

Site Allocations DPD

MSDC-13: Response to Action Point 16

Matter 4.5: Provision of SANG

8th September 2021

MSDC-13: Response to Action Point 16

Matter 4.5: Provision of SANG

Key Points

- A Habitats Regulations Assessment (HRA) has been undertaken for the Site Allocations DPD [HRA1] and concludes that adverse effects on the integrity of the Ashdown Forest SPA and SAC can be ruled out.
- District Plan Policy DP17 is the adopted policy for the Ashdown Forest SPA and the Inspector for the District Plan found this policy to be sound.
- Natural England, the statutory nature conservation body, supports the Council's approach to the Ashdown Forest SPA and the conclusions of the HRA for the Site Allocations DPD [DC19 and Representation ID number 710].
- The SANG and SAMM mitigation approach is well-established and has been tested numerous times nationwide through both local plan examinations and planning appeals.
- The SANG and SAMM mitigation approach is the strategic solution for the Ashdown Forest SPA and is a partnership approach with five other local authorities, Natural England, the Conservators of Ashdown Forest and other parties.
- A co-ordinated and strategic approach is necessary to provide the most certainty for protecting the Ashdown Forest SPA and SAC. A co-ordinated and strategic approach allows mitigation to be funded collectively also providing reassurance and certainty that measures can be delivered.
- The HRA for the Site Allocations DPD [HRA1] confirms the principle of the approach to Ashdown Forest and concludes that the strategic cross-boundary solution supported by Natural England [Representation ID number 710] and as set out in District Plan Policy DP17 remains appropriate and the mitigation continues to be suitable for the proposed site allocations. This mitigation includes a strategic SANG as part of Policy SA20.
- Proposed site allocation SA20 will deliver a new strategic SANG. It is considered there is sufficient information available at this stage of the Site Allocations DPD process to provide assurance that the SANG can be implemented and managed and maintained in perpetuity.
- A programme of monitoring will allow adjustments to be made to the overall mitigation strategy if necessary to ensure its continued effectiveness.
- As HRA is an iterative process, further checks can be made at the next stage of the Site Allocations DPD where additional information is available.

1.0 Introduction

- 1.1 This note has been prepared in response to the discussion during the Matter 4 Hearing session on the 15th June 2021, at the request of the Inspector [ID-05]. This note responds to Action Point 16 which requested:

A note from the Council to explain why the Council's approach to SANGs is effective, e.g. in relation to taking pressure off the Ashdown Forest SPA, and why this is a settled issue.

- 1.2 The Submission Draft Regulation 19 Site Allocations DPD [DPD1] includes nine proposed housing site allocations for a total of 975 dwellings that are within the 7km

zone of influence for the Ashdown Forest SPA and will require SANG capacity (Figure 1).

Settlement Type	Settlement	Site Name	Policy Reference	Number of Dwellings
Category 1 - Town	East Grinstead	Former East Grinstead Police Station	SA18	22
		Land south of Crawley Down Road	SA19	200
		Land south and west of Imberhorne Upper School	SA20	550
Category 2 – Larger Village (Local Service Centre)	Crawley Down	Land north of Burleigh Lane	SA22	50
Category 3 – Medium Sized Village	Ardingly	Land west of Selsfield Road	SA25	70
	Ashurst Wood	Land south of Hammerwood Road	SA26	12
	Horsted Keynes	Land south of The Old Police House	SA28	25
		Land south of St. Stephen's Church	SA29	30
	Turners Hill	Withypitts Farm, Selsfield Road	SA32	16
Total within the 7km zone of influence				975 dwellings

Figure 1 - Proposed site allocations within the 7km zone of influence for the Ashdown Forest SPA

- 1.3 The Habitats Regulations Assessment (HRA) for the Site Allocations DPD [HRA1] concludes that the Site Allocations DPD does not present any potential risks to European sites, that are not considered capable of being mitigated for. Adverse effects on the integrity of the Ashdown Forest SPA and SAC relating to air quality and recreation impacts can be ruled out:

Paragraph 5.41

A strategic approach to mitigation for recreation impact has been established and is set out in Policy DP17. Mitigation delivery involves both on-site access management measures (SAMM) and alternative sites (SANGs). Checks show that there is sufficient capacity for SANGs. With the mitigation in-place it is possible to rule out adverse effects on integrity, both alone and in-combination with neighbouring authorities.

Paragraph 6.5

An area of search for SANG is included within the Site Allocations DPD, recognising the need for further SANG capacity following the implementation

of the first strategic SANG at East Court and Ashplats Wood, East Grinstead, in 2015. The potential SANG offers a potentially viable option at this stage in plan making and has been refined since the previous iteration of the HRA.

- 1.4 Natural England is the statutory consultee for the appropriate assessment stage of the HRA. In its Regulation 19 representation, Natural England confirmed it concurs with the conclusions of the HRA having considered the assessment and the proposed mitigation measures, provided that the required mitigation measures are appropriately secured in any future planning permissions given [Representation ID number 710].
- 1.5 This note should be read in conjunction with the following documents available in the Evidence Library:
 - Habitats Regulations Assessment for the Site Allocations DPD [HRA1-HRA4].
 - Habitats Regulations Assessment for the District Plan [HRA5].
 - Mid Sussex District Council Hearing Statement for Matter 2 [MSDC-02b].
 - Mid Sussex District Council Hearing Statement for Matter 4 [MSDC-02d].
 - Statement of Common Ground between Mid Sussex District Council and Lewes District Council [DC10].
 - Statement of Common Ground between Mid Sussex District Council and Tandridge District Council [DC13].
 - Statement of Common Ground between Mid Sussex District Council and Wealden District Council [DC14].
 - Statement of Common Ground between Mid Sussex District Council and Natural England [DC19].
 - SA20 Concept Masterplan [SA20.1].

