

S.15/2549/OUT Land At Summer Street, Stroud, Gloucestershire.
Residential development for up to 20 dwellings (including a minimum of 30% affordable housing), demolition of stables, planting and landscaping, informal open space, surface water attenuation, a vehicular access point from Summer Street and associated ancillary works with associated open space and landscaping with all matters reserved, with the exception of the main site access.

The Cotswolds Conservation Board wishes to raise an **objection** to the above development.

In relation to the Summer Street appeals (22nd July 2014) the Inspector accepted that the “appeal site forms an integral part of the Slad Valley, providing continuity between the countryside within the AONB and the extension of the valley into the town.” The Inspector concluded “there are adequate grounds to consider the continuity and quality of the landscape has a value which is worthy of retention.” The Board notes this proposal is now for 20 dwellings, however both the construction of the development and the associated public open spaces and wider landscape planting will result in an urbanising impact on an area of open countryside that a previous Inspector has already identified as “worthy of retention.” The Board therefore considers that this development will have a negative impact on the setting of the AONB and is therefore contrary to the purposes of Paragraph 115 of the NPPF that affords “great weight” to the AONB. Paragraph 109 of the NPPF also confirms that the planning system should contribute to and enhance the natural and local environment by “protecting and enhancing valued landscapes”. The Board also notes that the Inspector’s Report into the Local Plan (2.11.2015) confirms there is a 7 year supply of housing at present and that sufficient sites have already been identified to meet the 5 year supply (and without the need for alternative forms of supply e.g. through Neighbourhood Plans). Therefore, there is no need to release this site for development as other “land of lesser environmental value” (NPPF Paragraph 17) is available for development.

RE: 15/02563 Land adjacent Northfield Farm, Elmley Road, Ashton under Hill.
Change of use from amenity land to permanent gypsy site, siting of two caravans/mobile homes for one family.

The Cotswolds Conservation Board wishes to raise an **objection** to this development for the following reasons:

The proposal would introduce a form of residential development in an unspoilt rural area within the nationally protected Cotswolds AONB, visible from the public highway and rights of way. As well as the physical permanent features of the two caravans/mobile homes, fencing and sub-division of the field, any residential occupation always has an associated level of activity, lighting and additional features including bin stores, washing lines, vehicle parking and even the potential to create a garden area. All of these changes would result in a negative impact on the character of this undeveloped countryside location.

The whole site has been identified as being within the “red line” area rather than limiting development solely to the area immediately adjacent to the proposed caravans/mobile homes. This would result in the whole field being subject to the change of use application and therefore there will be an even greater likely impact on the character and special qualities of the AONB from this development.

The CRoW Act 2000 confirms the legal requirement on the local planning authority to have regard to the purposes of conserving and enhancing the AONB. Further to this the Government has confirmed that local planning authorities should very strictly limit new traveller site development “in open countryside that is away from existing settlements or outside areas allocated in the development plan” (Planning Policy for Traveller Sites August 2015). Paragraph 27 of this guidance also confirms that there should be no exception to grant a consent on a temporary basis given the AONB designation. Accordingly the Policies of the NPPF should be considered, Paragraph 14 (footnote 9) in particular confirms the presumption in favour of sustainable development does not automatically apply in AONBs as they are “restricted” by other policies of the NPPF. Paragraph 115 of the NPPF confirms that “great weight” should be afforded by the local planning authority to conserving landscape and scenic beauty in AONBs.

In conclusion, the sites location within the AONB requires the Council to not undertake a simple balancing exercise in coming to their decision on this application, but that “great weight” should be afforded to the legal protection of the AONB and the local planning authorities duty to ensure its conservation and enhancement. This form of development in this location will have a negative and permanent impact on the AONB, compromising its purpose of designation and therefore the local planning authority should prioritise the conservation and enhancement of the AONB which has been confirmed by the Government as having the highest status of protection.

**RE: S.15/2804/OUT Land North East Of Draycott, Cam, Gloucestershire
A mixed use development comprising of up to 450 dwellings, 10.7 hectares of employment land for Use Classes B1, B2 and B8 with associated parking and servicing; open space and landscaping including riverside park; flood storage ponds and infrastructure; creation of new vehicular accesses to Draycott (A4135) and Box Road and supporting infrastructure and utilities.**

The Cotswolds Conservation Board wishes to make the following comments in respect of this application.

Although this site is outside the nationally protected AONB (and the planning history of the site is noted including in respect of the Adopted Local Plan), the development of it does have the potential to harm the setting of the AONB. As shown within the submitted Zone of Theoretical Visibility Plan and as stated within the Landscape and Visual Impact Assessment report (paragraph 9.88) “ *The flat and relatively open nature of the Rolling Agricultural Plain, and the visibility of this landscape from the AONB make it particularly susceptible to inappropriate development.*”

The Board therefore recommends, that should the Council be minded to approve this application planning conditions and/or a legal agreement are secured to provide for the protection of and enhancement of existing landscape hedgerows and trees; the retention and reinforcement of the internal field buffers; new structural landscape buffers particularly in relation to locations where there are views from the high ground of the AONB; suitable green space and green infrastructure within the development; buffers along the eastern and southern area as proposed.

