

# Public Document Pack

## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### CABINET

WEDNESDAY, 2ND NOVEMBER, 2022

### SUPPLEMENTARY AGENDA

Please find attached supplementary papers relating to the above meeting, as follows:

**Agenda No**   **Item**

5.        **THERFIELD HEATH SSSI MITIGATION STRATEGY** (Pages 3 - 8)

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1. Following publication of the Cabinet report and the Therfield Heath SSSI Mitigation Strategy, further comments on the Mitigation Strategy have been received from Natural England.
2. The additional comments have been reviewed and a schedule of comments and responses has been prepared. Most of the comments relate to minor clarifications which should be included in the Mitigation Strategy. There are a number of other comments which refer to discussions with South Cambridgeshire, but these need to take place between Natural England and South Cambridgeshire and fall outside the scope of this Mitigation Strategy.
3. For the proposed changes to be included in the Therfield Heath SSSI Mitigation Strategy, a further recommendation should be added to the report and a new paragraph added:

2.2 That delegated authority is granted to the Service Director – Regulatory in consultation with the Executive Member for Planning and Transport and the Executive Member for Environment and Leisure to incorporate the minor changes requested by Natural England, attached as Appendix C and any further non-material corrections prior to publication of the Strategy.

New paragraph 16.3 to be added as follows:

16.3 Appendix C – Schedule of final comments from Natural England and North Herts Council responses, October 2022

Therfield Heath Mitigation Strategy – Final Comments from Natural England and NHC Response – October 2022

| Page / Para No | Natural England Comments  | NHC Response  |
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| 3              | <p>It may be useful to have a framing statement at the beginning of this document that outlines the aspirations that NHDC, the Conservators &amp; NE have in terms of the long term vision for Therfield Heath but that also makes clear the realities of what the MS is able to deliver at this point in time.</p> | <p>Agreed that it would be helpful to add an introduction to the Strategy.</p> <p>“The Council has been working with Natural England and the Conservators of Therfield Heath and Greens to produce this mitigation strategy for the Therfield Heath SSSI. The Therfield Heath SSSI Mitigation Strategy sets out the details of the recreational pressures that can impact on the SSSI and the measures that could be used to help change those pressures in the future.</p> <p>In discussions with Natural England, it has become clear that normally, Natural England would expect S106 contributions to be secured in perpetuity, usually between 80 and 120 years. However, both the Council and Natural England recognise that the measures set out in the action plan cannot be funded from the relatively modest scale of development already permitted or still proposed for allocation in the Local Plan for Royston over this period.</p> <p>The Mitigation Strategy does provide a comprehensive list of potential projects that any future S106 monies could be used for where appropriate.</p> <p>The Mitigation Strategy will not be static and it will require periodic review and updating to reflect changing circumstances. This could include changes to any Management Plan for the Heath prepared by the Conservators and Natural England, updates to</p> |

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|                          |   | other relevant plans and strategies and if projects are funded and implemented.”   |
| 1.2.6                    | South Cambridgeshire? NE - Need to discuss their thoughts on Therfield and the mitigation strategy  | No change.<br>We have said all the way through the preparation of the Mitigation Strategy that it needs to address the recreational pressures arising from the additional development proposed in the North Herts Local Plan. The Strategy recognises that there maybe implications for South Cambridgeshire but that it is for NE to take this up with the Greater Cambridge Partnership. |
| Section 1.5              | Formatting issues   | Noted - no change – formatting works when printed as a pdf   |
| 1.6.4                    | NE comment that the reference to development outside North Herts which affects the SSSI needs to be discussed with South Cambs before it can be included in the strategy. | No change – see comments made in response to 1.2.6 above.  |
| Para 2.2.4               | Typo. Should be "Median route length was 2.47km in the summer, 2.11 in the winter and 1.59 in the autumn." - Visitor Access Survey  | Noted – change made  |
| Para 2.2.9 & Para 2.2.11 | NE have questioned where the figures for visitors to the Heath come from and are asking for greater clarity   | Change made.<br>A footnote has been added to explain the calculation which is illustrative to show the number of visits to the Heath.<br>The visits per household are approximate and have been calculated by taking the proportion of the number of visits made from within the 2km and 6km zones and dividing by the number of homes.  |
| Para 2.2.10<br>2.2.12    | References to 6km should be changed to 5.8km & consequential amendments   | No change.   |

