

10 Built, Natural and Historic Environment

10.1 Built, Natural and Historic Environment (POLICY EN1)

10.1.1 Cotswold District is renowned for the exceptional quality of its natural, built and historic environment which is supported by a wide range of policy guidance and initiatives. Much of the district is designated as an Area of Outstanding Natural Beauty (AONB). There are numerous important wildlife habitats, sites and species, and many buildings, structures and settlements of architectural or historic interest⁽⁴⁰⁾. The “Cotswold character” is key to the area’s sense of place, its local distinctiveness and the quality of life of residents and visitors. The value of these assets to the area is evident in providing a strong local identity, enhancing the overall quality of life and contributing to the area's economy. For the avoidance of doubt the assessment of "significant detrimental impact" includes a judgement on whether any adverse impacts of a proposal would significantly and demonstrably outweigh its benefits.

10.1.2 Individual heritage assets, both designated and undesignated are set in a wider historic environment or landscape. It is vital that this wider resource is also conserved, enhanced and better revealed. This is of particular relevance in the District because such a high proportion of it falls within the Cotswolds Area of Outstanding Natural Beauty (AONB). Although this designation refers primarily to “natural beauty”, that natural beauty is very closely tied to the historic value of the landscape. Those linkages include the landscape archaeology of the area, such as:

- field patterns and the ancient roadways;
- use of local materials for building;
- historic structures from Neolithic burial mounds to arts and crafts cottages;
- setting of settlements; and
- “natural” landscape itself which is as much a man-made construct as a natural one.

10.1.3 There are also some areas of the District outside the AONB that have been designated as Special Landscape Areas (SLAs). Although primarily designated for their landscape value, the criteria for designation also includes “conservation interests” and the analysis in the Local Countryside Designation Review: Special Landscape Areas (White Consultants 2001) report refers to the historic environment in its analysis of the SLAs.

10.1.4 Policy EN1 reflects the fact that in the Cotswolds there is considerable interrelationship and interplay between the built, natural and historic environment. These environmental elements are in some respects indivisible - what affects one part may well affect another. It follows from this that one of the key pressures facing the District is planning positively to meet the objectively assessed need for growth, whilst safeguarding the sensitive built, natural and historic environment from the less positive aspects of development and simultaneously seeking enhancements where possible.

40 The District has over 5,000 listed buildings

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Policy EN1

BUILT, NATURAL AND HISTORIC ENVIRONMENT

New development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by:

- a. ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset;**
- b. contributing to the provision and enhancement of multi-functional green infrastructure;**
- c. addressing climate change, habitat loss and fragmentation through creating new habitats and the better management of existing habitats;**
- d. seeking to improve air, soil and water quality where feasible; and**
- e. ensuring design standards that complement the character of the area and the sustainable use of the development.**

10.2 Design of the Built and Natural Environment (POLICY EN2)

10.2.1 The Government attaches great importance to the design of the built and natural environment. It expects local authorities to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Good design is a key aspect of sustainable development and addressing climate change, is indivisible from good planning and should contribute positively to making places better for people.

10.2.2 The Cotswolds is widely recognised as an outstandingly beautiful area, rich in the architecture of every period and style. Many towns and villages contain impressive set pieces, ranging from a scatter of cottages around a green to gently curving town streets and market places. The design quality achieved in the past was generally very high. Local standards of traditional craftsmanship have been exceptional for hundreds of years

10.2.3 Heritage themes that contribute to the distinctiveness of the local built environment include:

- local stone building materials – dry-stone walls, Cotswold building stone, natural stone roof tiles;
- distinctive Cotswold vernacular;
- rural (agricultural) settlement patterns of isolated farmsteads and villages with market towns and a number of country houses with associated estates;

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- Key local architects including important proponents of the Arts and Crafts Movement; and
- Roman archaeology of the District focused on Corinium. Obvious Roman roads, still in use as main roads through the District.

10.2.4 Well-designed development can contribute positively to the conservation, enhancement and creation of natural and historic environmental assets, including at the strategic level through, for example the enhancement of Nature Improvement Areas and long distance footpaths. High quality urban design and architecture also enables new development to integrate successfully with the historic environment, which is of particular importance for the historic towns and villages of the Cotswolds.

10.2.5 The built environment is as much about the spaces between and around the buildings or groups of building in a settlement as about the buildings themselves. For this reason, policy on Local Green Spaces is included in this section of chapter 10.

Policy EN2

DESIGN OF THE BUILT AND NATURAL ENVIRONMENT

Development will be permitted which accords with the Cotswold Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality.

10.2.6 This policy will be applied to all aspects of design – including architectural, landscape, ecological, urban and sustainable design - within developments of every scale, from conversions and small extensions to major residential sites and large employment facilities.

10.2.7 Whilst the PPG provides comprehensive direction on many general design considerations - such as sustainable design, connectivity and crime prevention - it is important to ensure that the local context is also fully considered. This is particularly so in an area renowned for the quality of its built and natural environment and which features very sensitive locations such as the Cotswolds Area of Outstanding Natural Beauty together with numerous Conservation Areas.

10.2.8 There are a number of developments, particularly post-war housing schemes around some of the key settlements, where the character of the area has not been reflected in scheme design. These developments often have been built using standard house types and layouts that are not locally distinctive. The result is insensitive development that is not integrated with its surroundings either in character or in scale. The design of new developments must ensure that poor design quality is not replicated and that there is a sense of transition between the open countryside and an existing settlement's historic core and character.

10.2.9 As well as ensuring that local character and distinctiveness are retained and enhanced, there are other key local issues that the design of development should address. These include meeting the challenge of climate change mitigation and accommodating the District's ageing population. The latter

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signals the need to improve the health and well-being of residents through appropriate design of homes and open spaces. One of the ways this can be achieved is by adopting the principles of Lifetime Homes. In addition, an inclusive approach to design, which ensures that new developments are integrated both physically and socially with current communities and places, should be followed.

10.2.10 To address local development and design issues the Local Planning Authority has up-dated and broadened the scope of the Cotswold Design Code (originally produced in March 2000 as Supplementary Planning Guidance). It now includes landscape and green infrastructure design, and addresses some shortfalls in the 2000 version. Implementation of the new design code is key to the success of this design policy and other policies in the Local Plan.

10.2.11 The revised Cotswold Design Code (Appendix D) emphasises the requirement to design development so that it either follows an authentic vernacular and traditional approach, in line with the local architectural character, or that it is designed in a high quality contemporary and innovative manner, which reflects and respects local character. The decision whether to adopt a traditional or contemporary approach will depend on the type of development proposed, the site and its setting.