In addition controls should be applied to control the maximum height of buildings; the agreement of external materials within any future reserved matters application; and ensuring any employment buildings are of a suitable dark external colour so when seen from the high ground of the AONB they merge into the existing and proposed landscaping; and the details of all external lighting designs and locations are approved to ensure light pollution on the dark night skies of the AONB is minimised.

Subject to great care being taken over the mitigation of potential impacts of this development on the AONB, the Cotswolds Conservation Board raise no objections in respect of this development.

Additional guidance on the impact on Setting of the AONB is provided within the attached Position Statement.

15/0107/SCREEN. Screening request for improvement works including importation of suitable inert fill up to 150000m³. Cotswold Hills Golf Club Ullenwood Manor Road Ullenwood Cheltenham Gloucestershire GL53 9QT.

The Cotswolds Conservation Board do wish to request the need for an EIA in this case.

The proposed site is within the nationally protected Cotswolds AONB and there is a legal duty under Section 85 of the CRoW Act 2000 for the Council to ensure the conservation and enhancement of the AONB. The proposed development has great potential to impact on the landscape, historic assets and water environment as well as from traffic and the congestion and erosion of the rural road network. The proposal at this scale we consider to be “major development” under Paragraph 116 of the NPPF, the starting point of which is that applications should be refused except in exceptional circumstances. Only through the provision of an EIA will the full impacts of this proposal be suitably judged, of what is clearly a large scale commercial inert waste operation over a 12.8 ha area site.

15/05597/FUL. Alteration and conversion of existing barn to form 2 bed dwelling together with associated ancillary development. Shepherd's Barn Syde Park Farm Caudle Green Gloucestershire GL53 9PP.

The Cotswolds Conservation Board wishes to raise an **objection** to this proposed development.

The barn in question is a very modest field barn in a very remote location within an exposed area of landscape within the nationally protected AONB. Although there is a field gate into the field there is no formal access to the barn. To make the barn viable for even consideration for conversion it needs to be extended and a new access drive created. Other forms of urbanisation will come from the new car parking area, garden and associated features of residential occupation including lighting and bin stores. The Board therefore considers the building is unsuitable for conversion given the need for an extension, the location is unsustainable, the development will impact on the dark night skies of the AONB and result in a negative impact on the character and special qualities of this undeveloped part of the AONB (contrary to the Adopted Cotswolds AONB Management Plan 2013-2018).

The starting point of the NPPF is that local planning authorities “should avoid new isolated homes in the countryside” (Paragraph 55 of the NPPF). The re-use of this building for the purposes proposed will not “lead to an enhancement to the immediate setting” (Paragraph 55 of the NPPF) and therefore there are no special circumstances in this case. The Council are required to apply “great weight” to conserving landscape and scenic beauty in AONBs (Paragraph 115 of the NPPF) and therefore the application is requested to be refused.

RE: 15/05039/FUL Land Off Delfin Way, Upper Rissington – 24 dwellings.

The Cotswolds Conservation Board wish to make the following comments in respect of this application:

The Board ask the Council to carefully consider the loss of this employment site, given the increase risk of Upper Rissington solely becoming a commuter village; if the lack of employment viability of the site can be justified to the satisfaction of the Council, appropriate compensation (through a Section 106 Legal Agreement) should still be made to the Parish Council to assist other community projects (which may for example include rural broadband provision or rural open sure signal provision to reduce the need to travel); a comparison should also be made between the impacts of a potential employment use as compared to a housing site on the landscape (having housing closer to this boundary increases the risk of light pollution for example to the wider landscape); accordingly the impact of this site on the landscape would have benefitted from a Landscape and Visual Impact Assessment (and should be appropriately assessed in terms of EIA provision); again if the Council do think the development is appropriate, the tree protection measures should be fully implemented during construction; if not already considered the tree belt to the rear of the site should be protected through a group Tree Preservation Order to avoid future residents attempting to thin or remove trees to open up views; consideration should be given to the provision of a double staggered native hedgerow along the rear boundaries of the property to avoid panel fencing.

15/01378/OUT. Development of up to 106 dwellings with associated access, public open space, landscaping and other infrastructure. Nerva Meadows Plots 3200, 7400, 7520 Gloucester Business Park Brockworth.

The Cotswolds Conservation Board raise no comments in respect of the principle of this development.

However, the development does have the potential to impact on the setting of the AONB as there are views from the AONB into this site. The Board therefore recommends, should the Council support this proposal, that particular care is taken over building heights, approval of external materials and colours, protecting existing landscaping and providing new landscaping. This is to ensure the development assimilates into the surrounding urban area, the development is not over prominent when seen from the AONB and landscaping and open spaces help filter views from the AONB.

Our Position Statement on Setting is attached that provides additional guidance.

RE: Planning Application Consultation 15/0121/CWMAJM Huntsmans Quarry Naunton Gloucestershire GL54 3BA.

The Cotswolds Conservation Board request Gloucestershire County Council to consider the following before making a decision on this application:

- By allowing permission for a new building on the site, it should not prejudice the approved cessation date of the quarry use and approved restoration process.
- The building should only be used in relation to the existing use at the quarry.
- The building should be of suitable external colours and materials to ensure it does not become a prominent feature in the landscape.

