

COTSWOLDS AONB MANAGEMENT PLAN 2018-2023 ADOPTION AND PUBLICATION

Summary: Consultation responses have been incorporated into the Management Plan and it is now ready for adoption by the Executive Committee (as delegated by the Board on 28th June 2018).

Recommendations:

- (a) To note progress on the Cotswolds AONB Management Plan 2018-2023;**
- (b) to endorse the proposed changes to the Management Plan;**
- (c) to adopt the Management Plan.**

Officer Ref: John Mills, Planning and Landscape Officer (01451 862004)

Introduction

1. The draft Cotswolds AONB Management Plan 2018-2023 has evolved rapidly over the last few months. The current status of the Management Plan and the 'next steps' are outlined below.

Consultation Process

2. Consultation on the final draft of the Management Plan (i.e. Draft 6) - together with Strategic Environmental Assessment (SEA) Environmental Report and the Habitats Regulations Assessment (HRA) Screening Report - took place for five weeks between 10th July and 14th August 2018. The consultation targeted the 15 local authorities within the AONB and three statutory environmental bodies (Natural England, Historic England and the Environment Agency). The three documents were also made available on the Board's website. Consultees were asked to respond to three specific questions (see **Appendix 'A'**), rather than commenting on all aspects of the consultation documents.
3. Consultation responses were received from 10 of the local authorities¹ and all three statutory environmental bodies. Responses were also received from the Woodland Trust and Alderton Parish Council, bringing the total number of organisations responding to 15. A consultation meeting was held with officers from Cotswold District Council and West Oxfordshire District Council (including a representative of Cotswolds Tourism), at their request, on 14th August. .

Feedback on the Management Plan

4. There was positive feedback on the changes that have been made to the Management Plan since the previous consultation draft. In particular, South Gloucestershire Council supported: the inclusion of information that highlights the

¹ Consultation responses were not received from Cheltenham, Cherwell, Stroud, Warwickshire and Wiltshire.

important link between the Management Plan and the Business Plan (particularly Appendix 5); the significant reduction in the number of key issues and policies; the consistency of wording between individual policies; setting out the role of the Board and other stakeholders in Chapter 7; the explanation of the 'duty of regard' in Appendix 4; the list of priority actions for stakeholders in Appendix 6; and the revised (and reduced) list of monitoring indicators in Appendix 8.

5. As shown in Appendix A, five out of the 15 organisations that responded to the consultation (including three out of the 10 local authorities) indicated that they would be willing to endorse the Management Plan when it is adopted in autumn 2018, based on the current text. Nine out of the 15 organisations indicated that the text would need to be amended to some degree before they could endorse it. Natural England indicated that their standard approach to AONB Management Plans is to provide a 'formal observation' when the Management Plan is adopted, rather than endorsing it.
6. The majority of the requested amendments were relatively minor - primarily addressing points of clarification, context and consistency – and have been readily incorporated into the Management Plan. These amendments are not detailed in this paper, or accompanying appendices, as it is not considered that they require further discussion before the Executive Committee adopts the Management Plan. However, documents listing all of the suggested changes and all of the changes that have been made are available on request.
7. Responses and proposed amendments that have flagged more significant issues are outlined in **Appendix 'B'**. These have also been incorporated into the Management Plan, where practicable (Appendix B provides explanations of where this is not the case).
8. Given that the consultation responses have been incorporated into the Management Plan, as far as possible, it is hoped that all of the local authorities and statutory environmental bodies would now be willing to endorse the Management Plan (or, in the case of Natural England, provide a 'formal observation').
9. It is the Planning and Landscape Officer's recommendation that the Management Plan is now ready for adoption by the Executive Committee.

Feedback on the SEA Environmental Report

10. As shown in Appendix A, all of the consultees who responded to the consultation questions relating to the SEA agreed with the conclusions of the SEA report² (or indicated that they had no (substantive) comments to make). Most of the consultees who commented on the SEA also agreed that no amendments to the Management Plan would be required as a result of the SEA conclusions.

² SEA conclusion: (i) There is nothing in the management plan that will undermine the special qualities of the AONB.; (ii) Implementation of the proposed Management Plan will have environmental and sustainability benefits for the Cotswolds AONB.

