



Michelle Payne  
Planning: Place and Growth  
Cheltenham Borough Council  
PO Box 12, Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP

By email only to: [michelle.payne@cheltenham.gov.uk](mailto:michelle.payne@cheltenham.gov.uk)

23 February 2023

Dear Michelle,

**APPLICATION NO:** 23/00175/FUL

**DESCRIPTION:** Demolition of existing 3-bedroom house and detached garage, and construction of new 5-bedroom dwelling

**LOCATION:** Windyridge, Daisy Bank Road, Cheltenham, Gloucestershire, GL53 9QQ

Thank you for consulting the Cotswolds National Landscape Board<sup>1</sup> ('the Board') on this proposed development, which would be located within the Cotswolds National Landscape<sup>2</sup>.

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 Landscape.<sup>3</sup> 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 publications<sup>4</sup>:

- Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023 ([link](#));
- Cotswolds AONB Landscape Character Assessment ([link](#)) in this instance, with regards to Landscape Character Type (LCT) 2 (Escarpment), which the site is located within, and LCT 7 (High Wold), which the site is adjacent to;
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 2 ([link](#)), including Section 2.1 and LCT 7 ([link](#)), including Section 7.1;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with Tranquillity Position Statement ([link](#)) and with regards to the 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 a **holding objection** to this application for the reasons outlined in Annex 1 below and would invite the applicant to provide further information.

The dark skies of the National Landscape and the views to and from the Cotswold escarpment are two of its 'special qualities' outlined within the Cotswolds AONB Management Plan and we consider that the application has not demonstrated that these 'special qualities' would be conserved and enhanced by this proposal. Accordingly, we consider that the proposal is currently contrary to paragraphs 176 and 185c of the NPPF and policy SD7 of the Gloucester, Cheltenham and Tewkesbury Joint Core

#### Cotswolds Conservation Board

The Old Prison, Fosse Way, Northleach  
Gloucestershire GL54 3JH  
01451 862000  
[info@cotswoldsaonb.org.uk](mailto:info@cotswoldsaonb.org.uk)

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](http://cotswoldsaonb.org.uk)

Chairman:  
**Brendan McCarthy**

Vice Chair:  
**Rebecca Charley**

Strategy. It would also not be consistent with policies CE1 and CE5 of the Cotswold AONB Management Plan.

We consider that the provision of additional information is appropriate given the sensitive location of the proposed development within the nationally significant Cotswolds National Landscape. In particular, the Board requests that the applicant provides further information relating to the following:

- A Landscape and Visual Appraisal which fully assesses the impact of the proposal on the landscape character and visual receptors, features viewpoint images taken at a time of year when trees are not in leaf and visual representations of the proposed dwelling and associated landscaping/structures from key viewpoints, including views at night/dusk.
- Clarification regarding landscaping plans and proposals.
- Response to our comments regarding the amount of glazing proposed and further details of internal and external lighting proposals to allow an assessment of impact upon dark skies of the National Landscape.

The Board will be happy to provide further opinion on likely effects once this information has been submitted by the applicant.

Please do not hesitate to contact me if you wish to discuss this response.

Yours sincerely,

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

Simon Joyce

**Planning Officer**

[simon.joyce@cotswoldsaonb.org.uk](mailto:simon.joyce@cotswoldsaonb.org.uk) | 07808 391227

## ANNEX 1. COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION 23/00175/FUL

### Landscape and Visual Impact

The site is highly sensitive in both landscape and visual terms. The Council's Landscape Character and Sensitivity Assessment (LCSA) of Cotswolds AONB (May 2016) includes the site within the Landscape Character Type of 'Settled Lowlands' and is identified as Landscape Character Area 'Daisybank Settled Lowlands' (Site Ref: LCA 8.3). Under the section 'Landscape Issues', 'Quality and Condition', it states *"Very distinctive and becoming more rare, given the pressure placed on the landscape by development."*

Under 'Visual Issues Appraisal' the LCSA states that *"Views from the site looking north are elevated, open and long distance looking across the pastoral landscape towards the southern edge of the built form of Cheltenham. Views to the northeast are long distance look towards the rising slopes of the Cotswolds AONB hills to the east of the area."* The converse is also true and the residential development along this stretch of Daisy Bank Road can be clearly seen from a number of viewpoints to the north of the site on the edge of the urban area of Cheltenham.

