

STROUD DISTRICT COUNCIL

ENVIRONMENT COMMITTEE

THURSDAY, 21 MARCH 2024

Report Title	Severn Estuary Special Protection Area (SPA), Special Area of Conservation (SAC) & Ramsar Mitigation Strategy			
Purpose of Report	To approve the Severn Estuary Recreation Mitigation Strategy for avoidance of likely significant adverse effects on Special Protection Area (SPA), Special Area of Conservation (SAC) & Ramsar.			
Decision(s)	The Committee RESOLVES to approve the Severn Estuary SPA, SAC Ramsar Recreation Mitigation Strategy for avoidance of likely significant adverse effects on the Special Protection Area (SPA) and Special Area of Conservation (SAC).			
Consultation and Feedback	The Local Plan and supporting evidence have been subject to public consultation. Over the last couple of years, the Council has worked collaboratively with our Consultants Footprint Ecology and Natural England as well as other relevant stakeholders to draft this mitigation strategy. The matter was discussed at the Examination in Public and Council Officers gave a commitment to update the current adopted Severn Estuary Recreation and Mitigation Strategy (2017).			
Report Author	Conrad Moore, Principal Planning Officer Email: conrad.moore@stroud.gov.uk			
Options	The Council may decide not to approve the mitigation strategy. However, development proposals within the zone of influence (ZOI) of the Cotswold Beechwoods and Rodborough Common SACs within this District would still be required to take account of published research findings and recommendations. It is likely that Natural England (NE) will raise objections to planning applications involving an increase in houses within the vicinity of both the Cotswold Beechwoods SAC and Rodborough Common on the grounds that the resulting recreational pressure may threaten protected national habitats and species. The adoption of these Strategies will assist effective and efficient planning decision-making in accordance with national legislative requirements and advice.			
Background Papers	2022 Severn Estuary Visitor Survey			
Appendices	Appendix A – 2024 Severn Estuary Mitigation Strategy			
Implications (further details at the end of the report)	Financial	Legal	Equality	Environmental
	Yes	Yes	No	Yes

1. Introduction / Background

- 1.1 A Habitats Regulations Assessment (HRA) refers to the several distinct stages of Assessment which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) to determine if a plan or project may affect the protected features of a habitats site before deciding whether to undertake, permit or authorise it. European Sites and European Offshore Marine Sites identified under these regulations are now referred to as 'habitats sites' in the National Planning Policy Framework.
- 1.2 All plans and projects (including planning applications) require consideration of whether the plan or project is likely to have significant effects on habitats sites. This consideration –referred to as the 'Habitats Regulations Assessment screening' – should take into account the potential effects both of the plan/project itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, the Council must make an appropriate assessment of the implications of the plan or project for that site, in view of the site's conservation objectives. The Council may agree to the plan or project only after having ruled out adverse effects on the integrity of the habitats site. Where it cannot be concluded that there will be no adverse effects on a site's integrity, there is a need to consider mitigation. Mitigation measures are protective measures forming part of a project and are intended to avoid or reduce any direct adverse effects that may be caused by a plan or project, to ensure that it does not have an adverse effect on the integrity of a habitats site(s).
- 1.3 The 2022 Gloucestershire Severn Estuary visitor survey results have informed the production of this updated mitigation strategy to address the cumulative effects of housing growth across a wide area, spanning multiple authorities. This report has therefore been commissioned by Cheltenham Borough Council, Cotswold District Council, Forest of Dean District Council, Gloucester City Council, Stroud District Council and Tewkesbury Borough Council working in partnership to broadly span much of the area from the Severn Bridge to Tewkesbury.

2. Main Points

- 2.1 The Severn Estuary SAC/SPA/Ramsar is one of the largest estuaries in Europe and is internationally important for the habitat and species the estuary supports. Saltmarsh fringes the coast backed by grazing marsh with freshwater ditches and occasional brackish ditches. The subtidal seabed is rock and gravel with subtidal sandbanks. The site also supports reefs of the tube forming worm *Sabellaria alveolata*. The estuary's classic funnel shape, unique in the UK, is a factor causing the Severn to have one of the highest tidal ranges in the world. A consequence of the large tidal range is an extensive intertidal zone, one of the largest in the UK.
- 2.2 The site qualifies as a Special Area of Conservation (SAC) for a range of coastal habitats and for three fish species. The Severn Estuary Special Protection Area (SPA) is classified for its waterbird assemblage and for a range of species that occur on passage/over winter including a range of both wildfowl and wader species. The Ramsar interest overlaps with the SAC and SPA features and includes the bird interest. The bird populations associated with the estuary move widely and make use of a range of sites away from the estuary during the course of the winter. Waterbodies, wetlands and low-lying farmland within the can provide important feeding and roost sites which may vary in importance within a season and across years, depending on water-levels, food availability and a range of other factors. While such sites lie outside the SPA they are functionally linked in that they play a role in supporting the relevant bird interest.

