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By email only to: [sarah.hegerty@westoxon.gov.uk](mailto:sarah.hegerty@westoxon.gov.uk)

23 December 2021

Dear Sarah,

**APPLICATION NO:** 21/03836/FUL

**DESCRIPTION:** Erection of 9 lighting columns to provide floodlighting for tennis courts 1 and 2.

**LOCATION:** Tennis Courts, Beaconsfield Hall, Station Road, Shipton-under-Wychwood

Thank you for consulting the Cotswolds Conservation Board ('the Board') on this proposed development, which would be located within the Cotswolds National Landscape.<sup>1</sup>

For the reasons outlined below, the Board considers that the proposed development is contrary to policies EH1, EH2 and EH8 of the West Oxfordshire Local Plan (WOLP) 2031 and CE5 of the Cotswolds AONB Management Plan 2018-2023 and therefore **objects** to this application.

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) 17 (Pastoral Lowland Vale), which the site is located within, and LCT 16 (Broad Floodplain Valley), which the site is adjacent to;
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 17 ([link](#)), including Section 17.8 and LCT 16 ([link](#)), including Section 16.5;
- 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](#)).

The Board is aware that previous applications for floodlighting on this site have been refused. These include the application refused earlier this year (application reference 21/00261/FUL), the Council's first reason for refusal stating that the *"proposed floodlighting at this prominent site, within the Shipton Under Wychwood Conservation Area and the Cotswolds Area of Outstanding Natural Beauty, would give rise to an incongruous and intrusive form of development, which would fail to preserve or enhance the character and appearance of the Conservation Area or the Cotswolds Area of Outstanding Natural Beauty, and when lit would be visually obtrusive to surrounding residential and*

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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](http://cotswoldsaonb.org.uk)

Chairman:  
**Brendan McCarthy**  
Vice Chair:  
**Rebecca Charley**

*local amenity. As such the proposal is considered contrary to policies OS2, OS4, EH1, EH8 and EH10 of the West Oxfordshire Local Plan (2031), Policy CE5 'Dark Skies' of the Cotswolds Conservation Boards Management Plan and Section 15 of the NPPF".*

WOLP 2031 policy EH1 states that when determining development proposals within the Cotswolds Area of Outstanding Natural Beauty (AONB) and proposals which would affect its setting, great weight will be given to conserving and enhancing the area's natural beauty, landscape and countryside, including its wildlife and heritage. This will include consideration of any harm to the contribution that the settlement makes to the scenic beauty of the AONB. Further, paragraph 176 of the NPPF 2021 requires great weight to be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty. Policy EH1 further states the Board's AONB Management Plan and guidance documents are material considerations in decisions relevant to the AONB. Policy CE5 'Dark Skies' of the AONB Management Plan states that proposals that are likely to impact on the dark skies of the Cotswolds National Landscape should have regard to these dark skies, by seeking to (i) avoid and (ii) minimise light pollution. Measures should be taken to increase the area of dark skies in the Cotswolds AONB by (i) removing and (ii) reducing existing sources of light pollution.

Section 17.8 of the Cotswolds AONB Landscape Strategy and Guidelines for LCT 17 referred to above identifies the introduction of lit elements into characteristically dark landscapes as a potential adverse landscape implication. As such, the introduction of 9 x 6.2m high floodlights into what is a characteristically dark landscape would not be consistent with the Landscape Strategy and Guidelines and, by extension, the policies of the Cotswolds AONB Management Plan 2018-2023. The proposal would also not be consistent with policy EH2 of the West Oxfordshire Local Plan 2031 which 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, reversing existing pollution where possible"* and policy EH8 which will only allow external lighting proposals where *"the proposal would not have a detrimental effect on intrinsically dark landscapes"*.

The applicant states that the revised proposals have been amended to overcome the concerns raised previously and conform to the ILP 'Guidance notes for the reduction of obtrusive light for an E1 zone (Intrinsically dark areas including Areas of Outstanding Natural Beauty) whilst mitigating the effect lighting will have on wildlife. We would defer to the assessment of the Council's specialist Environmental Health and Biodiversity Officers in consideration of these matters.

However, even if the proposal does comply with this guidance, there would still be the issue of introducing lit elements into the intrinsically dark, night-time landscape. The Board considers that the proposed development and associated light spillage and glow will comprise a new source of light pollution within the immediate and wider surrounding area, failing to avoid and/or reduce existing levels of light within the AONB and potentially adversely impacting on the dark skies of the Cotswolds National Landscape, which are one of the area's 'special qualities'. Whilst the Board recognises its duty to seek to foster the economic and social well-being of people living in the Cotswolds National Landscape, including their recreation, this is only in so far as is consistent with the great weight that must be given to the conservation and enhancement of the landscape and natural scenic beauty of the National Landscape.

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 small dot at the end.

Simon Joyce

**Planning Officer**

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## 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)