2.0 Background

- 2.1 The Natura 2000 network consists of sites across Europe designated for their nature conservation importance. It aims to be an ecologically coherent network of designated sites that protect threatened species and habitats. The Natura 2000 network is formed of Special Areas of Conservation for species, plants and habitats and Special Protection Areas for bird species.
- 2.2 Special Areas of Conservation (SACs) are designated under the European Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive'). Special Protection Areas (SPAs) are classified under the European Council Directive 2009/147/EC on the conservation of wild birds (the 'Birds Directive'). The Ashdown Forest is a designated SPA and SAC.
- 2.3 Work undertaken on behalf of Natural England (using data from a visitor survey carried out in 2008¹) identifies that the Ashdown Forest SPA species are vulnerable to visitor pressure (i.e. disturbance of ground nesting birds by recreational users of Ashdown Forest such as by walkers and dogs, particularly those dogs off lead) which increases as a result of new development in the area. The special character and size of Ashdown Forest is such that it clearly attracts visitors from Mid Sussex and this is supported by all the available survey evidence (

¹ UE Associates (2009).

- 2.4 Figure 2). Hence, new developments within Mid Sussex are very likely to increase visitor pressure on the SPA.
- 2.5 In order to understand the pattern and origin of visitors to Ashdown Forest visitor surveys have been conducted in 2008 and 2016 and this information will be updated through monitoring and surveys in the future. The SPA Monitoring Strategy identifies that a visitor survey will be undertaken every five years meaning that a survey is likely to take place this year.
- 2.6 Specifically, increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest. Mitigation measures are necessary to counteract the effects of potential increasing recreational pressure on the Ashdown Forest SPA arising from new residential development within a 7km zone of influence around the Ashdown Forest SPA. Mitigation measures will help to ensure that the conservation objectives for the Ashdown Forest SPA and SAC are met which will prevent a deterioration of the conservation status of qualifying species for which the SPA has been classified and the qualifying habitats and species for which the SAC has been designated.
- 2.7 It is the advice of Natural England, in line with established practice nationally, that it is reasonable for new developments within a zone where residents frequently visit Ashdown Forest to contribute to mitigation measures and that the objective of a jointly agreed strategic zone for mitigation is to capture the majority of new frequent visitors to Ashdown Forest (Figure 2). It is clearly not possible or practical to capture all new visitors to a designated site recognising that some will come from very far distances. Additionally, capturing a defined percentage of visitors is less relevant than the distance at which frequent visitors to Ashdown Forest drop in numbers relative to a 'without mitigation' case. This ensures that any 'significant' impact is addressed by strategic measures to the point that residual impacts of new development would not be considered significant.
- 2.8 A strategic 7km zone of influence for SANG and SAMM mitigation is currently in operation by all the local authorities, reflecting the results of past visitor surveys.
- 2.9 Applying the precautionary principle, a partnership of Lewes, Mid Sussex, Sevenoaks, Tandridge, Tunbridge Wells and Wealden Councils, with support from Natural England, have agreed that there is a likely significant effect 'in combination' from recreational impacts on the Ashdown Forest SPA from housing and potentially other relevant development within certain locations within their borough/ district. It is also agreed that mitigation will be required to prevent an adverse impact upon the integrity of the Ashdown Forest SPA.

Map 7: Home postcodes of interviewees (excluding holiday makers and those staying with friends/family) by frequency of visit

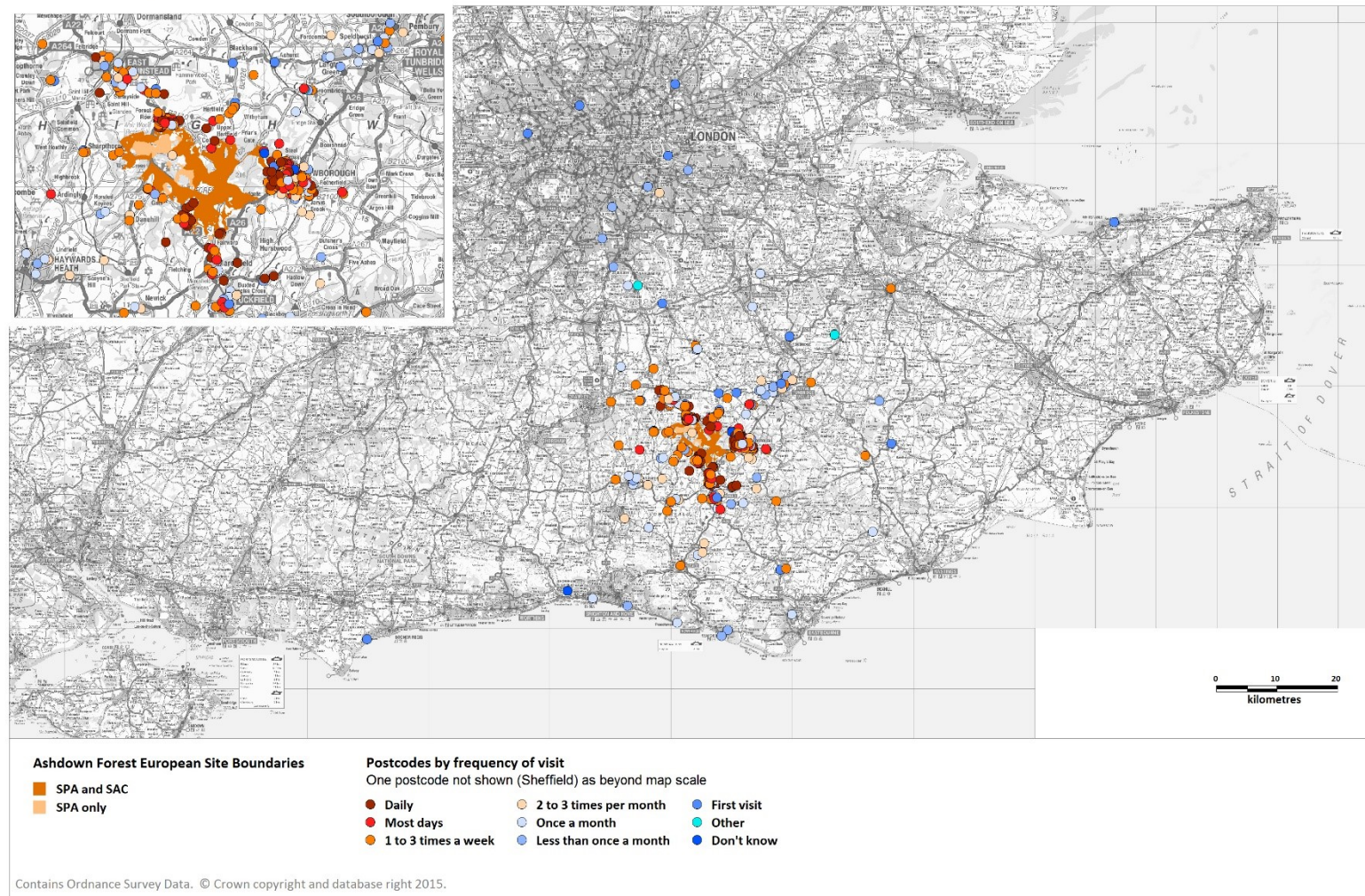


Figure 2 - Frequency of visits of surveyed visitors in 2016 (Liley *et al.*, 2016)