10.3 Local Green Spaces (POLICY EN3)

10.3.1 The NPPF makes provision for local communities to identify green areas of particular importance to those communities, where development will not be permitted except in very special circumstances. These Local Green Spaces can be designated through the local plan or through neighbourhood plans.

Policy EN3

LOCAL GREEN SPACES

1. The following areas are designated as Local Green Spaces:

LGS1: Blockley – Blockley Mill (also known as Water Board site)

LGS2: Bourton-on-the-Water – Manor Fields

LGS3: Church Westcote – Land adjacent to Close Cottage

LGS4: Cirencester – The Humpty Dumps

LGS5: Kemble – Green at West Lane

LGS6: Kemble – Community Gardens at Station Road (in conjunction with proposed housing allocation Policy S6, Site K_2)

LGS7: Kemble – Playing field at Clayfurlong

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LGS8: Lechlade – Eric Richardson and Phyllis Amey Nature Reserve

LGS9: Siddington – Allotments, Ashton Road

LGS10: Siddington – Playing Fields, Park Way

LGS11: South Cerney – Church Lane Allotments

LGS12: South Cerney – Upper Up Playing Fields

2. **Development will only be permitted within a Local Green Space where there are very special circumstances, which outweigh the harm to the Local Green Space. Particular attention will be paid to the evidence presented by the local community when assessing development proposals that are likely to affect a designated Local Green Space.**

10.3.2 Local Green Spaces identified in Policy EN3 are the result of extensive work with local communities. The supporting evidence is available on the Council's website *Evidence Paper: Local Green Spaces*.

10.3.3 The Local Green Spaces allocated in this Plan are shown on the Policies Maps. Sites LGS9 (Allotments, Ashton Road, Siddington) and LGS10 (Playing Fields, Park Way, Siddington) are included on the Cirencester Policies Map, while site LGS3 (Land adjacent to Close Cottage, Church Westcote) is shown on the Map in Appendix A.

10.3.4 LGS1 (Blockley Mill - also known as the Water Board site) is an operational site as it contains water infrastructure facilities. It is considered appropriate to designate this site as a Local Green Space, but not to prohibit engineering operations or the extension or alteration of any building on the site provided the new building is in the same use and not materially larger than the one it replaces.

10.3.5 As well as being designated as a Local Green Space, Manor Fields in Bourton-on-the-Water (LGS2) is used as a public car park for up to 42 days per calendar year.

10.4 The Wider Natural and Historic Landscape (POLICY EN4)

10.4.1 In the European Landscape Convention (ELC), to which the UK Government is a signatory, landscape is defined as “an area as perceived by people, whose character is the result of the action and interaction of natural and/or human factors”. The PPG says “One of the core principles in the NPPF is that planning should recognise the intrinsic character and beauty of the countryside. Local plans should include strategic policies for the conservation and enhancement of the natural environment, including landscape. This includes designated landscapes but also the wider countryside”.

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10.4.2 The landscape of the District is widely recognised for its natural and historic value. Landscape designations cover a large proportion of the District (80% of the administrative area falls within the Cotswolds AONB, with a further 6% included within Special Landscape Areas and 6% within the Cotswold Water Park). It is vital that the character, visual quality and historic value of the landscape of the District is conserved and, where possible, enhanced.

10.4.3 Landscape Character Assessments, incorporating an assessment of the character of the historic landscape between 1997 and 2002, have been undertaken as follows:

Landscape Character Assessments – Cotswolds Area of Outstanding Natural Beauty

- Cotswolds AONB Landscape Character Assessment (2004)
- This divides the AONB into 19 landscape types. Each landscape character type includes a section on “human influences” and there is additional detail about the historic environment within each character area description. The Landscape Strategy and Guidelines help inform decision making about the suitability of proposed development or change.
- Local Distinctiveness Guide (2004) describes the changing pattern, design and materials used in the built environment across the Cotswolds.

Landscape Character Assessments – Areas of Cotswold District outside the Cotswolds AONB

- Gloucestershire Landscape Character Assessments for The Severn Vale; Upper Thames Valley; Vale of Moreton; Vale of Evesham Fringe (LDA 2006) Each landscape character type include sections on “human influences” and “buildings and settlements”.
- Cotswold Water Park - Integrated Landscape Character Assessment (LDA Design 2009) Chapter 5 focuses on the historic development of the area and chapter 8 on “built character”. Each landscape character type includes sections on “human influences” and “buildings and settlements”.

10.4.4 Trees, hedgerows and woodlands play a major part in establishing the character of the Cotswold landscape and make a valuable contribution to the ecological balance of the area, particularly veteran trees, ancient woodland and hedgerows.

10.4.5 Cotswold District has a diverse range of habitats and species. Some areas are of international significance, including the Cotswolds Beechwoods Special Area for Conservation. Many other areas and species are important at national or local level. All designated sites are shown on the Policies Map and additional sites may be designated during the lifetime of this plan. There are also international sites that lie just outside the administrative area of the District that could be affected by development within it. The potential impacts of this local plan have been considered in the relevant Habitats Regulations Assessment.

10.4.6 Internationally designated nature conservation sites in or near Cotswold District⁽⁴¹⁾:

- Severn Estuary SPA

41 Source: Habitats Regulations Assessment Report, LUC 2015

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- Severn Estuary Ramsar
- Severn Estuary SAC
- Bredon Hill SAC
- Dixton Wood SAC
- Cotswold Beechwoods SAC
- Rodborough Common SAC
- North Meadow and Clattinger Farm SAC

Policy EN4

THE WIDER NATURAL AND HISTORIC LANDSCAPE

1. **Development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas.**
2. **Proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, the setting of settlements, settlement patterns and heritage assets.**

10.4.7 Policy EN4 applies to the whole District including the Special Landscape Areas (SLAs) and the Cotswolds Area of Outstanding Natural Beauty (AONB). The distinctive importance of these areas is such that they are supported by their own policies EN5 and EN6 setting out additional criteria to be taken into account in relation to development proposals. Many of the special qualities of the Cotswolds are shared by the rest of the District, including the setting of the AONB. The Cotswolds National Character Area, as delineated by Natural England, covers a wider area than that formally designated as AONB. The other two National Character Areas within the District – the Upper Thames Clay Vale and the Severn and Avon Vales - also exhibit many of these “Cotswold” characteristics. Detailed landscape and historic landscape characterisation has been carried out for the entire District. The resulting assessments emphasise the high landscape and historic quality of the whole area and the need to ensure its protection and enhancement.

10.4.8 For the avoidance of doubt, the term ‘significant’ in the context of Policy EN4 and EN6 is used in the general sense of an impact that matters or is important, rather than any specific definition related to the preparation of Environmental Impact Assessments or similar. The assessment of ‘significant detrimental impact’ includes a judgement on whether any adverse impact of a proposal would outweigh its benefits.

