

**THAMES BASIN HEATHS
JOINT STRATEGIC PARTNERSHIP BOARD**

Date: 16 October 2007

Subject: **Interim Strategic Delivery Plan – Draft for Consultation**

Report of: Regional Assembly

Recommendations:

It is recommended that the Board:

- i. Endorses the draft Interim Strategic Delivery Plan for consultation purposes.
- ii. Agrees the overarching consultation principles set out in **Annex 2**.
- iii. Considers the results of the ISDP consultation at the next Board meeting.
- iv. Agrees that a working group be convened to explore implementation arrangements.

Purpose of the Report:

To provide members with background information and a summary of the proposals set out within the draft Interim Strategic Delivery Plan, for discussion and endorsement for consultation purposes.

Key Issues:

The Technical Assessor, in his report into the Thames Basin Heaths and the Natural England draft Delivery Plan, recommended that an Interim Strategic Delivery Plan be drafted to address the issues being faced in the area affected by the Special Protection Area designation.

An Interim Strategic Delivery Plan has now been drafted which seeks to provide a solution to the delivery of housing through the strategic provision of measures to avoid the impact of new housing development on the SPA. It develops some aspects of the Natural England draft Delivery Plan and the Assessor's recommendations, alongside new measures, to propose an area-wide solution.

Key themes are the identification of a 5km zone of influence, proposals to provide a strategic network of alternative recreation land, an increased focus on access management including a dedicated strategic staff resource, and the collection – through developer contributions - and sharing of a standard tariff to fund these avoidance measures.

The draft has been produced on the basis that it will be subject to public consultation in late 2007.

1. Introduction

- 1.1 Members will be aware that one of the Technical Assessor's key short term recommendations for resolving the Thames Basin Heaths issue was that an Interim Strategic Delivery Plan (ISDP) be produced, to provide a strategic framework for the delivery of housing and mitigation within the area affected by the Special Protection Area (SPA) designation.
- 1.2 The Regional Assembly was asked by the Government Office for the South East (GOSE) to take the lead in developing the ISDP, and appointed independent consultant Ian Phillips to assist with the task. The work was overseen by a steering group comprising the Regional Assembly, Natural England (NE), the department for Communities and Local Government (CLG), and GOSE.
- 1.3 A draft ISDP has now been produced and is provided alongside this report for members' consideration. It is anticipated that following discussion by this Joint Strategic Partnership Board, the draft will be subject to public consultation before the Board is asked to endorse the ISDP.

2. Status of ISDP

- 2.1 As set out above, the ISDP accompanying this report is a draft document produced for consultation purposes.
- 2.2 Following consultation, a final draft ISDP will be presented to the Board. Members will be asked to endorse this draft as non-statutory guidance, the purpose of which will be to provide a consistent framework inform the work of local authorities and stakeholders within the affected area. Where necessary, additional mechanisms to deliver the ISDP will then be put in place. Ultimately the ISDP could be adopted as a Joint Supplementary Planning Document (SPD) as recommended in report of the Panel for the Examination in Public of the draft South East Plan.
- 2.3 The document will not be 'owned' by any single organisation – for example, the Regional Assembly – but, rather, by all those organisations on the Joint Strategic Partnership who endorse it.

3. Background to the draft ISDP

- 3.1 In producing the draft ISDP, consideration was given to a wide range of information, evidence and publications, including:
 - Natural England's draft Delivery Plan
 - The 'Peer Review' of the draft Delivery Plan undertaken by consultants RPS on behalf of the Department of Communities and Local Government
 - The report of the Technical Assessor, and the evidence that informed discussions at the Thames Basin Heath Technical Sessions that were held as part of the South East Plan Examination in Public.
- 3.2 In addition, consultation was carried out with key stakeholders, including:

- Initial written consultation by Ian Phillips and follow-up contact and conversations
- A workshop hosted jointly by the Regional Assembly and NE to explore the provision of alternative recreation land and access management
- A meeting of officers in late September to discuss an early draft document.