- 2.10 There are two parts to the mitigation: Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM).

SANG

- 2.11 This involves the provision of Suitable Alternative Natural Greenspace (SANG) associated with new residential development within or close to the 7km zone of influence. Their purpose is to provide alternative greenspace to attract visitors away from the Ashdown Forest SPA. It aims to reduce overall visitor and recreational pressure on Ashdown Forest, and to provide for the needs of dog walkers in particular.
- 2.12 The general presumption is that where SANGs are closer to a particular residential population than a SPA, then they are likely to attract some of the need for greenspace, particularly for specific groups such as dog walkers. In addition, the assumption is of a net effect in reducing the number of visitors to the SPA in aggregate by adding to the range of recreational greenspace opportunities to the extent that they are able to offer a realistic alternative to the SPA. It may still be the case that the SPA is the most attractive greenspace option for residents of new development, but the mitigation benefits will be felt as long as there is a reduction in use of the SPA relative to the position without SANG provision.
- 2.13 In order for SANGs to provide effective mitigation for the Ashdown Forest SPA, the SANG site should be available for use by new residents from the point at which any relevant development is occupied. It should also seek to provide a similar visitor experience to that of Ashdown Forest, and in designing the SANG enhancement works, it is necessary to consider the characteristics and features that draw people to Ashdown Forest.
- 2.14 A SANG site can be created from:
- Existing open space with existing public access, which could be enhanced to become a SANG site.
 - Existing open space of SANG quality with no existing public access, which could be made fully accessible to the public.
 - Other land which could be converted to a SANG site.
- 2.15 Mid Sussex, Wealden and Lewes District Councils have already secured SANG mitigation (two SANG sites in Wealden District, one in Mid Sussex District and one in Lewes District) and all four SANG sites are operational.

SAMM

- 2.16 The second part of mitigation is to provide a contribution towards a SAMM strategy. This aims to manage visitors on-site at Ashdown Forest. The District Council agreed a Joint SAMM Strategy on the 15th January 2018 and it came into effect on the 1st April 2020. The Joint SAMM Strategy is a strategic co-ordinated approach to mitigation in partnership with Lewes, Sevenoaks, Tandridge and Wealden District Councils, Tunbridge Wells Borough Council, Natural England, and the Conservators of Ashdown Forest. The SAMM Partnership for Ashdown Forest is actively working to deliver access management projects to address issues arising from visitor pressure and undertake monitoring at both Ashdown Forest and the four operational SANG sites.

3.0 District Plan Policy

- 3.1 Adopted District Plan Policy DP17 sets out an avoidance and mitigation strategy for reducing the impact of recreational disturbance on Ashdown Forest (Figure 3). The Site Allocations DPD is a daughter document of the District Plan which remains 'up to date' and this policy is not subject to review.

District Plan Policy DP17: Ashdown Forest Special Protection Area and Special Area of Conservation

Strategic Objectives: 3) To protect valued landscapes for their visual, historical and biodiversity qualities.

Evidence Base: Ashdown Forest Visitor Survey Data Analysis, Habitats Regulations Assessment for the Mid Sussex District Plan, Visitor Access Patterns on Ashdown Forest.

In order to prevent adverse effects on the Ashdown Forest SPA and SAC, new development likely to have a significant effect, either alone or in combination with other development, will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects.

Within a 400 metres buffer zone around Ashdown Forest, mitigation measures are unlikely to be capable of protecting the integrity of the SPA and, therefore, residential development will not be permitted.

Within a 7km zone of influence around the Ashdown Forest SPA, residential development leading to a net increase in dwellings will be required to contribute to mitigation through:

- 1) The provision of Suitable Alternative Natural Greenspace (SANG) to the minimum level of 8Ha per 1,000 net increase in population; or a financial contribution to SANGs elsewhere; or the provision of bespoke mitigation; and**
- 2) A financial contribution to the Ashdown Forest Strategic Access Management and Monitoring (SAMM) Strategy.**

Large schemes proposed adjacent or close to the boundary of the 7km zone of influence may require mitigation for the SPA. Such proposals for development will be dealt with on a case-by-case basis.

Where bespoke mitigation is provided, these measures will need to be in place before occupation of development and must be managed and maintained in perpetuity. The effectiveness of such mitigation will need to be demonstrated prior to approval of the development. Bespoke mitigation will need to be discussed and agreed by the District Council as the competent authority following advice from Natural England.

Figure 3 - District Plan Policy DP17: Ashdown Forest Special Protection Area and Special Area of Conservation

- 3.2 The Inspector's Report for the District Plan [DPD8] concluded on DP17 and the accompanying District Plan HRA as follows:

Paragraph 58

Policy DP[17]: Ashdown Forest contains an approach in respect of the SPA which includes a small 400m buffer zone where residential development is

not permitted, and a 7km zone of influence in which Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) are required for residential development. This is based on the recommendation of the HRA (October 2015), has been agreed by Natural England and is an established and widespread method of avoiding habitat disturbance through increased numbers of visitors and domestic pets. With this policy in place the spatial strategy and the overall housing requirement, as modified by MM04, can be implemented without harm to the SPA.

Paragraph 92

My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
[...]	[...]
Habitats Regulations Assessment (HRA)	The Habitats Regulations Assessment (August 2016) and Habitats Regulations Assessment – Main Modifications (September 2017) include Appropriate Assessment Reports. Natural England is satisfied with the conclusions.
[...]	[...]

