



# Thames Basin Heaths Special Protection Area

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Interim SPA Avoidance Strategy  
September 2006



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## 1.0 Introduction

- 1.1 The Thames Basin Heath (TBH) Special Protection Area (SPA) was designated as an SPA on 9th March 2005. The SPA comprises an area of lowland heath and woodland and is a habitat protected under UK and European law supporting a characteristic landscape and distinctive flora and fauna under threat and in decline. It is referred to as a "European Site" in the Habitats Regulations (see below at 2.1). It is designated an SPA under the Wild Birds Directive. The SPA within the borough of Guildford is also designated as a Site of Special Scientific Interest (SSSI).
- 1.2 The SPA extends over 11 local planning authorities in Surrey, Berkshire and Hampshire and comprises a network of 13 Sites of Special Scientific Interest (SSSI) of predominantly lowland heathland and woodland (a map of the SPA is available in Appendix 1). The Thames Basin Heaths SPA is designated because of the presence of breeding populations of three bird species: Dartford Warblers, Woodlarks and Nightjars. These birds nest on or near the ground and as a result they are very susceptible to predation of adults, chicks and eggs (particularly by cats, rats and crows) and to disturbance from informal recreational use, especially walking and dog walking.
- 1.3 The location of the heaths, being to the south west of London on the M3/A3 corridor, has historically resulted in the area being subject to high development pressure. The Thames Basin Heath is an area in decline; between 1904 and 2003 53% of the heathland has been lost with the remaining heath fragmenting from 52 main blocks to a small 192 blocks over the last century (Land Use Consultants 2005). These heaths hold a considerable number of the endangered birds, with 7.8% of Nightjars, 9.9% of Woodlarks and 27.8% of Dartford Warblers. When studies have been carried out on the Thames Basin, urban effect has been shown as contributing to their decline (Hall 1996, Liley 2004, Terence O'Rourke 2004<sup>1</sup>).
- 1.4 Within Guildford Borough the SPA comprises Ash to Brookwood Heaths, Whitmoor Common, and Ockham and Wisley Commons Sites of Special Scientific Interest (SSSI). These heathlands all lie in the north of the Borough and straddle the Borough boundary. The map in Appendix 1 shows those parts of the Borough lying within 400m of the SPA which include the eastern edge of the Ash Vale Urban Area, the northern edge of the Guildford Urban Area, as well as parts of Normandy, Worplesdon and Jacobswell (Zone A). The map at Appendix 1 also shows those parts of the Borough lying within 2km of the SPA including the majority of the Ash/Ash Vale Urban Area, most of the urban area of Guildford to the north of the A3, and the settlements of Fairlands, Normandy, Pirbright, Worplesdon, Jacobswell and Ockham (Zone B). The 2-5km zone includes the southern parts of the Ash Urban Area (Tongham), the Guildford Urban Area south of the A3, and the settlements of Wood Street, most of West Clandon, West Horsley (northern part), most of East Horsley, Send and Ripley (Zone C).
- 1.5 This Interim Avoidance Strategy only relates to proposals for residential development. There are likely to be some cases where non-residential development could have a significant effect on the integrity of the SPA. This Interim Strategy does not provide a solution for such development. To address the requirements of the Habitat Regulations such development may therefore require an 'appropriate assessment'.

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<sup>1</sup> A number of studies are referred to in English Nature Research report, The Quality of Greenspace: features that attract people to open space in the Thames Basin Heaths area, Liley et al, 2004.

## 2. Legislative Background

- 2.1 The TBHSPA is protected by the Conservation (Natural Habitats, &c.) Regulations 1994 ("the Habitats Regulations") which derive from European Directives 92/43/EEC Conservation of natural habitats and of wild fauna and flora and 79/409/EEC Conservation of wild birds. The Habitat Regulations establish a set of procedures for decision-making by "competent authorities" (the Council being one) which are relevant to the determination of applications for planning permission. The requirements of the Habitats Regulations overlay the normal planning consent process and override it to the extent they are applicable. Further guidance is available to the Council in the ODPM Circular 06/2005 "Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System" and European Commission guidance "Managing Natura 2000 Sites". The relevant tests to be applied to the Council's decision-making processes are described below.
- 2.2 Regulation 48 of the Habitats Regulations provides, in effect, that where a competent authority (in this case the Borough Council) decides that a proposed development is likely to have a significant effect on the SPA it must make an Appropriate Assessment of the implications for the site in view of that site's conservation objectives.<sup>2</sup> The Regulation contains further requirements as to consultation and stipulates at subparagraph 5 that "in the light of the conclusions of the assessment ... the Authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European Site". The term "plan or project" has a broad definition and includes development proposals.
- 2.3 The effect of the Habitats Regulations is that the Council must in deciding whether to grant planning permission for any development (which is not directly connected with or necessary to the management of the European Site) apply two tests. These are the tests of:
- (1) Whether there are likely significant effects, which is a threshold test to determine whether an application can proceed normally or whether it should proceed to an Appropriate Assessment;
  - (2) If the threshold is passed and an Appropriate Assessment of the project is required, it is then necessary to consider whether the proposed development will have an adverse effect on the integrity of a European Site (here the SPA).

The test at the second stage only needs to be applied if the proposal does not meet the first test.

- 2.3 Therefore, applying the tests:

### Stage 1 Test

If the Council is satisfied that the proposed development is not likely to have a significant effect on the SPA (either alone or in combination with other plans or projects) the Habitats Regulations are not engaged and the Council may proceed to determine the planning application in the usual way. The test sets a low threshold and is to be approached on a precautionary basis.

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<sup>2</sup> A copy of the Conservation Objectives are available on the Council's website.

## Stage 2 Test

An Appropriate Assessment must consider the implications for the European Site in view of that site's conservation objectives. All the aspects of the plan or project which can, either individually or in combination with aspects of other plans or projects, affect the conservation objectives of the site must be identified in the light of the best scientific knowledge in the field.

There are obligations with regard to information and consultation. The competent authority must have regard to the manner in which the project is proposed to be carried out or to any conditions or restrictions subject to which it is proposed that the consent, permission or other authorisation should be given.

In the light of the conclusions of the assessment, the competent authority must agree to the project only after having ascertained that it will not adversely affect the integrity of the European Site. If it cannot be ascertained that the project will not adversely affect the integrity of the European Site, the authority must then consider whether there are any alternative solutions.

If there are no alternative solutions, consent or authorisation may be granted for the proposal but only "for imperative reasons of overriding public interest" (IROPI). IROPI may be of a social or economic nature (unless the site hosts a priority natural habitat type or a priority species in which case the considerations are significantly restricted).

Even if the authority is satisfied that there are IROPI, notwithstanding a negative assessment of the implications for a European Site the Secretary of State is under a duty to secure that any necessary compensatory measures are taken to ensure that the overall coherence of Natura 2000 is protected.

- 2.4 Planning Policy Statement 9 (PPS9) Biodiversity and Geological Conservation states *"Where a Planning decision would result in significant harm to a (site of) biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."*
- 2.5 The Guildford Borough Local Plan (2003) contains Policy NE1 – potential Special Protection Areas (pSPA) and candidate Special Areas of Conservation (cSAC). This policy states that *"Planning permission will not be granted for proposals which are likely to destroy or have an adverse effect directly or indirectly on the nature conservation value of potential Special Protection Areas (pSPA) and candidate Special Areas of Conservation (cSAC) as shown on the Proposals Map"*.
- 2.6 In practice, up to now the Council has been unable to satisfy itself that proposed residential developments within 5km of the TBHSPA would not have a significant effect on the SPA and therefore a precautionary approach for planning applications that involve net new dwellings within 5km of the SPA has been applied. The advice supplied by English Nature is available in Appendix 8.



### **3. Why the Council is preparing a Strategy**

- 3.1 The implications of not granting planning permission for residential development in the longer term are considerable. It is anticipated that without an effective Avoidance Strategy the Council will for the vast majority of applications for residential development within the Borough be unable to satisfy itself that the proposed development will have no likely significant effect on the SPA.
- 3.2 If Guildford Borough Council and developers are unable to provide measures to avoid the impact of residential development on the SPA then the Council as Local Planning Authority is likely to have to continue refusing applications in both the short and long term. Such a situation is unsustainable as the local economy could suffer, due to a lack of competitiveness and loss of jobs in the development sector, housing prices could rise as no new residential units or affordable homes are built, and the SPA would continue to be used and damaged due to the lack of alternative sites for recreation.