11. The Environment Agency and Oxfordshire County Council picked up on statement in the SEA report that *'very little information about water and air quality, or climate change is presented'* in the Management Plan. The Environment Agency identified flood risk as being a further weakness. They suggested that it would be a positive step to address these 'weaknesses' within the Management Plan. Although Natural England didn't comment on these issues in relation to the SEA, they did suggest – when commenting on the Management Plan - that the climate change section could be 'strengthened'. These sections of the Management Plan have now been strengthened, as outlined in **Appendix 'B'**.

Feedback on the HRA Screening Report

12. Natural England was the only organisation that was formally consulted on the HRA Screening Report. Natural England stated that *'we agree with the conclusions provided'*³ and that they had *'no further comments to make regarding this'*.
13. Several other consultees also agreed with the conclusions provided. Oxfordshire County Council queries the consideration of in-combination effects and the potential impacts of Policy UE2 (Access and Recreation) on the Special Areas of Conservation (SACs) in Oxfordshire. However, our SEA / HRA consultant has advised that the Management Plan and HRA report adequately address these issues, for example, by stating that *'the provision of access and recreational opportunities should not have an adverse impact on the Cotswolds AONB'* (Policy UE2, paragraph 7).

Next Steps

14. Assuming that the Executive Committee adopts the Management Plan on 20th September 2018, as delegated by the Board, the adopted plan will be put on the Board's website as soon as possible, thereby replacing the 2013-2018 Management Plan. Arrangements will then be put in place for a designed version to be ready for publication by December 2018. As required by the Countryside and Rights of Way Act 2000, a summary of the changes to the Management Plan will also be published.
15. Although Defra has not been able to arrange for a Ministerial Foreword in time for the Executive Committee meeting on 20th September (despite multiple requests), it is anticipated that this will be provided in plenty of time for the published version. It is anticipated that the Chairman's Foreword will be written once the Ministerial Foreword has been received, so that it can take account of what the Minister has written.

Supporting Paper(s):

Appendix 'A' - Questions posed in the Management Plan / SEA/ HRA consultation

³ HRA conclusion: (i) No policy areas would have an adverse effect on the integrity of any European site; and (ii) There is no requirement to undertake an Appropriate Assessment under the Habitat Regulations.

Appendix 'B' - Significant issues flagged by the consultation responses

APPENDIX A. Questions posed in the Management Plan / SEA / HRA consultation and consultee responses

1. We would like your organisation to endorse the Management Plan when it is adopted by the Board in autumn 2018. Based on the current text of the draft Management Plan, would your organisation be willing to endorse the Management Plan when it is adopted in autumn 2018? If not, what changes would need to be made to the Management Plan in order for your organisation to endorse it?

Willing to endorse	Not willing to endorse / amendments required ⁴
Alderton Parish Council	Cotswold District Council
Bath and North East Somerset Council	Environment Agency
Gloucestershire County Council	Natural England
Historic England	Oxfordshire County Council
South Gloucestershire Council	Stratford-on-Avon District Council
	Tewkesbury Borough Council
	West Oxfordshire District Council
	Woodland Trust
	Worcestershire District Council
	Wychavon District Council

2a. Do you agree with the conclusions of the draft SEA Environmental Report? If not, what amendments need to be made to the SEA report?

Agree (or 'we have no (substantive) comments')	Do not agree / amendments required
Alderton Parish Council	
Bath and North East Somerset Council	
Environment Agency	
Gloucestershire County Council	
Historic England	
Natural England	
Oxfordshire County Council	
South Gloucestershire	
Worcestershire County Council	
Wychavon District Council	

⁴ As indicated in the covering paper, the comments and amendments that were proposed in the consultation responses have been now incorporated into the Management Plans, as far as possible. As such, it is hoped that all of the local authorities and statutory environmental bodies would now be willing to endorse the Management Plan (or, in the case of Natural England, provide a 'formal observation').