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| Map 4<br>2.2.14 |  | It is clearly set out in Footnote 11 that the distances have been rounded up from 1.9km to 2km and 5.8km to 6km for simplicity in the Strategy.  |
| Para 3.1.1      | Does the Footprint Ecology report determine an inner and outer ZOI? More details should be provided to show how this conclusion has been reached   | No change.<br><br>The Footprint Ecology Study does not determine the ZOIs for Therfield Heath. However, paragraph 2.2.5 sets out that the areas referred to the THMS as ZOIs are based on the median distance of interviewees - 1.9km and that 75% of interviewees lived within 5.8km.<br><br>The calculations made in paragraphs 2.2.9 and 2.2.11 of the Strategy suggest that there are different levels of use of the Heath which can be used to justify the approach to the provision of SANGs set out in 5.3.17 and 5.3.18. |
| Para 3.2.1      | Can you link this clearly with future aspirations later in the document eg paragraph about future aspirations to provide alternative natural green space within the ZOI?   | No change.<br><br>This paragraph is contextual. The discussion about future provision of alternative natural green space is set out in Section 5.3, particularly para 5.3.9.   |
| Para 3.2.3      | Can you make it clear here that the main reason Royston meets its target for natural & green space provision is because of Therfield Heath, which we are highlighting here is suffering from recreational pressure as a consequence. | Changes made – Added references to Therfield Heath.  |
| Para 3.2.3      | Does this include the facilities on the Heath? If it doesn't could you amend this to make it clear i.e., that only includes playing facilities that are publicly available.  |  |
| Para 3.2.5      | We assume this is an error – this hasn't been revised following prior comments. Refer to previous comments regarding the fact that Therfield Heath is already over its ecological and recreational                                   | Change made – The paragraph has been amended to refer to the ecological and recreational capacity of the Heath.  |

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|             | carrying capacity so should be discounted from greenspace calculations.   |  |
| Para 3.4.10 | Could you provide a full reference to this document please? We couldn't find the document that you were referring to & have concerns that if it is site specific this could be quite limiting? Could broaden this statement to consider sites in the immediate vicinity of the Heath. | Change made.<br>The document was referenced in the footnote but a link to the document has been added.<br>The HMWT document refers to chalk grassland as being a vulnerable and poorly connected habitat. It then states that the majority of sites and the potential for connectivity is on the chalk escarpment, with a priority around Therfield Heath but is no more specific than that. |
| Para 5.2.23 | There is a reference to legal work, who will undertake this   | No change made.<br>The legal work to review the grazing regimes will need to be undertaken by the Therfield Heath and Green Conservators with advice from Natural England. This is included in the Action Table.   |
| Para 5.3.8  | Which NE advice document are you referring to?<br>SANG guidelines for Thames Basin Heaths SPA require a 2.3-2.5km circular route  | Change made.<br>The figure for the route length has been updated and a footnote has been added with a link to the NE Guidelines.   |
| Para 5.3.17 | If this is referring to the median distance from the FE report, it's 1.9km  | No changes made.<br>The Footprint Ecology Study does not determine the ZOIs for Therfield Heath. However, paragraph 2.2.5 sets out that the areas referred to the THMS as ZOIs are based on the median distance of interviewees - 1.9km and that 75% of interviewees lived within 5.8km.   |
| Para 5.3.18 | 75th percentile was 5.8km   |  |
| Para 5.3.23 | We agree that our IRZs should follow the evidence which states a 5.8km ZOI should be in place, however, further internal  | Noted - No change made.  |

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|   | procedures need to be in place first and contact with South Cambs will also be needed.  | The THMS has been drafted using the evidence from the Footprint Ecology Study. It will be for Natural England to review the Zones of Influence for Therfield Heath and discuss the implications with other local authorities.         |
| Para 5.4.9                              | We accept that we need to have a discussion with South Cambridgeshire DC regarding Therfield  | Noted – No change made – see response to Para 1.2.6.  |
| Para 6.2.2                              | Do we need something in here about monitoring/reviewing the strategy/costings beyond the Local Plan?<br><br>Need a statement here to show that this Strategy will be reviewed beyond the plan period. | No change made.<br><br>Section 7 of the THMS sets out when the Strategy will be reviewed, including after the Management Plan is finalised and when the review of the Local Pan has started.  |
| Action Plan<br>TH<br>Management<br>Plan | Unsure what this means, unless you are referring to paragraph 5.2.23 & 5.2.22 in which case this would be led by the Conservators with advice from NE, if required.                                   | No change made.<br><br>The legal work to review the grazing regimes will need to be undertaken by the Therfield Heath and Green Conservators with advice from Natural England. This is included in paragraph 5.2.23 the Action Table. |