10.4.9 Within and outside the designated landscapes there is a range of individual landscape assets and features, including key views, skyline features, settlement patterns, field boundaries and early cultivation systems. Such features are worthy of conservation and enhancement.

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10.4.10 A particularly important issue for the AONB and other parts of the District is the conservation and enhancement of the setting of historic settlements. This includes individual farmsteads, as well as towns and villages. Development pressure over recent decades has resulted in some inappropriately designed and located modern developments that have had a detrimental impact on the edges of settlements. Opportunities should be taken for new development to reverse this negative impact by being of design quality that fully respects the local landscape and historic character. Policy EN2 (Design of the Built and Natural Environment), together with the Cotswold Design Code at Appendix D, is relevant in this respect.

10.4.11 Some aspects of landscape quality, such as the tranquillity of an area, are difficult to define but important to protect as a key element of the character of the District. The PPG says that tranquil areas are those that are "relatively undisturbed by noise from human caused sources that undermine the intrinsic character of the area. Such areas are likely to be already valued for their tranquillity, including the ability to perceive and enjoy natural soundscape, and are quite likely to be seen as special for other reasons including their landscape". Lighting can also have major impacts on landscape quality, particularly in areas of "Dark Skies" where there currently is little artificial light pollution. Applicants are advised to have regard as a starting point to available information including high-level CPRE Tranquillity Mapping, nationally-available Dark Skies mapping and the Cotswold Conservation Board's Position Statement on "Tranquillity and Dark Night Skies". These show Cotswold District, and in particular the AONB, to be a largely tranquil part of England. A Landscape and Visual Impact Assessment (LVIA) should include reference to tranquillity, lighting and Dark Skies where appropriate.

10.5 Cotswolds Area of Outstanding Natural Beauty (POLICY EN5)

Policy EN5

COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY (AONB)

1. **In determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.**
2. **Major development will not be permitted within the AONB unless it satisfies the exceptions set out in national Policy and Guidance.**

10.5.1 Whilst the general landscape Policy EN4 also encompasses it, the importance of Areas of Outstanding Natural Beauty has long been recognised in national planning policy and this is reflected in Policy EN5. As some of the most sensitive landscapes in the country these areas are particularly vulnerable to the effects of development and change. Many of the key issues for the Cotswolds AONB are outlined in the Cotswolds AONB Management Plan (2013-2018), produced by the Cotswolds Conservation Board in consultation with its partners including Cotswold District Council. As a material

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consideration in preparation of this part of the Local Plan, relevant policies within the Management Plan plan are reflected in Local Plan policies. The Management Plan highlights the special qualities of the Cotswolds:

“The area is a rich mosaic of historical, social, economic, cultural, geological, geomorphological and ecological features.

- the unifying character of the limestone geology – its visible presence as natural outcrops, its use as a building material and through the plant and animal communities it supports;
- the Cotswold escarpment, including views to and from it;
- the high wolds – a large open, elevated landscape with commons, ‘big’ skies and long-distance views;
- river valleys, the majority forming the headwaters of the Thames, with high-quality water;
- dry stone walls, which give the AONB its essential character in many areas;
- internationally important flower-rich limestone grasslands;
- internationally important ancient broadleaved woodland, particularly along the crest of the escarpment;
- variations in the colour of the stone from one part of the AONB to another which add a vital element of local distinctiveness;
- the tranquillity of the area;
- well-managed arable and livestock farms;
- distinctive settlements, developed in the Cotswold vernacular, high architectural quality and integrity;
- accessible landscape for quiet recreation; and
- historic associations.”

10.5.2 The NPPF accords great weight in planning decisions to the conservation of landscape and scenic beauty in these areas together with their wildlife and cultural heritage. It stipulates that planning permission should be refused for major developments in the AONB except in exceptional circumstances and where it can be demonstrated they are in the public interest. For the avoidance of doubt it should be noted that clause 1 of EN5 applies to all development proposals, including allocations in the Local Plan. Clause 2 does not apply to development sites allocated by the Local Plan because the need for those developments and scope for them to be accommodated outside the AONB was assessed during plan preparation.

10.5.3 Major development can be defined in quantitative terms – a threshold number of dwellings, for example. However, it follows from appreciation of the area’s varied natural form that consideration of what constitutes ‘major’ development is both a matter of context and a matter of fact and degree: what is deemed to be ‘major’ in one area may not be deemed to be so in another. The local plan therefore does not provide a quantitative definition of ‘major development’ here as this would be misleading and inflexible within the context of a policy largely concerned with qualitative issues. It will therefore be a matter for the development management process to determine whether or not a given proposal constitutes major development.

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10.5.4 The design of new developments should reflect the analysis of the special qualities of the AONB and opportunities for enhancement as described in the AONB Management Plan and relevant landscape character assessments (see also the Cotswold Design Code at Appendix D). Notwithstanding the relatively uniform character of the landscape across much of the AONB, there are changes in landscape character and distinctiveness within it and it is important that these are recognised and reflected in the design of new development.

10.6 Special Landscape Areas (POLICY EN6)

Policy EN6

SPECIAL LANDSCAPE AREAS

Development within Special Landscape Areas (as shown on the Policies Map) will be permitted provided it does not have a significant detrimental impact upon the special character and key landscape qualities of the area including its tranquillity.

10.6.1 Special Landscape Areas (SLAs) were introduced in Gloucestershire in 1982. There are six SLAs in Cotswold District. The purpose of SLA designation is to protect locally significant and valued landscapes that have particular intrinsic qualities or character. Although not nationally designated, in some cases they provide important settings and effective buffers for the Area of Outstanding Natural Beauty.

10.6.2 SLA designation is based on a formal assessment of each area. The Cotswold District designations were reviewed in February 2001 and again in May 2017. The 2017 review validates the work carried out in 2001 while updating the context, any physical changes and adding qualities. Both reports, or any successors produced by the Council, should be considered together. In assessing the impacts of development proposals on the areas' character and qualities the whole of the Council's evidence base regarding SLAs including description, key landscape qualities and justification for recommendation should be taken into account. Regard must also be had to the general requirements of Policy EN4. For the avoidance of doubt, Policy EN6 applies to all development in SLAs including the development of sites allocated in this Local Plan.

10.6.3 The Special Landscape Areas in Cotswold District are shown on the Policies Map and are:

- Barrington Downs;
- Coln Valley (north of Fairford);
- Kemble/Ewen;
- Moreton-in-Marsh surrounds;
- North Cirencester; and
- Norton Hall.

