

Woking Borough Council

Local Development Documents

Thames Basin Heaths Avoidance Strategy Supplementary Planning Document

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Produced by the Planning Policy Team

**Woking Borough Council, Civic Offices, Gloucester Square, Woking,
Surrey, GU21 6YL.**

Email: planning.policy@woking.gov.uk

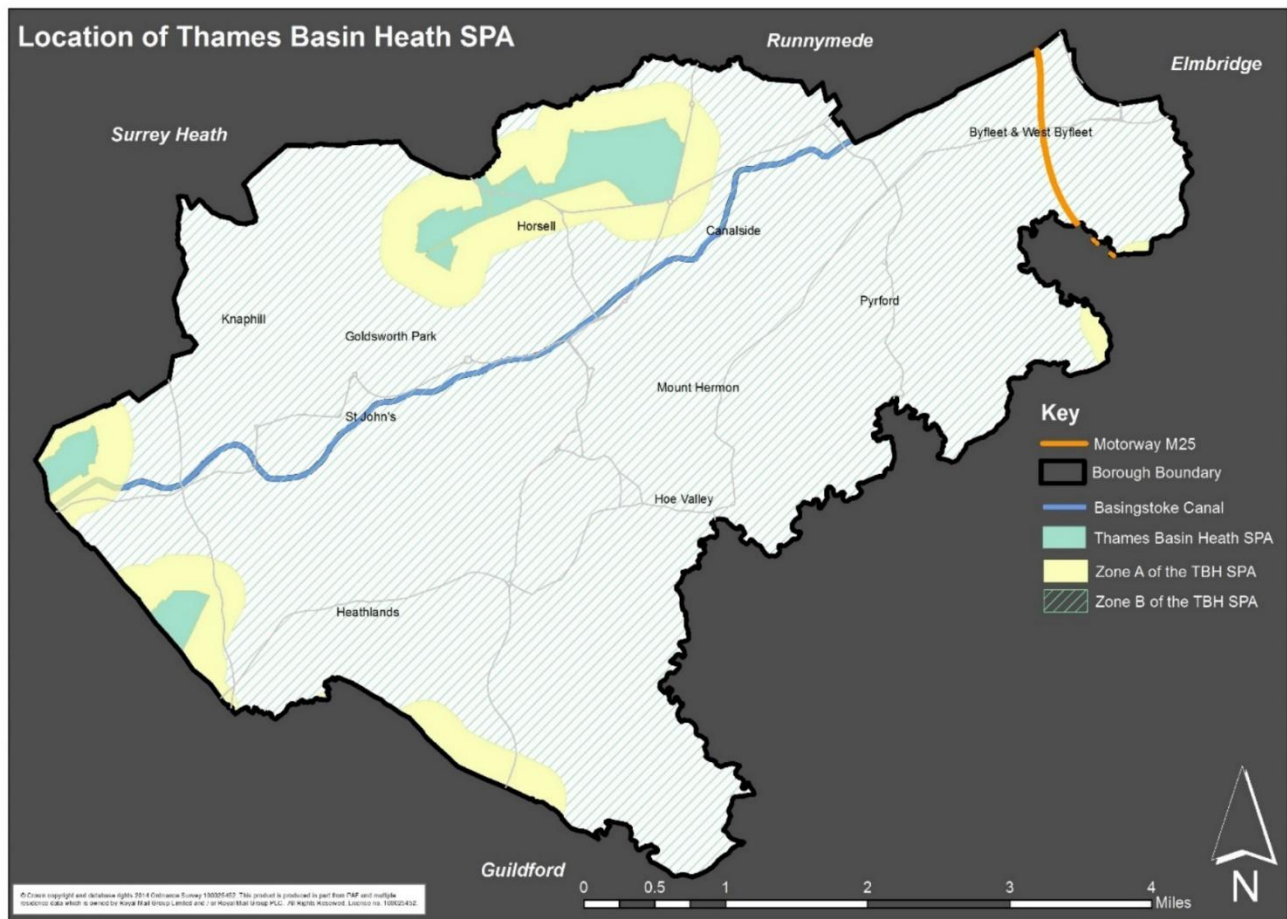
CONTENTS		Page
1.0	Introduction	4
2.0	Background	5
3.0	Policy context	7
4.0	The Avoidance Strategy and Suitable Alternative Greenspace (SANG) Existing SANG Sites How contributions are made towards the provision of SANG	9 13 14
5.0	The Community Infrastructure Levy (CIL) How CIL income is ring fenced to take into account SANG Provision of bespoke SANGs and Biodiversity Net Gain	15 16 16
6.0	Prioritising Strategic SANG Allocations	17
7.0	Strategic Access Management and Monitoring (SAMM)	18
8.0	Types of development covered	19
9.0	The Council's monitoring procedures Monitoring SANG Capacity Monitoring SAMM	22 22 22
10.0	The process of identifying SANG sites	23
11.0	Glossary	25

MAPS		Page
Map 1	The location of TBH SPA within Woking	5
Map 2	The location of SANGs within Woking	11
Map 3	The location of SANGs within Woking and the extent of their catchment areas	12
Map 4	The location of proposed SANGs and the extent of their catchment area within the Borough.	14

TABLES		Page
Table 1	List of SANGs within Woking	10
Table 2	The size and capacity of proposed SANG sites	13
Table 3	Community Infrastructure Levy charging schedule	15
Table 4	Types of development and the required contributions towards SANG and SAMM.	19-21

1.0 Introduction

- 1.1 The Thames Basin Heaths Special Protection Area (SPA) was designated in March 2009 and forms part of a national network of sites of international importance for nature conservation. It supports important populations of three vulnerable and rare ground-nesting species of birds. These are the Nightjar (*Caprimulgus Europaeus*), the Woodlark (*Lullula Arborea*) and the Dartford Warbler (*Sylvia Undata*).
- 1.2 Under the Conservation of Habitats and Species (Amendment)(EU Exit) Regulations, 2019 the Council is required to ensure that development within the borough does not adversely affect the integrity of the Thames Basin Heath SPA. There are eleven local authorities across Surrey, Hampshire and Berkshire within proximity of the SPA. Cross-boundary cooperation to address the cumulative impact of residential development within the affected areas has been ongoing through the creation of the Joint Strategic Partnership Board (JSPB) which endorsed a Delivery Framework in 2009. Three key measures were set out within the document:
 - i. The establishment of a 400 metre buffer around the SPA within which no new residential units can be permitted (zone A);
 - ii. Within a 400 metre to 5km zone around the SPA, (zone B) new residential development must provide mitigation in the form of:
 - Suitable Alternative Natural Greenspace (SANG)
 - Financial contribution towards Strategic Access Management and Monitoring (SAMM) measures to co-ordinate visitor management across the whole of the publicly accessible land within the SPA
 - iii. Within a 5km to 7km zone around the SPA, the impact of major developments of more than 50 units is assessed on a case-by-case basis with Natural England
- 1.3 All of Woking borough falls within zone B of the SPA and as a result, residential development proposals need to demonstrate adequate avoidance or mitigation of significant adverse effects.
- 1.4 Each of the eleven local authorities affected by the Thames Basin Heaths SPA are responsible for developing their own, local avoidance strategies to respond to local circumstances and needs. This Avoidance Strategy, once adopted, will supersede the version dated February 2022 and is revised to better reflect local circumstances and changes to national planning policy and development regulations.
- 1.5 The designated SPA zones within Woking are shown on Map 1 below.



