessed online 25/07/22]

³⁵ Victoria Huth, online comments made on 21 Jan 2020. Available from: [View Comment - Spelthorne Local Plan - Preferred Options Consultation: Policies and Site Allocations - Spelthorne \(inconsult.uk\)](#) [Accessed online 25/07/22]

- Tall buildings – 4 storeys or higher up to 200m from the sites is a concern, but this distance may be extended by open habitat. The distance to proposed multi-storey development is considered more acceptable if the water body has an elevated reservoir bund.
- Recreation disturbance for the SBC Local Plan is a concern on South West London Waterbodies SPA/Ramsar sites only. No SANG expected, but need to review uses and supporting habitats, e.g. margins.
- Water/nutrient neutrality – not expected to be an issue in the SBC Local Plan.

7.2.25. It was also agreed that Wimbledon Common SAC and Richmond Park SAC were outside the zone of influence (ZoI) of SBC's Local Plan proposals, and/or did not support qualifying features considered likely to be affected by the SBC Local Plan.

PROXIMITY TO HEATHROW AIRPORT

- 7.2.26. Policy SP7 sets out to ensure that any future significant development at Heathrow Airport (specifically the London Heathrow North West Runways (LHR-NWR) expansion) leads to the best possible outcomes for the Borough and is therefore largely a positive one. SBC supports expansion proposals, but the responsibility to ensure the environmental impact of such does not detrimentally affect the Habitats sites within the Borough and surrounds lies with Heathrow Airport Ltd.
- 7.2.27. In 2018 the UK Parliament voted to approve the Airports National Policy Statement on which an HRA was undertaken. The HRA concluded that it had been necessary to apply the precautionary principle where uncertainty remains. The precautionary approach suggests that AA at this strategic level cannot rule out the potential for adverse effects on the integrity of any of the Habitats sites identified through impacts on water resources and quality, habitat and species loss and fragmentation, disturbance (noise, light, visual) and air quality.
- 7.2.28. To address the uncertainties inherent in a strategic level HRA, and to most helpfully inform the project level HRA, the AA proposed a suite of avoidance and mitigation measures to be considered in further detail as part of the project level HRA. At that stage, it is considered that the effective implementation of the proposed suite of avoidance and mitigation measures may help to address the identified adverse effects on Habitats sites integrity.
- 7.2.29. However only an assessment at the project stage supported by detailed data at project level will allow it to be determined whether the development of LHR-NWR could be undertaken without adversely affecting the integrity of Habitats sites considered, including the South West London Waterbodies SPA/Ramsar site. Only at the project level HRA, with site specific supporting survey data, can a conclusion of no adverse effect on Habitats sites integrity be made with any confidence.

SUMMARY OF DISCUSSION ON PRESSURES AND THREATS

- 7.2.30. The screening exercise has considered the high-level pressures and threats to each site associated with public access and disturbance based on published research and reports for individual sites and the effects of access generally on habitats and species.

Table 7-2 - Discussion of Identified Pressures and Threats

Pressure/threat	Habitats sites concerned	Discussion
Air pollution: impact of atmospheric nitrogen deposition	Thames Basin Heaths SPA	<p>All allocated sites over 7km from Habitats site.</p> <p>The SIP states:</p> <p><i>"Nitrogen deposition exceeds the site-relevant critical load for ecosystem protection. The aerial pollution may be promoting changes in species composition of mires towards Molinia and sedge dominated systems rather than Sphagnum dominated; spread of Molinia into wet and dry heath also appears to be promoted by high nitrate levels. This is most likely to be a current issue at Chobham Common but may represent a chronic adverse impact over the complex as a whole".</i></p> <p>Notwithstanding the above, at its nearest point, Thames Basin Heaths SPA is 7.5km from the nearest site allocation. The average distance travelled within SBC's administrative area is 5.5km (i.e. lower than the 10km average trip length typically applied based on the NTS).</p> <p>Traffic data from SCCs sub regional transport model indicates that the change in traffic on the M3 motorway due to the Local Plan 'alone' is small in relation to the overall in-combination change (the Local Plan is predicted to contribute just 2% of the overall change between 2014 and 2037 'with the Local Plan').</p> <p>Furthermore, this Habitats Site is also subject to a range of other influences including physical damage to vegetation by recreational pressures and, in the area of interest, the land is managed in order to maintain a fire break either side of the M3 motorway.</p> <p>Taking all of the above into account, during consultation discussions with Natural England (21st June), it was agreed that further assessment of air pollution effects on Thames Basin Heaths SPA was not required.</p>
	Thursley, Ash, Pirbright and Chobham SAC	<p>All proposed site allocations are over 4.7km from the Habitats site. Whilst this still falls within the identified Zol, it does suggest that a reasonable degree of distribution of traffic over the local network is likely to have occurred between the proposed site allocation and Habitats site.</p> <p>As Thames Basin Heaths SPA and Thursley, Ash, Pirbright and Chobham share a SIP, the extract (as outlined for Thames Basin Heaths SPA above) is equally applicable/relevant to Thursley, Ash, Pirbright and Chobham SAC.</p>

Pressure/threat	Habitats sites concerned	Discussion
	Windsor Forest and Great Park SAC	<p>As per Thames Basin Heaths SPA, during consultation discussions with Natural England (21st June), it was agreed that further assessment of air pollution effects on Thursley, Ash, Pirbright and Chobham SAC was not required.</p> <p>All proposed site allocations are over 5km from the Habitats site. Whilst this still falls within the identified Zol, it does suggest that a reasonable degree of distribution of traffic over the local network is likely to have occurred between the proposed site allocation and Habitats site.</p> <p>N Dep currently exceeds the site relevant Critical Loads. The SIP suggests that <i>likely sources include Heathrow airport which is close to Windsor Forest and Great Park SAC. Air quality is likely to be an issue for old trees, fungi and lichens.</i></p> <p>The change in traffic on roads travelling through Windsor Forest and Great Park SAC is minimal and around the 50 AADT mark which Natural England considered to be the threshold below which effects due to the Local Plan 'alone' are considered to be nugatory.</p> <p>No traffic data was available for the following roads: B3022 (Winkfield Road) or A332 (Sheet Street/Kings Road). The change on the A308 (as it approaches Windsor) due to the Local Plan 'alone' is predicted to be in the region of 323 vehicles a day. Whilst this will distribute further across the network as it travels onwards towards the A332/B3022, further traffic data is being sought regarding the likely change in traffic on these roads.</p>
Public access/disturbance	Thames Basin Heaths	<p>All allocated sites are over 7km from the Habitats site.</p> <p>Public access and disturbance are listed as both pressures and threats on the designated site and specifically the features of European nightjar, Woodlark and Dartford Warbler. The proposed measure in the Site Improvement Plan to address this is the creation of an over-arching access management strategy however it is uncertain how such measures can effectively mitigate additional visitors as nearby resident numbers increase. In subsequent consultation with Natural England, it was advised that recreational pressures can be screened out on the basis of significant distance from the Habitats site.</p> <p>The Site Improvement Plan identifies that parts of the SPA are already subject to high levels of</p>

Pressure/threat	Habitats sites concerned	Discussion
		recreational use and that a significant proportion of this is dog walking, with a likely associated effect on the distribution, breeding success and overall numbers of ground nesting-birds. The Site Improvement Plan also identifies the "avoidance" measures in place, including the provision of Suitable Accessible Natural Green Space (SANGS) for surrounding areas, but additional research and habitat management are also presented as required to manage the pressures and threats from public access.
	Thursley, Ash, Pirbright and Chobham	This designated site overlaps with the Thames Basin Heaths SPA. The Site Improvement Plan predominately focuses on the effects of disturbance on the SPA bird species, however the SAC habitats provide a supporting function for those species and measures targeted at habitat creation for birds to address public pressure and coordination of habitats and pressure across the individual parts of the site complex may have a resulting effect on SAC habitats.
	South West London Waterbodies	All allocated sites within 4km from the Habitats sites, with eleven within 1km and two allocation sites immediately adjacent. Public access and disturbance are listed as both pressures and threats on the designated site and specifically the features of gadwall and shoveler. The Site Improvement Plan identifies that public access for recreation, including water-based activities on some waterbodies (the designated site is composed of a number of reservoirs, lakes and bodies of water) may disturb these species and/or reduce the habitat available to them. Measures to manage the recreational pressure on these sites, which are likely to be highly attractive to additional nearby residents, have been put forwards including creating alternative recreation opportunities, but such measures will need to be able to effectively address the scale and pace of additional development in close proximity to the designated site waterbodies to avoid adverse effects.
Tall buildings	South West London Waterbodies SPA and Ramsar site	All allocated sites within 200m from the Habitats sites should be considered in relation to the impact of tall buildings. This pressure and threat is not listed in the SIP or JNCC data sheet for this site. There are tall buildings (above 5/6 stories) already in the built up area of Staines upon Thames and Ashford, some in close proximity to this Habitats site, but mostly within the established urban areas. Six allocated sites have been identified which sit

