

14th August 2020

Lucy White
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By email only to dcomments@cheltenham.gov.uk

Dear Lucy

20/01069/OUT. Outline application for development comprising of up to 250 residential dwellings. Oakley Farm, Priors Road, Cheltenham, Gloucestershire LG52 5AQ

Thank you for consulting the Cotswolds Conservation Board ('the Board') on the above planning application.

The proposed development is located in the Cotswolds Area of Outstanding Natural Beauty (AONB). The purpose of AONB designation is to conserve and enhance the natural beauty of the AONB. Whilst the Board recognises that the AONB is a living and working landscape, development in the AONB should be consistent with – and help to deliver – the purpose of AONB designation.

The Board objects to the proposed development, for the reasons outlined below, and recommends that it should not be granted planning permission.

We consider that the proposed development would constitute major development, in the context of paragraph 172 and footnote 55 of the National Planning Policy Framework (NPPF), by reason of its nature, scale, setting and potential to have significant adverse impacts on the purpose of AONB designation.

The site is located in the highly sensitive landscape of the Cotswold escarpment, which is one the 'special qualities' of the AONB. The newly adopted Cheltenham Plan states that it is particularly important to protect the escarpment as the dominant feature of Cheltenham's setting and expressed concern at the cumulative impact of even small-scale development (let alone a development of 250 dwellings).

The Board considers that the site, in its current form, clearly merits its AONB status because the quality and character of the landscape at the site is unimpaired by its proximity to urban development and is commensurate with the landscape quality in other parts of the Cotswolds AONB. The site is highly visible and prominent feature when seen from nationally, regionally and locally important viewpoints, in particular the Cotswold Way National Trail. It provides an important 'green wedge' that extends the natural beauty of the Cotswolds AONB landscape into the urban area of Cheltenham.

We acknowledge that the southern edge of the site would remain undeveloped. However, even with this mitigation in place, the development would still result significant adverse effects on many of the landscape and visual features and characteristics that make this site

Conserving, enhancing, understanding and enjoying the Cotswolds Area of Outstanding Natural Beauty

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so special. Given the elevation of many key viewpoints on the escarpment, other measures, such as planting new hedges and trees are unlikely to provide significant mitigation.

The Board also considers that the development is likely to have significant adverse impacts on the tranquillity of the Cotswolds AONB (which is another of the AONB's special qualities), particularly with regards to the number of vehicle movements on roads in – and directly adjacent to – the AONB. We also consider that there would be adverse impacts on the setting of the listed buildings of Hewletts Reservoir.

The starting point for decisions relating to major development is a presumption against granting planning permission. For such development to be approved, it would need to be demonstrated that exceptional circumstances apply *and* that the development would be in the public interest. However, the Board does not consider that these thresholds have been met.

The Board's recognises that there is a need for new housing in Cheltenham and other settlements. However, the need for this specific development proposal clearly relates to needs arising outside the AONB. As stated in Government guidance, AONBs are unlikely to be suitable areas for accommodating unmet needs arising in areas outside the AONB. Government guidance also indicates that the scale and extent of development in AONBs should be limited.

There is very little housing within the Cheltenham section of the AONB. As such, there is also likely to be very little need for new housing arising within this section of the AONB. Any such housing need is already likely to be met by the new housing in the south east corner of the Oakley Grange development and by other permitted development within the AONB.

Consideration of 'public interest' should take into account the fact that AONBs are areas whose distinctive character and natural beauty are so outstanding that it is in the nation's interest to safeguard them.

If you have any queries regarding this response, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink that reads "John Mills". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

John Mills MRTPI
Planning and Landscape Officer

ANNEX 1. SUPPORTING INFORMATION FOR THE RESPONSE OF THE COTSWOLDS CONSERVATION BOARD TO PLANNING APPLICATION 20/01069/OUT

MAJOR DEVELOPMENT

As stated in footnote 55 of the NPPF, '*whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined*'. In the context of the proposed development, the purpose for which the area (i.e. the Cotswolds Area of Outstanding Natural Beauty (AONB)) has been designated is to conserve and enhance the natural beauty of the AONB.

Nature / Scale

The proposed development is for 250 dwellings on a site covering 15.29 hectares (ha) of predominantly agricultural land.

