



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

6 February 2023

Dear Michelle,

APPLICATION NO: 22/02205/FUL

DESCRIPTION: Demolition and clearance of existing buildings to allow for a residential development comprising 13 no. net zero carbon dwellings with associated access, car parking, internal roads and footpaths, open space, landscaping and other associated works and infrastructure

LOCATION: Land Off Kidnappers Lane, Cheltenham

Thank you for consulting the Cotswolds National Landscape Board¹ ('the Board') on this proposed development, which would be located within the setting of 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 Landscape.³ 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 Types (LCTs) 18 Settled Unwooded Vale, 2 Escarpment and 7 High Wold;
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 18 ([link](#)), including Section 18.1, 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 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 Appraisal, 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 be 'S. Joyce', written in a cursive style.

Simon Joyce

Planning Officer

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ANNEX 1 COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION 22/02205/FUL

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 National Landscape.

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 towards it, as being one of the National Landscape’s ‘special qualities’. The special qualities of the National Landscape 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 National Landscape’s conservation, enhancement and management should be based.

Policy CE1 states that proposals that are likely to impact on, or create change in, the landscape of the Cotswolds National Landscape, 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 National Landscape – and visual amenity are conserved and enhanced.

The Board also 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 National Landscape and Green Belt designations. The Board also supports the provision of housing, in particular affordable 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.

The site lies approximately 400m north of the National Landscape boundary and is at least partly visible from multiple viewpoints within the National Landscape from Public Rights of Way, access land and local roads, including the Devil’s Chimney/Leckhampton Hill (c.1km to the southeast). These Public Rights of Way include the nationally significant Cotswold Way National Trail and the regionally important Cheltenham Circular Footpath.

The site itself is partly previously developed land as a nursery formerly operated on the site. On the opposite side of Kidnappers Lane lies a site with reserved matters approval granted for 22 dwellings in January 2022 and a further 5 dwellings consented on a further adjacent brownfield site in September 2022. The site is also adjacent to the consented secondary school south of Kidnappers Lane with further land to the north allocated for approximately 350 dwellings as site MD4 in the Cheltenham Plan.

Bearing the above in mind, we acknowledge that the proposal, when viewed from the Cotswold escarpment, would to some extent be viewed as part of a wider panorama and also more immediately in the context of development mentioned above as well as the Brizen View and Brizen Park developments to the west.

We note that the present boundary screening would be mostly retained and would be strengthened by supplementary native planting. The use of the materials proposed should also, to an extent, aid the assimilation of the development into the local landscape, certainly in comparison to the red tile used on the roofs of properties in the Brizen Park development.

The applicant's LVA concludes that the site makes a very limited contribution to the local area other than through its boundary screening which will be retained. The proposed development would appear in the context of the wider approved development and as such is assessed to give rise to very limited effects on local landscape character and visual amenity due to the negligible magnitude of change. We do not disagree with this assessment. We also acknowledge the conclusions of the appeal Inspector in the decision letter allowing an appeal on the neighbouring site that that proposal for a larger quantum of development (25 dwellings) would not result in harm to the setting of the AONB.

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 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