Pressure/threat	Habitats sites concerned	Discussion
		<p>within the 200m Zol of this Habitats site (see Figure 2).</p> <p>AS1/001 Tesco site, 350 units proposed on 3.94ha, existing tall buildings are adjacent (Ashford Hospital and West Plaza residential buildings). Planning guidance suggests any new building will at similar height to existing (5-6 stories).</p> <p>AS1/003 Fire station site 0.4ha, 50 units proposed, could be 5/6 stories high.</p> <p>AS1/011 Former bulldog Nurseries site, 24 units proposed which are unlikely to be high rise, but could be 4/5 stories.</p> <p>AS2/002 Ashford Youth Club site 0.25ha, 5 units proposed and reinstatement of youth club building, unlikely to be high rise.</p> <p>ST1/043 Land east of 355 London Road, allocated as a Gypsey and Traveller site and likely to be laid out plots for mobile residential units and caravans, unlikely to result in high rise.</p> <p>ST4/025 Copper Mill Road 0.92ha 15 proposed Units, unlikely to result in high rise, likely to be less than 4 stories and set adjacent to existing residential area.</p>

- 7.2.31. Table 7-3 sets out the findings of the Stage 1 screening exercise and identifies where the potential for LSE arises.
- 7.2.32. Most of the policies in the SBC Local Plan can be concluded not to pose a risk of likely significant effects following the screening exercise. These policies inherently present no pathway of effects and generally set out general development or planning protection principles, largely without specifying a quantum of growth or development schemes.
- 7.2.33. Two policies; ST2 – Spatial Development Framework and ID1 Infrastructure and Delivery, are screened in and as such require further consideration in this HRA at stage 2 AA. In both cases, the Policies have the potential for increased traffic (and therefore impacts on air quality), increased recreational and development pressures and therefore disturbance on nearby Habitats sites.

Table 7-3 - Screening

b	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI ³⁶	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in?
<i>Strategy and Strategic Policies</i>						
ST1	<i>Presumption in Favour of Sustainable Development</i>	<p>When determining development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.</p> <p>The principle informs both the policies and site allocations contained within the Local Plan.</p> <p>When implementing Policy ST1, local circumstances will be taken into account to respond to different opportunities for achieving sustainable development. In accordance with policies in the NPPF that protect important natural and heritage assets, the presumption will not automatically apply to: Habitats sites (including sites</p>	All Habitats sites	<p>This is a positive policy that seeks to promote sustainable development. It is compatible with the aims of conserving the integrity of Habitats sites by helping to ensure the delivery of sustainable development.</p> <p>In addition, there is a presumption against automatically applying this Policy to Habitats sites which will require appropriate assessment (generic level) in the planning process aiming to protect all nature conservation sites including Habitats sites.</p>	No LSE therefore no in-combination effect.	Screened out

³⁶ Where there is an identified pressure or threat.

		<p>protected under the Birds and Habitats Directives) and/or designated as Sites of Special Scientific Interest (SSSIs), development requiring appropriate assessment because of its potential impact on a Habitats site, land designated as Green Belt, or Local Green Space, designated heritage assets, and or locations identified as at risk of flooding.</p>				
ST2:	<i>Planning for the Borough</i>	<p>Spatial Development Strategy</p> <p>National policy requires that SBC meet objectively assessed housing needs, including any unmet needs from neighbouring authorities, where it is practical to do so and consistent with achieving sustainable development.</p> <p>The Plan seeks to deliver 9,270 homes over the Plan period, which equates to an average of 618 homes per year.</p> <p>The policy also includes the provision for new permanent pitches for Gypsies and Travellers and new permanent plots for Travelling Showpeople in accordance with Gypsy and Traveller Accommodation Assessment (GTAA).</p>	<p>South West London Waterbodies SPA and Ramsar site Windsor Forest and Great Park</p>	<p>This policy provides the development principles to meet the National Housing Allocation objectives.</p> <p>The quantum of development across the Borough is set out in the Allocated sites identified, some of which are in close proximity to Habitats sites (Figure 2).</p> <p>Any development within SBC's administrative area has the potential for increased traffic (and therefore impacts on air quality), increased recreational and development pressures and therefore disturbance on nearby Habitats sites (10km buffer for recreation and air quality and 200m for tall</p>	<p>Any increase in traffic due to development has the potential to give rise to 'in-combination' effects with other plans and projects.</p> <p>Visitor pressure may be further increased as a result of additional residents and journeys delivered under Local Plan policies and development schemes.</p>	Screened in

		The Council expects that all development will, at a scale proportionate to the proposal, make a positive contribution to achieving the relevant targets relating to climate change and Biodiversity Net Gain.		buildings). This policy could result in development in proximity to Habitats sites which could lead to LSE.		
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Place Shaping

PS1:	<i>Responding to the climate emergency</i>	<p>The Local Plan plays a key role in addressing the climate emergency by reducing carbon dioxide emissions and supporting the transition to a zero carbon future. As well as helping to deliver improvements to flood risk, air quality, recycling and waste management.</p> <p>Across the Council's services, all strategic decisions, budgets and approaches to planning decisions will be aligned with the goal of achieving a shift to carbon neutrality. The Council intends to accelerate its efforts by introducing greener buildings, transportation, greener investments and increasing renewable energy.</p> <p>The Council will take a proactive approach to mitigating the effects of, and adapting to, climate change to ensure the future resilience of both communities and infrastructure. This includes locating new development in</p>	All Habitats sites	A positive policy addressing the climate emergency by reducing carbon dioxide emissions and supporting the transition to a zero carbon future. Likely to be of benefit to the Habitats sites if this includes the provision of increased EV infrastructure and shifts to public transport and active travel modes.	No LSE therefore no in-combination effect.	Screened out
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		locations that reduces reliance on private motor vehicles as well as being designed and constructed in a way to achieve low or zero carbon buildings and facilitates more sustainable lifestyles including supporting the ability to work flexibly				
PS2:	<i>Designing places and spaces</i>	<p>High quality in the design and layout of new development is fundamental to achieving identified needs and creating places where people want to live and will thrive. Good design is a</p> <p>Article 7 is relevant to this HRA :</p> <p>7) Given the size, function and proposed density of major developments, particularly those exceeding 50 dwellings, tall buildings and/or allocated sites on former Green Belt land, it may not always be desirable to reflect locally distinct patterns of development.....and in Staines, the Development Framework will provide site specific guidance on the design of larger and tall buildings.</p>	All Habitats sites	<p>This is a development management policy relating to housing quality.</p> <p>This policy provides positive provision and is a key aspect of sustainable development. There are no effects pathways present.</p>	No LSE therefore no in-combination effect.	Screened out
PS3:	<i>Heritage, Conservation and Landscape</i>	SBC will seek to preserve, conserve and enhance as appropriate the architectural, historic and landscape	All Habitats sites	A development management policy relating to conserving Heritage assets. There	No LSE therefore no in-combination effect.	Screened out

		character of the Borough. The Council will also expect all new development proposals to make a positive contribution to the environment taking account of any relevant design codes.		are no effects pathways present.		
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Spatial Policies

SP1:	Staines-upon-Thames	<p>Staines has the opportunity to grow and develop into a thriving town that can take advantage of its close proximity to Heathrow Airport and proposed new public transport schemes are likely to enhance its connectivity further. The Staines Development Framework will deliver an ambitious and viable vision for the transformation and regeneration of the whole town. The Framework will be adopted as a Supplementary Planning Document to guide decision-making, supporting the Local Plan and this policy.</p> <p>Article 1 of this policy states :</p> <p>Recognising its size, location and significant opportunity for further regeneration, Staines-upon-Thames will be a key focus for housing, employment and retail development in the Borough. The guidance for how the town grows sustainably and coherently will be provided within a new</p>	South West London Waterbodies SPA and Ramsar site	<p>This policy provides the development principles for development within Staines upon Thames. This policy will be embedded in the Staines Development Framework which will set out guidance on sustainable development in this area of the Borough.</p> <p>The quantum of development is set out in the Allocated sites identified in the area of the town, some of which are in close proximity to Habitats sites (Figure 2).</p> <p>Most allocated sites are in Staines town itself which is built-up and has a number of tall buildings. These Allocated sites can be screened out on this basis and the lack of effects pathways to the nearest Habitats site and respective qualifying features (see Section 5).</p>	No LSE therefore no in-combination effect.	Screened out
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		<p>Staines Development Framework (the Framework) to deliver development to meet need</p>		<p>Two Allocated sites in close proximity (200m Zol) to the SW London Waterbodies SPA/Ramsar (Staines and King George VI Reservoirs (ST1/043) and Wraysbury Reservoir (ST4/025)) require particular note. The former (ST1/043) is an allocated Gypsy and Traveller site alongside London Road and it is anticipated will entail low rise, small mobile units or caravans. The latter (ST4/025) is allocated for 15 residential units on 0.92ha and is unlikely to comprise a high rise residential development. Both will sit at the base of the Reservoir embankments which are approximately 17m above ground level at this location.</p> <p>The South West London Waterbodies in the vicinity of Staines, Ashford and Stanmore have restricted access and are fenced. Recreational pressure from any proposed development in the Staines area is likely to be dispersed over a much wider area therefore no LSE is anticipated.</p> <p>As air pollution has not been identified as a</p>	
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				<p>pressure or threat at South West London Waterbodies (see Table 5-2) this policy is unlikely to result in significant effects at South West London Waterbodies.</p> <p>Furthermore, the focus on development within Staines, where there is existing infrastructure and services, is likely to reduce overall traffic associated with forecast growth (by reducing the need to travel and travelling by more sustainable modes of travel).</p>		
SP2:	Ashford, Shepperton and Sunbury Cross	<p>Article 1 of this policy states :</p> <p>Ashford, Shepperton and Sunbury Cross offer the potential for development opportunities to help meet identified needs. There are opportunities to maximise the efficient use of land by raising densities whilst ensuring high quality design, particularly around public transport interchanges, within the existing character. New developments will be expected to provide infrastructure improvements necessary to mitigate impacts.</p>	South West London Waterbodies SPA/Ramsar site	<p>This policy provides the principles for development within the Ashford, Shepperton and Sunbury Cross built-up areas.</p> <p>The quantum of development is set out in the Allocated sites identified in the area of the towns, some of which are in close proximity to Habitats sites (Figure 2).</p> <p>Most Allocated sites are located within already built-up areas and are some distance from Habitats sites. On this basis and the lack of effects pathways to the nearest Habitats site and</p>	No LSE therefore no in-combination effect.	Screened out