2b. Do you agree with the conclusions of the HRA Screening Report? If not, what amendments need to be made to the HRA report? (N.B. Only Natural England was specifically consulted on the HRA report)

Agree	Do not agree / amendments required
Alderton Parish Council	Oxfordshire County Council (It is not clear from your assessment whether you see additional traffic being generated as a result of policy UE2 and whether this might have a likely significant effect on SACs in Oxfordshire). <i>N.B. There was no request to amend the HRA to address this.</i>
Gloucestershire County Council	
Natural England	
Wychavon District Council	

3a. Do you agree that no amendments to the Management Plan are required as a result of the SEA conclusions? If not, what amendments need to be made to the Management Plan to address the conclusions of the SEA?

Agree (or 'We have no (substantive) comments')	Do not agree / amendments required
Alderton Parish Council	Environment Agency (It would be a positive step to address the weaknesses within the plan, as identified in the SEA – climate change, air quality and water quality – as well as flood risk).
Bath and North East Somerset Council	
Gloucestershire County Council	
Historic England	
Natural England	
South Gloucestershire	Oxon CC (concerns about the lack of information on climate change and water).
Worcestershire County Council	
Wychavon District Council	

3b. Do you agree that no amendments to the Management Plan are required as a result of the HRA conclusions? If not, what amendments need to be made to the Management Plan to address the conclusions of the HRA? (N.B. Only Natural England was specifically consulted on the HRA report)

Agree (or 'We have no (substantive) comments')	Do not agree / amendments required
Alderton Parish Council	Oxfordshire County Council (It is not clear from your assessment whether you see additional traffic being generated as a result of policy UE2 and whether this might have a likely significant effect on SACs in Oxfordshire).
Gloucestershire County Council	
Natural England	
South Gloucestershire Council	
Wychavon District Council	

APPENDIX B. Significant issues raised by the consultation responses

Summary

1. The issues raised in Appendix B are those that are considered to merit bringing to the attention of the Executive Committee by virtue of the emphasis given to them by consultees and / or by virtue of their significance for the Management Plan (e.g. policy-level changes). Rather than repeating the text from the Management Plan, Appendix B just summarises the consultation comments and the action taken to address these comments. As such, it is recommended that it should be read alongside the relevant section of the Management Plan.
2. The significant issues that were raised by the consultation response can be grouped under the following headings:
 - Significant changes resulting from the consultation responses.
 - Significant concerns raised but no change made.

Significant changes resulting from the consultation responses

3. Development Priorities and Evidence of Need (Policy CE12):

- Paragraph 1: Two local authority consultees (Tewkesbury Borough Council and Stratford-on-Avon District Council) were of the opinion that this paragraph would be in conflict with policies and / or site allocations in their Local Plans. They argued that it should only apply to proposals that are not in accordance with housing policies and / or site allocations in Local Plans. To address this issue, we have added a footnote to clarify that this paragraph does not apply to Local Plans that have already been adopted. However, we consider that it should still be applied to Local Plans that are not yet adopted⁵.
- Paragraph 2: Several local authority consultees took the view that this was more restrictive than the policies of the National Planning Policy Framework (NPPF), with some suggesting that it should be deleted. We did not agree that it should be deleted but we have changed the wording so that it more closely reflects the requirements of the NPPF, particularly the new requirement for development in AONBs to be limited.
- Paragraph 3: Several local authority consultees took the view that this requirement might be too onerous. To address this, we have added a footnote to say that any provision of annual statistics will be agreed in partnership between the Board and the local authorities.

4. Exploring the case for and against designation as a National Park (Ambition 4 and Policy CC1 (para. 2)): Worcestershire County Council queried the similarities between the Cotswolds and the South Downs and asserted that the text relating to

⁵ In the recent examination of the West Oxfordshire Local Plan, the lack of 'evidence of need' arising from within the AONB was a key factor in the planning inspector rejecting several proposed site allocations in the Burford / Charlbury area. This provides an appropriate level of justification for applying Policy CE11 (para. 1) to Local Plans that have not yet been adopted.

the case for and against designation was very vague. To address these issues, we have clarified the similarities (i.e. size and complexity) and provided examples of the case for and against designation. Cotswold District Council and West Oxfordshire District council suggested that the text should clarify that it is the Board who will examine the case for against National Park status to decide whether or not a formal proposal should be advanced. The text has been amended to reflect this. These two local authorities also indicated that, if the National Park designation is taken forward, it should include a boundary review as it would be a missed opportunity not to. This suggestion has not been incorporated into the Management Plan as it would not be appropriate to do so at this stage.

