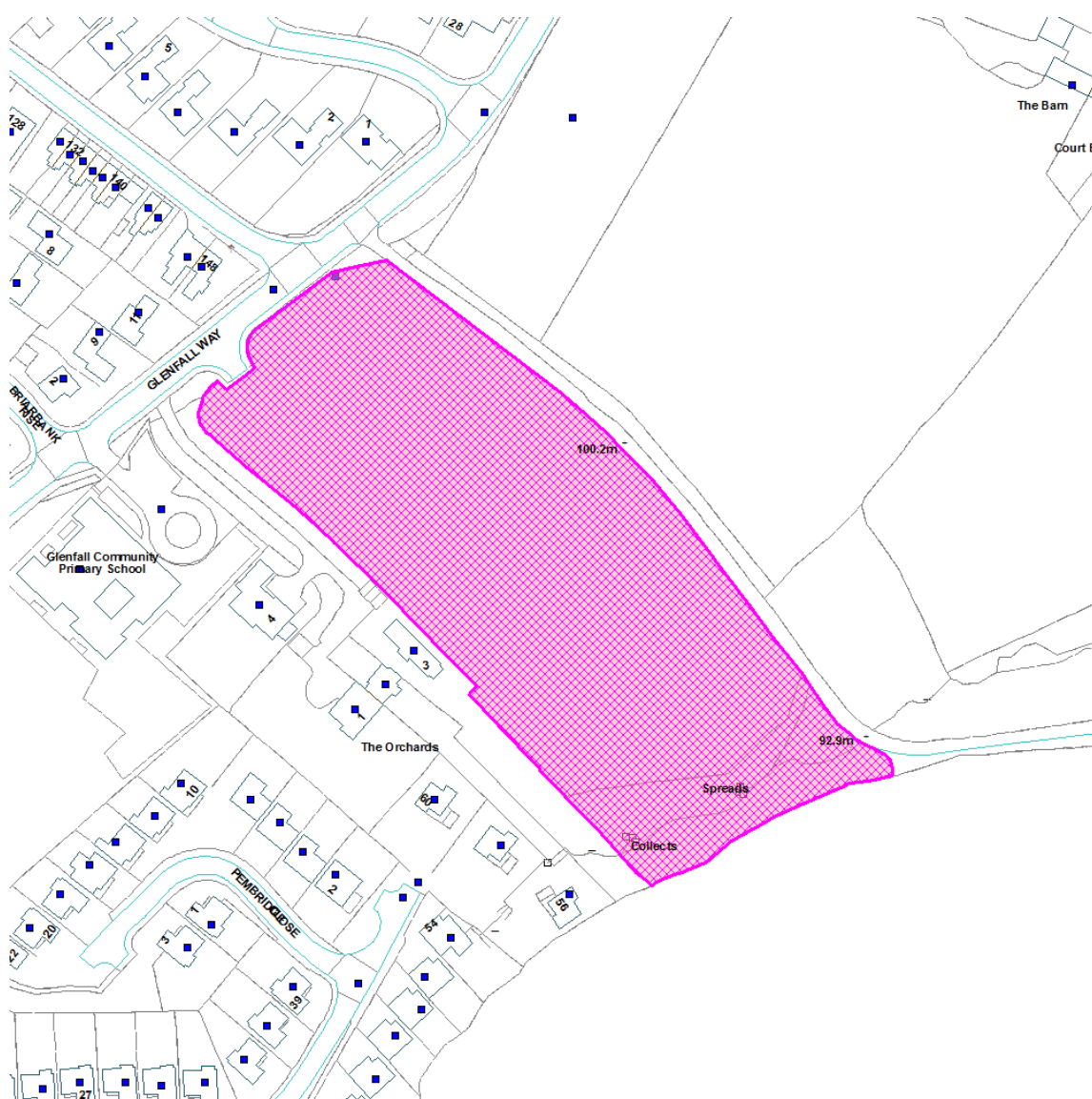


<b>APPLICATION NO: 16/01789/FUL</b>		<b>OFFICER: Mr Martin Chandler</b>
<b>DATE REGISTERED: 4th October 2016</b>		<b>DATE OF EXPIRY: 3rd January 2017</b>
<b>WARD: Battledown</b>		<b>PARISH: Charlton Kings</b>
<b>APPLICANT:</b>	Strategic Land Partnerships	
<b>AGENT:</b>	Hunter Page Planning	
<b>LOCATION:</b>	Land On The South Side Of Glenfall Way, Charlton Kings	
<b>PROPOSAL:</b>	Proposed erection of four dwellings with landscaping and public open space.	

# **RECOMMENDATION:**



## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application relates to a field which is located to the south side of Glenfall Way, opposite the junction with Ryeworth Road. The site lies within the Cotswold Area of Outstanding Natural Beauty (CAONB) and is outside of (but adjacent to) the Borough's Principal Urban Area. The site has an area of some 1.68ha.
- 1.2 The application site has been the subject of previous applications for residential development. In 2008, an outline planning application for the erection of up to 44 dwellings (ref: 07/01580/OUT) was refused by this authority. This was refused for a number reasons, but the most relevant reason in the assessment of this application is set out below:
- 1.3 *The site is within an area confirmed by the Secretary of State as the Cotswolds Area of Outstanding Natural Beauty in which new development, which would harm the natural beauty of the landscape, will not be permitted. The proposed development would result in the loss of an open, undeveloped, green field enclosed by mature hedgerow and trees. The site is of strategic significance, being located immediately on the fringe of the AONB where pressures for development and its resultant erosion are of particular concern.*

*In spite of contentions made by the applicant, the application site is visually part of the open countryside extending up to the slopes of Ham Hill and the present proposal would form a substantial encroachment on the rural area and its high landscape quality. It is concluded that residential development of the site as proposed would cause demonstrable harm to the quality of the natural beauty of the landscape. Furthermore it is considered that no exceptional circumstances have been put forward to justify the grant of permission in this case. The proposal therefore fails to meet the expectations of Local Plan Policies CO2 and HS1 and Planning Policy Statement 7, Sustainable Development in Rural Areas.*

- 1.4 This application was subsequently dismissed at appeal, with the Inspector concluding that the proposal would result in unacceptable harm to the landscape. The appeal decision is appended to this report.
- 1.5 In addition, in 2015 (15/00025/OUT) an outline application was submitted for the construction of up to 15 dwellings on the site, although this application was withdrawn prior to any decision being made. Since this time, the applicant has engaged with the local planning authority in an attempt to address concerns previously raised.
- 1.6 The current proposal seeks full planning permission for four detached dwellings within the North Western part of the site, together with associated landscaping, an access road and the provision of public open space. The proposed dwellings are of a contemporary design. They are proposed to be faced in a mixture of zinc cladding and facing brick and each sit within their own amenity space. They are served by garaging and car parking spaces that are accessed via an access road that hugs the south western boundary of the site.
- 1.7 The application has been accompanied by the following documents:
- Design and access statement
  - Planning statement
  - Full drawings
  - Landscape and Visual Impact Assessment
  - Flood risk assessment

- 1.8 The application is before committee due to a request from Cllr Babbage and an objection from the Parish Council. There has also been considerable local opposition to the application.

## **2. CONSTRAINTS AND RELEVANT PLANNING HISTORY**

### **Constraints:**

Area of Outstanding Natural Beauty  
Residents Associations

### **Relevant Planning History:**

**80/00024/PO 17th March 1980 REF**

Outline Application For Residential Development.

**81/00346/PF 27th August 1981 PER**

Construction Of Agricultural Access From Glenfall Way At Point A On Plan.

**07/01543/CONF 3rd March 2008 CONFIR**

Confirmation of Tree Preservation Order 647: T1 Maple species, T2 Maples species, T3 Ash, G1 Group of 5 limes and G2 Group of 4 limes

**07/01580/OUT 22nd January 2008 REF**

44 dwellings including affordable housing (Dismissed at appeal)

**15/00025/OUT 7th April 2016 WDN**

Construction of up to 15 dwellings, including affordable housing, landscaping and ancillary infrastructure.

## **3. POLICIES AND GUIDANCE**

### **Adopted Local Plan Policies**

CP 1 Sustainable development  
CP 2 Sequential approach to location of development  
CP 3 Sustainable environment  
CP 4 Safe and sustainable living  
CP 7 Design  
GE 2 Private green space  
GE 5 Protection and replacement of trees  
GE 6 Trees and development  
GE 7 Accommodation and protection of natural features  
CO 1 Landscape character  
CO 2 Development within or affecting the AONB  
CO 14 Development abutting the countryside  
NE 1 Habitats of legally protected species  
NE 3 Biodiversity and geodiversity of local importance  
HS 1 Housing development  
HS 4 Affordable Housing  
UI 1 Development in flood zones  
UI 2 Development and flooding  
UI 3 Sustainable Drainage Systems  
TP 1 Development and highway safety  
TP 6 Parking provision in development

## **Supplementary Planning Guidance/Documents**

Affordable housing (2004)  
Development on garden land and infill sites in Cheltenham (2009)  
Flooding and sustainable drainage systems (2003)  
Landscaping in new development (2004)

## **National Guidance**

National Planning Policy Framework

## **Emerging Joint Core Strategy**

SD 4: Sustainable design and construction  
SD 5: Design requirements  
SD 7: Landscape  
SD11: Residential development  
INF3: Flood risk management

## **4. CONSULTATIONS**

### **Planning Policy**

*13th December 2016*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the saved policies of the Cheltenham Borough Local Plan, second review, 2006-2011 (adopted 2006). Of particular relevance to this proposal is development plan policy CO2: Development within or affecting the AONB.

The Joint Core Strategy (JCS), which is currently undergoing public examination, will update the strategic aspects of the Cheltenham Borough Local Plan. This emerging development plan document is a material consideration however the weight that can be afforded to the plan and its individual policies will be guided by levels of support and objection attributed to it. Other material considerations include the National Planning Policy Framework (NPPF) and the national Planning Practice Guidance (nPPG).

It is relevant and appropriate to have regard to the purpose of conserving and enhancing the natural beauty of the Cotswolds AONB, as required under section 85 of the Countryside and Rights of Way Act 2000.

### Housing Requirement

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development which is described as a golden thread running through both plan-making and decision-taking. In terms of decision-taking, the NPPF advises that this means granting permission where the development plan is absent, silent or relevant policies are out of date, unless:

- ☐ any adverse impacts of doing so would significantly and demonstrably outweigh the benefits,
- ☐ specific policies in the NPPF indicate that development should be restricted.

The Council cannot currently demonstrate a 5 year housing land supply. However, work being carried out as part of the JCS and Cheltenham Plan preparation process, specifically the identification of new local housing sites through the Cheltenham Plan) along with urban

extensions of strategic scale contained in the emerging JCS, will enable the Council to achieve the required 5 year supply.

It is established<sup>1</sup> that the special emphasis in the presumption in favour of sustainable development does not automatically apply to this proposal. This is because policies in the NPPF indicate development should be restricted and the duty is to give great weight to conserving landscape and scenic beauty in the AONB.

Policy HS1 of the Cheltenham Local Plan (2006) seeks to prevent the building of new dwellings other than on local plan allocations or brownfield land. Within this context, it is considered that this proposal is in conflict. However, it is acknowledged that the policy is out of date and sustainable development should take place where demonstrated to be in accordance with the three policy dimensions set out at Para 7 of NPPF. The increased supply of housing land is a material consideration that weighs in favour of the proposed development, but this needs to be weighed against other material considerations.

#### The effect of the development upon the AONB

The adopted local plan does not allocate this land for development and it is located outside, albeit adjacent to, the Principal Urban Area as defined on the Proposals Map (July 2006). The PUA helps to concentrate development to sustainable locations within the borough.

Adopted local plan policy CO2 (Development within or affecting the AONB) confirms the Cotswold AONB is particularly sensitive to development pressures and it therefore applies a restrictive approach. This approach is consistent with the national planning policy and guidance.

The adopted development plan is clear that development which would harm the natural beauty of the landscape within the AONB will not be permitted. The NPPF expects decision makers to apply great weight to the conservation and enhancement of the natural beauty of the AONB<sup>2</sup>.

JCS policy SD8 (The Cotswold AONB) is supported by the Cotswold AONB Board, it has a limited number of objections attributed to it and the policy is in conformity with national policy and guidance. This allows the decision-taker to afford the policy material weight in the determination of the application.

The 2008 appeal concluded that the 34 dwellings proposal would result in significant harm to the AONB through the change of character and appearance. Whilst the scheme is much smaller than that proposed in 2008 this issue still remains at the heart of the proposal and is likely to be a key consideration in your determination.

