

Minerals & Waste Core Strategies

Joint Technical Evidence Paper

WCS-MCS-4

Landscape & AONB

Living Draft

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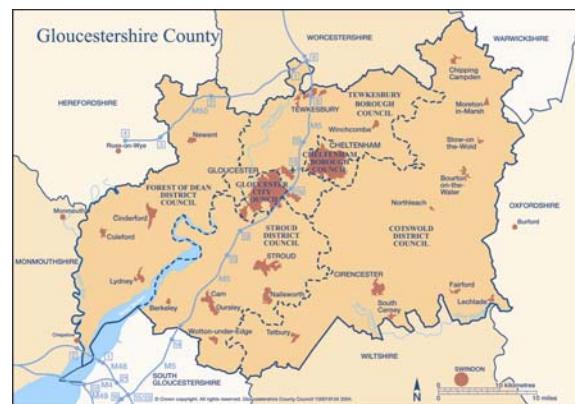
The River Wye running through the Wye Valley Area of Outstanding Natural Beauty (AONB)

Section 1 Introduction

1. The aims of this Evidence Report are threefold:
 - To briefly provide background information on the character of Gloucestershire's landscape.
 - To consider changes in National and Regional Policy with respect to landscape and AONB and to consider mineral working and waste management in Gloucestershire in light of this.
 - To recommend preferred policy options in relation to landscape and AONB to be included in the emerging Waste Core Strategy (WCS) and Minerals Core Strategy (MCS)
2. These are important issues for Gloucestershire, a predominantly rural county, over 50% of which is made up of AONB, the highest percentage of any county in the UK.

3. It is important that such valuable and unique landscapes are protected for future generations and that any potential damage to them is minimised as much as possible. Our landscapes are changing as a result of development pressures and 'detrimental changes to landscape character' was one of the *sustainability issues / problems* flagged up in the Gloucestershire Minerals and Waste Development Framework (MWDF) Sustainability Appraisal Scoping Report.¹

Section 2 Context: Gloucestershire's Landscape



4. Gloucestershire is varied but primarily rural county. Its landscape is broadly characterised by three distinct areas. From west to east these are the Forest of Dean, the Severn Vale and the

¹ The original Scoping and Context Reports were produced in August 2005.

upland limestone areas of the Cotswolds and Stroud.²

The Forest of Dean

5. The Forest of Dean is situated on an upland trough of old red sandstone that has been overlaid twice, by carboniferous limestone and then by millstone grit containing iron ores and coal measures. It comprises an upland area containing ancient semi-natural woodland and the three main towns of Cinderford, Coleford and Lydney. It is bounded by the Wye Valley AONB to the west, the Malvern Hills AONB to the north and the River Severn to the south and east.

6. It is one of England's largest ancient forests containing over 11,000 hectares of woodland. The area contains extensive areas of old oak woods with abundant flora and fauna in a variety of different habitats. The historic industries of tin mining and coal mining have left local features such as abandoned spoil heaps and dismantled railways that, now regenerated give distinctive character. Old underground mine workings and extensive natural cave systems have contributed to a nationally important population of rare lesser and greater horseshoe bats.

² These landscapes are defined by character areas identified by Natural England (formerly the Countryside Agency & English Nature). In Gloucestershire the areas, from west to east, are: The Forest of Dean & Lower Wye, South Herefordshire and Over Severn, Severn and Avon Vales & Cotswolds. (See Draft RSS Map 7.2 , Page 145.)

The Severn Vale

7. Running down the middle of the County is the Severn Vale, containing low lying areas including extensive area of floodplain. Also in this area are Gloucester and Cheltenham, which are divided by Green Belt land and the M5 motorway. Also in this central M5 corridor is Tewkesbury to the north and Cam/Dursley to the south.

8. The Severn Vale is of particular significance for bird life, with several sites in the floodplain of the River Severn seasonally providing ideal conditions for wintering wildfowl. As an estuarine system the Severn Estuary is an internationally important site.

Cotswolds and Stroud

9. The Cotswolds form higher ground interspersed with valleys, particularly around Stroud. The limestone hills and the unimproved limestone grassland habitat are of great wildlife value. The grassland of commons, valleys and scarp contain ancient turf formed by grazing over many centuries and now supporting an abundance of attractive wild flowers and butterflies. They are also home to one of the prime areas of beech woodland in Britain.

10. To the south east of the County is the Upper Thames Valley in which there is a considerable amount of sand and gravel extraction, which through sensitive restoration, has resulted in a network of lakes and wetland areas of increasing national and international importance for wildlife.

11. Many of the important landscapes in the County such as the AONBs have a strong

relationship with important habitats and biodiversity. This has implications in terms of landuse and restoration.

12. Gloucestershire has a wide array of important nature conservation designations, including Special Protection Areas (SPAs), two Ramsar sites (Walmore Common and the Severn Estuary), and six Special Areas of Conservation (SAC). There are also over 100 designated Sites of Special Scientific Interest (SSSI) in Gloucestershire, three of which have been additionally designated National Nature Reserves (NNRs).

13. There is also a wide range of local designations including Key Wildlife Sites, Local Nature Reserves, Private Nature Reserves, Regionally Important Geological Sites, Special Landscape Areas, Ancient Woodland Sites, and Registered Commons. The Gloucestershire Biodiversity Action Plan provides a framework for the conservation of biodiversity based on targeting resources towards protecting priority habitats. These issues are covered in greater depth in Joint Technical Evidence Paper (WCS-MCS-5) Ecology.

Section 3

Policy Requirements & Considerations relating to both Minerals & Waste Development

Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) (August, 2004)

14. PPS7 sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas. In relation to local landscape designations it states:

"The Government recognises and accepts that there are areas of landscape outside nationally designated areas that are particularly highly valued locally. The Government believes that carefully drafted, criteria-based policies in LDDs, utilising tools such as landscape character assessment, should provide sufficient protection for these areas, without the need for rigid local designations that may unduly restrict acceptable, sustainable development and the economic activity that underpins the vitality of rural areas.

Local landscape designations should only be maintained or, exceptionally, extended where it can be clearly shown that criteria-based planning policies cannot provide the necessary protection. LDDs should state what it is that requires extra protection, and why. When reviewing their local area-wide development plans and LDDs, planning authorities should rigorously consider the justification for retaining existing local landscape designations. They should ensure that such designations are based on a formal and robust assessment of the qualities of the landscape concerned."³

15. In relation to nationally designated areas it states:

"Nationally designated areas comprising National Parks, the Broads, the New Forest

³ PPS7, Page 14, Paragraphs 24 – 25.

Heritage Area and Areas of Outstanding Natural Beauty (AONB), have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas. The conservation of wildlife and the cultural heritage are important considerations in all these areas. They are a specific purpose for National Parks, where they should also be given great weight in planning policies and development control decisions. As well as reflecting these priorities, planning policies in LDDs and where appropriate, RSS, should also support suitably located and designed development necessary to facilitate the economic and social well-being of these designated areas and their communities, including the provision of adequate housing to meet identified local needs.

