

Statement of Benjamin Kite Regarding Suitable Alternative Natural Greenspace (SANG) Provision

In the Appeal Against the Refusal of Application
WA/2022/01887 by Waverley Borough Council on 2
May 2023

Prepared on behalf of

Redwood South West Ltd

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1. INTRODUCTION AND CONTEXT

Qualifications and Experience of the Author

- 1.1 I am Benjamin Kite, Director at Ecological Planning & Research Ltd (EPR), Consulting Ecologists based in Winchester. I hold the degrees of Bachelor of Science with Honours in Biology from the University of Wales, Aberystwyth, and Master of Science in Environmental Assessment and Management from Oxford Brookes University.
- 1.2 I am a Chartered Ecologist (CEcol), full Member of the Chartered Institute of Ecology and Environmental Management (MCIEEM) and Practitioner Member of the Institute of Environmental Management and Assessment (PIEMA).
- 1.3 I am currently the elected Chair of CIEEM's Strategic Policy Panel (SPP) having previously sat as a member for several years. The SPP is a sub-committee of the CIEEM Governing Board that provides strategic oversight of the Institute's policy positions. Through my work with the SPP I helped to establish the All-Party Parliamentary Group (APPG) for Nature (which has since merged with the APPG for the Environment), a group of Parliamentarians from both the House of Commons and House of Lords, that collectively discuss environmental policy, seek cross-party consensus on environmental issues and advocate for positive change. I have also appeared twice as an Expert Witness to give evidence to Public Inquiries held by the House of Lord's Land Use and Built Environment Select Committees, and my evidence was cited in the two House of Lord's Reports that resulted from these Inquiries; *Making the Most of England's Land* (2022) and *The Impact of Environmental Regulations on Development* (2023).
- 1.4 I have worked in environmental consultancy for around 18 years (since 2005), initially as an Environmental Planner for a firm of planning consultants based at Hook in Hampshire, before joining EPR as an Ecologist in 2008.
- 1.5 My current work at EPR involves overseeing the ecological advice and support provided to some of the largest development projects in the country, including individual residential developments comprising several thousand new homes and related infrastructure, commercial and energy generation projects, one of the largest proposed sand and gravel extraction projects in the UK, and several landscape-scale nature conservation projects including floodplain hay meadow and heathland restoration. The main assessment processes that I work within are Ecological Impact Assessment (EclA) and Environmental Impact Assessment (EIA), Habitats Regulations Assessment (HRA), Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA).
- 1.6 I have particular experience in the development of impact avoidance and mitigation strategies involving the design and application of Suitable Alternative Natural Greenspace (SANG) to prevent increases in recreational pressure on sensitive designated sites for nature conservation,

by providing an attractive alternative destination for residents of new and existing residential properties to pursue recreational activity such as walking with and without their dogs. This area of work is also particular specialism of EPR, as the company designed the first SANG to be tested 'in principle' and upheld in the UK High Court, in the Landmark 'Dilly Lane' Case (2008) and has been engaged in SANG-related work ever since.

- 1.7 EPR has also played a leading role in the refinement of SANG practice more broadly, which has included being commissioned by Hart, Rushmoor and Surrey Heath Councils to carry out a peer review of evidence gathered by the Thames Basin Heaths Special Protection Area (SPA) Mitigation Project (2021), which led to significant revisions to Natural England's *Guidelines for the Creation of Suitable Alternative Natural Greenspace* (2021). We were also commissioned by Natural England (NE) to carry out the 2018 Visitor Survey of the Thames Basin Heaths SPA, which showed that despite a c12.9% increase in residential development within 5km of that SPA since the original baseline visitor surveys were undertaken in 2005, there had been a statistically significant decrease in visitor pressure. Our analysis also concluded that whilst several factors can influence visitor numbers and behaviour, it is likely that the implementation of SANG and Strategic Access Management and Monitoring (SAMM) has had the greatest impact in reducing visitation.
- 1.8 I have personally acted as the lead ecologist on large-scale residential projects that have brought forward SANG proposals to protect the following designated sites: the Thames Basin Heaths SPA and the Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC) in Surrey, the Dorset Heaths SPA and Dorset Heathlands SAC, the New Forest SPA, SAC and Ramsar Site in Hampshire, The Wealden Heaths Phase I and Phase II SPAs, various Internationally designated sites in and around the Hampshire Solent and in East Hampshire, and the Penhale Dunes SAC in Cornwall.
- 1.9 My recent major SANG-related projects have included HRA work relating to the proposal formerly known as the Whitehill Bordon Ecotown in East Hampshire; designing, implementing, managing and monitoring a suite of four SANG areas collectively now amounting to around 65ha of consented SANG (of which around 40ha has so far been implemented) in relation to the South of the M4 Strategic Development Location (SDL) and related developments in Wokingham Borough for around 3,500 dwellings; and the Longcross Garden Village proposals in Runnymede District, where a SANG area has been brought forward that reinstates an area that was once part of Chertsey Common.
- 1.10 I am also currently acting as ecological advisor to the Duchy of Cornwall for both the Nansledan Local Development Order (LDO) for 4,000 new homes in Cornwall and the South East Faversham proposals for 2,500 homes in Kent. The Nansledan LDO has already delivered the first SANG in Cornwall, designed to protect the Penhale Dunes SAC, comprising over 30ha of land dedicated solely to the twin objectives of nature conservation and public recreation.
- 1.11 In recent years I have been commissioned by both NE and the UK's Joint Nature Conservation Committee (JNCC) to co-author new national guidance on the assessment of projects that impact on the habitats of designated nature conservation sites due to air pollution, and I was invited to be a guest contributor on biodiversity and air pollution to IEMA's recent guidance for the treatment of soils in EIA.

- 1.12 Finally, I carry out a range of other types of ecological survey and assessment work, and am a holder of NE survey licences for Sand Lizard and Smooth Snake, and hold survey class licence registration for Hazel Dormouse in all Counties of England.