Since this decision the Council has undertaken a review of AONB with the Cheltenham Borough boundary<sup>3</sup> to support the emerging Cheltenham Plan. The site proposal is situated within site reference LCA6.2 .

The report concludes that the overall landscape constraint for the character area is major. It considers the site to be visually sensitive and the landscape value to be high and that landscape character sensitivity is 'high'; this results in a landscape capacity of 'low overall'. The study recognises that if development were to be considered in this location then the grey area in Image 2 "would be the most visually contained and have some mitigation potential". The fourth house on the proposed site plans appears to protrude outside of the grey area.

It is important to note that this report only considers matters of landscape and does not provide a full planning assessment of the site. This report and its findings are a material consideration in your determination of the application. It provides a useful starting point in which to establish whether the development compromises the principles of conserving the

landscape and scenic beauty of the AONB. The report offers general advice on how landscape mitigation measures could support development. However it is important to note this is not an exhaustive list or indeed a presumption that the land should be developed.

### Conclusions

The proposals are outside of the PUA, and within the AONB. These factors weigh against the development. The NPPF also states that “Great weight should be given to conserving landscape and scenic beauty in...Areas of Outstanding Natural Beauty”. (Paragraph 115)

Paragraph 14 footnote 9 of the NPPF also specifically identifies AONB areas as those where “specific policies in the Framework indicate development should be restricted.” (*Even where*) “The development plan is absent, silent or out of date”. However, the lack of a five year housing land supply and the NPPF’s emphasis on boosting significantly the supply of housing is an important consideration in your deliberations.

The adopted development plan also directs that development should not harm a landscape’s natural beauty and JCS policy SD8 requires that proposals should conserve and where appropriate enhance its landscape. Therefore decision takers must be satisfied that the application fulfils this.

Whilst it is accepted some policies such as housing requirement and supply have been altered by the introduction of the NPPF and subsequent nPPG, national guidance and policy have not changed the fundamental approach to development in the AONB. This is particularly evident when one compares the NPPF and the adopted Local Plan policy CO2; both still seek to achieve the same objective. Policy SD8 of the JCS has been examined in session through the Plan’s examination and the inspector has not identified any soundness problems with this policy in her Interim report.

The main policy consideration is the need to balance the positive contribution this proposal could make to Cheltenham’s housing land supply with the need to give **great weight** [my emphasis] to conserving the Cotswold AONB, which has the highest status of protection in relation to landscape and scenic beauty. Any adverse impact on the AONB as a result of the proposal, which cannot be adequately mitigated, should weigh greatly in your final determination.

### **Landscape architect**

23 November 2016 (comments on original proposals)

### Purpose of note

To give a summary of the site visit made by Stuart Ryder of Ryder Landscape Consultants and development control staff of Cheltenham Borough Council (CBC). It captures the discussions held on site and at the CBC offices with regard to landscape and visual effects that would arise should the development be granted consent in this form.

### Structure of the note

After briefly outlining the methodology adopted in considering the proposals the landscape and visual baseline of the site is summarised before considering the effects the proposals would have in landscape terms, visual terms before commenting on design matters and finally providing some points of conclusion.

### Methodology

Stuart Ryder as a Chartered Landscape Architect attended site with Wilf Tomaney - Townscape Manager, Chloe Smart - Planner Officer, and Martin Chandler – Team Leader, Development Management.

They had the benefit of the submitted planning application documents lodged under application 16/01789/FUL. Of particular use on site were the following drawings and visual representations:

- Dwg No: A-P-100-03: Proposed site plan and survey
- Dwg No: DLA.1683.L003.01.Rev B
- Photomontages 01 & 02

The site was inspected from publically accessible locations from Glenfall Way itself, Ryeworth Road, from the Public Right of Way that runs directly to the east of the proposed site and from further away from the public footpath as it rises towards the village of Ham to the north-east.

I have reviewed the Landscape Masterplan to understand the nature of the proposals and read the Applicant's Design and Access Statement (DAS).

In addition a previous note from the Council's Landscape Architect made on a previous application for the site reference 15/00025/OUT has been reviewed.

#### Landscape baseline

#### Designated landscape

There is the immediate fact that the site forms part of the Cotswolds Area of Outstanding Natural Beauty (AONB), a nationally important designation made to protect areas of significant landscape value.

There are no other designated landscapes e.g. Historic Park or Garden or Conservation Areas near to the Site.

#### NPPF §109 & §115 – Valued Landscape

By virtue of the fact that the site is part of the AONB it should be considered a Valued Landscape in terms of §109 of the NPPF. In addition §115 directs decision-makers that great weight should be given to conserving landscape and scenic beauty in AONBs.

#### Historic landscape

It does not appear to be a part of any designed historic landscape or agrarian system. It is not on Historic England's Register of Historic Parks and Gardens. However what should be noted is the remnant small field pattern that is evident around the village of Charlton Kings and running up to the scarp slope.

The presence of a group of characterful heritage buildings with a front field with a more historic parkland landscape character exists to the north-east of the site. This is understood to be Ham Court.

#### Current landscape character

The current character is of a little used or redundant improved grazing field. There appears to be little active management apart from a block of trees and shrubs planted on the localised slope to the south-east end of the site. Its character is still rural in nature particularly when viewed with the open countryside of the escarpment beyond the site.

The presence of housing adjacent to the site is currently minimal but the white rendered elevation of No.3 The Orchards is clearly prominent particularly in the winter scene with minimal leaf coverage. However as this is a single building of agricultural styling it does not dominate or change the rural character of the site.

### Current landscape characteristics

The current landscape characteristics of the site are listed below;

- Open improved pasture;
- Outgrown south-western boundary of tall hedge and scrub plants to The Orchards;
- Poor boundary to Glenfall Way with broken fence, some scrubby hedge stock and larger boundary trees;
- Continuous tree and scrub line to eastern boundary adjacent to the public footpath;
- A notable dip in topography to the south end of the field; and
- A relatively young plantation of trees estimated to have been planted 10 years ago on the southern dip slope.
- The landscape character sensitivity of the site is deemed to be Medium set within the AONB landscape of High sensitivity.

### Surrounding landscape context

The surrounding landscape has a settled landscape character with the presence of suburban houses, individual houses and roofscapes in the landscape scene. This does not make the landscape any less important than areas that do not have residential settlement within their extents, it is just part of the character. Given the amount and location of houses in the local landscape it cannot be argued that houses are out of keeping in landscape terms within this part of the AONB.

### Visual baseline

#### Site visibility

The site is highly visible from surrounding public areas with the following as primary views;

- Close range view from the top of Ryeworth Road and from Glenfall Way;
- Close range views from the Public Right of Way to the east of the site; and
- Mid- range views from the Public Right of Way ?? (PRoW ZCK24/2) as it rises up to the east of the site.

In addition the site will be visible from the Cotswolds AONB scarp set against the houses of Charlton Kings. This view was not taken during the site visit.

The visual sensitivity of the site and across it to the Cotswolds scarp is deemed to be High.

### Visual context

The views from Ryeworth Road and Glenfall Way have as their backdrop the scarp of the Cotswolds AONB. This is an attractive and dramatic view and allows the proximity of the scarp and countryside to be appreciated. The presence of the scarp is a key visual characteristic of Cheltenham.

When looking from the eastern footpath the view across the site is stopped by the high, outgrown hedge of The Orchards access road and has the built form of No.3 The Orchards in the field of view.

Looking back in a westerly direction from PRoW ZCK/24/2 the view is a mixture of unmanaged grassland, tall hedgerows and tree belts with the occasional house or roofscape raising above the hedge and tree lines. Most notable are the many ridges of the No.4. The Orchard's eastern elevation, the stripped roof of end property on Ryeworth Road and two tall Giant Redwood trees positioned in a garden to the side of Glenfall Way. Looking around the wider area other houses are visible in the Chase Avenue and Castlefields Avenue part of the town.



### Landscape effects

Even though the existing site appears to be in a poor state of repair it still carries intrinsic landscape value as a piece of open, rural landscape set within the AONB. One has to look past the current decline and recognise this value.

The proposals would fundamentally change the rural character of the small field parcel into a residential area.

The field boundaries, particularly the one to the north, would not screen off the apparent change in landscape character. This effect would be most notable in winter months with a lack of vegetation.

The extent of development stopping short of the white rendered No.3 The Orchards would not make it appear that Charlton Kings is extending into the surrounding countryside. Both No.3 and No.4 The Orchards extend further than the proposals.

Physical coalescence of built form between this part of Charlton Kings and other parts of the village and Chase Avenue and Castlefields Avenue is not achieved nor do I suspect perceived coalescence would occur either.

### Visual effects

Taking the four sets of identified views from the visual baseline the following table summarises the change in views and visual amenity should the proposals be consented.

<b>View and visual receptors</b>	<b>Nature of change</b>
Users of Ryeworth Road and Glenfall Way – pedestrians and car users	<p>Large loss of ability to see the scarp and the more expansive views into the AONB. The photomontage presented indicate that the majority of the view to the scarp would be lost. The proposals would ‘cut’ the scarp line and be more dominant in the view than the sight of the scarp and rural landscape itself. This would be particularly so in winter months.</p> <p>Of particular note is the change in view for people travelling up Ryeworth Road as their current aligned focus on the scarp would be changed to the broadside of the northern elevation of the first property with the presence of further large units behind screening sight to the scarp.</p>
Views from Public Right of Way to the east of the site	<p>These views are partially screened by trackside vegetation but glimpsed views to the site are clearly evident in winter conditions and are anticipated to remain in part in summer conditions. The four proposed properties will be the focus of the views given their scale and contemporary architectural style and materials. The boundary treatment proposed would neither screen nor appear in keeping to Charlton Kings.</p>
Mid-range views from the Public Right of Way to the east of the site.	<p>It is anticipated that no views would exist in summer months due to intervening vegetation but in the winter views will exist. Current sight to the striped roof of Ryeworth Road end property would be lost to be replaced by the larger roofscape of the development. This form of architecture is currently not evident in the scene and will be more evident because of its different styling when compared to other houses visible from this route.</p>

### Architectural styling

The architectural style of the buildings is contemporary and are unlike any other buildings residential or otherwise that are visible in the landscape context to the site. This styling will

create a greater visual contrast with the existing village and other properties that can be seen within the AONB.

Of particular note is the size and scale of the dwellings especially the single ridge and large span of their roofs. They appear to be more the scale, style and colour of light, industrial units within the landscape than residential properties. This effect on the illustrations is exacerbated by their arrangement in a row.

These units will also appear fundamentally large in comparison to other residential properties. The indicative sections and photomontages make them appear 'top-heavy' on their first floors which adds to their increased prominence and ability to block the view to the wider landscape. If the amount of space on the upper floor was reduced or lower elements placed to the front this may be reduced.

Their setting on the site does tie in with previous comments about where development may be able to be accommodated but they are not helped by their apparent lack of garden space around the properties. In plan form they appear to sit centrally to the four individual plots and there is no major garden but rather a sense of being squeezed in to the available space. By moving the buildings back in their plots closer to the west boundary a larger garden could be created to the east elevation.

The suggested boundary treatment of the stone wall containing a hedge is not a local boundary characteristic and is more akin to details of North Wales or Cornwall. It would appear out of keeping particularly when compared to traditional Cotswold style drystone walls.

#### Remaining space

It is noted that the rest of the site is being offered up for community benefit as part of the application. However the function of the space has to be more clearly identified.

The surface water run-off swale and attenuation pond is noted as is a modicum of new tree planting. The swale is presented as a form of barrier to give a degree of privacy to the dwellings from the publically accessible areas.

However the space is relatively small and could not accommodate any expansive forms of recreation. The space is further reduced by the tree planting on the south embankment.

The greatest community benefit I feel that this remainder space could be put to is as a route for the Public Right of Way diversion which would take pedestrians off the relatively busy track to the local tip site and provide a safer route to the wider Public Right of Way network. If it just used as a footpath route this could open up the use of the space for land to better serve the properties should they be consented. The use of the front gardens (should this become a front garden space) should be carefully considered along with restrictive constraints on other peripheral structures such as sheds, outbuildings, domestic play equipment, trampolines and the like.

The Glenfall Way boundary to the development could also be enhanced to offer up greater setting of the buildings within the streetscene by way of a high hedge or stone boundary walls similar to The Orchard which is retreated into the site and largely screened by vegetation.

