



# Thames Basin Heaths Special Protection Area

## Avoidance Strategy 2010-2015

WOKING BOROUGH COUNCIL



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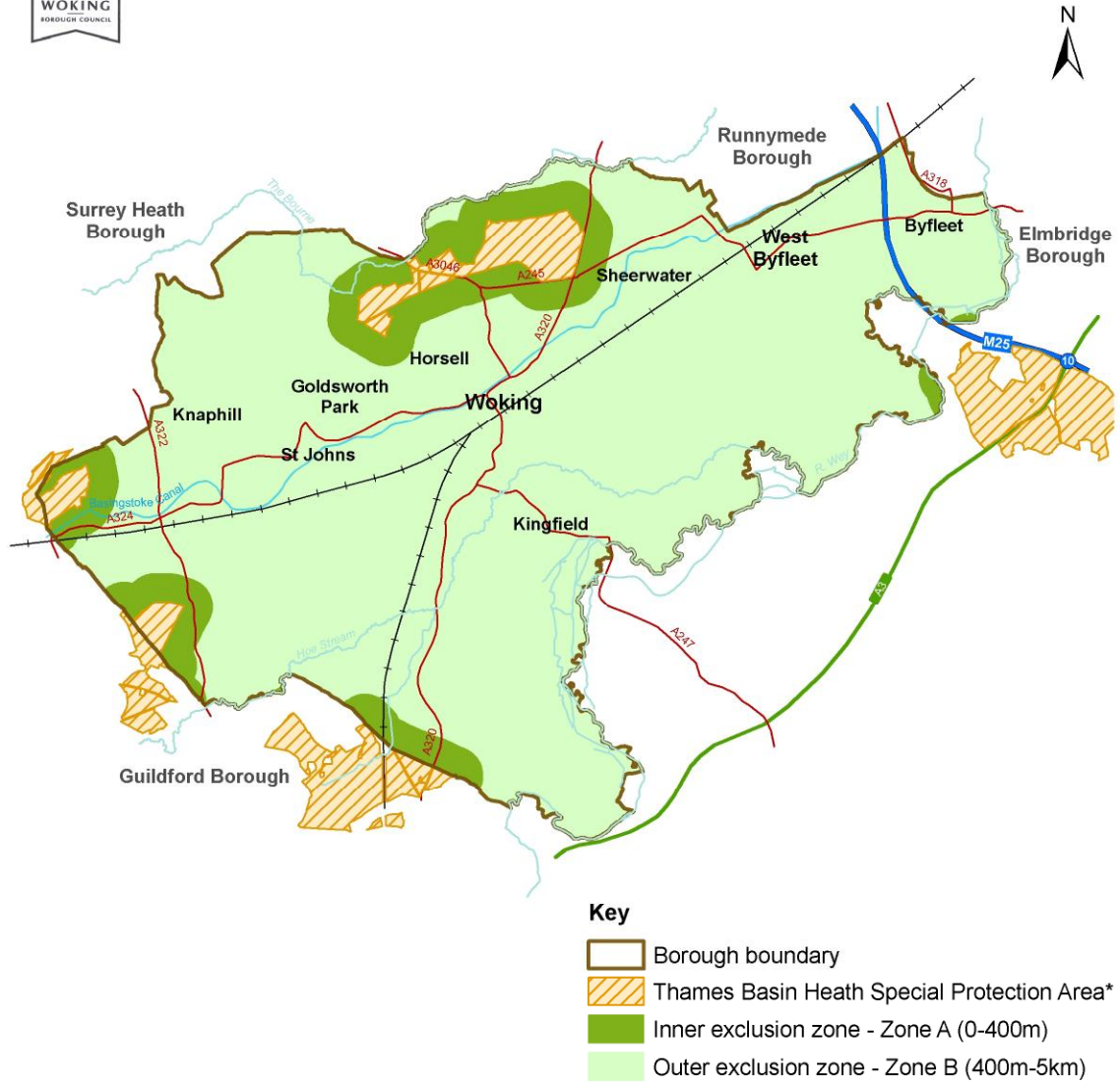
## 1.0 Introduction

- 1.1 This Avoidance Strategy takes effect from 1 September 2010 and replaces the Thames Basin Heaths Special Protection Area Interim Strategy for Woking June 2006. It provides guidance for the mitigation of the impacts of residential development on the Thames Basins Heaths (TBH) Special Protection Areas (SPA.)
- 1.2 All enquiries relating to the document should be directed to the Planning Policy Team, Woking Borough Council on 01483 743871 or email [planning.policy@woking.gov.uk](mailto:planning.policy@woking.gov.uk) paper copies of the document can be obtained from the Planning Policy Team. The document is also published on Woking Borough Council's website ([www.woking.gov.uk](http://www.woking.gov.uk)). General information on Special Protection Areas and the European Union Directives for the protection of birds can be obtained from Natural England on 0300 060 2620 or e-mail [enquiries.southeast@naturalengland.org.uk](mailto:enquiries.southeast@naturalengland.org.uk)
- 1.3 The European Council Directive on the conservation of wild birds (79/409/EEC) (the 'Birds Directive') requires member states to designate the most suitable territories in number and size as Special Protection Areas. For the conservation of species of birds in danger of extinction, vulnerable to specific changes in their habitat, rare because of small populations or restricted local distribution or requiring special attention for reason of the specific nature of their habitat. The Thames Basin Heaths Special Protection Areas was classified on 9 March 2005 under the EU Directive to specifically protect nightjars, woodlarks and Dartford warblers, which are listed to be protected in the Birds Directive. Accordingly, the TBH SPA is considered as sites of European significance and is covered by the requirements of the Directive.
- 1.4 The TBH SPA extends over 11 Local Authorities in Surrey, Berkshire and Hampshire and comprises a network of 13 sites. Designated sites within Woking Borough include Horsell Common SSSI, Brookwood Heath, which is part of Ash to Brookwood Heath SSSI and Sheets Heath, which is part of Colony Bog and Bagshot Heath SSSI. In addition, within 5 km of Woking Borough are Chobham Common SSSI and NNR, Ockham and Wisley SSSI and Whitmoor Common SSSI. Map 1 (page 5) is a map of the designated SPAs within Woking and the nearby areas.
- 1.5 The Birds Directive requires member states to take appropriate steps to avoid deterioration of the habitats and any disturbance to the protected birds.
- 1.6 In the United Kingdom the Conservation of Habitats and Species Regulation 2010 SI No. 490 (the Habitats Regulations) implements the EU Directives by providing protection to the European sites. The Habitats Regulations require Local Planning Authorities to satisfy themselves that before granting planning permission, the proposed development will not adversely impact on the integrity of the SPA. An appropriate assessment will be required before planning permission can be granted for development likely to have a significant effect on the SPA.
- 1.7 Natural England considers that new housing development within 5 kilometres of the SPA may harm the protected bird's population in the TBH SPA unless objective evidence establishes that there is no risk that new development within 5 kilometres of the SPA will have a significant effect. Appropriate mitigation is therefore required of any housing development within 5 kilometres of the TBH SPA. Developers are therefore required to contribute towards this mitigation.

