

Martin Perks
Cotswold District Council
Trinity Road
Cirencester
GL7 1PX



By email only to: Martin.Perks@cotswold.gov.uk

15 December 2022

Dear Martin,

APPLICATION NO: 22/04004/FUL

DESCRIPTION: Change of use of existing dwelling and erection of extensions to create 40-bedroom hotel and associated works

LOCATION: Grafters, Fosseyway, Lower Slaughter, Cheltenham, Gloucestershire, GL54 2EY

The above planning application, which is for a development that would be located within the Cotswolds National Landscape¹, has been brought to the attention of the Cotswolds National Landscape Board².

In reaching its planning decision, the local planning authority (LPA) has a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape³. The Board recommends that, in fulfilling this 'duty of regard', the LPA should: (i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and (ii) take into account the following Board publications⁴:

- Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023 ([link](#));
- Cotswolds AONB Landscape Character Assessment ([link](#)) particularly, in this instance, with regards to Landscape Character Type (LCT) 17 Pastoral Lowland Vale;
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 17 ([link](#)), including Section 17.2;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) and Dark Skies and Artificial Light Position Statement ([link](#)) and its appendices ([link 1](#), [link 2](#), [link 3](#)).

Having reviewed the information submitted, the Board wishes to raise an **objection** to this application for the reasons outlined in Annex 1 below as we consider that the application does not accord with relevant policies contained within the Cotswolds Local Plan 2011-2031, in particular policies EC1, EC3 and EC11.

Cotswolds Conservation Board

The Old Prison, Fosse Way, Northleach
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The Cotswolds National Landscape is a designated Area of Outstanding Natural Beauty (AONB), managed and looked after by the Cotswolds Conservation Board.

cotswoldsaonb.org.uk

Chairman:
Brendan McCarthy

Vice Chair:
Rebecca Charley

Please do not hesitate to contact me if you require any further information or wish to discuss this response.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'S. Joyce', with a small dot at the end.

Simon Joyce

Planning Officer

simon.joyce@cotswoldsaonb.org.uk | 07808 391227

ANNEX 1. COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION 22/04004/FUL

Landscape and Visual Impact

The applicant has provided a Landscape and Visual Statement ('LVS') in support of the proposal which has been reviewed when preparing this response.

The Cotswolds AONB Landscape Character Assessment ('LCA') referenced above shows that the application site and its surroundings are located within Landscape Character Type 17 (Pastoral Lowland Vale). Section 17.2 of the Cotswolds Landscape Strategy and Guidelines ('LS&G') for LCT 17 identifies 'isolated development' such as this proposal as a 'local force for change' which could have potential adverse landscape implications such as: visual intrusions introduced to the landscape; erosion of the sparse settlement pattern of the Pastoral Lowland Vale and the introduction of lit elements to characteristically dark landscapes.

The LS&G's strategies and guidelines recommend the avoidance of isolated development that will intrude negatively into the landscape and cannot be successfully mitigated; the conservation of areas of dark skies; the maintenance of a sense of openness and the consideration of the impact of development on views to and from the adjacent landscape types.

The application site occupies a roadside position adjacent to the A429. It is bordered to the east/south-east/south-west by residential and commercial development. Further development lies on the opposite side of the A429. The existing site currently comprises a scrapyard and residential development and until earlier this year was largely screened from the A429 by a line of conifers.

These conifers have now been removed with the result that the scrapyard and buildings on site are now visible from the A429. The Board acknowledges that the existing site constitutes previously developed land, has a commercial appearance and is also seen in context with adjacent development. We also acknowledge that the Planning Inspector considered that the creation of the EV charging station at the site would *"have a positive overall effect on the character and appearance of the site and its immediate surroundings"* and concluded that the redevelopment of the site for the electric vehicle charging station was deemed not to have an adverse impact on the landscape and scenic beauty of the National Landscape.

The current proposal will result in the retention of an electric charging station parking (although significantly reduced in size) and the dwelling lying adjacent to the A429. The roadside boundary planting approved as part of the EV charging station appeal would also be undertaken. In addition, the eastern part of the charging station parking area will be retained as a car park, albeit to be used for hotel car parking. We therefore accept that when viewed from the A429, this part of the site closest to the road is likely to appear broadly similar to the consented scheme.

