

By Hand

Hallam Oaks
Greenway Lane
Charlton Kings
Cheltenham
GL52 6PN

Mrs Lucy White
Case Officer
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP



3rd August 2020

Dear Mrs White,

Re: Outline Application for 250 Residential Dwellings, Oakley Farm,
Priors Road, Cheltenham. Ref No. 20/01069/OUT

At the time of writing, I note that 105 objections have been lodged against the above named application (plus 1 neutral and 1 support). In order to save utter repetition, I support all of those objections.

I feel that if this application was not of such a serious matter it would be almost laughable. Unfortunately, that is not possible as, over the last 2 – 3 years, I have observed a steady stream of planning applications in respect of this precious AONB, ranging from the above application back to Cromwell Court, Oakfield House Stables, Kyle Lodge, all in Greenway Lane. Also, 3 of the Sovereign luxury houses, out of 5, have been built on the Harp Hill road.

1. Cromwell Court (18/02581/FUL) was eventually granted planning for 8 self & custom build dwellings in March 2019. This came at a cost of the wooded area that gave shelter to much wildlife and questionable, in my view, being termed a brownfield site. It is rumoured at present that the 8 dwellings could increase to 12/15 and the area now lies in a neglected state.
2. Oakfield House Stables (20/00154/FUL) has had two applications refused and has now gone to Appeal (20/00014/PP1). This ONE modern dwelling would destroy the whole character of the area, if permitted.
3. Kyle Lodge (19/02449/FUL) applied for a large, single 5 bedroom self & custom build dwelling (for family reasons) in the garden, plus garage. This, too was refused in March 2020.

In my view, these 3 applications have architectural designs that are at a complete variance with the beauty of this countryside. All details can be found in full on the planning website.

4. There is also a recent application for Certificate of Lawful Use - Proposed Use for a large storage barn on one of the fields opposite Cromwell Court, Plot 2 (20/01163/CLPUD).

I cite these 4 cases as, since all of this precious area was designated in 1966 an AREA of OUTSTANDING NATURAL BEAUTY, no new property has been built (with the exception of Cromwell Court that replaced a wooden bungalow) on these green fields. This now takes me back to Oakley Farm.

Last week I walked round the Oakley Grange estate, in a late afternoon's sunshine.

I assessed, with horror, the damage that had already been done to this once beautiful escarpment. No longer could one see the lower slopes of Cleeve Hill, over to the Malvern Hills and, on a clear day, Hay Bluff and the Welsh Mountains – once an incredible view. I walked some way up Aggs Hill and eventually, over the ugly, assorted roof tops of the estate, I saw something of the view that I used to know so well. I should also mention that this is summertime with leaves on the few remaining trees. In the long six months of winter no such protection is afforded to the concrete jungle.

Not ONE more dwelling should be allowed to be built on this AREA OF OUTSTANDING NATURAL BEAUTY. Enough damage has been done.

Ironically, as I stood in Birdlip Road again, in the early evening and the fading sunlight, from the nearby farm a cock crowed - THREE times. Yes, I thought, my wise feathered friend is telling me about the greed of man as he betrays the beauty of Nature.

I walked on round to the Pasture Slopes on Harp Hill and, again, looked at the discordant roof tops below me. Once, one saw the Cemetery, GCHQ, all lying quietly in the green fields.

Not ONE more dwelling should be allowed to be built on this AREA OF OUTSTANDING NATURAL BEAUTY. Enough damage has been done.

THE TRAFFIC. It is proposed that the exit for all the traffic in this Application is onto the Harp Hill road, virtually opposite 'Half Acre House'. Why? It is lunacy gone mad – if that is possible and it seems to be it is.

It is proposed that in the region of 250 – 500 vehicles will traverse the Harp Hill road after revving their engines like mad, changing gears, polluting the atmosphere, at the top of the incline. They will either turn right, down Harp Hill, to the already over-congested double roundabout at Priors Road OR turn left to travel to the A40 via Greenway Lane (if totally desperate, via the very bendy Mill Lane) to encompass the Sixways traffic lights that usually take 2 minutes, every change, before gaining access to the A40. Believe me, you can wait there a very long time, as St Edward's school parents must know.

BUT, in Greenway Lane there are also 2 chicanes that currently cause tailbacks, screeching of brakes and much angry language. 250 – 500 more vehicles..... ? Also, on days when the Charlton Kings Cricket Club holds its matches, Greenway Lane has cars parked on both sides of the Lane from the dangerous bend by The Chase up to Kyle Lodge. On such days only single line traffic is possible – 250 – 500 more vehicles trying to battle through?

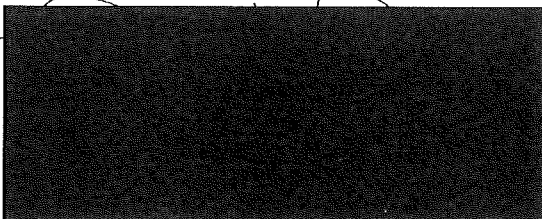
THE SHORTFALL. I feel that the shortfall in the 5 year land supply is being somewhat over exaggerated. I understand that there is a potential for 4,100 dwellings around Swindon Village; 3,700 at the Cyber Park site; a further 320 dwellings at Leckhampton. This, alone, brings a tally of 8,120 with many other smaller applications in the pipeline. Also, if developers released land that they are holding, the target of 10,000 - 11,000 would easily be met. As already stated by others, Oakley Farm and the Pasture Slopes is not part of the Cheltenham Plan and is outside of the PUA.

Therefore, there is no excuse to desecrate this part, or indeed any part, of our COTSWOLD AREA OF OUTSTANDING NATURAL BEAUTY. Not one of the Applications presented would in any way CONSERVE or ENHANCE this jewel in the crown in which we are gifted to live. Just 1 more dwelling permitted would inevitably open the flood gates to more and annihilate this sacrosanct and lawfully protected land.

True, Cheltenham needs Affordable Housing, but let our Planning Officers and many of our very hard working Councillors give their valued time to practical development projects, in legitimate areas, that would provide the very minimum damage to the existing surrounds.

I repeat: I object to this Application.

Yours sincerely,



The Oaks, Harp Hill

FAO: Mrs. Lucy White,
Planning Department,
Municipal Offices,
Promenade,
Cheltenham,
Gloucestershire,
GL50 9SA



2nd August 2020

Dear Mrs. White,

Re: Planning Application 20/01069/OUT

For: Outline application for development comprising of up to 250 residential dwellings including provision of associated infrastructure, ancillary facilities, open space and landscaping, demolition of existing buildings and formation of new vehicular access from Harp Hill. All matters reserved except for means of access to site from Harp Hill.

At: Oakley Farm, Priors Road, Cheltenham, Gloucestershire, GL52 5AQ

The following letter has been drafted by my husband and myself in strong objection to the above planning application.

Though I know that opinion and emotion are circumstantial evidence and not taken into account, I feel as a mother I have to voice the following before laying out the factual reasons why this planning application should be denied.

[REDACTED]
[REDACTED] my intent was to walk her to and from school (weather permitting). I can tell you that no more than 3 times did I attempt this with a stroller/push chair that I realized how dangerous this is. Most of Harp Hill does not have pavement or what I, as an American, call a sidewalk. You are forced as a pedestrian to share the road with cars and I can tell you – without hesitation – that many people do not adhere to the 30mph zone AND if they do or not, drivers using Harp Hill and Greenway Lane as a cut through show signs of road rage and frustration. While trying to walk with her on the road, I have been honked at, have had cars pull down their window and yell at me while driving by and the final straw came when a car was frustrated I was using the road (as far to the side as I could) and purposely drove right next to me with a revved engine to scare me. That particular instance I had my child in the push chair and it was the last time I used our road. Which is a very sad thing to say.

I cannot begin to imagine what adding 250 homes to an already congested and non-pedestrian friendly street will do. I do ask you, please, to turn down this application. The legitimate reasoning that goes against actual planning production are in the next few pages but as a mother, I am pleading that the planning department recognize the areas of Cheltenham that are unsafe for its citizens and at least, try not to make them worse.

There are numerous material objection points which are considered a reserved matter – for example, the AONB designation; design; site layout. The main focus of this objection is on that which is not reserved - the proposed access / egress within and around the proposed development site from Harp Hill. It is therefore requested that the Authority fully consider the implications of the proposed access / egress from Harp Hill and refuse this application accordingly.

National Planning Policy

NPPF

The NPPF (National Planning Policy Framework) is the guiding policy that all applications should have as the principle policy guiding development. The following from the NPPF is therefore pertinent in this case:

Section 9: Promoting sustainable transport

P.102. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

The access proposed has not sufficiently considered the patterns of movement in and around the site. There is very significant potential for dangerous conflicts of movement between pedestrians, cyclists and motorists and the proposed design of access will result in a poor quality place due to inadequate infrastructure.

P.108. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impact from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Safe access cannot be sufficiently attained at this site and it is certainly arguable that the proposed development would result in a severe and significant impact upon the local road network as a consequence of the high frequency and volume use of Harp Hill as a major access / egress point for the development.

P.110. Within this context, application for development should:

c) Create places that are safe, secure and attractive – which minimise scope for conflicts between pedestrians, cyclists and vehicles.

The proposed access and exit points, as well as the internal layout of the site, will increase potential conflicts of movements between motorists, cyclists, and pedestrians to an unacceptable level.

Section 12: Achieving well-designed places

P.124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

P.127. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting.

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

P.130. *Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary documents.*

The proposed access and development will contradict the above National planning policy.

The National Design Guide

The National Design Guide was published in October 2019 and includes guiding policy concerning design for development. The following is relevant and relates to movement and accessibility in and around the site;

Context

C1: Understand and relate well to the site, its local and wider context

40. *Well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and improves negative ones. Some features are physical, including:*

- *The existing built development, including layout form, scale, appearance, details, and materials;*
- *Access, movement and accessibility;*
- *Views inwards and outwards*

41. *Well-designed development proposals are shaped by an understanding of the context that identifies opportunities for design as well as constraints upon it. This is proportionate to the nature, size and sensitivity of the site and proposal.*

42. *Well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation.*

This further casts doubt as to the suitability of the proposed access and the subsequent potential for poor quality development / design.

Local Planning Policy

The Joint Core Strategy

The JCS was adopted by the three local authorities of Gloucester City Council, Cheltenham Borough Council, and Tewkesbury Borough Council. As such the following policy applies and is relevant to this planning application.

Policy SD4: Design Requirements

i. Context, Character and Sense of Place;

New development should respond positively to, and respect the character of, the site and its surroundings...and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form.

ii. Legibility and Identity

New development should create clear and logical layouts that create and contribute to a strong and distinctive identity and which are easy to understand and navigate.

v. Safety and security

New development should be designed to contribute to safe communities including reducing the risk of fire, conflicts between traffic and cyclists or pedestrians, and the likelihood and fear of crime.

vii. Movement and connectivity;

New development should be designed to integrate, where appropriate, with existing development, and prioritise movement by sustainable transport modes, both through the application of legible connections to the wider movement network...it should:

- Be well integrated with the movement network within and beyond the development itself
- Provide safe and legible connections to the existing walking, cycling and public transport networks
- Ensure accessibility to local services for pedestrians and cyclists and those using public transport
- Ensure links to green infrastructure
- Incorporate, where feasible, facilities for charging plug-in and other ultra-low emission vehicles
- Be fully consistent with guidance, including that relating to parking provision, set out in the Manual for Gloucestershire Streets and other relevant guidance documents in force at the time.

Policy INF1: Transport Network

1. Developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. All proposals should ensure that:

i. Safe and efficient access to the highway network is provided for all transport modes;

ii. Connections are provided, where appropriate, to existing walking, cycling and passenger transport networks and should be designed to encourage maximum potential use;

iii. All opportunities are identified and taken, where appropriate, to extend and / or modify existing walking, cycling and public transport networks and links, to ensure that credible travel choices are provided by sustainable modes.

5.2.7 The desired outcome from all development remains a safe and efficient transport network where people feel safe and they have a reasonable variety of travel choices.

The proposed access from Harp Hill is woefully inadequate for the scale of the development proposed. Considering that most families likely have at least one motor vehicle – often two (not including any visitors and their vehicles) – Harp Hill will be unable to sustain the increased traffic levels. Thus safety, site legibility and patterns of movement for all users in and around the site will be dangerous and the above local planning policy will not be complied with.

It should also be noted, as mentioned within the applicant's transport statement, that the site is *not* allocated within the Strategic Allocations Policy. This further questions suitability of this site and proposed access for a development of this scale.

Gloucestershire's Local Transport Plan (2015-2031)

The following from the Gloucestershire Local Transport Plan is contradicted by the proposed access and development here.

Policy Document 2 Cycling

LTP PD 2.1 To ensure that developers assess the needs of all pedestrians and cyclists within their development design and any improvements associated with the development.

The access proposed from Harp Hill will be detrimental / dangerous to pedestrians, particularly given the lack of pedestrianised pavement. Cycling will also be difficult due to the increased traffic levels.

Policy Document 4 Highways

LTP PD 4.6. To consider the needs of all road users including walking and cycling when amending highway speeds to ensure safety, functionality and consistency are not compromised. To work with developers and transport scheme promoters to consider, when designing new schemes, factors which influence the success of routes and facilities in terms of their use and function, such as layout, visibility, gradient, lighting, natural surveillance, integration and signing.

Given the potential for dangerous conflicts of movement between motorists, cyclists and pedestrians, the needs of all road users will not be met using the proposed access / egress from Harp Hill.

LTP PD 4.8. GCC will work with all transport providers to provide a safe, reliable and efficient highway network that encourages pedestrian movements and provides vital walking connections between communities, employment and services.

Similarly, this policy will not be met / complied with.

Relevant Local Planning Applications & Appeals

The following planning applications are believed to be relevant to this application;

- **Planning Application 18/02171/OUT** – Outline application for residential development of up to 69 dwellings including access, layout and scale, with all other matters reserved for future consideration (revised scheme following refusal of application ref. 17/00710/OUT) | Land Adjacent To Oakhurst Rise Cheltenham Gloucestershire and subsequent Appeal APP/B1605/W/19/3227293 – **Refused and Dismissed**

This application, dismissed on appeal, was for similar developments and dismissed for numerous reasons including issues concerning access and landscape and visual impact.

Planning Application CB11954/43 (The Eden Villas Development) outlined that the road network was not capable of accommodating the traffic associated with more than this number (i.e. 40) of houses. As such, a proposal of the scale suggested here – 250 dwellings – will not have sufficient infrastructure and capability for safe and effective access / egress from Harp Hill.

Material Planning Considerations

Access: Safety Considerations for all users

Regardless of what has been stipulated within the documents submitted, there is local residents have existing knowledge / understand that Harp Hill is already a problematic road due to high levels of commuting / school traffic. The additional requirements placed on the road by an additional 250 dwellings will exacerbate these existing problems to an unacceptable and dangerous level.

Emergency access for ambulances / fire engine vehicles has not been sufficiently considered by the applicant.

Harp Hill

The proposed use of Harp Hill is wholly unsuitable for the proposed large scale housing development. The road is already at capacity and residents already experience problems of congestion and conflicts of movement between motorists and cyclists / pedestrians. Documentation submitted by the applicant has indicated that Harp Hill is a

significant site constraint and as such should not be considered as a suitable access / egress road for the scale of development proposed.

Other Considerations

Invalid Site Location Plan

The Site Location Plan submitted has included land that is not within the applicant's ownership – this being the area which includes a small section of the highway (named Priors Road (the B4075)). A valid site location plan therefore ought to be submitted by the applicant prior to any further consideration of this application. The Design and Access statement also utilises this invalid site location plan.

Documents submitted

Planning Statement

The following from the Planning Statement needs addressing.

"It cannot come forward as an allocated site as by its scale it is not a strategic site and the JCS only makes provision for strategic sites"

The suitability of the site is therefore questionable given that it has not been allocated as a strategic site. The JCS should still be considered concerning design and transport requirements for new development and should not be dismissed so lightly.

"7.27. 'The layout of the site responds to the topography and will improve accessibility to the countryside whilst reliving pressure on other areas in the AONB'"

Improving accessibility to the countryside should also include consideration of increased traffic and potential for conflicts of movement between different road users accessing the AONB.

Design and Access Statement

Similarly, the following from the Design and Access statement needs addressing.

"It is concluded that with the implementation of the mitigation and enhancement measures outlined, including the Interim Residential Travel Plan aimed at encouraging travel by sustainable modes, the additional travel by sustainable modes, the additional traffic demand would be safely and satisfactorily accommodated on the local transport network".

This is simply not the case – the Transport Statement admits that there is no provision on the majority of Harp Hill for pedestrian footpaths. As such this again strongly suggests that Harp Hill cannot accommodate sustainable transport / additional vehicles safely on the local transport network.

Environmental Non-Technical Summary

This summary mentions that access from Harp Hill is a significant site constraint. Again, this supports the argument that access from Harp Hill is not suitable for the proposed development.


AONB Designation

Whilst this is an Outline application with all matters reserved aside from access, it should be emphasised that the site is located within the Cotswolds AONB and as such the proposed development will have an irreversible adverse impact upon this AONB.

Summary

I trust that the above has demonstrated to the Local Authority that the proposed access for a development of this scale is woefully inadequate, would result in significant harmful impact to existing and future users and is poorly designed. It is therefore respectfully requested that this application be refused by the Authority.


Sincerely,



The Oaks, Harp Hill

Cheltenham

GL526PR



On behalf of Cleevesyde & Half Acre, Harp Hill.

Helix Transport Consultants

16 Springfield Court

Stonehouse

Gloucestershire

GL10 2JF

Lucy White

By e-mail: Lucy.White@cheltenham.gov.uk

Cheltenham Borough Council

Planning Department

Municipal Offices

Promenade

Cheltenham

Gloucestershire

GL50 9SA

11 September 2020

Dear Ms White,

Proposed Housing at Oakley Farm, Cheltenham

Comments on Planning Application 20/01069/OUT, concerning Transportation Matters.