- 3.3 The Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach set out in Policy DP17 aligns with the strategic solution for recreational disturbance on the Ashdown Forest SPA which is supported by Natural England. This strategic solution ensures the requirements of the Habitats Regulations are met with regard to the in combination effects of increased recreational pressure on the Ashdown Forest SPA arising from new residential development.
- 3.4 In its Regulation 19 representation [Representation ID number 710], Natural England made the following comments about the proposed SANG included as part of proposed site allocation SA20 and the importance of Policy DP17:

‘We support the requirements of this allocation to provide an appropriately managed strategic Suitable Alternative Natural Greenspace (SANG) to mitigate increased recreational disturbance on Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC); such a SANG proposal must be considered in accordance with District Plan Policy DP17: Ashdown Forest SPA and SAC.’

4.0 Principle of SANG and SAMM Mitigation

- 4.1 As Lake *et al.* (2020) comment, the overarching objective in protecting European sites of nature conservation importance is to maintain the sites and their interest features in an ecologically robust and viable state, able to sustain and thrive into the long-term, with adequate resilience against natural influences. This may require mitigation measures to be implemented to prevent the further deterioration of the European designated site.
- 4.2 The principle of a SANG and SAMM mitigation approach is well-established. This approach to mitigation at the Thames Basin Heaths and Dorset Heaths has been in

place for around fifteen years. The results of a 2018 visitor survey undertaken at the Thames Basin Heaths SPA indicate that the present SANG and SAMM approach to mitigation is still appropriate (Southgate *et al.*, 2018). This also demonstrates that mitigation is a long-term strategy.

- 4.3 It is the combination of both SANG and SAMM, incorporating monitoring, that is important to avoid and mitigate for any recreational pressure impacts. This integrated approach provides the certainty that an adverse effect on site integrity from new residential development can be ruled out [HRA1, paragraph 5.18]. A range of approaches will ensure different user groups and types of activities are included and will help to reinforce messages about why it is necessary to protect the European designated site (Lake *et al.*, 2020). The SANG and SAMM mitigation approach is also developed after analysis of data and other available information [HRA5]. This also provides assurances that a SANG and SAMM mitigation approach will be robust.
- 4.4 A SANG and SAMM mitigation approach is not unique to either Mid Sussex District Council or the Ashdown Forest SPA, nor is a strategic partnership approach uncommon. It has been explained above that SANG and SAMM mitigation is the strategic solution for the Ashdown Forest SPA for six local authorities. Many other local authorities around the country are also successfully applying a SANG and SAMM mitigation approach to the European site of nature conservation importance in their areas, however, measures are tailored to local circumstances. Some of these other European sites of nature conservation importance will be heathland sites like the Ashdown Forest SPA whilst others are completely different habitats such as coastal areas and woodland. This demonstrates that a SANG and SAMM mitigation approach is transferable across different habitats, species and local geographies (Figure 4). The similar SANG and SAMM mitigation approach for the Ashdown Forest SPA can benefit from best practice elsewhere whilst tailoring the projects to the characteristics of recreational pressure on the Ashdown Forest SPA using a robust evidence base that includes a programme of monitoring.

European Site	Habitat	SANG	SAMM	Monitoring
Dorset Heaths	Heathland	Yes	Yes	Yes
Thames Basin Heaths	Heathland	Yes	Yes	Yes
New Forest	Heathland	Yes	Yes	Yes
South-East Devon	Sand dune, heathland, estuary	Yes	Yes	Yes
Solent	Coastal	Yes	Yes	Yes
Suffolk Coast	Coastal/ estuary	Yes	Yes	Yes
Cannock Chase	Heathland	No	Yes	Yes
Burnham Beeches	Woodland	No	Yes	Yes
North Kent	Coastal	No	Yes	Yes
Essex Coast	Coastal	No	Yes	Yes
South Tyneside	Coastal	No	Yes	Yes
Poole Harbour	Coastal	No	Yes	Yes

Figure 4 - Examples of other European sites applying a SANG and SAMM mitigation approach. Source: Adapted from Liley (2020)

- 4.5 A strategic partnership approach to mitigation is designed to resolve the in combination aspects associated with development since effective mitigation is difficult to achieve on a dwelling by dwelling basis. By joining together to form a single strategic partnership, multiple local authorities can pool funds from developer contributions to deliver a series of consistent, agreed and implementable measures in a robust and transparent manner (Lake *et al.*, 2020).
- 4.6 Research completed in 2018 on SANGs in the Thames Basin Heaths found that several factors influenced the choice to visit a particular greenspace. This included prior knowledge of local greenspaces, distance from home and good on-site infrastructure. The research recommended providing information to new residents on local greenspace, providing adequate signage to local greenspace, and to provide suitable on-site infrastructure such as seating and play areas (Allinson, 2018).
- 4.7 By providing SANG sites close to existing and new housing, new (and existing) residents may prefer to visit them instead of the European designated site for their recreational needs assuming adequate information is provided so that there is an awareness of local greenspaces. It is important to provide a choice of local greenspace as people often have a portfolio of sites that they regularly visit (Cruickshanks and Liley, 2014).
- 4.8 As an integrated approach to mitigation, SAMM is an important aspect. Its purpose is to mitigate any adverse effects of disturbance caused by the proportion of visits from new residential developments close to the SPA which will not be avoided through the provision of SANG [HRA5]. Projects could include wardening, on-site access management, education and monitoring (Liley, 2020).