2.3 In the UK, many of our most important nature conservation sites have legal rights of access, for example through Public Rights of Way or Open Access through the Countryside and Rights of Way Act (CRoW) 2000. Access is important with benefits in terms of health, well-being, economic, engagement, aspects, something that Increasing awareness of importance of connecting with nature and being outside – Covid has brought to fore. People are often drawn to such sites as they are large, scenic and often few other alternatives exist. There can therefore be a difficult balancing act between providing for an increasing demand for access without compromising the integrity of protected wildlife sites. Potential impacts of recreation to the Estuary relate to the following broad pathways:

- Damage (e.g. direct harm to vulnerable features from wear and footfall, e.g. trampling of saltmarsh vegetation)
- Contamination (potentially quite limited impacts given the qualifying features, however could include eutrophication through dog faeces/urine, water quality as a result of dogs entering water bodies)
- Fire (e.g. from barbeques and a risk to reedbeds)
- Disturbance (e.g. impacts to birds from the presence of people, dogs etc.)
- Other (public opposition to management, difficulty in grazing etc.)

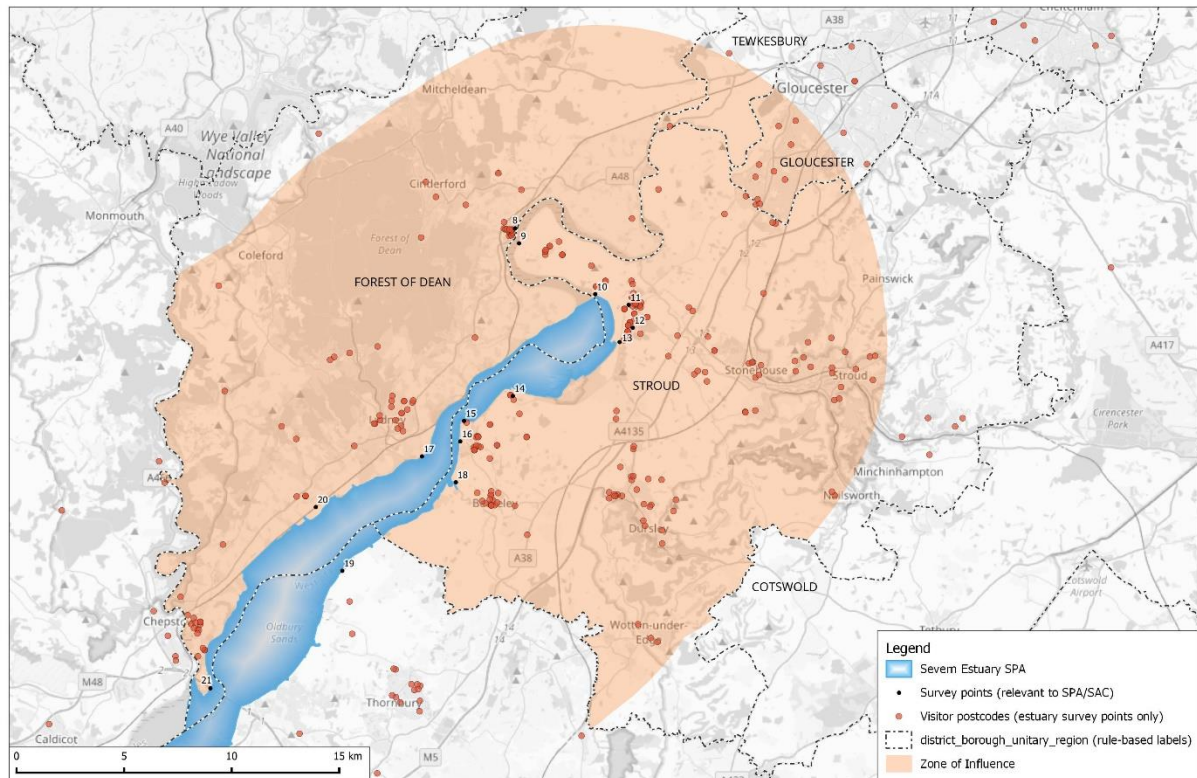
A visitor survey completed in 2022 shows 586 interviews of which 93% of interviewees on short trip directly from home and 49% of interviewees dog walking. Further information is available in the visitor survey such as the median dog walk = 2.25km (max over 17km) and median for walking = 2.28km. It is interesting to note that at Berkeley Pill the median route length = 7.31km. Disturbance to the wintering and passage bird interest is the principal concern and is relevant to the SPA and Ramsar features. Disturbance to wintering and passage waterfowl can result in:

