

1st May 2020

Ceri Porter
Case Officer
Stroud District Council
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By email only to planning@stroud.gov.uk

Dear Ceri



S.20/0128/FUL - Farm building for storage of animal feed / fodder & implements - Lot 1 And 2, Waterley Bottom, North Nibley, Gloucestershire.

Thank you for consulting the Cotswolds Conservation Board ('the Board') on the above planning application, which is for an agricultural building within the Cotswolds Area of Outstanding Natural Beauty (AONB).

The Board recognises the need for viable, agricultural businesses within the Cotswolds AONB. Such businesses can – and should - play a key role in helping to conserve and enhance the natural beauty of the AONB. The Board also recognises that agricultural buildings are an integral part of the farmed landscape of the Cotswolds AONB. However, for a number of reasons, as outlined below, the Board objects to this particular proposal.

Premature planning application: The Board is aware of the complicated planning history relating to Lot 1 and 2. In particular, given that there are currently two 'live' planning appeals relating to this site, the Board considers that this planning application is premature and should be withdrawn until the outcome of the planning appeals is known.

Impacts on landscape character and tranquillity: The local landscape character of 'Rolling Hills and Valleys' is particularly sensitive to change. This is because these valleys are quiet rural landscapes with strong associations of peace, tranquillity and a sense of remoteness. As such, the erection of an isolated agricultural building, in a parcel of land that currently has no such buildings, is likely to have a potentially significant adverse impact on the landscape character and tranquillity of this part of the AONB.

Visual impacts: Insufficient information has been provided regarding the potential visual impacts of the proposed development. However, given the popularity of the area for quiet recreational use and given the extent to which the proposed building is likely to be visible from various locations around the valley, the Board considers that the proposed development is likely to have a potentially significant adverse visual impact.

Impact on the dark skies of the AONB: The application does not specify if the proposed development will include lighting. However, if it does, the resulting light pollution is likely to adversely affect the dark skies of this section of the AONB.

Need for the proposed development: The applicant has provided no evidence to demonstrate that the proposed development is *reasonably necessary* for the purpose of agriculture within the agricultural unit (as required under permitted development rights) or that it is *essential* to the maintenance or enhancement of a sustainable farming enterprise within the District (as required by Core Policy CP15 of the Stroud Local Plan).

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

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Further information relating to these points is provided in Annex 1 below.

If you have any queries regarding the Board's response, please do not hesitate to get in touch.

Yours faithfully,

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

John Mills MRTPI
Planning and Landscape Officer

ANNEX 1. THE CONCERNS OF THE COTSWOLDS CONSERVATION BOARD REGARDING PLANNING APPLICATION S.20/0128/FUL

Premature planning application

The applicant's Design & Access Statement implies that this planning application has been put forward as an *alternative* to previous submissions (S.19/1173/FUL and S.19/2398/FUL). However, the Board understands that planning application S.19/2398/FUL is currently subject to an appeal relating to non-determination. As such, there is a risk that, if the appeal is successful and if the current planning application is approved, three agricultural buildings might be erected on Lot 1 and 2. This would be completely inappropriate. On this basis, the Board considers that the planning application is premature and should be withdrawn until an appeal decision has been made.

The Board is also aware that the site is subject to an enforcement appeal relating to the works that have already been undertaken on the site (i.e. the laying of hardcore to create a new track, etc.) without planning permission. The existing works are presumably an integral part of the proposed use of the site. As such, these works would also presumably relate directly to the current proposal. If so, the existing works should be included, retrospectively, as part of the planning application. However, if the appeal decision supports the enforcement action then these existing works would have to be removed. Again, on this basis, the Board considers that the planning application is premature and should be withdrawn until an appeal decision has been made.

Impacts

Landscape impacts

The Cotswolds AONB Landscape Character Assessment identifies 19 different landscape character types (LCT) in the Cotswolds AONB. The proposed development is located in LCT 3B (Rolling Hills and Valleys – Stinchcombe and North Nibley). The Cotswolds AONB Landscape Strategy and Guidelines (LSG) describes the landscape sensitivity of LCT3:¹

- *The upper valley sections represent quiet rural landscapes with strong associations of peace, tranquillity and a sense of remoteness. Landscape character is strong, and these sections of the valleys are highly sensitive to development that may compromise these characteristics.*

This section of Waterley Bottom is representative this quiet rural landscape and is therefore highly sensitive to development. The current absence of buildings on Lot 1 and 2 contributes significantly to this sense of peace, tranquillity and remoteness.

