

Victoria Davis
Wiltshire Council
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN



By email only to: Victoria.Davis@Wiltshire.gov.uk

15 November 2022

Dear Victoria,

APPLICATION NO: PL/2022/07202

DESCRIPTION: Use of land and buildings for events, retention of caravan as accommodation for event guests, formation of new access track for agricultural and events use, formation of new passing place, together with associated landscaping – part retrospective.

LOCATION: Euridge Manor Farm, Euridge, Colerne, SN14 8BJ

Thank you for consulting the Cotswolds Conservation Board ('the Board') on this proposed development, which would be located within the Cotswolds National Landscape.¹

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.² 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 publications³:

- 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 Types (LCT) 9 High Wold Dip-Slope where the site is located and 12 Dip-Slope Lowland Valley and 4 Enclosed Limestone Valley from where the site is visible;
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 9 ([link](#)) including Sections 9.2 and 9.14, LCT 12 ([link](#)) including Sections 12.2 and 12.8, and LCT 4 ([link](#)), including Sections 4.2 and 4.10;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to Tranquillity Position Statement ([link](#)) and Dark Skies and Artificial Light ([link](#)) and its appendices ([link 1](#), [link 2](#), [now updated in 2021](#), [link 3](#)).

Having considered the applicant's submission, the Board has concerns in respect of the potential impact this application may have upon the natural beauty of the National Landscape for the reasons outlined in Annex 1 below. We consider that the proposal conflicts with the requirements of Wiltshire Core Strategy Policy 51 and paragraph 176 of the National Planning Policy Framework and does not accord with policies CE1, CE4 and UE1 of the Cotswolds AONB Management Plan 2018-2023 and therefore **object** to this application.

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

Please do not hesitate to contact me if you would like to discuss this response.

Yours sincerely,

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

Simon Joyce

Planning Officer

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ANNEX 1: COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION PL/2022/07202

We understand that Euridge Manor Farm has diversified, albeit without planning consent, to become a venue for weddings, corporate and private events which has seen events with more than 200 guests taking place.

The Council's refusal of the previous planning application ref. PL/2021/07966 in May 2022 (an application to which the Board objected). We understand that the weddings and events continue at Euridge Manor without planning consent and the Council served an enforcement notice on the applicant in August 2022 which is current the subject of an appeal. We also have been led to believe that the Council's Environmental Health Department has issued a Noise Abatement Notice for a Statutory Noise Nuisance earlier this year which has also been appealed.

The applicant has now submitted this application seeking to regularise the events use and caravan ('Iglu pod') accommodation for event guests and gain further permission for a new access track, passing place and mitigative landscaping.

Paragraphs 174 and 176 of the National Planning Policy Framework provide the highest status of protection for the landscape and scenic beauty of AONBs, including the Cotswolds National Landscape. Paragraph 174 states that planning decisions should both contribute to and enhance the natural environment by protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan. Paragraph 176 then outlines the 'great weight' to be given to the conservation and enhancement of the landscape and scenic beauty of AONBs.

Core Policy 51 of the Wiltshire Core Strategy states that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies.

The Cotswolds AONB Management Plan 2018-2023, which is a material consideration in planning decision making, identifies the tranquillity of the area and its dark skies as being two of the AONB's 'special qualities'. The special qualities of the AONB are those aspects of the area's natural beauty which make the area distinctive and which are valuable, especially at a national level. They are also the key attributes on which the priorities for the AONB's conservation, enhancement and management should be based.

Policy CE1 of the AONB Management Plan states that proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB, should have regard to, be compatible with and reinforce the landscape character of the location, as described by the Cotswolds Conservation Board's Landscape Character Assessment and Landscape Strategy and Guidelines.

We recognise that this application seeks to promote tourism within the Cotswolds National Landscape. As outlined in Policy UE1 of the AONB Management Plan we support sustainable tourism proposals, provided they offer a range of type and priced accommodation options that are

compatible with conserving and enhancing the natural beauty of the National Landscape. However, on this occasion for the reasons outlined below we are concerned that the proposals contained within this application would not conserve and enhance the natural beauty of the AONB.

Potential impacts upon tranquillity

As noted above, tranquillity is one of the 'special qualities' of the Cotswolds National Landscape. In other words, it is one of the features of the Cotswolds that makes the area so outstanding that it is in the nation's interest to safeguard it. The Cotswolds National Landscape has relatively high levels of tranquillity, especially when compared with the surrounding urban areas.