250 dwellings is a huge amount of housing for a single development within an Area of Outstanding Natural Beauty (AONB), which are supposed to be areas where the scale and extent of development should be limited.¹

250 dwellings and 15.29ha is also well above the thresholds for 'urban development projects' set out in Schedule 2, paragraph 10b, of the Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 2017 (i.e. developments that include more than 150 dwellings and / or where the overall area of the development exceeds 5ha). However, in a 'sensitive area', such as the Cotswolds AONB, these thresholds don't apply, so even a very small scale housing development should be subject to EIA screening. This makes the scale of the proposed development even more significant in this regard.

This significance has been demonstrated by the fact that Cheltenham Borough Council's EIA Screening Opinion concluded that the development was *likely* to have significant adverse environmental impacts (including significant adverse impacts on the AONB) and that an EIA would be required.

Given that the proposed development has officially been deemed to be *likely* to have significant adverse impacts on the AONB, it automatically follows that the development *could* have such impacts (which is the 'major development' threshold in this regard).

The proposed development is also 25 times larger than the threshold for major development defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (i.e. 10 or more dwellings).

Setting

The proposed development is located in the Cotswolds AONB, in the highly sensitive landscape of the Cotswold escarpment. The AONB boundary was actually extended in 1990 to incorporate the whole of the site, whereas previously the western field had been excluded – see Annex 2 for further details.

The Cotswolds AONB Landscape Character Assessment² identifies 19 different Landscape Character Types (LCTs) within the Cotswolds AONB. The proposed development is located in LCT 2 (Escarpment). These LCTs are further divided into a number of Landscape

¹ NPPF, paragraph 172.

² <https://www.cotswoldsaonb.org.uk/our-landscape/landscape-character-assessment/>

Character Areas (LCAs). The proposed development is located in LCA 2C (Escarpment: Cooper's Hill to Winchcombe).

The Cotswolds AONB Landscape Strategy and Guidelines (LSG) for LCT 2 states that '*the escarpment is a distinctive and dramatic landscape*' and that '*the combination of its elevation, and the steep slopes rising from the lowlands, make it a highly visible features and is therefore very sensitive to change.*'

The LSG's guidelines for LCT 2 include:

- Maintain the open, dramatic and sparsely settled character of the Escarpment.
- Avoid development that will intrude negatively into the landscape and cannot be successfully mitigated, for example, extensions to settlements onto the escarpment.
- Conserve pattern of settlements fringing the lower slopes and their existing relationship to landform.
- Ensure that new development does not adversely affect settlement character and form.
- Conserve the rural character of the road network.

The Cotswolds AONB Management Plan 2018-2023 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.

The 'Landscape Character, Sensitivity and Capacity Assessment of Cotswolds AONB within the Cheltenham Borough Administrative Area', published by Cheltenham Borough Council in 2015, refers to the site of the proposed development as Oakley Farm Pasture Slopes (LCA 7.10). The assessment identifies that LCA 7.10 has

- high visual sensitivity;
- high landscape character sensitivity;
- high overall landscape sensitivity;
- high landscape value;
- a major overall landscape constraint;
- low overall resulting landscape capacity.

Paragraph 8.3 of the adopted Cheltenham Plan states that '*the AONB in the Borough is particularly sensitive to development pressures. A restrictive approach is therefore necessary ... The Council considers it particularly important to protect the scarp as the dominant feature of Cheltenham's setting and is concerned at the cumulative effect of even small-scale development and of development in new locations within the AONB*' (underlining added for emphasis).

The Board acknowledges that there is built development immediately to the north, west, and south of the site, with the housing of the recent Oakley Grange development also extending to the north east of the site. However, there was built development in all of these locations prior to the AONB boundary review in 1990 and even before the AONB was designated in 1966. Some of this development, such as the former GCHQ site was, arguably, more incongruous and more intrusive than the current form of development.

For example, the aerial photograph below, from Google Earth, shows the site in 1945, with the former GCHQ site to the north (and north east) of the Oakley Farm site already well

established. It also shows that the current pattern of development to the south of Harp Hill lane was also already well established at that time.

Figure 1. Aerial photograph of the Oakley Farm site in 1945



Similarly, the aerial photograph below, taken in 1993, shortly after the AONB boundary review, shows how extensive the GCHQ site was at that time (extending to the northern boundary of the Hewlett Reservoir complex).

Figure 2. The former GCHQ complex in 1993



Potential to have a significant adverse impact on the purpose of AONB designation

Landscape character

As outlined above, the site of the proposed development is located within Landscape Character Type (LCT) 2 (Escarpment). The Cotswolds AONB Landscape Character Assessment and the Cotswolds AONB Landscape Strategy and Guidelines identify a number of key characteristics / features for LCT 2.