16/00054/OUT. Outline application (with all matters except Access reserved for subsequent consideration) for a mixed use development comprising demolition of existing buildings (as detailed on the submitted demolition plan) and the erection of up to 2,350 residential dwellings (including up to 100 units of student accommodation and 60 homes for the elderly), 9.1 hectares of employment land (B1, B2 and B8 uses), a primary school, a neighbourhood centre including A1, A2, A3, A4 and A5 uses as well as community facilities (including a health care facility D1), public open space, allotments, playing fields, pedestrian and cycle links (access points onto Tetbury Road, Somerford Road and Cranhams Lane) landscaping and associated supporting infrastructure to include vehicle access points from Tetbury Road, Spratsgate Lane, Wilkinson Road and Somerford Road | Land At Chesterton Farm Cranhams Lane Cirencester Gloucestershire GL7 6JP.

Summary: The Cotswolds Conservation Board raise no objection to the principle of this development but do recommend additional work is carried out to further assess the level of harm to the setting of the AONB before the Council form a decision on this application. From this additional work the Board expects additional specific recommendations, modifications and suggested planning conditions to ensure the long term protection of the setting of the AONB.

Reasons: In terms of the principle of this development, the strategic allocation of this site in the Emerging Local Plan outside the AONB follows the Core Planning Principles of the NPPF (Paragraph 17) that *“Allocations of land for development should prefer land of lesser environmental value...”*

However, as noted in the Emerging Local Plan (Paragraph 7.22 Development Strategy and Site Allocations Jan. 2015) *“development just outside the AONB may be clearly visible from within the AONB, thereby potentially causing harm to the character of the AONB.”*

The Landscape and Visual Impact Assessment as submitted with the application states:

“10.4.35 Despite the close proximity of the site to the AONB, this assessment has found close proximity views from the Royal Agricultural University and the Monarch’s Way PRoW within the AONB to be filtered by intervening trees, hedgerows and vegetation within the grounds of the university and vegetation bounding Tetbury Road. 10.4.36 Medium or long distance views towards the site from highways and local public rights of way in the wider Cotswold AONB are restricted by intervening undulating topography, hedgerows, trees and woodland. Where there are opportunities for partial or filtered views, the site is seen in the context of the existing development on the south and west edges of Cirencester and filtered by the undulating landform and intervening vegetation”

However, there are a number of areas which do not seem to have been specifically considered in detail:

- (i) The proposed highway works along the Tetbury Road including the new dualled road sections, new roundabouts, footways and bus lanes which will result in the removal of sections of existing landscaping which currently help screen the site.
- (ii) Accordingly new street lighting related to the above works which may impact as tall structures or through greater light pollution on the AONB.

- (iii) Building heights – the proposed minimum building height has been set at 11m at the lowest point (whereas 8.5 or 9m on the most sensitive parts of the site would be more appropriate).
- (iv) The long term ability of existing and or proposed landscaping to screen the development from the AONB.
- (v) What additional new landscaping should be introduced along the western boundary to compensate for the opening up of the site from the new highway works.

In other words the combination of the opening up of the site to the west to views from the AONB, the highway works themselves and building heights increases the risk of impact on the setting of the AONB.

Accordingly the Cotswolds Conservation Board consider the assessment of impact on the setting of the AONB has been under stated for the following reasons:

- a) despite the rising ground into the AONB to the west there are only 2 viewpoints selected.
- b) in these views the roofs of Chesterton Farm are clearly visible over the vegetation only partly masked by some of higher trees etc.
- c) there are no photomontages or wireframes to show the actual level of impact. Assuming the Farm to be typical height of domestic buildings, it is likely that there will be impacts from new houses, street lighting etc.
- d) light pollution is only mentioned in relation to wildlife - there is no proper assessment for either the scheme or the cumulative effects with Cirencester and all the existing roads etc on the setting of the AONB.
- e) There seems no indication of what long term control there will be to maintain the important offsite/edge of site vegetation at its current height (as a minimum) or whether or when the c.12m high tree belt needed would become established.
- f) The layout of the development leaves quite generous green space/planting to the S and E but not the side towards the AONB. The road layout with the large roundabout at the SW end of the dualled section acting as the main access is especially likely to afford very open views into the site from the AONB.

The Cotswolds Conservation Board therefore request the Council consider the above before forming a decision on this application.

RE: 16/00201/FUL Land To The NW Of Foxcote Hill Ilmington.

The Cotswolds Conservation Board objected to the previous related application on this site (see attached). The Board maintains its objection to the current planning application as it is the principle of the development of this site that is the issue in this case. Despite a reduction in scale of the proposed dwelling it will still result in a negative change of character and develop what is an undeveloped outer edge of the village, contrary to our shared responsibility of conserving and enhancing the AONB. Therefore, the previous appeal decision remains relevant as do the Board's previous comments as attached and we request both are considered before forming a decision on this current application.

16/00006/FUL. Land Adjacent Crab Mill Grump Street Ilmington. Warwickshire CV36 4LE Erection of one dwelling and detached garage.

The Cotswolds Conservation Board wish to **object** to the above application.

Of note the Inspector conclusions of the 1997 appeal remain relevant in that it is not the design per se of the proposed dwelling but *“that its presence would erode the open rural nature of the upper part of the lane to the detriment of the somewhat dispersed settlement pattern at this edge of the village. Consequently, it would cause material harm to the character and appearance of the village, the Illmington Conservation Area and the AONB. Furthermore, it would intrude upon the views currently obtained of the attractive open countryside beyond.”* (Paragraph 11. Appeal Ref:T/APP/J3720/A/96/272456/P9.).