- A reduction in the time spent feeding due to repeated flushing/increased vigilance (Fitzpatrick and Bouchez, 1998; Stillman and Goss-Custard, 2002; Bright *et al.*, 2003; Thomas, Kvitek and Bretz, 2003; Yasué, 2005)
- Increased energetic costs (Stock and Hofeditz, 1997; Nolet *et al.*, 2002)
- Avoidance of areas of otherwise suitable habitat, potentially using poorer quality feeding/roosting sites instead (Cryer *et al.*, 1987; Gill, 1996; Burton *et al.*, 2002; Burton, Rehfish and Clark, 2002)
- Increased stress (Regel and Putz, 1997; Weimerskirch *et al.*, 2002; Walker, Dee Boersma and Wingfield, 2006; Thiel *et al.*, 2011).

2.4 Local Plans set the levels of housing growth and allocate land for development. The strict protection afforded to European sites means that a local planning authority, as competent authority, should only adopt a plan where it can be ascertained that there will not be an adverse effect on the integrity of any European site(s).

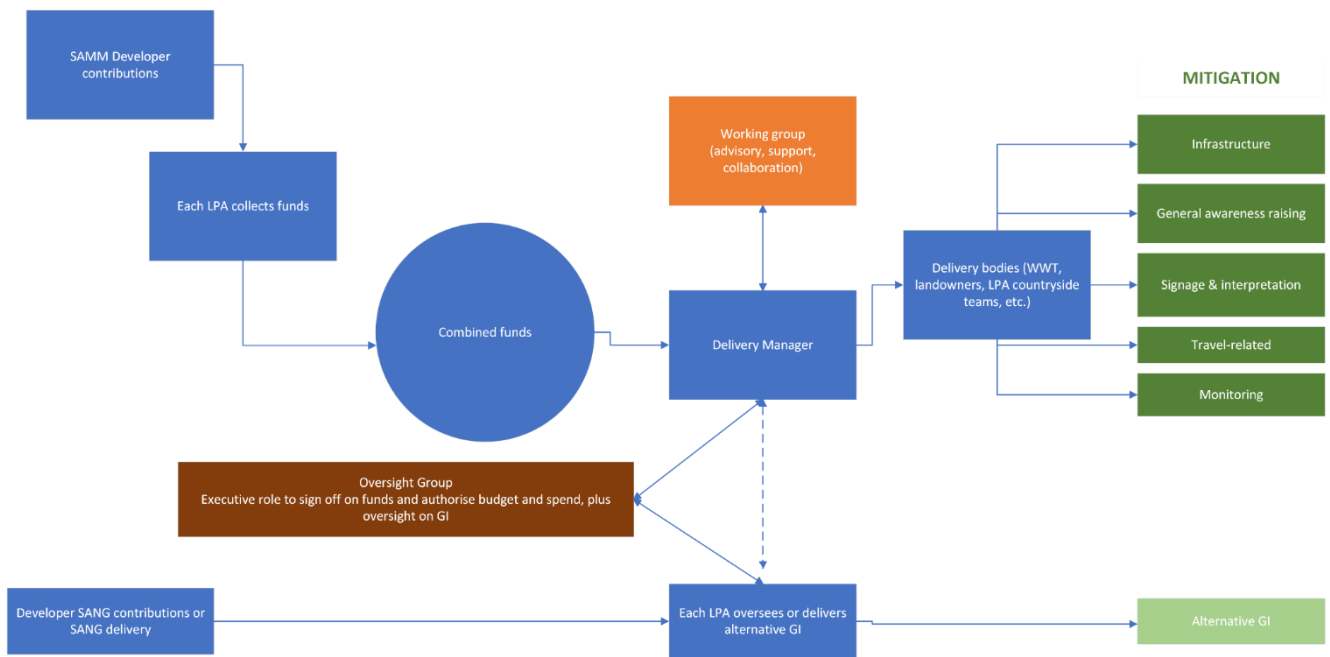
2.5 The Council is working in partnership with relevant Councils in Gloucestershire to provide a framework under which applications for development likely to have a significant effect on the Cotswold Beechwoods SAC can be permitted, with measures in place to ensure that adverse effects on the integrity of the SAC can be ruled out. Joint working on this project has been incorporated into the Local Plan Examination documentation such as the Statements of Common Ground (SOCG). This should safeguard and facilitate development, while ensuring sufficient protection in place for the SAC. The Strategy applies to larger developments, which may affect the integrity of these sites alone, and smaller developments where cumulative effects may be the critical factor.