Scope of Evidence and Instruction

- 1.13 EPR was previously commissioned by Redwood South West Ltd to advise on SANG and issues related to the avoidance and mitigation of recreational impacts on designated sites in relation to the adjacent Scotland Park scheme allowed on Appeal for 50 dwellings (WA/2020/1213). Our role in that scheme included liaising with NE, carrying out HRA work on behalf of the Applicant/Appellant, designing the impact avoidance and mitigation measures to address potential recreational pressure related effects, and providing information to the previous Public Inquiry.
- 1.14 Whilst the impact avoidance and mitigation measures brought forward with the previous Appeal scheme to protect the Wealden Heaths SPA Phase II from increases in recreational pressure focused on the delivery of specific walking routes for dog walkers and other residents rather than SANG, previous discussions with NE had included the development of proposals to upgrade the mitigation into a full SANG in the event that any additional development was brought forward at Scotland Park (i.e. beyond the 50 units eventually allowed at Appeal).
- 1.15 EPR was also commissioned by Redwood South West Ltd in March 2022 in relation to the current Scotland Park proposal (WA/2022/01887). Our initial work (which I oversaw) involved the following:
- Inputs to the design and management of the proposed SANG in collaboration with the rest of the design team;
 - Production of a SANG Management Plan;
 - Production of an Outline Landscape and Ecology Management Plan for the site;
 - Production of an 'Information for Habitats Regulations Assessment (IfHRA) Report to inform Waverley Borough Council (WBC) on the likely implications of the proposals for Internationally Designated Sites, to enable them to discharge their duty as competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended); and
 - Consultation and liaison with NE on the above, in particular in relation to ensuring that the SANG proposals accord with their advice.
- 1.16 Subsequently, I was asked on behalf of Redwood South West Ltd in September 2023 to produce the information that may be needed to inform this Appeal pertaining in particular to SANG. This followed the Council's Decision Notice of 2 May 2023 that identified that Reason for Refusal 4 (RFR 4) was to relate to SANG issues, and more recently confirmation in the Inspector's Case Management Conference (CMC) Note, that the question of whether or not appropriate SANG provision would be made was to form part of 'Main Issue' 4. This Statement addresses these requirements.

Consultation with Natural England

1.17 As part of our engagement with NE to ensure the development of a SANG proposal that meets with their approval, the following consultation has taken place:

- Following the submission of initial SANG designs to NE's Discretionary Advice Service (DAS) (during a phase of work related to the previous Appeal proposals), an advice letter was received from NE dated 11 October 2021, and a Teams Meeting took place with NE on 10 November 2021 that discussed the content of that advice letter and the steps that would be needed to upgrade the impact avoidance measures into a full SANG proposal;
- Revised Draft SANG plans that took into account NE's feedback during that meeting were sent to NE on 21 January 2022;
- Feedback and further advice from NE was received in the form of an email dated 17 February 2022 (see **Appendix 1**), which stated that:

"We can confirm that the document and plans provided appear to have addressed our previous concerns, and that the proposals would meet the SANG requirements for mitigating potential impact on Wealden Heaths SPA."

- A letter was subsequently received from NE dated 5 July 2022 (see **Appendix 1**) that gave formal confirmation to the views previously expressed by NE in their 17 February 2022 email, stating that the proposal for SANG was "...fine in principal (sic), pending receipt of future documents such as the SANG Management Plan and securing the mitigation measures in perpetuity.";
- A further technical note was produced by EPR dated 9 May 2022 and sent to NE, which sought to quantify the capacity of the proposed SANG and sought NE's agreement to this;
- Emails were received from NE dated 5 October 2022 and 12 October 2022 (see **Appendix 1**) confirming that in NE's opinion the proposed SANG of 9.69ha would have a total capacity to mitigate the impacts of up to 504 dwellings (or 324 dwellings once the consented 50 unit scheme and the proposals for 130 dwellings (later reduced to 111 – see below) were deducted; and
- NE's formal response to WBC's consultation on the planning application for the Appeal scheme took the form of a letter dated 13 September 2022. This set out objections related to landscape issues concerning the Area of Outstanding Natural Beauty (AONB), but was silent on the subject of SANG and potential impacts on the Wealden Heaths Phase II SPA. When clarity on NE's views on these matters was later sought, a further email from NE dated 8 November 2022 confirmed that: *"We did not include information for the SANG as mitigation for the development because we were in fact content with the SANG proposal"*.

1.18 Following on from the above, the number of residential units proposed with the Appeal scheme was reduced from 130 to 111 following a package of proposed scheme amendments issued by the Appellant's team on 28 February 2023, made in response to feedback given by WBC's Design Officer at a meeting held on 26 January 2023. Following on from this, the Appellant, with EPR's support, is at the time of writing currently involved in further discussions with NE to

explore the potential for the proposed SANG to be expanded to 12ha or larger in view of the additional space afforded by the scheme amendments.

- 1.19 NE have agreed (in an email dated 14 September 2023) that if the proposed SANG can be extended to 12ha or larger, then its visitor catchment would be increased from 2km to 4km (as per the guidance set out in the Joint Strategic Partnership Board's *Endorsed Thames Basin Heaths SPA Delivery Framework* (JSPB, 2009). A site meeting took place with NE on 5 December 2023 to discuss how this would work, and NE feedback is awaited. If achieved, this would enable the Scotland Park SANG to have an even greater role in helping to deliver residential development in the area that is allocated by the Waverley Borough Local Plan Part 2.

Structure of This Statement

- 1.20 In view of the above, my statement is structured as follows:

- **Section 2** addresses WBC's RFR4 insofar as it relates to SANG;
- **Section 3** summarises the information that is available that I believe enables the Inspector to conclude that the SANG proposal will prevent any adverse effect on the integrity of the Wealden Heaths Phase II SPA; and
- **Section 4** then provides advice to the Inspector as competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), regarding the undertaking of an 'Appropriate Assessment' under Regulation 63, together with an explanation of why I believe the Appeal proposals should pass this assessment.

Declaration

- 1.21 The evidence that I have prepared and provide for this Appeal (APP/R3650/W/23/3327643) in this statement is true and has been prepared and is given in accordance with the guidance of my professional institutions, the Chartered Institute of Ecology and Environmental Management and the Institute of Environmental Management and Assessment. I confirm that the opinions expressed are my true and professional opinions.

2. RESPONSE TO REASON FOR REFUSAL 4

2.1 Reason for Refusal 4 (RFR 4) of WBC's Decision Notice dated 2 May 2023 states:

“The applicant has failed to enter into an appropriate legal agreement to secure the delivery, maintenance and management of the onsite SANG. The proposal would have a likely adverse effect on the integrity of the Wealden Heaths Special Protection Area (SPA). The proposal conflicts with Policies NE1 and NE3 of the Local Plan (Part 1) 2018, Policy DM1 of the Local Plan (Part 2) 2023, Policy H12 of the Haslemere Neighbourhood Plan, the adopted Avoidance Strategy and paragraph 180 of the NPPF.”

[My emphasis]

2.2 My reading of the above text is to the effect that the Council raises no technical concerns or criticisms about the proposed SANG and its ongoing management. Instead, the concerns relate to the present lack of a signed Section 106 Agreement that secures the proposed SANG and its ongoing management *in perpetuity*. This is therefore in my view a ‘holding objection’ that will fall away at the point at which a Section 106 Agreement addressing these requirements is agreed and signed.

