

APPENDIX N

WAVERLEY BOROUGH COUNCIL

EXECUTIVE - 3 FEBRUARY 2009

Title:

**REVIEW OF THE INTERIM MINIPLAN FOR THE THAMES BASIN HEATHS
SPECIAL PROTECTION AREA (SPA)**

**[Portfolio Holder: Cllr Mrs Carole Cockburn]
[Wards Affected: All Farnham Wards]**

Summary and purpose:

This report sets out the framework for the review of the Interim Miniplan for the Thames Basin Heaths SPA, taking account of the comments made at the meeting of the Planning Policy Special Interest Group (SIG) on 9 December 2008.

How this report relates to the Council's Corporate Priorities:

The environmental implications of the Interim Miniplan are that it will show how the mitigation open space needed to compensate for new development in Farnham can be provided.

Equality and Diversity Implications:

There are no implications.

Resource/Value for Money implications:

The Interim Miniplan sets out the requirement for Section 106 Agreements on new dwellings within the Farnham area. The funding is used to improve Farnham Park through enhancing and monitoring its role as a Suitable Accessible Natural Green Space (SANGS). This approach has offered considerable value for money as the works to the Park have been very beneficial.

Legal Implications:

The Legal Section of the Council completes Section 106 Agreements with Developers. A robust Avoidance Strategy is required to ensure compliance with the Habitat Regulations.

What is the purpose of the Interim Mini-plan?

1. The Thames Basin Heaths Special Protection Area lies very close to the north side of Farnham. It is a nature reserve of European importance, which is protected under the Habitat Regulations of 1994. Natural England produced

a Thames Basin Heaths Delivery Plan in 2006, which states that additional population arising from new housing development within 5km of the reserve is likely to have an adverse effect and local authorities need to find ways of encouraging those people to visit somewhere other than the reserve. This is referred to as “avoidance”.

2. Therefore, Councils need to identify Suitable Accessible Natural Green Space (SANGS) for people to go to, which has a similar feel of open natural space as the Special Protection Area. Developers who want to build housing in Farnham can provide their own SANGS area or sign a Section 106 Agreement and pay a tariff towards the maintenance and improvement of the SANGS.
3. SANGS is part of a three-pronged approach to safeguarding the Special Protection Area devised by Natural England, namely providing SANGS; access management measures to affect the behaviour of visitors; and habitat management measures to carry out conservation objectives for the Special Protection Area
4. In response to the requirement of Natural England, the Council produced an Interim Miniplan in April 2007. The approach adopted by the Council was to identify Farnham Park as an initial SANGS because Natural England agreed that part of the Park was semi natural in character. The Interim Miniplan explained the approach, set out the tariff and the improvements that the funding would produce. It has been operating for over 18 months.

How well has the Interim Mini-plan performed?

Table 1 ALLOCATION OF SANGS IN FARNHAM PARK AS AT 17th December 2008

| | Total SANGS area (ha) | Total SANGS Capacity | Dwellings allocated to date | Amount of SANGS allocated (ha) | Remaining unallocated (ha) | Remaining unallocated Capacity dwellings |
|-------------|-----------------------|----------------------|-----------------------------|--------------------------------|----------------------------|--|
| Development | 10.9 | 567 | 271 | 5.2 | 5.7 | 296 |
| East Street | | | 239 | 4.6 | | |
| TOTAL | | | 510 | 9.8 | 1.1 | 57 |

5. Table 1 above, shows the current situation regarding the allocation of SANGS. The income from the Section 106 funding has been £306,177 and £261,002 has been spent so far on the maintenance and enhancement of the Park, in accordance with the programme agreed in the Interim Miniplan. To date the Interim Miniplan has worked well in explaining to developers why and how they need to pay the tariff and in enhancing the Park.

What is the current situation?

6. Table 1 shows that there is only 1.1 hectares of SANGS left in the Park, out of the original 10.9 hectares. House building will continue in Farnham within the 5km zone and SANGS will be needed to deal with the significant effect of

the added population. If SANGS are not found, the consequence would be that it will not be possible for the Council to give consent for new housing in that part of Farnham affected by the SPA. This could increase pressure for development in other parts of the Borough and make it more difficult to deliver the amount of housing in accordance with Structure Plan and South East Plan targets. It could also prevent the delivery of housing, including affordable housing, required to meet needs/demand in Farnham. Therefore, additional SANGS capacity needs to be found.

New SANGS

7. It may be feasible to extend the SANGS within Farnham Park to 21.25 ha, This was anticipated in the tariff costings in the Interim Miniplan and will require Natural England's agreement. However, other sites should also be considered, and the current Miniplan already identifies some sites that could be considered as additional SANGS.

The Thames Basin Heaths Delivery Framework and Proposal for Access Management and Monitoring

8. Since the adoption of the Interim Miniplan, work has been undertaken, under the guidance of the Thames Basin Heaths Joint Strategic Partnership Board, to develop a delivery framework for the areas affected by the Special Protection Area, and to work up proposals relating to access management and monitoring. These are addressed in the separate report to the Executive. However, this work will be relevant to the review of the Miniplan.

The provisional programme for the Review

| DATE (2009) | ACTION |
|---|---|
| 3 RD February | Report to Executive on carrying out review. |
| 3 rd February to 20th April | Officers to carry out review |
| Week beginning 20 th April | Review as basis for consultation -SIG |
| 19 th May | Report as basis for consultation - Executive |
| 16 th June | Update to Environment and Leisure Overview and Scrutiny Committee |
| 1 st June to 10 th July | Six week consultation period. |
| Week beginning 20 th July | Report back to SIG |
| 1 st September | Report back to Executive |
| 13 th October | Council approval of revised Miniplan |
| 23 rd October | Publish and put on web |

The content of the Review

9. The Review is likely to consider:-

- the Thames Basin Heaths Delivery Framework and the implications it has;
- the position regarding the Farnham Park SANG;
- further investigation with Natural England of releasing more of the Park as SANG.
- an explanation of the monitoring since the Interim Miniplan came into operation;
- an assessment of the improvement measures that have been put in place in the Park;
- an explanation of the additional tariff that may be required to fund the access management and monitoring project led by Natural England ;
- Consideration of other sites that may be suitable as SANGS.

Recommendation

That the Executive gives agreement to the proposed review of the Interim Miniplan.

Background Papers (CSP)

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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