Major developments should not take place in these designated areas, except in exceptional circumstances. This policy includes major development proposals that raise issues of national significance. Because of the serious impact that major developments may have on these areas of natural beauty, and taking account of the recreational opportunities that they provide, applications for all such developments should be subject to the most rigorous examination. Major development proposals should be demonstrated to be in the public interest before being allowed to proceed. Consideration of such applications should therefore include an assessment of:

(i) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the

local economy;
(ii) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
(iii) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Planning authorities should ensure that any planning permission granted for major developments in these designated areas should be carried out to high environmental standards through the application of appropriate conditions where necessary.”⁴

Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9) (August, 2005)

16. PPS9 does not relate directly to landscape matters, although clearly the protection of biodiversity and geological conservation have strong synergies with landscape protection and enhancement. (For further details see Joint Technical Evidence Paper (WCS-MCS-5) Ecology.

17. The PPS advises that regional and local policies should aim to maintain and enhance, restore or add to beneficial biodiversity and geological conservation interests. It also promotes the incorporation of biodiversity and geological features within new development proposals.

⁴ PPS7, Pages 13-14, Paragraphs 21-23.

18. In relation to site restoration, PPS9 provides specific advice on the need to identify within LDFs any areas or sites for restoration or the creation of new priority habitats which contribute to regional biodiversity targets.

19. Consequently, the WCS and the MCS, as well as the Site Allocations and Development Control DPDs will need to take beneficial biodiversity and geological conservation into account, particularly where there are clear opportunities through the restoration of minerals sites and waste sites (landfill in particular) to support the local expression of regional and national biodiversity targets.

Draft Regional Spatial Strategy (2007) Policy SD3: The Environment and Natural Resources

20. In relation to specific landscape matters this draft policy states:

"The region's environment and natural resources will be protected and enhanced by: ...Positively planning to enhance natural environments through development, taking a holistic approach based on landscape or ecosystem scale planning..."⁵

Draft Regional Spatial Strategy (2007) Policy ENV2: Landscape Character Areas

21. This policy states:

"The distinctive qualities and features of the South West's landscape character areas will be sustained and enhanced by Local Planning

⁵ Draft RSS, Page 14.

Authorities undertaking assessments of landscape character at a strategic level and in partnership with adjoining authorities (where landscape character areas cross administrative boundaries) in order to identify priority areas for the maintenance, enhancement and/or restoration of that character and provide an appropriate policy framework in LDDs for each area.⁶

Policy ENV3 Protected Landscapes

22. This policy states:

"In Dartmoor and Exmoor National Parks and the 14 Areas of Outstanding Natural Beauty in the region, the conservation and enhancement of their natural beauty, wildlife and cultural heritage will be given priority over other considerations in the determination of development proposals. Development will only be provided for where it would:

- Conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park or Area of Outstanding Natural Beauty, or*
- Promote the understanding and enjoyment of the special qualities of the National Park, or*
- Foster the social or economic well-being of the communities within the National Park or Area of Outstanding Natural Beauty, provided that such development is compatible with the pursuit of National Park or Area of Outstanding Natural Beauty purposes*

Consideration will also be given to proposals which promote the

⁶ Draft RSS, Page 144.

understanding and enjoyment of the special qualities of the Areas of Outstanding Natural Beauty.

Particular care will be taken to ensure that no development is permitted outside the National Park or Areas of Outstanding Natural Beauty which would damage their natural beauty, character and special qualities or otherwise prejudice the achievement of National Park or Area of Outstanding Natural Beauty purposes.⁷

South West Regional Nature Map & Strategic Nature Areas

23. The South West Nature Map was published in 2006 and was prepared to support the emerging RSS environmental policies. Its key purpose is to help identify key opportunities for meeting regional BAP targets. The map works by headlining a number of Strategic Nature Areas (SNAs) across the South West. These areas are considered to be priorities for maintaining and, or expanding (*through restoration and, or re-creation*) wildlife habitats at a landscape scale.

24. Since 2006 the South West Nature Map has been subject to a local review, which has included a careful assessment of each SNA in Gloucestershire. Between March and August 2007 a suite of revised SNAs were published for consultation with key stakeholders. It is anticipated that the final Nature Map for Gloucestershire, including SNAs will be published in late 2007. (For more details see Joint Technical Evidence Paper (WCS-MCS 5) Ecology)

⁷ Draft RSS, Page 146.

South West Regional Biodiversity Action Plan (BAP)

25. The South West BAP sets out targets to conserve, restore, and create new wildlife habitats and re-establish species populations in the region.

26. Mineral restoration in particular can provide opportunities to create or re-establish wildlife habitats and species populations. Therefore, it is important that the MCS takes account of BAP targets relevant to current and/or potential areas of mineral extraction across Gloucestershire.

27. Detailed information on local biodiversity targets specific to Gloucestershire is found within two Local Biodiversity Action Plans. The first covers the entire county, while the second is a focused plan for the Cotswold Water Park area which spreads across both Gloucestershire and Wiltshire. (For more details see Joint Technical Evidence Paper (WCS-MCS 5) Ecology and Technical Evidence Paper (MCS F) Restoration after minerals.

Biodiversity Action Plan for Gloucestershire

28. The Biodiversity Action Plan for Gloucestershire was launched in April 2000 and is supported by a range of local stakeholders including the County Council as a key partner. It is divided into a series of Habitat and Species Action Plans, which include objectives and targets to conserve and enhance biodiversity across the county.

29. The BAP covers four key Natural Areas (NAs) – Dean Plateau & Wye Valley; Severn and Avon Vales; Cotswolds; and Thames and Avon Vales.

30. Natural Areas (NAs) were first introduced by English Nature⁸ in 1995 as a means of defining areas across the county based on – geological foundation; characteristic landscapes; flora and fauna; and the interaction with land use and human impact. NAs were designed so as to clearly define areas with a ‘sense of place’ by taking account of wildlife and natural features of landscape, alongside the views of the people who live and work with them.

31. The aspiration of NAs is to provide a consistent, ecologically coherent framework to focus national targets to a level that can be used locally. (For more details see Joint Technical Evidence Paper (WCS-MCS 5) Ecology)

Cotswold Water Park Biodiversity Action Plan

32. The Cotswold Water Park Biodiversity Action Plan (1997-2007) seeks to focus resources on the conservation and enhancement of biodiversity over the Water Park area. It is a cross-border BAP, which covers the Gloucestershire and Wiltshire administrative areas of the Water Park. The CWP-BAP is divided into eight Habitat Action Plans and nine Species Action Plans. Similar to the countywide BAP, each Action Plan sets out a number of objectives and targets for

⁸ Now renamed ‘Natural England’.

managing local biodiversity over the plan period.