Map 1: Zone of influence and visitor survey postcodes



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- 2.6 Like the adopted Rodborough Common SAC and the Cotswolds Beechwoods SAC mitigation strategies all new residential growth around the Severn Estuary will be expected to provide mitigation but here within the identified 12.6km Zone of Influence identified below (that arise from earlier 2022 Visitor Survey results) shown on Map 1.
- 2.7 Mitigation will consist of SAMM (Strategic Access Management and Monitoring) and SANG / infrastructure projects away from the Severn Estuary. These two approaches would complement each other. SAMM measures at the Severn Estuary are required to address recreation impacts and make the SAC more resilient to any increased recreation. SAMM would comprise: Dedicated staff; Signs and interpretation; Education & awareness raising; Parking and travel related measures; Monitoring. The value of £521.95 per dwelling is in line with other SAMM tariffs for National sites or lower. There will be an administration fee of £100.00 for application legal agreements submitted from June 1st 2024. S106 Agreements will be individually negotiated and dependent upon the complexity of said agreement. Unilateral undertaking templates, as with Rodborough Common and Cotswolds Beechwoods remain available.
- 2.8 Suitable Alternative Natural Greenspace (SANG) are created, or existing greenspaces enhanced, in order to absorb the level of additional recreation pressure associated with new development. Some projects will be expected to be delivered directly by developers through on-site provision (according to guidelines set out in this strategy). Where a development or alternatively, where such bespoke SANG is not possible, through contributions. Where a contribution is collected for off-site SANG provision, this will be at a standard rate of £480 per Dwelling. Where zones of influence, such as the Cotswolds Beechwoods, overlap with the Severn Estuary, multiple SANG payments will not be necessary.



2.9 Council officers have worked with adjoining authorities and statutory stakeholders to propose a new governance structure. The recommended approach is set out in Figure 1 overleaf.

Figure 1 Governance Structure

3. Conclusion

3.1 In accordance with our statutory duties under the Habitats Regulations Assessment and the evidence base which accompanies the Local Plan it is concluded that recreation and mitigation strategies are necessary. The Severn Estuary Recreation and Mitigation Strategy will deal with the impact of development upon this international site of acknowledged importance. It is therefore recommended that the Severn Estuary Recreation Mitigation Strategy be approved for the avoidance of likely significant adverse effects following work with relevant parties, statutory bodies and agencies. This HRA evidence work is necessary for the Local Plan to continue to be found legally compliant and sound.

4. Implications

4.1 Financial Implications

There is a cost neutral implication to the Council as the strategies envisage only developer contributions being used to deliver the mitigation required, administered by the Council (managed within existing resources (CIL) subject to an additional administration fee) with any spend against the funds overseen by the oversight groups.

Adele Rudkin, Accountant

Tel: 01453 754109 Email: adele.rudkin@stroud.gov.uk

4.2 Legal Implications

The legal implications are set out in the body of the report.
Martin Evans – Locum Planning Lawyer

Tel: 01684 272227 Email: legalservices@onelegal.org.uk

4.3 Equality Implications

There are no equality implications arising from this report.

4.4 Environmental Implications

The report above sets out the details of significant implications in the Introduction / Background section and in Paragraph 3.1.