

CHAPTER 5 - NATURAL ENVIRONMENT

CONTENTS

5.1	Introduction	47
5.2	Policy Context	47
	- Government Policy	
	- County Structure Plan Policy	
5.3	Objectives	48
5.4	Nature Conservation	49
	Policy NE1	
5.5	Landscape	51
	Policy NE2	
5.6	Trees, Hedgerows and Woodlands	51
	Policies NE3, NE4, NE5 and NE6	
5.7	New Development	53
	Policies NE7, NE8 and NE9.	

5.1 **INTRODUCTION**

- 5.1.1 Sites of importance for the natural environment are not confined to the various statutorily designated sites but are found throughout the countryside and within the urban area. Many sites of local nature conservation importance are important to local communities, often affording people the only opportunity of direct contact with nature, especially in urban areas. Statutory and non-statutory sites, together with countryside features which provide wildlife corridors, links or stepping stones from one habitat to another, all help to form a network necessary to ensure the maintenance of the current range and diversity of our flora, fauna, geological and landform features and the survival of important species.
- 5.1.2 Although the Local Plan makes provision for the erection of about 1500 dwellings in the Green Belt within the Epsom Hospitals Cluster area, the policies which are set out in Chapter 3 on the Green Belt and in Chapter 4 on Open Space and Recreation generally place severe restrictions on the potential for development in the Green Belt and in many open spaces within the built-up areas and seek to guide pressures for development to appropriate locations.
- 5.1.3 This chapter sets out policies which will provide for the protection and enhancement of the natural environment specifically on the grounds of nature conservation and landscape importance as well as on the grounds of residential amenities. It also seeks to ensure that nature conservation interests are taken fully into account in the Council's deliberations on all proposals for development throughout the Borough and that, where development is considered to be acceptable in principle, it is designed to minimise the impact on the natural environment. Further detailed policies on the natural environment which relate specifically to the proposals for development within the Epsom Hospitals Cluster area are set out in Chapter 8 of the Plan.

5.2 **POLICY CONTEXT**

Government Policy

- 5.2.1 In the 1990 White Paper "This Common Inheritance", the Government made plain its commitment to sustainable development, and in particular to conserving the natural heritage for the benefit of this and future generations. The United Kingdom signed the Biodiversity Convention at the UN Conference on Environment and Development held in Brazil in June 1990. This Convention includes provisions on habitat conservation and impact assessment. It requires that the components of diversity should be used sustainably; that is, in a way and at a rate which does not lead to their long-term decline, and which maintains their potential to meet the needs of present and future generations.
- 5.2.2 The Government's objectives for nature conservation are to ensure that its policies contribute to the conservation of the abundance and diversity of British wildlife and its habitats, or minimise the adverse effects on wildlife where conflict of interest is unavoidable, and to meet its international responsibilities and obligations for nature conservation.

- 5.2.3 One of the essential tasks for Government, local authorities, and all public agencies concerned with the use of land and natural resources is to make adequate provision for development and economic growth whilst ensuring effective conservation of wildlife and natural features as an important element of a clean and healthy natural environment.
- 5.2.4 Local plans should identify relevant international, national and local nature conservation interests. They should ensure that the protection and enhancement of those interests is properly provided for in development and land-use policies, and place particular emphasis on the strength of protection afforded to international designations. Plans should offer reasonable certainty to developers, landowners and residents alike about the weight that will be given to nature conservation interests in reaching planning decisions. Plans should be concerned not only with designated areas but also with other land of nature conservation interest and the possible provision of new habitats.
- 5.2.5 Local plans should include planning policies to be applied to nature conservation sites, indicating the criteria against which a development affecting a site will be judged. They should have regard to the relative significance of different designations and on policies for Sites of Special Scientific Interest; National Nature Reserves; Nature Conservation Review and Geological Conservation Review sites; Special Protection Areas and Special Areas of Conservation, candidate Special Areas of Conservation and wetlands protected by the RAMSAR Convention. The plan proposals map should identify the areas to which these policies apply, including any sites identified as of local nature conservation importance.

