

6th June 2019

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By email only to dccomments@cheltenham.gov.uk

Dear Mrs White

19/00916/SCOPE. Request for EIA Scoping Opinion for Land at Oakley Farm. Oakley Farm Pastures, Priors Road, Cheltenham.

Thank you for consulting the Cotswolds Conservation Board ('the Board') on the above Environmental Impact Assessment (EIA) Scoping Opinion request.

The proposed development is located in the Cotswolds Area of Outstanding Natural Beauty (AONB). The purpose of AONB designation (and the Board's primary statutory purpose) is to conserve and enhance the natural beauty of the AONB. The proposed development is likely to have significant adverse effects on this purpose and on the Board's second statutory purpose, which is to increase the understanding and enjoyment of the special qualities of the Cotswolds AONB. As such, it is essential that these adverse effects are fully assessed in the EIA.

The Board's detailed comments on the scope of the EIA are outlined in Annex 1, below. These are aligned to the proposed structure and content of the Environmental Statement, which is broadly consistent with the requirements of the EIA regulations. In summary, the Board's key points are as follows:

- **Over-arching issues:** take account of:
 - the Cotswolds AONB Management Plan 2018-2023 and other Board guidance;
 - the Board's purposes, 'natural beauty' criteria and the Cotswolds AONB's 'special qualities'.
- **Alternatives:**
 - consider locations outside the Cotswolds AONB and a smaller scale of development;
 - do not assume that the Cotswolds AONB is a more suitable location for major development than the Green Belt.
- **Socio- Economic:**
 - take account of the restrictions that apply to development in the Cotswolds AONB;
 - do not treat Homeseeker Plus data as a measure of housing need.
- **Landscape and Visual Impact:** take account of:
 - the Cotswolds AONB Boundary Review in 1990;
 - the Cotswolds AONB Landscape Character Assessment and the Cotswolds AONB Landscape Strategy and Guidelines;

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

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- Cheltenham Borough Council's 'Landscape Character, Sensitivity and Capacity Assessment of Cotswolds AONB';
- the impact of the development on views from the Cotswold Way National Trail;
- the Board's suggested viewpoints for the Landscape and Visual Impact Assessment.
- **Biodiversity:** identify and quantify how the development will deliver significant net-gains in biodiversity.
- **Transport and Access:** identify potential impacts in relation to the road network of the Cotswolds AONB (particularly the local, minor roads of Harp Hill and Greenway Lane) and identify mitigation measures to address these impacts.
- **Cumulative and In-combination Effects:** have regard to cumulative and in-combination effects on the Cotswolds AONB, with particular regard to the adjacent Oakley Grange housing development.

The Board supports the advice, relating to EIA scoping requirements, provided in Annex A of Natural England's consultation response, dated 24th May 2019, and does not seek to duplicate that advice in this response.

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.

John Mills MRTPI
Planning and Landscape Officer

ANNEX 1. 19/00916/SCOPE – COTSWOLDS CONSERVATION BOARD RESPONSE – SUPPORTING INFORMATION

OVER-ARCHING ISSUES

Key reference documents relevant to the Cotswolds AONB

The EIA should, where appropriate, make reference to the following Cotswolds Conservation Board documents:

- **Cotswolds AONB Management Plan 2018-2023** (including Special Qualities, Vision, Outcomes and Policies);¹
- **Cotswolds AONB Landscape Character Assessment** (in particular, ‘Landscape Character Type (LCT) 2D: Escarpment – Cooper’s Hill to Winchcombe’ and the associated key characteristics);²
- **Cotswolds AONB Landscape Strategy and Guidelines**³ (including how the proposed development will address the ‘potential landscape implications’ of new development and the ‘landscape strategies and guidelines’ for new development in LCT 2⁴);
- **Cotswolds AONB Local Distinctiveness and Landscape Change** (particularly with regards to how the proposed development will be consistent with the locally distinctive features (e.g. boundaries, roofs and walls) of the Cotswolds AONB’s built environment);⁵
- **Cotswolds AONB Position Statements**.⁶

This requirement reflects Policy CE10 of the Cotswolds AONB Management Plan 2018-2023, which states that proposals relating to development in the Cotswolds AONB should have regard to, be consistent with and help to deliver this guidance.

