

REPORT TO EXECUTIVE

Date of Meeting: 17 March 2026

Report of: Strategic Director for Place

Title: Adoption of Revised Non-Infrastructure Habitat Mitigation (SAMM) Contributions

Is this a Key Decision?

Yes

Is this an Executive or Council Function?

Executive

1. What is the report about?

1.1 This report seeks Executive approval to adopt revised non-infrastructure habitat mitigation contributions (Strategic Access Management and Monitoring – SAMM) to be applied to residential development within the defined habitat mitigation zone.

1.2 Residential development within Exeter contributes to increased recreational pressure on internationally protected habitats, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). Under the Conservation of Habitats and Species Regulations 2017 (as amended), the Council must be satisfied that development will not result in an adverse effect on the integrity of these sites.

1.3 The non-infrastructure habitat mitigation measures are delivered through a coordinated partnership with neighbouring local authorities, reflecting the cross-boundary nature of the affected protected habitats and recreational catchments. Developer contributions collected by the Council are used solely to fund agreed mitigation measures and are managed through established partnership arrangements to ensure transparency, proportionality, and effective delivery.

1.4 To meet these legal requirements, the Council relies on a package of mitigation measures, including non-infrastructure mitigation delivered through SAMM. These measures are funded through developer contributions secured as part of the planning application process.

1.5 The revised contributions are required to ensure that the costs of delivering SAMM measures are fully and appropriately met, and that the Council can continue to determine planning applications lawfully and robustly.

1.6 The report also seeks delegated authority for the annual index-linking of the contributions, to ensure that the rates remain up to date and reflective of mitigation costs over time.

2. Recommendations:

2.1 Adopt the revised SAMM contributions for all qualifying residential planning applications received on or after 1 April 2026.

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2.2 Delegate authority to the Head of City Development, in consultation with the Portfolio Holder, to apply annual index-linking and publish updated rates.

3. Reasons for the recommendation:

3.1 The existing contribution rates no longer fully reflect the costs of delivering non-infrastructure mitigation.

3.2 Updating the rates ensures continued legal compliance and effective mitigation.

4. What are the resource implications including non-financial resources:

4.1 Contributions are developer funded and ring-fenced for mitigation purposes.

4.2 There are no General Fund implications.

5. Section 151 Officer comments:

5.1 The proposals do not impact the Council's revenue or capital budgets.

6. What are the legal aspects?

6.1 The Council must ensure development does not adversely affect protected habitats under the Habitats Regulations.

6.2 Updated contributions support lawful decision-making.

7. Monitoring Officer's comments:

7.1 The Monitoring Officer has no additional comments.

8. Equality Act 2010 (The Act)

8.1 In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act because:

- The proposals do not discriminate against any protected groups.
- The mitigation measures support inclusive access to protected environments.

9. Carbon Footprint (Environmental) Implications:

9.1 The proposals support habitat protection and sustainable recreation management.

9.2 There are no adverse carbon impacts.

10. Report details:

10.1 Exeter City Council is required, under the Conservation of Habitats and Species Regulations 2017, to assess the impacts of residential development on internationally designated habitats, either alone or in combination with other plans and projects.

10.2 Evidence demonstrates that residential development contributes to increased recreational activity within protected habitats, including walking, dog walking and other leisure activities. Without appropriate management, this increased activity can result in disturbance to protected species and degradation of sensitive habitats.

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10.3 Strategic Access Management and Monitoring (SAMM) is a recognised approach to addressing recreational impacts on internationally designated habitats. It involves a coordinated programme of non-infrastructure measures designed to manage recreational pressure, monitor impacts, and promote responsible use of protected sites.

10.4 SAMM measures typically include:

- wardening and site-based management;
- visitor engagement and education;
- monitoring of habitat condition and visitor activity; and
- coordination across administrative boundaries to address cumulative impacts.

These measures directly reduce recreational disturbance to protected species, including overwintering and breeding bird populations for which the sites are designated. Site-based wardening enables proactive engagement with visitors, supports responsible dog management and access behaviour, and provides a visible presence in sensitive areas. Monitoring allows emerging pressures to be identified and addressed through adaptive management, helping to maintain the integrity and conservation objectives of the designated habitats.

10.5 The Council currently secures a combined habitat mitigation contribution from qualifying residential development, comprising both infrastructure mitigation (including Suitable Alternative Natural Greenspace – SANGS) and non-infrastructure mitigation (SAMM). This report relates solely to the recosted SAMM element. The SAMM contribution is pooled and used exclusively to fund agreed non-infrastructure mitigation measures delivered through the established partnership arrangements.

10.6 The existing contribution rates were set some time ago and no longer fully reflect the current and anticipated costs of delivering SAMM across the mitigation zone. Updated rates are therefore required to ensure that mitigation remains effective and proportionate.

10.7 The revised non-infrastructure habitat mitigation (SAMM) contribution rates have been calculated to reflect these costs and to ensure that development contributes fairly to mitigation. The proposed rates are set out in **Appendix A**.

10.8 The revised SAMM contribution rates were considered by the South East Devon Habitat Regulations Executive Committee (HREC), the joint committee established by Exeter City Council, East Devon District Council and Teignbridge District Council to oversee delivery of the shared habitat mitigation strategy. HREC endorsed the updated non-infrastructure mitigation approach. Formal adoption of the revised contribution rates, insofar as they apply within Exeter, is a matter for the Executive.

10.9 The proposed rates will apply to all planning applications for residential development within the habitat mitigation zone received on or after 1 April 2026, providing clarity and certainty for developers.

10.10 Delegated authority is sought to apply annual index-linking to the contribution rates from April each year, ensuring that the contributions remain up to date without the need for repeated Executive decisions on minor technical adjustments.

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10.11 SAMM contributions are applied and monitored through established partnership arrangements with neighbouring authorities, ensuring that funds are directed to mitigation measures proportionate to the impacts arising from development within Exeter.

11. How does the decision contribute to the Council's Corporate Plan?

11.1 The decision supports a sustainable environment and a well-run Council.

11.2 The decision also supports the Council's commitment to sustainable growth by enabling residential development to proceed in a manner that protects sensitive habitats.

12. What risks are there and how can they be reduced?

12.1 Without updated contributions, legal risk would increase.

12.2 This is mitigated through adoption and index-linking.

12.3 There is also a risk that without updated contributions, mitigation measures cannot be delivered at the scale required.

13. Are there any other options?

13.1 Retaining existing rates is not recommended.

Strategic Director for Place, Ian Collinson

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Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

List of Appendices:

- Appendix A - Revised Non-Infrastructure Habitat Mitigation (SAMM) Contribution Rates