				<p>respective qualifying features they are screened out of this assessment (see Figure xx Section xx)</p> <p>Four Allocated sites (AS1/001, AS1/003, AS1/011 and AS2/001) are located near the Staines Reservoir, a part of the SW London Waterbodies SPA/Ramsar site. These are discussed in Table 7-2 above.</p> <p>The South West London Waterbodies in the vicinity of Staines, Ashford and Stanmore have restricted access and are fenced. Recreational pressure from any proposed development in the Staines area is likely to be dispersed over a much wider area therefore and no LSE is anticipated.</p> <p>As air pollution has not been identified as a pressure or threat at South West London Waterbodies (see Table 5-2) this policy is unlikely to result in significant effects at South West London Waterbodies due to changes in air quality.</p> <p>Furthermore, the focus on development within areas where there is existing infrastructure and</p>	
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				<p>services, is likely to reduce overall traffic associated with forecast growth (by reducing the need to travel and travelling by more sustainable modes of travel).</p>		
SP3:	<i>Stanwell and Stanwell Moor</i>	<p>SBC will support the communities of Stanwell and Stanwell Moor and will seek to secure improved economic, social and environmental benefits.</p> <p>Stanwell and Stanwell Moor are communities to the north of the Borough which are less well connected to the rest of Spelthorne. Both Stanwell and Stanwell Moor are heavily impacted by Heathrow Airport. There is therefore a requirement for these communities to benefit from new and improved facilities and infrastructure where this can be secured.</p>	South West London Waterbodies SPA/Ramsar site	<p>This policy provides the principles for development within the Stanwell and Stanwell Moor built-up areas.</p> <p>The quantum of development is set out in the Allocated sites identified in the area of the towns (Figure 2).</p> <p>All Allocated sites are located within already built-up areas and are some distance from Habitats sites. On this basis and the lack of effects pathways to the nearest Habitats site and respective qualifying features they are screened out of this assessment (see Figure 2).</p> <p>The South West London Waterbodies in the vicinity of Staines, Ashford and Stanmore have restricted access and are fenced. Recreational pressure from any proposed development in the</p>	No LSE therefore no in-combination effect.	Screened out

				<p>Staines area is likely to be dispersed over a much wider area therefore and no LSE is anticipated.</p> <p>As air pollution has not been identified as a pressure or threat for South West London Waterbodies (see Table 5-2) this policy is unlikely to result in significant effects at South West London Waterbodies due to changes in air quality.</p>		
SP4:	<i>Green Belt</i>	<p>In order to uphold the fundamental aims of the Green Belt to prevent urban sprawl and to keep land within its designation permanently open, inappropriate development will not be approved unless very special circumstances can be demonstrated. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.</p> <p>Proposals within the Green Belt will also be expected to comply with all other Local Plan policies, particularly those that cover design, amenity, landscape, biodiversity and flooding.</p>	All Habitats sites	<p>A development management policy relating to protecting the Greenbelt. There are no effects pathways present.</p>	No LSE therefore no in-combination effect.	Screened out

SP5:	<i>Colne Valley Regional Park</i>	<p>The Colne Valley Regional Park covers over 10,000 hectares to the west of London. SBC supports the objectives of the Park and will seek to ensure that land within it is kept open and available for informal recreation where possible and that any proposals for development make a positive contribution to the setting of the Park, its landscape and recreational potential.</p>	All Habitats sites	<p>A development management policy relating to conserving the Colne Valley regional Park. There are no effects pathways present.</p>	No LSE therefore no in-combination effect.	Screened out
SP6:	<i>River Thames and its Tributaries</i>	<p>The River Thames is regarded as a key asset of the Borough, is one of the Borough's key tourist attractions, and the Council is keen to maximise its potential.</p> <p>The river brings great benefits from tourism, leisure, recreation and ecological perspectives, and is also beautiful.</p> <p>Section 5.27 states; Policy SP6 aims to ensure that the setting of the river and its tributaries are protected and where possible enhanced.</p> <p>SBC is working with the Environment Agency and other partners to bring forward the River Thames Scheme which aims of reducing flood risk in communities. The large scale of the project means it is treated as a Nationally</p>	All Habitats sites	<p>A development management policy relating to protecting the character of the River Thames. A key element of this Policy is the development of the River Thames Scheme in partnership with the Environment Agency and others. As an NSIP and DCO a specific HRA will be required for this Scheme.</p> <p>However, for the Policy itself, which is a positive one and sets out to protect the River Thames, no effects pathways have been identified.</p>	No LSE therefore no in-combination effect.	Screened out

		Significant Infrastructure Project (NSIP) and requires a development consent order' (DCO).				
SP7:	<i>Heathrow Airport</i>	<p>The main objective of this policy is for SBC to ensure that a future expansion at Heathrow Airport secures and provides the best possible outcomes for its residents and businesses, and in particular those most directly affected in the Stanwell Moor and Stanwell communities.</p> <p>SBC will support a future expansion (in principle) as it recognises the potential economic benefits and opportunities that an expanded airport could bring to Spelthorne, the wider Southeast and the UK as a whole. However, its support will be entirely dependent on Heathrow Airport Limited (HAL) making sure that the proposed scheme comprehensively and effectively mitigates the impacts it will have on communities, businesses, services and environment.</p>	South West London Waterbodies SPA/Ramsar site	<p>This policy sets out to ensure that any future significant development at Heathrow Airport leads to the best possible outcomes for the Borough and is therefore largely a positive one.</p> <p>SBC supports expansion proposals, but the responsibility to ensure the environmental impact of such does not detrimentally affect the Habitats sites within the Borough and surrounds lies with Heathrow Airport Ltd. This policy therefore is screened out (see Section 7.2.23).</p>	No LSE therefore no in-combination effect.	Screened out
<i>Housing</i>						
H1	<i>Homes for All</i>	The policies within the Plan set out how a wide variety of high-quality homes, of all tenures,	All Habitats sites	This is a development management policy relating to equality and	No LSE therefore no in-combination effect.	Screened out

		<p>types and sizes, which meet the needs of SBC residents will be delivered.</p> <p>The Council will seek to enable housing delivery which meets the needs of different groups including families, older people, younger people, people with disabilities, people requiring more specialist accommodation, the Gypsy and Traveller community and Travelling Showpeople community. The Plan will also seek to make provision for self-build/custom build projects and starter homes.</p>		<p>inclusivity and to meet the demand and supply of suitable homes which meet the needs of SBC residents.</p> <p>There are no linking effects pathways present</p>		
H2:	<i>Affordable Housing</i>	<p>The Council will require at least 30% affordable housing units on all schemes of 10 units (net) or more. Greenfield sites will be expected to deliver at least 50% affordable housing.</p> <p>The objective of this policy is therefore to provide a deliverable framework within which affordable housing can be secured from new development in the Borough.</p>	All Habitats sites	<p>This is a development management policy and a framework to guide the affordable housing requirement in SBC. There are no linking impact pathways present</p>	No LSE therefore no in-combination effect.	Screened out
H3:	<i>Meeting the needs of Gypsy, Traveller and Travelling Showpeople</i>	SBC will make provision for additional Gypsy and Traveller pitches and additional plots for Travelling Showpeople to meet the accommodation needs in the Borough which are identified in the most up-to-date Gypsy and Traveller	South West London Waterbodies SPA/Ramsar site	<p>This is a development management policy to guide SBC when providing for Gypsy and Traveller needs. It does not identify any quantum of development. However, some Allocated sites do</p>	No LSE therefore no in-combination effect.	Screened out

		Accommodation Assessment (GTAA).		include those which are planned to accommodate Gypsies and Travellers and are in close proximity to Habitats sites, e.g. ST1/043 near the SW London Waterbodies SPA/Ramsar at Staines. The nature of the development within these sites is such that no buildings above one storey are anticipated and therefore no visual disturbance is likely for qualifying bird species.		
<i>Environment</i>						
E1:	<i>Green and Blue³⁷ Infrastructure</i>	All development should contribute towards the provision, improvement, and maintenance of the green infrastructure network across the Borough where appropriate to do so.	All Habitats sites	A positive policy providing for the protection and creation of Local Green and Blue infrastructure. This policy has the potential to divert recreational pressure	No LSE therefore no in-combination effect.	Screened out

³⁷ Green Infrastructure is defined in the NPPF as 'a network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.