- 1.8 Natural England has advised that to effectively mitigate the impacts of residential development on the SPA, a three pronged approach is necessary. This approach is supported by the Joint Strategic Partnership Board. The mitigation approaches are:
- The provision and maintenance of Suitable Alternative Natural Green Space (SANG) to attract people away from the SPA;
  - Strategic Access Management and Monitoring (SAMM) to monitor and manage the impact of people using the SPA; and
  - Habitat management of the SPA to improve the habitats of the protected birds.
- 1.9 This document provides a composite guidance on how these mitigation measures will be achieved.
- 1.10 The Council already has a strategy for the provision and maintenance of SANGs, which has effectively been in operation since June 2006. Details of the Avoidance strategy are incorporated into this document without significant changes because its requirements are generally up to date. Changes made to it in this document are of editorial nature and also to reflect the advice of Natural England to merge the B and C impact zones for development into just one zone, now referred to as zone B.
- 1.11 The SAMM tariff is new and is designed as complementary to the provision of SANGs. The SAMM tariff was approved by Council resolution on 15 July 2010 and is to take effect from 1 September 2010.
- 1.12 Details of how both the SANGs contribution and SAMM tariff are calculated are included in section four of this document. It is accepted that this document concentrates on the impacts of housing development on the SPA. However, it needs to be emphasised that the Council is equally concerned to mitigate the impact of all non residential developments on the SPA. For non-residential developments, each proposal will be treated on their individual merits. Appropriate assessment will be required of any development which is perceived to have potential impacts on the SPA and adequate mitigation put in place to deal with any potential adverse impacts.
- 1.13 The third element of the mitigation strategy involves habitat management of the SPA. A significant proportion of the SPA is local authority owned land. The Council will continue to have a duty of care to effectively manage and maintain this land. It will proactively work with its partnerships and other landowners to manage and maintain other land which are not in their ownership.



Map 1: The location of SPA, the inner exclusion zone and outer exclusion zone affecting Woking Borough.



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\* Please note there are other SPAs close to the Borough boundary, but for illustrative purposes only SPAs that are within 400m of the Borough boundary have been shown.

## Impact of Housing Development on the SPA

- 1.14 Natural England considers that any new residential development within 5km of the SPA could have a likely significant effect upon it, either alone or in combination with other plans or projects, especially because of the potential impact of additional recreational use of the land in the SPA.
- 1.15 Natural England considers that without measures which avoid any additional adverse effect on the SPA, all additional residential development between 400m and 5km from the SPA could cause or contribute to an adverse effect upon the integrity of the SPA due to recreational impacts upon the SPA bird populations and their habitat.
- 1.16 Within 400m of the site Natural England considers that it is not possible to avoid the possibility of adverse effects of residential development on the SPA.
- 1.17 Where it cannot be ascertained that a development will not adversely affect the integrity of the SPA (alone or in combination) regulations 62 and 66 of the Habitats and Species Regulations 2010 provide for development to proceed when it is established that “there being no alternative solutions, the plan or project must be carried out for imperative reasons of overriding public interest”, and the Secretary of State secures that any necessary compensatory measures are taken in accordance with regulation 53. However, it is unlikely in the extreme that any proposed residential development could satisfy these requirements.
- 1.18 The advice of Natural England is, therefore, that proposals for residential development within 5km of the SPA should only be permitted when it can be ascertained that they will neither cause, nor contribute to, any adverse effect on the SPA. In the case of applications within 400m, this means that, other than in quite exceptional circumstances, they should be refused. In the case of proposals for development between 400m and 5km from the SPA, it means that they need to be accompanied by measures which ensure that any net increase in visits to the SPA is avoided.
- 1.19 Unless in a particular case an application is such that it can securely be judged as not likely to have a significant effect on the SPA, either alone or “in combination”, an Appropriate Assessment<sup>1</sup> will be necessary. This is in line with the advice of Circular 06/05 that decisions as to whether or not an Appropriate Assessment is required should be taken on a precautionary basis.
- 1.20 It is for the decision taker (referred to as the Competent Authority in the Habitats Regulations) to carry out the Appropriate Assessment. In the case of development control decisions this is the Local Planning Authority. The LPA can require all the necessary information from the applicant, at the applicant’s expense, to enable the LPA to carry out the assessment.
- 1.21 For individual planning applications, these requirements could be very onerous because of the need to assess the development “*in combination with other plans or projects*”. A decision of the European Court of Justice has made it plain that, in this context, “plans” includes development plans. In addition the European Commissions guidance “*Managing Natura 2000 sites*” requires that the appropriate assessment on the integrity of the site be carried out “*across the whole area, or habitats, complex of habitats and/or populations...*”. As the Thames Basin Heaths SPA covers land in 11 separate Local Authorities, the amount of data required

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<sup>1</sup> An appropriate assessment is required under the Habitats and Species Regulations 2010.

to conduct an assessment is potentially immense. On the other hand, in practice it is likely to be clear at an early stage that, in view of the need to look at possible effects “in combination”, any residential development within 5km of the SPA will inevitably contribute to such a possible adverse effect, unless it incorporates or is matched to measures which avoid any possible adverse effect in its case.

- 1.22 The legal requirements summarised above apply also to non-residential development applications which will need to be considered on their individual merits. This Strategy is, however, directed specifically towards the problems posed by residential proposals, and measures which can be taken to enable them to proceed without harm to the integrity of the SPA.
- 1.23 There is an important distinction between measures of mitigation, which reduce harm, and measures of avoidance, which prevent it altogether. This distinction is applicable here, because the key to the measures identified in the Avoidance Strategy is that they will avoid harm from particular developments, and so necessarily eliminate the possibility that a development can make any contribution to a harmful effect in combination with other developments. Many documents frequently use the word mitigation as incorporating both the reduction of harm and the avoidance of harm; but this should not distract attention from the importance of the necessary distinction between avoidance and mitigation, which has been strictly observed in this introduction.