Map 1: SPAs and zones within Woking

2.0 Background

- 2.1 The Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC) overlaps entirely with the Thames Basin Heath SPA. The SAC is of international ecological importance for its habitat and species whereas the SPA is protected specifically for the protection of birds. Together they consist of a number of fragments of lowland heathland. The predominant habitats are dry and wet heath, but the designations also include areas of deciduous woodland, gorse scrub, acid grassland and mire, as well as associated conifer plantations. Around 75% of the SPA has open public access being either common land or designated as open countryside under the Countryside and Rights of Way Act 2000.
- 2.2 The component Site of Special Scientific Interest (SSSI) of the SPA, Horsell Common SSSI, and Ash to Brookwood Heaths SSSI lie within or partly within Woking Borough, whilst Whitmoor Common SSSI, Ockham and Wisley Commons SSSI lie adjacent to it. Colony Bog and Bagshot Heath SSSI intersects the Woking Borough boundary and Unit 15 of the SSSI (Sheets Heath) lies within the boundary. Ash to Brookwood Heaths SSSI and Colony Bog and Bagshot Heaths SSSI also form part of the SAC designation. These designated SPAs zones within Woking are shown on Map 1 above.

- 2.3 More information can be obtained from the [Special Protection Area - Thames Basin Heaths](#) website. Natural England has prepared guidance for the provision and management of SANGs, which can be found [here](#) and developers are encouraged to seek advice from Natural England [Developers: get environmental advice on your planning proposals - GOV.UK](#)
- 2.4 Natural England considers the impact of net new residential development within 5 kilometres of the SPA may harm the protected bird populations in the TBH SPA unless objective evidence establishes otherwise. Appropriate avoidance and mitigation is therefore required of any net increase in housing development within 5km of the TBH SPA. Developers are therefore required to address their development impacts by contributing towards the measures in the Delivery Framework to avoid harm to the SPA.
- 2.5 Natural England has advised of the measures that may be used to avoid any significant effect of new residential development on the SPA. This approach is supported by the Joint Strategic Partnership Board (JSPB). The three pronged approach includes:
- 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.
- 2.6 This document focusses on the SANG and SAMM, the third measure related to longer term management of the SPA and is the duty of the landowner. Where the SPA is on local authority owned land, the Council will continue to have a duty of care to effectively manage and maintain the land. It will also proactively work with its partners and other landowners to manage and maintain other land which are not in its ownership.
- 2.7 Whilst the Council already has an established Avoidance Strategy which has been in operation since June 2006, this updated strategy has been amended to reflect current circumstances including the updated National Planning Policy Framework (2025), and changes to the permitted development regime.
- 2.8 It is necessary to address these changes to ensure the Council can continue to facilitate and deliver appropriate mitigation, using all of the tools at our disposal and aligning our approach with other councils in the TBH SPA area. The Council will now set out how contributions for SANG will be collected for developments that are not CIL-liable and set out SANG allocation criteria to help maintain sufficient SANG capacity, and reviewing the timing of allocating SANG to the planning permission stage.
- 2.9 The Council has also sought to clarify its approach to the avoidance and mitigation of the SPA for other uses where the occupants are likely to have a similar level of recreational access need as those in conventional housing (those that fall under the C3 use class) for example Houses in Multiple Occupation (HMOs), accommodation for older people, student accommodation and co – living accommodation. This is set out in more detail in table 5, types of development and the required contributions towards SAMM and SANG.

- 2.10 In general, the level of recreational access need for non-residential developments is not likely to be significant, however each proposal will be treated on their individual merits. An 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.

3.0 Policy Context

- 3.1 The South East Plan (2009) was partially revoked in 2013. Policy NRM6 Thames Basin Heaths Special Protection Area remains in place as a saved policy. This sets out the principle of the protection of the Thames Basin Heaths SPA in the South East. The delivery plan and planning issues affecting the Special Protection Area (SPA) have subsequently been integrated into Woking's Local Development Framework. The Core Strategy contains Policy CS8 Thames Basin Heaths SPA which is in general conformity with the requirements of Policy NRM6 of the South East Plan. Policy CS8 of the Woking Core Strategy (2012) states, *'that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the TBHSPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment'*.
- 3.2 As part of the responsibilities under the Habitats Regulations, the Council is required to carry out a full Appropriate Assessment of relevant plans and projects which are likely to have a significant effect on a European site. The Habitats Regulations state that appropriate assessments of plans and projects must be undertaken 'in the view of that site's conservation objectives.' These objectives differ depending on the site.
- 3.3 For Special Areas of Conservation (SACs) these objectives are to '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 feature'. Special Protection Areas (SPAs) are different, the qualifying features are the bird population for which the site has been classified. The conservation objectives are to '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 Directives'.
- 3.4 The SPAs and the SACs have a long list of core attributes which form part of the sites integrity, the attribute most likely to be undermined is the 'structure and function of the habitats of the qualifying species'. A plan or project involving 'some strictly temporary loss of amenity which is capable of being fully undone' would not be an adverse effect on integrity. By comparison, 'lasting and irreparable loss' would be an adverse effect on integrity. A full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes of the Habitats Directive. Furthermore, there is a statutory requirement for the Council to formally consult Natural England for the purposes of an appropriate assessment.
- 3.5 Policy CS8 of Woking Core Strategy (adopted 2012 and reviewed 2023) requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBHSPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and landowner payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL), however

the SAMM element of the SPA tariff is collected outside of CIL. The relevant proportions of the CIL contribution are ring fenced for the provision and maintenance of SANGs.