### **4. Impact of Housing Development on the SPA**

- 4.1 English Nature, which is a statutory consultee established under the Town and Country Planning (General Development and Procedure) Order 1995 in relation to planning applications concerning SSSIs, has concerns that new residential development within 400m of the SPA would result in an increase in predation of the birds from domestic cats, recreation, disturbance, fire, fly-tipping and hydrological effects. As such it is not considered that this can be overcome by conditions attached to planning permissions and therefore, English Nature considers that no development providing new units of residential accommodation should be permitted within the 400m zone.
- 4.2 For applications for residential development on sites situated between 400m and 5km from the SPA, English Nature considers that the impact of such development on the natural habitats in the SPA can be avoided by the provision of alternative areas of open space either through provision of new open space or improvements to existing. As such, it is producing a 'Delivery Plan', which will set out standards to avoid harm to the SPA. If new or improved alternative open space is provided in line with these standards English Nature has advised the Council that it will be possible to take the view that residential development would not have a significant effect on the SPA. In such circumstances it would not be necessary to undertake an Appropriate Assessment for each individual planning application. An approach that seeks to avoid harm to the SPA is in line with the principle already set out in policy NE1 of the Guildford Borough Local Plan.

- 4.3 The mechanism for applying the standards proposed by English Nature in its Delivery Plan to new proposals for development would be through a Supplementary Planning Document (SPD). English Nature has taken on the responsibility of preparing a template SPD, which could then (subject to consultation and other required procedures) be adopted by the Council and English Nature has published a draft of this template SPD. However, Officers of this Council in common with all the other affected local planning authorities have fundamental reservations about the draft document, and are not prepared to recommend the adoption of the draft SPD, at this stage. Further, The Town and Country Planning (Local Development) (England) Regulations 2004 impose legal requirements on the adoption of Supplementary Planning Documents which must also be subject by the Planning Authority to sustainability appraisal, Strategic Environmental Assessment and consultation; it would not be lawful for the Council merely to adopt a draft SPD prepared by English Nature. It is understood that English Nature is currently commissioning further research in respect of the Delivery Plan. Therefore, as an interim measure, prior to the adoption of the form of SPD ultimately proposed by English Nature in their Delivery Plan or some other form of SPD which is legally appropriate, it is considered that the works required to avoid harm to the SPA can be achieved with this Interim Strategy.
- 4.4 This Interim Avoidance Strategy proposes improvements to existing areas of open space in the Borough that a developer could fund to provide the necessary works and ensure that residential development does not conflict with the requirements of the Habitat Regulations. This will be by way of a financial contribution, which has been calculated based on a schedule of works to improve these identified avoidance sites. The alternative is for the developer to provide avoidance land.
- 4.5 The Council's duty to consider the impact of development on the SPA applies also to non-residential development applications which will need to be considered on their individual merits. This Interim Strategy is, however, directed specifically towards the problems posed by residential proposals and the measures which can be taken to enable them to proceed without harm to the integrity of the SPA and will not therefore assist in the case of applications for non-residential development.
- 4.6 English Nature have indicated that they should be consulted on the following commercial developments as these could pose an impact on the SPA.
- Any development which would require Environmental Impact Assessment
  - Development that requires a Pollution Prevention and Control (PPC) Permit
  - Development that would require a traffic assessment due to traffic flow changes
  - Any development upstream of the SPA that could change the hydrology or could result in discharges to the ground or watercourses.
  - Development within 400m of the SPA.
  - Development over 2ha within 1km of the SPA.
  - Any development which would be likely to have a significant effect upon the SPA
- 4.7 There is also no requirement for avoidance, mitigation or an appropriate assessment for sheltered housing for elderly residents outside of the 0-400m zone.



## 5. The Solution

### 5.1 Long term solution: Thames Basin Heaths Delivery Plan

5.2 As indicated in section 4 above English Nature, in conjunction with Local Planning Authorities, is formulating a solution to meet the requirements of the Habitats Regulations for the SPA through a “Delivery Plan”, which will identify:

- Those areas where housing development would need to provide avoidance land and works to avoid the likelihood of there being any significant effect on the SPA;
- Those areas where avoidance measures would not be reliable and where housing development should not take place (unless there is a determination of overriding public interest as required under Regulation 49 (1) & (2) of the Habitat Regulations);
- Guidance on the implementation of avoidance measures.
- A suite of additional measures including an access management strategy to the SPA, to complement the built control measures.

5.3 The draft Delivery Plan has identified three zones around the SPA:

- Zone A up to 400m from the SPA where avoidance of impacts from new housing development is considered not to be reliable and therefore housing would not normally be permitted. The impact of predation, recreation, fire, fly-tipping and hydrological effects is greatest in the 400m buffer area. English Nature reports that it is not necessarily impossible to mitigate the effect of developments within zone A. They outline that zone A can be treated as zone B if, as in a few exceptional cases, effective mitigation is provided, typically by geography. For example if there are several substantial barriers between the SPA and the site such as canal, railway line, road etc then the site can be treated as zone B. This means the ‘effective distance’ between site and SPA is accounted for.
- Zone B at 400m–2km from the SPA where housing development has the potential to impact on the SPA, but where this could be avoided by the provision of alternative or improved open space to attract recreational users away from the SPA.
- Zone C at 2–5km from the SPA where avoidance would be required but at a lower level than for Zone B.

5.4 There is strong evidence, in English Nature Research Reports, that increasing the number of dwellings around heathland sites reduces the populations of rare birds for which the SPA is important. A key factor is recreational disturbance, as increasing the number of houses raises visitor pressure on the SPA and the impact of bird disturbance. The 5km zone captures approximately 75% of visitors to the SPA, this forms part of the unique approach, that has taken account of local data, to the threatened Thames Basin Heath SPA. It is noted by English nature that the impact reduces the further away a development is from the SPA consequently the volume of avoidance required reduces. However, the evidence demonstrates that people visit the SPA from Guildford and its surroundings, It would be unreasonable to assume, without robust evidence provided, and against the precautionary principle that forms the basis of any appropriate assessment under the Habitats Regulations, that people living this relatively short distance from the SPA would never visit it. The SPA is already heavily used for recreation, consequently alternative, upgraded open space needs to be provided, so that people have an alternative to visiting the SPA.

- 5.5 Due to the location of sites that make up the SPA, in the north of the Borough all new residential developments in Zones B and C of the SPA resulting in a net increase in dwellings will need avoidance measures to meet the requirements of the Habitats Regulations. Effectively, this is the majority of development located within the Borough's Urban Areas of Guildford and Ash and Tongham and some identified settlements. The requirement for new open space in Zones B and C will be determined using formulae that relate to the number of bed spaces proposed in new developments and the proximity of the development site to the SPA and to the existing amount and quality of open space in the area. This will translate to a financial contribution for avoidance purposes.
- 5.6 The avoidance land will either be in the form of new alternative semi-natural open space, which will attract a proportion of dog walkers and others who may otherwise visit the SPA, and/or by improved accessibility to Suitable Alternative Natural Green Space (SANGS) which are already in public use. The avoidance measures will need to satisfy the test that new residential development will be unlikely to have any significant effect on the SPA and therefore will obviate the need for an Appropriate Assessment of every new residential development within the Borough.
- 5.7 Guildford Local Development Framework
- 5.8 Planning issues affecting the SPA are being integrated into the Guildford Development Framework (GDF). The draft Core Strategy Preferred Option (June 2006) contains Policy CP20 "Thames Basin Heath Special Protection Areas" which states that development will not be permitted within or affecting the Thames Basin Heaths SPA unless it meets the requirements of the Habitats Regulations.
- 5.9 The Delivery Plan could form the basis of a document which could be incorporated into the GDF as a Supplementary Planning Document (SPD) (see 4.3 above). The timescale of this is currently unclear because of uncertainties surrounding the English Nature Delivery Plan.
- 5.10 Clearly this results in a policy vacuum. As a result Guildford Borough Council is working with English Nature to produce its own interim solution.
- 5.11 Interim Solution – Guildford's 'Interim SPA Avoidance Strategy'
- 5.12 The Council has produced this Interim Avoidance Strategy to identify how new residential development within zones B and C can be developed and meet the requirements of the Habitats Regulations through financial contributions to provide either new open space or improved access to existing open space. This approach is fully supported by English Nature and the research they have undertaken and commissioned (see English Nature Research Reports, Numbers 483, 622, 485, 626, 623, 624, 463). When adopted this Strategy will be capable of providing an acceptable interim solution pending the adoption of the Thames Basin Heaths Delivery Strategy.
- 5.13 The avoidance measures set out in this Interim Avoidance Strategy will be related to proposed developments in specific areas of the Borough. The avoidance measures required, including site location, programme of works, timetable and funding will therefore normally be known on submission of a planning application. In cases where the avoidance measures are not known in advance development will only be permitted if it conforms to this agreed Interim Avoidance Strategy and other material planning considerations.

