

# STROUD DISTRICT LOCAL PLAN: PROPOSED MODIFICATIONS MAY 2005

## 8. NATURAL ENVIRONMENT

### Proposed Modification M/08/18T: Modify paragraph 8.1.2 with a factual correction.

8.1.2. In terms of wildlife habitat, the Severn Estuary is internationally recognised under the RAMSAR Convention and is a Special Protection Area site. **It is also a proposed Special Area of Conservation site (pSAC) There are two further confirmed Special Areas of Conservation (SAC) at Cotswold Beechwoods and Rodborough Common.** The District also contains National Nature Reserves and 29 Sites of Special Scientific Interest. In addition, there are many locally recognised sites of nature conservation and geological importance.

### Proposed Modification M/08/15T: Modify paragraph 8.1.2 with a factual correction.

8.3.1. Government guidance for the natural environment is found in a variety of sources. ~~PPG7: The Countryside – Environmental Quality and Economic and Social Development 1997~~ PPS7: **Sustainable Development in Rural Areas (2004)** provides advice on the need to balance social, economic, conservation, agricultural and other factors when considering development in the countryside.

### Proposed Modification M/08/01T: Modify paragraph 8.5.1 to reflect recommendation 8.2 of the Inspectors Report.

8.5.1. There has been a growing awareness and understanding of the importance of nature conservation ~~at many levels over the last decade or so.~~ **On** At an international scale, the Earth Summit in Rio in 1992 resulted in greater awareness of the natural environment and its vulnerability. It led to the signing of the 'Convention on Biological Diversity' - an agreement between countries concerning the protection of the diversity of species and habitats in the world.

### Proposed Modification M/08/01T: Modify paragraph 8.5.3 to reflect recommendation 8.2 of the Inspectors Report.

8.5.3. **At a local level,** a Biodiversity Action Plan (BAP) for Gloucestershire was launched in April 2000 following extensive consultation

with a partnership of organisations. The main aim of the Gloucestershire BAP is to conserve and enhance species and habitats which characterise the various areas of Gloucestershire. More specifically, the information contained in the Gloucestershire BAP will provide the Local Planning Authority with the key biodiversity issues relevant to particular areas of Stroud District. This information will be taken into account by the Local Planning Authority in accordance with Paragraph 24 of PPG9. The Gloucestershire BAP also aims to be a pro-active initiative and, as such, identifies priority areas for action with corresponding targets for species and habitat enhancement. In this respect, biodiversity action planning differs from previous nature conservation approaches in that it sets objectives and targets and lists the actions required to achieve them in order to guide nature conservation in the future. This is achieved through a wide partnership of organisations implementing positive actions 'on the ground' in accordance with the BAP, and the monitoring of results. Through the planning process, Stroud District Council will aim to contribute towards the achievement of these BAP targets and the overall objective of sustainable development.

### Proposed Modification M/08/01T: Modify paragraph 8.5.4 to reflect recommendation 8.2 of the Inspectors Report.

8.5.4. The provisions of statutory guidance for the natural environment are manifested in a series of protective designations. The Severn Estuary is designated as an internationally important wetland under the RAMSAR Convention and as a *Special Protection Area* (SPA) under the EC Birds Directive. Under the EC Habitats Directive **1994**, a larger area of the Severn Estuary is a proposed *Special Areas of Conservation* (pSAC). Together with SPAs, SACs are intended to protect habitats of threatened species which comprise the EC 'Natura 2000' network of habitats of pan-European nature conservation importance. Within Stroud District there are two candidate *Special Areas of Conservation* (cSAC); the unimproved limestone grassland of Rodborough Common and the beech woodland of the Cotswold Beechwoods. The Cotswold Commons and Beechwoods have

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also been designated as *National Nature Reserves* (NNR). These are sites of national and international importance for their conservation of wildlife or geological and natural features. In addition, there are a number of other *Sites of Special Scientific Interest* (SSSIs) within the District designated for their geological, botanical, zoological and physiographic importance at a national level. In some cases, the best SSSIs are afforded NNR status.

