

**THAMES BASIN HEATHS
JOINT STRATEGIC PARTNERSHIP BOARD**

Date: 16 October 2007

Subject: **Thames Basin Heaths Special Protection Area (SPA)
Conservation Objective – Item for information**

Report of: Natural England

Summary

1. The Assessor's Report expressed concern principally at the lack of a single conservation objective for the whole SPA and at the lack of reference levels for bird numbers on the SPA.
2. Natural England has provided a single conservation objective for the whole SPA and will review the wording of this in due course as part of a national review of conservation objectives.
3. Natural England advises that at present it is not practicable to identify a safe reference level (baseline) for bird numbers on the SPA, because of the volatility of the populations of the SPA species and because of the proportion of the SPA which is in unfavourable condition.
4. Natural England advises that visitor numbers and distribution on the SPA at the time of classification of the SPA (2005) can be used as a proxy measure and benchmark for assessing disturbance.

1. Background

- 1.1 The Assessor's Report concluded that
 - There was no clear conservation objectives for the SPA as a whole, and that those for the 13 individual SSSIs which make up the SPA vary slightly from one to another
 - There should be a clearer distinction between the requirements of the SPA and those of the component SSSIs
 - Clear reference levels should be set, to clarify the number of the SPA birds which the site should be expected to support.

2. A conservation objective for the whole SPA

- 2.1 Though it was not reported clearly at the TBH technical sessions, there is in fact a single conservation objective which covers the whole SPA. This has

been provided in Natural England's advice on planning applications and appeals. It is as follows

Subject to natural change, to maintain¹, in favourable condition, the habitats for the populations of Annex I bird species of European importance, with particular reference to lowland heathland and rotationally managed plantation.

¹*Maintenance implies restoration if the SPA feature is not currently in favourable condition*

- 2.2 The wording of conservation objectives for SPAs is being reviewed at a national level by Natural England. Therefore it is not possible to put forward a definitive wording at this stage. The expectation is that the wording will move to something of the following form
- Subject to natural change, to maintain or where appropriate restore, the ecological structure and function of the habitats, or complex of habitats, across the whole SPA, for the populations of Annex I bird species for which the site is classified (nightjar, woodlark and Dartford warbler) and to avoid significant disturbance of those birds.*
- 2.3 Avoiding significant disturbance in this context includes both reducing significant levels of disturbance where they occur and avoiding new or additional disturbance that may be significant.

3. The differing requirements in defining objectives for SSSIs and for SPAs

- 3.1 Sites of Special Scientific Interest (SSSIs) are sites notified by Natural England. They are of national importance for their biological or geological features. Thirteen SSSIs make up the area of the TBH SPA. The SSSIs are notified not just for their populations of the three SPA bird species but also for the special plant and invertebrate interest. Natural England is drafting Favourable Condition Tables for all SSSIs in England, which define the specific conditions on each SSSI which should be maintained or achieved through restoration. The purpose of the Favourable Condition Tables is to provide a consistent basis for monitoring the condition of individual SSSIs and component parts of SSSIs.
- 3.2 EU Directives, UK legislation and policy provide no requirement to define favourable condition for SPAs. The obligation contained in the Birds Directive is to take the requisite measures to maintain the population of naturally occurring birds in the wild at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements, or to adapt the population of these species to that level. Natura 2000, of which SPAs form part, is intended to form an ecologically coherent network of sites. Natural England seeks to ensure that each SPA is contributing fully towards the coherence of Natura 2000.
- 3.3 Generally an SPA would be considered to be contributing fully if it was capable of supporting the populations of birds for which it was classified. In

such a case the bird numbers upon which the classification was based could be treated as a reference level. However, if those numbers did not represent a healthy and sustainable population, it would not be appropriate to consider them as a full contribution to Natura 2000, nor use them as a reference level for the site. Equally, if there is clear scientific evidence that, at the date of classification, population levels of species known to have population levels that fluctuate widely, irrespective of human influences, were particularly high, it would not be appropriate to use the peak or high levels as a reference level.