33. A review of the CWP-BAP is now underway. It is timetabled for completion during 2008.

34. As the County Council is a core partner in both local BAPs, the MCS has a responsibility to take into consideration future biodiversity opportunities borne out of mineral site restoration. This will be of particular relevance for the county’s key mineral resources areas, where the size, scale and intensity of mineral working in the future represents a significant potential for meeting biodiversity targets. (See Joint Technical Evidence Paper (WCS-MCS 5) Ecology).

Gloucestershire Landscape Character Assessment

35. The Gloucestershire Landscape Character Assessment (LCA) comprises of three area reports covering the Forest of Dean, Cotswolds AONB, and the remainder of the county⁹. It provides a comprehensive baseline for the County Council and its planning partners such as the District councils. It also helps direct the management of landscape change to ensure that the pattern, character, and local distinctiveness of Gloucestershire’s landscape is celebrated, protected and enriched. The LCAs main purpose is to – observe; analyse; describe and classify variations and distinctive

⁹ The third Gloucestershire LCA report specifically covers the areas of – Severn Vale; Upper Thames Valley; and the land on the northern fringe of the Cotswolds AONB within the Vale of Moreton and Vale of Evesham.

patterns in the County's landscape. The findings of the LCA indicate that there are 38 different landscape character types in Gloucestershire. According to the third Gloucestershire LCA report, this is an unusually high number given the size of the County. This indicates the wide and varied landscapes present within Gloucestershire.

36. Both the WCS and the MCS need to recognise the findings and considerations of the LCA. For Minerals restoration and the restoration of landfill sites it will be important in terms of supporting potential after uses which will need to take account of the respective LCA character types for different parts of the County and their various management opportunities.

37. For further more detailed information see the link below:

<http://www.goucestershire.gov.uk/index.cfm?articleid=13187>

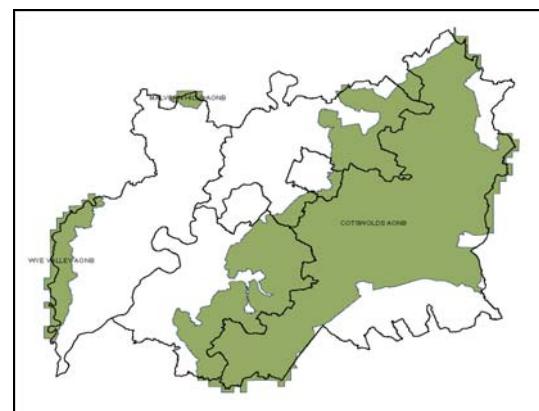
Gloucestershire Structure Plan Second Review (1999)

38. The current adopted version of the Structure Plan is the Second Review, adopted by the County Council on 17th November 1999. The County Structure Plan will continue to inform the preparation of the Local Plans and the new Local Development Frameworks, until such a time that the RSS is formally adopted. This is expected in 2008. However given the relatively minor importance of the Structure Plan policies (given that they are not clearly consistent with PPS7) the policies are not referred to in the body of this report. They can be found in Appendix 1.

AONB Management Plans

39. The three areas of AONB in the County are:

- Cotswolds AONB
<http://www.cotswoldsaonb.com/>
- Wye Valley AONB
<http://www.wyevalleyaonb.org.uk/>
- Malvern Hills AONB
<http://www.malvernhillsaonb.org.uk/>



AONB in Gloucestershire

40. Management plans must be prepared for designated AONBs. This is a statutory requirement under the Countryside and Rights of Way Act 2000. The purpose of these plans is to highlight the special qualities of each designation and present an integrated vision for their future. The plans must also set out specific objectives and policies to help secure the vision and identify their delivery mechanism.

41. AONB Management Plans are likely to play a significant role in the county given that (as

has been mentioned) just over 50% of Gloucestershire is designated as AONB. All of the AONBs in Gloucestershire have adopted Management Plans¹⁰.

42. In terms of mineral working and restoration, the AONB Management plans recognise the potential opportunity of this activity for enhancement. Through various strategies and plan policies, each AONB plan supports the restoration of sites, which demonstrates high-quality practice and takes into account – landscape character; biodiversity; nature conservation and sustainable tourism. Particular attention is also paid to specific Biodiversity Action Plan targets identified within each AONB area.

Section 4

Waste Policy Requirements

Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10) (July, 2005)

43. Specifically, on landscape matters PPS10 states:
“Good design and layout in new development can help to secure opportunities for sustainable waste management, including for kerbside collection and community recycling as well as for larger waste facilities. Planning authorities should ensure that new development

¹⁰ The Cotswold AONB, Wye Valley AONB, and Malvern Hills AONB Management Plans were adopted in 2004 and sought to plan for the five-year period to 2009. Each plan is currently under review with a proposed publication date of 2008.

*makes sufficient provision for waste management and promote designs and layouts that secure the integration of waste management facilities without adverse impact on the street scene or, in less developed areas, the local landscape”.*¹¹

44. It further states:
*“Considerations [in terms of the suitability of sites and areas for waste management] will include (i) the setting of the proposed location and the potential for design-led solutions to produce acceptable development; (ii) the need to protect landscapes of national importance (National Parks, Areas of Outstanding Natural Beauty and Heritage Coasts).”*¹²

45. In terms of the general protection of the environment, one of the key planning objectives is to *“help secure the recovery or disposal of waste without endangering human health and without harming the environment...”*¹³

Planning Policy Statement 10: Planning for Sustainable Waste Management Companion Guide (2006)

46. In relation to the important task of addressing capacity gaps for various waste streams, this guidance states:
“In some areas, there are constraints on the development of waste management facilities that should be taken into account in the annual rates of wastes to be managed. For example,

¹¹ PPS10, Paragraph 35 under the heading ‘Good Design’.

¹² PPS10, Annex E, C – Visual Intrusion.

¹³ PPS10, Paragraph 3.

development opportunities in a particular WPA could be heavily constrained by national landscape or nature conservation designations.”¹⁴

47. In the Companion Guide there is only mention of AONBs, in relation to EIA requirements.

Draft Regional Spatial Strategy (RSS) Waste Policies

48. The Draft RSS states that “*Managing waste is one of the greatest challenges facing the region over the period of the RSS.*”¹⁵ In terms of aspirations and requirements to consider and protect landscapes, the supporting text of Policy W1 Provision of Waste Sites reads:

“The provision of waste facilities should generally avoid protected landscapes such as National Parks and Areas of Outstanding Natural Beauty...”¹⁶

Gloucestershire Waste Local Plan Policy 26 - Areas of Outstanding Natural Beauty

49. This policy states:

“Proposals for waste development within Areas of Outstanding Natural Beauty, and/or adversely affecting the natural beauty of their landscape setting, will only be permitted where:

- it can be demonstrated to be the best practicable environmental option; and*
- there is a lack of alternative sites; and*
- there is a proven national interest; and*

¹⁴ PPS10 Companion Guide, Paragraph 6.49.

