



Ceri Porter  
Stroud District Council  
Ebley Mill  
Ebley Wharf  
Stroud  
Gloucestershire  
GL5 4UB

By email only to: [ceri.porter@stroud.gov.uk](mailto:ceri.porter@stroud.gov.uk)

26 January 2023

Dear Ceri,

**APPLICATION NO:** S.22/2786/PIP

**DESCRIPTION:** Construction of two dwellings

**LOCATION:** Land to the east of Croeso, Woefulane Bottom, Tetbury Street, Minchinhampton

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 (LCT) 5 (Settled Valleys) and 9 High Wold Dip-Slope;
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 5 ([link](#)) including Section 5.1 and LCT 9 ([link](#)) including Section 9.1;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#)) particularly, in this instance, with regards to Chapter 4 (The Built Environment) ([link](#)); and
- Cotswolds Conservation Board Position Statements ([link](#)) in particular the 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 wishes to raise a **holding objection** to this application as it has not demonstrated that the natural beauty of the Cotswolds National Landscape would be conserved and enhanced. As such it would not comply with Policy ES7 of the Stroud District Local Plan 2015 and is not consistent with the Board's Management Plan policies and other published guidance. We also consider that the proposal has not demonstrated that it would i) avoid and (ii) minimise light pollution as advocated by Policy CE5 (Dark Skies) of the Cotswolds AONB Management Plan 2018-2023 and as such, also not accord with Policy ES7.

As explained in the Annex accompanying this response, this holding objection requests further information and clarification to be submitted by the applicant in respect of its potential landscape and visual impact to allow the Board to fully assess any potential adverse impacts of the proposal.

**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**

We consider that the provision of this additional information is appropriate given the sensitive location of the proposed development within the nationally significant Cotswolds National Landscape.

The Board will be happy to provide further opinion on likely effects once this information has been submitted by the applicant.

Please do not hesitate to contact me if you require any further information or wish to discuss this response.

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 S.22/2786/PIP**

This application seeks Permission in Principle (PiP) for the erection of two dwellings and is the first stage of the PiP process at which consideration is given to matters of principle for the proposed development, these being limited to location, land use and amount of development. Once the principle has been established at the first stage, a second technical details consent (TDC) stage is then used to consider matters other than location, land use and amount of development.

Planning Practice Guidance (Paragraph: 042 Reference ID: 58-042-20170728) states that local planning authorities, as decision makers, should draw on relevant existing information sources and tools to support decisions on whether a grant of permission in principle is appropriate. The advice makes specific reference to 'landscape character assessments and external information sources and tools'.

Paragraphs 174 and 176 of the National Planning Policy Framework ('NPPF') provide the highest status of protection for the landscape and scenic beauty of AONBs, including the Cotswolds National Landscape and complements the statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape in considering this application.

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.

Stroud Local Plan Delivery Policy ES7 states that priority will be given to the conservation and enhancement of the natural and scenic beauty of the landscape whilst taking account of the biodiversity interest and the historic and cultural heritage. The supporting text of Delivery Policy ES7 states that proposals for development within or affecting the AONB will be expected to have regard to the Cotswold Conservation Board Management Plan, which is a material consideration in the determination of this application.

Policy CE1 of the Cotswolds 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 ('LCA') and Landscape Strategy and Guidelines ('LS&G').

Given this advice, the statutory 'duty of regard' and requirements of the NPPF at paragraph 176, the Board therefore holds considers that it is appropriate for the local planning authority to consider matters relating to the AONB designation, national and local landscape policy and landscape guidance including the Board's guidance identified above in determining this application and that the assessment of the potential impact of the proposal upon the landscape and scenic beauty of the Cotswolds National Landscape should be considered at this permission in principle stage as an element of 'location'.

The applicant's Planning Statement only assesses 'location' in terms of the site's proximity to the settlement boundary (though notably it lies outside of the current settlement boundary and therefore development of the site would not be supported by current Development Plan policies) and access to services and amenities. It provides no consideration of the site's location within a nationally

designated protected landscape, within which the conservation and enhancement of natural beauty is given great weight.

Although no landscape and visual appraisal or analysis has been provided, the site lies adjacent to a public right of way (Minchinhampton Footpath 108) which runs north-south from Woeful dane Bottom/Tetbury Street down into the valley below. Whilst the existing new-build dwellings to the west and other development along Woeful dane Bottom would be visible from the footpath when walking north up the valley side towards the road, two additional dwellings occupying the paddock closest to the footpath would increase the visual impact of development for those walking the footpath.

We request that further information on the proposed development and an assessment of its potential impacts are provided by the applicant. Whilst a full LVIA would clearly not be required due to the scale of the proposal, no 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 or assess the potential impact of the new dwellings, the degree of change that would occur and the degree of harm which may arise from the proposal. Given its location outside of the settlement boundary, we consider that the application should also be assessed against the requirements of Local Plan Delivery Policy HC4.

The Cotswolds AONB LS&G for LCT 5 (Section 5.1) identifies the '*spread of lit elements up the valley slopes*' as another potential adverse implication for development such as this. The guidelines seek to 'conserve dark stretches of the valleys and valley slopes forming the backdrop to settlements', with these dark skies being one of the 'special qualities' of the Cotswolds National Landscape.

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.

As such, the introduction of any lit elements should be designed to adhere to this guidance and, by extension, with the policies of the Cotswolds AONB Management Plan in particular Policy CE5 (Dark Skies). 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, if the local authority is minded to grant planning permission in principle, we would request that close consideration is given to layout, landscaping and lighting matters at the technical details consent stage to mitigate any adverse impact and ensure that all lighting meets the standards outlined above and will be limited to low-level, down-facing lights in the interest of preserving the landscape character and dark skies of 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) 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)