

CABINET

DATE OF MEETING: 1 OCTOBER 2020

TITLE OF REPORT: UPDATE ON SUITABLE ALTERNATIVE NATURAL GREENSPACE (SANG)

Report of: Head of Place

Cabinet Member: Councillor Graham Cockarill, Place

1 PURPOSE OF REPORT

1.1 The purpose of this report is to update Cabinet on the amount of SANG available in Hart, to consider how it should best be used, and what measures are needed to ensure Council control of its own SANG assets.

2 OFFICER RECOMMENDATIONS

1. That Cabinet notes the SANG monitoring figures at Appendix 1;
2. That access to Hart administered or controlled SANG capacity is strictly limited and prioritised solely for development that is needed to comply with Hart's identified Local Plan housing needs with the emphasis on supporting developments that provide affordable homes for rent.
3. That the Council's SANG allocation criteria is updated as set out at Appendix 2;
4. That the Interim Avoidance Strategy for the Thames Basin Heaths Special Protection Area, First Revision, Adopted November 2010 is withdrawn;
5. Subject to Recommendation 4, that the Strategic Access Management Monitoring (SAMM) tariff at Appendix 3 is applied in Hart with immediate effect;
6. Subject to Recommendation 4, that updated planning guidance in the form of a Technical Advice Note is prepared to replace the Interim Avoidance Strategy, to be approved by the Head of Place.

3 BACKGROUND

3.1 SANG and SAMM¹ mitigation is required to enable new housing in proximity to the Thames Basin Heaths Special Protection Area (SPA). This approach is now enshrined in Policy NBE3 of the new Local Plan 2032.

¹ Strategic Access Management and Monitoring

- 3.2 the Council has no specific privilege in providing SANG. There are several SANGs around the district, some Council-owned, others not, some still with capacity to mitigate new development, and some new ones planned. Developers seeking to access SANG therefore have a range of providers.
- 3.3. Sufficient SANG is present or planned to deliver the housing numbers in the local plan. However, the release of Council-owned SANG to has been paused to take stock of current SANG capacity and how best to use it.
- 3.4 The Council has a corporate policy for releasing SANG under its control². This needs some relatively minor updates to reflect the adoption of the Local Plan. It is also an opportunity to clarify the Council's approach for development that benefits from permitted development rights.
- 3.5 The Council's Interim Avoidance Strategy for the SPA is out of date and has also been misinterpreted to undermine the Council's control of its own SANG. This needs to be withdrawn and replaced with an up to date document that supports rather than undermines Council control of its own SANG.

4 PRESSURES ON SANG CAPACITY

- 4.1 The latest available figures for capacity across all current and planned SANG are set out at Appendix 1, with a map showing the locations of the SANGs.
- 4.2 Current SANG capacity in Council control has depleted to approximately 114 homes at Bramshot Farm (between Fleet and Cove) and 35 homes at North East Hook/ Whitewater Meadows (see Table 1 at Appendix 1).
- 4.3 Local developments in Hart continue to need SANG. Surrey Heath Borough Council are also asking for help with SANG capacity to deliver housing in the west of their borough. Hart has a strong history of working with Rushmoor and Surrey Heath on SANG provision to enable housing delivery across the housing market area.
- 4.4 Bramshot Farm is the SANG best placed to benefit Surrey Heath given its location and catchment, but it only has approximately 114 homes of capacity left. Rushmoor was allocated approximately 1,000 homes of capacity from Bramshot Farm, but they say they need all of that themselves, particularly with plans for the regeneration of Farnborough town centre.
- 4.5 Once created the Hawley Park Farm SANG will also be able to help Surrey Heath. The Council has already committed approximately 175 homes of capacity for Surrey Heath from that SANG, along with approximately 500 homes for Rushmoor. This leaves just 20 homes for Hart.

- 4.6 Given the low levels of SANG capacity within the Council's control at this time it is recommended that access to Hart administered or controlled SANG capacity is strictly limited and prioritised solely for development that is needed to comply with Hart's identified Local Plan housing needs. The overriding priority being to support the delivery of affordable homes for rent. The Council will continue however, to monitor the situation and work with both Surrey Heath and Rushmoor on an ongoing basis with a view to helping those authorities wherever possible, particularly Surrey Heath given current circumstances.
- 4.7 Linked to this issue, the three authorities are undertaking a joint study into possible alternatives to SANG that are more deliverable within highly urbanized and constrained areas. That study is due to report in December this year.

