



Emma Bolster  
Planning Officer  
Oxfordshire County Council  
County Hall  
New Road  
Oxford  
OX1 1ND

By email only to: [emma.bolster@oxfordshire.gov.uk](mailto:emma.bolster@oxfordshire.gov.uk)

19 January 2023

Dear Emma,

**APPLICATION NO:** MW.0157/22

**DESCRIPTION:** Extension of quarry to extract limestone, with importation and deposit of inert waste for restoration. Use of existing quarry for access. Retention and continued use of office, weighbridge, stockpiling, processing plant at existing quarry. Restoration to agricultural use with nature conservation

**LOCATION:** Whitehill Quarry, Burford, OX18 4EX

Thank you for consulting the Cotswolds National Landscape Board<sup>1</sup> ('the Board') on this proposed development, which would be located within the setting of the Cotswolds National Landscape<sup>2</sup>.

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>3</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<sup>4</sup>:

- 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) 16 Broad Floodplain Valley which the site is located in close proximity to;
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 16 ([link](#));
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#)); and
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to Tranquillity ([link](#)) particularly, in this instance, with regards to Section 4.5 Traffic and vehicle movements and Dark Skies and Artificial Light Position Statement ([link](#)) and its appendices ([link 1](#), [link 2](#), [link 3](#)).

For the reasons outlined at Annex 1, the Board **does not object** to this application but would request that the Minerals Planning Authority and the applicant considers our comments in Annex 1.

Without prejudice, should the County Council be minded to grant planning permission, we would recommend the imposition of appropriately worded planning conditions to ensure the mitigation measures recommended in the supporting technical reports in relation to HGV movements, noise and

#### Cotswolds Conservation Board

The Old Prison, Fosse Way, Northleach  
Gloucestershire GL54 3JH  
01451 862000  
[info@cotswoldsaonb.org.uk](mailto:info@cotswoldsaonb.org.uk)

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**

lighting are secured in the interests of conserving and enhancing the natural beauty of the National Landscape.

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

Yours sincerely,

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

Simon Joyce

Planning Officer

[simon.joyce@cotswoldsaonb.org.uk](mailto:simon.joyce@cotswoldsaonb.org.uk) | 07808 391227

## **ANNEX 1. COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION MW.0157/22**

### **Landscape and Visual Impact**

We note and appreciate the pre-application advice provided by the County Council to the applicant in August 2021 that this application should be accompanied by an assessment of the direct and indirect effects on landscape character and tranquillity within the National Landscape, including potential increases in lorry traffic through the National Landscape.

Both Policy C8 of the Oxfordshire Minerals and Waste Local Plan Core Strategy and Policy EH1 of the West Oxfordshire Local Plan reflect the requirement outlined in the NPPF that great weight will be given to conserving the landscape and scenic beauty of Areas of Outstanding Natural Beauty (AONB) and high priority will be given to the enhancement of their natural beauty. We also note the requirement at paragraph 176 of the NPPF that development within the setting of the National Landscape should be sensitively located and designed to avoid or minimise adverse impact on the designated area.

Therefore, it is disappointing that on this occasion the applicant's Landscape and Visual Impact Assessment (Chapter 5 of the Environmental Statement) does not appear to have comprehensively addressed this advice. In particular:

- The LVIA makes no mention of the Cotswolds AONB Management Plan or the Board's related guidance;
- The National Landscape is not considered as a standalone landscape receptor and the assessment of the potential impact on the landscape character of the National Landscape is conflated with an assessment of Farmland Slopes & Valley Sides Landscape Type - Burford (CW/4) Local Character Area (OWLS) and Upper Windrush Valley Character Area - Semi-enclosed Valley Side Farmland Landscape Type (WOLA);
- No Zone of Theoretical Visibility (ZTV) has been prepared; and
- No viewpoints within the National Landscape have been assessed.

Notwithstanding the above, we recognise the conclusion of the LVIA that the existing perimeter hedgerow, the A40 and neighbouring ridgeline creates a strong border between the current quarry site, its immediate surroundings and the wider AONB to the north and prevents the site from being widely visible from the National Landscape.

The Board's Planning Officer has also recently assessed a number of planning applications for major developments along the A40 corridor on the eastern side of Burford, including the current application for the development of Stonelands Solar Park on land adjacent to the current quarry site (WODC ref. 22/02472/FUL).

