

Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN



By email only to: [teame1@planninginspectorate.gov.uk](mailto:teame1@planninginspectorate.gov.uk)

7 November 2022

Dear Sir/Madam,

**APPLICATION NO:** APP/D3125/C/22/3306729

**DESCRIPTION:** Without planning permission a material change of use of :- (i) the part of the Land shown edged blue on the attached plan (formerly in agricultural use); and (ii) the part of the Land shown edged green on the attached plan (whose permitted use is as a farm shop with associated parking) to a mixed agricultural and leisure attraction use, comprising café, restaurant, gift/farm shop, parking and lavatory facilities

**LOCATION:** Diddly Squat Farm Shop, Chipping Norton Road, Chadlington

West Oxfordshire District Council has informed the Cotswolds Conservation Board ('the Board') of the applicant's appeal against the enforcement notice issued by the Council in respect of the above development, which is located within the Cotswolds National Landscape<sup>1</sup>.

We understand that the enforcement notice alleges the unlawful use of land and buildings at Diddly Squat Farm by reason of its nature, scale and siting is unsustainable and incompatible with its open countryside location within the Cotswolds Area of Outstanding Natural Beauty. The impacts of the use with its concomitant provision of parking, lavatory facilities, traffic management measures and transportation of visitors across the site are visually intrusive and harmful to the rural character, scenic beauty and tranquillity of the Cotswold AONB and the Wychwood Project Area, in conflict with Local Plan Policies OS2, EH1, EH2 and BC1 of the West Oxfordshire Local Plan 2031, advice in the NPPF and policies of the Cotswolds AONB Management Plan.

The Board previously submitted a consultation response dated 10 November 2021 to planning application reference 21/03159/FUL, which sought the conversion of a building at Diddly Squat Farm to create a cafe/restaurant together with associated landscaping works and provision of parking. This response is appended to these representations for ease of reference and outlined the Board's relevant planning policy and guidance as well as our assessment of landscape and visual, lighting and traffic issues relating to the development proposal which was the subject of that application.

Whilst we understand that the alleged unlawful use of land and buildings that is the subject of the Council's enforcement notice and this subsequent appeal is not identical to the development for which planning permission was sought under application reference 21/03159/FUL, it shares many similarities.

Therefore, and in the absence of further detailed information being made available online pertaining to the specifics of this alleged unlawful use, we consider that our previous response adequately outlines the relevant Management Plan policies, Board guidance and our assessment of planning

**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)

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**Brendan McCarthy**

*Vice Chair:*  
**Rebecca Charley**

issues relating to the Cotswolds National Landscape which may form part of the Inspector's consideration of this appeal.

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

Yours sincerely,

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

Simon Joyce

**Planning Officer**

[simon.joyce@cotswoldsaonb.org.uk](mailto: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.

ANNEX 1 COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING  
APPLICATION 21/03159/FUL, DATED 10 NOVEMBER 2021



Joan Desmond  
West Oxfordshire District Council  
Elmfield  
Witney  
OX28 1PB

By email only to: [joan.desmond@westoxon.gov.uk](mailto:joan.desmond@westoxon.gov.uk)

10 November 2021

Dear Joan,

**APPLICATION NO:** 21/03159/FUL

**DESCRIPTION:** Conversion of existing building to create a cafe/restaurant together with associated landscaping works and provision of parking.

**LOCATION:** Diddly Squat Farm Shop, Chipping Norton Road, Chadlington, Oxfordshire, OX7 3PE.

The above planning application, which is for a development that would be located within the Cotswolds National Landscape<sup>1</sup>, has been brought to the attention of the Cotswolds Conservation Board.

In reaching its planning decision, the local planning authority (LPA) has a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape.<sup>2</sup> The Board recommends that, in fulfilling this 'duty of regard', the LPA 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) 9 (High Wold Dip Slope), which the site is located within, and LCT 7 (High Wold) and LCT 16 (Broad Floodplain Valley) from which the café / restaurant could potentially be seen, particularly at night-time (see below for further details);
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 9 ([link](#)), including Sections 9.2, 9.14 and 9.15, and LCT 7 ([link](#)) and LCT 16 ([link](#));
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to:
  - Dark Skies and Artificial Light Position Statement ([link](#)) and its appendices ([link 1](#), [link 2](#), [link 3](#))
  - Tranquillity Position Statement ([link](#)) particularly, in this instance, with regards to 4.5 Traffic and vehicle movements, 4.6 Visitor numbers, and 5.1 Parking.

## Lighting

A key consideration should be the potential impact of the light that would be emitted through the extensive area of glazing on the south elevation of the café / restaurant during non-daylight hours. This lighting would introduce a 'lit element' into what would otherwise be a relatively dark night-time

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landscape. This lighting / lit element would potentially be seen from the south side of the Evenlode Valley (for example, by people using the B4437) and beyond.

The Cotswolds AONB Landscape Strategy & Guidelines for LCT 9 (Section 9.2) identifies '*the introduction of lit elements to characteristically dark landscapes*' as a potential (adverse) implication for isolated development such as this. The guidelines seek to '*conserve areas of dark skies*', with these dark skies being one of the 'special qualities' of the Cotswolds National Landscape. This is particularly important in an area with relatively low levels of light pollution such as this (as indicated in Appendix 1 of the Board's Tranquillity Position Statement, referred to above).

As such, the introduction of lit elements would not be compatible with this guidance or, by extension, with the policies of the Cotswolds AONB Management Plan, for example, Policies CE5 (Dark Skies) and CE10 (Development & Transport – Principles).

Without prejudice, if the local authority is minded to grant planning permission, we recommend that planning conditions should be imposed which seek to mitigate this adverse impact. For example, the planning conditions should:

- require the roller shutters on the south-facing glazing to be closed during hours of darkness;
- require external lighting to be avoided / minimised, particularly on the south side of the café / restaurant; and
- set a 'curfew' by which time all lighting on the site should be turned off (for example, 11pm to 7am)

## Traffic

The severe traffic congestion that has occurred during the opening hours of the adjacent Diddly Squat farm shop has been well publicised. This level of traffic is not appropriate in an Area of Outstanding Natural Beauty (AONB), such as the Cotswolds National Landscape, especially given that one of the 'special qualities' of the area is its relative tranquillity (as outlined in the Board's Tranquillity Position Statement, referred to above).

The provision of an on-site café / restaurant could potentially exacerbate this issue by providing an additional reason for people to visit the site.

Without prejudice, if the local authority is minded to grant planning permissions, we recommend that planning conditions should be imposed which seek to mitigate this adverse impact. For example, the café / restaurant should only be open to customers who have pre-booked (prior to arriving at the site).

If you have any queries regarding these comments please do get in touch.

Yours sincerely,



John Mills

Planning & Landscape Lead

[john.mills@cotswoldsaonb.org.uk](mailto:john.mills@cotswoldsaonb.org.uk) | 07878 861003

## 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)