

## **8.1. Introduction**

**8.1.1.** Stroud District possesses a natural environment of very diverse character and high quality. Extensive areas and a large number of sites are covered by designations related to their special attributes.

**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 currently a proposed Special Area of Conservation site. 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.

**8.1.3.** The landscape of the District is also regarded as special. Nearly half the District lies within the Cotswolds Area of Outstanding Natural Beauty. The Cotswold scarp overlooks the distinctive Severn Vale and the estuarine landscape of the River Severn. Within the Vale, high quality and historic landscapes have been identified for protection. In general, there is a wealth of features that make up the landscape character and these have been identified in the Supplementary Planning Guidance: Stroud District Landscape Assessment, that complements this Local Plan.

**8.1.4.** Such designations reflect not only the visual quality of the District's landscape and settlements, but also its nature conservation importance and its rich and diverse heritage. In addition, the vast majority of the District's landscape that is not specially designated is of very high quality, and also deserving of special care when considering development proposals which would impact on that quality.

## **8.2. Objectives**

1. To protect and enhance the quality, extent and variety of habitats, species and features within the District in line with national and local biodiversity action plan targets.
2. To provide a balance between the need for new development, and the desire to protect the District's natural heritage, and preserve the amenities of its residents.
3. To ensure that new development reflects and respects the high quality landscape of the whole of the District.
4. To protect the best and most versatile agricultural land, and to provide for the needs of agriculture, where this does not involve unacceptable environmental impact.

## **8.3. Central Government Advice**

**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 provides advice on the need to balance social, economic, conservation, agricultural and other factors when considering development in the countryside.

**8.3.2.** PPG9: Nature Conservation 1994 advises on planning and nature conservation, both in designated sites and in undesignated areas. It encourages local authorities to make adequate provision for development and economic growth whilst ensuring effective conservation of wildlife and natural features.

**8.3.3.** Government guidance is also supplemented by publications produced by organisations such as the Countryside Agency, the Environment Agency and English Nature which provide advice on more detailed issues relating to the natural environment.

## **8.4. Gloucestershire County Structure Plan**

**8.4.1.** The Adopted Structure Plan: Second Review aims to consider Gloucestershire's natural and historic environment as a whole, adopting an holistic approach that recognises the need to conserve and enhance the wider 'undesigned' environment. It advocates a shift away from the protection of individual designated elements of the environment to one which reflects the distinction between critical and constant environmental assets. The Structure Plan also seeks to address the problems of environmental deterioration experienced by people in their everyday lives.

**8.4.2.** The South West Regional Planning Conference, in partnership with non-Governmental Wildlife Organisations has published 'Action for Biodiversity in the South West'. This presents a strategy for the delivery of national biodiversity action plan targets at a regional level and a series of action plans for species and habitats of particular importance to the region.

## **8.5. Nature Conservation**

**8.5.1.** There has been a growing awareness and understanding of the importance of nature conservation over the last decade or so. At an international level, 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.

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**8.5.2.** At a national level, the Wildlife and Countryside Act 1981 provided for the protection of species and habitats considered rare or vulnerable in the United Kingdom. More recently, the UK's commitment to the 'Convention on Biological Diversity' has resulted in the production of both national and regional biodiversity strategies. In 1994, the UK government published 'Biodiversity: The UK Action Plan' as part of its response to Agenda 21 which it signed up to at the Earth Summit.

**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.

**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 Area 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 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.

**8.5.5.** Other local designations include **Key Wildlife Sites** and **Regionally Important Geological and Geomorphological Sites** (RIGS). Key Wildlife Sites are designated by Gloucestershire Wildlife Trust as wildlife habitats of county-wide importance. Like SSSIs, they are mostly semi-natural habitats which, if destroyed, could not be re-created. RIGS are geological sites considered worthy of protection for their educational, research, historical or aesthetic importance.

**8.5.6.** Nature conservation issues, including the protection, enhancement and provision of wildlife habitats, can be material considerations in the determination of planning applications. The impact of development on natural features and wildlife, however, can be minimised through the careful control of that development. Environmental Impact Assessment (EIA) can be a valuable technique when attempting to understand the likely effects of new development on the environment. Information and procedures relating to EIAs are contained in Circular 2/99: Environmental Impact Assessment. Hence, conditions will be attached to planning permissions, and appropriate planning obligations sought, if necessary, when wildlife or other nature conservation issues are material to the determination of a planning application.