- 3.6 As is the case with the Core Strategy, the adopted Site Allocations DPD (2021) has been subject to Appropriate Assessment in accordance with Article 6(3) of the Habitats Directive. The HRA report concluded, in consultation with Natural England, that no likely significant effects would occur on the Thames Basin Heaths SPA or other such sites under consideration as a result of the policies or proposed sites in the DPD, as appropriate measures have been incorporated into the Development Plan to avoid or mitigate adverse effects. The HRA considered recreational pressure, proximity effects (urbanisation), effects on hydrology/hydrogeology, invasive species introductions, reduction in air quality and trans-boundary/cumulative effects in reaching this conclusion. As clarified earlier, all relevant proposals will be subject to an Appropriate Assessment to determine the specific effects and the appropriate measures of mitigation.
- 3.7 The Development Management Policies DPD also contains measures that aim to maintain good air quality associated with new development. Policy DM6 'Air and water quality' states that appropriate avoidance and mitigation measures must be provided where an assessment of impacts demonstrates that an SPA and/or SAC is likely to be affected through deteriorating air quality. These should include measures which will assist in reducing overall emissions and increase the use of sustainable transport measures to combat any impacts on air quality on the roads within close proximity to the SPA and/or SAC, including integration of new development with local facilities and opportunities.
- 3.8 Recent changes to national policy in the National Planning policy Framework (NPPF) and amendments to the Town and Country Planning (General Permitted Development) (England) Order 2015, have allowed for changes of use to residential to take place without the need to apply for planning permission. As a result, this increases the number of residential dwellings delivered that do not have to pay CIL. Non-CIL liable applications for residential development are becoming more commonplace and whilst contributions are collected via S106, the revisions to this document seek to provide clarity for developers of what is expected of residential development that is not CIL liable with regards to SANG provision.
- 3.9 Government policy in the form of the NPPF (2025) has been updated and states in Para 195 "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 will take a precautionary approach to the protection and conservation of the SPA and development will only be permitted where the Council is satisfied that this will not give rise to significant adverse effects upon the integrity of the SPA. New residential development will not be permitted within the inner 400m exclusion zone. All net new residential development beyond the 400m zone will be required to make appropriate contribution towards SANG and SAMM.
- 3.10 It is important to note that the Avoidance Strategy does not address all possible effects of development on the SPA but only those resulting from recreational visits arising from residential development (including unconventional residential). 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 would still require an Appropriate Assessment. This will be determined on a case-by-case basis.

- 3.11 Natural England has produced detailed advice on the procedure for air quality assessment. Should the developer wish to explore options for avoiding or mitigating the effects described above we advise they seek advice with Natural England.

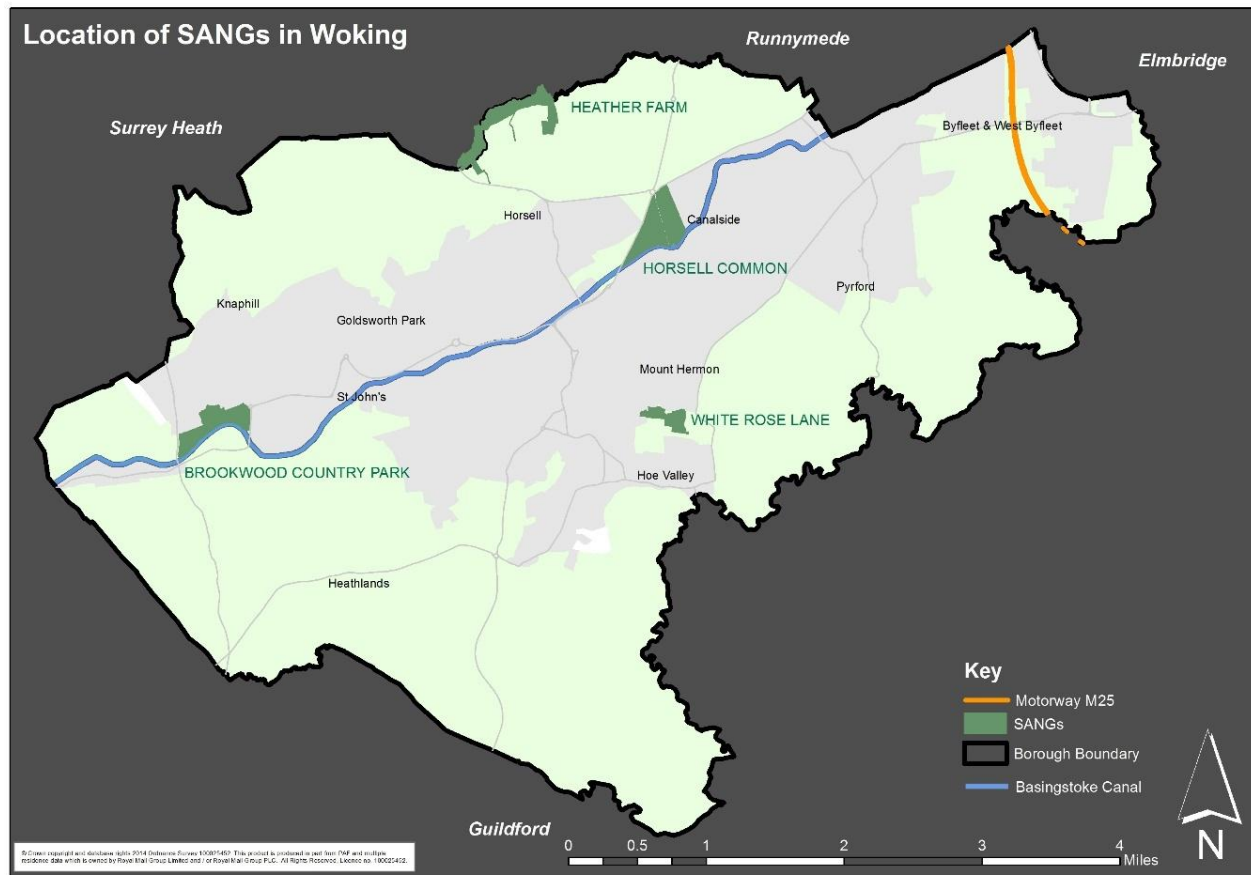
4.0 The Avoidance Strategy - Suitable Alternative Greenspace (SANG)

