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Tewkesbury Borough Council
Gloucester Road
Tewkesbury
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GL20 5TT

By email only to: chloe.buckingham@tewkesbury.gov.uk

14 June 2023

Dear Chloe,

APPLICATION NO: 23/00324/FUL

DESCRIPTION: Revised application for the erection of an agricultural barn (including part retention of works) and erection of new 1.8m timber fencing and 1.2m post and rail fencing (revised scheme to approved application 20/00035/FUL).

LOCATION: Land To The East Of Broadway Road, Toddington, Cheltenham, GL54 5DT

Thank you for consulting the Cotswolds National Landscape Board¹ ('the Board') on this proposed development, which would be located within the Cotswolds National Landscape².

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.³ 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 publications⁴:

- Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2023-2025 ([link](#));
- Cotswolds AONB Landscape Character Assessment ([link](#)) particularly, in this instance, with regards to Landscape Character Types (LCT) 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, regards to LCT 19 ([link](#)) including Section 19.9 and LCT 2 ([link](#)), including Section 2.10;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to Dark Skies and Artificial Light Position Statement ([link](#)) and its appendices ([link 1](#), [link 2](#), [link 3](#)).

Having reviewed the submission and its supporting information, whilst **we do not wish to raise an objection** to the application, we would recommend that the LPA is satisfied that the need for a barn of a size over and above than that approved under permission reference 20/00035/FUL has been clearly demonstrated and without prejudice, if the local authority is minded to grant planning permission, we request that planning conditions should be imposed regarding lighting to control any impact on the dark skies of the National Landscape. We would also recommend that all conditions should be closely monitored to ensure compliance, in the interests of the conservation and enhancement of the landscape and scenic beauty of the Cotswolds National Landscape.

Cotswolds Conservation Board

Cotswold Business Centre
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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

We provide further comment in Annex 1 below.

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', with a stylized flourish at the end.

Simon Joyce

Planning Officer

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ANNEX 1 COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION 23/00324/FUL

Planning Policy Considerations

National Planning Policy Framework (July 2021)

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. 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. This 'great weight' is relevant in this instance as the site forms part of the AONB's setting and a development of the scale proposed in this location could have a significant adverse impact on its landscape and visual character and quality.

Adopted Development Plan

As far as adopted Development Plan policy relating to landscape issues is concerned, Policy SD6 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy identifies that development proposals are required to consider the landscape and visual sensitivity of the area in which they are to be located or which they may affect, and have regard to local landscape distinctiveness. Policy SD7: The Cotswolds Area of Outstanding Natural Beauty (AONB) identifies that proposals within the setting of the Cotswolds AONB are required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities.

The Tewkesbury Borough Plan 2011-2031 was adopted on 8 June 2022. Policy AG1 relates to agricultural development and states that proposed agricultural barns will be permitted provided that, *inter alia*, the proposed development is reasonably necessary and designed for the purposes of agriculture, the proposed development is well sited in relation to existing buildings, access tracks, ancillary structures and works, and landscape features in order to minimise adverse impact on the visual amenity of the rural landscape paying particular regard to AONB, SLA and LPZ and the proposed development is sympathetically designed in terms of height, mass, materials, colour and landscaping where appropriate.

Cotswolds AONB Management Plan and Guidance

Policy CE1 of the Management Plan 2023-2025 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. There should be a presumption against the loss of key characteristics identified in the landscape character assessment.). Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB should have regard to the scenic quality of the location and its setting and ensure that views and visual amenity are conserved and enhanced.

In landscape character terms, the application site lies within the Unwooded Vale Landscape Character Type, as identified within the Cotswolds AONB LCA. This Landscape Character Type is described within the Cotswolds AONB LS&G as being *“highly sensitive to change, particularly in agricultural areas not currently associated with development”*. The LS&G also notes that vale landscapes with wide vantage points *“are particularly sensitive to the effects of large scale built development such as agricultural sheds and light industrial units as these are difficult to screen from elevated vantage points. These landscapes are also highly sensitive to development that may disturb the strong field patterns created by hedgerows as these are best perceived from higher ground”*.

Section 19.9 of the LS&G for the Unwooded Vale Landscape Character Type identifies the *“Construction of large scale ‘industrial style’ agricultural sheds on the skyline or in prominent locations”* as a potential adverse landscape implication of proposals such as this. It recommends that new large scale farm buildings do not have an adverse visual impact on the wider landscape including on views from and to the neighbouring LCTs. In this case, the boundary with LCT2, Escarpment, views to and from which are one of the National Landscape’s ‘special qualities’, lies a short distance to the east of the site and the development has the potential to be visible from the neighbouring LCT, though this has not been assessed in any detail by the applicant.

Landscape and Visual Impact

Although the barn currently constructed on site is not in accordance with its planning consent, we recognise that previous applications for barns and associated development have been permitted in this location. The proposal involves a number of changes from the barn that is currently constructed, including replacing the external facings with Yorkshire Boarding in a more recessive colour and material, removing the roller shutter door, removing the metal railings and replacing with timber post and rail fencing as well as a reduction in the area of hardstanding around the barn. These are welcomed when compared with the compound that has been constructed on site which is considered to have an adverse impact upon the landscape and scenic beauty of the National Landscape.

Whilst the result may be a barn that will appear almost identical to that permitted in 2020 (TBC ref. 20/00035/FUL), it would be a half bay wider in scale. We consider that this increase in scale over and above that previously permitted may not have been sufficiently justified by the applicant. The only justification is that at paragraph 5.15 of the Planning Statement that *“the additional 4th half bay is required to allow for more floorspace as the holdings grow”* though no specific evidence has been provided to support this claim. The reduction in scale compared to the barn currently built should not be factored in favour of the proposal as that barn has been erected in non-accordance with planning permission.

Lighting

The Cotswolds AONB Management Plan 2023-2025, which is a material consideration in planning decision making, identifies its dark skies as a ‘special quality’. 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.

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 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. Policy CE5 of the AONB Management Plan 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.

The Board also notes that no information has been provided regarding external lighting except that the applicant proposes that it is retained. No external lighting is shown on any plans, including those of the existing barn. Despite the applicant's submission to the contrary at paragraph 5.21 of the Planning Statement, there is no evidence that the lighting is not in conflict with Policy SD14 of the JCS or Policy CE5 of the AONB Management Plan as this particular proposal has not previously been the subject of an application.

Without prejudice, if the local authority is minded to grant planning permission, we recommend that planning conditions should be imposed to ensure compliance with the requirements of with Guidance Note 01/21 on The Reduction of Obtrusive Light, published by the Institution of Lighting Professionals (ILP) (which forms Appendix 2 of the Board's Position Statement on Dark Skies and Artificial Light, referenced above). We would recommend that the relevant 'environmental zone' for which compliance should be assessed is Environmental Zone E1 which relates to AONBs to mitigate any adverse impact and ensure that all lighting meets the standards to preserve the dark skies and landscape character of the Cotswolds National Landscape. We would recommend that all conditions should be closely monitored to ensure compliance, in the interests of the conservation and enhancement of the landscape and scenic beauty of the Cotswolds National Landscape.

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
- 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 2023-2025
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