Although the AONB was designated in 1966, since 1997 the Cotswolds Conservation Board has been formed following the CRoW Act 2000. There is a legal duty under Section 85 of the CRoW Act 2000 for Local Authorities (and down to Parish Council level) to consider the purpose of “conserving and enhancing” the character and special qualities of the AONB in forming any decisions.

Further to this although the presumption in favour of sustainable development is referred to within the application, by reason of Footnote 9 of the NPPF, that presumption does not automatically apply in this case due to the specific policies within the NPPF that restrict development which specifically include “Areas of Outstanding Natural Beauty” and “designated heritage assets” (eg Conservation Areas and Listed Buildings) (see Footnote.9. page 4 of the NPPF).

Therefore, the reasons which led to the dismissal of the 1997 appeal, particularly in relation to the AONB, have been re-inforced through legislation and accordingly the NPPF (Paragraph 115) confirms AONBs as having the “highest status of protection” and that “great weight” should be given to conserving landscape and scenic beauty.

RE: 15/04291/REM Submission of Reserved Matters application for the matters of access, appearance, landscaping, layout and scale, in connection with previously approved application 14/02059/OUT. Demolition of existing farm buildings and removal of mobile home. Proposed redevelopment of site for up to 7no. dwellings with new access arrangements and associated works. Ashby Farm, The Hollows, Long Compton, Long Compton Shipston On Stour.

The Cotswolds Conservation Board **object** to the development in its current form:

Outline planning permission was granted on basis of the landscape appraisal that included recommendations stating any future reserved matters application would be a high standard of design in accordance with the Cotswolds Conservation Board requirements; appropriate facing materials and new landscaping.

The new landscaping (particularly a native double planted staggered hedgerow with specimen trees) was shown around the development in the “Illustrative Site Layout Plan” in the Outline application which has now disappeared from this application. This must be re-instated within any scheme to ensure the site is suitably landscaped. Native hedging should also be used alongside the footpath and not close boarded fencing. Further existing hedging (as shown in the original layout plan) has also been shown as removed to the front of the site and should be reinstated.

The proposed development as currently proposed, therefore fails to meet the tests of the landscape work as originally submitted with the Outline Planning Application. The site will become very exposed; it will be edged in part to the open countryside by poor quality close board fencing; the design is very suburban in scale in terms of house depths, house size and use of materials like “Heather” roof tiles and Cedar Boarding. We therefore strongly recommend a re-design taking into consideration

the Long Compton Village Design Statement, the District Design Guide and the Emerging Neighbourhood Plan.

15/01288/FUL. Proposed change of use of agricultural building to a dwelling house, and associated building operations. Part Parcel 0022 Oxenton Cheltenham Gloucestershire.

The Cotswolds Conservation Board **object** to the application in its current form.

The Planning Officer's comments at the pre-application stage are noted but the Board considers the application fails to properly address (a) the structural suitability of the building (b) the overly domestic conversion particularly through the number and style of window openings and external detailing (c) the scheme has failed to address how, particularly through the design and landscaping process, the character and special qualities of the AONB will be conserved and enhanced as required by the CRoW Act 2000 and NPPF.

In relation to point (a) the Board recommends the Council seeks further advice from its own Building Control Officers as to whether the existing structure really is capable of conversion as the existing building appears to be of such quality that is more worthy of demolition than retention. Further to this the structural survey supplied should be expanded to confirm exactly what and how much (other than probably a limited part of the frame of the building) is actually going to be retained. The limited information the structural survey does state is the lack of survey of the foundations and that new masonry walls would require foundations. When it can be established what and exactly if any of the slab and frame can be retained (preferably with detailed plans indicating demolition / retention) a better valued decision can be made as to whether this is actually a conversion or is in fact a new build.

In relation to point (b) following the above process, if the Council conclude the barn is capable of conversion, the Board still considers the design to be overly domestic, particularly due to the window openings. Although written for "traditional" farm buildings, the following guidance at least provides greater detail as to how windows can be introduced into barns, without losing the character of the original building: <https://content.historicengland.org.uk/images-books/publications/conversion-of-traditional-farm-buildings/traditional-farm.pdf/>

In addition to the above, we would also recommend removal of the first floor windows (and replacement with modest rooflights) or indeed the location of all the accommodation solely on the ground floor to avoid the new first floor windows altogether. We would also recommend extending the external cladding to the ground level, rather than having painted rendered blockwork walls. Cladding should be of a dark agricultural style and colour to retain some of the character of the former use of the building.

Finally in relation to point (c) both the NPPF (para.55) in respect of conversions and through the requirements of the CRoW Act 2000, an element of "enhancement" to the immediate setting is required. The Board would have therefore expected a detailed landscaping scheme showing the introduction of new native hedgerows to boundaries, more details of the proposed tree planting, improvements to biodiversity, hard and soft landscaping details etc however this is missing from the scheme.

For the reasons above the Cotswolds Conservation Board have concluded that this scheme fails to conserve and enhance the nationally protected AONB.

RE: Application 15/01013. Field SO 9239, Eckington Road, Bredons Norton.