Helix Transport Consultants Ltd are appointed by [REDACTED] Cleevesyde and [REDACTED] at Half Acre on Harp Hill, to review the traffic and transport implications of the proposed development of 250 dwellings on the former Oakley Farm site in Cheltenham; planning application ref: 20/01069/OUT.

It is noted that the local highway authority has raised major concerns with the assessment method and outcome, which are shared. Our analysis corroborates these concerns and identifies new areas that require additional consideration.

The following sections consider, in turn, the overly simplistic trip generation and distribution assumptions, the lack of consideration given to non-car accessibility and the weaknesses in the traffic impact assessment and mitigation proposals.

Trip Generation & Distribution

The applicant's trip generation assessment utilises outputs from the Trip Rate Information System (TRICS) database for typical suburban housing developments. The applicant's consultant then assumes a distribution model based exclusively on the 2011 Census journey to work data. In reality, not all trips are work-related. The following table is taken from the most recent national travel survey.

Department for Transport statistics
National Travel Survey

Table NTS0502

Trip start time by trip purpose (Monday to Friday only): England, 2015/2019¹

Start time	Commuting	Business	Education	Percentage				Holiday / Day trip / Other	All purposes
				Escort education	Shopping	Other work, other escort and personal business visiting friends / entertainment / sport			
0800 - 0859	20	3	29	23	4	14	3	4	100
1700 - 1759	32	3	3	2	12	20	20	8	100
All day	18	4	9	8	17	19	18	9	100

The above demonstrates that the distribution assumption used by the applicant's consultant is based on what only a small proportion of travelling public wish to access. There are, for instance, no car trips assumed to distribute to the nearest free primary school. This school is well over 1Km from the centre of the site (following the shortest pedestrian route) which should be considered too far for most primary school-age children. Similarly, the nearest free secondary school is around 2.5Km which is beyond the recommended threshold to attract walk trips.

Apart from further consideration of distribution and journey purpose, more consideration should be given to mode share. The analysis is premised on the average situation. According to national statistics, the average person in employment is 12% likely to walk to work. Even given the proximity to the local Sainsbury's it is difficult to imagine that there are that many walkable employment opportunities.

In practice, with the exception of the Sainsbury's supermarket, the site is somewhat remote from local services or employment opportunities. This is demonstrated in the PFA TA Table 5.2. It is considered that, if due consideration is given to the specifics of the site, in terms of where people might travel to and how they might get there, it is likely that the traffic implications on the local highway network, particularly to the west of the site, will be found to be significantly greater than currently envisioned.

Non-Car Access Opportunities

The highway authority has highlighted a lack of geometric details on how the proposed development will provide appropriate pedestrian and cycle infrastructure.

There are, however, more fundamental flaws than geometry. In the first place, the pedestrian access strategy is based on the use of a footpath network. The problem with this strategy is illustrated by photographs contained in the PFA TA. Closed-in paths or accesses with no natural surveillance will inevitably

give rise to fears over safety. The photographs are taken on bright sunny days. The perspective is somewhat different in the case of the lone worker returning home in the winter months when it is dark. The developer might, although hasn't, suggest that cutting down the trees/shrubs that create hiding spaces and introducing a CCTV surveillance system might be necessary. Even with these measures, there are areas clearly identifiable on the proposed masterplan where there will be no natural surveillance and/or are too far away for any observer to offer timely assistance. It will be of little comfort to know that an incident might be filmed.

The alternative route for pedestrians will be to follow the footways flanking the proposed access road. This route benefits from the surveillance of the passing cars and will be the route of choice for anyone concerned by the issue highlighted above. Unfortunately, this route heads away from the local services, climbs a steep gradient over a long distance and alights on Harp Hill in a position where there is no footway connection. It is also then a steep descent down Harp Hill back towards Priors Road.

In practice, the applicant's strategy is likely to put many people off walking. This is contrary to current policy guidance which seeks to prioritise non-car access.

In terms of public transport, it is commonly accepted that the maximum walk distance to a local bus stop should be 400m. This is so as to make the provision conspicuous, convenient and reachable to those with mobility impairment. The PFA TA explains that the local bus stops are 750m or 800m from the site and presents no proposals to change this. Under the circumstances, bus access is neither conspicuous, convenient nor reachable to those with mobility impairment.

Given the above, the applicant's strategy will not encourage the uptake of bus use. This is contrary to current policy guidance which seeks to prioritise non-car access.

Traffic Impact Assessment and Mitigation

The highway authority has indicated that they do not accept the applicant's conclusion that the off-site highway impacts are insignificant, and indicate incredulity over the claimed benefit of the only proposed highway works; which involves some very modest widening at the Harp Hill and Hewlett Road arms of the double mini-roundabout arrangement on to Priors Road. This is entirely agreed with.

To elaborate, the Junctions 9 model considers a proposed widening on the Hewlett Road and Harp Hill arms to 5.5m. In both cases, the increased entry width will mean that the model will assume that it is possible for two cars to enter the junction at the same time. In practice, however, the illustrated geometry makes this highly questionable. In the case of Harp Hill, it is highly doubtful that a vehicle would even attempt to enter the small budge proposed on the entry arm as it off the natural approach angle, or if this were attempted, that there would be enough space left for another car to pull alongside, given the very tight proposed geometry.

As the highway authority has already indicated, the most likely outcome of the proposal is, in practice, no meaningful change to the current junction operation.

The PFA TA even introduces its own doubts over the proposals by highlighting that it will adversely affect the pedestrian crossing points at this junction.

Given the above, the assessed do-nothing scenario is the most likely outcome and, with queues predicted to increase to 42 vehicles, this should be considered to be a severe impact on existing road users, which is contrary to development policy.

Alternative Strategy

There is no doubt that the focus of transport activity will be to/from the west of the site. There are, however, substantial obstacles to sustainable outcomes inherent in the proposed scheme.

The developer should be encouraged to look at alternative means of access if the local planning authority is inclined to approve a development on the site. GCC's latest highway design guidance moves somewhat away from the traditional prescription of a road with a segregated footway. This opens up the possibility of an all-mode access via the existing farm track for a proportion, if not all, of the proposed development. Under this scenario, the road achieves some natural surveillance, making non-car access more attractive.

If an access to Harp Hill is still deemed necessary it is logical for this to emerge at the very southwestern corner of the site where it might connect with the existing pedestrian infrastructure at a point where the climb to/from the site will be minimised, as far as possible.

If as anticipated, the developer's consultant will be issuing an addendum report we would be grateful to receive notification of this so as to be able to comment further.

I look forward to hearing from you in due course.

Yours sincerely

James Hunter BEng (Hons) MCIHT
Helix Transport Consultants

FARM.

PLANNING

Rec'd 20 AUG 2020

SERVICES

WADLEY'S FARM,

HAM LANE,

CHARLTON KINGS.

GL52 6NJ

19-8-20.

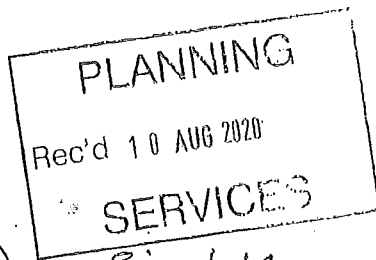
I wish to object to the application by Hitchens to build houses on the land around Oakley Farm. The field is on the outer limits of the Cotswold AONB, such can be seen by developers as a cherry ripe ring, and of no particular benefit to the rest of the AONB. If a piece of land is allowed to go for building, when does it stop? Already the land around Cromwell Court, in the AONB, has controversially been given permission for houses built on it. One could foresee the creeping pace of builders trying to nibble their way all the way down Greenway Lane if the principle is not firmly established that the AONB is 'no go' and inviolate for speculative developers.

Oakley Farm land is at present a 'breathing lung' for the outskirts of Cheltenham, and it should remain so in perpetuity.

Yours faithfully



①



Wadleys Farm,
Ham Lane,
Charlton Kings,
Cheltenham.
GL52 6NJ
10th August, '20

Dear Sir / Madam,

Re: Development Proposed at Oakley Farm,
Priors Road,

I should have thought
developer would know that Oakley
Farm is in the Cotswolds AONB and as
such, is subject to the highest possible
protection from development. Indeed,
Cheltenham Borough Council has been very
vigilant in protecting the AONB on the
 outskirts of Cheltenham in the past, and
I hope will continue to do so with regard
to this application.

Oakley farmland forms
part of the lower slopes of the Cotswolds
Hills and as such is the home of much
wild life. This natural habitat would
certainly be destroyed if it became covered

(2)

concrete and dwellings.

The visual impact would be horrendous from Priors Road, with axes stretching up the hillside and could in no way enhance the beautiful environment.

Harp Hill is far busier than ever it is, even when GCHQ had a site and the corner. All the houses constructed on the old GCHQ site have resulted in a vast increase of traffic all times. The appalling state of the road indicative of this and Harp Hill in no way, would be able to cope with the increased traffic usage if this application is permitted.

These days flooding seems an on-going problem - increased unpredictable heavy downpours seem to be occurring more often, causing flooded roads, drains and houses. Green fields are nature's drainage.

(3)

Where will the water go if the farmland covered in ~~con~~ concrete? This application would exacerbate the flooding problem in Priors Road and must be refused to alleviate a potential serious nuisance.

As for demolition of the farmhouse & buildings - I refer you to the Town in recently adopted:


Policy L2 Landscape

"Conversion of rural buildings"

whereby no "rebuilding" should be permitted which would and should negate the proposal to demolish Oakley Farm House.

I hope Cheltenham Borough Council will refuse this application; it would otherwise create a precedent for further applications within the AONB on the outskirts of Cheltenham, and be utterly detrimental to the ethos of our town.

Yours faithfully,



The Gray Horse.

From: [REDACTED]
Subject: 20/01069/OUT
Date: 1 Mar 2021 at 07:54:43
To: documents@cheltenham.gov.uk

Dear Mrs White,

I wish to object to the above in the strongest possible terms.

Walking on the Hill yesterday was a seriously dangerous thing to do. Non-stop cars forced walkers into driveways for safety and cyclists onto verges. We all literally put our lives at risk. Many stopped to enjoy the unobstructed views as they took their 'COVID lockdown exercise'.

The road is a vastly and heavily over-used route between six ways and the multiple roundabout junction at the bottom of the Hill, but to allow many more hundreds of cars onto it from the 'deer crossing' sign would create an extremely dangerous situation. At morning rush hour this lower junction is already hugely clogged up when traffic from the Hill joins the large amount coming from the Battledown/Sainsbury development plus the volume from Prestbury. The overall numbers of cars going down the hill has increased vastly over the last few years. Please don't allow more.

Apart from the above, these pastures have the highest level of protection - AONB !!

Please can the Planning Committees listen to my plea and refuse this application.

The Gray House
Harp Hill
[REDACTED]

Haytor
Harp Hill
Cheltenham
GL52 6PR

13th August 2020

Dear Mrs White

Re: Objection to planning application 20/01069/OUT Oakley Farm Pasture Slopes AONB.

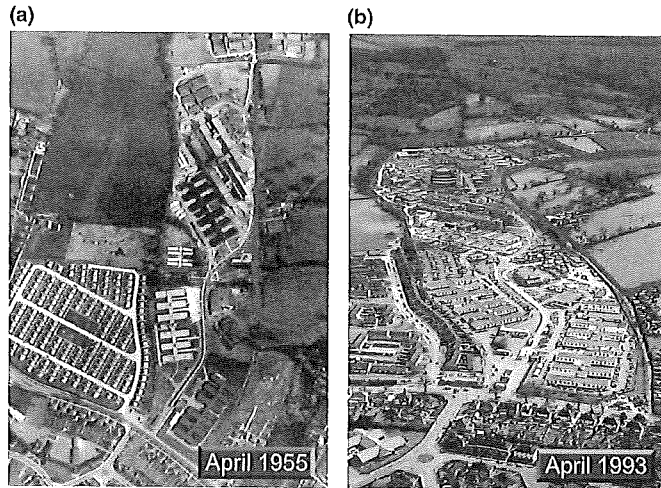
I wish to object to the above planning application for the following reasons, and would like this objection to be submitted against the planning application on Cheltenham's Public Access site:

Setting

In the supporting documents, the applicant states that the harm to Oakley Farm Pasture Slopes (the site) due to loss of sloping pastures will be limited because of the existing harm caused by current dwellings. I wholly disagree with this statement for the following reasons. To the south of the site, Battledown Estate contains dwellings set in at least ½ an acre of land (some properties within much bigger plots) which results in settings which complement the surrounding AONB and in particular, the site. Moreover, residential development on Battledown began during the Victorian era and dwellings on Harp Hill in particular, were constructed later, during the 1930s; therefore, these dwellings have stood adjacent to the site for almost 100 years - long before the site was designated AONB.

With this in mind, AONB status was assigned to the site in the 1960s and in spite of its proximity to the sympathetic development of Harp Hill and the wider Battledown Estate. This is because the character of the landscape was deemed unimpaired by its proximity to urban development and thus its intrinsic qualities and character were recognised as characteristics of an area of outstanding natural beauty. Furthermore, on viewing the site from various vantage points around the residential area (Prior's Road; Pillowell Close; Brockweir Rd; Aggs Hill) the dwellings on the edge of the Battledown area (Harp Hill) cannot be seen easily as they are set in heavily treed areas of sparsely developed land. Because of this, the site merges seamlessly with this sympathetic residential area giving a semi-rural aspect to this space. Similarly, when viewing the site from The Cotswold Way path (at Prestbury Butterfly Reserve and Cleeve Common) it is clear that the site is situated adjacent to a dense treed area to the south, and does not resemble the densely urban nature of Cheltenham town and the 'hard edge' as it is described in the application.

The largest area of development to the north and northeast of the site also existed when the site was assigned AONB status. This area was occupied by the large expanse of GCHQ buildings, which were constructed in the 1950s. The applicant maintains that these new residential dwellings on the old GCHQ site form a "stark and harsh" edge with the site and the AONB, which detracts from the site's beauty, thus negating its value and sensitivity. I believe these claims are simply not true and again, this is demonstrated in the designation of AONB status in the 1960s and a later revision in the 1990s. Contrary to these claims, the area as a whole plays an important role in merging Cheltenham with its wider AONB and thus is seen as a gateway to the wider countryside. This is attested by the many hundreds of people who walk Harp Hill and surrounding lanes to access this special area of Cheltenham. As can be seen in the photograph below, the surrounding areas of the site remain largely unchanged in terms of developed land as the brownfield GCHQ site buildings have simply been replaced with current residential and retail development.



Former GCHQ site and the Oakley Farm site to the right of this.

Visual impact

The applicant's comments that the site is not visually prominent from Harp Hill "save important views towards Hewlett's Pavilion and the Reservoir boundary" are not the case. In actual fact, the entire site is visible from various properties along Harp Hill. From both Hill Covert and Haytor, the farmhouse and farm buildings at the base of the site can be seen clearly, even during the summer months.

The applicant refers to the site as a "rural and green wedge character that contributes to the setting of Cheltenham", and yet in several areas of the Site Assessment document it comments that the lower slopes of the 'wedge' are not as sensitive as the upper area and therefore warrant development. Yet, the entire site, including the lower slopes can be seen clearly from surrounding vantage points such as Prestbury Butterfly Reserve (see photograph below), and so designating parts of the site as 'more sensitive' and 'less sensitive' is problematic and merely serves as a justification for development and in turn, destroying the beauty of this AONB site. Currently, the farmstead (circled on the photo) stands at the very base of the lower slopes and can be seen clearly from Harp Hill (even when trees are in leaf) and from various vantage points including Prestbury Butterfly Reserve (from where this photo was taken). Parts of the lower slopes are obscured by a densely treed area which adds to the beauty and character of the site and should not be identified as 'less sensitive'. Furthermore, conserving the densely treed site by rejecting this development will negate the proposal by the applicant to "Create a new woodland belt that will provide biodiversity enhancements an [sic] improvements to the local Green Infrastructure Network."



A clear view of the entire site from Prestbury Butterfly Reserve with farm buildings marked – taken July 2020

From a visual perspective, the lower slopes of the site are as equally sensitive as the higher areas as stated above; this is also demonstrated by the view from the Public Right of Way that runs the length of the slope to the west of the site which has a clear view of the site merging seamlessly with the Cotswold scarp and Cleeve Common Site of Special Scientific Interest (SSSI). I do not concur that the site should be demarcated into sensitive and non-sensitive areas and fail to see the evidence for this categorisation in the application. After all, the entire site was designated AONB, not just the upper slopes. Moreover, the lower areas of the site can be viewed clearly from various points from the north, west and northeast of the site, from both high up on the AONB and from the lower AONB and surrounding residential areas, and therefore constitutes this entire AONB site as having highly sensitive landscape character.



Uninterrupted views of the site and the wider AONB Cotswold scarp from the PRoW (86) on the west of the site.

The western Public Right of Way (PRoW 86) is an important path that affords walkers views of the site itself and the wider Cotswold AONB, scarp and Cleeve Common beyond. The footpath allows users to enjoy the AONB off-road, and leads into Oakley Grange and towards Wyman's Brook and onto further countryside via other designated PRoWs.



A clear view of the AONB site's lower slopes from dwellings on Wessex Drive

Suitability for development

It is important to acknowledge that a Landscape Character and Sensitivity Assessment was carried out on land around Cheltenham in 2015, commissioned by Cheltenham Borough Council, in which Oakley Farm was included (Ryder Report, 2015). The report concluded that the overall **visual sensitivity** of the site was **high**. In addition, the overall **landscape sensitivity** was assessed as **high**, and due to its AONB status, visual impact from surrounding dwellings, and the connections with the escarpment slopes, the **overall value** of the landscape was also assessed as **high**. This resulted in a landscape capacity of **low suitability** for development.

