

WAVERLEY BOROUGH
COUNCIL LOCAL PLAN
PART 2 ADDENDUM

HABITATS REGULATIONS
ASSESSMENT

Quality information

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1. Introduction

Background

- 1.1 AECOM was appointed by Waverley Borough Council to assist in undertaking a Habitats Regulations Assessment (HRA) of its Local Plan Part 2: Site Allocations and Development Management Policies (Pre-Submission) Document (hereafter referred to as the 'Plan' or 'LPP2'). That document, combined with the adopted Local Plan Part 1: Strategic Policies and Sites (hereafter referred to as 'LPP1' and already subject to HRA) will, once adopted, replace the existing plan adopted in 2002.
- 1.2 Following the submission of the LPP1 to the Secretary of State (SoS) for independent examination, the SoS identified the need to deliver an increased quantum of housing to the end of the LPP1 period, from a target of 9,861 new dwellings in the submitted LPP1 to a target of 11,210 new dwellings. HRA was undertaken to explore the implications of the options for delivering increased housing numbers¹. The HRA Addenda considered both the recreational and (in the second addendum) air quality implications of the increased quantum of housing including the implications of the 'Ashdown Forest' judgment.
- 1.3 The quantum of development provided within the LPP2 is in line with the quantum of development that has been subject to HRA for the LPP1. As such, strategic issues do not need to be reinvestigated in this HRA of LPP2. Rather, this HRA focusses on development site-specific issues that could not have been identified at LPP1 level. In doing so, the HRA has also drawn upon emerging advice from Natural England to Waverley Borough Council concerning housing growth in the vicinity of Wealden Heaths Phase I and Wealden Heaths Phase II. The advice differs from that provided at the time LPP1 was adopted in 2018, and from that discussed in early versions of the LPP2 HRA. However, as set out in the court ruling in R (Hart District Council) v Secretary of State for Communities and Local Government [2008], the competent authority (Waverley Borough Council) is expected to give 'considerable weight' to Natural England's opinion on HRA matters and that includes updated advice regarding the approach to mitigation for recreational pressure.
- 1.4 The HRA of LPP2 is required to determine if there are any realistic linking pathways present between an internationally designated site and the Local Plan and where Likely Significant Effects cannot be screened out, an analysis to inform Appropriate Assessment to be undertaken to determine if adverse effects on the integrity of the international sites will occur as a result of the Local Plan alone or in combination.
- 1.5 Since the HRA of LPP2 was produced in October 2020 the Council has determined to remove one allocated site (Red Court at Haslemere) and introduce a new site (The Royal School at Haslemere). In addition, the housing numbers on several other sites have been amended. These changes to the site allocations

¹ AECOM (September 2017) Waverley Borough Council Local Plan Part 1: Strategic Policies and Sites: Additional Housing Habitats Regulations Assessment Addendum
AECOM (November 2017) Waverley Borough Council Local Plan Part 1: Strategic Policies and Sites: Additional Housing Habitats Regulations Assessment Addendum: Response to Inspector's Question 7

in Haslemere are set out in an Addendum to the Pre-Submission version of LPP2. The purpose of this Addendum to the HRA is to assess the implications for European sites of those amendments to LPP2. The legislative context and methodology for the HRA are given in the HRA report for LPP2 produced in October 2020 and are not reproduced here. This report does not reproduce the assessment undertaken in late 2020 but focusses on the implications of the changes to the LPP2 proposed as part of the Addendum. A fully updated HRA will be produced to accompany the submission version of LPP2 in due course.