2.3 The above interpretation is confirmed by the Officer's Report (2 May 2023) of the application, which addresses SANG provision at Section 19 (Page 40 *et seq*). This text confirms that the Council has reviewed the information presented in the ‘*Information for Habitats Regulations Assessment*’ Report produced for the application by EPR (June 2022a), and has undertaken an ‘Appropriate Assessment’ of the proposals under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) to consider the efficacy of the proposed impact avoidance and mitigation measures (including the proposed SANG) in protecting the Wealden Heaths Phase II SPA. The Officer's Report concludes:

“...it is considered that in order for the development to comply with the Conservation of Habitats and Species Regulations 2017 and to avoid a likely significant effect upon the Wealden Heaths II SPA, that a S106 agreement is required as part of any subsequent planning approval to secure the proposed SANG and package of outlined mitigation measures in perpetuity.

*As **there is sufficient certainty that these measures will be effective and can be secured** (the land outlined for the SANG is in ownership and control of the applicant), they can be taken into consideration when in carrying out the Appropriate Assessment. The Appropriate Assessment concludes that subject to securing the package of mitigation measures, the proposed development would not contribute to additional recreation pressure on the SPA and would therefore not have an adverse impact on the integrity of the SPA.*

In order to secure the SANG delivery, it would be secured within the Section 106 Agreement.”

2.4 Given the above, it can be concluded that the Council has considered all of the relevant information that has been provided to them pertaining to both the potential for the Appeal proposals to contribute towards a likely significant effect on the Wealden Heaths Phase II SPA

either alone or in combination with other plans and projects, and the likely efficacy of the package of impact avoidance and mitigation measures (including SANG), and have reached the conclusion that there will be no adverse effect on the integrity of the SPA.

- 2.5 Given the above, there appears to be no need for me to further address RFR 4 given that it will be fully addressed once an appropriate Section 106 Agreement is signed. I have therefore proceeded instead to set out below in **Section 3** of my statement, a summary of the available information that in my view enables the Inspector to reach the same conclusion as WBC.

3. THE PROPOSALS FOR SUITABLE ALTERNATIVE NATURAL GREENSPACE (SANG)

Introduction

- 3.1 In this Section of my Statement, I set out for the convenience of the Inspector, a summary of the information that is available concerning the potential for the Appeal proposals to contribute to a likely significant effect on Internationally designated sites (including SPAs, SACs and Ramsar Sites), together with an explanation of why I believe it can safely be concluded that there will be no adverse effects on the integrity of any such sites.
- 3.2 Much of the background information and context that underpins the summary and analysis below is set out in the *Scotland Park Phase 2: Information for Habitats Regulations Assessment* Report (EPR, June 2022a) (the 'IfHRA Report'), which should be read in conjunction with the points made.

Which Internationally Designated Sites Need to be Considered?

- 3.3 Given the distance between the Appeal proposals and any Internationally Designated Sites, the only potential for the former to cause a likely significant effect on the latter relates to potential increases in recreational pressure being caused as a result of the residents of new dwellings visiting sensitive Internationally designated sites, with or without their dogs. Typically, such increases in recreational pressure occur up to 5km from a residential development proposal, but larger schemes may exert recreational pressure up to around 7km from a site boundary.
- 3.4 The Wealden Heaths Phase II SPA is located some 2.2km to the north-west of the Appeal site at their nearest point (linear distance). This site was originally designated under the European Directive on the Conservation of Wild Birds (now codified under Directive 2009/147/EC) and then afforded additional protection under the European Habitats Directive (92/43/EEC) due to supporting internationally important populations of three species of Bird listed on Annex 1 of the Directive (Dartford Warbler *Sylvia undata*, Woodlark *Lullula arborea* and Nightjar *Caprimulgus europaeus*), that nest either on or close to the ground and which are consequently very vulnerable to additional disturbance from people (mainly walkers with dogs) pursuing recreational activity on the SPA. Applications for residential development may increase such disturbance, by bringing additional people and their dogs into an area.
- 3.5 In my view, the Wealden Heaths Phase II SPA it is the only Internationally designated site that might be affected by the Appeal proposals (albeit even then only in combination with other plans and projects) in the absence of impact avoidance and mitigation measures. This is because the other two SPA areas (the Wealden Heaths Phase I SPA and Thames Basin Heaths SPA) are too distant (being approximately 7km and 18km north of the Appeal site respectively) for the Appeal scheme to contribute anything other than a trivial or inconsequential addition to recreational pressure, therefore a significant effect from the Appeal proposals either alone or in combination with other plans and projects is unlikely and can safely be precluded.
- 3.6 The Wealden Heaths Phase I SPA is located some 7km to the north of the Appeal proposals. The HRA of the Waverley Borough Local Plan Part 1 (LPP1) (AECOM, 2016) noted at paras 6.3.2 to 6.3.3 that whilst 70% of visitation comes from within 9km of this SPA, not all areas within this distance contribute evenly, and following further assessment and advice from Natural England it was concluded that ensuring a case-by-case assessment of proposals within 5km

would enable this SPA to be protected. This was confirmed in the HRA of the Local Plan Part 2 (LPP2) (AECOM, 2020) which reiterates at paragraphs 6.25 and 6.26 that due to the large amount of existing green infrastructure and relatively low number of new dwellings proposed within 9km of the SPA, the approach of focusing assessment on larger proposals located within 5km is considered to remain appropriate, and that NE have agreed to this approach. The HRA of the LPP2 Addendum (AECOM, 2021) continued this approach.

- 3.7 For completeness, the Wealden Heaths Phase I SPA covers the same area as the Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC) and the Thursley and Ockley Bogs Ramsar, but these designations cover qualifying features that are either less sensitive to recreational effects than the SPA (e.g. habitats) or the same, and therefore there is no reason to suspect that they might be affected.
- 3.8 The Thames Basin Heaths SPA is located some 18km to the north of the Appeal proposals, which is well beyond even the outermost Zone of Influence defined by evidence (see paragraph 4.4 and footnote 6 on page 5 of the Endorsed *Thames Basin Heaths SPA Delivery Framework* (JSPB, 2009)).
- 3.9 Even if it were not the case that all Internationally designated sites other than the Wealden Heaths Phase II SPA lay outside of the Zone of Influence of the Appeal proposals, as all three SPAs share the same key visitor profiles (i.e. primarily comprising recreational walkers with and without dogs), providing adequate impact avoidance and mitigation for the closest and most accessible SPA (the Wealden Heaths Phase II SPA) would in any case indirectly ensure that the other SPAs are also protected, as the same 'target visitor groups' would have their visits intercepted.