A number of these key features are well represented on the Oakley Farm site including:

- Steep exposed and elevated west facing escarpment slope forming a dramatic relief feature and a backdrop to neighbouring lowlands;
- Generally poor soils and steep sloping relief of the escarpment not suitable to arable farming and primarily used for pasture;
- A number of large towns and cities located at, or in the vicinity of the foot of the escarpment. The scarp forms a rural backdrop to urban development and limits eastward expansion. [N.B. Underlining added for emphasis.]

The Board considers that the proposed development would have a significant adverse effect on these key features, particularly as a result of the loss of a significant area of this characteristic, pastoral landscape and its prominence as a pleasing, rural backdrop / foreground to the urban area. The Board acknowledges that the southern edge of the site would remain undeveloped. However, we consider that the adverse effect on landscape character would still be significant.

The site currently plays a vitally important role as a green 'wedge' bringing the AONB landscape into the urban area of Cheltenham. Even with the retention of the undeveloped southern edge of the site, this role would be significantly undermined by the proposed development.

All of the land where the proposed development would take place, apart from the westerly field, was included in the Cotswolds AONB when it was first designated in 1966. The westerly field was incorporated into the AONB following the Cotswolds AONB Boundary Review in 1990.

It is very important to note that, when the boundary review was undertaken, the officers undertaking the review *'concluded that it was not appropriate for an AONB boundary to coincide with an urban edge unless the quality and character of the landscape is unimpaired by its proximity to urban development.'*³ It was with this point in mind that the officers undertaking the boundary review recommended that the westerly field of the Oakley Farm site should be added to the AONB.

Other requirements for retaining land in - or added land to – the AONB during the boundary review process included:

- i. the quality of the landscape is commensurate with the landscape quality in other parts of the Cotswolds AONB;⁴

³ Woolmore, R (2004) *Designation History Series. Cotswolds AONB. Volume 1.* Countryside Commission. The issue of boundary changes at urban edges is referred to in paragraph 58. There is only one hard copy of this document, which is at the Cotswolds Conservation Board office in Northleach.

⁴ This was one of the criteria used in the boundary review.

- ii. it exhibits similarities with the rest of the Cotswolds AONB in terms of landscape character.⁵

As outlined above, whilst the site does have built development on several sides, the footprint of this built development has not expanded since the AONB boundary review and, to a large degree, since the AONB was first designated in 1966. Also, the site itself still retains the representative, high quality AONB landscape character that it had at the time of the boundary review and designation.

Therefore, it is the Board's very strong opinion that all of these factors still apply in relation to the Oakley Farm site and that these factors demonstrate that the site rightfully merits its inclusion within the AONB.

The Board considers that it is vitally important that, in such a sensitive location on the edge of the urban area of Cheltenham, the AONB boundary continues to provide a clear limit to the eastward expansion of this urban area.

Based on the points outlined above, the Board considers that the proposed development would:

- fail to maintain the open, dramatic and sparsely settled character of the escarpment;
- intrude negatively into the landscape and could not be successfully mitigated;
- fail to conserve the pattern of settlement fringing the lower slopes of the escarpment; and the settlement's existing relationship to the landform; and
- adversely affect settlement character and form.

As such the proposed development would not comply with the guidelines set out in the Cotswolds AONB Landscape Strategy and Guidelines (LSG) (section 2.1) relating to the development, expansion and infilling of settlements onto the lower slopes of the escarpment in Landscape Character Type 2 (Escarpment).

Given that the development is not compatible with the LSG, it would also not be compatible with the policies of the Cotswolds AONB Management Plan 2018-2023 (particularly Policy CE10 and CE1). As it is not compatible with the AONB Management Plan it would also not be compatible with the policies of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (particularly Policy SD7).

Visual impact

The site of the proposed development is highly visible from multiple, publically accessible viewpoints on public rights of way, access land and local roads. In some instances, it is visible from multiple viewpoints along a single right of way. These public rights of way include the nationally important Cotswold Way National Trail and the regionally important Cheltenham Circular Footpath.

As outlined above, the views to and from the escarpment are one of the 'special qualities' of the Cotswolds AONB. The Cotswolds AONB Landscape Strategy and Guidelines highlights the risk of development in Landscape Character Type 2 (Escarpment) causing degradation of the view from the scarp across the adjoining vale and from the vale looking up at the scarp.

⁵ As per the previous footnote.

Based on the points outlined above, the sensitivity of visual receptors would clearly be very high, particularly with regards to receptors on the escarpment.