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10.7 Trees, Hedgerows and Woodlands (POLICY EN7)

Policy EN7

TREES, HEDGEROWS AND WOODLANDS

1. **Where such natural assets are likely to be affected, development will not be permitted that fails to conserve and enhance:**
 - a. **trees of high landscape, amenity, ecological or historical value;**
 - b. **veteran trees;**
 - c. **hedgerows of high landscape, amenity, ecological or historical value; and/or**
 - d. **woodland of high landscape, amenity, ecological or historical value.**
2. **Where trees, woodland or hedgerows are proposed to be removed as part of development, compensatory planting will be required.**
3. **Development proposals affected by (2) above should, where appropriate, have regard to the potential for new or extended woodland to assist in carbon storage and to be a potential local source of biomass or biofuel.**

10.7.1 This policy does not prevent the appropriate management of trees and woodlands or removal of trees that are not in character with their locality.

10.7.2 In some cases, the public benefit of development may outweigh the importance of retaining the trees on the development site, compensatory tree planting may be required on or near the site. Appropriate tree species should be selected and arrangements made for the long-term management of the new trees.

10.7.3 For the avoidance of doubt, clause (a) of part one of the policy includes trees protected by a Tree Preservation Order or located within a conservation area; clause (c) includes those meeting the criteria of "important hedgerow" in the Hedgerow Regulations; and clause (d) includes ancient semi-natural or ancient replanted woodland.

10.7.4 Part three of the policy implements the recommendations of the Sustainability Appraisal (SA) at section 4.5 "Climate Change" (Table 4.3). The SA concludes that the policies of the local plan should address the benefits of extending wood planting for carbon storage and wood fuel provision.

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10.8 Biodiversity and Geodiversity: Features Habitats and Species (POLICY EN8)

Policy EN8

BIODIVERSITY AND GEODIVERSITY: FEATURES, HABITATS AND SPECIES

1. Development will be permitted that conserves and enhances biodiversity and geodiversity, providing net gains where possible.
2. Proposals that would result in significant habitat fragmentation and loss of ecological connectivity will not be permitted.
3. Proposals that reverse habitat fragmentation and promote creation, restoration and beneficial management of ecological networks, habitats and features will be permitted, particularly in areas subject to landscape-scale biodiversity initiatives. Developer contributions may be sought in this regard.
4. Proposals that would result in the loss or deterioration of irreplaceable habitats and resources, or which are likely to have an adverse effect on internationally protected species, will not be permitted.
5. Development with a detrimental impact on other protected species and species and habitats “of principal importance for the purpose of conserving biodiversity”⁽⁴²⁾ will not be permitted unless adequate provision can be made to ensure the conservation of the species or habitat.

10.8.1 The NPPF, together with other legislation and guidance, highlights the importance of conserving and enhancing the biodiversity and geodiversity assets and networks of the District. The degree of protection should be commensurate with the importance of the asset and its contribution to ecological networks. The protection of internationally designated wildlife sites will be the overriding policy consideration where development may cause an adverse effect. To ensure the long-term resilience of the biodiversity resource it is vital that development not only ensures no net loss but makes a contribution to enhancement of biodiversity through habitat creation and land management, seeking net gains where possible.

10.8.2 For the avoidance of doubt, "adequate provision" in clause 5 of Policy EN8 includes meaning that any mitigation proposals submitted with an application will be supported by evidence that the mitigation will be viable for the lifetime of the development and include commensurate provision for management and maintenance.

42 Section 41 (England) of the Natural Environment and Rural Communities Act 2006

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10.9 Biodiversity and Geodiversity: Designated Sites (POLICY EN9)

Policy EN9

BIODIVERSITY AND GEODIVERSITY: DESIGNATED SITES

International Sites

1. **Internationally designated wildlife sites (including proposed sites and sites acquired for compensatory measures) will be safeguarded from development that could cause a significant effect that would adversely affect their integrity.**

National Sites

2. **Development that is likely to have an adverse effect upon a nationally designated nature conservation site will not be permitted unless the benefits of development at the site clearly outweigh the impact development is likely to have both on (a) its special features and (b) the national network of Sites of Special Scientific Interest. Where a proposal is permitted appropriate mitigation or compensation will be required.**

Local Sites

3. **Development proposals that are likely to cause significant harm to locally identified wildlife sites⁽⁴³⁾ and Local Nature Reserves, where such harm cannot be satisfactorily mitigated or adequately compensated for, will not be permitted unless it can be demonstrated that the benefits of the proposal clearly outweigh the impact of the development on the nature conservation value of the site.**
4. **Development should maintain Local Geological Sites for their scientific and educational value. Development that significantly adversely affects local geological features will be permitted only where comparable sites can be identified or created elsewhere, or the impact can be adequately mitigated through other measures.**

10.9.1 Where development is permitted the Local Planning Authority (LPA) will seek, through the use of appropriate conditions, to ensure that:

- it does not adversely affect nature conservation interests;
- that damaging impacts are prevented;
- that long-term protection is secured; and
- that necessary compensation is provided.

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10.9.2 Development proposals where the primary objective is to conserve or enhance biodiversity will be encouraged. Where there are opportunities for enhancements which benefit nature conservation and biodiversity appropriate measures to secure them will be sought. Development that would cause significant harm to biodiversity, which cannot be mitigated or (as a last resort) adequately compensated for, will be refused.

10.9.3 The impacts of climate change and habitat fragmentation are of key concern. Special attention should be paid to ensuring that ecological networks – especially those that include and support European sites and European protected species - are protected and enhanced. This could take place, for example, through support for landscape-scale biodiversity initiatives such as Nature Improvement Areas together with delivery of the Gloucestershire Nature Map. To do so may entail working across administrative boundaries, in co-operation with other Local Authorities and partners, and in particular with the Gloucestershire Local Nature Partnership. The Partnership has designated three Nature Improvement Areas wholly or partially within the District. The key ecological networks (mapped as strategic nature areas) will be illustrated on the Policies Map. It is important to recognise that there are also local wildlife linkages which should be protected and enhanced but which cannot be mapped due to the resources required to analyse the whole District and to map every wildlife linkage.

10.9.4 Where a development proposal is likely to result in significant effects on a European site the LPA, as competent authority, will undertake a Habitats Regulation Assessment. Applicant(s) will be expected to provide the LPA with such information as is necessary for it to satisfactorily undertake the assessment. Determination of the development proposal will be subject to the findings of the Assessment and following due process under the Habitats Regulations. These considerations relate also to potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and sites identified or acquired for compensatory measures for adverse effects on these sites or on designated European sites.

10.10 Historic Environment: Designated Heritage Assets (POLICY EN10)

10.10.1 As illustrated in the 'Portrait' at Section 2, Cotswold District has one of the richest resources of heritage assets of any area in England. These include:

- individual [buildings from modest cottages in the Cotswold vernacular style to grand country houses](#);
- archaeological remains both visible, such as hill-forts and field patterns and buried, including the roman remains beneath Cirencester;
- historic settlements from small hamlets and villages within the AONB to the formal townscapes of Chipping Campden and Cirencester;
- [historic parks and gardens](#) from historic deer parks, such as Lodge Park, to twentieth century gardens, such as Barnsley House; and
- a registered Civil War battlefield at Stow-on-the-Wold.

