



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

30 June 2022

Dear Michelle,

APPLICATION NO: 22/01069/FUL

DESCRIPTION: Erection of two new structures on the golf course; a 'halfway hut' to provide basic food and drink, WC facilities and rest stop half way round the course, and a new 6 bay driving range with storage facilities

LOCATION: Lillybrook Golf Club, Cirencester Road, Charlton Kings

Thank you for consulting the Cotswolds Conservation Board ('the Board') on this proposed development, which would be located within 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 2.2;
- 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 now updated in 2021](#), [link 3](#)).

The Board wishes to raise a **holding objection** as we consider that insufficient information has been submitted to demonstrate that the proposal will conserve and enhance the natural beauty of the Cotswolds National Landscape as required by Section 85 of the Countryside and Rights of Way Act 2000, paragraphs 176 and 185c of the National Planning Policy Framework (NPPF) and Policy SD7 of the Cheltenham, Gloucester and Tewkesbury Joint Core Strategy (JCS).

No details regarding lighting or hours of operation have been submitted by the applicant, in particular in connection with the driving range. It is not uncommon for driving ranges to be lit and used during

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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

hours of darkness, particularly during winter months. The Board is concerned that any lighting would introduce a 'lit element' into what would otherwise be a relatively dark night-time landscape.

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. Therefore, whilst we would recommend that the driving range is only used during daylight hours with no lighting to be installed, we would welcome some further clarification on any lighting proposals for both the driving range and 'halfway hut' from the applicant and if necessary, the submission of further information to allow the Board to make an appropriate assessment of the proposal and address the concerns raised in this response.

The Cotswolds AONB Landscape Strategy & Guidelines for LCT 2 (Section 2.2) identifies the 'introduction of lit elements to characteristically dark escarpment slope landscapes' as a potential (adverse) implication for development such as this. The guidelines seek to 'protect the unlit character [of] ... the escarpment', with these dark skies being one of the 'special qualities' of the Cotswolds National Landscape. Views to and from the escarpment are another of these 'special qualities'.

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.

Accordingly, if external lighting is proposed, we would request clarification from the applicant on the location and direction of any lighting and request their assessment of existing 'lit elements' on the escarpment in the vicinity of the golf course as well as the 'theoretical zone of visibility' of these new lit elements. Ideally, the applicant should provide a photomontage of views of the lit elements, at dusk, from key viewpoints such as from Sandy Lane, Daisybank Road and the Cotswold Way National Trail/the Access Land on Charlton Kings Common.

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. Although we recognise that the site is close to built environment 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).

We would also like to seek clarification on how golfers who are using the driving range would access these facilities. For example, if golfers using the driving range would have to walk to the driving range from the car park, would any lighting would be installed along this route if the driving range is to be used after dark?

If external lighting is proposed, the applicant should also assess the potential impacts on native nocturnal animals and their habitats, particularly bats, given the proximity of the proposed buildings to trees and hedgerows.

Without prejudice, should the Council be minded to grant planning permission, we would request that appropriate pre-commencement planning conditions relating to the above issues are imposed in the interests of the conservation and enhancement of the landscape and scenic beauty of the 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 small dot at the end.

Simon Joyce

Planning Officer

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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