



Paul Thompson  
Stratford-on-Avon District Council  
Elizabeth House  
Church Street  
Stratford-upon-Avon  
Warwickshire  
CV37 6HX

By email only to: [Paul.Thompson@stratford-dc.gov.uk](mailto:Paul.Thompson@stratford-dc.gov.uk) & [planning.applications@stratford-dc.gov.uk](mailto:planning.applications@stratford-dc.gov.uk)

18 March 2021

Dear Paul,

**APPLICATION NO:** 20/03326/OUT

**DESCRIPTION:** Outline planning application (access and layout) for a phased development of eight serviced self-build plots, public open space in the form of a grassland field and community orchard, and associated works.

**LOCATION:** Land off Taylors Lane, Upper Quinton

Thank you for consulting the Cotswolds Conservation Board ('the Board') on planning application 20/03326/OUT, for which the proposed development would be located in the Cotswolds National Landscape (the new name for the Cotswolds Area of Outstanding Natural Beauty (AONB)).

The Board recognises that the Cotswolds National Landscape is a living and working landscape in which maintaining vibrant and thriving local communities is essential to the long-term future of the area. As such, we acknowledge that the National Landscape cannot be considered to be exempt from the need for new housing and other development. Indeed, the right development in the right place can potentially play a positive role in helping to conserve and enhance the natural beauty of the National Landscape.

However, achieving these aspirations needs to be delivered in a way that is compatible with – and positively contributes to – the statutory purpose of AONB designation. In this instance, we consider that this would not be the case and that the development would, in fact, have a number of significant adverse impacts.<sup>1</sup> Great weight should be given to these adverse impacts.

For example, we consider that the proposed development would have 'major' or 'major-moderate' adverse impacts on views from public rights of way on Meon Hill and from the public right of way to the north of the site. We also consider that the proposed development would have moderate adverse impacts on landscape character, 'ridge and furrow' and settlement character and form.

For these reasons, we object to the proposed development and recommend that planning permission should be refused.

---

<sup>1</sup> It is worth noting that in environmental impact assessments, both 'major' and 'moderate' adverse impacts are often considered to be 'significant'.

**Cotswolds Conservation Board**

The Old Prison, Fosse Way, Northleach  
Gloucestershire GL54 3JH  
01451 862000  
[info@cotswoldsaonb.org.uk](mailto:info@cotswoldsaonb.org.uk)

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**

In reaching our conclusions, we also question the need for the proposed development, particularly given that:

- Quinton 'Local Service Village' (LSV) has already nearly met the Core Strategy's housing provision requirement for the plan period;
- the number of dwellings already built or committed in the 'Category 1' LSVs, including Quinton LSV, during the plan period is already nearly double the number required in the Core Strategy.

In Appendix 1, we also highlight the distinction that needs to be drawn between development in Upper Quinton, within the Cotswolds National Landscape, and development in the wider Quinton LSV, outside the National Landscape boundary.

Although we consider there to be significant adverse impacts, we acknowledge that the limited number of dwellings means that the proposal is unlikely to be considered 'major development', in the context of paragraph 172 of the National Planning Policy Framework (NPPF). However, we consider that the significant adverse impacts provide a clear reason for refusal. As such, even taking into account any potential 'policy gaps' relating to self-build and custom housebuilding, we consider that there should not be a presumption in favour of granting planning permission (i.e. the 'tilted balance' should not apply).

Taking account of all of the above points, we do not consider that the proposed development would be consistent with national planning policy and guidance, the Stratford-on-Avon Core Strategy, the draft Site Allocations Plan for Stratford-on-Avon, the Cotswolds AONB Management Plan 2018-2023 or guidance published by the Board.

Without prejudice, if the District Council is minded to give further consideration to the proposed development, we make a number of recommendations regarding tranquillity, dark skies and design (see Appendix 1).

Further information on these points is provided in Appendix 1, below.

If you have any queries regarding these comments, please do get in touch.

