

Recreation pressure

Natural England (NE) agrees that in order to mitigate the effects of recreation pressure arising from new housing development on the Cotswold Beechwoods SAC a joint approach will be needed by the relevant Local Planning Authorities (LPAs). This is due to the cross border nature of recreation pressure (roughly two thirds of visitors travelling from an average of up to 10-15km from the SAC) and the in combination or cumulative nature of effects. Evidence available so far regarding the distance visitors travel to reach the SAC indicates that all three Joint Core Strategy (JCS) LPAs need to co-operate along with Stroud DC and Cotswold DC (our advice letter dated 22.8.18 refers).

The 'statement of co-operation' reached between the JCS LPAs and NE outlined how specific policy elements of the JCS might be applied together to support work to better understand the effects of recreation pressure on this SAC and devise and apply measures to mitigate such effects. Recent progress on updating the evidence base is expected to result in visitor survey data for the SAC by Summer 2019, following which further consultancy work would be needed to identify potential, necessary mitigation measures. A phase of further discussion between the chosen consultants, LPA partners and stakeholders is likely in order to agree which of the proposed, potential measures should properly be implemented.

In the meantime the Cheltenham Plan (CP) needs to contain suitable policy and supporting material to ensure housing development meets the requirements of the Habitats Regulations 2017 i.e. to address uncertainty regarding the effects of recreation pressure from new housing in the CP on the Cotswold Beechwoods SAC.

Taken together the following policy and supporting text material (please see below) could provide complimentary parts of an approach which would offer a package of measures to devise suitable green infrastructure and open space to offset recreation impacts on the SAC pending visitor survey work in Spring 2019 and which will contribute to the review of the JCS. In the interim these measures may be reasonably expected to address routine recreation needs such as walking, dog walking and running. However specific consideration will be needed in respect of activities such mountain biking for which the locality is unlikely to cater and for which mitigation is needed.

A specific safeguarding mechanism (e.g. policy) may therefore be needed in order to acknowledge the uncertain effects of recreation pressure arising from new housing development in the LPA area. This approach is needed to meet the Habitats Regulations 2017. The policy should reference:

- *The ongoing collaborative approach by the 3 JCS LPAs and Cotswold DC to assist Stroud DC in the delivery of the visitor survey for the Cotswold Beechwoods SAC (thereby updating the evidence base for review of the JCS).*
- *The need for an interim policy or equivalent safeguarding mechanism to ensure housing development coming forward as part of the CP meets HRA requirements.*

Relevant existing CP policy and supporting text material:

Biodiversity and geodiversity – 'Development proposals and biodiversity' - supporting para 10.29: A holistic approach will be adopted in the assessment of proposals, which takes into account not only the natural characteristics of each individual site but also the wider context of that site and how it relates to surrounding biodiversity networks and ecosystems. A key consideration will be the cumulative effect of allowing one development after another and the potential damage that can arise through piecemeal erosion of biodiversity interests.

Green spaces - supporting para

16.4. *Green space in the urban environment has worth for its townscape, environmental, wildlife and recreational values. The National Planning Policy Framework (NPPF) (Para. 73) describes the contribution open spaces make to the health and well-being of communities. The Borough Council will take this into account when making development control decisions and formulating local plan policies.*

Recreational Value - supporting para

16.9. *Much public green space is provided primarily for public recreation use, but also has an amenity value. However, green spaces do not have to be large to be enjoyed. Other types of green space, which have been provided for their townscape value, can often also afford opportunities for informal recreation such as walking, picnics and dog walking. All these spaces contribute to the health and well-being of the community. Policies protecting outdoor play space, and also safeguarding amenity space with an incidental recreational value, are set out in Chapter 17: Social and Community Infrastructure*

POLICY CI1: SECURING COMMUNITY INFRASTRUCTURE BENEFITS

Development proposals will only be permitted where adequate community infrastructure capacity exists, or where additional capacity is capable of being provided as part of the development without unacceptable impacts on people or the environment. In order to secure community infrastructure improvements, the Council will employ planning obligations as necessary and appropriate. Obligations may relate to:

Various including:

- b) green infrastructure, including open space*
- h) health and well-being facilities*
- k) environmental protection and enhancement*

POLICY CI2: SPORTS AND OPEN SPACE PROVISION IN NEW RESIDENTIAL DEVELOPMENT

The Council will expect new development to contribute towards meeting local standards in respect of the provision of:

- a) Open Space*

Air quality

Natural England notes and acknowledges the relevant explanatory text set out in the Council's Pre-submission revised HRA screening and appropriate assessment report (July 2017), in particular paragraphs 2.12.and 2.13:

2.12 The case (the Wealden Judgement) concerned the approach to assessment of in-combination effects with regard to vehicle emissions and nitrogen deposition effects on heathland habitat in the Ashdown Forest SAC. The outcome was that part of the Lewes JCS (prepared by LDC & the SDNPA) was quashed. Natural England has been required to reconsider its advice regarding in-combination assessment and Highways England has been required to re-examine its Design Manual for Roads & Bridges (DRMB). An HRA Note (July 2017) was prepared to explain the situation with this advice and the HRA of the GCT JCS; the findings of the strategic level HRA of the GCT JCS reported in 2013-4, 2015 and 2016 remain relevant and valid. The HRA of the GCT JCS has been found sound and legally compliant (October 2017).

2.13 The JCS Authorities will continue to monitor air quality, undertake further studies as necessary, and continue to liaise closely with the relevant regulator Natural England to ensure that implications for the Cotswolds Beechwoods SAC and HRA are addressed. They will monitor any future developments in

guidance from NE and HE that arise from the Wealden Judgment recommendations and adjust studies accordingly. This situation with guidance provided by the regulators has been taken into account with the HRA of the Cheltenham Plan.

Since the adoption of the JCS and following consideration of the implications of the Wealden Judgement Natural England has published the following guidance:

Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations (NEA001)

<http://publications.naturalengland.org.uk/publication/4720542048845824>

The Cotswold Beechwoods SAC lies within 200m of the A46 linking Cheltenham with Stroud. The 'air pollution information service' (APIS) website (www.apis.ac.uk) indicates that the SAC currently exceeds its critical loads and levels for e.g. nutrient nitrogen. Natural England will draw its latest guidance (above) to the attention of the JCS authorities as part of the JCS review and similarly to Stroud District Council as part of their emerging local plan strategy. In the meantime Natural England proposes that the Cheltenham Plan is amended to include a safeguarding mechanism whereby development proposals in the authority area that may generate traffic along this route take account of the new guidance. This will ensure that development proposals reference the latest available up to date information in line with the Habitats Regulations 2017 and consistent with the Wealden Judgement case law dealing with in combination effects.