The Cotswolds Conservation Board have already responded to this application specifically requesting the Council consider the potential impacts from this development on the Setting of the AONB (and we attached a copy of our Setting Position Statement).

In addition to the above the Board would like the Council to also take into consideration the comments of the Inspector in respect of the 2004 proposals. The Inspector's report (APP/H1840/C/04/1152752) Paragraph 34 accepted the site was not within the AONB but then stated *"That said, this development is viewed from some directions in conjunction with Bredon Hill (within the AONB, near the appeal site). It detracts materially from the pleasantness of that view. The site can also be seen from higher ground within the AONB, as well as from points along the road, not within the AONB. Overall, I regard it as seriously detrimental to the character of the landscape and the appearance of the countryside in this area."*

We therefore hope the above can also be taken into consideration before forming a decision on the current proposal.

S.15/02590/OUT. Hybrid Planning Application for full planning permission for demolition of existing buildings and erection of a single storey Class A1 foodstore with parking spaces, access and landscaping. An outline planning permission for Class A1 retail terrace, drive through, access and landscaping. Brunsdons Yard Ryeford Road South, Ryeford, Stonehouse, Gloucestershire, GL10 3HE.

The Cotswolds Conservation Board raise an **objection** to this proposal.

The site in question abuts the Cotswolds AONB to the south, though is also located in a narrow gap with the AONB boundary also being present further to the north. By the nature of the landscape the AONB follows the higher ground and affords views down into land outside the AONB and accordingly there are views back to the AONB. This site can therefore be considered as being within the setting of the AONB. The site also appears to be partly within a Conservation Area and is outside any settlement boundary. The site is partly developed, but as the NPPF notes (Annex.2. Glossary) in relation to previously developed land "it should not be assumed that the whole curtilage should be developed." The development of this site including the new retail buildings, access, substantial car parking area and associated lighting which together will result in a negative impact on the Cotswolds AONB. It will result in impacts on the character and special qualities of the AONB for the reasons highlighted within the Board's attached Setting Position Statement.

Of note the Board chose not to object to a residential development at Shakespeare Drive in Dursley on appeal in 2015 (appeal ref: APP/C1625/W/15/3007972). However, the Inspector still dismissed the appeal stating (Paragraph 17) *"the scheme would consolidate existing development and reduce the gap between the town and the AONB. In my opinion the open character of the appeal site makes an important contribution in restricting the encroachment of the town into the countryside. The development would neither protect nor enhance an area of land whose features are characteristic of landforms on the edge of the Cotswolds plateau and whose proximity to it contributes to the setting of the AONB."*

In conclusion the development of this site in the scale and nature as proposed would result in development visually encroaching into the countryside outside a settlement

boundary and would result in a negative impact on the AONB. The Board considers it would neither protect nor enhance the setting of the nationally protected AONB, contrary to NPPF Paragraph 115 that affords “great weight” to conserving landscape and scenic beauty and Delivery Policy ES7 of the Adopted Stroud District Local Plan.

S.15/2700/COU Building 17 Aston Down, Cowcombe Lane, Chalford, Gloucestershire, GL6 8HR Change of use from Class B1 (Business Use) to vehicle workshop (Sui Generis). Use of existing compound for HGV/car parking.

The Cotswolds Conservation Board request that particular consideration is given to the site history and the purposes of conserving and enhancing the character and special qualities of the AONB in forming a decision on this application. Within the application reference is made to the “presumption in favour of sustainable development” (paragraph 14 of the NPPF). However no reference has been given to the related Footnote 9 that confirms that presumption does not automatically apply where specific policies within the NPPF indicate development should be restricted, with AONBs being specifically referred to as one such example. Paragraph 115 of the NPPF also confirms that “great weight” should be given to the purposes of conserving landscape and scenic beauty in AONBs and the relevant Local Plan Policy is ES7 in relation to Landscape Character and AONBs.

The Local Plan Inspector also noted (Paragraph 170 of the Inspector’s Report 2.11.2015):

“The site was the subject of a planning appeal in 2009, which established a detailed planning regime for the site, strictly controlling the uses of land and existing buildings. Any future proposals for development, intensification or changes of use at this site would need to have regard to this planning decision, as well as the significant policy constraints which apply in this area, including its location in the AONB and accessibility issues. In these circumstances, it is appropriate to identify this as a key employment site in the district, but there is no need for a site-specific policy in this Plan.”

16/00037 Barn, Paris, Bakers Lane, Ashton under Hill. Change of use from vacant to sui generis mixed use B1 and C3 (Live-Work Unit).

The Board notes the changes to the application since the refusal of the previous planning application. However, the Board’s reasons for objecting to this application remain as before (see below). Of further note, one of the reasons why permitted development rights do not exist for barn conversions in AONBs and National Parks is to avoid sporadic and unsustainable development within the open countryside of these nationally protected landscapes. In this case this barn is considered to be in a remote location, so if converted, would result in negative impacts on the character and special qualities of the AONB.

Our original comments to the previous application are as follows:

RE: 15/01894 – Barn, Paris, Bakers Lane, Ashton under Hill – Change of Use of Barn to Live / Work Unit.

