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Planning: Place and Growth
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By email only to: Emma.Pickernell@cheltenham.gov.uk

28 April 2022

Dear Emma,

APPLICATION NO: 22/00112/OUT

DESCRIPTION: Outline application for residential development of 25 dwellings - access, layout and scale not reserved for subsequent approval

LOCATION: Land Adjacent to Oakhurst Rise, Cheltenham

Thank you for consulting the Cotswolds Conservation Board ('the Board') on this proposed development, which would be located in the setting of the Cotswolds National Landscape.¹

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.² 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 publications³:

- 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) 2 Escarpment;
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 2 ([link](#)) including Section 2.1;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to Housing Position Statement ([link](#)), Development in the Setting of the AONB ([link](#)), Tranquillity ([link](#)) and Landscape-Led Development Position Statement ([link](#)).

Having reviewed the applicant's submission, including their Landscape and Visual Statement, we consider that the proposed development would not result in a significant adverse impact upon the landscape and scenic beauty of the National Landscape, for the reasons outlined in Annex 1 below.

Accordingly, **we do not wish to object** to this application.

Cotswolds Conservation Board

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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 don't hesitate to contact me if you wish to discuss this response further.

Yours sincerely,

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

Simon Joyce

Planning Officer

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ANNEX 1 COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION 22/00112/OUT

The Board acknowledges both the current shortfall in the provision of market and affordable housing in Cheltenham Borough and that the Borough is highly constrained in terms of suitable areas for new housing, not least due to the AONB and Green Belt designations. The Board also supports the provision of housing, when it is delivered in a way that is compatible with the purpose of conserving and enhancing the natural beauty of the Cotswolds National Landscape.

Notwithstanding this, paragraph 176 of the National Planning Policy Framework (NPPF) states that the development within the setting of AONBs *“should be sensitively located and designed to avoid and minimise adverse impacts on the designated areas”* and that ‘great weight’ should be given to conserving and enhancing landscape and scenic beauty of AONBs.

The Board’s Position Statement on Development in the Setting of the AONB referred to above outlines how the surroundings of the Cotswolds National Landscape are also important to its landscape character and quality. Development proposals that affect views into and out of the AONB need to be carefully assessed to ensure that they conserve and enhance the natural beauty and landscape character of the AONB.

Policy SD7 of the Cheltenham, Gloucester and Tewkesbury Joint Core Strategy (2017) requires that all development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will also be required to be consistent with the policies set out in the Cotswolds AONB Management Plan.

The Cotswolds AONB Management Plan 2018-2023, which is a material consideration in planning decision making, identifies the Cotswold escarpment, including views from and to the AONB, as being one of the AONB’s ‘special qualities’. The special qualities of the AONB are those aspects of the area’s natural beauty which make the area distinctive and which are valuable, especially at a national level. They are also the key attributes on which the priorities for the AONB’s conservation, enhancement and management should be based.

Cotswolds AONB Management Plan Policy CE1 states that proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB, should have regard to, be compatible with and reinforce the landscape character of the location, as described by the Cotswolds Conservation Board’s Landscape Character Assessment and Landscape Strategy and Guidelines. They should have regard to the scenic quality of the location and its setting and ensure that views – including those into and out of the AONB – and visual amenity are conserved and enhanced.

The Board recognises that this site is allocated for a minimum of 25 dwellings in the current Cheltenham Plan 2011-2031 under Policy H1 and site-specific policy HD4 which has no particular requirements relating to the AONB. The Local Plan Examiner in her examination report concluded at paragraph 60 that *“In view of the location of the site within the built-up area and the need for residential development within Cheltenham, I find that with an appropriate layout and form of development the issues raised as part of the appeal scheme could be satisfactorily addressed and the allocation is sound”*.

As indicated above, we note that this site has been subject to a number of applications for residential development over recent years, with previous applications proposing larger numbers of dwellings than the 25 proposed by this application. The most recent application for 43 dwellings was refused by the Council and then the subsequent appeal dismissed in 2020 (Appeal Ref: APP/B1605/W/20/3261154), however impact on the landscape and scenic beauty of the AONB was not a reason for refusal on that occasion.

We also note the consideration of the Section 78 appeal Inspector on matters relating to visual impact on the AONB in another previous appeal decision relating to a 68-dwelling proposal, where the Inspector stated that *“any built development on the site would be relatively well vegetated and enclosed from the wider area. I do not therefore consider that it would cause harm to the appearance and character of the nearby Cotswolds AONB”* (Para 114: Appeal Decision APP/B1605/W/19/3227293). We also acknowledge the landscape assessment of the site undertaken by Ryder Landscape Consultants as part of the Cheltenham Borough Council Allocated Sites Landscape and Visual Review (2017) which states *“The site has limited landscape value except for the mature vegetation located around its boundaries and in the former field hedgelines”*.

The proposals show that the present boundary vegetation and tree cover on site would be mostly retained and would be strengthened by supplementary native planting. Most of the eastern half of the site, which is both the most elevated part of the site and closest to the AONB boundary, will not be developed and is proposed to be managed under a landscape management plan. The application proposes up to 25 dwellings which would result in a lower density development than that adjacent to the west and it is proposed that dwellings are to be set into the slopes of the site to reduce their visual prominence; the ridge heights of the new dwellings would be lower than properties on surrounding roads. Bearing the above in mind, we acknowledge that the proposal, when viewed from the Cotswolds escarpment at longer distances, would to some extent be viewed within the context of existing residential areas of Cheltenham.

We have also reviewed the applicant’s Landscape and Visual Statement, including the viewpoint photographs of the site within views from the escarpment within the AONB. The Landscape and Visual Statement comments at paragraph 5.1.3 that *“in relation to the potential impact on the Cotswolds AONB landscape, despite its proximity it is assessed that the development of the site would have no discernible effect on the views into or out of the Cotswolds AONB”* and concludes at paragraph 5.1.4 that *“development of the site has been assessed to have an overall low to negligible magnitude of effect”* on the setting of the AONB and views to and from it. We do not disagree with this assessment.

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) Section 85 of the Countryside and Rights of Way Act 2000.
www.legislation.gov.uk/ukpga/2000/37/section/85
- 3) 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