- 5.14 The Council may also receive offers of avoidance land accompanying a development proposal, separate to those identified in this Strategy, which meet English Nature's avoidance standards. In such cases the Council will consider any legal mechanisms required with regard to this approach and consult English Nature as soon as potential avoidance measures are known. If it is agreed that the proposed development has successfully avoided all potential impacts on the SPA then the Council can conclude that there would be no likely significant effect and an Appropriate Assessment is not required.
- 5.15 Applications for planning permission for residential development should be submitted in the normal way. The Interim Avoidance Strategy will be a material consideration in determining the planning application. Subject to all other Development Control considerations and the approval of the Council a planning obligation pursuant to section 106 Town and Country Planning Act 1990 as amended will be prepared requiring the Developer to provide or contribute towards the cost of the avoidance measures, in accordance with this Interim Avoidance Strategy. A template form of planning obligation will be prepared. (see Appendix 7 for an example of a 106 Agreement)

## **6 Methodology**

6.1 The Interim Avoidance Strategy has been produced using a methodology based on an approach agreed by English Nature.

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

6.3 The Council's Open Space, Sport and Recreation Audit of 2005 helped to provide a basis for the identification of potential natural and semi-natural sites that could be used as alternatives to the Thames Basin Heaths for recreational purposes.

6.4 Other sites within the Council's ownership, with no public access, that may be brought forward for environmental enhancement were also considered.

6.5 Advice from English Nature emphasised that new development should be linked to specific avoidance work at specific sites in an agreed programme.

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

6.6 Although the results of the Open Space, Sport and Recreation Audit (PPG17 Audit) provided a basic starting point for identifying improvements, the detailed local knowledge of the Council's Trees and Countryside Manager and Countryside Warden were invaluable in identifying the specific improvements that are needed, such as improvements to access, security and habitat, to make the sites more attractive to visitors. The whole or percentage (depending on current use) of the site area can then be counted towards avoidance land as a significantly upgraded site. The costs of each improvement have been calculated to give a total cost for improving a site. The sites will act as either a 'magnet' (a quality site drawing visitors away from visiting SPA) or as an 'interceptor' a quality site between the development and SPA.

6.7 The broad aim of identifying programmes of work was to identify works that could improve the overall 'quality' of the avoidance site. If the site's quality improves then it becomes more attractive as a site to use. Consequently visitors will have the option to choose to visit an avoidance site over an SPA site.

- 6.8 Using financial contributions to upgrade avoidance sites will not result in the SPA being ‘starved’ of finances and consequently reducing its quality and value. The SPA sites will continue to be managed as they currently are as local authorities having a duty under Section 28g of the CROW Act 2000 to conserve and enhance SSSIs (all SPA and SSSIs). The avoidance sites will be monitored as works are undertaken to assess their increased attractiveness. The aim of the Strategy is to give residents a choice of visiting the SPA less frequently, by providing sites of comparable interest and quality elsewhere, removing visitor pressure on the fragile habitat of the SPA.
- 6.9 This Strategy has identified specific Guildford Borough Council owned sites as avoidance sites as ownership will better facilitate delivery of the avoidance works. This does not mean that GBC land will be ‘swamped’ by visitors who would normally visit the SPA. Only sites that Officers and English Nature consider are not used to their full capacity and have scope for improvement have been identified for this Strategy. Visitor surveys were undertaken at all of the Avoidance Sites to establish current usage, and to create a baseline for future monitoring. Surveys of the flora, fauna and wildlife will be undertaken annually to monitor any impacts, positive or negative, on the avoidance sites, so that the works can be adjusted accordingly if necessary’
- 6.10 Step 3: Calculation of the number of dwellings facilitated by improvements
- 6.11 The total amount of alternative open space necessary to ensure SPA avoidance can be calculated by identifying the likely population increase due to new housing, using standard formulae (see Appendix 5). The calculation is derived from the draft English Nature Delivery Plan which proposes that a standard of 16ha of open space/1000 population is required in Zone B (400m-2km from the SPA) and 8ha/1000 population in Zone C (2-5km from the SPA).
- 6.12 Visitor surveys undertaken by English Nature<sup>3</sup> also show that use of the SPA is linked to the distance people live from the SPA. In drafting open space standards English Nature therefore assumes that different avoidance levels would be required depending on the distance of a development from the SPA. The current draft Thames Basin Heaths Delivery Plan states that 2ha is the minimum size of a site, which can be considered as avoidance. Avoidance standards and measures are tailored to the likely level of impact of the SPA from development within each Zone around the SPA. The draft standards are shown in Table 1

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<sup>3</sup> Liley D, Jackson D & Underhill-Day J (In Press) Visitor access patterns on the Thames Basin Heaths, English Nature Research Report (date to be added).

**Table 1: The amount of avoidance required per Zone and distance to development**

<b>Zone</b>	<b>Distance from SPA (m)</b>	<b>Standard (of open space)</b>	<b>Type of open space</b>	<b>Interim area requirement (ha)</b>	<b>Catchment area of housing which may be facilitated by improvements to the open space</b>
B	400 to 2000	16 ha per 1000 new population	Local	8 ha	400m from development
			Neighbourhood	12 ha	2 km from development
			District	20 ha	5km from development
C	2000 to 5000	8 ha per 1000 new population	Neighbourhood	12 ha	2 km from development
			District	20 ha	5 km from development

Step 4: Calculation of a Tariff for Financial Contributions

- 6.13 A tariff-based approach will enable developers to calculate the financial contribution that will be required for their proposed development.
- 6.14 As English Nature's open space provisional standards relate to the increase in population that may arise from new residential dwellings it is considered appropriate to base the tariff on the number of bedrooms per dwelling.
- 6.15 This is instead of using the general average household size in Guildford Borough, of 2.37 people, as the number of 1-bedroom flats and people living alone is increasing. Data from the Census 2001 was therefore used to find out the average household size of dwellings with 1 bedroom, 2 bedrooms, 3 bedrooms etc. Calculations can be found in Appendix 6.
- 6.16 The cost of new and improved open space at the identified avoidance sites was then totalled to enable a calculation of the cost per hectare of these works. English Nature's draft proposed standards for each SPA zone were then applied.
- 6.17 Tariffs have been calculated for each SPA avoidance zone according to the size of proposed dwellings.

## 7 SPA Interim Avoidance Strategy

7.1 The Interim Avoidance Strategy was the subject of a public consultation in Summer 2006. A legal agreement between Guildford Borough Council and English Nature may be required to accompany this Interim Strategy to ensure that if the Council does not meet the delivery programme of the Interim Strategy it would not continue (or start) to grant planning permissions on the basis of it. In addition this agreement will ensure the delivery of avoidance measures in the long term.

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

7.2 On submission of a planning application for residential development in Zones B and C, an applicant can avoid the impacts of their development by making financial contributions towards the avoidance works to the appropriate open space sites identified in this Interim Avoidance Strategy (see below), or alternatively, subject to the approval of the Council and in consultation with English Nature they may themselves provide suitable avoidance land and works; in either case the avoidance measures will be secured by means of a planning obligation.

7.3 Officers identified sites from the PPG17 Open Space, Sports and Recreation audit and also considered other sites in the Council's ownership. These sites were then presented to English Nature who advised Officers on the most appropriate sites (Appendix 2 shows the findings of English Nature's assessments of GBC owned potential sites).

7.4 Officers focused on identifying larger sized sites for avoidance land as they serve the greatest catchment area of 5km. By mapping these sites and their catchment areas developers will be able to determine which site will provide avoidance for their development and therefore where financial contributions will be directed.

7.5 Sites within the Council's ownership, which are set to require enhancement, include sites in the table below. (A map showing the location of sites is provided in Appendix 3 with the indicative avoidance works).

Site	Size (ha)	Amount of the site that should be used as 'Avoidance'
Riverside Nature Reserve	30	50%
Lakeside Nature Reserve	15	25%
Effingham Common	34	100%
Chantry Wood	76	50%
Total	155	

7.6 Not all of the site can go forward as avoidance land if it is currently being accessed and used by members of the public. This is to ensure that undue pressure is not put on the site. Visitor surveys enabled officers to identify how much of the site should be used as avoidance land. The whole of the site could have works undertaken on it, but the level of the works is dependent on the area that should be used as avoidance land; this is to stop too much work being undertaken that could be to the detriment of the site.

