

# Cheltenham Borough Council

## Cabinet – 2 April 2024

### Cotswold Beechwood Special Areas of Conservation (SAC) Mitigation Strategy and emerging action plan

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**Accountable member:**

Cllr Martin Horwood, Cabinet Member for Customer & Regulatory Services

**Accountable officer:**

Tracey Birkinshaw, Director of Community & Economic Development

**Ward(s) affected:**

All

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**Key Decision:**

No

**Executive summary:**

The Cotswold Beechwoods Special Area of Conservation (SAC) straddles the boundaries of Cotswold, Stroud and Tewksbury Districts and totals some 590 hectares. Cheltenham Borough Council is legally obliged under the Conservation of Habitats and Species Regulations 2017 (as amended) to consider whether any project or proposal, including planning applications would affect the biodiversity and integrity of the SAC.

In recent years there has been a growing awareness of the threats to the Beechwoods from increased recreation use. Natural England's view is that new development means new people in the area and therefore there will be greater pressure on the SAC due to recreational activities. A visitor survey was commissioned by Tewkesbury Borough, Cotswold District, Stroud District, Cheltenham Borough and Gloucester City Councils. Visitors to the Cotswold Beechwoods SAC were surveyed during the summer of 2019. Postcode data from that visitor survey was used as a means to identify a zone of influence, within which development may result in an increase in recreation use. The zone of influence encompasses all of Cheltenham Borough.

Following on from the visitor survey, a mitigation strategy that was commissioned by the same Local Planning Authorities, was produced. The strategy, which is already being implemented, provides a robust and comprehensive consideration of avoidance and mitigation measures that will adequately prevent adverse effects on the European site in terms of recreation pressure. The strategy outlines what needs to be undertaken in terms of mitigation on the SAC and elsewhere in the County in terms of providing alternative provision known as Suitable Alternative Natural Greenspace (SANGS) for visitors. The mitigation strategy was reviewed by the Planning & Liaison Member

Working Group on 30 November 2022 and forms part of the evidence base that supports the delivery of the adopted development plan policies in respect of Joint Core Strategy (JCS policy SD9: Biodiversity and Geodiversity) and Cheltenham Plan policy BG1: Cotswold Beechwoods Special Area of Conservation Recreation Pressure.

## **Recommendations: That Cabinet:**

- 1. Adopts the Cotswold Beechwoods SAC Recreation Mitigation Strategy and**
  - 2. Commits to bringing forward a detailed action plan for Cheltenham borough that will look to utilise existing parks, gardens, public open spaces, accessible private green spaces and designated Local Green Spaces, including raising awareness of less well known spaces as well as considering new areas in each of these categories that may have the potential for enhanced public access and wherever possible deliver benefits for those communities most impacted by development and those with least access to nature in their neighbourhoods**
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## **1. Implications**

### **1.1. Financial, Property and Asset implications**

The strategies envisage developer contributions being used to deliver the mitigation and monitoring required, administered across each of the five local planning authorities within the zone of influence. Once the SANGS action plan is approved then provision will need to be made for feeding the SANGS contributions into the Council's capital programme on an annual basis in order to deliver the approved projects of the action plan. Projects should not commence until such time as sufficient SANGS contributions are in place to fully finance them

**Signed off by:** Director of Finance and Assets (Deputy Section 151 Officer)

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### **1.2. Legal implications**

Under the Conservation of Habitats and Species Regulations 2017 the Council as a "competent authority" is legally obliged before deciding to undertake or give any consent, permission or other authorisation for, a plan or project which is likely to have a significant effect on a European site alone or in combination with other plans or projects to must make an appropriate assessment of the implications of the plan or project for that European site in view of that site's conservation objectives.

The Council must for the purposes of the assessment consult Natural England and have regard to any representations made by them. In the light of the conclusions of the appropriate assessment, the Council may only agree to the plan or project after having ascertained that it will not adversely affect the integrity of the European site.

These assessment provisions apply both in respect of plan making and also the granting of planning permission (as well as in respect of permitted development under development orders which is likely to have a significant effect on a European site (either alone or in combination with other plans or projects), must not be begun until the developer has received written notification of the approval of the local planning authority having ascertained that it will not adversely affect the integrity of the site).

