

4 PLANNING POLICY CONTEXT

4.1 Introduction

- 4.1.1 This section of the Environmental Statement provides an overview of the planning policy framework against which a planning application on the site will be assessed. It is important to note that the applicant's planning consultant (CPA) has already examined the planning policy framework and the evolution of the application proposals has therefore been informed by the relevant policy considerations. It is however considered appropriate to provide an overview of the key policy considerations within the context of the Environmental Statement.

4.2 National Policy

Planning Policy Statement 1 (PPS1) Delivering Sustainable Development (February 2005):

- 4.2.1 PPS1 identifies the Government's objectives for the creation of sustainable communities and the delivery of the aims set out in the Sustainable Communities Plan (2003). PPS1 highlights the importance of new development proposals taking a holistic approach to ensure that all relevant considerations are addressed with an emphasis on sustainability and community involvement. The Government places great emphasis on the importance of pre-application discussions between applicants and LPAs, with particular focus on the need for consistency in advice provided and in the decision making process.

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

- 4.2.2 PPS7 sets out the Government's aspirations in relation to sustainable development in Rural England and represents the most up to date planning policy guidance relating to planning in rural areas. In relation to tourism and leisure development, Paragraph 34 supports the concept of sustainable rural tourism and leisure developments that benefit rural communities and visitors and which utilise and enrich but do not harm the character of the countryside.
- 4.2.3 In specific relation to tourist accommodation, development proposals should seek to ensure that they are not prominent in the landscape and that any visual intrusion is minimised by effective high quality screening.
- 4.2.4 In addition, Paragraph 32 highlights the importance of public rights of way as recreational facilities, and encourages the use of opportunities to provide better facilities for walkers, cyclists and horse riders.

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

- 4.2.5 PPS9 sets out the Government's vision for conserving and enhancing biological diversity. The Government is concerned that biodiversity is conserved and enhanced as an integral part of economic, social and environmental development. Open spaces in urban areas that are used by wildlife and valued by people are recognised to contribute towards a better quality of life and sense of well-being for those who live and work in urban areas.

Planning Policy Guidance Note 13, Transport (PPG13) (March 2001)

- 4.2.6 PPG13 sets out the Governments objectives for the integration of transport and development in order to ensure sustainable patterns of transportation, with an emphasis on maximising opportunities for sustainable modes of travel such as walking, cycling and the use of public transport.

Planning Policy Guidance Note 16, Archaeology and Planning (PPG16) (August 2001)

- 4.2.7 PPG16 sets out the Government's policy on archaeological remains on land and how they should be preserved or recorded in both urban and countryside settings. PPG16 also recognises the irreplaceable and finite nature of archaeological remains, and provides advice to LPAs and developers on how to address the issue of archaeology as part of development proposals.

Planning Policy Guidance Note 17, Planning for Open Space, Sport and Recreation (PPG17) (July 2002).

- 4.2.8 PPG17 sets out the Government's aspirations in relation to planning for sport and recreation, and the provision of public open space. In relation to sport and recreation requiring natural features and water, Paragraph 31 states that:

"Where these features exist, local authorities should recognise their actual and potential recreational value, possibly to more than the local population. Planning permission should be granted but only where the impact of sports and recreational activities on natural features can be minimised. Facilities should be planned carefully to ensure that conflicts between sport and recreational activities and other interests do not arise. In considering planning applications for development near water, local authorities should ensure that access for sport and recreation purposes is not restricted and should, where possible, be enhanced. The visual amenity, heritage and nature conservation value of water resources should also be protected."

- 4.2.9 **The Good Practice Guide on Planning for Tourism published in May 2006** replaced Planning Policy Guidance Note 21 *Planning for Tourism*, which was cancelled in September 2006. The Good Practice Guidance outlines the key material considerations that a Local Planning Authority should take into account when determining an application for tourism related development.

Planning Policy Guidance Note 24, Planning and Noise (PPG24) (October 1994)

- 4.2.10 Sets out advice on how the planning system can be used to minimise the adverse impact of noise without placing unreasonable restrictions on new development.

Planning Policy Statement 25, Development and Flood Risk (PPS25) (December 2006)

- 4.2.11 PPS25 identifies the Government's policy in relation to reducing the risk to people, the developed and natural environment from flooding. In this respect, proposals for development should ensure that any risk from flooding is minimised and in particular relation to proposals within floodplain areas, the function of that floodplain should not be impeded by development proposals.
- 4.2.12 The **PPS25 Good Practice Guide** (June 2008) is intended to support and facilitate the implementation of the Government's national planning policies on development and flood risk as outlined in PPS25 and provides advice on applying the sequential and exception tests when Local Planning Authorities consider development proposals.

