16. THE NATURAL ENVIRONMENT

Introduction

16.1 The term *biodiversity* is used to describe the variety of life on Earth and includes all species of plants and animals, along with the complex ecosystems within which they live. It ranges from species and habitats which are considered commonplace to those considered critically endangered. Waverley contains a wealth of nationally and internationally protected habitats which contribute to the overall local biodiversity of the Borough.

International Designations

- 16.2 <u>Special Protection Areas (SPAs)</u> are sites of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. Their designation is required by the 'Birds Directive' ¹which provides enhanced protection given by the Site of Special Scientific Interest (SSSI) status all SPAs also hold.
- 16.3 European and national legislation requires that "any plan or project" should not give rise to any likely significant effect upon these areas. In order to avoid any likely significant effect, proposals for development are required to demonstrate that they can avoid or mitigate any such effect.
- 16.4 The Thames Basin Heaths SPA covers an area of 8,275 ha across Hampshire, (the former county of) Berkshire and Surrey. It is part of a complex of heathlands in Southern England that support important populations of breeding birds, including the Dartford Warbler, Nightjar and Woodlark. Only a small part of the SPA (about 80 ha) lies within Waverley, north of Farnham. There is, however, a "Zone of Influence" around the SPA within which measures are required to avoid adverse impacts on its conservation interests. The Thames Basin Heaths Avoidance Strategy² sets out the Council's approach in seeking to avoid the effect of a net increase in population from new housing developments within 5km of the SPA, and how it proposes to discharge its legal obligations under the Conservation of Habitats and Species Regulations 2010.
- 16.5 There are two other SPAs in Waverley, Wealden Heaths Phase I (Thursley, Hankley and Frensham) and Wealden Heaths Phase II (Devil's Punch Bowl). Following the opening of the Hindhead Tunnel in 2011, it was recognised that this scheme was likely to result in proposals for development in central Hindhead, close to the Wealden Heaths Phase II Special Protection Area. In order to address the potential impact of development on the SPA, the Council adopted the Hindhead Avoidance Strategy. This secures contributions towards measures to avoid additional recreational pressure on the SPA. The Council's approach to dealing with the potential impact of other development on the Wealden Heaths SPAs has evolved through collaboration with Natural England and, in relation to Wealden Heaths Phase

¹ Council Directive 79/409/EEC of 2nd April 1979

² Waverley Borough Council December 2009 (updated May 2013)

II, East Hampshire District Council, which is also affected by this SPA. Within this chapter, Policy 1.20 deals with impacts of development on the Wealden Heaths Phase SPAs and Policy 1.22 deals specifically with the Thames Basin Heaths SPA.

- 16.6 <u>Special Areas of Conservation (SACs)</u> are protected areas requiring designation under the European Union's Habitats Directive. They provide increased protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity. These sites, along with SPAs, are part of a network of protected wildlife areas across the European Union, known as *Natura 2000*.
- 16.7 <u>Ramsar sites</u> are wetlands of international importance designated by the UK as signatories to the Convention on Wetlands of International Importance, especially as Waterfowl Habitat (the Ramsar Convention), an international agreement which provides for the conservation and sustainable management of wetlands.

National Designations

- 16.8 <u>Sites of Special Scientific Interest (SSSI)</u> are the country's very best wildlife and geological sites and include some of the most spectacular and beautiful habitats. They are designated under the Wildlife and Countryside Act 1981 (as amended) by Natural England. Large proportion of these sites are also internationally important for wildlife, and are also designated as SACs, SPAs or Ramsar sites.
- 16.9 <u>National Nature Reserves (NNR)</u> constitute many of the finest sites for wildlife and geology and are a selection of the very best SSSIs. Many of these sites are also designated under European designations, such as the Thursley NNR which forms part of the Wealden Heaths Phase I SPA.

Local Designations

- 16.10 <u>Local Nature Reserves (LNR)</u> are locally designated sites considered to be of importance for wildlife, geology, education or public enjoyment. This is a statutory designation made principally by local authorities in consultation with Natural England.
- 16.11 <u>Sites of Nature Conservation Importance (SNCI)</u> are Surrey's local sites of nature conservation importance, elsewhere known as Local Wildlife Sites. These are recommended for protection within the planning system by an appointed panel of biodiversity experts and then adopted in local development plan plans.
- 16.12 <u>Local Geological Sites</u> (previously known as Regionally Important Geological or Geomorphological Sites (RIGS)) are selected by voluntary geoconservation groups, such as RIGS Groups and Geology Trusts, which are generally formed by county or unitary authority areas in England.