Blue Infrastructure is the network of watercourses and other bodies of water including reservoirs, which provide ecological, landscape and recreational value to the Borough. This also includes the banks and corridors immediately along the watercourse which can provide significant biodiversity benefits and play a vital role in ensuring habitat connectivity

		<p>Section 7.9 states :</p> <p>The Water Framework Directive requires rivers and waterbodies in the UK to achieve good ecological status by 2027. This includes resisting the establishment and spread of non-native invasive species which can have a significant detrimental impact on native species. UK domestic law has retained the WFD and requires that River Basin Management Plans (RBMPs) are produced to improve the status of waterbodies. Many of the waterbodies in the Borough support recreational uses which are required to be carried out within tight environmental restrictions and are regulated. Recreational uses are supported provided that they respect the ecological and landscape values of the waterbodies and the associated corridor.</p>		<p>away from sensitive Habitats sites.</p>		
E2:	<i>Biodiversity</i>	<p>Articles 1 and 2 state :</p> <p>1) SBC will support development proposals which restore, maintain and enhance habitat connectivity and will seek opportunities for habitat creation particularly within Biodiversity Opportunity Areas. Development proposals will be expected to contribute to biodiversity through clearly</p>	All Habitats sites	<p>This is a positive policy that seeks to protect nature conservation sites including Habitats sites and embeds Biodiversity Net Gain within Planning Policy.</p>	<p>No LSE therefore no in-combination effect.</p>	<p>Screened out</p>

		<p>demonstrating improvements when submitting a planning application as part of securing biodiversity net-gain.</p> <p>2) Development on or adjacent to the following designated sites in the Borough will need to have reference to this Policy:</p> <ul style="list-style-type: none"> • Ramsar sites (International). • Special Protection Areas (European). • Sites of Special Scientific Interest and National Nature Reserves (National). <p>And article 10 states :</p> <p>Development proposals not directly related to the management of Ramsar, and SPA, as well as SSSI units forming part of these designations will not be permitted unless it can be demonstrated that the impact of proposals, either alone or in combination, will not result in likely significant effects. If significant adverse effects remain even with the implementation of suitable avoidance and/or mitigation, development proposals will need to demonstrate that alternatives to the proposal have been fully explored.</p>			
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E3:	<i>Managing Flood Risk</i>	<p>Article 2 states :</p> <p>To reduce the overall and local flood risk and manage water resources development must be located, designed and laid out to ensure that it is safe, the risk from flooding is minimised (whilst not increasing flooding risk elsewhere) and that residual risks are safely managed.</p>	All Habitats sites	<p>This is a positive policy that seeks to protect development from flood risk.</p>	No LSE therefore no in-combination effect.	Screened out
E4:	<i>Environmental Protection – Air, water, noise and light</i>	<p>Relevant sections state :</p> <p>7.36 National policy states that planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate (NPPF 2021, paragraph 174).</p>	All Habitats sites	<p>This is a positive policy that is to drive significantly improved environmental conditions in the SBC area, including air and water quality.</p>	No LSE therefore no in-combination effect.	Screened out

		<p>7.37 Whilst some polluting activities are controlled through legislation, the planning system has a complementary role in directing the location of development that may give rise to pollution where a separate pollution control regime does not apply, both pollution directly generated from the development or indirectly, for example through the traffic a development generates. The NPPF 2021 is clear that the impact of pollution is a material planning consideration.</p> <p>7.38 National policy requires planning policies and decisions to take into account the likely cumulative effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development (NPPF 2021, paragraph 185 and 186).</p>				
E5:	<i>Open Space and Recreation</i>	<p>Open Space forms the basis of the Borough's green infrastructure network supporting residents and other users.</p> <p>This policy seeks to protect existing provision as a minimum and ensure provision of spaces in which there are</p>	South West London Waterbodies SPA/Ramsar site	<p>This is a positive policy that promotes leisure activities, including walking and cycling. Such activities potentially can lead to air quality improvements through reduced reliance on motor vehicles.</p>	<p>No LSE therefore no in-combination effect.</p>	Screened out

		identified deficiencies over the plan period.		Recreational facilities also have the potential to divert pressure away from Habitats sites. There is potential for new recreational/leisure facilities and infrastructure to impact on Habitats sites but no proposals or quantum of development has been put forward in this respect. Allocated site AS2/001 requires the re-location of the existing Youth Club on the same development site.		
<i>Economy</i>						
EC1:	<i>Meeting Employment Needs</i>	One of the roles of the planning system is to contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity. The Employment Land Needs Assessment (ELNA), identified a need for a fairly small additional amount of floorspace over the plan period in order to meet the anticipated level of jobs which will be created. Meeting this will meet the identified local	All Habitats sites	This is a broad policy relating to Spelthorne's economy. Whilst it is noted that economic growth has potential to impact upon Habitats sites (atmospheric pollution and water resource conflicts), this policy does not explicitly provide for development, but provides planning guidance for decision making.	No LSE therefore no in-combination effect.	Screened out

		Spelthorne need. We are keen to gain from the economic benefits that our close proximity to Heathrow brings.				
EC2:	<i>Retail</i>	Staines-upon-Thames is the Borough's main town centre, where main town centre uses should be directed principally. Ashford, Shepperton and Sunbury Cross are district centres which act as key providers for their respective catchments. As such SBC will ensure that identified retail needs, as well as those of other main town centre uses, will be met using the centre hierarchy.	South West London Water bodies	This policy provides the principles for retail development within town centres. It does not identify any specific location or quantum of development. The policy primarily relates to already built up town centres and therefore unlikely to impact on Habitats sites. It can be considered that at the Local Plan level there are no linking impact pathways.	No LSE therefore no in-combination effect.	Screened out
EC3:	<i>Local Centres, Shopping Parades and Isolated Retail Units</i>	The local centres play an important role in supporting their communities. These centres have a few shops which help to provide for local people's basic day-to-day needs but lack the diversity of more established retailers or uses such as banking facilities, supermarkets etc The Local Plan sets out to protect these centres and encourage the development of uses within Class E, particularly retail where appropriate. Parades and	All Habitats sites	This policy provides the principles for development within town centres and isolated retail units. It does not identify any specific location or quantum of development. Isolated retail units, eg convenience stores, are unlikely to impact on Habitats sites and will largely be within already built up areas. It can be considered that at the Local Plan level	No LSE therefore no in-combination effect.	Screened out

		isolated shops which are often on their own and provide an important service such as post office or local convenience store are also the focus.		there are no linking impact pathways.		
EC4:	<i>Leisure and Culture</i>	<p>SBC considers that the leisure and cultural experience in the Borough has the potential to contribute to Spelthorne's future growth. As such, the Council will continue to protect existing leisure and tourism facilities. Where appropriate, new facilities will also be supported to enhance the Borough's attractiveness to its residents and visitors. The provision of arts and cultural facilities in particular can broaden the Borough's offer and increase its appeal to visitors.</p> <p>In relation to Heathrow section 8.34 states : Spelthorne's proximity to Heathrow Airport, London and several large-scale tourist attractions means that there is potential for visitors to use facilities within the Borough, particularly in respect of hotels. This also presents the opportunity to enhance this provision to improve tourism opportunities within the Borough.</p>	All Habitats sites	<p>This is a positive policy that promotes leisure activities, including walking and cycling. Such activities potentially can lead to air quality improvements through reduced reliance on motor vehicles.</p> <p>Leisure facilities also have the potential to divert pressure away from Habitats sites.</p> <p>There is potential for new recreational/leisure facilities and infrastructure to impact on Habitats sites, but no proposals or quantum of development has been put forward in this respect.</p> <p>Allocated site AS2/001 requires the re-location of the existing Youth Club on the same development site.</p>	No LSE therefore no in-combination effect.	Screened out