Vegetation

Trees on the site make up an important aspect of the landscape of Oakley Farm and the wider AONB. They also provide important cover and habitat for existing wildlife. Indeed, the UK government acknowledges trees as having an "important role in the UK's efforts to hit net zero carbon emissions by 2050" (Department for Environment and Rural Affairs, Nov 2019). At a time when climate change has identified the importance of trees to our environment in removing emissions, it is bewildering that the applicant is suggesting that the removal of established trees that provide significant canopy can be mitigated by a 'replanting scheme'. This new treescape will be slow growing and provide a considerably smaller canopy which will not only damage the intrinsic qualities of the natural landscape of the site but will also displace wildlife from their natural habitats. I urge CBC Planning Officers to reject this application and allow this precious AONB land to be left alone as nature intended.

Archaeological significance

The applicant states:

"All effects on the buried archaeological assets will take place during the Construction Phase. Any archaeological assets are likely to be destroyed by the construction process, but the assets are considered to be of low to negligible sensitivity on account of their state of preservation, lack of dating evidence, and lack of interpretation."

As yet, there is no report from the applicant detailing the archaeological survey and therefore I ask that the Planning Officers reject this claim of any assets being of low sensitivity on the basis that they are unfounded.

Proposed access road to the site

The applicant refers to the proposed new access road to the site (off Harp Hill) as opening up "long distance views to Cotswold scarp". These long and short distance views of the site and the Cotswold scarp beyond have always been accessible from Harp Hill. This is due to the previous landowner maintaining the hedgerows (see photographs below). The current landowner (the applicant) has neglected the hedgerows which has in turn

obscured the previously enjoyed views. This action has informed part of their 'green infrastructure plan' in the application, which aims to conserve and enhance using a landscape design led process, including 'opening up' the views of the Cotswold scarp. This kind of disingenuous action which is against the spirit of community is, in my opinion, a weak justification for development of the AONB site and the application should be rejected by CBC planning department.



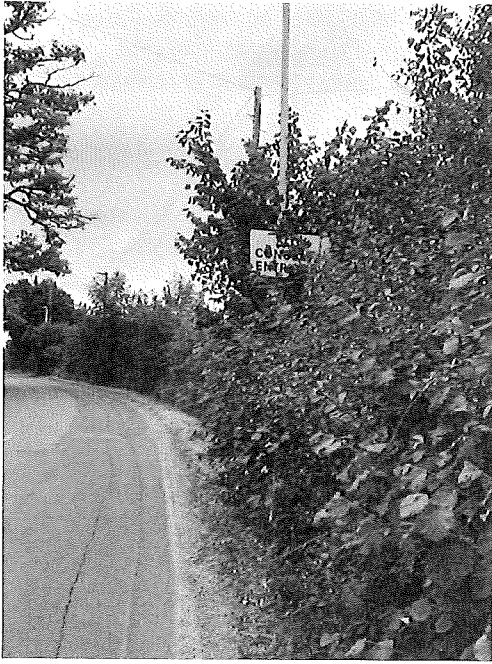
The hedgerow looking east along Harp Hill (c2015)



Clipped hedgerow looking east along Harp Hill (before the hedgerow was neglected)



Neglected hedgerow now, looking east along Harp Hill (taken 5/8/20)



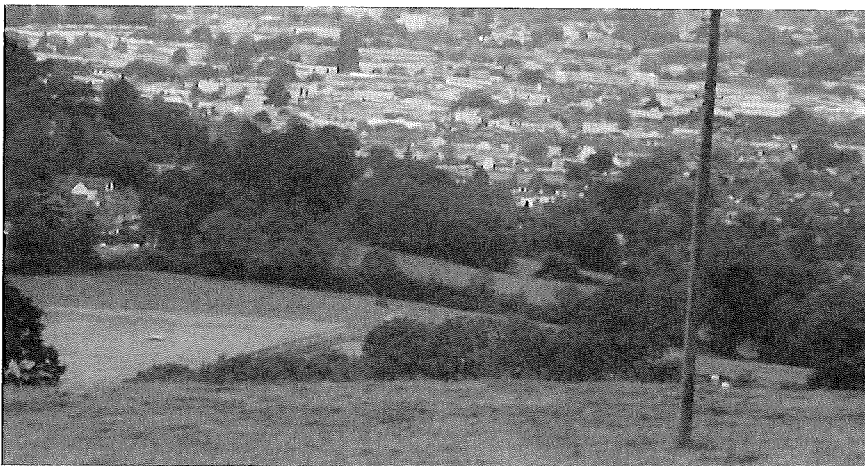
Hedgerow now, looking west – neglected and obscuring important road signs (taken 5/8/20)

The applicant also states that development near Hewlett's Pavilion will not take place, acknowledging the pavilion's heritage status. Moreover, they state that:

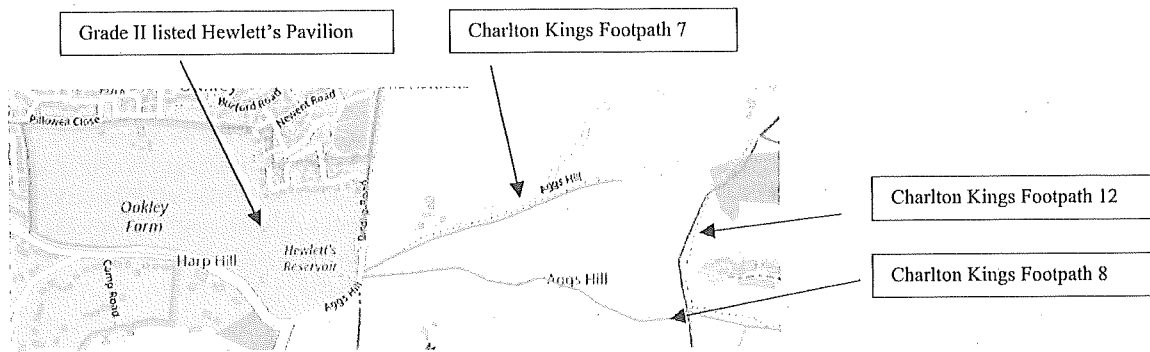
"From Harp Hill there are important views to the listed pavilion and boundary structures of the reservoir which are only obtained from Harp Hill."

This is factually incorrect as the pavilion and reservoir can be viewed from several points around the area. The heritage site of Hewlett's Reservoir with Oakley Farm as its backdrop, can be viewed clearly from the AONB footpaths (7, 8 and 12) adjacent to Aggs Hill (see photograph below). The proposed development will significantly damage the view and setting of the Grade II listed pavilion due to the proposed development's proximity to this significant heritage building.

Furthermore, the view of the pavilion from Harp Hill sees it in a rural parkland setting with the Oakley Farm site in its foreground. If development were permitted as suggested in the planning application, the new dwellings and proposed access roads would be clearly visible from Harp Hill and would be highly damaging to this Grade II listed Pavilion of Hewlett's Reservoir.



Hewlett's Pavilion and its backdrop, Oakley Farm, visible from PRoW Charlton Kings Footpath 12



Hewlett's Pavilion and its backdrop, Oakley Farm, visible from Charlton Kings Footpaths 7, 8 and 12.



According to the site plan layout, this view of the Pavilion from Harp Hill will be damaged by the access roads onto the site and associated vehicles.

The above shows that the proposed development will be **highly damaging** to this Grade II listed heritage asset which has been afforded listed building status because of its special interest and therefore warrants its protection and preservation according to the Principles of Selection for Listed Buildings (Department for Digital, Culture, Media and Sport - 2018). Furthermore, in giving its reasons for designation of Grade II listed status, Historic England states of the pavilion:

"Architectural interest: the building is an ornamental pavilion with picturesque detailing, which belies its functional purpose and instead gives the appearance of a country house garden building."

Therefore, I would urge Planning Officers to uphold this afforded status and to preserve such an important heritage asset of Cheltenham by protecting it from a large-scale residential housing estate which would undoubtedly ruin the cherished 'appearance of a country house garden building' in its AONB Setting.

Road Network Infrastructure

There have been a number of traffic surveys on Harp Hill, requested by residents, over the past 10 years (2011, 2014, 2018). I have noted from the accumulated raw data that over this period there has been a significant increase in volume of traffic, and associated speed exceedances, on Harp Hill. This was acknowledged by Gloucestershire Police in an email to a local resident (17/5/20) commenting that the survey revealed "...a fairly high level contravention of the 30mph limit." With this in mind and considering the proposed planning application, typically, each house on the proposed site will have several associated vehicles and thus, the increased traffic load on Harp Hill and the immediate adjoining road network, will have a deleterious effect on existing users of Harp Hill, in particular, driver waiting times at the junctions surrounding the area: Harp Hill/Prior's Rd and Sixways. Currently, a large volume of traffic comes into Cheltenham from the Prestbury direction along Prior's Road rendering this route extremely congested at peak times. In addition, a large

volume of drivers travels via Harp Hill as a cut through in both directions between the A40 London Road and Prior's Rd, and to access St Edward's Junior School, Glenfall Junior School, Charlton Kings Junior School and Balcarras School (there is a significant decrease in volume during school holidays). This heavy use is changing the characteristics of Harp Hill and has a cumulative effect on the adjoining Hales Rd and Hewlett Rd causing traffic queues at the Hales Rd/London Rd junction and the Greenway Lane/London Rd junction. It should be acknowledged that Harp Hill is semi-rural in nature, particularly at the east end of the hill where it is winding and narrow in places with blind bends. Two problematic points are at the egress/access to the PRow on the western side of the site making it extremely dangerous for pedestrians crossing Harp Hill to the footpath, and near the entrance to Hewlett's Reservoir, the Oaks and High View, where traffic travelling around the blind bend creates a dangerous spot for walkers, cyclists and horse riders. The semi-rural characteristics of Harp Hill and its locality mean it is frequently used by pedestrians to access the footpaths within the Cotswolds AONB and is used by cyclists and horse riders accessing the wider Cotswolds road network and AONB paths and bridleways. Likewise, as residents, we walk the roads of Harp Hill, Greenway Lane and Mill Lane for enjoyment, exercise and to access and egress our home. I would like to stress that it is vitally important to enable existing residents to be able access/egress their homes safely, and to enjoy walking, cycling and running along roads in safety, and to significantly add to the volume of traffic associated with a housing estate would certainly diminish quality of life for everyone. As the volume of traffic increases (as per traffic survey data indicates) other non-vehicular users of the roads are being forced away. I can only see this situation deteriorating if this development is permitted.

It should be noted that when development was permitted at the north east end of the old GCHQ site (Eden Villas), access/egress was permitted for vehicles of only 40 houses due to the unsuitable nature of the surrounding roads (Aggs Hill, Mill Lane, Harp Hill and Greenway Lane). This condition was implemented in 1998 and reiterated in 2014 as 'not negotiable' despite appeals, to safeguard the surrounding road network. In the Oakley Farm application documentation, the applicant states that in relation to this decision regarding Eden Villas, Harp Hill was not included in the roads designated as unsuitable, despite Harp Hill being the main route out of the estate and into Greenway Lane and Prior's Road. The reason given is that Harp Hill has different characteristics to the other rural roads in the area. However, I would urge Planning Officers to walk east up Harp Hill and note the similarities between the east end of Harp Hill and Aggs Hill where they meet at the junction of Mill Lane, as both roads have no road markings, no footpaths, are narrow and winding in places, and both have streetlights and some interspersed kerbing. Moreover, there is a short section of kerbing directly opposite Hewlett's Reservoir on Harp Hill, which is frequently mounted and as a consequence, the verge has been severely damaged several times. At this point in the road, it is difficult for two large cars to pass each other, and this was especially dangerous during the construction of Eden Villas because of the road's narrowness and unsuitability for large vehicle and heavy traffic.



Frequent traffic queues at the junction of Harp Hill and Prior's Road – taken 26/6/19 at 08:31.

Flooding

The applicant states that "the proposed development will be safe from flooding, that flood risk will not be increased and overall flood risk in the area will be reduced". I fail to see how concreting a large expanse of an AONB site would reduce the flood risk in the area, and the applicant's statement is contrary to our experience.

Prior's Road and the adjoining Hales Road both flood during heavy rain. Flooding also extends to the traffic lights at Sainsbury's and into Whaddon Road opposite Simpson's Fish and Chips. This makes pedestrian use of this area such as crossing the roads and using the bus stops at the bottom of Harp Hill and on Whaddon Road very dangerous. Furthermore, the congestion around Tesco Express on Hewlett Road adds to the chaos in peak hour traffic as vehicles and pedestrians try to negotiate the narrow entrance to its carpark and adjacent pavements. Traffic typically crawls along roads during flooding and everyone is affected. Likewise, homes on Wessex Drive, adjacent to the site, experience flooding through their properties and gardens, and some gardens have storm drains to withstand the runoff from the hill. To develop this site would negate the important role of the land to soak up water during heavy rainfall and would only exacerbate an already problematic area during heavy rainfall.



Harp Hill/Hales Rd junction next to bus stop - taken 14/11/19 at 07:50.

Housing land shortage

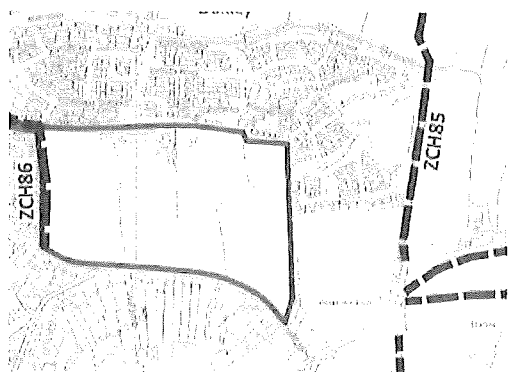
Regardless of a housing land shortage, Cheltenham's Cotswolds AONB should not be considered for development as stated in the National Planning Policy Framework (NPPF):

"planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest" (NPPF, 2019).

Whilst there is a small shortfall in land supply in Cheltenham (as stated in the latest plan), land that is not designated as AONB should be explored for potential development. Having looked at the Site Assessment document for this planning application, I fail to see how this proposed development adheres to a 'restrictive approach' in terms of planning, which is necessary to conserve and enhance the AONB's attractive character and location on the urban fringe (The Cheltenham Plan, 2020).

Firstly, such a development will destroy biodiversity on the majority of the site, impose unnecessary tree felling and irreversibly destroy a part of Cheltenham's AONB. The replanting of trees is counterproductive as its purpose is to mitigate the destruction of the trees in pursuing this development. Furthermore, it is noted

that four public access routes will be generated within the site which claim to “Provide new connections including pedestrian access points and new footpath routes that provide access to land that was not previously publicly accessible”. These footpaths will not provide new connections; they will simply enable residents of the proposed housing estate to access/egress the estate to the surrounding roads and paths which will neither enhance nor conserve the area. They will not lead to the wider AONB or designated PROWs, but in fact will damage the view afforded to users of the current PROW to the east of the site. As can be seen below, the PROWs in the area (particularly ZCH85) is currently easily accessed from Harp Hill and Greenway Lane, and the semi-rural characteristics of both these roads lend themselves to providing an enjoyable walk/cycle/ride to the wider AONB. The public access routes proposed on the site do not contribute to accessing the wider AONB and designated PROWs.



Secondly, this site has been afforded the highest protected status because of its national significance and beauty, and thus provides a habitat and playground for important flora and fauna species which sustains a rich biodiverse environment. Therefore, I fail to see how the proposal to “create publically [sic] accessible play spaces for the benefit of new and existing residents within the local community” by destroying this environment are so called ‘opportunities’. Surely this level of destruction of the natural environment to create a play space for residents is simply degrading the natural environment in favour of urbanisation and is neither ‘conserving nor enhancing’ the AONB as required and stated by the Cotswold Conservation Board. Also, it should be noted that current local residents and visitors to this area have access to several excellent play spaces in the vicinity: **Queen Elizabeth II Playground, Prior’s Farm Playground, Clyde Crescent Playground, Whaddon Recreation Ground**, and numerous ‘natural’ spaces across the AONB via public footpaths. Why does this area require a developed play area? I urge the Planning Officers to reject this application on the basis that it should not provide for a housing shortfall nor provide the aforementioned ancillary development.

Ecology

In the documentation, mowed footpaths through meadows are also cited as benefits to the site. The merits of creating wildflower meadows for encouraging wildlife and a biodiverse area are known and rightly encouraged. However, I fail to see how creating a wildflower meadow at the top of an expansive AONB site to mitigate for harsh, large-scale, urban development on the majority of the site will attenuate the damage proposed in this application. Again, this justification is weak as the site is already a biodiverse area, home to a variety of flora and fauna, with its intrinsic natural beauty and national significance being recognised by its AONB protected status.

Similarly, other proposed mitigating effects such as a ‘vegetation buffer’, ‘development set away from southern edge’, and ‘southern pasture retained’, all point to maintaining the upper slopes and the visual impact from Harp Hill and the wider AONB. However, the view of the site itself from the northern/northeastern edge (Pillowell Close; Brockweir Road; Birdlip Road; Bream Court) will be severely damaged if development is permitted. Indeed, residents on the northern side of the site are afforded splendid views of this highly protected land with a near seamless ‘green’ view due to the low-density development and heavily treed landscape of Harp Hill. As previously stated, properties on the Battledown Estate typically sit in plots of at least ½ an acre and sympathetically blend into the sensitive green space that they look on to. Policy CE1 – landscape, states that proposals that are likely to impact on the landscape of the AONB should have regard to the scenic quality of the location and its setting and ensure that views into and out of the AONB are conserved and enhanced. The views from existing residential dwellings to the north, northeast and west of the

site, including from the PRoW (86) onto this AONB site will be severely impacted and contravene the abovementioned policy within the Cotswold AONB Management Plan 2018-2023.