The LCSA determines the visual sensitivity of the area to be 'High'; the landscape character sensitivity of the area to be 'High' and the landscape value of area to be 'High'. The overall landscape sensitivity is therefore considered to be 'High' with the overall landscape constraint identified as 'Major Overall'. The overall landscape capacity, i.e. the capacity of the character area to accommodate further development, is identified as 'low'. Furthermore, the Cotswolds AONB Landscape Strategy & Guidelines for LCT 2 (linked above) also identifies the 'proliferation of suburban building styles' and 'degradation of the view from the vale looking at the scarp' as potential adverse implications for development of this nature.

We consider the site to be of very high landscape and visual sensitivity given:

- its location on the Cotswold escarpment, which is one of the 'special qualities' of the Cotswolds National Landscape;
- its close proximity to:
  - many of the key features of this landscape character type (LCT 2 - Escarpment), as detailed in the Cotswolds AONB Landscape Character Assessment and the Cotswolds AONB Landscape Strategy and Guidelines;
  - the Cotswold Way National Trail;
  - the Cheltenham Circular Footpath;
  - Charlton Kings Common, both for its cultural heritage and nature conservation value, and as an area of access land with users of this access land being important visual receptors;
  - Leckhampton Hill and Charlton Kings Common SSSI;
  - large areas of calcareous grassland habitat (both within the SSSI and beyond the SSSI boundaries), which is a priority habitat and one of the 'special qualities' of the Cotswolds AONB.
- The Cheltenham Local Plan states at paragraph 8.3 that *"The Council considers it particularly important to protect the scarp as the dominant feature of Cheltenham's setting and is*

*concerned at the cumulative effect of even small-scale development and of development in new locations within the AONB”.*

Therefore, it is disappointing that the proposal is not accompanied by either a Planning Statement or in particular a Landscape and Visual Appraisal. Indeed, we note and support the pre-application advice provided to the applicant recommending that a Landscape and Visual Appraisal of the site should inform and accompany this application. Although one photomontage has been provided, it is not accompanied by any information as to the location of the viewpoint, the reasons why it has been selected and whether or not it has been prepared in line with the best practice guidance outlined in GLVIA 3.

No assessment of the proposal has been made against any national or local planning policies relating to landscape matters, in particular JCS Policy SD7 or paragraph 176 of the National Planning Policy Framework (NPPF). Whilst a full LVIA would clearly not be required due to the scale of the proposal, no attempt has been made to describe the local landscape character, assess the baseline landscape and visual contribution of the current buildings to the protected landscape of the AONB or assess the potential impact of what would be a sizeable new dwelling, the degree of change that would occur and the degree of harm which may arise from the proposal. Notwithstanding the proposed use of a green roof to minimise visual impact, consideration should also be given to the impact of the proposal on views from the Cotswold Way and the common land to the south of the site. Given the prominent and sensitive location coupled with the amount of glazing proposed, the impact on night time views should also be considered and we would welcome visual representations of the proposal in winter-time conditions both in daylight and at dusk when lit.

We also note that the applicant has also provided no landscaping plans detailing any boundary, surfacing or landscaping treatments. Given the sensitive location of the site and the steeply sloping topography of the plot, we request that these are provided (including section drawings) and considered as part of any LVA to enable a comprehensive assessment of the potential impact of the proposal.

