

DEVELOPMENT AFFECTING COTSWOLD BEECHWOODS SPECIAL AREA OF CONSERVATION

- 10.30. 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. This is due to the cross border nature of recreation pressure 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 authorities need to co-operate along with Stroud DC and Cotswold DC.
- 10.31. The ‘statement of co-operation’ reached between the JCS authorities and Natural England 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, local authority partners and stakeholders is likely in order to agree which of the proposed, potential measures should properly be implemented.
- 10.32. In the meantime the Cheltenham Plan needs to contain suitable policy 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. Consistent both with the ‘Statement of Co-operation’ agreed in 2014 and the revised NPPF (2018) it is proposed that the new policy references adopted JCS policy INF3 Green Infrastructure and the associated JCS Green Infrastructure Strategy.
- 10.33. The main considerations for Policy BG1 are:
- 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.

POLICY BG1: COTSWOLD BEECHWOODS SPECIAL AREA OF CONSERVATION RECREATION PRESSURE

Development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network (alone or in combination), and the effects cannot be mitigated.

In order to retain the integrity of the Cotswold Beechwoods Special Area of Conservation (SAC) all development within the borough that leads to a net increase in dwellings will be required to mitigate any adverse effects.

The ongoing work by relevant partner authorities will culminate in a mitigation and implementation strategy. Development proposals must contribute towards mitigation specified in the mitigation and implementation strategy or provide information for a bespoke Habitats Regulations Assessment.

This may include requiring housing developments to make contributions towards habitat management; access management and visitor infrastructure; publicity, education and awareness raising; the provision of suitable open and green space within development sites where this can be accommodated, and where it cannot, by contributions to off-site alternative green space.

While the evidence base and the mitigation and implementation strategy are in production development proposals must address the issues raised in any relevant Habitat Regulations Assessments. Mitigation measures should take into account and integrate with adopted JCS policy INF3 (Green infrastructure) and the associated JCS Green Infrastructure Strategy.

The Council is committed to the production of a mitigation and implementation strategy. A review of relevant parts of the plan will take place if the strategic mitigation and implementation scheme has not progressed to the implementation phase after five years.

10.34. 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 nutrient nitrogen. Natural England have drawn the JCS authorities attentions to its latest guidance¹ as part of the JCS review and similarly to Stroud District Council as part of their emerging local plan strategy. In the meantime the Council proposes that the Cheltenham Plan includes 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

¹ <http://publications.naturalengland.org.uk/publication/4720542048845824>

Regulations 2017 and consistent with the Wealden Judgement² case law dealing with in combination effects.

POLICY BG2: COTSWOLD BEECHWOODS SPECIAL AREA OF CONSERVATION AIR QUALITY

Development which is likely to generate road traffic emissions to air which are capable of affecting the Cotswold Beechwoods SAC will be screened against the Habitats Regulations Assessment Framework in line with Natural England's guidance 'Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations (NEA001)'.

² <http://www.bailii.org/ew/cases/EWHC/Admin/2017/351.html>