The Board have been asked by a local resident to comment on this application. Of note the Cotswolds Conservation Board have objected this week to the planning application at W/15/01723/CU Woollas Farm, Woollas Hill, Eckington where similar

issues were raised including from the Council's Landscape Officer (who should also be consulted on this proposal).

The Board wishes to raise an objection in this case.

The AONB has the highest level of landscape protection and the conservation of its scenic beauty is afforded "great weight" in the NPPF (paragraph 115). This proposal will erode tranquillity and change the undeveloped and unlit nature of this part of the AONB by allowing a new dwelling (through conversion) in a remote rural location. The large new window openings in particular will impact on the recognised dark night skies quality of the AONB (see Adopted Cotswolds AONB Management Plan 2013-18). The existing access is not suitable to reach the barn and upgrading the access will further erode the undeveloped character of this part of the AONB. It is noted that the scheme refers to an informal car parking area. However, a level of domestication eg garden planting, sheds, means of enclosure, bins, external lighting etc are bound to creep in over time and this form of change of character cannot easily be controlled by planning condition. The barn is located away from any settlement or relating farmstead and paragraph 55 of the NPPF is therefore relevant as it states that LPAs should avoid new isolated homes in the countryside. Given that this is a conversion, the third bullet point of paragraph 55 is relevant and the Board considers for the reasons given above, that this conversion would result in a negative impact on the immediate setting of the barn and will not result in any form of enhancement.

RE: Cowage Farm 15/11618/FUL.

The Cotswolds Conservation Board wishes to raise the following comments in respect of this application:

Thank you for the submitted LVIA and we have now also been contacted by the applicant to discuss the proposal.

The Board would normally recommend the location of new barns adjacent to existing farm buildings. However, we do accept there are specific reasons in this case to consider a greenfield location away from the main farm complex.

The Board also agrees with Heritage England's assessment of the character of the landscape. This is a farmed landscape and other than from the road frontage there are limited public viewpoints towards this application site. Given the existing landscaped boundary to the east of the site and the proposed new hedgerow to the west of the site following the historic hedgeline boundary (which in itself would be an enhancement) it will be possible to accommodate the proposed barns into the landscape subject to great care over external materials and landscaping. The proposed barns at a ridge height of 6m are relatively low lying (in comparison to other modern barns) and so this will help the assimilation of them into the landscape post construction.

The Board therefore recommends that if the Council are minded to approve this application specific planning conditions are attached to ensure: the approval of all external materials; a detailed landscaping plan to not only show the protection of the eastern landscaped boundary but to include an assessment over condition to include additional new hedge/tree planting if required; a detailed landscaping plan to show the new double planted staggered native hedgerow along the western boundary of the site following the historic hedgeline boundary; accordingly a landscape management plan in relation to the new/existing planting to the front, west and east sides of the site; a hard surfaces plan to clearly define the edges of any concrete

apron areas and limit the extent of any external storage; and no external lighting to protect the dark night skies of the AONB.

RE: 16/00201/FUL. Erection of a new dwelling with associated hard and soft landscaping. Land To The NW Of Foxcote Hill Ilmington.

In addition to the objection the Board has already raised in respect of the above planning application, we would like to add some additional comments in respect of the submitted "Landscape Visibility Impact Appraisal."

The Board recommends that the views of the Council's Landscape Officer are sought in respect of this document.

Our own concerns is that this assessment has not been carried out in accordance with the Landscape Institute's "Guidelines for Landscape and Visual Impact Assessment" (GLVIA 3) or indeed appears not to have been prepared or verified by a qualified Landscape Architect.

Accordingly this assessment has not been carried out as a balanced appraisal of the development proposal with the correct identification of the baseline conditions of the sites location in a nationally protected AONB landscape and reference to the correct planning policy background. Instead the assessment has been carried out clearly with a "pro-development" stance. Comments for example at "2.1 The site is located **just** within the (AONB)" is an attempt to diminish the fact the site is clearly within the boundary of the AONB.

The Cotswolds Conservation Board would have expected as part of this assessment for example:

- Consideration of the planning history of the site including past appeal decisions.
- Recognition of the CRoW Act 2000 and the legally protected status of the AONB together with the Council's legal duty to "conserve and enhance" the AONB – again with links back to the previous planning history of this site.
- The correct identification that by reason of Footnote 9 of the NPPF in relation to Paragraph 14 the "presumption in favour of sustainable development" does not automatically apply.
- That paragraph 115 of the NPPF confirms that "great weight" should be placed on conserving landscape and scenic beauty in AONBs.
- Paragraph 115 also confirms that AONBs "have the highest status of protection in relation to landscape and scenic beauty."
- The assessment should then establish the value and sensitivity of this form of landscape to change and include an assessment of landscape effects and an assessment of visual effects.
- There has been no reference to the following Cotswolds AONB guidance which we would normally expect within a detailed LVIA – The Management Plan 2013-18; the Cotswolds AONB Landscape Character Assessment; The Cotswolds AONB Local Distinctiveness and Landscape Change.

In conclusion the Cotswolds Conservation Board consider the Council should not attach weight to this submitted document in its current form and recommend the Council's Landscape Officer also independently comments on this document. The Board understands the need for housing and that suitable provision is being made

through the Local Plan process, however the history of this particular site has already confirmed that it is unsuitable for development.