#### Types of Development Covered

- 1.24 Reflecting the precautionary principle and the need to consider the incombination effects of development, this strategy applies to proposals for 1 or more net new dwelling units falling within Use Class C3 (residential development). Also proposals for one or more net new units of staff residential accommodation falling within with Use Classes C1 and C2.
- 1.25 The main impact on the SPA being dealt with by this strategy is that resulting from recreational pressure and urbanisation associated with residential development (e.g. cat predation, dog walking). On this basis the strategy applies to all net new development which provides permanent accommodation. Sheltered accommodation, accommodation for elderly, communal homes, hostels, and affordable housing is included within the provisions of this strategy.
- 1.26 Class C1 development (hotels, boarding and guest houses) will be assessed on a case by case basis under advice from Natural England, but in the absence of a significant long-stay tourist economy in the borough, are not considered likely to have a significant adverse effect. However, residential staff in such establishments will need to be considered as being likely to have a significant adverse effect in combination with other dwellings and will be required to contribute to avoidance measures.
- 1.27 Class C2 (residential schools and colleges, hospitals and convalescent or nursing homes) will also be considered on a case by case basis under advice from Natural England, but are similarly likely to be excluded from the need to contribute, other than in relation to residential staff accommodation. The level of care required by the residents, and the likelihood of pet ownership in these establishments should be taken into account.

- 1.28 Replacement dwellings will not generally lead to increased recreational pressure, therefore, will have no likely significant effect on the SPA and will not be required to make a contribution to the provision of avoidance measures.
- 1.29 Other applications for planning permission for developments in the vicinity of the SPA for example significant commercial developments can also negatively impact on the SPA. This is on account of the proposed use, or scale of development. How these applications will be dealt with is included at paragraph 2.7.
- 1.30 The principles in this strategy apply to applications for full or outline planning permission. Reserved matters, discharge of conditions or amendments to existing planning consents will be considered on an individual basis and may be subject to a Habitats Regulations Assessment.

## **2.0 The Solution**

### Long term solution: Thames Basin Heaths Delivery Framework

- 2.1 Natural England, in conjunction with Local Planning Authorities, formulated a solution agreed by the Joint Strategic Partnership Board 27 March 2008. To meet the requirements of the Habitats Regulations for the SPA through a “Delivery Framework”, the objectives are:
- To ensure a consistent approach to the protection of SPA from the impacts of residential development.
  - To define the type and extent of residential development that may have a significant effect alone or in combination on the SPA.
  - To set out key criteria for the delivery of avoidance measures.
  - To set out a programme of action for the local and collective delivery and implementation of avoidance measures.
  - To be accompanied by a clear strategy for monitoring the SPA.
- 2.2 The inner exclusion zone a 400m zone, measured as the crow flies from the SPA perimeter to the point of access on the cartilage of the dwellings, residential development should not be permitted, referred to as zone A.
- 2.3 The zone of influence referred to as zone B, is defined as that area outside the inner exclusion zone that is within a 5km distance from the perimeter of the SPA, measured as the crow flies from the primary point of access to the curtilage. Applications for large scale development proposals beyond the zone of influence may be required by the Local Authority to undertake a Habitats Regulation Screening and where appropriate a full assessment to ascertain whether the proposal could have a significant impact on the SPA.
- 2.4 This two zone policy replaces the three zone approach previously used, setting out that zone B (400m to 2km) and zone C (2km to 5km) should be combined.
- 2.5 Due to the location of sites that make up the SPA, to the north, east and south-west of Woking Borough all new residential developments resulting in a net increase in dwellings that fall



within 400m - 5km of the SPA will need avoidance measures to meet the requirements of the Habitats and Species Regulations (2010). The requirement for new open space will be determined using formulae that relate to the number and type of new dwellings, the proximity of the development site to the SPA and to the existing amount and quality of open space in the area.

- 2.6 The approach taken by the Delivery Framework is to avoid potential impacts by including avoidance measures within a strategy. Such measures will be in the form of new or significantly improved alternative semi-natural open space, which will attract a proportion of dog walkers and others who may otherwise visit the SPA. In the opinion of Natural England application of the provisions of the "Delivery Framework", by bringing forward additional or improved alternative open space that can be matched to residential development, will enable such development to be judged to have no likely significant effect on the SPA either alone or in combination, and therefore will obviate the need for an Appropriate Assessment of every residential development within the Borough.
- 2.7 Other applications for planning permission can also impact on the SPA if it is in the vicinity. Each planning application will be evaluated on its own merits, if any mitigation is required, this will be based on:
- The scale
  - Size
  - Location
  - Nature of the proposal.
- 2.8 The proposal will be screened to assess whether they will have a likely significant effect (individually or in combination with other plans or projects) and where necessary a full Habitats Regulations Assessment will be undertaken. Where it is deemed that a development will have a potential impact on the SPA, Woking Borough Council will work with Natural England to find ways to address this.

#### Woking Local Development Framework

- 2.9 The Delivery Plan and planning issues affecting the SPA are being integrated into the Woking Local Development Framework (LDF). The Core Strategy will contain a policy relating to the Thames Basin Heaths SPA, setting out that that development will not be permitted within or affecting the Thames Basin Heaths SPA unless it meets the requirements of the Habitats Regulations.
- 2.10 An Appropriate Assessment of the Core Strategy will be carried out. In the light of an ECJ judgement<sup>2</sup> all local authorities are likely to be required to carry out an Appropriate Assessment of their Local Development Documents to ensure they meet the legal requirements of the Habitat Regulations referred to in Section 1 of this Avoidance Strategy.

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<sup>2</sup> European Court of Justice judgement (C-6/04) of the 20<sup>th</sup> October 2005 makes it clear that the Habitats Directive requires an appropriate assessment of the implications of all plans or projects including development plans (conditional on there being a probability or a risk that it will have a significant effect on the site concerned).

