

**Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)
Strategic Access Management and Monitoring (SAMM) – Interim Mitigation Strategy**

1. Introduction

- 1.1 The Ashdown Forest Special Protection Area (SPA) was classified in 1996. It is a 3,200Ha site comprising predominantly of lowland heathland and woodland. The Ashdown Forest SPA is an internationally important habitat classified because of the presence of breeding populations of Dartford warbler *Sylvia undata* and European nightjar *Caprimulgus europaeus*. It is also a Site of Special Scientific Interest (SSSI).
- 1.2 The Ashdown Forest Special Area of Conservation (SAC) was designated in 2005 and covers 2,700Ha. The qualifying features for the designation are the Annex I habitats: Northern Atlantic wet heaths with *Erica tetralix* and European dry heaths, and the Annex II species: Great crested newt *Triturus cristatus*. It is also part of the SSSI.
- 1.3 Within a 7km zone around the Ashdown Forest SPA, residential development leading to a net increase in dwellings will need to contribute to an appropriate level of mitigation detailed in the Habitats Regulations Assessment report. This will be in the form of providing a Suitable Alternative Natural Greenspace (SANG), either on the development site itself or through a financial contribution towards a strategic SANG. In addition, a financial contribution towards a Strategic Access Management and Monitoring (SAMM) strategy will also be required.
- 1.4 In the interim before a SANG is in place and the District Plan adopted, Natural England has advised that only a SAMM contribution will be required from new residential development. Consequently, Mid Sussex District Council has been working on an interim mitigation strategy that outlines the level of financial contribution required from new residential development and this will be in the form of a s106 agreement.
- 1.5 This interim Strategic Access Management and Monitoring (SAMM) strategy sets out the measures that provide part of the mitigation for new residential development within 7km of the Ashdown Forest SPA. These measures focus on protecting the SPA from new recreational

pressures through managing access (visitor) behaviour and monitoring both birds and visitors. The projects that form the mitigation measures have been discussed and agreed in collaboration with the Conservators of Ashdown Forest, Natural England and the other affected local authorities.

2. Aims and Objectives

2.1 The aim of the interim SAMM strategy is to:

Protect the Ashdown Forest SPA from new recreational pressures arising from new residential development within a 7km zone around Ashdown Forest.

2.2 The objectives of the interim SAMM strategy are:

- i. To monitor the population of the protected birds for which the SPA is classified (Dartford warbler *Sylvia undata* and nightjar *Caprimulgus europaeus*) and to monitor visitors to Ashdown Forest.
- ii. To deliver access management projects on Ashdown Forest to promote behavioural change through improved education and understanding, particularly regarding responsible dog ownership.

3. Type of Development Included in the Interim SAMM Strategy

3.1 The interim SAMM strategy will be applied to a zone of influence around the Ashdown Forest SPA. This zone of influence extends from 400m from the boundary of the SPA to 7km from the boundary of the SPA (see the Mid Sussex District Council website for a map of the 7km zone of influence: <http://www.midsussex.gov.uk/8716.htm>).

3.2 Residential development will not be permitted within 400m from the boundary of the SPA as mitigation measures are unlikely to be capable of protecting the integrity of the SPA. From 400m to 7km, residential development leading to a net increase in dwellings will need to contribute towards the interim mitigation strategy.

Permitted Development within the Ashdown Forest Zone of Influence

- 3.3 The Government has recently extended the permitted development rights for the change of use of certain buildings to flats and dwelling houses respectively. However, for development sites within 7km of the Ashdown Forest SPA (the zone of influence), the Conservation of Habitats and Species Regulations 2010 also apply.
- 3.4 Regulation 73 states that it is a condition of any planning permission granted by a general development order that development which is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) must not be begun until the developer has received written notification of the approval of the local planning authority under Regulation 75.
- 3.5 Natural England has advised that any development which results in a net increase in dwellings is likely to have a significant effect on the Ashdown Forest SPA (either alone or in combination with other plans or projects) unless it is appropriately mitigated. The deemed planning permissions under classes 'F' and 'J' of the Town and Country Planning (General Permitted Development) Order 1995 as amended must not, therefore, be begun until an application has been made to the District Council under Regulation 75 and written notification of approval has been received.
- 3.6 Such development, therefore, will still be required to provide a financial contribution towards the interim mitigation strategy.