Ultimately it should be recognised that the recent plantation of trees on the southern slope will screen out the view to the escarpment. If this view is deemed more critical than the screening of the development from the east and their removal or management to a certain level could be a condition of any planning consent.

### In conclusion

The proposals as they stand would fundamentally change the character of the small rural field to one of residential settlement.

The residential settlement given the nature of the architectural mass and styling as proposed would appear out of keeping within the landscape setting and wider residential context of Charlton Kings.

The landscape effect would be significant and adverse given the site's designation as part of the Cotswolds AONB.

The massing and arrangement of units will be particularly noticeable from Ryeworth Road and Glenfall Way and could be more sympathetically arranged within the plots.

The presence of the large buildings will screen out the greater part of the valuable view to the Cotswolds AONB scarp. Re-positioning the buildings further to the west or re-configuring their massing could open up more of the view to the scarp.

The development would only be visible in the winter months when looking back to Charlton Kings from the Public Rights of Way to the east of the site.

The boundaries and arrangement of the space between the proposed properties and the remaining land for community benefit could be improved to better set the properties within their immediate landscape setting and reduce their visual prominence.

### **Parish Council**

*8th November 2016 (comments on original application)*

Charlton Kings Parish Council objected to the 2015 application, largely on the grounds of building on an AONB. Although this scheme is smaller in scale and seeks to build on only a part of the field, it is nonetheless a residential development that extends the urban boundary of Cheltenham into the AONB. We realise that there has been some in-fill building on the AONB within the parish, but this application is very different and has generated considerable opposition in the community. We note that it will be decided by the Borough Council's Planning Committee. We also reiterate our preference for development of brownfield sites over greenfield.

Of equal concern is the message that allowing fresh development in an AONB will send. Although we accept that we can only comment on the application as it stands, a Permitted decision would nonetheless be a signal that AONB land is fair game. It would also raise the possibility of further development on this particular patch of AONB further down the line, which could then lead to a loss of 'countryside' between that part of Glenfall Way and Ham. The extant National Planning Policy Framework (NPPF) provides protection for AONBs, stating that areas such as AONB are exempt from the presumption in favour of sustainable development (footnote 9 of paragraph 14). This policy document also stipulates that 'great weight should be given to conserving landscape and scenic beauty in AONBs (paragraph 115).

We note that the Borough Council planning department welcomed a contemporary architectural approach for this application. In our view the proposed designs jar with their surroundings and the setting. While there is no overarching uniform vernacular in the vicinity and there has been new build in the last few decades, these designs and their construction material in particular are at odds with the immediate streetscape and would not integrate into the landscape.

We are also concerned over flood alleviation issues and whether the natural sump will be retained. In addition we have been informed by a member of the public that there is a badger sett precisely where the new development would be situated and this will need investigating and the badgers moved under public licence.

### **Parish Council**

*6 February 2017* (comments on revisions)

Charlton Kings Parish Council objected to this application in November 2016 and the earlier 15/00026/OUT in 2015 on the same piece of land.

We continue to object to this application which proposes to build on an AONB, in effect extending the urban boundary of the town into the AONB. Permitting this application would send a message that land in AONB is in reality not protected and that the words of protection in the NPPF have no practical validity. Paragraph 115 of the NPPF confirms that "great weight" should be given to conserving landscape and scenic beauty in AONBs, which have been confirmed as having the highest status of protection. Accordingly, footnote 9 of paragraph 14 of the NPPF confirms that the "presumption" in favour of sustainable development does not apply due to the restrictions placed upon AONBs. We note that similar comments supporting the above were made by the Strategic Land Use team in their document dated 13th December 2016 dealing with policy considerations and viewable in the Documents tab on the planning website.

We agree with the views expressed by the Cotswold Conservation Board. It points to Policy SD8 of the draft JCS which clearly articulates that development proposals in or within the setting of the AONB "...will be required to conserve and, where appropriate, enhance its landscape, scenic beauty...and other special qualities". We agree with the Board that this scheme neither conserves or enhances this part of the AONB.

The latest, partially revised plans, extend the proposed gardens further into the AONB. Our earlier comment about the contemporary design persists. The proposed designs jar with their surroundings and the setting. While there is no overarching uniform vernacular in the vicinity and there has been new build in the last few decades, these designs and their construction material in particular are at odds with the immediate streetscape and would not integrate into the landscape.

A member of the public with a professional background in these matters has pointed out some technical flaws in the flood risk assessment. He has commented separately elaborating on the issues.

We would also like to point out that posting revised documents at the last minute and so close to the deadline for comments makes life difficult for us and the public. In this case documents were posted on the website on 1st February, leaving precious little time for interested parties to digest and comment on the new versions. It would also be helpful to have the amendments highlighted in some way, in order to make it easier to see where things have changed and where we need to focus our deliberations.

### **Parish Council**

*23 June 2017* (comments on latest proposals)

Little of material significance has changed with this proposal since our previous objection of 06/02/17, the comments from which still stand.

We would add that this proposal fails to 'Conserve and Enhance the AONB' as required under the Countryside and Rights of Way Act 2000.

The high fencing / enclosure around the development would give the appearance of an isolated 'gated community' and the development as a whole would result in a loss of amenity to the surrounding residents with a negative impact on the view from Glenfall Way out to the open countryside of the AONB, the direct opposite of enhancing the AONB.

We are concerned by a comment from a member of the public that a change of planning case officer has resulted in an intent to recommend permit for this application. Since little has materially changed since the last version, we are at a loss to understand this change of view if, as reported, this is correct and would strongly request that this application is put before CBC's Planning Committee.

### **Cotswold Conservation Board**

*17th January 2017*

The Cotswolds Conservation Board wish to raise an objection to the above planning application. This site has been the subject of two previous planning applications, both of which the Board has objected to. Although each application has progressively reduced the number of proposed dwellings to the current 4 dwellings the Board wishes to maintain its objection to the development of this site.

The entire site is within the nationally protected AONB. It should be noted that previous planning applications and related appeals have been dismissed on this site with the impact on the AONB being a consideration. The reduction in the number of dwellings does not lessen the impact on the AONB. The effect on the AONB will be the same in that the character of this field will be changed through this urban extension into the countryside of the AONB. Any housing, lighting and associated development will have a clear negative impact on the character and special qualities of this undeveloped part of the AONB.

The Board considers that the development will not "conserve and enhance" the AONB, as Cheltenham Borough Council is required to do by Section 85 of the CRoW Act 2000. The Board published the statutory Cotswolds AONB Management Plan 2013-2018 in 2013 which should be used to guide public body decision making with regard to the AONB. Advice in the Conserving and Enhancing and Development and Transport Chapters is particularly relevant with regard to this proposal.

In addition, Paragraph 115 of the NPPF confirms that "great weight" should be given to conserving landscape and scenic beauty in AONBs, which have been confirmed as having the highest status of protection. Accordingly, footnote 9 of paragraph 14 of the NPPF confirms that the "presumption" in favour of sustainable development does not apply due to the restrictions placed upon AONBs.

Policy SD8 of the draft JCS clearly articulates that development proposals in or within the setting of the AONB "...will be required to conserve and, where appropriate, enhance its landscape, scenic beauty...and other special qualities". It is the Board's view that neither the principle of this development on this site, or indeed the design of the dwellings now proposed, will conserve or enhance this part of the AONB.

### **Natural England**

*1st November 2016*

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

*The Wildlife and Countryside Act 1981 (as amended)*

*The Conservation of Habitats and Species Regulations 2010 (as amended)*  
*The National Park and Access to the Countryside Act 1949*

Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites – no objection

Natural England has assessed this application using the Impact Risk Zones data (IRZs).

Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Cotswold Beechwoods has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.<sup>1</sup>

<sup>1</sup> This reply comprises our statutory consultation response under provisions of Article 20 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, Regulation 61 (3) of the *Conservation of Habitats and Species Regulations 2010 (as amended)*, (The Habitat Regulations) and Section 28(l) of the *Wildlife and Countryside Act 1981 (as amended)*.

In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Cotswold Beechwoods SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Protected landscapes

The proposed development is for a site within or close to a nationally designated landscape namely Cotswold AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 115 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

### Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

### Priority Habitat as identified on Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006

The consultation documents indicate that this development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. The National Planning Policy Framework states that 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity.

If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

### Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework.

Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that '*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*'. Section 40(3) of the same Act also states that '*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat*'.

### Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](http://data.gov.uk) website

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

**Cheltenham Civic Society**

*11th November 2016*

Our view is that the style of these dwellings is appropriate for the AONB setting. We do not think the proposed dwellings look industrial more agricultural. A lot of thought has gone into the design; we think this is a quality scheme

**Architects Panel**

*7th November 2016* (comments on original submission)

**Design Concept:**

The panel had reviewed previous schemes for this site and were aware the applicant had also presented a similar scheme to the Gloucestershire design panel for comment.

The panel concurred with the Gloucestershire Design Panel comments and were in agreement that there was development potential on this site, but had reservations over the design of the scheme submitted.

**Design Detail:**

Although the contemporary design proposal was architecturally of interest, the panel felt the overall scheme was not appropriate for this particular site location. The buildings are too bulky for such a constrained site; large houses with very small plots. The upside down living arrangement has not helped to reduce the overall bulk of the buildings and has resulted in very high side walls needed for screening purposes. The choice of zinc cladding to the first floors and roofs has resulted in a heavy and rather industrial top-heavy appearance.

In summary, the panel felt a development on this site should provide more space between houses to break up the overall mass of buildings, reducing its scale and dense appearance. A fresh look at the site layout to avoid the design dilemma of dual aspect dwellings might result in a more successful scheme.

**Recommendation:**

Not supported.

**Architects Panel**

*6th January 2017* (Comments on later revisions)

**Design Concept:**

The panel had reviewed the previous scheme on 26th October 2016 when it was agreed there was development potential on this site, but had reservations over the scale and dense appearance of the scheme submitted.

The panel was presented with a new sketch design proposal prepared by the applicant in response to concerns raised on 26th October.

**Design Detail:**

The panel was generally supportive of the scheme which was still for 4no dwellings but each house was now 50sqm smaller than the previous proposal with less first floor terracing and a much reduced building footprint. The sketch perspective showed how the overall scale of the development was considerably less imposing.



The panel thought the design could be further improved by modifying the footprint and stepping the two central houses to break down their uniform appearance.

Some panel members thought the elevations were in danger of losing some of the architectural interest of the original scheme, e.g. through the removal of the zinc cladding and the introduction of uniform flat roofs.

Recommendation:

Revised plans to be submitted for further review

**GCC Highways Planning Liaison Officer**

*25th October 2016*

I refer to the above planning application received on 17th October 2016.

With regards to the above site; under our Highway's Standing advice criteria we do not need to be consulted on this application and this can be dealt with by yourselves with the aid of our guidance.

If you have any queries please do not hesitate to contact me.

**Statement of Due Regard**

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

**Tree Officer**

*26th October 2016*

The Tree Section has no objections with this application. The current Tree Protection Plan does not protect all the trees on site with fencing. The trees on the northern corner and the trees on the north east boundary need to be fenced off. If permission is granted please use the following conditions:

**TRE02C - Tree protection plan**

No works shall commence on site (including demolition and site clearance) unless a Tree Protection Plan ("TPP") to BS5837:2012 (or any standard that reproduces or replaces this standard) has been submitted to and approved in writing by the Local Planning Authority. The TPP shall detail the methods of tree/hedge protection and clearly detail the position and specifications for the erection of tree protective fencing and a programme for its implementation. The works shall not be carried out unless in accordance with the approved details and the measures specified by the TPP shall remain in place until the completion of the construction.

Reason: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

#### TRE04B - No fires within RPA

No fires shall be lit within 5m of the Root Protection Area(s) and materials that will contaminate the soil such as cement or diesel must not be discharged within 10m of the tree stem. Existing ground levels shall remain the same within the Root Protection Area(s) and no building materials or surplus soil shall be stored therein. No trenches for services or drains shall be sited within the crown spread of any trees to be retained.

Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

#### TRE05C - No service runs within RPA

All service runs shall fall outside the Root Protection Area(s) shown on the approved drawings, unless otherwise first agreed in writing by the Local Planning Authority. Any such works shall be carried out in accordance with the National Joint Utilities Group; Volume 4 (2007) (or any standard that reproduces or replaces this standard).

Reason: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

#### TRE06B - No-dig construction methods within RPA

All paths, parking areas and other forms of hard landscaping that fall within the Root Protection Area(s) shall be constructed using a no-dig method. Prior to the commencement of development, full details of the proposed no-dig method shall be submitted to and approved in writing by the Local Planning Authority and the development shall be implemented strictly in accordance with the details so approved.

Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

#### Detailed Landscaping

The landscaping proposal shall be carried out no later than the first planting season following the date when the development is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. The current Landscape Planning Proposals must be modified to also specify species, planting size, root type (it is anticipated that container grown trees will be planted) and protection so as to ensure quick successful establishment. The size of the trees shall be at least a Selected Standard as per BS 3936-1:1992. The trees shall be maintained for 5 years after planting and should they be removed, die, be severely damaged or become seriously diseased within this period they shall be replaced with another tree as originally required to be planted.

Reason: To preserve the visual amenities of the locality in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

#### **County Ecologist**

*23rd November 2016*

Please note that my observations are not informed by a site visit but by the planning application submissions and environmental information accessible to me at the County Council and on-line. The red line boundary for this full planning application 16/01789/FUL appears to be the same as for a previous outline application 15/00025/OUT.

The application comes accompanied with an Ecological Appraisal Report dated September 2016 by Collins Environmental Consultancy Ltd. Also relevant to ecology matters is the Design & Access Statement, an Illustrative Landscape Masterplan, Landscape Planting Proposals, Landscape Management & Maintenance Plan, Pre-Development Tree Survey & Constraints report and a Tree Protection Plan.

The Ecological Appraisal Report dated September 2016 for application 16/01789/FUL revises a previous report of December 2014. It provides a recent biological records search

with GCER (Gloucestershire Centre for Environmental Records) which was previously missing and more information on protected species is provided. As no new survey work has been completed please note that if the planning application is not determined before December 2017 then an additional walk over survey will be required to assert how site conditions may have changed.

Looking at the Ecological Appraisal I can see that the methodology and survey effort for this site has been appropriate and sufficient to inform the development proposal. The existing biodiversity value is presented to us in the text and also as appendices which comprise a survey list of species, site photographs and a map of habitats present (Appendices I, II and III). The submitted evidence looks consistent with aerial photography available on the Bing maps website at <http://binged.it/1O3kqiE>.

If consent is to be granted for the development I recommend that an advisory note is sent to the developer that the ecological survey work commissioned by the applicant should be copied (if not already) electronically to Gloucestershire Centre for Environmental Records (GCER).

The nearest nature conservation sites are made reference to at section 5.1 of the Ecological Appraisal. I can confirm that no SSSI, Key Wildlife Site (KWS), Local Nature Reserve or Conservation Road Verge would be impacted by the development proposals.

The planning application site is very much dominated by improved agricultural grassland and is not currently a wild flower meadow that would not be likely to support a diverse or rare invertebrate fauna (e.g. including ants, beetles, bees and butterflies etc.). We are told it is occasionally managed by cutting (mowing) rather than grazing at the present time (section 5.2).

Towards the southern end of the field just above a bordering stream corridor is a mixed plantation of young trees including native species of hazel, field maple, hawthorn, alder, beech, dogwood and also some pines (Figure 2, Appendix II). Unlike the previous application this developing habitat is to be retained and so an original concern has been removed. The shaded stream corridor present in the south is (as before) also to be kept. The surrounding trees and hedgerows around the boundaries form landscape features of some note on this proposed development site. These boundary features are to be retained and will afford continued ecological connectivity with surrounding areas which form part of the Cotswolds AONB.

There are no features obviously suitable for roosting bats (in trees and buildings) but there is certainly good commuting habitat consisting of stream corridor, plantation woodland, hedgerows and trees. It is therefore not entirely surprising that five species of bat have been recorded using the site including noctules which may use the more open grassland areas also. However existing lighting on surrounding streets and housing estates may already constrain the value of the site and surrounding areas for bats. However as the single bat activity survey only provides a snapshot view the actual bat activity might be generally higher or lower than that recorded. Additional lighting to front of the houses or next to the access road should be looked at carefully although any light spill on to the eastern boundary may not significantly impact on bats given lack of activity reported here. Any lighting to the rear of the properties would only spill out (if not controlled) towards the centre of the existing field and so unlikely to have a significant impact on current bat flyways. However given the new landscaping proposed then excessive lighting may constrain the value of the new habitat features a little for bats over new wetland, hedges and meadow vegetation. If minded to approve the application CBC it is therefore recommended that a lighting scheme is conditioned for submission that reduces the potential for impact on bats. A lux contour plan that shows any isolines of greater than 1.0 lux falling on vegetation will indicate locations not very suitable for bat use. Lighting can be controlled for the access road but it is difficult to ensure that no additional external lighting

is put up by new residents. Modest external lighting to the front of the properties, that does not cause undue light issues for bats, could be installed at the outset to help try and head this issue off. I agree with the Ecological Appraisal that some roosting boxes should be erected on site to improve the site for bats so that the potential for adverse effects is further reduced (section 7.3).

I am content to accept that dormice and great crested newts are not present on this site. The probability of water voles and white-clawed crayfish being present within the stream corridor is also agreed to as being low. Otters may occasionally visit the corridor and could rest up under tree bases (holts) but no evidence that this occurs has been found. Given that the stream corridor is to be retained and trees will remain intact here then these protected riverine mammals are not a significant consideration in my view.

Reptiles are probably only present in quite low numbers on this proposed development site. I think that a few slow worms or even grass snakes may use parts of the site at certain times, e.g. boundary areas, young plantation and stream corridor. Measures for protecting reptiles (including a precautionary survey) will therefore be necessary as the Ecological Appraisal advises and this can be dealt with as part of a planning condition.

There will be a range of nesting birds present in the hedgerows, trees, shrubs and possibly ivy and bramble at certain times on site. Removal of such vegetation should therefore be avoided during the bird nesting season if possible. General measures for nesting birds can be adopted as a part of a biodiversity mitigation scheme. There is a small issue however of once the development is occupied that there might be some increase in disturbance to nesting birds however this is probably not significant given the low number of properties involved. To counter in this in some respect I agree with the Ecological Appraisal that nesting boxes should be erected on site to improve its value for birds (section 7.3).

I note that previously some objectors referred to the presence of deer which as you will know are not protected or priority species. Deer would be less likely to be attracted to the site post development due to its changed characteristics. However this would certainly not be a significant impact given that a good part of the site would be retained and that this would in any case only comprise a very small part of these species ranges.

The Tree Survey does not recommend any felling of trees as such to effect the development except probably for some tree surgery near to the proposed access. An Arboricultural Method Statement has been written up on the submitted Tree Protection Plan (TPP) drawing. The TPP should be implemented subject to the views of the Local Planning Authority's Tree/Landscape Officer particularly as there are some TPO trees in the area. All ecological measures and safeguards being proposed in the Ecological Appraisal and herewith need to be confirmed in any Construction Environmental Management Plan (CEMP) that may be drawn up for the development. A CEMP is mentioned in 8.8, 8.9 and 8.11 of the Design & Access Statement but confusingly still refers to an outline rather than a full consent.

Landscape Planting Proposals (drawing DLA-1683-L-003-04) and a Landscape Management and Maintenance Plan (document dated September 2016) have been submitted. This includes details of species to be used as hedging, shrub/ground cover plus the establishment and management of patches of meadow grassland and wet grassland associated with an attenuation pond and extensive swales. Taken together the landscaping proposed will diversify the site to give varied habitats and features. The plant species to be introduced should provide food and shelter for many small animal species particularly pollinating insects.

Previously there was concern about the aftercare of landscaping and the fact that the created and existing habitats might be damaged or changed by the residents of the proposed 15 dwellings. This risk is less of a concern given there would only be 4 dwellings

set back from the sensitive boundary features, a greater retention of existing habitats on the site plus improved quality of landscaping for biodiversity. It would be difficult to conclude that even with some adverse effects occurring (e.g. from the dumping of garden waste and the keeping of domestic animals) that these would be of sufficient scale to prevent a neutral or more likely overall positive net for local biodiversity accruing. However given the special location of the site within an AONB a precautionary approach is probably justified. The long-term management of the site should therefore be given some certainty and be appropriate for conserving and enhancing wildlife. A sum may need to be offered by the developer to cover the costs of regular, but not too intensive, maintenance of vegetation as is advised or implied in the landscaping proposals and the Ecological Appraisal. The long-term management must cover the maintenance of the sustainable drainage system and the significant area of retained grassland (presumably by mowing by machine/tractor in late summer). The developer's sum may need to be topped up by a modest annual charge on each property to make this happen. This could be delivered through either a Section 106 agreement (which the developer seems to be expecting) or via implementation of a CIL approach? This is particularly important to address as public access to the open areas of the site is being offered (Design & Access Statement 4.8).

NPPF 115 is very relevant as the site lies just within an AONB. However it is my view that NPPF paragraph 118 is the main policy to consider in helping to come to a decision about the biodiversity merits of this planning application. Nothing in paragraph 118 would lead one to a conclusion that the development proposal should be refused.

#### Conclusion

The development with various measures in place will not have an adverse effect on biodiversity overall and provides some potential for localised gains. This is dependent on the submission of appropriate schemes and proper implementation of these alongside the landscape proposals that have been submitted. In my view the main policy areas of the NPPF relevant to biodiversity matters are paragraphs 115 and 118.

#### Recommendations

Pre-determination - If the planning application is not determined before December 2017 then an additional walk over survey will be required to see if the site information on ecology already presented is still valid.

Determination – If consent is to be granted then obligations such as the following should be arranged:

1. Condition A – *Prior to the commencement of the development detailed measures for the conservation and enhancement of the following protected species are required: (a) badger, informed by an updated survey of this species presence on and adjacent to the site; (b) various bats including the lighting scheme for the development; (c) reptiles, informed by an updated survey of species including slow worm and grass snake; (d) nesting birds. These will be submitted as a scheme of Biodiversity Mitigation and Enhancement based on Section 7.2 and 7.3 of the Ecological Appraisal dated September 2016 for approval by the Local Planning Authority and then implemented.*

*Reason: To ensure that biodiversity is conserved and in accordance with Local Plan Policy X, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 109 and 118*

2. Condition B – *The measures of the Tree Protection Plan drawing DLA-1683-L-003-02 incorporating an Arboricultural Method Statement are approved and shall be implemented shall be implemented. All protective structures installed shall be maintained until construction work has been completed. No materials, soils, or equipment shall be stored under the canopy of any retained tree within the application site.*

*Reason: To prevent loss of amenity and damage to trees and shrubs to be retained in accordance with Local Plan Policy X, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 17, 109 and 118.*

3. Condition –No development hereby permitted shall commence including ground works and vegetation clearance until a Construction Environmental Management Plan (CEMP) is submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. The CEMP shall include the following items: (i) Risk assessment of potentially damaging construction activities; (ii) References to the implementation of the Biodiversity Avoidance and Enhancement Scheme that is required under separate Condition A; (iii) References to the Tree Protection Plan to be implemented under separate Condition B; (iv) Other items [insert relevant text here for other items as deemed necessary, e.g. hours of working, visual impact, dust, noise, water management, travel plan, management of hazardous substances] (v) Responsible persons and lines of communication

*Reason – To protect the environment and local amenity in accordance with Local Plan Policy X, paragraphs 17, 36, 109, 118, 120, 123 and 125 of the National Planning Policy Framework and [insert local policy here]*

4. Condition – Prior to the commencement of the development for both the construction and operational phases a Lighting Scheme shall be submitted to the Local Planning Authority for approval in writing. The scheme shall include the following details (a) the position, height and type of all lighting, (b) the intensity of lighting and spread of light (Lux plans), (c) the measures proposed must demonstrate no significant effect of the lighting on the environment including preventing disturbance to bats so that light falling on existing tree and hedgerow lines and the vegetation associated with the new sustainable drainage feature will not greatly exceed 1.0 lux. (d) the periods of day when such lighting will be used for residential needs.

The approved scheme shall be implemented for the duration of the development and maintained thereafter in accordance with the scheme.

*Reason: To ensure the foraging and commuting of bats is not discouraged at this location and in accordance with Local Plan Policy X, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 109, 118 and 125.*

5. Condition – The measures of soft landscaping and aftercare are approved and shall be implemented as set out within the Landscape Management and Maintenance Plan dated September 2016 and Landscaping Planting Proposals drawing DLA-1683-L-003-04.