- 7.7 In order to meet the Habitats Regulations tests planning proposals must be linked to specific avoidance works within a timetable, and the avoidance works associated with that development must be carried out when development commences and be completed before the occupants move in.
- 7.8 The Interim Strategy identifies three district sized interceptor or magnet sites to the west and centre of the borough, which will each serve a 5km catchment area of avoidance. Effingham Common in the east of the borough will become a district site if a car park is provided; until then only a 400m buffer can be applied. Consequently the strategy does not cover all areas of the Borough. Developments in Puttenham, Pirbright, Ripley, West Horsley and most of East Horsley and developments 0-400m from the SPA will have to undertake an Appropriate Assessment, provide alternative avoidance land or negotiate avoidance with English Nature. English Nature considers the package of avoidance in this Strategy sufficient to serve the catchment areas shown within the Strategy for the interim period. The catchment areas are indicated in Appendix 4.
- 7.9 Together, the four sites have the potential to remove the impact of new dwellings across the Borough's whole urban area (Guildford and Ash and Tongham) in the next five years.
- 7.10 In total there is scope for approximately 155 hectares of alternative open space. An analysis of the housing potential study and housing trajectory showed that the Council needs to provide for 42 hectares in the next five years. The Borough can therefore meet the requirement with some surplus which could be rolled forward to assist towards future requirements, including windfall sites.
- 7.11 Riverside Nature Reserve
- 7.12 This site will provide avoidance space for developments arising within Guildford urban area.
- 7.13 Effingham Common
- This land is registered as Common Land. There is currently no car park serving the Common. Without a small car park of up to 12 spaces the site could only provide avoidance for development within a catchment of 400 metres from the Common. If a small car park of up to 12 spaces were provided off Effingham Common Road, this would mean that the Common would provide avoidance works for developments within 5 kilometres. However, it is recognised that Ministerial consent would be required to provide an informal car park on Common Land and this would take some time to obtain. The Council will also investigate the possibility of providing a car park adjacent to, but not on, the Common. The exact location of a possible car park has still to be determined. Any car park provided on Effingham Common would have to be of a high design standard that interacts with the existing landscape and wildlife. It is also noted that due to the sites history, the car park would be securely design to minimise anti social behaviour and illegal occupation of the site.
- 7.14 Lakeside Nature Reserve, Ash
- 7.15 The site is in total 21 hectares, however, English Nature has indicated that the lake cannot be included as part of the avoidance area.



7.16 Chantry Wood

- 7.17 A large woodland site to the south of Guildford which is considered 'High Priority' by English Nature (see Appendix 2). The sites catchment would cover the Guildford Urban Area. There is already a car park serving the site, located off Echo Pitt Road.

Step 2: Identification of a Programme of Works

- 7.18 The Council considers that it is difficult to identify what specific improvement works may need to be carried out for the duration of the draft South East Strategy (20 years) and instead it is more realistic to estimate site improvements for the next five years. When the identified works are complete, or have received necessary funds for them to take place, work programmes will be reviewed to ensure that sites are maintained in the long term.
- 7.19 The Council's Trees and Countryside Manager and Countryside Warden, in consultation with English Nature, has set out a programme of works for each site, which will be necessary over the next five years. Each programme identifies the works to be undertaken, specific costs of the works and a timescale for when they need to be undertaken.
- 7.20 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. It is also thought that although visitor surveys have no direct impact they are necessary to monitor the success of the proposed access improvements, and therefore, a visitor survey before and after completion of work will be undertaken to show current use of the site and to monitor the impacts of improvements, or new provision.
- 7.21 The maintenance and management of the sites has also been considered and a breakdown of the costs of maintenance and replacement of assets for each site is included. Calculations are based on an estimate that assets will need to be replaced every five to ten years.
- 7.22 The Council are aware of the unique character of the sites and the importance of the established wildlife and biodiversity. Consequently all works will be designed and implemented to balance the needs of access, and landscape character and wildlife. Neither the Council nor English Nature wish to see urbanisation of the countryside, consequently the works will involve only limited, sensitively designed access improvements. The works will however principally involve improving the overall quality of the site via habitat creation and improvement, and management works. It is recognised that thriving biodiversity and naturalness are significant 'pull' factors in a residents decision to visit a site.

### Effingham Common

Item	Unit Cost (£)	Unit	Quantity	Programme	Total Cost	Replacement (yrs)	10 Year Cost (£)
Car park - 12 spaces with high/low barrier	15,000		1	Once	15000	10	15000
Design of scheme, tender preparation and contract supervision fee	2000		1	Once	2000		
Dog bins	600		3	Once	1800	5	3600
Grassland restoration and maintenance	420	ha	31	Once	13020		
Interpretation panels	1200		5	Once	6000	5	12000
Restoration of wetland	2500	ha	0.4	Once	1000		
Management of noxious weeds	170	ha	31	Once	5270		
Signage	1000		2	Once	2000	5	4000
Site surveys (flora and fauna) and	4000		1	Annual	4000	Annual	
Tools and equipment	700		1	Once	700	5	
Upgrade footpath access	25	m	1700	Once	42500	10	42500
Visitor site surveys	3000		1	Bi-annual	3000	annual	15000
Way markers	50		20	Once	1000	5	2000
Wet woodland management	7500	ha	2.8	Once	21000	Ongoing	
Site promotion	7000		1			5	14000
<b>Total Cost (£)</b>					<b>118290</b>		

## Lakeside Nature Reserve

Item	Unit Cost (£)	Unit	Quantity	Programme	Total Cost	Replacement	10 Year Cost (£)
Car park - 12 spaces with high/low barrier	15,000		1	Once	15000	10	15000
Creation of surfaced footpaths	40	m	370	Once	14800	10	14800
Design of scheme, tender preparation and contract supervision fee	2000		1	Once	2000		
Grassland maintenance and restoration	420	ha	0.12	Once	50.4		
Management of noxious weeds	170	ha	16.6		2822		
Interpretation panels	1200		3	Once	3600	5	7200
Restoration of ditches	25	m	281	Once	7025	3	
Restoration of wetland	5000	ha	0.099	Once	495		
Signage	1000		4	Once	4000	5	8000
Site surveys (flora and fauna) and monitoring	4000		1	Annual	4000	Annual	
Tools and equipment	700		1	Once	700	5	
Upgrade footpath access	25	m	998	Once	24950	5	
Visitor site surveys	3000		1	Bi-annual	3000	annual	15000
Way markers	50		20	Once	1000	5	2000
Wet woodland management	5000	ha	0.82	Once	4100	Ongoing	
Site promotion	7000		1			5	14000
<b>Total Cost (£)</b>					<b>87542.4</b>		

### Riverside Nature Reserve

Item	Unit Cost (£)	Unit	Quantity	Programme	Total Cost	Replacement	10 Year Cost (£)
Car park - 12 spaces with high/low barrier	15,000		1	Once	15000	10	15000
Boardwalk	150	m	860	Once	129000		
Design of scheme, tender preparation and contract supervision fee	2000		1	Once	2000		
Dog bins	600		3	Once	1800	5	3600
Grassland restoration and maintenance	420	ha	10		4200		
Management of noxious weeds	170	ha	33		5610		
Grassland management (grazing)	1030	ha	10	Once	10300		
Installation of field gates	450		3	Once	1350	10	1350
Installation of kissing gates	350		8	Once	2800	10	2800
Interpretation panels	1200		4	Once	4800	5	9600
Marginal planting	50	m	400	Once	20000		
Pedestrian bridge	750		1	Once	750	10	750
Signage	1000		2	Once	2000	5	4000
Site surveys (flora and fauna) and	4000		1	Annual	4000	Annual	
Stock fencing	7.5	m	4188	Once	31410	20	
Tools and equipment	700		1	Once	700	5	
Upgrade footpath access	25	m	1100	Once	27500	10	27500
Vehicular bridge	5000		2	Once	10000	10	10000
Visitor site surveys	3000		1	Bi-annual	3000	annual	15000
Way markers	50		30	Once	1500	5	3000
Woodland management	2500	ha	0.67	Once	1675	Ongoing	
Wetland management	5000	ha	8.54		42700		
Wet woodland management	7500	ha	1.1	Once	8250		
Woodland planting	4000	ha	0.11	Once	440		
Site promotion	7000		1			5	14000
<b>Total Cost (£)</b>					<b>330785</b>		

## Chantry Wood

Item	Unit Cost (£)	Unit	Quantity	Programme	Total Cost	Replacement	10 Year Cost (£)
Benches	750		3	Once	2250	5	4500
Creation of surfaced footpath	40	m	250		10000	10	10000
Car park - 12 spaces with high/low barrier	15,000		1	Once	15000	10	15000
Design of scheme, tender preparation and contract supervision fee	2000		1	Once	2000		
Dog bins	600		4	Once	2400	5	4800
Grassland Management (grazing management)	1030	ha	21		21630		
Management of noxious weeds	170	m	21		3570		
Grassland restoration and maintenance	420	ha	21	Once	8820		
Installation of field gates	450		5	Once	2250	10	2250
Installation of kissing gates	350		10	Once	3500	10	3500
Interpretation panels	1200		6	Once	7200	5	14400
Scrub and ragwort control	150	ha	70	Once	10500		
Signage	1000		4	Once	4000	5	8000
Site surveys (flora and fauna) and monitoring	4000		1	Annual	4000	Annual	40000
Stock fencing	7.5	m	3180	Once	23850	20	
Tools and equipment	700		1	Once	700	5	1400
Upgrade footpath access	25	m	1000	Once	25000	10	25000
Visitor site surveys	3000		1	Bi-annual	3000	Annual	15000
Way markers	50		30	Once	1500	5	3000
Woodland management	2500	ha	55	Once	137500	Ongoing	
Woodland planting	2500	ha	2	Once	5000		
Site promotion	7000		1		7000	5	14000
<b>Total Cost (£)</b>					<b>300670</b>		<b>160850</b>

\*Only graze half the site at any one time

### Total Costs of Avoidance Works

The table below shows the total cost of avoidance works and the cost after maintenance and replacement of assets has been considered.