It is also supported by Policy SD7 (Cotswolds AONB) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, which states that:

- *Proposals [for development in or within the setting of the Cotswolds AONB] will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan.*

Specific reference is made to these documents in the Board’s comments on relevant environmental topics, below.

Natural beauty and special qualities

The Cotswolds Conservation Board has two statutory purposes:

- To conserve and enhance the natural beauty of the Cotswolds Area of Outstanding Natural Beauty (AONB).⁷

¹ <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2018/12/Management-Plan-2018-23.pdf>

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

³ <https://www.cotswoldsaonb.org.uk/our-landscape/landscape-strategy-guidelines/>

⁴ <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-2-escarpment-2016.pdf>

⁵ <https://www.cotswoldsaonb.org.uk/our-landscape/local-distinctiveness-landscape-change/>

⁶ <https://www.cotswoldsaonb.org.uk/our-landscape/position-statements-2/>

⁷ This is also the statutory purpose of AONB designation.

- To increase the understanding and enjoyment of the special qualities of the Cotswolds AONB.

The EIA should consider the potential effects of the proposed development on both of these purposes.

When considering the potential adverse impacts of the proposed development on the first purpose (i.e. conserve and enhance), it is important to note that ‘natural beauty’ covers a wider remit than just landscape character and scenic quality. For example, the natural beauty criteria that Natural England uses when designating protected landscapes also include relative tranquillity, natural heritage and cultural heritage.⁸ The Cotswolds AONB Management Plan 2018-2023 also identifies several additional topics that are closely linked to the issue of natural beauty, including natural capital, climate change, geology, local distinctiveness and dark skies. The EIA should address all of these issues, both in their own right and as components of the overall natural beauty of the Cotswolds AONB.

The ‘special qualities’ of an 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 special qualities of the Cotswolds AONB are listed in Chapter 2 of the Cotswolds AONB Management Plan. Most of these special qualities are relevant to the proposed development and should be directly addressed in the EIA, including how these special qualities will be conserved and enhanced.

ALTERNATIVES

The EIA should consider alternative locations outside of the Cotswolds AONB. This would be consistent with the requirement of the National Planning Policy Framework (NPPF) (paragraph 172), relating to major development proposals in AONBs, to assess the scope for developing outside the designated area.

The EIA should not consider the Cotswolds AONB to be a more suitable location for (major) development than the Green Belt, as exceptional circumstances must apply in both cases.

With regards to the proposed location (i.e. Oakley Farm), the EIA should consider a smaller scale and extent of development. This would be consistent with the requirement of the NPPF (paragraph 172) to limit the scale and extent of development in AONBs.

SOCIO-ECONOMIC

The EIA should acknowledge that:

- under paragraph 11 and footnote 6 of the NPPF, the presumption that local authorities should seek to meet the full objectively assessed housing needs for their area does not apply in AONBs;
- under paragraph 172 of the NPPF, the scale and extent of development within AONBs should be limited and planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

⁸ Natural England (2011) *Guidance for assessing landscapes for designation as National Park or Area of Outstanding Natural Beauty in England*. The criteria are listed in Table 3, page 13. Appendix 1 provides an evaluation framework for the natural beauty criteria, including example sub-factors and indicators, which could provide a useful reference point for the EIA.

Policy CE12 of the Cotswolds AONB Management Plan 2018-2023 states that '*development in the Cotswolds AONB should be based on robust evidence of local need arising from within the Cotswolds AONB. Priority should be given to the provision of affordable housing ...*'. As such, the EIA should identify the housing need arising within the Cheltenham Borough Council section of the Cotswolds AONB, including affordable housing need.