### **Proposed Modification M/08/02T: Modify paragraph 8.6.1 to reflect recommendation 8.5 of the Inspectors Report.**

8.6.1. International designations **as explained in paragraph 8.5.4** are applied to the most important sites of nature conservation interest and offer the highest level of protection. Such designated sites within the Plan area are identified on the Proposals Map and listed in Appendix 6. Development proposals that are likely to have an adverse effect on the integrity of sites of international importance, whether designated, proposed or candidate, will be subject to the **most** rigorous procedures outlined in PPG9. In this context, the integrity of a site is defined as the coherence of its ecological structure and function, across its whole area that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was classified.

### **Proposed Modification M/08/02T: Modify paragraph 8.6.2 to reflect recommendation 8.5 of the Inspectors Report.**

8.6.2. Procedures for determining proposals affecting internationally designated sites can include provision for call-in by the Secretary of State and consultation with English Nature and the European Commission. Environmental Impact Assessment regulations may also apply. Proposals for development likely to affect adversely the integrity of sites of international importance will **be refused except in closely defined circumstances. In meeting the criteria outlined in the EC Habitats Directive, development proposals will need to demonstrate that there are no alternative solutions. Development proposals will also need to demonstrate**

**that there are** not, nor are likely to be, any suitable **and available sites which are reasonable alternatives sites available** for the proposed development, nor different practicable approaches that would have a lesser impact. If there is no alternative solution **to a proposed development**, then sufficient imperative reasons of over-riding public interest must be demonstrated, including those of a social or economic nature, to over-ride the ecological importance of the designation. Where a site of international importance hosts a priority habitat or species, as defined in Annexes I and II of the EC Habitats Directive, development should only proceed if required for reasons of human health, public safety, or where there would be beneficial consequences of primary importance to the environment.

### **Proposed Modification M/08/02T: Modify paragraph 8.6.3 to reflect recommendation 8.5 of the Inspectors Report.**

8.6.3. Where the development of a site of international importance is **justified permitted**, the District Council will expect schemes to minimise their impact upon features of nature conservation interest. Where appropriate, it will be a requirement that these features are retained and managed within the site and opportunities for the improvement and/or creation of new compensatory habitats explored. These objectives will be achieved through the use of appropriate conditions and planning obligations.

### **Proposed Modification M/08/03T: Modify paragraph 8.6.5a to reflect recommendation 8.6 of the Inspectors Report.**

National Designations

8.6.5a. Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR) are statutory sites of national importance, designated under ~~national legislation the Wildlife and Countryside Act 1981 by English Nature~~. These sites **represent a selection of the best examples of our natural heritage of wildlife habitats and geological features and their protection comprise areas or features where conservation is considered essential to the safeguarding of the national network. maintain and enhance the nature**

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~~conservation interest or special interest of the site.~~ Such designated sites within the Plan area are identified on the Proposals Map and listed in Appendix 6. There is a strong presumption against development that would have an adverse effect upon the integrity of these sites, whether proposed or designated. All development proposals **in or likely to affect** ~~affecting~~ these sites will be subject to **special scrutiny rigorous examination** to safeguard the national network of such sites. In this context, the integrity of a site is defined as the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and the levels of populations of the species for which it was classified. Proposals for development likely to affect adversely the integrity of a site of national importance will not be permitted unless there are imperative factors, of a social or economic nature, which override the special conservation interest of the site.

### **Proposed Modification M/08/03T: Modify paragraph 8.6.5b to reflect recommendation 8.6 of the Inspectors Report**

8.6.5b. Where ~~the~~ development ~~of on~~ a site of national importance is **justified permitted**, the District Council will expect the scheme to minimise its impact on the features of special conservation interest. Where appropriate, it will be a requirement that these features are retained and managed within the site and opportunities for the improvement or creation of new habitats explored. These objectives may be achieved through the use of appropriate conditions and planning obligations.