**8.5.7.** It is recognised that there may be development proposals in which the benefits to the public outweigh any adverse effect upon the nature conservation interest of the site. In these instances, it is the District Council's intention to minimise harm to the nature conservation interest and ensure that compensatory measures, such as habitat creation or enhancement, are included. The District Council will have to be satisfied that the harm to the nature conservation interest is not such that it cannot be replaced or compensated for adequately.

### 8.6. International, National and Local Designations

#### International Designations

**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

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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.

**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 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.

**8.6.3.** Where the development of a site of international importance is 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.

### POLICY N1

**Development proposals that would adversely affect, either directly or indirectly, the integrity of a designated, proposed or candidate site of international importance, including a RAMSAR site, Special Protection Area or Special Area of Conservation will not be permitted unless:**

- 1. there is no alternative solution; and**
- 2. there are imperative reasons of over-riding public interest.**

**Where the development is permitted, conditions will be used, or planning obligations sought, to secure compensatory measures to minimise loss or damage to the integrity of the site.**

### National Designations

**8.6.5a.** Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR) are statutory sites of national importance, designated 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 is considered essential to the safeguarding of the national network. 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 affecting these sites will be subject to 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.

**8.6.5b.** Where development on a site of national importance is 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.

### 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 either:**

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- 1. there are other imperative factors that override the special nature conservation interest of the site; or**
- 2. the effects of the development can be compensated through the use of conditions or planning obligations to minimise loss or damage to the integrity of the site.**

### The Severn Estuary

**8.6.5c.** In addition to the nature conservation interest of the Severn Estuary, the area is also important in terms of its contribution towards sustaining local communities. In Stroud District, for example, there is economic activity in and around the Estuary associated with shipping, general industry, power-generation, agriculture, fishing, tourism, recreation and transport. The Estuary also raises issues in relation to landscape and archaeological protection and flood defence. Hence, the inter-action of natural and human activities can place considerable pressure on the Estuary and these pressures will require careful management to ensure the realisation of sustainable development objectives. A number of initiatives have been, or are being established, to encourage a co-ordinated, strategic approach to the use and management of the Severn Estuary. Examples include the Environment Agency's 'Severn Vale LEAP' and the 'Severn Estuary Strategy'. In terms of national guidance, issues relating to estuarine environments are covered by PPG20: Coastal Planning 1992 and the revised consultation draft of PPG25: Development and Flood Risk 2001. The Gloucestershire Structure Plan also makes reference to the importance of the Estuary in Policy NHE7. When considering development proposals that would affect the Severn Estuary, Stroud District Council will refer to Policy NHE7, in addition to other relevant policies contained in this Plan.

### Local Designations

**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 identified with reference to established criteria by the Gloucestershire RIGS Group and Gloucestershire Wildlife Trust. All County Key Wildlife Sites and RIGS within Stroud District are outlined in Appendix 6 and are identified on the Proposals Map. Lists are

regularly updated and potential developers are advised to contact the Gloucestershire Wildlife Trust or the District Council for up-to-date information.

**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 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 is only one Local Nature Reserve within Stroud District at Bisley Road Cemetery. However, where proposed designations 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.

**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 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.

### 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.**

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### 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 such species also occur outside of designated sites and consequently require special protection wherever they exist. These species are protected under the Wildlife and Countryside Act 1981, and the EC Habitats Directive. 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.

**8.6.9.** The District Council may subsequently require the applicant to undertake a survey to identify the types of protected species present, their population levels and the location and nature of their habitats. The applicant will also be expected to supply information detailing how the development proposal will affect the protected species and what measures will be undertaken to mitigate the impact of the development on the species. Where it is found that a proposed development could not avoid or minimise disturbance to a protected species, planning permission will be refused. Where a development proposal is permitted, the District Council will consider the use of conditions or planning obligations to ensure the protection and enhancement of the species or habitat, as appropriate.

