



GUILDFORD
B O R O U G H

Special Protection Area Tariffs Supplementary Planning Document (SPD)

September 2024



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1. Background

The purpose of this document

1.1 This Supplementary Planning Document (the 'SPD') replaces Section 10 of the [Planning Contributions SPD 2017](#)¹, which deals with planning contributions for the Thames Basin Heaths Special Protection Area ('the SPA'). It also updates the [Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2017](#)² ('the SPA Strategy') sections 2 and 3 and Appendices 6 and 7 by:

- amending the Suitable Alternative Natural Greenspace ('SANG) tariffs,
- amending the Strategic Access Management and Monitoring ('SAMM') tariffs, and
- providing new guidance on how the tariffs will be applied.

The SPA Strategy

1.2 Natural England designated the SPA on 9 March 2005. The SPA is a protected area of lowland heath and woodland that is home to three rare and legally protected bird species that nest on or near the ground. New residential development within the vicinity of the SPA increases visitor pressure which has negative impacts on the bird populations and habitats.

1.3 The SPA Strategy sets out an approach that enables the Council to grant permission for residential developments that would otherwise conflict with legislation and regional and local planning policies that protect the SPA habitats and birds. Recreational impacts on the bird populations are avoided or mitigated through SANG and SAMM (and other measures that are delivered outside the planning system). Net new residential development within the vicinity of the SPA must pay a tariff to fund SAMM. If the development is mitigated by a Council SANG, it must also pay the Council's SANG tariff. See the SPA Strategy for more information.

2. SANG and SAMM Tariffs

2.1 The tariffs for the 2024/25 financial year are set out in Table 1. These tariffs apply to ordinary dwellings (use class C3) in the zone of influence between 400 metres and 5 kilometres from the SPA boundary.

2.2 Other types of residential development, such as care homes, travellers' pitches and Houses of Multiple Occupation (HMO), and residential developments five to seven kilometres from the

¹ Available at <https://www.guildford.gov.uk/article/16940/Planning-Contributions-Supplementary-Planning-Document>

² Available at <https://www.guildford.gov.uk/article/25055/Thames-Basin-Heaths-Special-Protection-Area-SPD>

SPA boundary, are dealt with differently. See the SPA Strategy and the ‘Special accommodation’ section in this document for guidance on how the tariffs are applied to accommodation other than ordinary dwellings.

Table 1: Occupancy rates and tariffs for ordinary dwellings of different sizes

| | Occupancy rate | SANG tariff | SAMM tariff | Total tariff |
|---------------------------|----------------|-------------|-------------|--------------|
| Per person | 1 | £3,384.42 | £398.62 | £3,783.04 |
| One-bed dwelling/studio | 1.37 | £4,636.65 | £617.56 | £5,254.21 |
| Two-bed dwelling | 1.99 | £6,734.99 | £899.39 | £7,634.38 |
| Three-bed dwelling | 2.52 | £8,528.73 | £1,135.38 | £9,664.11 |
| Four-bed dwelling | 2.92 | £9,882.49 | £1,318.07 | £11,200.56 |
| Five or more bed dwelling | 3.37 | £11,405.48 | £1,519.39 | £12,924.87 |

- 2.3 The tariffs will be increased by the Consumer Prices Index including owner occupiers' housing costs (CPIH) measure of inflation each year in April using the 12-month inflation rate from the preceding January. January figures are used because the official inflation figures for any given month are released by the government several weeks later, and it is necessary to allow time to prepare the documents for the annual tariff update at the start of April.
- 2.4 The annual tariff increases previously used the Retail Price Index (RPI) measure of inflation but will now use CPIH because the Office for National Statistics no longer recommends the use of RPI³ and describes CPIH as the “most comprehensive” measure of inflation⁴.
- 2.5 A signed legal agreement that accords with this SPD and the SPA Strategy is required prior to approval of planning permission. The agreed sums will enable developers to contribute towards the cost of avoidance measures and must be paid to the Council prior to the commencement of development (except in exceptional circumstances). This will allow the Council time to implement SANG works where necessary to ensure that mitigation is available before the development is occupied. The tariffs do not include legal costs and monitoring fees.