### **Proposed Modification M/08/03P: Modify Policy N1A to reflect recommendation 8.6 of the Inspectors Report**

POLICY N1A  
Development proposals that would adversely affect, either directly or indirectly, the integrity of a site of national importance, including a National Nature Reserve or a Site of Special Scientific Interest will not be permitted unless there are other imperative factors that override the special nature conservation interest of the site. **Where development is permitted,**

conditions or planning obligations **will be used to secure compensatory measures** to minimise loss or damage to the integrity of the site.

### **Proposed Modifications M/08/04T and M/08/16T: Modify paragraph 8.6.6 to reflect recommendation 8.7 of the Inspectors Report with a factual update and a consequential modification arising from M/APP6/02T.**

8.6.6. Whilst a number of sites in the District are not statutorily defined as being of value in nature conservation terms, they are of special local nature conservation interest and it is important to afford protection to them. Of particular note are the *County Key Wildlife Sites*, identified by Gloucestershire Wildlife Trust and adopted by the District Council as sites requiring protection. These include many ancient woodlands and unimproved limestone grasslands that are present in the District and have specialised wildlife communities. *Regionally Important Geological and Geomorphological Sites* (RIGS) are also important local designations that are **selected and managed informally and voluntarily identified with reference to established criteria by the Gloucestershire Geo-Conservation Trust**. All County Key Wildlife Sites and RIGS within Stroud District are outlined in Appendix 6 and are identified on the Proposals Map. **They are correct at the time of printing. Developers are advised to contact the Gloucestershire Geo-Conservation Trust for RIGS or Gloucestershire Centre for Environmental Records (GCER) for KWS to establish whether sites have been added, deleted or amended as a result of more recent survey work.**

### **Proposed Modification M/08/04T: Modify paragraph 8.6.7 to reflect recommendation 8.7 of the Inspectors Report**

### **Proposed Modification M/08/19T: Factual update to designated Local Nature Reserves.**

8.6.7. Local Authorities have powers under the National Parks and Access to the Countryside Act 1949 to designate a habitat of local significance as a *Local Nature Reserve* to

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help conserve the natural surroundings. Such sites are owned, leased or managed under agreement by Local Authorities and can make a significant contribution to nature conservation and also provide opportunities for people to see, learn about and enjoy wildlife. At present there ~~are no~~ **are two** Local Nature Reserves **at Biseley Road Cemetery, Stroud and Coopers Hill, Upton St. Leonards**, within Stroud District. ~~However but~~ where proposed designations ~~can be justified~~ **are agreed by English Nature**, the District Council will support the designation and management of **these** sites. Developers are therefore advised to contact the District Council for up-to-date information on the designation of Local Nature Reserves.

### Proposed Modification M/08/04T: Modify paragraph 8.6.7a to reflect recommendation 8.7 of the Inspectors Report

8.6.7A. The UK Biodiversity Action Plan (BAP) acknowledges that 'biodiversity is ultimately lost or conserved at the local level'. The integration of locally designated sites with statutory sites can help contribute to biodiversity objectives by providing links for the genetic exchange of species. Consequently, proposals for development that would adversely affect the nature conservation interest or scientific interest of a locally designated site will not be permitted, unless it is evident that the local benefits of the development over-ride the nature conservation or scientific interest of the site. Where the development of a locally designated site is justified, **the adverse effects should be minimised** and the District Council will expect the scheme to include compensatory habitat creation and management that takes into account the relevant sections of the Gloucestershire BAP. This will be achieved through the use of appropriate conditions and planning obligations.

