



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

16 August 2022

Dear Michelle,

APPLICATION NO: 22/01301/FUL

DESCRIPTION: Conversion of existing barn into a single dwelling (C3)

LOCATION: Charlton House, Charlton Hill, Cheltenham, Gloucestershire

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 Landscape². 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](#))

For the reasons outlined in Annex 1 below, 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).

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

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 22/01301/FUL

Landscape and Visual Impact

Policy SD6 of the Cheltenham, Gloucester and Tewkesbury Joint Core Strategy (JCS) requires development to seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental, and social well-being. This reflects advice in the National Planning Policy Framework that requires policies and decisions to recognise the intrinsic character and beauty of the countryside. Policy SD7 of the JCS follows and states that all development proposals within the setting of the Cotswolds National Landscape will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage, and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan.

Policy CE1 of the Cotswolds AONB Management Plan 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 (LCA) and Landscape Strategy and Guidelines (LS&G). Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB should have regard to the scenic quality of the location and its setting and ensure that views and visual amenity are conserved and enhanced.

In landscape character terms, the application site lies within the Escarpment Landscape Character Type, as identified within the Cotswolds AONB LCA. Views to and from the escarpment are one of the 'special qualities' of the Cotswolds National Landscape identified in the AONB Management Plan, these being aspects of the area's natural beauty which make the area distinctive and which are valuable, especially at a national scale.

Section 2.2 of the Cotswolds LS&G referred to above identifies a number of potential adverse landscape implications for the conversion of farm buildings on the mid escarpment slopes that might compromise rural landscape character including farm buildings converted to residential use. These include visual intrusions introduced to the landscape, the introduction of 'lit' elements to characteristically dark escarpment slope landscapes, the potential for glint from buildings and the suburbanisation and domestication of agricultural landscape by the introduction of gardens, parking areas and driveways.

The site also falls within the Wistley Hill Wooded Pasture Slopes (LCA 10.8) Landscape Character Area of the Council's Landscape Character, Sensitivity and Capacity Assessment of Cotswolds AONB within the Cheltenham Borough Administrative Area (Ryder Landscape Consultants, revised May 2016) which also concludes that the overall landscape and visual sensitivity and landscape value of this area is high.

Whilst we note the proposed reduction in overall built form through the demolition of part of the existing barn, the applicant has provided no assessment of the landscape and visual impacts of the proposal aside from brief paragraphs in the Planning Statement and Design & Access Statement. Whilst the applicant's Planning Statement states at paragraph 6.15 that *"there are very limited views into the site from public vantage points due to the undulating landform and intervening vegetation. As such, the proposal would conserve the existing landscape within an Area of Outstanding Natural*

Beauty”, no further evidence is provided to support, or enable any objective assessment of, this statement.

No attempt has been made to describe the local landscape character, assess the baseline landscape and visual contribution of the current buildings to the protected landscape of the AONB or assess the potential impact of the new conversion, creation of the new access drive, parking areas and garage for the adjacent property, the degree of change that would occur and any harm which may arise from the proposal. Whilst a full LVIA would not be required due to the scale of the proposal, we consider it is reasonable that further information should be submitted to support this proposal for a large residential conversion within an especially sensitive part of the National Landscape.

Therefore, we request that the applicant submits a Landscape and Visual Appraisal of the site and proposal using techniques and best practice guidance in accordance with the ‘Guidelines for Landscape and Visual Impact Assessment’ - Landscape Institute & the Institute of Environmental Management and Assessment, 2013 (GLVIA3; Third edition). In particular it should also assess the degree of visibility of the site from the A435, Cotswold Way National Trail west of the A435 and south of the site and views from the west around Leckhampton Hill and Charlton Kings Common and public rights of way to the east including the Cheltenham Circular Footpath.

Lighting

The applicant has also provided no details in respect of external lighting proposals for the new dwelling, terrace, parking area, access driveway or the double garage and parking area serving Charlton House.

As outlined above the Cotswolds AONB LS&G 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.

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.

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).

In the first instance we would request further information on any proposed external lighting. 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).

Without prejudice, if the local authority is minded to grant planning permission, planning conditions should be imposed which seek to mitigate any adverse impact and ensure that all lighting meets the standards outlined above and will be limited to low-level, down-facing lights to preserve the landscape character of the Cotswolds National Landscape.

We would also recommend a condition is imposed so that current and future owners of the properties accept restrictions on typical General Permitted Development rights to reduce the risk of associated landscape and visual harm accruing through the development of peripheral features within the external space associated with the dwellings to preserve the landscape character of the Cotswolds National Landscape.

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