#### 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.**

### Wildlife Corridors

**8.6.10.** One of the main objectives of the Gloucestershire Biodiversity Action Plan (BAP) is to maintain the vitality and diversity of plant and animal species by encouraging the recolonisation of key habitats. Wildlife corridors can play an important role in the achievement of this objective since they can contribute to the process of species migration by linking one habitat to another. Wildlife corridors can take many forms, including agricultural and railway land, river and canal banks, hedgerows, allotments and other green open space. They act as a source and a means for the dispersal of habitats and species into new areas by providing an ecological network. Unfortunately, parts of this ecological network have become eroded and connections between habitats are incomplete. One of the main reasons for the fragmentation of habitats involves inappropriate development along wildlife corridors, especially within urban and suburban areas. Where habitats become isolated and the migration of species is prevented, opportunities for species recolonisation to wider areas can be threatened. In the most serious cases, fragmentation of habitats may result in species extinction. The potential for wildlife corridors, in both urban and rural areas, to create habitats for plant and animal species in the future can often be overlooked when considering development proposals. Areas of land which, at the time when a planning application is submitted, do not host a diverse range of plants and animals can, potentially, offer an important habitat for a particular species in the future. The District Council will therefore seek to protect wildlife corridors from development where it would have a detrimental effect upon the migration of plant and animal species and the continuity of wildlife habitats.

### Natural Features

**8.6.11.** Considerable importance is placed upon the natural 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.

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**8.6.12.** The impact of development on natural features and wildlife can be minimised through careful control of that development. Conditions will be attached to planning permissions, and planning obligations sought, to achieve protection of retained features and, where appropriate, developers will be required to produce a protection scheme to ensure that retained features are adequately protected during construction work. The introduction of complementary landscape features will be sought where appropriate in association with development proposals.

**8.6.13.**

### **POLICY N4**

**In development proposals, important natural 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.**

### **Water Features**

**8.6.13.** Water features are not only used for recreation and as sources of water supply, but can also provide significant national and local conservation interest by being important wildlife habitats, and can make a valuable contribution to the landscape.

**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, especially where doing so will reinstate strategic links between fragmented habitats.

**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. 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.

### **POLICY N5**

**Development proposals that would adversely affect the nature conservation interest of natural watercourses, canals, ponds and other water features will not be permitted unless either:**

- 1. the benefits of the development outweigh the nature conservation interest of the water feature; or**
- 2. the effects of the development on the nature conservation interest of the water feature can be compensated by conditions or planning obligations.**

## **8.7. Landscape**

**8.7.1.** The landscape of Stroud District is a rich and diverse asset, the character of which directly affects the quality of life. A large proportion of the District falls within the Cotswolds AONB; a nationally important landscape which was designated for the purpose of conserving and enhancing its natural beauty. Special Landscape Areas are referred to in the Adopted Gloucestershire County Structure Plan: Second Review as areas recognised as being of county-level landscape importance. Primarily bordering the AONB, their aim is to protect the landscape setting of the AONB.

**8.7.2.** The value of the landscape across the whole District lies in its diversity of character and appearance. Natural and man-made features, combined with the topography of the District, contribute significantly to the attractiveness of the

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landscape. It is considered desirable, wherever possible, to retain and encourage the management of important natural features, in relation to both their nature conservation value and the contribution they make to the local landscape.

### **The Cotswolds Area of Outstanding Natural Beauty**

**8.7.3.** A revised Cotswolds AONB boundary was confirmed by the Countryside Agency (previously known as the Countryside Commission) in 1990 and now approximately half of Stroud District lies within the Cotswolds AONB. The Cotswolds AONB landscape has a diverse visual character ranging from the dramatic edge landscape of the main escarpment face, through the incised valley and ridge landscapes west of the scarp, to the gentle and open landscape of the dip slope. Man's impact on the landscape in the form of architectural features, historic buildings, patterns of land use and farming are also inseparable elements of the landscape character of the area.

**8.7.4.** A Cotswolds AONB Partnership has been established and comprises Unitary, County and District Councils within the designated area, and other interested parties. It provides an advisory role on planning policy matters and is actively involved in direct countryside management work. The Partnership published an AONB Management Strategy for the Cotswolds in 1996. A summarised version of the Management Strategy was published in 2000 and this latest document (referred to as a 'Business Plan') contains a number of priority objectives and actions to be achieved over a rolling five year time period.