Site	Total cost of works (£)	Replacement of assets over 10 years at 50% (3% inflation) (£)	Maintenance over 5 years (£)	Total Cost of avoidance works (£)
Riverside Nature Reserve	330,785	96,	10,000	437,338
Lakeside Nature Reserve	87,542	83,	10,000	184,958
Effingham Common	118,290	99,	10,000	227,807
Chantry Wood	300,640	104	10,000	415,606
<b>Total cost of avoidance works</b>				<b>1,265,709</b>

### Step 3: Calculation of the number of dwellings facilitated by improvements

- 7.23 The population increase that needs to be facilitated by these sites can be calculated. As the sizes and locations of developments are unknown, the overall Borough average household size of 2.37 people has been applied to produce population limits as follows:

	<b>Maximum amount of avoidance land required, based on potential number of new dwellings anticipated over 5 year period</b>	<b>English Nature draft standard of provision</b>	<b>Population increase facilitated by avoidance sites</b>
Zone B	42 ha	16 ha/1000 pop	2625 (42 divided by 16 x 1000)
Zone C	42 ha	8 ha/1000 pop	5250 (42 divided by 8 x1000)

- 7.24 Some areas of the Borough are served by more than one site as the catchment areas overlap. This means that the impact of developments proposed in any of the overlapping catchment areas, can be avoided through financial contributions to works at either of the sites. Officers, during negotiations, will identify the site most appropriate for avoidance works. The planning obligation for each application will set out which site is being used as avoidance land.
- 7.25 The extent of avoidance land from the four sites allows proposals for residential development to be located in either Zone B or C in most of the Borough. Only a small part is not served by the avoidance land, but although these areas are in the Green Belt they may include settlements where development could be permitted, were it not for the SPA.
- 7.26 Step 4: Calculation of a Tariff for Financial Contributions
- 7.27 Following the identification of sites, the calculation of the amount of the site that can be used as avoidance and the costs of the avoidance works, a calculation of developer contributions can be worked out.
- 7.28 The cost per hectare of works to these sites was related to English Nature's draft standards for improved open space per 1,000 additional residents to produce a tariff for developer contributions.
- 7.29 A tariff has been produced for Zones B and C based on the number of bedrooms in a dwelling. Therefore applicants can calculate how much they will need to contribute per dwelling. The tariff will be updated on an annual basis in line with the Retail Price Index.
- 7.30 Incorporated within the tariff, is a contribution, in the nature of an endowment, from the developer to reflect the facilitation, implementation and ongoing maintenance and management role of the Council in this process. In addition this contribution will reflect that the Council will be placing long-term constraints on its land in terms of keeping the land available for public access while it constitutes avoidance land. This requirement is based on the fact that by making available land in its ownership the value of the development land is increased.



- 7.31 In order to give prospective applicants certainty it is proposed that the contribution referred to at 7.34 above should be set at 35% of the tariffs set out below. This figure reflects the Council's Parks and Countryside officer's experience of the cost of ongoing maintenance and staff resource in the provision of accessible open space. In special circumstances, if the Head of Property Services considers that this figure under represents the value to the developer or landowner of the availability of the Council's land, then a higher figure may be sought based on a financial appraisal of the proposed development. Similar consideration will need to be given to any future sites identified in the Interim Strategy where the Council is not the landowner.
- 7.32 The total amount of costs for the avoidance sites including maintenance and replacement of assets has been considered when attaching a tariff to the size of dwellings and English Nature's open space standards. The costs are as follows

Site	Size	Cost (£)
Riverside Nature Reserve	30	437,338
Effingham Common	34	227,807
Lakeside, Ash	15	184,958
Chantry Wood	76	415,606

- 7.33 An additional contribution at 35% of the tariff cost has been added to cover management and replace of assets. The monies will also be at the disposal of the Trees and Countryside Manager to spend on the avoidance sites, as circumstances dictate and recruit an Officer to administrate the implementation of the strategy. This translates into a tariff for the different zones and dwelling sizes as follows

<b>Zone A within 400m of the SPA and those areas not covered by the avoidance catchment area</b>		<b>No tariff applied. All development providing additional residential units will require an Appropriate Assessment under the Habitat Regulations</b>			
<b>Zone B (400m to 2km from SPA)</b>		<b>SPD standard = 16ha per 1000 population Cost: £30,136k per hectare</b>			
No. of bedrooms	Average no. of occupants	Open space required (ha)	Cost of required SANGS if site were new open space (£)	Additional contribution at 35% (£)	TOTAL (£)
1	1.44	0.0230	694	243	937
2	1.86	0.0298	897	314	1211
3	2.35	0.0376	1133	397	1530
4+	2.79	0.0446	1345	471	1816

Zone C (2km to 5km from SPA)		SPD standard = 8ha per 1000 population Cost: £ 30,136k per hectare			
No. of bedrooms	Average no. of occupants	Open space required (ha)	Cost of required SANGS if site were new open space	Additional contribution at 35%	TOTAL
1	1.44	0.0115	347	122	469
2	1.86	0.0149	448	157	605
3	2.35	0.0188	567	198	765
4+	2.79	0.0223	673	235	908

SANGS are Suitable Accessible Natural Green Spaces.

#### The Tariff

Site	Size	Maximum proportion of the site that can be used for avoidance (ha)	Cost of avoidance
Riverside Nature	29.4	14.7 (50%)	437,338
Lakeside Nature	14.5	3.6 (25%)	184,958
Effingham Common	34	34.0 (100%)	227,807
Chantry Wood	76	38.0 (50%)	415,606
<b>Total</b>			<b>1,265,709</b>
Avoidance required	42		
Cost per hectare			30,136

Cost per hectare = Total Cost of Avoidance / Avoidance required (ha)  
= 1,265,709 / 42  
= 30,136

#### **Zone B**

No of beds	Average number of occupants	Open space required	Cost if required SANGS if site were new open space	Landowner payment (35%)	Total
1	1.44	0.0230	694	243	937
2	1.86	0.0298	897	314	1211
3	2.35	0.0376	1133	397	1530
4+	2.79	0.0446	1345	471	1816

#### **Zone C**

1	1.44	0.0115	347	122	469
2	1.86	0.0149	448	157	605
3	2.35	0.0188	567	198	765
4+	2.79	0.0223	673	235	908

## **Implementing the Interim Avoidance Strategy**

- 8.1 All applications for residential planning permission must be determined on a case by case basis and assessed against any concerns of adverse effect on the SPA identified by English Nature. Only applications that result in a net gain in housing units, or commercial developments as indicated by English Nature (in criteria set out in Para 4.6) have an impact on the SPA. Householder applications, such as extensions, do not have to undertake an appropriate assessment or make a tariff contribution. When submitting an application that would result in a net gain in residential units applicants need to consider how they can avoid the impact of their development. If developers are not contributing their own land for avoidance at English Nature's standards, they will be expected to make a financial contribution by applying the tariffs in this Interim Avoidance Strategy.
- 8.2 Applicants should identify, in the planning obligation (see paragraph 5.14 above), how they will financially contribute to specific works at each avoidance site to ensure that suitable avoidance measures are being undertaken and therefore an Appropriate Assessment of the development proposal is not necessary.
- 8.3 If the developer cannot provide their own avoidance measures or additional land, the Interim Avoidance Strategy should be used through discussion with the Council's Development Control Case Officer following these steps:
- Step 1: Check which SPA zone the development proposal lies in. Residential developments within 400m of the SPA will not normally be permitted.
- Step 2: Ensure that the impact of the development can be avoided by contributions to work at one of the avoidance sites, by identifying whether the development site is within the catchment area of the avoidance site.
- Step 3: Apply the appropriate tariff, according to SPA zone, the number of dwellings and dwelling sizes to calculate the financial contribution to be made.
- Step 4: Link contributions to specific works. The Council will hold a list of all works to be carried out and the total amount of financial contributions that have been collected for each work element. This will ensure that monies are not collected from different applicants for the same works. GBC Officers will identify the works.
- 8.4 A planning obligation enabling developers to contribute towards the cost of avoidance measures will be drawn up and agreed in accordance with this Interim Strategy prior to the decision notice for the relevant planning application being issued. A copy of a template draft planning obligation is supplied in Appendix 7 (to follow). The monies agreed under the planning obligation must be paid to the Council on the commencement of development. This will allow the Council time to implement works before the development is occupied. The Council will pool monies on a month by month basis before tendering for work.
- 8.5 The collection of monies will be through the standard process currently administered by the S106 Officer; however, the implementation of avoidance works will be monitored and managed by the Parks and Countryside Service. The Parks and Countryside Service will, in consultation with the GBC Landscape Architect, prepare management plans for the avoidance sites where required.