County Structure Plan Policy

- 5.2.6 In accordance with central government guidance, the Structure Plan seeks to conserve and enhance the County's landscape and areas of value for nature conservation both in the countryside and in the towns.
- 5.2.7 Designated sites of nature conservation importance are to be protected and green wedges and wildlife corridors linking habitats within both the town and country are to be recognised and promoted. Where appropriate, new habitats should be created.
- 5.2.8 The Structure Plan stresses that trees, woodlands and hedgerows are a particularly valued feature of the landscape and that the character of the landscape centres not only on its visual and physical qualities but also reflects on the relative quiet and peacefulness.

5.3 OBJECTIVES

- 5.3.1 The Borough Council has for many years attached particular importance to the protection and conservation of the natural environment both for its own sake and in recognition of its outstanding contribution to the quality of life of local residents. It

therefore welcomes the growing commitment on the part of Central Government to the conservation of the natural environment.

5.3.2 The Council considers that the protection, conservation and enhancement of the Borough's natural heritage is essential to ensuring that development is sustainable and has accordingly identified the following objectives:-

- (1) To protect, conserve and, where appropriate, enhance sites which are of nature conservation importance;
- (2) To conserve and enhance the landscape character of the Borough;
- (3) To ensure that, where new development is acceptable in principle, it is designed with due regard to the need to protect, conserve and enhance the natural environment;
- (4) To secure appropriate management of sites of importance to the natural environment;
- (5) To promote awareness of the natural environment and, where appropriate, to facilitate access for the public.

5.3.3 Further information on the Council's strategy for the management of the natural environment is contained in two other documents published by the Council. These are the Green Spaces Strategy and the Nature Conservation Strategy documents.

5.4 NATURE CONSERVATION

5.4.1 The importance of the role of the countryside and of open spaces in built-up areas in providing for relaxation and recreation, and relief from the urban environment, has long been widely appreciated. However, it is only in recent years that the case for sustainable development and for the protection of such areas on the grounds of their importance to nature conservation has received the recognition which it fully deserves.

5.4.2 The Council has developed a detailed programme for the protection, conservation and enhancement of the natural environment based on an analysis of the findings of a comprehensive survey of the Borough. Sites have been classified in accordance with their existing and potential nature conservation interest. Where relevant, information obtained from the survey will also be a material consideration in the determination of applications for planning permission.

5.4.3 The criteria used in the evaluation of sites included species rarity and richness, size, range and rarity of habitat, non-recreatable habitats, existing and potential public access. Importance to the natural environment was not assessed solely in terms of importance for flora and fauna, but also in terms of the scope for promoting public awareness and enjoyment of the natural environment and for securing an even distribution of linked wildlife habitats throughout the Borough.

- 5.4.4 The wildlife in the Borough is dependent on a large number of sites both within and beyond its administrative boundaries and there are many sites within the Borough, which, although relatively small, and in themselves of very limited nature conservation interest, make a significant contribution to the overall network of sites of importance to wildlife and ensure a wide distribution of linked wildlife habitats. Other sites are of purely local significance but of high nature conservation interest within the context of the immediate neighbourhood. Given that sites of nature conservation interest are a resource which cannot easily be replaced, the Council will seek to protect them.
- 5.4.5 The Council has graded sites of nature conservation interest in terms of their importance on a scale of 1-3. Grade 1 sites are those of national importance within the Borough. Grade 2 sites are sites of county importance and Grade 3 sites are sites of local significance. The location of these sites is shown on the proposals map.
- 5.4.6 The Council will resurvey the Borough from time to time and will review its policies on nature conservation and designate further areas as sites of nature conservation interest as appropriate on the basis of information obtained from such further surveys. It will also promote new habitats when opportunities arise.

Grade 1 sites

- 5.4.7 Within the Borough, there are two areas which have been identified by English Nature as being of national importance for their nature conservation interest (Sites of Special Scientific Interest). One is centred on the Stones Road pond off Kiln Lane and the other covers the greater part of Epsom Common, in the south-west quadrant of the Borough and extends into the adjoining Local Authority areas covering Ashted Common and Newton Wood.