5.0 Monitoring

- 5.1 Natural England does not have any nationally or locally agreed guidance for monitoring the effectiveness of SANG mitigation. Monitoring is undertaken locally by local authorities and/ or the mitigation partnerships, usually in line with an agreed monitoring strategy. Monitoring enables the refinement of projects within the SANG and SAMM mitigation approach to ensure their continued effectiveness.
- 5.2 Monitoring is long-term and should be undertaken regularly rather than constantly. Some monitoring measures may run for a fixed time period whilst others run indefinitely (Liley, 2018). Monitoring of mitigation measures is only possible once it is in place and caution should be taken to avoid over-reliance on one or indeed a few monitoring results. It is important to remember that visitor surveys are a snapshot in time with factors such as the weather potentially influencing results, whereas measures such as automated counters maintained long-term offer information on visitor trends over time.
- 5.3 Information gathered from visitor surveys at the European designated site helps to identify what factors visitors appreciate at the European designated site and their motivations for visiting may need to be replicated at any alternative greenspace. For example, the typical length of walk, car parking provision, the ability to let dogs off lead and proximity to home (Fearnley *et al.*, 2010).
- 5.4 It can be difficult to demonstrate the effectiveness of SANGs solely through visitor surveys undertaken at the European designated site. Whilst such a visitor survey

may find out how many visitors surveyed also visited SANG sites, this does not mean that SANGs only draw that amount of visitors away from the European designated site. This is because those visitors that visit SANGs all or some of the time are not likely to be interviewed at the European designated site (Panter and Caals, 2020).

- 5.5 It is, therefore, important that visitor surveys are also undertaken at SANG sites. However, monitoring of visitor numbers alone is not sufficient to assess how well the SANG is working as mitigation (Liley, 2018). Visitor surveys at SANGs can help identify the reasons why people visit SANGs and this will help to inform future management decisions thus making the SANG site more attractive to visitors (Panter, 2019). For example, visitors may identify a particular path that is little used perhaps because it is very muddy; this is useful to know and future management may be able to address this issue and undertake some path improvements.
- 5.6 A report analysing visitor access patterns on the Thames Basin Heaths SPA found that early indications show SANG is proving to be an effective means of diverting recreational pressure away from the SPA. For example, visitor surveys at one SANG found that 74% of groups interviewed said they were less likely to visit the nearest available part of the SPA now that the SANG was available. Visitor surveys undertaken at SANG sites also found that the majority of groups matched the target user group of local, regular dog walkers (Southgate *et al.*, 2018).
- 5.7 Visitor surveys conducted in 2018 at fourteen SANG sites for the Thames Basin Heaths found that local knowledge was key in how visitors became aware of the sites, with word of mouth and proximity to the site the main ways. 35% of interviewees across all SANG sites stated that the main reason for visiting the SANG was that it was close to home followed by the site being good for dog walking. There is also some evidence to suggest that people visit a pool of local sites and 29% of interviewees mentioned another SANG site as an alternative location to visit (Panter, 2019).
- 5.8 The importance of local knowledge is also supported by other data collected from visitor surveys on the Thames Basin Heaths SPA which found that residents of new housing comprise a small proportion of the groups interviewed and only a small number had been visiting the SPA for less than a year. This suggests that the main users of the SPA are long-term residents who habitually visit the SPA, potentially because SANG or other greenspace sites were not previously available for recreation, whereas there are now more options for local greenspace recreation for new residents, although it should be remembered that both existing and new residents are able to visit SANG sites. This increased availability of SANG sites is likely to have influenced the overall reduction of visitor numbers to the SPA in 2018 when compared to a previous survey in 2005 (Southgate *et al.*, 2018).

6.0 Is the Mid Sussex SANG provision effective?

- 6.1 Mid Sussex's existing SANG provision is at East Court & Ashplats Wood which is located to the east of East Grinstead and comprises a total 41Ha, of which 25Ha is woodland (Ashplats Wood itself), the remaining area of East Court is an area of amenity open space, including sports pitches. The site is bounded by housing to the south, west and north, but there are open fields and woodland to the east, with connections to the wider public rights of way network. Observation suggests the site is well used, and use has increased with investment from SANG developer contributions.

- 6.2 East Grinstead was deemed an appropriate location for a SANG because it is only 5.10km from the Ashdown Forest SPA and is, therefore, within the zone of influence. The establishment of the SANG in this location reflected the 2008 visitor survey at Ashdown Forest which showed that 50% of visitors interviewed lived within 5km of Ashdown Forest and 76% within 10km. The data analysis predicted that 100 new houses at East Grinstead would generate an additional 4.1 visits to the Ashdown Forest SPA (per 16 hours of daylight in September)². This can be compared to Haywards Heath (9.48km from the Ashdown Forest SPA) where there is predicted to be an additional 1.2 visits from 100 new houses.
- 6.3 By locating a SANG at East Grinstead, more residents from new development might be persuaded to visit an alternative open space to Ashdown Forest. This is supported by a visitor survey³ of East Court & Ashplats Wood in April 2013 that found 76.4% of people interviewed arrived on foot and 20.0% arrived by car/ motor vehicle. The vast majority of visitors were from East Grinstead and 61.7% were visiting to walk the dog (23.1% of people were walking without a dog). The top four attractions of visiting East Court & Ashplats Wood for people interviewed were that the site is a convenient location (close to home), it is peaceful and quiet, there are no restrictions on dogs, and there are a variety of natural habitats.
- 6.4 Investment in the SANG to improve its attractiveness and use has included:
- Establishment of a management plan.
 - The upgrading of the majority of the main routes through the site so that they do not become muddy during wet weather and to improve accessibility to all users.
 - Management of the meadows to control encroachment around the boundaries and increase the wildflower diversity.
 - Additional signage to help users navigate around the site, particularly in the woodland.
 - General habitat management, including coppicing and the control of invasive species, which is ongoing.
 - Restoration of the yew hedge leading from East Court Mansion to improve views and the visitor experience.
- 6.5 Although no recent survey of use has been made, anecdotal evidence suggests that the use of the site has increased, taking pressure of alternative options including the Ashdown Forest. It is generally to be expected that this use will increase as the new housing developments which support the SANG provision are delivered.
- 6.6 Results from the Ashdown Forest visitor survey 2016 (Liley et al., 2016) also gives some indication of the kind of visitor decision making in terms of the influences on the choice of greenspace. In the light of these it is reasonable to assume that the SANG is a realistic alternative choice. Specifically, common reasons for visiting were that the Ashdown Forest was close to home (205 interviewees, 46%) and good for the dog/ dog enjoys it (127 interviewees, 28%). The attractiveness of the East Court & Ashplats Wood SANG for dog walkers and the relative proximity to new populations tends to support that it is effective mitigation. In addition, East Court & Ashplats Wood is explicitly identified by Ashdown Forest users in the surveys as an alternative choice.