## **9 Reviewing the Interim Avoidance Strategy**

- 9.1 This Interim Avoidance Strategy will be used until a decision is made as to whether the Council will adopt English Nature's Delivery Plan as the basis for a Supplementary Planning Document (SPD) or some other mechanism is adopted, possibly through the South East Plan. The Interim Strategy will be monitored and the figures tested to inform any future revisions to it. The Council has calculated the financial requirements in the Interim Strategy using current statistical evidence. However, the information used to prepare the financial requirement in English Nature's Delivery Plan would be based on updated figures, and therefore could be subject to change.
- 9.2 Sites for avoidance works will be reviewed and work programmes set out to ensure avoidance measures for future housing requirements can be achieved.
- 9.3 The Interim Avoidance Strategy has looked at the total works necessary for four sites and it is shown that the works would provide avoidance land for the housing trajectory annual forecast for at least five years from May 2006. The housing trajectory is based on housing trends from the previous five years. Notwithstanding the expectation that the Strategy will provide avoidance measures for a five-year period the operational effect of the Strategy will be kept under close review to ensure it continues to meet the requirement of avoiding any risk of harm to the SPA.
- 9.4 When reviewing the sites in the Interim Avoidance Strategy the Council will also review the tariff for financial contributions to ensure it is sufficient for contributing to work at future alternative sites. Any review will also consider the average household numbers to ensure that there are avoidance works in place for all new residents. For example, if more larger houses are built in the Borough, then this could result in the average household size rising. The strategy may also need to be reviewed in light of changes in inflation.
- 9.5 English Nature and Surrey County Council are undertaking a Visitor Access Management Review. This will assess and identify on-site measures of protecting the endangered birds and ensuring the appropriate access such as at car parking, fencing, signage, removing informal entrances, enforcing by-laws and the employment of wardens for example. This is part of a three-pronged approach to preserving the integrity of the SPA, which are enhancement of SPA habitat, visitor access management and the provision of avoidance sites. The strategy may have to be amended in light of the reviews findings.
- 9.6 The Government are undertaking a peer review of the evidence underpinning the SPA, the strategy may have to be amended in accordance with these findings.
- 9.7 It is anticipated that the Strategy will be reviewed on an annual basis.

## Appendix 2 – Findings of English Nature’s Assessment of GBC Owned Sites

English Nature undertook extensive research into the visitor patterns of people visiting SPA sites. From this in depth assessment they were able to assess the potential sites put forward by GBC against the requirements of visitors to SPA. This enabled Officers to identify those sites in Council ownership that could be used in the avoidance strategy. English Nature’s initial assessment was confirmed by site visits undertaken on the 14<sup>th</sup> June 2006. Following this, in consultation with English Nature, officers were able to identify which sites should be progressed to be included in the strategy.

Site Name	Suitability	S Score	Accessibility	A score	Habitat Naturalness	N Score	Existing Use	UScore	Size	Notes	Total	Summary Decision	GBC Officer notes and recommendation following site visits 14 <sup>th</sup> June
Fox Corner	Moderate -	10	Moderate - good for local people walking but small size limits access range.	10	Moderate - limited habitat diversity possible due to small area of site	10	Estimated Low	10	6	5	45	Medium Priority	Site not visited as it is within the 0-400m, the avoidance buffer would only cover an area where development cannot be avoided or Green Belt. Remove site due to location.
Riverside Park	Moderate - linear nature reduces Possibility of wader disturbance from increased use.	10	Moderate - pedestrian bridge reduces effective accessibility. Wetlands may be less desirable in spring/winter due to damp ground but can be overcome by good design of path surfaces and location.	10	High - mix of existing semi-natural habitat.	15	Estimated Moderate	5	50	20	60	High Priority (short and long term) (depending on existing use levels)	English Nature considers the site High Priority; this was confirmed on the site visit.  Strategically placed, as the sites catchment area would include the whole of the Guildford Urban area and many surrounding settlements. Should be used in final strategy.

<b>Thorneycroft and Wylea farm</b>	Low - linear habitats and recreation ground makes habitats urban.	5	<b>Low</b> - access via parkway close to spectrum would lead to urban feel for visitors.	5	<b>Low</b> - close to sports ground with much unattractive adjacent land use. Some semi natural habitats within site boundary.	5	Estimated moderate	10	8,510	Requires a site visit to properly Assess access	35	<b>Low Priority</b>	The site was not considered by English Nature to be wholly natural, with areas that are too formal. SPA visitors would not visit this site  Remove site, not suitable as avoidance.
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<b>Wey Meadows</b>	<b>Unsuitable-</b> strong potential to damage BAP [?] priority Habitat neutral grassland and ground	0							12	Sites likely to be at Capacity already	0	<b>Unsuitable</b> remove from list	<b>Site too sensitive so removed</b>
<b>Shalford Watermeadows</b>	<b>Unsuitable</b> - strong potential to damage BAP priority Habitat neutral grassland and ground nesting birds	0							43	Sites likely to be at Capacity already	0	<b>Unsuitable</b> remove from list	<b>Site too sensitive so removed</b>
<b>Pewley Down</b>	<b>Moderate –</b> adjacent habitats adds to attractiveness	10							9	This site is already Very accessible, And attractive, a site visit and also a visitor survey is needed to see if the site has capacity to absorb and attract additional users.	30	<b>Low Priority</b>	<b>Site too sensitive so removed</b>
<b>Chantry Wood</b>	<b>High –</b> adjacent habitat adds to attractiveness of site	10							74	This site is already Very accessible And attractive, a site visit and also a visitor survey is needed to see if the site has capacity to absorb and attract additional users.	60	<b>High Priority</b>	<b>English Nature considers the site High Priority; this was confirmed on the site visit. Not as strategically placed, as the sites catchment area does not include the whole of the Guildford Urban Area. Should be considered as a Stand-by Site for the strategy</b>



<b>Tyting</b>	<b>Suitability –</b> High. Lots of potential to make a highly valuable substantial new open space which integrates farming and wildlife with public access.	15	<b>Moderate –</b> score reflects potential to improve accessibility significantly with car park etc.	10	<b>Moderate</b> Good variety of semi natural habitat exists but could be significantly improved for public benefit to make site more appealing	10	New open space	15	47	20	70	<b>Very High Priority</b>	<b>English Nature</b> considers the site <b>Very High Priority</b> ; only site to receive this score. This was confirmed on the site visit. The site would be new avoidance and is a large site that would act as a magnet; it is not near the SPA and located in close proximity to other countryside sites.  Live stock farming could take place alongside SPA Avoidance works  Not as strategically placed as Riverside, as the sites catchment area does not include the whole of the Guildford Urban Area. Should be used in final strategy.
<b>Hollybush</b>	<b>Low –</b> unattractive adjacent habitat (including Sewage treatment works) reduces value for public.	5	<b>Low –</b> difficult to access from Guildford borough and adjacent road and railway infrastructure	5	<b>Moderate –</b> range of habitats is limited but some interest features including attractive wildlife	10	Estimated <b>Low</b>	10	12	5	35	<b>Low priority</b>	Considered low priority by English nature. Site removed.

