



**APPROPRIATE ASSESSMENT UNDER REGULATION 63 OF THE CONSERVATION OF
HABITATS AND SPECIES REGULATIONS 2017 AND HABITATS DIRECTIVE
(Council Directive 92/43/EEC)**

Title of Project: Outline application for 43 dwellings including access, layout and scale, with all other matters reserved for future consideration, Land Adjacent To Oakhurst Rise, Cheltenham, Gloucestershire GL52 6JU

Reference: 20/00683/OUT

Description of Project: The proposed 43 residences are to be built on existing pasture land with hedgerows and trees on boundaries. Provision of open space is to be provided along with access road(s), tree/shrub planting and other habitats/features. Some details will be reserved to full planning consent stage such as details of proposed design (e.g. hard landscaping). The site is located on the eastern side of Cheltenham within Charlton Kings and comprises about 4 hectares in total a good proportion of which will remain undisturbed and not be affected or unduly so from construction activities. There are significantly fewer new residences and increased green space as compared with previous applications 17/00710/OUT and 18/02171/OUT for this location.

Location of Project: Land Adjacent To Oakhurst Rise, Cheltenham, Gloucestershire GL52 6JU
Grid Ref (approx.) 396492 221592
See **Map 1** below for relationship of site to nearest SAC

International Nature Conservation Site(s): Cotswold Beechwoods SAC (approximately 8km away to the south west)

(Note: Dixton Wood SAC, Bredon Hill SAC and Severn Estuary SAC/SPA/Ramsar were screened out as not likely to be significantly affected by the project due to distance away and scale of the development.)

Is the proposal directly connected with or necessary to the management of the site? NO

Natural England was consulted on 01/05/20.....

The project was made available on-line at
https://www.cheltenham.gov.uk/info/12/planning_and_development/595/planning_applications_-_view_and_comment_online and by notice on site

Information sources used All submitted documentation relating to the planning application at https://www.cheltenham.gov.uk/info/12/planning_and_development/595/planning_applications_-_view_and_comment_online. The key documents being the previous HRA (AA) carried out by the Council on a smaller development 18/02171/OUT plus previously submitted 'Information to inform a Habitats Regulations Assessment (HRA)' by Aspect Ecology dated November 2018. Aspect Ecology has also commented on HRA at paragraph 3.1.3 of the latest **Ecological Appraisal (April 2020)**. Also relevant is a letter from Natural England to the Planning Authority in August 2018 from Antony Muller on an interim approach to HRA of planning applications (recreational pressure). From Tewkesbury Borough Council application 12/01256/OUT 'Information for an Appropriate Assessment' by Ecology

Solutions March 2014. Conservation Objectives for the Cotswold Beechwoods SAC by Natural England June 2014. European Site Conservation Objectives: Draft Supplementary Advice for Cotswold Beechwoods SAC by Natural England dated October 2018. Site Improvement Plan for Cotswold Beechwoods SAC by Natural England dated March 2015. Views about Management (VAM) for the Cotswold Commons & Beechwoods SSSI dated April 2005. Advice from Principal Ecologist of Gloucestershire County Council for Cheltenham BC on application 18/02171/OUT and 20/00683/OUT.

Other plans and projects considered that could lead to in combination effects

The effects of other recent residential developments are taken account of by considering overall visitor numbers to the Cotswold Beechwoods SAC and how this development project may contribute to any increased recreational pressure upon the SAC. An interim approach recommended by NE (letter dated August 2018) has been followed. The interim approach will be replaced by the adoption of a long-term strategy for mitigating increased recreational pressure (based on a new SAC visitor survey). This will cover responding to future developments in the Joint Core Strategy area (Cheltenham, Gloucester & Tewkesbury) as well as the adjacent Stroud District too.

The site's conservation objectives have been taken into account, including consideration of the citation for the site and supplementary advice from Natural England. The likely significant effects of the proposal on the international nature conservation interests for which the site was designated may be summarised in **Table 1** – see below.