### Medium Term Solution – Woking’s Avoidance Strategy

- 2.11 The Council has produced this second Avoidance Strategy to identify how new residential development within the Borough can avoid potential effects upon the SPA, through financial contributions to provide either new open space or improved access to existing open space.
- 2.12 It must however be recognised that the Avoidance Strategy does not address possible effects on the SPA other than those resulting from recreational visits arising from residential development. Therefore any development not directly connected with or necessary for the conservation management of the SPA, which could have other (non-recreational) likely significant effects upon the SPA may still require an Appropriate Assessment.
- 2.13 The details of avoidance measures within the Avoidance Strategy will be tied to development in a particular area of the Borough. The avoidance measures required, location, programme of works, timetable and funding will therefore be known on submission of a planning application, and relevant residential development will therefore only be permitted if it conforms to the agreed Avoidance Strategy.
- 2.14 The Council may also receive offers of land and avoidance measures accompanying a development proposal separate to those identified in this plan, which meet Natural England’s standards for Suitable Alternative Natural Green Spaces (SANGS). In such cases the Council will consult Natural England as soon as potential avoidance measures are offered. If it is agreed that development fully avoids all potential effects upon the SPA the Council can conclude no likely significant effect (since there will be no effect) and an Appropriate Assessment is not required.
- 2.15 Planning applications for residential development should be submitted as normal and avoidance measures should be identified using the schedule of improvement works set out in the Avoidance Strategy, or applicants can propose their own schedule of avoidance works using an alternative site. A S.106 agreement to provide or contribute towards the cost of the avoidance measures will be drawn up and signed in accordance with the Avoidance Strategy prior to the decision notice being issued.

### **3.0 Methodology**

- 3.1 The Avoidance Strategy has been produced using the following steps:

#### Step 1: Identification of Appropriate Sites for Avoidance Measures

- 3.2 The Council’s Open Space, Sport and Recreation Audit of 2005 (which can be viewed on the Council’s website) helped to provide a basis for the potential natural and semi-natural sites which could be used as alternatives to the Thames Basin Heaths for recreational purposes. The sites, which are not considered to be of highest quality and value in the audit, have the potential for improvement and therefore financial contributions for work on such sites can be accepted as avoidance measures.
- 3.3 Other sites within the Council’s ownership that may be brought forward for environmental enhancement were also considered. In addition a number of third parties have entered into discussions over the potential for land they own to be secured as Suitable Alternative Natural Green Spaces (SANGS). If these third party SANGS can only be secured as part of a

planning permission then they have not been included within the Avoidance Strategy at this stage as this could prejudice the planning decision.

#### Step 2: Identification of a Programme of Works

- 3.4 The results of the Open Space, Sport and Recreation Audit assessments of the sites provided a starting point for considering required areas of improvement, while the local knowledge of the Council's Countryside Development Officer helped to identify the specific improvements that are needed. The costs of each improvement have been estimated to allow a calculation of an average cost per hectare.

#### Step 3: Calculation of the Number of Dwellings & Avoidance Works

- 3.5 The total amount of alternative open space can be converted to an equivalent number of people and applying standard formulae enables a calculation of the number of dwellings which the SANGS provide for. The calculation for new open space is derived from the Delivery Framework which proposes a standard of 8ha of open space per 1000 population.
- 3.6 These standards are aimed at new open space, but for upgraded sites the existing users must be taken into account and for both upgrades and new open space there is a limit to each sites capacity to accommodate recreational users. For sites with minimal use and substantial improvement programmes the whole site can potentially be counted towards the SANG area, however for sites which are used more frequently the additional number of people who can be accommodated is limited.
- 3.7 Visitor surveys undertaken by Natural England<sup>3</sup> show that use of the SPA is linked to the distance people live from the SPA. In drafting open space standards Natural England therefore assumes that different levels of SANGS would be required depending on the distance of a development from the SPA.

#### Step 4: Calculation of a Tariff for Financial Contributions

- 3.8 A tariff based approach will enable developers to calculate the financial contribution that will be required for their proposed development.
- 3.9 As Natural England's open space provision standards relate to the increase in population that may arise from new residential dwellings it is considered appropriate to base the tariff on the average occupancy rate of 2.4 persons per dwelling, based on the occupancy rate across the 11 affected Authorities (paragraph 12.7 of the TBH Delivery Framework.) This is close to using the general average household size in Woking Borough, of 2.41 people (Census 2001), as the number of one bedroom flats and people living alone is increasing in the borough. Data from the Census 2001 was therefore used to find out the average household size of dwellings from one bedroom to 4+ bedrooms. Calculations can be found in Appendix 1. Should monitoring of the Avoidance Strategy identify a significant shift from these household size calculations, developer contributions and green space calculations will be modified accordingly.

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<sup>3</sup> Liley, D., Jackson D & Underhill-Day J. (In Press) Visitor access patterns on the Thames Basin Heaths, Natural England Research Report,

- 3.10 The cost of new and improved open space at the sites was then totalled to enable a calculation of the cost per hectare of these works. Natural England's standards for each SPA zone were then applied. Tariffs have been calculated for each SPA zone according to the size of proposed dwellings/number of bedrooms.
- 3.11 A Tariff also has to be paid for Strategic Access Management and Monitoring Measures (SAMM). The SAMM project will involve a wardening scheme, which will monitor and manage access to the SPAs and encourage people to use the Suitable Alternative Natural Green Space (mitigation land) rather than Special Protection Areas. Bird and visitor surveys will be undertaken to monitor the effectiveness of the mitigation measures. The amount payable for the Tariff depends on the number of bedrooms, it is outlined in section 4.

#### 4.0 The Avoidance Strategy

4.1 This Avoidance Strategy 2010-2015 takes effect on the 1 September 2010.

##### Step 1: Identification of Appropriate Sites for Avoidance Measures

- 4.2 On submission of a planning application, if an applicant cannot address the effects of their development upon the SPA via their own scheme, they will need to make financial contributions to the provision or improvement of open space identified in this Avoidance Strategy in order to avoid effects upon the SPA.
- 4.3 The Council identified sites from the Open Space, Sports and Recreation Audit and also considered other alternative sites in the Council's ownership which are likely to come forward for future enhancement. However, because avoidance measures need to demonstrate a clear link to specific developments only sites with a planned schedule of works (e.g. environmental improvements) can be included in this Avoidance Strategy.
- 4.4 A number of third party owned potential SANGS have not been included within the Strategy as they must await the determination of outstanding applications.
- 4.5 The Avoidance Strategy identifies three SANG sites to the west of and central to the Borough. They are as follows:

Site	Size (ha)
Brookwood Country Park	20
Hoe Valley White Rose Lane	8.2
Horsell Common, Monument Road	28

- 4.6 *Brookwood Country Park* - This site, to the west of the Borough, is currently semi-natural open space and was identified in the Council's Open Space, Sport and Recreation Audit. It provides a catchment for development located within 5km.
- 4.7 *Hoe Valley White Rose Lane* - This site is owned by the Council and is part of a Local Nature Reserve. The car park is located on an adjacent site and upgrades will provide clear links to the site.
- 4.8 *Horsell Common, Monument Road* – (non-SPA site) This site is owned by Horsell Common Preservation Society who receive payments from the Council to undertake improvement works to the site. For clarification it should be noted that this part of Horsell Common is not formally designated as SPA. The site is divided by Monument Road. A new car park has been created as part of the programme. This SANG can be used to enable development located within 5km of this site.