The Board's Planning & Landscape Officer undertook a site visit in May 2019. Two photographs from this site visit have been included in Annex 2, for reference, with the approximate site boundary demarcated by a red line.

The first photograph in Annex 2 is taken from access land directly adjacent to the Cotswold Way National Trail at Grid Reference, approximately 2.5km to the north west of the Oakley Farm site. This clearly shows the Oakley Farm site as a prominent 'green wedge' extending the rural landscape of the Cotswolds AONB into the urban area of Cheltenham. The loss of this green wedge would have a significant adverse visual effect.

The second photograph is taken from the footpath near Northfield Farm, approximately 1km to the east of the Oakley Farm site (Grid Reference: SO9830224). This clearly shows that:

- the Oakley Farm site is contiguous with the rest of the AONB;
- keeping the Oakley Farm site undeveloped would help to prevent the spread of the urban area onto the escarpment (whereas permitting the development would clearly exacerbate the visual intrusion of the urban area);
- the Oakley Farm site provides a rural setting to the listed buildings of the Hewletts Reservoir complex, particularly the pavilion;
- the Hewletts Reservoir complex provides a relatively natural-looking feature, despite its engineered structure.

As acknowledged above, the southern edge of the site will not be developed for housing. However, it is important to note that the new housing would still extend the built development approximately 30m higher, in elevation, than the built development to the north. As such, the new housing would still be highly visible from all directions. Furthermore, the retained, undeveloped land would just be seen as a relatively narrow strip, rather than the wide green wedge that the site provides at present.

Given the elevated position of many key viewpoints, visual mitigation such as the planting / enhancement of hedgerows and trees would do very little to reduce the visual impacts of the development over time.

Overall, the Board considers the sensitivity of receptors at key viewpoints to be very high and the magnitude of the visual effects to be high. We therefore consider the adverse visual effects to be significant.

Tranquillity

The Board considers that the proposed development would have a significant adverse impact on the tranquillity of the Cotswolds AONB, particularly with regards to the number of vehicle movements into and out of the site that would be associated with the residents of – and visitors / deliveries to – 250 dwellings

At present Harps Hill is a relatively quiet, minor road running along the edge of – and into – the AONB. The development would significantly increase the number of vehicle movements on Harp Hill, along the AONB boundary, between the B4075 and the site entrance.

The Board is also concerned that the proposed development would result in a significant increase in the number of vehicle movements on Greenway Lane, through the AONB, as a rat run providing relatively quick access to / from the A40 in Charlton Kings.

It is important to highlight that the Board's Tranquillity Position Statement indicates that increases in vehicle movements of 10% or more would be significant.⁶ Even taking into account the applicant's evidence base, it is difficult to see how the proposed development would not result in this 10% rule of thumb threshold being significantly exceeded on Harp Hill and Greenway Lane.

The creation of the site entrance on Harp Hill and the new roads on the site would also significantly reduce the tranquillity of the AONB in this locality and would result in the loss of the rural character of the local road network. The associated HGV movements would also potentially result in the loss of roadside verges and habitats. As such, the development would be contrary to the guidelines set out in the Cotswolds AONB Landscape Strategy and Guidelines (Sections 2.8 and 2.9) relating to roads and traffic in Landscape Character Type 2 (Escarpment).

Historic Environment

The Board considers that the proposed development would significantly detract from the setting of the listed buildings that form part of the Hewletts Reservoir complex, particularly the pavilion.

We acknowledge that these buildings are primarily listed for their association with the historically engineering importance of the Hewletts Reservoir complex. However, their relatively rural setting provides an important backdrop, when seen from both the west and the east. In particular, the way in which this rural setting frames the pavilion, in its position perched on the edge of the reservoir, adds significantly to the appreciation of this listed building.

Biodiversity

The Board acknowledges that the proposed development does have the potential to deliver some biodiversity enhancements.

The Board supports the principle of enhancing biodiversity in the Cotswolds AONB. However, in this instance, the Board considers that there is a significant risk that the proposed measures to enhance biodiversity could undermine the existing, characteristic landscape character of the site. For example, the proposed development would replace a significant area of open pasture with woodland. Whilst the Board would support the planting of the right type of woodland in the right place, we do not consider that it would be appropriate to replace the characteristic open pasture of this site with woodland.

It is important to note that, in AONBs, paragraph 172 the NPPF gives greater weight to conserving and enhancing landscape than it does to conserving and enhancing biodiversity (i.e. 'great weight' v 'important consideration').