### Proposed Modification M/08/04P: Modify Policy N2 to reflect recommendation 8.7 of the Inspectors Report

#### POLICY N2

~~Development proposals that would adversely affect a Key Wildlife Site, Local~~

~~Nature Reserve or Regionally Important Geological or Geomorphological Site will not be permitted unless either:~~

- ~~1. the benefits of the development outweigh the nature conservation interest or scientific interest of the site; or~~
- ~~2. the effects of the development can be compensated through the use of conditions or planning obligations. Compensatory measures should reflect the importance of the site and relevant Gloucestershire Biodiversity Action Plan targets. Where appropriate, this will include the creation of substitute habitat of a comparable quality and quantity to that lost) elsewhere in, or close to the identified site.~~

Development proposals that would adversely affect a Key Wildlife Site, Local Nature Reserve or Regionally Important Geological or Geomorphological Site will not be permitted unless the benefits of the development outweigh the nature conservation interest or scientific interest of the site. Where development is permitted, the effects of the development should be minimised and conditions or planning obligations used to secure compensatory measures that reflect the importance of the site and relevant Gloucestershire Biodiversity Action Plan targets.

### Proposed Modification M/08/05T: Modify paragraph 8.6.8 to reflect recommendation 8.8 of the Inspectors Report

#### Protection of Species

8.6.8. The protection of designated sites, such as SSSIs, NNRs and Key Wildlife Sites is one of the main ways of protecting rare plants and animals. However, ~~a considerable number of plant and animal species~~ **such species also occur outside of designated sites and consequently require special attention wherever they exist.** These **species** are protected under the Wildlife and Countryside Act 1981 and the EC Habitats Directive 1994, ~~wherever they exist.~~ **This**

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**legislation** The 1981 Act makes it an offence to kill, injure, take, or intentionally damage, destroy or obstruct any protected species and their place of shelter. The EC Habitats Directive lists a number of priority species and habitats and development on a site hosting a priority species or habitat should only proceed if required for reasons of human health, public safety or other beneficial environmental reasons. The presence of a protected species is a material consideration in determining a planning application for development. Where protected species are known or suspected to exist on a site subject to a planning application, English Nature or the Gloucestershire Wildlife Trust will be consulted to ensure that the species are taken into account. In addition to legally protected species, the Gloucestershire Biodiversity Action Plan (BAP) has identified a list of priority species and habitats that are under threat, or contribute to the character and local identity of the County's natural environment. A number of 'targets' have been included in the Gloucestershire BAP in an attempt to conserve and enhance these priority species and habitats. When considering proposals for development, the District Council will also take into account the extent to which the development will influence the achievement of the relevant Gloucestershire BAP targets.

**Proposed Modification M/08/04P: Modify Policy N3 to reflect recommendation 8.8 of the Inspectors Report.**

### POLICY N3

Development proposals that would adversely affect, either directly or indirectly, a **site supporting** any legally protected species or its habitat, or priority species or habitats as defined in the Gloucestershire Biodiversity Action Plan, will not be permitted unless safeguarding measures can be provided through conditions or planning obligations to secure their protection. Where appropriate, development proposals should contribute to Gloucestershire Biodiversity Action Plan targets.

**Proposed Modification M/08/06P: Modify Inspectors recommended policy under recommendation 8.8 for clarity and purpose.**

### POLICY N3A

In considering proposals for development, the protection or enhancement of wildlife corridors will be sought. It is important that the function of any corridor should not be harmed. The creation of new wildlife corridors will be supported in appropriate locations. The details of any necessary enhancing, mitigating or compensatory measures should accompany the development proposal.

**Proposed Modification M/08/07T: Modify paragraph 8.6.11 to reflect recommendation 8.9 of the Inspectors Report**

### Natural Landscape Features

8.6.11. Considerable importance is placed upon the **natural landscape** features in the District in relation to both their nature conservation value and to the contribution they make to the local landscape. PPG9 encourages the management of features of the landscape that contribute to species' dispersal and biodiversity objectives, as outlined in the Gloucestershire Biodiversity Action Plan (BAP). The District Council will seek to conserve these features in a positive manner.

**Proposed Modification M/08/07P: Modify Policy N4 to reflect recommendation 8.9 of the Inspectors Report.**

### POLICY N4

In development proposals, important **natural landscape** features such as trees, hedges, shrubs, vegetation, green lanes, walls, woodland and unimproved pasture should be retained and managed to conserve and enhance biodiversity. The impact of development on such features should be minimised and will be controlled through the use of conditions and planning obligations.