In conclusion, I would like to state that this planning application should be rejected outright due to the lack of detail in any of the proposal apart from an access road from Harp Hill. It is unfair to expect local communities and the local planning authority to effectively consider a proposal in its entirety, especially one of such magnitude and associated impact, with such a paucity of detail. Notwithstanding this, based on the information presented in this objection, I feel it would be deleterious for Cheltenham Borough Council to permit this development and allow the Oakley Farm site to be irreversibly developed to the detriment of our town and communities. It is therefore incumbent on the community and town planners to ensure this area is protected and conserved now, and for future generations to enjoy as it has been enjoyed for decades.

Yours sincerely

A black rectangular box redacting the signature of the author.

email : [REDACTED]

PLANNING

Rec'd - 7 AUG 2020

SERVICES

114 Hales Road

Cheltenham

GL52 6SU

REFERENCE PLANNING APPLICATION 20/01069/OUT

Our objections are as follows

Landscape

1. Adverse impact on views from Cleeve Common and Cotswold Way
2. Loss of much valued local countryside
3. A precedent for further housing development in similar areas of countryside

Housing Need

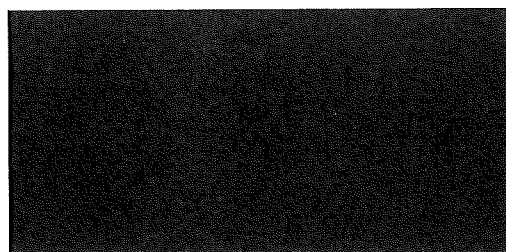
There must be more suitable sites than this: conversion of shops and offices, brownfield sites, less scenic areas before encroaching on an AONB

Traffic

1. Despite the description of footpaths, cycling routes and bus services in the application the reality is that many of the households will need to travel by car to shop, work and get to school. All using the access onto Harp Hill.
2. The access onto the site by construction vehicles from Harp Hill will be extremely obstructive for a lengthy period
3. Has there been provision for an alternative access to the development for emergency vehicles ? (required by law)

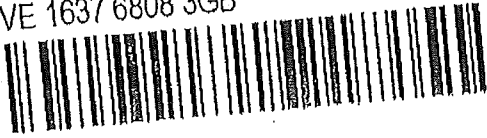
General

The County Council sold this land to a house builder, implying their unwarranted approval of the development of this much valued land



VE 1637 6808 3GB

SD 1pm



[REDACTED]
27A Downview,
Chalford Hill,
Stroud,
Glos.

Ref 20/01069/0UT

3/8/20



Dear Ms White,

I am writing to object to
the building of 250 houses on
Oakley Farm. My name is [REDACTED]
[REDACTED] and am the
Granddaughter of [REDACTED]
[REDACTED] of Oakley Farm.

Thanks to my great
Grandparents who went there along
time ago with Grandma, [REDACTED]
[REDACTED]

[REDACTED] We had the most wonderful
Childhood along with my close

(2)

Family and friends. There was always so much going on and jobs that had to be done. The milking of the cows, feeding calves, pigs, geese, chickens and collecting eggs and lots of mucking out! I used to love helping put the new clean straw down especially for " [REDACTED] " pony Prince who would roll in it as soon as it was put down. The farm also had an abundance of wildlife about including foxes, badgers, deer, bats and birds. The wonderful Oak trees supported a whole variety of creatures great and small (and still do today). The sweet smell of the new cut grass in spring when the silage was made Hay making in the summer heat! Black berry picking, bonfire night - to ^{the} snow in

③ the winter and the thrill of
Sledging [REDACTED] down Cook's
Meadow under the light from the Moon
So many happy memories for us, but
also for many other local people and
their families. I hope for the local
community and beyond that Oakley
Farm along with all the wonderful
Oak trees, flora and fauna is able
to carry on working her Magic for
many years to come.

Oakley Farm does sit in
an ANOB and so is protected and
should not be built on. There was never
any planning permission given.

Also traffic has always been
a problem in this area and even more
so now. At the bottom of Harp Hill
both big and small lorries struggle to get

④

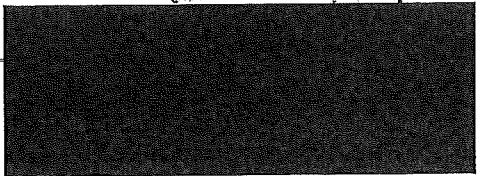
around the tiny roundabout along with all the normal traffic. Harp hill wasn't ever built with all this extra traffic in mind, its narrow steep hill with lots of parked cars and entrances to peoples homes. How will it manage with ever more traffic?

We are very aware for the urgent need for more housing but at what cost? just back in Summer 2007 we had mass flooding and all ended up on bottled water this could so easily happen again. Oakley farm fields already has a network of pipes running under its pastures but still the fields up above help act as a Natural Sock away - Where will all this water end up when these last few remaining fields become yet more

Concrete? ⑤

As humans ~~some~~ of us never seem to know when enough is enough hasn't poor old Oakley Farm given up enough of her land already??

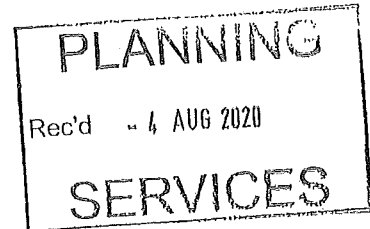
We all know that one day Oakley Farm would no longer be part of our family only in our memories. It's heartbreaking to think of the last few acres (once 150 now just 36) being built on, not just for us as a family but for everyone. The Oak trees we need our precious trees more now than ever, so do all the creatures great and small along with all the other wonderful varied trees, hedgerows grassland and wildflowers. Please to NOT allow them to build on Oakley Farm

yours faithfully - 

P.T.G. -

53 Wessex Drive
Cheltenham
GL52 5AF

Planning Dept.
Cheltenham Borough Council
The Promenade
Cheltenham
GL50 1PP



3rd August 2020

Dear Sirs

Proposed development of Oakley Farm Pastures
20/01069/OUT

With reference to your letter dated 16th July, our comments on this proposed development remain the same as voiced when we attended the display of this proposed development at Cornerstones some months ago, namely

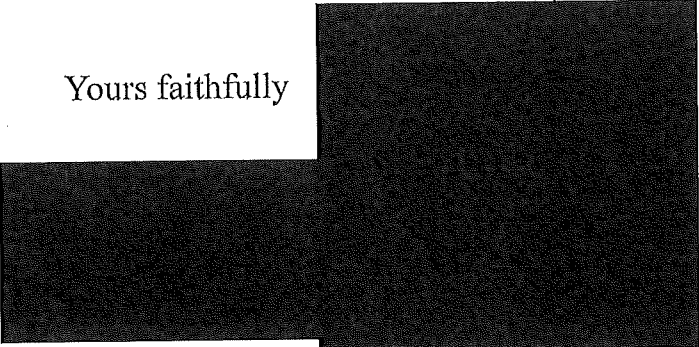
We believe the site is within the A N O B which we understood meant that the area is protected from this type of development

A road linking the site to Harp Hill would appear to be a very dangerous idea with the number of vehicles generated by the dwellings adding to an already busy road

Householders on parts of Wessex Drive and Harp Hill would lose their privacy and have their views blocked by the new buildings

Does the term 'ancillary facilities' include a school and Doctors Surgery?

Yours faithfully



OBJECTION TO PLANNING APPLICATION 20/01069/OUT – PROPOSED DEVELOPMENT AT OAKLEY FARM, PRIORS ROAD, CHELTENHAM

I wish to object to this Application on the following primary grounds.

Area of Outstanding Natural Beauty (AONB)

The proposed development site is within the defined AONB, where there is a presumption of no development of this type and scale being permitted. Granting of permission would set a dangerous precedent for further unwarranted and highly damaging incursions into the AONB and Cotswold Escarpment.

Site Not Identified in Local Plan for Development

The site is not identified within the Local Plan as being suitable for this scale and type of development and is wholly inappropriate to the local infrastructure capacity, particularly as regards road access but possibly also with regard to drainage and flood risk on the basis of such information as is currently available.

Loss of Green Space and Wildlife Habitat

The existing fields are a haven for local wildlife with several rare or endangered species observed in gardens close to the fields on occasions, including hedgehogs and grass snakes. It is difficult to imagine that these as well as the wide variety of other wildlife in the area are not dependent on the continued existence of the pasture and hedgerows.

The proposal for landscaping and public access is not consistent with maintaining a suitable habitat for many species and is likely to lead to increased littering, pollution and disturbance of habitat.

Increased Levels of Air Pollution

The Cheltenham BC area is defined as an Air Quality Management Area, with levels of nitrogen oxides (NO_x) in particular, already close to or exceeding defined safe (statutory) levels at a number of locations. Existing and already committed developments will add to these pollution levels as traffic levels in particular continue to increase, as already permitted developments are completed.

Spot readings of NO_x and particulates (PM₁₀, PM_{2.5}) that I took through 2019 using a portable monitor near the double roundabouts at the bottom of Harp Hill and along Hewlett and Priors Roads, indicated levels of one or both pollutants exceeding WHO safe level criteria, especially at peak times and therefore an increased level of risk to those with heart and lung conditions in particular, but also to the local population at large.

No significant development of this type that is not within the Local Plan should be permitted at all, until the statutory air quality parameters are in full compliance.

Inadequate Access to the Proposed Site

The proposed means of access, from Harp Hill, is not acceptable. The road is narrow and is used already as a 'rat run' at peak times to avoid some of the London Road junctions. It is not suitable for further traffic loading.

The road is used significantly by cyclists, horse riders and pedestrians. The pavement becomes very narrow near the bend at the top of the steep section and is also where a public right of way exits from the rear of Wessex Drive onto the road at the blind bend, creating significant risk for those crossing the road. There is no formal pavement between the entrance to the Battledown Estate and the junction with Greenway Lane, with pedestrians obliged to walk on the road for some sections. These sections in particular would become more dangerous with further traffic loading.

The requirement to prevent significant increases in traffic loading has already been recognised in the restrictions on access imposed during the former GCHQ site development. Some further loading is already inevitable from existing smaller scale development currently underway in the locality. This should be the absolute limit.

The road is subject to many speed exceedances, encouraged by its steep gradient. Data from a 2014 speed survey showed that 93% of vehicles exceeded the 30 mph speed limit and in the morning peak, 75% of vehicles exceeded 33 mph, 10% exceeded 43 mph and a number were in excess of 50 mph.

In 2018 after nearly being knocked over myself by a speeding motorist whilst crossing the road from the public footpath, I made representations to the local Police and they arranged for a new survey which was completed in 2019. The Police reply to me at that time was as follows (email communication).

[REDACTED]@gloucestershire.pnn.police.uk>

To: [REDACTED]
17/05/19 19:59
1

[REDACTED]
As promised the speed equipment was placed on Harp Hill finally further to our email conversation in November 2018. As you can see there is high demand for the equipment.

I have today received an email from The Road Safety and Traffic Management Unit stating that the box went onto Harp Hill for a short amount of time and it showed that there was a fairly high level contravention of the 30mph limit.

As such the data has been passed to the Camera Enforcement Officers to action with a view of enforcement.

I hope that when actioned you will see enforcement on the road to reduce speeding on the road and make the roads safer for you and your family.

Apologies for the amount of time it has taken to get back to you.

If you have spoken to or raised these concerns with your local councillors you may want to let them know as well.

Many thanks

[REDACTED]
Police Constable 2120

Cheltenham Local Policing Neighbourhood Constable

Gloucestershire Constabulary

[REDACTED] Cheltenham Police Station | Lansdown Road | Cheltenham | GL51 6QT

[REDACTED] 01

www.gloucestershire.police.uk

It is evident from this that the speeding problem continues and this is further reason not to allow additional traffic load onto the narrow road. The installed passive traffic calming measures are frankly, a joke, being wholly ignored by most motorists travelling both up and down the hill, as the speed survey results show.

Additional Congestion and Risk on Nearby Roads

Harp Hill primary exits are onto the Priors and Hewlett Roads and (via Greenway Lane) onto a busy junction on the London Road. Priors Road from the mini roundabouts towards the Sainsbury junction is also a narrow road with parked cars restricting its width. Being the route to the closest supermarket and fuel locations for the proposed development, this section of road would see increased loading, creating additional accident risk along the narrow section where cars are routinely parked and for those exiting onto the road from Hillview Road, already affected by a blind spot created in the realignment of the road at the Sainsbury junction some years ago. There has been at least one accident along this section recently, shown by the following photographs.



Priors Road Accident, 2019.

There is also an existing problem with congestion at Hewlett Road where it exits onto the mini roundabouts at the bottom of Harp Hill, due to delivery trucks for the two shops located there parking just off the roundabouts, combined with motorists visiting the shops reversing out on to the road and/or parking on double yellow lines. This creates an accident risk, especially to pedestrians and cyclists and further traffic loading on this road can only make this problem worse. The following photograph illustrates one of the problems here, with cars approaching the roundabout or reversing off the shop frontage being obliged to move across areas which are blind to cars coming into Hewlett Road off the roundabout, or themselves forced to occupy the wrong side of the road at this busy junction.



As such, traffic loadings on these local roads should not be allowed to increase further, which will be the case if the proposed development is allowed to proceed.

42 Wessex Drive

Cheltenham

GL52 5AU

43 Birdlip Road

Oakley Farm Pasture Slopes AONB

(Cotswolds Area of Outstanding Natural Beauty)
20/01069/OUT

A Case for Development Refusal

Deer on Oakley Farm Pasture Slopes



Treescape at Oakley Farm Pasture Slopes



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1. PART 1 - BACKGROUND INFORMATION AND LIST OF OBJECTIONS.

1.1 DOCUMENT OBJECTIVE.

- To place on record my objection to planning application 20/01069/OUT.
- To gain the support of local counsellors to stop this inappropriate development.
- To provide the Planning Authority with points for consideration before making a recommendation.

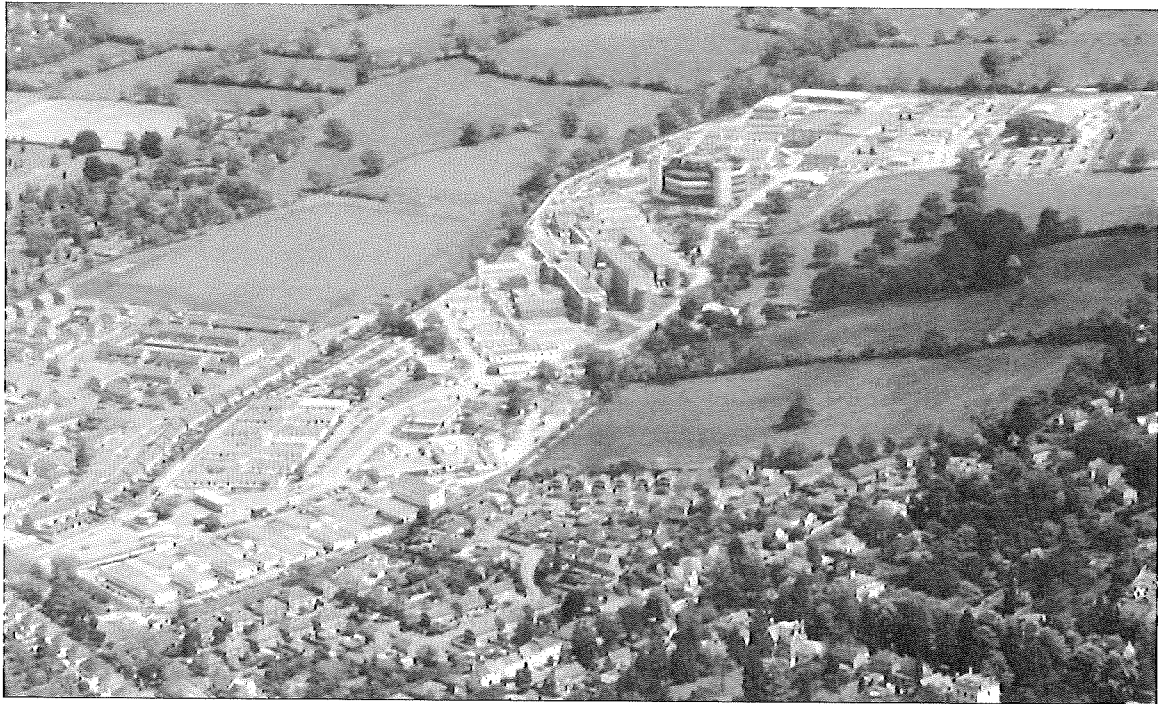
I would ask all readers to base their decision on policy (see part 2) and the views and opinions of local people (over 270 genuine and considered objections at time of writing).

1.2 HISTORY OF THE PASTURES AND AONB DESIGNATION.

The pastures were originally designated as part of the AONB with the rest of the Cotswolds in 1966, when this landscape with its sloping pastures, hedgerows and wonderful oak trees was acknowledged as an area of importance. In 1990, the boundary was reconfirmed and expanded to include the most western field of Oakley Farm, despite being bordered by residential areas and the huge and ugly MOD buildings of the old GCHQ site. Housing, which was in situ then, and housing which has more recently replaced the MOD buildings should not be used as leverage to mitigate development. Little has changed in over 30 years in terms of the built environment.

In assessing the proposal, the applicant repeatedly refers to Oakley Farm Pasture Slopes (which sits entirely within the AONB) as being surrounded or contained by residential development. The main counter argument to this of course, is its AONB designation history covered in the previous paragraph.

Aerial View of the AONB showing the old GCHQ - 1990s



Aerial View 2019



1.3 PUBLIC CONSULTATION

A public consultation meeting was held in the Summer of 2019. This was advertised in local newspapers and leaflets/letters were sent to some local properties giving only a few days' notice of the event. Some of the residents most severely affected by this potential development were not notified by letter at all and so missed the event. Any comments and views received from the applicant from this consultation should not therefore be considered a full representation of local opinion. Indeed, a better indication of local opinion can be gained from the public comments on the CBC Public Access website.

