

**PRELIMINARY SCREENING FOR LIKELY SIGNIFICANT EFFECTS UNDER
REGULATION 63 OF THE CONSERVATION OF HABITATS & SPECIES
REGULATIONS 2017 (as amended)***

1. Introduction

1.1. This is a record of the Preliminary Screening For Likely Significant Effects under Regulation 63 of the Conservation of Habitats & Species Regulations 2017 (as amended) for the following planning application:

Planning application number	P0672-25-OUT	
Description	Outline application for the erection of up to 180 residential dwellings (including affordable housing) with public open space, landscaping and vehicular access points (all matters reserved except for means of access).	
Planning policy context	Outside of settlement boundary	
Date of Assessment	17/07/2025	
Assessment by	<i>Anouska Laramy</i>	
Summary (see section 6 for detail)	Likely significant affects / Appropriate Assessment required	* Yes
	Conditions / Legal agreement Required	* Yes

1.1. This assessment has been undertaken by Forest of Dean District Council, which is the competent authority responsible for authorising the project in respect of spatial planning consent/s and any assessment of it required by the Regulations, utilising guidance contained within the Habitats Regulations Assessment Handbook produced by DTA Publications as available at the date of assessment and other current guidance. The assessment is undertaken on a precautionary principle basis.

2. Information on the proposed project

Size of development	Approximately 9.74ha
Location	Outline application for the erection of up to 180 residential dwellings (including affordable housing) with public open space, landscaping and vehicular access points (all matters

	reserved except for means of access)
Description of existing site	Arable land, housing and business developments to the south agricultural land to the north.
Surrounding land use	Rural – Farmland, woodland, development
Other	The site is approximately 485m away from a component of the Wye Valley and Forest of Dean Bat SAC at its nearest boundary. Wigpool Ironstone mine is designated for its hibernating populations of horseshoe bats.

3. Screening (stage 1)- Exemptions, exclusions and eliminations

3.1. Following the analysis in Table 1 the project is not considered exempt or excluded from the Habitat Regulations Assessment process.

Table 1

Test	Decision	Guidance
a) Is the whole of the project exclusively directly connected with or necessary to the management of any European Site/s for nature conservation purposes that is potentially affected?	No	<i>If yes the project is exempt from the Habitats Regulations Assessment process.</i>
b) If the proposal is considered exempt from the Habitats Regulation Assessment process has the decision to treat as such been consulted upon and agreed with the Natural England?	n/a	
c) Is what is being considered the continuation, without any material change, of ongoing activities which are not subject to any form of renewable authorisation, such as an order, consent, permit, licence or permission, or a decision by the Council as a competent authority as to whether it should or should not continue the activities?	No	<i>If yes the project is excluded from the Habitats Regulations Assessment process.</i>
d) Is the proposal anything that requires any form of new or renewed, or periodically renewable authorisation, or any variation or modification of such an authorisation; or a project proposed to be undertaken or varied by the Council as a competent authority that does not need any form of authorisation?	Yes	<i>If no the project is excluded from the Habitats Regulations Assessment process.</i>

3.2. Given the nature, scale, duration and location of the project, it is not obvious that the proposal could not have any conceivable effect on any European Site or their qualifying features. As such the project cannot be eliminated from the Habitat Regulations Assessment

process. No particular ecological zones of influence, significance thresholds or limits have been set in relation to this analysis.