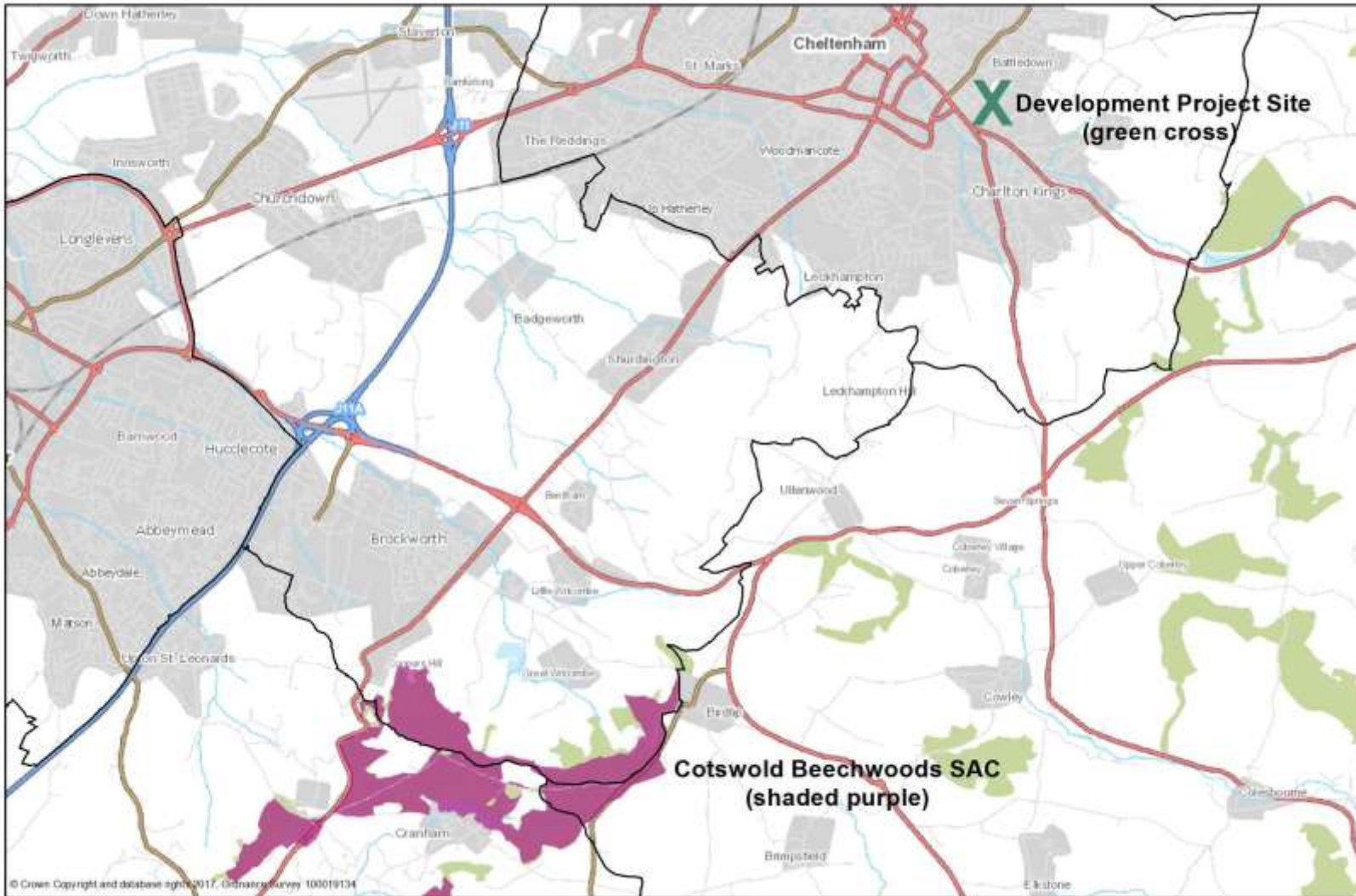
The assessment has concluded that either alone or in combination with other plans and projects the development project as proposed would not adversely affect the integrity of the SAC. This is a confident conclusion given that in addition conditions will be applied to implement further precautionary measures **[See Table 1]**.

The conclusions of this Appropriate Assessment are in accordance with the advice and recommendations of Natural England.

Cheltenham Borough Council

Date: 09/06/20.....

Map 1



DATE: 29-Nov-2018 SCALE: 1:59,941

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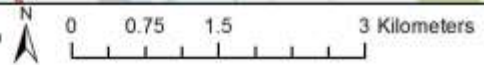