What Impact Avoidance and Mitigation Strategy is in Place for the Wealden Heaths Phase II SPA?

- 3.10 WBC set out their view on the latest position on the impact avoidance and mitigation strategy that is required for the Wealden Heaths Phase II SPA in the HRA of the Waverley Borough Local Plan Part 2 Addendum (AECOM, 2021), which supported the now adopted Waverley Borough Local Plan Part 2. Putting aside various elements of the overall strategy that are not directly relevant to the Appeal proposals (such as the 400m residential development exclusion zone around the SPA and the Hindhead Area Avoidance Strategy 2011), paragraph 3.8 of this document summarises the position for sites in the Haslemere area. This sets out the following:
- Sites of <20 dwellings would be unlikely to need mitigation;
 - Sites of 20-49 dwellings may require some form of mitigation such as Heathland Infrastructure Projects (HIPS) (and an associated Appropriate Assessment for any planning application); and
 - Sites of 50+ dwellings may require a SANG (and Appropriate Assessment) although any SANG that was deemed necessary would not necessarily need to comply with the Thames Basin Heaths provision standards (i.e. 8ha/1000 population) provided the SANG as a whole presented a large and suitably attractive semi-natural greenspace [NB: EPR understands that NE has more recently hardened its position in this respect, and that a SANG designed to the Thames Basin Heaths SPA standard is now more of an expectation, with any departures from this needing to be justified].

- 3.11 NE responded to the consultation on the Local Plan Part 2 Addendum in a letter dated 10 November 2021. Whilst this letter raised some concerns in relation to individual allocations, it does not object to the graduated approach taken to providing impact avoidance and mitigation measures, and in fact sought for some clarifications to be added to the relevant text. Furthermore, the NE letter clarifies that the Thames Basin Heaths SPA SANG Creation criteria should form a 'starting point' for approaches to impact avoidance and mitigation based on SANG principles, and that any deviations should be agreed on a case-by-case basis.

What Impact Avoidance and Mitigation Measures are Proposed with the Appeal Proposals?

- 3.12 The previous 50 unit application (Scotland Park Phase 1, consented at Appeal) proposed a package of impact avoidance and mitigation measures referred to as a 'Wealden Heaths Mitigation Strategy' (WHMS) at the suggestion of NE, which included the following measures:
- Provision of permissive paths through land controlled by the Applicant to create a 2.3km circular walk through mature woodland, parkland and grassland habitats, connected to on-site open space and existing public rights of way, and secured by legal agreement;
 - Three pedestrian access points (plus a fourth from within the Site) with information boards highlighting local (non-SPA) walking routes, focal points, wildlife of interest and so on; and
 - Leaflets distributed to new residents and existing residents within 400m of the access points, highlighting the circular walk and other local (non-SPA) walking routes, focal points, wildlife of interest and so on.
- 3.13 In relation to the above, it should be noted that the Appeal site also lies immediately adjacent to the border of the South Downs National Park (to the south), which can be reached via public rights of way. These connect into a large network of public footpaths which pass through several areas of open access land, the largest of which are Black Down to the south-east and Marley Common to the south-west. Both sites are managed by the National Trust. They offer similar landscapes to the SPA, including woodland, heathland and expansive views (Black Down is the highest point on the South Downs).
- 3.14 Black Down is around a four minute drive or 30 minute walk from the Appeal site, and Marley Common around an eight minute drive or 20 minute walk. They both have free car parks, albeit limited in capacity and oversubscribed at peak times. In contrast, the nearest part of the SPA (the Devil's Punchbowl) is a ten minute drive or 1.5 hour walk via the town centre, and parking charges apply to non-National Trust members.
- 3.15 Notwithstanding the above, in order to address the potential for a small number of additional visits to the SPA to be generated by the Appeal proposals, the Appellant proposes to upgrade the WHMS secured with the consented 50 unit scheme into a full SANG of around 9.69ha that is compliant with NE's evidence-based *Guidelines for Accessible Natural Greenspace* (2021) that set out the criteria that SANG areas must achieve in order to be effective at diverting the target recreational visitor group away from subject heathland SPAs.
- 3.16 In addition to the *Scotland Park Phase 2: Information for Habitats Regulations Assessment Report* (EPR, June 2022a), the proposed details of the design, layout and ongoing management

of the proposed SANG are ultimately set out in the *Scotland Park, Haslemere: SANG Creation and Management Plan* (EPR, June 2022b).

- 3.17 As noted in **Section 1** of this statement, the final SANG proposals captured in the above *SANG Creation and Management Plan* (EPR, June 2022b) were written up following detailed consultation with NE on the design, layout and proposed management of this SANG area that took place over several years spanning both the Phase 1 and Phase 2 applications, at the end of which NE confirmed in an email dated 17 February 2022 (subsequently formally confirmed in their letter of 5 July 2022) that:

“We can confirm that the document and plans provided appear to have addressed our previous concerns, and that the proposals would meet the SANG requirements for mitigating potential impact on Wealden Heaths SPA.”

- 3.18 In my professional opinion having designed and secured consent for and then delivered numerous SANG proposals across the UK, the proposal being put forward with the Appeal proposals is of very high quality. It meets or exceeds NE criteria for SANG creation set out in their *Guidelines for the Creation of Suitable Alternative Natural Greenspace* (2021), and provides formalised access via a safe and convenient footpath network to an attractive area of mature woodland, wildflower-rich grassland and open water.
- 3.19 The location of the SANG on the immediate southern edge of the built-up residential area of Haslemere means that it will be readily accessible not just to the residents of the Appeal proposals and the consented Phase 1 development, but also to existing residents of Haslemere. Map 2 of the *Scotland Park Phase 2: Information for Habitats Regulations Assessment* (IfHRA) report (EPR, June 2022a) shows that there will be 208 existing dwellings (not including the Phase 1 development) within a 400m walking catchment of the new SANG, and some 5,653 existing dwellings within the 2km visitor driving catchment of the SANG that is specified in the *Endorsed Thames Basin Heaths SPA Delivery Framework* (JSPB, 2009).
- 3.20 Further to the above, Map 1 of the IfHRA Report (EPR, June 2022a) shows that the proposed SANG provides immediate and convenient access southward into the South Downs National Park, and onward via the already extensive network of public rights of way to large publicly accessible open spaces such as Marley Common and Black Down. In essence, the new SANG will function as the gateway to a much larger and more attractive area of open space that will provide a genuinely compelling and attractive alternative to the nearest part of the Wealden Heaths Phase II SPA, over 2km to the north-west. No other site in Haslemere allocated under the Waverley Borough Local Plan Part 2 can provide anything remotely comparable to this, and all other allocated sites for residential development are closer to the SPA boundary (in some cases much closer).
- 3.21 The 2km driving catchment also encompasses most of the built-up residential area of Haslemere, within which there are several allocated sites for residential development, the future residents of which can therefore be expected to use the new SANG for at least some of their recreational needs. This effectively means that the SANG also has real potential as a future means to provide impact avoidance and mitigation solutions to other allocated sites in Haslemere, and thereby facilitate the delivery of the Local Plan itself. NE has confirmed (see **Appendix 1**) that the SANG being brought forward with the Appeal scheme has capacity to mitigate additional residential development in the Haslemere area (this amounts to at least an additional 343 dwellings now that the Appeal scheme has been reduced to 111 units).