- 4.1 Natural England considers that any net 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.
- 4.2 Within 400m of a designated site, Natural England considers that it is not possible to avoid the possibility of adverse effects of residential development on the SPA, therefore there should be a presumption against development within Zone A, as shown on the Proposal Map. In the case of applications within 400m, this means that, other than in exceptional circumstances, they should be refused.
- 4.3 In the case of proposals for development between 400m and 5km from the SPA, Zone B, an Appropriate Assessment is required to determine the potential effects under Article 6(3) of the Habitats Directive. The avoidance strategy requires the developer to make a contribution towards the provision of a SANG or provide a bespoke SANG and in addition contribute to SAMM to mitigate against the potential recreational pressures of residents of the scheme, causing disturbance and deterioration to the SPA.
- 4.4 The Council has a number of identified SANG sites, the provision of these sites forms part of the avoidance measures for the SPA. These Council owned/managed sites are capable of providing avoidance measures to a substantial quantum of residential development. The capacity of SANGs is calculated based on the standard of a minimum of 8 hectares per 1000 population.
- 4.5 The existing operating SANG sites are listed in Table 1 below and shown spatially in Map 2. The Heather Farm SANG and Horsell Common SANG are owned by Horsell Common Preservation Society and the remaining SANG sites are owned by the Council.

Site	Size (ha)	Capacity ¹ to provide avoidance (No of dwellings)
Brookwood Country Park	20	1036
White Rose Lane	8.2	425
Horsell Common (Woodham Common/ The Bedser Trail)	28	1451
Heather Farm	24.63	1275

Table 1: All SANG sites operating in Woking

¹ See page 23 to see how SANG capacity is worked out



Map 2: The location of SANGs located within the borough

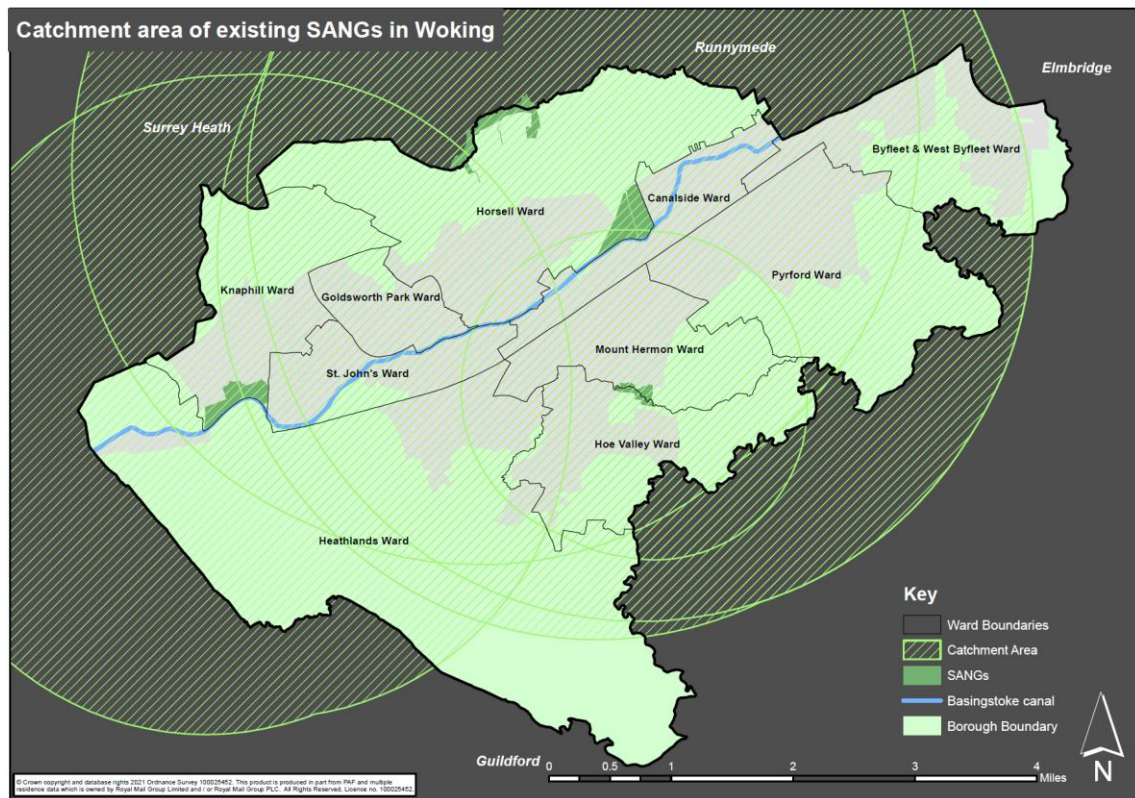
4.6 Some of these sites have been operating for several years now and therefore had provided avoidance measures for a number of completed residential schemes and current residential schemes under construction, thereby reducing their capacity to provide avoidance for new residential schemes. The capacity figures in Table 2 does not take into account capacity that has already been used.

4.7 The established Strategic SANG sites are distributed within the Borough as follows:

- *Brookwood Country Park* - This site is to the west of the Borough. It was a former hospital grounds transformed into a semi-natural open space. The SANG has been operational since 2011. The extent of its catchment is 5km.
- *White Rose Lane* - This site is owned by the Council and is part of a Local Nature Reserve. It is one of the busiest SANGS in the Thames Basin Heath area. The SANG has been operational since 2008. The extent of its catchment is 2 km.
- *Horsell Common* - This SANG site comprises of two parcels of land, intersected by Monument Road. It is registered Common Land owned by Horsell Common Preservation

Society (HCPS). The SANG has been operational since around 2007. The extent of its catchment is 5 km.

- **Heather Farm** - This is the newest established SANG site in the Borough which opened on 9 Jan 2016. It is located to the northern part of the Borough, where part of the land falls outside the Borough boundary into Surrey Heath. It was a former mushroom production facility. The site is owned by Horsell Common Preservation Society (HCPS) but has been leased to the Council for a minimum of 125 years for the purpose of using the land as a SANG. The Council has leased back the SANG to HCPS to manage on its behalf. HCPS receive payments from the Council to carry out capital works and will continue to receive annual maintenance payments to manage and maintain the site on behalf of the Council in accordance with its management plan. The extent of its catchment is 5 km.



Map 3 The location of SANGs and the extent of their catchment area within the Borough

- 4.8 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

- 4.9 Map 3 (page 14) and map 4 (page 16) shows each of the SANG sites and the extent of their catchments across the Borough. As can be noted, the catchment zones extend beyond the Borough boundary into neighbouring local authorities. The Council will assign development proposals to a relevant SANG according to the catchment zones.
- 4.10 Some areas of the Borough fall within a number of catchment zones. This means that proposals for residential developments located in any of the overlapping catchment zones can make financial contributions to works at any of the sites as avoidance/mitigation measure provided there is available capacity on the SANG site. It is also important to note that development proposals of fewer than 10 dwellings are not required to be within a specified distance of a SANG land (i.e. within a catchment area of a SANG) but avoidance can be assigned to any operational SANG provided there is sufficient capacity for that site to cater for the consequence of the dwellings upon the SPA.

