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5 January 2022

Dear Claire,

APPLICATION NO: 21/02773/TDC

DESCRIPTION: Application for Technical Details Consent (TDC) for a replacement dwelling pursuant to Permission in Principle (PiP) reference 20/00716/PIP

LOCATION: Sky Garden, Daisy Bank Road, Cheltenham

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

Having reviewed the information submitted, the Board **objects** to this application as we consider that the applicant has not demonstrated that the proposal would be compatible with the statutory purpose of conserving and enhancing the natural beauty of the Cotswolds National Landscape, including its landscape and scenic beauty. The planning authority has a statutory duty to have regard to this purpose and must give great weight to conserving and enhancing the landscape and scenic beauty of the National Landscape.

The Board commented upon the previous Permission in Principle application at this site (ref. 20/00716/PIP) in May 2020. In our response we highlighted the very high landscape and visual sensitivity of the site and the potential adverse impacts of its development given its:

- location on the Cotswold escarpment, which is one of the 'special qualities' of the Cotswolds AONB;
- 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.

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

Landscape and Visual Impact

The site is clearly a highly sensitive one 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 accompanying LVIA illustrates how views of the residential development on this part 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 (Section 2.1, linked below) 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.

In this context, the Board does not agree with the applicant's assertion at paragraph 5.8 of the Planning Statement that there will be 'no perceptible impact on... the AONB'. The proposed house is a large split-level contemporary dwelling which extends across the majority of the large plot and will clearly have a significantly greater visual impact than the modestly sized timber house and associated structures it replaces.

The Board acknowledges that the proposal would have minimal impact in views from Daisy Bank Road towards its southern elevation as it would appear as a single-story dwelling with the current boundary wall and vegetation screening being retained and also that the applicant proposes to install green roofs for both the house and the detached garage, which will help minimise impact of the property in views from the Cotswold Way which is located above the site (as shown at Photoviewpoint 4 of the LVIA). However, it remains concerned at the potential adverse landscape and visual impact of the proposed dwelling in medium and long-range views of the escarpment, which is one of the 'special qualities' of the landscape and scenic beauty of the AONB, the conservation and enhancement of which must be given great weight.

It is disappointing that the LVIA contains no photomontage analysis of the proposed dwelling, particularly in the key views from the base of the escarpment, especially in Photoviewpoints 5 and 6 (and to a lesser degree from the Cotswold Way at Photoviewpoint 4). What these photoviewpoints do illustrate, however, is the prominence of the neighbouring property, Hill Villa, against the escarpment in medium to long range views. The LVIA also does not show the ZTV associated with the proposal or explain how the photoviewpoints were selected.

The LVIA recommends new green infrastructure planting within the site to mitigate the impact of the proposal on its wider setting. Whilst the submitted landscaping scheme shows some native hedge and tree planting along the open northern boundary, the steep sloping topography of the site, where

the northern boundary sits c.10m lower than the land where the house is to be sited (the slope and the site boundaries can clearly be seen in Photoviewpoint 6 of the LVIA) means that it is unlikely to be tall enough to have a significant effect in minimising the visual impact of the dwelling in views of the escarpment. The landscaping plan contains no sections to illustrate how the landscaping will appear when viewed from the north/northeast, however Photoviewpoint 6 clearly shows that the hedge planting along the northern boundary of the neighbouring property has no effect in minimising its prominence on the escarpment.

Whilst it is acknowledged that in granting the extant Permission in Principle (ref. 20/00716/PIP), the Council considered that, subject to appropriate design, scale and siting (our emphasis), one replacement dwelling could be accommodated on the site, it is also noted that the Permission in Principle application initially sought permission for two dwellings. This was not supported by the Council due, in part, to potential adverse impacts upon the AONB. Figure 2 of the Planning Statement supporting the Permission in Principle application illustrates how the two proposed dwellings, which were deemed unacceptable, would be located on the southern part of the site. The proposed dwelling occupies most of the width of the site and its footprint is substantial, particularly when viewed on the proposed block plan (dwg. no. (00)010) in the context of what is an already-substantial neighbouring property. Therefore, the impact of the proposed dwelling in landscape and visual terms may well to be similar to the two properties the Council felt would be unacceptable.

Lighting

The proposed dwelling features more than 15 separate full length glazed windows and doors across two floors in the northeast elevation in what the Design and Access Statement states is an attempt to maximise both solar gain and views for the occupiers. However, the Board is concerned at the potential for light spill and glow from this mainly glazed elevation. It is also noted that whilst the windows on the ground (upper) floor are to be fitted with adjustable timber louvres, those on the lower ground floor are not. There is also the potential issue of reflective glare which may be created by the large glazed areas including the glazed balconies, particularly at sunrise given the northeasterly orientation of the building. It is also noted that the applicant has not provided any details of external lighting proposals, particularly on the terraces and patio area which will be visually prominent in views of the escarpment.

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 below.

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) as well as the ILP Guidance Note for Reduction of Obtrusive Light and the CfDS Good Lighting Guide which form Appendices B and C of the Board’s Dark Skies & Artificial Light Position Statement (linked above).

Without prejudice, if the local authority is minded to grant planning permission, we recommend that planning conditions should be imposed which seek to mitigate any adverse impact and ensure that all lighting will be limited to low-level, down-facing lights.

Conclusion

For the reasons outlined above, the Board considers that due to its scale and design, the proposed dwelling would have an unacceptable adverse impact on the landscape and scenic beauty of the AONB.

Further guidance can be found within the following documents²:

- 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](#)).

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

Yours sincerely,



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) 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