Infrastructure and delivery

<i>ID1:</i>	<i>Infrastructure and Delivery</i>	<p>Infrastructure provision is a key element in the delivery of the SBC Local Plan. The Spelthorne Infrastructure Delivery Plan outlines the capacity and quality of existing infrastructure, including planned improvements. The planning system allows SBC to ensure that there is adequate infrastructure in place to support new development.</p> <p>Article 5 states : Development proposals, including those allocated in this plan which give rise to a need for infrastructure improvements, will be expected to mitigate their impact, whether individually or cumulatively, and at a rate and scale to meet the needs that arise from that development or a phase of that development. The standards of infrastructure delivery will be expected to comply with other policies set out within this Plan</p>	<p>South West London Waterbodies SPA/Ramsar site Windsor Forest and Great Park Thames Basin Heaths SPA/Thursley Ash Pirbright and Chobham Common SAC</p>	<p>Any development to support economic growth has the potential for increased traffic (and therefore impacts on air quality).</p> <p>These objectives could result in development in proximity to Habitats sites which could lead to LSE.</p>	<p>Any increase in traffic due to development to support demographic change has the potential to give rise to 'in-combination' effects with other plans and projects.</p> <p>Visitor pressure may be further increased as a result of additional residents and journeys delivered under Local Plan policies and development schemes.</p>	Screened in
<i>ID2:</i>	<i>Sustainable Transport for New Developments</i>	The planning process for new developments provides the opportunity to maximise the use of sustainable and active travel modes such as walking, cycling and the increased use of public and community transport. SBC will require	All Habitats sites	This is a positive policy to drive significantly improved environmental conditions in the SBC area, including air and water quality. This improvement in environmental quality is	No LSE therefore no in-combination effect.	Screened out

		development proposals to incorporate opportunities to facilitate sustainable and active modes of travel.		driven primarily by human health considerations, however, an improvement in air quality through reductions in NOx concentrations will have a positive impact on levels of atmospheric pollution at Habitats sites.		
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8 CONCLUSIONS

- 8.1.1. This document provides guidance on the likely data sources, information requirements and the process of HRA Screening and other stages of assessment if necessary. It also provides an indication of where the ecological implications of the Spelthorne Borough Local Plan will lie and which Habitats sites are vulnerable to known pressures, threats and existing air quality impacts.
- 8.1.2. There are a number of Habitats sites within SBC's administrative area and within 10km (i.e. the identified ZOI) of the Allocated sites and as such there will be implications for some of these Habitats sites from the policies of the Local Plan.
- 8.1.3. A number of policies have been screened-out due to their nugatory or beneficial effects on Habitats sites, but two policies were screened-in (ST2 the Spatial Development Framework and ID1 – Infrastructure and Delivery) for their further consideration at Stage 2 AA. These policies have potential for LSE on nearby Habitats sites relating to increased traffic (and therefore impacts on air quality) and increased recreational and development pressures.
- 8.1.4. Given the possibility of LSE associated with the screened-in interventions, further, detailed assessment is considered necessary to satisfy the requirements of the Habitats Regulations.
- 8.1.5. Statutory consultation forms an essential part of an HRA exercise and as noted in Section 7.2.19 three consultations and a single meeting have already taken place with Natural England. The final conclusions and recommendations of this HRA report will also be subject to consultation comments and advice from Natural England.

FIGURES

Figure 1 – Allocated sites within the SBC boundary

Figure 2 - Habitats sites within 10km of the Allocated sites

Appendix A

LEGISLATIVE BACKGROUND,
POLICY CONTEXT AND CEJU
RULINGS



LEGISLATIVE BACKGROUND

Refer to Section 2.1.14 above for arrangement post Brexit.

The Conservation of Habitats and Species Regulations (2017, as amended) (the ‘Habitats Regulations’) protects habitats and species of Habitats sites. The Habitats Regulations establishes a network of internationally important sites designated for their ecological status. SACs are designated under the Habitats Regulations and promote the protection of flora, fauna and habitats. SPAs are designated in order to protect vulnerable and migratory bird species. These sites combine to create a Europe-wide ‘Natura 2000’ network of designated sites.

Under the Habitats Regulations ‘Competent Authorities’ must assess Plans, in this case the LTP and associated plans, for their potential to cause Likely Significant Effects (LSE) on Habitats sites. Where the Plan may lead to LSE it must be subject to an HRA to determine whether there will be adverse effects to any Habitats sites. Any Plan that would lead to adverse effects on the integrity of Habitats site(s) cannot be permitted without meeting strict additional tests.

According to the Habitats Regulations, any plan or project likely to have a significant effect on a Habitats site, either individually or in combination with other plans or projects should undergo an appropriate assessment to determine its implications for the site. The Competent Authority can only agree to the plan or project after having ascertained that it will not adversely affect the integrity of the site concerned.

The purpose of the Habitats sites network is preservation of examples of species and habitats across the UK and Europe, rather than preservation of individual sites. In exceptional circumstances, a plan or project may still be allowed to go ahead, in spite of a negative assessment, provided there are no alternative solutions and the plan or project is considered to be of overriding public interest³⁸. In such cases the UK Government must take appropriate compensatory measures to ensure that the overall coherence of the Natura 2000 Network is protected.

Regulation 63 (1) of the Habitats Regulations states that ‘...a Competent Authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

(a) is likely to have a significant effect on a Habitats site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of that site,

—must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.’

³⁸ An exact definition of ‘imperative reasons of overriding public interest’ is not provided, but EC guidance states ‘It is reasonable to consider that the “imperative reasons of overriding public interest, including those of social and economic nature” refer to situations where plans or projects envisaged prove to be indispensable:

- within the framework of actions or policies aiming to protect fundamental values for the citizens’ life (health, safety, environment);
- within the framework of fundamental policies for the State and the Society;
- within the framework of carrying out activities of economic or social nature, fulfilling specific obligations of public service.’



The Habitats Regulations also make allowance for projects or plans to be completed if they satisfy 'imperative reasons of overriding public interest'³⁹. Regulation 64 relates to such situations.

The requirements of the Habitats Regulations are usually met by undertaking an initial two-stage approach; Stage 1 screening of potential LSEs on the qualifying features and conservation objectives of Habitats sites, and then, for those Habitats sites where this applies, a Stage 2 'Appropriate Assessment' of the adverse effects on the integrity of those Habitats sites of the LTP policies.

It should be noted that the competent authority (Shropshire Council) undertakes the Screening and Appropriate Assessment, the consultant provides the information or evidence-base to allow this to be completed. The competent authority must include consideration of 'in-combination' effects arising from other projects and plans within their assessment, as well as those potentially acting alone. Given the scale of the HRA the in-combination exercise will likely consider in-County, as well as outside-County interactions with Habitats sites.

³⁹ '(a) reasons relating to human health, public safety or beneficial consequences of primary importance to the environment; or (b) any other reasons which the Competent Authority, having due regard to the opinion of the Commission, consider to be imperative reasons of overriding public interest.'

POLICY CONTEXT

NATIONAL PLANNING POLICY FRAMEWORK (2019)

The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. It must be taken into account in preparing the development plan and is a material consideration in planning decisions.

The NPPF states that when considering the conservation and enhancement of the natural environment, with regard to habitats and biodiversity, the Local Planning Authority should:

‘...protect and enhance biodiversity and geodiversity, plans should:

- a) *Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and*
- b) *promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*

The following should be given the same protection as Habitats sites:

- a) *potential Special Protection Areas and possible Special Areas of Conservation;*
- b) *listed or proposed Ramsar sites; and*
- c) *sites identified, or required, as compensatory measures for adverse effects on Habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.*

The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a Habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the Habitats site.’



THE COUNCIL FOR JUSTICE OF THE EUROPEAN UNION (CJEU) RULINGS

A number of CJEU rulings are relevant to the HRA screening exercise and are noted below. At the present time the position, under section 6(3) EU (Withdrawal) Act 2018 (as amended), is that the courts in the UK, with the sole exception of the Supreme Court, will continue to be bound by HRA judgments handed down by the CJEU and by domestic courts prior to 31 December 2020 when interpreting the Conservation of Habitats and Species Regulations 2017 (as amended). This is the case as long as the Conservation of Habitats and Species Regulations 2017 (as amended) remain unmodified by Parliament. The Supreme Court will, however, be at liberty to depart from these judgments after 31 December 2020 if they consider it appropriate to do so.⁴⁰

THE WEALDEN JUDGEMENT

The Wealden Judgement⁴¹, handed down in March 2017, has introduced additional complexities into the assessment process in relation to in-combination and cumulative effects.

Prior to this Judgement, air quality impacts on Habitats sites were only considered alongside roads where the traffic growth associated with the individual Plan or Project being assessed exceeded specified screening criteria. These criteria were typically based on changes in vehicle movements and taken from the Design Manual for Roads and Bridges (DMRB, HA207/07⁴²), which has been subsequently withdrawn namely:

- increases of 1000 vehicles per day or 200 Heavy Goods Vehicles per day (as Annual Average Daily Traffic (AADT)).

The Wealden Judgement found that the application of the criteria to the traffic growth associated with a single Local Plan was unsound on the basis that two Local Plans collectively contributing more than 1000 AADT could lead to a potentially significant effect. The Judge determined that further assessment of air quality impacts on Habitats sites should have been carried out and quashed part of the Local Plan that would have led to an in-combination exceedance of 1,000 AADT.