¹⁵ Draft RSS, Page 165, Paragraph 7.4.1.

¹⁶ Draft RSS, Page 166, Paragraph 7.4.8.

• the impact on the special features of the AONB can be mitigated.”¹⁷

50. The supporting text states:

“Areas of Outstanding Natural Beauty are statutorily designated areas, which have national status. Gloucestershire’s landscape is affected by 3 AONB designations, the Cotswolds, the Wye Valley and the Malvern Hills. The primary objective of AONB designation is the conservation of the natural beauty of landscape.

Proposals for waste development in AONB will need to demonstrate BPEO and will undergo rigorous examination as will proposals for waste development outside AONB which could adversely affect the setting of these designated areas.”¹⁸

51. The reference to BPEO within this policy is no longer consistent with Government policy in PPS10 and thus amendments will be necessary in the WCS.

Gloucestershire Waste Local Plan Policy 27 - Special Landscape Areas

52. This policy states:

“Proposals for waste development in special landscape areas will only be permitted where the impact on the special features of the landscape can be mitigated.”¹⁹

53. The supporting text reads:

¹⁷ Gloucestershire Waste Local Plan, Page 116.

¹⁸ Gloucestershire Waste Local Plan, Paragraphs 5.103 – 5.104.

¹⁹ Gloucestershire Waste Local Plan, Page 116.

“Areas of distinctive local landscape character, requiring a degree of protection, can be given the non-statutory designation of Special Landscape Area (SLA). Proposals for waste development even on a limited scale can have a significant detrimental visual impact on the landscape, not just from the plant, but from the transport routes. The impact of these proposals on the specific features and qualities that justified the designation of the SLA will be given full consideration in the decision making process.”²⁰

54. Both the Minerals and Waste Local Plans have been automatically saved for a period of at least 3 years from 2004. However, beyond 2007 only some of their policies and proposals may be saved for a longer period – by Secretary of State decision. The County Council has submitted a schedule of policies it wishes to further save and has had the direction on the minerals policies. The direction on waste policies are expected imminently. Decisions on planning applications will be based on MLP and WLP ‘saved’ policies until new Development Plan Documents (DPDs) are in place.

Gloucestershire Structure Plan Second Review (1999) Policy WM.2

55. See Appendix 1. for the details of this policy.

Waste Core Strategy (WCS) Issues & Options

²⁰ Gloucestershire Structure Plan Second Review (1999), Page 117, Paragraph 5.105.

56. For more detailed information on this section, see Evidence Report Stakeholder Responses to the Issues & Options Papers. The main WCS Issues and Options consultation started during the week of the 17th July 2006 and was timetabled for an 8-week period to 15th September 2006. However, to enable additional representations to be made, the period was extended to the end of the year (2006). This was not a strict deadline, and any responses received after this date, were also considered during the preparation of the WCS.

57. The WCS Issues & Options Papers presented 12 Key Issues. Issue W10 was: *“Policies for dealing with proposals for new waste management facilities in other nationally designated areas”*

58. An amended AONB policy was presented as follows:

“Proposals for waste development within areas of outstanding natural beauty will only be permitted where:

- There is a lack of alternative sites outside of the AONB to serve that market need; and*
- The impact on the special features of the AONB (including the landscape setting and recreational opportunities) can be mitigated.*

In the case of major development proposed in the AONB a proven national interest needs to be demonstrated. Approval will only be granted in exceptional circumstances following the most rigorous examination.”²¹

²¹ WCS Issues & Options Paper Part B, (July 2006), Page 71.

59. The standard questions relating to this issue were:

(10.1) *Do you agree with the suggested wording for the policies on: 1. Nature conservation, 2. Water environment, 3. Landscape, 4. Archaeology?*

(10.2) *If you answered no – please provide additional comments.*

(10.3) *Are there any other designations that you think should be included as being strategic environmental assets?*

60. On Question 10.1 - 47% of respondents provided a response to this question. Overall the results indicate that the policy wording for Archaeology is the most agreeable.

61. On Question 10.2 - A small number of respondents provided additional comments.

62. On Question 10.3 - A small number of respondents responded.

63. The following is a summary of the written comments on landscape designations:

- AONB covers a large area. Sewage treatment/pumping facilities are required close to development creating the waste due to hydraulic/network demand/capabilities. It may not always be feasible/sustainable to avoid development in the AONB for such types of waste facility.²²*

- It is suggested that the AONB policy is amended as follows:*

²² Comments from Severn Trent Water Ltd.

Proposals for waste development within or affecting the setting of areas of outstanding natural beauty will only be permitted where:

- There are no alternative sites not affecting the AONB to serve that market need; &*
- The impact on the special qualities of the AONB (including the landscape setting and recreational opportunities) can be successfully mitigated.*

The Board considers that the last paragraph simply paraphrases national policy set out in PPS 7.²³

- AONB needs more flexibility to allow small scale facilities to meet local demand.²⁴*

- I think the suggested wording for the policy should follow national guidance in all cases.²⁵*

- Landscape - Does not have an adverse impact. Criteria 1²⁶ has to be proven.²⁷*

- On Landscape, we broadly agree with the Cotswolds Conservation Boards enhancement of Policy 26, with minor alterations including the reinstatement of the final deleted paragraph: Proposals for waste development within or affecting the setting of areas of outstanding natural beauty will only be permitted where: There are no alternative sites outside of the AONB to serve that market need; & The impact on the special qualities of the AONB (including*

²³ Comments from Cotswolds Conservation Board.

²⁴ Comments from Gloucester City Council.

²⁵ Comments from Grundon Waste Management.

²⁶ Criteria 1 of the proposed policy which is 'There is a lack of alternative sites outside of the AONB to serve that market need.'

²⁷ Comments from Cheltenham Borough Council – Strategic Land-Use Team.

the landscape setting and recreational opportunities) can be successfully mitigated. In the case of major development proposed in the AONB a proven national interest needs to be demonstrated. Approval will only be granted in exceptional circumstances following the most rigorous examination.

64. [The following representation included lengthy general comments on AONB in Gloucestershire, comments on 'strategy' and a suggested AONB Policy as follows]:

Sustainability objectives will inform the determination of proposals for waste management development within Areas of Outstanding Natural Beauty, where a very important objective is to preserve and enhance the landscape. Permission may be granted where it can be shown that the proposal is in accordance with the following:

- The proposed development forms part of a network of facilities for the sustainable treatment of locally arising wastes, appropriate in scale and activity;*
- It would cause no undue or unacceptable harm to the landscape or the environment, either through its location, or mitigation to a high standard.*
- It would offer defined benefits to the community in the AONB, the land and landscape (including through integrated farm diversification), or contribute to local sustainable activity.*
- It would not unacceptably increase traffic impact.*

In the case of major development proposed in the AONB a proven national interest needs to be demonstrated which can be evaluated as

outweighing any impacts resulting from the development.²⁸

Sustainability Appraisal (SA) Results

65. A comprehensive SA report accompanied the WCS Issues & Options Papers when they went out to consultation in 2006. The two options (under Issue 10) that were tested against the 15 Sustainability Appraisal Objectives were as follows:

Option 1: (Business as Usual) Rolling forward current policies.