Amongst other issues, residents raised concerns about the adverse effect on their outlook but were assured that existing trees and boundary vegetation would be retained and where poor or non-existent, would be supplemented to protect visual amenity and the rural setting. The applicant's indicative site plan was therefore shocking. The applicant has, despite their reassuring words at the public consultation, shown little genuine consideration for the residential amenities and outlook of those properties in closest proximity to the proposal. The applicant has under-assessed the effect of the development on the properties closest to the proposal as having "medium" sensitivity and a "medium" magnitude of effect. The significance of effects is also assessed as "moderate adverse" when in fairness must surely be "major adverse". Properties on Birdlip Rd will potentially be dominated by the side elevations, (brick walls) of large houses which will presumably be "camouflaged" by small slow growing trees which will eventually further compromise the current openness afforded to main living areas and gardens. Their outlook and privacy will be severely compromised.

1.4 AONB (AREA OF OUTSTANDING NATURAL BEAUTY).

Some definitions:

AONBs are described as some of the UK's most cherished and outstanding landscapes.

An area of outstanding beauty is a designated exceptional landscape whose distinctive character and natural beauty are precious enough to be safeguarded in the national interest. **(NAAONB Landscapes for life).**

An AONB is an area of countryside which has been designated for conservation and is protected by the Countryside and Rights of Way Act 2000 (CROW Act). The act protects the land to conserve and enhance its natural beauty. Areas are designated in recognition of their national importance and significant landscape value and enjoy levels of protection from development similar to those of UK national parks. **(www.gov.uk).**

The Cotswold AONB is nationally designated for its landscape importance. **(Gloucester, Cheltenham and Tewkesbury Joint Core Strategy para 4.7.2.).**

AONBs are landscapes whose distinctive character and natural beauty are so outstanding that it is in the nation's interest to safeguard them. They have the same landscape status as National Parks. **(Cotswold AONB Conservation Board Management Plan Appendix1).**

The statutory purpose of AONB designation is to conserve and enhance their natural beauty. **(Cotswold AONB Conservation Board Management Plan Appendix 1).**

The CRoW Act defines an AONB in England as an area that is not in a National Park but which appears to Natural England to be of such outstanding natural beauty that it is desirable that the protective provisions of part IV of CRoW should apply to it for the purpose of conserving and enhancing the areas natural beauty. **(Natural England – guidance for assessing landscapes for designation para 2.6).**

AONBs are designated areas where protection is afforded to protect and manage the areas for visitors and local residents. **(Natural England data.gov.uk 'Summary of AONBs').**

National Parks and AONBs have the purpose of conserving and enhancing the area's natural beauty, which encompasses its flora, fauna, geological and physiographical features. The government considers this to confer 'the highest status of protection as far as landscape and natural beauty is concerned'. **(Natural England – guidance for assessing landscapes for designation para 8.3).**

The distinctive character and natural beauty of Areas of Outstanding Beauty make them one of the most special and loved places in England. The Government has a clear commitment to protect AONBs. **(The National Trust Summary of AONBs).**

1.5 WHERE ARE OAKLEY FARM PASTURES SLOPES?

Oakley Farm (GL52 5AQ) is located on the outskirts of Cheltenham behind Oakley Sainsbury's and adjacent to Harp Hill. (See photo below). It borders the grade II listed Hewlett's reservoir complex and sits entirely within the AONB.

The Cotswolds Area of Outstanding Beauty of which Oakley Farm Pastures is part, forms part of the Cotswold escarpment visible from Cheltenham town.



1.6 THE CHELTENHAM PLAN AND JOINT CORE STRATEGY (JCS)

This land is not in the Cheltenham Plan or Joint Core Strategy so has not been identified as an approved site for development and as such decision makers should adhere rigorously to NPPF policy and the Development Plan. In accordance with the Cheltenham local plan, the council should take guidance from the Cotswold Conservation Board and ensure the proposal is consistent with the policies set out in the Cotswolds Management Plan.

The absence of a five-year housing supply does not automatically mean permission should be granted. Protected areas such as the AONB should be excluded unless there are exceptional circumstances. In the case of Oakley Farm Pasture slopes, there are no exceptional circumstances.

1.7 LIST OF OBJECTIONS.

In addition to following rules, regulations, and guidelines, I understand that planning, put simply, is a balancing process. The planning balance in this case should be weighted in favour of **AONB conservation and protection**.

Note: Full justification and planning references and policies for these objection reasons can be found in Part 2.

Reason 1: 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 any other special qualities. Oakley Farm Pastures sits entirely within the **AONB** and should be protected and enhanced as such. This proposal does not conserve or enhance any special qualities of the site.

Reason 2: The landscape of the site which forms part of the Cotswold escarpment should be protected. The council's commissioned **Landscape Assessment** (Ryder Report) assesses the sensitivity of Oakley Farm Pasture Slopes to be "High" in all categories, with an overall landscape constraint as "major overall" and a resulting landscape capacity as "low overall".

Reason 3: The CBC Planning Policy Team have repeatedly deemed the land to be unsuitable in its "Call for Sites" **SALA** register. The rejection reason has been due to the site's location in the AONB.

Reason 4: Absence of a five-year housing plan – Exceptions to presumption in favour of development. The absence of a five-year housing supply does not automatically mean permission should be granted. Protected areas such as the AONB are excluded unless there are strong and clear reasons to the contrary. There are no such strong and clear reasons identified in the applicant's submitted documents.

Reason 5: It is important to protect Cheltenham's **setting** at the foot of the Cotswold escarpment. Oakley Farm Pasture Slopes with its parkland setting forms an important part of this escarpment and is viewable from parts of Cheltenham town and other areas of the AONB. Building on this land will undoubtedly affect the setting of Cheltenham.

Reason 6: Oakley Farm Pastures is undeveloped farmland which makes a positive and environmental contribution to an urban area of the town.

Reason 7: By extending the existing built environment, which is outside of the PUA, into this area of the AONB, the proposal would diminish and encroach on the pleasant and distinctly rural **views** currently seen from other areas of the AONB: Cleeve Common; The Cotswold Way; and other public footpaths in the general vicinity.

Reason 8: The proposal could set a **precedence** in relation to erosion of the Cotswolds escarpment.

Reason 9: The effect of this development on **tourism** and the sustainable **economic growth** of the town. Views of and from the escarpment are a considerable draw to visitors.

Reason 10: The risk of **mature tree and ancient hedgerow destruction**. The applicant states that hedgerows will be removed to accommodate development.

Reason 11: The likely damage to **wildlife habitat** and the necessity to force the relocation of those animals which currently roam freely on the pastures.

Reason 12: An undoubtable increase in **traffic levels and pollution and an adverse effect on air quality** on Harp Hill or close to any alternative access point.

Reason 13: Conditions in relation to traffic levels (a restriction on the number of homes served off Harp Hill) have already been imposed on neighbouring brownfield developers. See planning ref CB11954/43 decision notice, condition19.

Reason 14: The development would **harm** the amenities of adjoining residential properties and living conditions in the locality.

Reason 15: Development in the Cotswolds AONB should be based on robust evidence of local need arising **from within** the AONB. The Cotswolds AONB should not be required to accommodate the housing needs of Cheltenham town/borough.

Reason 16. The applicant repeatedly justifies this proposal by stating that the pasture slopes, (which sit entirely within the AONB) are surrounded by residential development. The history of the AONB designation given earlier in para 1.2 clarifies why housing which was in situ when the AONB boundary was set and housing which has recently replaced MOD buildings should not be used as leverage to mitigate development.

2 PART 2 - DETAIL SUPPORTING THE LIST OF OBJECTIONS WITH PLANNING REFERENCES.

2.1 PROTECTING AND ENHANCING THE AONB.

Reason 1 in consolidated list (Part 1).

The Cheltenham Plan, The Joint Core Strategy, The NPPF, The CRoW Act, and The Cotswolds Management Plan all make important references in numerous and different ways to the importance of the AONB and landscape. They all put great emphasis on conservation, enhancement and protection of the environment.

A view of up to 250 house roofs, parked cars, playparks and estate roads do not enhance a valued landscape or scenic beauty.

Given all the references below, it seems incredible that Oakley Farm Pastures which sits entirely within the Cotswolds AONB should be at risk of development. This view has been made clear by the Strategic Assessment of Land Availability (SALA) team who have repeatedly considered the land to be unsuitable for development due to its position entirely within the AONB.

- Planning policies and decisions should contribute to and enhance the natural and local environment by:
 - a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. (**NPPF para 170**).
- Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest. (**NPPF para 172**). *No exceptional circumstances exist.*
- The Cotswolds Area of Outstanding Natural Beauty (AONB) is the largest AONB in the country. Its management is co-ordinated through The Cotswolds Conservation Board. The NPPF confers on AONBs protection from major development, making clear that permission should only be granted in exceptional circumstances and where it can be demonstrated to be in the public interest. (**JCS para 4.7.1**). *There are no exceptional circumstances and objection comments on CBC Public access clearly show public opinion.*
- 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 any other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds Management Plan. (**JCS Policy SD7**).
- The Cotswolds AONB is nationally designated for its landscape importance. Each local authority has a statutory duty under the Countryside and Rights of Way Act 2000 (Section 85) to 'have regard to the purpose of conserving and enhancing the natural beauty of the AONB'. In fulfilling this duty, Cheltenham and Tewkesbury Borough Councils will continue to work in conjunction with the Cotswolds Conservation Board. The Board has prepared the Cotswolds AONB Management Plan 2013-2018 to guide its management. The Management Plan is supported by more detailed guidance on a range of topics including a landscape strategy and

associated guidance underpinned by the Cotswolds AONB Landscape Character Assessment. The Management Plan and guidance are material considerations in determining planning applications in or affecting the AONB. (**JCS para 4.7.2**).

- The council should Conserve, Manage and Enhance Cheltenham's natural environment and biodiversity. (**Theme C objectives para 2.9. Cheltenham plan**).
- AONBs are landscapes whose distinctive character and natural beauty are so outstanding that it is in the nation's interest to safeguard them. The statutory purpose of AONB designation is to conserve and enhance their natural beauty. (**Cotswolds AONB Management Plan Chap 1 page 14**).
- Development in the Cotswolds AONB should be based on robust evidence of local need arising from within the AONB. (**Policy CE 12. Cotswolds AONB Management Plan**).

2.2 THE LANDSCAPE.

Reason 2 in consolidated list (Part 1).

The applicant's environmental assessment lists and categorises many adverse impacts on this landscape which are contrary to the following policies.

- Proposals that are likely to impact on, or create change in the landscape of the Cotswolds AONB, should have regard to, be compatible with, and reinforce the landscape character of the location as described by the Cotswolds Conservation Board's Landscape Character Assessment and Landscape Strategy and Guidelines. (**Policy CE1 Cotswolds AONB Management Plan**). The applicant's environmental assessment lists and categorises many adverse impacts on this landscape.
- Because of its attractive character, which derives from its built form as well as the landscape of the scarp edge, and its location on the urban fringe, the AONB in the Borough is particularly sensitive to development pressures. A restrictive approach is therefore necessary to conserve and enhance both of these elements. The Council considers it particularly important to protect the scarp as the dominant feature of Cheltenham's setting and is concerned at the cumulative effect of even small-scale development and of development in new locations within the AONB. (**Cheltenham Plan para 8.3**).
- Development will seek to protect Landscape character for its own intrinsic beauty and for its benefit to economic, environmental, and social well-being.
 - Proposals will have regard to the local distinctiveness and historic character of the different landscapes in the JCS area, drawing, as appropriate, upon **existing** Landscape Character Assessments and the Landscape Character and Sensitivity Analysis. They will be required to demonstrate how the development will protect or enhance landscape character and avoid detrimental effects on types, patterns and features which make a significant contribution to the character, history and setting of a settlement or area. (**JCS Policy SD6**).

The applicants Landscape Assessment acknowledges that the landscape value is high, and that there will be loss of sloping pasture, but it contradicts the Council's Ryder report in many

respects. (See 2.2.1). It attempts to mitigate landscape damage by "retaining vegetation and natural topography" when in fact many of the hedgerows will go, the land will be subject to "cut and fill" and the whole area will be scarred by roads and footpaths.

2.2.1 Landscape Character and Sensitivity Assessment of Cotswolds AONB. (Ryder).

In March 2015, Cheltenham Borough Council commissioned Ryder Landscapes Consultants to undertake a landscape character, sensitivity and capacity study of the Cotswolds AONB and Cheltenham urban fringe as part of its emerging Cheltenham plan.

Oakley Farm Pasture Slopes, where the development is proposed, was specifically included in this study. Extracts from the study and conclusions are as follows:

Landscape Character Area Site Ref: LCA 7.1. Oakley Farm Pasture Slopes:

Visual Sensitivity:

... the views looking from the area are expansive and panoramic, resulting in an overall visual sensitivity of high. i.e. highly sensitive to change brought about by development.

Landscape Character Sensitivity:

... the small to medium scale of the landscape character area, high levels of well-maintained boundary vegetation, sloping topography and views into the area from adjacent residential properties and Harp Hill, the overall landscape sensitivity is assessed as **high**. i.e. highly sensitive to change brought about by development.

Landscape Value:

The landscape character area falls within the designated area known as the Cotswolds AONB, which is a national designation. With the numerous footpaths that exist across the character area, the area has moderate recreational value. With the sloping topography of the landscape the land is particularly visible from residential properties to the south of the area. The visual connections with the escarpment slopes to the northeast of the area are valuable perceptual aspects. The quality of the landscape elements is moderate, with predominantly hedgerow boundaries in good condition. Given the area falls within a nationally recognised AONB designation and taking into consideration the visibility of the site and the generally good condition, the overall value of the landscape character area is assessed as **high**.

The report resulted in overall landscape constraint of **major overall** and a resulting landscape capacity of **low overall**.

To summarise: The site analysis for Oakley Farm Pasture slopes, site ref LCA 7.1 (not to be confused with Oakley Pasture slopes, Site Ref LCA7.3) concluded:

Visual Sensitivity	Landscape Character Sensitivity	Overall Landscape Sensitivity	Landscape Value	Overall Landscape Constraint	Resulting Landscape Capacity
HIGH	HIGH	HIGH	HIGH	MAJOR OVERALL	LOW OVERALL

2.2.2 Cotswolds AONB Landscape and Management Plan. (Cotswold Management Board).

An extract from the Cotswolds AONB Landscape Strategy and Guidelines para 2, under the heading of Landscape Sensitivity, describes the escarpment (of which Oakley Farm Pasture Slopes forms part) as a distinctive and dramatic landscape. The combination of its elevation, and the steep slopes rising from the lowlands, make it a highly visible feature and is therefore very sensitive to change...

2.3 THE CHELTENHAM PLAN AND SALA.

Reason 3 in consolidated list (Part 1).

Oakley Farm Pastures has not been identified as land allocated for development in the Development Plan.

When assessing the suitability for residential development, SALA guidelines state:

Cotswolds AONB: A site may be considered suitable where it is sustainably located and is not in an area of 'high' landscape sensitivity. The council commissioned Ryder Report assesses the landscape character sensitivity level as high.

2.4 ABSENCE OF A FIVE-YEAR HOUSING LAND SUPPLY - EXCEPTIONS TO PRESUMPTION IN FAVOUR OF DEVELOPMENT.

Reason 4 in consolidated list (Part 1).

The absence of a five-year housing supply does not automatically mean permission should be granted. Protected areas such as the AONB can be excluded in recognition of their intrinsic character and beauty, and in the case of Oakley Farm Pasture slopes, there are no exceptional circumstances for consideration. See planning references below.

The presumption in favour of sustainable development:

Plans and decisions should apply a presumption in favour of sustainable development.

For **decision-taking** this means:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷ (Note 7 clarifies that this includes situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites), granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (see note 6). or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole.

Note 6: The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an **Area of Outstanding Natural Beauty**, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.

Note 7: This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites...

(Extract from NPPF Chapter 2 sub-para 11)

2.5 CHELTENHAM'S SETTING.

Reason 5 in consolidated list (Part 1).

Cheltenham owes much to its setting at the foot of the Cotswold escarpment. The town's eastern fringes include the high-quality scenery of the escarpment, with landscape and woodlands that are designated as part of the Cotswolds. (AONB). (*Cheltenham Plan para 7.1*).

Oakley Farm Pasture Slopes forms an important part of this escarpment and is viewable from parts of Cheltenham town and other areas of the AONB such as Cleeve Common (SSSI – Site of Special Scientific Interest), The Cotswolds Way, and local public footpaths.

- Development should only be permitted where it would not harm the setting of Cheltenham including views into or out of areas of acknowledged importance. (*Policy L1: Landscape and Setting, Cheltenham Plan*).
- The Council considers it particularly important to protect the scarp as the dominant feature of Cheltenham's setting and is concerned at the cumulative effect of even small-scale development and of development in new locations within the AONB. (*Extract Cheltenham Plan para 8.3*).

2.6 GREEN OPEN AREA OF COUNTRYSIDE.

Reason 6 in consolidated list (Part 1).

Although privately owned, and not designated green space, Oakley Farm Pastures are appreciated by people who live in and visit this part of Cheltenham town. The views, variety of trees and wildlife habitats there, are enjoyed by local residents and visitors when walking or driving on Harp Hill or using local public footpaths.

Users currently enjoy views through Oakley Farm Pasture Slopes to the wider AONB escarpment when walking public footpath 86. The site provides an aesthetically pleasing foreground to the stunning Cleeve Common backdrop, an indication as to why it forms part of the Cotswolds AONB. A housing development here would have a significant and detrimental effect on the visual amenity that is enjoyed by many.

