



Hazel Smith
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Tewkesbury Borough Council
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Tewkesbury
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By email only to: hazel.smith@malvern hills.gov.uk

20 April 2023

Dear Hazel,

APPLICATION NO: W/23/00233/PIP

DESCRIPTION: Permission in Principle for the change of use of the land to residential and the construction of three to five self-build houses

LOCATION: Beckford Poultry Farm, Ashton Road, Beckford, Tewkesbury, GL20 7AU

Thank you for consulting the Cotswolds National Landscape Board¹ ('the Board') on this proposed development, which would be located within the setting of 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) within which the site is located and 1 (Escarpment Outliers) from which the site may be visible;
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, regards to LCT 19 ([link](#)) including Section 19.1 and LCT 1 ([link](#)) including Section 1.1;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to Development in the Setting of the AONB ([link](#)), Landscape-Led Development ([link](#)), Tranquillity ([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 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 SWDP23 of the South Worcestershire Development Plan 2016 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 2023-2025 and as such, also not accord with Policy SWDP23.

Cotswolds Conservation Board

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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

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 impacts in respect of both landscape and visual effects and dark skies to allow the Board to fully assess any potential adverse impacts of the proposal.

We consider that the provision of this additional information is appropriate given the sensitive location of the proposed development immediately adjacent to the nationally significant Cotswolds National Landscape. The submission of the further information requested below will allow the Board to draw a more definitive conclusion on the potential impacts of the scheme. Please note that the applicant's agent has contacted the Board this week to discuss the application and I believe they are intending to provide further information and photographs of the site and surrounding area from public rights of way within the National Landscape.

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 | 07808 391227

ANNEX 1 COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION W/23/00233/PIP

This application seeks Permission in Principle (PiP) for the erection of three to five 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. This 'great weight' is relevant in this instance as the site lies directly adjacent to the National Landscape boundary and forms part of its setting.

Furthermore, the requirement that development within the setting of AONBs *"should be sensitively located and designed to avoid and minimise adverse impacts on the designated areas"* was also added into paragraph 176 with the publication of the current NPPF in July 2021. Therefore, any adverse effects on the AONB need to be assessed properly and fully taken into account when determining this application, with the appropriate weighting applied in the decision.

Policy SWDP23 of the South Worcestershire Development Plan 2016 states that development that would have a detrimental impact on the natural beauty of an AONB will not be permitted and that Development proposals should have regard to the most up-to-date approved AONB Management Plans.

Policy CE1 of the Cotswolds AONB Management Plan 2023-25 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'). Policy CE10 states that development in the CNL and its setting should have regard to and be compatible with the Board's Management Plan and guidance including the Board's Position Statements.

Given this advice, the statutory 'duty of regard' and requirements of paragraph 176 of the NPPF, the Board 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'.

Section 19.1 of the Cotswolds AONB Landscape Strategy and Guidelines ('LS&G') identifies 'development and expansion of settlements' within the Unwooded Vale LCT as a 'local force for change' and highlights the 'intrusion of expanded settlement fringes into the landscape including within the setting of the AONB' and the 'proliferation of suburban building styles, housing estate layout' as two potential adverse landscape implications of development such as this. Section 1.1 of the LS&G also identifies residential development fringing the lower slopes of the Escarpment Outliers (one of which is Bredon Hill) as a 'local force for change'.

The Board's Position Statement on Development in the Setting of the AONB referred to above outlines how the surroundings of the Cotswolds National Landscape are also important to its landscape character and quality. Development proposals that affect both views into and out of the AONB need to be carefully assessed to ensure that they conserve and enhance the natural beauty and landscape character of the AONB.

The Position Statement also helps to clarify that there are differing ways of assessing impacts on the setting of the AONB which require the application of different policies and guidance: (i) harm directly to land in the designated AONB itself from views out of the AONB and between parts of the AONB towards new development in its setting (where paragraph 176 of the NPPF is relevant) and: (ii) as a separate material consideration, harm to land outside the designated AONB, for example views of new development in the context or backdrop of the AONB (where paragraph 176 is not relevant). Any impact upon views back towards the AONB, from outside the AONB, may be a separate material consideration and subject to separate policy and guidance, for example paragraph 174 of the NPPF also states that planning decisions should 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.

The application as currently submitted provides no assessment of the potential landscape impacts of the proposal, including an assessment from views within the National Landscape, in particular from public rights of way on Conderton Hill/Bredon Hill. As such we consider that it has not been demonstrated that the application would accord with the relevant sections of the LS&G outlined above, Management Plan policies CE1 and CE10 and, by extension, SWDP Policy 23. We would 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, 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 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.

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 in respect of the landscape and visual impacts of any subsequent proposal to mitigate any adverse impact 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
- 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
 - 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