**16/00202/OUT Residential development 45 dwellings - Waoku Nurseries Ltd
Kidnappers Lane Cheltenham.**

Thank you for consulting the Cotswolds Conservation Board in respect of the above.

This site is outside but within the setting of the Cotswolds AONB as noted within the submitted LVIA. The Cotswolds Conservation Board therefore raise no specific objections, but do request the Council carefully consider in forming a decision on this application overall, the impacts of this proposal both individually or cumulatively (should additional development come forward in the surrounding area) on the setting of the Cotswolds AONB.

Should the Council decide the application is acceptable, specific mitigation measures should be included within the scheme to ensure any impacts on the setting of the AONB are kept to a minimum. Particular care should be taken over for example, controls over building heights; approval of external materials; control over external lighting and street lighting; protecting existing and providing new landscaping particularly in relation to screening views from the AONB. Additional guidance is contained within the attached Position Statement.

RE: S.16/0043/OUT Land at M5 Junction 12, West of Stonehouse.

Summary: This proposal is outside of, but does have the potential to have a negative impact on the nationally protected Cotswolds AONB.

Reasons: Comments made by the Cotswolds AONB Conservation Board were submitted at the pre-application stage and the application has considered the potential to harm the setting of the AONB from this development.

The High Court decision (Stoud District Council v Secretary of State for Communities and Local Government (Gladman Development Ltd) February 2015) helps confirm the application of Paragraph 115 of the NPPF. Mr Justice Ouseley stated in this case that Paragraph 115 of the NPPF “*certainly covers the impact on the scenic beauty of the land actually within the AONB. It seems to me that it would be unduly restrictive to say that it could not cover the impact of land viewed in conjunction with the AONB from the AONB. But to go so far as to say that it must also cover land from which the AONB can be seen and great weight must be given to the conservation of beauty in the AONB by reference to that impact reads too much into paragraph 115.*” Further to this the use of Paragraph 116 of the NPPF is quite specific in relation to development “in” AONBs.

In this case the Board considers the development does have the potential to impact on the scenic beauty of the land within the AONB and indeed in the context of views from the AONB towards other parts of the AONB and Paragraph 115 of the NPPF is therefore relevant. The Board’s Adopted Position Statement on Setting (which is in the process of being updated) has been attached to provide additional guidance.

The site can be seen from a number of different and well used publically accessible viewpoints from within the AONB. The development will extend the existing developed character of the Stonehouse settlement and related industrial areas into the green gap that remains up to the M5 and this change in the landscape of this part of the Vale will be visible from within the AONB. The Board therefore considers there

will be an element of negative change to the landscape that forms part of the setting of the AONB through the urbanising impact of development of what is countryside outside any settlement boundary. Careful use of landscaping, external building colours and materials and control over external lighting can to an extent help mitigate harm, but overall this will be a new developed area that will be visible from high ground within the AONB. The character and qualities of the existing landscape will clearly be changed through this development, though it is recognised this development is not in a gap extending a settlement closer towards the AONB.

It is also noted that details of the stadium are not under consideration at this stage and that possibly should the stadium ever be increased to a 10,000 seater capacity it is assumed this may have future implications in terms of an even taller/larger stadium structure. It is therefore difficult for the Board to comment in detail on what may be the most significant and potentially harmful component of this development at this time.

Therefore, the Board recommends to the Council that in coming to a decision on this application the Council do include consideration of negative harm to the setting of the Cotswolds AONB. This needs to be put into the planning balance together with consideration as to whether this development is plan led; the need for the development and any benefits; if need is established, alternative location consideration (including whether alternatives are in or even closer to the edge of the AONB and therefore potentially more harmful); and whether harm can be sufficiently mitigated and addressed through planning conditions.

16/01382/FUL Land Adj Ashley Lane Box Wiltshire SN13 8AN. Erection of American barn and associated works.

The Cotswolds Conservation Board have been asked to comment on the above planning application that is within the nationally protected AONB (and Green Belt).

Although the Board recognises that equestrian uses are not uncommon in the AONB landscape, nevertheless there can be negative impacts on the character and special qualities of the AONB through new and intensive equestrian uses, particularly on greenfield sites. I attach the Board's Position Statement on the "Keeping of Horses" and many of the negative impacts on the landscape can be associated with this proposed development. The particular concern of the Board therefore is that this proposal will result in a commercial scaled intensification of the site with an excessive level of horses given the site area. A use of this nature would be more appropriate on an existing farm where existing buildings can be re-used and more space is available. Our attached guidance equates to the site area only being suitable for 4 horses.

The site is within the "Enclosed Limestone Valley".4. landscape character type and specifically within "4D Lower By Brook Valley Landscape Character Area". The attached Adopted Cotswolds AONB Landscape Strategy and Guidelines highlights a particular force for change in this area being "*Proliferation and concentration of equestrian establishments*". Accordingly the landscape implications are "*Proliferation of stables and other visual clutter such as ribbon fences, jumps, horse boxes, shelters and lighting associated with 'horsiculture'*. • *Creation of paddocks by subdividing fields using post and rail fence or ribbon fences.* • *Deterioration in pasture quality and over grazing* • *Pressure to provide new housing for staff and owners.* • *Excessive use of local roads and paths by horses.*"

In conclusion, this proposal will result in new development and an intensification of use that will have a negative impact on the character and special qualities of the AONB. The Board therefore objects to this proposal.