Affordable Housing

- 3.7 Affordable housing which results in a net increase in dwellings is also likely to have a significant effect on the Ashdown Forest SPA (either alone or in combination with other plans or projects) and will require appropriate mitigation. However, to ensure that the SAMM tariff is consistent with the approach taken with other s106 contributions, a 33% reduction will apply to affordable housing, including rural exception sites, for this interim mitigation strategy. The reason for this is that it is expected that most occupiers will be local and already living within the District. For further detail, see the Development and Infrastructure SPD (2006) on the Mid Sussex District Council website: <http://www.midsussex.gov.uk/8298.htm>.

4. Interim SAMM Tariff

- 4.1 A Unilateral Undertaking made under Section 106 of the Town and Country Planning Act 1990 will enable the applicant to contribute towards the interim mitigation strategy. This is a legally binding document. All persons or bodies who have an interest in the application site will have to be a party to the Unilateral Undertaking. For the avoidance of doubt, if the application site is charged to a mortgage company or other lending institution, that lender will also have to be party to the Unilateral Undertaking to evidence their consent to the terms of the Unilateral Undertaking. A copy of the draft Unilateral Undertaking is available on the Mid Sussex District Council website: <http://www.midsussex.gov.uk/8716.htm>. The District Council will require proof of ownership to the application site, which should be by way of original up-to-date official copies of the register and title plan from the Land Registry if the land is registered, or Epitome of Title in the case of unregistered land. The Unilateral Undertaking will need to be in a form which is satisfactory to the District Council, executed by all relevant parties and completed prior to the decision notice being issued for the relevant planning application. The financial contribution agreed in the Unilateral Undertaking must be paid to the District Council on or before the commencement of the development. The collection of the financial contribution will follow the standard procedure of the District Council, and the projects will be delivered by the Conservators of Ashdown Forest.
- 4.2 The methodology used for the SAMM interim mitigation strategy has been based on guidance produced by Natural England to inform the tariff developed at the Thames Basin Heaths. The interim SAMM tariff consists of two parts: the first will go towards annual expenditure and the second towards capital investment to fund the SAMM strategy in perpetuity (125 years).
- 4.3 The interim SAMM tariff payable depends on the number of bedrooms in the dwelling and this is calculated from local occupancy rates. This results in a scale of four different tariffs that are proportionate to the number of bedrooms.

4.4 The interim SAMM tariff is as follows:

Number of Bedrooms	Local Tariff per Dwelling	Local Tariff per Affordable Dwelling (33% Reduction)
1	£1,404	£941
2	£2,146	£1,438
3	£2,628	£1,761
4+	£3,140	£2,104

4.5 Further detailed calculations can be found in Appendix A. Details of the projects can be found in Appendix B.

5. Future Work on a Mitigation Strategy for the Ashdown Forest

5.1 As described above, this is the interim mitigation strategy (SAMM only) for the Ashdown Forest SPA and SAC. It is anticipated that it will be operational for around a year and will support around 200 dwellings. The District Plan was submitted to the Secretary of State in July 2013 and Policy DP14 outlines the proposed approach to the Ashdown Forest SAC and SPA. The submission District Plan and accompanying documents can be found at: www.midsussex.gov.uk/districtplan.

5.2 It is necessary to take a strategic and co-ordinated approach to access management and monitoring in order to ensure that the SPA is considered as a whole. Work has commenced with the other affected local authorities, Natural England and the Conservators of Ashdown Forest, and it is expected that there will be a joint full SAMM Framework which will supersede this interim mitigation strategy.

5.3 This interim mitigation strategy will be monitored and kept under review and experience from this will be applied to the full SAMM Framework. It is likely that there will be slight adjustments to the SAMM tariff to ensure that it remains relevant and up-to-date as the variables are subject to change.

5.4 Work is also progressing on a strategic SANG and financial contributions will eventually be required to go towards its implementation, management and maintenance in perpetuity.

6. Further Information

6.1 For further information on the SAMM interim mitigation strategy, please contact:

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Appendix A: Interim SAMM Tariff Calculations

Assumptions:

- The SAMM project costs will be funding the first two years of the projects.
- The expected development within the 7km zone includes current post-pipeline planning applications proposing a net increase in residential dwellings and expected windfall.
- 30% of the tariff will go towards the revenue funding for the projects and 70% of the tariff will go towards the capital investment to fund the projects in perpetuity (125 years).