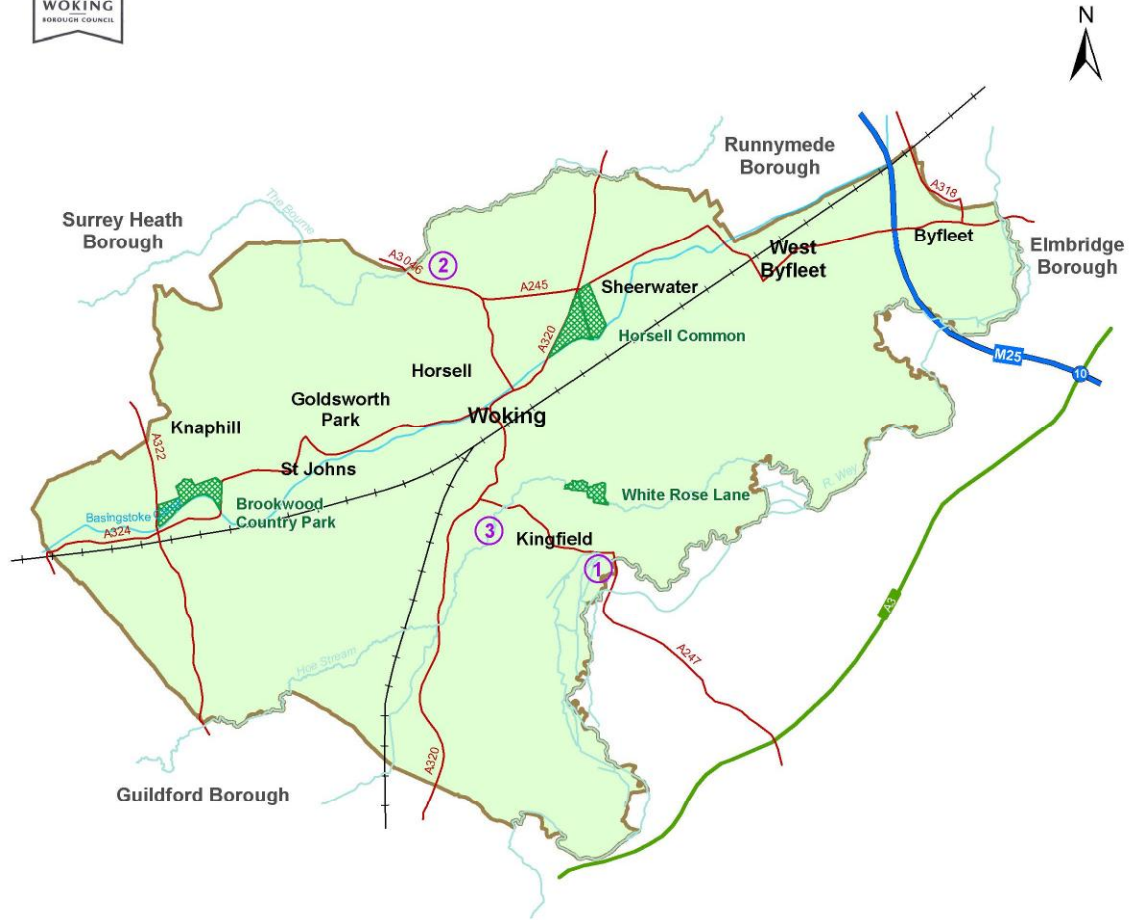
- 4.9 There are also proposed SANGs, where the Council is in the process of acquiring the land to be used as SANG:
- 4.10 *Martins Press, High Street, Old Woking* – 13 hectares of SANG land will be provided. This is part of a planning application (reference 06/0538) for the redevelopment of a printworks to form up to 88 residential units. It is anticipated that the site will be handed over to the Council and subsequently managed by the Council, becoming a SANG by the end of 2010. map of SANGs on the following page.
- 4.11 *Heather Farm to Mimbridge* this proposal is a joint SANG with Surrey Heath Borough Council. This SANG is currently subject to negotiation and requires the agreement of other landowners and Local Authorities. The outcome is reliant on all parties reaching agreement and obtaining the approval of Natural England.
- 4.12 *The Hoe Valley scheme* has commenced, to take hundreds of Woking homes out of the flood plain, provide a range of new community facilities and bring about improvements to both highways and public amenity areas. Part of the planning consent is that 4.06 hectares of SANG will be provided. This open space is likely to become SANG in 2011.
- 4.13 When any of the above proposed SANG sites become used as SANG land, this Strategy will be updated with an Addendum.

#### Step 2: Identification of a Programme of Works

- 4.14 Advice from Natural England is that, in order to meet the Habitats Regulations tests planning proposals must be linked to specific works on a timetable, and there must be certainty that the identified avoidance measures will be taken.
- 4.15 The Council considers that it is difficult in this Avoidance Strategy to estimate what specific improvement works may need to be carried out for the next 20 years. Instead this Strategy includes estimates of site improvements for the next five years. Necessary works will be reviewed when this document is next reviewed. The work programmes included within the Avoidance Strategy include the cost of maintenance and management over ten years to ensure the SANGS site can be maintained in the longer term.
- 4.16 The site assessments from the Council's Open Space, Sport and Recreation Audit were reviewed to consider where improvements can be made to encourage users. The Council's Cultural and Community Development Officer has set out a programme of works for each site, which will be necessary over the next five years. Each programme identifies the work to be undertaken, and a timescale for when it needs to be undertaken. However, it should be noted



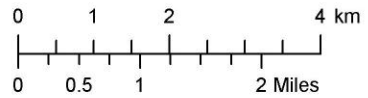
Map 2: Existing Suitable Accessible Natural Greenspace (SANG) and Potential SANGs



Key

- Borough boundary
- Suitable Accessible Natural Greenspace (SANG)
- Potential SANGs:
- Martins Press
- Heather Farm to Mimbridge
- The Hoe Valley

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that the timetables set out in these work programmes are dependent on funding from new development coming forward and are therefore indicative.