Without prejudice, if the Borough Council is minded to grant planning permission, the development should be required to deliver measurable, significant net gains for biodiversity.

⁶ <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2019/06/Tranquillity-Position-Statement-FINAL-June-2019.pdf>. Paragraph 4.5.

MAJOR DEVELOPMENT TESTS

The starting point for decisions relating to major development is a presumption against granting planning permission. For such development to be approved, it would need to be demonstrated that exceptional circumstances apply *and* that the development would be in the public interest.

Consideration of such application should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated.

It is important to note that, even if there is considered to be 'exceptional need' for the development, relevant case law⁷ has clarified that 'exceptional need' does not equate to 'exceptional circumstances'. This is because the other major development considerations may outweigh this exceptional need. This is particularly important given that:

- AONBs are landscapes whose distinctive character and natural beauty are so outstanding that it is in the nation's interest to safeguard them;
- great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs;⁸
- AONBs have the highest status of protection in relation to landscape and scenic beauty (on par with national parks);⁹
- Cheltenham Borough Council must have regard to the purpose of conserving and enhancing the natural beauty of the Cotswolds AONB¹⁰, with the expectation that adverse impacts will be avoided or minimised;¹¹
- Cheltenham Borough Council has the power to take all such action as appears expedient to the Council for the accomplishment of the purpose of conserving and enhancing the natural beauty of the Cotswolds AONB.¹²

The potential adverse effects on the Cotswolds AONB have been outlined above, so this section focusses on the need for the development and alternative options.

The need for the development

The need for the development is primarily based on the housing needs relating to the urban area of Cheltenham and other nearby urban areas that lie outside the Cotswolds AONB boundary.

⁷ For example, *Mevagissey Parish Council, R v Cornwall Council & Anor*, England and Wales High Court (Administrative Court) (27 November 2013).

⁸ NPPF, paragraph 172.

⁹ NPPF, paragraph 172.

¹⁰ Countryside and Rights of Way Act 2000, Section 85.

¹¹ Natural England (2010) *England's statutory designated landscapes: a practical guide to your duty of regard*. Also Defra (2005) *Duties on relevant authorities to have regards to the purposes of National parks, Areas of Outstanding Natural beauty and the Norfolk and Suffolk Broads*. Both publications are referred to in paragraph 039 of the Government's Planning Practice Guidance for 'Natural Environment' ([link](#)).

¹² Countryside and Rights of Way Act 2000, Section 84.

As such, the proposed development is clearly contrary to the Government's Planning Practice Guidance, which explicitly states that AONBs '*are unlikely to be suitable areas for accommodating unmet needs from adjoining (non-designated) areas*'.¹³ In other words, the section of the Cotswolds AONB that is located within Cheltenham Borough is unlikely to be a suitable area for accommodating unmet needs arising in the parts of Cheltenham Borough (and / or surrounding areas) that are not located in the AONB.

The proposed development is also clearly contrary to Policy CE12 of the Cotswolds AONB Management Plan 2108-2023, which states that '*development in the Cotswolds AONB should be based on robust evidence of local need arising from within the AONB*' (underlining added for emphasis).

Policy SD7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 states that proposals in the Cotswolds AONB '*will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan*'. Given that the proposed development is contrary to the policies of the Cotswolds AONB Management Plan, it therefore follows that it is also contrary to the policies of the Joint Core Strategy.

Policy CE12 of the Cotswolds AONB Management Plan also states that '*priority should be given to the provision of affordable housing*'. Therefore, the starting point, when assessing housing need for a proposed housing development in the AONB, should be the affordable housing need arising within the section of the relevant parish that lies within the AONB. Where the whole parish lies within the AONB, a rural housing needs surveys provides a good basis for identifying this housing need. However, a cautionary approach is required for such data where the parish boundary extends beyond the AONB boundary and where most of the existing housing within the parish lies outside the AONB

In this instance, the relevant parish is Charlton Kings. Within the AONB section of Charlton Kings Parish, there is a limited amount of housing: along Harp Hill and Greenway Lane; in the south east corner of the Oakley Grange development; and in Ham. Other housing mainly consists of scattered farmsteads along the escarpment.

Beyond Charlton Kings Parish (but still within Cheltenham Borough), the AONB extends into a tiny portion of Leckhampton with Warden Hill Parish. However, there is practically no housing within this section of the AONB.