Table 2

Scanning and site selection list for European sites that could potentially be affected by a project		Severn Estuary (SPA, SAC, Ramsar)	Wye Valley Woodlands (SAC)	Wye Valley and FoD Bat Sites (SAC)	Wye River (SAC)	Walmore Common (SPA, SAC, Ramsar)
Types of project	Sites to scan for and check					
1. All projects (terrestrial, coastal and marine)	Sites within which the project is wholly or partly located	None	None	None	None	None
2. Projects that could affect the aquatic environment	Sites upstream or downstream of the project location in the case of river or estuary sites	None	None	None	None	None
	Open water, peatland, fen, marsh and other wetland sites with relevant hydrological links to the project, irrespective of distance from the project location	None	None	None	None	None
3. Projects that could affect the marine environment	Sites that could be affected by changes in water quality, currents or flows; or effects on the inter-tidal or sub-tidal areas or the sea bed, or marine species	None	None	None	None	None
4. Projects that could affect the coast	Sites in the same coastal 'cell', or part of the same coastal ecosystem, or where there are interrelationships with or between different physical coastal processes	None	None	None	None	None
5. Projects that could affect mobile species	Sites whose qualifying features include mobile species which may be affected by the project irrespective of the location of the project or whether the species would be in or out of the site when they might be affected	None	None	Yes	None	None
6. Projects that could increase recreational pressure on European sites where qualifying features are sensitive to such pressure	European sites within which the project would be wholly or partly located	None	None	None	None	None
	Such European sites within an agreed zone of influence, or other reasonable and evidence-based travel distance of the project location, that may be affected by local recreational or other visitor pressure generated by the project	None	None	None	None	None
	Such European sites within an agreed zone of influence, or other reasonable and evidence-based longer travel distance of the project, which are major (regional or national) visitor attractions such as European sites which are National Nature Reserves where public visiting is promoted, sites in National Parks, coastal sites and sites in other major tourist or visitor destinations	None	None	None	None	None

Scanning and site selection list for European sites that could potentially be affected by a project		Severn Estuary (SPA, SAC, Ramsar)	Wye Valley Woodlands (SAC)	Wye Valley and FoD Bat Sites (SAC)	Wye River (SAC)	Walmore Common (SPA, SAC, Ramsar)
Types of project	Sites to scan for and check					
7. Projects that would increase the amount of development	Sites that are used for, or could be affected by, water abstraction irrespective of distance from the project	None	None	None	None	None
	Sites used for, or could be affected by, discharge of effluent from waste water treatment works or other waste management streams serving the project, irrespective of distance from the project	None	None	None	None	None
	Sites that could be affected by the provision of new or extended transport or other infrastructure	None	None	None	None	None
	Sites that could be affected by increased deposition of air pollutants arising from the proposals, including emissions from significant increases in traffic	None	None	None	None	None
8. Projects comprising linear developments or infrastructure	Sites within a specified distance from the centre line of the proposed route (or alternative routes), the distance may be varied for differing types of site / qualifying features and in the absence of established good practice standards, distance(s) to be agreed by the statutory nature conservation body	None	None	None	None	None
9. Projects that introduce new activities or new uses into the marine, coastal or terrestrial environment	Sites considered to have qualifying features potentially vulnerable or sensitive to the effects of the new activities proposed by the project	None	None	None	None	None
10. Projects that could change the nature, area, extent, intensity, density, timing or scale of existing activities or uses	Sites considered to have qualifying features potentially vulnerable or sensitive to the effects of the changes to existing activities proposed by the project	None	None	None	None	None
11. Projects that could change the quantity, quality, timing, treatment or mitigation of emissions or discharges to air, water or soil	Sites considered to have qualifying features potentially vulnerable or sensitive to the changes in emissions or discharges that could arise as a result of the project, over and above those already identified	None	None	None	None	None

Scanning and site selection list for European sites that could potentially be affected by a project		Severn Estuary (SPA, SAC, Ramsar)	Wye Valley Woodlands (SAC)	Wye Valley and FoD Bat Sites (SAC)	Wye River (SAC)	Walmore Common (SPA, SAC, Ramsar)
Types of project	Sites to scan for and check					
12. Projects that could change the quantity, volume, timing, rate, or other characteristics of biological resources harvested, extracted or consumed	Sites whose qualifying features include the biological resources which the project may affect, or whose qualifying features depend on the biological resources which the project may affect, for example as prey species or supporting habitat or which may be disturbed by the harvesting, extraction or consumption	None	None	None	None	None
13. Projects that could change the quantity, volume, timing, rate, or other characteristics of physical resources extracted or consumed	Sites whose qualifying features rely on the physical resources which the project may affect, for example, as habitat or a physical environment on which habitat may develop or which may be disturbed by the extraction or consumption	None	None	None	None	None
14. Projects which could introduce or increase, or alter the timing, nature or location of disturbance to species	Sites whose qualifying features are considered to be potentially sensitive to disturbance, for example as a result of noise, activity or movement, or the presence of disturbing features that could be brought about by the project	None	None	None	None	None
15. Projects which could introduce or increase or change the timing, nature or location of light or noise pollution	Sites whose qualifying features are considered to be potentially sensitive to the effects of changes in light or noise that could be brought about by the project	None	None	Yes	None	None
16. Projects which could introduce or increase a potential cause of mortality of species	Sites whose qualifying features are considered to be potentially sensitive to the source of new or increased mortality that could be brought about by the project	None	None	Yes	None	None
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Table 3