16.13 Ancient Woodlands are areas which have been continuously wooded since before 1600AD in England. This includes areas of ancient semi-natural woodland (ASNW), which retains a native tree and shrub cover that has not been planted, although it may have been managed by coppicing or felling and allowed to regenerate naturally. They also include plantation on ancient woodland sites (PAWS) where the original tree cover has been felled and replaced by planting, often with conifers, and usually over the last century. Areas of ancient woodland, particularly those under 2 hectares and not afforded statutory protection by designations such as SSSIs, have been identified as part of a wider survey to inform a revision of the Ancient Woodland Inventory for Surrey, published in June 2011. This showed that Waverley contains nearly 4,000 hectares of ancient woodland - 12% of the area of the Borough. Ancient woodlands are of prime ecological importance: more rare and threatened species are associated with ancient woodland than any other habitat. They are also important for their biodiversity, as wildlife habitats and in connection of "green corridors".

Designation	Sites			
Special Protection Area	 Thames Basin Heaths* Wealden Heaths Phase I (Thursley, Hankley and Frensham) Wealden Heaths Phase II (Devil's Punch Bowl)* * covers wider area than Waverley 			
Special Area of Conservation	Thursley, Ash, Pirbright and Chobham (covers wider area than Waverley)			
Ramsar site	Thursley and Ockley Bogs			
Site of Special Scientific Interest	15 SSSIs covering an area of 2,824 ha.			
National Nature Reserve	Thursley			
Local Nature Reserve	 Chinthurst Hill The Flashes Rowhill Copse Rodborough Common Sayers Croft Farnham Park Weybourne 			
Site of Nature Conservation Importance	170 designated sites			
Ancient Woodland	835 parcels covering an area of approx. 4,000 ha			
Local Geological Site (previously known as 'RIGS')	 Allden's Hill, Thorncombe Street Dippenhall Quarry Holloway Hill, Godalming Rutton Hill Tuesley Corner Devil's Punch Bowl Snoxall Railway Cutting The Devil's Jumps Milford Cemetery Pit 			

Table 16.1	Designated	Sites	within	Waver	ley

- 16.14 In addition to sites designated for nature conservation, it is important to recognise the potential impact of promoting development on previously developed land and sites within urban areas. These sites are not devoid of biodiversity and valuable features should be retained and enhanced. Features may include hedgerows, watercourses and trees. National policy³ encourages the reuse of previously developed land, provided it is not of high environmental value, and outlines that opportunities to incorporate biodiversity in and around developments should be encouraged. Development in urban areas can provide opportunities to contribute to a range of habitats across the Borough, for example through the enhancement of connections to existing green infrastructure.
- 16.15 Green infrastructure is a network of multi-functional open space which should be managed and designed to enhance biodiversity and wider quality of life. The Council will encourage contribution toward, or provide, opportunities to enhance the existing provision of green infrastructure, including designated sites, and improve the connection of existing open spaces. Green Infrastructure is included under the definition of infrastructure (see Chapter 8 para 8.3). The designation of the South Downs National Park, which abuts the southern part of the Borough, provides a prime opportunity to improve and enhance cross-boundary connections between open space and designated sites.
- Canals and river corridors are an example of providing a valuable 'wildlife 16.16 corridor' or connection between a network of habitats across the Borough. In Waverley, the River Wey and its tributaries, the Wey and Arun Canal, the River Wey and Godalming Navigations, and the River Blackwater are all integral to the valued landscape, as well as providers of a multifunctional role in recreation, leisure and biodiversity conservation. These river corridors and canals contribute to the quality of the environment and quality of life for residents throughout the Borough. The River Wey flows through Farnham and Godalming and makes an important contribution to the character of these towns. In addition, the wider network of watercourses needs to be acknowledged as providing valuable environments and connections between sites of biodiversity importance. The Wey and Arun Canal extends from Bramley to Dunsfold, and although only a small amount of the canal within Waverley is navigable at present, the Wey and Arun Canal Trust aspire to restore the direct water link between the south coast and London. Key restoration areas have been identified north of Bramley and around Dunsfold/Alfold.
- 16.17 Waverley's landscape has a distinctive wooded character, with over 10,000 hectares of woodland, 32% of the Borough. Hedgerows and woodlands provide valuable environments and connections for wildlife between sites of biodiversity importance. Ancient and veteran trees are a hugely valuable resource for biodiversity, as cultural connections to the past and as significant markers of our landscape heritage. Ancient and veteran trees

