

Cotswolds Conservation Board
Fosse Way
Northleach
Gloucestershire
GL54 3JH



20th September 2018

Martin Perks
Planning Officer
Cotswold District Council

By email to martin.perks@cotswold.gov.uk

Dear Mr Perks

18/02795/FUL | Stationing of 10 glamping domes including decking, improved access and landscaping | Land To North Of Maudslay Court Farncombe Estate Farncombe Broadway Gloucestershire

I am writing to inform you that the Cotswolds Conservation Board ('the Board') OBJECTS to the proposed development.

It is the Board's opinion that the planning application does not adequately address the potential light pollution and visual impact of the proposed development (see Annex 1, below, for further details), which is located in the Cotswolds Area of Outstanding Natural Beauty (AONB).

As such, the planning application does not provide sufficient evidence to demonstrate that the proposed development complies with the requirements of the National Planning Policy Framework (NPPF), the Cotswold District Local Plan and the policies of the Cotswolds AONB Management Plan.

Under Section 85 of the Countryside and Rights of Way Act 2000, local planning authorities must have regard to the purpose of AONB designation when making decisions on planning applications. This should include having regard to the recommendations of the Board.

The Board recommends that, before the District Council makes a decision on this planning application, the applicant should be required to undertake further assessments - and provide more detailed mitigation measures - relating to these two issues. The Board (and other stakeholders) should then be given the opportunity to provide further comments before a planning decision is made. If the light pollution and visual impact cannot be avoided and / or appropriately mitigated, the application should be refused.

Yours sincerely,

John Mills MRTPI
Planning and Landscape Officer

Conserving, enhancing, understanding and enjoying the Cotswolds Area of Outstanding Natural Beauty

ANNEX 1. 18/02795/FUL | Stationing of 10 glamping domes including decking, improved access and landscaping | Land To North Of Maudslay Court Farncombe Estate Farncombe Broadway Gloucestershire

Light pollution

The proposed development lies in the Cotswolds Area of Outstanding Natural Beauty (AONB), towards the foot of the Cotswold escarpment. The purpose of AONB designation is to conserve and enhance the natural beauty of the AONB. A key component of 'natural beauty' is tranquillity, which includes the absence of light pollution. Tranquillity (and, therefore, the absence of light pollution) is also one of the 'special qualities' of the Cotswolds AONB. As such, the avoidance of light pollution and the retention of dark skies should be a key consideration for any proposed development in the AONB, especially in a highly sensitive location such as the Cotswold escarpment.

The Cotswolds Conservation Board is concerned that the proposed development could significantly increase levels of light pollution in this sensitive location. The Planning Supporting Statement, submitted by the applicant as part of the planning application, states that '*the Local Authority ... confirmed [during pre-application discussions] that careful consideration would need to be given to ... light pollution*' (para. 5.1). However, there is no evidence to indicate that this 'careful consideration' has been given.

For example, the Planning Supporting Statement makes no direct reference to light pollution that may arise as a result of this development or any mitigation for this light pollution. The only reference made to this issue by the applicant appears to be in email correspondence between Tyler Parks and the District Council ('Details of Proposal'), in which Tyler Parks states the following:

- *The pods outer membrane is not translucent. There is a single window panel, which is internally covered. We would suggest a condition requesting a detailed lighting scheme to be provided prior to occupation.*

However, the Board takes the view that the information and proposals relating to light pollution are totally inadequate. Firstly, the applicant has provided no evidence to prove that the pod membrane is translucent and that no light would pass through. Secondly, the specification for the pods indicates that there is a fully translucent 'window' covering an area approximately 2m high and 5m wide, which could result in significant amounts of light to pass through from inside the pods to outside. Thirdly, the suggestion that the District Council should just impose a planning condition requesting a detailed lighting scheme provides no indication of the potential level of light pollution resulting from the development.

The Board is of the opinion that the planning application does not provide sufficient evidence to demonstrate that the proposed development complies with the requirements of the National Planning Policy Framework (NPPF), the Cotswold District Local Plan or with the policies of the Cotswolds AONB Management Plan and associated guidance (which should be a material consideration in planning decisions), as outlined below.

Policy 180c of the NPPF states that planning decisions should '*limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation*'.

Policy EN15 of the Local Plan, which addresses Pollution and Contaminated Land, states that '*development will be permitted that will not result in unacceptable risk to ... the natural environment or the amenity of existing land uses through ... generation of light levels*'. It

goes on to state that *'in respect of affected sites, the developer and / or landowner will be required to undertake appropriate investigations(s) and to carry out necessary remedial works'*.

Policy EN5 of the Local Plan, which addresses the Cotswolds AONB, states that *'in determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight'*. This reflects the requirements of the National Planning Policy Framework (NPPF), paragraph 172. Given that tranquillity (and the absence of light pollution) is one of the special qualities of the AONB, the issue of light pollution should be given great weight in relation to this proposal.

