

Thames Basin Heaths Delivery Framework

Section A: Introduction

Aim:

- To provide a framework to enable the delivery of housing in the vicinity of the SPA without that development having a significant effect on the SPA.

Objectives:

- To ensure a consistent approach to the protection of the SPA from the impacts of residential development
 - To define the type and extent of residential development that may have a significant impact 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.
1. All new residential development – when considered either alone or in combination with other plans and projects – is likely to have a significant effect on the SPA and should therefore provide or contribute to the provision of avoidance measures
 2. Development can provide – or make a contribution to the provision of – measures to ensure that they have no likely significant impact on the SPA. In doing so, residential development will not have to undergo a full habitats regulations assessment. The option remains for developers to undertake a habitats regulations screening assessment and where necessary a full AA to demonstrate that a proposal will not adversely affect the integrity of the SPA.
 3. A three prong approach to avoiding likely significant impact on the SPA is appropriate, but this framework focuses on the two prongs of SANG and Access Management, which are the most appropriate forms of avoidance in the immediate term.
 4. This framework sets strategic principles and guidelines, but it is acknowledged that there may be exceptional circumstances where local circumstances or evidence base, or the detail of the proposed new residential development may justify greater local specificity in applying these principles.
 5. Local authorities should use this delivery framework as the basis for local or joint mini-plans, SPDs and/or DPDs; and should ensure that appropriate references are made to the provision of SPA impact avoidance measures in their LDF and supporting implementation documents.
 6. A key objective of this framework is to secure consistent standards for the application and provision of avoidance measures. However, as a strategic

document it cannot seek to address every foreseeable circumstance. There may be some exceptional circumstances where local authorities consider that a more or less prescriptive approach needs to be taken in the light of the individual circumstances and local evidence.

7. Where exceptions are made, these will need to be carefully justified. The Joint Strategic Partnership Board will retain an overview to ensure that a consistent approach is being applied and sufficient avoidance measures are being provided.

Section B: Key Principles

7. Classes of development covered

- 7.1 The principles set out in this framework apply to:
 - i) Proposals for Use Class C3 residential development;
 - ii) Proposals for staff residential accommodation associated with Use Class C1 and C2.
- 7.2 All other applications for planning permission in the vicinity of the SPA will need to be screened to assess whether they will have a likely significant impact (individually or in combination with other plans or projects) and where necessary a full habitats regulations assessment should be undertaken.

8. Scale of development covered

- 8.1 Reflecting the precautionary principle and the need to consider the in combination effects of development, this framework applies to all proposals for new net residential development (as defined above).
- 8.2 Large development proposals, due to their scale and potential impact and which are able to offer their own alternative avoidance measures, should be considered by local authorities on a case-by-case basis. The numerical definition of 'large development proposals', and the ability of large schemes to provide their own avoidance measures, will vary depending on the particular locality of the proposals.
- 8.3 Small developments (less than 10 net new dwellings) are likely to have an effect on the SPA in combination, therefore should provide a contribution towards the provision of avoidance measures. A direct relationship - based on the catchments outlined in section 12 - between such developments and SANG land is not necessary however the direct relationship between a small development and a particular SANG must be made clear and taken into account when monitoring available SANG capacity.

9. Types of application

- 9.1 The principles in this framework 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 by local authorities, and may be subject to the provisions within this framework or to a habitats regulations assessment.

10. The inner exclusion zone

10.1 Within a 400m zone – measured as the crow flies from the SPA perimeter to the point of access on the curtilage of the dwellings – residential development (as defined above) should not be permitted. In exceptional circumstances the 400m zone may be modified by local authorities to take account of physical obstructions to cat movement and human access.

11. The Zone of Influence

11.1 The Zone of Influence – to which the principles in this framework apply – 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.

11.2 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.

12. SANG provision

12.1 SANG will be delivered by local authorities or groups of local authorities and funded by developer contributions. To meet the requirements of the Habitats Regulations, SANG must be provided in perpetuity.

12.2 Joint working between authorities to provide SANG may be appropriate when:

- i) A LPA alone is not able to provide sufficient SANG land to meet its local need
- ii) The catchment of a SANG extends into a neighbouring authority
- iii) There is the opportunity to add value and/or capacity to individual SANG by developing a network of SANGs across boundaries

12.3 The following opportunities for cross boundary working will be explored:

- i) The current Blackwater Valley Partnership ‘sub-area’, comprising Bracknell Forest, Guildford, Hart, Rushmoor, Surrey Heath, Waverley and Wokingham
- ii) Runnymede and Windsor and Maidenhead
- iii) Woking, Guildford and Elmbridge

The above does not preclude additional opportunities for cross boundary working between local authorities being explored.

12.4 SANG provision will be funded by developer contributions, collected at a local or cross authority level; the calculation of which should take account of

acquisition costs, upgrading costs, maintenance and management costs in perpetuity. Alternatively SANG may be provided by developers for individual developments.