³ National Planning Policy Framework, 2012

outside areas of ancient woodland, wood pasture and parkland require special protection and management.

Policy Context

- 16.18 Since October 2006, Section 40 of the Natural Environment and Rural Communities Act has imposed a duty on all public authorities to have regard to the purpose of conserving biodiversity in the proper exercise of their functions. The NPPF⁴ requires planning policy to minimise the impacts of development on biodiversity and geodiversity. It refers to the need to plan for biodiversity at a landscape-scale across local authority boundaries, identifying elements of any existing local ecological networks and to promote the preservation, restoration and re-creation of Priority habitats, ecological networks and the recovery of Priority species populations, linked to national and local targets. Sites of international and national importance, such as SPAs and SACs, are afforded statutory protection through international conventions and European Directives. Along with local designations, these are listed above in Table 16.1.
- 16.19 Locally designated sites provide an important contribution to the wider biodiversity of the Borough. Protecting and enhancing local sites, for example, Sites of Nature Conservation Importance and Local Nature Reserves reduce the pressures on nationally and internationally designated sites. They provide an opportunity to develop a network of sites, providing corridors for the natural dispersal and migration of species. This is identified as being of increasing importance due to the effect of climate change on habitats, ensuring there are routes available to alternative suitable habitats. There is also a recognition that biodiversity needs to be protected and managed at a landscape scale rather than just protected areas.
- 16.20 Locally designated sites identified in the 2002 Local Plan will be reviewed and updated in the preparation of Part 2 of the Local Plan (Non-strategic Policies and Sites). The Council will work with the Surrey Nature Partnership to map and identify Waverley's local ecological network and in doing so will consider the potential for preservation, restoration and re-creation of habitats.
- 16.21 The South East Plan was formally abolished in March 2013 and all but two of its policies were revoked. One of these is Policy NRM6 which relates to new residential development close to the Thames Basin Heaths Special Protection Area (Policy 1.22 below).
- 16.22 Work undertaken by the Surrey Biodiversity Information Centre, and coordinated by Natural England, has identified a network of Biodiversity Opportunity Areas (BOAs) across the county that feature, at their cores, high concentrations of important wildlife habitats formerly selected as significant sites for nature conservation⁵. Where appropriate, Surrey's BOAs link with

⁴ Para 109

⁵ Biodiversity Opportunity Areas; the basis for realising Surrey's ecological network (Surrey Nature

those identified in neighbouring counties to form a South East regional network. The following BOAs have been identified within Waverley:

- Chiddingfold and West Weald Woodlands
- Cranleigh Woodlands
- Wallis Wood
- North Downs Scarp (Hog's Back)
- Blackwater River
- River Wey (plus tributaries)
- Puttenham and Crooksbury
- Farnham Heaths
- Thursley, Hankley & Frensham Commons (Wealden Heath SPA Phase I)
- Devil's Punch Bowl & Hindhead Common (Wealden Heaths SPA Phase II)
- Hascombe, Winkworth and Hydon's Heath and Woodland
- Blackheath, Chilworth and Farley Heaths
- Winterfold and the Hurtwood Greensand Ridge
- Prior to 2012, the Surrey Biodiversity Partnership implemented the Surrey 16.23 Biodiversity Action Plan. This partnership operates as the Biodiversity Working Group of the Surrey Nature Partnership (Surrey's governmentmandated Local Nature Partnership). The Biodiversity Working Group's current agenda is to focus action for Priority habitats^{6a}, in terms of their restoration and creation, within the context of the Biodiversity Opportunity Areas (BOAs), through which action for Priority species ^{6b} recovery would also be delivered in parallel. BOAs (see 16.22 above) are priority areas for targeting biodiversity enhancements and are the basis for achieving a 'coherent and resilient ecological network' in Surrey. A key document 'Biodiversity Opportunity Areas: the basis for realising Surrey's ecological network' presents aims, objectives and targets for each BOA that collectively align with those of the national Biodiversity Strategy.⁷ The Surrey Nature Partnership has produced a 'Biodiversity Planning in Surrey' document (2014) which offers advice to ensure that development protects and enhances the biodiversity that underpins the county's "natural capital". The following priority habitats are relevant to Waverley:
 - Farmland
 - Floodplain Grazing Marsh
 - Heathland
 - Meadows
 - Open Water and Reedbeds
 - Wetland
 - Woodland
 - Wood Pasture and Parkland