Calculation of the tariff per dwelling

Item	Cost	Notes	
SAMM Projects	£137,702	Access Management Total (£133,702) + Monitoring Total (£4,000)	
Contingency @ 10%	£13,770		
Overall Total Cost	£151,472		
Revenue funding per dwelling	£757.36	Overall Total Cost (£151,472) divided by expected development (200)	30%
Capital investment per dwelling	£1,767.18		70%
Total average tariff per dwelling	£2,524.54	Revenue funding per dwelling + Capital investment per dwelling	100%
	£2,525		

Calculation of the standard cost (tariff per person)

Item		Notes
Number of dwellings	200	Forecast delivery within 7km of the SPA
Original revenue	£151,472	Sum required for mitigation = Revenue funding per dwelling x number of dwellings
Original investment	£353,435	Invested into the long-term fund = Capital investment per dwelling x number of dwellings
Original total	£504,907	Investment + revenue = total required
Original tariff	£2,525	Original total (£504,907) divided by expected development (200) = Total average tariff per house (£2,525)
Occupancy	2.4	Mid Sussex average
Total number of residents	480	Number of dwellings (200) multiplied by Occupancy (2.4)
Standard cost	£1,052	Original total (£504,907) divided by Total number of residents (480) = Tariff per person

Calculation of tariff per dwelling using local occupancy rates

Occupancy x Tariff per person (£1,052) = Local tariff per dwelling

Number of bedrooms	Occupancy	Local tariff per dwelling
1	1.32	£1,393
2	2.02	£2,129
3	2.48	£2,607
4+	2.96	£3,115

Project annual income including delivery adjustment

Number of bedrooms	Housing mix	Expected Dwellings	Local tariff per dwelling	Projected income	Local tariff including 0.8% delivery adjustment	Projected income including delivery adjustment
1	5%	10	£1,393	£13,263	£1,404	£13,369
2	41%	81	£2,129	£173,213	£2,146	£174,587
3	25%	50	£2,607	£130,808	£2,628	£131,845
4+	29%	59	£3,115	£183,650	£3,140	£185,107
Total	100%	200		£500,935		£504,907
				Average £2,505		Average £2,525

Local tariff per dwelling plus reduction for affordable housing

Number of Bedrooms	Local Tariff per Dwelling	Local Tariff per Affordable Dwelling (33% Reduction)¹
1	£1,404	£941
2	£2,146	£1,438
3	£2,628	£1,761
4+	£3,140	£2,104

¹ As referenced in the Development and Infrastructure SPD 2006 (para. 1.23).

Appendix B: Project Details

Note: This is a selection of the proposed SAMM projects. Full details of the projects will be available in the full SAMM Framework (currently in progress).

Project Number	Project Type	Project Title	Proposed Activity
1	Access Management	Every Dog Matters – Part (a): Responsible dog ownership publicity	Responsible dog ownership publicity, promotion and code of conduct development: production of leaflets, signage and publicity.
2	Access Management	Every Dog Matters – Part (b): Responsible dog ownership activities and events	Development of a community activities and events programme involving the ‘dog world’ – e.g. vets, professional dog walking businesses, pet food/ equipment suppliers, dog clubs and associations, and individual dog walkers.
3	Access Management	Every Dog Matters – Part (c): Responsible dog ownership training	Dog training courses on Ashdown Forest: a flexible programme of training courses over a 5-year cycle (for example, 6 x weekly, ½ day refreshers and Kennel Club Good Citizen Schemes).
4	Access Management	Every Dog Matters – Part (d): Responsible dog ownership volunteer rangers	Recruitment, training and support of Dog Rangers: build on the successful volunteer Mounted Rangers scheme to develop a volunteer Dog Ranger group.
5	Access Management	Ashdown Forest Education and Information Service – Part (a): Education co-ordinator	Develop the Ashdown Forest’s education offer through the recruitment of a p/t Education Co-ordinator and teachers, to proactively engage with nursery, primary, secondary and adult education in order to develop an annual programme of activities and events, both curriculum based and extra curricula, to be delivered through the Education Barn and school outreach. Priority will be given to schools/ colleges and groups within a 15 mile radius of Ashdown Forest with an initial promotion and relationship development phase directly with the schools, building on our existing contacts.
7	Monitoring	Bird population monitoring (Dartford warbler <i>Sylvia undata</i> and nightjar <i>Caprimulgus europaeus</i>)	Surveillance of ‘churring’ nightjars and Dartford warbler territories during the breeding season by volunteer bird watchers.