Consequently, it is important that a robust mitigation strategy is in place for the SAC in respect of the SLP process and development management functions.

The recreation mitigation strategy provides an assessment of the pressures that development can place upon the SAC and outlines the mitigation measures that should be deployed to avoid harm to the sites.

The strategy provides a framework for the preparation of the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan (SLP) and also the consideration of planning applications

**Signed off by:** One Legal, [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk)

### **1.3. Environmental and climate change implications**

As set out in the report, all plans and projects (including planning applications) require consideration of whether the plan or project is likely to have significant effects on habitats sites.

**Signed off by:** Climate Emergency Officer, [maizy.mccann@cheltenham.gov.uk](mailto:maizy.mccann@cheltenham.gov.uk)

### **1.4. Corporate Plan Priorities**

This report, through the facilitation of the development plan, supports delivery across the following corporate plan priorities:

1. Key priority 2 – Working with residents, communities and businesses to help make Cheltenham net zero by 2030
2. Key priority 4 – Ensuring residents, communities and businesses benefit from Cheltenham's future growth and prosperity
3. Key priority 5 – Being a more modern, efficient and financially sustainable council

### **1.5. Equality, Diversity and Inclusion Implications**

There are no specific equality implications associated with the recommendation set out in the report.

**Signed off by:** Head of communities, wellbeing & partnerships, [richard.gibson@cheltenham.gov.uk](mailto:richard.gibson@cheltenham.gov.uk)

### **1.6. Performance management – monitoring and review**

The monies derived from the Cotswold Beechwoods Special Area of Conservation will be monitored quarterly alongside our monitoring programme of Section 106, Community Infrastructure Levy (CIL) and Biodiversity Net Gain (BNG). On an annual basis an updated action plan of interventions will be put in place and agreed with the Cabinet Member for Customer & Regulatory Services for implementation.

## 2. Background

- 2.1. The Cotswold Beechwoods Special Area of Conservation (SAC) straddles the boundaries of Cotswold, Stroud and Tewksbury Districts and totals some 590 hectares. Cheltenham Borough Council is legally obliged under the Conservation of Habitats and Species Regulations 2017 (as amended) to consider whether any project or proposal, including planning applications would affect the biodiversity and integrity of the SAC.
- 2.2. In recent years there has been a growing awareness of the threats to the Beechwoods from increased recreation use. Under the clear guidance from Natural England (NE) a visitor survey was undertaken (published in November 2019) by Footprint Ecology with members of the public who were visiting the woods. The survey was commissioned by Stroud District Council on behalf of local planning authorities in the vicinity of the Beechwoods: Cheltenham Borough Council, Cotswold District Council, Gloucester City Council, Stroud District Council and Tewkesbury Borough Council, as evidence to inform Habitats Regulations Assessments (HRA) and mitigation requirements in emerging respective Local Plan documents.
- 2.3. Postcode data from the survey was used as a means to identify a zone of influence, within which housing growth may result in an increase in recreation use. The zone is 15.4 kilometres, and it represents the 75th percentile distance for interviewees who had travelled directly from home. This approach has been used to protect other European sites in the UK, and is confirmed as best practice by NE.
- 2.4. A Mitigation strategy followed the completion of the visitor survey. The strategy provides a robust and comprehensive consideration of avoidance and mitigation measures that will adequately prevent adverse effects on the European site in terms of recreation pressure from housing growth across the five local planning authorities within the zone of influence. Estimated costs for measures proposed have been divided against the estimate of housing growth to provide a per dwelling figure. According to NE this strategy serves as a solution to the legislative duties placed on LPAs, and is an enabling strategy, unblocking potential Habitats Regulations Assessment (HRA) issues at the individual development project level where recreation pressure is difficult to mitigate for on a piecemeal basis because it relies on a suite of integrated activities. Over the long term, the strategy outlines what needs to be undertaken in terms of mitigation on the site and elsewhere in the County in terms of providing alternative provision for visitors. This is the evidence base that supports delivery of the adopted policies as outlined in the section below.