- 12.5 Sufficient SANG should be provided in advance of housing occupation to ensure that there is no likely significant effect on the SPA, however, options for overcoming short term delays in the provision of agreed SANG should be explored by Natural England.
- 12.6 SANG may be provided on new or existing public open space, taking into account the availability of land and its potential for improvement. Where it is proposed to use existing public open space as SANG, the existing patterns and rights of public use must be taken into account and protected. When new land or existing public open space is proposed as SANG, any existing nature conservation interests must be taken into account.
- 12.7 SANG should be provided on the basis of at least 8ha per 1,000 population (based on the Assessor's recommendations). The average occupancy rate should be assumed to be 2.4 persons per dwelling (based on the occupancy rate across the 11 affected authorities in 2006) unless robust local evidence demonstrates otherwise.
- 12.8 The size of land suitable for use as SANG will depend on the individual site characteristics and location, including its relationship within a wider accessible open space or network of green infrastructure. The preference will be for SANG to be of at least 2ha in size, and located within a wider open space or network of spaces. Across the affected area, a range of types and sizes of SANG should be provided, offering a range of experiences, including large SANG which have the benefit of being able to act as attractor sites.
- 12.9 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:
 - i) SANG of 2-12ha will have a catchment of 2km
 - ii) SANG of 12-20ha will have a catchment of 4km
 - iii) SANG of 20ha+ will have a catchment of 5km
- 12.10 For the purposes of monitoring the available capacity of SANG, developments of less than 10 dwellings do not need to be within a specified distance of SANG provided that a sufficient quantity and quality of SANG land to cater for the consequent increase in population is identified and available in that district or an adjoining district and functional prior to occupation.
- 12.11 In assessing the required quality for new SANG land regard should be had to the guidance published by Natural England.
- 12.12 The JSP Board will retain an overview of SANG provision to ensure that sufficient SANG is delivered to deliver South East Plan housing allocations.

13. Provision of Access Management

- 13.1 Access management will be delivered by existing landowners and managers and funded by developer contributions. To meet the requirements of the Habitats Regulations, access management must be provided in perpetuity.
- 13.2 Access management will be coordinated strategically, in line with an overarching strategy for access management on the SPA and SANGs, which should include:
- i) A consistent SPA/SANG message – which may include signs, leaflets, educational material, etc;
 - ii) Guidance on access management on the SPA e.g. rangers, seasonal restrictions, campaigns etc;
 - iii) Guidance over access management on SANG e.g. provision of attractive facilities
- 13.3 It will be funded by ensuring that the charge levied on developer contributions includes allowance for these measures being provided. That proportion of the charge relating to the access management measures will be collected at a local level, but pooled for strategic allocation. Alternatively, where a developer is also an SPA and SANG landowner, it may also be provided by developers.
- 13.4 Access management will focus on 'soft' measures – where access restriction is proposed for the purposes of the avoidance of recreational impact, this should be as a last resort, and reasons must be clearly identified and restrictions carried out with legal requirements and provisions to protect existing public or open access rights. Care must also be taken to protect other existing nature conservation interests on the SPA.
- 13.5 The JSPB will retain an overview of access management provision to ensure that sufficient measures are being taken to protect the SPA.

14. Habitat management

- 14.1 In the longer term, habitat management may be taken to be an avoidance measure, however the focus in the short term must be improving the quality of the SPA to favourable condition status. This is a duty of SPA landowners which falls outside the development control system.

15. Monitoring and review

- 15.1 Monitoring will be carried out by local authorities, Natural England and existing landowners and managers. The monitoring work will be funded by ensuring that the charge levied on developer contributions includes an allowance for the cost of this work. That proportion of the charge relating to monitoring will be collected at a local level, but pooled for strategic allocation.

- 15.2 Monitoring will be coordinated strategically, in line with the monitoring framework agreed by the Joint Strategic Partnership Board, which will be developed in the light of work commissioned by Natural England.
- 15.3 In the short term, monitoring should be taken include work towards improving the evidence base – to be undertaken by Natural England.
- 15.4 Ongoing monitoring should address:
- i) Habitat condition and bird numbers (an existing NE responsibility)
 - ii) The provision of SANG and housing delivery – local authorities should report to NE quarterly and the Board annually on SANG delivery, housing provision in the inner exclusion zone and zone of influence; and their programme for future provision. Reports should include where exceptional circumstances have been considered.
 - iii) Access Management – the Access Management Partnership should report to NE quarterly and the Board annually on provision of access management measures, and the programme for future provision.
 - iv) Visitor Surveys – to be carried out by NE working with landowners and managers. It is suggested that this be initially on a yearly basis, and reported to the Board annually.
16. Review of the delivery framework
- 16.1 The Joint Strategic Partnership Board will review the results of the monitoring work undertaken on an annual basis. Where necessary the Board will consider amendments to the delivery framework that are required to address identified problems. Any amendments agreed by the Board in this way will in turn be incorporated into the documents produced by individual local planning authorities.

**Joint Strategic Partnership Board
March 2008**