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Craig Hemphill  
Cheltenham Borough Council  
Cheltenham

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**BY EMAIL ONLY**

Dear Craig,

**Planning consultation:** 650 houses  
**Location:** Leckhampton, Cheltenham

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

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

The proposal is for 650 houses, retail space and public open space on 33.44ha of land at Shurdington Road, Leckhampton. This site is currently used for agriculture and small holdings and includes remnant orchard, wooded stream corridors, fields, trees, ditches and rights of way. The site is 200m from the boundary of the Cotswolds Area of Outstanding Natural Beauty (AONB) and visible from important public viewpoints within the AONB. It is 2km from the Cotswold Way National Trail and within 2km of Leckhampton Hill and Charlton Kings Common Site of Special Scientific Interest (SSSI).

The site is close to two parcels of land owned by Gloucestershire County Council and a parcel of land owned by MA Holdings which are also being considered as part of the draft Joint Core Strategy for the area. The MA Holdings land is adjacent to the AONB boundary. A proposal for 175 houses and mixed use development has already been submitted for Brizen Farm which is just to the west of the site. The whole area could be an urban extension to south Cheltenham with well over 1000 houses.

### **More Information needed for Natural England to be able to respond fully**

Natural England is not able to comment fully as insufficient information has been provided on landscape and ecological impacts of all the development proposals for this area. Natural England is particularly concerned about the scale of the combined developments and the impact this will have on the setting and the Special Qualities of the AONB. The impact of all the proposals need to be considered as a whole and not as individual developments.

### **Joint Core Strategy**

The Joint Core Strategy (JCS) for Cheltenham, Tewkesbury and Gloucester is out for consultation and is due to be adopted in 2014. Until the JCS is adopted and detailed proposals are presented for the adjacent and nearby sites (if allocated in the final JCS) it is not possible to properly assess the impacts on the AONB. Overall impacts on ecology will also need to be informed by development

plans for the whole area and there is the potential for mitigation strategies proposed for one development to be undermined by subsequent and separately considered development.

### **Protected Landscape**

This proposal is for a large development in close proximity to the boundary of the Cotswolds AONB. The site is a very sensitive location because it lies below and in open view from the Cotswold Escarpment. Views to and from the escarpment are a recognised Special Quality of the AONB. The development therefore has the potential to impact negatively on views towards the Escarpment and from the Escarpment, particularly from important public viewpoints, such as the Devil's Chimney, on the Cotswold Way National Trail within the AONB.

The Landscape and Visual Impact Assessment (LVIA) includes an illustrative masterplan and viewpoints for this site, the two Gloucestershire County Council sites and the MA Holdings site but does not include Brizen Farm. Natural England advises that detailed masterplans and viewpoints for all the sites are considered together. We also recommend that photomontages for all the sites are produced so that the cumulative impact on the AONB can be assessed.

The LVIA states that while the development will be visible from a number of viewpoints on the Cotswold Escarpment, these are not significant. It is not clear if this statement relates to the one proposal for 650 houses or for all the proposals considered in the LVIA. Natural England's view is that the scale of overall development could have a significant impact on the setting of the AONB, the Escarpment (a Special Quality of the AONB) and the National Trail.

### **The effects on the setting of the Cotswold AONB**

The effect on the landscape character of this part of the Severn Vale is important because it forms part of the setting of the Cotswold AONB. The setting of an AONB is often significant to the conservation of its special qualities and this is certainly the case here. The proposed development site is 200m from the AONB boundary. Whilst the Vale is extensive, the area including the application site is part of the setting of the AONB and contributes positively to the AONB's special qualities. The lower-lying rural landscape of the Vale below the escarpment is particularly sensitive to large scale built development.

### **The effects on the special qualities of the Cotswold AONB**

The Cotswolds AONB is designated as a nationally important landscape to ensure that its special qualities are conserved and enhanced. The special qualities that could be significantly affected by this development are:

- The Cotswold Escarpment;

- The High Wolds – an elevated landscape with large open landscapes, commons, ‘big’ skies and long distance views.

Views well beyond the AONB itself are therefore an integral part of the character and special qualities of the AONB. They are extremely important to many visitors’ enjoyment of this nationally designated landscape. The special qualities of the AONB are also widely enjoyed by people when outside the designated area. Iconic views of the Cotswold Escarpment and High Wolds, from the Severn Vale, are of a nationally important English landscape feature which is protected by and managed through its AONB status. The potential impact of the proposed developments on views from, and therefore on the enjoyment of, the AONB; and views of the AONB could be long-term, significant and adverse.