European Site	Possible effects of project	Are protective measures required to address possible effects of the project	Are there existing measures, part of the overall project (embedded), or other regulatory requirement (e.g. drainage basins, building regulations, watercourse protection) that avoid likely significant effects?	Likely Significant Effect Conclusion	Appropriate Assessment Required
Wye Valley and Forest of Dean Bat SAC	Projects that could affect mobile species	Yes – horseshoe bats are present within the area surveys have identified foraging and commuting within the hedgerows on the boundaries.	None – however Boundary features are to be retained there is a proposed significant buffer zone to the north. However we require further survey information to establish if the remaining buffer zones are sufficient given the close proximity of the SAC.	Likely Significant Effect	Yes
	Projects which could introduce or increase or change the timing, nature or location of light or noise pollution.	Lighting is likely to impact foraging and commuting horseshoe bats.	None - however, a lighting strategy has been submitted. The lighting strategy shows that the boundary features will be kept dark or at baseline levels.	Likely Significant Effect	Yes

European Site	Possible effects of project	Are protective measures required to address possible effects of the project	Are there existing measures, part of the overall project (embedded), or other regulatory requirement (e.g. drainage basins, building regulations, watercourse protection) that avoid likely significant effects?	Likely Significant Effect Conclusion	Appropriate Assessment Required
	Projects which could introduce or increase a potential cause of mortality of species	Yes – whilst there are no roosts onsite if boundary features are lost by direct or indirect impacts this could have a bearing on mortality given the close proximity of the bat SAC and loss of major flightline.	No- however the plan has been mostly sensitively designed to avoid boundary features. A lighting strategy has also been submitted.	Likely Significant Effect	Yes

4. Screening (Stage 1) – Preliminary systematic screening for likely significant effects of the project ‘alone’

4.1. This assessment takes account of the conservation objectives for each relevant European Site). Where provided it also takes account of any advice received from Natural England to date (see Table 4).

Table 4

Advice received from Natural England		Date: 3 rd July 2025
European site	Overview	Comments
Wye Valley and Forest of Dean Bat SAC	Insufficient information – HRA required.	Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As the competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. This also applies to a HRA which is adopted by the competent authority but produced by someone else. Once your council has reviewed the Applicant’s HRA, they should either confirm to Natural England that they are satisfied with it and that the Council will adopt it or they should provide their own HRA and consult Natural England if appropriate (See guidance on when to consult the Statutory Nature Conservation Body- Habitats regulations assessments: protecting a European site - GOV.UK (www.gov.uk)).

5. Screening (Stage 1) – Outcome of preliminary screening for likely significant effects of the project

The following table assesses the outcome of the above preliminary screening for likely significant effects of the project ‘alone’ and ‘in-combination’.