The Cotswolds AONB Management Plan, which should be a material consideration in planning decisions, currently states¹ that *'development should ... have regard to the impact on tranquillity, including dark skies'* (Policy DTP1). The draft Cotswolds AONB Management Plan 2018-2023, which is due to be adopted by the Cotswolds Conservation Board on 20th September 2018, takes this further by explicitly stating that *'proposals that are likely to impact on the dark skies of the Cotswolds AONB should have regard to these dark skies, by seeking to (i) avoid and (ii) minimise light pollution'* (Policy CE5: Dark Skies).

The Board has classified the escarpment as Landscape Character Type (LCT) 2 (Escarpment). The site of the proposed development is also close to LCT 19 (Unwooded Vale). The Landscape Strategy and Guidelines for both of these LCTs state that development should *'adopt measures to minimise and, where possible, reduce light pollution'*.

With regard to all of these considerations, the Board is of the opinion that the proposed development does potentially pose unacceptable risk to the natural environment and the amenity of existing land uses, due to the potential light pollution that could result from the development and the adverse impact that this could have on the tranquillity and dark skies of the AONB. The Board is also of the opinion that consideration should also be given to the cumulative impact of the potential light pollution from the proposed development combined with the existing levels of light pollution at Farncombe Estate. As such, we recommend that that, prior to a decision being made on this planning application, the investigations and remedial works required under Policy EN15 should be carried out.

Therefore, the Board recommends that, before a planning decision is taken on this proposed development, the applicant should provide:

- **A full assessment of the potential levels of light pollution resulting from the development.** This should include:
 - details of the anticipated type of lighting, both within the domes and within the planning application area;
 - the anticipated extent of the potential light pollution (including light pollution into the night sky);
 - the cumulative impact of the potential light pollution from the proposed development and the existing levels of lighting / light pollution at Farncombe Estate.

¹ Cotswolds AONB Management Plan 2013-2018.

- **A mitigation strategy that clearly identifies how light pollution will be: (i) avoided; and (ii) minimised.**

Once this information has been provided, the Board (and other stakeholders) should be provided with an opportunity to review and comment on this information before a planning decision is made. If the light pollution cannot be avoided or appropriately mitigated, the application should be refused.

Visual Impact

The Cotswold escarpment is one of the 'special qualities' of the Cotswolds AONB. In addition, the scenic quality of the AONB, including its visual quality, is one of the key components of the AONB's natural beauty. As such, the potential impact on views in, from and / or towards the AONB should be a major consideration for any relevant planning application.

The applicant's Planning Support Statement states that the domes will be '*tucked away within a well screened area characterised by dense vegetation, in particular along the boundaries. This would prevent any obtrusive views and disturbance to the sensitive location within the AONB*' (para. 4.2). It goes on to state that the application site '*would not be visible from any public views, public right of way or other hotel uses*' (para. 7.2).

However, although the site is fairly well screened, it is untrue to state that it would not be visible from any public views, public rights of way or other hotel users. Even without the 3.85m high domes being present, the site - including the in-situ rubble, which would presumably provide hardstanding underneath the domes - is clearly visible from the public right of way on the lane from Collin Lane to Farncombe Estate to the south east of the site, especially when viewed from the entrance to the Estate (Grid Reference: SP110388). None of the information provided by the applicant explicitly assesses the additional visual impact of having 10 x 3.5m high structures on this site. For example, it does not address the extent to which the pods could be seen over the top of the surrounding hedges from both uphill and downhill viewpoints.

As such, the Board is of the opinion that the planning application does not adequately address the potential visual impact of the proposed development. **Therefore, the Board recommends that, before a planning decision is taken on this proposed development, the applicant should provide:**

- **A more thorough assessment of the potential visual impact of the development**, including a Landscape and Visual Impact Assessment (LVIA), which takes account of the height of the domes (3.65m) and the platforms and hardstanding on which they will stand. Ideally, this should include site lines and photomontages of the visual impacts from key views, including from the entrance to Farncombe Estate (from Collin Lane) and from Broadway Road. It should also take into consideration of the views during early spring / late autumn, when there will be less vegetation (on the assumption that the pods will only be present from March to November, as stated by the applicant).
- **A more thorough mitigation strategy**, which takes account of the full height of the domes and which clearly demonstrates how any adverse visual impacts would be: (i) avoided; and (ii) minimised. This strategy should formally state that the pods will only be present from March to November.

Once this information has been provided by the applicant, the Board (and other stakeholders) should be provided with an opportunity to review and comment on this information before a planning decision is made. If the light pollution cannot be avoided or appropriately mitigated, the application should be refused.