4. Setting reference levels for bird numbers on the Thames Basin Heaths SPA

- 4.1 An important question then is whether the bird numbers upon which the classification of TBH SPA was based represent a healthy and sustainable or peak population. This is doubtful. The numbers of the species are inherently volatile. This is illustrated, for example, by the decline of Dartford warbler numbers in the UK to only 11 pairs in the 1960s, by the substantial drop in Dartford warbler numbers on TBH in a national survey conducted last year, and by the 40% decline observed in woodlark on the Sandling Heaths in recent years. Should weather conditions, or other factors change, adversely, the classification numbers may not provide a safe margin to buffer the impacts.
- 4.2 A further consideration is that the a large proportion of the SSSI area making up the SPA is in unfavourable condition principally because of lack of scrub management, lack of grazing and because of forestry management and military activity. Though a large proportion is in the process of restoration, at the time of presenting evidence to the TBH technical sessions, less than 10% of the SSSI area was in favourable condition for the full range of the SSSI's features. This measure does not relate only to the conditions suitable for the three SPA bird species but does suggest that much of the SPA is unlikely to support optimal numbers of these birds. The Assessor did, in fact, recognise this as a probable reason for setting reference levels different to the numbers at the time of classification.
- 4.3 In short it is Natural England's view that the SPA bird numbers at the time of classification would not be a safe reference level and that it would be appropriate to set a level only when there is a clearer picture of the numbers, once restoration at least of the majority of the SPA's area has been completed. This will take some years and require a monitoring programme to be put in place.

5. The information needed for Habitats Regulations assessment for the Thames Basin Heaths SPA

- 5.1 For the large majority of plans or projects that could affect the TBH SPA (excluding those within the 400m zone) the key SPA impact which needs to

be assessed is disturbance. Natural England's advice is that, if a benchmark for disturbance is set for the SPA as a whole then any Habitats Regulations assessment relating to residential or other visitor-generating development around the SPA should consider whether the plan or project, alone or in combination with other plans or projects, could raise disturbance above that benchmark. If so, this could be an adverse effect on the ecological functioning of the site. Natural England's advice is that it would preclude a conclusion of no adverse effect on integrity, in view of the site's conservation objectives.

- 5.2 Given that policy and legislation do not require reference levels to be set for the SPA, it is important to consider whether reference levels would be useful in enabling clear, consistent or cost effective Habitats Regulations assessment. Natural England's advice is that a benchmark for disturbance would provide a more practicable test for such assessments to consider than would a reference level for bird numbers.
- 5.3 The primary form of disturbance arises from recreational access to the heaths. The visitor surveys undertaken by Footprint Ecology for English Nature in 2005 broadly coincide with classification of the SPA. They are the best available information about human disturbance on the SPA as a whole and they could potentially be used as a benchmark. The monitoring strategy being developed for the SPA should identify how changes against the benchmark could best be measured.
- 5.4 There is strong evidence that disturbance is already having a significant impact on the site. Although the best scientific evidence points to a risk to the SPA if disturbance levels were to be increased, there is no clear evidence to suggest that levels and distribution of recreational access at the time of classification were unsustainable. Natural England's judgement is that the current (2005) levels of recreational access are probably at or about the level which the SPA can tolerate without an adverse effect on the integrity of the site. This judgement takes account of existing levels of development around the SPA and development with planning permission, but not yet completed, within 5km of the boundary of the SPA, which is likely to elevate the levels slightly in the next few years. Natural England has advised that measures should be put in place to prevent an increase in the number of visitors for the whole SPA.
- 5.5 A reference level for bird numbers may be provided in the future, but in the meantime, Natural England's advice is that the disturbance levels, or as a proxy measure of disturbance, the visitor numbers and distribution across the whole SPA, at the time of classification, should be used as an appropriate benchmark for Habitats Regulations assessments of residential and other visitor-generating developments up to 5km from the SPA boundary.