*Reason: To ensure that biodiversity and amenity is conserved and in accordance with Local Plan Policy X, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 17, 109, 115 and 118.*

6. S106 agreement item or use of CIL is recommended to secure Green Infrastructure, i.e. public access and for the funding for long-term maintenance of landscaping based on the submitted Landscape Management and Maintenance Plan (document dated September 2016). The long-term management will also need to also cover the maintenance of the sustainable drainage system and the existing grassland which is not being landscaped.

7. Advice Note - To assist in the conservation of countywide biodiversity, all species and habitat records from the ecological work commissioned by the applicant should be copied [preferably in electronic format] to the Gloucestershire Centre for Environmental Records (GCER).

8. Advice Note - If a protected species (such as any bat, badger, water vole, otter, white-clawed crayfish, reptile or any nesting bird) is discovered using a feature on site that would be affected by the development or construction work all activity which might affect the species at the locality should cease. If the discovery can be dealt with satisfactorily by the

*implementation of biodiversity mitigation measures already approved by the Local Planning Authority then these should be implemented. Otherwise a suitably qualified ecological consultant should be contacted and the situation assessed before operations can proceed. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Protection of Badgers Act 1992. This advice note should be passed on to any persons/contractors carrying out the preparatory or construction works.*

It is my view that the above advice is in accordance with the National Planning Policy Framework, ODPM Circular 06/2005, Natural England's Standing Advice and with Section 40 of the Natural Environment and Rural Communities Act 2006 which confers a general biodiversity duty upon Local Authorities whilst exercising their functions.

**Gloucestershire Centre For Environmental Records**

26th October 2016

Biodiversity Report available to review on line.

**Severn Trent Water Ltd**

19th January 2017

Thank you for the opportunity to make comment on the above planning application and please accept my sincere apologies for my delayed response.

Due to the age of this application, I presume that comments are no longer being taken. If, however you are still accepting comments please attach the following:

I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution

If you feel that a more site specific/Grampian condition is required, please let me know as soon as possible, with all supporting documents and I shall address this with the Senior Evaluation Technicians immediately.

Thank you again for your patience during this time.

**Building Control**

20th October 2016

No comment.

**Proposed erection of four dwellings with landscaping and public open space at land on the South side of Glenfall Way, Charlton Kings, Cheltenham**

1. CPRE objects most strongly to this further application for housing development in the Cotswolds AONB on the edge of Cheltenham. This is a highly sensitive greenfield location which lies at the boundary between the urban environment and the foothills of the Cotswolds escarpment.
2. Last year, this site was the subject of an outline application (15/00025/OUT) for 15 dwellings which was eventually withdrawn. Please refer to my letter of 12 February 2015 which objected strongly to that application. The same fundamental reasons for refusing that application still obtain. Indeed, the fact that this sensitive part of the AONB would be sacrificed for just four, large executive homes makes the case for refusal even stronger.
3. The same site was the subject of a planning application in 2007-2008, originally for 44 dwellings although this number was reduced to 34 at the time of an appeal. The 2007/8 application was refused by Cheltenham Borough Council and the subsequent appeal was dismissed. In dismissing the appeal, the planning inspector was quite clear that residential development of the site, however designed and landscaped, would result in significant harm to the AONB through change in character and appearance (see paragraph 58 of Appeal Decision of 3<sup>rd</sup> October 2008).
4. Although, since 2008, many of the planning policies then in force have been superseded, the fundamentals of the case have not changed. PPS3 and the emerging SW Regional Spatial Strategy have been replaced by the NPPF and by the emerging Joint Core Strategy which is nearing the end of its consultation process. In line with consistent and repeated government statements, none these documents in any way diminish the level of protection to be given to nationally designated areas of landscape value such as AONBs.
5. The draft JCS has recently been amended to reflect the Interim Findings of the inspector conducting the Examination in Public and the amended version has been approved by Cheltenham Borough Council. With respect to land in the AONB, JCS Policy SD8 now states:

*"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 be required to be consistent with the policies set out in the Cotswolds AONB Management Plan."*



6. In the absence of an approved JCS and a new Local Plan, Saved Policy CO2 of the former Cheltenham Local Plan still applies. This states:

*"Development which would harm the natural beauty of the landscape within the AONB will not be permitted."*

7. Cheltenham Borough Council is required, under Section 85 of the Countryside and Rights of Way Act 2000, to have regard to the purposes of AONBs in undertaking its functions. It should thereafter also take into account policies in the statutory Cotswolds AONB Management Plan (2013 – 2018), which was formally adopted by the Cotswolds Conservation Board after extensive public consultation.

8. The latest proposal is for a much smaller number of dwellings than both the 2015 or the 2008 proposals. Nevertheless, the environmental arguments that led the inspector to dismiss the 2008 appeal remain true. There have been no substantive changes to the highly attractive surrounding area. Any residential development of the site would be highly visible from the open ground descending from the Cotswold escarpment, including from the footpaths that cross it.

9. A new and additional matter affecting the current application is the 'Landscape Character, Sensitivity and Capacity Assessment of Cotswolds AONB within the Cheltenham Borough Administrative Area' undertaken by Ryder Landscape Consultants as evidence to the forthcoming Cheltenham Local Plan. CPRE has examined this report which suggests that there may be only a 'moderate' constraint to some development in this area of the AONB. CPRE vigorously refutes the implications of this report which represents the views of just one company and which has not been tested.

10. We point out that the thresholds used in the report are unjustifiably permissive, that it was conducted in a very brief timescale, so that examination of each area will have been precursory, that it has not been subject to any independent scrutiny and that in any case its application would be out of context.

It cannot therefore be given weight in the consideration of this (or any other) planning application. The proposed development would extend the Cheltenham urban area into the AONB (contrary to the principles of the JCS, noted above) thus creating a very damaging precedent that would put the whole of the AONB bordering Cheltenham under threat of speculative development which would be very difficult to resist.

11. Turning now to the detail of the proposals, we note that permission is sought for development of a much larger area than that for the curtilage of the dwellings themselves. If permitted, this would put the whole of the site at risk of development, making any application for development of the remainder of the site difficult to resist. In our view, should the Borough Council be minded to permit the proposed housing, the area of the site must be limited just to that required for housing and not the whole site. This means that the application in its present form should be refused.

13. Finally, the designs of the four houses proposed are totally unsuitable for such a sensitive location. Contrary to what is claimed by the applicants, the designs bear no relation to local architectural styles and use no sympathetic materials.

14. For all the reasons given above, CPRE is strongly opposed to this development proposal and urges the Borough Council to **refuse** the application.

**County Archaeology**

*21st October 2016*

In connection with the above planning application I wish to make the following observations.

I advise that in connection with a previous development proposal on this land a programme of archaeological assessment and evaluation was undertaken in 2007. The work comprised an archaeological desk-based assessment (Cotswold Archaeology, report dated July 2007), geophysical survey (Archaeological Surveys, report dated August 2007), and an archaeological field evaluation (Cotswold Archaeology, report dated October 2007). I note that these reports have been submitted in support of the current planning application.

I advise that the result of the programme of archaeological assessment and evaluation was negative, in that no significant archaeological remains were found during the work.

Therefore, in my view this site has low archaeological potential, and I recommend that no further archaeological investigation or recording should be required in connection with this planning application.

I have no further observations.

**Lead Local Flooding Authority**

*1<sup>st</sup> December 2016*

- a) I refer to the above application received by the Lead Local Flood Authority (LLFA) on 21<sup>st</sup> November 2016, for comment on the management of surface water. The site is situated within flood zone 1 as demonstrated by the Environment Agency's (EA) interactive web based mapping service (see location below). The submitted FRA is robust enough but does not completely satisfy the strategy developed for surface water runoff generated from the proposed development.
- b) According to paragraph 2.6 of submitted FRA it is said that at the detailed design stage following fixing of the site layout full BRE365 tests will be undertaken to confirm actual design rates at the design invert levels. Groundwater levels will also need to be monitored through the winter to ensure the invert level of an infiltration system does not sit in waterlogged ground.
- c) Also according to paragraph 3.6 of the submitted FRA it is said that with the input of mitigation measures, the proposed development of the site can deliver a reduction in off-site surface water runoff rates. The development of the site provides opportunities to alleviate some of the existing runoff from the site. The illustrative design shown is one of many SUDS solutions which can be developed further in the detailed design once the BRE365 tests have been completed.
- d) Last page of FRA states that "soakaways will be managed in accordance with the guidelines in CIRIA C753, Chapter 32. This is an outline application so the final details of the SuDS devices, and exact maintenance requirements are not yet fully known". LLFA received this application as full application not an outline so clarification required on above paragraph in the FRA.
- e) This is a full application and LLFA requires detail design to be submitted at this stage of application. As from Submitted FRA it is clear that development is very much reliant on soakway /infiltration results so full BRE 365 tests will be required to fully evaluate the infiltration option.

**Lead Local Flooding Authority**  
*2 February 2017*

I refer to the above planning application, which the Lead Local Flood Authority previously objected on 1st December, 2016 due to unclear detail provided in the FRA and Drainage Strategy. Following further submission of FRA addendum and updated information, it is now confirmed that the proposal meets the requirements of a major application for which the LLFA is a statutory consultee.

LLFA recommends SuDS management program should be implemented to ensure effective operation of pollution prevention elements of the drainage systems are maintained for lifetime of the development.

LLFA have no further objections to this applications based on the information provided, however I would recommend the following condition should apply to any planning approval

**Condition**

No part of the development hereby permitted shall be commenced until a detailed permanent surface water drainage management plan is submitted to, and approved in writing by, the Local Planning Authority, with consultation with Gloucestershire County Council as the Lead Local Flood Authority. This detailed permanent surface water drainage management plan will be in accordance with the principles of sustainable drainage systems, and those set out in the Addendum to Flood Risk Assessment Report (Report Ref. 420 Glenfall FRA Addendum V1 18.01.17, Rev. -, dated 18th January 2017), and those parts of the Flood Risk Assessment (Report Ref. 420/FRA2. Rev. V2, dated 16 September 2016) not superseded by the former document.

**Reason**

To ensure that surface water from the development is managed in accordance with the principles of sustainable drainage systems.

NOTE 1: The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2: Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through [suds@gloucestershire.gov.uk](mailto:suds@gloucestershire.gov.uk) e-mail address. Please quote the planning application number in the subject field.

**Ubico Ltd**

*21st October 2016* - Unless a turning area is provided for the Waste & recycling vehicles at the end of the road, the collection point for all bins will be on Glenfall Way. This is due to the associated hazards with reversing.

## **5. PUBLICITY AND REPRESENTATIONS**

Number of letters sent	<b>13</b>
Total comments received	<b>160</b>
Number of objections	<b>159</b>
Number of supporting	<b>0</b>
General comment	<b>1</b>

- 5.1** Letters were sent to 13 immediate neighbours of the site, a site notice was also displayed adjacent to the site and also an advertisement was placed within the Gloucestershire Echo. In response to this publicity, 160 letters of representation have been received which are overwhelmingly opposed to the development.
- 5.2** The two main revisions to the scheme were also consulted upon.
- 5.3** The nature of the objections can be distilled in to three main areas (although it is accepted that such an exercise is somewhat simplistic given the volume of concern):
- The Council's AONB assessment is a flawed document and its conclusions for this site are incorrect
  - The site is located within the AONB and therefore development is unacceptable
  - The development will compromise the natural beauty of the site and compromise views to the scarp
  - The proposed architecture is inappropriate for its context

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

- 6.1.1** The main consideration in relation to this application is the principle of development within the AONB and it is this matter that the report will first discuss. Following on from that, the considerations relate to the design and layout of the proposed development and how it will impact on the natural beauty of the AONB, potential impact on neighbouring amenity, highway considerations, and ecological considerations.

### **6.2 Policy context**

- 6.2.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the saved policies of the Cheltenham Borough Local Plan, second review, 2006-2011 (adopted 2006). Of particular relevance to this proposal is development plan policy CO2: Development within or affecting the AONB. This policy states that:
- 6.2.2** *Development which would harm the natural beauty of the landscape will not be permitted.*
- 6.2.3** The policy also goes on to state that major developments will not be permitted within the AONB.
- 6.2.4** Paragraph 14 of the NPPF states that a presumption in favour of sustainable development should be seen as a golden thread running through plan making and decision taking. For decision taking, this means approving development proposals without delay, unless material considerations indicate otherwise. The second bullet point states that where a development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole, or specific NPPF policies indicate development should be restricted. In the case of this application, the footnote accompanying paragraph 14 specifically refers to the AONB as an example of where specific policies restrict development.