Oakley farm pastures would be ideally suited to becoming a non-statutory nature reserve or designated green space. (*Cheltenham Plan para 10.19*).



Current view of Oakley Farm Pasture Slopes (AONB) from Cheltenham footpath 86 - the proposed development site.



2.7 VIEWS FROM OTHER AREAS OF THE AONB.

Reason 7 in consolidated list (Part 1).

- Its attractive setting (Cheltenham) is undoubtedly one of its prime assets and is recognised by the emerging Place Strategy for the Borough as a key factor in helping to achieve sustainable economic growth and securing social wellbeing. The Council

will therefore seek to continue the protection of the town's setting and encourage its future enhancement through sensitively designed / located development. In doing so, the Council is mindful of the need to **protect views** into and out of areas of acknowledged importance such as conservation areas, ancient monuments, sites included on the Register of Historic Parks and Gardens, **sites of specific scientific interest (SSSI), the AONB** and so forth. (*Cheltenham Plan 7.4 and 7.5*).

- Development should only be permitted where it would not harm the setting of Cheltenham **including views into or out of areas of acknowledged importance. (Policy L1: Landscape and Setting, Cheltenham Plan)**.
- Even development close to, but outside, the AONB boundary has the potential to have a detrimental impact on its setting through, for example, **its impact upon key views**, or its impact upon landscape character in and around the AONB boundary. Proposals likely to affect the setting of the AONB must fully consider any potential impacts. (*JCS para 4.7.3*).
- Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB, should have regard to the scenic quality of the location and its setting and ensure that **views – including those into and out of the AONB** – and visual amenity are conserved and enhanced. (*Extract from Policy CE1 Cotswolds AONB Management Plan*).

The applicant attempts to play down the visibility of the site from many significant areas. They describe the lower slopes (qualified as being those areas where development is proposed, when actually this means well over two thirds of the site) as not being visually prominent and therefore justifying a moderate assessment as opposed to high in relation to visual sensitivity. This is contrary to the Council's Ryder report which assesses the sensitivity in all respects as **high**. The applicant also suggests that only views of the uppermost areas of field can be viewed from surrounding areas but as the photograph examples (taken from other areas of AONB) below show, this is not the case.

Some properties on the eastern edge of the site have been mis-identified and mis-assessed in the Environmental Statement as being outside of the AONB which is not the case. Several of these properties are inside the AONB and enjoy near and distant views out into the AONB. Contrary to the applicant's statement, they warrant a high susceptibility experience and a regional value (high) views grading.

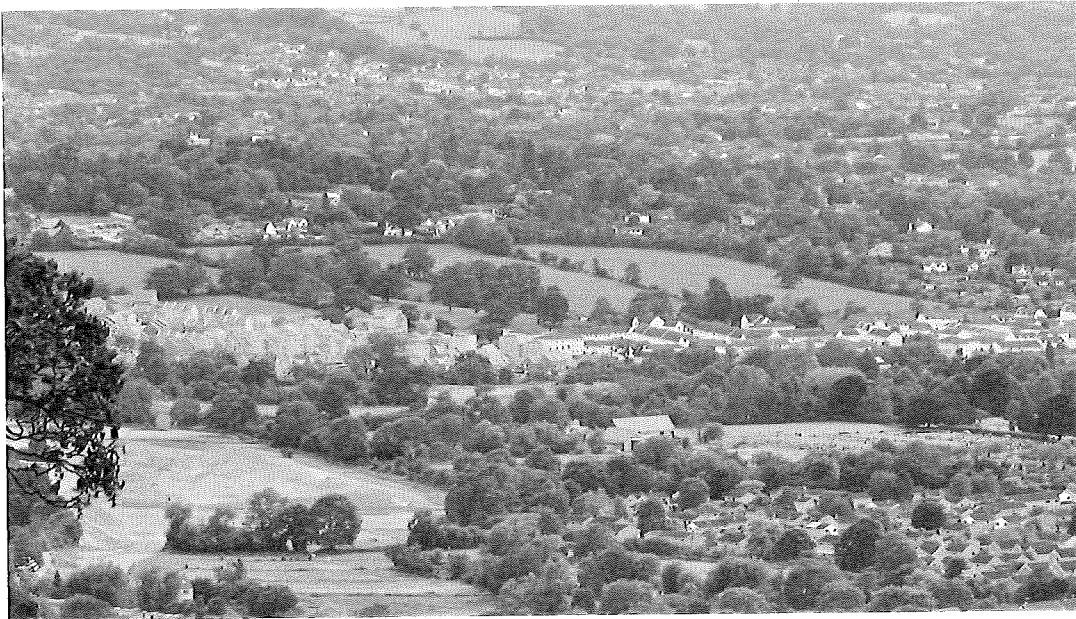
View of Oakley Farm Pasture Slopes from within the AONB - National Trail, 'The Cotswold Way'



View of Oakley Farm Pasture Slopes from within the AONB - Southam Footpath 67



View of Oakley Farm Pasture Slopes from within the AONB - Southam Footpath 67



View of Oakley Farm Pasture Slopes (outlined in red) from within the AONB - Charlton Kings Footpath 12



2.8 SETTING A PRECEDENCE.

Reason 8 in consolidated list (Part 1).

The proposal could set a precedence in relation to erosion of other areas of the Cotswolds escarpment. Oakley Farm Pasture Slopes is marked in red (see photo below). Will the surrounding green areas and escarpment also be at risk?



2.9 TOURISM AND THE SUSTAINABLE ECONOMIC GROWTH OF THE TOWN.

Reason 9 in consolidated list (Part 1).

This particular area of the Cotswold AONB to include Cleeve Common, which is a designated site of specific scientific interest (SSSI), Cheltenham footpath 86, and The Cotswold Way National Trail (which all link in their own way to Oakley Farm Pastures) so close to Cheltenham Town is enjoyed by local people and is a considerable draw to tourists visiting the area and Cheltenham town itself. Organised walks beginning at Winchcombe and ending at Cheltenham are described by companies such as Compass Holidays and Contours Walking Holidays as crossing the grassland of Cleeve Common and Cleeve Hill, the highest point in the area, where visitors can take in some of the best views across the Cotswolds and Severn Vale. Oakley Farm Pastures with its park-like setting forms part of these views. An article in the Daily Telegraph dated 7th June 2020 mentions Cotswold villages which lure tourists in droves but goes on to say that "the real Cotswolds are hills, not hamlets, dominated by the scarp sweeping down the western edge of Gloucestershire". The article continues with "The Cotswold Way leads to numerous eyries affording vistas across the Severn to Wales" These vistas and the scarp include Oakley Farm Pastures. This must be a local amenity few would like to see eroded.

By car, one of the routes to Cleeve Hill for visitors and local people is via Harp Hill (where the proposed access to the development is to be situated). During winter months or when the hedges are low, Harp Hill allows superb views of the Cotswold AONB over Oakley Farm Pasture Slopes.

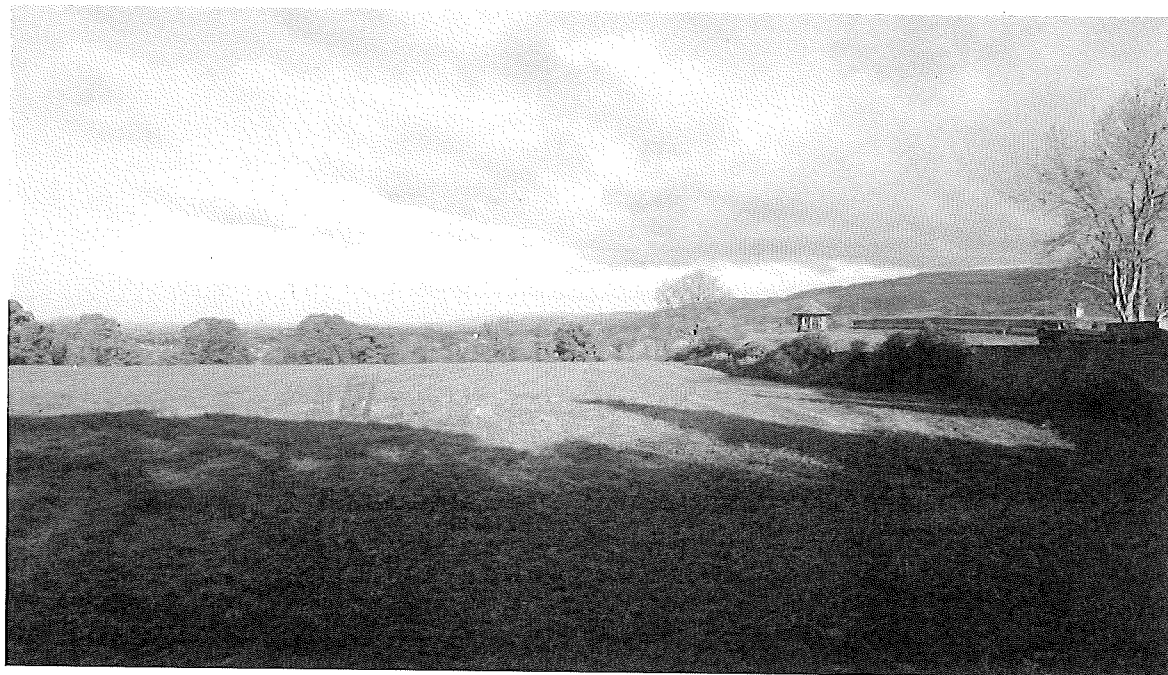
View from Harp Hill looking NE through Oakley Farm Pasture Slopes AONB towards Cleeve Common SSSI, also AONB. Oakley Farm buildings in the middle left.



It should be noted that when the site was a working farm, and even for some time after that point, hedgerows were the well-managed, thereby keeping vistas open and drawing the eye to panoramic views from Harp Hill across the fields to the north, of the listed Hewlett's reservoir pavilion, and of the Cotswolds escarpment. Since being sold to the applicant, hedgerows have not been so well-managed and have been allowed to grow and no longer afford such visual pleasure. The presumption is that the developer can claim an enhancement to the landscape by agreeing to cut the boundary hedge, when actually, as a responsible landowner this should be part of normal field maintenance.

- The Cotswolds is a landscape that provides a warm welcome and high-quality experience for everyone. (*Cheltenham Plan para 8.4*).
- AONBs are designated areas where protection is afforded to protect and manage the areas for visitors and local residents. (*Natural England data.gov.uk*).
- Cheltenham is a place where the quality and sustainability of our cultural assets and natural and built environment are valued and recognised locally, nationally, and internationally, and where tourists choose to visit and return. (*Cheltenham Plan para 2.9*).
- Its attractive setting is undoubtedly one of its prime assets and is recognised by the emerging Place Strategy for the Borough as a key factor in helping to achieve sustainable economic growth and securing social wellbeing. The Council will therefore seek to continue the protection of the town's setting and encourage its future enhancement through sensitively designed / located development. In doing so, the Council is mindful of the need to **protect views into and out of areas of acknowledged importance** such as conservation areas, ancient monuments, sites included on the Register of Historic Parks and Gardens, **sites of specific scientific interest (SSSI's)** the AONB and so forth. (*Cheltenham Plan 7.4 and 7.5*).

View from Harp Hill looking north through Oakley Farm Pasture Slopes towards Cleeve Common SSSI and Nottingham Hill. (Grade II listed Pavilion at Hewlett's' Reservoir, can also be seen in the near distance).



View of Oakley Farm Pasture Slopes from within the AONB (from Cleeve Common Memorial Tree).



2.10 TREE AND HEDGEROW DESTRUCTION.

Reason 10 in consolidated list (Part 1).

In addition to being a pleasant feature and providing valuable wildlife habitats, trees have other environmental benefits. They help to reduce the effects of climate change, by absorbing carbon dioxide and other airborne pollutants. On a local scale, trees provide

shade and shelter, reduce noise and stress, encourage inward investment and add economic value. (*Cheltenham plan 16.18*).

Neighbouring residents became alarmed when Oakley Farm Pasture Slopes recently changed hands and trees of considerable maturity were being felled. Almost all of the trees on this land are now subject to a tree preservation order (TPO) but the hedgerows are unprotected, and many will be removed by the developer.

There are a variety of tree species on the pastures to include hawthorn, maple, ash and many oak trees. Some of the latter are veteran or ancient. To lose any more of these trees would be considered by many as tragic.

Views of trees on Oakley Farm Pasture Slopes. Although many of these trees are subject to a TPO, this does not guarantee protection.





2.11 WILDLIFE HABITATS.

Reason 11 in consolidated list (Part 1).

Many wildlife habitats are under severe threat from development and agricultural pressures; even a minor environmental change not requiring planning permission may radically alter the ecological balance and lead to the loss of valuable species. (*Cheltenham Plan 10.3*).

- In addition to the protection and enhancement of areas of particular wildlife and geological significance, the Council is concerned to ensure that other habitats and features are conserved and improved. The Council recognises the contribution that small landscape features such as shrubs and thickets, ponds, meadows and copses can make to the ecology and biodiversity of an area, especially where such features are linked. (*Cheltenham Plan para 10.22*).
- The natural environment within the JCS area includes a wide range of geological and farmed landscapes, green open spaces, and wildlife habitats and ecosystems such as the Severn catchment and **Cotswold escarpment**, which are all recognised for their importance locally, nationally and internationally. (*Joint Core Strategy SD9 4.9.1*).

The Joint Core Strategy recognises the need to protect and conserve **wildlife and habitats**. JCS Policy SD9 highlights the importance of protecting sites from development that would have a harmful effect on their nature conservation and biodiversity interests.

The Gloucestershire Centre for Environmental Records have details of Oakley Farm Pastures wildlife.

Deer on Oakley Farm Pastures.



2.12 TRAFFIC LEVELS.

Reason 12 in consolidated list (Part 1).

In assessing the impacts of a development including any potential harm, the Council will have regard to matters including loss of daylight; loss of outlook; loss of privacy; and potential disturbance from noise, smells, dust, fumes, vibration, glare from artificial lighting, hours of operation, and **traffic / travel patterns. (Cheltenham Plan 14.4).**

- The protection and enhancement of the environment is considered essential in helping to improve the health and wellbeing of Cheltenham. **(Cheltenham Plan 14.1).**
- Highway Issues: Traffic generation, vehicular access and highway safety are all material considerations which are relevant to this site. **(Planning Aid England).**

2.12.1 Traffic.

The road infrastructure around Harp Hill and Priors Road is chronically congested at peak times. Harp Hill itself is dangerously narrow and without footpaths in places. Any additional traffic, as a result of this proposal, will add to these existing serious issues. The proposal presents the possibility of a footpath connection through the site from Priors Rd to its SE corner but unfortunately this would be leading pedestrians to the narrowest and most dangerous section of the Harp Hill road. An alternative route already exists through Oakley Grange and Birdlip road on safe footpaths. The latter connects Priors Rd to the Cheltenham Circular footpath and from there on to the Cotswold way. The applicant's footpath proposal in this regard must be considered as inappropriate.

2.13 HARM TO THE RESIDENTIAL AMENITY OF ADJOINING LAND USERS AND LIVING CONDITIONS IN THE LOCALITY.

Reason 14 in consolidated list (Part 1).

- Development will only be permitted where it would not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality. (**Policy SL1: Safe and sustainable living - Cheltenham Plan**).
- In assessing the impacts of a development including any potential harm, the Council will have regard to matters including loss of daylight; loss of outlook; loss of privacy; and potential disturbance from noise, smells, dust, fumes, vibration, glare from artificial lighting, hours of operation, and traffic / travel patterns. (**Cheltenham Plan 14.4**).
- Some Material Considerations: Overshadowing/loss of outlook to the detriment of residential amenity. Over-looking and loss of privacy, Highway issues. (**Planning aid England**).

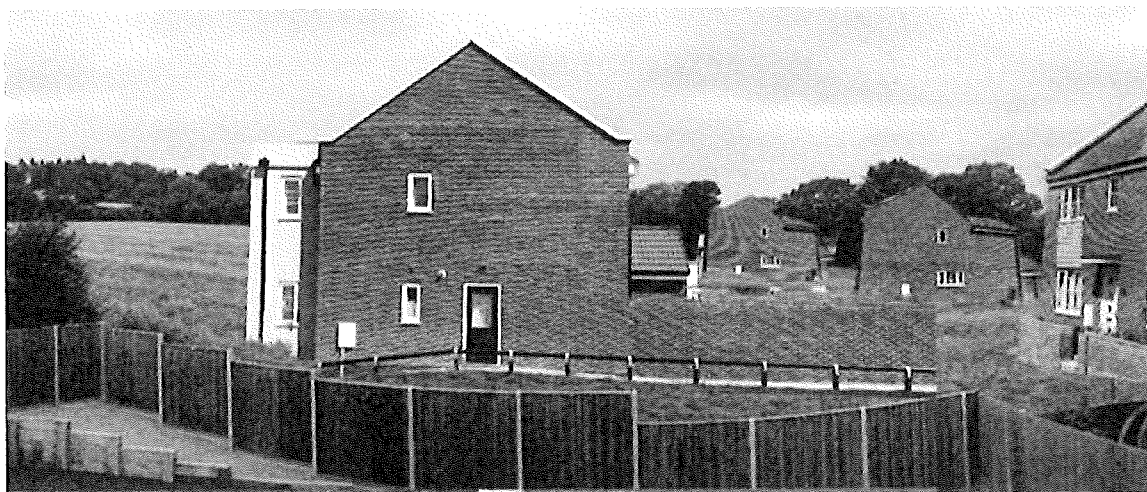
On the current indicative plan, properties on Birdlip Rd would be dominated by the side elevations of large houses which will presumably be “camouflaged” by small slow growing tree which will eventually further compromise the current openness afforded to main living areas and gardens. Some of these properties have their living areas and main family outside space on the first floor. Their outlook and privacy will be severely compromised. It is hoped that the need for conditions is noted **now**, such that in a worst-case scenario, the outlook and privacy of these properties is protected. An independent residential visual assessment should also be sought.