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## 3. Reasons for recommendations

### Policy Background

- 3.1. There are already policies in the Joint Core Strategy (JCS) and the Cheltenham Plan that relate to how development that will have a likely significant effect on an international site will be treated. **Policy SD9 Biodiversity and Geodiversity** in the JCS refers to developments that have the potential to have a likely significant effect on an international site needing to be subject to Habitat Regulations Assessment (HRA).
- 3.2. As the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) was prepared,

the context of the Cotswolds Beechwoods SAC was Policy SD9: Biodiversity and Geodiversity. At the time of drafting the JCS, the specific evidence relating to the Cotswolds Beechwoods SAC was not captured and as such this policy relates to the protection of the area as a SAC. This links directly into Cheltenham's approach through the development management process and the screening through HRA. Policy INF3: Green Infrastructure relates to policy SD9 as does Policy SA1: Strategic Allocations which recognises the need for flexibility *"in considering different approaches to achieving a comprehensive masterplan providing that proposals still take fully into account the development and infrastructure needs of the wider allocation and demonstrate that it would not prejudice the sustainable delivery of the entire allocation"*.

- 3.3. There was a clear understanding that the Gloucestershire authorities needed to work together to understand the impact of the SAC in policy terms and the progression of more detailed policies. This occurred through the preparation of local plans, informed by a visitor survey commissioned in 2019 by Stroud District Council in collaboration with Cotswolds district and the JCS councils. The Cheltenham Plan (2020) includes an interim policy as at the point of examination the evidence regarding the visitor survey and any subsequent reassessment was not advanced. This policy advanced through the Examination in Public and formed a main modification to the plan through that process. This led to a new policy and amended text to deal with the Cotswold Beechwoods SAC in order to avoid any adverse effects on the integrity of the SAC.
- 3.4. As set out in the Inspector's report relating to the Cheltenham Plan, the Council's position, through its appropriate assessment informing the preparation of the Cheltenham Plan (CP) concluded that significant effects on the Cotswolds Beechwoods SAC were unlikely since mitigation measures were in place. Natural England did not support the council's position, arguing that *"there was no strategic understanding of where visitors come from and how they use the Cotswold Beechwoods SAC, no established zone of influence for recreational pressure, and no mitigation plan. Without this information, NE considered that it was not possible to reach a conclusion of no likely significant effects in relation to potential changes in air quality and from increased recreational disturbance on the SAC from the CP – alone or in-combination with other plans and projects."*
- 3.5. Natural England's case was on two grounds, firstly recreational impact arising from new development and secondly concerns of the *"potential for increases in atmospheric pollution from vehicle emissions as a result of the proposals in the Cheltenham Plan either alone or in-combination with other development plan proposals"*. The outcome of the Inspectors report was the subsequent adoption of two new Cheltenham Plan policies:
  - (i) **Policy BG1: Cotswold Beechwoods SAC special area of conservation recreation pressure:** this policy links the council's commitment to ongoing collaborative work and culminating in a mitigation and implementation strategy and providing that development must contribute to mitigation specified in the mitigation and implementation strategy or provide information for a bespoke Habitats Regulations Assessment; and
  - (ii) **Policy BG2: Cotswold Beechwoods SAC special area of conservation air quality:** this policy relates specifically to the A46 and the potential impact.

Developments that the Mitigation Strategy applies to

- 3.6. The mitigation strategy applies to all planning applications (and prior approvals) for residential or holiday accommodation. This also includes:
- (i) Houses in Multiple Occupation (sui generis);
  - (ii) Residential institutions within the C2 Use Class where the residents are not severely restricted by illness or mobility;
  - (iii) Student accommodation;
  - (iv) Sites for gypsy, travellers and travelling showpeople; and
  - (v) Tourist accommodation, including self-catering, caravan and touring holiday accommodation.
- 3.7. This applies to all the above forms of development including those coming through the permitted development route (for example, employment to residential). The need to address Habitats Regulations issues for other types of development will be considered on a case-by-case basis.

