

## **Response to examiner’s clarification note – Supplementary joint response from South Cambridgeshire District Council and Harston Parish Council on Policy HAR 28**

This response sets out how both South Cambridgeshire District Council (SCDC) and Harston Parish Council (HPC) have come to an agreed way forward relating to comments made on Policy HAR 28 by SCDC in their response (Paragraph 49) to the Regulation 16 consultation on the Harston Neighbourhood Plan.

SCDC in their response (see paragraph 49) commented:

“Clause 2, second bullet point, requires promotion of ‘circular walking routes of at least 2.7km, dedicated dogs off lead areas and dog waste bins’ to mitigate for recreational pressure on SACs and Ramsar sites. It is unclear where this requirement comes from and exactly what any proposed development on this site will need to do to meet this requirement.”

SCDC was seeking clarity as to where the requirement in clause 2 of Policy HAR 28 had come from, as the plan gives no indication in the supporting text as to why this specific requirement is included. HPC has confirmed that the requirement in clause 2 comes directly from the Habitat Regulations Assessment - Appropriate Assessment, which is included in the [Strategic Environmental Assessment \(SEA\) and Habitat Regulations Assessment \(HRA\) Screening Determination Statement for Harston Neighbourhood Plan \(April 2024\)](#).

SCDC and HPC propose that additional text should be added in the supporting text to this policy (after paragraph 14.13) to provide clarity on the reasoning for this requirement for anyone considering proposals for new homes on this site.

Clause 2 of Policy HAR 28 is a specific recommendation from the Appropriate Assessment that responds to the need to seek mitigation measures to address potential additional recreational pressure on Sites of Special Scientific Interest (SSSIs) from new homes. The process undertaken by Place Services of considering Impact Risk Zones of specific distances from SSSIs for particular issues, such as recreation pressure from new homes, takes account

of Natural England's advice to Local Planning Authorities in Cambridgeshire (July 2019, attached). Natural England were consulted on the HRA and SEA screening report, including Appropriate Assessment, and responded:

"Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the Neighbourhood Plan, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured." (see Natural England response included in the SEA and HRA Screening Determination Statement)

Supporting text paragraph 9.11 of Policy SC/4 of the adopted South Cambridgeshire Local Plan 2018, allows for financial contributions to be secured towards a particular requirement arising directly from a development and which is necessary to mitigate the impact of that development.

SCDC and HPC propose that the following supporting text should be added to the Harston Neighbourhood Plan, after paragraph 14.13:

"Due to the potential recreational pressures from new homes on this High Street site on habitat sites at Eversden and Wimpole Woods SAC, Wicken Fen Ramsar site and Fenland SAC, HNP has been subjected to an Appropriate Assessment in line with the Conservation of Habitats and Species Regulations 2017 (as amended). Following Natural England guidance mitigation measures are required from this development that encourage new residents to use other alternative accessible greenspaces and dog walking routes for significant proportions of their day to day recreational needs. A financial contribution to Harston Parish Council for the provision of information to new residents on local greenspaces and walking routes, dog off-lead areas, and locations of dog waste bins, will be sought to meet this requirement."

As the requirement in clause 2 of the policy is directly from the Habitat Regulations Assessment - Appropriate Assessment, SCDC and HPC consider that any changes to the wording in this clause of the policy would need to be subject to re-consultation with the three statutory bodies of Natural England, Historic England and the Environment Agency as a result of it being a change to the recommendations of the Appropriate Assessment. We therefore have only proposed changes to the supporting text to provide clarity.

Date: 12 July 2019  
Our ref: 330067



Cambridge City Council  
East Cambridgeshire District Council  
Fenland District Council  
Huntingdonshire District Council  
Peterborough City Council  
South Cambridgeshire District Council

Customer Services  
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Cc. Cambridgeshire County Council

**BY EMAIL ONLY**

Dear All

**Update to Natural England's Impact Risk Zones (IRZs) to ensure appropriate consideration of recreational pressure impacts, through relevant residential development, to sensitive Sites of Special Scientific Interest (SSSIs).**

This letter is to inform your authorities that Natural England has recently updated its Impact Risk Zones (IRZs) for a number of Sites of Special Scientific Interest (SSSIs) across Cambridgeshire, including Peterborough. This is to reflect potential zones of influence for publicly accessible SSSIs sensitive to the effects of recreational pressure. Some of these sites are also internationally designated as European sites<sup>1</sup>. This follows a review of available information, in collaboration with site managers, to identify SSSIs where visitor pressure is already known to be posing a significant risk to notified site features, to the extent that this is currently or will imminently affect SSSI favourable condition status. The amended IRZs indicate where planning applications for new residential development need to consider recreational pressure impacts to nearby sensitive SSSIs.

