

**Cannock Chase
Special Area of Conservation Partnership Project**



**Strategic Access Management and Monitoring Measures
'Frequently Asked Questions'**

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The following questions and answers illustrate a number of scenarios or issues that have arisen since the strategic project began. They are not intended to represent an exhaustive list but rather to provide a supplement to the information provided in the relevant local planning authority's (LPA) published document 'Cannock Chase SAC – Guidance to mitigate the impact of residential development'. You can find a copy of this on the LPA planning website under Local Plan 'evidence base'.

· **Does mitigation need to be provided for replacement dwellings?**

Where the new replacement dwelling is similar in size and scale then no developer contribution is needed. LPA planning officers - If in doubt where replacement dwelling significantly alters the original's scale then please refer to your Guidance to mitigate document and if necessary seek advice from NE. NB Refer applicant to Natural England's Discretionary Advice Service (DAS) where appropriate.

Developers and their agents – please refer to our DAS information page link

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

and complete our request form;

<https://www.gov.uk/government/publications/charged-environmental-advice-service-request-form>

· **Do proposals for care homes need to provide mitigation?**

Development proposals falling into Use class C3 are treated as residential development. A number of schemes for 'over 55s' have come forward within the SAC zone of influence in recent years and these have been treated as normal residential development. This is because of our aging society i.e. while people may choose to retire at 55 their interest in recreation is likely to be as great if not greater than residents of a younger age e.g. on account of available time and disposable income. We therefore need to ensure that these developments contribute to the SAMMM.

In contrast Use Class C2 deals with care homes for the elderly (65+) and is generally acknowledged as catering for residents with appreciably less ability than the average to make use of recreation opportunities at a site like the Cannock chase SAC / Country Park. Such developments will generally tend to provide on site, tailored outdoor space for their residents as an integral part of the development scheme. As a result where Use Class C2 is demonstrated no developer contribution is required.

- **Do proposals for Gypsy and Traveller sites need to provide mitigation?**

Permanent pitches are regarded as residential development for the purposes of the Habitats Regulations and so the LPA guidance on developer contributions applies here also.

- **Do 'reserved matters' applications need to provide for mitigation?**

Provided that an outline application has taken account of the most up to date Cannock Chase SAC evidence base information and a suitable developer contribution has been secured in line with the LPA's guidance, reserved matters applications will not normally need to re-consider HRA and/or developer contributions.

In some cases however, where the HRA process may have been omitted previously or new information material to the SAC project and SAMMM has become available since grant of outline approval, the LPA may need to carry out further HRA and/or apply any revised developer contribution tariff. This approach is supported by legal opinion.

- **Housing in multiple occupation (HMOs)**

Only a very small proportion of development in the zone of influence around the SAC is classed as HMOs. LPAs should monitor the scale of such development conversions or new proposals in order to understand the numbers of units involved and potential for additional recreation pressure on the SAC. They should consult with NE where in doubt regarding mitigation for recreation pressure on the SAC.

- **Large housing development proposals outside the 0-15km zone of influence**

The LPA will need to carry out an HRA screening taking into account the nature, scale and location of such developments. This screening should consider all relevant European sites by applying the 'source-pathway-receptor' approach.

When considering such a development proposal's potential impacts on Cannock Chase SAC in particular, developers and competent authorities (Local Planning Authorities) should take account of the strategic project evidence base and identify ecological pathways that might reasonably link the application site with the SAC. This approach will help to ensure the LPA has suitable information to allow an HRA to be carried out.

Depending on the scale of such developments and their location in terms of ease of access to the SAC by road then design measures may be advisable to mitigate potential recreation impacts on the SAC. The evidence base and SAMMM provide further information on the nature of recreation impacts and existing measures to manage and/or mitigate these.