Yours sincerely,

A handwritten signature in black ink that reads "John Mills". The signature is written in a cursive style with a long, sweeping underline.

John Mills  
Planning & Landscape Lead  
[john.mills@cotwoldsaonb.org.uk](mailto:john.mills@cotwoldsaonb.org.uk) | 07808 391227

**APPENDIX 1. COTSWOLDS CONSERVATION BOARD COMMENTS ON PLANNING APPLICATION  
20/03326/OUT**

**TABLE OF CONTENTS**

LANDSCAPE IMPACTS .....	2
Landscape Character Type / Area .....	2
Settlement form and character.....	4
Ridge and furrow .....	4
Scheduled monuments .....	6
Tranquillity.....	6
Dark Skies.....	7
Design .....	7
IMPACTS ON VIEWS WITHIN / FROM THE COTSWOLDS NATIONAL LANDSCAPE.....	8
IMPACT ON VIEWS TOWARDS THE COTSWOLDS NATIONAL LANDSCAPE.....	10
RVP4.....	10
RVP6.....	11
IS THE PROPOSAL MAJOR DEVELOPMENT?.....	11
HOUSING NEED .....	12
Housing Need – Quinton Local Service Village .....	12
Housing Need – Upper Quinton / Cotswolds National Landscape .....	13
Self-Build & Custom Housebuilding .....	14
Built-Up Area Boundary .....	14
The Tilted Balance.....	15
RELEVANT LEGISLATION, POLICY AND GUIDANCE.....	15

## LANDSCAPE IMPACTS

### Landscape Character Type / Area

The Cotswolds AONB Landscape Character Assessment identifies 19 different landscape character types (LCTs) in the Cotswolds National Landscape. The proposed development is located in LCT 19 (Unwooded Vale) and adjacent to LCT 1 (Escarpment Outliers). The LCTs are further subdivided into landscape character areas (LCAs), of which the proposed development is located in LCA 19D (Unwooded Vale – Vale of Evesham Fringe) and adjacent to LCA 1F (Escarpment Outliers – Meon and Ebrington Hills).

### Sensitivity

We consider that the field in which the proposed development would be located is representative of this key feature of LCT 19:

- Wide open, sparsely settled agrarian landscape cloaked in pastures and arable fields appears well maintained and productive.<sup>2</sup>

The site (including its boundaries) incorporates several other key features, including well maintained hedgerows, mature field and hedgerow oaks, remnants of ancient open fields (i.e. ridge and furrow) and the backdrop of the escarpment outlier of Meon Hill.

Given that the site is within a nationally important, designated landscape, which incorporates multiple characteristic features of the landscape, we consider the value of the landscape receptors to be 'very high'.

We acknowledge that there is built development adjacent to the site (i.e. Dobbie Road). However, this built development consists of relatively low density housing that just occupies part of one side of the site. This built development, itself, forms the western edge of the very small and dispersed settlement of Upper Quinton. As such, the influence of this built development on the site is relatively low. On this basis, we consider the susceptibility of the landscape receptors to the proposed change to be high.

We consider that the 'very high' value of the landscape receptors, combined with the 'high' susceptibility to change, means that the overall sensitivity of the landscape receptors is 'high'.

### Magnitude of change

The proposed development would change the landscape character of this field to a combination of built development (in the eastern half of the field) and orchards (in the western half of the field).

In principle, the introduction of built development would have an adverse effect on the landscape character. However, we acknowledge that the scale and extent of the proposed development is relatively small (i.e. 8 dwellings on a site covering approximately 1ha).

The applicant's LVIA asserts that the development would affect a limited extent of the overall landscape character area (i.e. LCA 19E). Whilst this may be true, we question the appropriateness of comparing the scale of the development with the scale of the relevant LCAs or LCTs. This is because, in an AONB the size of the Cotswolds National Landscape, individual LCTs can cover hundreds of square kilometres and individual LCAs can cover tens of square kilometres. To be considered

---

<sup>2</sup> <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-19-unwooded-vale-june-2016.pdf>. Key Features.

significant in this context, development proposals would have to cover vast areas. This approach would completely undermine the purpose of AONB designation and is not appropriate.

