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Stratford-upon-Avon  
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By email only to: [paul.thompson@stratford-dc.gov.uk](mailto:paul.thompson@stratford-dc.gov.uk)

27 October 2022

Dear Paul,

**APPLICATION NO:** 22/00257/FUL

**DESCRIPTION:** Construction of one treehouse sleeping two to four tourists year-round, including self-contained bathroom and kitchen facilities, along with associated access and parking.

**LOCATION:** Land Opposite Edgehill Shooting Ground, Camp Lane, Warmington

Thank you for consulting the Cotswolds Conservation Board ('the Board') on the additional information submitted by the applicant in support of this proposed development, which would be located within the Cotswolds National Landscape.<sup>1</sup>

In our previous consultation response dated 25 May 2022 we objected to the application as we considered that the applicant has not demonstrated that the proposed development would conserve and enhance the landscape and scenic beauty of the Cotswolds National Landscape.

We welcome the submission of the additional information, however having reviewed it and for the reasons outlined in Annex 1 below, we remain of this view and as such consider that the proposal has not demonstrated compliance with Policies CS.11 and CS.5 of the Stratford-on-Avon Core Strategy 2011-2031, paragraph 176 of the National Planning Policy Framework as well as the guidance contained within Policies CE1, CE4, CE5 of the Cotswolds AONB Management Plan 2018-2023 and the Cotswolds AONB Landscape Strategy and Guidelines. Therefore, we wish to maintain our **objection**.

Without prejudice, should the Council be minded to grant planning permission, we would recommend conditions to require pre-commencement submission of detailed lighting plans addressing the issues raised in Annex 1 and to ensure that the treehouse can only be used for short stay tourism purposes in the interest of the conservation and enhancement of the landscape and scenic beauty of the Cotswolds National Landscape.

**Cotswolds Conservation Board**

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The Cotswolds National Landscape is a designated Area of Outstanding Natural Beauty (AONB), managed and looked after by the Cotswolds Conservation Board.

[cotswoldsaonb.org.uk](http://cotswoldsaonb.org.uk)

*Chairman:*  
**Brendan McCarthy**

*Vice Chair:*  
**Rebecca Charley**

Please don't hesitate to contact me if you wish to discuss this response further.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'S. Joyce', written on a light grey background.

Simon Joyce

**Planning Officer**

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## ANNEX 1: COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION 22/00257/FUL

### Landscape and visual impact

We welcome the submission of the Landscape and Visual Appraisal ('LVA', Land Arb Solutions, July 2022), however having reviewed it, we disagree with some of its assessments and conclusions. We wish to make a number of observations as follows.

The LVA repeatedly opines that only a small part of the AONB would be affected and that therefore the scale and potential impact of the proposed development is not significant (for example paragraphs 4.10, 7.25/7.26 and in particular paragraphs 6.35 and 6.36 *"the AONB is vast, and the site and proposals very small by comparison"*). The Board's position is that it is simply not appropriate to compare the extent of the effect with the size of the whole AONB in an attempt to downplay its potential impact as taking this approach would completely undermine the national planning policies that are put in place to protect, conserve and enhance the natural beauty of AONBs. This position is expanded upon in Appendix 2 of the Board's Landscape-Led Development Position Statement ([link](#)), in particular *"The area of landscape that needs to be covered in assessing landscape effects should include the site itself and the full extent of the wider landscape around it which the proposed development may influence in a significant manner"*.

The LVA also appears to repeatedly attempt to downplay the AONB status of the site, paragraphs 4.25 and 6.33 stating for example that *"the site is located within the very outer edge of the Cotswolds AONB"*. It is irrelevant whether the site is located on the AONB boundary or not; the fact that the site lies within the AONB designation requires great weight to be given to the conservation and enhancement of its landscape and scenic beauty, particularly in view of the fact that it lies on the escarpment, views to and from which constitute one of its 'special qualities'.

The LVA concludes a 'neutral' nature of effect on landscape character at both Year 1 and 15 with a range of visual effects from its selected viewpoints assessed up to the level of 'moderate adverse' at Year 1 from two viewpoints (4 and 5), both of which reduce to 'neutral' by Year 15.

However, we consider the LVA underplays the landscape and visual impact of the proposal. The 'neutral' effect on landscape character is concluded principally on the basis that the AONB is large and the proposal is small (paragraphs 6.35, 6.36, 7.25 and 7.26). For the reason stated above, we strongly disagree with this standpoint and consider that the proposal would have at least a 'low' magnitude, which when combined with a 'high' sensitivity would result in a 'moderate' effect.

We also disagree with the assessment that the proposal should be assessed against Section 2.5 of the Cotswolds Landscape Strategy & Guidelines (LS&G), this being the Introduction of vertical elements such as communication masts, wind turbines, electricity pylons and large road signs. In our initial response we stated that Section 2.2 is the relevant section as the proposal comprises 'isolated development such as new single dwellings on the mid-escarpment slope'). For the reasons outlined in our previous response, we still consider that the proposal would cause a number of potential adverse landscape implications outlined in Section 2.2, including 'Visual intrusions introduced to the landscape', 'Introduction of 'lit' elements to characteristically dark escarpment slope landscapes' and 'potential for glint from buildings'.

As far as visual effects are concerned, Viewpoint 5 on footpath SM166a illustrates how the tree selected for the installation of the treehouse forms the major element in that view and we consider that the *“removal of secondary branches that conflict with the treehouse construction”* mentioned in Appendix 2 of the Tree Survey Report would make the structure even more prominent. This would appear to be illustrated in the submitted elevations and computer-generated renders submitted which show the treehouse in situ giving it a rather prominent appearance and do not appear to show the canopy mentioned within the DAS as a measure to minimise light spill and aid its visual assimilation.

