



SOUTH EAST DEVON
HABITAT REGULATIONS
PARTNERSHIP

South East Devon Habitat Regulations Executive Committee

*Suitable Alternative Natural Green Space (SANGS)
delivery at Dawlish Countryside Park and the South
West Exeter Urban Extension.*

Estelle Skinner, Green Infrastructure Officer
Teignbridge District Council
April 2019



Exeter
City Council



Legal comment/advice:

There is no direct legal comment to be made at this time, each and any individual issue will need to be considered as it arises.

Finance comment/advice:

The financial implications are set out in the report.

Public Document:	Yes
Exemption:	None
Review date for release	None

Recommendations

It is proposed that the Executive Committee:

1. Notes the progress made by Teignbridge District Council (TDC) towards the delivery of Suitable Alternative Natural Green Space (SANGS) at South West Exeter (SWE).
2. Notes the progress made by TDC in developing and securing long lease funding agreements for management in perpetuity at Dawlish and SWE SANGS.
3. Notes Devon County Council's success in securing the Housing Infrastructure Fund (HIF) award for development at SWE, including SANGS.
4. Receives a report at the next meeting on the specific funding arrangements of the HIF and consideration of the implications on current SANGS funding arrangements.

Equalities impact: Low

Risk: Moderate

Securing the acquisition, establishment and in-perpetuity management of SWE and Dawlish SANGS is critical to the success of the South East Devon European Site Mitigation Strategy ("the Strategy"). Failure to secure any element of the SANGS package would mean that the off- site mitigation requirements of the immediate (and wider) development were not being met.

1. Summary

1.1 Significant progress has been made on SANGS land agreements with developers at South West Exeter (SWE), with 17 hectares now agreed. This is expected to transfer to TDC in July 2019, and agreement for a further 4.5 hectares is underway. The Delivery Strategy for the site has been updated prior to procurement and establishment, which will be led by TDC Green Spaces, following the same approach as at Dawlish SANGS. TDC are negotiating heads of terms with Land Trust for a long-lease of both Dawlish and South-west Exeter to ensure effective management in-perpetuity. The intention is to work towards finalising the lease and funding agreement this summer (2019).

2. Background

2.1 The mitigation Strategy proposes SANGS as a form of protected sites mitigation. SANGS are open spaces intended to divert some visitors away from internationally important wildlife sites and thus resolve impacts associated with population increase.

2.2 The Strategy identifies four broad locations for SANGS, including one site to the South-west of Exeter. Provision of SANGS at SWE is designed to mitigate pressures from development across the region. The benefits of the SANGS therefore relate to development in Exeter, East Devon and Teignbridge.

2.3 TDC's Local Plan was adopted in May 2014 and allocates up to 70 hectares for SANGS at South West Exeter. Currently 38 hectares (see Appendix A) that fall within the allocation are being secured from developers as part of the planning process. Grampian Conditions were used to ensure SANGS land agreements would be completed for the land to be transferred to TDC prior to Commencement of Development. Bovis Homes and Cavanna have outline planning permission, whilst Westcountry Land have full planning permission, and the Parr land has an active submission for outline planning permission.

2.4 The cost of securing the land outside of the planning process would be considerably higher, if achievable at all.

2.5 TDC will lead on establishment of the SWE site, as at Dawlish SANGS, which has proved to be a notably popular site, particularly for dog-walkers.

2.6 TDC will secure management in-perpetuity for the SWE and Dawlish SANGS. An endowment backed approach enables this to be achieved in budget.

2.7 Homes England bids were placed by TDC and by Devon County Council. Both were successful. An update on this below.

3. Acquisition Arrangements

3.1 As previously approved by the joint Committee, TDC has been working on land agreements with developers at SWE. TDC has finalised land agreements with Westcountry Land (Parcel K) and Bovis Homes (Parcels A1, A2, A3) for a total of 29 hectares of SANGS land at South West Exeter, 17 hectares of which will transfer to TDC this summer (2019). These agreements provide for the acquisition of SANGS land at an agreed price (with a marginal increase via BCIS¹ to account for the inert landfill area, due to come forward by 2030).

3.2 Heads of terms are underway with Cavanna (Parcel B), with a view to acquiring the land this calendar year (see also Table 1). Discussions on the Parr land (Parcel D) have not yet commenced but are likely to commence shortly.