## **Lighting**

The proposed dwelling features large expanses of full height glazing, particularly on the eastern and prominent southern (rear) elevations. For example, there appears to be around 18 separate glazed windows and doors across the three floors in the southern elevation in to maximise both solar gain and views for the occupiers. The Board is concerned at the potential for light spill and glow from these elevations and notes and supports the Council’s pre-application advice that *“there does remain a large amount of glazing; careful consideration will therefore be required to ensure that the replacement dwelling would not significantly increase existing levels of light pollution”*. It is also noted that the applicant has provided no details of any external lighting proposals, particularly on the terraces and patio area which will be visually prominent in views towards the escarpment.

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.

The Cotswolds AONB Landscape Strategy & Guidelines for LCT 2 (Section 2.1) identifies ‘the spread of lit elements up the Escarpment slope’ and ‘Potential for glint from buildings, particularly on hillsides’ as potential (adverse) implications for development such as this. The guidelines seek to ‘conserve areas of dark skies’, with these dark skies being one of the ‘special qualities’ of the Cotswolds National Landscape. This is particularly important in an area with relatively low levels of light pollution such as this, as indicated in Appendix 1 of the Board’s Tranquillity Position Statement, referred to above.

As such, the introduction of any lit elements should be designed to adhere to this guidance and, by extension, with the policies of the Cotswolds AONB Management Plan in particular Policy CE5 (Dark Skies) which states that proposals that are likely to impact on the dark skies of the Cotswolds AONB should have regard to these dark skies, by seeking to (i) avoid and (ii) minimise light pollution. Chapter 9 of The South Downs National Park Dark Skies Technical Advice Note ([link](#), page 44), which is considered by National Park Authorities and AONB Boards to be best practice for protected landscapes in relation to this issue, also advises that large (>50% on a single elevation) single areas of glazing should be avoided in protected landscapes.

The applicant should 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 mentioned above.

We would recommend that the relevant ‘environmental zone’ for which compliance should be assessed is Environmental Zone E1 which relates to AONBs. Although we recognise that the site is close to the urban fringe of Cheltenham and its associated lighting, the Guidance Note states where an area to be lit lies close to the boundary of two zones the obtrusive light limitation values used should be those applicable to the most rigorous zone (Note 1 on page 10).

Without prejudice, if the local authority is minded to grant planning permission, planning conditions should be imposed which seek to mitigate any adverse impact and ensure that all lighting meets the standards outlined above and will be limited to low-level, down-facing lights to preserve the dark skies and landscape character of the Cotswolds National Landscape.

## **Recommendation**

We consider that the provision of additional information is appropriate given the sensitive location of the proposed development within the nationally significant Cotswolds National Landscape. In particular, the Board requests that the applicant provides further information relating to the following:

- A Landscape and Visual Appraisal which fully assesses the impact of the proposal on the landscape character and visual receptors, features viewpoint images taken at a time of year when trees are not in leaf and visual representations of the proposed dwelling and associated landscaping/structures from key viewpoints, including views at night/dusk.
- Clarification regarding any proposed landscaping.
- Response to our comments regarding the amount of glazing proposed and further details of internal and external lighting proposals to allow an assessment of impact upon dark skies of the National Landscape.

## 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](http://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](http://www.cotswoldsaonb.org.uk/management-plan)
  - b. Cotswolds AONB Landscape Character Assessment  
[www.cotswoldsaonb.org.uk/lca](http://www.cotswoldsaonb.org.uk/lca)
  - c. Cotswolds AONB Landscape Strategy and Guidelines  
[www.cotswoldsaonb.org.uk/lsg](http://www.cotswoldsaonb.org.uk/lsg)
  - d. Cotswolds AONB Local Distinctiveness and Landscape Change  
[www.cotswoldsaonb.org.uk/ldlc](http://www.cotswoldsaonb.org.uk/ldlc)
  - e. Cotswolds Conservation Board Position Statements  
[www.cotswoldsaonb.org.uk/ps1](http://www.cotswoldsaonb.org.uk/ps1)  
[www.cotswoldsaonb.org.uk/ps2](http://www.cotswoldsaonb.org.uk/ps2)