4.3 The South West Region

- 4.3.1 Following the commencement of the Planning and Compulsory Purchase Act 2004 (28 September 2004), Section 38(3) amends the definition of the constituent parts of the Development Plan, which now includes Regional Spatial Strategies when adopted and also the current adopted Regional Planning Guidance. In this respect and although not set out in detail here, the proposed development has evolved having full consideration to adopted Regional Planning Guidance 10 – South West (October 2001), as now forming part of the Development Plan for the area, together with the emerging South West Plan (RSS) which is due for publication in Summer 2009, following consultation on the Secretary of State's proposed changes which ended on 24 October 2008.

4.4 Strategic Policy

- 4.4.1 The current Structure Plan comprises the Gloucestershire Structure Plan, adopted in November 1999, which has a plan period until 2011. Certain Policies within the Structure Plan have been 'saved' by a Direction issued by the Secretary of State in September 2007, which

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extends the life of the policies for a further three years.

4.4.2 In relation to development within the Cotswold Water Park, Policy NHE.8 in the adopted Structure Plan states that:

“Proposals for development in the Cotswold Water Park should be considered in the context of all the objectives of the Water Park, which include the:

- Nature conservation interests;
- Mineral extraction and the beneficial after-use of worked sites;
- Facilitation of a wide range of recreation and tourism opportunities which reflect the special character of the area;
- Facilitation of access to and within the Cotswold Water Park using sustainable modes of transport;
- Protection of the integrity of existing villages and rural communities; and
- Protection of the best and most versatile land”

4.4.3 In this respect, the County Council has recognised the importance of the Cotswold Water Park in terms of its unique ability as an arena for a wide range of sport and recreation activities, particularly water based recreation using the lakes.

4.4.4 In addition to the above, those saved policies and proposals within the adopted Structure Plan considered to be of particular relevance to the proposed development are set out below, and considered in relation to the relevant sections of this Environmental Statement:

- Policy S.1 Bulk of New Development
- Policy S.5 Community Services and Infrastructure
- Policy S.6 Local Character and Distinctiveness
- Policy S.7 Environmental Quality of Development
- Policy T.1 New Development and the Transport System
- Policy T.2 Walking
- Policy T.3 Cycling
- Policy T.4 Public Transport
- Policy T.8 Car Parking Provision in New Development

- Policy NHE.1 Development and the Environment
- Policy NHE.2 Nature Conservation and Biodiversity
- Policy NHE.6 Historic Environment
- Policy NHE.8 Cotswold Water Park
- Policy RE.3 Public Access to the Countryside
- Policy RE.4 Water Based Recreation
- Policy TSM.1 Sustainable Tourism
- Policy TSM.2 Self Catering Accommodation
- Policy TSM.3 Self Catering Accommodation
- Policy TSM.4 Tourist Attractions
- Policy WM.1 Water Resources
- Policy F.1 Flooding and Flood Risk

4.5 Local Policy

(Fig 4.1 Planning Designations)

Adopted Local Plan:

- 4.5.1 The current Local Plan comprises the Cotswold District Local Plan, which was formally adopted in 25 April 2006 and sets out the framework for development in the District until 2011. All the policies contained within the Local Plan are valid in full until 25 April 2009, with all but 14 policies 'saved' beyond this date following a Direction issued by the Secretary of State on 19 January 2009.
- 4.5.2 It is worthy of note that Policy 4 *Environmental Impact*, Policy 6 *The Water Environment* and Policy 12 *Sites of Archaeological Interest* will not be saved beyond 25 April 2009. However, given that they have remained extant during the preparation of this Environmental Statement, appropriate regard has been had to their content.
- 4.5.3 The application site is situated outside of the defined built-up area, within the countryside and the Cotswold Water Park on the Local Plan Proposals Map.
- 4.5.4 In this respect, it is considered that any proposals for the future re-use/development of the site for recreation, sport and tourist accommodation purposes should be assessed against the following policies:

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- Policy 1 Natural Resources
- Policy 4 Environmental Impact (expires after 25 April 2009)
- Policy 6 The Water Environments (expires after 25 April 2009)
- Policy 9 Biodiversity, Geology and Geomorphology
- Policy 10 Trees, Woodlands and Hedgerows
- Policy 11 Historic Landscapes
- Policy 12 Sites of Archaeological Interest (expires after 25 April 2009)
- Policy 19 Development Outside Development Boundaries
- Policy 24 Employment Uses
- Policy 32 Community Facilities
- Policy 36 Sustainable Transport Network
- Policy 38 Accessibility to and within New Development
- Policy 42 Cotswold District Design Code
- Policy 45 Landscaping in New Development
- Policy 49 Planning Obligations and Conditions
- Policy UT.1 Cotswold Water Park
- Appendix 2 Key Wildlife Sites

4.5.5 Policy UT.1 of the Local Plan sets out the framework for development in the Cotswold Water Park and follows a criteria based approach to the consideration of proposals for water-based sport, recreation and tourism.