**Natural England's Impact Risk Zones (IRZs)**

As the government's conservation advisory body, Natural England has a number of statutory duties and general responsibilities in relation to SSSIs. These include providing advice to local planning authorities on the potential direct and indirect impacts of development on SSSIs to ensure their protection and enhancement in line with the National Planning Policy Framework (NPPF) and development plan policies.

The IRZs are a GIS tool developed by Natural England to make a rapid initial assessment of the potential risks to SSSIs posed by development proposals. They define zones around each SSSI which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts.

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<sup>1</sup> Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites; the latter are listed or proposed Wetlands of International Importance under the Ramsar Convention and are protected as a matter of Government policy. Paragraph 176 of the National Planning Policy Framework applies the same protection measures as those in place for European sites.

The IRZs are updated regularly to reflect improvements in our evidence and understanding of the sensitivities and potential risks to SSSIs. They are available to view via [www.magic.defra.gov.uk](http://www.magic.defra.gov.uk)

### **Recreational pressure**

There is increasing evidence, for example through Natural England's [MENE<sup>2</sup>](#) survey, that more people are accessing the natural environment than ever before for activities such as daily exercise, dog-walking and enjoyment of the countryside. In contrast, studies including Natural England's Accessible Natural Greenspace Analysis, used to inform preparation of the [Cambridgeshire Green Infrastructure Strategy](#), indicate a deficiency in levels of provision of accessible natural greenspace across most Cambridgeshire districts. The absence of alternative areas of high quality accessible greenspace, together with significant levels of growth and housing development across the county means the existing green infrastructure network, including sensitive SSSIs, are facing significant additional pressure.

Our recent review of publicly accessible SSSIs across Cambridgeshire has identified those sites where the nationally notified interest features are known to be at significant risk from the effects of visitor pressure. This has confirmed that many sites are already at recreational carrying capacity with limited opportunity for further access management measures to deal with additional visitors. Many of the SSSIs at risk are small, isolated sites that already experience high levels of visitor pressure. Many of these sites are owned and/or managed by the Wildlife Trust as County Wildlife Sites (CWSs). Grassland and woodland sites are particularly vulnerable with evidence of damaged vegetation through trampling, notified bird species being disturbed by dogs running off-lead and reports of dogs worrying livestock, compromising the essential grazing management of sites. Other effects such as soil compaction and nutrient enrichment through dog-fouling, affecting plant community composition and species diversity, is evident at many of these sites.

Based on this review Natural England has amended the IRZs for the relevant SSSIs to indicate where proposals for residential development pose a potential risk to these sites through recreational pressure. The amended IRZs can be viewed via [www.magic.defra.gov.uk](http://www.magic.defra.gov.uk). Where a development location triggers the residential IRZ for recreational pressure the following pop-up note will appear:

*Housing development will require proportionate assessment of recreational pressure effects on relevant SSSIs and measures to mitigate adverse impacts e.g. alternative open space provision. For further advice see Natural England's Discretionary Advice Service.*

The amendments to the IRZs introduce a recreational pressure 'zone of potential risk' for SSSIs of either 2km or 5km. This is a best estimate of the distances people are travelling to access these sites regularly based on currently available information and anecdotal records, together with evidence 'in the field' of damage or disturbance to site notified features.

Whilst Natural England appreciates the need for LPAs to give due consideration to existing Local Plan policy, our advice is that risk to SSSIs, evidenced through the IRZs, should be rigorously assessed and adverse impacts appropriately avoided and mitigated. Amendments to the IRZs aim to help developers and LPAs to identify relevant residential development to enable a robust assessment and mitigation of recreational pressure impacts.

Further information and guidance is provided in Annex A to help your authorities ensure the effects of recreational pressure are appropriately considered and adverse impacts mitigated through the ecological impact assessment (EclA) process. This aims to help you make planning decisions that are sufficiently informed to ensure development protects designated sites and contributes towards delivery of net biodiversity gains in accordance with paragraphs 170 and 175 of the NPPF<sup>3</sup> and in

<sup>2</sup> Natural England Monitor of Engagement with the Natural Environment

<sup>3</sup> 170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

175. When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

accordance with your responsibilities under Conservation of Habitats & Species Regulations 2017 (as amended), Wildlife & Countryside Act 1981 (as amended), Town and Country Planning (Development Management Procedure) (England) Order 2015 and [s40 of the NERC Act 2006](#).