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10.10.2 Through managing change sensitively and enhancing and promoting the historic environment where opportunity arises, the policies in the local plan, taken together and underpinned by the Council's Historic Environment Strategy, take a proactive approach to addressing the current pressures on this valued resource.

10.10.3 These measures include –

- the inclusion of the high quality and internationally recognised historic environment as a vital part of the Vision for the District;
- a series of historic environment policies which target heritage asset types, which are of particular local concern, such as Conservation Areas ([of which there are 144 in the District](#)) and non-designated heritage assets;
- robust criteria for the identification of non-designated heritage assets, given the high number of such assets in the District;
- landscape and design policies which address the important inter-relationship between the historic, built and natural environment;
- careful analysis of allocated sites to ensure that the historic environment is fully considered and that these sites can contribute to the enhancement of the environment;
- a design code which will ensure high quality of design across the District for all scales of development over the Plan period and beyond;
- proposals for the use of CIL funding;
- reference within the economy chapter on the role of the historic environment in underpinning the economy (including tourism) and the need for promotion in that regard.

10.10.4 In recognition of the importance to the district of its historic environment, the remit of the Historic Environment Strategy goes beyond the local plan. It has led to:

- the appointment of a Member Heritage and Design Champion;
- the inception of a Conservation Area appraisal pilot project (which if successful will be rolled out to further CAs); and
- the inclusion of HE assets within the open space and GI strategy.

10.10.5 It also highlights other related areas of work, for example, the serving of Article 4 directions where this is considered to be a proportionate response.

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10.10.6 Unlike many areas of the country there are no key areas of the District that require wholesale regeneration, but the local plan does support projects that address HE issues, particularly for structures that are no longer in use or where the use has changed, for example the Old Goods Shed at Tetbury and the Thames and Severn canal.

10.10.7 The Council cannot work alone to deliver improvements to the historic environment. It pro-actively supports a number of other organisations to do this, through financial support for the Cotswolds Conservation Board, in the provision of guidance on the historic environment and wider landscape issues and on initiatives to retain and repair historic landscape features, such as dry stone walls.

10.10.8 Support for community planning is also a key priority. [Guidance on historic environment issues](#) has been prepared and made available to local communities. Officers provide advice and guidance to those producing neighbourhood plans, for example:

- promoting the production of [local design guidance](#);
- encouraging the compilation of local lists of non-designated heritage assets;
- supporting the use of local CIL allocations to fund environmental improvement projects.

10.10.9 The Council also works with the owners of heritage assets to help them conserve and enhance their properties appropriately, through the provision of pre-application advice, the availability of [guidance](#) on the Council's web-site and by encouraging them to use both the Cotswold Design Code (Appendix D) and [local design guidance](#) even when proposed works are permitted development.

10.10.10 There are relatively few [listed buildings or structures at risk in the District](#). Those that are at risk include rural churches, tombstones, milestones and other buildings/structures for which a new, more current use is difficult to achieve through appropriate conversion. The Conservation Area pilot project will evaluate whether the relevant CAs could be considered to be at risk and the need for action to address that risk. The other main area of heritage at risk is scheduled ancient monuments where agricultural activities are damaging the historic remains; however this lies outside planning control.

10.10.11 Whilst legislation together with the policies of the NPPF, supplemented by the PPG, enable the historic environment including heritage assets⁽⁴⁴⁾ and their settings to be adequately protected and enhanced within the development management process, the council considers that a local policy is necessary to reinforce this. The key consideration is the potential harm that might be caused to the

44 Heritage assets are defined in the NPPF as "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. 'Heritage asset' includes designated heritage assets and assets identified by the local planning authority (including local listing)." In addition, Designated heritage assets are defined as - "A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site; Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation."

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heritage asset or its setting and the great weight that should be given to its conservation proportionate to its level of significance, and how that is balanced against the proposed public benefits of development proposals. The balancing principles referred to in Policy EN10 are set out at paragraphs 131-134 of the NPPF. In addition, the NPPF emphasises the importance of the opportunity that new development may provide to better reveal the significance of heritage assets. Listed Buildings and Scheduled Ancient Monuments are also subject to separate regulatory regimes.

10.10.12 The Council's Historic Environment Strategy highlights a range of evidence and information such as the [Gloucestershire Historic Environment Record](#) including Conservation Area Character Appraisal and Management Plans which will be used to inform the consideration of future development including potential conservation and enhancement measures.

Policy EN10

HISTORIC ENVIRONMENT: DESIGNATED HERITAGE ASSETS

- 1. In considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation. The more important the asset, the greater the weight should be.**
- 2. Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted.**
- 3. Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations:**
 - the importance of the asset;
 - the scale of harm; and
 - the nature and level of the public benefit of the proposal.

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10.11 Historic Environment: Designated Heritage Assets - Conservation Areas (POLICY EN11)

Policy EN11

HISTORIC ENVIRONMENT: DESIGNATED HERITAGE ASSETS - CONSERVATION AREAS

Development proposals, including demolition, that would affect Conservation Areas and their settings, will be permitted provided they:

- a. preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;
- b. include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;
- c. will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area;
- d. have regard to the relevant Conservation Area appraisal (where available); and
- e. do not include internally illuminated advertisement signage unless the signage does not have an adverse impact on the Conservation Area or its setting.

10.11.1 Given that Conservation Areas are not referred to in any depth in the NPPF and they are particularly numerous in Cotswold District, specific local policy is required. Conservation Areas form a very special part of the character of the villages and towns of the District in terms of their buildings, the open spaces within them, and their surroundings. Policy EN11 relates not only to the whole of a Conservation Area but also the individual elements (including walls, views, etc.) and character areas that contribute towards its overall identity.

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10.12 Historic Environment: Non-designated Heritage Assets (POLICY EN12)

Policy EN12

HISTORIC ENVIRONMENT: NON-DESIGNATED HERITAGE ASSETS

1. Development affecting a non-designated heritage asset will be permitted where it is designed sympathetically having regard to the significance of the asset, its features, character and setting.
2. Where possible, development will seek to enhance the character of the non-designated heritage asset. Proposals for demolition or total loss of a non-designated heritage asset will be subject to a balanced assessment taking into account the significance of the asset and the scale of harm or loss.
3. The assessment of whether a site, feature or structure is considered to be a non-designated heritage asset, will be guided by the criteria set out in Table 6.