5 UPDATE TO THE COUNCIL'S SANG ALLOCATION CRITERIA

- 5.1 The Council's criteria for allocating SANG to developments was last updated in December 2018. Minor updates are needed where it cross refers to the now adopted Local Plan and out of date legislation. It is also an opportunity to clarify the position with regards to development that benefits from permitted development rights. An updated version is attached at Appendix 2 showing recommended additions (underlined) and deletions.

6 REPLACING THE INTERIM AVOIDANCE STRATEGY (IAS)

- 6.1 The current IAS was adopted back in 2010 and needs updating, for example:
- It does not reflect the current position following the Sweetman decision³ that an appropriate assessment is needed for new residential development even if SANG and SAMM is secured;
 - It points only to SANG capacity at Hitches Lane and Hawley Meadows which have both been used up;
 - It has been misinterpreted by an appeal Inspector such that the Council's control of its own SANG was undermined.
- 6.2 It is therefore recommended that the IAS is formally withdrawn and replaced with updated guidance in the form of a Technical Advice Note (TAN) to support the new Local Plan Policy NBE3.
- 6.3 TANs are informal guidance notes that can be prepared relatively quickly and do not need Cabinet approval. The TAN would do a similar job to the IAS but

³ People Over Wind & Sweetman v. Coillte Teoranta (C-323/17)

would be more up to date, and, importantly, it can be explicitly clear that the Council (and no other party) has control over its own SANG.

- 6.4 A TAN can be converted into a more formal Supplementary Planning Document (SPD) via the necessary processes (including public consultation and Cabinet adoption) if considered necessary or helpful to do so.

7 TARIFF FOR STRATEGIC ACCESS MANAGEMENT AND MONITORING

- 7.1 The current SAMM tariff resides in the IAS. If Cabinet withdraw the IAS it is necessary to adopt a replacement SAMM tariff.
- 7.2 The recommended tariff is at Appendix 3. This is close to the original tariff but has been aligned with the most recent guidance on SAMM tariffs⁴ and is consistent with that used in the neighbouring boroughs of Bracknell, Rushmoor and Surrey Heath.

8 POLICY IMPLICATIONS

- 8.1 This report recommends an update to the Council-controlled SANG allocations criteria but no fundamental changes in approach. Other than that, there are no immediate policy implications arising. However, it should be noted that future planning policy in Hart could be affected if neighbouring authorities cannot meet their housing needs due to a genuine lack of opportunities for SPA avoidance and mitigation.

9 FINANCIAL AND RESOURCE IMPLICATIONS

- 9.1 Re-starting SANG release will also re-start the receipt of developer contributions for Council-owned SANG.
- 9.2 The commitment to prepare a Technical Advice Note can be met from within existing budgets.

10 ACTION

- 10.1 If the recommendations are agreed:
- 1) Council-controlled SANG will be released again.
 - 2) The allocation of Council-controlled SANG to qualifying developments will re-commence.
 - 3) A Technical Advice Note to replace the IAS will be prepared and published.
 - 4) The new SAMM tariff at Appendix 3 will be applied with immediate effect.

⁴ [Thames Basin Heaths Strategic Access Management and Monitoring Project: Tariff Guidance, Natural England, March 2011](#)

Contact Details:

Daniel Hawes daniel.hawes@hart.gov.uk 01252 774120

Appendices:

Appendix 1: SANG monitoring figures and map

Appendix 2: Updated Council-owned SANG allocation criteria

Appendix 3: Tariff for Strategic Access Management and Monitoring (SAMM)

Background Papers:

[Criteria to access Council Owned or Controlled Suitable Alternative Natural Greenspace \(SANG\) 6th December 2018](#)

[Interim Avoidance Strategy for the Thames Basin Heaths Special Protection Area, First Revision Adopted November 2010](#)

[Thames Basin Heaths Strategic Access Management and Monitoring Project: Tariff Guidance, Natural England, March 2011](#)

Hart SANG capacity at 20th August 2020

See Tables 1 to 4 and the map of SANG locations

Table 1: Council-controlled SANG with current capacity

SANG	Total SANG capacity (persons)	Capacity required by developer (persons)	Capacity released to Rushmoor Borough Council (persons)	Capacity released to Surrey Heath Borough Council (persons)	Capacity used within Hart (persons)	Remaining capacity for use in Hart (persons)	APPROX remaining capacity for use in Hart in dwellings @2.4 persons per household
Bramshot Farm	4,188	n/a	2,400 ¹	0	1,515	273	114
North East Hook/ Whitewater Meadows	1,524	1,427	0	0	12	85	35

¹ Approximately 1,183 persons remain unallocated in Rushmoor Borough.