<b>Lakeside</b>	<b>Moderate-</b> a variety of habitats with interest and views. Detracted by adjacent urban areas.	10	<b>Moderate.</b> Some road and rail infrastructure make access difficult.	10	<b>Moderate</b> – good range of habitats but some dog walkers may be put off by lake (whilst others will be attracted!).	10	<b>Estimated High</b>	0	21	15	45	<b>Medium Priority</b> depending on existing use levels	<b>English Nature</b> considered the site medium priority.  <b>Following the site visit</b> the site was considered to have significant potential as a SPA Avoidance site. This is because of its strategic location, at the centre of the Ash/Tongham Urban Area and the fact the sites catchment covers the urban area. The site should be included in the strategy
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<b>Snakey lane</b>	<b>Moderate</b> – only suitable for local use due to small size	10	<b>Moderate</b> – good for local people walking but small size limits access range	10	<b>Low</b> is natural habitat but is limited in variety due to small size	5	<b>Estimated High</b>	0	2	0	Very small of local value but only useful for avoidance within 400m of Snakey Lane	25	<b>Low Priority</b>	<b>Avoidance Strategy.</b> The site is too small and formal to be included
<b>Tongham Pools</b>	<b>Low</b> - Location adjacent to large road is less Desirable and car parking is Distance from site. Flat with Limited potential for improvements	5	<b>Low</b> Car parking is a short walk away from the site, which reduces accessibility Wetlands may be less desirable in spring/winter due to damp ground, which may be difficult to overcome at this site.	5	<b>Moderate</b> - limited variety of habitat but semi natural	5	<b>Estimated Moderate</b>	15	5	5		30	<b>Low priority</b>	<b>GBC does not</b> currently own this site, as it would have to be transferred from SCC, which could be a lengthy and costly process, the site has been removed
<b>Rowan fields</b>	<b>Low</b> - is split by major road which effectively makes this two sites	5	<b>Low access from local homes is high but unlikely that people will drive to this site given location and surrounds.</b>	5	Low to moderate open field with limited variety and strong influence of adjacent road	10	<b>Estimated high</b>	10	0	10		20	<b>Low Priority</b>	The site is split by the A331. Would have to be treated as two separate sites. These sites would be too small and formal. The site was therefore removed
<b>Gosden Common – Land rear of Stonebridge Depot</b>	<b>Low</b> - difficulties in managing landfill and long term restoration requirement s reduce suitability of this site.	5	<b>Low to Moderate</b> - Currently very low due to habitat, but improvements suggested would significantly improve site Score reflects this	10	<b>Moderate</b> - existing habitat is very poor but potential to restore to more natural habitat	10	<b>Estimated very low</b>	10	215	50		50	<b>Medium priority</b> (long term only) significant expenditure above all other sites!	The site is currently an un-capped landfill; the cost of remediation prohibits its use in the avoidance strategy. Site removed

<b>Shalford Common</b>	<b>Moderate -</b> highly fragmented and several urban features reducing undesirability and urban feel	10	<b>Low -</b> Highly fragmented and linear but large site	5	<b>Low for half site and high for other half -</b> very urban due to football pitch and cricket pitch which are not suitable habitat	5	<b>Estimated High</b>	0	2915	This is long linear And urbanised at one end of site so only half site is suitable	35	<b>Low</b> priority half site is unsuitable may need reappraisal following site visit	<b>Site considered</b> too linear, urban, divided by main road, significant parts formal. Site removed.
<b>Merrow Down</b>	<b>Moderate -</b> existing wildlife not highly sensitive to access	10	<b>Low -</b> high local value but access via housing (not direct from main road) reduces effective accessibility.	5	<b>Moderate -</b> good mixture of habitats but small size restricts variety	10	<b>Estimated moderate</b>	5	1710	Would need visitor survey to confirm existing use and would need purchase of land so is a long term project	40	<b>Medium Priority</b> (short and long term)	<b>Following site</b> visit, English nature did not consider any avoidance works would improve the site sufficiently to draw visitors away from SPA. The site cannot therefore be included.
<b>Merrow Woods</b>	<b>Moderate -</b> fragmented nature of site reduces effectiveness. Existing wildlife not highly sensitive to access	10	<b>Moderate -</b> would need road crossing to link fragments. Would also need new car park	10	<b>Moderate -</b> some mixture of habitats	10	<b>Estimated low</b>	10	1510	Would need visitor survey to confirm low existing use	50	<b>Medium Priority</b> (long term only) (depending on existing use levels and land purchase)	<b>The site is</b> fragmented due to differing ownership. GBC would have to purchase land for it to be included in the Strategy
<b>Chilworth Mills</b>	<b>Unsuitable -</b> strong potential to damage BAP priority Habitat wet woodland to significantly increased use	0	<b>Low -</b> Wetlands may be less desirable in spring/winter due to damp ground but can be overcome by good design of path surfaces and location. Likely to need protection for Scheduled ancient monument	5	<b>Low -</b> limited variety of habitats	5	<b>Estimated Moderate</b>	5	11	The levels of use Require assessment.	20	<b>Unsuitable</b> remove from list	<b>Site too</b> sensitive so removed

<b>Compton Common</b>	<b>Low to Moderate</b> Habitat unlikely to be damaged by extra visitors but would be difficult to attract more people to site but split by street reduces suitability	5	<b>Moderate</b> - could easily incorporate additional car parking and direct access relatively simple	10	<b>High</b> - good mix of semi natural habitats	15	Estimated <b>Moderate</b>	5	8	5	The levels of use require assessment.	40	<b>Medium</b> Priority in short term (deepening on level of existing use)	A busy main road divides the site. Would have to therefore be considered as two separate sites. The catchment would therefore be too small to be of any strategic use. The site is therefore removed.
<b>Onslow Arboretum</b>	<b>Low/ Unsuitable habitat</b> does not offer suitable space for semi natural recreation & is very small	0	<b>Low to Moderate</b> - car park is accessed by minor roads or via foot from the A3.	5	<b>Low</b> - Habitat is highly urbanised arboretum	5	Estimated <b>Moderate</b>	5	5	5	This is not Suitable habitat as it is not Semi natural and it would not be appropriate to modify the habitat to a semi natural function.	20	<b>Unsuitable</b> remove from list	English Nature considered the site too formal. Site removed.
<b>The Mount inc. Henley Wood</b>	<b>Low to moderate</b> Limited potential for circular walk due to linear nature of site.	5	<b>Low</b> due to linear nature of site resulting in car park access some distance from site boundary.	5	<b>Moderate</b> - attractive with views and range of habitats.	10	Estimated <b>moderate</b>	5	3815	40	Requires estimate of existing use and also realistic assessment of potential for improvement. Views are very important in desirability	40	<b>Medium</b> Priority in short term depending on existing use and potential to be made more accessible	Following the site visit English Nature did not consider that avoidance works at this site would draw visitors away from the SPA.  The existing quality was too high so improvements would not make significant differences. Site removed.

<b>Westborough h woods</b>	<b>Moderate -</b> due to small size and location, is likely to be of some local significance	10	<b>Low to moderate</b> - access is via housing and this makes it only of local use, as people are unlikely to drive to such a small sit.	5	<b>Moderate -</b> due to small size mix of habitats is limited but good examples of types	10	<b>Estimated High</b>	0	5	5	Due to local surrounding habitation this is likely to be heavily used and requires assessment of existing use. It is effectively two split sites.	30	<b>Low priority</b> (short and long term)	<b>The site is 'landlocked' at the centre of a housing estate. It was considered by English Nature that it could not draw visitors away from the SPA.  Removed due to location.</b>
<b>Effingham Common</b>	<b>High -</b> habitats and associated species are unlikely to be damaged by increased public use.	15	<b>Moderate to high</b> - though currently low improvements are feasible and	10	<b>High -</b> Habitat is a good mixture of habitats giving a varied experience to the visitor	15	<b>Estimated moderate</b>	5	3215	60	This requires a Visitor survey to Verify estimate of moderate use. Since land purchase is required for this to progress this cannot be a priority... however this will represent a very desirable option in long term.	<b>High Priority</b> (long term only) (depending on existing use levels and land purchase)	<b>The site is considered similar to SPA, as it is open countryside that could prove desirable to dog walkers. The site requires a car park to allow the catchment area to stretch over 5km. Until a car park is constructed, the catchment can only be 400m.  The site should be included in the Strategy</b>	

### Sites suggested for inclusion in the Strategy

<b>Site</b>	<b>Priority</b>
Tyting Farm *	Very High priority
Riverside Nature Reserve	High priority
Lakeside Nature Reserve	High priority
Effingham Common	High priority
Chantry Wood	High priority

\* Tyting Farm was not considered by the Council to be appropriate for inclusion in the Strategy.

## **Appendix 5 - A Calculation of the Amount of Open Space Required to Avoid the Impact of Future Housing Development on the SPA.**

The draft English Nature Delivery Plan specifies a requirement for:

16 ha of open space per 1000 new population in Zone B (400-2km)  
8 ha of open space per 1000 new population in Zone C (2-5km from SPA)

The Guildford Housing Potential Study identifies large sites (>0.4ha) without the benefit of planning permission but with a high degree of certainty of coming forward as follows:

**Zone B: 258 potential units**

**Zone C: 1285 potential units**

Of these, the following are likely to come forward in the next 5 years

**Zone B: 178**

**Zone C: 1204**

The Housing Potential Study also calculates a small sites windfall allowance. This is 110 units per year. These 110 units will be distributed across the Borough. Using trend data from previous years, average proportions for each zone have been calculated.

