

Date: 23 September 2013
Our ref: Case 5912



The Cannock Chase SAC Partnership

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Partner

Cannock Chase SAC – Strategic Mitigation Strategy for New Residential Development

Further to the discussion regarding the strategic mitigation strategy and related Supplementary Planning Document at our most recent SAC Partnership meeting on 29 August 2013 Natural England provides the following advice on the project.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

It is estimated that housing development will increase the number of visitors on Cannock Chase SAC by fifteen percent. Natural England considers that a change on this scale is likely to have a significant effect on the SAC. Thus we welcome the positive approach taken by the partnership in recognition of the potential for new growth to significantly affect Cannock Chase SAC. The commitment to evidence and information gathering is supported and it is apparent that cross boundary working and a plan led approach to ensuring that the SAC is not adversely affected by new growth is the most appropriate and constructive way forward. This view reflects the scale and distribution of the issue, which is a cumulative and in-combination risk from development in a number of LPAs *and* because the most effective impact management measures are unlikely to be deliverable by individual developments. In addition this cross-boundary/plan led approach should lead to fair, consistent and proportionate outcomes.

The information gathered to date, including various reports and studies over the last four years, provides a big step forward in laying the foundations of a strategic approach. At this stage, as individual authorities within the Partnership are now working towards local plan Examinations where policies relating to the strategic approach will be tested, Natural England suggests that it is now important to take stock of the information available and what gaps remain, before a particular approach is finalised and set in policy. Natural England seeks an evidence based and robust approach, which will protect the SAC, yet minimise burdens on planning authorities and developers.

Our advice is that some uncertainties and information gaps remain, particularly in relation to the need to minimise burdens on planning authorities and developers, and also that there are some further options to explore before any strategic approach is finalised.

Zone of Influence

Natural England has advised the Partnership on the Lepus report¹ in our letter dated 24 May 2013. We accept the evidence indicating that 75% of visitors to the SAC come from within 15km and that therefore there is reason to apply planning measures to residential development within this zone in particular. However, it is possible that a significant proportion of the impact comes from farther than this, for example because of the intrinsic attractiveness of Cannock Chase for mountain bikers. Thus further consideration should perhaps be given to how best a zoned approach can be used.

Current status of SAC interest features

The key messages from the Footprint Ecology report 'Impacts of Recreation to Cannock Chase SAC' (2012) state that visitor pressure is having a range of effects, foremost amongst which are:

- trampling and vegetation wear, including a shift away from typical heather to grass-dominated vegetation
- widening of paths with damage to path-side vegetation
- erosion of vegetation cover or soils
- eutrophication from dog waste and horse dung, again causing a shift away from typical heathland plants to those indicating higher nutrient status

The SAC and SSSI are currently the subject of a Higher Level Stewardship agreement which includes management prescriptions to deliver:

- Restoration of heathland from neglected sites
- Restoration of forestry areas to lowland heathland

In recognition of this agreement the SSSI has most recently been assessed (2011) as being in an 'unfavourable recovering' condition. Recreation pressure is identified as a risk to the site's condition, rather than as having already had a damaging impact. We intend to give further consideration to the condition of the site, because it may shed light on current trends in recreational access and the capacity of the site to absorb higher visitor numbers.

Whilst we are seeking to provide as much information as possible relating to current condition, it should be noted that any uncertainty which may exist over current status of SAC interest features does not mean that measures to avoid/mitigate for future growth may not be necessary. The evidence indicates that there will be a 15% increase in visitors, and there isn't enough information at this stage to demonstrate that the site can absorb this growth without adversely affecting site interest features.

