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By email only to: [frank.whitley@tewkesbury.gov.uk](mailto:frank.whitley@tewkesbury.gov.uk)

22 December 2022

Dear Frank,

**APPLICATION NO:** 22/01202/OUT

**DESCRIPTION:** Full Application for the conversion of existing commercial Units 1, 2, 3, 4, 6, 8, 9 & 10 (Use Class E) to 11no. dwellings (Use Class C3), including minor alterations to fenestration and building facade and associated access, parking and landscaping

**LOCATION:** The Old Dairy, Rushley Lane, Winchcombe

Thank you for consulting the Cotswolds National Landscape Board<sup>1</sup> on this proposed development, which would be located within 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 Types (LCTs) 19 Unwooded Vale in which the site is located and 2 Escarpment from which the site is potentially visible;
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 19 ([link](#)), including Sections 19.2 and 19.3 and LCT 2 ([link](#));
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to Housing Position Statement ([link](#)), Dark Skies and Artificial Light Position Statement ([link](#)) and its appendices ([link 1](#), [link 2](#), [link 3](#)) and Landscape-Led Development ([link](#)).

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 Policy SD7 of the Joint Core Strategy.

Accordingly, we wish to raise a **holding objection** pending the submission of further information 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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[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**

As explained in the Annex accompanying this response, this holding objection therefore requests further information and clarification to be submitted by the applicant to allow the Board to fully assess any potential adverse impacts of the proposal. The Board will be happy to provide a definitive opinion on likely effects once this information has been submitted by the applicant.

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 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 22/01202/FUL

### Landscape and Visual Impact

Paragraph 176 of the National Planning Policy Framework ('NPPF') requires that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty and that the Cotswolds National Landscape has the highest level of protection in respect of these matters.

As far as adopted Development Plan policy relating to landscape issues is concerned, Policy SD6 of the Cheltenham, Gloucester and Tewkesbury Joint Core Strategy (JCS, 2017) requires development to seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental, and social well-being. This reflects advice in the National Planning Policy Framework that requires policies and decisions to recognise the intrinsic character and beauty of the countryside.

JCS Policy SD7 further requires that all development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals are also be required to be consistent with the policies set out in the Cotswolds AONB Management Plan. It is noted that neither the AONB Management Plan nor any of the Board's supporting guidance have been considered in this application.

The Cotswolds AONB Management Plan 2018-2023, which is a material consideration in planning decision making, identifies the Cotswold escarpment which is likely to have intervisibility with the site as being one 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.

CAONB Management Plan Policy CE1 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 Board's Landscape Character Assessment and Landscape Strategy and Guidelines. They should have regard to the scenic quality of the location and its setting and ensure that views and visual amenity are conserved and enhanced.

With regards to potential impacts on landscape character the proposed development is located in the 'Unwooded Vale' Landscape Character Type (LCT 19 in the Cotswolds AONB Landscape Character Assessment referred to above), the landscape sensitivity of which is described as *"The sparsely settled and deeply rural Unwooded Vale landscape type is highly sensitive to change, particularly in agricultural areas not currently associated with development"* in Section 19 of the Board's Landscape Strategy and Guidelines (LS&G), also referenced above.

Sections 19.2 and 19.3 of the LS&G highlights a number of potential adverse landscape implications of the conversion of traditional farm buildings to new uses such as that proposed. These include:

- Visual intrusions introduced to the landscape (Section 19.2);

- Introduction of 'lit' elements to characteristically dark escarpment slope landscapes (Section 19.2);
- Suburbanisation and domestication of agricultural landscape by the introduction of gardens e.g ornamental garden plants and boundary features, garden sheds, gateways, parking areas and conversion of tracks to manicured drives and ornamental gateways (Section 19.2);
- Erosion of distinctive features and loss of Cotswold character (Section 19.3);
- Domestication or industrialisation of existing agricultural vernacular and character (Section 19.3); and
- Loss and erosion of Farmstead Character and how the buildings relate to the surrounding landscape and agricultural land use (Section 19.3).

Whilst the presence of a fallback position secured through prior approval consents is acknowledged, this remains an application seeking detailed planning permission for 11 new dwellings in the open countryside within the National Landscape through the conversion of traditional farm buildings. We have concerns that the proposed conversion and the establishment of residential curtilages, parking and the potential for domestic paraphernalia to be located within the garden areas may combine to aid the urbanisation of what is a sensitive and attractive setting, which would potentially be contrary to the advice contained within the LS&G and by extension Policy CE1 of the AONB Management Plan and Core Strategy Policy SD7.

We note that no detail has been provided in terms of landscaping proposals or the potential landscape and visual impact of the scheme and would welcome the submission of further details and assessment by the applicant in this respect. Whilst a full Landscape and Visual Impact Assessment may not be justified due to the scale of the proposal, little attempt has been made to describe the local landscape character, assess the baseline landscape and visual contribution of the current site to the protected landscape of the AONB. This includes the degree of visibility from local roads, public rights of way (including from Winchcombe Footpath 44 which passes a short distance to the north of the site) or publically accessible viewpoints on the nearby escarpment. Little attempt has been made to assess the potential impact of the development, the degree of change that would occur and the degree of harm which may arise from the proposal. Therefore, we would request that such an assessment is prepared but a suitably experienced professional and based on the methodologies and guidance outlined in GLVIA3.

## Lighting

The applicant has also not provided details of any external lighting that would be associated with the proposed development, both on the buildings themselves and on/around the car parking areas and communal areas. 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.

Any additional lighting could potentially introduce a 'lit element' into what would otherwise be a relatively dark night-time landscape with these dark skies being one of the 'special qualities' of the Cotswolds National Landscape and this being highlighted as a potential adverse landscape implication in the LS&G referred to above.

Paragraph 185c of the National Planning Policy Framework 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.

Accordingly, further information, particularly on any external lighting, is required to demonstrate adherence to this guidance and, by extension, with the policies of the Cotswolds AONB Management Plan in particular Policy CE5 (Dark Skies) as well as the ILP Guidance Note for Reduction of Obtrusive Light (updated in 2021) and the CfDS Good Lighting Guide which form Appendices B and C of the Board’s Dark Skies & Artificial Light Position Statement (linked above). We would recommend that the relevant ‘environmental zone’ for which compliance should be assessed is Environmental Zone E1 which relates to AONBs.

### **Affordable housing provision**

It is disappointing that this proposal makes no provision for affordable housing, the applicant appearing to rely upon the fallback position established by prior approval consents to effectively bypass affordable housing policy requirements.

Policy CE12 of the Cotswolds AONB Management Plan 2018-2023 states that ‘priority should be given to the provision of affordable housing’. The Board’s Housing Position Statement referred to above outlines how the housing market within the National Landscape is becoming increasingly unaffordable to local people. This is particularly important given that many of the jobs that are essential to (i) conserving and enhancing the natural beauty the area (e.g. farming and forestry) and (ii) increasing the understanding and enjoyment of its special qualities (e.g. the tourism sector) are relatively low paid. These workers, especially young people, are being priced out of the housing market in the landscapes and communities that depend on them.

As such, the provision of affordable housing that meets the needs of local communities, including the provision of housing that is affordable in perpetuity, should be a high priority in the Cotswolds National Landscape and we request that the applicant reconsiders their approach in this respect.

### **Other matters**

We note and support the Council Ecologist’s request for a Preliminary Ecological Assessment to be carried out and submitted in support of this application, including a demonstration of how biodiversity net gain can be achieved.

### **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) 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.
- 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)