The Wealden Judgement means that every single plan or project which, alone, is predicted to give rise to any increase in traffic or other air emission (however small) must be subjected to an in-combination assessment with other plans or projects (which would include those plans or projects

⁴⁰ Freeths Habitats Regulations update 2020. Available at:

<https://communications.freeths.co.uk/44/1637/october-2020/the-habitats-regulations-assessment-regime-after-31-december-2020---how-will-it-look-.asp?sid=8bf6fad5-597a-43c6-8f70-61503ec0adb9>

⁴¹ Judgment in Wealden District Council v. Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority [2017] EWHC 351 (Admin) DATE: 21 Mar 2017.

⁴² *Design Manual for Roads and Bridges (DMRB), Volume 11, Section 3, Part 1 (HA207/07)*. Withdrawn, but available online: <https://standardsforhighways.co.uk/dmrb/archive/search/df0c77ed-887b-4c84-be0e-000fe18545ae> Accessed [31/03/2022]



with a similar tiny impact). However, the judgement did not rule out the application of thresholds in principle and this approach is normally taken as the basis of the assessment.

The judgement has led to a more detailed analysis of three key questions to discern which plans and project are those where a detailed “in combination” assessment is required in relation to changes in air quality:

1. Is your plan or project putting emissions into the air?;
2. If so, are those emissions at a level where they could actually be measured / perceived?; and
3. If so, is there a realistic (rather than hypothetical) risk that those emissions, alone, will have an adverse effect on the ecology of a SAC / SPA?

A fuller justification will be required when applying the threshold approach.

PEOPLE OVER WIND (THE SWEETMAN CASE)

The Court of Justice of the European Union’s (CJEU’s) decision in the matter of People Over Wind and Sweetman v Coillte Teoranta (C-323/17)⁴³ (hereafter referred to as the ‘Sweetman Case’), states that:

‘Article 6(3) must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an Appropriate Assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the screening stage, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site.’

In the new judgement the CJEU concluded that mitigation measures could not be considered as part of the project, and thus that the screening stage of HRA should not take account of them. This will undoubtedly be tested further in the courts in coming months and years, but the key issue is whether the mitigation measures proposed can genuinely be considered as part of the project, in that they would happen in any case, irrespective of the Habitats site. If not, then they should be considered mitigation measures, and considered at the Appropriate Assessment stage of HRA.

This is an emerging issue for local authorities and means that, because of the potential for ‘in-combination effects and the fact that HRA Screening should not take into account measures targeted at mitigating effects on Habitats sites. Therefore, it is becoming increasingly commonplace for local authorities to conduct an Appropriate Assessment of all project, plans and planning applications (i.e. these are often no longer screened out, by way of an HRA Screening as has been the practise to date).

⁴³ Judgement of the Court 12 April 2018, People Over Wind, Peter Sweetman, Coillte Teoranta Available online:

<https://curia.europa.eu/juris/document/document.jsf;jsessionid=B02FE6F4F1C61308615DBBDF079EE5F4?text=&docid=200970&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=11190634> Accessed [27/04/2022]



CJEU RULING IN THE NETHERLANDS NITROGEN AND AGRICULTURE CASES C-293/17 AND C-294/17

The final Court Judgement in relation to these two cases was handed down on the 7th November 2018. The judgement relates to the assessment of agricultural activities under the Habitats Regulations, but has potential implications for the assessment of changes in nitrogen (N) deposition in relation to air quality. Notably, the Court of Justice of the European Union ruled that:

- An ‘appropriate assessment’ may only take into account the existence of Article 6(1) ‘conservation measures’, or Article 6(2) ‘preventive measures’, or specific measures adopted for a conservation programme, or ‘autonomous’ measures not in the programme, if the expected benefits of those measures are certain at the time of the assessment.
- National measures such as procedures for the surveillance and monitoring of farms whose activities cause nitrogen deposition and the possibility of imposing penalties, up to and including the closure of those farms, are sufficient for the purposes of complying with Article 6(2).

Of particular relevance to the assessment of air quality effects on Habitats sites, the Court of Justice of the European Union ruled that:

“An ‘appropriate assessment’ may only take into account the existence of Article 6(1) ‘conservation measures’, or Article 6(2) ‘preventive measures’, or specific measures adopted for a conservation programme, or ‘autonomous’ measures not in the programme, if the expected benefits of those measures are certain at the time of the assessment.

The Ruling makes clear that certainty and a thorough and in-depth examination of the scientific soundness is required that there is no reasonable scientific doubt as to the absence of adverse effects of each plan or project on the integrity of the site concerned.

KOKOTT RULING

In the Opinion of Advocate General Kokott in Case C-6/04 Commission v UK [2005] ECR I-9017 at paragraph 49 she noted that an assessment of plans cannot by definition take into account all effects because

“Many details are regularly not settled until the time of the final permission” and “[i]t would also hardly be proper to require a greater level of detail in preceding plans or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure to the extent possible on the basis of the precision of the plan. This assessment is to be updated with increasing specificity in subsequent stages of the procedure”.

Appendix B

HABITATS SITES DETAILS,
INCLUDING QUALIFYING FEATURES
AND CONSERVATION OBJECTIVES



Site Name	Site Size (Ha)	Summary of reasons for designation summarised on Natura 2000 Standard Data Form or Ramsar Information Sheet	Activities with greatest effect upon the site, as listed on Natura 2000 standard data forms and Information Sheets for Ramsar Wetlands	Pressures and threats listed within the Site Improvement Plan (NE, undated) (T=Threat, P=Pressure)	Conservation Objectives
Richmond Park SAC	846.3	Annex II species that are a primary reason for selection of this site <ul style="list-style-type: none"> ▪ 1083 Stag beetle <i>Lucanus cervus</i> <p>Richmond Park has a large number of ancient trees with decaying timber. It is at the heart of the south London centre of distribution for stag beetle <i>Lucanus cervus</i> and is a site of national importance for the conservation of the fauna of invertebrates associated with the decaying timber of ancient trees.</p>	<ul style="list-style-type: none"> ▪ No threats listed⁴⁴ 	<ul style="list-style-type: none"> ▪ No current issues affecting the Natura 2000 feature(s) have been identified on this site⁴⁵ 	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> ▪ The extent and distribution of the habitats of qualifying species ▪ The structure and function of the habitats of qualifying species ▪ The supporting processes on which the habitats of qualifying species rely ▪ The populations of qualifying species, and, ▪ The distribution of qualifying species within the site.⁴⁶
South West London Waterbodies Ramsar	828.1	<p>Ramsar criterion 6 – species/populations occurring at levels of international importance.</p> <p>Qualifying Species/populations (as identified at designation):</p> <p>Species with peak counts in spring/autumn:</p> <ul style="list-style-type: none"> ▪ Northern shoveler <i>Anas clypeata</i> (NW and C Europe) - 397 individuals, representing an average of 2.6% of the GB population (5-year peak mean 1998/9- 2002/3) <p>Species with peak counts in winter:</p> <ul style="list-style-type: none"> ▪ Gadwall <i>Anas strepera strepera</i> (NW Europe) - 487 individuals, representing an average of 2.8% of the GB population (5-year peak mean 1998/9- 2002/3) 	<ul style="list-style-type: none"> ▪ No factors reported⁴⁷ 		
South West London Waterbodies SPA	825.1	<p>ARTICLE 4.2 QUALIFICATION (79/409/EEC)</p> <p>Over winter the area regularly supports:</p> <ul style="list-style-type: none"> ▪ Shoveler <i>Anas clypeata</i> (North-western/Central Europe) - 2.1% of the population (Five-year peak mean for 1993/94 to 1997/98) 	<ul style="list-style-type: none"> ▪ I02 - Problematic native species ▪ K01 - Abiotic (slow) natural processes ▪ M02 - Changes in biotic conditions 	<ul style="list-style-type: none"> ▪ P/T – Public access/disturbance ▪ P/T – Changes in species distributions ▪ P/T – Invasive species 	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p>

⁴⁴ Richmond Park SAC Natura 2000 form. Available at: <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0030246.pdf> (Accessed on: 26/01/2021)

⁴⁵ Richmond Park Site Improvement Plan. Available at: <http://publications.naturalengland.org.uk/file/4641498714865664> (Accessed on 26/01/2021)

⁴⁶ Richmond Park SAC Conservation Objectives. Available at: <http://publications.naturalengland.org.uk/file/5521612917178368> (Accessed on: 26/01/2021)

⁴⁷ South West London Waterbodies Ramsar Natura 2000 form. Available at: <https://jncc.gov.uk/jncc-assets/RIS/UK11065.pdf> (Accessed on: 26/01/2021)