3.3 Land parcels will be established within approximately 12-months following acquisition.

¹ Building Cost Information Service

Table 1: Developers, SANGS Lands and Timescales at SW Exeter

Developer / Land Owner	SANGS Land Area (approx. ha)	Anticipated Timescale
Bovis Homes	13	summer 2019
Westcountry Land	4	summer 2019
Cavanna	4.5	autumn/winter 2019
Parr	4.5	2020/21
Bovis Homes (landfill area)	12	Before March 2030
Total	38 hectares	

3.4 TDC has formed a good working relationship with the inert landfill operator of the Trood Lane landfill site, contained within the Bovis Homes SANGS land. They have agreed to re-model restoration levels to avoid significantly steep land, but still to incorporate a rolling landscape that fits with the surrounding SANGS and offers interest for visitors. This will allow for good conditions for public access and for management of the site.

3.5 In the Bovis Homes land agreement there is a long-stop date for the inert landfill area of 2030, but the land can be transferred to TDC as soon as appropriate levels have been reached and the inert landfill has been fully restored. Devon County Council estimated in 2017 that there was up to 10-years of fill remaining. Bovis Homes will be utilising the inert landfill for suitable waste related to their adjacent development, and their close proximity may accelerate the fill rate.

4. Instatement and Management Arrangements

4.1 The detailed SANGS Masterplan for South West Exeter has just been updated (two years had passed since the previous version was completed). This incorporates any changes over the two year period, such as certain elements of establishment that needed modification due to a better knowledge of ground conditions of the site having been attained, through site visits and Searches. Costings have also been refreshed and remain largely the same, with a relatively marginal increase in endowment that reflects incorporation of more parking spaces (60 spaces in total) to further support the strategic nature of the site. The SANGS will be delivered in accordance with the Masterplan, which has been prepared with input from expert ecologists as well as representatives from RSPB and Natural England – see Appendix 1 for the SANGS establishment plan.

4.2 At this time it is not envisaged that the Executive Committee will be requested to fund the purchase or delivery of the 32 hectares of SANGs that make up the remainder of the 70 hectare countryside park allocation. This may, however, be a viable option alongside further development. Cavanna hold additional land allocated as SANGS that would add benefit to the overall provision at SWE.

Instatement

4.3 TDC's Green Spaces team and Engineering team successfully project managed the creation of SANGS at Dawlish and are well placed to manage the process again at SWE. Contracts will be procured and overseen for key tasks including fencing, wooden signs and benches, green elements (hedging, wildflower meadow creation etc.), and car parking. Procurement will take place during spring/early summer 2019 for the first 17 hectares.

Ongoing management and maintenance

4.4 A soft market test was carried out during spring 2018 and Land Trust were the only organisation able to offer an endowment backed approach for in-perpetuity management of the SANGS. Land Trust have a good understanding and experience of managing SANGS and as a charity their goals are to provide quality greenspace for the public and for the environment.

4.5 TDC and Land Trust have been discussing heads of terms and a funding agreement for long-lease of the SANGS at both Dawlish and SWE. This will include the ability to break from the contract if the Land Trust financial status drops below a reasonable level (they are currently at 100%). The lease and funding agreement will also allow TDC to break from the contract if Land Trust are not delivering good quality on the ground, in-line with the Delivery Strategy. Under the terms of this agreement, there is also a requirement for endowment funding to be reimbursed in the event that either of the circumstances described above come to pass.

4.6 The long-lease will be set in place for 1,000 years, and TDC will retain the breaks for the first 80 years. This will allow ongoing management to be secured truly in-perpetuity. Land Trust and TDC will enter an 'agreement to lease' for the SWE land as it is acquired by TDC, to provide intention/security for each party whilst the SANGS land is established.

4.7 Natural England are in support of the long-lease and endowment-backed approach with Land Trust.

4.8 At this point in time it is not known what organisation will be contracted for the day-to-day onsite management of the SWE SANGS, but at Dawlish SANGS the Land Trust are keen to retain TDC Green Spaces as the day-to-day onsite managers.

5. Funding Arrangements

5.1 There were two Homes England Homes Infrastructure Fund bids submitted that were both successful. TDC's bid was only for SANGS funding, whilst Devon County Council's bid was for much wider infrastructure at SWE. Homes England considered the Devon County Council bid as the primary bid and earlier this month Homes England approved this bid.

5.2 Devon County Council are currently setting in place a funding agreement for transfer of the HIF monies, so more detail about these arrangements is expected in the near future.

5.3 The specifics of the HIF funding arrangements and further recommendations to consider the implications on current Strategy arrangements will be reported to the Committee at the next meeting.

**Estelle Skinner,
Green Infrastructure Officer,
Teignbridge District Council
April 2019**

Natural England comment:

We congratulate TDC on the successful delivery of the Dawlish Country Park SANGS and the SEDHRP on securing HIF funding for on-going management of this and the establishment and maintenance of the proposed SWE SANGS.