Based on the information outlined above, there is likely to be very little need for new housing with regards to the population within the Cheltenham Borough section of the AONB. Any housing need that has arisen within the Cheltenham Borough section of the AONB would probably already have been met by: the new housing in the south east corner of the Oakley Grange development; the permission for eight dwellings at Cromwell Court and the various other dwellings that have been permitted in recent years.

Even if there is a shortfall in the housing provision for Cheltenham Borough as a whole, this does not mean that there should be a presumption in favour of granting planning permission (i.e. a 'tilted balance') within the Cheltenham Borough section of the AONB. This is because paragraph 11d(i) of the NPPF makes it clear that this tilted balance does not apply in the AONB. Relevant case law¹⁴ has clarified that the exemptions that apply under paragraph 11d(i) and footnote 6 of the NPPF relate all aspects of paragraph 172 of the NPPF, not just the 'major development' component.

¹³ <https://www.gov.uk/guidance/natural-environment#landscape>. Paragraph 041.

¹⁴ For example, *Monkhill Ltd v Secretary of State for Housing Communities And Local Government* 2019 EWHC 1993 (Admin) (24 July 2019). ([Link](#)).

Even if paragraph 11d(i) was not considered to apply in, this instance, the tilted balance would still not apply either. This is because, in the Board's opinion, the adverse impacts of granting planning permission would significantly outweigh the benefits. As such, the exemption provided by paragraph 11d(ii) of the NPPF would apply instead.

Alternative options

The Board acknowledges that the geographical area of Cheltenham Borough is highly constrained in terms of suitable areas for new housing, not least because of the AONB and Green Belt designations. However, this does not necessarily mean that it would be appropriate to permit the proposed development within the AONB.

There is often a tendency to consider AONBs as more suitable locations for housing developments than Green Belt. However, this is not necessarily the case, particularly for proposals that would be classed as 'major development' under paragraph 172 of the NPPF. For example, for both designations, such development should only be permitted in exceptional circumstances.

It is also important to note, in this context, the great weight that should be given to conserving and enhancing landscape and scenic beauty in AONBs and the highest status of protection that is afforded to AONBs in this regard (on par with National Parks).

The Board is not necessarily advocating development in the Green Belt. We are just highlighting that the AONB should not necessarily be considered to be a more suitable location for the proposed development than the Green Belt.

The Government's Planning Practice Guidance (PPG) highlights that policies for protecting AONBs '*may mean that it is not possible to meet objectively assessed needs for development in full.*'¹⁵ PPG also indicates that it may be more appropriate to accommodate housing in neighbouring local authority areas rather than permit harmful housing developments within an AONB. For example, the PPG relating to 'Housing and Economic Land Availability Assessment' states that:

- *If there is clear evidence that strategic policies cannot meet the needs of the area, factoring in the constraints, it will be important to establish how needs might be met in adjoining areas.*¹⁶

This is reflected in the 'Natural Environment' PPG, which states (specifically in relation to AONBs) that '*effective joint working between planning authorities covering designated and adjoining areas ... is particularly important in helping to identify how housing and other needs can best be accommodated.*'¹⁷

Whilst this national policy guidance primarily relates to housing allocations at the Local Plan stage, these principles are also relevant in the context of the major development 'tests', particularly with regard to the scope for developing outside the AONB or meeting the need in some other way. So, for example, the major development assessment should include consideration of whether it would be more appropriate (and viable) to accommodate this housing in a neighbouring area in a location that would have a less significant adverse impact on the AONB.

¹⁵ <https://www.gov.uk/guidance/natural-environment#landscape>. Paragraph 041.

¹⁶ <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment> Paragraph 025.