To address this issue, we recommend that it would be more appropriate to apply the following definition when considering the geographical extent – and significance - of landscape effects:

- *The area of landscape that needs to be covered in assessing landscape effects should include the site itself and the full extent of the wider landscape around it which the proposed development may influence in a significant manner.*<sup>3</sup>

Applying this definition in the context of the proposed development, an appropriate geographical area to consider would, arguably, be the area of the LCAs within the dotted purple line in Figure 4 of the LVIA (see below).



Obviously, the development would have a more significant effect on LCA 19D within this more limited geographical context than it would if you took the whole of LCA 19D into account. However, even within this more limited geographical context, we consider that the magnitude of change would still only be minor.

Orchards aren't explicitly a 'key feature' of this LCT. However, the Cotswolds AONB Landscape Character Assessment for LCA 19D, states that '*orchards, prevalent elsewhere in the Vale of Evesham, are not numerous in the AONB indicating that many were removed and converted to farmland*'.<sup>4</sup> This indicates their historic presence as a characteristic feature in the landscape. As such, we would not consider them to be an incongruous feature. However, in terms of landscape character, we consider the effect if introducing the orchard to be neutral, compared to the current baseline, rather than beneficial.

So, overall, we would consider the magnitude of change to be 'minor adverse'.

### Significance

We consider that the 'high' sensitivity of the landscape receptors combined with the 'minor adverse' magnitude of change would mean that the significance of the landscape impacts would be 'moderate adverse'.

---

<sup>3</sup> This definition is provided in paragraph 20 of Appeal Decision APP/R3650/W/16/3165974 ([link](#)) and reiterated in paragraph 21 of the High Court decision for *Monkhill Ltd v Secretary of State for Housing, Communities And Local Government* [2019] EWHC 1993 (Admin) ([link](#)).

<sup>4</sup> Cotswolds Conservation Board (2016) *Cotswolds AONB Landscape Strategy & Guidelines* ([link](#)).

However, it is important to note, that we have addressed a number of related issues, such as impacts on 'ridge and furrow', separately to this over-arching assessment.

Given that the proposed development would harm the historic character and landscape quality of the Cotswolds National Landscape, it would not comply with Policy CS.11 of the Stratford-on-Avon Core Strategy.<sup>5</sup>

### **Settlement form and character**

The Cotswolds AONB Landscape Strategy & Guidelines for LCT 19 identifies that one of the potential landscape implications of housing developments in this LCT is the '*interruption, weakening or loss of the historic character of settlements*'.

Historically, development in Upper Quinton was focussed on The Green and Hill Lane. We acknowledge that this settlement form has been weakened, to some degree, by the Edmonds Close and Dobbie Road developments. However, the current proposals would further erode the historic settlement form by extending development even further along Tailor's Lane, away from the historic core of the settlement.

This westwards expansion is also of concern in terms of 'development creep' towards the B4632 and the Meon Vale housing development.

In addition, the development would be located outside the built-up area boundary (BUAB) being proposed in the draft Site Allocations Plan for Stratford-on-Avon District Council.<sup>6</sup> We discuss the implications of the BUAB in more detail later in this response.

Stratford-on-Avon District Council's Strategic Housing Land Availability Assessment (SHLAA), states that development on this land parcel is not deliverable because of the impact that it would have on, inter alia, non-designated heritage assets.<sup>7</sup>

For these reasons, we consider that the proposed development would have an adverse impact on settlement character and form. As such, it would not be compatible with the Cotswolds AONB Landscape Strategy & Guidelines for LCT 19 which states '*ensure that new development does not adversely affect settlement character and form*'.<sup>8</sup> By extension, if it is not consistent with the Landscape Strategy and Guidelines, it is also not compatible with the policies of the Cotswolds AONB Management Plan.<sup>9</sup>

### **Ridge and furrow**

The proposed development would be built on a 'ridge and furrow'<sup>10</sup> field. The Cotswolds AONB Management Plan 2018-2023 identifies ridge and furrow fields as being one of the 'special qualities'

---

<sup>5</sup> Stratford-on-Avon District Council (2016) *Stratford-on-Avon Core Strategy 2011-2031* ([link](#)). Policy CS.11 (Cotswolds AONB).

