



Michelle Payne
Planning: Place and Growth
Cheltenham Borough Council
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By email only to: michelle.payne@cheltenham.gov.uk

20 June 2023

Dear Michelle,

APPLICATION NO: 23/00938/FUL

DESCRIPTION: Construction of a paragraph 80 dwelling, estate management building, and associated landscaping, ecology/BNG enhancements, access, parking and garaging on land adjacent to Brecon House (re-submission of 21/02755/FUL)

LOCATION: Brecon House, Charlton Hill, Cheltenham

Thank you for consulting the Cotswolds National Landscape Board¹ ('the Board') on this proposed development, which would be located within the Cotswolds National Landscape².

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 2023-2025 ([link](#));
- Cotswolds AONB Landscape Character Assessment ([link](#)) particularly, in this instance, with regards to Landscape Character Type (LCT) 2 Escarpment;
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 2 ([link](#)), including Section 2.2;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to the 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](#))

The Board **does not object** to this application, though we wish to make the following comments. We note that this application is a resubmission of application ref. 21/02755/FUL, to which we did not object when making our response dated 1 February 2022. This application was refused by the Council contrary to officer's recommendation. A subsequent appeal was then dismissed only on the grounds that the potential effect on the Cotswold Beechwoods SAC had not been assessed; the Inspector considered that having regard to paragraph 176 of the National Planning Policy Framework and Joint Core Strategy Policy SD7 the proposed development would conserve and enhance the landscape, scenic beauty and special qualities of the National Landscape. The Inspector also considered that the proposal would meet the policy exception for new dwellings in the countryside as set out in

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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

paragraph 80 of the Framework. We note that this application is identical to the previous scheme, though is now accompanied by a shadow Habitats Regulation Assessment to enable the LPA to conduct a Habitats Regulation Assessment and Appropriate Assessment with regards to impacts upon the Cotswolds Beechwoods SAC and provides for a financial contribution to mitigate any impact in accordance with the Footprint Ecology Mitigation Strategy.

We had previously made comments regarding lighting and note the submission of a Lighting Strategy (Neil Johnson Lighting Consultants). Whilst the ILP assessment standards outlined and Management Plan policies within it have been superseded, its recommendations comply with these documents.

Therefore, we would request that, without prejudice, if the local authority is minded to grant planning permission, planning conditions should be imposed which secure the requirements of the Lighting Strategy and recommend that such conditions should be closely monitored to ensure compliance, in the interests of the conservation and enhancement of the landscape and scenic beauty of the Cotswolds National Landscape.

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 stylized flourish at the end.

Simon Joyce MRTPI

Planning Officer

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

NOTES:

- 1) 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.
- 2) 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.
- 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 2023-2025
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