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By email only to: gillian.mcdermott@malvern hills.gov.uk

9 August 2022

Dear Gillian,

APPLICATION NO: W/22/01419/FUL

DESCRIPTION: Proposed redevelopment of former Winchcombe Nursery site to provide 9 dwellings, associated infrastructure, flood attenuation works, and open space.

LOCATION: 90 Winchcombe Road, Sedgeberrow, Evesham WR11 7UB

Thank you for consulting the Cotswolds Conservation Board ('the Board') on this proposed development, the site of which lies within the setting of the Cotswolds National Landscape¹.

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.² 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 publications³:

- 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 Types (LCT) 19 (Unwooded Vale) and 1 (Escarpment Outliers) which the site is potentially visible from;
- 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 now updated in 2021](#), [link 3](#)).

For the reasons outlined below, having reviewed the applicant's submission and in particular the supporting Landscape and Visual Appraisal ('LVA'), the Board **does not wish to object** to this application.

The nearest point of the Cotswolds National Landscape lies c.1.5km southwest of the site, though that is within a field with no public access. The closest point with public views is likely to be from Dumbleton Footpath 26, around 1.7km from the site boundary, whilst the top of Dumbleton Hill lies c.3km from the site. To the northwest, the boundary of the Cotswolds National Landscape at Ashton-

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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

under-Hill lies c.2.5km from the site and the site is unlikely to be visible from this direction given the distance and intervening topography.

The LVA assessed a single viewpoint within the National Landscape to the south of the site on Dumbleton Footpath 27 and found there to be no visibility of the site from that point. The LVA subsequently concludes that the development will have no impact on the National Landscape.

Whilst a greater number of viewpoints within the National Landscape could possibly have been assessed, for example on Dumbleton Footpath 26 or from Beckford Road, we consider that the potential impact of the proposal on views to and from the National Landscape are likely to be negligible at most.

Therefore, whilst we do not object to the application, we do have some recommendations to minimise any adverse impacts on the natural beauty of the National Landscape if, without prejudice, the local authority is minded to grant planning permission.

Boundary planting on the southern and western side of the site is proposed to help mitigate the visual impact of the new dwellings as the coniferous plantation which currently screens the disused nursery buildings in views from the south and southwest will be removed. However, this planting appears to be located within the plot boundaries, potentially making it vulnerable to removal by future residents which could result in the development appearing more prominently in views. Therefore, we would recommend the establishment of a robust planting buffer on the southern and western boundaries outside of residential curtilages which could be accessed and maintained via a management company.

The second recommendation relates to lighting. Light pollution occurs in the form of light trespass where light shines where not needed, sky glow where light appears over settlements 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. 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.

Paragraph 5.2.3 of the LVA mentions that lighting might impact upon landscape and visual receptors but proposes no mitigation measures and no further lighting assessment is provided. Section 19.1 of the Cotswolds AONB Landscape Strategy and Guidelines states that the 'introduction and accumulation of lit areas and erosion of characteristically dark skies' is a potential adverse implication of development and expansion of settlements. This is particularly important in an area with relatively low levels of light pollution such as this, as indicated in Appendix 1 of the Board's Tranquillity Position Statement, referred to above.

As such, the introduction of any lit elements should be designed to adhere to this guidance and, by extension, as well as the ILP Guidance Note for Reduction of Obtrusive Light and the CfDS Good

Lighting Guide which form Appendices B and C of the Board's Dark Skies & Artificial Light Position Statement (linked above). Therefore, if the local authority is minded to grant planning permission, we recommend that appropriate planning conditions should be imposed which seek to mitigate any adverse impact and ensure that all lighting will be limited to low-level, down-facing lights.

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

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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
- 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
 - 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