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#### Proposed Modification M/08/08T: Modify paragraph 8.6.14 to reflect recommendation 8.10 of the Inspectors Report

8.6.14. The District has substantial water resources in the Rivers Severn and Frome, their tributaries and other smaller rivers and streams in the District, together with parts of the Gloucester and Sharpness, Stroudwater and Thames and Severn Canals. Whilst the River Severn is the subject of various international and national statutory protection designations, the smaller rivers and their tributaries provide local nature conservation interest, but generally have no statutory designations. Similarly, other water features such as ponds and canals provide valuable habitats but do not enjoy specific statutory protection. The importance of management of water features and their associated vegetation is therefore recognised by the District Council and development which would have an adverse effect upon water features will be carefully controlled through the use of conditions or planning obligations. Where appropriate, the District Council will also encourage the opening-up of culverted watercourses, ~~providing there are no overriding reasons against doing so~~ especially where doing so will reinstate strategic links between fragmented habitats.

#### Proposed Modification M/08/08T: Modify paragraph 8.6.14a to reflect recommendation 8.10 of the Inspectors Report

8.6.14a. The District Council recognises that there are, potentially, conflicting issues concerning canal restoration and nature conservation in Stroud District, **especially as canal restoration is currently proceeding on a site-by-site basis**. As stated in Chapter 10 of this Plan (Canal Based Activities), the District Council supports the restoration of the canals for the purpose of through navigation and public access. However, as a Local Planning Authority, Stroud District Council also has responsibilities concerning the protection and, where possible, enhancement of the District's natural environment. When considering development proposals that contribute to the restoration of the canals, the District Council will evaluate the merits of the

~~proposal against their impact on nature conservation. It is acknowledged that it may be possible to provide nature conservation interest which, after the restoration of a canal, is different to that which existed prior to its restoration. Although there may be differences between the 'type' of nature conservation interest, wherever possible there should be no overall adverse impact upon the level of it.~~ The District Council will encourage a strategic overview of habitats likely to be affected by canal restoration and will seek to ensure that, wherever possible, there is no net loss of key wetland features resulting from canal restoration.

#### Proposed Modification M/08/09T: Modify paragraph 8.7.4a to reflect recommendation 8.11 of the Inspectors Report and factual update on AONB Board.

8.7.4a The Government released three significant documents relating to Areas of Outstanding Natural Beauty; the Rural White Paper 2000, Countryside and Rights of Way (CROW) Act 2001 and PPS7 Sustainable Development in Rural Areas. The Cotswolds Conservation Board works with others to conserve and enhance the natural beauty of the AONB – and is the only organisation to look after the AONB as a whole. It is a statutory body, established by Order of the Secretary of State with the approval of both Houses of Parliament. It replaced the Cotswolds Area of Outstanding Natural Beauty Partnership in December 2004. The statutory role has a status which brings opportunities for more streamlined and effective management of the AONB and which makes it easier to attract funds and support. They will also be responsible for promoting public understanding and enjoyment of AONBs and fostering the economic and social well being of local communities. The Conservation Board's Operative Day (the day that the Board receives its powers as provided for by the Establishment Order) is Tuesday 1 February 2005: Development planning and control functions will remain the responsibility of the constituent local authorities.

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### Proposed Modification M/08/09T: Modify paragraph 8.7.6 to reflect recommendation 8.11 of the Inspectors Report