This section of Waterley Bottom is also representative of many of the 'key features / characteristics' of LCT 3 including:

- Relatively enclosed and secluded 'secret' character in upper sections of the valleys and narrow valley bottoms.
- Steep sided concave valleys with steeper upper slopes often dominated by woodland, contribute to the area's rural and secretive character.
- Valleys drained by ... tributary streams [which] provide important linear habitats linking the Vale to the High Wold.

¹ <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-3-rolling-hills-and-valleys-2016.pdf>

- Area principally under pastoral use.
- Fields ... enclosed with hedgerows.

The extent to which the key features of LCT3 are represented in this section of Waterley Bottom makes the area highly susceptible to change, including the erection of new buildings, and further increases the landscape sensitivity.

As indicated above, the site of the proposed development is located in the Cotswolds AONB. Landscapes that are nationally designated, such as AONBs, are accorded the highest value in landscape and visual impact assessments.² This high value is re-enforced by the extent to which the key features of LCT3 are represented in this location. This 'high value' further adds to the landscape sensitivity.

The proposed development is approximately 18m long and 9.5m wide (170m²) and up to 5m high. This is quite modest compared to the agricultural buildings at, say, Waterley Farm and Sandfield Farm. However, those larger buildings form an integral part of a farm complex, whereas the proposed development would be completely isolated. There do not appear to be comparable examples of similar size, isolated agricultural buildings in this section of Waterley Bottom.

The introduction of an isolated building would adversely affect the associations of peace, tranquillity and the sense of remoteness, associated with LCT3, across the wider valley area. As such, the scale of change in the landscape that is likely to be experienced as a result of the proposed development is significantly more than just the scale of the building itself.

When considering landscape and visual impacts, the duration and reversibility of the proposed development is an important consideration. In this case, the proposed development is likely to be of long term duration and is unlikely to be reversed in the near future.

Combining all of the above factors, the Board considers that the impacts on landscape character are likely to be significant.

Visual impacts

Very little information has been provided by the applicant regarding the potential visual impacts of the proposed development. The only information provided is in the Design and Access Statement, which states that:

- There are '*distant views for the higher reaches of the land towards Forthay and North Nibley*'.
- '*When viewed from land to the south near Brookside House, the building will be seen sitting well into the site, with a simple outline in appearance, set against a rural wooded landscape / and the adjoining hedgerows*'.

The Board acknowledges that the building's proposed location, close to hedgerows in the north east corner of the field, could help to reduce adverse visual impacts. However, the building would still be clearly visible from certain viewpoints around the valley.

The area where the proposed development is located is a popular location for informal recreation, such as walking and horse-riding. These users come to experience the sense of

² Landscape Institute and Institute of Environmental Management and Assessment (2016) Guidelines for Landscape and Visual Impact. Paragraph 5.47

peace, tranquillity and remoteness that is characteristic of this area. The addition of a new building in this sensitive location could potentially have a significant adverse impact on these visual receptors.

Given this potential adverse visual impact, the high landscape sensitivity of this location and the troubled history of development proposals on this site (i.e. Lots 1 and 2), the Board recommends that a more comprehensive Landscape and Visual Impact Assessment (LVIA) should be undertaken. With regards to visual impact, this should identify the zone of theoretical visibility, address visual impacts for key receptors and include wire frame images of the proposed development superimposed on photographs from these key viewpoints / visual receptors.

Key viewpoints / visual receptors could potentially include:

- The view from either end of the footpath that crosses the site (GR: ST5669621 and ST75699615), looking towards the building.
- The view looking south / south west from the footpath coming down from Breakheart Hill to the New Inn (e.g. GR: ST75819644).
- The view looking south from the entrance gate to the site (GR: ST75709620).
- The view looking north / north east from the road immediately to the east of Smart's Green (e.g. GR: ST75319607).
- The view looking north east from the footpath that descends from Nibley Knoll to Pitt Court (e.g. GR: ST74749588) – this would be particularly significant given its connection with the Cotswold Way National Trail.

Impacts on tranquillity

As indicated above, the tranquillity of this locality, including its 'secret' nature, is one of the factors that makes the area so sensitive to development. The tranquillity of the AONB is one of its special qualities. In other words, it is one of the factors that makes the area so outstanding that it is in the nation's interest to safeguard it. The absence of man-made features in Lots 1 and 2 contributes significantly to this tranquillity.