10.12.1 Whilst in some parts of the country there are local lists of non-designated heritage assets, in Cotswold District a comprehensive list is not available. Non-designated heritage assets will continue to be identified as part of the planning application process and will be given appropriate consideration.

10.12.2 The following table provides clarity on the types of buildings, sites and structures that the Council considers to be non-designated heritage assets.

TABLE 6: CRITERIA FOR DECIDING WHETHER A BUILDING / SITE / STRUCTURE SHOULD BE CONSIDERED AS A NON-DESIGNATED HERITAGE ASSET IN COTSWOLD DISTRICT

Type of asset	Criteria for selection as a non-designated heritage asset <i>(Note: it is not necessary for an asset to meet all relevant criteria)</i>
Assets of archaeological interest	Within the District the clarification provided by the PPG as to what can be considered as a non-designated site of archaeological interest will be followed. These non-designated sites may be included in the Gloucestershire Historic Environment Record.
Historic parks and gardens	These criteria are based on those developed by the Gloucestershire Gardens and Landscape Trust: <ul style="list-style-type: none"> • Historic interest

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TABLE 6: CRITERIA FOR DECIDING WHETHER A BUILDING / SITE / STRUCTURE SHOULD BE CONSIDERED AS A NON-DESIGNATED HERITAGE ASSET IN COTSWOLD DISTRICT

Type of asset	Criteria for selection as a non-designated heritage asset <i>(Note: it is not necessary for an asset to meet all relevant criteria)</i>
	<ul style="list-style-type: none"> • Proportion of the original layout still in evidence • Influence on the development of taste whether through reputation or reference in literature • Early or representative of a style of layout • Work of a designer of local importance • Association with significant persons or historical events • Strong group value
Buildings and structures	<p>Based on guidance produced by Historic England for both local (and national) listing:</p> <ul style="list-style-type: none"> • Architectural interest • Historic interest • Age • Rarity • Aesthetic merits • Selectivity or representativeness • Integrity or “sense of completeness” • Historic association • Landmark status • Group value

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TABLE 6: CRITERIA FOR DECIDING WHETHER A BUILDING / SITE / STRUCTURE SHOULD BE CONSIDERED AS A NON-DESIGNATED HERITAGE ASSET IN COTSWOLD DISTRICT

Type of asset	Criteria for selection as a non-designated heritage asset <i>(Note: it is not necessary for an asset to meet all relevant criteria)</i>
	<ul style="list-style-type: none"> • Known architect/designer/builder • Social or communal value
Sites, structures or buildings already recognised as non-designated heritage assets	A number of heritage assets have already been identified as non-designated heritage assets via: <ul style="list-style-type: none"> • Serving of Article 4 Directions • Recognition as positive buildings or structures within Conservation Area appraisals • Through previous planning applications or pre-application advice • Previous analysis, for example, the work of the GGLT
<p>Note: State of repair is not a relevant consideration when deciding whether a building, site or structure is a heritage asset or not.</p>	

10.13 Historic Environment: The Conversion of Non-Domestic Historic Buildings (POLICY EN13)

Policy EN13

HISTORIC ENVIRONMENT: THE CONVERSION OF NON-DOMESTIC HISTORIC BUILDINGS (DESIGNATED AND NON-DESIGNATED HERITAGE ASSETS)

1. Proposals for the conversion of non-domestic historic buildings to alternative uses will be permitted where it can be demonstrated that:

- a. the conversion would secure the future of a heritage asset, and/or its setting, which would otherwise be at risk;
- b. the proposed conversion would conserve the significance of the asset (including its form, features, character and setting);

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- c. the heritage asset is structurally sound; and
- d. the heritage asset is suitable for, and capable of, conversion to the proposed use without substantial alteration, extension or rebuilding which would be tantamount to the erection of a new building.

2. Proposals to extend or alter heritage assets that have been converted, will be permitted where it can be demonstrated that the proposed works would preserve the significance of the asset (including its form and features), its setting and/or the character or the appearance of the surrounding landscape in a manner that is proportionate to the significance of the asset.

10.13.1 The conversion of historic buildings (both designated and non-designated heritage assets) to other uses is a key local issue. To retain these important assets, it may be necessary to allow development that might otherwise be inappropriate; for example, the conversion of a traditional barn to a new house in an unsustainable location. Conversions must be carefully controlled to ensure that the asset's historic importance, character and landscape setting are all conserved.

10.14 Managing Flood Risk (POLICY EN14)

10.14.1 In recent years, frequent flooding, exacerbated by climate change, and increasing water demand due to population growth in the UK has made the need for managing flood risk increasingly important. Paragraph 100 of the NPPF states that "*Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere*".

10.14.2 The PPG sets out extensive advice on planning and flood risk in the section entitled '[Flood Risk and Coastal Change](#)'. The PPG sets out, for example, detailed explanations of sequential and exception testing together with a model checklist for site specific flood risk assessment. Prospective developers are recommended to take the advice in the PPG fully into account alongside the provisions of the NPPF and the relevant policies of this Local Plan.

10.14.3 The Council's evidence base in respect of flood risk management includes:

- Strategic Flood Risk Assessment (SFRA) Level 1;
- Strategic Flood Risk Assessment (SFRA) Level 2;
- Sequential Testing of all the proposed allocations; and
- a Water Cycle Study undertaken in consultation with the Environment Agency and the Water Companies.

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10.14.4 The Level 1 SFRA makes use of existing information to allow the application of the Sequential Test and to identify where the exception test is likely to be necessary. The Level 2 SFRA involves a more detailed review of flood hazard (flood probability, flood depth, flood velocity, rate of onset flooding) taking into account the presence of flood risk management measures such as flood defences.

10.14.5 The aim of the sequential test is to steer new development to areas with the lowest probability of flooding. The sequential approach should also be used at site level, directing the most vulnerable development to area of lowest flood risk, matching vulnerability of land use to flood risk. The SFRA provides data and information required to apply the Sequential Test and where necessary, the Exception Test.

10.14.6 The Water Cycle Study assessed whether potential Local Plan site allocations would increase flood risk in relation to fluvial or surface water flooding. In particular, the Study calculated the amount of additional wastewater that will be generated from the Local Plan's proposed growth that will enter wastewater treatment works and, once treated, into the District's rivers. The Water Cycle Study found that whilst the amount of water entering wastewater treatment works and rivers will increase, which by definition adds to flood risk, the level of increased water flows entering watercourses will not be significant. It is not considered that planned growth will pose significant risk to the safety of occupiers of these sites, the local community or the wider environment.

10.14.7 In relation to climate change, the Water Cycle Study recommends that climate impacts should be addressed at the detailed assessment stage. The Local Plan, through application of its Sustainability Appraisal (SA), takes account of the longer term issues of climate change and flood risk management.

