

STROUD DISTRICT COUNCIL

ENVIRONMENT COMMITTEE

8 SEPTEMBER 2022

Report Title	COTSWOLD BEECHWOODS AND RODBOROUGH COMMON SAC MITIGATION STRATEGIES
Purpose of Report	To approve the (i) Cotswold Beechwoods SAC Recreation Mitigation Strategy (ii) Rodborough Common SAC Recreation Mitigation Strategy for avoidance of likely significant adverse effects on Special Areas of Conservation (SAC).
Decision(s)	The Committee RESOLVES to ADOPT: a. Cotswold Beechwoods SAC Recreation Mitigation Strategy; and b. Rodborough Common SAC Recreation Mitigation Strategy for avoidance of likely significant adverse effects on these Special Areas of Conservation (SAC) c. The Strategic Director of Place be delegated to determine the membership of the Oversight and Working Groups in consultation with the Chair and Vice Chair of Environment Committee.
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 these mitigation strategies. As the evidence and strategy has developed it has been reported to both stakeholders and the Strategic Planning Advisory Board (SPAB).
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Options	The Council may decide not to approve the mitigation strategies. However, development proposals within the zone of influence 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	None			
Appendices	Appendix A – Rodborough Common SAC Recreation Mitigation Strategy Appendix B - Cotswold Beechwoods SAC Recreation Mitigation Strategy			
Implications (further details at the end of the report)	Financial	Legal	Equality	Environmental
	Yes	Yes	No	Yes

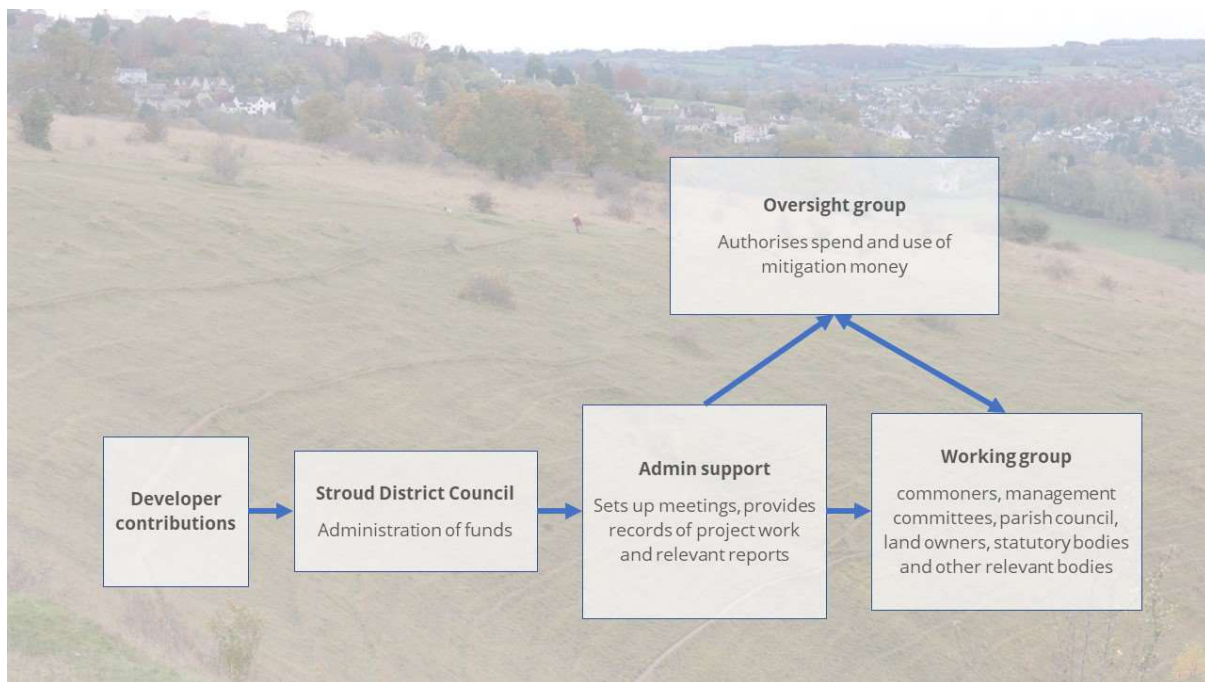
1. INTRODUCTION / BACKGROUND

- 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).