Option 2: Amending and adding to currently saved policies.

66. The Business as usual approach was not found to be significantly detrimental or unsustainable, but Option 2 was favoured. There were no negative effects envisaged and 'Major positive' scores were registered in terms of SA Objectives 9, 10 and 11. For more detail see the Waste Core Strategy Issues & Options Sustainability Appraisal Report at:

<http://www.goucestershire.gov.uk/index.cfm?articleid=13349>

Policy Options

Special Landscape Areas (SPA)

67. It is likely that the Waste Core Strategy will only include a policy context for proposals affecting national landscapes. However the

²⁸ Comments from Gill Pawson Planning.

following policy suggestions may be appropriate in a subsequent Development Control Policies DPD. A policy replacing WLP Policy 27 – Special Landscape Areas could read as follows:

68. “Proposals for waste development affecting valued landscapes that are not Nationally designated, will only be permitted if the impacts on the landscape can be successfully mitigated. Impacts will be assessed in terms of any detriment to the particular qualities and character of the landscape as detailed in Gloucestershire’s Landscape Character Assessment.

69. For landfill operations – any mitigation measures and restoration and enhancement opportunities should be sensitive to local landscape character as detailed in Gloucestershire’s Landscape Character Assessment.”

Reasoning:

70. WLP Policy 27 is proposed to be replaced²⁹ because it no longer accords with Government policy in PPS7 which states that:

“The Government recognises and accepts that there are areas of landscape outside nationally designated areas that are particularly highly valued locally. The Government believes that carefully drafted, criteria-based policies in LDDs, utilising tools such as landscape character assessment, should provide sufficient protection for these areas, without the need for rigid local designations that may unduly restrict

²⁹ Gloucestershire County Council did not request that the Secretary of State (SoS) save this policy and (subject to SoS Direction) it will be deleted from the Development Plan.

acceptable, sustainable development and the economic activity that underpins the vitality of rural areas.”

71. The wording “*valued landscapes that are not Nationally designated*” refers to all areas that were formerly SLAs as well as to Local Nature Reserves, Wildlife Corridors etc. Effectively these are valuable regional and local landscapes whose value and distinctiveness will be outlined in Gloucestershire’s Landscape Character Assessment.

72. (Note: see the link below for further information on Landscape Character Assessment in Gloucestershire)

<http://www.goucestershire.gov.uk/index.cfm?articleid=13187>

73. The wording: “*...will only be permitted if any detrimental impacts to the landscape can be successfully mitigated*” is a reflection of the current wording in WLP Policy 27.

74. The reference to Gloucestershire’s Landscape Character Assessment is justified in terms of the reference in PPS7 to “*...utilising tools such as landscape character assessment...*” and Draft RSS Policy ENV2 which states: “*The distinctive qualities and features of the South West’s landscape character areas will be sustained and enhanced...*”

75. For Landfill sites, the wording: “*mitigation measures and restoration and enhancement opportunities*” broadly* reflects RSS Policy SD3 “*...taking a holistic approach based on landscape or ecosystem scale planning...*” and the aspirations of RSS Policies SD3, ENV2,

South West Nature Map, Gloucestershire Nature Map and PPS9.

76. Further landscape, wildlife habitat and biodiversity enhancements and contributions to targets may be possible through further detailed policy in the Development Control Policies DPD, which is due to commence production early in 2009.

77. Alternatively an option within the DC Policies DPD could include regionally and locally important landscapes within a list of other areas requiring protection.

78. Such a policy, very similar in structure to an existing MLP policy could read:

“Proposals for waste development which are likely to have a significant adverse effect on the following must, where appropriate, make provision to safeguard or satisfactorily mitigate those impacts and, where possible, enhance their attributes in the long-term:

1. Regionally and Locally Important Landscapes as defined in Gloucestershire’s Landscape Character Assessment;
2. Local Nature Reserves;
3. Key Wildlife Sites;
4. Wildlife corridors;
5. Regionally Important Geological/Geomorphological Sites (RIGS);
6. Ancient Semi Natural Woodland;
7. Locally Important Archaeological Sites and Settings, and other features of the historic environment;
8. Locally Important Parks & Gardens

Reasoning:

79. It may be that this is an appropriate approach which potentially combines a number of policies into one which is more focused and succinct. The list of regionally and locally important considerations could be added to and amended as necessary.

Areas of Outstanding Natural Beauty (AONB)

80. **Option A:** (A combination of the proposed Issues & Options policy and stakeholder recommendations)

“Proposals for waste development within or affecting the setting of areas of outstanding natural beauty will only be permitted where:

-There is a lack of alternative sites not affecting the AONB to serve that market need; and
-The impact on the special qualities of the AONB (including the landscape setting and recreational opportunities) can be successfully mitigated.

In the case of major development proposed in the AONB a proven national interest needs to be demonstrated. Approval will only be granted in exceptional circumstances following the most rigorous examination.”

Reasoning:

81. This policy option is similar to the proposed wording presented in the WCS Issues & Options papers. It closely follows national guidance and also incorporates some wording suggested by stakeholders.

82. The phrase “...or affecting the setting of” was suggested by stakeholders. This element is covered later in the policy through use of the phrase “...including the landscape setting” but stakeholders clearly considered that this is a matter that should be emphasised.

83. A number of stakeholders suggested that the policy should state that proposals will only be permitted if there are “no alternative sites” rather than “a lack of alternative sites” not affecting the AONB. This ‘no alternative sites’ approach has not been incorporated as it is considered to be inflexible and not realistic in terms of the waste management situation in Gloucestershire and the needs of communities in AONBs.

84. The wording “...successfully mitigated” as opposed to just “mitigated” has been included, as suggested by some stakeholders.

85. **Option B:** (Following National Guidance in PPS7)

86. This option is to follow national guidance on AONBs in PPS7 and not to have a WCS policy as such. In terms of the supporting text, it is proposed to highlight important issues for the three AONBs in Gloucestershire – Cotswold, Wye Valley and Malvern Hills, referencing key and relevant sections of Management Plans.

Reasoning:

87. National guidance is clear and comprehensive, and there may be limited value in having a local policy which just repeats national guidance apart from a few minor wording variations. Option 1 differs from Option 2 in that it gives a spatial context to AONBs in

Gloucestershire following input from stakeholders.