<sup>6</sup> Stratford-on-Avon District Council (2020) *Site Allocation Plan Preferred Options Consultation Version* ([link](#)). The proposed built-up area boundaries for Upper and Lower Quinton are shown on page 150.

<sup>7</sup> SHLAA Update 2020. *SHLAA Schedule and Maps: Mappleborough Green – Shipston* ([link](#)). Pages 21 and 30-31.

<sup>8</sup> <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-19-unwooded-vale-june-2016.pdf>. Section 19.1.

<sup>9</sup> See Policies CC1, CE1 and CE10 of the Cotswolds AONB Management Plan 2018-2023 ([link](#)) for further details.

<sup>10</sup> [https://en.wikipedia.org/wiki/Ridge\\_and\\_furrow](https://en.wikipedia.org/wiki/Ridge_and_furrow)

of the Cotswolds National Landscape.<sup>11</sup> In addition, one of the ‘key features’ of LCT 19 is the ‘remnants of ancient open fields’,<sup>12</sup> of which ridge and furrow was a component part. However, we acknowledge that ridge and furrow does not have the status of a statutory designation.

Taking these points into account, we consider that, in LVIA terms, the ridge and furrow has high (rather than very high) value. The ridge and furrow field pattern would be lost where built development takes place so the susceptibility to change would also be high. We consider that the high value, combined with the high susceptibility to change, means that the sensitivity of this feature would also be high.

We acknowledge that the site of the proposed development is one component of a wider network of ridge and furrow fields in the vicinity of Upper Quinton. As such, in LVIA terms, we consider that the magnitude of change resulting from the proposed development would be minor (but not negligible).

We consider that the high sensitivity, combined with the minor magnitude of change, means that the significance of the impact would be ‘moderate adverse’.

The loss of ridge and furrow would not be consistent with:

- Policy CE6 of the Cotswolds AONB Management Plan, which specifies that ‘*the historic environment of the Cotswolds AONB should be conserved and enhanced*’;<sup>13</sup>
- the Cotswolds AONB Landscape Strategy and Guidelines for LCT 1, which states ‘*avoid proposals that result in the loss of archaeological and historical features*’.<sup>14</sup>

By extension, if it is not consistent with the Landscape Strategy and Guidelines, it is also not compatible with the policies of the Cotswolds AONB Management Plan.<sup>15</sup>

It is worth noting that Stratford-on-Avon District Council’s ‘Heritage RAG Assessment’ for Quinton,<sup>16</sup> which forms part of the technical evidence for the emerging Site Allocations Plan, states that development on this land parcel (QUIN.16) would cause substantial harm to surviving ridge and furrow. In addition, the District Council’s Strategic Housing Land Availability Assessment (SHLAA), states that development on this land parcel is not deliverable because of the impact that it would have on, inter alia, non-designated heritage assets (presumably referring to the ridge and furrow asset).<sup>17</sup>

---

<sup>11</sup> Relevant special quality: Significant archaeological, prehistoric and historic associations dating back 6,000 years, including Neolithic stone monuments, ancient drove roads, Iron Age forts, Roman villas, ridge and furrow fields, medieval wool churches and country estates and parks. (N.B. Underlining added for emphasis).

<sup>12</sup> <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-19-unwooded-vale-june-2016.pdf>. Key Features.

<sup>13</sup> Cotswolds Conservation Board (2018) *Cotswolds AONB Management Plan 2018-2023* ([link](#)). Policy CE6 (Historic Environment and Cultural Heritage).