- 6.2.5** Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing. At this time, the Council cannot demonstrate such a supply although through the development of the JCS and emerging Cheltenham Plan, this matter will soon be addressed.
- 6.2.6** Paragraphs 115 and 116 of the NPPF are also distinctly relevant when considering proposals within the AONB. Paragraph 115 requires 'great weight' to be given to conserving the landscape and scenic beauty of the AONB, which has the highest status of protection in relation to landscape and scenic beauty.
- 6.2.7** Paragraph 116 states that, *'Planning permission should be refused for major developments in designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest'*.
- 6.2.8** The NPPF sets the weight to be attached to existing Local Plan policies. Annex I 'implementation' of the NPPF sets out, at paragraphs 214 and 215, that for Local Plans which have not yet been adopted in accordance with the Planning and Compulsory Purchase Act 2004, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The Cheltenham Local Plan was adopted in accordance with pre-2004 legislation and therefore only policies which comply with the NPPF carry weight, and where the Local Plan is not in accordance or is silent then the NPPF is the lead document in making planning decisions.
- 6.2.9** It is considered that local plan policy CO2 is consistent with paragraphs 115 and 116 of the NPPF so full weight can be given to it in the assessment of this application. But in light of their requirements, to appropriately consider this proposal it is first necessary to establish whether the proposal would amount to "major" development within the AONB.
- 6.2.10** The emerging JCS provides discussion on this matter and states that whilst major development can be defined in quantitative terms (i.e. a threshold number of dwellings), importantly, it also advises that qualitative considerations are equally, if not more, important. It is both a matter of context and a matter of fact and degree: what is deemed to be 'major' in one area may not be so in another.
- 6.2.11** In relation to quantitative measures, having considered the scale of the proposal, officers are of the opinion that this would not constitute major development in the AONB. This conclusion was also drawn by the Inspector in the 2008 appeal decision which proposed a considerably higher number of dwellings. In this decision, the Inspector offered the following comments on this point at paragraph 15:
- 6.2.12** *I acknowledge that the scale of development would not amount to a "major development" in AONB terms. A proposal for 100 dwellings at Bourton on the Water was not considered by the Local Plan Inspector to be "major". However, that is not to say that the impact of the development would be insignificant or that it follows from the lack of a requirement to demonstrate exceptional circumstances that the development would be acceptable*.
- 6.2.13** These comments are of equal relevance in today's policy climate.
- 6.2.14** Regarding a more qualitative approach, as discussed within the emerging JCS, the Council has published a review of the AONB, titled, *Landscape Character, Sensitivity and Capacity Assessment of the Cotswold's AONB within the Cheltenham Administrative Area*. This document has been produced in order to support the preparation of the emerging Local Plan, but officers consider it is a material consideration when assessing landscape matters. The next section of this report will set out what this AONB review is and its findings for this site.

### **6.3 Landscape Character, Sensitivity and Capacity Assessment of the Cotswold's AONB within the Cheltenham Administrative Area.**

- 6.3.1** The aim of the report was to conduct an independent assessment of the landscape and visual sensitivity within the borough between the urban edge and the borough boundary to the east and south east of the town which is within or immediately adjacent to the Cotswolds Area of Outstanding Natural Beauty (AONB).
- 6.3.2** A key part of the commission was to examine the effects of any potential development on the AONB, including its setting and views of and from the AONB, townscape edge character and views of the town. The report provides useful objective guidance as to where new built development might be possible given the right scheme and where it is unlikely that development could occur sustainably.
- 6.3.3** Essentially, the report helps this authority understand the value of its AONB more thoroughly and helps to inform robust decision-making both at an applications level but also when considering site allocations. The Council has benefitted from a similar review of the green belt for some time now but the evidence in relation to the AONB was less clear.
- 6.3.4** In terms of methodology, the work was undertaken in the following manner:
- 6.3.5** *The study comprises of two distinct areas of work: the first is a landscape characterisation process where the study area (the landscape to the east of Cheltenham) was surveyed and divided into distinct landscape character types and landscape character areas. Each type and area was then described following the standard methodology explained below in Section 2.5. Once the landscape character had been spatially identified and then described, the second area of work – a value and capacity analysis followed. The objective of this work was to assign relative value and capacity of the landscape to development, with the main output being the maps that show the various capacity and sensitivities for the specific areas.*
- 6.3.6** Members are advised that the methodology is relatively complex but that it is clearly set out within the report which can be found on the Council's website. The overall aim is to assess landscape capacity, and the statement defines this as:
- 6.3.7** *"Landscape capacity refers to the degree to which a particular landscape character type or area is able to accommodate change without significant effects on its character, or overall change of landscape character type. Capacity is likely to vary according to the type and nature of change being proposed."*

*Landscape Capacity is used to describe the ability of a landscape to accommodate different amounts of change or development of a specific type. This should reflect:*

*- The inherent sensitivity of the landscape itself, but more specifically its sensitivity to a particular type of development in question. This means that capacity will reflect both the sensitivity of the landscape resource and its visual sensitivity;*

*- The value attached to the landscape or to specific elements in it.*

- 6.3.8** The report divides the AONB in to different character types and character areas and the application site falls to the south west of a wider area identified as Ham Lowland Pasture (site ref: LCA 6.2) (see below).

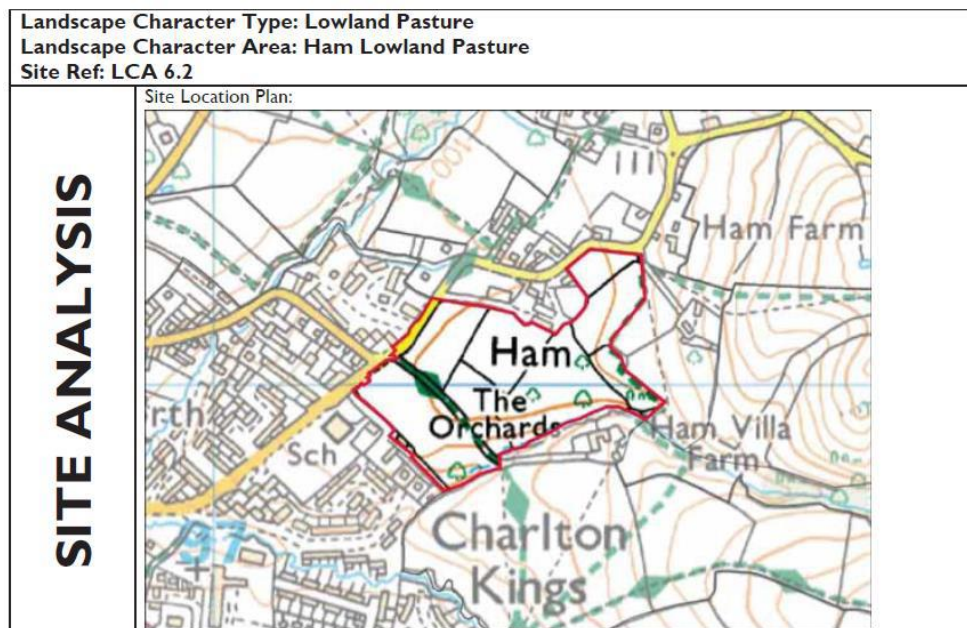


Image 1: Extract from AONB review showing extent of surveyed site: LCA 6.2

**6.3.9** The report provides the following analysis of the character area:

**6.3.10** *Landscape Character Appraisal:* A generally gently sloping area, more flat towards the northwest of the site and sloping more towards the south. Comprising principally pastoral land use with small to medium scale fields defined primarily by mature hedgerow and post and rail fencing. A watercourse drain forms the boundary to the south of the area, along which mature vegetation exists. Boundaries throughout the area comprise a combination of post and rail fencing (in generally poor condition), along with mature tree planting, gappy hedgerow planting and ornamental shrub planting associated with residential boundaries.

**6.3.11** *Visual Issues Appraisal:* Views are generally filtered and screened in places looking into and out of the area by boundary vegetation, however this vegetation is gappy in places and allows views into and out of the area at intermittent points. Views from the area looking south are elevated and look across the River Chelt Valley and the rooftops of the urban edge of Cheltenham, towards the escarpment slopes of Hartley Hill and Wistley Hill to the south. A number of residential properties are located along the boundaries of the area and consequently have views into the area, particularly properties along the southwest, northwest and northern boundaries. Views looking from the north of the area are slightly more contained, given the flatter topography, with views looking east towards the escarpment slopes of Ham Hill available.

**6.3.12** *Visual Sensitivity:* Views from the site are contained in places by mature boundary vegetation and adjacent residential development. However views looking south from the elevated position of the area look towards the rising escarpment slopes of the Cotswold's AONB. Views into the area are available from adjacent residential properties, surrounding footpaths and by road users along Glenfall Way road to the north, resulting in an overall assessed visual sensitivity of **High**.

**6.3.13** *Landscape Sensitivity:* As summarised in the landscape character appraisal, given the small to medium scale of the landscape character area, high levels of boundary vegetation, sloping topography and views into the area from adjacent residential properties and Glenfall Way, the overall landscape sensitivity is assessed as **Medium - High**.

**6.3.14** *Landscape Value:* The landscape character area falls within the designated Cotswolds AONB, which is a national landscape designation. With the numerous footpaths that exist within and nearby the character area, the area has moderate recreational value. With the



sloping topography, particularly to the south of the area, the land is particularly visible from residential properties to the south of the area. The visual connections with the escarpment slopes to the south of the area are valuable perceptual aspects. The quality of the landscape elements are moderate, however degraded in places such as the post and rail fencing to the north of the area and the poorly managed hedgerow boundaries. Given the LCA falls within a nationally recognised AONB designation, the overall value of the landscape character area is assessed as **High**. However it is noted there are elements of degraded landscape that may reduce this value slightly.

**6.3.15 Landscape Capacity:** The Landscape Capacity for the Landscape Character Area as a whole is assessed to be **Low**. However it is noted that there are areas within the study area which are slightly more degraded, more visually contained and less accessible by public rights of way and therefore have a slightly reduced landscape value. The area to the northwest of the character area comprises flat topography, is located adjacent to a school and is visually contained by surrounding vegetation, with additional tree planting which is yet to reach full maturity. It is therefore considered that this location has a slightly reduced landscape value and therefore the capacity rating for residential development = **LOW / MEDIUM**. Should the identified area within the landscape character area be considered for development, the following sheet assesses the potential planning principles with regard to landscape and visual matters.

**6.3.16** The figure below identifies the area that has been identified as having a low/medium landscape capacity. It is this parcel of land to which this application relates.

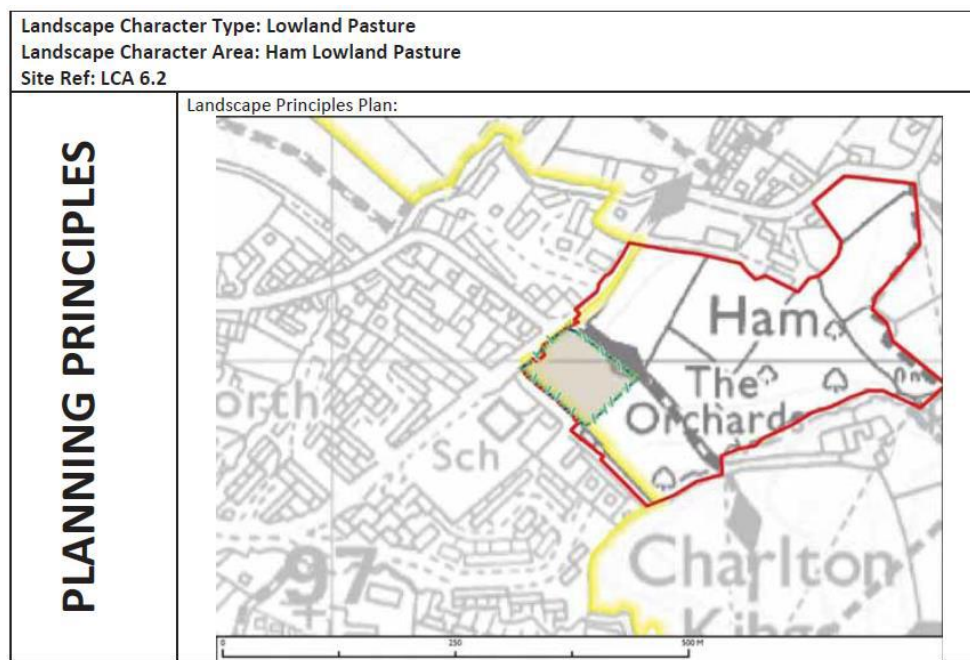


Image 2: Extract from AONB report showing the location and extent of land that offers limited development potential subject to suitable mitigation

**6.3.17** Officers are mindful that this study is a standalone document on matters relating to landscape and has to be treated as such. Notwithstanding this, based on its conclusions on qualitative issues, coupled with the Inspector's previous findings on more quantitative terms, officers are satisfied that the development proposed does not constitute "major" development within the AONB.