88. AONB Boards are fully aware of the important issues in their particular areas. AONB Management Plans are statutory documents (under the Countryside and Rights of Way Act) and textual references to them in the WCS may help to reflect the key issues that are unique to particular areas of Gloucestershire.

Section 5

Minerals Policy Requirements

Minerals Planning Statement 1: Planning for Minerals (MPS1)

89. One of the Government’s National Objectives for Minerals Planning is:

“to protect internationally and nationally designated areas of landscape value and nature conservation importance from minerals development, other than in the exceptional circumstances detailed in paragraph 14 of this statement”³⁰

90. Paragraph 14 is key in terms of guidance on protecting valued landscape, and it states that MPAs should:

“...not permit major mineral developments in National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites except in exceptional circumstances. Because of the serious impact that major mineral developments may have on these areas

³⁰ MPS1, Page 5.

of natural beauty, and taking account of the recreational opportunities that they provide, applications for these developments should be subject to the most rigorous examination.

Major mineral development proposals should be demonstrated to be in the public interest before being allowed to proceed. Consideration of such applications should therefore include an assessment of:

- i. the need for the development, including in terms of national considerations of mineral supply and the impact of permitting it, or refusing it, upon the local economy;*
- ii. the cost of, and scope for making available an alternative supply from outside the designated area, or meeting the need for it in some other way;*
- iii. any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated.*

Planning authorities should ensure that for any planning permission granted for major mineral development in these designated areas, the development and all restoration should be carried out to high environmental standards, through the application of appropriate conditions, where necessary, and be in character with the local landscape and its natural features.

Proposals in these areas which are not considered to be major mineral developments should be carefully assessed, with great weight being given in decisions to the conservation of the natural beauty of the landscape and countryside, the conservation of wildlife and the cultural heritage and the need to avoid adverse impacts on recreational opportunities.”

91. In relation to landscape protection, Paragraph 14 further states that MPAs should:

“...not permit mineral proposals that would result in the loss or deterioration of ancient woodland, not otherwise statutorily protected, unless the need for, and benefits of, the development in that location outweigh the loss of the woodland habitat;

take account of the value of the wider countryside and landscape, including opportunities for recreation, including quiet recreation, and as far as practicable maintain access to land. Minimise the impact of minerals operations on its quality and character and consider the cumulative effects of local developments;

have regard to the positive or negative effects that minerals operations may have on rural communities and the extent to which adverse impacts of such operations could be moderated, but recognise that such developments can often also offer opportunities for these communities especially at the restoration stage.”

Minerals Planning Statement 1: Planning for Minerals (MPS1) Practice Guide

92. The principal impacts of mineral working, and the environments on which they may have an effect, are considered to be:

“Noise , dust/air quality, blasting/vibration/fly rock, mineral waste, visual intrusion into the local setting and the wider landscape, archaeological and heritage features, traffic groundwater, surface water, land instability,

*landscape character, internationally or nationally designated, protected or sensitive species and plant and wildlife habitats, nationally protected geological and geomorphological features.*³¹

Draft Regional Spatial Strategy (RSS) Minerals Policies

93. Supporting text of the Minerals section of the Draft RSS states:

“The relationship between mineral extraction and the environment is sensitive, as the impact of quarrying can lead to serious adverse effects on landscape, habitats and amenity. However the restoration and aftercare of sites presents opportunities for significant biodiversity, geodiversity and amenity gains.”³²

“MPAs, mineral operators and other agencies should take account of the following and cooperate to: Avoid workings/extraction in or affecting international/national environmental designations except in exceptional circumstances where it can be demonstrated that the mineral cannot be sourced from another location outside of designated areas.”³³

Gloucestershire Minerals Local Plan Policy

94. The MLP contains an ‘Environmental Constraints Hierarchy’ which recognises the appropriate degree of protection which is

³¹ MPS1 Companion Guide, Pages 13 & 14, Paragraph 46, emphasis added.

³² Draft RSS, Page 161, Paragraph 7.3.23.

³³ Draft RSS, Page 162, Paragraph 7.3.25.

afforded to a range of environmental assets. AONB is No.1 in the list of Primary constraints.³⁴

95. Policy E2 states:

“Mineral development within Areas of Outstanding Natural Beauty will only be permitted in exceptional circumstances. Proposals will need to demonstrate that the following criteria can be met:

1. *there is an overriding national need for the minerals,*
2. *it is in the public interest*
3. *it does not adversely affect the local economy*
4. *there are no less environmentally constrained alternative sources of supply which could be developed at reasonable cost,*
5. *it can be shown that any adverse visual and landscape impacts of the development can be mitigated by the imposition of conditions and/or through planning obligations, and*
6. *that landscapes can be restored and where possible enhanced in the longer term.”³⁵*

96. The supporting text³⁶ also relates to specific issues of mineral working in the AONB, such as aggregate working and building stone.

Policy E8 states:

“Proposals for minerals development which are likely to have a significant adverse effect on the

³⁴ Gloucestershire Minerals Local Plan, Page 18.

³⁵ Gloucestershire Minerals Local Plan, Page 20.

³⁶ Gloucestershire Minerals Local Plan, Page 20. Paragraph 2.2.7.

following locally and regionally important areas must, where appropriate, make provision to safeguard or satisfactorily mitigate those impacts and, where possible, enhance their attributes in the long-term:

1. Special Landscape Areas;
2. Local Nature Reserves;
3. Key Wildlife Sites;
4. Wildlife corridors;
5. Regionally Important Geological/Geomorphological Sites (RIGS);
6. Ancient Semi Natural Woodland;
7. Locally Important Archaeological Sites and Settings, and other features of the historic environment;
8. Locally Important Parks & Gardens.³⁷

Gloucestershire Structure Plan Second Review (1999) Policy M.3

97. For the details of this policy and the supporting text see Appendix 1.

Minerals Core Strategy (MCS) Issues & Options

98. For more detailed information on this section, see the Minerals Core Strategy Issues & Options Consultation Response Report / Full Representations Report available at:

<http://www.goucestershire.gov.uk/index.cfm?articleid=14094>

99. The main MCS Issues and Options consultation started during the week of the 22nd

³⁷ Gloucestershire Minerals Local Plan, Page 24.
Note: this policy is saved through Secretary of State Direction.

September 2006 and was timetabled for an 8-week period to 17th November 2006. However, to enable additional representations to be made, the period was extended to the end of the year. As part of ongoing continuing stakeholder engagement any responses received after this date, were also considered.

100. The MCS Issues & Options Papers presented 13 Key Issues. Issue M5 was: “*Meeting Objective 3 – protecting where possible the natural, historic and cultural assets of Gloucestershire.*”

Standard response form results

101. Most respondents to question 5a opted to apply the same environmental constraints hierarchy as set out in the existing Minerals Local Plan. However, a number of respondents also advised that the hierarchy would benefit from a review to take account of changing circumstances and legislation.