Proposed new Strategic SANG sites

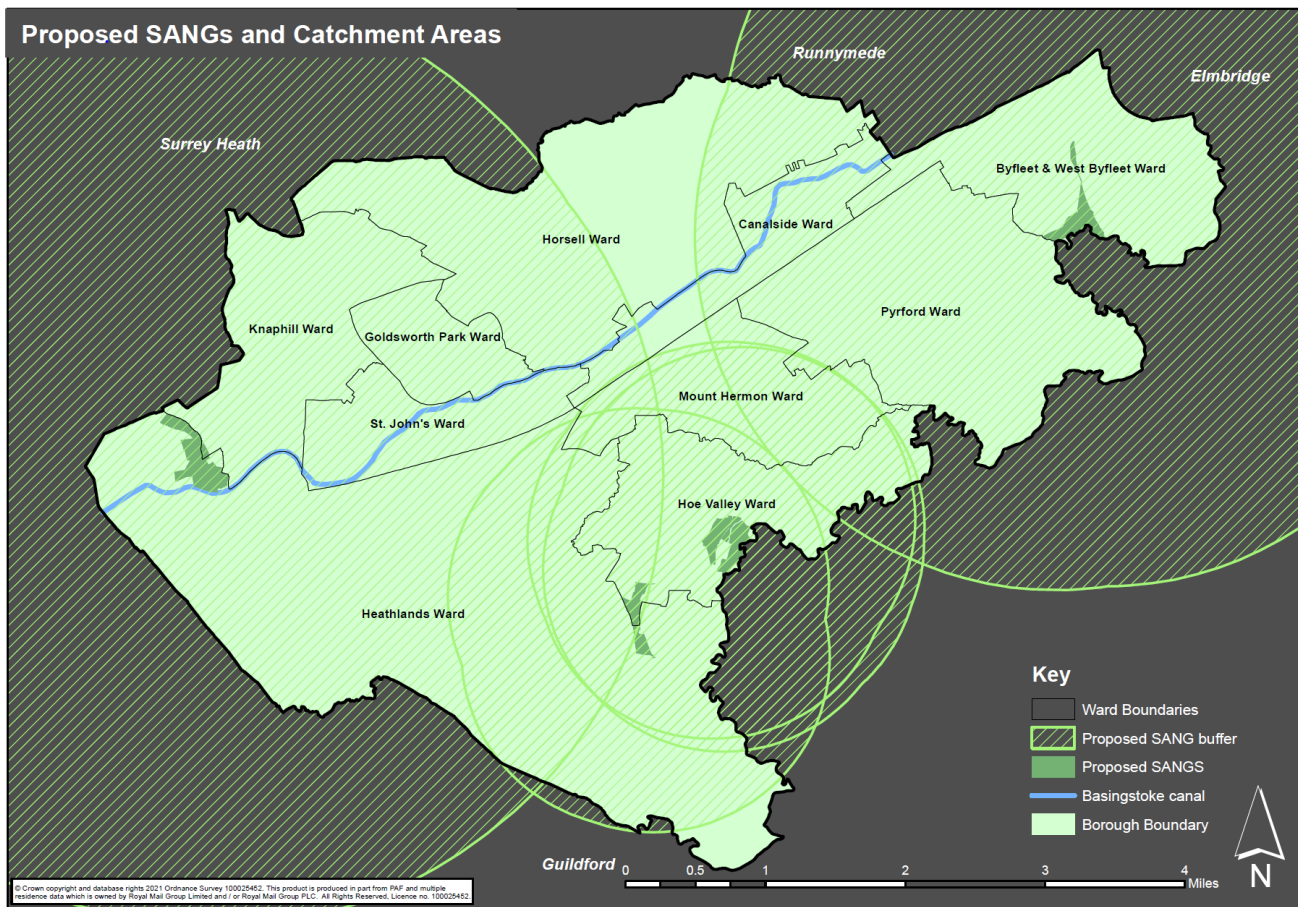
- 4.11 The Site Allocation DPD was adopted by the Council on the 14th October 2021. The Council has identified new Strategic SANG sites in its adopted Site Allocation DPD, these are:
- Land south of Parvis Road in Byfleet
 - Brookwood Farm
 - Gresham Mill
 - Westfield Common

The capacity and size of the sites are shown in Table 2 below. This demonstrates that sufficient sites have been identified to meet the projected housing requirement over the Core Strategy period.

Site	Size	Capacity (No of dwellings)
Land south of Parvis Road in Byfleet	15.43	799
Brookwood Farm	24.8	987
Gresham Mill 1	9.9	425
Gresham Mill 2	9.52	493
Westfield Common	10.59	570

Table 2 The size and capacity of proposed SANG sites

- 4.12 Map 4 below shows each of the proposed SANG sites and the extent of their catchment areas within the Borough.



Map 4 The location of proposed SANGs and the extent of their catchment area within the Borough.

How will contributions be made towards the provision of SANG?

- 4.13 As set out in this Strategy, any development that will result in a net additional dwelling within 400m-5km of the SPA is likely to have a significant effect on the purpose and the integrity of the SPA and therefore avoidance/mitigation measures need to be put in place to account for each additional dwelling. The avoidance measures identified in this Strategy includes contribution towards SANG provision and maintenance and contribution towards SAMM. In the majority of cases applicants have made/will make a contribution towards Council operating SANGs rather than providing their own.
- 4.14 CIL is the primary mechanism for securing developer contributions. Developments in Woking that are allocated capacity at strategic SANGs as avoidance measures are required to make financial contributions towards their enhancement, and ongoing management and maintenance. Contributions are currently taken through the Community Infrastructure Levy (CIL), where the development is CIL liable.
- 4.15 In instances where a residential development is not CIL liable, contributions are taken through a unilateral undertaking made pursuant to Section 106 of the Town and Country Planning Act 1990. This will be determined by calculating a notional CIL liability for the development as if it had been CIL liable and taking 39.5% (the percentage ring fenced for SANG provision and maintenance). This will apply to all residential development.

An example of this is below:

(The net floorspace) x (the CIL charge, including indexation) = the 'notional' CIL liability.

