

Chiltern Beechwoods SAC

Briefing Note

18/03/2022

Ref No : 368

Introduction

On the 14th of March 2022, Natural England (NE) issued advice to Buckinghamshire Council (Aylesbury Vale & Chiltern areas), Central Bedfordshire Council, Dacorum Borough Council, St Albans City & District Council and Hertfordshire County Council, to highlight 'significant recreational impacts' upon Chilterns Beechwoods Special Area of Conservation (SAC) and a requirement for the preparation of a mitigation strategy to address the impacts.

What is the Chilterns Beechwoods Special Area of Conservation (SAC)?

A Special Area of Conservation (SAC) is a designation under European Directive 92/43/EEC, and under UK statute, the Conservation of Habitats and Species Regulations 2017 (as amended).

The Chilterns Beechwoods SAC was initially designated on the 1st of April 2005 by the Secretary of State for the Department for Environment, Food and Rural Affairs (DEFRA), due to the importance of its local habitats. The Chilterns Beechwoods is an extensive tract of ancient, semi-natural beech (*Fagus sylvatica*) forest which runs through Buckinghamshire, Hertfordshire, Oxfordshire and Berkshire. Of particular concern to NE in this case are the Ashridge Commons and Woods Sites of Special Scientific Interest (SSSI) which form part of the wider SAC.

The designation of the area imparts a duty on public authorities to take reasonable steps to ensure the conservation and enhancement of the SSSIs.

Significant Recreational Impacts

As a basis for the designation, one of the constituent authorities, Dacorum Borough Council, instructed research on the impacts of recreational pressure at Chilterns Beechwoods SAC to inform the Habitats Regulations Assessment (HRA) for the Emerging Local Plan. The research undertaken has been applied across a range of

Local Authorities identified as partly or wholly within a 12.6km 'Zone of Influence' and contribute to more than 2% of visits to the SAC.

The location of the Chiltern Beechwoods SAC and areas affected by the 12.6km ZoI are shown on Figure 1 attached. In addition to Dacorum the following LPA areas are impacted:

- Central Bedfordshire
- Luton
- St Albans
- Watford
- Three Rivers

Implementation

The assessment report produced for Dacorum Council concludes that the greatest pressure on the Chilterns Beechwoods SAC arises from the recreational use of the area, which it states will continue to rise because of increasing residential development within the general area. The report further finds that there are several ways in which public access and disturbance could impact upon the designated site, these included:

- Damage: encompassing trampling and vegetation wear, soil compaction and erosion;
- Contamination: including nutrient enrichment (e.g. dog fouling), litter, invasive species;
- Fire: increased incidence and risk of fire; and
- Other: all other impacts, including harvesting and activities associated with site management.

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Need for a Strategic Solution

In light of the report's findings, Natural England have concluded that there could be potential conflict between plans for new major housing development in the areas surrounding the Chilterns Beechwoods SAC, and published conservation objectives for the SAC. As such, they have proposed a strategic policy approach incorporating mitigation measures being put into place.

The NE advice letter references other locations (for example Thames Basic Heaths SPA and Upper Nene Valley Gravel Pits SPA) where Strategic Access Management and Monitoring (SAMM) payments (via S,106) are required from developments to improve site management and produce high quality Suitable Alternative Natural Greenspaces (SANGs).

The NE advice letter however, also states that NE has no preconceptions about the forms of mitigation (so long as they satisfy HRA requirements) although both SAMM & SANG are suggested along with the potential for a new gateway to the Ashridge Estate.

Realistically, to prepare and obtain agreement on the range of strategic measures suggested and incorporate these into planning policy could take many months and as such the LPA's affected have started to set out their interim approach to planning applications.

What does this mean in the short term?

Dacorum BC was the first to publicly announce its intentions in respect of the implementation of measures. As such it has resolved that any proposals that fall within the 500m ZOI (Zone of Influence) will likely be refused, and those that sit within the 12.6km ZOI will not be determined until a permanent strategy has been put in place. This is recognised as having a major implication for the delivery of housing in Dacorum.

It remains to be seen how the other of the LPAs will deal with proposals for development within the ZOI before a Strategic Solution is put in place. Natural England has advised that a Habitats Regulation Assessment (HRA) will be required to support all planning applications that result in a net increase in dwellings, within the 12.6km ZOI, detailing how each individual site is going to avoid adverse impacts on the 'integrity' of the Chilterns Beechwoods SAC.