Policy CE4 of the Cotswolds AONB Management Plan states that development proposals '*should have regard to this tranquillity by seeking to (i) avoid and (ii) minimise ... visual disturbance.*'

Locating a new, visually intrusive, isolated building in this locality could have an adverse impact on the area's tranquillity.

More information on tranquillity is provided in the Board's Tranquillity Position Statement.³

Closely related to the issue of tranquillity is the issue of 'relative wildness'. Natural England has identified relative wildness as one of the criteria that contributes to the natural beauty of protected landscapes, including AONBs.⁴ Factors that contribute to this relative wildness include:⁵

³ Cotswolds Conservation Board (2019) *Tranquillity Position Statement*. ([Link](#)).

⁴ Natural England (2011) *Guidance for assessing landscapes for designation as National Park or Areas of Outstanding Natural Beauty in England*. ([Link](#)).

⁵ As above – Appendix 1, pages 24 and 25.

- **A sense of remoteness** (for example, (i) relatively few (main) roads or other transport routes and (ii) distant from, or perceived as distant from, significant habitation).
- **A relative lack of human influences** (for example, uninterrupted tracts of land with few built features and few overt industrial or urban influences).
- **A sense of enclosure and isolation** (for example, sense of enclosure provided by woodland and landform that offers a feeling of isolation).
- **A sense of the passing of time and a return to nature** (for example, absence or apparent absence of active human intervention).

Waterley Bottom, where the proposed development is located, demonstrates all of these factors of relative wildness. This adds further weight to not introducing new, isolated buildings into this landscape.

Impacts on dark skies

The planning application does not appear to make any reference to the lighting that would be used in the proposed development. If artificial lighting was to be used in and around this new, isolated building in such a remote area, this could significantly increase levels of light pollution in the area. This increase in light pollution could adversely affect the extensive dark skies of the Cotswolds AONB. These dark skies are one of the special qualities of the Cotswolds AONB.

The Cotswolds AONB Landscape Strategy and Guidelines (LSG) for this landscape character type (LCT 3 (Rolling Hills and Valleys)) identifies *'the introduction of lit elements in areas of characteristically dark valley'* as a potential adverse impact resulting from agricultural intensification. In this regard, the recommendation of the LSG is to *'conserve dark stretches of valley'*.

Policy CE5 of the Cotswolds AONB Management Plan 2018-2023 states that development proposals *'should have regard to these dark skies by seeking to (i) avoid and (ii) minimise light pollution.'*

As such, the Board recommends that the proposed development should not include artificial light. If lighting is permitted, it should be consistent with the best practice guidance provided in the Board's Position Statement on Dark Skies and Artificial Light.⁶

Need

Policy CE12 of the Cotswolds AONB Management Plan 2018-2023 states that:

- Development in the Cotswolds AONB should be based on robust evidence of local need arising from within the AONB.

As such, evidence of need is an important consideration for the Board.

There is no reason why a planning application for an agricultural building should be treated any less stringently than they would under Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, where there are three important considerations:

1. The buildings must be on agricultural land comprised in an agricultural unit.

⁶ Cotswolds Conservation Board (2019) Dark Skies and Artificial Light Position Statement. ([Link 1](#), [2](#), [3](#), [4](#))

2. The buildings must be reasonably necessary for the purpose of agriculture within the unit.
3. The building should be designed for agricultural purposes.

The Stroud Local Plan (Core Policy C15) is even more stringent in relation to point 2, in that it requires such proposals to be essential to the maintenance or enhancement of a sustainable farming or forestry enterprise within the District.

- Proposals outside identified settlement development limits will not be permitted except where ... it is essential to the maintenance or enhancement of a sustainable farming or forestry enterprise within the District.

With regards to point 1, the proposed building is clearly on agricultural land within an agricultural unit, given that it is an area of land larger than 5ha and is used for grazing livestock.

With regards to point 2, the applicant has provided no information to demonstrate that the proposed building is *reasonably necessary* for the purpose of agriculture within the unit, let alone being *essential* to the maintenance or enhancement of a sustainable farming enterprise. For example, the applicant has provided no information on the number of livestock that are grazed on the land and the amount of animal feed / fodder that would be required to feed this livestock. As such, the proposal does not comply with the Stroud Local Plan or even permitted development requirements.

With regards to point 3, the planning application states that the building would be used for animal feed / fodder and implements. However, the Board is aware that the site where the barn would be located is currently used for parking / storing a range of vehicles of various size, not all of which are agricultural. Therefore, it is not certain that the building is actually being designed / built for agricultural purposes. As such, there is a risk that the proposed development does not comply with permitted development requirements.