

## Thames Basin Heaths Special Protection Area (SPA): Explanatory Note

The Thames Basin Heaths, which cover parts of Surrey, Hampshire and Berkshire, are a rare example of lowland heathland, and are home to three important bird species. The heaths are protected under European legislation (EU Directive 79/409/EEC). The SPA supports populations of bird species of European importance; specifically Nightjars, Woodlarks and Dartford warblers. These species nest on or near the ground, and are susceptible to predation and disturbance, particularly from walkers and domestic pets (especially cats and dogs).

The Districts and Boroughs around the Thames Basin Heaths are subject to pressure for development (in particular new housing), and Natural England has determined that the cumulative effects of developments pose a potential long-term problem for the protection of these species and their habitats.

The nearest part of the Thames Basin Heaths SPA to Mole Valley district is Ockham and Wisley Common SSSI, which is designated for its lowland heathland, and the presence of nightjars. However, no part of this is in Mole Valley, nor is any part of the 400 metre "exclusion zone", which is immediately around the SPA extents.

A small part of the north-west of the built up area of Bookham, together with the associated rural hinterland, is in the 400m - 5km zone identified in the Thames Basin Heaths SPA Delivery Framework. The 5km zone has statutory status being referenced in the South East Plan (2009) Policy NRM6, which has not been revoked. Natural England considers new housing development in this zone will have a potential impact on the Thames Basin Heaths SPA, which should be mitigated. As such a small extent of the built-up area of Bookham is within the 5km zone, Mole Valley District Council (MVDC) is a peripheral authority and is not a signatory to the Thames Basin Heaths SPA Delivery Framework; nor has it been required to have a strategy of allocating suitable alternative natural greenspace (SANG) to mitigate the impacts of new residential development on the SPA.

The established position is that MVDC consult Natural England on all planning applications for residential development within the 5km linear buffer from the SPA. However, Natural England would not normally object to small scale residential development in this limited built-up area, providing the development proposal is beyond a 5.2km travel distance from the nearest part of the Thames Basin Heaths SPA (see Map 1). Natural England will consider the impact of larger residential proposals in the 5km zone on a case by case basis. It is Natural England's judgement as to what constitutes larger development.

Natural England is also consulted on developments of 50 dwellings or more within an additional buffer zone of 5 - 7km from the SPA (as set out in the Thames Basin Heaths SPA Delivery Framework: footnote 6). Map 2 identifies this extent. In Mole Valley this includes additional parts of Bookham together with parts of Fetcham and Leatherhead and their rural hinterlands. Within this 5 - 7km buffer area Natural England consider developments of 50 dwellings or more should be assessed on a case by case basis for the provision of appropriate mitigation.

Anyone considering submitting proposals for residential development in the parts of Mole Valley district within the 5km zone, and proposals of 50 or more dwellings in the 5 - 7km buffer zone, are encouraged to contact Natural England themselves prior to submitting a planning application. Further information on Natural England's pre-application advice service is available at:

<https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals>

The General Permitted Development Order 2015 allows the conversion of some buildings (for example offices and agricultural buildings) to residential through a prior approval procedure. Within areas affected by the Thames Basin Heaths SPA, the requirements set out above prevail. In such circumstances, whilst prior approval for the conversion may be issued, the development cannot commence until there has also been approval under the Habitats Regulations. The Habitats Regulations approval may be in the form of mitigation agreed with Natural England (a financial contribution) or confirmation from Natural England that they do not object to the proposal.