Different elements of contributions

- 3.8. The mitigation strategy refers to a number of different aspects of developer contributions:
- (i) £193 for Strategic Access Management Monitoring (SAMM). This would contribute to dedicated staff, signs and interpretation, education & awareness raising, measures to address contamination, parking and travel related measures and monitoring;
  - (ii) £480 for Strategic Alternative Natural Greenspace (SANGS); and
  - (iii) Administrative fee, the amount for which is not specified in the mitigation strategy but has been set at £125 where the applicant pays the contributions up front (by means of a Unilateral Undertaking). Alternatively, if payment of the contributions is deferred to a later date (for example commencement of development), there an administration fee of £310 for the S106 undertaking plus a monitoring fee of £200.
- 3.9. With regards to the above costs for SAMM and SANGS, Officers have undertaken some research in terms of the relative charges for SAMM and SANGS across the country, as set out in Appendix 1 of this report. As the evidence in Appendix 1 shows, the average cost for SAMM is £517 per dwelling and the average cost for SANGS is £2,894 per dwelling. For the Cotswold Beechwoods Special Area of Conservation (SAC), the cost per SAMM is £193 and the cost for SANGS is £480. Therefore, the costs for the Cotswold Beechwoods SAC SAMM are approximately 37.4% of the average and for SANGS are 16.6% of the average. Whilst we have had a small number of developers raise concerns in respect of the costs now being levied, the benchmarking identifies that we are applying a value which is significantly lower than some other local authority areas.
- 3.10. An average cost of administrative fees has not been included as this information was not always available to enable a comparison. However, where information was available, the administrative fees ranged from £125 (Cheltenham Borough Council) through to £1,175 (Wokingham Borough Council).

- 3.11. Contribution levels for the Cotswold Beechwoods SAC will be raised annually with inflation (based on the Consumer Prices Index), with the baseline being May 2022.
- 3.12. The Mitigation Strategy at paragraph 5.3 under the 'SAMM' heading states *“There is scope for each authority to set the administration fee or vary the cost according to dwelling size (e.g. number of bedrooms) as relevant”*. With regard to SANGS/Infrastructure projects (away from the SAC), paragraph 5.6 states that *“Where a contribution is collected, this will be at a standard rate of £480 per dwelling (prior to any administration fee). Details of how this figure is calculated are set out in Appendix 4”*. Appendix 4 of the Mitigation Strategy explains how the cost has been calculated, which is the amount of SANGS per dwelling (based on 8 hectares per 1,000 people and assuming 2.4 people as the typical number of people per dwelling) multiplied by typical land prices per hectare. Appendix 4 states that *“The level of contribution can be refined further once an initial list of potential infrastructure projects has been established by the Delivery Officer”*. The mitigation strategy therefore does not preclude potentially altering the contributions, e.g. on a per bedroom basis, at a later date but it also needs to be borne in mind that the strategy covered five authorities. Therefore, if CBC wanted to deviate from the current approach at a later date, careful consideration would need to be given as to the assumptions that underpinned such an approach.
- 3.13. Within the context of the regulations, developers can deliver their own SANGS after Natural England approval or developers pay financial contributions towards enhancement of open space land which has SANGS status and long-term management. SANGS may be created from:
- (i) Existing open space of SANGS quality with no existing public access or limited public access, which for the purposes of mitigation could be made fully accessible to the public;
  - (ii) Existing open space which is already accessible, but which could be changed in character so that it is more attractive to the specific group of visitors who might otherwise visit Cotswold Beechwoods and;
  - (iii) Land in other uses which could be converted into SANGS.
- 3.14. Within this context there is broad flexibility, and the emphasis is upon creating quality in provision. Any SANGS proposal requires engagement with Natural England. There are three ways local authorities are tasked with meeting the regulations relating to SANGS:
- (i) Via Habitats Regulation Assessment – this occurs through development management and the screening required as part of the pre application/application process;
  - (ii) National Planning Policy Framework (NPPF); and
  - (iii) Putting in place a strategic approach to offset recreational pressure on protected sites. This is undertaken formally through the development plan process and includes the Cotswolds Beechwoods SAC zone of influence.