This notional CIL liability is then reduced to 39.5% (that being the amount/percentage of the CIL liability which would have been ring-fenced for the provision and maintenance of SANG had the development been CIL liable). To be secured for SANG provision via s106 legal agreement.

Notional CIL Liability = £100,000

39.5% of £100,000 = £39,500

SANG contribution will be £39,500 secured via S106

5.0 The Community Infrastructure Levy

- 5.1 Contributions toward SANG provision will need to be addressed regardless of the method by which contributions are collected. The Council had set out in its Regulation 123 List, currently in its Infrastructure Funding Statement and the CIL Charging Schedule that the provision of SANGs is a priority infrastructure and critical to support future residential development.
- 5.2 The Community Infrastructure Levy (CIL) was introduced by The Planning Act 2008 as a new mechanism to enable infrastructure requirements arising from growth to be funded through developer contributions. It is a standardised, non-negotiable charge applied to all qualifying schemes and offers a clear and consistent mechanism to pool multiple infrastructure contributions. The Council's Community Infrastructure Levy came into effect from 1 April 2015 (and is index linked year on year). The charge is applied by pounds per square metre on net additional floor space. The charging schedule as at 1st April 2025 is:

Type of development	Charging Schedule
Residential (Town Centre, Sheerwater and Maybury)	£113.22 per m ²
Residential (rest of the Borough)	£188.70 per m ²
Retail (all types)	£113.22 per m ²
All other commercial and non-residential uses	Nil (£0 per m ²)

Table 3. Community Infrastructure Levy charging schedule

- 5.3 Not all types of development are subject to the charge. Proposals for commercial use (not including retail) and non-residential use is subject to a nil charge. There are also exemptions including residential extensions of less than 100 m² of net internal floorspace (unless this will comprise of one or more dwellings), self build dwellings and new affordable housing (for more info see the Council's webpage: <https://www.woking.gov.uk/planning/service/contributions>). The charging schedule is index linked to the BCIS CIL Index, which is applied annually.

- 5.4 In establishing the charging schedule for the CIL the Council had to comply with relevant legislation and set a charge at a level that it considered to be a reasonable charging schedule that reached an appropriate balance between helping to fund necessary new infrastructure and the potential effects on development viability.
- 5.5 The Council sets out its strategic infrastructure priorities in the Infrastructure Funding Statement (IFS). These are infrastructure/projects that the Council intends to be funded in whole or partly by CIL and replaces the CIL 123 List that was adopted in 2015. Priorities for CIL are identified by elected Members of the Council.

How CIL income is ring fenced for the provision and maintenance of SANG

- 5.6 The Council calculated the SANG element of CIL based on an overall percentage, taking into consideration all potential development schemes coming forward. The calculations are taken from the figures used in the Council's CIL charging schedule and are as follows:

$$\frac{\text{Estimated income SANG}}{\text{Total estimated Income CIL}} \times 100 = \text{Proportion of SANG income against the CIL income}$$

$$\frac{\pounds 5,492,090}{\pounds 13,900,175} \times 100 = \mathbf{39.5 \%}$$

- 5.7 As a result of this established approach, the Council sets aside 39.5% of all CIL contributions to be paid upfront to cover provisions towards SANG.

The provision of bespoke SANGs and Biodiversity Net Gain

- 5.8 Developers can provide their own bespoke SANGS for their development. The Council may receive offers of land and avoidance measures accompanying a development proposal. In such cases the applicant should refer to the SANG criteria set out by Natural England found [here](#) (and consult with them at an early stage in the development process. CIL regulations allows payment in kind by way of a land payment. This will be looked at on a case-by-case basis.
- 5.9 The Council may use a Grampian condition to secure the SANG (ensuring it is provided prior to first occupation). However, this is dependent on Natural England agreeing to the SANG site, ensuring the SANG site has sufficient capacity to meet the needs of the development and the SANG has planning permission in its own right and has written permission from the land owners.
- 5.11 Bespoke SANGs provide avoidance measures for a specific development. New developments of more than 100 units not allocated in the Site Allocation DPD will generally be expected to provide a bespoke SANG rather than relying on capacity at Woking's available strategic SANGs. In instances where a development of more than 100 units seeks to use capacity at a strategic SANG, the Council will need to consider whether this would result in an overall shortage of capacity within the relevant strategic SANG's catchment area.

- 5.12 Additionally, in some circumstances, sites of fewer than 100 units may be asked to make some on-site provision. Where the Council considers that an individual development proposal represents phased or piecemeal development of a larger overall site, the total capacity of the larger site will be taken into account when reaching a decision on whether an individual proposal should provide on-site mitigation. Proposals for any bespoke SANG will be considered on a case-by case basis, in consultation with Natural England.
- 5.13 The Council considers that enhancing biodiversity and SANG function can be mutually compatible. The Environment Act 2021 requires a minimum 10% biodiversity net gain (BNG) to be achieved on most developments. BNG can be achieved through habitat restoration and/or creation on-site. Where the fully required net gain cannot be achieved on a development application site, the deficit/shortfall may be achieved outside the development site as an 'off-set', either by the developer or by a third party. The Council would support BNG realisation on SANG land; however only habitat creation or enhancement that is demonstrably additional, over and above the minimum requirements of the SANG can be attributed to BNG. Natural England has produced guidance on BNG and SANGs which can be found [here](#). Should the developer wish to explore or meet BNG requirements of a SANG land, it is advised that they have early engagement with [Natural England](#) and [Woking Borough Council](#).

6.0 Prioritising Strategic SANG Allocations

- 6.1 Strategic SANG is any council owned or maintained sites and will be prioritised in the following order:
- Developments within the Site Allocations Development Plan Document, adopted in October 2021. Where allocations are directly connected to a named SANG, the capacity of that SANG will be ring fenced for that development
 - Developments that deliver the affordable housing targets in CS12 of the Core Strategy if capacity remains beyond that which is specifically ring fenced for development land allocations
 - Developments within Woking Town Centre and other sustainable locations within the urban areas of the Borough
 - All other developments that would result in one or more additional net units where they comply with general criteria set out within the local development plan²
- 6.2 The SANG allocation criteria only applies to development proposals for net new residential development that requires capacity at Strategic SANG's (those owned or administered by the Council). Where SANG is secured from sites not owned by the Council, the applicant will need to demonstrate Natural England requirements are met.
- 6.3 Where an application has been approved and allocated SANG capacity, the SANG allocation will extend to the life of the planning permission.

² Should subsequent plans be produced the Council will seek to apply a prioritisation process based on primacy being given to sites identified through the local plan process.