Whilst this is acknowledged in the LVA at paragraph 6.18, the magnitude of change at year 1 from Viewpoint 5 is assessed as ‘low adverse’. This is defined within the LVA’s methodology (Table 17) as *“The proposals will form a minor constituent of the view being partially visible or at sufficient distance to be a small component”*. We do not agree with such an assessment and consider that the magnitude of change from this viewpoint would be at least ‘medium’ at year 1. Both of these assessments, combined with the ‘high’ sensitivity of receptors in this location would result in a ‘major adverse’ scale of visual effect at year 1, in other words a significant adverse visual effect. We also disagree with the assessment that by year 15 the scale of visual effect from these viewpoints will have reduced to ‘neutral’, essentially implying that the proposal will have no impact on these views. We also disagree with the assertion that the treehouse will *“actually look nice and add to the sense of place. Tree houses capture people’s imagination and remind them of secret gardens, childhood and exploring. Seeing such a tree house in this location will conjure those feelings and not be seen as detrimental to the views from close proximity”* (paragraph 6.23).

Photographs showing other viewpoints, including those from a named, promoted trail (the Battlefields Trail) are merely annotated to state ‘tree house location not apparent’ rather than clearly identifying the specific tree where the treehouse is to be installed and a general indication of its size, massing etc. to enable a third party to fully assess whether it may be visible or not; photomontages utilising the computer renders of the treehouse would have been beneficial. It is also noted that the LVA was prepared during summer with trees in full leaf, though this is acknowledged within the LVA. However, we disagree with the conclusion at paragraph 6.39 that *“there will be no discernable difference between summer and winter views”* and consider the treehouse is likely to be more prominent during winter months. The LVA acknowledges that the trees along the escarpment are deciduous and will lose their foliage in winter, but only considers the timber elements of the treehouse, whereas the submitted plans show extensive glazed sections and lit elements which will become more prominent when trees are not in leaf.

As such we still consider that the treehouse, which would have no mitigative planting, would potentially appear as an incongruous addition to the local landscape, contrary to Policy CS.11 of the Core Strategy and CE1 of the Management Plan.

### **Lighting/dark skies**

We note the submission of a Lighting Plan (ref. OWL-P05 dated 14.9.22), showing lighting in eight locations along the access path, a number of wall mounted lights on the treehouse itself and strip lighting around the edge of the deck and stairs. The concerns expressed in our previous response remain regarding the extent of the glazed areas on the elevation looking out from the escarpment. The proposal will clearly introduce a number of lit elements into a location on the escarpment where none currently exist.

Bearing the above in mind we do not consider that the proposal meets the requirements of Policy CS.11 of the Core Strategy and Policy CE5 of the AONB Management Plan in respect of avoiding and minimising light pollution.

Without prejudice, if the local authority is minded to grant planning permission, we request that planning conditions are imposed to ensure that all lighting complies with Guidance Note 01/21 on The Reduction of Obtrusive Light, published by the Institution of Lighting Professionals (ILP) (which forms Appendix 2 of our Position Statement on Dark Skies and Artificial Light referenced in our previous response) and other relevant guidance. We would also recommend that the relevant 'environmental zone' for which compliance should be assessed is Environmental Zone E1 which relates to AONBs to preserve the dark skies landscape character of the Cotswolds National Landscape.

### **Other matters**

Our concerns regarding the path between the car park and treehouse remain; formalising it from grass to bark/wood chipping which would be detrimental to its rural character, whether any reprofiling is required to ensure the access path meets accessibility requirements and the impact of the construction phase on the access path.

We also note the outstanding objection from the Highways Authority dated 23 August 2022.

## NOTES:

- 1) Cotswolds National Landscape is the new name for the Cotswolds Areas of Outstanding Natural Beauty (AONB). The new name takes forward one of the proposals of the Government-commissioned 'Landscapes Review' to rename AONBs as 'National Landscapes'. This change reflects the national importance of AONBs and the fact that they are safeguarded, in the national interest, for nature, people, business and culture.
- 2) Section 85 of the Countryside and Rights of Way Act 2000.  
[www.legislation.gov.uk/ukpga/2000/37/section/85](http://www.legislation.gov.uk/ukpga/2000/37/section/85)
- 3) The documents referred to in our response can be located on the Cotswolds National Landscape website under the following sections
  - a. Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023  
[www.cotswoldsaonb.org.uk/management-plan](http://www.cotswoldsaonb.org.uk/management-plan)
  - b. Cotswolds AONB Landscape Character Assessment  
[www.cotswoldsaonb.org.uk/lca](http://www.cotswoldsaonb.org.uk/lca)
  - c. Cotswolds AONB Landscape Strategy and Guidelines  
[www.cotswoldsaonb.org.uk/lsg](http://www.cotswoldsaonb.org.uk/lsg)
  - d. Cotswolds AONB Local Distinctiveness and Landscape Change  
[www.cotswoldsaonb.org.uk/ldlc](http://www.cotswoldsaonb.org.uk/ldlc)
  - e. Cotswolds Conservation Board Position Statements  
[www.cotswoldsaonb.org.uk/ps1](http://www.cotswoldsaonb.org.uk/ps1)  
[www.cotswoldsaonb.org.uk/ps2](http://www.cotswoldsaonb.org.uk/ps2)