<sup>14</sup> <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-19-unwooded-vale-june-2016.pdf>. Section 19.1.

<sup>15</sup> See Policies CC1, CE1 and CE10 of the Cotswolds AONB Management Plan 2018-2023 ([link](#)) for further details.

<sup>16</sup> Quinton – Heritage RAG Assessment ([link](#)). ‘RAG’ stands for ‘Red-Amber-Green’.

<sup>17</sup> SHLAA Update 2020. *SHLAA Schedule and Maps: Mappleborough Green – Shipston* ([link](#)). Pages 21 and 30-31.

## Scheduled monuments

The proposed development is located within the setting of the scheduled monument at the top of Meon Hill.<sup>18</sup>

The 'Heritage RAG Assessment' for Quinton,<sup>19</sup> which forms part of the technical evidence for the emerging Site Allocations Plan, identifies that development on this land parcel (QUIN.16) would cause harm to the setting of this scheduled monument, albeit that this harm would be less than substantial.

## Tranquillity

An important consideration is the extent to which the proposed development would conserve and enhance the tranquillity of the Cotswolds National Landscape, which is one of the area's 'special qualities'. In the context of this development proposal, the increase in traffic movements on Tailor's Road would be a key consideration.

Tailor's Lane is an example of the following 'key feature' of LCT 19: *'quiet winding lanes link numerous isolated farms and hamlets and emphasise the rural character of the landscape'*.<sup>20</sup>

Although Tailor's Lane is a through road, it is unlikely that it would be used as a through route to any significant degree. Instead, it primarily serves Upper Quinton. As such, traffic movements on Tailor's Lane are likely to also primarily relate to residents of – and visitors / deliveries to – Upper Quinton.

With this in mind, the 9% increase in dwellings in Upper Quinton that would result from the proposed development is also likely to lead to a significant percentage increase in traffic movements on Tailor's Lane (albeit that the total number would still be relatively low).

The Board's Tranquillity Position Statement identifies that, as a 'rule of thumb', development proposals that would increase traffic movements on local roads within (or on the boundary of) the Cotswolds National Landscape by 10% or more should be considered significant (i.e. this is a threshold above which an Environmental Impact Assessment should be considered).<sup>21</sup>

Given the percentage increase in number of dwellings associated with the proposed development, the traffic movements on Tailor's Lane could potentially come close to this 10% threshold. Unfortunately, the applicant has not included such data in their Transport Assessment. As such, it is not clear if the proposed development would *'avoid a level of increase in traffic on rural roads that would be harmful to the local area'*, as required by Policy AS.10 of the Stratford-on-Avon Core Strategy.<sup>22</sup>

Therefore, if the District Council is minded to give this planning application further consideration, we recommend that the applicant should be required to assess the percentage increase in vehicle movements on Tailor's Road that would result from the proposed development.

---

<sup>18</sup> The scheduled monument is a 'Multivallate hillfort'.

<sup>19</sup> Quinton – Heritage RAG Assessment ([link](#)). 'RAG' stands for 'Red-Amber-Green'.

<sup>20</sup> <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-19-unwooded-vale-june-2016.pdf>.

Key Features

<sup>21</sup> Cotswolds Conservation Board (2019) *Tranquillity Position Statement* ([link](#)) – Section 4.5. It is important to note that this guidance is based on the 'Guidelines for Environmental Assessment of Road Traffic' published by the Institute of Environmental Assessment (now the Institute of Environmental Management and Assessment).

<sup>22</sup> Stratford-on-Avon District Council (2016) *Stratford-on-Avon Core Strategy 2011-2031* ([link](#)). Policy AS.10 (Countryside and Villages).



## Dark Skies

An important consideration is the extent to which the proposed development would conserve and enhance the dark skies of the Cotswolds National Landscape, which are one of the areas ‘special qualities’.

Given the relatively modest scale of the proposed development, adjacent to the existing built development of Upper Quinton, we consider that the impact on dark skies is not likely to be significant.