The applicant has under-assessed the effect of the development on those properties closest to the proposal as having “medium” sensitivity and a “medium” magnitude of effect. The significance of effects is also assessed as “moderate adverse” yet when properly considered, they are “**major adverse**”.

Current Outlook from Birdlip Rd.



Impression of outlook from Birdlip Rd gained from indicative plan.



3 PART 3 - CONCLUSION.

Considering the evidence presented, I hope readers of this document will now deem this application for Oakley Farm 'inappropriate development' that will cause great harm, and conclude that the balance should be weighted **in favour of AONB conservation and protection.**

Despite the applicant's claims, building on these slopes, which sit entirely within the AONB, will cause significant adverse impact and irreversible damage to:

- Cheltenham's setting and the local landscape;
- Views of the escarpment;
- Views from other areas of the AONB;
- Wildlife and wildlife habitats; and
- Local infrastructure, local amenity and living conditions.

Additionally, as has been made clear by the mounting number of objections to this planning application (over 270 at time of writing), recent press coverage, the level of correspondence to local councillors, the formation of Friends of Oakley Farm Pastures Group and a community protest, local people are very concerned about the potential loss of this area of the AONB. The views and opinions of local people and their well-being matter.

Housing developments are important but one of the few pleasures people enjoy that is free, is watching wildlife and appreciating local countryside within walking distance of their homes either by taking advantage of public footpaths or from local viewpoints. Local people would like to see Oakley Farm Pasture Slopes retain its AONB protected status for these very reasons.

There are other land options which are less environmentally sensitive and of less national importance. These areas must be exhausted before turning to an AONB.

It is hoped that any refusal by the local planning authorities or on appeal would also strongly dissuade the applicant from re-submitting inappropriate amended applications in the future (which would result in considerable cost and effort for all concerned) in this area of the AONB.

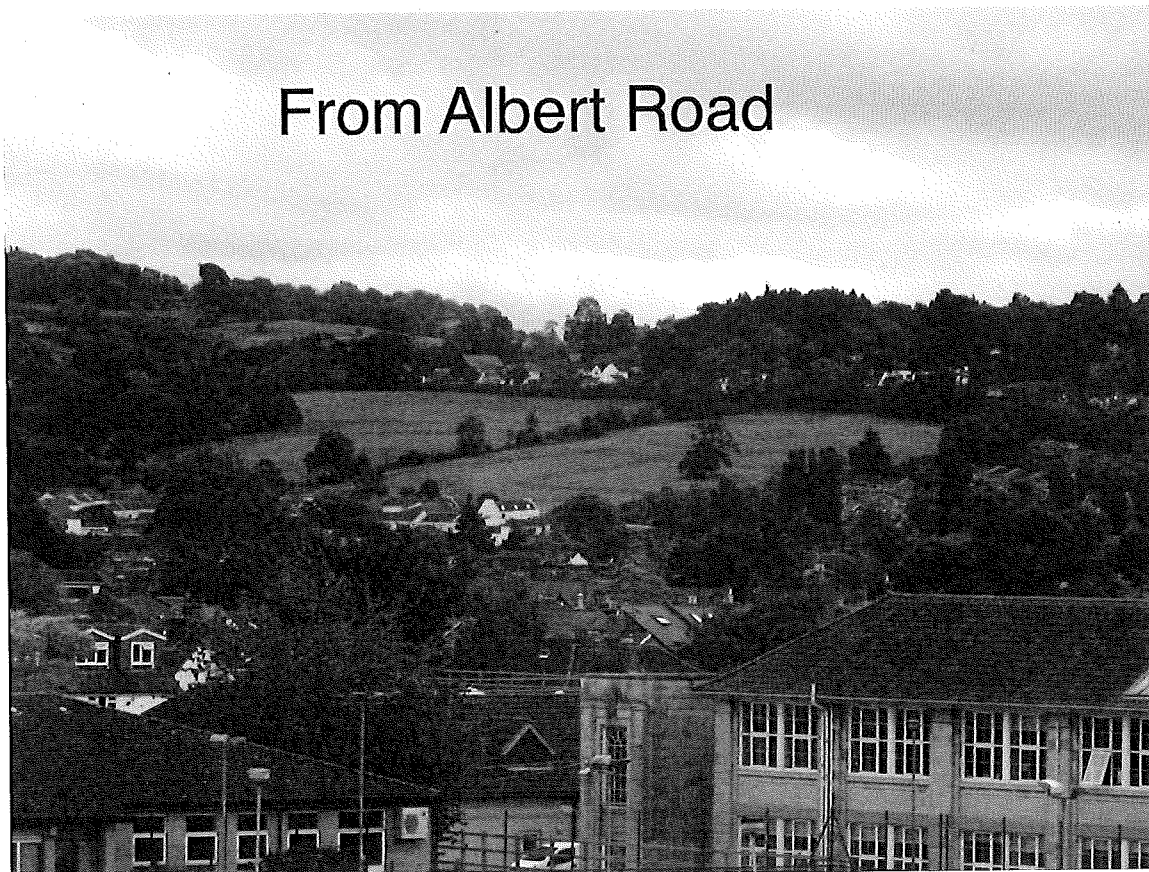
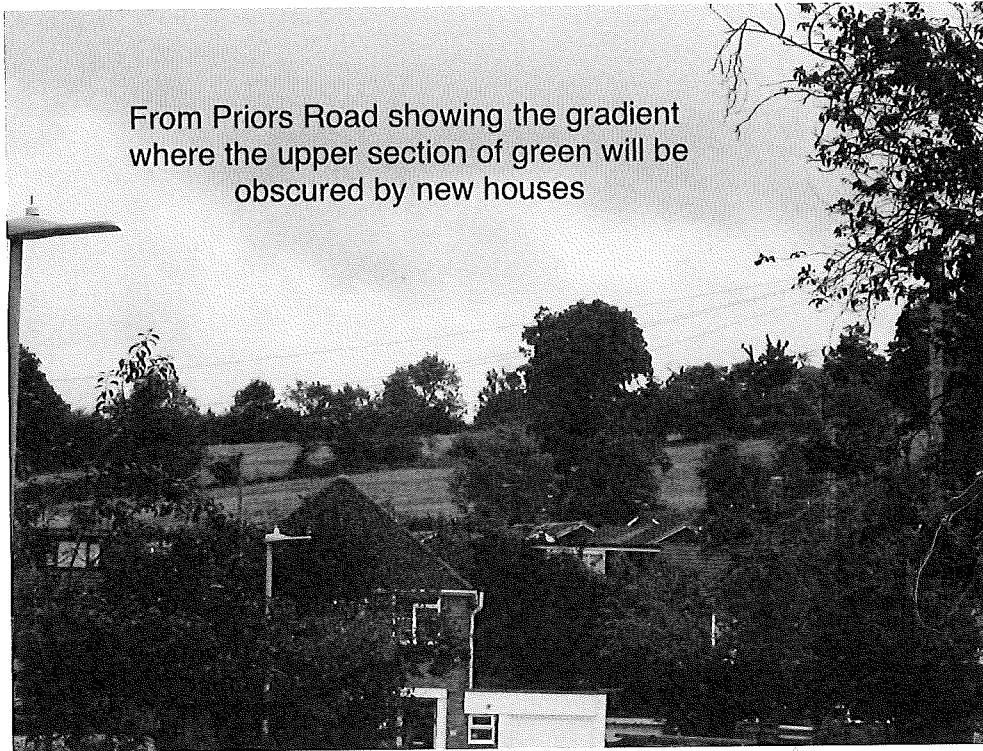
3.1 AUTHORS CONTACT DETAILS.

43 Birdlip Rd

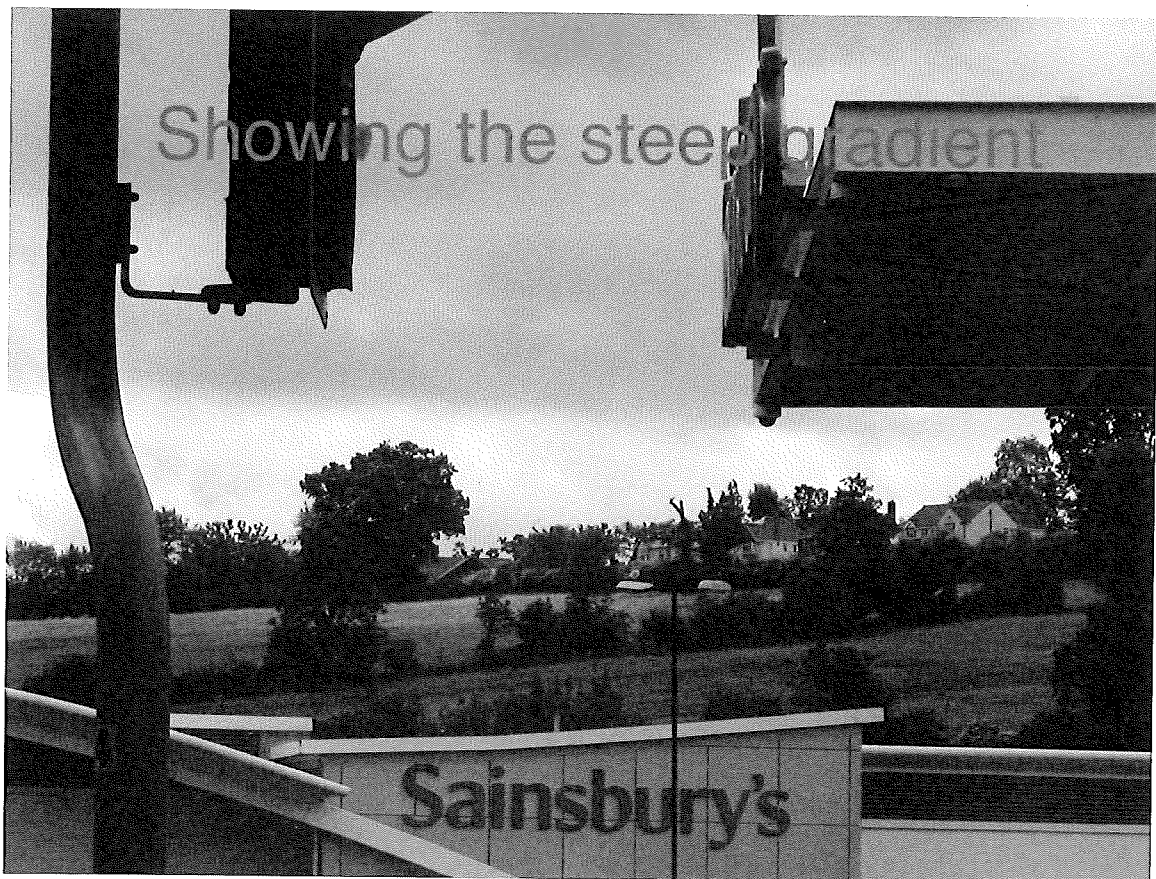
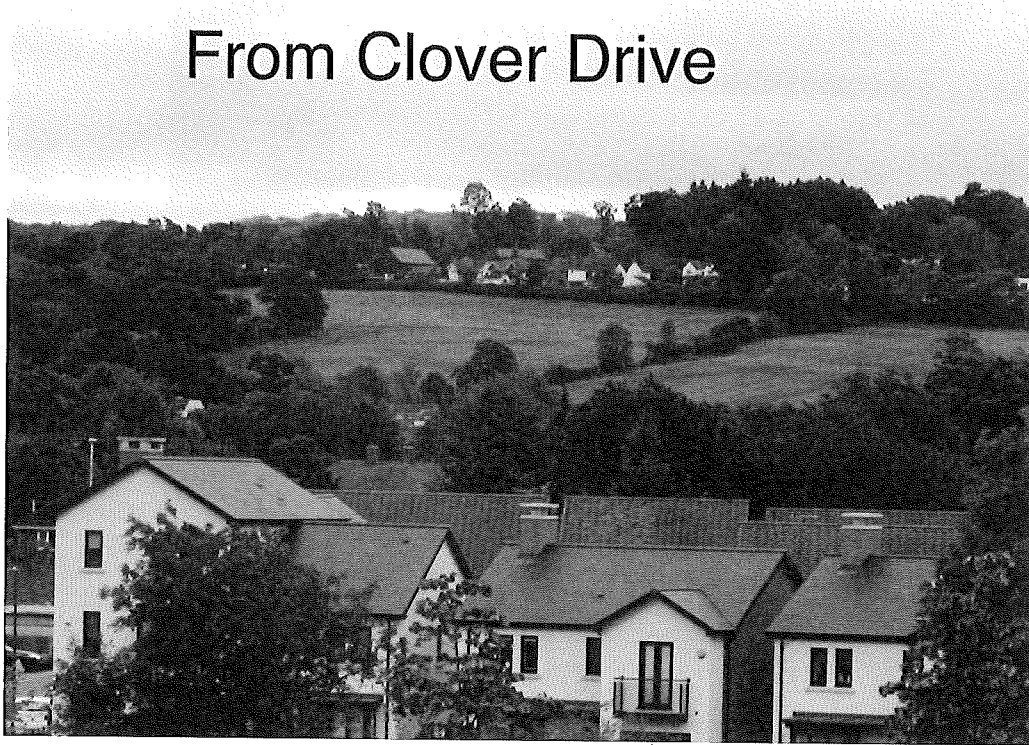
Cheltenham.

GL52 5AJ

Cleeresyde, Photos



From Clover Drive





On behalf of Cleavesyde, Harp Hill

DJ planning

Planning & Design Consultancy

FAO Mrs Lucy White, Senior Planning Officer
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham

Dear Lucy,

REF: 20/01069/OUT - Outline application for development comprising of up to 250 residential dwellings including provision of associated infrastructure, ancillary facilities, open space and landscaping, demolition of existing buildings and formation of new vehicular access from Harp Hill. All matters reserved except for means of access to site from Harp Hill - Oakley Farm Priors Road Cheltenham Gloucestershire GL52 5AQ

An application has been made by Robert Hitchins Limited for outline planning permission for a development within the Cotswolds Area of Outstanding Natural Beauty (AONB) comprising up to 250 residential dwellings on land at Oakley Farm served by a new access from Harp Hill.

The application has been made in outline with all matters reserved except access. However, the applicants have acknowledged that the Grade II reservoir structures are a potential constraint to development. They have also made much of the argument about developing the lower slopes/section of the site, placed a strong emphasis on the landscape scheme prepared in support of the development and on the contribution 250 houses would make towards Cheltenham's housing shortage. As such, although the application indicates that the plans are 'illustrative' it is clear that these plans essentially represent the intended housing estate layout and landscaping and therefore should be considered carefully in the assessment of the application.

The following objection is lodged on behalf of my clients, ~~Mr and Mrs [redacted]~~, who reside at Cleavesyde, Harp Hill which is located immediately opposite the proposed new access to the residential estate and which, along with a great number of other dwellings on Harp Hill and surrounding residential roads, will be most directly and adversely affected by this development. The objections lodged by the Cotswold Conservation Board and Friends of Oakley Farm Pasture Slopes are fully supported.

There is no disputing the fact that the proposal constitutes 'major development' within the terms of paragraph 172 (Section 15 - Conserving & enhancing the Natural Environment) of the National Planning Policy Framework (NPPF) by virtue of its nature, scale and setting and having regard to the significant adverse impact it could have on the purposes for which the area has been designated or defined (See Footnote 55 to paragraph 172).

The Council's Landscape Character and Sensitivity Assessment (May 2016) (LCSA) undertaken by Ryder Landscape Consultants - a Landscape Character, Sensitivity and Capacity Study of the Cotswold AONB and Cheltenham Urban Fringe, undertaken as part of the Cheltenham Plan (recently adopted) to assess the landscape character and sensitivity of the landscape, the visual amenity and the value and potential capacity to accommodate new development in the AONB, determined in relation to the Oakley Farm Pasture Slopes character area (the application site): The Visual Sensitivity of the character area to be **High**; The Landscape Character Sensitivity of the character area to be **High**; The Landscape Value of the character area to be **High**. The Overall Landscape Sensitivity to be **HIGH** with the Overall Landscape Constraint identified as **MAJOR OVERALL**. The Overall Landscape Capacity i.e. the capacity of the character area to accommodate further development is identified as **LOW OVERALL**. Any development, even of a small scale nature let alone a development of 250 houses, is therefore likely to have a significant adverse impact on the AONB.

The first part of **Paragraph 172 of the NPPF** applies to development generally within these designated areas and provides as follows:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads⁵⁴. The scale and extent of development within these designated areas should be limited.'

The second part of paragraph 172 applies solely to "major development" and states that the development control policy applicable to major development in an AONB is that:

'Planning permission should be refused for major development⁵⁵ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.'

Thus paragraph 172 states quite clearly that development in the AONB should be limited and, where major development is concerned, **refused except in exceptional circumstances and where it can be demonstrated that the development is in the public interest.**

The planning statement accompanying the application acknowledges that exceptional circumstances are required to outweigh the 'great weight' to be given to conserving and enhancing the landscape and scenic beauty of the AONB. The arguments submitted on behalf of Robert Hitchins Ltd in support of the proposal firstly, suggest that the development of 250 houses on this site will conserve the character of the site and enhance its landscape essentially by taking issue with and disagreeing with the findings of the Council's Landscape character, Sensitivity and Capacity Study (LCSA) undertaken by Ryder Landscape Consultants in respect of this particular site; secondly, by claiming that exceptional circumstances exist to allow this major development within the AONB; and thirdly, by arguing that the tilted balance of NPPF policy 11(d) should be applied.