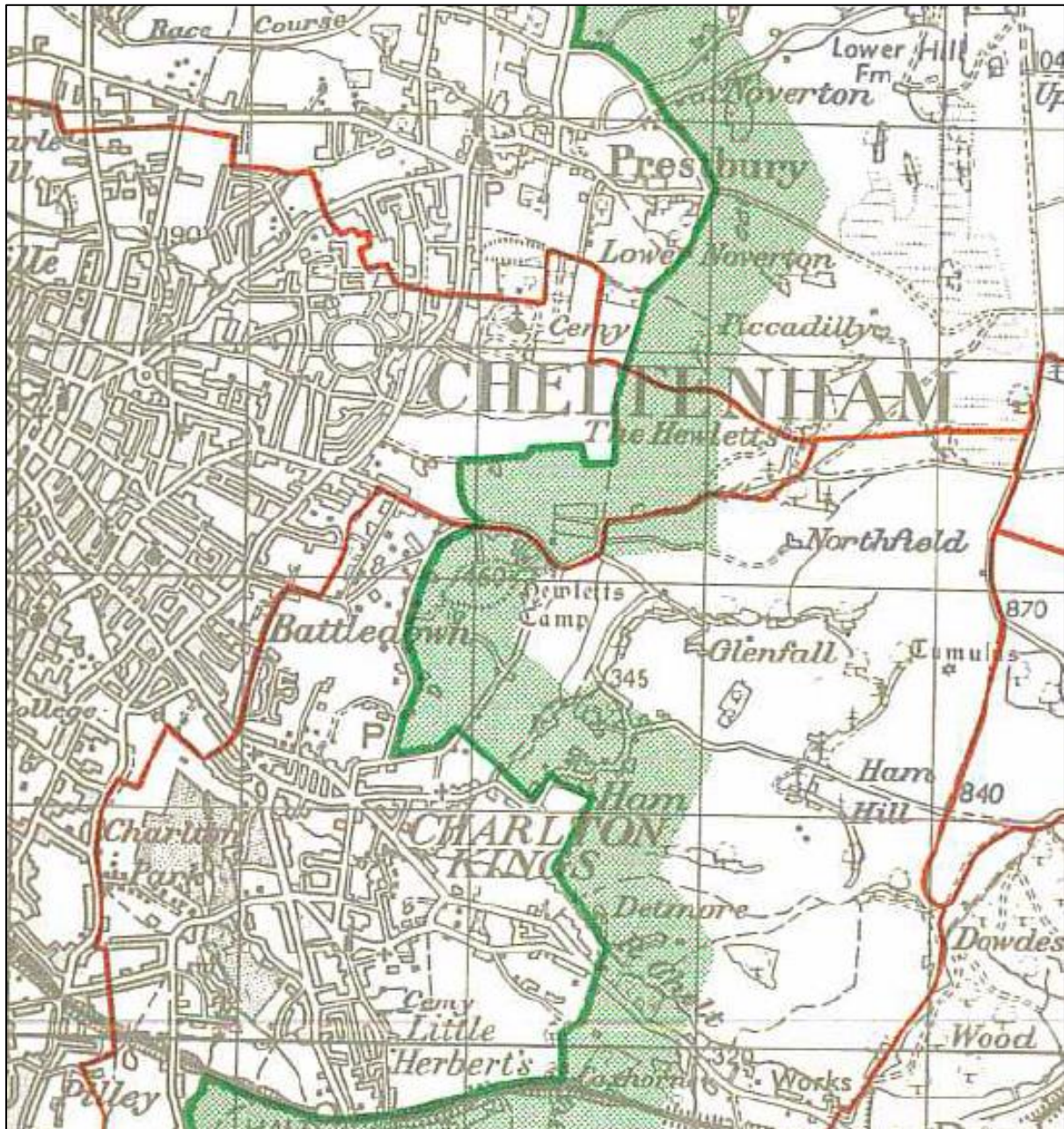
¹⁷ <https://www.gov.uk/guidance/natural-environment#landscape>. Paragraph 041.

The Board does not consider any amount of housing on this site to be appropriate, for the reasons outlined elsewhere in this response. However, without prejudice, if the Borough Council is minded to permit housing on this site, consideration should be given to only permitting a significantly smaller number of dwellings.

ANNEX 2. CHANGES TO THE COTSWOLDS AONB BOUNDARY AT OAKLEY FARM

Cotswolds AONB boundary along eastern edge of Cheltenham when the AONB was designated in 1966 (from map produced in 1964 for the National Parks Commission)