- 3.22 Given recent objections from NE to planning applications for some of these other allocated sites on the basis of insufficient mitigation for the Wealden Heaths Phase II SPA, the potential of the Appeal scheme to provide such a function and facilitate delivery of residential development should not be overlooked (in my view the potential for the SANG to fulfil this role is significant). At the Examination in Public (EiP) of the Local Plan Part 2, the Council drew the Inspector's attention to three areas of land in its ownership that could be brought forward to provide SANG to facilitate Local Plan development: Haste Hill Common, Grayswood Common and Land at Woolmer Hill Road. Notwithstanding the potential constraints on some of these areas that were raised at the EiP (such as existing public access etc.), there is no indication that WBC has advanced proposals for any of these areas.
- 3.23 As mentioned above, the Appellant's team is also currently engaged in discussions with NE to determine whether the recent design changes and reduction in dwellings proposed for the Appeal scheme might afford the opportunity to expand the SANG to over 12ha, which would increase its driving catchment to 4km and enable it to have an even greater role in facilitating future residential development sought for the Haslemere area under the Local Plan. The site meeting with NE held on 5 December 2023 was positive, and feedback is awaited.

Evidence of The Efficacy of the SANG Approach

- 3.24 The Inspector should be aware that the concept of providing SANG to divert recreational pressure from heathland SPAs and similar designated sites is based on a burgeoning evidence base that has – time and again – been found to be sufficient to permit the consenting of new residential development reliant upon it.
- 3.25 This evidence base began to be built with the publication of what was known at the time as English Nature's (now NE's) *Draft Thames Basin Heaths Delivery Plan* (2006) which drew together and set out the evidence at the time underpinning a proposed SANG and SAMM-based approach.
- 3.26 This draft Delivery Plan was tested rigorously prior to adoption at the EiP of the erstwhile South East Plan Regional Spatial Strategy (RSS) (Policy NRM6 of which pertaining to the SPA is still extant), at which a dedicated Assessor for this particular matter (Burley, P) produced one report (February 2007), one Clarification Note (March 2007), and one Addendum Report (April 2007), which ultimately recommended changes to the approach but approved it in a modified form.
- 3.27 Following the EiP of the South East Plan, the Joint Strategic Partnership Board (JSPB) was formed to enable affected Local Authorities to decide how best to implement the required approach. After an earlier abortive attempt to produce guidance in 2008, the JSPB published the *Thames Basin Heaths SPA Endorsed Delivery Framework* in 2009. This document and its underpinning evidence base now provides the unified and endorsed approach of the JSPB to the avoidance and mitigation of recreational impacts from new residential development upon the Thames Basin Heaths SPA, although the principles contained within it are very largely applicable/transferable to the Wealden Heaths Phase II, as a result of both SPAs being heathland SPAs with the same qualifying features (i.e. species of ground-nesting bird) and subject to the same forms of recreational activity, pursued by very similar user groups.
- 3.28 Evidence of the efficacy of the multi-LPA strategic SANG approach to recreational pressure mitigation was identified following the 2018 Visitor Survey Report of the Thames Basin Heaths SPA, which EPR was commissioned to undertake on behalf of NE. The Inspector may wish to

note in particular that the key conclusions that we were able to reach as a result of that visitor survey included the following points of particular importance:

- **The report concluded that there had been a statistically significant drop in visitor numbers overall across the 24 SPA access points surveyed compared to the baseline surveys carried out in 2005, despite a concurrent 12.9% increase in housing numbers within 5km of the SPA over the same period** (paragraph 4.43); and
- That whilst several factors can influence visitor numbers and behaviour, it is likely that the implementation of SANG and SAMM has had the greatest impact in reducing visitation (paragraph 4.47).

- 3.29 As an additional example of the effectiveness of well-conceived and implemented SANG, EPR has been carrying out annual visitor monitoring of a SANG area located near Shinfield in Wokingham Borough called 'Langley Mead' since 2016 (when the SANG opened to the public). Langley Mead SANG was originally part of a suite of four SANG areas designed by EPR and delivered in conjunction with the residential development of the South of the M4 SDL. The methodology for carrying out these annual visitor surveys was agreed with NE, and results are submitted to NE each year once analysed and written up.
- 3.30 The 2022 Visitor Survey Report for Langley Mead (EPR, 2023) has shown that the interception/diversion of recreational visitors generated in the SDL area away from the SPA and to the Langley Mead SANG is transpiring broadly as was predicted, with visitor levels increasing steadily (albeit with a peak during the Covid-19 pandemic) as reliant developments have been delivered. In 2022, there were an estimated 60,882 person visits made to Langley Mead, and 44,238 dog visits.
- 3.31 Additionally however, the results showed that of the groups interviewed, 37% had visited Bramshill SSSI (the nearest part of the Thames Basin Heaths SPA), and of these 64% said that they were less likely to visit Bramshill SSSI now that Langley Mead had become available. Of the other preferred recreational destinations mentioned by interviewees, the most common response (16 groups) was for another part of the SDL SANG Suite – May's Farm SANG between Ryeish Green and Three Mile Cross.
- 3.32 Similarly positive results have obtained from ongoing visitor monitoring at the Ridge SANG, with the latest finalised visitor survey report for 2021 (EPR, 2022) estimating that there were 47,815 person-visits and 30,295 dog-visits made to the Ridge SANG that year, with 36% of visitors indicating that they had visited Bramshill SSSI, of whom 48% said that they were now less likely to visit that location.
- 3.33 The above-described visitor surveys of the Langley Mead and Ridge SANG areas show that the SANG areas are successfully drawing in recreational visitors (particularly dog walkers) who would otherwise visit the SPA, and that this is occurring broadly in accordance with the predictions that were originally made prior to planning applications for the SANG areas being granted.
- 3.34 Given the above, there is ample evidence to demonstrate that these SANGs are functioning as a SANG is intended to function, which was summarised in paragraph 63 of a landmark High Court Case known as the 'Dilly Lane' case, at which EPR provided ecological evidence:

“The purpose of the SANGS was not to lessen the increase in visitor pressure, but to avoid it altogether by drawing some existing users away from the Heath to compensate for those new residents who might use it on occasion”.