#### Implications of appeals

- 3.15. Up until 27th April 2023, Cheltenham Borough Council's applied what we considered was a pragmatic response to the application of the policies relevant to the SAC. This focussed on strategic sites and their implications on the Cotswolds Beechwoods SAC. With larger applications, SANGS could be provided on site and therefore the SANGS charge would not

apply or may be adjusted. The position adopted by the Council is that where there is clear justification to not provide SANGS on-site, then alternative off site provision will be considered through engagement with Natural England.

- 3.16. Further to the recent appeal (APP/B1605/W/22/3310113, decision date 27 April 2023), relating to planning application 21/02755/FUL for a single dwelling, this established that **all developments** needed to address mitigation measures. This therefore required CBC to review in the context of a whole town approach. Previously for smaller sites the imposition of a condition requiring information packs provided for new homeowners had been deemed sufficient. However, in this appeal, the Inspector considered that *“the proposed development would result in likely significant effects on the SAC. An Appropriate Assessment is therefore necessary”*. The Inspector considered that there was no evidence to demonstrate that a homeowner pack would provide adequate mitigation *“against the adverse effects of recreational disturbance on the SAC”*. The appeal was dismissed.
- 3.17. In a more recent appeal decision (APP/B1605/W/23/3317851, dated 12 September 2023) at Leckhampton Farm Court, 21/02750/FUL, the Inspector considered that the likely impact on the SAC was significant. They considered that of the means of mitigation discussed, the on-site provision of green space would not fulfil the same recreational needs as the SAC, and even with the use of homeowner’s packs, would not provide sufficient mitigation. However, financial contributions secured through a submitted Unilateral Undertaking meant that the residential development would not conflict with Habitat Regulations or the NPPF. The appeal was allowed.
- 3.18. In light of the above appeals, it is recognised that it is important for Cheltenham Borough Council, as the Local Planning Authority, to progress policy guidance and have governance arrangements in place for the management of funds received and the implementation of interventions.

#### Next steps

- 3.19. The Council started collecting contributions towards SANGS and SAMM in August 2023. It is recognised that there is a need to ensure that robust governance arrangements are in place relating to the spending of monies. The Planning team is currently undertaking audit work around S106 and CIL and the governance of SANGS/SAMM is being drawn into the governance process that will be put in place in respect of this. Section 106 and CIL monies are required to be reported and monitored on at least annually through the Infrastructure Funding Statement.

#### **SANGS**

- 3.20. Lepus consulting (a Cheltenham based environmental consultancy) have recently been commissioned by the Council to undertake a desktop review of CBC-owned open space and land for Biodiversity Net Gain. They will also be identifying potential CBC-owned sites suitable for SANG provision.
- 3.21. There will be specific criteria for SANGS and these will need to be reviewed to see if any of the sites that come forward through the review of Council-owned land will be suitable as SANGS. CBC could draw on this report in respect of best practice which we may be able to apply across both CBC and non-CBC owned sites. This report does not pre-empt the work that will be delivered via the Lepus commission.
- 3.22. With regard to what a potential SANGS strategy may look like, this would need to take account of the latest guidelines from Natural England. However, some of the main aspects of such a strategy



would include:

- i. Types of sites which could be identified as SANGS; and
- ii. Measures which can be taken to enhance sites so that they may be used as SANGS.

3.23. SANGS may be created from:

- i. existing open space of SANGS quality with no existing public access or limited public access, which for the purposes of mitigation could be made fully accessible to the public;
- ii. existing open space, which is already accessible, but which could be changed in character so that it is more attractive to the specific group of visitors who might otherwise visit the SPA;
- iii. land in other uses which could be converted into SANGS.

3.24. The identification of SANGS should seek to avoid sites of high nature conservation value which are likely to be damaged by increased visitor numbers. They should also be funded for in perpetuity as is the current process.

3.25. With regard to guidelines for SANGS/Infrastructure projects, these are contained within Appendix 3 of the Cotswold Beechwoods Mitigation Strategy as well as within guidance from Natural England.