**8.7.4a.** The Government has recently released two significant documents relating to Areas of Outstanding Natural Beauty; the Rural White Paper 2000 and the Countryside and Rights of Way (CROW) Act 2001. The overall intention is to introduce new powers, administrative and funding arrangements to help improve the protection and management of AONBs. Planning Policy Guidance relating to AONBs and National Parks now states that an equal level of landscape protection should be given to each designation. The CROW Act also sets out the process for creating conservation boards in, primarily, the larger multi-local authority AONBs such as the Cotswolds AONB. The main aim of conservation boards will be to conserve and enhance the natural beauty of AONBs through more effective management. They will also be responsible for promoting public understanding and enjoyment of AONBs and fostering the economic and social well-being of local communities. Although some local authority functions may be transferred to, or shared with conservation boards, development planning and

control functions will remain the responsibility of local authorities.

**8.7.5.** MAFF has also designated that part of the Cotswold AONB which lies within Stroud District as part of its Cotswold Hills Environmentally Sensitive Area (ESA). ESAs are areas of land where farming practices have helped to create or protect distinctive landscapes, wildlife habitats or historic features. The purpose of the scheme is to support the continuation of these farming practices and encourage measures that will enhance the environment. The Cotswold Hills ESA has been designated because the area is an outstanding example of limestone scenery comprising a prominent escarpment with unimproved grassland and ancient woodland in the west and, in the east, rolling countryside, large fields, stone walls and hedges.

**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 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.

**8.7.7.** Where proposals for 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.

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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 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.

### Special Landscape Area

**8.7.8.** Special Landscape Areas are defined in the Adopted Gloucestershire County Structure Plan: Second Review as areas recognised as being of county-level importance. The aim of their designation is to ensure that development proposals pay particular attention to the surrounding landscape characteristics and provide an opportunity to achieve enhancements where the landscape has been degraded. A Special Landscape Area is defined where the topography is a continuation of the adjacent AONB and/or where the vegetation and associated features are characteristic of the AONB.

**8.7.9.** The area between the Gloucester Urban Area and the Cotswolds, including Robinswood Hill, is referred to in the County Structure Plan as a Special Landscape Area and its precise boundaries are defined within this Local Plan on the Proposals Map.

**8.7.10.** It is recognised that some development proposals will provide benefits that will outweigh the adverse effects upon the landscape. In these instances, the District Council will seek to minimise any adverse effects and, where possible, will seek appropriate compensatory measures in the form of landscaping proposals. It may also prove necessary to impose conditions on planning permissions or to seek planning obligations covering the issue.

**8.7.11.** The District Council will also seek to promote landscape improvement by ensuring suitable landscaping schemes accompany development

proposals and by supporting, wherever possible, other agencies involved in improvement work.

### POLICY N7

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

### Landscape Character

**8.7.12.** One of the key components of English Nature's Strategy for the 1990's has been the Natural Areas approach. The local distinctiveness of each part of England was examined to identify its characteristic wildlife and natural features to define a series of Natural Areas. Each Natural Area Profile summarises the key features of nature conservation importance and the factors that have influenced that resource. In addition, this initiative identified the major issues affecting nature conservation and proposed nature conservation objectives. Two Natural Areas have been identified covering Stroud District - The Cotswolds and the Severn and Avon Vales.

**8.7.13.** Developing this approach at a local level, a landscape study of Stroud District 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.

**8.7.14.** The assessment was based on the Countryside Character Approach developed by the Countryside Agency (previously known as the Countryside Commission) and focused primarily on the visual aspects of the landscape. Issues relating to key characteristics, landform and context, land use and landscape patterns, settlement and vernacular character, human response and sensitivity to change were identified for the 12 Landscape Character Areas, together with key priorities for action. These are summarised in the Adopted Supplementary Planning Guidance: 'Stroud District Landscape Assessment', which was published simultaneously with the Draft for Deposit Local Plan for public consultation.

### POLICY N8

Development proposals should conserve or enhance the special features and diversity of the different landscape character types found within the District as identified in the Stroud

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**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:

1. natural features and water features that contribute to the landscape setting are retained and managed;
1. there is no unacceptable impact on long distance views; and
2. the benefits of the proposed development outweigh any harmful effects on the landscape.

**8.7.15.** Any harmful effects upon the landscape resulting from development proposals will be ameliorated through negotiation and the imposition of conditions and/or planning obligations.