The EIA should be cautious about using Homeseeker Plus data as evidence of housing need. Homeseeker Plus provides some indication of potential 'take-up' of affordable housing. However, it is essentially a choice-based lettings system with a number of limitations (e.g. potential for double, or even triple, counting) and is not a measure of housing need.

LANDSCAPE AND VISUAL

Cotswolds AONB Boundary Review 1990

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

It is important to note that the land where the proposed development would take place was retained in – or added to – the Cotswolds AONB, following the boundary review, because, inter alia:

- the quality and character of the landscape is unimpaired by its proximity to urban development;⁹
- the quality of the landscape is commensurate with the landscape quality in other parts of the Cotswolds AONB;¹⁰
- it exhibits similarities with the rest of the Cotswolds AONB in terms of landscape character.¹¹

These facts should be explicitly identified and addressed in the EIA.

Landscape Character, Sensitivity and Capacity Assessment of Cotswolds AONB within the Cheltenham Borough Administrative Area

The EIA should take account of – and explicitly refer to - the above document, produced by Cheltenham Borough Council in 2015. In particular it should take account of the assessment of Oakley Farm Pasture Slopes (LCA 7.10) and the fact that this area is considered to have:

- high visual sensitivity;
- high landscape character sensitivity;
- high overall landscape sensitivity;
- high landscape value;
- a major overall landscape constraint;

⁹ 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. A scanned copy of the relevant text has been provided as an attachment.

¹⁰ This was one of the criteria used in the boundary review.

¹¹ See Footnote 9.

- low overall resulting landscape capacity.

Cotswolds AONB Landscape Character Assessment (LCA) and Landscape Strategy and Guidelines (LSG)

As indicated at the start of Annex 1, the EIA should take account of – and explicitly refer to - these two documents. In particular, the EIA should take account of the LCA and LSG for Landscape Character Type (LCT) 2D (Escarpment - Cooper's Hill to Winchcombe).

With regards to the LSG, the EIA should identify how the proposed development would address the 'potential landscape implications' of the development and address the 'landscape strategies and guidelines' for LCT 2. For example, the EIA should identify how – and the extent to which - the proposed development will:

- avoid the encroachment of built development onto escarpment slopes;
- avoid intruding negatively into the landscape;
- avoid the degradation of views from and to the escarpment;
- maintain the open and dramatic character of the escarpment;
- avoid suburban building styles, standardised housing estate layouts, suburban style lighting and other inappropriate construction details and materials;
- avoid cramming development right up to boundaries, resulting in a hard suburban style edge to the development;
- minimise light pollution;
- incorporate local, Cotswolds AONB limestone and vernacular building styles;
- conserve the rural character of the Cotswolds AONB road network, for example, by avoiding the introduction of suburbanising features into this network.

Special qualities of the Cotswolds AONB

In the context of landscape and visual impacts, the EIA should identify and address the following 'special qualities' of the Cotswolds AONB, including how the proposed development would help to conserve and enhance – and mitigate adverse impacts on - these special qualities:

- the Cotswold escarpment, including views from and to the AONB;
- the unifying character of the limestone geology (including identifying the extent to which this limestone will be used as a building material);
- variations in the colour of the stone from one part of the AONB to another;
- the tranquillity of the area (for example, by recognising that adverse visual impacts will also have an adverse impact on the tranquillity of the AONB);
- extensive dark sky areas (including identifying how light pollution will be avoided and minimised);
- distinctive settlements, developed in the Cotswold vernacular, high architectural quality and quality (including the extent to which these features will be incorporated into the proposed development).

Viewpoints

The Board understands that the following viewpoints have already been recommended for consideration as part of the Landscape and Visual Impact Assessment (LVIA):

- Charlton Kings Footpath 12 OS grid SO98252225;
- Southam Footpath 102 Cotswold Way OS Grid SO99142352;
- Southam Footpath 116 Cotswold Way OS Grid SO98552534;

- Cheltenham Footpath 86 OS Grid SO96822229 & SO96812250: views into and through the site towards the AONB escarpment;
- Harp Hill from OS Grid SO96982224 to SO97212221: views into and through the site towards the AONB escarpment and through the site to the Hewlett's Reservoir listed Pavilion.