In the course of providing the Board's consultation response to that application, the Planning Officer visited the site and potential viewpoints within the National Landscape and was satisfied that the site is either not visible or is at such a distance that any adverse visual impacts of the proposal on the natural beauty of the National Landscape would be negligible.

Given that this application site lies at the southern end of the current quarry and extends into a field further away from the National Landscape boundary than both the current quarry and the site proposed for the solar park and most of the development (extraction) would take place at or below ground level, it is unlikely that this proposal would give rise to greater any landscape or visual impact than that associated with the solar park proposal. On this basis, we consider it would be unreasonable to request further assessment by the applicant on this occasion.

## Tranquillity

Tranquillity is one of the 'special qualities' of the Cotswolds AONB; in other words, it is one of the features of the AONB that makes the area so outstanding that it is in the nation's interest to safeguard it. Tranquillity is also one of the 'natural beauty' criteria that are taken into consideration by Natural England when designating AONBs. It is, therefore, an important consideration when local authorities undertake their statutory duty to have regard to the statutory purpose of AONB designation (i.e. to conserve and enhance the natural beauty of the AONB). As such, tranquillity is a relevant consideration in relation to Policy C8 of the Oxfordshire Minerals and Waste Local Plan Core Strategy.

The Board's Tranquillity Position Statement referenced above recommends that proposals that have the potential to impact on the tranquillity of the AONB accord with Policy CE4 of the Cotswolds AONB Management Plan 2018-2023, 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. Cumulative impacts on tranquillity should also be taken into consideration in such assessments and with regard to the impact of the proposed development combined with other existing or proposed developments. Proposals that are likely to impact on the tranquillity of the Cotswolds AONB should have regard to this tranquillity, by seeking to (i) avoid and (ii) minimise noise pollution and other aural and visual disturbance and measures should be taken to enhance the tranquillity of the Cotswold AONB by (i) removing and (ii) reducing existing sources of noise pollution and other aural and visual disturbance

Section 4.5 of the Board's Tranquillity Position Statement referenced above 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 National Landscape and should relate to both traffic flows. On this basis, it can be argued that an increase in traffic flows (or HGV movements) 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 National Landscape.

Whilst this matter is not expressly considered within the applicant's Transport Assessment, contrary to the County Council's pre-application advice, we have reviewed the Transport Assessment, Chapter 6 of the Environmental Statement and the traffic survey data provided, in particular that for the A40 west of the Burford Roundabout (along the boundary of, and eventually entering, the National Landscape) and the A361 north of the Burford Roundabout (which travels into the National Landscape). Given that the number of the HGV movements generated by the proposed is not

predicted to increase significantly above the current number of HGVs travelling to and from the site (but would instead extend the working life of the site) and the high baseline volumes of traffic using these routes (5 day average of in excess of 6,000 vehicles northbound and southbound on the A361 through Burford and over 7,000 vehicles on the A40 west of the Burford Roundabout), we consider that the proposal would not lead to increases above the 10% threshold either in terms of total traffic or HGV traffic on routes through the National Landscape. We support the extension of the existing mitigation measures for the current quarrying operations, such as wheel washing facilities and adherence to the Oxfordshire lorry routes.

The submitted Noise Assessment concludes that as the extension area would be worked in a similar manner to the operations presently carried out within the quarry, noise levels would be similar to those experienced currently which are below acceptable limits subject to the recommended mitigation and control measures being implemented.

### **Dark skies**

Dark skies are another of the 'special qualities' of the AONB and the applicant is encouraged to refer to the Board's guidance in relation to artificial light and dark skies contained in our Position Statement referred to above.

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.

A Lighting Assessment has also been prepared which demonstrates that levels of light spill in terms of light intrusion, glare and sky glow will be below the E1 environmental threshold appropriate for AONBs (the ILP Guidance Note which forms Appendix 2 of the Dark Skies and Artificial Light Position Statement states where an area to be lit lies close to the boundary of two zones the obtrusive light limitation values used should be those applicable to the most rigorous zone (Note 1 on page 10). We support the mitigation measures recommended within the assessment.

## NOTES:

- 1) The name used for the organisation associated with the AONB designation is the Cotswolds National Landscape Board. At times this is abbreviated to National Landscape Board or The Board. The legal name of the organisation remains the Cotswolds Conservation Board but this name is no longer used in most circumstances.
- 2) 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.
- 3) 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)
- 4) 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)