Partnership 2015)

^{6a-b} Listed under Section 41 of the Natural Environment & Rural Communities Act 2006 as 'Habitats & Species of principal importance for the conservation of biological diversity in England', for which all public bodies must have regard in the proper exercise of their functions under Section 40 (see 16.18). ⁷ Biodiversity 2020: A strategy for England's wildlife and ecosystems services

- Road Verge
- 16.24 The Council works in partnership with other conservation projects, such as the Amphibian and Reptile Conservation Group, the Countryside Partnership's Surrey Heathland Project and the Blackwater Valley Countryside Partnership and aims to conserve and enhance valuable habitats in Waverley.
- 16.25 The Council's strategy is to protect and enhance biodiversity and areas of geological importance. Much of this can be achieved through the recognition of international and national designations and the implementation of national policy and guidance. The local plan will focus policy on the impact of development on sites on or near designations and the consideration of the overall network of sites of biodiversity importance.
- 16.26 The (withdrawn) Core Strategy's Habitats Regulations Assessment (HRA) recommended that any new housing located within 400 metres of the Wealden Heaths SPA (Phases I and II) will be required to carry out a project level HRA as part of the planning application process. The Council has subsequently produced an advice note for developers submitting planning applications close to the SPA⁸
- 16.27 The HRA also identified that a framework to undertake air quality monitoring would need to be set up with other relevant local authorities. The Council will work with partners to consider the best way to monitor changes in air quality across the Borough, and on European sites likely to be affected by new development in the Borough. This would include long term monitoring of the main roads that fall within 200m of the Thames Basin Heaths, Wealden Heaths Phase I and Wealden Heaths Phase II SPAs and the introduction of any mitigation measures. If air quality was found not to improve then further protective measures would need to be devised.

Policy NE1: Biodiversity and Geological Conservation

The Council will seek to conserve and enhance biodiversity within Waverley. Development will be permitted provided that it:

- a. Retains, protects and enhances features of biodiversity and geological interest and ensures appropriate management of those features.
- b. Ensures any adverse impacts are avoided, or if unavoidable, are appropriately mitigated.

Particular regard will be had to the following hierarchy of important sites and habitats within the Borough -

(i) <u>Special Protection Areas (SPAs), Special Areas of Conservation</u> (SACs) and Ramsar Sites (international designations)

⁸ Habitats Regulations Information Note for Proposed Residential Development within close proximity to the Wealden Heaths Phase I and II SPA (Waverley Borough Council, 2012)

Development within the Hindhead Concept Statement Area will be required to make appropriate contributions in accordance with the Hindhead Avoidance Strategy (2011) unless it can be demonstrated that the proposal will not have a likely significant adverse effect on the ecological integrity of the Wealden Heaths Phase II SPA.

Where new development is proposed that would result in a net increase in residential accommodation within 400m of the boundary of Thursley, Hankley and Frensham Commons (Wealden Heaths Phase I) SPA and Wealden Heaths Phase II SPA, the Council will need to be satisfied that there will be no significant adverse effects on the ecological integrity of the SPA through a project level Habitats Regulations Assessment (HRA).

- (ii) <u>Sites of Special Scientific Interest (SSSIs) and National Nature</u> <u>Reserves (national designations)</u>
- (iii) <u>Sites of Nature Conservation Importance (SNCIs), Local Nature</u> <u>Reserves (LNRs), Local Geological Sites and other Ancient</u> <u>Woodland, Ancient and Veteran Trees not identified within (ii)</u> <u>above (local designations)</u>

Within locally designated sites, development will not be permitted unless it is necessary for appropriate on site management measures and can demonstrate no adverse impact to the integrity of the nature conservation interest. Development adjacent to locally designated sites will not be permitted where it has an adverse impact on the integrity of the nature conservation interest.