Table 1

<p style="text-align: center;">A</p> <p style="text-align: center;">Site's Conservation Objectives – Cotswold Beechwoods SAC</p>	<p style="text-align: center;">B</p> <p style="text-align: center;">International Nature Conservation Qualifying Features (Receptors)</p>	<p style="text-align: center;">C</p> <p style="text-align: center;">Impact Pathway to Receptor</p>	<p style="text-align: center;">D</p> <p style="text-align: center;">Impact of Proposals on A & B including in combination with other plans & projects (list effects)</p>	<p style="text-align: center;">E</p> <p style="text-align: center;">Action Required to Avoid Impact on A & B</p>
<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features (see next column), by maintaining or restoring;</p> <ul style="list-style-type: none"> ➤ The extent and distribution of qualifying natural habitats ➤ The structure and function (including typical species) of qualifying natural habitats, and ➤ The supporting processes on which qualifying natural habitats rely <hr/> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable</p>	<p>H9130. <i>Asperulo-Fagetum</i> beech forests; Beech forests on neutral to rich soils</p> <p>[There should be no measurable net reduction (excluding any trivial loss) in the extent and area of this feature. Target is to maintain the total extent at 472.16ha]</p> <p>[Maintain the soil structure within and around the root zones of the mature and ancient tree cohort in an un-compacted condition]</p> <hr/> <p>H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>); Dry grasslands</p>	<p>A reduction in air quality may impact the health of vegetation at this site and its associated fauna.</p> <p>Increase of human feet (walking/running), hooves (horse riding) and cycle wheels (mountain biking) during recreational activity may contribute to excessive soil compaction around ancient trees and affect ground flora and associated fauna.</p> <p><i>Key question is will the proposed development generate sufficient new recreational pressure upon the SAC to adversely affect the integrity of the site which is defined in columns A & B?</i></p> <hr/> <p>A reduction in air quality may impact the health of vegetation at this site and its associated fauna.</p>	<p>Consideration of the visitor survey data at the SAC gathered for the Perrybrook/North Brockworth development (application reference 12/01256/OUT) is important here. This is in absence of other more up to date visitor information. The key elements are:</p> <ul style="list-style-type: none"> • Distance of the SAC from the development site • Likely mode of transport in reaching the SAC • On site accessible green space for new residents • Other local accessible green space available to new residents • Likely numbers/frequency of new residents from the proposed development (in combination with 	<ul style="list-style-type: none"> • Development to be consented as proposed • A Landscape & Ecological Management Scheme to be approved by condition which is based on the Landscape Strategy drawing 19216.101 revision D dated 14-04-20 • A Planning obligation (e.g. S106) to be linked to the condition above with acceptable arrangements put in place to fund and cover aftercare responsibilities for the maintenance of open space, new and existing habitats, trees, hedgerows and artificial biodiversity features on site • All new residents to be issued with a homeowner's

<p>Conservation Status of its Qualifying Features (see next column), by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats • The structure and function (including typical species) of qualifying natural habitats, and • The supporting processes on which qualifying natural habitats rely 	<p>and scrublands on chalk or limestone</p> <p>[There should be no measurable net reduction (excluding any trivial loss) in the extent and area of this feature. Target is to maintain the total extent at 4.13ha]</p>	<p>Increase of human feet (walking/running), hooves (horse riding) and cycle wheels (mountain biking) during recreational activity may contribute to excessive soil compaction or erosion locally within grassland/scrub and affect flora/fauna.</p> <p><i>Key question is will the proposed development generate sufficient new recreational pressure upon the SAC to adversely affect the integrity of the site which is defined in columns A & B?</i></p>	<p>others) that will visit the SAC</p> <p>Under a previous application 17/00710/OUT with much less green space and more residential units on site it was calculated that about 3.5 extra visitors may regularly visit the SAC.</p> <p>In respect of the next application for the site 18/02171/OUT the conclusions of a document produced by Aspect Ecology entitled 'Information to inform a Habitats Regulations Assessment' dated November 2018 were carefully analysed and Cheltenham Borough Council who agreed with the general conclusions and in particular the following points.</p> <ul style="list-style-type: none"> • Approximately 1 new resident was estimated to visit the SAC and this would not be very frequent. • Traffic within 200m of the SAC generated by the development was likely to be very small and unlikely to 	<p>information pack on local recreational opportunities and the sensitivity of the Cotswolds Beechwoods SAC at distance.</p> <ul style="list-style-type: none"> • A recreational mitigation strategy to also be adopted by the relevant Local Planning Authorities within the next 2 years (see column D).
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			<p>contribute to a decline in air quality which could have an additional impact upon the SAC.</p> <ul style="list-style-type: none">• Overall this would have a negligible effect upon the SAC.• An in-combination effect with other plans or projects was not likely to be significant. <p>There are significantly fewer new residences and increased green space for 20/00683/OUT as compared with previous applications 17/00710/OUT and 18/02171/OUT for this location. This makes the previous AA conclusions more certain in the revised proposals.</p> <p>An interim approach, recommended by Natural England, has been followed which builds in consideration of recreational activity generated by other plans and projects. The interim approach is to develop into a long-term strategy (based on new visitor surveys) for mitigating increased recreational pressure that</p>	
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			might be generated by future developments in the Joint Core Strategy area (Cheltenham, Gloucester & Tewkesbury [and taking account of those in the adjacent Stroud District too]).	
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