4.5.6 Development proposals should ensure the following criteria are satisfied:

- the maintenance or enhancement of the nature conservation importance of the Water Park, particularly in relation to the lakes and associated habitats listed in the Cotswold Water Park Biodiversity Action Plan, which may involve measures to enhance the long term conservation value of a site that is the subject of an application for planning permission or other land and/or water within the Water Park;
- where appropriate, habitat enhancement and the creation of new habitats, which may involve measures to enhance the long term conservation value of a site that is the subject of an application for planning permission or other land and/or water within the Water Park;

- the retention and, where appropriate, the enhancement of existing landscape features that contribute to the character and/or appearance of the site subject to an application;
- the design and siting of new buildings being sympathetic to the character of the area and avoiding harm to the landscape;
- the development having a direct relationship to the use of the Water Park for nature conservation, water-based sport, tourism and recreation;
- the prevention of the over-dominance of one particular activity, or type of provision, or the significant reduction in the choice of sites available for uses and activities that are not adequately provided for within the Cotswold Water Park; and
- the provision of appropriate contributions towards the maintenance of the nature conservation importance of the Water Park, habitat enhancement and the creation of new habitats, and the overall management of the Water Park.

4.5.7 In addition to Policy UT.1, the District Council has published Supplementary Planning Guidance (November 1999) to further guide development proposals in the Water Park. The SPG sets out the Council's approach in respect of identifying zones for appropriate types of development across the park. The zoning approach is summarised below:

Zone A – Quiet Zones:

- Low intensity uses, which protect the residential amenities of settlements and enhance the quiet enjoyment of the countryside;
- Appropriate uses will include nature reserves, walking and riding. In some instances fishing will be acceptable; and,
- New buildings will not normally be acceptable.

Zone B – Low Intensity Recreation Zones:

- A variety of uses will be acceptable provided there is no significant noise creation or traffic nuisance;
- Appropriate uses will include sailing, fishing, windsurfing, rowing, canoeing and, in some instances water skiing; and,
- Low density and small-scale caravan/camping sites will be acceptable including small private clubs.

Zone C – Sport, Recreation and Tourism:

- Medium to high intensity uses will be acceptable provided there is adequate access to the site;
- Appropriate uses will include tourist attractions if they have an affinity with the purpose, character and natural history of the Water Park; and,
- New holiday accommodation will also be acceptable.

Zone D – Agriculture and Forestry:

- The restoration of land to agriculture and forestry, the creation of woodland, lakes, marsh, and other dry or wetland habitats for nature conservation management;
- Provision should be made for additional public access, picnic sites, car parking areas, footpaths, cycleways, and bridleways; and,
- The creation of wetland areas will not be acceptable within the vicinity of RAF Fairford due to problems associated with bird-strike.

4.5.8 The SPG summarised above represents a material consideration in the determination of any planning application on land falling within the Cotswold Water Park area, and has been used by the District Council since its adoption for Development Control purposes.

4.5.9 The application proposals the subject of this Environmental Statement have been prepared in accordance with the broad advice contained within the SPG and seek to deliver a number of direct environmental benefits to the lakes whilst concentrating built form around the lakes and within those zones considered (by the District Council) to represent the most appropriate locations i.e. Zones B and C.

4.5.10 A summary of the key benefits arising from the application proposals is set out below. This schedule is not exhaustive on the basis that the key environmental and planning benefits are discussed in detail in the remaining chapters of this Environmental Statement:

- Habitat creation and enhancement on western half of Lake 104;
- Enhancement of habitat along lake margins of Lakes 103, 103A and 104 and on land at Milestone;
- Protection of key landscape features within and around the application site;
- Use of environmentally sustainable building techniques (where practicable);
- Enhancement of lakes as flood control measure within floodplain;
- Formalisation of public rights of way and upgrading of pedestrian/cycle routes to

Fairford;

- Provision of new leisure facilities available for local community use;
- Employment creation arising from leisure complex and onsite servicing; and,
- Introduction of new tourist product into eastern section of Water Park.

Emerging Local Development Framework:

- 4.5.11 The District Council has commenced a new Local Development Framework in accordance with the Planning and Compulsory Purchase Act 2004, and is preparing Local Development Documents for the period up to 2026.
- 4.5.12 In November 2007, the Council published the Core Strategy Issues and Options Paper which set out the spatial vision, objectives and strategy for the development of the District. Following revisions to Planning Policy Statement 12 *Local Spatial Planning* in June 2008 where the Development Plan Document Preferred Options Stage was removed, the Council now expects to produce the Proposed Submission Core Strategy Document for publication and consultation in March 2010. There are no specific policies in relation to the Cotswold Water Park contained within the Core Strategy Issues and Options Paper due to the broad range of topics that are covered.