- 6.4 SANG capacity will be allocated on the granting of planning permission and returned to the pool of available capacity if planning permission expires. This will come into effect for all planning applications received once there is sufficient SANG capacity to do so. Therefore, the Council will continue to allocate on commencement (as per Building Control notification).

7.0 Strategic Access Management and Monitoring (SAMM)

- 7.1 In addition to contributions towards SANG, Natural England requires that all Local Authorities affected by the SPA designation collect a Tariff (per dwelling) to implement an identified programme of works to manage and monitor visitors use of the SPA. This is the Strategic Access Management and Monitoring Tariff (SAMM). This is separate to SANG.
- 7.2 SAMM projects involve a wardening scheme which monitors and manages access to the SPAs and encourages people to use the Suitable Alternative Natural Green Space SANG (avoidance/mitigation land) rather than Special Protection Areas. SAMM measures include management projects of these sensitive sites such as warden patrols, leaflets, signage and educational material. Bird and visitor surveys are regularly undertaken, and the information used to monitor the effectiveness of the avoidance/mitigation measures.
- 7.3 SAMM funds are collected and paid directly to Hampshire County Council who act as treasurer of all the SAMM funds from all the TBH local authorities. The Joint Strategic Partnership Board (made of a member from each authority) work closely with Natural England to determine how the SAMM funds should be spent.
- 7.4 The SAMM tariff is a separate payment from CIL which is secured by a S106 Agreement. This approach was agreed by Council on 15 July 2010. It is indexed linked year on year in accordance with the CPIH inflation rate. The SAMM Tariff is published on the [Council website](#).
- 7.5 All qualifying schemes (development proposals that will result in a net additional dwelling) will be subject to a SAMM charge. The contributions will be secured by a legal agreement. Under the General Permitted Development Order 2015 (as amended) any development which is likely to have a significant effect upon a Special Protection Area cannot proceed unless the Council has given written approval under the Habitats Regulations 2017. This is particularly relevant in relation to applications for Prior Approval. To clarify, a Prior Approval notice does not constitute approval under the Habitats Regulations and a separate application under Regulation 75 of the Habitats Regulations is required.
- 7.6 The allocation of SANG is determined at the planning application stage on the granting of permission and set out through unilateral undertaking or legal agreement.

8.0 Types of Development Covered

- 8.1 Whilst this strategy focusses on the on the impacts of conventional housing on the SPA, there are other types of development that are likely to have a similar recreational access needs to residents in C3 dwellings and therefore, where relevant, these should contribute towards the avoidance and mitigation measures.

Development type	Explanation for contributions
Dwellings (C3)	<p>Proposals for one or more net units should provide avoidance/mitigation in the form of contributions. This is both for CIL liable development in the form of CIL contributions and non-CIL liable development in the form of a S106 agreement.</p> <p>Proposals for one or more net units including affordable housing will be required to contribute to the SAMM.</p>
Replacement dwellings	<p>Replacement dwellings are not considered to increase recreational pressure on the SPA and therefore no contributions are required.</p>
Change of use/ redevelopment of dwelling to Houses of Multiple Occupancy (HMO)	<p>If the facilities have individual lockable rooms, and have the ability to house a family, then each individual room should be treated as a separate dwelling and mitigated accordingly. If however, the rooms are small and can only fit a single bed (this could be conditioned). Then the number of rooms can be compared to the average occupancy rate of a dwelling to calculate both SANG and SAMM contributions required.</p> <p>Example Conversion: Conversion to 6 bedroom HMO from a 3 bedroom house. The average occupancy rate is 2.5 people per dwelling.</p> <p>Proposed Occupancy rate of the HMO = 6 people</p> <p>Net Occupancy Rate requiring mitigation is $6 - 2.5 = 3.5$ additional people to mitigate. 2×2.5 contributions covers the 3.5 requirement and this is what the developer would pay.</p> <p>If there is any net increase in residents or residential units within 400m, then Natural England would continue to object.</p>
<p>Gypsy or Traveller pitches (including temporary planning permission)</p> <p>Camping and Caravans</p>	<p>If the proposal results in the net increase of residential dwellings mitigation is required as usual.</p> <p>It does depend on the permanency of the pitch. If it will be someone's permanent address then the usual contributions will be required. However, if it is more a holiday caravan park/pitch, then no contribution is required.</p> <p>In terms of the amount of SAMM contributions this will be based upon the number of bedrooms of each caravan. This will determine on a case by case basis.</p>
Residential institutions (C2)	<p>Developments within Use Class C2 (Residential Institutions) may need to provide avoidance/mitigation as they may be considered to give rise to likely significant effect to the SPA. Applications for C2 development will be considered on a case-by-case basis and in reaching a decision the Council will take into consideration how the development will be</p>

	<p>used, the likely activity levels of the residents and the level of care and the likelihood of pet ownership. For example:</p> <p>Residents which will never or very rarely visit the SPA such as residents who are blind, in a coma or limited mobility and do not leave the compound. Mitigation would not be required for these residents.</p> <p>One key indicator on how mobile the residents would be relates to the facilities on site such as swimming pool, gym, car parking and bike stores. This would also be assumed in facilities where residents are in self-contained accommodation and therefore live reasonably independently, even if there is a level of care required. In these cases avoidance and mitigation will be required.</p> <p>Natural England will normally be consulted on such applications if over 100 units.</p>
Hotels (C1)	<p>It is unlikely that C1 development (hotels, boarding and guest houses) would have a significant adverse effect on the SPA in the absence of a significant long-stay tourist economy in the borough. However, residential staff in such establishments will need to be considered as being likely to have a significant adverse effect in combination with other long term residents and will be required to contribute to avoidance measures. For example if the hotel was to become the full time address for a person then contributions would be required.</p> <p>Proposals will be assessed on a case by case basis under advice from Natural England.</p>
Student Housing/ Co living (Sui Generis)	<p>Developments which are considered students/co living accommodation may need to provide avoidance/mitigation as they may be considered to give rise to likely significant effect to the SPA. Applications will be considered on a case-by-case basis and in reaching a decision the Council will take a number of factors into consideration such as: how the development will be used, length of lease contract, and the likely activity levels of the residents, size of the development, such as whether the occupants will be undergraduates residing there for a year or postgraduates for several years with family. Car provision and rules around pets will also need to be taken into consideration.</p> <p>Proposals for one or more net units should provide avoidance/mitigation in the form of SAMM and SANG contributions. Natural England will normally be consulted on applications of over 100 units.</p>

Staff Accommodation	<p>Applications for staff accommodation will be considered on a case-by-case basis and in reaching a decision the Council will take into consideration how the development will be used i.e. will it be their permanent full time address for that staff member. For example if it is a dwelling attached to a pub for a landlord to live permanently then it should be considered a new dwelling and treated accordingly. If it is a nursing facility and the staff only sleeps whilst completing their shift, before going home, then no contributions will be required.</p> <p>Natural England will normally be consulted on applications if over 100 units.</p>
Permitted Development	<p>Permitted Development applications are not exempt from the Habitats Regulations. Avoidance and mitigation will still be required in the form of SAMM and SANG as per usual.</p>

Table 5: Types of development and the required contributions towards SAMM and SANG.