Potential outcome	Decision	Guidance/notes
The project will have no adverse effect on the site at all; or	No	<i>If yes the project should be ‘screened out’ and no further assessment is required, because if the project will have no adverse effect on the site at all, it has no adverse</i>

		<i>effect to contribute 'in combination' to the effects of other plans and projects (See Table 2).</i>
The project alone will have no significant adverse effect on the site; that is, it could have some effect but none that, when the project is taken on its own, might undermine the conservation objectives for the relevant European Site/qualifying feature; or	Unknown	<i>If yes it will be necessary to go on and consider whether the possibility of significant adverse effects on the European Site/qualifying feature in combination with other plans or projects can also be excluded on the basis of objective information (See Table 4).</i>
It cannot be ruled out that the project could or would have a significant adverse effect on the site alone.	Yes	<i>If yes an appropriate assessment should be undertaken.</i>

Table 5

Information required by the LPA under Regulation 63(2) of the Conservation of Habitats & Species Regulations 2017	Further surveys to assess the habitats for foraging and commuting horseshoe bats in accordance with guidance https://www.fdean.gov.uk/media/q1jnf054/wv-fod-bat-sac-development-management-survey-and-assessment-guidance-vr-july-2021.pdf
Information the project proposer is encouraged to provide/embed into the project	Landuse parameters plan to show dark areas and buffer zones.

6. Conclusions and next steps

- 6.1. The preliminary screening has identified that it is not obvious that the proposal could not have any conceivable effect on a European Site during construction and therefore without protective measures there is conceivably likely significant effect.
- 6.2. The preliminary screening has also identified additional information required under Regulation 63(2) for the appropriate assessment. The project proposer is advised of this, should provide the additional information required and is encouraged to embed

the new/further mitigation measures identified into the project as proposed. The project proposer should agree a date within which to do this with the LPA.

6.3 Whilst there is no statutory requirement for the LPA to consult Natural England on preliminary screenings such as this it is recommended that this should take place if timescales allow and may occur on an informal basis if required. On being consulted Natural England should indicate whether it agrees or disagrees with the outcome of the preliminary screening and the scope and method of any 'appropriate assessment'.

*EU Exit – The European Union (Withdrawal Agreement) Act 2020 (the EUWA) ends the supremacy of EU law in UK law, it converts directly applicable EU legislation (in particular, EU Regulations and Decisions) as it stands at the moment of exit into domestic law, and will preserve legislation previously made in the UK to implement EU obligations.

The legislation will generally have the same effect that it had before the UK left the EU, unless or until it is changed by Parliament.

In some cases there may be changes in referencing and guidance as a result of secondary legislation amendments. Changes may move at pace and it may not be possible to update all processes immediately. Where reference to specific legislation is made the reader should check to ensure referencing is consistent with any subsequent legislation amendments. Further information can be found at: <https://www.gov.uk/guidance/eu-exit-secondary-legislation-laid-with-impacts-on-local-government>

7. References and Reports

When undertaking the assessment the competent authority took particular account of the following documents and the information they contain:

[P0672/25/OUT | Outline application for the erection of up to 180 residential dwellings \(including affordable housing\) with public open space, landscaping and vehicular access points \(all matters reserved except for means of access\) | Land North Of Carisbrook Road Mitcheldean Gloucestershire](#)

Severn Estuary SPA, SAC and Ramsar		
European Site Conservation Objectives for Severn Estuary SPA (UK9015022)	05-02-2016 (NE)	http://publications.naturalengland.org.uk/publication/5601088380076032
Severn Estuary SPA Citation	December 1993	http://publications.naturalengland.org.uk/publication/5601088380076032

Severn Estuary SAC Citation	25/09/2014 (NE)	http://publications.naturalengland.org.uk/publication/6081105098702848
European Site Conservation Objectives for Severn Estuary SAC (UK9013030)	05-02-2016 (NE)	http://publications.naturalengland.org.uk/publication/6081105098702848
Severn Estuary Standard Data Form	Update date 12-2015 (JNCC)	https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0013030.pdf
Severn Estuary Ramsar & Information Sheet on Ramsar Wetlands (RIS)	Produced by JNCC: Version 3.0, 13/06/2008	https://jncc.gov.uk/our-work/ramsar-sites/ https://jncc.gov.uk/jncc-assets/RIS/UK11081.pdf
Severn Estuary Site Improvement Plan	19-03-15 (NE)	http://publications.naturalengland.org.uk/publication/4590676519944192
Severn Estuary EMS Regulation 33 Conservation Advice Package. This document includes the conservation objectives for the Ramsar Site.	29-11-12 (NE)	https://naturalresources.wales/media/673887/severn-estuary-sac-spa-and-ramsar-reg-33-advice-from-ne-and-ccw-june-09.pdf
Severn Estuary European Marine Site Management Scheme	ASERA (2018-2023)	Management Scheme – ASERA
Lydney Severn Estuary Visitor Survey and Recreational Strategy	21-6-2019 (FoDDC)	https://www.fdean.gov.uk/media/4er1icr/lydney-harbour-area-recreation-study-2017.pdf
Gloucester City, Cheltenham and Tewkesbury LPA areas – Evidence gathering in relation to recreation pressure on European Sites - Information to inform an interim approach to Habitats Regulations Assessment of planning applications	22-08-2018	Letter from Antony Muller(NE) (see Appendix 1)
Wye Valley and Forest of Dean Bat SAC		