4. Key policies approaches proposed in the draft ISDP

- 4.1 The draft ISDP proposes 13 policies to guide development around the Thames Basin Heaths. These relate to 7 main areas.

The type of development covered by the ISDP

- 4.2 It is proposed that the ISDP covers Use Class C3 development¹ (with an exception for certain types of residential care homes) and staff accommodation associated with Use Classes C1 and C2². This does not mean that other types of development will not have a negative impact on the SPA, but that they would need to be assessed on an individual basis.
- 4.3 It is also proposed that the ISDP should apply to all new (net) residential development. This reflects the approach taken by the NE draft Delivery Plan, and not the approach proposed by the Technical Assessor (who suggested that the ISDP should not be applied to developments of fewer than 10 dwellings). The reason for this is that small schemes will still have a cumulative impact on the SPA when considered together, and it is a requirement of the Habitats Regulations³ that developments are considered 'in-combination' with each other.

The area covered by the ISDP

- 4.4 The draft ISDP retains the 400m zone of no development set out in the NE draft Delivery Plan and supported by the Peer Review and the Technical Assessor. In addition to this, it proposes one additional zone (the 'zone of influence') at a distance of 5km from the SPA boundary, measured 'as the crow flies' (linear distance) rather than based on travel distance by road.
- 4.5 The Technical Assessor's report recommended that the outer zones should be drawn on the basis of travel distance, and this approach has been trialled over the past few months. The decision to suggest reverting to the use of linear distance is proposed for several reasons:
- simplicity
 - permanence; and
 - certainty of application.

¹ That is Dwellinghouses, defined as family houses, or houses occupied by up to six residents living together as a single household, including a household where care is provided for residents

² C1: Hotels - Hotels, boarding and guest houses where no significant element of care is provided; C2: Residential institutions - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres

³ The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007

The provision of Suitable Alternative Natural Greenspace (SANG)

- 4.6 The draft ISDP recommends the provision of a strategic network of SANGs – the area of which (384ha) is calculated to provide enough alternative recreation land to allow for the 20,000 homes allocated in the draft South East Plan for the affected area for 2006-2016 to be delivered. This is on the basis of a SANG provision of 8ha per 1000 people and 2.4 persons per dwelling, as recommended by the Technical Assessor and accepted by NE.
- 4.7 Guidance is provided in the ISDP on the size and quality of strategic SANG land. Appendix C of the draft ISDP explains in more detail how the SANG standards would be applied. In summary:
- 4.8 The strategic SANG network will provide SANG for all developments of less than 10 units regardless of where they are situated on the basis that individually, their effect on the SPA will not be significant, and cumulatively, their impact will be spread across the affected area. Developments of 10 dwellings or more will need to be within 2km of SANG land to ensure that impact on the SPA is avoided. If more than 2km from existing strategic SANG land, additional SANG would need to be provided. In addition, those parts of the SPA that are subject to significant visitor pressure should have at least 40ha of strategic SANG provision within 2km.
- 4.9 The work that Land Use Consultants have been carrying out on behalf of the Regional Assembly – to which local authorities and key stakeholders have contributed valuable time and information – could provide a helpful starting point in identifying options for this strategic provision. The Board will receive a verbal update on this work under Agenda item 5.

The provision of access management measures

- 4.10 The ISDP proposes a greater role for access management measures than was originally included in the NE draft Delivery Plan, in line with the recommendations in the Assessor's report, and especially focuses on a range of 'soft' management measures such as education and wardening.
- 4.11 A key aspect of the access management proposals in the ISDP is that there should be a dedicated staff resource to oversee the implementation of strategic soft access management measures. It is proposed that the staff should be jointly funded for an initial period, and subject to annual review.
- 4.12 The draft ISDP proposes that the access management staff resource could be directly responsible to the Joint Strategic Partnership. This would require formal mechanisms to be put in place – this matter is discussed further in para 4.19.