2. MAIN POINTS

2.1 Rodborough Common Special Area of Conservation (SAC)

- 2.1.1 Rodborough Common Special Area of Conservation (SAC) is a 109ha site just south of Stroud Town. The Habitats Regulations Assessment (HRA) of the Stroud District Local Plan (URS, 2014), identified that recreational pressure has the potential to impact upon the qualifying features for which the Rodborough was designated. As a result, the Council devised an Interim Mitigation Strategy in 2015 and has been collecting monies from housing developers since that time which has funded a programme of mitigation measures delivered in partnership with Natural England, the National Trust and other stakeholders. The Council's HRA consultants Footprint Ecology carried out a new visitor survey in 2019 which identified visitors are on site for a relatively short time, but they visit frequently and live very locally to the site. The new data suggests an average visitor makes 180 visits to the site per year, visiting for 60 minutes and lives within 3.9 km of the site (75% of all interviewees, across all visitor types). The majority are dog walking. This work has been used to inform and draft a new mitigation strategy where adverse effects arising from recreational pressure can be mitigated.
- 2.1.2 Footprint Ecology contacted stakeholder groups and their comments were incorporated into the proposed mitigation strategy that sets out a strategic approach to mitigate identified recreation impacts, associated with new housing growth, on Rodborough Common Special Area of Conservation (SAC). The zone of influence needs to be extended out from 3km (current) to 3.9km in-line with the more recent visitor data (Panter & Caals, 2019).
- 2.1.3 The overall strategy objective is to provide a framework under which applications for development likely to have a significant effect can be permitted, with measures in place to ensure that adverse effects on the integrity of the SAC, alone or in-combination, can be ruled out by the Council. The developer has the option to provide appropriate mitigation on site or off. This approach can enable development to progress, while ensuring protection is in place for the SAC. An overview of mitigation measures covered within the strategy is provided in the Mitigation Strategy attached in Appendix A. The package of measures is intended to be flexible and adapt to changing priorities.
- 2.1.4 Following SDC experience with the Interim Mitigation Strategy and looking at best practice elsewhere in England, a new governance structure is proposed with an Oversight Group that can review the amount of money collected and can advise the Director of Place on proposed budget spends. The Oversight Group would ultimately review and advise the Director to help ensure resources are appropriately targeted in line with the amount of housing, funds available, the need to set money aside for long term funding and the priorities for mitigation. The Oversight Group would involve representatives from Stroud District Council, including Ward members or District Councillors with knowledge in biodiversity management matters or a local knowledge of issues around these sites. Determining the membership of the Oversight and Working Groups will be a task delegated to the Director of Place working in consultation with the Chair and Vice Chair of the Environment Committee.



- 2.1.5 The Mitigation Strategy encourages applications for specific projects from relevant partners that fit with the identified aims. This provides the potential for parish and town councils, other organisations/bodies or community groups with an interest in the Common to promote new opportunities for projects to give the strategy flexibility and ability to adapt to changing circumstances or new opportunities. A new proforma will be made available from the Council for any such applications and the oversight group would have the task of approving any such projects. The proposed working group can meet more regularly and involve a less formal group of those involved in the mitigation delivery. This future working group would ensure coordination of mitigation delivery and encourage the submission of proposals to the oversight group.
- 2.1.6 It is important to note that at Rodborough Common there are some challenges with reliance on alternative sites for mitigation at Rodborough. The zone of influence is small and as a consequence there is a limited geographic area within which to find and provide suitably large alternatives. Rodborough Common has a particular draw for the scenery and flat walks with wide views, and as the visitor survey results (Panter & Caals, 2019) indicate, the most likely alternatives will be similar sites such as Minchinhampton Common or Selsley Common. These are also SSSIs and potentially also sensitive in themselves to increased recreation. As such there is little potential to rely on alternative greenspace as mitigation, particularly given the likely cost of such provision and relatively small housing increase. Alternative sites are therefore not costed or included in this strategy as mitigation for Rodborough Common.
- 2.1.7 Housing growth within the Commons zone of influence is anticipated to be about 600 new dwellings over the life of the Plan. This gives a mitigation cost per dwelling of £994. This figure is prior to the application of any administration fee. The Council can propose using either the existing s106 agreement templates or S111 agreements used as per the Solent SAC. This has a number of advantages in that there would be a standard £100 admin fee per agreement, the mitigation contribution is paid up front and a refund would only be provided if the application does not receive approval, is withdrawn or not implemented

(following planning approval). Planning Strategy CIL Team could collect all the fees at the time of signing the agreement and taking all the other planning fees, saving on monitoring, generating demand notices and chasing non-payment. Per dwelling costs should also be adjusted annually in line with inflation. The existing monies collected under the Interim Mitigation Strategy would be transferred to the new Mitigation Strategy budget.

- 2.1.8 The Mitigation Strategy would fully come into operation on the 1st November 2022 and supersede the earlier Rodborough Interim Mitigation Strategy. This will enable any final details on administration of the Strategy to be resolved.

