

## **Suitable Alternative Natural Greenspace (SANG) provision and allocation in Surrey Heath.**

### **Summary**

The provision of or financial contribution to Suitable Alternative Natural Greenspace (SANG) is a requirement for all planning applications involving new residential development to mitigate the adverse recreational impacts on the Thames Basin Heaths Special Protection Area (SPA). SANG capacity in the Borough is becoming limited, particularly in the west of the Borough. Without further provision, in the next 6-12 months applications for new residential development are at risk of being refused due to lack of SANG capacity.

The Planning Policy team have produced SANG allocation criteria to help ensure that remaining SANG capacity is used efficiently and made available for those developments that are best placed to deliver the spatial strategy for the Borough. Planning Policy have also produced a SANG Acquisition Strategy identifying the main areas in the Borough with potential for SANG creation to mitigate the impact of future housing development in the West of the Borough on the SPA.

### **Portfolio – Planning & People**

**Date Portfolio Holder signed off report: 9 January 2020**

#### **Wards Affected**

All

### **Recommendation**

The Executive is asked to RESOLVE that

- (i) the SANG allocation criteria, as set out in Annex 1 to this report, be agreed;
- (ii) authority be delegated to the Head of Regulatory Services, in consultation with the Portfolio Holder for Planning & People, to investigate the acquisition of land for SANG through negotiations with relevant landowners and to prioritise investigating potential at suitable sites, as identified in the SANG Acquisition Strategy as set out at Annex 2 to this report;
- (iii) neighbouring authorities (Bracknell, Hart and Rushmoor) be contacted to highlight the immediate issue Surrey Heath has in respect of the shortage of SANG and to ask again if they can provide any SANG capacity.

## **1. Resource Implications**

- 1.1 The initial resource implications of identifying sites will be covered by existing planning policy budgets. The process of SANG acquisition will have significant cost implications (for example Windlemere SANG cost

in the region of £900,000, whilst Chobham Meadows was secured through a £1.5 million LEP loan). However, the cost is retrievable from developers via CIL or S106 agreements and the Council will investigate if LEP loan funding is available to support SANG acquisition costs. There are no other cost implications for 2019/2020.

## **2. Background**

- 2.1 The Thames Basin Heaths Special Protection Area (SPA) was designated in March 2005 under European and UK law. The Thames Basin Heaths SPA was designated to protect three species of ground nesting birds from adverse impact by human activity, including recreation on the SPA.
- 2.2 In 2009 the Joint Strategic Partnership Board agreed a strategy of avoidance and mitigation measures to offset the impact of new residential development. This involves the designation of an exclusion zone where no new residential development is permissible (400m buffer zone), contributions to Strategic Access Monitoring and Management (SAMM) and the provision of Suitable Alternative Natural Greenspace (SANG).
- 2.3 The provision of, or contribution to SANG is a requirement for all planning applications involving new residential development. This is usually facilitated through a contribution to a Council owned SANG (known as Strategic SANGs), whereby capacity is reserved for a given application, or through the provision of bespoke SANGs which are provided by the developer. It is important to note that for development of 10 net new dwellings or more, the application site needs to be within the catchment area of the SANG that it is allocated to (catchment area is dependent on the size of the SANG). More information is available in the Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document<sup>1</sup>.
- 2.4 Planning applications for development requiring capacity at a Strategic SANG are currently allocated to a relevant SANG upon being registered (this is monitored on a monthly basis). As of the 1<sup>st</sup> August 2019, upon approval the planning application is valid for one year (unless site specific circumstances require a three year permission).

## **3. SANG capacity in the west of the Borough**

- 3.1 The availability of SANG capacity in the West of the Borough is becoming increasingly limited, with capacity remaining for 113 dwellings in the Western Urban Area as of November 2019. Although the Council is seeking opportunities for the provision of new SANG, including joint working with neighbouring authorities, there is currently no certainty that the Council can obtain additional capacity at this time.