Funding mechanisms

- 4.13 The draft ISDP proposes that there should be a standard tariff collected from all residential development within the zone of influence (reflecting one of the Technical Assessor's recommendations) to provide for the provision of

strategic SANGs (capital costs, including purchase, and maintenance) and access management measures (including maintenance, PR, education and staff costs). An example indicative calculation is provided in Appendix B of the draft ISDP, which indicates that this standard tariff, if based on dwelling type, could be around £1900 for flats and £3000 for houses; and if based on number of bedrooms could be around £1100 per bedroom.

- 4.14 It is proposed that the standard tariff monies be pooled into a single strategic fund. This would then be used to finance strategic SANGs and access management measures. This means that individual developments contribute to an area-wide (rather than local) solution, and that the distribution of tariff monies may not always be proportionate by area.
- 4.15 The proposals for a standard tariff would require formal financial arrangements to be agreed between the authorities represented on the Board, and a Treasurer appointed. In the interim period, the Regional Infrastructure Fund may be able to provide seed funding for the proposed avoidance measures.

Monitoring and Review

- 4.16 Monitoring of the ISDP will be essential. The draft ISDP sets out the extent of monitoring, including:
- Housing development against the provision of SANG land
 - Visitors to SPA and SANG land
 - Bird numbers on the SPA
 - Financial accounts
 - Review of the work of the Joint Strategic Partnership and the delivery of ISDP objectives.
- 4.17 It is proposed that the monitoring and review process be overseen by the Partnership Board.

Joint working

- 4.18 Key to the delivery and implementation of proposals in the draft ISDP is the need for joint working, not only between all the affected LPAs, but with other key stakeholders, to deliver the strategic approach.
- 4.19 The current arrangements for the Joint Strategic Partnership Board (as described in **Agenda Item 2**) represent a strong starting point to facilitate such joint working. However, the draft ISDP anticipates that the Board will evolve into a body with greater powers to implement the policies that it proposes.
- 4.20 During the consultation period, and in the light of consultation responses, more detailed options/proposals for implementation of the ISDP through joint working and the Joint Strategic Partnership will be developed.

5. Consulting on the draft ISDP

- 5.1 **Annex 2** sets out proposed consultation arrangements for the draft ISDP, for members' consideration and agreement.

6. Conclusion

- 6.1 The draft ISDP represents considerable progress towards finding a strategic solution to the problems being faced as a result of the Thames Basin Heaths SPA designation. There are, inevitably, a number of issues that need further consideration and resolution, however this draft is considered to set a clear framework for the purposes of consultation.
- 6.2 It is therefore recommended that members endorse the draft for consultation purposes, along with the consultation proposals in Annex 2, and agree to consider the results of the consultation at the next Board meeting.
- 6.3 In addition, it is recommended to members that a small working group of officers and key stakeholders be convened to consider in more detail implementation issues arising from the draft ISDP, with a view to reporting to the next Board meeting.

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ANNEX 2

DRAFT CONSULTATION ARRANGEMENTS

Consultation period

10 week consultation period, mid November to mid January (8 weeks plus 2 weeks for Christmas)

2-tier approach to consultation

First tier:

- Joint Strategic Partnership members
- Regional Assembly members
- Other key stakeholders, including landowners
- All local authorities within and bordering the affected area
- All parish councils within and bordering the affected area.

First tier consultees will receive:

- Hard copy ISDP, covering letter and questionnaire
- Details of website and e-questionnaire
- An explanation of 2-tier approach and a request that they pass on details to any parties they think may be interested.

Second tier:

- Other local authorities and partners, with explanation of 2-tier approach and a request that they pass on details to any parties they think may be interested.

Second tier consultees will receive:

- Email alert with details of website and e-questionnaire
- An explanation of 2-tier approach and a request that they pass on details to any parties they think may be interested.

In addition:

Members of the Joint Strategic Partnership will be asked to promote the consultation through newsletters etc, and provide links on their website to the consultation webpage.

Consultation event

A stakeholder event is proposed to be held in early December to discuss in detail particular aspects of the draft ISDP. Invitations will be extended to all key stakeholders.

Resourcing

The Regional Assembly has informally offered to carry out the consultation on behalf of the Joint Strategic Partnership Board.