4. CONCLUSIONS

The Requirements of the Habitats Regulations

- 4.1 As set out in more detail in the Scotland Park Phase 2: *Information for Habitats Regulations Assessment* Report (EPR, 2022a), the primary legislative protection covering the Wealden Heaths Phase II SPA originates from European Directive 92/43/EEC ‘on the conservation of natural habitats and of wild fauna and flora’ (the ‘Habitats Directive’). This Directive drew the pre-existing SPAs created by the earlier Birds Directive mentioned above into the Europe-wide network of protected areas known as ‘Natura 2000’, and extended them the same level of protection against the impacts of plans and projects as is afforded to Special Areas of Conservation (SACs).
- 4.2 Article 6 of the Habitats Directive, which sets out this protection insofar as it relates to the effects of proposed plans and projects on European sites, is transposed into domestic legislation by Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the ‘Habitats Regulations’), which still apply to the Appeal proposals following the withdrawal of the UK from the European Union, through The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
- 4.3 Regulation 63 of the Habitats Regulations states:
- “(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—*
- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and*
- (b) is not directly connected with or necessary to the management of that site,*
- must make an appropriate assessment of the implications of the plan or project for that site in view of that site’s conservation objectives.*
- (2) A person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required.”*
- 4.4 Following WBC’s refusal of the Scotland Park Phase 2 application and the subsequent Appeal by the Appellant, the Inspector is now the ‘competent authority’ for the purposes of undertaking the steps outlined in Regulation 63 above of the Habitats Regulations, which are collectively referred to as the ‘Habitats Regulations Assessment’ (HRA) process.
- 4.5 Further detail on the HRA process is outlined in Section 1 and Appendix 1 of the *Scotland Park Phase 2: Information for Habitats Regulations Assessment* Report (EPR, 2022a), however, the first two steps are usually referred to in guidance as ‘Screening’ (determining the need for an Appropriate Assessment by establishing whether the plan or project in question is likely to have a significant effect on an Internationally Designated Site, either alone or in combination with other plans and projects) and the ‘Appropriate Assessment’ (determining whether there would be an adverse effect on the integrity of the Internationally Designated Site in question).

- 4.6 In relation to this, a key conclusion arising from the ‘People over Wind’ (PoW) case from the Court of Justice of the European Union (CJEU) (Case C-323/17) was as follows:

*“Article 6(3) [of the Habitats Directive] must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, appropriate assessment of the implications, for a site concerned, of a plan or project, **it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site.**”* (paras 40 and 41)

- 4.7 My advice therefore is that, prior to determining the Appeal, the Inspector as the competent authority should in the first instance carry out an ‘Appropriate Assessment’ of the Appeal proposals under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), taking account of the available information. This is also advised in the guidance provided in PINS Note 05/2018, which makes it clear that measures intended to avoid or reduce harmful effects on an Internationally Designated Site cannot be taken into account at the ‘Screening’ Stage of the HRA process, and the efficacy of such measures should instead be tested through an ‘Appropriate Assessment’.

Appropriate Assessment: Why The Inspector Can Safely Conclude that the Appeal Proposals Will Not Have an Adverse Effect on the Integrity of the Wealden Heaths Phase II SPA

- 4.8 The Appeal proposals are located on the opposite side of Haslemere to the SPA, with other large areas of publicly accessible open space available and more accessible to its future residents than the SPA. Nonetheless, the impact avoidance and mitigation that is relied upon to remove residual doubt as to the absence of an adverse effect in this case takes the form of a SANG that meets NE’s evidence-based *Guidelines for the Creation of Suitable Alternative Natural Greenspace* (2021).
- 4.9 The above-described approach to SANG has been derived from the now substantial evidence base that is available pertaining to the efficacy of SANG in relation to projects affected by the Thames Basin Heaths SPA, which shares the same qualifying features and which is also visited by the same ‘target’ recreational groups as the Wealden Heaths Phase II SPA. It is for this reason that the mitigation measures at the Appeal site borrowed evidence from the Thames Basin Heaths context and were then calibrated to appeal to the same types of visitor who might otherwise visit the nearby Wealden Heaths Phase II SPA. There is now a burgeoning evidence base, as set out above, that SANG is effective in this respect.
- 4.10 NE have been consulted and have walked the proposed circular route as part of the advice provided to the Appellant under their Discretionary Advice Service (DAS). Following iteration and refinement of the SANG proposals in response to their feedback, NE have confirmed (see **Appendix 1**) that the SANG will in their view now be effective at preventing any potential increase in recreational pressure on the Wealden Heaths Phase II SPA.
- 4.11 In relation to NE’s opinion, the Dilly Lane judgment (2009) states, at paragraph 49, that the Secretary of State in that case: “...*was entitled to give “great weight”* [my emphasis] *to its* [Natural England’s] *views if she chose to do so. Indeed, it would have required some cogent explanation in the decision letter if [the Secretary of State] had chosen not to give considerable weight to the views of NE*”.

- 4.12 In addition to confirming that the SANG will fully address the potential effects of the Appeal proposals on the Wealden Heaths Phase II SPA, NE further confirmed in emails of 5 and 12 October 2022 (see **Appendix 1**) that the SANG in their view could provide significant surplus mitigation capacity that could be made available to other schemes for residential development within the visitor catchment of the SANG, potentially enabling the delivery of other residential development within the Haslemere area that is being brought forward under the Waverley Borough Local Plan.
- 4.13 WBC's RFR 4 does not reflect any concern that the proposed SANG may be in any way technically deficient, and in fact the Officer's Report confirms the view that "...*there is sufficient certainty that these measures [the SANG] will be effective and can be secured...*"
- 4.14 The required security referred to by WBC will be provided in due course through the agreement and signing of an appropriate Section 106 Agreement, at which point RFR 4 will fall away.
- 4.15 Given the above, my advice to the Inspector is that, subject to the required Section 106 Agreement being agreed and signed, it can confidently be concluded that the Appeal proposals will not have an adverse effect on the integrity of the Wealden Heaths Phase II SPA (or any other Internationally Designated site, for the reasons outlined above), and insofar as the Habitats Regulations are concerned can therefore be consented.
- 4.16 This by extension means that the Appeal proposals accord with Section 15 of the National Planning Policy Framework (2023), Policy NE1 *Biodiversity and Geological Conservation* and Policy NE 3 *Thames Basin Heaths SPA* of the Waverley Borough Local Plan Part 1, Policy DM1 *Environmental Implications of Development* of the Waverley Borough Local Plan Part 2, and H12 of the Haslemere Neighbourhood Plan, insofar as those policies are relevant to the protection of Internationally Designated Sites.