~~8.7.6. Areas of Outstanding Natural Beauty represent some of the most sensitive landscapes in Britain and can be vulnerable to pressures for development and change. It is the intention of Stroud District Council, as the Local Planning Authority, to uphold the primary purpose of the Cotswolds AONB designation; to conserve and enhance the natural beauty of the landscape. However, the needs of agriculture, forestry, rural industries and local communities will also be taken into account in the pursuance of this objective. Similarly, proposals for recreation and leisure will also be considered favourably where they are consistent with the conservation of natural beauty and the needs of agriculture, forestry and other land uses. Proposals for major industrial or commercial development within the AONB will only be permitted when justified by a proven national interest and where there are no alternative sites available outside the AONB. Areas of Outstanding Natural Beauty represent some of the most sensitive landscapes in Britain and can be vulnerable to pressures for development and change. It is the intention of Stroud District Council, as the Local Planning Authority, to uphold the primary purpose of the Cotswolds AONB designation; to conserve and enhance the natural beauty of the landscape. However, regard will be had to the economic and social well-being of the Area in terms of the needs of agriculture, forestry, rural industries and local communities will also be taken into account in the pursuance of this objective. Similarly, proposals for recreation and leisure will also be considered favourably where they are consistent with the conservation of natural beauty and the needs of agriculture, forestry and other land uses. Proposals for major development within the AONB will only be permitted where it can be demonstrated that the development is in the national interest and there is a lack of alternative sites.~~

Consideration of any application for major development will involve an assessment of the following to determine whether it would be in the national interest:

1. The need for the development, in terms of national considerations, and the impact of permitting it or refusing it on the local economy;
2. The cost and scope for developing elsewhere outside the area or meeting the need for it in some other way; and
3. Any detrimental effect on the environment and the landscape, and the extent to which that should be moderated.

### Proposed Modification M/08/09T: Modify paragraph 8.7.7 to reflect recommendation 8.11 of the Inspectors Report

~~8.7.7. Where proposals for development that are necessary for the social and economic well-being of communities in the AONB will normally be permitted, provided that the benefits of the development outweigh any detrimental effects to the landscape. In these cases, and when considering other proposals for development within the AONB other than major industrial or commercial development are in, or affect the setting of the AONB and are acceptable in principle, special emphasis will be placed on the scale, location and siting of the development. In particular, a high standard of design and landscaping will be required. Any new buildings and landscaping must be in sympathy with their surroundings and respect features of importance to the character of the area.~~

### Proposed Modification M/08/09P: Modify Policy N6 to reflect recommendation 8.11 of the Inspectors Report.

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### POLICY N6

~~Within the Cotswolds AONB, priority will be given to the conservation and enhancement of the natural beauty of the landscape over other considerations. Major industrial or commercial development will not be permitted unless there is a proven national interest and a lack of alternative sites available outside the AONB.~~

~~Development within, or affecting the setting of the AONB will only be permitted if all the following criteria are met:~~

- ~~1. the nature, siting and scale are sympathetic to the landscape;~~
- ~~2. the design and materials complement the character of the area; and~~
- ~~3. important landscape features and trees are retained and appropriate landscaping measures are undertaken.~~

~~Within the Cotswolds AONB, priority will be given to the conservation and enhancement of the natural beauty of the landscape over other considerations, whilst also having regard to the economic and social well-being of the AONB. Development within, or affecting the setting of the AONB will only be permitted if all the following criteria are met:~~

- ~~1. The nature, siting and scale are sympathetic to the landscape;~~
- ~~2. The design and materials complement the character of the area; and~~
- ~~3. Important landscape features and trees are retained and appropriate landscaping measures are undertaken.~~

~~Major development will not be permitted unless it is demonstrated to be in the national interest and that there is a lack of alternative sites.~~

Proposed Modification M/08/10P: Modify Policy N7 to reflect recommendation 8.12 of the Inspectors Report.

### POLICY N7

When considering development proposals in the Special Landscape Area, priority will be given to the conservation and **where possible**

enhancement of the landscape character. Permission will not be granted to development that would **harm the** character, appearance or special landscape qualities of the Special Landscape Area.

Proposed Modification M/08/11T: Modify paragraph 8.7.13 to reflect recommendation 8.13 of the Inspectors Report

8.7.13 Developing this approach at a local level, a **district-wide** landscape **study assessment** was carried out in 1996. Its purpose was to provide a comprehensive statement of landscape character and quality across the entire District and to give a better understanding of the landscape types, their character and quality and their interaction with each other.

Proposed Modification M/08/11P: Modify Policy N8 to reflect recommendation 8.13 of the Inspectors Report.