Establishing a Baseline for Future Monitoring

Monitoring is an important part of any strategic approach for Cannock Chase SAC and Natural England fully supports the establishment of a baseline accordingly. The 'baseline' is in part the quick establishment of the current status of interest features, as above, but also needs to be at a more detailed level in order to pick up current trends and put in place a consistent monitoring programme for the duration of the strategy. This will help to inform adjustments to the chosen mitigation measures where necessary. However, monitoring should not be necessary in itself to demonstrate the success of avoidance measures, as Competent Authorities must be sure of this from the outset, if they are relying upon it for avoidance of significant effect.

¹ "Analysis of Visit Frequency at Cannock Chase Special Area of Conservation (SAC)" April 2013

On Site Measures – their Role

The significant cost of Suitable Alternative Natural Greenspace (SANGs), being the majority of the predicted cost of the avoidance and mitigation package proposed by Footprint Ecology², means that their inclusion in the package must be a) properly justified and b) taken forward in the least onerous way. This would first require consideration of the role of on-site measures as a means of avoiding and mitigating for impacts. Natural England recommends that the on-site measures are given further consideration as a matter of urgency, as it may be possible to strengthen their role in the overall mitigation package, helping to lessen the cost of the package of measures overall. Natural England recommends consideration of the following in order to improve the robustness of the strategy:

- Is it possible to determine what proportion of the increased visitor numbers would be accommodated by the suite of on-site access management measures?
- Can the full 15% increase be accommodated by on-site access management (bearing in mind the need for a precautionary approach and certainty of adequate mitigation)?
- Are there any further opportunities for on-site access management other than those identified by Footprint Ecology?
- What on-site measures can be delivered by land managers without additional cost/with minimal additional cost, and what measures are over and above their ability to deliver?

Through these questions the Partnership will be able to form a view on the extent to which on-site measures can be relied upon to prevent significant effect, and on the on-site measures for which it would be appropriate to seek developer funding.

Off site Measures

Our developing understanding of visitor patterns suggests that SANGS may not be effective for all visitor categories, for example, mountain bikers. Thus there is a question both of their necessity, over and above on site measures and of their precise function. At this stage Natural England's advice is that the approach to SANGS should not be made rigid. Our expectation is that, for the sake of minimising burden on developers and planning authorities, SANGS should be relied upon only to the extent that they are essential as avoidance measures over and above measures on the SAC and adjoining land. It may therefore be best to phase consideration of SANGS, perhaps with an early pilot phase, but only to establish SANGS as a core response if the early stages of the avoidance strategy show them to be necessary and effective on this site.

Similar issues will apply in respect of targeted additional open space (TAOS). The Footprint Ecology reports provide a basis for the Partners to consider the provision of TAOS. It will be essential for the Partners to determine the circumstances where TAOS may be either a) required as essential and/or b) form a logical, proportionate and integral part of the design of larger residential developments. The TAOS requirement should then be specifically referred to in any plan based allocations, site master-planning, greenspace strategies etc.

² 'Appendix 1 Indicative Costings' - Cannock Chase SAC Visitor Impacts Mitigation report - Footprint Ecology, 2012

Suggested approach for imminent plans and development projects awaiting approval

Natural England acknowledges that there are applications which need to be determined before policy is in place. We advise that case by case consideration will need to be given to these, and we will support this approach as far as we can through our advice.

Whilst the extent of reliance upon SANGS is not yet clear, experience from elsewhere suggests SANGS to be the most expensive of the avoidance options. To this extent (though we are not in a position to evaluate the SANGS costings which have been made), full reliance on SANGS could be regarded as a worst case scenario in cost terms. Thus we advise that if the LPA Partners were to base an interim tariff on the realistic costs of SANGS delivery, then you could be confident that this would provide the funding necessary for avoidance, even if the SANGS approach did not turn out to be selected

Should there be a possibility that avoidance measures will be less costly than thought at the time of setting the tariff, it may be appropriate for the LPA Partners to put in place a mechanism for reimbursing developers.

For any queries relating to the specific advice in this letter only please contact me on 0300 060 1640.

Yours sincerely

Antony Muller
Lead Adviser, Natural England Land-use Operations Team