10.14.8 The Water Cycle Study identifies potential environmental risks and opportunities associated with the Local Plan's development proposals. Its findings should be used in conjunction with the SA and/or Strategic Environmental Assessment (SEA) when this is available.

10.14.9 Overall flood risk may be reduced through the design and layout of schemes. Design in this context may include the retention or planting of native broad leaved trees, where such planting is likely to assist generally in flood management. Additional measures may also include the retention, enhancement or creation of water features on the site (i.e. ponds, ditches and streams and vegetated buffer strips), terrestrial and marginal vegetation planting along river corridors to increase vegetation cover and habitat creation and provision of amenity areas in locations at risk of flooding.

10.14.10 The Council requires a considered approach to sustainable drainage from the outset of the proposed development, including drainage management. This will include specialist input from the outset of the design and agreement of eventual ownership and management of the components involved. Where new development is within Flood Zones 2 or 3, it might be necessary for local infrastructure to be modified or enhanced. Developers may be required, for example, to make direct contributions to flood alleviation schemes affecting the communities close to developments. Having regard to flood risk, it might also be necessary to extend flood warning system coverage where appropriate, or increase the maintenance of flood defences. The Council may request developer contributions to cover the cost of this.

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10.14.11 The Level 2 SFRA notes that the Environment Agency is reviewing the Churn Flood Risk Management Strategy (2009). This review was completed in 2015 (Churn Strategy 5 year Review report). One outcome of the original strategy and subsequent review is the identification of a flood storage area (FSA) just upstream of Cirencester on land between Baunton and the Abbey Way bridge. Whilst much of this area is functional floodplain and is therefore unlikely to be developed, implementation of an FSA (which may extend beyond the currently identified functional flood plain) was not expected to take place until 2030 or beyond. However, following the release of revised climate change allowances in February 2016, the Environment Agency is in the process of reappraising the storage options, and could recommend implementation before 2030. An additional area of potential future flood storage has also more recently been identified by the Environment Agency and Water with Integrated Local Delivery (WILD) Project, to the south of Abbey Way Bridge, west of the Barton Mill Stream. The situation will be monitored and taken into account during periodic reviews of the Local Plan.

10.14.12 When determining planning applications, the Council will seek to ensure flood risk is not increased elsewhere. In specific circumstances set out in Policy EN14 applications will be required to be informed by a site-specific Flood Risk Assessment (FRA) which has regard to both parts of the SFRA and demonstrates how flood risk from all sources will be managed now and in future taking climate change into account. This will help inform the requirement for mitigation measures. Where an assessment is required, it should take into account [national guidance](#) and its scope should be agreed with the Council. For the avoidance of doubt, Policy EN14.2bii applies to sites either wholly or partially within Flood Zones 2 or 3. It should be proportionate with the degree of flood risk, make use of available local evidence and be appropriate to the scale, nature and location of the development. For all sites, the assessment should have regard to the cumulative impact of the proposed development on flood risk in relation to existing settlements, communities or allocated sites. Any identified impacts, individual and/or cumulative, must be satisfactorily mitigated. A detailed environmental survey may also be required at the application stage to determine the acceptability of development and inform the requirement for mitigation measures.

10.14.13 Historically, surface water drainage systems have been designed to remove surface water from a site as quickly as possible via underground pipes. This may potentially increase flooding problems downstream particularly in circumstances where flash-flooding may overwhelm the infrastructure. This method also does not contribute to the natural recharge of groundwater levels. Having regard to climate change and the requirements of legislation, a more sustainable approach to drainage is required to reduce flood risk, manage water quality and provide integrated amenity benefits. The aim should be to discharge surface water run-off as far up the following hierarchy as is practicable:

- i. into the ground (infiltration)
- ii. to a surface water body
- iii. to a surface water sewer, highway drain, or another drainage system
- iv. to a combined sewer

10.14.14 Having regard to the hierarchy, an effective way of dealing with surface water is through Sustainable Drainage Systems (SuDS). These aim to mimic natural drainage processes and remove pollutants from urban run-off at source. SuDS encompass a wide range of techniques, including:

- Green roofs

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- Permeable paving
- Rainwater harvesting
- Swales
- Detention basins
- Ponds
- Wetlands
- Tree planting

10.14.15 In respect of SuDS, the following recommendations of the Water Cycle Study should be taken into account:

- a. Developers should seek to maximise the water quality and amenity/ecological benefits when installing SuDS for surface water flood management. The design of SuDS schemes should be specific to each allocation site to maximise the environmental benefits derived. Careful planning of SuDS schemes in areas identified as groundwater aquifers or sensitive to groundwater contamination would be required to ensure no adverse impact on groundwater quality. However, provision of SuDS has the potential to maintain or improve groundwater recharge.
- b. Watercourses should be protected through the inclusion of riparian buffer strips. These zones will increase infiltration of surface runoff with potential benefits in terms of flood risks and water quality in the receiving watercourse.
- c. Existing water features such as ponds, ditches and streams should be retained as a high priority and incorporated into SuDS schemes where appropriate to maintain the aquatic biodiversity value of the sites and to provide a local source of flora and fauna that may naturally colonise new habitats.
- d. The removal or modification of existing river culverts should be considered where practicable in line with Environment Agency guidance. Modification of culverts has the potential to reduce flood risk due to blockages, create a more natural river bed profile and hydro-morphological process, and also benefit a range of aquatic wildlife through new habitat creation or improving access to valuable habitat. Implementation of these measures could contribute towards delivery of the requirements of the Water Framework Directive.

10.14.16 Additional guidance on SuDS is set out in the Level 1 SFRA at section 9.6 and at Part 10. At Section 10.4 the SFRA Part 1 sets out important considerations for the implementation of various types of SuDS within Cotswold District.

10.14.17 Whilst applicants should identify the most appropriate scheme, or combination of schemes, to suit the proposed development, the multi-functional role of SuDS should not be lost sight of. They can provide, alongside flood alleviation measures, green corridors and wildlife habitat creation and therefore potentially holistic solutions for development sites as part of a wider green infrastructure network.

10.14.18 As noted above, SuDS may sometimes present a challenging solution. Where the challenge is insurmountable, suitable alternative approaches must be considered in consultation with the Lead Local Flood Authority (Gloucestershire County Council).

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10.14.19 Whilst the policies of the Local Plan should be read together, Policy EN14 should particularly be read in conjunction with Policy INF8 “Water Management Infrastructure”.