Grade 2 sites

- 5.4.8 English Nature has identified three sites of chalk grassland in the Borough which contain rare plants and invertebrate fauna and are significant on a county basis. These comprise Epsom Golf Course on Epsom Downs, Howell Hill and Juniper Hill which forms part of Walton Downs. In addition, Surrey Wildlife Trust has identified almost all of the Strategic Open Space centred on Nonsuch as a site of county significance covering mixed habitats in the historic parkland.

Grade 3 sites

- 5.4.9 A number of sites within the Borough have been identified as Grade 3 sites of nature conservation importance. These are shown on the proposals map and are listed in the appendices.

~~**NE1 PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD HARM:**~~

- ~~(I) GRADE 1 SITES OF NATURE CONSERVATION IMPORTANCE;~~
- ~~(II) IMPORTANT FEATURES OF GRADE 2 SITES OF NATURE CONSERVATION IMPORTANCE;~~
- ~~(III) IMPORTANT FEATURES OF GRADE 3 SITES OF NATURE CONSERVATION IMPORTANCE UNLESS IT CAN BE DEMONSTRATED THAT THE BENEFITS OF THE PROPOSED DEVELOPMENT WOULD OUTWEIGH THE HARM CAUSED.~~

5.5 LANDSCAPE

5.5.1 The importance of the contribution of the appearance of the natural environment to the quality of life has long been widely appreciated and the Council remains committed to its protection and enhancement. To support its case for the protection and enhancement of the landscape, the Council has carried out a survey of the Borough and classified sites in accordance with their existing and potential importance to the quality of the landscape of the Borough. The information obtained from this survey forms the basis of the Council's programme for the protection, conservation and enhancement of areas of existing and potential landscape value and will be a material consideration in the determination of applications for planning permission.

5.5.2 One site has been identified as being of County significance in landscape quality terms (Area of Great Landscape Value). This covers Walton Downs in the south-eastern corner of Borough and extends into adjoining districts to the south and east. A number of other sites within the Borough and particularly within the Metropolitan Green Belt, which make an important contribution to the pleasing appearance of the Borough, have been identified as sites of significant local importance and the Council intends to secure an appropriate degree of protection for these sites. These are the Nonsuch Park area, Horton Country Park, Epsom Common, the Downs and the Hogsmill Open Space.

NE2 IN DETERMINING PLANNING APPLICATIONS, THE LANDSCAPE CHARACTER OF THE BOROUGH WILL BE A MATERIAL CONSIDERATION. WHERE LAND HAS BEEN IDENTIFIED AS OF SPECIAL VALUE, I.E. AN AREA OF GREAT LANDSCAPE VALUE AND SITES OF SIGNIFICANT LOCAL IMPORTANCE, DEVELOPMENT WILL NOT BE PERMITTED UNLESS IT WOULD CONSERVE OR ENHANCE THE SPECIAL QUALITIES OF THE AREA.

5.6 TREES, HEDGEROWS AND WOODLANDS

5.6.1 Trees, hedgerows and woodlands make an important contribution to the nature conservation interest and landscape quality of the Borough and the Council considers that the large numbers of trees in the Borough are a great asset which should be maintained and enhanced.

5.6.2 Ancient woodlands are sites which have been wooded since at least the year 1600. There are two such areas of ancient woodlands remaining within the Borough. They cover an area of some 8 ha. and lie within Horton Country Park.

~~NE3 PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WITHIN AN AREA OF ANCIENT WOODLAND.~~

5.6.3 The Council considers it desirable to ensure that it has a complete and up-to-date record of all trees, hedgerows and woodlands in the Borough, which make a significant contribution to the environment, and has an ongoing programme of tree survey work. A large number of trees in the Borough are subject to tree preservation orders and the Council will continue to use its powers to apply tree preservation orders in appropriate circumstances to safeguard trees which make a significant contribution to the environment.

~~NE4 PERMISSION WILL NOT BE GRANTED FOR THE FELLING OF HEALTHY TREES WHICH ARE SUBJECT TO A TREE PRESERVATION ORDER.~~

5.6.4 The Council has a long-standing programme of tree planting throughout the Borough and is developing a long term strategy for new tree planting with a regular maintenance programme based on an evaluation of the above-mentioned survey. A maintenance programme which identifies priorities for work has greatly benefited the long term conservation of trees on highway land.