**6.3.18** The proposal therefore needs to be objectively assessed against the requirements of Local Plan CO2 and paragraph 115 of the NPPF: this means consideration of the impact of the development on the natural beauty of the landscape, with 'great weight' being afforded to the conservation of the landscape and the scenic beauty of the area. The AONB review set



out above is an important material consideration in this assessment but any adverse impact on the AONB as a result of the proposal, which cannot be adequately mitigated, should weigh heavily in the decision.

#### **6.4 Development within the AONB**

- 6.4.1** The policy context relating to how to consider development within the AONB is set out above. Members will be aware that the Cotswold Conservation Board exists to promote the conservation and enhancement of the natural beauty of the AONB and within the local plan at para 7.22 it states that:
- 6.4.2** *In assessing proposals for development, the Council will be guided by the advice of the Cotswolds AONB Conservation board.*
- 6.4.3** The plan goes on to state that the board have recommended guidelines that should be used when considering planning applications. The most relevant is:
- 6.4.4** *As the role of the built form in the AONB is so important, control of development should pay special regard to the use of suitable materials, traditional design and siting to minimise impact on the landscape. It should promote appropriate density, location in appropriate settlements, and high quality landscaping.*
- 6.4.5** This approach is reinforced in the board's position statement titled "Housing and Development". This statement relates to the use of land to meet the growth of housing and employment within the Cotswolds AONB. The documents states that the board's primary concern is with *"open market housing development and that there will be leakage of such development from the surrounding large cities and towns creating further commuting and squeezing out local residents."*
- 6.4.6** It is also stated that the Cotswolds is *"an environmental asset surrounded by development pressure; therefore development needs to be carefully managed."*
- 6.4.7** To do this, the position statement provides further guidance on what should be considered in the assessment of planning applications. Of distinct relevance are:
- 6.4.8** *Building styles should respect the local tradition. Inappropriate, particularly suburban, styles and materials should be avoided. Where new building is required, it should be to a high standard of design as befits a nationally designated landscape. Innovative schemes based on sustainable construction principles are to be preferred to timid pastiche or over-cautious design.*
- 6.4.9** *Developments should respect and conserve and not obstruct public views to higher slopes or skylines or sweeping views across the landscape.*
- 6.4.10** Members are advised that nowhere in the Local Plan, the NPPF, or the Cotswolds Conservation Board guidance does it state that non-major development within the AONB is unacceptable in principle. The AONB is however rightly afforded significant protection from development pressures and it is for this reason that the Council's own policy states that development which will *harm* the natural beauty of the AONB will not be permitted and that the NPPF advises that *great weight* should be given to conserving landscape and scenic beauty within AONBs.
- 6.4.11** This report will now focus on the merit of the scheme that has been submitted to assess the level of impact that it will have on the AONB.

#### **6.5 Design, layout and impact on the AONB**

- 6.5.1** Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development. As already discussed, great weight also needs to be afforded to conserving the natural beauty of AONB and therefore the impact of the proposal on the AONB needs to be fully considered.
- 6.5.2** Members will note from the relevant consultation responses that the proposal has split interested parties in relation to design and layout considerations. The proposal has also evolved since its original submission in October 2016. With this in mind, this report will seek to carry out an objective design critique to assess the level of impact on the AONB. There are three main issues to consider:
- a) Site layout
  - b) Architectural approach, scale and massing
  - c) Landscaping and mitigation

## **6.6** Site layout

- 6.6.1** The Council's recently published landscape study has identified a small part of the site to the North West as having some limited potential for residential development. The document goes on to provide general principles to consider should any proposals be forthcoming. The assessment states:

- 6.6.2** *Principles for development: The surrounding settled residential context and lack of commercial or industrial development indicates that if development were to be considered in this location, residential development would be the most appropriate.*

*Given the flat topography of the northwest corner of the landscape character area and the slight visual containment this affords, the existing boundary vegetation and the local context of residential housing, it is considered that should development be considered here, this location would be the most visually contained and have some mitigation potential given the existing newly planted area to the south-western part of the character area.*

*Provision of well-established and thoughtful boundary planting would be essential, particularly to the south and east of the area to ensure long distance views into the site are not compromised. Improved boundary planting adjacent to the school to the northwest edge and along Glenfall Way is also recommended.*

*Site Integration: Fields and boundaries are comprised of a combination of timber post and rail fencing and mature hedgerow vegetation. Improvement to the existing fencing infrastructure and gapping up of existing hedgerow and planted boundaries is recommended.*

- 6.6.3** In terms of the general site layout, it is fair to say that the proposed development responds to the principles within this Landscape Study. The built form of the proposal is located to the North West corner of the character area, which the study has identified as being the most visually contained and having some mitigation potential.
- 6.6.4** The application has been critiqued by the same landscape architect that produced the AONB assessment and their comments are set out in full above. Of distinct relevance in relation to site layout are considered to be the following observations:
- 6.6.5** *The surrounding landscape has a settled landscape character with the presence of suburban houses, individual houses and roofscapes in the landscape scene. This does not make the landscape any less important than areas that do not have residential settlement within their extents, it is just part of their character. Given the amount and location of houses in the local landscape it cannot be argued that houses are out of keeping in landscape terms within this part of the AONB.*

- 6.6.6** *The extent of development stopping short of the white rendered no.3 The Orchards would not make it appear that Charlton Kings is extending into the surrounding countryside. Both no.3 and no.4 The Orchards extend further than the proposals.*
- 6.6.7** *Physical coalescence of built form between this part of Charlton Kings and other parts of the village and Chase Avenue and Castlefields Avenue is not achieved nor do I suspect perceived coalescence would occur either.*
- 6.6.8** Despite these comments, the landscape advice also states that:
- 6.6.9** *The proposals would fundamentally change the rural character of the small field parcel into a residential area.*
- 6.6.10** The analysis suggests that limited and sensitive residential development with appropriate mitigation could occur on this site without harming the AONB. That said, the siting of buildings is meaningless if the development is not successfully designed to mitigate the impact of development on the AONB, this is not just in relation to the proposed architecture, but also the proposed landscaping to ensure that the change in character does not bring with it harm.

## **6.7 Architectural approach, scale and massing**

- 6.7.1** Architecturally, the application has always proposed unashamedly contemporary dwellings which, as a general principle, officers have been supportive of. If this parcel of land is to be built upon, it is considered that this would be most successful with high quality buildings designed for the 21<sup>st</sup> century. This approach is compatible with Cotswolds Conservation Board position statement on new development which advises that: *Where new building is required, it should be to a high standard of design as befits a nationally designated landscape. Innovative schemes based on sustainable construction principles are to be preferred to timid pastiche or over-cautious design.* It is also worth noting that within the immediate locality, there is a real variety of architecture that helps to tell the story of how this part of Charlton Kings has developed over the years.
- 6.7.2** That said, development must also respect the natural beauty of the area and not dominate its surroundings. The position statement of the conservation board advises that: *Developments should respect and conserve and not obstruct public views to higher slopes or skylines or sweeping views across the landscape.*
- 6.7.3** In its first iteration, the houses proposed were considered to be unacceptably large. The proposal was for four large, two storey dwellings that imposed themselves on the surrounding landscape and would have been harmful to the important views across the site towards the escarpment. The buildings were sited in a manner that was not suitably respectful to the characteristics of the site and were described in the following manner by the Council's landscape consultant:
- 6.7.4** *The architectural style of the buildings is contemporary and is unlike any other buildings residential or otherwise that are visible in the landscape context to the site. This styling will create a greater visual contrast with the existing village and other properties that can be seen within the AONB.*

*Of particular note is the size and scale of the dwellings especially the single ridge and large span of their roofs. They appear to be more the scale, style and colour of light, industrial units within the landscape than residential properties. This effect on the illustrations is exacerbated by their arrangement in a row.*

*These units will also appear fundamentally large in comparison to other residential properties. The indicative sections and photomontages make them appear 'top-heavy' on their first floors which adds to their increased prominence and ability to block the view to the*

*wider landscape. If the amount of space on the upper floor was reduced or lower elements placed to the front this may be reduced.*

*Their setting on the site does tie in with previous comments about where development may be able to be accommodated but they are not helped by their apparent lack of garden space around the properties. In plan form they appear to sit centrally to the four individual plots and there is no major garden but rather a sense of being squeezed in to the available space. By moving the buildings back in their plots closer to the west boundary a larger garden could be created to the east elevation.*

- 6.7.5** The Architects' Panel shared similar concerns, stating that whilst they considered that the site had development potential, *"The buildings are too bulky for such a constrained site; large houses with very small plots...The choice of zinc cladding to the first floors and roofs has resulted in a heavy and rather industrial top-heavy appearance."*
- 6.7.6** The panel went on to conclude that they *"felt development on this site should provide more space between houses to break up the overall mass of buildings, reducing its scale and dense appearance. A fresh look at the site layout to avoid the design dilemma of dual aspect dwellings might result in a more successful scheme"*.
- 6.7.7** The Parish Council were also critical about the design of the original proposals, stating that *"In our view the proposed designs jar with their surroundings and the setting (of the AONB). Whilst there is no overarching uniform vernacular in the vicinity and there has been new build in the last few decades, these designs and their construction material in particular are at odds with the immediate streetscape and would not integrate into the landscape"*.
- 6.7.8** In contrast, the Civic Society was very complimentary about the original scheme, stating that, *"Our view is that the style of these dwellings is appropriate for the AONB setting. We do not think the proposed dwellings look industrial more agricultural. A lot of thought has gone into the design; we think this is a quality scheme."*
- 6.7.9** Officers had distinct reservations over the original proposals. Whilst the site layout crudely responded to the AONB capacity report, the mass and scale of the houses prevented that layout being executed in an acceptable manner. The houses dominated the site, would have had an overbearing presence along Glenfall Way and would have had a particularly harmful impact on views across the site to the scarp. Members will note on planning view that the site affords long distance views to the scarp and this is considered to be a particularly important attribute that any development needs to respond to. These views would have been completely lost had the original proposals been built out.
- 6.7.10** This was fed back to the applicant who revisited their original proposals in an attempt to address the concerns that had been raised. Essentially the ask of the applicant was to reduce the bulk of the buildings and reconsider the layout so that the important views the site affords would be maintained in a much more comprehensive manner. It was advised that for development to be successful it needs to be more respectful of and recessive to the natural beauty of the AONB.
- 6.7.11** In response, the applicant made some subtle changes to the layout of the site and reduced the size and height of the proposed houses. This allowed the scarp to be seen more readily and reduced the impact that the new development would have on Glenfall Way. In response to this change, the following thoughts were provided by the Council's landscape consultant:
- 6.7.12** *The revised scheme as presented appears to be a considerable improvement in visual terms with the reduction of the visible mass of the upper storeys of the buildings from the Ryeworth Road junction and elsewhere from publically accessible locations.*

*There is a much greater opportunity to retain the unfettered view to the distinctive scarp of the AONB with this re-designed scheme.*

*There are still considerable implications for the landscape character of the site and its boundaries that need to be addressed to provide comfort that the development is contributing as positively as possible to the surrounding area.*

**6.7.13** The revisions were also critiqued by the Architects' Panel who provided the following observations:

**6.7.14** *The panel was generally supportive of the scheme which was still for 4no dwellings but each house was now 50sqm smaller than the previous proposal with less first floor terracing and a much reduced building footprint. The sketch perspective showed how the overall scale of the development was considerably less imposing.*

*The panel thought the design could be further improved by modifying the footprint and stepping the two central houses to break down their uniform appearance.*

*Some panel members thought the elevations were in danger of losing some of the architectural interest of the original scheme, e.g. through the removal of the zinc cladding and the introduction of uniform flat roofs.*

**6.7.15** From an architectural perspective, the comments on the revised scheme made it quite clear that the proposals were heading in the right direction. Indeed, officers felt at that point it had probably done enough to tip the balance towards acceptability. Nevertheless, in light of the significant level of objection to the application (which did not reduce as a result of the revisions) the applicant decided to make further changes to the scheme, and it is these that are now before Members.