It is expected that from the windfall allowance of 110 per year:

3% will be in Zone A  
24% will be in Zone B = 27 units  
69% will be in Zone C = 76 units and  
4% will be beyond Zone C

Over the 5-year period this will result in:

**Zone B: 135 new units**

**Zone C: 380 new units**

The total potential number of units in each zone i.e. large sites + small site windfall is as follows;

**Zone B: 178 + 135 = 313**

**Zone C: 1204 + 380 = 1584**

The average household size in Guildford Borough (2001 Census) is 2.37 people. Therefore the number of new expected people in each zone is:

**Zone B: 313 x 2.37 = 742 people**

**Zone C: 1584 x 2.37 = 3754 people**

Bearing in mind the space requirements of English Nature:

16 ha of open space per 1000 new population in Zone B (400m-2km)

8 ha of open space per 1000 new population in Zone C (2-5km from SPA)

**It follows therefore that the amount of open space required to mitigate for the anticipated additional people over the 5-year period in Zones B and C is:**

**Zone B: 742 people x 16 ha divided by 1000 = 11.8 ha**

**Zone C: 3754 people x 8 ha divided by 1000 = 30.03 ha**

A total of **41.83ha (11.8 + 30.03)** is, therefore required in the Borough. For the purposes of the SPAAS this has been rounded up to **42 ha**.



**Appendix 6- Census Data on Average Household Size** This data was taken from the Census 2001.

1 bed dwelling		
Average household size	1.44	
No. of occupants	No. of households	Total Occupants
1	3032	3032
2	1423	2846
3	186	558
4	64	256
5	22	110
6	6	36
7		
8		
Total	4733	6838
2 bed dwelling		
Average household size	1.86	
No. of occupants	No. of households	Total Occupants
1	3797	3797
2	3299	6598
3	1068	3204
4	478	1912
5	118	590
6	35	210
7	9	63
8	3	24
Total	8807	16398
3 bed dwelling		
Average household size	2.35	
No. of occupants	No. of households	Total Occupants
1	3150	3150
2	4138	8276
3	1888	5664
4	1449	5796
5	508	2540
6	148	888
7	16	112
8	13	104
Total	11310	26530

4+ bed					
Average household size	2.79				
	4 bed	5 bed	6 bed	Total 4+ bed	Total 4+ beds
No. of	No. of households	No. of households	No. of households	Total occupants 4+ beds	Total Occupants
1	2285	840	873	3998	3998
2	3905	2140	3088	9133	18266
3	1866	1092	1632	4590	13770
4	1772	1292	2061	5125	20500
5	621	518	1042	2181	10905
6	154	120	299	573	3438
7	30	19	47	96	672
8	12	12	20	44	352
Total	10645	6033	9062	25740	71901

**Appendix 7 – An Example of a Section 106 Planning Obligation between GBC and Developers**

**To be prepared**

## **Appendix 8 – Advice Supplied by English Nature**

### **THAMES BASIN HEATHS INTERIM SPECIAL PROTECTION AREA (SPA) AVOIDANCE STRATEGY FOR GUILDFORD**

#### **1. Introduction**

- 1.1 Following legal advice on the above named draft interim strategy the Guildford Borough Council required additional explanation or evidence to support elements of the Interim Strategy. The following document is aimed to be used as either an Annex to append to the draft strategy or alternatively be used to amend section of the draft strategy if the Council wish to do so.

#### **2. Legislative Tests**

3. Regulation 48 of the Conservation (Natural Habitats &c) Regulations 1994 sets out procedures for the assessment of plans or projects. These tests are neatly encapsulated in Figure 1, Page 7 of circular ODPM 06/2005, which accompanies PPS9. It is assumed that residential development will not pass the test in box 1 in Figure 1, in that it will not be directly connected with or necessary to site management for nature conservation. Therefore the next test is shown in box 2. Without strategic measures in the form of SANGS, English Nature advise that residential development within 5Km of the SPA will have a likely significant effect on the SPA due to the in combination likely increased recreational pressures and disturbance.
4. Measures to avoid or reduce the effects of a development proposal on the SPA (here referred to as avoidance measures and mitigation measures respectively) can be proposed as part of the planning application and the decision maker should take these into account when considering if and how the Habitats Regulations apply in any particular case. Avoidance measures eliminate the likelihood of any effects on the SPA. Mitigation measures would be designed to reduce likely significant effects, to a level that is insignificant or in a way that makes them unlikely to occur.
5. The judgement of English Nature is that the proposed avoidance measures in the form of Suitable Accessible Natural Green Spaces (SANGS) proposed in the Guildford Interim Strategy will avoid the potential recreational effects from occupants of residential developments greater than 400m from the SPA in the Guildford Borough. This will work until the capacity of the SANGS to absorb additional people has been reached. If developments have no effect on the SPA they cannot be likely to have a significant effect even in combination with other plans or projects; there are no effects to add to the effects of other plans or projects. Therefore following the tests on the PPS9 flow chart, the answer to the box 2 question of “is the plan or project likely to have a significant effect ....alone or in combination” is no, and the decision maker is able to move to the permission may be granted box.

#### **6. Use of Alternative Sites**

7. Suitable Alternative Natural Green Spaces or SANGS are aimed at addressing risks arising from a potential increase in visitor pressure from new residential development. The SANGS approach relies on the assumption that potential visitors can be diverted away from the SPA by alternative sites of high enough quality. This is a logical common sense argument and is supported by evidence from recent visitor surveys

(Liley et al in Press, and Liley et al in Prep).

8. The visitor surveys revealed that three quarters of all people interviewed using the Thames Basin Heaths also used alternative sites for recreation. Those people arriving by car were most likely to use alternative sites to the SPA and therefore alternative green spaces are more likely to attract drivers, who were the majority of SPA users interviewed (83%).
9. Provided the quality of alternative green space secured is sufficiently high, it is located at least as conveniently to the proposed development as the SPA, it meets the requirements of people most likely to visit the SPA and potential visitors are made aware of the location of the SANGS then there is no evidence to suggest that people will not use the SANGS.
10. Though there is no exact science around design of visitor attractions, visitor survey data does provide English Nature with an evidence base on which to base decisions. The Thames Basin Heaths Visitor Surveys (Liley et al in Press, and Liley et al In Prep) describes what activities are undertaken upon the SPA, describes the behaviour of visitors and also gathers evidence on visitor's "ideal" site requirements.
11. Thus the key question of what people who tend to visit the SPA find attractive in the SPA has been answered and if replicated in SANGS can be used to attract new visitors as an alternative to the SPA. It should also attract current users away from the SPA though this is not the primary role of SANGS. This evidence has been used to inform the design and location of new green spaces and the adaptation of existing green spaces, so that English Nature can be confident of their attractiveness to the particular group of people that we are intending SANGS to attract.

## **12. Upgrades to Existing Land**

13. As described in Section 3 (above) the Thames Basin Heaths Visitor Survey data provides evidence which will inform the design and location of new green spaces. It is logical to assume that if an existing green space does not meet some of these criteria, and is as a result used below its potential, then it could be improved and made more attractive. Improvements to existing green spaces are based on the criteria of suitability, accessibility, naturalness and site size. Though this is not an exact quantitative science, criteria for SANGS can be drawn up based on the visitor survey data. For example, most SANGS will need to cater for dog users as these were a significant SPA users group (59% of all people interviewed gave this as the reason for visiting the SPA). The visitor survey evidence suggests dog walkers need a minimum of a 2.5km walk which starts and finishes at an access point.
14. Accessibility should include access for both walkers and drivers. The number of car parking spaces was directly related to the number of people leaving an access point, and the majority of people surveyed both on and off the SPA drove to sites. In addition the provision of good car parking scored highly for both SPA and non SPA users. Therefore car parking makes a site more attractive and upgrading a site without a car park to include new or upgraded parking, will significantly improve its attractiveness to the majority of users. Since people interviewed only walked short distances (mostly less than 500m) adding a car park will significantly increase the potential visitor "catchment" area of a SANGS and therefore increase its attractiveness.
15. The sites in the Guildford Interim Strategy were assessed under the criteria of

suitability, accessibility and naturalness as well as measures of size and existing use. This allowed for sites with the most potential for improvement to be selected. The selected improvement measures were chosen to meet the as many as possible of the “ideal” site criteria as defined by the Thames Basin Heaths Visitor Survey.

16. In addition the Interim Strategy is part of a wider project, in which English Nature is working with SPA site managers to provide access and habitat management. These three measures combined will offer the certainty that is required by the Habitats Regulations when judging the likely effects upon the SPA.

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