**Areas of High Quality Landscape**

**8.7.16.** As indicated in Paragraph 8.7.13, the landscape study of Stroud District considered both landscape quality and character. Four separate landscape quality categories were identified in the study as worthy of 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 the identification of generalised areas. It is acknowledged that, in some cases, the AHQL designation, shown on the Proposals Map, includes areas which contain built development. The role and character of these developed areas will be taken into account when considering development proposals in the AHQL designation.

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

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

**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 quality unless the benefits of the development outweigh the importance of the designation.**

**Trees and Woodlands**

**8.7.17.** Trees and woodlands are prominent natural features in the landscape of the District. They are an important renewable resource, valuable not only for their timber production and for their aesthetic quality, but also for nature conservation and recreation. However, they can be easily lost through age, disease, storm damage and farming practices, as well as through development and indiscriminate felling. The District also contains many areas of Ancient Woodland, several of which are of national importance because of their specialised wildlife communities.

**8.7.18.** The District Council has the power under Town and Country Planning legislation to protect trees by making Tree Preservation Orders (TPOs). There is a presumption in favour of retaining a tree, or trees protected by a TPO unless there are overriding reasons to the contrary. TPOs can be applied to individual trees, groups of trees, woodlands or areas of trees that make a significant contribution to the amenity and character of an area, and are under threat of indiscriminate or inappropriate felling. TPOs prohibit the felling, lopping or topping of trees without approval from the District Council. In Conservation Areas six weeks written notice must be given to the District Council prior to carrying out works to trees to allow the District Council to impose TPOs if appropriate.

The District Council recognises the contribution made to the landscape of Stroud District by the high quality and quantity of tree cover and is committed to conserving and retaining existing trees and ensuring that the proper management of woodlands takes place.

**POLICY N10**

**Development will not be permitted if it would damage or destroy trees protected by a Tree Preservation Order, or identified as Ancient Woodland, or in a Conservation Area unless either:**

1. the removal of one or more trees would be in the interests of good arboricultural practice; or
2. the benefits of the proposed development outweigh the amenity or landscape value of the protected trees.

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**8.7.20.** If the removal of trees is permitted as part of a development scheme, a condition may be attached requiring new trees of an appropriate species and size to be planted either on, or near the site.

### Hedgerows

**8.7.21.** Hedgerows are an important part of the landscape in much of the rural area of Stroud District. It is illegal to remove most countryside hedgerows without approval from the Local Planning Authority (LPA). There are various circumstances when approval is required to remove a hedgerow. The LPA will assess the hedgerow using criteria which identifies hedgerows of particular archaeological, historical, wildlife or landscape value to determine whether it is classified as 'important' as defined under the Hedgerow Regulations 1997. If the hedgerow is not important, the removal of the hedgerow cannot be prevented. There is a strong presumption that 'important' hedgerows will be protected, and a hedgerow retention notice will be issued where appropriate.

**8.7.22.** Development which involves the removal of an 'important' hedgerow will normally be resisted. Exceptions will be when the loss of the hedgerow is not significant to the character or appearance of the landscape, nature conservation, or archaeological interests, or where the benefit of the proposed development outweighs the importance of the hedgerow. It is advisable to contact the District Council prior to undertaking any works to hedgerows.

#### POLICY N11

**Development that would destroy or significantly damage an 'important' hedgerow will not be permitted unless: the benefits of the development outweigh the 'importance' of the hedgerow in terms of its contribution to landscape character or appearance, or its nature conservation, historical or archaeological interest.**

### New Development

**8.7.23.** Both the retention of existing natural landscape features, and the provision of new planting and landscaping, can greatly enhance and complement new development, and soften its impact on the landscape. When considering development proposals, the District Council will seek to achieve a balance between the design, bulk and siting of new buildings and the retention of existing, or the creation of new, landscape features. The District Council will also require a high quality of landscape treatment in new development that is appropriate to the area.

**8.7.24.** Applications for development that would affect trees on, or adjacent to, a development site will need to include a survey identifying the location, species, size and crown spread of the trees, in accordance with BS5837: 1991 'Trees in Relation to Construction'. Development schemes should indicate those trees to be removed and/or retained, together with any proposed changes to ground levels. Similar surveys will also be required for hedges and shrubs. Developers will be required to take suitable steps to ensure the protection of retained trees during the period of development and, in appropriate cases, the District Council will impose conditions to ensure that landscaping proposals and tree retention/protection measures are satisfactorily implemented. Details of underground works will also be required from developers to ensure there is no risk of damage to tree roots that could result in the loss of the tree(s).