Site Name	Site Size (Ha)	Summary of reasons for designation summarised on Natura 2000 Standard Data Form or Ramsar Information Sheet	Activities with greatest effect upon the site, as listed on Natura 2000 standard data forms and Information Sheets for Ramsar Wetlands	Pressures and threats listed within the Site Improvement Plan (NE, undated) (T=Threat, P=Pressure)	Conservation Objectives
		<ul style="list-style-type: none"> ▪ Gadwall <i>Anas strepera</i> (North-western Europe) - 2.4% of the population (Five-year peak mean for 1993/94 to 1997/98) 	<ul style="list-style-type: none"> ▪ G01 - Outdoor sports and leisure activities, recreational activities ▪ F01 - Marine and Freshwater Aquaculture⁴⁸ 	<ul style="list-style-type: none"> ▪ P/T Natural changes to site conditions ▪ P – Fisheries: Fish stocking ▪ T – Inappropriate weed control⁴⁹ 	<ul style="list-style-type: none"> ▪ The extent and distribution of the habitats of the qualifying features ▪ The structure and function of the habitats of the qualifying features ▪ The supporting processes on which the habitats of the qualifying features rely ▪ The population of each of the qualifying features, and, ▪ The distribution of the qualifying features within the site.⁵⁰
Thames Basin Heaths SPA	8309.5	<p>ARTICLE 4.1 QUALIFICATION (79/409/EEC)</p> <p>During the breeding season the area regularly supports:</p> <ul style="list-style-type: none"> ▪ European nightjar <i>Caprimulgus europaeus</i> - 7.8% of the GB breeding population (Count mean (RSPB 1998-99)) ▪ Woodlark <i>Lullula arborea</i> - 9.9% of the GB breeding population (Count as at 1997 (Wotton and Gillings 2000)) ▪ Dartford Warbler <i>Sylvia undata</i> - 27.8% of the GB breeding population (Count as at 1999 (RSPB)) 	<ul style="list-style-type: none"> ▪ H04 – Air pollution, air-borne pollutants ▪ G05 – Other human intrusions and disturbances ▪ K02 – Biocenotic evolution, succession ▪ B02 – Forest and Plantation management and use ▪ G01 – Outdoor sports and leisure activities, recreational activities⁵¹ 	<ul style="list-style-type: none"> ▪ P/T – Public access/disturbance ▪ P – Undergrazing ▪ P – Forestry and woodland management ▪ T - Hydrological changes ▪ P - Inappropriate scrub control ▪ P/T – Invasive species ▪ P – Wildlife/ arson ▪ P/T – Air pollution: Impact of atmospheric nitrogen deposition ▪ T – Feature location/ extent/ condition unknown ▪ T -Military ▪ P – Habitat fragmentation⁵² 	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> ▪ The extent and distribution of the habitats of the qualifying features ▪ The structure and function of the habitats of the qualifying features ▪ The supporting processes on which the habitats of the qualifying features rely ▪ The population of each of the qualifying features, and, ▪ The distribution of the qualifying features within the site.⁵³
Thursley, Ash, Pirbright and Chobham SAC	5154.5	<p>Annex I habitats that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> ▪ 4010 Northern Atlantic wet heaths with <i>Erica tetralix</i> <p>This site represents lowland northern Atlantic wet heaths in south-east England. The wet heath at Thursley is NVC type M16 <i>Erica tetralix</i> – <i>Sphagnum compactum</i> and contains several rare plants, including great sundew <i>Drosera anglica</i>, bog hair-grass <i>Deschampsia setacea</i>, bog orchid <i>Hammarbya paludosa</i> and brown beak-sedge <i>Rhynchospora fusca</i>. There are transitions to valley bog and dry heath. Thursley Common is an important site for</p>	<ul style="list-style-type: none"> ▪ G05 - Other human intrusions and disturbances ▪ A04 - Grazing ▪ H04 - Air pollution, air-borne pollutants ▪ J02 - Human induced changes in hydraulic conditions ▪ K02 - Biocenotic evolution, succession⁵⁴ 	<ul style="list-style-type: none"> ▪ See above (Thames Basin Heaths SPA) 	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> ▪ The extent and distribution of qualifying natural habitats ▪ The structure and function (including typical species) of qualifying natural habitats, and

⁴⁸ South West London Waterbodies SPA Natura 2000 form. Available at: <https://jncc.gov.uk/jncc-assets/SPA-N2K/UK9012171.pdf> (Accessed on: 26/01/2021)

⁴⁹ South West London Waterbodies SPA Site Improvement Plan. Available at: <http://publications.naturalengland.org.uk/file/5135484288237568> (Accessed on: 26/01/2021)

⁵⁰ South West London Waterbodies SPA Conservation Objectives. Available at: <http://publications.naturalengland.org.uk/file/5411059804667904> (Accessed on: 26/01/2021)

⁵¹ Thames Basin Heaths SPA Natura 2000 form. Available at: <https://jncc.gov.uk/jncc-assets/SPA-N2K/UK9012141.pdf> (Accessed on: 26/01/2021)

⁵² Thames Basin (Thames Basin Heaths SPA, Thursley, Ash, Pirbright & Chobham SAC) Site Improvement Plan. Available at: <http://publications.naturalengland.org.uk/file/5946121331408896> (Accessed on: 26/01/2021)

⁵³ Thames Basin Heaths SPA Conservation Objectives. Available at: <http://publications.naturalengland.org.uk/file/5048458801315840> (Accessed on: 26/01/2021)

⁵⁴ Thursley, Ash, Pirbright and Chobham SAC Natura 2000 form. Available at: <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0012793.pdf> (Accessed on: 26/01/2021)

Site Name	Site Size (Ha)	Summary of reasons for designation summarised on Natura 2000 Standard Data Form or Ramsar Information Sheet	Activities with greatest effect upon the site, as listed on Natura 2000 standard data forms and Information Sheets for Ramsar Wetlands	Pressures and threats listed within the Site Improvement Plan (NE, undated) (T=Threat, P=Pressure)	Conservation Objectives
		<p>invertebrates, including the nationally rare white-faced darter <i>Leucorrhinia dubia</i>.</p> <ul style="list-style-type: none"> ▪ 4030 European dry heaths <p>This south-east England site contains a series of large fragments of once-continuous heathland. It is selected as a key representative of NVC type H2 <i>Calluna vulgaris – Ulex minor</i> dry heathland. This heath type has a marked south-eastern and southern distribution. There are transitions to wet heath and valley mire, scrub, woodland and acid grassland, including types rich in annual plants. The European dry heaths support an important assemblage of animal species, including numerous rare and local invertebrate species, European nightjar <i>Caprimulgus europaeus</i>, Dartford warbler <i>Sylvia undata</i>, sand lizard <i>Lacerta agilis</i> and smooth snake <i>Coronella austriaca</i>.</p> <ul style="list-style-type: none"> ▪ 7150 Depressions on peat substrates of the <i>Rhynchosporion</i> <p>This site contains examples of Depressions on peat substrates of the <i>Rhynchosporion</i> in south-east England, where it occurs as part of a mosaic associated with valley bog and wet heath. The vegetation is found in natural bog pools of patterned valley mire and in disturbed peat of trackways and former peat-cuttings.</p>			<p>The supporting processes on which qualifying natural habitats rely.⁵⁵</p>
Wimbledon Common SAC	51.4	<p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site</p> <ul style="list-style-type: none"> ▪ 4010 Northern Atlantic wet heaths with <i>Erica tetralix</i> ▪ 4030 European dry heaths <p>Annex II species that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> ▪ 1083 Stag beetle <i>Lucanus cervus</i> <p>Wimbledon Common has a large number of old trees and much fallen decaying timber. It is at the heart of the south London centre of distribution for stag beetle <i>Lucanus cervus</i>, and a relatively large number of records were received from this site during a recent nationwide survey for the species. The site supports a number of other scarce invertebrate species associated with decaying timber.</p>	<ul style="list-style-type: none"> ▪ J03 - Other ecosystem modifications ▪ I01 – Invasive non-native species ▪ B02 – Forest and Plantation management and use ▪ H04 – Air pollution, air-borne pollutants⁵⁶ 	<ul style="list-style-type: none"> ▪ P – Public disturbance ▪ T – Invasive species ▪ T – Habitat fragmentation ▪ P – Air Pollution: impact of atmospheric nitrogen deposition⁵⁷ 	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> ▪ The extent and distribution of qualifying natural habitats and habitats of qualifying species ▪ The structure and function (including typical species) of qualifying natural habitats ▪ The structure and function of the habitats of qualifying species ▪ The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely ▪ The populations of qualifying species, and,

⁵⁵ Thursley, Ash, Pirbright and Chobham SAC Conservation Objectives. Available at: <http://publications.naturalengland.org.uk/file/4677991053656064> (Accessed on: 26/01/2021)

⁵⁶ Wimbledon Common SAC Natura 2000 form. Available at: <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0030301.pdf> (Accessed on: 26/01/2021)

⁵⁷ Wimbledon Common SAC Site Improvement Plan. Available at: <http://publications.naturalengland.org.uk/file/5097829219434496> (Accessed on: 26/01/2021)