Supplementary Advice for Wye Valley & Forest of Dean Bat Sites SAC	11/02/2019 (NE)	http://publications.naturalengland.org.uk/file/6041981725966336
Wye Valley & Forest of Dean Bat Sites SAC Conservation Objectives	08/02/2016 (JNCC/NE)	http://publications.naturalengland.org.uk/file/6564127446138880
Wye Valley & Forest of Dean Bat Sites SAC Conservation Objectives supplementary advice	11/02/2019 (NE)	http://publications.naturalengland.org.uk/file/6041981725966336
Wye Valley & Forest of Dean Bat Sites SAC Citation	26/06/2014 (JNCC/NE)	http://publications.naturalengland.org.uk/file/5725464458952704
Site Improvement Plan: Wye Valley and Forest of Dean Bat Sites	11/3/2015 (JNCC/NE)	http://publications.naturalengland.org.uk/publication/6102625057505280
A Strategy for the Conservation of Horseshoe Bats in the Wye Valley and Forest of Dean (2016)	2016 Wye Valley and Forest of Dean Bat Strategy partnership	https://www.fdean.gov.uk/media/5420/wye-valley-and-forest-of-dean-bat-strategy-may-2016.pdf
Wye Valley Woodlands SAC		
Wye Valley Woodlands Conservation Objectives	05-02-2016 (NE)	http://publications.naturalengland.org.uk/file/6016657158832128
Site improvement plan Wye Valley Woodlands	14-01-2015	http://publications.naturalengland.org.uk/publication/4735117343850496
Wye valley Woodlands SAC Citation	01-04-2005	http://publications.naturalengland.org.uk/file/4729640186806272
River Wye SAC		
River Wye Conservation Objectives	05-02-2016	http://publications.naturalengland.org.uk/file/5412246543925248
Site Improvement Plan River Wye	04-11-2014 (NE)	http://publications.naturalengland.org.uk/publication/5178575871279104
River Wye SAC Citation	01-04-2005 (NE)	

River Wye draft updated River Basin Management Plans	August 2014 (NE)	http://publications.naturalengland.org.uk/file/5350815669682176
Walmore Common SPA, SAC, Ramsar		
Walmore Common SPA Conservation Objectives	30-06-2014 (NE)	http://publications.naturalengland.org.uk/file/4554611981549568
Walmore Common SPA Citation	30-01-1996 (NE)	http://publications.naturalengland.org.uk/file/4900105425518592
Site Improvement Plan: Walmore Common	13-11-2014 (NE)	http://publications.naturalengland.org.uk/file/6299182977515520

Date: 22 August 2018
Our ref: G,C & T JCS & local plans HRA
Your ref: N/a

Adam Gooch,
Planning Policy Manager
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BY EMAIL ONLY



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Dear Adam

Gloucester City, Cheltenham and Tewkesbury LPA areas – Evidence gathering in relation to recreation pressure on European Sites - Information to inform an interim approach to Habitats Regulations Assessment of planning applications

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.