The Board agrees with these suggestions, with the impact on views from the Cotswold Way National Trail being of particular importance. In addition, the Board also recommends the following viewpoints for inclusion in the LVIA:

- North east corner of the Bill Smyllie Reserve - OS Grid SO9999262446
- Sainsbury's Car Park - OS Grid SO96652260
- Footpath ascending from Noverton to the Bill Smyllie Reserve – OS Grid SO98402386

In addition to using 50mm focal length lenses for the LVIA photographs, photographs using 200mm focal length lenses should also be used in the LVIA, especially for the views from the Cotswold escarpment. This would provide a more realistic impression of what the site would actually look like to the naked eye from these viewpoints.

BIODIVERSITY

The EIA should identify how the development will deliver significant net-gains in biodiversity and quantify this net-gain, in line with the aspirations of the Government's 25 Year Environment Plan. The Chartered Institute of Ecology and Environmental Management (CIEEM) has provided useful guidance on this topic.¹²

The EIA should also take account of – and explicitly refer to the fact that natural heritage (which includes biodiversity) is one of the 'natural beauty' criteria for AONBs.

CULTURAL HERITAGE

In the context of cultural heritage, the EIA should take account of – and explicitly refer to - the following 'special qualities' of the Cotswolds AONB:

- Significant archaeological, prehistoric and historic associations dating back over 6,000 years.
- A vibrant heritage of cultural associations.

The EIA should also take account of – and explicitly refer to – the fact that cultural heritage is one of the 'natural beauty' criteria for AONBs.

TRANSPORT AND ACCESS

The EIA should identify and acknowledge that Harp Hill and Greenway Lane are located in (or directly adjacent to) the Cotswolds AONB and that the proposed development is likely to increase traffic levels on these roads and on other roads within the AONB, including Leckhampton Hill, the A40, A435, A436 and A417.

The EIA should specifically identify the anticipated distribution of traffic movements on these AONB roads from / to the proposed development. It should also identify baseline and

¹² <https://cieem.net/i-am/current-projects/biodiversity-net-gain/>

forecast data for the number of traffic movements on these roads, both during construction (including HGV lorries) and once all the houses are occupied.

The EIA should identify mitigation measures to minimise the adverse impacts of any increase in traffic on AONB roads. For example, the EIA should identify measures to increase the use of alternative transport modes (such as walking, cycling and public transport) and to minimise 'rat-running' on the minor road network near the proposed development. It should also identify the measures that will be taken to conserve the rural character of the minor road network in the AONB (including Harp Hill and Greenway Lane) and to minimise the introduction of suburbanising features such as mini roundabouts, street lighting, kerbs and traffic calming.

The EIA should also acknowledge that increased traffic levels in the Cotswolds AONB, resulting from the proposed development, is likely to have an adverse impact on the AONB's 'special quality' of tranquillity.

NOISE AND VIBRATION

The EIA should take account of – and explicitly refer to – the Cotswold AONB 'special quality' of tranquillity. Any increase in noise and vibration resulting from the development is likely to have an adverse impact on the tranquillity of the AONB. The EIA should identify measures to avoid and minimise adverse effects on this tranquillity.

CUMULATIVE AND IN-COMBINATION EFFECTS

The EIA should have particular regard to the cumulative and in-combination effects on the purposes of: (i) conserving and enhancing the natural beauty of the Cotswolds AONB; and (ii) increasing the understanding and enjoyment of the special qualities of the Cotswolds AONB. This should include consideration of all of the issues outlined above.

In this context, the cumulative and in-combination effects associated with the Oakley Grange housing development, immediately to the north of the proposed development, are likely to be particularly significant.