- 4.17 The work programmes also include some non-ecological work to ensure people are attracted to these alternative sites. For example, the promotion of sites through leaflets sent to occupants of new dwellings to ensure they are aware that they have a quality open space to use close by.
- 4.18 Although visitor surveys have no direct mitigating responsibility they are necessary to monitor the success of the proposed access improvements, and therefore, a visitor survey before and after completion of work will be undertaken to show current use of the site and to monitor the impacts of improvements, or new provision.
- 4.19 The Thames Basin Heaths Visitor Survey showed parking was important in attracting visitors to the SPA and also to other alternative sites therefore the Council has considered parking issues at each site.
- *Brookwood Country Park* – there is existing parking on this site.
  - *Hoe Valley White Rose Lane* – parking already exists at Woking Park, which is a short walk along the Hoe Stream to the site at White Rose Lane. Clear linkages will be made between the car park and the open space, e.g. by improved signage.
  - *Horsell Common* – a new car park has been created.
- 4.20 The maintenance and management of the sites has also been considered and a breakdown of the costs of maintenance and replacement of assets for each site is included. Calculations are based on an estimate that assets will need to be replaced every ten years.
- 4.21 Contributions from smaller scale developments can be used to fund partial implementation of certain elements of the work programmes, for example, the installation of individual bins, benches or phases of marginal planting and woodland management.



### **Brookwood Country Park Works Programme**

Item	Status
Design of scheme, tender preparation & contract supervision	First two phases of design works and supervision completed-further final stage of design work/supervision to be undertaken subject to funding.
Arboricultural Survey	Completed -TPO application to be submitted for canal side-crown lifting and side branch/basal growth removal.
Tree/Understory Management	Major Scrub clearance undertaken throughout site and tree management undertaken around ponds Further phase of tree works to be undertaken Winter 2010/11 subject to funding.
Site Management Plan Preparation	To be undertaken Summer 2010
Areas of Native Flowering Shrubs	Completed
Reposition Gate and new access arrangements	Under review-new access road and overflow parking under consideration subject to consents and funding
Measures to prevent vehicle encroachment-bollards/fences/height restriction barrier	Completed
Reduce width of existing path where appropriate and provide mown path	Completed
Visitor surveys	Base line survey completed
Picnic tables	Requirement under review -location dependant upon new access road
Benches	Requirement under review-location dependant upon new access road
Litter bins	Initial requirement met
Dog bins	Initial requirement met
Dipping platform	Completed
Boardwalk	Not now required-need met by new footpath construction
Marginal planting	Completed
Creation of hoggin footpaths	3/4 complete -remainder to be completed as funding permits
Structure planting	Initial small phase completed -remainder to be completed in 2010/11 and 2011/12 as funds permit
Signage and waymarkers	To be completed Winter 2010/11
Interpretation Boards	Temporary Boards Installed -permanent boards to be installed as funding permits
Site promotion – leaflet design, printing and distribution	Promotion awareness as part of wider leaflet completed
Visitor surveys	Further surveys to be undertaken following completion of works

### Hoe Valley White Rose Lane Works Programme

Item	Status
Visitor site surveys	Base Line Survey Completed
Design of scheme, tender preparation & contract supervision fee	Initial Design Works Completed
Site surveys (flora and fauna) and monitoring	Completed
Picnic tables	To be undertaken as funds become available
Benches	To be undertaken as funds become available
Litter bins	To be undertaken as funds become available
Dog bins	To be undertaken as funds become available
Signage and waymarkers	To be undertaken as funds become available
Creation of hoggin footpaths	To be undertaken as funds become available
Boardwalk and sleeper bridges over ditches	To be undertaken as funds become available
Woodland Management work	Initial works completed
Invasive species control and woodland edge management	Part completed
Interpretation and educational guide	To be undertaken as funds become available
Restoration of small pond and enhancement of wet ditches	To be undertaken as funds become available
Marginal planting	To be undertaken as funds become available
Site promotion – leaflet design, printing and distribution	Initial promotion as part of wider promotion of open spaces
Visitor site surveys	To be undertaken on completion of substantial part of works
Management Plan	To be undertaken on completion of substantial part of works

**Monument Road, Woking Works Programme**

Item	Status
Design, contract and management	Ongoing. Management fees are allocated as a percentage of expenditure
Visitor surveys	Initial visitor surveys were carried out in 2007. Ongoing to 2012
Footpaths	Construction of the 1.2km 'Easy Access' path commenced in 2009. Completion by October 2010
Benches	Installation in 2011
Dog bins	Purchased –awaiting
Road crossing (Monument Road connecting the 2 SANG sites, located 160 metres north of the canal)	Contract for project management and design has been awarded to Mayer Brown. Completion in late 2010 subject to the availability of funds
Car park at Horsell Common	Completed January 2009
Woodland management	Ongoing. Heathland clearance took place in 2008. Bracken control 2009. Work on roadside trees (A320) completed 2008. Tree clearance completed 2009. Monument Road tree clearance scheduled 2010. Holly clearance 2010/11
Muslim burial ground –structure and landscaping	Design and contract 2011/12 subject to availability of funds
Site promotion	Ongoing. Promoted through local media, website and Surrey Wildlife Trust publications
Signage	Ongoing. Temporary notice board and footpath information board completed 2009
Interpretation boards	To be installed in 2012 on completion of the project
Visitor surveys	Ongoing to 2012

Step 3: Calculation of the number of dwellings mitigated by improvements

- 4.22 The TBH Delivery Framework states that the catchment of SANG will depend on the individual site characteristics and location, and their location within a wider green infrastructure network. As a guide, it is assumed that:
- SANG of 2-12ha will have a catchment of 2km
  - SANG of 12-20ha will have a catchment of 4km
  - SANG of 20ha+ will have a catchment of 5km
- 4.23 The map (page 15) shows each of the SANG sites and the extent of their catchments across the Borough. It should be noted that these maps are for illustrative purposes only and applicants should contact the Council about which SPA zone their development would lie in and how to mitigate their development proposal using this plan.
- 4.24 Some areas of the Borough are served by both sites and some of the catchment zones overlap. This means that proposals for residential developments located in any of the overlapping catchment zones can be mitigated through financial contributions to works at any of the sites. The S.106 agreement for each application will set out which SANG site is being used. The catchment zones are shown to extend beyond the Borough boundary into neighbouring local authorities.
- 4.25 In terms of the number of people who can be served by the SANGS in this Avoidance Strategy the Council considers that these sites are currently under-utilised and the upgrades are effectively new open space. This allows for the entire area of SANG to be used at the standards within the TBH Delivery Framework.