3.26. We are also very keen to explore further with Natural England the practical implementation of Natural England guidance and a bespoke approach to implementation of SANGS, the guidelines work well where there are large tracts of land, however, for Cheltenham we work within tight urban boundaries. The bigger solution is allocating sites for SANGS via the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan, however this has a longer timeline journey to its future approval. As with all things 'one size' doesn't fit all, so finding the right solutions requires careful consideration. Officers have already reached out to Natural England to open this dialogue.

3.27. Once the work by Lepus is completed, which is currently estimated to be around August 2024, this will help inform the approach that will be taken to deliver reasonable alternative recreational spaces. There may potentially be a need to commission further external support in order to produce an action plan, subject to sufficient budget being available.

SANGS emerging action plan

3.28. As noted above, SAMM and SANGS are part of the strategy to mitigate the potential combination impacts of new housing development in the vicinity of the Cotswolds Beechwoods SAC. Because the zone of influence covers the entirety of the borough, the SAMM therefore includes all the local authority area within the mitigation approach. Careful consideration will need to be given to those communities who are less likely to have easy access to nature in their neighbourhoods and how this could be addressed. Officers are working across planning, green spaces and property to develop the first SANGS which will be brought to Cabinet for approval. This will form the basis of an annual action plan and will provide the basis for monitoring.

3.29. There are a range of potential measures which could be employed to mitigate negative impacts from recreational disturbance. These can include habitat interventions, access management, engagement with or enforcement action of on-site visitors and on and off-site measures. This

would direct investment both to the Cotswolds Beechwoods and to sites within Cheltenham Borough. The action plan will look to utilise existing parks, gardens, public open spaces, accessible private green spaces and designated Local Green Spaces including raising awareness of less well known spaces as well as considering new areas in each of these categories that may have the potential for enhanced public access. Whilst the Council cannot control areas in private ownership, the action plan should consider whether there are opportunities for third party, privately owned SANGS, e.g. publicly accessible land that is owned by organisations or individuals other than the Council. This would most likely require further discussion with Natural England as well as with the Council to ensure their criteria for SANGS are met. To provide Cabinet with some initial understanding of what the action plan may contain in advance of a future report, key potential actions are noted below.

3.30. The biggest impact on the Cotswolds Beechwoods SAC in respect of contamination as outlined in the mitigation strategy is dog walking and in respect of trampling damage: horses, vehicles and bikes, so thinking about the practical interventions that can offer alternatives to residents travelling to the Beechwoods for these activities will offer real alternatives and choice.

<b>Potential intervention</b>	<b>Benefits</b>
Investment in wardening service at Cotswolds Beechwoods	By investing collectively with neighbouring councils this may offer a cost-effective long-term investment in helping to manage the Cotswolds Beechwoods.  Focus on education of impact, in particular of dog walking and cycling.
Investment in wardening service and increased public access at Leckhampton Hill	By investing in Leckhampton Hill, this provides a more accessible location and alternative to the Cotswolds Beechwoods to the residents of Cheltenham
New/improved access points to existing, new and potential greenspaces	On site: management of access points  Off site: Deflection of visitors  Improvement of access provision on other sites in the area.
New/improved walkways	On site: Management of paths/walkways  Off site: Management / deflection of visitors off-site  Improvement of access provision on other sites in the area.
Habitat management & creation	On site:

	Off site; Offers variety in landscapes and greenspaces. Management / deflection of visitors off-site
Health and safety assessments	Ensuring that green spaces are as accessible and available to use by all user groups
Interpretation / signage	On site: To improve engagement with visitors and greater awareness of Cotswolds Beechwoods SAC and its importance.  Off site: Deflection of visitors  Improvement of access provision on other sites in the area.  Offers local interpretation of spaces/interest
Cycle/walking trails/maps	On site: encouraging cyclists/walkers to use waymarked routes.  Off site: Deflection of visitors  Improvement of access provision on other sites in the area.  Encouraging linked trips via bike/walking
Visitor engagement campaigns	Promotional materials to assist in engagement campaigns/social media activities
Investment in Friends Groups	Supporting increase in membership and activity across a wider number of green spaces
Visitor monitoring surveys	To ensure the mitigation strategy can be reviewed and updated accordingly
Through the preparation of the SLP look at opportunities for allocating SANGs and wider green spaces accessible to Cheltenham residents	Deflection of visitors  Creation of other sites in the area.