- 1.6 The only changes made to LPP2 in the Addendum relate to allocations at Haslemere. Haslemere is located 15.8km from the Thames Basin Heaths SPA at its closest. As such it lies well beyond the 5km zone of influence of that SPA. Haslemere lies 4.7km from the Wealden Heaths Phase I SPA (Thursley, Hankley and Frensham Commons) and two new or amended allocations at Haslemere lie within the 5km zone around the SPA that Natural England advised is of greatest relevance for considering recreational pressure impacts: DS06 The Royal School (for 90 dwellings) and DS 08 The Old Grove, High Pitfold, Hindhead (originally for 18 dwellings, now amended to 40 dwellings). However, both of these are much closer to Wealden Heaths Phase II SPA and assessment of that SPA therefore captures the impacts of both sites. Wealden Heaths Phase I SPA is therefore not discussed in this addendum.
- 1.7 Since all allocations discussed in this document are located within 5km of the Wealden Heaths Phase II SPA likely significant effects cannot be dismissed. Therefore, the analysis presented in this document constitutes appropriate assessment.

2. Pathways of Impact

Introduction

- 2.1 In determining pathway-receptor potential for impacts of LPP2 on Wealden Heaths Phase II SPA, the following data sources have been interrogated:
 - Visitor Access Patterns on European Sites surrounding Whitehill and Bordon, East Hampshire (UE Associates, 2009)
 - Visitor Flow Monitoring and Analysis at Hindhead Common and the Devil's Punchbowl (Footprint Ecology, 2010) and subsequent resurveys
 - Hindhead Concept Statement: Report on the Conservation Regulations Assessment (RPS, December 2010)
 - Wealden Heaths and Shortheath Common 2018 Visitor Survey (Footprint Ecology, 2018)

Urbanisation

- 2.2 Urbanisation impacts result from increased populations within close proximity to sensitive international sites. The list of urbanisation impacts can be extensive, but core impacts can be singled out:
 - Increased fly-tipping;
 - Cat predation; and

- Uncontrolled fires.
- 2.3 The most detailed consideration of the link between relative proximity of development to international sites and damage to interest features has been carried out with regard to the Thames Basin Heaths SPA.
- 2.4 The geography of Waverley means that urbanisation presents a potential pathway of impact but much more limited than in other authorities. Approximately 6% of the Borough is occupied by Special Protection Areas designated for their heathland breeding birds. Waverley contains a population of 118,700 people but 72% of those are located in four main settlements – Farnham, Godalming, Haslemere and Cranleigh. In terms of the major settlements within Waverley Borough (as opposed to the associated parishes), most lie more than 400m from heathland SPAs. The exception is the settlement of Haslemere which is located within 300m of Wealden Heaths Phase II SPA, while Hindhead, in the same parish, is immediately adjacent. There is very limited potential for this situation to change through urban fringe expansion. Therefore, the focus for consideration is on expansion of smaller settlements or new stand-alone developments. Table 1 illustrates the contrast with the Thames Basin Heaths and Dorset Heathlands.

Table 1: Comparison of the demographic setting for Dorset Heathlands SPA/SAC/Ramsar site and Thames Basin Heaths SPA with Wealden Heaths

	Site Area (ha)	Number of existing dwellings within each key zone 0-400m	Dwelling density per ha of designated site 0-400m
Dorset Heathlands SPA	8,164.82	33,431	4.09
Thames Basin Heaths SPA	8,286.92	30,253	3.65
Wealden Heaths Phase II SPA	2,050.69	2,909	1.42
Thursley, Hankley & Frensham Commons (Wealden Heaths Phase I) SPA	1,874.90	1,777	0.95

- 2.5 The requirement for an absolute 400m exclusion zone surrounding Thames Basin Heaths SPA and Dorset Heathlands SPA is a reflection of a) the high development pressure already present within 400m and b) the large amount of new housing that would otherwise be expected in the absence of such a zone. For example, 57.87% of all existing households/dwellings in the former Purbeck District in Dorset lie within 400m of the Dorset Heathlands SPA/SAC/Ramsar site. In contrast, approximately 3% of dwellings in Waverley and East Hampshire districts lies within 400m of the Wealden Heaths Phase II SPA. The Wealden Heaths Phase I and 2 SPAs consist of large cohesive blocks giving them a lower vulnerability to edge effects like urbanisation, in contrast to the Thames Basin Heaths and Dorset Heathlands which consist of many relatively small fragments dispersed amongst urban areas.
- 2.6 The analysis in this report takes account of policies in LPP1. For example, Local Plan Part 1 Policy NE3 (Thames Basin Heaths Special Protection Area) provides for the prohibition on delivery of net new housing within 400m of Thames Basin Heaths SPA, and Policy NE1 identifies that new housing within 400m of the Wealden Heaths SPA (Phase I and II), will be required to provide a project level

