

Date: 07 November 2014
Our ref: 135103
Your ref: 14/00838/FUL



Mr O Rider
BY EMAIL ONLY

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Dear Mr Rider

Planning consultation: Full application for residential development comprising 376 dwellings, including access and associated infrastructure.

Location: Land To The West Of Farm Lane, Shurdington,

Thank you for your consultation on the above dated 17 October 2014 which was received by Natural England on 21 October 2014.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Designated landscapes

Cotswolds AONB- Objection due to insufficient information

This proposal is located in a sensitive location at the foot of the west escarpment of the Cotswold Hills AONB. Natural England has previously provided advice on a number of urban extension applications at this and neighbouring sites. We have significant concerns over the combined impact of these schemes on the AONB, in particular the escarpment and views to and from it. We have advised your authority and Cheltenham Borough Council of the need to properly assess the combined or cumulative impacts of these proposals – ideally through the Joint Core Strategy - so that informed judgments about significance of impacts and the design and effectiveness of mitigation can be made.

Having reviewed the application documents, our view on this proposal remains as described above. In terms of changes to what is proposed at this site, it appears that previous mitigation proposed in master planning, such as a green buffer between the built area and the edge of the AONB/escarpment, has been reduced.

- We advise that you give weight to the advice of the Cotswold Conservation Board on this matter. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the

AONB designation. They will also be able to advise whether the development accords with the aims and policies set out in the AONB management plan and your Joint Core Strategy.

Although the LVIA states that it has followed the Guidance for LVIA (third edition) published by the Landscape Institute, we believe that it fails to fully consider mitigation of the impacts of the development. For example, the Strategic Landscape Masterplan figure 9.7, dated 3rd July 2014, submitted with this application shows a buffer next to Leckhampton Lane as a result of the significant effects on the Cotswold AONB. Given this development has the potential to significantly impact the AONB we do not consider that the buffer adequately mitigates the impacts identified.

The statutory purpose of AONBs is the protection of their natural beauty. The Planning Statement recognises that the National Planning Policy Framework (NPPF) affords the highest level of protection to AONB landscapes. To ensure that the landscape and scenic beauty of AONB landscapes is conserved and enhanced the National Planning Policy Framework also sets out the importance of the landscape and scenic beauty of AONBs (at para 115 of the NPPF).

Sites of Special Scientific Interest - No objection

This application is in the close proximity of Leckhampton Hill and Charlton Kings Common Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

Protected Species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published [Standing Advice](#) on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with

details at consultations@naturalengland.org.uk.

We note the Environment Statement and the mitigation and enhancement measures and to address adverse impacts on the natural environment and we request these are secured through planning conditions and planning obligations as this is also a material consideration. The Construction Environmental Plan and management prescriptions and habitat creation should also be secured through planning conditions or planning obligations and we remind you of the duty in Section 41 of the NERC Act 2006

Green Infrastructure and biodiversity enhancement potential

The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. As such, Natural England would encourage the incorporation of GI into this development. We have noted the Design and Access Statement and the importance of Hedgerow Regulations for wildlife corridors.

Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement.

Additional evidence and case studies on green infrastructure, including the economic benefits of GI can be found on the Natural England Green Infrastructure web pages

- The application provides for an extensive green infrastructure. The LPA should review the proposed green infrastructure carefully to ensure that:
 - it can be established and provide the required level of mitigation within an acceptable period;
 - the planting design, species mix and other aspects of the scheme are appropriate to their landscape setting (particularly important within a nationally designated landscape); and
 - the appropriate management of the green infrastructure is properly provided for in terms of funding and a long term management plan.

Other advice

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

We wish to highlight relevant paragraphs 99 Green Infrastructure 109,110 and 111 Conserving and

Enhancing the Natural Environment and paragraph 14 Landscape and paragraphs 115 and 116 and 118 in the NPPF National Planning Policy Framework, the recent Practice Guidance and the (Section 40 Biodiversity duty) NERC Act 2006 and Wildlife and Countryside Act 1981 and have regard duty in Section 85 of the Countryside and Rights of Way Act 2000.

Your policy LDN4 and LDN 7 is relevant for protection of the surrounding landscape character and the adjoining Cotswold AONB, which is a key issue for this application and previous application (07/01012/OUT) and Secretary of States Inspectors opinion on the appeal against non-determination. We noted the buffer between Leckhampton Lane, the AONB border, and the built form of the proposed development and many of these issues and mitigation measure are being coordinated through a Head of Terms Section 106 Agreement. The Emerging Local Plan policies SD7 and SD8 are relevant for protection of the landscape character and Cotswold AONB, respectively.

The development is part of an urban extension including the outline planning application 13/01605/OUT.

These urban extension are within the National Character Area profile 106 Severn and Avon Vales.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Andrew Burns on 03000601341. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

We also welcome your feedback on Natural England's revised standing advice in terms of its usability (ease of access, presentation), quality of content and, its clarity and effectiveness as a tool in guiding decision-making. Please provide this, with any suggested improvements, by filling in the attached customer feedback form or by emailing your feedback direct to consultations@naturalengland.org.uk.

Yours sincerely

Simon Stonehouse