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<sup>1</sup>Available at: <https://www.surreyheath.gov.uk/sites/default/files/Thames%20Basin%20Heaths%20Special%20Protection%20Area%20SPD%202019.pdf>

- 3.2 Consequently, the issue of providing adequate SANG in Surrey Heath is becoming increasingly urgent. The possibility that applications for 10 or more units in the west of the Borough will have to be refused on the basis of no remaining SANG capacity is becoming increasingly likely. Therefore, it is essential that Surrey Heath identifies additional SANG capacity to mitigate the impact of such development on the Thames Basin Heaths SPA.
- 3.3 In order to fully understand the deficit in SANG capacity and to address this deficit for in the West of the Borough, the Planning Policy Team have produced a SANG Acquisition Strategy (Annex 2). The Strategy includes a SANG trajectory (see section 2.3) which identifies a SANG capacity deficit of 1633 dwellings (at 2.5 people average occupancy) up to 2036 in the West of the Borough.

#### **4. Actions taken to date to maximise efficient use of SANG capacity**

- 4.1 An item was taken to the 16<sup>th</sup> July Executive Meeting in respect of SANG provision in Surrey Heath and the Executive Resolved that:
- i. The Executive Head of Regulatory be asked to include a condition in all delegated planning applications, or a recommendation to the Planning Applications Committee, as appropriate, that planning applications for new residential development be valid for one year following the grant of planning permission, rather than three years as at present; and
  - ii. a forward payment be made to Bracknell Forest Council to reserve SANG capacity at Shepherd Meadows.
- 4.2 This was based on Officer recommendations that, to ensure that SANG capacity is utilised effectively, the Council needs to limit SANGs capacity committed to applications that have not commenced, and thereby ensure that applications that will be delivering housing have capacity. The forward payment to Bracknell in respect of Shepherd Meadows SANG was proposed to demonstrate that capacity is being used and help progress discussions in respect of securing further much needed SANG capacity through joint working.

#### **5. Next steps**

- 5.1 Due to concerns regarding SANG capacity in the west of the Borough and the need for the Council to maximise existing capacity through efficient allocation, it is proposed that the Council introduce SANG allocation criteria (Annex 1). The introduction of the SANG allocation criteria would result in the following key changes:
- SANG capacity would no longer be allocated upon registration of a planning application. Instead, capacity would only be offered once the development has been assessed to be in accordance with the adopted Local Plan and a request for SANG capacity has been made in writing to the Head of Regulatory Services.

- The introduction of an interim priority for future allocation of Council owned or administered SANG, as set out in paragraph 7 of Annex 1.
- The Council will no longer allocate Council owned or administered SANG to Prior Approvals for conversion of offices to residential. This would apply to all new Prior Notification applications and any Prior Approvals that have not yet submitted a Habitats Regulation application.
- Following the introduction on the 1<sup>st</sup> August 2019 of the 1 year permission for planning applications of up to 100 units, Development Management Officers, in discussion with applicants, have identified that there are challenges for larger developments being conditioned with the 1 year permission. To address this, it is proposed that the 1 year permission is applied to developments of up to 50 units.