HRA to ensure no adverse effects on the integrity of the SPA will result. This is accompanied by the Council's technical note Habitats Regulations Information Note for Proposed Residential Development within close proximity to the Wealden Heaths Phase I and II SPA² which provides further details of these requirements. Policy NE1 also states that 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.

Recreational Pressure and Disturbance

2.7 Recreational use of an international site has the potential to:

- Prevent appropriate management or exacerbate existing management difficulties;
- Cause damage through erosion and fragmentation;
- Cause eutrophication as a result of dog fouling; and
- Cause disturbance to sensitive species, particularly ground-nesting birds and (where relevant) wintering wildfowl.

2.8 Different types of international sites are subject to different types of recreational pressures and have different vulnerabilities. Studies across a range of species have shown that the effects from recreation can be complex.

2.9 It should be emphasised that recreational use is not inevitably a problem. Many international sites also contain nature reserves managed for conservation and public appreciation of nature. Parts of the Wealden Heaths Phase II SPA, for example, are managed by the National Trust. At these sites, access is encouraged, and resources are available to ensure that recreational use is managed appropriately.

Possible Effects of Recreational Pressure within Waverley

2.10 The most detailed consideration of the link between relative recreational pressure on international sites and damage to interest features has been carried out with regard to the Thames Basin Heaths SPA.

2.11 Natural England and its partners produced the Thames Basin Heaths Special Protection Area Delivery Framework which recommended the implementation of a series of zones within which varying constraints would be placed upon development. The zones relating to recreational pressure extended to 5km (as this was determined from visitor surveys to be the principal recreational catchment for this international site). At distances from the SPA of 400m-5km the Delivery Framework advises that development projects should be required to contribute toward provision of Suitable Alternative Natural Greenspace (SANG) and toward access management to the SPA. The Thames Basin Heaths approach to mitigation is long-standing, was discussed at length in various Local Plan Examinations and the Examination in Public for the withdrawn South-East Plan and has been adopted by all relevant authorities around the SPA. The most

² <https://www.waverley.gov.uk/Services/Planning-and-building/Planning-strategies-and-policies/Wealden-Heaths-SPA-Phase-I-and-II>

recent monitoring undertaken by EPR for Natural England in 2018³ showed a statistical decrease in visitation to the SPA despite a concurrent increase in housing within 5km, confirming the effectiveness of the solution.

- 2.12 The geography of Waverley means that recreational pressure presents a significant potential pathway of impact. Over 6% of the Borough is occupied by Special Protection Areas designated for their heathland breeding birds. Waverley contains a population of 118,700, with 72% located in four main settlements – Farnham, Godalming, Haslemere and Cranleigh. In terms of the major settlements within Waverley Borough, Farnham, Godalming and Haslemere all lie partly within 5km of heathland SPAs.
- 2.13 As such LPP1 provides for a strategic recreation mitigation strategy for Thames Basin Heaths SPA that requires mitigation (SANG and SAMM) for all net new residential development.
- 2.14 The mitigation approach to recreational pressure around Wealden Heaths Phase I and Phase II SPAs was debated at length during the Examinations for the Waverley Local Plan Part 1, the East Hampshire Joint Core Strategy and East Hampshire Local Plan Part 2 and the Inspectors in all three cases determined that a strategic approach was not required. Natural England have affirmed in discussions over the LPP2 HRA that they do not consider development pressure around either Phase I or Phase II of the Wealden Heaths SPA to require every net new dwelling to be mitigated. Table 2 below shows that when each SPA is looked at as a whole the scale of existing development is an order of magnitude lower than that around Thames Basin Heaths SPA or Dorset Heathlands SPA. Most importantly, the scale of planned development is also an order of magnitude lower (approximately 30,000 planned within 5km Thames Basin Heaths SPA compared to less than 4,000 planned within 5km of Wealden Heaths Phase II SPA and even fewer within 5km of Wealden Heaths Phase I SPA).