² UE Associates (2009: p68-69).

³ The visitor survey was conducted by Ecology Solutions as part of work to support a planning application (12/01588/FUL) in East Grinstead.

7.0 Application of SANG and SAMM mitigation to the Site Allocations DPD

- 7.1 District Plan Policy DP17 sets out an avoidance and mitigation strategy for reducing the impact of recreational disturbance on Ashdown Forest (see Figure 3). This is an adopted policy and is applied to current proposals for new residential development within the 7km zone of influence. This policy is supported by Natural England as the statutory nature conservation body and provides the strategic solution for the Ashdown Forest SPA. The HRA for the Site Allocations DPD [HRA1] confirms the principle of the approach to Ashdown Forest:

Paragraph 5.28

With the strategic approach in place, this HRA for the Site Allocations DPD includes a review of the current progress of the strategic approach below, and in particular the options for the DPD to deliver some of the key aspects of mitigation. The question for the HRA of the Site Allocations DPD is therefore not in relation to the principle of the approach, but rather whether it can and is being delivered appropriately within Mid Sussex.

- 7.2 This is supported by the Inspector's Report for the District Plan [DPD8, paragraph 58] which concluded that with Policy DP17, the spatial strategy and the overall housing requirement can be implemented without harm to the Ashdown Forest SPA. The Site Allocations DPD seeks to allocate additional sites to meet the residual necessary to meet the agreed housing requirement for the plan period as set out in the District Plan.
- 7.3 Mid Sussex has one operational SANG at present – East Court & Ashplats Wood in East Grinstead. This is a strategic SANG and provides SANG for the whole of the 7km zone of influence. Future SANG provision is required to ensure capacity for the proposed site allocations included in the Site Allocations DPD and other windfall development within the 7km zone of influence.
- 7.4 The East Court & Ashplats Wood SANG is nearing capacity. A visitor survey for this site is planned to find out about current visitor use and potential future improvements. Not all the development assigned capacity at this SANG has been completed, indeed some development has not yet commenced. This makes it difficult to say with any certainty if the SANG is wholly effective at diverting visitors away from Ashdown Forest since it is not currently operating at full capacity. The effectiveness of the SANG also needs to be considered alongside the SAMM measures for Ashdown Forest which will help to manage visitors at Ashdown Forest. Ongoing monitoring at the East Court & Ashplats Wood SANG will seek to identify its effectiveness and remedy any deficiencies.
- 7.5 The proposed site allocation SA20: Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead includes the provision for a c.43 ha on-site strategic SANG on the western side of the site. Work has been ongoing with the site promoters to refine the details of this proposed strategic SANG and it has also been considered through the Habitats Regulations Assessment (HRA) for the Site Allocations DPD. The proposed on-site SANG will be a strategic SANG which means that the additional capacity that it has will be used for other developments within the 7km zone of influence. The proposed SANG associated with the proposed site allocation SA20 has the capacity to accommodate the number of dwellings proposed for SA20 (550 dwellings) as well as sufficient capacity to meet the other proposed

site allocations included in the Site Allocations DPD that will require SANG mitigation (425 dwellings).

7.6 The HRA for the Sites DPD [HRA1] recommends that:

Paragraph 5.34

SANG provision requires land to be identified in the right location, of the right size and providing the potential to deliver a high-quality natural greenspace that can go some way to replicate the experience of undertaking recreation at Ashdown Forest. SANG provision should therefore be an integral part of plan making, establishing the key principles and locations at the plan level. Attempting to secure SANGs at the project level, without plan policy, will be very difficult, and development may be significantly delayed by a lack of SANG capacity available at the right time for development coming forward. Plan led measures give better certainty in delivery and additional SANG capacity does therefore need to be secured to mitigate for the level of growth in the Site Allocations DPD.

7.7 The discussion for the 2008 visitor survey for Ashdown Forest (UE Associates, 2009) outlined the key features for sites that could act as alternative spaces to visit to Ashdown Forest:

- Proximity to new and existing development
- Feasibility to recreate a sense of the wide open countryside
- The presence of attractive views
- Nature conservation interest to provide the opportunity for people to feel in touch with the natural world, and which could include nature trails and other forms of interpretation
- A sense of security, particularly dog walkers who are most likely to visit alone and at either extremity of the day
- Accessibility and ample parking

7.8 The 2016 visitor survey for Ashdown Forest (Liley *et al.*, 2016) found that people visited because of the:

- Scenery/ variety of views
- Proximity to home
- Suitability for dog walking, including the ability to let the dog off the lead
- Rural feel/ wild landscape
- Wildlife interest
- Choice of routes

7.9 An initial assessment of the suitability of the proposed SANG in SA20 has been undertaken [MSDC-02d]. This assessment of the proposed SANG site against the Natural England SANG criteria shows that the land is suitable to be a SANG. It is considered that the proximity of the SANG to the proposed site allocation SA20 (and SA19) will encourage new residents to visit the SANG for regular dog-walking and other recreational activity. Accessibility to the SANG site is, therefore, important in making it an easy place to visit and careful design and future management will also ensure it is also an attractive place to visit.

7.10 The HRA [HRA1] advises that the proposed SANG identified to be delivered through SA20 is in a suitable location:

Paragraph 5.37

This potential SANG is in a location that provides a feasible alternative to Ashdown Forest, being well related to the large concentration of growth to the north and west of East Grinstead ... It also accords well with the distribution of current use for Ashdown Forest ... providing the potential to draw existing use away from Ashdown Forest.

- 7.11 Identifying the location of the proposed SANG and setting out the requirements in SA20 (Provision of suitably designed and managed onsite strategic SANG – c.40 ha) results in certainty that additional SANG provision can be delivered in a timely manner and to an appropriate standard. The site promoter proposes to deliver the SANG and has provided a concept masterplan which indicates the potential location of the car park, footpaths, wildlife pond and other habitats [SA20.1]. The proposed SANG in SA20 will meet the SANG need for the proposed site allocations in the Site Allocations DPD as well as providing capacity for other windfall development.
- 7.12 Figure 5 shows the current and future planning provision of SANG in Mid Sussex. The East Court & Ashplats Wood SANG is operational; the Hill Place Farm SANG has planning permission and will be delivered as a part of a development of 200 dwellings; and the Imberhorne Farm SANG is that proposed through Policy SA20.