Site Name	Site Size (Ha)	Summary of reasons for designation summarised on Natura 2000 Standard Data Form or Ramsar Information Sheet	Activities with greatest effect upon the site, as listed on Natura 2000 standard data forms and Information Sheets for Ramsar Wetlands	Pressures and threats listed within the Site Improvement Plan (NE, undated) (T=Threat, P=Pressure)	Conservation Objectives
Windsor Forest and Great Park SAC	1680.2	<p>Annex I habitats that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> ▪ 9190 Old acidophilous oak woods with <i>Quercus robur</i> on sandy plains <p>Windsor represents old acidophilous oak woods in the south-eastern part of its UK range. It has the largest number of veteran oaks <i>Quercus</i> spp. in Britain (and probably in Europe), a consequence of its management as wood-pasture. It is of importance for its range and diversity of saproxylic invertebrates, including many rare species (e.g. the beetle <i>Lacon querceus</i>), some known in the UK only from this site, and has recently been recognised as having rich fungal assemblages. Windsor Forest and Great Park has been identified as of potential international importance for its saproxylic invertebrate fauna by the Council of Europe.</p> <p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site</p> <ul style="list-style-type: none"> ▪ 9120 Atlantic acidophilous beech forests with <i>Ilex</i> and sometimes also <i>Taxus</i> in the shrublayer (<i>Quercion roburi-petraeae</i> or <i>Ilici-Fagenion</i>) <p>Annex II species that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> ▪ 1079 Violet click beetle <i>Limoniscus violaceus</i> <p>Violet click beetle <i>Limoniscus violaceus</i> was first recorded at Windsor Forest in 1937. The site is thought to support the largest of the known populations of this species in the UK. There is a large population of ancient trees on the site, which, combined with the historical continuity of woodland cover, has resulted in Windsor Forest being listed as the most important site in the UK for fauna associated with decaying timber on ancient trees (Fowles, Alexander and Key 1999). The site was also identified as of potential international importance for its saproxylic invertebrate fauna by the Council of Europe.</p>	<ul style="list-style-type: none"> ▪ H04 - Air-pollution, air-borne pollutants ▪ I01 – Invasive non-native species ▪ B02 – Forest and Plantation management and use ▪ K04 – Interspecific floral relations⁵⁹ 	<ul style="list-style-type: none"> ▪ P/T – Forestry and woodland management ▪ T – Invasive species ▪ T – Disease ▪ P – Air Pollution: impact of atmospheric nitrogen deposition⁶⁰ 	<ul style="list-style-type: none"> ▪ The distribution of qualifying species within the site.⁵⁸ <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> ▪ The extent and distribution of qualifying natural habitats and habitats of qualifying species ▪ The structure and function (including typical species) of qualifying natural habitats ▪ The structure and function of the habitats of qualifying species ▪ The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely ▪ The populations of qualifying species, and, ▪ The distribution of qualifying species within the site.⁶¹

⁵⁸ Wimbledon Common SAC Conservation Objectives. Available at: <http://publications.naturalengland.org.uk/file/6215672493506560> (Accessed on: 26/01/2021)

⁵⁹ Windsor Forest & Great Park SAC Natura 2000 form. Available at: <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0012586.pdf> (Accessed on: 26/01/2021)

⁶⁰ Windsor Forest & Great Park SAC Site Improvement Plan. Available at: <http://publications.naturalengland.org.uk/file/5106041196904448> (Accessed on: 26/01/2021)

⁶¹ Windsor Forest & Great Park SAC Conservation Objectives. Available at: <http://publications.naturalengland.org.uk/file/6569964010209280> (Accessed on: 26/01/2021)

Site Name	Site Size (Ha)	Summary of reasons for designation summarised on Natura 2000 Standard Data Form or Ramsar Information Sheet	Activities with greatest effect upon the site, as listed on Natura 2000 standard data forms and Information Sheets for Ramsar Wetlands	Pressures and threats listed within the Site Improvement Plan (NE, undated) (T=Threat, P=Pressure)	Conservation Objectives

Appendix C

APIS INFORMATION FOR SPA AND
SAC SITES WHERE AIR POLLUTION
IS LISTED AS A PRESSURE OR
THREAT



Site	Distance from Spelthorne Boundary at nearest point	Species	Relevant Critical Load			N Deposition kg N/ha/yr			Ammonia Critical Level µg NH ₃ /m ³ annual mean	NH ₃ Concentration µg/m ³		
			Relevant Habitat	Relevant CL Habitat	CL Range	Maximum	Minimum	Average		Maximum	Minimum	Average
Thames Basin Heaths SPA		<i>Caprimulgus europaeus</i> - European nightjar	Coniferous Woodland	Coniferous Woodland	5 - 15	26.5	19.9	21.8	3	1.46	0.9	1.04
			Dry Heaths	Dry Heaths	10- 20	15.7	12	13.1	3	1.46	0.9	1.04
		<i>Lullula arborea</i> - Wood lark	Coniferous Woodland	Coniferous Woodland	5 - 15	26.5	19.9	21.8	3	1.46	0.9	1.04
			Dry Heaths	Dry Heaths	10 - 20	15.7	12	13.8	3	1.46	0.9	1.04
		<i>Sylvia undata</i> - Dartford warbler	Dry Heaths	Dry Heaths	10 - 20	15.7	12	13.8	3	1.46	0.9	1.04
South West London Waterbodies		<i>Anas strepera</i> (North-western Europe) - Gadwall	Standing open water and canals	Standing open water and canals	No CL available	10.7	9.4	9.9	3	1.85	1.56	1.65
		<i>Anas strepera</i> (North-western Europe) - Gadwall	Neutral Grassland	Neutral Grassland	20 - 30	17.5	15.1	15.7	No CL Stated	1.85	1.56	1.65
		<i>Anas strepera</i> (North-western Europe) - Gadwall	Neutral Grassland	Neutral Grassland	20 - 30	17.5	15.1	15.7	No CL Stated	1.85	1.56	1.65
		<i>Anas clypeata</i> (North-western/Central Europe) - Northern shoveler	Standing open water and canals	Standing open water and canals	No CL available	10.7	9.4	9.9	3	1.85	1.56	1.65
		<i>Anas clypeata</i> (North-western/Central Europe) - Northern shoveler	Standing open water and canals	Standing open water and canals	No CL available	10.7	9.4	9.9	3	1.85	1.56	1.65

Site	Species	Relevant Critical Load			N Deposition kg N/ha/yr			Ammonia Critical Level $\mu\text{g NH}_3/\text{m}^3$ annual mean	NH_3 Concentration $\mu\text{g/m}^3$		
		Relevant Habitat	Relevant CL Habitat	CL Range	Maximum	Minimum	Average		Maximum	Minimum	Average
Richmond Park SAC	<i>Lucanus cervus</i> - Stag beetle	Broadleaved deciduous woodland	Broadleaved deciduous woodland	10 - 20	29.6	27.5	28.4	3	1.87	1.7	1.77
Thursley, Ash, Pirbright & Chobham SAC	Depressions on peat substrates of the <i>Rhynchosporion</i>	Depressions on peat substrates of the <i>Rhynchosporion</i>	Valley mires, poor fens and transition mires	10- 15	15.7	12	12.7	1	1.46	0.79	0.94
	Northern Atlantic wet heaths with <i>Erica tetralix</i>	Northern Atlantic wet heaths with <i>Erica tetralix</i>	Northern wet heath: <i>Erica tetralix</i> dominated wet heath	10- 20	15.7	12	12.7	1	1.46	0.79	0.94
	European dry heaths	European dry heaths	Dry heaths	10- 20	15.7	12	12.7	1	1.46	0.79	0.94
Wimbledon Common SAC	Northern Atlantic wet heaths with <i>Erica tetralix</i>	Northern Atlantic wet heaths with <i>Erica tetralix</i>	Northern wet heath: <i>Erica tetralix</i> dominated wet heath	10 - 20	16.9	16.9	16.9	1	1.87	1.87	1.87
	European dry heaths	European dry heaths	Dry heaths	10 - 20	16.9	16.9	16.9	1	1.87	1.87	1.87
	<i>Lucanus cervus</i> - Stag beetle	Broadleaved deciduous woodland	Broadleaved deciduous woodland	10 - 20	29.6	29.6	29.6	3	1.87	1.87	1.87
Windsor Forest & Great Park SAC	Old acidophilous oak woods with <i>Quercus robur</i> on sandy plains	Old acidophilous oak woods with <i>Quercus robur</i> on sandy plains	Acidophilous <i>Quercus</i> -dominated woodland	10-15	27.8	20.8	23	Site specific	1.81	0.97	1.2
	<i>Limoniscus violaceus</i> - Violet click beetle	Broadleaved deciduous woodland	Broadleaved deciduous woodland	10-20	27.8	20.9	23	3	1.81	0.97	1.2
	Atlantic acidophilous beech forests with <i>Ilex</i> and sometimes also <i>Taxus</i> in the shrublayer (<i>Quercion robori-petraeae</i> or <i>Ilici-Fagenion</i>)	Atlantic acidophilous beech forests with <i>Ilex</i> and sometimes also <i>Taxus</i> in the shrublayer (<i>Quercion robori-petraeae</i> or <i>Ilici-Fagenion</i>)	Fagus woodland	10-20	27.8	20.9	23	Site specific	1.81	0.97	1.2

APPENDIX TITLE

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