In respect of the second point, it seems clear from reviewing the documents submitted with the application that the 'exceptional circumstances' relied on to justify this development in the AONB amount to:

- the housing shortfall and the contribution to meeting Cheltenham's housing need;
- improving accessibility to the site and AONB countryside, providing a new open space with new views and enhanced views for those, like my clients, that live on Harp Hill directly overlooking the site; and
- an enhancement in biodiversity.

I, on behalf of my clients, take issue with and strongly dispute all the arguments put forward.

The premise for the proposed development as put forward is fundamentally flawed and, if accepted, would undermine the LCSA of the Cotswolds AONB within the Cheltenham administrative area not only for this site but for any other site within Cheltenham's AONB and would thus threaten the long term protection of the AONB and its special qualities which are recognised nationally of great importance.

The assertion that the LCSA of Cheltenham's AONB has taken a too 'broader' approach to the assessment of the areas within the AONB rendering its findings less than useful is, quite frankly, absurd. The developers are clutching at straws! The LCSA considered the physical influences and natural factors, human influences and cultural factors, views, quality and condition of landscape and component features, aesthetics and perceptual qualities in each of, no less than, 42 land parcels falling within an area of the Cotswolds AONB Landscape Character Type 2: Escarpment, Landscape Character Area 2C Escarpment: Copper's Hill to Winchcombe, based on both desk top and field surveys. The field surveys considered national, regional and local designations along with 11 other criteria - Landscape quality (condition), Rarity, Representativeness, Recreation value, Perceptual aspects, Tranquillity, Remoteness, Wildness, Scenic beauty, Cultural associations, and Conservation interests to determine the 'value' of each site. This methodology certainly doesn't suggest the 'broad brush' approach suggested by the applicant's consultants.

The applicant further seeks to discredit the LCSA on the basis that it concluded that there were 'Major Landscape Constraints' and a 'Low Capacity' for built development in all 42 areas studied. They fail to acknowledge, however, that the LCSA did identify that in 4 of the 42 areas there is some limited capacity for built development along the urban edge of Cheltenham that would have less impact on the landscape character and, with robust mitigation, could accommodate appropriate development. The LCSA did not however consider the application site, Oakley Farm Pasture Slopes, as falling into this category or being capable of accommodating change through development even with robust mitigation.

The main characteristic of the character area, as its name suggests, is the openness of the sloping pastoral farmland, comprising small to medium sized fields with its mature parkland setting, trees (including veteran trees of significance) and hedgerow boundaries. A development which sees 2/3rd of this character area developed with houses and the remaining 'finger' of land dissected by an estate road serving 250 houses would clearly compromise that open pastoral character. The submission made on behalf of the applicant itself acknowledges that there would be harm through the permanent loss of open pasture.

The LCSA considers the site to have 'High' Landscape Sensitivity unable to accommodate change caused by development; of high quality with distinctive elements and features making a positive contribution to the character and sense of place. It is further considered to have a 'High' Visual Sensitivity with long distance viewing opportunities including visual receptors with a particular interest in their surroundings or prolonged viewing opportunities.

The views from the area are defined in the LSCA as being expansive and panoramic looking across Cheltenham and the escarpment slopes of the Cotswold AONB with views being generally uninterrupted with the exception of intermittent trees within the boundary hedgerows. The elevated and sloping nature of the site also means that the site is highly exposed within both near and long views. In open, long distant views gained from recognised footpaths in the immediate locality and from the Cotswold Way National Trail the site forms a significant green wedge which informs the landscape setting of the settled landscape. These views are abundantly clear and well documented in a series of photographs provided by both the Cotswold Conservation Board and Friends of Oakley Farm Pasture Slopes. In respect of the views enjoyed by my clients, Mr and Mrs Fry, and others resident in the houses immediately south of the application site, atop the elevated topography, the LSCA notes that views over the character area (Oakley Farm Pasture Slopes) are expansive.

The proposed development would see the green wedge and the landscape setting of the surrounding settled area diminished to an inconsequential 'finger'. The proposed development, even limited to the bottom 2/3rd of the site will be visually intrusive from all viewing points. Post-development views from within the site, from either the new houses or the slither of land left open at the top of the site, will be curtailed – From the open land by the proposed new tree planting and from the proposed new houses, given the proposed slope remodelling, by the roofs and structures of other new houses.

The views from my clients' house and others immediately south of the site will again be curtailed, diminished and denigrated, cut off by new tree planting screening what would be a large housing estate. To suggest that the development of the new Oakley Grange site is a 'prominent visual detractor' in views from Harp Hill and that developing 2/3rd of the proposed site with houses, planting a band of trees, and creating a new estate road serving 250 houses opposite my clients' house will improve views is clearly a ridiculous argument that cannot be substantiated. In fact, the view from my clients' house and others immediately around it will be very much dominated by the comings and goings of the huge number of cars and the traffic likely to be generated by the development. The tranquillity of the area, another element of the character of the AONB, will be lost as a consequence of the new access and the noise of the additional traffic. Worse still, the location of the site access and the sloping topography of the site at this point will result in the enjoyment of my clients' house and their residential amenity being significantly marred by light pollution arising, in the evenings, from the headlights of cars leaving the estate shining directly up into the habitable room windows of their house.

It is clear that the findings of the LSCA and the landscape character and sensitivity of the Oakley Farm Pasture Slopes is not conducive to or supportive of any residential development of the site without harming its innate and intrinsic character. It is not surprising therefore that Robert Hitchins Ltd want to ignore it. On spurious grounds they wish to dismiss Ryder Landscape Consultants' LCSA, which informed the recently adopted Cheltenham Plan process, and undertake their own assessment of the site, in isolation from the wider AONB, in an attempt to justify development.

The applicant's assessment unsurprisingly overemphasises the impact of surrounding development on the rural character of the site and the benefits arising from the development. The submission states that the site's 'character is significantly degraded by the adjoining urban edges to the west and particularly the north' and that it is cut off from the wider countryside. However, the extent of development around the site remains much as it did when it was designated AONB initially in 1966 and then later through the AONB boundary extension which took in the westernmost part of the site. Furthermore, residential development on Harp Hill at the southern side of the site which includes my clients' house, is much less dense than the more recent residential development on the former GCHQ Oakley site and is more characteristic of its position on the periphery of the town giving way to a more rural landscape. The difference between the housing to the north/northeast and the housing along the southern boundary of the site along Harp Hill can be clearly appreciated from the site plan submitted with the application. It is also clear from the photographs submitted by the Cotswold Conservation Board and the Friends of Oakley Farm Pasture Slopes that the site is currently viewed and perceived within the wider AONB landscape of which it forms a part. Even with a tree belt, the proposal would be viewed as a significant expansion of the more densely developed urban settlement into the countryside.

Therefore, contrary to the claims made in the supporting statements submitted with the application, 'limiting development to the lower sloping areas adjoining the farmstead and ensuring that the upper slopes remain free of built form' *would not* retain the rural and green wedge character that contributes to the setting of Cheltenham as experienced in present views.

Regard must be given to the purposes of the AONB and, in particular, the advice in paragraph 172 of the Framework which states that great weight should be given to conserving and enhancing landscape and scenic beauty within such areas. It is clear that the proposed development, which is visually intrusive and would adversely affect the character and appearance of the area and the scenic beauty of the AONB, as identified and detailed in the LCSA, would give rise to significant harm and, as major development within the AONB, should be refused planning permission.

The applicant's consultants claim that there are exceptional circumstances and that development of the site would be in the public interest. The housing shortfall and the provision of housing, including both affordable housing and open market housing, to meet Cheltenham's housing need is promoted as the principal public benefit that would be generated by the scheme.

The redevelopment of the former GCHQ Oakley site has seen considerable housing development in the area in recent years including the development of affordable housing. Paragraph 6.5 of the applicant's planning statement states that the application proposes 'a policy compliant level of affordable housing i.e. 40%'. As such, the provision of affordable housing within the development would not be considered exceptional and therefore that the level of affordable housing provision could not be treated as an exceptional circumstance.

The 'tilted balance' set out in paragraph 11 of the NPPF does not apply to the consideration of whether exceptional circumstances exist with regard to paragraph 172 (Please refer to Planning Appeal Reference: APP/K1128/W/18/3208541- March 2019). The Council's shortfall in the 5-year supply of housing does not in itself amount to an exceptional circumstance. Although it is acknowledged that Cheltenham is generally constrained by AONB and Green Belt designations it is not the case that this site, which lies outside the town's Principal Urban Area and within the AONB, is the only site capable of delivering housing to meet housing needs. It is clear that, working with neighbouring administrative authorities, there is scope for housing development within less sensitive locations. Furthermore, it is noted that the LCSA identified that there are other areas of

the AONB within Cheltenham's administrative area which are capable of accommodating some limited development which would have less impact on the landscape character of the area. In this context, whilst the provision of housing on the site would serve a general need, and therefore provide a general public benefit, this would not in itself demonstrate the existence of exceptional circumstances.

The applicant suggests that improving accessibility to the site, providing new open space and improved access to the AONB countryside with new views, including those of the adjacent Grade II reservoirs would amount to exceptional circumstances. However, given the location of the site, the sloping topography, the dissection of the proposed open space by the estate road serving 250 houses and the limited views which could be gained out of the area as a consequence of the substantial tree planting belt, it is considered that any public benefit offered in this respect would be minimal, especially when weighed against the landscape harm arising from the development previously described. The open space provided at the top of the site serves rather to preserve the setting of the adjacent Grade II reservoirs. Both the proposed open space and public access to it is more appropriately viewed as mitigation against the landscape harm caused by the development rather than an exceptional circumstance.

The submission further suggests that biodiversity enhancements, the strengthening and revitalising the green infrastructure network amounts to an exceptional circumstance. It is clear from the reports submitted with the application that the site currently supports considerable wildlife. The expansion of towns and cities into such peripheral areas is putting the natural habitats of wild animals increasingly under threat. Bats in particular are vulnerable to development due in part to their sensitivity to habitat interference. There are 16 species of bat which are currently known to breed within the British Isles. All of these species have been subject to population declines to differing levels and are subject to high levels of legal protection to benefit their conservation. The South West is especially important for bats as all 16 species can be found here, including both species of horseshoe bat which are subject to much targeted conservation work due to their restricted range and significant declines over the past 100 years.

The ecology study submitted with the application identifies use of the site by 7 species of bat, 14 trees with features suitable to support roosting bats and high numbers of bats using the site at the height of seasonal activity. These factors tend to suggest that the wider ecosystem is healthy and capable of supporting a wide range of wildlife. The Environmental Statement acknowledges that the impact on bats would be considered 'adverse' prior to mitigation. The range of species detected on the site is however somewhat played down within the supporting text. Furthermore, it is noted that an aerial tree climbing survey was undertaken of only 6 of the 14 trees identified as having features capable of supporting bat roosts and that this survey was undertaken in June, which is very early in the season. It is during the autumn/winter months that bats select roosting sites suitable for hibernation. The surveys undertaken would therefore seem to be inadequate for assessment purposes. It should be noted that bats are relatively long-lived creatures, with some British bats known to have lived in excess of 30 years. Their roosting and foraging habitats are often used year after year and can be extremely important for a given local population. Although, the proposals include retention of many of the trees and the majority of existing hedgerows, the development of 2/3rd of the site with 250 houses, including development in close proximity to these trees and in areas of the site where high bat numbers were recorded, the construction process and the introduction of street/night lighting and other aspects of the human environment would, in all likelihood, prove unhealthy for the bat populations using and in all likelihood roosting within the site.

The application proposes biodiversity enhancements. However, the biodiversity enhancements and the strengthening and revitalisation of the green infrastructure across the site could equally be achieved within the context of the site in its current use. There is nothing to stop the restoration of the hedge field boundaries throughout the site, further trees and hedges being planted, and improved management of existing hedges around the site taking place. Again, the proposal to enhance biodiversity across the site is primarily offered as mitigation against the harm caused by the development. The development is not necessary to deliver biodiversity enhancements. Certainly, the proposals do not amount to exceptional circumstances and threats about the likely further neglect of the site in the absence of housing development do not change that fact.

It is clear that the proposal constitutes major development that would harm the landscape character of the AONB and, in the absence of any exceptional circumstances, should be refused planning permission in accordance with paragraph 127 of the NPPF.

It is acknowledged that at the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 states that 'Plans and decisions should apply a presumption in favour of sustainable development'. At paragraph 11d) it makes clear that for decision-taking this means 'where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

Footnote 7 does state that, for applications involving the provision of housing, this includes situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

However, footnote 6 to paragraph 11d)i. states that the policies referred to are those in the Framework (rather than those in development plans) and include those relating to sites designated as an AONB.

The adverse impact of the proposed development on the AONB provides a clear reason for refusal in this case. As such, in accordance with recent case law and appeal decisions, the 'tilted balance' set out at paragraph 11 and referred to in the applicants planning statement does not apply. The fact that the Council cannot demonstrate a 5-year supply of deliverable housing sites is not therefore relevant in this case. Even if it were it seems clear that the adverse impacts of the development would clearly and significantly outweigh the benefits.

The case against the proposed development has been clearly made paying particular regard to the landscape character and ecology of this AONB site. The adverse impact of the development on my clients', ~~Mrs and Mr. Smith~~ home on Harp Hill has also been highlighted. The loss of expansive views over the landscape character area, the loss of tranquillity, the noise from traffic generated by the development and light pollution from cars using the proposed site access which lies directly opposite ~~Mrs and Mr. Smith~~ house have all been cited.

This letter has not however touched on the impact of the traffic generated by the proposed development on the road network surrounding the site and on Harp Hill which would be the road most affected by the development. It is understood that ~~Mrs and Mr. Smith~~ has commissioned highways transport consultants to review and comment on this aspect of the development separately. However, it seems quite clear that Harp Hill, which is narrow and subject to on road parking for a significant section of its lower slopes close to the junction with Hales/Priors and Hewlett Roads would be unable to accommodate the

likely traffic generated by the development. Minor alterations to the road alignment at the double roundabout would not, it is considered, sufficiently reduce the long traffic queues anticipated on Harp Hill post development. It seems more likely that at peak hours traffic in the immediate area and on Harp Hill will come to a grinding halt.

In conclusion, it is clear that the proposed development does not meet national policy in the form of the NPPF. It is contrary to the policies of the development plan, the JCS and recently adopted Cheltenham Plan which are most important in the determination of the application, namely those that seek to protect the natural beauty, character or special quality of the AONB and conserve the its landscape character. These policies are in accordance with national policy and considered to be up-to-date. There is a clear reason for refusing permission for the proposal on the grounds of harm caused to the AONB with no legitimate exceptional circumstances put forward by the applicant. In such circumstances, the fact that Cheltenham has a housing shortfall and is unable to demonstrate a 5 year supply of housing and that, as such, the housing policy is considered to be out-of-date does not, in this instance, trigger the 'tilted balance' as has been determined by recent planning case law. Claims to the contrary made by the applicant should be dismissed.

Yours sincerely
Diana Jones MRTPI
DJ Planning

Bredon's Tun,
Ashley Road.

I am deeply connected to the beautiful countryside to which I came at five years old and where my children were also raised. Along with many friends and neighbours I am passionate about maintaining the integrity of this lovely countryside which is part of the AONB. I strongly object to this application and concur with all of the well-documented comments which are online. In particular the objection made by the residents of Haytor is extremely well documented and researched and is in my mind entirely compelling.

- The site is outside of the PUA - it is within the AONB and is therefore not part of the Town Plan. To build here would contravene very robust national and local policies.
- Cheltenham has precious little AONB on its fringes - that which we do have we should value and protect.
- The proposals would lead to both adverse landscape and visual change in the local area. This is in conflict with JCS Policy SD7 as it neither 'conserves' or 'enhances' the natural beauty of this nationally designated area and it is also at odds with the objectives of the Cotswold AONB Management Plan.
- Views in and out of the AONB should be protected.
- I believe that to build here would only exacerbate what seems to already be quite a serious flooding problem for the houses and roads below after heavy rain.
- The junctions at the bottom of Harp Hill and at Sixways in Greenway Lane are already extreme bottlenecks at certain times of the day. Greenway Lane and Harp Hill are after all just country lanes which have had to absorb ever increasing amounts of traffic - they are already being used as a rat run by many - and it's impossible to imagine that an increase of another 500 plus cars which might go back and forth several times a day could even be considered a viable option. Not to mention all the delivery and service vehicles - as well as emergency vehicles such as fire and ambulance. It would be a huge misjudgement to imagine that this development wouldn't make many people's lives a misery and turn what is still a gorgeous rural area into a nightmare whenever we set out from our homes either on foot or by car.
- Cheltenham was recently voted the best place to live in the south west and it is crucial that the right approach is made in planning and preserving the very best of it. The pandemic and consequent lockdown have underlined what has become most important to many of us - hordes of runners, cyclists, horse-riders, families and children with dogs in tow have taken to these roads - and the PROWs - like never before. There are very few roads which lead up to the very popular beauty spot of Cleeve Hill and this is one of them, and Greenway Lane another.
- With so many shops closing down due to the economic fallout from the pandemic Cheltenham's lure as a thriving shopping centre will in the future become less and less important, whereas the natural beauty of its surroundings and it's designation as The Heart of The Cotswolds' will be more relevant than ever.
- Indeed the latest government proposals regarding planning and development make it clear that AONB will be classified as protected and as such will not be made available for development in order to prioritise building on brownfield sites and sites which are on the Town Plan - both less controversial.

There is an abundance of wildlife and all manner of birds and animals coexist here and can often be seen going about their business in broad daylight. It is imperative that we keep the natural wildlife pathways open for them to move around unrestricted and to protect their natural habitat.

The peace and beauty of this rural location is a valuable asset to Cheltenham and I for one fervently believe that we have a huge responsibility to preserve this legacy for future generations and their children to enjoy and we should not let the need for new affordable housing take priority over protecting the countryside.

~~Stephen M. M. M. M.~~

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