Special accommodation

- 2.6 The SPA Strategy sets out how the SANG and SAMM tariffs are applied to different types of residential development. This section provides supplementary information for temporary permissions, gypsy and traveller pitches, travelling showpeople plots, and caravans, and it replaces the approach for HMOs set out in the SPA Strategy. The SPA strategy provides guidance for residential staff accommodation within use class C1 (hotels etc.), residential

³ See [Shortcomings of the Retail Prices Index as a measure of inflation - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/economy/inflationandcosts/articles/shortcomings-of-the-retail-prices-index-as-a-measure-of-inflation)

⁴ See [Consumer Prices Index including owner occupiers' housing costs \(CPIH\) - Office for National Statistics](https://www.ons.gov.uk/economy/inflationandcosts/articles/consumer-prices-index-including-owner-occupiers-housing-costs-cpih)

accommodation within use class C2 (residential care and education), student accommodation and assisted living units.

Temporary permissions

- 2.7 Some types of residential development are granted permission on a temporary basis. The SANG tariff is intended to provide mitigation for 125 years (the definition of perpetuity used in the SPA Strategy). However, the SAMM project has been designed based on a perpetuity period of 80 years. One 125th of the total SANG tariff and one 80th of the total SAMM tariff will be sought for each year a temporary permission will last.
- 2.8 For retrospective applications for residential developments, the tariff will take account of the period of residential use before the permission was granted.
- 2.9 If a temporary permission is made permanent, a further sum will be sought based on the number of additional years needed to bring the total years paid for up to 80 years for the SAMM tariff and 125 years for the SANG tariff.
- 2.10 The calculations will use the tariffs in place at the time the calculations are made.

Gypsy and traveller pitches, travelling showpeople plots, and caravans

- 2.11 When permission is granted for a pitch or plot, the number of bedrooms in the caravan that will occupy the pitch or plot is usually not known and cannot be controlled. This is because a caravan that meets the statutory definition can be replaced by another of a different size without further permission. Occupancy data for residential caravans is not available.
- 2.12 A standard pitch or plot is assumed to provide for one residential caravan (as defined in the 1960⁵ and 1968⁶ Acts) and one touring caravan which can be used as ancillary accommodation for members of the family occupying the residential caravan. Pitches and plots which fall within this definition will be treated as average dwellings.
- 2.13 The mean average dwelling size permitted since September 2015 (see 4.6 for an explanation of why this base date is used) is 2.32 bedrooms, which is equivalent to 2.16 occupants using 2021 census occupancy data. The ordinary tariff for a pitch or plot will be calculated by adding the two-bedroom tariff to 32 per cent of the difference between the two-bedroom and three-bedroom tariffs.
- 2.14 If the occupancy of the site is/will be different from the assumptions set out in this section e.g. because the pitch or plot hosts a larger number of caravans (including tourers) that are used for non-ancillary residential accommodation, each additional caravan will be assumed to have an occupancy of 2.16 and charged as house of 2.32 bedrooms.

⁵ Caravan Sites and Control of Development Act 1960

⁶ Caravan Sites Act 1968

- 2.15 For the avoidance of doubt, if a caravan (as defined in the 1960 and 1968 Acts) outside a formal pitch or plot is in residential use, it will be assumed to have an occupancy of 2.16.
- 2.16 Pitches and plots are sometimes permitted on a temporary basis, in which case the tariff will be reduced as per the guidance in the section on temporary permissions.

Houses in Multiple Occupation (HMO)

Definition of a HMO

- 2.17 HMOs are shared houses rented out to at least three people who are not from one household and where the occupants use it as their only or main residence and share basic amenities and communal areas. HMOs fall into two use classes:
- C4 (houses in multiple occupation) - shared houses occupied by three to six people.
 - Sui Generis (unique uses) - shared houses occupied by seven or more people.
- 2.18 Self-contained units (e.g. with both their own bathroom and kitchen) within a building will be treated as ordinary dwellings.