5. REFERENCES

AECOM (Aug 2016) *Waverley Borough Council Local Plan Part 1: Strategic Policies and Sites. Pre-Submission Draft (July 2016): Habitats Regulations Assessment*

AECOM (Nov 2020) *Waverley Borough Council Local Plan Part 2: Habitats Regulations Assessment*

AECOM (Sep 2021) *Waverley Borough Council Local Plan Part 2 Addendum: Habitats Regulations Assessment*

English Nature (now Natural England) (2006) *Thames Basin Heaths Special Protection Area: Mitigation Standards for Residential Development*

Ecological Planning and Research Ltd (EPR) (2022a). *Scotland Park, Phase 2: Information for Habitats Regulations Assessment*. 22 June 2022.

EPR (2022b). *Scotland Park, Haslemere: SANG Creation and Management Plan*. 22 June 2022.

Natural England (2021). *Guidelines for the Creation of Suitable Alternative Natural Green Space*.

Her Majesty's Stationery Office (HMSO) (2017). *The Conservation of Habitats and Species Regulations 2017*.

HMSO (2018). *The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018*.

HMSO (2019). *The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*

Joint Strategic Partnership Board (JSPB, 2009) *Thames Basin Heaths Special Protection Area Endorsed Delivery Framework*

Ministry of Housing, Communities and Local Government (2023) *National Planning Policy Framework*.

Southgate J., Brookbank R., Cammack K. and Mitchell, J. (2018). *Visitor Access Patterns on the Thames Basin Heaths SPA: Visitor Questionnaire Survey 2018*. Natural England Commissioned Report. Ecological Planning & Research Ltd, Winchester.

Waverley Borough Council (WBC) (2018). *Local Plan Part 1: Strategic Policies and Sites*

Waverley Borough Council (WBC) (2023). *Local Plan Part 2: Site Allocations and Development Management Policies*.

Appendix A

Natural England Correspondence

From: [Baribeau, Jack](#)
To: [Ben Kite](#)
Subject: RE: Scotland Park
Date: 12 October 2022 15:27:47
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.jpg](#)
[image010.png](#)

Hi Ben,

Thanks for your email again here.

Yes, all looks good to me. I can confirm we are happy with the calculations of SANG dwelling capacity at 504 for the 9.69ha proposed, and with a remaining 324 dwelling capacity after deductions.

Kind regards,

Jack Baribeau

Sustainable Development Lead Adviser

Thames Solent Area Team | Natural England

www.gov.uk/natural-england

From: Ben Kite [REDACTED]
Sent: 12 October 2022 09:03
To: Turner, Marc [REDACTED]
Cc: Baribeau, Jack [REDACTED]
Subject: RE: Scotland Park

Hi Marc / Jack

Thanks very much for this, and for contacting the LPA about the supplementary letter.

The SANG is 9.69ha in total (please see attached as a reminder), so would have capacity for 504 dwellings at the usual 8ha per 1000 population, assuming 2.4 people per dwelling.

Once the consented 50 unit scheme and the newly submitted 130 unit scheme (if consented) is deducted, there would therefore be remaining capacity of 324 units.

Would one of you mind just please confirming that you're happy with this?

Best of luck in the new role Marc – I hope we have a chance to work on the same projects again in future.

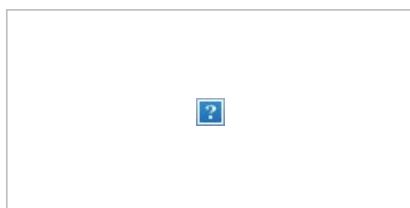
Many thanks

Ben

Ben Kite BSc (Hons) MSc CEcol PIEMA MCIEEM

Managing Director

Ecological Planning & Research Ltd



www.epr.uk.com

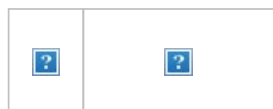


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Date: 05 July 2022
Our ref: DAS/14180/359892
Your ref: Scotland Park SANG



Ben Kite
Ecological Planning & Research Ltd (EPR)

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ
0300 060 3900

BY EMAIL ONLY

Dear Rebecca,

Discretionary Advice Service (Charged Advice): DAS/14180/359892

Development proposal and location: DAS Pre-Application for mitigation for SANG and residential at Scotland Lane, land at Scotland Park, Haslemere

This advice is being provided as part of Natural England's Discretionary Advice Service. EPR has asked Natural England to provide advice upon:

- ScotlandPark_NE_DAS_FurtherInformation

Natural England and EPR have been in regular consultation throughout the course of the planning application processes.

Our advice is based upon the discussions held Microsoft Teams meetings and exchanges of correspondence, plans, and recent documents relating to SANG design and approaches.

Natural England believes this proposal fine in principal, pending receipt of future documents such as the SANG Management Plan and securing the mitigation measures in perpetuity.

The advice provided within the Discretionary Advice Service is the professional advice of the Natural England adviser named below. It is the best advice that can be given based on the information provided so far. Its quality and detail is dependent upon the quality and depth of the information which has been provided. It does not constitute a statutory response or decision, which will be made by Natural England acting corporately in its role as statutory consultee to the competent authority after an application has been submitted. The advice given is therefore not binding in any way and is provided without prejudice to the consideration of any statutory consultation response or decision which may be made by Natural England in due course. The final judgement on any proposals by Natural England is reserved until an application is made and will be made on the information then available, including any modifications to the proposal made after receipt of discretionary advice. All pre-application advice is subject to review and revision in the light of changes in relevant considerations, including changes in relation to the facts, scientific knowledge/evidence, policy, guidance or law. Natural England will not accept any liability for the accuracy, adequacy or completeness of, nor will any express or implied warranty be given for, the advice. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of Natural England.

Yours Sincerely,

Mike Barry
Thames Solent Team
Sustainable Development

Cc commercialservices@naturalengland.org.uk

Annex 1

European Protected Species

A licence is required in order to carry out any works that involve certain activities such as capturing the animals, disturbance, or damaging or destroying their resting or breeding places. Note that damage or destruction of a breeding site or resting place is an absolute offence and unless the offences can be avoided (e.g. by timing the works appropriately), it should be licensed. In the first instance it is for the developer to decide whether a species licence will be needed. The developer may need to engage specialist advice in making this decision. A licence may be needed to carry out mitigation work as well as for impacts directly connected with a development. Further information can be found in Natural England's ['How to get a licence'](#) publication.