However, if the District Council is minded to grant planning permission, we request that the applicant should be required to:

- minimise light pollution, in line with the guidance provided in the Board’s Dark Skies & Artificial Light Position Statement and its appendices;<sup>23</sup>
- demonstrate compliance with the ‘Guidance Notes for the Reduction of Obtrusive Light’ published by the Institution of Lighting Professionals, including the obtrusive light limitations specified in Table 2 for ‘Environmental Zone 2’.<sup>24</sup>

## Design

We acknowledge that the applicant’s Design Document has regard to the characteristics of the built environment in Upper Quinton, particularly that of the historic core of the settlement.

Although the Design Document provides a useful framework, the self-build nature of the proposed development makes it difficult to predict exactly what the design of each dwelling will be or how the dwellings will, collectively, complement each other.

If the District Council is minded to give the proposed development further consideration (or planning permission), we recommend that the applicant should be required to have regard to:

- the relevant ‘special qualities’ of the Cotswolds National Landscape;<sup>25</sup>
- Policy CE3 (Local Distinctiveness) of the Cotswolds AONB Management Plan 2018-2023;<sup>26</sup>
- the design related guidance in the Cotswolds AONB Landscape Strategy & Guidelines for LCT 19;<sup>27</sup>
- the guidance on built environment provided in the Cotswolds AONB Local Distinctiveness and Landscape Change publication.<sup>28</sup>

The development should also be designed to mitigate the impacts of climate change in a way that is compatible with the purpose of AONB designation.

---

<sup>23</sup> Cotswolds Conservation Board (2019) *Dark Skies & Artificial Light Position Statement* ([link](#)), including appendices A ([link](#)), B ([link](#)) and C ([link](#)).

<sup>24</sup> Institution of Lighting Professionals (2011) *Guidance Notes for the Reduction of Obtrusive Light* ([link](#)).

<sup>25</sup> Cotswolds Conservation Board (2018) *Cotswolds AONB Management Plan 2018-2023* ([link](#)). Chapter 2. The relevant special qualities include: the unifying character of the limestone geology; variations in the colour of the stone from one part of the AONB to another; and distinctive settlements developed in the Cotswold vernacular with high architectural quality and integrity.

<sup>26</sup> Cotswolds Conservation Board (2018) *Cotswolds AONB Management Plan 2018-2023* ([link](#)). Policy CE3.

<sup>27</sup> <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-19-unwooded-vale-june-2016.pdf>. Section 19.1.

<sup>28</sup> Cotswolds Conservation Board (2003) *Cotswolds AONB Local Distinctiveness and Landscape Change* ([link](#)), in particular, Chapter 4 – Built Environment ([link](#)).

## IMPACTS ON VIEWS WITHIN / FROM THE COTSWOLDS NATIONAL LANDSCAPE

With regards to views from the Cotswolds National Landscape, the most significant impacts are likely to relate to views from public right of way (PROW) SD334 on the northern slopes of Meon Hill.

The applicant's LVIA includes two viewpoints on PROW SD334 - representative viewpoints (RVP) 1 and 2.

### Sensitivity

The 'value' of views from PROW SD334 is increased by the fact that it:

- is a PROW within a nationally important, protected landscape, specifically the Cotswolds National Landscape, for which one of the '*special qualities*' is the '*accessible landscape for quiet recreation ...with numerous ...walking routes*';<sup>29</sup>
- forms part of the Heart of England Way (i.e. a promoted, long-distance route).

In addition, Policy CE1 of the Cotswolds AONB Management Plan 2018-2023, specifies that development proposals should '*ensure that views – including those ... out of the AONB - ... are conserved and enhanced*'.<sup>30</sup> The '*dramatic panoramic views*' from escarpment outliers, including Meon Hill, are one of the 'key features' of LCT 1.<sup>31</sup>

On this basis, we consider the sensitivity of receptors at these viewpoints to be 'very high' (rather than 'high-medium', as asserted in the applicant's LVIA).