Further to our meeting on 8.8.18¹ Natural England proposes that the three Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) local planning authorities adopt an interim approach based on the following advice. This advice is intended to help the JCS LPAs to discharge their duty as competent authorities under the Habitats Regulations 2017 and to meet their obligation under the Localism Act 2011 'Duty to co-operate'. It is offered to help allow planning decisions to be made pending the outcome of a meeting in September of the County Planning Officers' group to discuss the benefits of a strategic approach by relevant LPAs to recreation pressure on European Sites including the Cotswolds Beechwoods SAC and the Severn Estuary SAC, SPA & Ramsar Site.

Issue

Recreation pressure on relevant European Sites due to additional visitor pressure associated with the delivery of new homes in the JCS area and neighbouring authorities.

Existing Symptoms of recreational pressure include:

1. Cotswold Beechwoods SAC

- Compaction and erosion of woodland soils
- Trampling and erosion of associated ground flora
- Physical disturbance of soils and flora through the creation of tracks and structures

Note - These symptoms are based on the professional judgement of Natural England staff including the SSSI Responsible Officer and National Nature Reserve manager.

¹ Natural England's emails dated 14.8.18 and 15.8.18 provide a note of the meeting

2. Severn Estuary SAC, SPA and Ramsar Site

- Disturbance of over-wintering birds

Visitor survey evidence – Information available to inform an interim approach

Cotswold Beechwoods SAC

No up to date visitor survey data exists. Natural England's advice is that the most up to date available information should be used to aid decision-making. In advance of up to date data becoming available and subject to the caveat below we advise that the JCS LPAs take into consideration the visitor survey data gathered for the Perrybrook/North Brockworth development (application reference 12/01256/FUL)². The statement of co-operation between the JCS authorities and Natural England (2014) provides further context for our previous advice in relation to using visitor survey data for this allocated site.

We would emphasise that this visitor survey was conducted with the development in question foremost in mind. As a result we advise the LPAs that the *interpretation* of the visitor survey data and the *conclusions* drawn in that particular case should not be regarded as applying to residential development in the wider JCS area. Focused work will be required to interpret the results of a new visitor survey in order to draw up to date conclusions and to inform what mitigation measures may be appropriate.

Key elements of the Perrybrook/North Brockworth visitor survey data for consideration in agreeing an interim approach include:

- Distance travelled from home
 - Normal practice³ regards 75th percentile (75%) of visitors as the relevant 'zone of influence'.
 - The Perrybrook survey showed 10km = 67.9% of visitors
 - The zone of influence would therefore fall between 10-15km distance. Further work would be needed to say exactly what distance would equate to the 75% threshold.
 - The highest numbers of visitors were from postcode location GL3 (15.2%)
- Mode of transport – 79% of visitors interviewed travelled to the SAC by car

HRA of residential development

Natural England notes that the Gloucester City and Tewkesbury LPAs are producing HRAs for development proposals with help from the Forest of Dean District Council Sustainability Team. As part of any interim approach we advise that these HRAs will need to take account of the information above in considering and proposing suitable mitigation measures. Your councils' planning policy framework will also provide important context with regard to the delivery and management of e.g. green/blue infrastructure and related open space resources. In summary the following bullet points provide the basis of a checklist for use when doing HRA for planning applications:

² Reference – Appendix 7 (Nov 2013) of the Ecology Solutions report dated March 2014 submitted to 'Inform an appropriate assessment of the impacts on the Cotswold Beechwoods SAC etc'

³ This statistical approach has been used and tested in relation to a range of other strategic projects including the Cannock Chase SAC and Thames Basin Heaths SPA

- o Distance between application site and nearest boundary of SAC
- o Route to SAC
- o Type of development (E.g. use class C3)
- o Alternative recreation resources available – on site and off site

We advise that a case by case basis will be needed. Taking account of the recent People over Wind CJEU ruling⁴ we advise that residential development involving a net increase in dwellings within the zone of influence will need to be subject to appropriate assessment. If the relevant LPA is unable to conclude no adverse effect on the integrity of the SAC then planning permission should be refused.