#### POLICY N12

**New development will only be permitted where high quality landscaping (hard and soft, built and natural) appropriate to the area is proposed.**

## 8.8. Agriculture and Forestry

### Agriculture

**8.8.1.** Agriculture is the predominant land use in the District and will continue to influence the character, appearance and quality of the landscape whilst also providing employment and supporting the rural economy. The District Council will continue to respond to the changes taking place in the agricultural industry and encourage a balance between protecting the countryside and allowing change and new development to help sustain and improve the rural economy.

**8.8.2.** Government Guidance in PPG7 stresses the importance of protecting the best and most versatile agricultural land from unnecessary development, to ensure this national resource is maintained for future generations. The Ministry of Agriculture, Fisheries and Food (MAFF) has a standard classification for agricultural land according to its productivity and versatility. The best and most versatile agricultural land is graded 1, 2 and 3a. A report produced by MAFF in 1996 concluded that Stroud District has a very high proportion (67%) of grade 3 agricultural land compared to the national average (44%). The report, however, did not provide a breakdown of this figure into grades 3a and 3b. Conversely, the District only has a very small proportion (3%) of agricultural land in grades 1 and 2, compared with the national average (16%).

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**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 sustainability constraints. In this context, sustainability considerations can include issues such as biodiversity, landscape, amenity, heritage and accessibility to infrastructure, workforce and markets. Some of these qualities may be 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.

### **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) that is not subject to sustainability constraints; or**
- 2. there is an over-riding need for the development that outweighs the agricultural and sustainability 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.**

### **Forestry**

**8.8.3.** The Forestry Commission is responsible for administering Central Government forestry policy and, through the felling licence procedure and grant aid schemes, acts to regulate the felling of woodlands and to encourage multi-purpose woodland management and new planting.

**8.8.4.** Neither forestry, nor tree planting, are subject to planning control. Whereas the Local Planning Authority can, in the interests of amenity, make TPOs to protect woodlands and trees from wilful damage or destruction, the Forestry Commission is in a position to encourage sound woodland management. The preservation of

woodland without management will lead to a decline in nature conservation and aesthetic value as well as timber value. The District Council will therefore encourage woodland management agreements in preference, or in addition to, woodland designations of TPOs.

### **8.9. Ground and Surface Water Resources**

**8.9.1.** Maintaining or enhancing the water quality of rivers, lakes, ponds and other water resources is crucial to sustaining biodiversity, ensuring human health (through drinking water supplies) and providing for a range of uses including industry, recreation and agriculture. It is important to ensure that development does not pose a risk to the quantity, quality and availability of surface and groundwater resources.

**8.9.2.** The Environment Agency has responsibility for conserving and managing water resources, pollution control and flood defence. The Agency is in the process of developing national and regional Water Resource Strategies and, in relation to Stroud District, has produced a Severn Vale Local Environment Agency Plan (LEAP) to cover the full range of the Agency's responsibilities. The Environment Agency's document 'Policy and Practice for the Protection of Groundwater' and its supporting maps define 'Groundwater Protection Zones' and also identify aquifers and their vulnerability to pollution. Developers should refer to guidance contained in these plans, and should contact the Environment Agency in this regard. Development should only take place where adequate water resources exist, or can be made available, without adversely affecting existing abstraction, river flows, water quality, agriculture, amenity or nature conservation.

**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 down-stream, 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 features such as 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 revised consultation draft of PPG25: Development and Flood Risk, 2001. The District Council will expect development proposals to incorporate SUDS 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.

**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. Development proposals should incorporate the principles of 'Sustainable Urban Drainage Systems' into the scheme.**

## **8.10. Berkeley Cemetery**

**8.10.1.** The need for new burial land has been identified in Berkeley. A suitable site is adjacent to the existing cemetery and is proposed as an extension to it. This should satisfy the land requirements for the Local Plan period and for some years afterwards. The land is of sufficient size to allow for a well integrated extension with appropriate landscaping on the perimeter of and within the site.

**PROPOSAL N15**

**Approximately 0.4 hectares of land adjacent to Berkeley Cemetery is allocated as an extension to the existing cemetery grounds.**