

contribute towards the overall management of the whole Water Park area. Some operators and prospective developers have already acknowledged this concept. Management of visitors and wildlife habitats will need to be co-ordinated, and the Joint Committee's activities should be developed to achieve this with help from the private sector. It requires a long term financial commitment.

POLICY UT.1: COTSWOLD WATER PARK

[Proposals Map Inset 11 and 11A]

Within the Cotswold Water Park, shown on the Proposals Map and relevant Insets, proposals for nature conservation, water-based sport, recreation, tourism, and other development which accords with the policies of this Plan, will be permitted if the following criteria are satisfied:

- (a) the maintenance or enhancement of the nature conservation importance of the Water Park, particularly in relation to the lakes and associated habitats listed in the Cotswold Water Park Biodiversity Action Plan, which may involve measures to enhance the long term conservation value of a site that is the subject of an application for planning permission or other land and/or water within the Water Park;**
- (b) where appropriate, habitat enhancement and the creation of new habitats, which may involve measures to enhance the long term conservation value of a site that is the subject of an application for planning permission or other land and/or water within the Water Park;**
- (c) the retention and, where appropriate, the enhancement of existing landscape features that contribute to the character and/or appearance of the site subject to an application;**
- (d) the design and siting of new buildings being sympathetic to the character of the area and avoiding harm to the landscape;**
- (e) the development having a direct relationship to the use of the Water Park for nature conservation, water-based sport, tourism and recreation;**
- (f) the prevention of the over-dominance of one particular activity, or type of provision, or the significant reduction in the choice of sites available for uses and activities that are not adequately provided for within the Cotswold Water Park; and**
- (g) the provision of appropriate contributions towards the maintenance of the nature conservation importance of the Water Park, habitat enhancement and the creation of new habitats, and the overall management of the Water Park.**

NOTES FOR GUIDANCE:

1. Nature Conservation Importance: *Development proposals must demonstrate that they will not reduce wintering and breeding bird numbers, or adversely affect any other important wildlife or natural feature. Alternatively, development proposals must compensate for any potential reduction in wintering and breeding bird numbers, or loss of wildlife and natural features. In such cases, it will be necessary to ensure that new or enhanced areas of replacement habitat are provided, such that the nature conservation value of the area as a whole will not, at any time, be diminished by the proposed development.*

However, enhancement of the nature conservation resource cannot be used to justify a development that would otherwise be unacceptable due to its detrimental impact. English Nature has identified lakes which comprise the area of national importance for wintering birds, and which may have regional importance for breeding birds. Details are included in the Cotswold Water Park Biodiversity Action Plan, which is published as Supplementary Planning Guidance.

The nature conservation value of the Water Park is a dynamic resource. Therefore, any other lakes identified by English Nature during the lifetime of this Plan will also be covered by this policy. Many lakes in the Water Park meet the criteria for SSSI designation and English Nature has notified a core area SSSI for aquatic plants and marl waters. English Nature has also notified a consultation area in line with Circular 1/92, requiring this Council to consult English Nature on planning applications within that area. The Water Park does not, at present, qualify for consideration as a Special Protection Area or Ramsar site, though this may change in time. This

Policy will be applied with equal force, irrespective of whether, or when, those designations take place.

2. Information Accompanying an Application: *As development in the Water Park needs to address a complex and sensitive range of issues, the Council is likely to require a significant amount of detailed information to accompany applications. However, this will not always require the preparation of a full environmental assessment or a formal environmental statement. Much will depend on the scale and likely impact of the development and the site in question. Reference should be made to Policy 4 (Environmental impact) and to the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999.*

Advice should be sought from the District Council on the matters to be covered. Key issues are likely to include the impact of development, whether in its own right or cumulatively, on nature conservation interests; noise; traffic; landscape impact; archaeology; water quality; hydrological issues; access to pedestrian/bus/cycle networks and the impact on the locality, including settlements.

The Institute of Environmental Assessment is able to provide quality control of consultants through its membership.

3. Appropriate Contribution: *A contribution will only be sought where the impact of the proposal has a direct affect on the Water Park, thereby meeting the test of reasonableness set out in Circular 1/97. Much will depend on the nature and scale of the proposal. As a general guide, one per cent of the capital budget of the development project should be earmarked (contract sum), although this is not a hard and fast rule. Contributions may well be 'in kind' and could include additional off-site landscaping work or interpretation material or sporting and recreation facilities. Any on-site landscaping or improvements to public access, or the upgrading of the existing rights of way required in connection with the development would not be counted towards this additional contribution. It should be seen as a contribution to the wider, mainly off-site, benefits of the Water Park as a whole, as an area of recreation, leisure, tourism and nature conservation. The Cotswold Water Park Society has been established to undertake such work. However the Society may not always be the most appropriate body to implement nature conservation measures.*

4. Supplementary Planning Guidance: *The District Council has published supplementary planning guidance for the Cotswold Water Park. This is based on a system of zoning by intensity of use, to assist in the preparation of development proposals. The guidance has been tested through the Local Plan inquiry process and will be a material consideration in determining planning applications in the Water Park.*

5. Overall Management of the Water Park: *This includes the types of improvements set out in the Cotswold Water Park Strategy, for example, improvements to existing, or the creation of new, rights of way and cycleways, landscape restoration and improvement, other features or facilities to maintain or enhance the Water Park's function or operation as an area for nature conservation, water sports, recreation and tourism.*

2. SETTLEMENT PROTECTION BOUNDARIES

11.2.1 The settlements in the Water Park derive much of their attraction from their landscape setting. Protection boundaries have, therefore, been defined around settlements to protect residential amenities and the landscape settings from disturbance caused by the more disruptive after-uses. Minerals Local Plans prepared by Gloucestershire and Wiltshire County Councils define similar boundaries to deal with the disturbance and disruption caused by mineral working and restoration.

11.2.2 The boundaries are defined by natural features wherever possible, and vary in extent depending on topography, landscape, the presence of natural features and the existence of, or outstanding consent for, mineral winning operations. Development some distance away could have an impact in terms of noise, traffic generation, pollution or visual intrusion.

11.2.3 Settlement protection boundaries at Cerney Wick, Down Ampney, Dunfield, Kempford, Lechlade and South Cerney adjoin the boundary with Wiltshire. In addition, a boundary has been defined to cover land within Cotswold District to help protect the Wiltshire village of Marston Meysey.

Policy SP5

COTSWOLD WATER PARK: POST-MINERAL EXTRACTION AFTER USE

Proposals for sports, leisure, and/or recreational development, whether outdoor or water-based, will be permitted on former mineral extraction sites that lie within the Upper Thames Clay Vales National Character Area⁽⁵⁰⁾ provided the proposals:

- a. protect and enhance biodiversity;
- b. strengthen the landscape character and reinforce the Cotswold Water Park's sense of place;
- c. enhance public accessibility and enjoyment of the lakes and countryside;
- d. take account of the implementation of measures put in place as part of the approved restoration and aftercare scheme(s) associated with former mineral extraction;
- e. satisfactorily mitigate potential unacceptable adverse impacts on residential amenity; and
- f. maintain the character of settlements and their settings.