Severn Estuary SAC, SPA, Ramsar Site (Site of international importance for wetlands)

Up to date visitor survey information is available for the neighbouring Stroud District Council section of the estuary shoreline, while focused visitor survey for the town of Lydney has been carried out by the Forest of Dean DC. Recreation strategy documents have been prepared and published in both cases. Up to date high tide roost survey information has also been published recently. Work is ongoing regarding the location of 'functionally linked land' associated with the SPA's designated wild bird populations.

Relevant links:

Stroud DC –

Severn Estuary Visitor Survey - Report

https://www.stroud.gov.uk/media/2902/severnestuaryvs_report_15581c_final_060616.pdf

Severn Estuary Visitor Survey - Maps

<https://www.stroud.gov.uk/media/2903/severnestuarymaps020616.pdf>

Severn Estuary Recreation Mitigation strategy

<https://www.stroud.gov.uk/media/557874/item-8-appendix-a.pdf>

Forest of Dean DC

The following reports are available via the web-link below:

1. Bird Report evaluating bird usage of the 'New Grounds' area in relation to the Severn Estuary designated site and;
2. A Recreation Survey and strategy as to currently and future levels of disturbance together with mitigation options

<http://www.fdean.gov.uk/residents/planning-building/regeneration/lydney/lydney-docks-harbour/>

High Tide Roost reports

<http://publications.naturalengland.org.uk/publication/5655612985180160>

⁴ 'People over Wind and Sweetman –v- Coillte Teoranta' (Case C323-17)

HRA of residential development

Your Councils will need to decide how the survey data from the above neighbouring authorities may be used in order to inform your chosen interim approach. We strongly recommend that you liaise with your colleagues in those LPAs to discuss your approach. We propose that you contact Conrad Moore at Stroud DC and Alastair Chapman at Forest of Dean DC.

Key elements of the Stroud and Forest of Dean visitor survey data for their respective sections of the estuary include:

- Distance travelled from home – and the resulting ‘zone of influence’ as defined for e.g. the Stroud area (7.7km in that case).
- Increased visitor pressure is anticipated from new homes delivery within the Stroud District while research nationally forecasts a gradual and long term increase in pressure on coastal sites.
- The Stroud district recreation strategy uses a developer contribution approach to fund reasonable and proportionate mitigation.
- The Lydney strategy presents a range of mitigation options, some of which will be suitable for consideration as part of development proposals while others will need to be delivered by other mechanisms.
- Location of wild bird high tide roosts inform both of the resulting strategies.

The same checklist as above (Cotswold Beechwoods SAC) will serve to inform your approach to HRA of planning applications:

- Distance between application site and nearest boundary of SAC/SPA/Ramsar Site
- Consideration of functionally linked land
- Route to SAC/SPA/Ramsar Site
- Type of development (E.g. use class C3)
- Alternative recreation resources available – on site and off site

We advise that a case by case basis will be needed. Taking account of the recent People over Wind CJEU ruling⁵ we advise that residential development involving a net increase in dwellings within the zone of influence will need to be subject to appropriate assessment. If the relevant LPA is unable to conclude no adverse effect on the integrity of the SAC then planning permission should be refused.

Applicant and developer enquiries

If they wish to do so developers have the opportunity to seek advice from Natural England using our Discretionary Advice Service. Further details are available on the gov.uk website:

<https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals>

⁵ ‘People over Wind and Sweetman –v- Coillte Teoranta’ (Case C323-17)

Way forward

September's planned meeting of colleagues across the county allows us the opportunity to discuss the practical delivery of a visitor survey for the Cotswold Beechwoods SAC and to consider how the existing visitor survey evidence base for the Severn Estuary SAC, SPA & Ramsar Site may be shared or supplemented to achieve a joined-up evidence base for that part of the estuary falling within wider Gloucestershire. By achieving these outcomes Natural England and the LPAs will be able to consider what changes can be made to your chosen interim approach.

If you have any queries relating to the specific advice in this letter only please contact me on 020 802 60939. For any new consultations, or to provide further information on this consultation please send your correspondence to consultations@naturalengland.org.uk.

Yours sincerely

Antony Muller
Lead Adviser – West Midlands Planning for a Better Environment Team