Linking Housing to SANGS Provision

- 4.26 Woking is responsible for meeting housing targets which are now set locally. A final figure for Woking Borough Council has not been finalised, it will be determined via the Core Strategy. The figure is anticipated to be in the region of 292 units per year, from 2010-2030; all of these dwellings will require measures to avoid any effect/s upon the SPA.
- 4.27 The main urban areas will be the focus for new housing development. It is expected that approximately 80% of the housing requirement will be located within the urban areas across the Borough.
- 4.28 In situations where a development site falls within the catchment for either two or all three of the SANGs, the tariff will be allocated on a pro-rata basis having regard to the costs for improvements to each of the sites. A table setting out how this is calculated is set out as follows:

Brookwood Country Park	£452,100	30%
White Rose Lane	£329,900	22%
Horsell Common	£731,000	48%
<b>Total</b>	<b>£1,513,000</b>	<b>100%</b>

	Total costs	Proportion allocated		
		BCP	WRL	HC
BCP / WRL / HC	£1,513,000	30%	22%	48%
BCP / WRL	£782,000	58%	42%	-
BCP / HC	£1,183,100	38%	-	62%
WRL / HC	£1,060,900	-	31%	69%

The proportions allocated will be amended as new SANGs are adopted, and this report will be updated accordingly.

#### Step 4: Calculation of a Tariff for Financial Contributions

4.29 The total amount of costs for the SANGS sites including maintenance and replacement of assets has been considered when attaching a tariff to the size of dwellings and Natural England's open space standard. The trigger for paying the Tariff is on implementation of the planning permission.

#### The SANG Tariff

4.30 An applicant should apply these tariffs when considering measures to avoid effects upon the SPA. The Tariff has been amended from the Interim Strategy 2006, in order to reflect the merger of two SPA zones, the average figure of the two zones has been calculated to provide one composite figure. The open space figure used is that stipulated in the Delivery Framework of 8ha per 1000 population. The tariff set out within this Avoidance Strategy will be subject to annual review in line with the Retail Price Index.

Table 1

<b>Zone B</b>	<b>SPD standard = 8ha per 1000 population</b>		
<b>No. of beds</b>	<b>Average no. of occupants</b>	<b>Open space required (ha)</b>	<b>Cost of required SANGS if site were new open space</b>
1	1.4	0.0112	£315.00
2	1.9	0.0152	£425.00
3	2.5	0.02	£560.00
4+	2.9	0.0232	£650.00

#### Strategic Access Management and Monitoring

4.32 Natural England has requested that all Local Authorities affected by the SPA designation agree to collect a Tariff per dwelling, in addition to the above SANG financial contribution, to implement an identified programme of works to mitigate the impacts of proposed development. This is the Strategic Access Management and Monitoring Tariff (SAMM.) This will be used to monitor access and management projects of these sensitive sites, wardens, leaflets, signage and educational material.

4.33 Access management and monitoring will be funded by developer contributions which will be collected across the 11 SPA affected Authorities and provided for in perpetuity. It is

possible for SANG to be secured and delivered by individual Council's or developers, however, access management and monitoring requires joint strategic working by the 11 Local Authorities and other land managers of the publicly accessible SPA, to avoid the displacement of visitors from one vulnerable part of the SPA to another equally sensitive part. SAMM will be co-ordinated strategically by Natural England, with Hampshire County Council fulfilling the role of Treasurer.

4.34 Appendix 3 comprises the detailed costings of the SAMM project and the justification for this amount; the figures have been agreed with Natural England and prepared in line with their methodology. To meet the requirements of Circular 05/2005 this amount is varied to reflect the impacts of the different types of dwellings that are likely to come forward before or during the period of the Core Strategy. Bedroom number is justified to be an appropriate weighting for this calculation. This approach will also be consistent with the SANGs calculation, which was also based on number of bedrooms. In order to establish a fair tariff that is evenly distributed across all sizes of dwellings it is appropriate to attribute a weighting to each dwelling size to reflect the respective levels of impact. This approach was agreed at Full Council on 15 July 2010. Natural England are producing a report: 'Thames Basin Heaths Strategic Access Management and Monitoring Project Calculation of Contributions' when this is finalised it will be made available on the Woking Borough Council website.

4.35 It is accepted that the methodology is not an exact science and the variables are subject to change over time. It does however ensure a consistency of approach across the SPA affected Authorities; is proportionate to the potential impact on the SPA of each dwelling; and is in accordance with Circular 05/2005. Natural England is committed to reviewing the level of Tariff every two years, when the assumptions and the Tariff will be adjusted accordingly, this will be in the form of an Addendum to this Strategy.

Table 2

<b>SPA Avoidance Strategy</b>				
Size of dwelling (bedrooms)	SANG contribution per dwelling (2010 figure)	Landowner Payment (2010 figure)	SAMM contribution per dwelling	Total Tariff per dwelling
Studio	£435	£150	£436	£1,021
1	£472.5	£165	£436	£1,073.5
2	£637.5	£225	£590	£1,452.5
3	£840	£300	£777	£1,917
4+	£975	£337.5	£901	£2,213.5

## **5.0 Implementing the Avoidance Strategy**

- 5.1 When submitting an application for residential development the applicant needs to consider how they can avoid effects upon the SPA from their development. If a developer is not proposing their own schedule of avoidance works at Natural England's standards, they will be expected to apply the tariffs in this Avoidance Strategy.
- 5.2 Applicants should identify, in the S.106 agreement, how they will financially contribute to specific works at each site to ensure that suitable avoidance measures are being undertaken and how the proposed development will not result in any likely significant effect on the SPA.
- 5.3 The Avoidance Strategy should be used through discussion with the Council's Development Control Officer following these steps:
- Step 1: Check which SPA zone the development proposal lies in. Residential developments within 400m of the SPA will not normally be permitted.
  - Step 2: Ensure that the development is within the catchment zone of either of the SANGs.
  - Step 3: Apply the appropriate tariff, according to the outer exclusion zone -zone B, the number of dwellings and dwelling sizes to calculate the financial contribution to be made.
  - Step 4: Link contributions to specific works. The Council will hold a list of all works to be carried out and the total amount of financial contributions that have been collected for each work element. This will ensure that monies are not collected by different applicants for the same works.
  - Step 5: A S.106 agreement to provide or contribute towards the cost of avoidance measures will be drawn up and signed by the applicant in accordance with the Avoidance Strategy prior to the decision notice being issued.