The scenarios outlined above explain the general approach of the Council to SPA avoidance/mitigation in relation to certain types of development. However there will be circumstances where schemes will be considered on a case by case basis of the advice of Natural England.

Other Forms of Development

- 8.2 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, scale, location and nature of the proposal. 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 as part of the Environmental Impact Assessment stage prior to the planning application stage and will determine whether or not mitigation is required.

9.0 The Council's Monitoring Procedures

SANG Capacity

- 9.1 The Council has a number of existing SANG sites and have identified new sites in the adopted Site Allocations DPD to address future housing needs. The standard for SANG is a minimum of 8 ha per 1000 population. Using this as a baseline and applying a simple formula the Council calculates the capacity of each SANG site to provide avoidance/mitigation.

8 ha of SANG per 1000 people is the equivalent of 0.008ha of SANG for 1 person

The average household size is 2.41

Therefore, on average each new household will need to make provision for 0.0193 ha of SANG.

$$\text{SANG Capacity} = \text{Area} / 0.0193$$

- 9.2 If the site is a new open space (i.e. there are no existing users) then no further adjustment is needed. For upgraded sites the existing users must be taken into account and discounted from the overall capacity in order to establish the true capacity of the SANG site. It may be necessary for visitor survey to be undertaken to establish the current level of use of the site.

Monitoring SANG Capacity

- 9.3 The Council will continue to monitor the SANG capacity every quarter to ensure that there is sufficient capacity to meet the housing delivery identified in the Local Development Framework.
- 9.4 Currently, the Council monitors when permissioned developments commence and are occupied as this is when contributions towards CIL (including SANG), S106 agreement (non CIL liable applications) and SAMM are triggered under current practices. The Council then adjusts the SANG capacity accordingly to ensure it has an up to date understanding of the supply of SANG land and its capacity to address SPA avoidance/mitigation. Updated SANG capacity is published annually on the Council's website as part of the AMR.
- 9.5 From the date of adoption of this document, the Council will allocate SANG at the planning application stage.

Monitoring of SAMM

- 9.6 SAMM funds are collected and paid directly to Hampshire County Council who act as treasurer of all the SAMM funds from all the TBH local authorities. JSPB meetings are held regularly to consider how SAMM funds should be appropriately spent to achieve the best outcomes and to report back on ongoing measures/projects that have been agreed. This would involve a wardening scheme, to monitor and manage access to the SPAs and encourage people to use SANGS land rather than the SPA's. It would include bird and visitor surveys to be undertaken to monitor the effectiveness of the mitigation measures.

10.0 The process of identifying SANG sites

Step 1: Initial identification of Appropriate Sites for Avoidance Measures

- 10.1 Natural England has produced guidance for the creation of SANG sites, please click [here](#) for more information on identifying suitable sites. Its provisions should be taken into account. Future SANG sites which have ecological value should have an ecological survey to ensure it contributes to the protection, enhancement and management of local biodiversity, nature conservation, and areas of hydrological importance.

Step 2: Identification of a Programme of Works

- 10.2 Each SANG will be required to prepare a SANG Proposal and SANG Management Plan, which should be prepared in consultation with Natural England. Management plans must contain in-perpetuity (minimum of 80 years) maintenance and management costings, as well as a named-management company, and step-in rights where applicable³. This is to demonstrate that the proposed SANG meets the required criteria and can provide avoidance/mitigation. In order for sites to meet the specified criteria set out by Natural England they will most likely have to undergo a substantial programme of works. This will include capital works to get the site to an appropriate SANG standard and then further phased works to manage and maintain the site in perpetuity⁴. The costs of each improvement should be estimated to allow a calculation of total capital costs and future maintenance costs.
- 10.3 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.
- 10.4 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 should be undertaken to show current use of the site and to monitor the impacts of improvements, or new provision.
- 10.5 The maintenance and management of the sites should be considered and a breakdown of the costs of maintenance and replacement of assets for each site is included. Calculations are based on estimates that assets will need to be replaced due to wear and tear.

³ For bespoke/on-site SANGs, a management company must be elected at the planning application stage and agreed in writing for the management of the SANG in perpetuity. If it is not the Local Planning Authority/Land Trust or equivalent, then step-in rights also need to be agreed in writing with the Local Planning Authority. Natural England need to see a named management company, and step in-rights secured if applicable.

⁴ In perpetuity is recognised as the minimum of 80 years to ensure the SANG is maintained and remains attractive to the public to act as a sufficient draw away from the SPA to achieve avoidance and mitigation.

- 10.6 This information will also inform any future reviews of the CIL Charging Schedule and any ring fencing towards SANG.

Step 3: Calculation of the capacity (number of dwellings the SANG can provide avoidance to)

- 10.7 The calculation to determine the capacity of a SANG site to provide avoidance/mitigation is necessary to estimate how much SANG land would be needed to support planned development.
- 10.8 The capacity of the new SANG sites identified in the adopted Site Allocation DPD has been calculated based on the SANG site area. The actual capacity may be reduced to discount the existing level of use. SANG sites should be operational before any residential development is assigned to it to provide avoidance measure. This means that any capital works to bring the site to SANG standard needs to be undertaken before occupation of assigned dwellings.

Step 4: Community Infrastructure Levy (CIL) and SAMM contributions

- 10.9 When submitting an application for residential development the applicant will be required to make a contribution towards SAMM through a legal agreement and payment towards CIL or a s106 agreement on non CIL liable application. This will then be ring fenced for this purpose.

Step 5: Allocate capacity to the SANG site

- 10.10 SANG will be allocated once planning permission is granted and S106 is signed. This will come into effect for all planning applications received once there is sufficient SANG capacity to do so. Therefore, the Council will continue to allocate on commencement (as per Building Control notification).

Glossary

Appropriate Assessment: An assessment under the Conservation of Habitats and Species Regulations 2017 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. Non statutory 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.

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