- 5.2 It is important to note that the SANG allocation criteria only applies to developments which seek SANG capacity at Council owned or administered SANGs. Developers are able to provide alternative SANG provision.
- 5.3 Chapter 3 of the SANG Acquisition Strategy (Annex 2) considers opportunities for new SANG in the Borough, undertaking a detailed assessment of potential site options and scoring sites on their potential catchment area, potential capacity and their potential to link to other SANGs (see page 14). The Strategy concludes that, based on this assessment, the focus for delivering SANG within the Borough should be placed on acquiring land at any of the following alternative options: Pine Ridge Golf Course, Frith Hill Woodland or Mytchett Lakes. It is important to stress that any of these areas in isolation could meet the need identified in the West of the Borough up to the year 2034. The Strategy also identifies a further option as Land at St Catherine's Road, North of Lake Road, which has the potential to deliver additional capacity which would meet the vast majority of the identified need for the plan period.
- 5.4 As such, Executive approval is sought delegated authority for the Head of Regulatory Services to investigate the acquisition of land for SANG through negotiations with relevant landowners and to prioritise investigating potential at suitable sites in the Borough as identified SANG Acquisition Strategy.
- 5.5 Furthermore, to progress discussions with neighbouring local authorities in respect of obtaining additional SANG capacity, it is proposed that the Council contact neighbouring authorities (Bracknell, Hart and Rushmoor) at Chief Executive / Head of Service level to identify the immediate issue we have of a shortage of SANG and to ask if they can provide any additional short or long term SANG capacity.

- 5.6 The risk of not taking actions to maximise the efficient use of existing SANG capacity and identify new opportunities for additional capacity is that the Council will not be able to grant planning permission for residential development of 10 net new dwellings or more in the West of the Borough unless on-site SANG is provided. However, there are limited opportunities for on-site SANG in the West of the Borough. This would impact on the deliverability of the 5 year housing land supply, the housing delivery test and may lead to development being granted in less sustainable locations.

## 6. Options

- 6.1 The options for the Executive to consider are to:

- (i) **AGREE** that the Council will introduce the SANG allocation criteria, as set out in Annex 1, with immediate effect.
- (ii) **AGREE** to delegate authority to the Head of Regulatory Services, in consultation with the Portfolio Holder for Planning and People, to investigate the acquisition of land for SANG through negotiations with relevant landowners and to prioritise investigating potential at suitable sites, as identified in the attached SANG Acquisition Strategy (Annex 2).
- (iii) **AGREE** to contact neighbouring authorities (Bracknell, Hart and Rushmoor) to highlight the immediate issue Surrey Heath has in respect of the shortage of SANG and to ask again if they can provide any SANG capacity.
- (iv) **NOT AGREE** that the Council will introduce the SANG allocation criteria, as set out in Annex 1, with immediate effect.
- (v) **NOT AGREE** to delegate authority to the Head of Regulatory Services, in consultation with the Portfolio Holder for Planning and People, to investigate the acquisition of land for SANG through negotiations with relevant landowners and to prioritise investigating potential at suitable sites, as identified in the attached SANG Acquisition Strategy (Annex 2).
- (vi) **NOT AGREE** to contact neighbouring authorities (Bracknell, Hart and Rushmoor) to highlight the immediate issue Surrey Heath has in respect of the shortage of SANG and to ask again if they can provide any SANG capacity.

## 7. Legal issues

- 7.1 No risks have been identified.

## 8. Corporate Objectives And Key Priorities

- 8.1 The proposals support the Council's ability to achieve the Objective for prosperity by facilitating the Council's ability to deliver new housing development in sustainable locations of the Borough.

<b>Annexes</b>	Annex 1: SANG allocation criteria Annex 2: SANG acquisition strategy Annex 3: Appendix 1 of SANG acquisition strategy
<b>Background Papers</b>	
<b>Author/Contact Details</b>	Keiran Bartlett – Planning Officer Keiran.Bartlett@surreyheath.gov.uk
<b>Head of Service</b>	Jenny Rickard – Executive Head of Regulatory

### Consultations, Implications and Issues Addressed

<b>Resources</b>	<b>Required</b>	<b>Consulted</b>
Revenue	✓	✓
Capital		
Human Resources		
Asset Management		
IT		
<b>Other Issues</b>	<b>Required</b>	<b>Consulted</b>
Corporate Objectives & Key Priorities	✓	✓
Policy Framework		
Legal	✓	✓
Governance		
Sustainability		
Risk Management		
Equalities Impact Assessment		
Community Safety		
Human Rights		
Consultation	✓	✓
P R & Marketing	✓	✓

**Review Date:**

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