### Magnitude of Change – RVP1

With regards to magnitude of change, the photomontages provided by the applicant are very helpful in this respect.

Within this view, the ridge and furrow pattern of the field in the foreground guides the eye directly down the hill towards the site of the proposed development. The large oak (?) tree in the centre of the view also provides a key focal point. At present there is no development on either side of this tree. Beyond this tree, the eye is drawn to the gaps between this tree and the large trees on either side.

We acknowledge that the existing built development of Upper Quinton features to the right hand side of this view. However, at present, there is an uninterrupted view from RVP1, through the gaps between the trees, extending to Lower Quinton and to the hills on the horizon. As such, the fact that the existing built development can be seen in this view would only reduce the magnitude of change to a limited degree.

The proposed development would be located in the gap to the right of the large oak tree and would extend the built development of Upper Quinton westwards as far as the large oak tree.

Based on these points, we consider that the development would feature quite prominently in the wider panorama. However, we acknowledge that the existing trees would provide a limited amount of

---

<sup>29</sup> Further information on the 'special qualities' of the Cotswolds National Landscape is provided in Chapter 2 of the Cotswolds AONB Management Plan 2018-2023 ([link](#)).

<sup>30</sup> Cotswolds Conservation Board (2018) *Cotswolds AONB Management Plan 2018-2023* ([link](#)). Policy CE1 (Landscape).

<sup>31</sup> <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-1-escarpment-outliers-2016.pdf>. Key Features.

screening (in summer, at least). We also acknowledge that the proposed tree planting would provide some further screening / filtering of views in the longer term. However, the elevated nature of this view means that these mitigation measures would only have a limited effect.

It is worth noting that the 'self-build' nature of the proposed development adds a considerable amount of uncertainty over the period of time that it will take for the development to be completed (and in which it will look like a building site, in the meantime) and for the proposed mitigation to become well established.

Overall, we consider that the magnitude of change would be 'moderate adverse' in the short term and 'minor adverse' in the longer term. We do not consider that the magnitude of change would reduce to negligible.

#### Magnitude of Change – RVP2

As with RVP1, the photomontages provided by the applicant are very helpful with regards to assessing magnitude of change.

We acknowledge that:

- RVP2 is further away from the proposed development than RVP1;
- from RVP1:
  - the proposed development would be seen against the backdrop of the existing built development of Upper Quinton;
  - in the longer term, views of the proposed development would be heavily filtered by the proposed orchard.

On this basis, we consider that the magnitude of change would be minor adverse in the short term, reducing to negligible in the long term.

#### Significance – RVP1

Short term: We consider that the 'very high' sensitivity of the visual receptors at RVP1, combined with the 'moderate adverse' magnitude of change means that the significance of the visual impact would be 'major adverse'.

Long term: We consider that the 'very high' sensitivity of the visual receptors at RVP1, combined with the 'minor adverse' magnitude of change means that the significance of the visual impact would be 'major-moderate adverse'.

Given that the proposed development would not conserve or enhance the scenic beauty of the Cotswolds National Landscape, it would not comply with Policy CS.11 of the Stratford-on-Avon Core Strategy.<sup>32</sup>

#### Significance – RVP2

Short term: We consider that the 'very high' sensitivity of the visual receptors at RVP1, combined with the 'minor adverse' magnitude of change means that the significance of the visual impact would be 'major-moderate adverse'.

---

<sup>32</sup> Stratford-on-Avon District Council (2016) *Stratford-on-Avon Core Strategy 2011-2031* ([link](#)). Policy CS.11 (Cotswolds AONB).

Long term: We consider that the negligible magnitude of change means that the significance of the visual impact would also be negligible.

## IMPACT ON VIEWS TOWARDS THE COTSWOLDS NATIONAL LANDSCAPE

With regards to views towards the Cotswolds National Landscape, the most significant impacts are likely to relate to views from PROW SD42, to the north of Tailor's Lane, and from Tailor's Lane itself.