Table 2: Future Council-controlled SANG

SANG	Opening date (est)	Total SANG capacity (persons)	Capacity required by developer (persons)	Capacity released to Rushmoor Borough Council (persons)	Capacity released to Surrey Heath Borough Council (persons)	Capacity used within Hart (persons)	Remaining capacity for use in Hart (persons)	APPROX remaining capacity for use in Hart in dwellings @2.4 persons per household
Moulsham Lane	2021	637	397	0	0	0	240	100
Grove Farm ²	2022	1,488	1,117	0	0	0	371	155
Hawley Park Farm	2022	2,054	386	1,200	Approx. 420 ³	0	Approx. 48 ⁴	20
Albany Park North/ Poulters Meadow North	2022	720	720	0	0	0	0	0
Albany Park South/ Poulters Meadow South	2022	1,358	33	0	0	0	1,325	552

² Grove Farm SANG will form an extension to the existing Hitches Lane SANG to the north.

³ This is an estimate. Sufficient SANG for the 22-30 Sturt Road proposed development in Surrey Heath Borough for 175 dwellings, estimated at 420 persons.

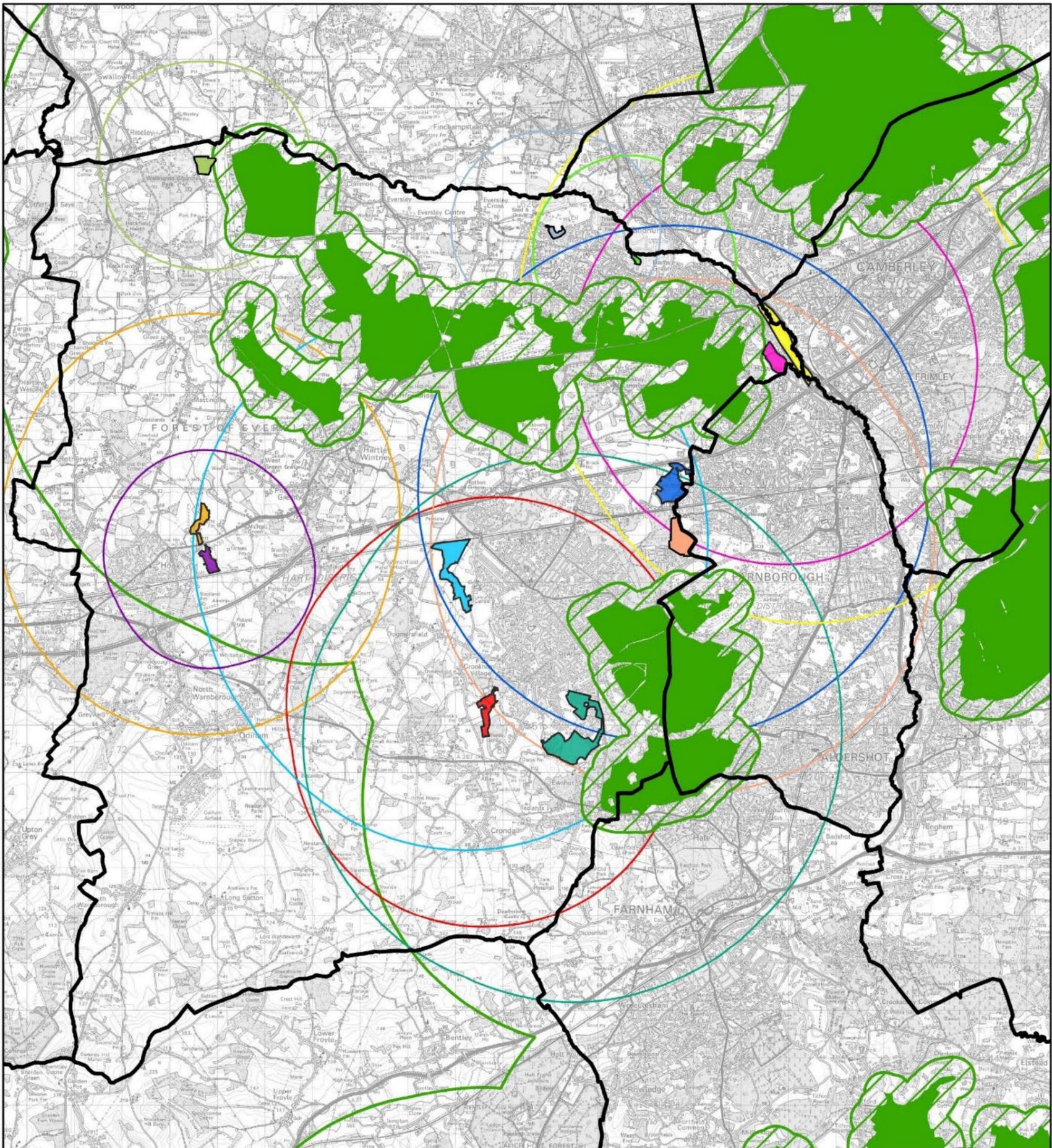
⁴ Remaining capacity in Hart District is subject to change once the final housing mix for the 22-30 Sturt Road proposed development in Surrey Heath is submitted.