**6.7.16** The revised scheme has sought to reintroduce the architectural flare that the Architects' Panel felt the proposal was at danger of losing. All of the properties are now to be sunken into the ground slightly (with steps up to the garden space) and three of the four house designs have been reduced in height (two of which are now one and a half storey properties). This has enabled the pitched zinc clad roofs to be reintroduced and the architect has also taken the opportunity provided by the reduction in height and mass to introduce dramatic, splayed zinc clad dormer windows; a feature that officers consider injects the architectural quality that the site deserves.

**6.7.17** The dwelling fronting onto Glenfall Way remains two storeys but has been reoriented and repositioned to enable much more expansive views through to the scarp beyond and this is demonstrated by the proposed photo-montage that has been submitted showing the critical view from Ryeworth Road. It is apparent from this image that the reduced scale of plots 2, 3 and 4 results in a very limited impact on this view and officers are satisfied that whilst this view will change, it is not considered to be harmful given the reduced scale and mass and the architectural quality of the scheme. The proposal is now respectful of the defining attributes of the site, the views across the site, and has a much more appropriate presence within the street scene. Members are also advised that when viewed from the road/footpath to the north east of the site, the four dwellings present an interesting and varied elevation of an appropriate scale.

## **7. Landscaping and mitigation**

**7.1.1** Given the location of the site within the AONB, appropriate landscaping and mitigation is essential if the proposed development is to assimilate itself successfully with the broader landscape. Indeed, the Council's own evidence in relation to landscape capacity makes it quite clear that for development to be acceptable and not have a harmful impact on the AONB these are absolutely critical matters.

**7.1.2** The assessment advises that for successful integration, thoughtful boundary planting would be essential, particularly to the south and east of the site to ensure long distance views are

not compromised. With this in mind, members will note that the original proposal sought to introduce a stone wall containing a hedge, an alien feature in this locality. The character of the area is defined by hedgerows and softer boundary treatments and therefore the applicant has amended the proposal to reflect this more successfully. The southern and eastern boundary of the development is now proposed to be a native mixed hedge which is a much more appropriate treatment.

- 7.1.3** The rest of the land is to be left as open grass meadow. To add a degree of separation and a buffer between public and private space, a landscaped 'ditch' is to be provided between the meadow and the amenity space. This is proposed to be planted with a wild flora grass mix, which in combination with the proposed hedge will create a soft and appropriate boundary. It is also proposed to introduce a public footpath across the site that will loop around the recently planted trees and connect with the footpath beyond. This will not replace the existing footpath to the north east of the site but provide a quieter alternative and also bring some public benefit to the scheme (the existing road is subject to a reasonable amount of traffic caused by the waste disposal site that it leads to). Should planning permission be granted, it is recommended that the provision, maintenance and retention of the footpath is secured by way of a suitably worded planning condition.
- 7.1.4** It is also proposed to thin the recently planted saplings to the south of the site. This is important for two reasons; firstly it enables a more appropriate footpath link but secondly and perhaps more importantly, it will help the long term preservation of the expansive views across the site. These saplings will grow tall in the future and will compromise the existing views; the landscape proposals associated with this scheme enable the maintenance of these trees to safeguard these views.
- 7.1.5** Officers are of the opinion that the proposed landscaping scheme is now an appropriate response to the site that will allow the development to integrate successfully with the wider environment. It will safeguard views into and across the site and help retain the rural characteristics of the site. Site management and maintenance is critical though so again, a condition is recommended to secure this, if permission is granted.

## **7.2 Summary**

- 7.2.1** When assessed against the requirements of local plan policy CO2 and the requirements of paragraph 115 of the NPPF and in the context of the recent AONB review, it is considered that the revised scheme represents a successful approach to the development of this parcel of land. The landscape assessment has identified a relatively small parcel of land as having limited capacity for residential development and this development, following significant revisions, responds to the constraints successfully.
- 7.2.2** The reduced height, scale and mass in combination with the revised site layout ensure that views to the scarp are maintained and the proposed architecture offers contemporary and interesting buildings which are suitably respectful to the site. The proposed landscaping scheme helps to integrate all of these matters into their rural context and therefore whilst the character of the site will change, this is not considered to be a harmful change.

## **8. Impact on neighbouring property**

- 8.1** Local plan policy CP4 requires development to protect the amenity of adjoining land users and the locality. When assessing the application against the provisions of this policy, officers are satisfied that there will be no impact on privacy or light levels enjoyed by immediate neighbours. Whilst the nature of the site will change and views across the site will be altered, this is not within the remit of policy CP4 and these matters have been discussed above.

- 8.2** The proposal will not affect neighbouring amenity and complies with the requirements of local plan policy CP4.

## **9. Access and highway issues**

- 9.1** The proposed development is served from an access road that runs along the south western boundary of the site. It is accessed via the existing 'access' to the site which members will see on planning view. The County Council has not raised any concerns with the proposal and instead, has referred officers to their standing advice which relates to matters such as visibility. The visibility from the proposed access is acceptable to serve the four houses proposed and therefore no objections are raised from a highway safety perspective.
- 9.2** In addition, the proposal provides adequate off road parking for the four houses and a turning area is provided at the end of the access road.

## **10. Trees**

- 10.1** There are a number of trees within the application site, some of which are protected. The Tree Officer has reviewed the application documentation and whilst additional tree protective fencing would be required to ensure all trees are protected, no objection has been raised, subject to a number of suggested conditions being attached to any permission.
- 10.2** Revised drawings have been subsequently submitted that show tree protection to all trees.

## **11. Ecology and Biodiversity**

- 11.1** Paragraph 118 of the NPPF advises that local planning authorities should aim to conserve or enhance biodiversity by applying various principles. One of these principles is to ensure adequate mitigation within development proposals.
- 11.2** The application is accompanied by an Ecological Appraisal Report, which is not available within the public domain as it includes information regarding certain protected species. In addition, other documents with some ecological relevance also include the Design and Access Statement, submitted plans and Tree Surveys.
- 11.3** The submitted information has been reviewed by the County Council's Principal Ecologist and a detailed consultation response provided. Some of this response has been redacted, again, due to the protected species referred to.
- 11.4** In summary, the various ecological measures put in place as part of the proposal will not have an adverse effect on biodiversity and does provide the opportunity for potential local gains. In view of the relevant national ecological guidance, it is considered that the proposal is compliant, subject to the inclusion of conditions to ensure the level of additional information to satisfy that mitigation measures are sufficient is provided. The GCC Ecologist has suggested a number of conditions to ensure this is the case, which have been attached to this recommendation.

## **12. Flooding**

- 12.1** Due to the site area of the application site, a Flood Risk Assessment has been submitted. The Lead Local Flood Authority (LLFA) has been consulted and an initial objection was raised. It was considered that whilst robust, the submitted FRA did not completely satisfy the strategy for surface water run-off. The applicant was essentially seeking to submit the finalised scheme post decision but the LLFA rightly requested this prior to determination.

- 12.2 Following the submission of this additional information, the LLFA has now confirmed the proposal now meets the requirements for a major application subject to the inclusion of suggested conditions.

### 13. Archaeology

- 13.1 Gloucestershire County Council's archaeologist has been consulted and, based on the information accompanying the application, recommends no further archaeological investigation is required as the site has a low archaeological potential.

### 14. Other considerations

#### 14.1 Red line and precedent:

- 14.2 Some concern has been raised by residents in relation to the extent of the red line which covers a broader parcel of land than that which the development is sited. The concern being that if planning permission were to be granted this would potentially open the site up for more comprehensive development.

- 14.3 Officers accept that the red line is bigger than it perhaps needs to be but this does not weaken the Council's position should this scheme be granted consent and further applications be submitted. Members are well aware that every application needs to be considered on its merits and it is the specifics associated with this parcel of land that have lead officers to the conclusion that relatively low-key development could be supported. This is informed by the evidence of the Council's AONB assessment which makes clear distinctions between this land and other parts of the AONB. The evidence enables the authority to make more robust decisions about development within the AONB and it is therefore very valuable for the authority. It is this evidence that will enable the authority to rebut other applications (should they be forthcoming) and indeed the assessment has been used in the recent refusal of an application for up to 10 dwellings on a piece of land within the same character area as this application, adjacent to Ham Court.

#### 14.4 JCS housing policy

- 14.4.1 JCS policy SD11 relates to residential development and sets out the following important considerations:

- 14.4.2 *On sites that are not allocated, housing development and conversions to dwellings will be permitted on previously-developed land in the existing built-up areas of Gloucester City, the Principal Urban Area of Cheltenham and Tewkesbury town, rural service centres and service villages except where otherwise restricted by policies within district plans.*

- 14.4.3 It goes on to state that:

- 14.4.4 *Housing development on other sites will only be permitted where:*

- i. *It is for affordable housing on a rural exception site in accordance with Policy SD13, or*
- ii. *It is infilling within the existing built up areas of the City of Gloucester, the Principal Urban Area of Cheltenham or Tewkesbury Borough's towns and villages except where otherwise restricted by policies within district plans, or*
- iii. *It is brought forward through Community Right to Build Orders, or*
- iv. *There are other specific exceptions/circumstances defined in district or neighbourhood plans.*



**14.4.5** On face value, this policy implies that development within the AONB is unacceptable because it is not within the principal urban area of the town. That said, two things have to be considered before weight is given to this policy. Firstly, the JCS is yet to be adopted and without it, the Council cannot demonstrate a five year supply of housing. As set out elsewhere in this report, without a five year supply, policies that relate to the supply of housing cannot be given weight. Secondly, the housing policies within the JCS are still subject to some objection so full weight cannot be attributed to them anyway.

**14.4.6** Ultimately, whilst the aims of this policy are understood and the policy will be a helpful tool in the determination of future applications once adopted, this application has to be considered against the current policy context, which is set out earlier in this report. This context requires the decision-maker to consider the impact that development within the AONB will have on its natural beauty and the conclusions on this point have already been discussed at length.

#### **14.5 Environmental Impact Assessment**

**14.5.1** Upon receipt of the application, a screening exercise was undertaken against the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Whilst the site is located in a sensitive environment, the project does not fall within the remit of these regulations and therefore does not require the submission of an Environmental Impact Assessment.

#### **14.6 The Countryside and Rights of Way Act 2000**

**14.6.1** The CROW act places a duty on all public bodies to have regard to the purposes of AONBs. It is a material consideration in the determination of planning applications and seeks to meet the same objectives of local plan policy CO2 and NPPF advice set out in paragraphs 115 and 116. This duty has formed part of the recommendation that is set out below.

### **15. CONCLUSION AND RECOMMENDATION**

**15.1** This report has attempted to balance the conflicting thoughts in relation to development on this site and the strength of public opinion has not gone unnoticed.

**15.2** That said, having carefully evaluated the policy context, fully considered the AONB review and worked with the applicant to enhance the quality of the scheme and reduce its impact on the AONB, officers consider that, on balance, the development that is presented to members is acceptable.

**15.3** It is accepted that development of the site will change how it is experienced in its immediate context but change is not automatically harmful and proposals have to be considered objectively. Just because a site is located within the AONB does not make it immune to or exempt from development. The proposal does not constitute “major” development.

**15.4** This is not a conclusion that officers have arrived at lightly and it is fully accepted that it will not be a popular recommendation with some members of the public. But, officers are tasked with critically evaluating all of the evidence that is before them and, in this instance, in the context of para 186 of the NPPF which states that “*Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development*” and para 187 which states that “*Local planning authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible*” officers are satisfied that the balance tips in favour of the development.

- 15.5** Much of this conclusion stems from the AONB assessment. This independent and objective assessment has identified a small parcel of land within the application site as having limited capacity for residential development. The requirement of the applicant was to work up a scheme that mitigates the impact of the development through site layout, scale, massing and landscaping. Officers consider that the application executes this difficult balancing act successfully and it is therefore very difficult to articulate a specific harm that is caused by the proposal. The delivery of four additional houses to the Council's housing supply also attracts weight at a time when we cannot provide a five year housing supply.
- 15.6** Local Plan policy CO2 states that development which harms the natural beauty of the AONB will not be permitted and paragraph 115 of the NPPF requires authorities to place *great weight* to conserving landscape and scenic beauty in AONBs. Officers have placed great weight on this matter when assessing the proposals and consider that the proposal that is before members satisfactorily preserves the prevailing characteristics of the site. The proposal is therefore not harmful and will conserve the natural beauty of the AONB.
- 15.7** It is recommended that planning permission be granted. Recommended conditions will be circulated under separate cover.

## **16. CONDITIONS / INFORMATIVES**

- 16.1** To be circulated separately