We would expect these amendments and associated guidance to significantly reduce the need for consultation with Natural England on applications where recreational pressure is the only issue. Due to significant resource constraints we are only able to offer detailed advice on the most complex cases, for example where uncertainty remains with regard to mitigation measures to address adverse impacts to European sites. In most cases our responses will include standard guidance similar to that provided in Annex A. Developers can request detailed advice through Natural England's [Discretionary Advice Service](#) (DAS).

The relevant Cambridgeshire SSSIs are listed in Annex B. For those SSSIs also designated as European sites the requirements of the Conservation of Habitats & Species Regulations 2017 (as amended) (the Habitats Regulations)<sup>4</sup>, apply. The planning authority, as competent authority under the provisions of the Habitats Regulations, must ascertain that the project will not adversely affect the integrity of any European site before granting planning permission, for any plan or project that is likely to have a significant effect on that site (Regulation 61). Requirements are set out within Regulations 61 and 62 of the Regulations. The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment (HRA) process, available on the Defra website.

### **Addressing Recreational Pressure through Local Plans**

This note sets out Natural England's proposed interim approach to alleviating the recreational pressure impacts of residential development on SSSIs in Cambridgeshire. However, given the scale of proposed growth across the County we believe that the issue requires a strategic solution<sup>5</sup>, to address the cumulative impacts of development, progressed via an evidence based approach through Local Plans. Central to this would be the identification of a package of mitigation measures focusing on the provision of Suitable Alternative Natural Green Space (SANGS) capable of meeting people's needs and diverting pressure away from, and thus avoiding adverse impact to, sensitive designated sites. Additional SSSI access monitoring and management measures may also be required. These measures are discussed further in Annex A.

We believe the best way to progress this approach would be through a comprehensive access study and mitigation and enhancement strategy, the findings of which would inform a revised Green Infrastructure Strategy. The Strategy would identify a package of mitigation measures, including SANGS, to be delivered by development, secured through robust Local Plan policies. Appropriately designed SANGS will deliver additional benefits including enhancement, buffering and connectivity of SSSIs, local wildlife sites and priority habitats. This will increase the resilience of the natural environment to future development pressures and help achieve a significant contribution towards delivery of biodiversity net gain.

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest.

<sup>4</sup> Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the 'Habitats Regulations'). Requirements are set out within Regulations 63 and 64 of the Habitats Regulations, where a series of steps

and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 63 and 64 are commonly referred to as the 'Habitats Regulations Assessment' process. The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website. <http://www.defra.gov.uk/habitats-review/implementation/processguidance/guidance/sites/>

<sup>5</sup> Natural England has worked with LPAs in Suffolk and Essex to implement a strategic solution for mitigating recreational disturbance impacts on coastal European sites through a Recreational disturbance Avoidance and Mitigation Strategy (RAMS).

Natural England is working with key stakeholders with a view to progressing such an approach through the next phase of Local Plans review. Further emerging work could usefully inform any review, for example the Cambridgeshire Local Nature Partnership's Biodiversity Net Gain / Offsetting and Habitat Opportunity Mapping (HOM) projects and Natural England's Green Infrastructure Standards and Guidance. In addition to protecting biodiversity and geodiversity a strategic approach could ensure Local Plans deliver net gains in accordance with paragraph 174 of the NPPF and the Defra 25 Year Environment Plan. In the meantime we hope that the advice provided in this letter offers useful interim guidance to help your authorities ensure that recreational pressure impacts to SSSIs are appropriately considered through relevant planning applications.

I will aim to follow this up with a phone call in the next week or so to discuss any queries you may have. In the meantime, please do not hesitate to contact me on [REDACTED]

Yours sincerely

Janet Nuttall MCIEEM, CEnv  
Sustainable Land Use Adviser

## **Annex A: Natural England guidance for assessing and mitigating the recreational pressure impacts of residential development to SSSIs within Cambridgeshire.**

The advice below is to highlight key points that Natural England would expect to be considered through the ecological impact assessment process for relevant development triggering the Cambridgeshire SSSI Recreation Pressure IRZs, available to view via [www.magic.defra.gov.uk](http://www.magic.defra.gov.uk). The relevant SSSIs are listed in Annex B.