Table 3: Non-Council controlled SANG with current capacity

SANG	Total SANG capacity (persons)	Capacity required by developer (persons)	Capacity released to Rushmoor Borough Council (persons)	Capacity released to Surrey Heath Borough Council (persons)	Capacity used within Hart (persons)	Remaining capacity for use in Hart (persons)	APPROX remaining capacity for use in Hart in dwellings @2.4 persons per household
Bassetts Mead	1,325	0	0	0	1,021	304	127
Crookham Park	8,115	3,469	0	0	931	3,715	1,548
Riseley	1,425	214	0	0	0	1,211	505

Table 4: Existing SANG with no spare capacity (all ownerships)

SANG	Total SANG capacity (persons)	Capacity required by developer (persons)	Capacity released to Rushmoor Borough Council (persons)	Capacity released to Surrey Heath Borough Council (persons)	Capacity used within Hart (persons)	Remaining capacity for use in Hart (persons)	APPROX remaining capacity for use in Hart in dwellings @2.4 persons per household
Hitches Lane	2,587	1,068	0	0	1,519	0	0
Hawley Meadows and Blackwater Park	1,137	0	386	386	365	0	0
Swan Lakes	555	250	0	305	0	0	0
Sandhurst Road	250	250	0	0	0	0	0
Dilly Lane/ Queen Elizabeth II Fields	750	750	0	0	0	0	0
Hartland Village	3,337	3,337	0	0	0	0	0



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|-------------------------------|--|--------------------------------|
| District Boundaries | North East Hook SANG | Riseley SANG |
| SPA | North East Hook 4km catchment | Riseley 2km catchment |
| SPA 400m Inner Exclusion Zone | Albany Park SANG | Moulsham Lane SANG |
| SPA 5km Zone of Influence | Albany Park 4km catchment | Moulsham Lane 2km catchment |
| Hawley Meadows SANG | Hawley Park Farm SANG | Sandhurst Road SANG |
| Hawley Meadows 5km catchment | Hawley Park Farm 4km catchment | Sandhurst Road 2km catchment |
| Bassetts Mead SANG | Bramshot Farm SANG | Hartland Village SANG |
| Bassetts Mead 2km catchment | Bramshot Farm 5km catchment | Hartland Village 5km catchment |
| Crookham Park SANG | Edenbrook and Grove Farm SANG | |
| Crookham Park 5km catchment | Edenbrook and Grove Farm 5km catchment | |

0 1 2 Kilometers

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Criteria to access Council owned or controlled Suitable Alternative Natural Greenspace (SANG)

1 October 2020

1. The allocation of Council owned or controlled SANG will be at the discretion of the Head of Environmental and Technical Services subject to the following:
 - a) The SANG is procured, at commercial rates, through a land transaction outside the planning application process¹; and
 - b) the proposed development is fully policy compliant with either existing or emerging Development Plan policies²³ or
 - c) in the case of proposals that benefit from permitted development rights the Council will use its discretion on a case by case basis having regard to the objectives of development plan policies and in particular the delivery of affordable homes for rent.
2. If the procurement of the SANG transaction would result in the respective planning application exceeding the statutory determination date, then planning permission will be refused and the potential SANG allocation withdrawn.
3. The allocation should reflect the life of the planning permission (one year). If the planning permission expires without being implemented, any SANG contribution received will be refunded⁴ and the mitigation opportunity will be re-allocated. There is no assumption that a further SANG allocation would automatically be made available in the event of an application being received to renew an unimplemented planning permission. Allocated SANG cannot be transferred or traded between sites or alternative development proposals.

¹ Unless the Head of Environmental and Technical Services, in consultation with the Joint Chief Executive, determines that the development proposed is of strategic importance to the Council in meeting Corporate Plan objectives and so justifies procurement through a Section 106 Planning Obligation (~~subject to the limitations in regulation 123(3) of the Community Infrastructure Levy Regulations 2010~~)

² The Development Plan includes the Hart Local Plan (Strategy and Sites) 2032, Saved Policies of the Hart District Local Plan 1996-2006 (~~Saved Policies~~), ~~the Hart Local Plan Strategy and Sites 2016–2032 (Submission Version)~~ and any relevant Neighbourhood Plan.

