

GLOUCESTER CITY PLAN (2011-2031) STATEMENT OF COMMON GROUND

between

**Gloucester City Council
&
Natural England**

1. Introduction

- 1.1 This Statement of Common Ground (SoCG) has been prepared by Gloucester City Council (GCC) and Natural England (NE), referred to hereafter as 'the parties'. It documents matters which are agreed and not agreed by the parties with regard to certain policies and sites in the Pre-Submission City Plan.
- 1.2 This SoCG is provided without prejudice to other matters of detail that the parties may wish to address at the examination.

2. Background

- 2.1 Natural England as a Statutory Consultee have been consulted at all stages of the preparation of the Plan.

- The Scope (2011)
- City Plan Part 1 (2012)
- City Plan Part 2 (2013)
- Draft Gloucester City Local Plan (2017)
- Pre-submission Gloucester City Plan (2019)

3. Matters on which the parties agree

- 3.1 The City Council has engaged with NE in the preparation of the Plan through formal and informal consultation and as such the Duty to Cooperate has been fulfilled. The parties agree to continue to work positively together.
- 3.2 In response to representations submitted to the Pre-Submission GCP, the following proposed changes are agreed between the parties. For ease of use, reference is provided to the entry in Submission Document CD010a 'Schedule of changes – Pre-Submission Gloucester City Plan Addendum'. Further information is also provided in CD010d 'Summary of Representations with Officer Response', and a tracked changed version of the Pre-Submission GCP, highlighting the proposed changes, is available at Submission Document CD010b.
- 3.3 NE provided comments on the following aspects of the Plan, all of which were found to be legally compliant, sound and fulfilling duty to cooperate requirements:
 - The Habitats Regulation Assessment (HRA) document (as part of the Integrated Sustainability Appraisal (SA)).
 - Para 3.5.12/13: the explanatory text for Policy E2: *Biodiversity & Geodiversity*

- Policy B4: *Development within and adjacent to Gloucester Docks and Canal*
- Policy C5: *Air Quality*
- Policy E2: *Biodiversity & Geodiversity*
- Policy E3: *Nature Recovery Area*
- Policy E5: *Green Infrastructure – Building with Nature*
- Policy E7: *Renewable energy potential of the River Severn and the canal*
- Policy E8: *Development affecting Cotswold Beechwoods Special Area of Conservation*
- Policy F2: *Landscape and planting*

3.5 With regard to **Policy C5 ‘Air quality’**, NE considered that, although the policy was sound, it could be strengthened with reference to impacts of air pollution on the natural environment as well as human health. The City Council consider the protection of human health through the control of air pollution would automatically lead to the protection of the natural environment.

3.4 With regard to **Policy E2 ‘Biodiversity and Geodiversity’**, NE and others pointed out that there was no explanatory reference linked to the asterisk at the final sentence of part 1. The Council accept that the text was missing, and it is proposed the following is added (PM043):

*‘*Habitats Regulations Assessment. Conservation of Habitats & Species Regulations 2017 (As amended) – Paragraph 63 & 64. See also adopted JCS Policy SD9 and Policy E8 of this Plan.’*

3.6 With regard to **Policy E5 ‘Green/Blue Infrastructure: Building with Nature’**, NE considered that although the policy was sound, it could be strengthened with reference to ‘the existing JCS Green Infrastructure Strategy (or successor document/s)’. In response, it is proposed the following change is made (PM047):

‘3.5.24 KCS Policy INF3 and the associated Green Infrastructure ~~Plan (GIP)~~ Strategy seek to connect the urban areas of Gloucester with the high-quality Green Infrastructure (GI) assets of the Cotswolds AONB and the Severn Vale.’

3.7 The GCP Inspector’s preliminary questions, dated 21st December 2020, asked the Council to explore [with Natural England] “...how the policies of the JCS relate to the GCP in relation to the requirements for project level Habitat Regulations Assessments, and the costs associated with any mitigation related to the Cotswold Beechwood Special Area of Conservation.”

3.8 On the first point, JCS Policy SD9 *Biodiversity and Geodiversity* requires project level HRA where there could be likely significant impacts from development on an International site. The City Plan does this through Policy E2. There is some overlap, but E2 is a local policy, specific to Gloucester and includes new and important policy requirements which are not in Policy SD9, such as biodiversity net gain. In principle it is important that the legal protection of International sites is afforded through the Local Plan.

3.9 In relation to the costs associated with the mitigation of impacts on the Cotswold Beechwoods SAC, the Mitigation strategy (undertaken by Footprint Ecology) is nearing completion. Early indications are that the costs of mitigation have not altered much from the initial estimates. Gloucester City has factored these costs into the GCP Viability Appraisal, and these are considered reasonable assumptions. The draft strategy is expected March 2021.

4. Matters on which the parties are not agreed

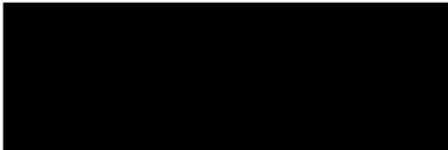
4.1 None

5. Conclusion

5.1 The parties agree that:

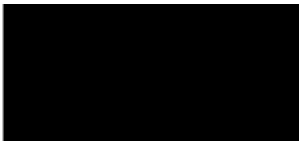
- a) All matters raised in Natural England's representations to the Gloucester City Plan Regulation 19 consultation have been addressed by this Statement of Common Ground;
- b) Gloucester City Council has complied with the Duty to Co-operate in preparing the City Plan through the various stages to date; and
- c) The parties will continue to work positively together and with all Gloucestershire local authorities and, where relevant, with neighbouring authorities on strategic cross boundary issues.

Signed on behalf of Gloucester City Council



Ian Edwards, Head of Place

Signed on behalf of Natural England



Antony Muller, Lead Advisor – Planning for a Better Environment, West Midlands Area Team

Dated

18th March 2021