The Board's Tranquillity Position Statement referenced above recommends that proposals that have the potential to impact on the tranquillity of the AONB should accord with Policy CE4 of the Cotswolds AONB Management Plan 2018-2023 and give great weight to conserving and enhancing the tranquillity of the AONB and assess potential impacts on tranquillity, particularly with regards to noise, vehicle movements and landscape and visual impacts, which are considered below.

Landscape and Visual Impact

This application proposes an access track of 820m in length through currently undeveloped countryside to connect the site to Thickwood Lane to the north, in an attempt to remove traffic generated by the events use from sections of narrow highway and therefore limit the potential for conflicting traffic movements. This access track would also cross a public right of way, footpath COLE38.

The provision of this lengthy access track appears to have been a response to highways objections to previous applications. The Board is concerned at what appears to be a highways-led approach to the development proposal within the protected Cotswolds National Landscape and the potential impact of the proposed track and resultant traffic movements on the landscape and visual character of the area.

Whilst it is understood that the track would be used by agricultural vehicles connected with Euridge Manor, were planning permission refused they would still use the current access. Therefore, the principal reason for creating the track is to accommodate event traffic and in line with the figures quoted by the applicant in their Transport Assessment (over 80 two-way vehicle movements from guests for a 150-guest event as well as an unspecified number of additional movements from taxis and deliveries to the venue in connection with the event) the track would see a significant number of vehicles using it on days when an event is taking place.

Section 9.14 of the Cotswolds AONB Landscape Strategy and Guidelines for Landscape Character Type 9, within which this site is located, references excessive traffic and/or speed on minor local roads and lanes and verge parking and increases in size of vehicles using lanes as a 'local force for change' which can result in adverse landscape implications and have a negative impact on tranquillity and danger for to walkers/riders as well as damaging verges and roadside margins. Section 9.2 also highlights the damage to road verges, roadside hedges and walls and the creation of informal passing places as a potential adverse landscape implication of isolated development in the countryside.

When assessing the impact of the track on landscape character, the applicant's LVA states at paragraph 6.13 that *"the proposed track falls within a high value landscape (AONB), which has a medium susceptibility to change from the creation of the track and its periodic intermittent use"*. However, at paragraph 4.40 it is stated that the *"AONB is of high value, has a high susceptibility to change and is therefore of high sensitivity overall"*. We would agree with the latter view that the AONB landscape has a high susceptibility and as a result is of high sensitivity to change. We agree

with the LVA that the access track *“may also adversely affect the perceptual landscape qualities of tranquillity and remoteness”*.

As such, we do not agree with the LVA’s assessment at paragraph 6.14 that *“the physical effect of the creation of the track on the local landscape through which it is located is predicted to be negligible adverse resulting in a minor adverse effect on landscape character”*. A ‘negligible adverse’ landscape effect is defined at Annex B Table 3 as *“The proposals will create a very limited deterioration in the scale, landform, pattern or character of the receiving landscape and/or would cause very limited harm to the integrity of characteristic landscape features and their settings, and/or the proposals are likely to have a minimal effect on the perceptual qualities of the receiving landscape”*. We consider that the impact upon landscape character would be slight/moderate adverse. Using the matrix in Annex B Table 9, the combination of high sensitivity and slight/moderate adverse effect would result in a moderate (i.e. significant) landscape effect.

We also do not agree with the assessment that the use of the track by farm equipment would be broadly neutral as the movement along the current access would be avoided; the creation of the new track through open countryside would cause an adverse effect compared to the present track which is already in place and being used.

Table 3 summarises the assessment of visual effects from a number of viewpoints, concluding that the proposal (in this case the access track) would create a moderate adverse effect from two viewpoints and a major/moderate adverse effect from three others including viewpoint 15 where the track crosses footpath COLE38. We would agree with this assessment that the track would have a significant adverse visual impact from a number of viewpoints.

In the Board’s view, the creation of this lengthy access track or driveway, which would see significant levels of use on event days and which has been prompted as a response to previous highways objections, would not contribute to, but rather would detract from, the conservation and enhancement of the scenic beauty and character of the Cotswolds National Landscape.

Noise

Policy CE4 of the Cotswolds AONB Management Plan 2018-2023 states that proposals that are likely to impact on the tranquillity of the AONB should have regard to this tranquillity, by seeking to (i) avoid and (ii) minimise noise pollution and other aural and visual disturbance.

As stated above, we have been led to believe that the Council’s Environmental Health Department has issued a Noise Abatement Notice for a Statutory Noise Nuisance earlier this year which has also been appealed.