Table 2: Comparison of the demographic setting for Dorset Heathlands SPA/SAC/Ramsar site and Thames Basin Heaths SPA with Wealden Heaths

		Number of existing dwellings within each key zone	Dwelling density per ha of designated site
	Site Area (ha)	0-5km	0-5km
Dorset Heathlands SPA	8,164.82	248,749	30.47
Thames Basin Heaths SPA	8,286.92	312,559	37.72
Wealden Heaths Phase II SPA	2,050.69	30,959	15.10
Thursley, Hankley & Frensham Commons (Wealden Heaths Phase I) SPA	1,874.90	30,736	16.39

- 2.15 While some parcels of the Wealden Heaths Phase II SPA have more existing housing within 5km than others when each SPA is looked at as a whole there is a very clear difference in pressure between Wealden Heaths and Thames Basin Heaths. Moreover, for Wealden Heaths Phase I in particular, the main settlements are a long way from the SPA, whereas at the Thames Basin Heaths

³ <https://surreyheath.moderngov.co.uk/documents/g3273/Public%20reports%20pack%2019th-Sep-2019%2010.00%20Thames%20Basin%20Heaths%20Joint%20Strategic%20Partnership%20Board.pdf?T=10>

very large settlements such as Woking, Guildford, Bracknell, Aldershot, and Farnborough all lie within 2km of the SPA and are often adjacent to it. Finally, for a number of Thames Basin Heaths SPA authorities (such as Surrey Heath and Rushmoor) there are few other areas of natural greenspace available for recreation, which is not the case around either part of the Wealden Heaths.

- 2.16 For Wealden Heaths Phases I and II it was concluded in LPP1 that the scale of development involved (and thus potential ‘in combination’) impact on the SPAs would not be great enough to require a strategic mitigation solution provided that the major housing developments (particularly Whitehill-Bordon in East Hampshire) were mitigated. However, the supporting text within the Local Plan Part 1 (paragraph 16.28) identifies that “*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)*” Dependent on the findings of the project level HRA, the need for mitigation may be required depending on the scale and location of individual site allocations.
- 2.17 It is explicitly not the purpose of the LPP2 HRA to reopen debates that were had at LPP1 when the overall strategy for addressing the two parts of Wealden Heaths SPA was agreed. Natural England’s advice has been sought throughout the LPP2 HRA process. As set out in the court ruling in R (Hart District Council) v Secretary of State for Communities and Local Government [2008], the competent authority (Waverley District Council) is obliged to give ‘considerable weight’ to Natural England’s opinion on HRA matters.

3. Appropriate Assessment

- 3.1 The following tables present an assessment for each updated allocation in the Addendum. The table determines whether the amendments to the housing site allocations and numbers would affect the conclusions of the previous HRA.

Table 3: Implications of changes to the Haslemere Site Allocations

Strategic Allocation	Site	Yield (number of dwellings)	Distance from Wealden Heaths Phase II SPA
DS 01 Haslemere Site, West Street, Haslemere	– Key	Reduced from 40 dwellings to 30 dwellings	More than 400m, but less than 5km
DS 04 Wey Hill Campus, Haslemere	– Land at Youth	Reduced from 40 dwellings to 34 dwellings	More than 400m, but less than 5km
DS 05 Haslemere Preparatory School, The Heights, Hill Road, Haslemere	– The	Increased from 21 dwellings to 24 dwellings	More than 400m, but less than 5km