### POLICY N8

~~Development proposals should seek to conserve and or enhance the special features and diversity of the different landscape character types found within the District as identified in the Stroud District Landscape Assessment. Priority will be given to the protection of the quality and diversity of landscape character. Development will only be permitted if all the following criteria are met:~~

- ~~the character and appearance of the landscape is conserved or enhanced;~~
- ~~natural features and water features that contribute to the landscape setting are retained and managed;~~
- ~~there is no unacceptable impact on long distance views; and~~
- ~~the benefits of the proposed development outweigh any harmful effects on the landscape.~~

Provision should not be made for development that would detract from the particular landscape qualities and character of designated Special Landscape Areas.

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Proposed Modification M/08/12T: Delete paragraphs 8.7.16 and table 8.1 to reflect recommendation 8.14 of the Inspectors Report

### Areas of High Quality Landscape

~~8.7.16. As indicated in Paragraph 8.7.13, Stroud District was assessed in respect of the contribution areas outside the Cotswolds AONB designation made towards landscape quality and setting. Four separate landscape quality categories were identified to be afforded additional protection. These four categories are collectively referred to as Areas of High Quality Landscape (AHQL) and are shown in Table 8.1. The aim of the AHQL designation is to protect landscape quality through an approach which identifies more generalised areas. It is acknowledged that the AHQL designation, as shown on the Proposals Map, includes a number of areas (eg. existing residential areas) which would not necessarily be considered as areas of high landscape quality. In areas such as these, the wash-over/indicative approach to the AHQL designation will be taken into account when considering any proposal for development.~~

~~Table 8.1: Areas of High Quality Landscape~~

<del>1.</del>	<del>Land at Upton St. Leonards to the south and east of the village up to the AONB boundary.</del>
<del>2.</del>	<del>Estuarine Landscapes relating to the River Severn.</del>
<del>3.</del>	<del>Historic Landscape Area: -Whiteliff Park -Frampton.</del>
<del>4.</del>	<del>Natural Watercourses: -River Frome - Little Avon River - Huntingford to Woodford.</del>

Proposed Modifications M/08/12M, & M/08/12P: Delete Policy 9 and remove designation from the Proposals Map to reflect recommendation 8.14 of the Inspectors Report

### POLICY N9

~~Permission will not be granted to development proposals in Areas of High Quality Landscape that would harm their character, appearance or special landscape qualities: unless the benefits of the development outweigh the importance of the designation.~~

Proposed Modification M/08/13T: Modify paragraph 8.9.2a to reflect recommendation 8.18 of the Inspectors Report

8.8.2a. The District Council will not permit the development of grade 1, 2 or 3a agricultural land if it is possible to accommodate the development on an existing developed site, or on suitable low-grade farmland (Grade 3b, 4 or 5), which is not subject to **environmental sustainability** constraints. In this context, **environmental constraints sustainability** considerations can include issues such as biodiversity, landscape, amenity, heritage and accessibility to infrastructure, workforce and markets. Some of these qualities may be include a recognised by a statutory landscape, wildlife, historic or archaeological designation. The need for the development should outweigh considerations of national interest concerning the inherent quality and versatility of the agricultural land. In circumstances where there is an over-riding need to develop grade 1, 2 or 3a agricultural land, and there is a choice of sites for development, the development will be directed towards land of a lower grade, unless other planning criteria direct otherwise.

Proposed Modification M/08/13P: Modify Policy N13 to reflect recommendation 8.18 of the Inspectors Report.

### POLICY N13

Development on the best and most versatile agricultural land (Grades 1, 2 or 3a) will only be permitted where:

1. the development cannot be accommodated on previously developed sites, on land within a defined settlement boundary, or on poorer quality farmland (Grades 3b, 4 or 5)

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that is not subject to sustainability environmental constraints; or

2. there is an over-riding need for the development that outweighs the agricultural and sustainability environmental considerations.

Where the development of grade 1, 2 or 3a agricultural land is the only option, and there is a choice between sites in different grades, development will be directed towards land of the lowest grade.

