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

26 April 2023

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 National Landscape Board<sup>1</sup> ('the Board') on the additional information submitted for this proposed development, which would be located within the Cotswolds National Landscape<sup>2</sup>.

In the Board's previous response to this application dated 12 December 2022 we raised a holding objection. We considered that insufficient information had been submitted to demonstrate that the proposal would 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.

We understand that the applicant has since provided further information responding to the matters raised in our previous response. These matters are addressed in a covering letter from Morgan Elliott Planning dated 6 April 2023. Having reviewed this information, we wish to maintain the **holding objection** as we consider that the applicant's response does not address our concerns. This further response should therefore be read in conjunction with our previous response, appended below for ease of reference.

We raised two issues; a potential impact on the tranquillity of the National Landscape due to an increase in traffic movements and a potential impact on dark skies. Both of these are 'special qualities' of the National Landscape. As regards tranquillity, Morgan Elliott's letter states the following in their rebuttal: *"the Local Highways Authority in their response dated 15th September 2022 confirmed that the proposals would not have any adverse impact on the local highway network. As a result, the applicant disagrees with the Landscape Board's assertion that the development proposal would, in combination with other proposals, likely cause significant adverse impacts on the local highway network. Further, no evidence has been included in their response of these 'other' sites that would apparently be causing significant adverse harm to the local highway in combination with the subject proposals. This point can therefore not be relied upon."*

#### 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**

Our holding objection is on the basis that the increase in traffic generated by the development may adversely impact the tranquillity of the National Landscape. This is a separate consideration to the Local Highways Authority's assessment of the proposal in regards to highways capacity.

Section 4.5 of our Tranquillity Position Statement, which was highlighted in our previous response, also clearly states that the 'rule of thumb' suggested by The Institute of Environmental Assessment's 'Guidelines for the Environmental Assessment of Road Traffic' comprises "*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*" (emphasis added).

Table 5.1 of the applicant's updated Transport Technical Note (April 2023) indicates that the proposed development could generate 82 two-way trips across a 12-hour period. Appendix B of the Transport Technical Note shows total flows (westbound and eastbound) of 310 vehicles over a 12-hour period (7-day average).

Therefore, the additional trips generated by the development on its own would therefore appear to have the potential to increase traffic flows by significantly more than 10%, so could be considered as having an adverse impact on the tranquillity of the National Landscape. Section 11.13 of the Cotswolds AONB Landscape Strategy and Guidelines referenced in our previous response notes 'loss of tranquillity' as a potential adverse landscape implication from development generating excessive traffic on minor local roads and lanes.

As far as impact upon dark skies is concerned, Morgan Elliott's letter also states that the applicant is willing to accept a condition for a lighting strategy to be submitted and agreed prior to the commencement of development. Without prejudice, should the Council be minded to grant planning permission, we would support this approach in the interests of the conservation and enhancement of the landscape and scenic beauty of the National Landscape. Please refer to Annex 1 of our previous response where we provide recommendations for standards against which compliance should be assessed.

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 small dot at the end.

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

## 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.



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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

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*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 read 'S. Joyce', with a small dot at the end of the signature.

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)