Strategic Allocation	Site	Yield (number of dwellings)	Distance from Wealden Heaths Phase II SPA
DS 06 – The Royal Junior School, Portsmouth Road, Hindhead		Site for 50 dwellings (Red Court) removed and alternative site for 90 dwellings (The Royal Junior School) inserted	Both Red Court and The Royal Junior School lie more than 400m, but less than 5km, from Wealden Heaths Phase II SPA. Land at Red Court lies 2.2km from the SPA while The Royal Junior School site lies approximately 657m from the SPA at its closest. Despite the proximity, direct access to the SPA from The Royal Junior School site is not easy due to the steep intervening topography.
DS 07 – Fairground Car Park, Wey Hill, Haslemere		Reduced from 55 to 20 dwellings	More than 400m, but less than 5km
DS 08 – The Old Grove, High Pitfold, Hindhead		Increased from 18 to 40 dwellings on a larger site	More than 400m, but less than 5km

Urbanisation

3.2 None of the sites in the above table are located within 400m of the Wealden Heaths Phase II SPA. As such the changes in the LPP2 Addendum will not result in adverse effects on the integrity of the SPA through this impact pathway.

Recreational Pressure and Disturbance

3.3 Wealden Heaths Phase II SPA is currently under much lower pressure from residential development than the other two SPAs and the expected future change in development density is also much lower.

3.4 The Addendum to LPP2 makes amendments to the number of dwellings to be provided on five sites already identified for allocation and removes a sixth site (Red Court) and adds a new site (Royal Junior School).

3.5 The LPP1 HRA⁴ identified that due to the large amount of existing semi-natural green infrastructure located within 5km of the SPA, and the relatively low number of new dwellings to be provided within 5km of the SPA over the Plan period, increased recreational pressure was unlikely to adversely affect the integrity of the SPA and thus there was no need for a strategic district-wide mitigation solution.

3.6 During the preparation of LPP1 Natural England recommended that the Council undertake HRA on all large developments located within 5km of Wealden Heaths Phase II SPA to confirm the continuing validity of the assessment contained

⁴ AECOM (2016) Local Plan Part 1: Strategic Policies and Sites. Pre-Submission Draft (July 2016) Habitats Regulations Assessment
AECOM (2017) Waverley Borough Council Local Plan Part 1: Strategic Policies and Sites: Additional Housing Habitats Regulations Assessment Addendum

within the Local Plan HRA since that analysis was not informed by particular site allocations beyond strategic sites. This requirement is accommodated within LPP1 text in paragraph 16.28 (relating to Policy NE1) which states that ‘... *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 depending on the size of site, the ‘in-combination’ effects and its distance from the SPA. Larger developments will not normally be acceptable and the total number of dwellings permitted in this zone overall will be closely monitored. Further advice should be sought from and agreed with Natural England.*’

- 3.7 The overall scale of development within 5km of the SPA is within the parameters of that set in LPP1 and assessed in its accompanying HRA and addenda⁵. Therefore, the issue to consider in this section is whether there are any sites that are large enough and close enough to the SPA to result in adverse effects on their own account. Since LPP1 was adopted the possible need for further mitigation has been kept under review. Following review discussions with Natural England, it has been decided that in order to reinforce the conclusion of no adverse effect on integrity from net new housing development around the SPA ‘in combination’ more dwellings will require mitigating than was deemed necessary at the time of adoption of LPP1 (which only explicitly identified the need for mitigation at Whitehill-Bordon and Lowsley Farm in East Hampshire).
- 3.8 To aid this analysis, Natural England has advised the Council that Wealden Heaths Phase II SPA mitigation should be directed to those sites more likely to result in a larger concentration of new residents who would be likely to put greater pressure on the same part of the SPA (in contrast to smaller developments where the associated pressure will be more dispersed). In their opinion any sites within 5km of the SPA which allocate 20 or more dwellings will require mitigation and an associated appropriate assessment submitted for any planning application. To aid this analysis, Natural England has advised the Council that in their opinion the mitigation approach should be as follows:
- <20 dwellings would be unlikely to need mitigation;
 - 20 - 49 dwellings may require some form of mitigation such as Heathland Infrastructure Projects (HIP)⁶; (and an associated appropriate assessment for any planning application); and
 - 50 dwellings + may require a SANG (and appropriate assessment) although any SANG that was deemed necessary would not necessarily need to rigidly comply with the Thames Basin Heaths provision standards