Calculating the occupancy of HMOs

- 2.19 The SPA Strategy treats HMOs of up to five bedrooms in the same way as C3 dwellings, using C3 occupancy rates up to five bedrooms, and assuming one additional occupant for each bedroom over five. However, for planning applications received after 5 September 2024, occupancy will be based on:
- the assumption that each bedroom will be occupied by one person, or
 - if known at the time of the application, the terms of any relevant licences, agreements or conditions covering occupancy.
- 2.20 When establishing the number of bedrooms in a HMO, any room that could be used as a bedroom will be considered as such. Regarding C3 dwellings, the SPA Strategy states, “any room at first floor level and above with an external window (excluding bathrooms) and with a floor area greater than 6.5 square metres that can realistically be used as a bedroom will be considered a bedroom”. HMOs often include bedrooms on the ground floor so ground floor rooms in HMOs that meet these criteria and are not communal living spaces will be regarded as bedrooms.
- 2.21 The Local Plan adopts the nationally described space standards, which includes a 7.5 square metre minimum size for bedrooms. Planning applications involving HMOs are expected to conform to this standard. However, in practice it is possible that HMO bedrooms smaller than 7.5 square metres may be let (whether lawfully or unlawfully). As a result, any room of 6.5 square metres or greater in an HMO will be considered a bedroom because long-standing practice has used this as the minimum size for a habitable room.

- 2.22 The Council has changed the approach from the SPA strategy, which used C3 occupancy rates for HMOs, to assuming one occupant per bedroom because the 2021 census provides data on HMOs for the first time, and the data indicates that occupancy in HMOs is significantly higher than for C3 dwellings of the same size. While the dataset for the borough is limited, it broadly supports the HMO occupancy rate of one person per bedroom. This change also brings practice into line with other boroughs.
- 2.23 Where there is a change in licencing arrangements, or any other change that increases occupancy but not bedrooms, a tariff will be levied based on the expected change in occupancy.
- 2.24 Where HMO use is not subject to planning permission from the Council, the owner must still seek Habitats Regulations approval⁷, and appropriate mitigation will be arranged through that process. This process must be completed before the HMO use commences.

Construction of a new HMO

- 2.25 Where a planning application is received for the construction of a new HMO, the tariff will be calculated as set out above.

HMOs created through conversion of a C3 dwelling

- 2.26 Where a HMO is created through conversion from a C3 dwelling, a tariff will be sought that reflects the difference in expected occupancy between the two uses. See the following examples for illustration.
- A three-bed dwelling with an expected occupancy of 2.52 people is converted into a four bed HMO with an expected occupancy of 4 - tariffs equivalent to 1.48 people will be sought ($4 - 2.52 = 1.48$).
 - A five-bed dwelling with an expected occupancy of 3.37 people is converted into an eight-bed HMO with an expected occupancy of 8 – tariffs equivalent to 4.63 people will be sought ($8 - 3.37 = 4.63$).
- 2.27 Where a conversion to HMO is not expected to increase the typical occupancy of the house, no tariffs will be sought. This is because either the dwelling existed before the SPA approach was implemented and was not required to mitigate its impact, or it was built after the SPA approach was implemented and an appropriate tariff has already been paid.
- 2.28 If permission is sought for conversion from C3 to HMO for a house that has previously been lawfully used as a HMO, the applicant should inform the Council of this fact. If the new HMO would have a higher occupancy than the previous HMO, the Council will seek a tariff based on the increase in occupancy.

⁷ Under regulation 75 of The Conservation of Habitats and Species Regulations 2017

Dwellings created through sub-division

2.29 Where dwellings are created through subdivision that would increase the total occupancy, appropriate SANG and SAMM tariffs will be levied to cover the increase. See the following examples for illustration.

- A three-bed house with an expected occupancy of 2.52 is subdivided into two two-bed houses with a total expected occupancy of 3.98 (1.99 x 2) – tariffs equivalent to 1.46 people will be sought (3.98 – 2.52).
- A five-bed house with an expected occupancy of 3.37 people is subdivided into two three-bed units with a total expected occupancy of 5.04 (2.52 x 2) – tariffs equivalent to 1.67 people will be sought (5.04 – 3.37).