Outside of these areas, and especially within and adjacent to the Biodiversity Opportunity Areas (BOAs), new development will, where appropriate, be required to contribute to the protection, management and enhancement of biodiversity. This may include the restoration and creation of Priority habitats and the recovery of Priority species populations. Within BOAs, enhancements should relate directly to their specific objectives and targets. New development should make a positive contribution to biodiversity in the Borough, through provisions mentioned above, as well as by creating or reinforcing linkages between designated sites, in order to create a connected local and regional ecological network of wildlife corridors and green infrastructure. The Council will seek to retain and encourage the enhancement of significant features of nature conservation value on development sites.

Policy NE2: Green and Blue Infrastructure

The Council will seek to protect and enhance benefits to the existing river corridor and canal network, including landscaping, water quality or habitat creation. This will be partially achieved, on development sites, by retaining or creating undeveloped buffer zones to all watercourses of 8 metres for main rivers and 5 metres for ordinary watercourses.⁹ In accordance with the Water Framework Directive¹⁰, development will not be permitted which will have a detrimental impact on visual quality, water quality or ecological value of existing river corridors and canals.

The Council will seek, where appropriate, to maintain existing trees, woodland and hedgerows within the Borough.

16.28 In addition, if a housing proposal is capable of affecting the Wealden Heaths Phase I and II SPAs beyond 400 metres from the site, it will be considered on a case-by-case basis as to whether a project-specific Habitats Regulations Assessment (HRA) is required (this should be assessed at the HRA Screening Assessment stage). The requirement is likely to vary dependent on the size of site, the 'in-combination' effects and its distance from the SPA. Advice on this should be sought from Natural England at the earliest opportunity.

Delivery

The policies will be delivered through -

- Decisions on planning applications.
- The greening of the environment, improvement in biodiversity and enhancements of the existing green infrastructure will be undertaken in partnership with various organisations such as the Waverley Countryside Service, Action for Wildlife, Blackwater Valley Countryside Partnership, the Surrey Heathland Project and the Surrey Biodiversity Partnership.
- The Hindhead Avoidance Strategy.

Thames Basin Heaths Special Protection Area (SPA)

- 16.29 The formal revocation of the South East Plan in 2013 retained only two policies, one of which was Policy NRM6: the Thames Basin Heaths SPA. The Council's Thames Basin Heaths SPA Avoidance Strategy (see 16.21 above) provides guidance to developers on the level of avoidance measures that the Council expects to see incorporated within planning applications. In this instance, "avoidance measures" means providing or contributing towards Suitable Alternative Natural Greenspace (SANG), and contributing towards a programme of strategic access management and monitoring (SAMM) of the SPA.
- 16.30 Waverley's only current SANG resource is the Council-owned facility at Farnham Park. The capacity of the Farnham Park SANG (number of dwellings) is calculated using the SPA Delivery Framework formula of 8 ha of SANG per 1000 new residents. This operates as a 'strategic' resource that is available to mitigate approved housing developments (including prior notifications) within 5 km of the SPA. The park's SANG capacity is a finite resource in terms of the numbers of new dwellings it can support. The remaining (unallocated) capacity is monitored continually and the latest

⁹ Measured from the bank top

¹⁰ European Directive 2000/60/EC

position is reported to every meeting of the Council's Western Planning Committee.