⁵ Ibid

⁶ This is the term used in the Dorset area for delivering small-scale accessible natural greenspace enhancement initiatives in the local area which will serve to enhance the recreational capacity of those greenspaces and thereby reduce the likelihood of residents visiting the heathland SPAs as an alternative. Examples of such initiatives could be car parks, footpath improvements or improved physical linkages between currently disjointed areas of greenspace. Specific proposals would need to be agreed with the Council and Natural England on a case-by-case basis. If the Council secured strategic SANG (i.e. SANG intended to serve housing growth generally rather than a specific individual development(s)) then financial contributions could be made to delivery and management of these SANG as an alternative to HIPs.

(i.e. 8ha/1000 population) provided the SANG as a whole presented a large and suitably attractive semi-natural greenspace

3.9 LPP1 contains measures that should help to reduce the possibility of adverse effects through recreational pressure and disturbance:

- Policy NE1 (Biodiversity and Geological Conservation) clearly states that ‘Development will be permitted provided that it:... *Retains, protects and enhances features of biodiversity...*’ and ‘... *Ensures any adverse impacts are avoided, or if unavoidable, are appropriately mitigated.*’

3.10 Moreover, the policy text for all the sites that will require mitigation states that planning applications will require ‘*The demonstration that development will not have a likely significant effect on protected habitats sites*’.

3.11 Using the above thresholds, five of the sites in the Addendum are defined as sites that may require some form of mitigation, such as HIP, subject to planning application level discussion with Natural England and the local planning authority. These sites are:

- DS 01 – Haslemere Key Site, West Street, Haslemere – reduced from 40 to 30 dwellings
- DS 04 – Land at Wey Hill Youth Campus, Haslemere – reduced from 40 to 34 dwellings
- DS 05 – Haslemere Preparatory School, The Heights, Hill Road, Haslemere – increased from 21 to 24 dwellings⁷
- DS 07 - Fairground Car Park, Wey Hill (LAA ID: 1004) – reduced from 55 dwellings to 20 dwellings
- DS 08 – The Old Grove, High Pitfold, Hindhead – increased from 18 dwellings to 40 dwellings

3.12 The fact that DS07 has reduced from 55 dwellings means that under Natural England’s guidance a SANG is not required and a HIP solution or similar would be appropriate. The fact that DS08 has increased from 18 to 40 dwellings means that mitigation is now required for that allocation.

3.13 Removing Red Court and adding the Royal Junior School as DS06 does not introduce a potential impact on European sites that was not already identified in the LPP2 HRA. It remains the case that one site at Haslemere is identified to provide 50 or more net new dwellings. Due to its size (over 50 dwellings) and the fact it lies well within 5km of the SPA this site may require more substantial mitigation such as SANG, or an alternative solution to be agreed with the local planning authority as part of a planning application.

3.14 A suitable SANG had been identified for the Red Court allocation and formed part of the planning application for the site. In contrast, at the time of writing (September 2021), no SANG solution for the Royal Junior School site allocation has been confirmed as it is still being discussed with Natural England and the local planning authority. However, the site does lie adjacent to National Trust land outside the SPA at Nutcombe Valley and Nutcombe Down, which is in turn separated from the SPA by the A287 and by private residences.

⁷ In June 2021, the site has gained planning permission via appeal (WA/2018/1771) for the erection of twenty five dwellings following the demolition of the existing school buildings and existing dwelling.