Written comments on protecting Gloucestershire's assets

102. *The hierarchy should comply with revised government policy (e.g. PPS9 and Circular 06/2005). This may result in removing international environmental designations from future policy. The existing legal framework already protects these sufficiently.*

103. *Greater emphasis should be paid to the Protection of UK Biodiversity Action Plan habitats and species. Reference should also be made to regional significance and special status of the landscape for the Forest of Dean.*

104. *An overhaul of the wording and designation tests within the hierarchy may prove necessary. However, the principle of*

the hierarchy should remain.

General comments on protecting Gloucestershire's assets

105. Environmental Impact Assessment (EIA) should be the foundation of any acceptability test for future mineral working. This should be carried out on a site-by-site basis.

106. Due consideration should be given to the temporary nature of mineral operations and the relative scale of the development proposed. It is also noted that the mineral potential of many sites can be directly related to the degree of protection afforded to it by a designation.

107. Appropriate thought must also be given to the potential for enhancement by mineral working, particularly for creating additional habitats and for supporting sites of scientific interest.

108. A rethink of environment protection would prove beneficial, with local considerations being of sufficient strength to ensure protection without the need for national constraints.

109. In terms of comments on Provision for Mineral Resources, the following landscape related representation was made:

110. Quarrying in AONBs is only acceptable under exceptional circumstances. Seeking to rigidly meet the local apportionment for Gloucestershire does not represent an exceptional need. Furthermore, other more sustainable sources exist in neighbouring Counties.

Sustainability Appraisal (SA) Results

111. A comprehensive SA report accompanied the MCS Issues & Options Papers when they went out to consultation. The two options (under Issue M5) that were tested against the 15 Sustainability Appraisal Objectives were as follows:

112. Option 1: Business as usual: Retain environmental constraints hierarchy as a basis for protecting the environment from mineral development.

113. The sustainability summary was as follows:

"The environmental constraints hierarchy in the current Minerals Local Plan seeks to strike a balance between "...the need for the mineral and the environmental impact of mineral development." In the test against the SA Objectives there are major positive scores in terms of the objectives that seek to protect and enhance the environment, including the historic environment - (as clearly the above list is very comprehensive). There are uncertainties in terms of providing employment opportunities, reducing the adverse impacts of lorry traffic and the objective to reduce waste to landfill. Against other the SA Objectives scores are neutral or positive."

114. Option 2: Review the environmental constraints hierarchy in the context of the Regional Spatial Strategy and new government guidance.

115. Following the test of the option, the sustainability summary was as follows:
"In terms of new legislation and national planning policy the MCS is not charged with

reviewing development control policies for all environmental designations, but just those of International & National significance – those sites that are now protected by law under the Habitats Regulations and PPS 9 states that “Since they enjoy statutory protection policies in respect of these sites should not be included in local development documents.” The scores for this option are very similar to those for Issue 5 Option 1 – environmental protection of the most important sites is not diminished. Thus there are major positive scores in terms of the objectives that seek to protect and enhance the environment. There are uncertainties in terms of providing employment opportunities, reducing the adverse impacts of lorry traffic and the objective to reduce waste to landfill. Against the other SA Objectives score are neutral or positive.”

116. For further details and the specifics of the scores given see the Minerals Core Strategy Issues & Options Sustainability Appraisal Report at:

<http://www.goucestershire.gov.uk/index.cfm?articleid=14094>

Policy Options

Special Landscape Areas (SLA)

117. The proposed policy option is as follows:

“Proposals for minerals development which are likely to have a significant adverse effect on the following locally and regionally important areas must, where appropriate, make provision to safeguard or satisfactorily mitigate those impacts and, where possible, enhance their attributes in the long-term:

1. Regionally and Locally Important Landscapes as defined in Gloucestershire's Landscape Character Assessment;
2. Local Nature Reserves;
3. Key Wildlife Sites;
4. Wildlife corridors;
5. Regionally Important Geological/Geomorphological Sites (RIGS);
6. Ancient Semi Natural Woodland;
7. Locally Important Archaeological Sites and Settings, and other features of the historic environment;
8. Locally Important Parks & Gardens.”

118. This policy is substantially the same as MLP Policy E8, but Special Landscape Area has been changed to ‘Regionally and Locally Important Landscapes as defined in Gloucestershire's Landscape Character Assessment.’

119. This will also mean a change to the Environmental Constraints Hierarchy, again, replacing Special Landscape Area with ‘Regionally and Locally Important Landscapes as defined in Gloucestershire's Landscape Character Assessment.’

Reasoning:

120. PP7 makes clear that: “...areas of landscape outside nationally designated areas that are particularly highly valued locally. The Government believes that carefully drafted, criteria-based policies in LDDs, utilising tools such as landscape character assessment, should provide sufficient protection for these areas, without the need for rigid local designations that may unduly restrict acceptable, sustainable development and the

economic activity that underpins the vitality of rural areas.

“Local landscape designations should only be maintained or, exceptionally, extended where it can be clearly shown that the criteria based planning policies cannot provide the necessary protection.”

Areas of Outstanding Natural Beauty (AONB)

121. The only option proposed is to roll forward the MLP AONB policy into the WCS and keep the AONB references in the Environmental Constraints Hierarchy.

Reasoning:

122. Government policy has changed with the publication of MPS1 but it has not changed sufficiently to warrant a change to the MLP policy which is robust and comprehensive. Also no proposed changes are envisaged to the Environmental Constraints Hierarchy (other than the Special Landscape Area change).

123. Most stakeholders who responded to the Issues & Options consultation and to other opportunities to comment on the MCS have not indicated that a change is needed in respect of the policy on AONB.

124. Other policy options have not been suggested given that:

- The Minerals Local Plan has only fairly recently been adopted;
- Indications from the Issues & Options consultation and from various forum events there does not appear to be a significant desire

amongst stakeholders for alterations in this policy area;

- Government guidance has not altered significantly in terms of mineral working in AONBs;
- There is limited scope to suggest options that are both realistic and deliverable and in conformity with Government guidance.

Section 6

Overall Conclusion

125. This report has provided background information on the special character of Gloucestershire's landscape. It has also considered changes in National and Regional Policy with respect to landscape and AONB and the way in which this will impact on mineral working and waste management in Gloucestershire.

126. It has also recommend policy options in relation to landscape and AONB to be included in the emerging MCS and WCS.

Appendix 1. Gloucestershire Structure Plan Second Review (1999) Relevant Policies

Policy NHE.4: Areas of Outstanding Natural Beauty

This policy states:

"In Areas of Outstanding Natural Beauty the conservation and enhancement of the natural beauty will be given priority over other considerations. Regard will also be had to the economic and social well-being of the AONB. Provision should not be made for major development within the AONB unless it is in the national interest and the lack of alternative sites justifies an exception."