5.6.5 The Council has developed a tree planting and maintenance strategy including positive after-care and watering in dry conditions which establishes priorities for future work. The Council will continue its programme of tree planting in public open spaces and highway verges and will encourage the planting of appropriate trees, which would include trees capable of attaining a substantial height and size when mature, in suitable locations by individuals and independent organisations. Where appropriate, the preference will be for the planting of trees of native species.

5.6.6 Where new development is proposed, layouts will be required to provide for the retention of significant trees and hedgerows. Trees and hedgerows of outstanding quality or landscape importance will be protected even where this might preclude development.

NE5 WHERE TREES OR HEDGEROWS ARE A SIGNIFICANT FEATURE OF A DEVELOPMENT SITE, PLANNING APPLICATIONS WILL BE REQUIRED TO BE ACCOMPANIED BY DETAILED TREE AND HEDGEROW SURVEYS. PROPOSALS

WILL BE EXPECTED TO SHOW THE RETENTION OF IMPORTANT TREES AND HEDGEROWS.

5.6.7 There have been occasions in the past when trees, which were to be retained, have been accidentally damaged during the course of construction by activities such as the burning of materials or the excavation of trenches in close proximity to the trees.

NE6 CONDITIONS WILL BE ATTACHED TO A GRANT OF PERMISSION FOR NEW DEVELOPMENT INCLUDING THE REDEVELOPMENT OR EXTENSION OF EXISTING BUILDINGS TO ENSURE THE PROTECTION OF TREES, WHICH ARE TO BE RETAINED, DURING THE PERIOD OF CONSTRUCTION WORK.

5.7 NEW DEVELOPMENT

5.7.1 It is important that proposals for development or redevelopment take full account of the need to protect and enhance the natural environment and incorporate landscaping schemes of a high standard, which provide not simply for screen planting, but also for the retention and enhancement of existing features of nature conservation and landscape value. The Council will require landscaping schemes to be maintained for a period of ten years and for the maintenance to include the replacement of any plants which die. The Council will also promote development which would lead to a significant enhancement in the quality of the natural environment.

NE7 PROPOSALS FOR DEVELOPMENT OR REDEVELOPMENT WILL BE REQUIRED TO BE ACCOMPANIED BY LANDSCAPING SCHEMES OF A HIGH STANDARD WHICH PROVIDE FOR THE RETENTION AND ENHANCEMENT OF EXISTING FEATURES OF NATURE CONSERVATION IMPORTANCE AND LANDSCAPE VALUE.

NE8 WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, IT WILL BE REQUIRED TO BE SITED AND DESIGNED WITH DUE REGARD TO THE NEED TO PROTECT THE NATURE CONSERVATION IMPORTANCE AND THE LANDSCAPE CHARACTER OF THE BOROUGH.

5.7.2 Policy GB2 of the Plan states that there is no objection in principle to the erection of buildings in the Green Belt which are necessary to meet the reasonable needs of agriculture and forestry. The Council will grant permission for the erection of such buildings, including those which are required to secure the welfare of animals kept on the land, where they are of a suitable design and appropriately sited. However, agriculture faces an uncertain future and it is difficult to predict the extent to which it may adapt to changing circumstances by opting for greater reliance on intensive livestock farming or the use of buildings of greater size or in greater numbers.

Such changes could have an adverse effect on the pleasing appearance of the rural landscape of the Borough and on the quality of the natural environment. The existing legislation generally provides for little control over agriculture and the Council will, in appropriate circumstances, seek Article 4 Directions to achieve a greater degree of control over agriculture. Only the Downs south of the racecourse are of such landscape value.

NE9 WHERE THE CARRYING OUT OF ANY OF THE SPECIFIED CLASSES OF PERMITTED DEVELOPMENT UNDER THE GENERAL PERMITTED DEVELOPMENT ORDER 1995 MIGHT SERIOUSLY HARM OR PREJUDICE THE QUALITY OF THE NATURAL ENVIRONMENT ON THE DOWNS SOUTH OF THE RACECOURSE, THE COUNCIL WILL SEEK A DIRECTION UNDER ARTICLE 4 OF THE TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1995 REQUIRING PLANNING PERMISSION TO BE OBTAINED FOR SUCH DEVELOPMENT.