- 3.15 It is noted that the policy text for this site allocation identifies that the development at this site should involve '*demonstration that development will not have a likely significant effect on protected habitats sites, specifically including the provision of SANG or other mitigation measures deemed appropriate to avoid significant impact to the Wealden Heaths Special Protection Area (SPA)*', thus confirming the protection needed to ensure that adverse effects on the integrity of the SPA do not result. However, further work should be undertaken on the SPA mitigation solution for the site prior to Examination of LPP2.
- 3.16 Given the policy framework provided by LPP1 and LPP2 it is considered that no adverse effect on integrity will arise.

In combination

- 3.17 There is potential for 'in combination' recreational pressure effects along with growth in East Hampshire District and the South Downs National Park. However, it was discussed extensively in the HRA of LPP1⁸ and the conclusion was reached that no adverse effect on integrity would arise as long as Whitehill-Bordon and Lowsley Farm in East Hampshire were definitively mitigated (as those two sites were responsible for the majority of all housing, including windfall, to be delivered within 5km of Wealden Heaths Phase II SPA over the plan period) and as long as a protective policy was included in the Local Plans for all three authorities to ensure that further planning applications were subject to HRA (and potentially mitigation requirements) on a case-by-case basis. That policy approach remains in place and was accepted by the Inspector's for all three Local Plans and for East Hampshire Local Plan Part 2.
- 3.18 In response to the requirement for site by site analysis Natural England have advised that specific additional sites may require mitigation, as outlined in this report. Provided the site allocations identified above are mitigated, there will be no 'in combination' effect on the SPA given the existing policy framework, since the mitigation will reduce the expected increase in recreational pressure throughout the catchment to such an extent no adverse effects will arise.

⁸ AECOM (2016) Local Plan Part 1: Strategic Policies and Sites. Pre-Submission Draft (July 2016) Habitats Regulations Assessment

4. Conclusions

- 4.1 The changes made to Haslemere allocations in the LPP2 Addendum have been assessed against the advice provided by Natural England regarding mitigation requirements for the Wealden Heaths Phase II SPA. As set out in the court ruling in *R (Hart District Council) v Secretary of State for Communities and Local Government* [2008], the competent authority (Waverley District Council) is obliged to give 'considerable weight' to Natural England's opinion on HRA matters. The fact that DS07 has reduced from 55 dwellings means that under Natural England's guidance a SANG is not required and a HIP solution or similar would be appropriate. The fact that DS08 has increased from 18 to 40 dwellings means that mitigation is now required for that allocation.
- 4.2 Policy NE1 (Biodiversity and Geological Conservation) of the overarching Local Plan Part 1 clearly states that '*Development will be permitted provided that it ... Retains, protects and enhances features of biodiversity...*' and '*... Ensures any adverse impacts are avoided, or if unavoidable, are appropriately mitigated.*'
- 4.3 Moreover, the policy text for site allocation DS06 within LPP2 state that the allocation is subject to: '*the demonstration that development will not have a likely significant effect on protected habitats sites, specifically including the provision of SANG or other mitigation measures deemed appropriate to avoid significant impact to the Wealden Heaths Special Protection Area (SPA)*'. Similarly, that for all other sites requiring mitigation state that the development at these sites requires '*demonstration that development will not have a likely significant effect on protected habitats sites*'. It is therefore considered that no adverse effect on integrity will arise and these changes to allocations do not alter the overall conclusions of the LPP2 HRA.
- 4.4 A suitable SANG had been identified for the Red Court allocation and formed part of the planning application for the site. In contrast, at the time of writing (September 2021), no SANG solution for the Royal Junior School site allocation has been confirmed as it is still being discussed with Natural England and the local planning authority. It is noted that the policy text for this site allocation identifies that the development at this site should involve '*demonstration that development will not have a likely significant effect on protected habitats sites, specifically including the provision of SANG or other mitigation measures deemed appropriate to avoid significant impact to the Wealden Heaths Special Protection Area (SPA)*', thus confirming the protection needed to ensure that adverse effects on the integrity of the SPA do not result. However, further work should be undertaken on the SPA mitigation solution for the site prior to Examination of LPP2.