Residential development in other boroughs

2.30 Where housing is located in another borough, but it has been agreed that a SANG in Guildford Borough will provide mitigation, the occupancy rates from the other borough will be used to work out the amount of mitigation needed. If the other borough has not published occupancy rates, household data from the most recent census will be used⁸. Guildford tariffs will be applied as with developments within Guildford Borough.

3. Calculations for the SANG tariffs

- 3.1 The SPA Strategy sets out the costs and calculations that resulted in the SANG tariffs for the 2016/2017 financial year. This tariff was updated in line with the Retail Price Index measure of inflation every year in April, using the 12-month inflation rate from the preceding January. Going forward, the Council will apply the CPIH measure of inflation.
- 3.2 The per-person tariff for the 2023/24 financial year was £3,248.00. The 12-month CPIH inflation rate for January 2024 was 4.2%. Therefore, the per-person tariff for the 2024/25 financial year is £3,384.42.
- 3.3 The tariffs for different sizes of homes are calculated by applying average occupancy rates based on data from the 2021 census. The calculations are set out in the following table.

⁸ Occupancy rates can be calculated using data obtained through the ONS Census 2021 custom dataset tool available at <https://www.ons.gov.uk/datasets/create> using the 'all households' dataset and the 'number of bedrooms – 1 to 5+' and 'household size - 1 to 8+' variables.

Table 2: SANG tariffs for different dwelling sizes for the 2024/25 financial year

| | Occupancy | 2024/25 Tariff |
|---------------------------|-----------|----------------|
| Per person | 1 | £3,384.42 |
| One-bed dwelling/studio | 1.37 | £4,636.65 |
| Two-bed dwelling | 1.99 | £6,734.99 |
| Three-bed dwelling | 2.52 | £8,528.73 |
| Four-bed dwelling | 2.92 | £9,882.49 |
| Five or more bed dwelling | 3.37 | £11,405.48 |

4. Calculations for the SAMM tariffs

- 4.1 The Joint Strategic Partnership (JSP) oversees protection of the SPA from the impacts of new development. The JSP Board set the SAMM tariff at £630 per dwelling in 2009. The tariff was calculated based on the number of homes likely to be built within vicinity of the SPA and the amount of money needed to deliver the SAMM project across the SPA region. Details of this calculation are contained in the [Strategic Access Management and Monitoring Project Tariff Guidance](#) from Natural England published in March 2011.
- 4.2 On 19 November 2020, the JSP Board decided⁹ that the tariff charged on new dwellings would increase to bring it in line with the fee that would have been received if the tariff had been increased by 10% in 2011/12 and then by 15% every following five years as originally agreed in the SAMM Agreement¹⁰. The new amount of £796.95 was charged from April 1 2021 throughout the 2021/2022 financial year. The JSP Board also agreed that increasing the tariff in line with inflation would be preferable to a large increase in the future.
- 4.3 Natural England, which hosts the SAMM project, has advised that the CPIH inflation rate should be used and has backdated this approach to the 2021/2022 increase using the January figures for each following year. The JSP or SAMM project may calculate the standard per-house SAMM tariff centrally each year and advise local authorities of the new sum by letter, in which case the advised figure will be used to calculate the SAMM tariffs. Otherwise, the Council will increase the SAMM tariffs by the January CPIH inflation figure for that year. The advised figure for the 2024/25 financial year is £956.69.
- 4.4 The tariff must be applied proportionally to dwellings of different sizes. The approach assumes that the average housing occupancy rate across the SPA affected region is 2.4 people per dwelling. Therefore, the per-house tariff of £956.69 breaks down to £398.62 per person (the

⁹ Minutes available on the Surrey Heath Borough Council website at <https://surreyheath.moderngov.co.uk/ieListMeetings.aspx?CommitteId=316>

¹⁰ The SAMM Agreement was signed in 2011 by the SPA affected authorities and Natural England. It set out the detail of the SAMM project including how it would be funded and administered.

“standard cost”). Using occupancy rates derived from the 2021 census, the tariffs for different sizes of dwelling using the standard cost would be as follows.