The majority of the extensions proposed to form the hotel will be located to the rear of the existing dwelling however in line with our response to the previous application, the Board would request that photomontages (rather than CGIs) are provided of the likely view from the Fosse Way (from the entrance point), including one with the approved EV car park/service area but without this proposal to provide a meaningful comparison of the potential impact of the proposal.

We acknowledge the LVS' assessment that the rear of the site is not readily visible from public view and the proposal will not result in an encroachment of development into the open countryside. The presence of buildings to the rear of the site also means that the proposed hotel development is unlikely to have an adverse impact on wider views.

Provision of the information outlined above will allow the Board to provide further assessment on landscape and visual matters. However the Board is concerned about the size and design of the proposed scheme, the rather 'bolted on' appearance of what appear to be quite disproportionate extensions to the current dwelling and as such would question the scheme's compliance with Policy EN2 of the Cotswold Local Plan and the guidance of the Cotswold Design Guide. In particular we would highlight paragraph D.19 which states that *"extensions to existing buildings should be in scale and character with the parent building. Additions should not dominate the original building, individually or cumulatively."*

Lighting and Dark Skies

Dark skies are one of the 'special qualities' of the National Landscape and as such, they are a key attribute on which the priorities for the area's conservation, enhancement and management should be based.

Paragraph 185c of the NPPF states that planning decisions should ensure that new development is appropriate for its location and in doing so they should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. Paragraph 001 of the Planning Practice Guidance (PPG) on Light Pollution (Paragraph: 001 Reference ID: 31-001-20191101) states that 'intrinsically dark landscapes' are those entirely, or largely, uninterrupted by artificial light. National parks ... can serve as good examples'. As AONBs have the same level of protection with regards to landscape and scenic beauty as national parks within the NPPF and PPG and dark skies are one of the special qualities of the Cotswolds National Landscape, we consider it reasonable to treat the National Landscape as an 'intrinsically dark landscape' in NPPF and PPG terms.

In line with Policy CE5 (Dark Skies) of the Cotswolds AONB Management Plan, lighting should be avoided if possible. If it cannot be avoided, it should be minimised. The proposal would introduce more night-time traffic movements and parking onto the site compared to the consented EV charging station and, as a result, is likely to require additional external lighting and is likely to have a greater impact on the dark skies of the National Landscape. The applicant has not provided any detailed consideration of lighting in their submission.

The applicant should also demonstrate that the proposal complies with Guidance Note 01/21 on The Reduction of Obtrusive Light, published by the Institution of Lighting Professionals (ILP) (which forms Appendix 2 of our Position Statement on Dark Skies and Artificial Light referenced above) and other relevant guidance. We would recommend that the relevant 'environmental zone' for which compliance should be assessed is Environmental Zone E1 which relates to AONBs.

Without prejudice, should the Council be minded to grant planning permission, we would request that appropriate pre-commencement planning conditions relating to any lighting are imposed in the interests of the conservation and enhancement of the landscape and scenic beauty of the National Landscape.

Need/Justification

Policy EC11 of the Cotswold Local Plan 2011-2031 offers support for new hotels and serviced accommodation if it involves the change of use of an existing building or if the site is located within a Development Boundary. The site is not located within a Development Boundary and given the substantial increase in floor area proposed compared to the existing building (some 5x larger than the existing floor area), we would submit that the proposal goes some way beyond the kind of change of use/conversion scheme this policy provides for. An exception can also be made if the hotel is directly associated with an existing tourist attraction and where it is required to sustain the viability of such an attraction, however this is also not the case for this proposal. The Board therefore considers that the requirements of Policy EC11 are not met.

Policy EC1 of the Cotswold Local Plan will permit employment development where it, inter alia, *“supports sustainable tourism in ways that enables the District to attract higher numbers of longer-stay visitors”* whilst Policy EC3 supports the delivery of small-scale employment development outside Development Boundaries where it meets the following criteria: a) Do not entail residential use as anything other than ancillary to the business; and b) Are justified by a business case, demonstrating that the business is viable; or c) Facilitate the retention or growth of a local employment opportunity.