If the application requires planning permission, it is for the local planning authority to consider whether the permission would offend against Article 12(1) of the Habitats Directive, and if so, whether the application would be likely to receive a licence. This should be based on the advice Natural England provides at formal consultation on the likely impacts on favourable conservation status and Natural England's [guidance](#) on how the three tests (no alternative solutions, imperative reasons of overriding public interest and maintenance of favourable conservation status) are applied when considering licence applications.

Natural England's pre-submission Screening Service can screen application drafts prior to formal submission, whether or not the relevant planning permission is already in place. Screening will help applicants by making an assessment of whether the draft application is likely to meet licensing requirements, and, if necessary, provide specific guidance on how to address any shortfalls. The advice should help developers and ecological consultants to better manage the risks or costs they may face in having to wait until the formal submission stage after planning permission is secured, or in responding to requests for further information following an initial formal application.

The service will be available for new applications, resubmissions or modifications – depending on customer requirements. More information can be found on [Natural England's website](#).

From: [Barry, Mike](#)
To: [Jodie Southgate](#); [Turner, Marc](#)
Cc: [Ben Kite](#)
Subject: RE: NE DAS Advice - Scotland Park, Haslemere - Strategic SPA Mitigation
Date: 17 February 2022 09:54:46
Attachments: [image003.png](#)
[image007.png](#)
[image008.png](#)
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[image030.png](#)
[image031.png](#)
[image032.png](#)
[image001.jpg](#)

Morning Jodie,

Apologies for not getting back to you earlier. We can confirm that the document and plans provided appear to have addressed our previous concerns, and that the proposals would meet the SANG requirements for mitigating potential impact on Wealden Heaths SPA.

I will try to get a full response letter out to you shortly, but have quite a lot on my plate at present so hope this email will suffice in the meantime.

Kind regards,

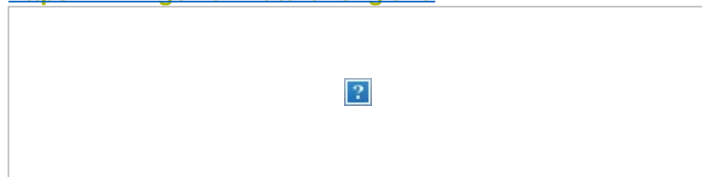
Mike

Mike Barry

Sustainable Development Lead Advisor
Thames Solent Team | Natural England



<https://www.gov.uk/natural-england>



From: Jodie Southgate [REDACTED]
Sent: 16 February 2022 17:34
To: Turner, Marc [REDACTED]; Barry, Mike [REDACTED]
Cc: Ben Kite [REDACTED]
Subject: RE: NE DAS Advice - Scotland Park, Haslemere - Strategic SPA Mitigation

Dear both

Sorry to chase - would it be possible to get an update on when we are likely to hear back from you regarding the updated Scotland Park information? We have a team meeting next Wednesday, so if you are able to take a look before then we would be very grateful!

Kind regards

Jodie

Jodie Southgate BA (Hons) MSc ACIEEM (she/her)

Senior Consultant Ecologist

Ecological Planning & Research Ltd



www.epr.uk.com



The Barn, Micheldever Station, Winchester, Hampshire, SO21 3AR



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From: Jodie Southgate

Sent: 21 January 2022 15:52

To: [michael.barry](mailto:michael.barry@epr.uk.com); [Marc.Turner](mailto:Marc.Turner@epr.uk.com)

Cc: Ben Kite

Subject: RE: NE DAS Advice - Scotland Park, Haslemere - Strategic SPA Mitigation

Dear Mike and Marc,

Further to NE's DAS Advice letter dated 11/10/21 and our subsequent Teams meeting on 10/11/21, please find attached further information and updated plans in relation to the Strategic SANG proposals for Scotland Park. These pick up the comments and questions in your letter, as well as your suggestions in relation to design.

We would be very grateful if you could confirm by response that we have addressed your queries and concerns, and that NE agrees that, if implemented as discussed, the proposals as shown would offer a high quality SANG solution for Haslemere in respect of recreational pressure effects arising from the WBC LPP2A on the Wealden Heaths Phase II SPA.

Please don't hesitate to contact me or Ben if you have any questions or further comments at all.

Kind regards

Jodie

From: Petty, Miranda

Sent: 11 October 2021 12:30

To: Jodie Southgate; Ben Kite

Cc: Turner, Marc

Subject: NE DAS Advice - Scotland Park, Haslemere - Strategic SPA Mitigation

Dear Jodie and Ben,

Thank you very much for sending this through. Please find attached our written DAS advice based on the document and recent site meeting.

If you have any queries please just let me know.

Best wishes,

Miranda Petty (she/her)

Senior Adviser

Sustainable Development



www.gov.uk/natural-england

Please note my working days are Monday - Thursday.



From: Jodie Southgate

Sent: 22 September 2021 17:11

To: Turner, Marc; Petty, Miranda

Cc: Ben Kite [REDACTED]

Subject: RE: Scotland Park, Haslemere - Strategic SPA Mitigation

Dear Marc and Miranda,

As per our DAS quotation (UDS A001484) and further to your site visit on 09/08/21, please find attached a Briefing Paper setting out further details on the Strategic SANG proposals for Scotland Park. We would be grateful if you could provide written feedback on these proposals. Please note, we have included information relating to housing supply, BNG and landscape matters for context, but at this stage we are primarily seeking your views on the SANG element of the proposals.

Kind regards

Jodie

Jodie Southgate

Senior Consultant Ecologist

Ecological Planning & Research Ltd

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[REDACTED]
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From: Ben Kite [REDACTED]

Sent: 12 July 2021 17:56

To: [consultations](#) [REDACTED]

Cc: Turner, Marc <Marc.Turner> [REDACTED] Jodie Southgate [REDACTED]

Subject: Scotland Park, Haslemere - Strategic SPA Mitigation

Dear Natural England

Please see attached request for advice through the Discretionary Advice Service (DAS) in relation to proposals to design and establish an approach to providing strategic mitigation to protect the Wealden Heaths Phase II SPA from the potential effects of residential development in the Haslemere area.

We have already begun discussing these proposals with Natural England Officers Marc Turner and Victoria Huth, and whilst we understand that Victoria has moved to a new post, we would request Marc's involvement in this DAS contract for the purposes of continuity.

A briefing paper is currently being prepared to provide the information that Natural England will require in order to assist, and this will be sent through as soon as it is prepared. We wanted to submit this form earlier, however, to enable the necessary time to be scheduled into the diaries of those involved.

If there are any queries please do not hesitate to get in touch

Many thanks

Ben

Benjamin Kite BSc (Hons) MSc CEcol PIEMA MCIEEM

Managing Director and Principal Ecological Consultant

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