³ A SANG allocation will not normally be withheld where on appeal it has been determined that the development proposal would otherwise have been acceptable if it had not been for the absence of a SANG allocation.

⁴ A refund of the SANG fee (excluding any interest accrued and minus an appropriate administration fee) will be made.

Unless otherwise agreed because of exceptional circumstances by the Portfolio Holder for Services in consultation with the Chairman of Planning Committee, **NO** Council owned or controlled SANG will be allocated in the following circumstances:

4. The development represents a material departure from the Development Plan.
5. The development does not provide in full 40% affordable homes where required by ~~Saved Local Plan Policy ALT GEN 13 of the Hart Local Plan 1996-2006 (Saved Policies), or Policy H2 of the Hart Local Plan (Strategy and Sites) 2016-2032 (Submission Version).~~
6. Proposals are unlikely to be implemented due to complex land ownership or tenancy issues or which are submitted as part of a valuation exercise (it must otherwise be demonstrated that they would not prevent the delivery of new homes by locking up SANG capacity for extended periods).
7. Unless compliant with Policy ED2 of the Hart Local Plan (Strategy and Sites) ~~2016-2032 (Submission Version)~~ no SANG will be allocated for any development that results in the loss of employment land or employment opportunity ~~in strategic or locally important employment sites (as defined in the Hart Local Plan Strategy and Sites 2016-2032 (Submission Version).~~

Tariff for Strategic Access Management and Monitoring (SAMM)

The Tariff

1. In accordance with the tariff guidance published by Natural England¹ the Joint Strategic Partnership Board agreed that the tariff should be £263 per person plus an enabling adjustment of 8%. This is to be applied to developments on a per bedroom basis. In addition the Council charges a 5% administration fee.

Dwelling Size	Occupancy ²	Tariff	Tariff with 5% admin fee
1 bedroom	1.40	£399	£419
2 bedroom	1.85	£526	£552
3 bedroom	2.50	£711	£747
4 bedroom	2.85	£807	£847
5+ bedroom	3.70	£1,052	£1,105

Background

2. Developer contributions towards the Strategic Access Management and Monitoring (SAMM) project is part of the avoidance and mitigation package needed for new residential development within areas affected by the Thames Basin Heaths Special Protection Area (See Policy NBE3 of the Local Plan 2032). The other measure is SANG (Suitable Alternative Natural Greenspace).
3. SAMM is a project to provide management of visitors across the entire SPA and to undertake necessary monitoring. It is a joint project between the Local Planning Authorities affected by the SPA (namely Guildford, Bracknell Forest, Elmbridge, Rushmoor, Runnymede, Surrey Heath, Waverley, Woking and

¹ [Thames Basin Heaths Strategic Access Management and Monitoring Project: Tariff Guidance, Natural England, March 2011](#)

² In the absence of more up to date local occupancy rates, these are consistent with those used in the worked example within SAMM tariff guidance document prepared by Natural England, published March 2011.

Wokingham Borough Councils, Hart District Council and Royal Borough of Windsor and Maidenhead) along with Natural England (as the delivery body) and Hampshire County Council (as the administrative body). The SAMM Legal Agreement was signed by Hart District Council, Natural England and the other ten local authorities affected by SPA issues in July 2011.

4. The Access Management Partnership (made up of landowners and managers of the SPA), with support from Natural England and Hampshire County Council, is implementing a programme of strategic visitor access management measures for the purposes of mitigating the impacts of new development on the SPA, funded by developer contributions. These measures, in combination with a complimentary monitoring programme, have been agreed by the Joint Strategic Partnership Board and have been taken forward into the Strategic Access Management and Monitoring (SAMM) project. The SAMM project:
 - Promotes SANG as new recreational opportunities for local people and particularly encourage their use during the breeding bird season;
 - Provides an on the ground wardening service to supplement existing wardening;
 - Provides an SPA-wide education programme;
 - Creates new volunteering opportunities;
 - Demonstrates best practice for strategic access management of visitors and visitor infrastructure where the supply of greenspace is heavily dependent on protected areas;
 - Monitors visitor usage of the SPA;
 - Monitors Annex 1 bird species on SPA sites.
5. The SAMM project manager (currently hosted by Natural England) is tasked with drawing up a detailed list of actions. The resulting work programme is overseen by the SAMM project board.
6. Avoidance/mitigation in the form of access management and monitoring of the SPA will be delivered by landowners and managers, funded by developer contributions, and provided for in perpetuity. The contributions are collected from the relevant local authorities by an administrative body (Hampshire County Council) and the delivery managed by Natural England. SAMM funds are not used for the delivery, maintenance or management of SANGs.