The applicant contends that the development is ‘small-scale’, however the Board disagrees and considers that the conversion of relatively modest dwelling into a 40-bed hotel some five times the size of the current floor area with associated parking, circulation and servicing routes and landscaping would not constitute a ‘small-scale’ development in this sense. The applicant’s contention that the site’s brownfield nature further demonstrates compliance with this policy is irrelevant.

Moreover, the ‘business case’ provided is limited to a single page letter from a local agent where the ‘evidence’ of occupier interest is limited to a single line. In our view, this does not constitute a compelling ‘business case’. The application also does not state how many jobs would be created by the hotel and therefore it is difficult to assess the employment benefits of the proposal.

Policy UE1 of the Cotswolds AONB Management Plan 2018-2023 is also of relevance to this application. Paragraph 3 states that *“visitors should be provided with a range of type and priced accommodation options that are compatible with conserving and enhancing the natural beauty of the AONB”*. Although the applicant states that the proposal would be for a ‘budget hotel’, there is no definition of ‘budget’ hotel and, as such, there is no mechanism through which the future occupation of the hotel could be restricted to a certain price range. The Board therefore considers that the benefits which could be attributed the proposal being for a ‘budget’ hotel carries limited weight.

Highways

As with the previous application 22/00140/FUL, the Board also notes that the approved car park / service area proposal makes provision for a bus stop area, although the applicant didn’t propose that a bus service would be implemented as part of that planning application. The bus stop area is not shown in the plans for this application and the Board would ask the applicant to clarify this matter. Loss of the proposed bus stop would potentially reduce the sustainability of the site, for example, in terms of people who stay in the hotel being more likely to use their cars to travel to Stow or Bourton-on-the-Water and render the development over-reliant on the use of the private car. We note the view of the Planning Inspector in the appeal decision allowing the EV charging station at the site where he stated at paragraph 64 of his decision letter *“I consider that the A429 from the site, both between the site and the junction of Copsehill Road (to gain access to the Slaughters) and from that point on towards Bourton, does not provide a particularly suitable route for pedestrians”*.

At paragraph 66 he expressed concerns about the safety of anyone who might wish to walk or cycle from the site to the Slaughters or Bourton and at paragraph 68 considered that *“such journeys should not directly be encouraged”*.

This proposal is essentially for a standard hotel development in an unsustainable open countryside location and as such we consider it conflicts with paragraph 105 of the NPPF which states that *“significant development should be focused on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes”* and Policy INF3 of the Cotswold Local Plan which *'actively supports travel choice through provision, enhancement and promotion of safe and recognisable connections to existing walking, cycling and public transport networks'*.

NOTES:

- 1) Cotswolds National Landscape is the new name for the Cotswolds Areas of Outstanding Natural Beauty (AONB). The new name takes forward one of the proposals of the Government-commissioned 'Landscapes Review' to rename AONBs as 'National Landscapes'. This change reflects the national importance of AONBs and the fact that they are safeguarded, in the national interest, for nature, people, business and culture.
- 2) The name used for the organisation associated with the AONB designation is the Cotswolds National Landscape Board. At times this is abbreviated to National Landscape Board or The Board. The legal name of the organisation remains the Cotswolds Conservation Board but this name is no longer used in most circumstances.
- 3) Section 85 of the Countryside and Rights of Way Act 2000.
www.legislation.gov.uk/ukpga/2000/37/section/85
- 4) The documents referred to in our response can be located on the Cotswolds National Landscape website under the following sections
 - a. Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023
www.cotswoldsaonb.org.uk/management-plan
 - b. Cotswolds AONB Landscape Character Assessment
www.cotswoldsaonb.org.uk/lca
 - c. Cotswolds AONB Landscape Strategy and Guidelines
www.cotswoldsaonb.org.uk/lsg
 - d. Cotswolds AONB Local Distinctiveness and Landscape Change
www.cotswoldsaonb.org.uk/ldlc
 - e. Cotswolds Conservation Board Position Statements
www.cotswoldsaonb.org.uk/ps1
www.cotswoldsaonb.org.uk/ps2