- 16.31 As at 1st April 2016, the remaining SANG capacity was sufficient to accommodate only a further 243 dwellings. The local plan strategy allocates 2,330 new homes for the Farnham area. Taking account of sites that already have planning permission and/or lie outside the SPA's 5 km 'Zone of Influence', a further 1,317 dwellings are expected to be provided between 2016 and 2032. The impact of this 'net' housing figure on the SPA will need the requisite amount of SANG to be identified according to the TBH Delivery Framework formula (see 16.30 above). Depending on the average occupancy rates of new dwellings¹¹ this would be between 20.2 and 24.5 ha of new SANG.
- 16.32 In terms of finding new SANG, the Council has adopted a three-pronged approach
 - (i) review the potential capacity of Farnham Park;
 - (ii) identify opportunities for new SANG; and
 - (iii) investigate proposals for 'bespoke' SANG in associated with developers' promoted housing sites.
- 16.33 The outcome of the Council's application of this approach is detailed in a background paper on SANG and the local plan.¹² This concludes that, on the basis of an enhanced SANG capacity at Farnham Park as a result of new information on visitor capacity, considerably less new SANG would need to be identified. Subject to Council approval, the enhanced capacity is due to be released in July 2016 and would be sufficient to provide mitigation for at least 75% of the Farnham area's net housing requirement. A maximum of 6.3 ha of new SANG would need to be identified by the end of the plan period. Depending on how average occupancy rates of new dwellings vary, there may be sufficient capacity at Farnham Park to accommodate the entire housing requirement.
- 16.34 The <u>Thames Basin Heaths SPA Delivery Framework</u> (2009) was produced by the TBH Joint Strategic Partnership Board (JSPB) on behalf of the member local authorities and other stakeholders. It was prepared as a nonstatutory document within the context of the South East Plan and has an important bearing on the way in which the Council deals with applications that may have a significant effect on the SPA. It gives guidance to all the affected local authorities on how to deal with development proposals within the Zone of Influence. Its aim, objectives and key principles are to recommend –
 - a consistent approach to the protection of the SPA from the significant effects of residential development;

¹¹ The monitored rate at 1st April 2016 stood at 1.98 persons per dwelling (ppd). The assumed rate in the Delivery Framework was 2.4ppd. The range in the amount of SANG required is based on these two rates.

- the type and extent of residential development that may have a significant effect alone or in combination on the SPA; and
- key criteria for the delivery of avoidance measures.

Policy NE3: Thames Basin Heaths Special Protection Area

New residential development which is likely to have a significant adverse effect on the ecological integrity of Thames Basin Heaths Special Protection Area (SPA) will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Such measures must be agreed with Natural England.

Within the 400m "exclusion zone" of the SPA boundary, no net new residential development will be permitted, as mitigation measures are unlikely to be capable of protecting the integrity of the SPA.

New residential development which the Council considers that either alone or in combination is likely to have a significant adverse effect on the SPA beyond 400m and within 5 km of the SPA boundary (in a straight line) must provide:

- Appropriate contributions towards the provision of Suitable Alternative Natural Greenspace (SANG) identified by the Council; or
- A bespoke solution to provide adequate mitigation measures to avoid any potential adverse effects; and
- A financial contribution towards wider Strategic Access Management and Monitoring (SAMM)

Proposals for large scale development (50 dwellings or more) between 5 km and 7 km from the edge of the SPA should be assessed on an individual basis. Where appropriate a full appropriate assessment may be required to ascertain whether the proposal could have an adverse effect on the SPA.

All mitigation measures shall be agreed with Natural England and be provided prior to occupation of the development and in perpetuity.

Where mitigation is provided in the form of SANG, the following standards and arrangements will apply:

- A minimum of 8 hectares of SANG land (after discounting to account for current access and capacity) should be provided per 1,000 new occupants.
- Developments of fewer than 10 dwellings should not be required to be within a specified distance of SANG land provided it is ensured that a sufficient quantity of SANG land is in place to cater for the consequent increase in residents prior to occupation of the dwellings.

The mechanism for this policy is set out in the TBH Delivery Framework by the TBH Joint Strategic Partnership Board.

Delivery

The policy will be delivered by:

- Decisions on planning applications.
- The Thames Basin Heaths SPA Avoidance Strategy.

Evidence

- Thames Basin Heaths SPA Avoidance Strategy 2009 (Updates 2013, 2016)
- Hindhead Avoidance Strategy (2011)
- Thames Basin Heaths SPA Delivery Framework (2009)
- Surrey Biodiversity Action Plan
- Surrey Wildlife Trust (2009) A Living Landscape for Surrey
- South East England Biodiversity Opportunity Areas 2009 Statements Folio -South East England Biodiversity Forum
- Habitats Regulations Assessment (June 2012)
- A revision of the Ancient Woodland Inventory for Surrey (June 2011)
- Waverley Cultural Strategy (update 2016)