The application is supported by a number of technical documents including a Noise Management Plan (Section 7 of the Noise Impact Assessment, SLR Consulting).

We recommend that in determining this application, the Council gives consideration to Policy CE4 of the Management Plan and the requirements of Wiltshire Core Strategy Policy 51(vii) that proposals will need to demonstrate that tranquillity (and the need to protect against intrusion from light pollution, noise, and motion) has been conserved and where possible enhanced. Without prejudice, should the Council intend on granting planning permission, we request that the Noise Management Plan is secured via an appropriate planning condition and adherence to it monitored.

Traffic movements and highways impacts

Euridge Manor Farm Road connects to the north with various unclassified sections of public highway allowing access to the surrounding area, the carriageways on these roads are narrow and of a rural nature with limited visibility and passing places.

Section 4.5 of the Board's Tranquillity Position Statement outlines how The Institute of Environmental Assessment's 'Guidelines for the Environmental Assessment of Road Traffic' recommends using two 'rules of thumb' for identifying the scale at which increases in traffic movements should be considered in an Environmental Impact Assessment (EIA):

- Rule 1: Where traffic flows will increase by more than 30% (or the number of heavy goods vehicles (HGVs) will increase by more than 30%).
- Rule 2: Any other sensitive areas where traffic flows have increased by 10% or more.

AONBs are specifically identified as 'sensitive areas' in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, Rule 2 should be applied in the Cotswolds AONB and should relate to both traffic flows. On this basis, it can be argued that an increase in traffic flows of more than 10% from a development proposal or in combination with other proposals is likely to be significant and have an adverse impact on the tranquillity of the Cotswolds AONB.

In our consultation response to the previous application, dated 7 March 2022 we requested that the applicant provided further information to demonstrate that application would not generate an increase of more than 10% compared to baseline traffic conditions, these not including the traffic associated with the events taking place at the venue without planning permission.

Table 5.3 of the applicant's Transport Assessment shows that a 150 guest event (the maximum capacity proposed by the applicant) would generate up to 82 vehicle movements from day attendees, overnight guests and minibuses. This would not include taxis and deliveries to the venue in connection with the event.

We continue to request an assessment by the applicant of this number of movements in relation to baseline traffic flows in the local area to gauge any impact upon the tranquillity of the AONB.

Lighting

Paragraph 185c of the NPPF states that planning decisions should ensure that new development is appropriate for its location and in doing so they should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. Paragraph 001 of the Planning Practice Guidance (PPG) on Light Pollution (Paragraph: 001 Reference ID: 31-001-20191101) states that 'intrinsically dark landscapes' are those entirely, or largely, uninterrupted by artificial light. National parks ... can serve as good examples'. As AONBs have the same level of protection with regards to landscape and scenic beauty as national parks within the NPPF and PPG and dark skies are one of the special qualities of the Cotswolds National Landscape, we consider it reasonable to treat the National Landscape as an 'intrinsically dark landscape' in NPPF and PPG terms.

Dark skies are another of the 'special qualities' of the AONB and Policy CE5 of the Cotswolds AONB Management Plan 2018-2023 states that proposals that are likely to impact on the dark skies of the AONB should have regard to these dark skies, by seeking to (i) avoid and (ii) minimise light pollution. Section 9.2 of the Cotswolds AONB Landscape Strategy and Guidelines for LCT 9 highlights the 'introduction of 'lit' elements to characteristically dark landscapes' as a potential (adverse) implication for isolated development such as this.

An External Lighting Strategy and External Detailed Lighting Design has been prepared by dpa lighting consultants in support of the application. Section 3.2 recommends that lighting within the application site should comply with the limits associated with environmental zone E1 as a minimum due to the nature of the proposed development in the Cotswolds AONB and Dark Skies Reserve. It also recommends that the proposed development must mitigate for sky glow and avoid additional contribution to light pollution from the proposed lighting scheme. This reflects the advice contained within 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 above.

We note that dpa report concludes that the implementation of the proposed Lighting Strategy will lead to a net reduction of upward light emission from the proposed development and the Lighting Impact Assessment at Section 6.1 concludes that the proposed scheme and mitigations would comply with the limits associated with environmental zone E1. Without prejudice, should the Council intend on granting planning permission for the development, we would request that an external lighting scheme based on the conclusions of the strategy is conditioned as necessary and its implementation monitored as appropriate in the interests of conservation and enhancement of dark skies within the Cotswolds National Landscape.

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