Policy EN14

MANAGING FLOOD RISK

1. Development proposals must avoid areas at risk of flooding, in accordance with a risk-based sequential approach that takes account of all potential sources of flooding. Proposals should not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment as a result of flooding.
2. Minimising flood risk and providing resilience to flooding will be achieved by:
 - a. applying the sequential test for assessment of applications for development in Flood Zones 2 or 3, applying the exception test where necessary and in that event requiring developers to demonstrate that both limbs of the exception test can be satisfied;
 - b. requiring a site specific flood risk assessment for:
 - i. proposals of one hectare or greater in Flood Zone 1;
 - ii. all proposals in Flood Zones 2 and 3; or
 - iii. proposals in an area in Flood Zone 1 that has critical drainage problems.
3. The design and layout of development proposals will take account of flood risk management and climate change and will include, unless demonstrably inappropriate, a Sustainable Drainage System (SuDS).
4. Developers will, where required, fund flood management and/or mitigation measures for the expected lifetime of the development including adequate provision for on-going maintenance.

10.15 Pollution and Contaminated Land (POLICY EN15)

10.15.1 Many pollution sources are dealt with by separate legislation and regulations, but they remain material considerations in planning, in terms of potential adverse impacts on the health of the local community and the natural and built environment of the Cotswolds, and contributing to climate change. The impact of potentially polluting activities can be minimised and avoided through planning policy controlling the location of potentially polluting development; controlling operations; and ensuring that incompatible uses of land are separated to avoid potential conflict.

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Policy EN15

POLLUTION AND CONTAMINATED LAND

1. **Development will be permitted that will not result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through:**
 - a. **pollution of the air, land, surface water, or ground water sources; and/or**
 - b. **generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell.**
2. **Unless proposals would result in no unacceptable risk to future occupiers of the development and/or the surrounding land, development will not be permitted:**
 - a. **that is located on or in the vicinity of land that is contaminated or suspected of being contaminated; and/or**
 - b. **on land that contains or which potentially would create through development a pathway for migration of a potentially hazardous substance into a sensitive receptor.**
3. **In respect of affected sites the developer and/or landowner will be required to undertake appropriate investigation(s) and to carry out necessary remedial works.**

10.15.2 The NPPF states that local planning authorities should ensure new developments are appropriate for their locations, to prevent 'unacceptable risks' from pollution. Policy EN15 safeguards against development that is likely to result in unacceptable levels of pollution, such as light and noise, and the effects on amenity, health and the natural environment. The potential harmful effects of such disturbance from development on local residents, neighbouring land uses and premises, wildlife and its habitats, should be considered.

10.15.3 The air can be polluted through gaseous emissions from industrial processes or through local traffic generation for example, and may be exacerbated through local micro-climatic factors. Water can be polluted by the discharge of solid or liquid pollutants into groundwater or water courses. Good quality ground water is crucial for water-dependent animals, and for the use of ground water as a source of drinking water. Development proposals located within the inner Source Protection Zone (SPZ1), where there is highest risk of potential pollution to groundwater, therefore need to be designed appropriately and in discussion with the Environment Agency.

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10.15.4 In areas where the community values quiet enjoyment and tranquillity, noise can be similarly detrimental, as can vibration, dust, smell and the intrusion of light and heat.

10.15.5 With regard to air pollution, particular caution will be applied in or close to designated Air Quality Management Areas and due regard had to any air quality action plan. Similarly inappropriate light colour, intensity and spread can have adverse environmental impacts, for example by affecting the conservation of protected species such as bats. Noise should not give rise to significant adverse impacts on health and quality of life. Acceptable noise levels will vary according to the source, receptor and time, and the policy is not intended to unduly restrict existing established businesses which may need to develop.

10.15.6 It is important that there are controls on developments which pose a risk to groundwater, to ensure an adequate and safe water supply. Groundwater feeds into both public and over 200 private water supplies. These supplies may be affected through pollution and may be depleted through surface water and drainage systems which do not allow for natural infiltration of water through soils. The most vulnerable ground water sources are designated as Groundwater Source Protection Zones. Further details are available from the Environment Agency website.

10.15.7 Certain sites and pipelines in the District are designated as notifiable installations, by virtue of the substances stored, transmitted or used. Some development, such as housing, may be incompatible with such sites for safety reasons. The LPA holds maps showing the location of these sites.

10.15.8 Particular care will be taken in relation to the redevelopment of contaminated land and in relation to hazardous substances. Where a site is affected by contamination, responsibility for securing safe development lies with the developer and/or landowner. Developers will be required to show that appropriate measures have been taken to mitigate any adverse impact of potential contamination and/or hazardous substances on sensitive receptors such as groundwater or end-users of development.

11 Infrastructure

11.0.1 Successful and sustainable communities depend upon physical, green and social and community infrastructure to meet the needs of residents and businesses. Infrastructure encompasses a wide range of provision including transport, public utilities, flood management measures, social and community infrastructure such as health care facilities, sports provision, green infrastructure, education, leisure and tourism, and other community facilities ranging from community meeting halls to children’s play areas.

11.0.2 It is important to recognise that whilst there is a degree of funding from governmental and other public sources, a significant amount of the money for provision of new or enhancement of existing infrastructure is sourced as financial contributions from developers or in the form of payments in kind through direct provision by developers of facilities or services.

11.0.3 Clearly, there is only so much that a developer can be expected to contribute to infrastructure provision without threatening the economic viability of a proposal. This may be particularly so in cases where development costs may be unusually high - the redevelopment of a brownfield site where the land may, for instance, be contaminated. In these and similar circumstances, the negotiation of Section 106 agreements (s.106) will be on a case-by-case basis and take into account evidence of any mitigating circumstances that affect the viability of redevelopment. Notwithstanding this, the Local Planning Authority cannot reasonably be expected to allow development that will have an unacceptable impact on existing infrastructure.

11.0.4 Where viability appears finely balanced, hard choices may sometimes need to be made in prioritising what infrastructure is to be provided and/or when it is to come forward during the life of the development. For this reason, it is crucial to consider infrastructure provision ‘in the round’ and not to look at items in isolation from each other. This approach is endorsed by Government in the National Infrastructure Plan 2013: *The government recognises that meeting the UK’s infrastructure ambitions requires a long-term sustainable plan, which means taking a cross-cutting and strategic approach to infrastructure planning, funding, financing and delivery.*

11.0.5 Recognition of the need to provide sufficient infrastructure to enable and support sustainable development and economic growth is inherent within the NPPF. Whilst infrastructure is referenced frequently throughout the framework, several core planning principles and key sections of the NPPF relate specifically to it, notably Parts 4, 5, 8 and 10.

11.1 Infrastructure Delivery (POLICY INF1)

Policy INF1

INFRASTRUCTURE DELIVERY

- 1. Development will be permitted where infrastructure requirements identified to make the proposal acceptable in planning terms can be met. Provision of infrastructure will be secured having regard to regulatory and national policy requirements relating to developer contributions.**