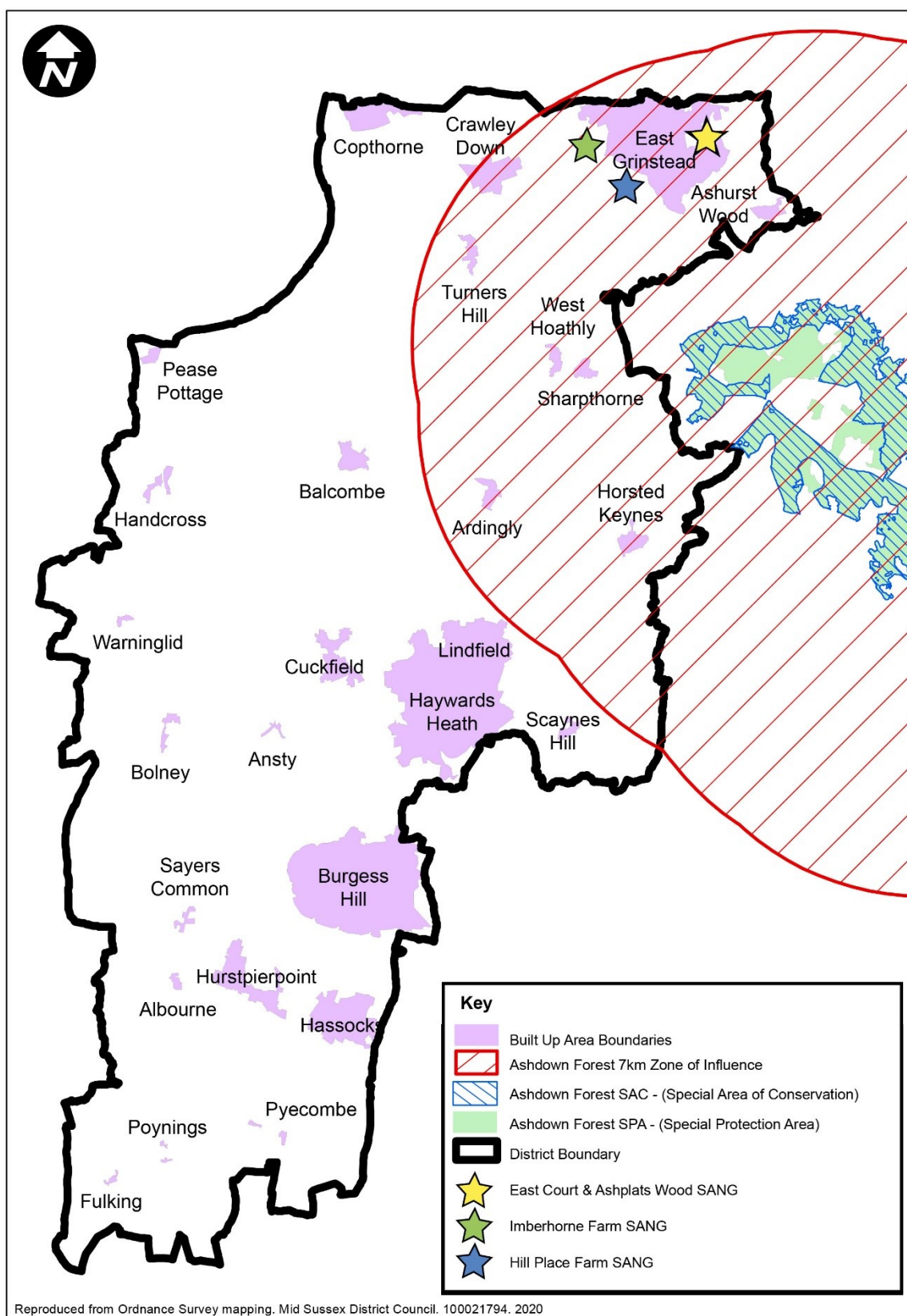


Figure 5 - Current and future SANG provision in Mid Sussex

7.13 Once the two planned SANGs (Hill Place Farm SANG and Imberhome Fam SANG) have been delivered, there will be three SANGs in East Grinstead (Figure 5). These

will offer a choice of local greenspace within walking distance of residents in East Grinstead. East Grinstead is the largest settlement within the 7km of influence and it is considered appropriate to locate SANGs here close to a high number of people and in an area where new housing growth is expected (For example, housing allocations SA18, SA19, SA20, SA22 and SA26).

- 7.14 The SANGs in Mid Sussex will be actively promoted to inform people of locally available greenspace and to encourage visits. Information about the current SANG at East Court & Ashplats Wood is available on the Mid Sussex District Council website and this includes details of facilities, the way-marked 2.5km circular walk, management arrangements, and why this site is important to help protect Ashdown Forest⁴.
- 7.15 The three SANGs that will be delivered in Mid Sussex District respond to the evidence collected elsewhere in the country to provide a choice of local greenspace in close proximity to home. The SANGs will be in walking distance for residents of new housing but also have car parking provision. Information will be distributed to increase awareness of the SANGs as good local greenspace for a variety of recreation such as dog walking, exercise and somewhere to meet other people. This should increase the effectiveness of the SANGs.
- 7.16 The ongoing monitoring framework for the SANGs will also help to identify if any refinements to the management of the sites are required to increase the attractiveness of the site and to enhance the visitor experience.
- 7.17 Alongside SANG, forming an important part of the approach to mitigation, the HRA for the Site Allocations DPD [HRA1, paragraph 5.32] highlights that the 'collection of SAMM contributions is within adopted planning policy in the District Plan and is working well'. The HRA concludes that the 'SAMM aspects of the strategy will continue to be implemented, giving certainty in the function of this part of the strategy'.
- 7.18 The governance arrangements for both SANG and SAMM will ensure the mitigation can be tailored to local circumstances. The current governance structure includes terms of reference for the steering groups and reporting arrangements.
- 7.19 A monitoring strategy has been proposed for the Ashdown Forest SPA. This aims to ensure the mitigation is focused, responsive to changes in access patterns and that the funding collected from developer contributions is appropriately spent. A suggested programme of monitoring is based on approaches elsewhere that implement SANG and SAMM. Bird monitoring (numbers and distribution) of the Dartford Warbler and Nightjar on Ashdown Forest is also important to identify trends and to check if there may be a link with recreational pressure. This is the reason for the mitigation in the first place since the Dartford Warbler and Nightjar are interest features of the SANG and vulnerable to impacts from recreation (Liley, 2018). Monitoring also needs to be a co-ordinated approach so the monitoring strategy for the Ashdown Forest SPA will be reviewed and agreed through the SAMM Partnership.