2.2 Cotswold Beechwoods Special Area of Conservation (SAC)

- 2.2.1 The Cotswold Beechwoods Special Area of Conservation (SAC) is a 590ha site located between the settlements of Gloucester, Cheltenham, Cirencester and Stroud, Gloucestershire. The site is designated for the internationally important beech woodlands, and to a lesser extent for calcareous grassland communities. The Cotswold Beechwoods represent one of the most westerly extensive blocks of beech forest that are floristically rich compared to other similar sites. The Beechwoods are mostly high forest, and some areas of remnant beech coppice. Wetter parts of the site are also of interest, with abundant mosses and liverworts which are important conditions for several nationally rare terrestrial snails - all species of ancient woodlands. Furthermore, open areas and woodland margins are important areas for butterflies such as the Silver-washed Fritillary, White Admiral and White-letter Hairstreak. The unimproved limestone grassland of the SAC consists of areas of glades and rides within the woodland, the largest area being the cheese-rolling slope at Coopers Hill.
- 2.2.2 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). A formal Memorandum of Understanding is also being drawn up for signing with relevant authorities for this Strategy. 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.
- 2.2.3 Like Rodborough Common SAC all new residential growth will be expected to provide mitigation within the identified zone of influence. This was identified as part of the earlier Recreation and Visitor Survey analysis in 2019. Here though mitigation will involve Strategic Access Management and Monitoring ('SAMM'), which relate to managing access and engaging with visitors at the SAC. These measures involve increased staffing, signage, interpretation etc. Alongside SAMM, there is a need to deflect access away from the SAC and provide alternative countryside destinations for people to visit for recreation. Suitable Alternative Natural Greenspace ('SANG') or other infrastructure projects, such as improvements to existing greenspace sites are therefore necessary. These can be provided directly by developers (according to guidelines set out in this strategy) as part of a development or alternatively, where such bespoke SANG is not possible, through contributions.
- 2.2.4 The strategy applies to a zone of influence of 15.4km from the Cotswold Beechwoods, with the boundary of the zone adjusted slightly to reflect the local geography, accessibility,

and local authority boundaries. The zone therefore encompasses all of Cheltenham and Gloucester City administrative areas and parts of Cotswold, Stroud and Tewkesbury areas. Counts recorded 770 people (including 201 children and 43 cyclists) and 213 dogs – with an average group size of 2.1 people per group, of which 0.5 were children, 0.1 on a bicycle and with 0.6 dogs per group; Roughly 4.3 times as many people were seen on weekends, than on weekdays. A total of 139 interviews were conducted, with 13% on holiday, 2% staying with friends or family locally and 85% of interviewees on a short visit directly from home. The main activities were walking (without a dog) (45% of interviewees) and dog walking (40%). Most interviewees (67%) had arrived at the survey location by car or on foot (28%).

2.2.5 Impacts from recreation in the Beechwoods take a wide range of forms, including:

- Damage: encompassing trampling and vegetation wear, soil compaction and erosion, trampling can also cause direct mortality for some fauna;
- Contamination: including nutrient enrichment (e.g. dog fouling), litter, invasive species;
- Fire: increased incidence and risk of fire;
- Other: all other impacts, including harvesting and activities associated with site management, for example the difficulties in achieving necessary grazing.

Other effects of human trampling include the widening of paths and path erosion. Horses, vehicles and bikes are likely to be more damaging than people on foot. There has been growing awareness of the threats to the Beechwoods from increased recreation use. The combination of activities can also create tensions between different users and Stroud District Council has in the past received complaints relating to off-road vehicles and other recreation issues. It was as a result of these growing concerns that Stroud District Council led on this commissioned HRA-related work and the visitor survey.

2.2.6 Mitigation will consist of SAMM (Strategic Access Management and Monitoring) and SANG / infrastructure projects away from the Cotswold Beechwoods. These two approaches would complement each other. SAMM measures at the Beechwoods are required to address recreation impacts and make the SAC more resilient to increased recreation. SAMM would comprise: Dedicated staff; Signs and interpretation; Education & awareness raising; Measures to address contamination; Parking and travel related measures; Monitoring. The value of £193 per dwelling is in line with other SAMM tariffs for European sites or lower. As at Rodborough, there is scope for an administration fee to be set for either the preparation of S106 or S111 agreements.

2.2.7 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. Where a contribution is collected for off-site SANG provision, this will be at a standard rate of £480 per Dwelling.