**Proposed Modification M/08/14T: Modify paragraph 8.9.2a to reflect recommendation 8.19 of the Inspectors Report with further text in the additional paragraph 8.9.2b to update and clarify SuDS matters.**

~~8.9.2a. Traditional practice for the disposal of surface water involves channelling the water away to the nearest watercourse to promote rapid run-off. This approach can lead to an increased risk of flooding downstream, reduced groundwater recharge and the transmission of pollutants to watercourses. A more up-to-date, sustainable practice involves controlling surface water as close to its point of fall as possible. This approach can minimise adverse environmental impacts and also enhance biodiversity and the aesthetic quality of developments. This technique is known as 'source control' and it incorporates the principles of 'Best Management Practices (BMPs) for Surface Water Disposal'. BMP techniques include the use of swales, soakage lagoons, reed beds, retention ponds and permeable paving under the general heading of 'Sustainable Urban Drainage Systems' (SUDS). These techniques can be used as both an alternative to, and in conjunction with, traditional piped drainage systems. The SUDS approach is promoted by the Environment Agency and referred to in the consultation draft of PPG25: Development and Flood Risk, 2000. Where feasible, the District Council will expect development proposals to incorporate BMP principles. In cases where this is not possible, the developer will need to demonstrate, to the satisfaction of the Environment Agency and the Local Planning Authority, that the~~

~~inclusion of BMP techniques is not appropriate and identify an acceptable alternative method of surface water disposal.~~

Traditional practice for the disposal of surface water involves channelling the water away to the nearest watercourse to promote rapid run-off. This approach can lead to an increased risk of flooding downstream, reduced groundwater recharge and the transmission of pollutants to watercourses. It is essential to demonstrate that an assessment of the risk of groundwater flooding or local flooding due to run-off exceeding the capacity of drainage systems has been taken into account, when formulating development proposals. The SUDS approach is promoted by the Environment Agency and referred to in PPG25: Development and Flood Risk, July 2001. Sustainable drainage options can include:

- a) Preventive measures e.g. Rain-water recycling;
- b) Filter strips and swales e.g. Vegetated landscape features with a gentle downhill gradient to drain water evenly off impermeable surfaces, mimicking natural drainage systems;
- c) Filter drains and permeable and porous pavements e.g. Allows rainwater and run-off to infiltrate into permeable material placed below ground to store water prior to discharge;
- d) Infiltration devices e.g. below-ground or surface structures to drain water directly into the ground (soakaways, infiltration trenches, swales with infiltration and infiltration basins) at source or piped to an appropriate area; and
- e) Basins and ponds e.g. structures designed to hold water when it rains. Basins are free from water in dry weather and ponds contain water at all times and are designed to hold more when it rains. This can include wetlands and reedbeds.

8.9.2b The Council will require evidence of the use of sustainable drainage systems in the design of any development proposal. SuDS move away from traditional piped drainage systems to engineering solutions that mimic natural drainage processes. The Council considers the use of sustainable

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### 8. NATURAL ENVIRONMENT

drainage systems make a significant contribution towards sustainable development by:

- a) Managing environmental impacts at source, rather than downstream;
- b) Managing water run-off rates, reducing erosion, and the impact of urbanisation on flood risk;
- c) Protecting or enhancing water quality;
- d) Being sympathetic to the environmental setting and the needs of the local community;
- e) Providing opportunities to improve biodiversity by creating habitats for wildlife in watercourses; and
- f) Encouraging more natural groundwater recharge.

**Proposed Modification M/08/14P: Modify Policy N14 to reflect recommendation 8.19 of the Inspectors Report and consequential change to remove “urban” reference in light of M/08/14T.**

#### POLICY N14

Permission will not be granted to any development proposal that would unacceptably affect the water environment, including surface waters, groundwater levels and resources. ~~Where~~ **feasible,** ~~d~~**Development** proposals should incorporate the principles of ‘Sustainable ~~Urban~~ Drainage Systems’ into the scheme.

**(M/08/14P)**