The supporting text states:

"Over half of Gloucestershire has Area of Outstanding Natural Beauty (AONB) status. This comprises a substantial part of the Cotswolds to the east of the County, and also parts of the Wye Valley and the Malvern Hills AONBs.

PPG.7 advises that the primary purpose of AONB designation is to conserve and enhance the natural beauty of the landscape. In pursuing this, account should be taken of the needs of agriculture, forestry, other rural industries and of the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment.

The definition of 'major development' is affected by issues such as location, scale, context and design. 'Major' cannot be quantified or determined at the strategic level in this context. However, potential impact can be judged against the local characteristics of a particular proposed site through the local plan process, thereby allowing for the local interpretation of 'major' and so ensuring the retention of qualities of local distinctiveness within the AONB.

Recreation is not an objective of AONB designation, but the demand for recreation should be met so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other land uses. The Joint Advisory Committees for each of the three AONBs in Gloucestershire have developed management strategies (planning policy guidelines) which aim to reconcile the needs of people living in and visiting the AONBs with the need to conserve the natural beauty of these areas.³⁸

Policy NHE.5: Special Landscape Areas

The policy states:

"Provision should not be made for development that would detract from the particular landscape qualities and character of Special Landscape Areas. The broad locations of Special Landscape Areas are as follows:

- (a) the north eastern and north western fringes of the Cotswolds;
- (b) on the southern fringes of the Cotswolds near Cirencester, Tetbury and Fairford;
- (c) the upland western and southern parts of the Forest of Dean District;
- (d) between Gloucester urban area and the Cotswolds, including Robinswood Hill;
- (e) Chosen Hill in Churchdown.

The precise boundaries of, and additions to, the Special Landscape Areas will be identified in local plans.³⁹

The supporting text states:

"Special Landscape Areas (SLAs) are areas that are not designated as AONB but are of comparable high quality and require special attention in the implementation of planning policy. Identifiable physical features should define their boundaries such as:

- i) breaks of slope and any important foreground setting to a change in slope and or;
- ii) change of landscape character.

³⁸ Gloucestershire Structure Plan Second Review (1999), Pages 129-130.

³⁹ Ibid, Page 131.

SLAs were proposed in each of the earlier Structure Plans. The local landscape designation 'Area of Great Landscape Value' (AGLV) was the precursor to both Areas of Outstanding Natural Beauty (AONBs) and Special Landscape Areas (SLAs). Much SLA designation relates to margins of the AONB.

SLAs in Gloucestershire were therefore reviewed as a consequence of the Cotswold AONB Boundary Review in 1990. When the AONB boundaries were re-drawn as an outcome of this review, some of the fragmented pockets of AGLVs which had been excluded by the AONB designation review were designated SLAs. SLAs remain areas of considerable, if more localised, importance in the landscape, being areas of discernible local character. This is reflected in both the strategic and local plan strategies. The County Council consider it appropriate for precise boundaries to be defined at the District level. District Councils, in consultation with the County Council, may designate new SLAs within the Structure Plan period.

PPG.7 states that local countryside designations carry less weight than national designations and development plans should not apply the same policies to them. SLAs should not be used to restrict development without identifying the particular features to be protected and enhanced, as other policies within the Plan should safeguard the open countryside. As the approach of defining and interpreting the whole of Gloucestershire's character emerges, the County's SLAs, together with other local and national landscape designations, will form important components in the identification of natural areas, wildlife corridors and habitat blocks, providing important natural resources for both people and wildlife.⁴⁰

Policy WM.2: Integrated Waste Management Facilities

This policy states:

"Primary* waste management facilities should be located near to major concentrations of waste arisings, principally the Cheltenham /Gloucester urban area, the Forest of Dean and the Stroud/Cirencester areas. Secondary facilities should be appropriately located in other parts of the County to serve the primary facilities. The following considerations will apply:

- (a) how proposals contribute towards an integrated waste management system and the provisions of the development plan;
- (b) the transportation of waste must use a method that has the least environmental impact, including alternatives to road transport, unless shown to be impracticable or not economically feasible;
- (c) the amenity of local communities and access to the countryside is safeguarded and where possible enhanced;
- (d) that reclamation and aftercare of the site are to an acceptable standard;
- (e) there is no adverse impact on internationally, nationally, regionally and locally important areas of landscape, nature conservation, and archaeological interest; and
- (f) there is no adverse impact on important natural resources including agricultural land and the water-based environment."⁴¹

* A primary waste management facility is a major site such as a centralised landfill or Energy from Waste (EfW) facility, whilst a secondary facility is one which serves a primary site - a waste transfer station, for example.

The supporting text states:

"In keeping with the provisions of the proximity principle, primary waste management facilities should be sited close to the major sources of waste. These are the main urban areas in the County. Rural areas should have a network of secondary facilities to enable the onward progression of waste to the primary facilities. The establishment of such an integrated network of waste management facilities within the County is consistent with the principles of sustainable waste management.

Waste development carries clear potential for harm to local amenities and interests of acknowledged importance. Mitigation measures should include locational considerations, the control of pollution, protection of water resources, and measures to control site operations in respect of noise, odour, dust, visual impact and so on. Potential after-effects of waste management development can be ameliorated by careful restoration and aftercare. Operating regimes and restoration of landfill/landraise sites should be to the highest standard in order to minimise the various potential impacts of the development, and restoration proposals should be in keeping with the landscape of the area. Aftercare,

⁴⁰ Ibid, Pages 131 to 132, Paragraphs 14.2.24 to 14.2.27.

⁴¹ Ibid, Page 114.

*where appropriate, should be for at least 5 years following restoration. Suitable afteruse of the site will depend upon material considerations including the characteristics of the wastes dealt with and site location. Ensuring that the restoration scheme is appropriate for the intended afteruse will require early consideration during preparation of the development proposal.*⁴²

Gloucestershire Structure Plan Second Review (1999) Policy WM.2

This policy states:

"In making provision for the supply of minerals, and taking into account national and regional guidance, the appropriate degree of protection must be afforded to:

- (a) Internationally, nationally, regionally and locally important areas of landscape, nature conservation, archaeological interest; and*
- (b) Important natural resources including agricultural land and the water-based environment."*⁴³

In relation to AONB, the supporting text states:

"Proposals for mineral development in other, nationally designated areas, for example, in AONBs that cover a significant area of Gloucestershire, will require rigorous examination.

*In this respect MPG.6 advises that the consideration of proposals in AONBs should include an assessment of the national need for the development, of its impact on the local economy, of whether need can be met in other ways, and of any detrimental effects on the environment and landscape. However, it also states that major developments should not take place in AONBs save in exceptional circumstances, and that mineral developments should be demonstrated to be in the public interest before being allowed to proceed."*⁴⁴

⁴² Ibid, Pages 114 and 115, Paragraphs 12.5.2 and 12.5.3.

⁴³ Ibid, Page 99.

⁴⁴ Ibid, Page 100, Paragraph 11.3.6.



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