2.2.8 Council officers have worked with adjoining authorities to propose a new governance structure based on the proposed approach at Rodborough Common. As at Rodborough, flexibility is accommodated within the governance structure through the potential for relevant stakeholders and organisations to apply for funding for specific projects, allowing the potential for different mitigation measures to come forward. Any such applications

should be made through the delivery officer and the working group. Again a proforma will be made available for applications which would then be approved by the oversight group containing representatives from all of the constituent authorities.

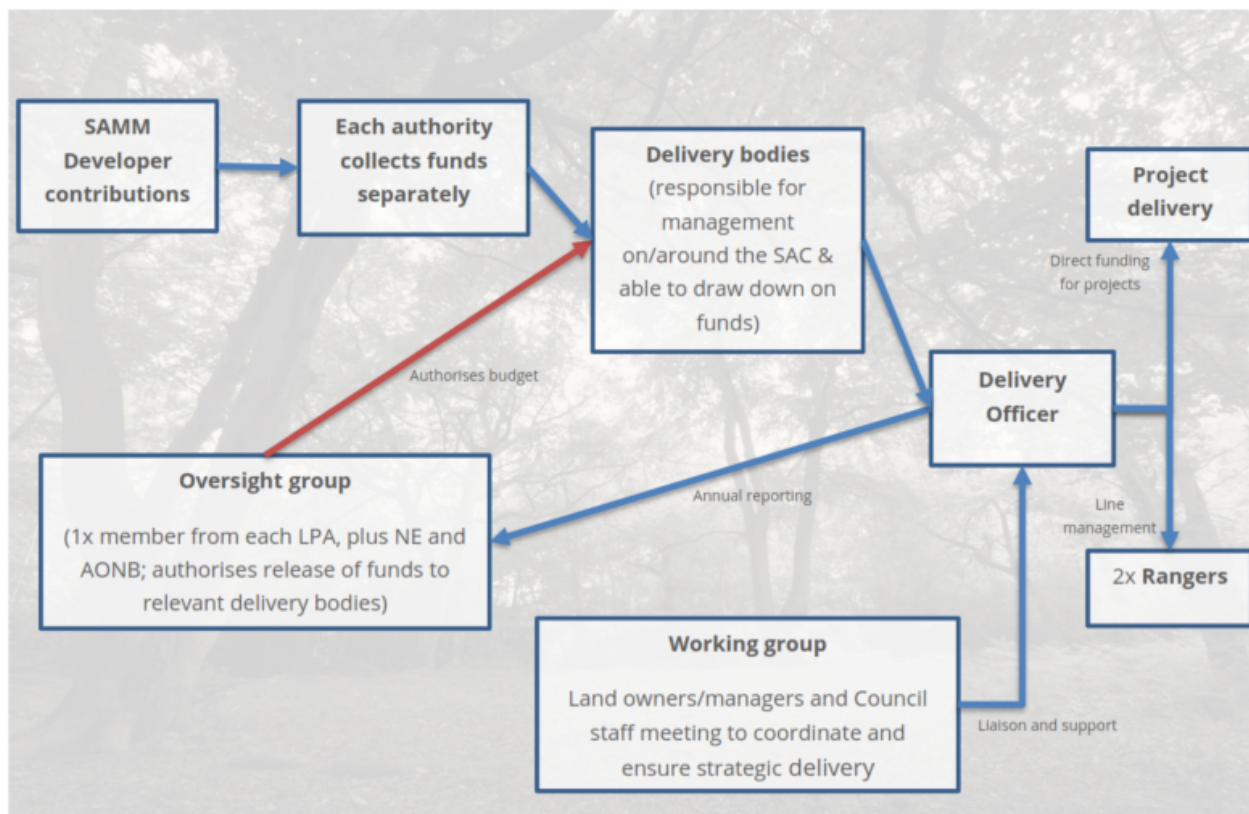


Figure 3: Initial governance structure

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 to deal with the impact of development upon these two international sites of acknowledged importance. It is therefore recommended that the Rodborough Common and Cotswold Beechwoods Mitigation Strategies 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 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.

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4.2 Legal Implications

The Conservation of Habitats and Species Regulations 2017 provide for the protection of European sites such as the Cotswolds Beechwoods and Rodborough Common SACs. The Council as a local planning authority must have regard to and comply with the requirements of the regulations in respect of its plan making and development control functions. Development must not affect the integrity of European sites.

The recreation mitigation strategies provide an assessment of the pressures residential development can place upon the SAC's and outline the mitigation measures that should be deployed to avoid harm to the sites.

The strategies can provide a framework for the preparation of the local plan and also the consideration of planning applicants in accordance with the National Planning Policy Framework. Without such strategies it is doubtful that the draft local plan would be found to be sound.

Consequently, it is important that robust mitigation strategies are in place for the SACs in respect of the local plan process and development control functions.

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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.