

Planning Inspectorate
3/26 Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN



By email only to: west1@planninginspectorate.gov.uk

15 November 2022

Dear Sir/Madam,

APPEAL REF: 3307537

DESCRIPTION: i) Without planning permission, unauthorised engineering works to reprofile land to facilitate, without planning permission, the erection of a two-storey, semi-subterranean building. ii) Without planning permission, unauthorised engineering works to reprofile and level land to form a hardstanding area. iii) Without planning permission, the unauthorised formation of an access track to the hardstanding.

LOCATION: Midford Castle, Access Road to Midford Castle, Midford, Bath

Bath & North East Somerset Council has informed the Cotswold Conservation Board ('the Board') of the applicant's appeal against the Council's enforcement notice relating to the alleged development referred to above at the Midford Castle Estate, which is located within the Cotswolds National Landscape¹.

We understand that the appellant has appealed against the notice on a number of grounds, including that planning permission should be granted for what is alleged in the notice. We also understand that in the event of this appeal being allowed, it is open to the Inspector to grant planning permission for the alleged development.

Whilst there are no details of the alleged development available online, the Board wishes to highlight that, in reaching a decision on this appeal, the Inspector has a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape.² The Board respectfully recommends that, in fulfilling this 'duty of regard', the Inspector should: (i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and (ii) take into account the following Board publications:

- Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023 ([link](#));
- Cotswolds AONB Landscape Character Assessment ([link](#)) particularly, in this instance, with regards to Landscape Character Type (LCT) 4 (Enclosed Limestone Valley);
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 4 ([link](#)), including Section 4.2;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#)); and
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to the Dark Skies and Artificial Light Position Statement ([link](#)) and its appendices ([link 1](#), [link 2](#), [now updated in 2021](#), [link 3](#))

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

Chairman:
Brendan McCarthy

Vice Chair:
Rebecca Charley

If you have any queries regarding the information provided in this response, please do not hesitate to get in touch.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'S. Joyce', with a small dot at the end.

Simon Joyce

Planning Officer

simon.joyce@cotswoldsaonb.org.uk | 07808 391227

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
- 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
 - b. Cotswolds AONB Landscape Character Assessment
www.cotswoldsaonb.org.uk/lca
 - c. Cotswolds AONB Landscape Strategy and Guidelines
www.cotswoldsaonb.org.uk/lsg
 - d. Cotswolds AONB Local Distinctiveness and Landscape Change
www.cotswoldsaonb.org.uk/ldlc
 - e. Cotswolds Conservation Board Position Statements
www.cotswoldsaonb.org.uk/ps1
www.cotswoldsaonb.org.uk/ps2