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Planning and Strategic Housing
West Oxfordshire District Council
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By email only to: peter.morgan@westoxon.gov.uk

26 June 2023

Dear Peter,

APPLICATION NO: 23/01422/FUL

DESCRIPTION: Development of seven houses and a two-storey block of four flats and associated works to include widening of Greenwich Lane

LOCATION: Land West of Greenwich Lane, Leafield

The above planning application, which is for a development that would be located within the Cotswolds National Landscape¹, has been brought to the attention of the Cotswolds National Landscape Board² ('the Board').

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) 9 High Wold Dip-Slope;
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 9 ([link](#)), including Section 9.1;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to the Housing Position Statement ([link](#)) and its appendices ([link](#)), Tranquillity ([link](#)), Dark Skies and Artificial Light Position Statement ([link](#)) and its appendices ([link 1](#), [link 2](#), [link 3](#)) and Landscape-Led Development Position Statement ([link](#)) and its appendices ([link](#)).

After having reviewed the information submitted by the applicant, the Board wishes to make a **holding objection** to this application as we consider that the need for the development has not been demonstrated in line with the policy requirements of the West Oxfordshire Local Plan and the potential impacts of the proposal on the Cotswolds National Landscape have not been adequately assessed.

The Board requests that the applicant is asked to provide further information to address the Board's concerns outlined in Annex 1 below. In particular we would welcome further information on the background to the proposal and further evidence of housing need (including evidence specific to the

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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

settlement / parish, such as an up-to-date Housing Needs Survey). Further guidance can be found in the Board publications linked above as well as in the Annex below.

If you have any queries regarding this response, please do not hesitate to get in touch.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Joyce', with a stylized flourish at the end.

Simon Joyce MRTPI

Planning Officer

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ANNEX 1 COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION 23/01422/FUL

Background to the proposal and principle of development

As outlined above, the Board would welcome further information from the applicant on the background to this proposal to assist in a thorough consideration of this application. The applicant's Design & Access Statement appears unchanged from that submitted in support of the previous application (ref. 22/02148/FUL) states that *"the proposal is to provide a mix of house types to satisfy local need as identified by the Housing Association"* and the application form lists all 11 dwellings as being for social, affordable or intermediate rent. However, no further information is provided to evidence the nature and scale of local need, identify which Housing Association's assessment is being relied upon to reach this conclusion, confirm whether or not the proposal is considered as a 'rural exception site' and whether any commercial or legal agreement has been reached between the applicant and the Housing Association.

Clarity on these issues is sought, due in particular to Leaffield's location within the National Landscape and for the purposes of the West Oxfordshire Local Plan 2031, within the Burford-Charlbury Sub-Area. Local Plan Policy BC1 is clear that development within the sub-area outside of Burford and Charlbury will be limited to meeting local housing, community and business needs and will be steered towards the larger villages. The supporting text outlines how development within the sub-area will be considered on a case by case basis and it will need to be convincingly demonstrated that a scheme would give rise to benefits to the specific settlement or the sub-area (e.g. meeting identified local housing needs) and would clearly outweigh any likely harms.

The Board supports the provision of affordable housing within the National Landscape as reflected by Policy CE12 of the AONB Management Plan and our Housing Position Statement referenced above. However, such provision should be based on robust evidence of local need arising from within the AONB and should otherwise be compatible with, and positively contribute to, the statutory purpose of AONB designation which is to conserve and enhance the natural beauty of the protected area.

Landscape and visual impact

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, which is also reflected in the requirements of Local Plan Policies OS2 and EH1. The latter policy also states that the Board's Management Plan and guidance documents are material considerations in decision making.

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'). 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.

With regards to potential impacts on landscape character, the proposed development is located in the 'High Wold Dip-Slope' Landscape Character Type, LCT 9 in the Cotswolds AONB LCA referred to above. Section 9.1 of the LS&G describes how, *inter alia*, i) the intrusion of expanded settlement fringes into the landscape, ii) the erosion of distinctive settlement patterns due to settlement growth, iii) the proliferation of suburban building styles and layouts and iv) the upgrading of minor roads and lanes are all potential adverse landscape implications of proposals such as this. Policy OS2 of the Local Plan also requires that development should form a logical complement to the existing scale and pattern of development and/or character of the area and as far as is reasonably possible, protect or enhance the local landscape and setting of settlements.

A Landscape and Visual Appraisal ('LVA') prepared by John Campion Associates Ltd (February 2023) has been submitted in support of the development. Whilst we agree that the scope and methodology used in the LVA, including the selection of photoviewpoints, is appropriate to adequately assess the potential landscape and visual impacts of the proposal, we do not agree with all of its conclusions.

The document concludes that the proposed development would respect and complement the local landscape character of the area, including the settlement form. However, we are unconvinced concerned that the development is out of character with the prevailing settlement form in this part of the village, where development is linear in form along Lower End/Leaffield Road and would comprise a 'bolt-on' development, extending the line of built form further south. Notwithstanding the enclosed nature of the site and its relative lack of contribution to landscape character, this may not accord with the advice within the LS&G outlined above and the requirements of West Oxfordshire Local Plan Policy OS2.

Bearing in mind this is a full planning application, the proposed boundary treatments lack detail and no landscaping or planting plans have been provided. The Design and Access Statement is only a single page. The elevations submitted by the applicant show basic house types and make no mention of proposed materials to demonstrate how the development will result in a high quality development that will respect the historic, architectural and landscape character of the settlement and the National Landscape.

We also note that sections of dry stone wall, which are one of the National Landscape's special qualities, are likely to be impacted by the creation of the site entrance and proposed widening of Greenwich Lane. These should be replaced as part of the scheme so that there is no net loss of dry stone wall.

As such we do not consider that the submission in its current form demonstrates the high quality design required by of Policy OS4 of the West Oxfordshire Local Plan and does not provide adequate supporting evidence for the design approach having regard to the advice contained within the West Oxfordshire Design Guide and within the Board's other guidance and Position Statements referenced above. These are specifically mentioned in Policy OS4 as key tools for interpreting local distinctiveness and informing high quality design and we would welcome further details on these matters. By extension it would also not accord with Policies CE1 and CE3 of the Cotswolds National Landscape Management Plan.

Lighting

Light pollution occurs in the form of light trespass where light shines where not needed, sky glow where light appears over towns and cities and glare, which is the uncomfortable reaction when a light source is viewed within a dark atmosphere. These all contribute to the erosion of 'dark skies' and the ability to view the stars at night.

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. Local Plan Policy EH2 states that proposed development should avoid causing pollution, especially noise and light, which has an adverse impact upon landscape character and should incorporate measures to maintain or improve the existing level of tranquillity and dark-sky quality whilst 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 notes that no information has been provided regarding external lighting. Without prejudice, if the local authority is minded to grant planning permission, we recommend that planning conditions should be imposed to require submission of a lighting scheme and 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 and to ensure compliance with Local Plan Policies EH2 and EH8 and policy CE5 of the Cotswold AONB Management Plan.

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 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