There are viewpoints of the highest sensitivity along the Escarpment of the Cotswolds AONB, such as the Devil’s Chimney. The view from the Devil’s Chimney gives panoramic views across the Vale which would be interrupted by the proposed development. The scale of the potential development would significantly change the view from an open, rural expansive view to a predominantly urban view of the edge of Cheltenham.

### **The effects on the Cotswold Way National Trail**

The Cotswold Way National Trail runs along the top of the Cotswold Escarpment to the south-east of the site. The enjoyment of views from the National Trail could be adversely affected to a significant degree as described above in relation to views from locations such as the Devil’s Chimney.

We would also strongly encourage the Council to seek the views of the Cotswold Conservation Board regarding this development.

### **Green Infrastructure**

Given the location of this large development in relation to the AONB, Natural England would recommend that substantial and well designed green infrastructure (GI) is provided to reduce the visual impact of the proposed development on the protected landscape. The proposal for 650 houses on 33.44ha includes approximately 14ha of GI. GI for the other sites is illustrative. Natural England advises that a GI masterplan for the whole site (including Brizen Farm) should be produced to maximise the effectiveness of GI in mitigating landscape impacts (screening and helping the development to blend into its wider landscape setting), and delivering ecological mitigation and enhancements.

Green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement,. Evidence and advice on green infrastructure, including the economic benefits of GI can be found on the Natural England [Green Infrastructure web pages](#).

### **Protected Species**

Surveys have been carried out for bats, badgers, dormice, water voles, otters, birds, reptiles, amphibians and invertebrates. The main impact on European protected species will be foraging and commuting bats: nine species were identified using the site including rare bats such as Lesser Horseshoe. The hedgerows, streams and trees that provide foraging and commuting routes for bats should be retained. The layout of the development and the lighting should be designed to minimise impacts on bats, particularly the way the hedgerows are used as wildlife corridors.

We have not assessed the survey for domestic species: badgers, barn owls and breeding birds<sup>1</sup>, water voles, white-clawed crayfish or widespread reptiles. These are all species protected by domestic legislation and you should use our protected species standing advice to assess the adequacy of any surveys, the impacts that may result and the appropriateness of any mitigation measures.

The advice we are giving at the present time relates only to whether, in view of the consultation materials presently before us (including with reference to any proposed mitigation measures), the proposal is likely to be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range (*i.e.* the 'Favourable Conservation Status' test). We have not considered whether the proposal satisfies the three licensing tests or whether a licence would be issued for this proposal. This advice is based on the information currently available to us and is subject to any material changes in circumstances, including changes to the proposals or further information on the protected species.

If the LPA is aware of, or representations from other parties highlight the possible presence of a protected or Biodiversity Action Plan (BAP) species on the site, the authority should request survey information from the applicant before determining the application. The Government has provided advice on BAP and protected species and their consideration in the planning system.

[Natural England Standing Advice](#) is available on our website to help local planning authorities better understand the impact of development on protected or BAP species should they be identified as an issue for particular developments. This also sets out, when, following receipt of survey information, the authority should undertake further consultation with Natural England.

### **Biodiversity enhancements**

The development should aim to enhance the biodiversity of the site through the retention and enhancement of the trees, hedges and water courses on the site. These features should be part of a connected mosaic landscape that links to linear landscape features outside the site to provide important commuting routes for wildlife.

The application provides opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats and the installation of bird nest boxes for house martins, house sparrows and swifts and habitat enhancement. The authority should consider securing measures to enhance the biodiversity of the site. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that '*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*'. Section 40(3) of the same Act also states that '*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat*'.

### **Soils and Land Quality**

From the documents accompanying the consultation we consider this application falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, as the proposed development would not appear to lead to the loss of over 20 ha 'best and most versatile' agricultural land (paragraph 112 of the National Planning Policy Framework).

For this reason we do not propose to make any detailed comments in relation to agricultural land quality and soils, although more general guidance is available in Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend that this is followed. If, however, you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

For any queries relating to the specific advice in this letter only please contact Sally King on 07900 608 100. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Sally King  
Land Use Operations (Worcester)