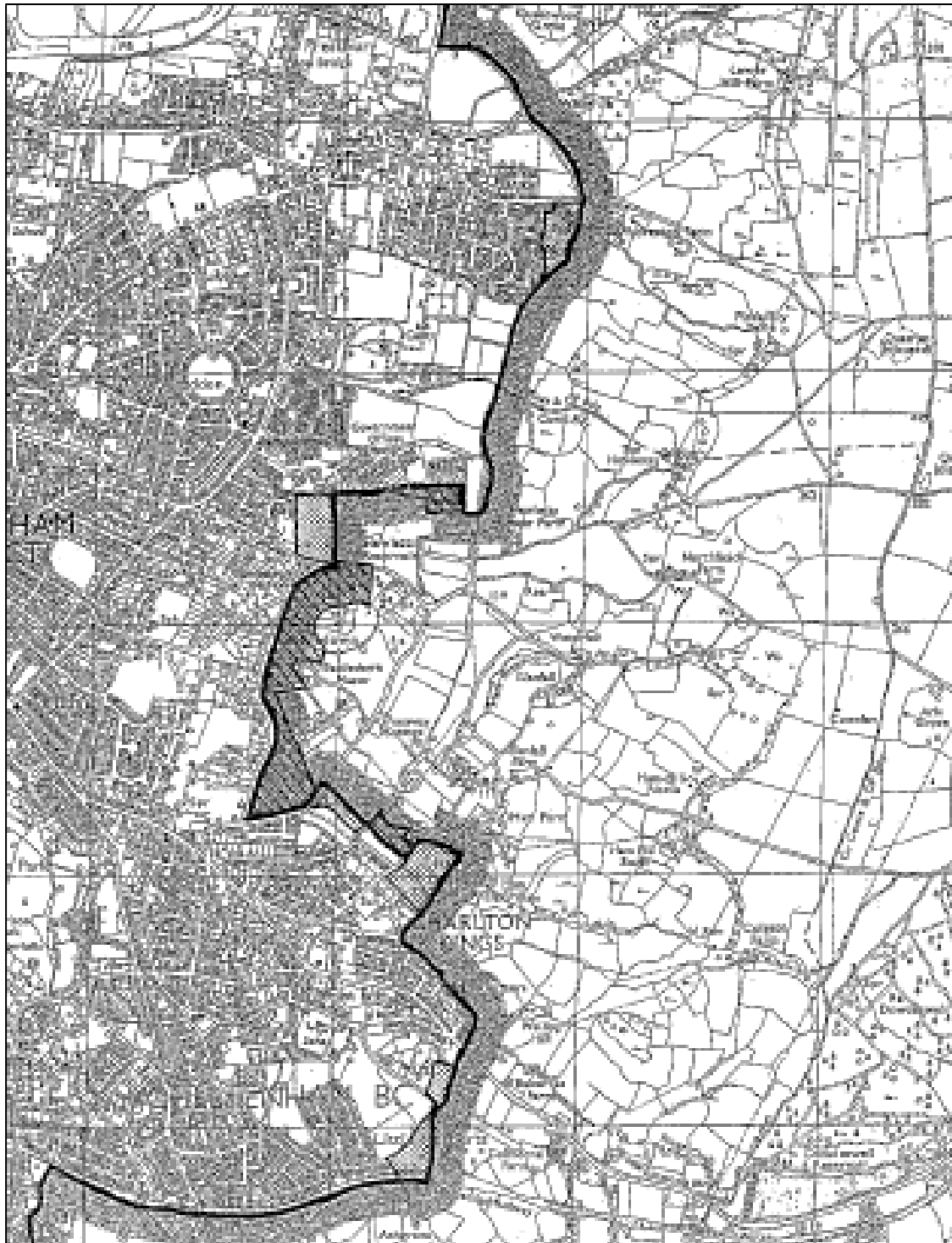
The original Cotswolds AONB boundary is based on the Cotswolds AONB (Designation) Order 1966, at the scale of 1:63360, which was confirmed by the Minister for Housing and Local Government on 19 August 1966.



Cotswolds AONB Proposed Boundary Variations (from map produced by the Countryside Commission in 1987)

The 1966 boundary is shown edged black with internal grey banding. Excluded areas are shown edged black and hatched. Added areas are shown edged black and stippled.

This shows that the western field of the Oakley Farm site was to be added into the AONB.



Cotswolds AONB boundary along the eastern edge of Cheltenham following the AONB boundary review in 1990 (from map produced by the Countryside Commission in 1990)

The boundary was confirmed, with modification, by the Cotswolds AONB (Designation) Variation Order 1989, by the Secretary of State for the Environment on 21 December 1990.

This shows the western field of the Oakley Farm site is now included within the AONB.



ANNEX 3. PHOTOGRAPHS FROM TWO KEY VIEWPOINTS

1. PHOTOGRAPH OF OAKLEY FARM SITE, LOOKING SOUTH WEST FROM COTSWOLD WAY NATIONAL TRAIL AT GRID REFERENCE SO99102422 (N.B. View at 100% size, at arms-length, for realistic impression of 'naked eye' view)



2. PHOTOGRAPH OF OAKLEY FARM SITE, LOOKING WEST FROM FOOTPATH NEAR NORTHFIELD FARM AT GRID REFERENCE SO98302224 (VIEWPOINT 7 ON SITE VISIT IN MAY 2019)