**Planning Applications 16/00296/FUL, 00295, 00294 and 00288.
Land Rover, Gaydon Test Centre, Banbury Road, Gaydon And, British Motor Museum, Banbury Road, Gaydon .**

The above planning applications are outside and away from the nationally protected Cotswolds AONB.

The Cotswolds Conservation Board raise no comments but do wish to request that should the Council recommend approval particular care is taken over external materials, landscaping, and external lighting to ensure this site does not have an increased impact on the Cotswolds AONB. Our Setting Position Statement providing additional information is attached.

S.16/0458/FUL & S.16/0459/FUL

**Application Address: Ockold Stables Upton Hill, Upton St Leonards,
Gloucestershire Application Description: Temporary Equestrian Workers Dwelling / Construction of ménage.**

The Cotswolds Conservation Board do not consider there is sufficient functional and financial justification to support this proposal. There is access in close proximity to this site to other residential properties in the area, whilst the applicant is also already in accommodation within a reasonable distance from the site. The Board therefore do not consider there to be an “essential need” (paragraph 55 of the NPPF) for accommodation on site in this case. The application refers to Paragraph 14 of the NPPF and the presumption in favour of sustainable development. However, of course in this case the provisions of Paragraph 14 of the NPPF are heavily diluted as (a) Footnote 9 of the NPPF confirms that the presumption in favour of sustainable development does not automatically apply given the sites location within an AONB and the related restrictions applied at Paragraph 115 of the NPPF in relation to conserving landscape and scenic beauty in AONBs; and (b) that as recommended by Paragraph 55 of the NPPF “Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances”. The attached appeal decision provides an example of one such case dismissed on appeal outside a nationally protected landscape.

In conclusion, the addition of a workers dwelling would result in an inevitable domestication of the site together with it being an isolated home in the countryside away from services and facilities provided within local settlements. Given that Paragraph 115 of the NPPF affords an additional level of “great weight” to conserving landscape and scenic beauty in AONBs an objection is therefore raised by the Cotswolds Conservation Board in this case.

16/0012/CWMAJM Variation of conditions 5, 8 (Scope of Development), 14 and 15 (Exportation of Stone) relating to planning consent 11/0019/CWMAJM dated 14/10/2011. Tinkers Barn Quarry Guiting Power Gloucestershire GL54 5UF.

The Cotswolds Conservation Board wishes to make the following comments in respect of this application.

The crushing and exportation of existing material on site in the first two phases of the site does not raise any specific concerns on the basis of the use operating within the

existing (and amended where required) planning conditions of the site and the level of proposed exportation not significantly increasing HGV traffic flow through the AONB.

The delay in the restoration of phases 1 and 2 as 3 is also commenced will lead to a more significant area of quarrying development visible in the AONB landscape at one point in time. The phase 3 area is sensitive to views from the Buckle Street roadside, visitors to the Cotswold Farm Park and rights of way, though the existing bunding and hedge planting will help mitigate this to an extent.

The Board therefore requests that should the Council be minded to approve this element of the application, could a suitable additional condition be provided to ensure the restoration of phases 1 and 2 as soon as the crushing operation has been completed within a specified time period? Further to this could the future “phase of bunding” (Phase 3 Landscape Plan) be extended together with a hedge planting belt (in the next planting season) along this northern boundary in the short term through a suitably worded condition?

Both of these requirements should help in reducing the length of time of the cumulative impact from phases 1, 2 and 3 prior to restoration whilst the bunding and hedging of the remainder of the northern boundary should assist further in mitigating the harm from this development.

16/00383/FUL Lilleybrook Golf Club 313 Cirencester Road Charlton Kings Cheltenham Gloucestershire GL53 8EG.

Engineering works to re-profile and re-contour the existing practice facility to create a mini 9-hole course by importing 100,000 cubic metres of inert fill material.

The Cotswolds Conservation Board wishes to raise an **objection**. Many of the issues covered in the current application for 100,000 cubic metres of inert fill material were covered in the last application (15/00328/FUL).

The Board considers the importation of 100,000 cubic metres of inert landfill material into the nationally protected AONB to be a form of “major development” and therefore paragraphs 115 and 116 of the NPPF are relevant in this case. Accordingly the Board considers the proposal does not meet the exceptional circumstances tests of Paragraph 116. The landscaping proposals, at the scale of 100,000 cubic metres, seems to be a figure derived at based on a waste operation rather than what is actually needed (if at all) to re-profile the golf course? The Board continues to question whether the predominant purpose of the development actually involves profiting from waste disposal rather than engineering for the benefit of the golf course. The Board also questions, given the location in the “sensitive” AONB landscape (as stated within the EIA guidelines), whether this proposal has been screened for the need for an EIA. The proposal will result in a substantial level of HGV movements which will erode the rural road network and result in the importation of waste into the AONB. Although in landscape terms the scheme offers restoration of the landscape, the short term harm and wider impacts of this development on the environment of the AONB, have not been adequately assessed.

Concerns in respect of this form of development specific to golf courses were originally raised in a letter from the DCLG to Chief Planning Officers in 2009 (see attached together with the Board’s Waste Position Statement). The Council are therefore requested to fully consider these issues before forming a decision on this application.