

## WAVERLEY BOROUGH COUNCIL

### EXECUTIVE

7 JANUARY 2020

---

#### **Item 4. Questions from Members of the Public**

The following question has been received from Kathy Smyth of Milford:

“On 22 July 2019 the Ministry of Housing, Communities and Local Government published revised guidance on appropriate assessments. This guidance includes the statement that *“If a proposed plan or project is considered likely to have a significant effect on a protected **habitats site** (either individually or in combination with other plans or projects) then an appropriate assessment of the implications for the site, in view of the site’s conservation objectives, must be undertaken”* and reference is made to Part 6 of the Conservation of Habitats and Species Regulations 2017.

The guidance goes on to state that “An appropriate assessment must contain complete, precise and definitive findings and conclusions to ensure that there is no reasonable scientific doubt as to the effects of the proposed plan or project”. Can Waverley Borough Council please identify and make available and/or publish the appropriate assessment (or assessments) on which they currently rely for the purpose of taking planning decisions for sites within the Waverley area which are considered to have an effect on the Thames Basin Heath SPA and Wealden Heaths Phases 1 and 2 SPAs?”

#### **Response from the Portfolio Holder, Cllr Andy MacLeod:**

“The Council prepares an appropriate assessment in consultation with Natural England when a proposed project is considered likely to have a significant effect on a Special Protection Area. Any such appropriate assessment, together with Natural England’s consultation response, are made publicly available via the Council’s website.

The Council also relies on the adopted Local Plan Part 1 Habitats Regulations Assessment and the Addendum to that Assessment, which contain appropriate assessments relating to both the Thames Basin Heaths and Wealden Heaths Special Protection Areas. These assessments were prepared by specialist, independent, technical consultants acting in consultation with Natural England. The Council’s strategy to avoid harm to the Special Protection Areas was found sound by the Local Plan Inspector and now forms part of its development plan. A copy of the assessments and the Inspector’s findings on this issue (as set out in his Examination Report) are also publicly available.”

The background documents referred to in the response can be found at the following links:

[https://www.waverley.gov.uk/downloads/file/5290/habitats\\_regulations\\_assessment\\_2016](https://www.waverley.gov.uk/downloads/file/5290/habitats_regulations_assessment_2016)

[https://www.waverley.gov.uk/downloads/file/5867/waverley\\_local\\_plan\\_part\\_1\\_hra\\_addendum](https://www.waverley.gov.uk/downloads/file/5867/waverley_local_plan_part_1_hra_addendum)

[https://www.waverley.gov.uk/downloads/file/5963/waverley\\_local\\_plan\\_part\\_1\\_examination\\_inspectors\\_report](https://www.waverley.gov.uk/downloads/file/5963/waverley_local_plan_part_1_examination_inspectors_report)