Please note that this is not intended to provide comprehensive guidance to the Ecological Impact Assessment (EclA) process. Our advice seeks to encourage the application of a robust and proportionate approach to assessing and mitigating recreational pressure impacts in accordance with CIEEM best practice guidelines<sup>2</sup>.

### **Relevant planning applications**

Natural England advises that for the purpose of assessing recreational pressure impacts relevant planning applications could include the following types of development where they fall within Natural England's Cambridgeshire Recreational Pressure IRZs:

- New dwellings (excluding replacement dwellings and extensions)
- Houses in Multiple Occupancy (HMOs)
- Student accommodation
- Residential care homes and residential institutions (excludes nursing homes)
- Residential caravan sites (excludes holiday caravans and campsites)
- Gypsies, travellers and travelling show people plots

### **Screening and assessing potential impacts**

Natural England is unable to specify development thresholds; however, taking a proportionate approach we believe it should be possible for most proposals below 50 dwellings to be screened out for likely significant effect. If, in the opinion of the LPA, a smaller proposal closer to a SSSI(s) is considered likely to have significant effect, impacts should be assessed.

Adequate justification should be provided to inform any decision to screen out potential recreational pressure impacts. Factors such as lack of formal car parking facilities or the availability of existing open space should be supported by appropriate evidence.

The detailed assessment should take a proportionate but robust approach in accordance with CIEEM EclA guidelines. This will be particularly influenced by the scale and nature of the proposed development and opportunities to avoid recreational pressure impacts. Assessment of recreational pressure impacts should preferably be based on recent visitor survey data, to establish the baseline and to enable prediction of the likely increase in visitor levels associated with the development. The need for visitor surveys to inform the assessment will be dependent on a range of factors including the scale of development and the availability and reliability of any existing data. Natural England's advice is that a visitor survey should be undertaken for larger residential developments, particularly where significant cumulative impacts are likely, unless alternative evidence is available to adequately inform the assessment.

Specific regard should be given to the SSSI special interest features and conservation objectives which can be found [here](#). Natural England strongly recommends that the assessment is informed by advice from site managers regarding current visitor pressures to the SSSI(s) and the availability of habitat management and access control measures to manage existing and future levels of pressure.

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<sup>2</sup> CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management, Winchester.

For SSSIs also designated as European sites the assessment will need to consider the sensitivity of the site qualifying features to the effects of recreational pressure. Reference should be made to the sites' [Conservation Objectives](#) and advice obtained through discussion with site managers.

### **Avoidance and mitigation measures**

In accordance with the ecological mitigation hierarchy priority should be given, wherever possible, to implementing avoidance measures to address adverse impacts. Mitigation to address adverse recreational pressure impacts generally requires a package of avoidance and mitigation measures comprising delivery / contribution towards delivery of alternative greenspace to maximise avoidance of impacts by diverting new visitors away from the sensitive SSSI, together with SSSI access management measures, where required / available. However, appropriate mitigation measures should be determined by the findings of the assessment.

Many accessible SSSIs across Cambridgeshire and Peterborough are already at recreational carrying capacity with limited potential for additional access management measures to deal with any increase in visitors. However, any opportunities for this should be discussed with site managers. With this in mind provision of sufficient quantity and quality of alternative accessible natural greenspace within or close to the development boundary is likely to be key to all eviating recreational pressure on SSSIs. Such provision can help minimise any predicted increase in visitors to designated sites by containing the majority of recreational activity within and around the development site boundary away from more sensitive sites, thus avoiding adverse impact.

We advise that reference should be made to Natural England's Suitable Alternative Natural Green Space (SANGS) [guidance](#) which requires a quantum of SANGS at a rate of 8ha per 1000 population. Whilst this guidance is specific to the SANGS creation for the Thames Basin Heaths Special Protection Area (SPA) the broad principles are more widely applicable. We recommend that the design and layout of accessible green space should seek to accord with Natural England's [Accessible Natural Greenspace Standards](#) (ANGSt) as far as possible. As a minimum, we advise that alternative accessible greenspace should include:

- High-quality, informal, semi-natural areas in accordance with SANG and ANGSt where possible;
- Circular dog walking routes within the site and/or with links to surrounding public rights of way (PRoW) – the average requirement is ~ 2.7 km;
- Dedicated 'dogs-off-lead' areas and dog waste bins;
- On-site signage and/or information leaflets to promote these areas for recreation;
- A commitment to the long term maintenance and management of these provisions.