3.31. Once an action plan is agreed, this will be implemented, monitored and managed by the councils Green Space team. There may be a need to consider additional resourcing to facilitate this work.

3.32. Officers are engaging directly with Natural England to seek their support in the approach to the action plan, together with engaging with neighbouring councils.

## 4. Alternative options considered

- 4.1. It is acknowledged that applicants could prepare their own 'shadow' HRA detailing the likely recreational impacts caused by the development and the mitigation that will be put in place to address those impacts. This is likely to be time-consuming and costly and will require the input of experienced ecologists and others. This information would be submitted with an application and will be subject to consultation with Natural England. Evidence from elsewhere indicates that this is unlikely to be an option that applicants will choose to take. For example, part of Cotswolds District is not only affected by the Zone of Influence relating to Cotswold Beechwoods SAC, but they also have the North Meadow (and Clattinger Farm) SAC. On Cotswold District Council's website (accessed on 6 February 2024), they mention that shadow HRAs are another option in terms of mitigating impacts but also state *"to date no shadow HRAs have been submitted that adequately address the impacts on the SAC"*.

## 5. Consultation and feedback

- 5.1. There is no statutory requirement to consult on the Cotswold Beechwoods Mitigation Strategy itself. With development plan policies in place the Mitigation Strategy provides the evidence to support long term management.

## 6. Key risks

- 6.1. As set out in Appendix 2, the risk set out can be avoided through having appropriate mechanisms in place to seek to address significant effects on habitat sites.

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### Appendices:

1. Research relating to comparative costs
2. Risk Assessment

### Background information:

[Cheltenham Corporate Plan \(2023-2027\)](#)

[Cotswold Beechwoods Visitor Survey](#)

[Cotswolds Beechwoods Mitigation Strategy](#)

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## Appendix 1: Research relating to comparative costs of Strategic Access Management and Monitoring (SAMM) and Suitable Alternative Natural Greenspace (SANGS) mitigation costs

Average SAMM and SANGS Mitigation Costs			
Special Protection Area (SPA) / Special Areas of Conservation (SAC)	Average SAMM cost	Average SANGS cost	Note
Thames Basin Heaths SPA	£905	£7,751	Figures from seven Local Planning Authorities <sup>1</sup>
Cotswold Beechwoods SAC	£193	£480	Figures from all five Local Planning Authorities
North Meadow and Clattering Farm SAC	£323	£480	Figures from all three Local Planning Authorities
Chiltern Beechwoods SAC	£871	£5,427	Figures from all two Local Planning Authorities
Cannock Chase SAC	£291	£330	Figures from all eight Local Planning Authorities
Total	£2,583	£14,468	
Average	<b>£517</b>	<b>£2,894</b>	

<sup>1</sup> For some of the Thames Basin Heath authorities, the SANGS and SAMM contributions vary according to the number of bedrooms and in one instance (Surrey Heath Borough Council), the SANGS contribution is based on a figure per square metre of residential floorspace. The number of bedrooms typically varies from 1 to 5 bedrooms. For the purposes of this research, the figures for a three-bedroom dwelling were therefore used. For Surrey Heath Borough Council, a figure of 94 square metre dwelling was used. This figure was based on the government published report (Size of English Homes Fact Sheet 2018-19). For some of the Thames Basin Heath authorities researched (Runnymede Borough Council and Wokingham Borough Council), the payment also varies according to the distance from the SPA. In these instances, the figures for dwellings within the 5km of the zone were used rather than the 5km-7km zone.

**Appendix 2: Risk Assessment**

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	If the Council does not have an appropriate mitigation strategy, then it will not be performing part of its statutory duty and development may not be able to be granted.	Director of Communities & Economic Development	3	4	12	Avoid the risk	Close	This risk will be mitigated by the Cabinet decision.	2 April 2024