Table 3: Unadjusted SAMM tariff for different dwelling sizes for the 2024/25 financial year

| | Occupancy | Occupancy x standard cost |
|-------------------------|------------------|----------------------------------|
| Per person | 1 | £398.62 |
| One-bed dwelling/studio | 1.37 | £545.53 |
| Two-bed dwelling | 1.99 | £794.48 |
| Three-bed dwelling | 2.52 | £1,002.95 |
| Four-bed dwelling | 2.92 | £1,164.33 |
| Five-bed+ dwelling | 3.37 | £1,342.17 |

(These figures have been rounded.)

- 4.5 These figures must be adjusted to make sure that homes return an average of £956.69 across the expected mix of dwelling sizes. The Natural England tariff guidance states that the expected mix should be based on recent experience of market delivery rather than the need for different housing sizes. Therefore, we have used data for housing commencements and completions since September 2015 rather than the mix set out in Local Plan policy. The calculation will be revisited in future if the delivered housing mix is significantly different from the mix used in the calculation.
- 4.6 September 2015 is used as the base date because the West Surrey Strategic Housing Market Assessment (SHMA) dates from September 2015. The SHMA sets out a recommended housing mix for development proposals that informed the indicative housing mix set out in Policy H1 of the Local Plan part 1 (adopted April 2019).
- 4.7 We have used the introduction of the SHMA rather than the adoption of the Local Plan part 1 as the base date for the housing mix data because:
- the SHMA was used as a basis for negotiating development proposals before the Local Plan part 1 was adopted,
 - the introduction of the SHMA comes shortly after the implementation of the Council’s current planning monitoring system that improved data collection, and
 - the longer time period is better at showing trends and reduces the short-term impact on housing delivery caused by the Covid pandemic.
- 4.8 The following table sets out the mix of housing on developments that were granted permission from 1 September 2015 up to end of March 2023¹¹. It excludes phases of sites that have been

¹¹ At time of writing, the 2023/2024 financial year dataset for completions and commencements is not fully complete so has not been included in the figures.

granted outline permission for which the mix of units is not yet known. The tariff calculation for each dwelling size is calculated based on the mix.

Table 4: Calculation for SAMM tariff uplift

| Bedrooms | Starting tariff | No. delivered | Total starting tariff | Enabling adjustment | Adjusted tariff | Total adjusted tariff |
|------------|-----------------|---------------|-----------------------|---------------------|-----------------|-----------------------|
| One/Studio | £545.53 | 1478 | £806,296.65 | 13.204% | £617.56 | £912,760.06 |
| Two | £794.48 | 2356 | £1,871,806.55 | 13.204% | £899.39 | £2,118,959.89 |
| Three | £1,002.95 | 1704 | £1,709,026.73 | 13.204% | £1,135.38 | £1,934,686.62 |
| Four | £1,164.33 | 851 | £990,843.58 | 13.204% | £1,318.07 | £1,121,674.57 |
| Five+ | £1,342.17 | 43 | £57,713.22 | 13.204% | £1,519.39 | £65,333.68 |
| Totals | | 6432 | £5,435,686.73 | | | £6,153,414.81 |

(These figures have been rounded.)

4.9 The calculation above shows that if the unadjusted tariff is applied to the delivered housing mix, the total tariff income would be £5,435,686.73. The mean average tariff would be £845.10, which is lower than the required sum of £956.69. If the tariffs are increased by 13.204%, the total tariff collected would rise to £6,153,414.81, providing an average tariff of £956.69 - the required sum.

4.10 The SAMM tariff for the financial year 2024/2025 is therefore set as follows.

Table 5: Adjusted SAMM tariff for different dwelling sizes for the 2024/25 financial year

| | SAMM tariff |
|-------------------------|--------------------|
| Per person | £398.62 |
| One-bed dwelling/studio | £617.56 |
| Two-bed dwelling | £899.39 |
| Three-bed dwelling | £1,135.38 |
| Four-bed dwelling | £1,318.07 |
| Five-bed+ dwelling | £1,519.39 |

4.11 The SAMM agreement that was signed by the affected Local Authorities and NE allows the methodology used to calculate the SAMM tariff to be reviewed. If the approach is altered, the altered approach will be used to calculate the SAMM tariff.

END