Green infrastructure / SANGS should be designed to absorb significant proportions of the day to day recreational needs of new residents, such as walking, dog-walking, jogging / exercise, children's play facilities, and other informal recreation including enjoyment of the countryside. It should also aim to provide a semi-natural character, with significant proportion of semi-natural grassland, woodland, scrub and wetland habitat. Dependent upon a range of factors, including the scale of development, consideration could be given to the provision of other amenities such as café / refreshment and toilet facilities.

The following additional or possible alternative measures to mitigate recreational pressure impacts may also be appropriate:

- SSSI Site Access and Management Measures (SAMMs);
- Improvement of existing green space and recreational routes;

- Monitoring the impacts of new development on designated sites to inform the necessary mitigation requirements and future refinement of any mitigation measures.

Developers wishing to seek substantive advice on recreational pressure impacts and mitigation relating to SSSIs should be directed to Natural England's [Discretionary Advice Service](#) (DAS). It may also be prudent to seek the advice of the Wildlife Trust in relation to SSSIs managed as CWSs.

#### Annex B: Cambridgeshire Recreational Pressure IRZ Component SSSIs

| SSSI Name   | Zone of potential risk: Higher (H) / Lower (L) | District  |
|---|--|---|
| Barnack Hills and Holes SAC   | H  | Peterborough  |
| Berry Fen   | L  | Huntingdonshire   |
| Brackland Rough   | L  | East Cambridgeshire   |
| Brampton Wood   | H  | Huntingdonshire   |
| Cam Washes  | H  | East Cambs, South Cambs   |
| Castor Flood Meadows  | L  | Huntingdonshire   |
| Castor Hanglands  | L  | Peterborough  |
| Cherry Hinton Pit   | L  | Cambridge City  |
| Dogsthorpe Star Pit   | L  | Peterborough  |
| Devil's Dyke (parts also designated as SAC) Fleam Dyke Roman Road   | H  | East Cambridgeshire<br>South Cambridgeshire<br>South Cambridgeshire   |
| Ely Pits and Meadows  | L  | East Cambridgeshire   |
| Eversden and Wimpole Woods SAC  | H  | South Cambridgeshire  |
| Fowmere Watercress Beds   | H  | South Cambridgeshire  |
| Fulbourn Fen  | L  | South Cambridgeshire  |
| Grafham Water   | L  | Huntingdonshire   |
| Great Wilbraham Common  | L  | South Cambridgeshire  |
| Gamlingay Wood<br>Hardwick Wood<br>Hayley Wood<br>Buff Wood<br>Waresley Wood<br>Overhall Grove<br>Papworth Wood | H  | South Cambridgeshire<br>South Cambridgeshire<br>South Cambridgeshire<br>South Cambridgeshire<br>Huntingdonshire<br>South Cambridgeshire<br>South Cambridgeshire |
| Houghton Meadows  | L  | Huntingdonshire   |
| Hemingford Grey Meadow  | L  | Huntingdonshire   |
| Orwell Clunch Pit   | L  | South Cambridgeshire  |
| Ouse Washes SAC, SPA and Ramsar   | L  | East Cambridgeshire   |
| Portholme SAC   | H  | Huntingdonshire   |
| Nene Washes SAC, SPA and Ramsar   | L  | Fenland, Peterborough   |
| Southorpe Meadow  | H  | Peterborough  |
| Southorpe Paddock   | L  | Peterborough  |
| Shepreth L-Moor   | L  | South Cambridgeshire  |
| Thriplow Meadows  | L  | South Cambridgeshire  |
| Upwood Meadows  | H  | Huntingdonshire   |
| Wansford Pasture  | H  | Peterborough  |

|                          |   |                 |
|--------------------------|---|-----------------|
| Warboys and Wistow Woods | L | Huntingdonshire |
| Woodwalton Marsh         | L | Huntingdonshire |

Other Cambridgeshire SSSIs are not considered to be at significant risk from recreational pressure based on evidence currently available. This list is subject to change, for example through any evidence obtained through a specialist visitor study. Sites such as Wicken Fen have not been included as this may be subject to a separate detailed study in the near future. The National Trust manage this site and their advice should be sought regarding potential recreational pressure impacts and mitigation measures.