5. **The ‘duty of regard’ (Policy CC2 and Appendix 4):** At the request of Worcestershire County Council, Policy CC2 has been amended so that it doesn’t directly duplicate the relevant legislation (Section 85 of the CRoW Act). Worcestershire, together with Cotswold District and West Oxfordshire District indicated that they might not have the capacity to implement paragraph 2 of Policy CC2 and some of the proposals in Appendix 4. To address this, we have added footnotes / text to say that reporting and monitoring requirements and agreed protocols will be developed in partnership between the Board and the relevant authorities.
6. **Access and Recreation (Policy UE2):** Natural England proposed that the strategic nature of recreational pressure from new development outside of the AONB should be recognised as an important concern, which could have an impact on the AONB. Additional supporting text has been provided for Policy UE2 to address this issue.
7. **Fostering social and economic well-being:** Cotswold District Council and West Oxfordshire District Council expressed a desire for the Management Plan to ‘draw out’ economic and social well-being, including making reference to the duty, under Section 87 of the Countryside and Rights of Way Act (CRoW) Act 2000, for Board to cooperate with local authorities and public bodies to foster economic and social well-being. Tewkesbury Borough Council also emphasised aspects of the Plan relating to economic and social well-being. To address this, we have added fostering economic and social well-being to Outcomes 1 and 11 and Policies CC3 (para. 1) and CE10 (para. 1). A footnote has also been added to Appendix 3, outlining the Section 87 duty. The text relating to economic and social wellbeing in Chapter 5 has also been updated. There is no intention to create a separate section specifically to address economic and social well-being.
8. **Evidence / Monitoring:** Natural England emphasised the importance of having a robust evidence base, for example, with regards to visitor surveys. In particular, they stated that there needs to be a clear statement regarding the role of up to date evidence at the beginning of the plan. Text has been added to Chapter 1 and Chapter 7 to highlight this point.
9. **Green Infrastructure:** Cotswold District Council and West Oxfordshire District Council stated that it would be useful to make reference to green infrastructure and Natural England stated that it would be useful to have a green infrastructure strategy. To address this issue, we have made reference to green infrastructure in Policy CE7 and in the supporting text for Policy UE3.

10. **SEA Issues:** As indicated in the covering paper, the Environment Agency, Natural England and Oxfordshire County Council identified the need to one or more of the following aspects of the Management Plan:

- **Climate change:** Policies CC7 and CC8 have been amended to include additional statements regarding development and rural land management. Additional information on climate change has been added to the supporting text for Policies CC5, CC6, CE6, CE7, CE8 and extra examples added to the footnotes for Policies CC7 and CC8. The Management Plan is now more closely aligned to the Climate Change Strategy for the Cotswolds AONB, published by the Board in 2012.
- **Water quality:** Additional information on water quality has been added to the supporting text for Policy CC6.
- **Air quality:** Text relating to the two Air Quality Management Areas in the AONB, at Chipping Norton and the Air Balloon junction roundabout, has been added in Chapter 3, and in the supporting text for Policies CC7, CE10 and CE11.
- **Flood risk:** Additional information on flooding in the AONB (and downstream) - and an explanation of natural flood management – has been added to the supporting text for Policy CC6. Reference to sustainable drainage has been added to Policy CC6.

Significant concerns raised but no change made

11. **Promoting the Cotswolds AONB as the Walking and Exploring Capital of England (Ambition 1 and Policy UE2 (para. 4)):** Cotswold District Council and West Oxfordshire District Council (and Cotswolds Tourism) stated that they would not support this ambition and policy. The reasons given for this included the assertion that it did not form part of the '*Destination Management Plan for the Cotswolds*' and that the Cotswolds could not compete with the offer provided by some National Parks. However, we have decided to retain this this ambition and policy, not least because this ambition was raised at the Cotswolds AONB 50th anniversary celebration at the Palace of Westminster in 2016 and has been supported by Board members since then. The Board will seek to influence Cotswolds Tourism and the local authorities to support this ambition in the years ahead.