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By email only to: [thomas.smith@southglos.gov.uk](mailto:thomas.smith@southglos.gov.uk)

12 December 2022

Dear Thomas,

**APPLICATION NO:** P22/04562/F

**DESCRIPTION:** Change of use and conversion of 2no. steel framed barns for commercial office use (Class E) together with associated parking and landscaping as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated works

**LOCATION:** Rushmoor Dairy Old Badminton Road Badminton South Gloucestershire GL9 1EU

Thank you for consulting the Cotswolds Conservation Board ('the Board') on this proposed development, which would be located in the Cotswolds National Landscape.<sup>1</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>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) 11 (Dip-Slope Lowland);
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 11 ([link](#)), including Section 11.3 and 11.13;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to the Tranquillity Position Statement ([link](#)) and Dark Skies and Artificial Light Position Statement ([link](#)) and its appendices ([link 1](#), [link 2](#), [link 3](#)).

For the reasons outlined in Annex 1 below, the Board considers that insufficient information has been submitted to demonstrate that the proposal will conserve and enhance the natural beauty of the Cotswolds National Landscape as required by paragraphs 176 and 185c of the National Planning Policy Framework and Policies CS9 and CS34 of the South Gloucestershire Core Strategy 2006-2027.

Accordingly, we wish to raise a **holding objection** pending the submission of further information on landscaping and lighting to allow the Board to make an appropriate assessment of the proposal.

#### Cotswolds Conservation Board

The Old Prison, Fosse Way, Northleach  
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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**

[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 P22/04562/F**

### *Landscape and Visual matters*

Although the applicant did not provide an appraisal of the potential landscape and visual impact of the proposal, having reviewed the application and the comments received from the Council's Landscape Officer dated 17 August 2022, we support the conclusions and recommendations of the Landscape Officer in the interests of the conservation and enhancement of the natural beauty of the National Landscape.

### *Tranquillity*

Tranquillity is one of the 'special qualities' of the Cotswolds National Landscape, being one of the features of the Cotswolds that makes the area so outstanding that it is in the nation's interest to safeguard it.

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 National Landscape and should relate to both traffic flows and HGV movements. 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.

Having reviewed the applicant's Transport Technical Note, ATC counts were taken at the site between 22<sup>nd</sup> October and 28<sup>th</sup> October 2021. We would question whether the period between 25<sup>th</sup> and 28<sup>th</sup> October were during local school half-term holidays and as such whether the counts may have potentially been underestimated.

Notwithstanding this, Table 7.1 of the Transport Technical Note indicates that the proposed development could generate 128 two-way trips across a 12-hour period, including 12 two-way trips in the AM peak and 26 two-way trips in the PM peak.

Appendix B of the Transport Technical Note shows total flows (westbound and eastbound) of 310 vehicles over a 12-hour period (7-day average) with 29 movements past the site in the AM peak and 31 in the PM peak. Therefore the additional trips generated by the development would therefore appear to have the potential to increase traffic flows by significantly more than 10%, and in some cases by more than 30% and so could be considered as having a significant adverse impact on the tranquillity of the National Landscape.

## *Dark Skies*

Dark skies are another of the 'special qualities' of the National Landscape 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.

In line with Policy CE5 (Dark Skies) of the Cotswolds AONB Management Plan, lighting should be avoided if possible. If it cannot be avoided, it should be minimised. We would welcome some further clarification on any lighting proposals from the applicant and if necessary, the submission of further information to allow the Board to make an appropriate assessment of the proposal and address the concerns raised in this response.

The applicant should also demonstrate that the proposal 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 above) and other relevant guidance. We would recommend that the relevant 'environmental zone' for which compliance should be assessed is Environmental Zone E1 which relates to AONBs.

Without prejudice, should the Council be minded to grant planning permission, we would request that appropriate pre-commencement planning conditions relating to any lighting are imposed in the interests of the conservation and enhancement of the landscape and scenic beauty of the 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](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)