⁴ <https://www.midsussex.gov.uk/leisure-sport/parks/east-court-ashplats-wood/>

8.0 Conclusion

- 8.1 The SANG and SAMM approach to mitigation is well-established and applied in lots of locations across the country. It is an approach supported by Natural England, the statutory nature conservation body. The Council has also been advised by experts in the field when taking forward this approach to mitigation.
- 8.2 A co-ordinated and strategic approach is necessary to provide the most certainty for protecting the Ashdown Forest SPA and SAC, as well as providing clarity to applicants of proposed development. A co-ordinated and strategic approach allows mitigation to be funded collectively also providing reassurance and certainty that measures can be delivered. Natural England supports the approach taken by Mid Sussex District Council to the Habitats Regulations and other Ashdown Forest matters, including the work undertaken for the Site Allocations DPD.
- 8.3 The approach to mitigation is a long-term strategy. Monitoring at regular intervals is planned and this will help to demonstrate if the strategy is effective and will allow the strategy to be refined as appropriate. The SANG and SAMM mitigation measures will help to ensure that the conservation objectives for the Ashdown Forest SPA are met which will prevent a deterioration of the conservation status of qualifying species for which the SPA has been classified.
- 8.4 SANGs as an area of publicly accessible greenspace can also be an important aspect of other strategies integrating well with health, well-being, green infrastructure and biodiversity priorities.
- 8.5 Habitats Regulations Assessment has been carried out for the Site Allocations DPD in accordance with the relevant legislation and best practice [MSDC-02b]. As the HRA for the Site Allocations DPD [HRA1] concludes, adverse effects on the integrity of the Ashdown Forest SPA can be ruled out. Furthermore, as the HRA process is iterative, another HRA for the Site Allocations DPD will need to be undertaken prior to adoption to take account of any modifications to the Plan. This HRA report can update the sections on SANG, SAMM and monitoring where information is available.
- 8.6 To conclude on the request from the Inspector [Action Point 16 of ID-05], the SANG and SAMM approach to mitigation is well-established and has been tested through numerous local plan examinations across the country, including the Council's own District Plan adopted in 2018. District Plan Policy DP17 is being implemented and aligns with the strategic solution for Ashdown Forest. The Site Allocations DPD seeks to continue with this approach with the HRA [HRA1] concluding that this is appropriate. The effectiveness of SANG and SAMM mitigation will be demonstrated over time and the programme of ongoing monitoring will allow for adjustments to be made to ensure the mitigation continues to be appropriate.

9.0 References

Allinson, E. (2018) *The Role of Suitable Alternative Natural Greenspace Strategy in Protecting High-Value Wildlife Sites*, Faculty of Natural and Environmental Sciences, University of Southampton, PhD Thesis: <https://eprints.soton.ac.uk/427307/>

Cruickshanks, K. and Liley, D. (2014) Results of an on-site visitor survey at Engelmere Pond SANG, Unpublished report by Footprint Ecology: <https://www.footprint-ecology.co.uk/work/reports-and-publications>

Fearnley, H., Liley, D. and Cruickshanks, K. (2010) Visitor Survey Results from Breckland SPA, Unpublished report by Footprint Ecology: <https://www.footprint-ecology.co.uk/work/reports-and-publications>

Lake, S., Liley, D. and Saunders, P. (2020) *Recreation use of the New Forest SAC/SPA/Ramsar: Impacts of recreation and potential mitigation approaches*, Unpublished report by Footprint Ecology: <https://www.footprint-ecology.co.uk/work/reports-and-publications>

Liley, D. (2018) *Ashdown Forest SPA Monitoring Strategy*, Unpublished report by Footprint Ecology

Liley, D. (2020) *A Framework for Epping Forest SAC Mitigation* (Appendix 1 of a report to a meeting of the City of London Corporation Epping Forest & Commons Committee on the 16th November 2020):

<https://democracy.cityoflondon.gov.uk/documents/s142582/SEF%2027-%20APPENDIX%20Mitigation%20Framework%20for%20EFSAC%20FINAL.pdf>

Liley, D., Panter, C. and Blake, D. (2016) *Ashdown Forest Visitor Survey 2016*, Unpublished report by Footprint Ecology: <https://www.footprint-ecology.co.uk/work/reports-and-publications>

Panter, C. (2019) *Thames Basin Heaths SANG Visitor Survey Analysis 2018*, Unpublished report by Footprint Ecology: <https://surreyheath.moderngov.co.uk/documents/s16012/07b%20-%20SAMM%20Project%20Report%20Annex%20A%20Thames%20Basin%20Heaths%20SANG%20Winter%20Visitor%20Survey.pdf>

Panter, C. and Caals, Z. (2020) *Dorset Heaths 2019 Visitor Surveys*, Unpublished report for the Urban Heaths Partnership by Footprint Ecology: <https://www.dorsetheaths.org.uk/reports>

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 by Ecological Planning & Research Ltd: <https://surreyheath.moderngov.co.uk/documents/s16014/07di%20-%20SAMM%20Project%20Report%20Annex%20C%20Thames%20Basin%20Heaths%20Visitor%20Access%20Survey.pdf>

UE Associates (2009) *Visitor Access Patterns on Ashdown Forest*, Report for Mid Sussex and Wealden District Councils: <https://www.midsussex.gov.uk/planning-building/mid-sussex-district-plan/habitats-regulations-assessment-for-the-district-plan/>