If this cannot be demonstrated (even with the imposition of conditions or planning obligations), then unless there are overriding public interest reasons to allow the development, it will likely be refused.

This is an emerging issue that we will continue to monitor and inform clients as new information becomes available.

If you wish to find out more about how these new measures may affect you, please get in touch and our staff would be more than happy to assist.
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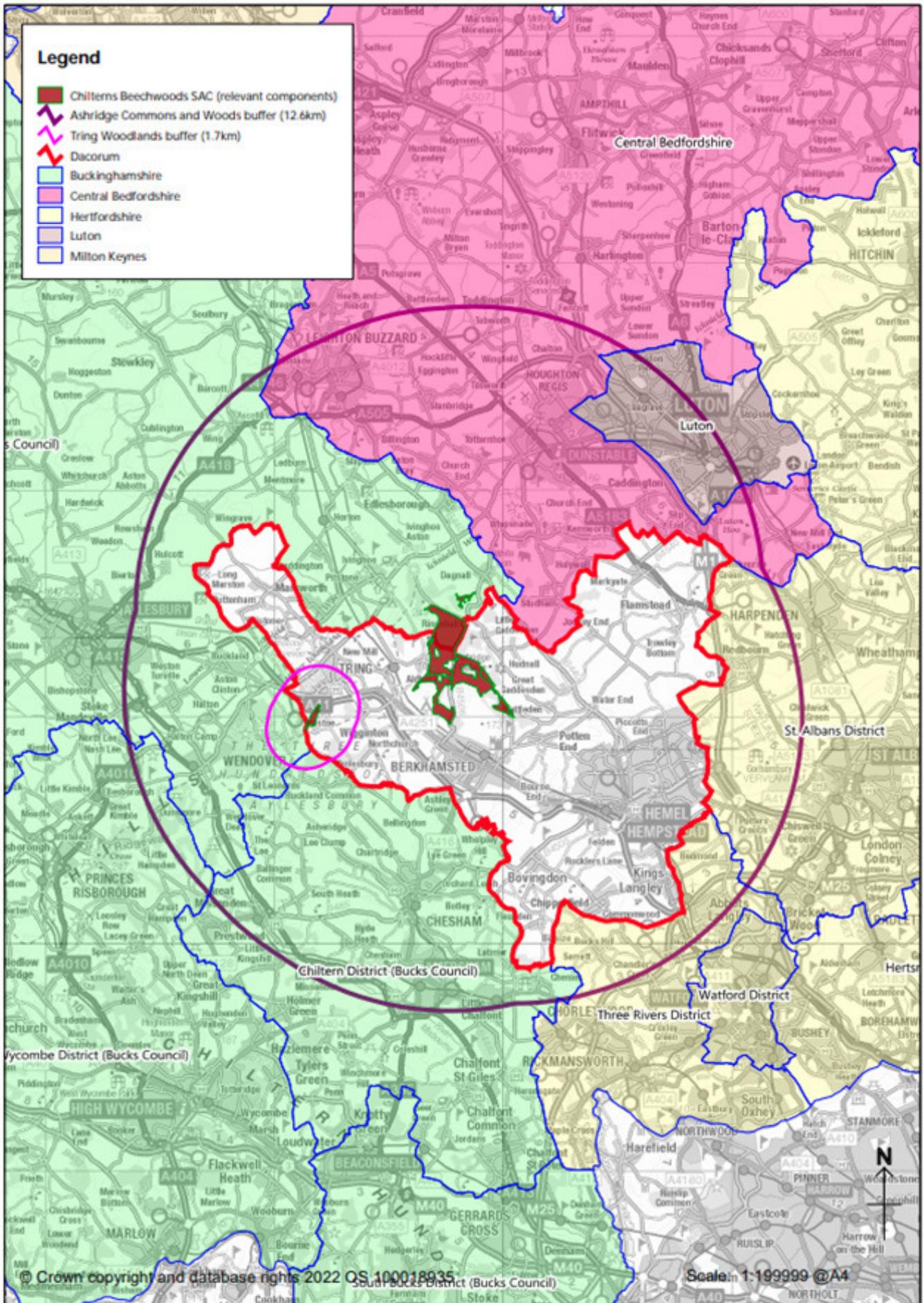


Figure 1