## **6.0 Reviewing the Avoidance Strategy**

- 6.1 This Avoidance Strategy will only be used until a Supplementary Planning Document regarding TBH SPA is adopted by the Council, this will be following the adoption of the Core Strategy. SANGs will be reviewed and work programmes set out to ensure sufficient SANGs are available to enable future housing requirements can be achieved.
- 6.2 The Council will monitor the sites to ensure that sufficient SANGs area can be provided. This will include monitoring of the dwelling type and occupancy rate. If it is apparent that the rate of emerging developments and number of occupants is greater than expected then the figures in the Avoidance Strategy will be adjusted accordingly and residential permissions will be stopped if limits for SANGs are reached.
- 6.3 When reviewing the SANGs sites the Council will also review the tariff for financial contributions to ensure it is sufficient for contributing to work at future alternative sites.
- 6.4 The Council will monitor the provision of the avoidance measures against the completion of developments to ensure that they provided within a reasonable time. If necessary the Council will reconsider the mechanism by which contributions are received.

## APPENDIX 1: Dwelling Occupancy

This data was taken from the Census 2001.

<b>1 bed dwelling</b>		
<b>Average household size</b>	7532/5217 = 1.4	
<b>No. Of Occupants</b>	<b>No. Of households</b>	<b>Total occupants</b>
1	3518	3518
2	1367	2734
3	166	498
4	95	380
5	40	200
6	20	120
7	6	42
8	5	40
Total	5217	7532

<b>2 bed dwelling</b>		
<b>Average household size</b>	11493/6138 = 1.9	
<b>No. Of Occupants</b>	<b>No. Of households</b>	<b>Total occupants</b>
1	2523	2523
2	2462	4924
3	731	2193
4	318	1272
5	70	350
6	16	96
7	9	63
8	9	72
Total	6138	11493

<b>3 bed dwelling</b>		
<b>Average household size</b>	21512/8612 = 2.5	
<b>No. Of Occupants</b>	<b>No. Of households</b>	<b>Total occupants</b>
1	2088	2088
2	2971	5942
3	1586	4758
4	1350	5400
5	455	2275
6	107	642
7	33	231
8	22	176
Total	8612	21512



<b>4+ bed dwellings</b>					
<b>Ave household size</b>	48482/16975 = 2.9				
	<b>4 bed</b>	<b>5 bed</b>	<b>6bed</b>	<b>Total 4+beds</b>	<b>Total 4+beds</b>
<b>No. Of Occupants</b>	<b>No. Of households</b>	<b>No. Of households</b>	<b>No. Of households</b>	<b>Total occupants 4+ beds</b>	<b>Total occupants</b>
1	1256	527	538	2321	2321
2	2279	1392	2255	5926	11852
3	1204	761	1246	3211	9633
4	1172	828	1685	3685	14740
5	363	277	658	1298	6490
6	112	60	195	367	2202
7	33	16	43	92	644
8	33	18	24	75	600
Total	6452	3879	6644	16975	48482

## **APPENDIX 2: Glossary**

**Appropriate Assessment:** An assessment under the Habitats and Species Regulations 2010 of the implications of a development proposal on the SPA.

**Delivery Framework:** Guidance on Thames Basin Heaths SPA avoidance and mitigation methods, produced and endorsed by the Thames Basin Heaths Joint Strategic Partnership Board.

**Habitats Regulations:** The legal instrument that translates the obligations of the European Directives into UK law. Plans or projects, including planning applications that may adversely affect a European Site must pass a series of tests under the Habitats Regulations before they can proceed.

**Avoidance Strategy:** Woking Borough Council's strategy that identifies how new residential development within the borough can avoid potential effects upon the SPA, through financial contributions to provide either new open space or improvements to existing open space.

**Local Development Framework (LDF):** A portfolio of documents that provides the framework for delivering the spatial strategy of the area. The LDF will replace the existing Local Plan.

**Local Development Scheme (LDS):** Three-year project plan for the production of Local Development Documents.

**Strategic Access Management and Monitoring (SAMM):** tariff, where the monies are used to monitor access and management projects of these sensitive sites. Natural England are co-ordinating the project.

**Site of Special Scientific Interest (SSSI):** An area of land or water notified by statutory conservation agency under the Wildlife and Countryside Act 1981 as being of national importance for nature or geological conservation.

**South East Plan:** Regional Spatial Strategy, revoked July 2010.

**Special Protection Area (SPA):** A statutory protected habitat for wild birds under EC Regulations.

**Suitable Alternative Natural Greenspaces (SANGS):** land that is accessible for public recreation and meets the requirements of visitors who would use the SPA.

**Supplementary Planning Document (SPD):** To replace Supplementary Planning Guidance. Nonstatutory documents that expand upon policies and proposals in the Local Development Framework.

**Thames Basin Heaths Special Protection Area:** It covers an area of some 8400ha, consisting of 13 Sites of Special Scientific Interest (SSSI) scattered from Hampshire in the West, to Berkshire in the North through to Surrey.

**APPENDIX 3: Calculations for Strategic Access and Monitoring Tariff**

Bedrooms	Tariff per person	Multiplied by	Occupancy	Figure	Add Enabling Adjustment	Total
1	£263	x	1.4	369	18%	£436
2	£263	x	1.9	500	18%	£590
3	£263	x	2.5	658	18%	£777
4	£263	x	2.9	763	18%	£901

Number of bedrooms	Proportion of dwellings	Number of dwellings	Suggested tariff	Income
1	28%	1390	<b>436</b>	£606,040
2	39%	1936	<b>590</b>	£1,142,240
3	16%	795	<b>777</b>	£617,715
4	17%	844	<b>901</b>	£760,444
Total				£3,126,439

Units to 2026 = 4964

**Average tariff/dwelling** **£629.82**

Enabling adjustment 18.0%

Number of bedrooms	Suggested tariff
1	£436.0
2	£590.0
3	£777.0
4	£901.0