The applicant's LVIA includes a viewpoint on PROW SD42 - RVP4. The LVIA also includes a viewpoint on Tailor's Lane – RVP6.

### RVP4

#### Sensitivity

The 'value' of views from PROW SD42 is increased by the fact that it forms part of both the Heart of England Way and the Monarch's Way (i.e. promoted long-distance routes). In addition, Policy CE1 of the Cotswolds AONB Management Plan 2018-2023, specifies that development proposals should '*ensure that views – including those into ... the AONB - ... are conserved and enhanced*'.<sup>33</sup> The Landscape Strategy & Guidelines for LCT2 also states '*ensure that new development does not adversely affect ... views to ... the AONB*'.<sup>34</sup>

Although this section of PROW SD42 is not located within the Cotswolds National Landscape, the area does have many similarities to the key features of LCT 19. For example, one of the key features of LCT 19 is '*the Cotswolds ... escarpment outliers provide a dramatic backdrop to ... views across the vale and provide a valuable orientation point from within the vale landscape*'.<sup>35</sup> This is equally true of the view from PROW SD 42 towards Meon Hill.

On this basis, we would agree with the LVIA sensitivity rating for these receptors of 'high-medium'.

#### Magnitude of change

With regards to magnitude of change, the photomontages provided by the applicant are very helpful in this respect.

Meon Hill provides the main focal point in the southwards view from RVP4. At present, built development in the foreground of Meon Hill is just limited to a couple of the Dobbie Road dwellings, viewed mainly sideways on (i.e. with the narrow side of the building facing towards the viewpoint), to the left hand side. In contrast, the proposed development would extend built development across the central foreground of Meon Hill. Even with the proposed intermittent tree planting on the northern boundary of the site, we consider that the new housing would remain a negative intrusion into what is currently an open and relatively undeveloped view in the longer term. The proposed orchard, to the west of the site, will not provide any screening of the housing in this view. As such, we do not consider that these adverse impacts would be successfully mitigated.

---

<sup>33</sup> Cotswolds Conservation Board (2018) *Cotswolds AONB Management Plan 2018-2023* ([link](#)). Policy CE1 (Landscape).

<sup>34</sup> <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-19-unwooded-vale-june-2016.pdf>. Section 19.1.

<sup>35</sup> <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-19-unwooded-vale-june-2016.pdf>. Key Features.

The proposed development therefore fails to comply with the Landscape Strategy & Guidelines for LCT 19, which states:

- Avoid development that will intrude negatively into the landscape and cannot be successfully mitigated, for example, extensions to settlements in areas of open landscape.
- Ensure that new development does not adversely affect ...views to ... the AONB.

We acknowledge that the proposed development would not block views of Meon Hill completely. However, based on the points outlined above, we consider that the magnitude of change in this view would be 'moderate adverse'.

#### Significance

We consider that the 'high-medium' sensitivity of the visual receptors at RVP4, combined with the 'moderate adverse' magnitude of change means that the significance of the visual impact would be 'major-moderate adverse'.

#### **RVP6**

#### Sensitivity

RVP6 is located on Tailor's Lane on the boundary of the Cotswolds National Landscape. The visual receptors at this location are likely to be primarily car users and cyclists, who would pass by relatively quickly. However, Tailor's Lane is a quiet, narrow, rural lane providing access to the hamlet of Upper Quinton, with opportunities for high quality views. As such, the sensitivity of visual receptors would be higher than for a main road. Overall, we consider that the sensitivity of visual receptors at RVP6 would be 'moderate'.

#### Magnitude of change

We acknowledge that, from RVP6, the site of the proposed development is already fairly well screened by existing vegetation and would be seen against the backdrop of the existing built development of Upper Quinton. The proposed orchard would provide additional screening and filtering of views. On this basis, we consider that the magnitude of change would be 'minor adverse' in the short term and negligible in the longer term.

#### Significance

We consider that, in the short term, the 'moderate' sensitivity combined with the 'minor adverse' magnitude of change means that the significance of the visual impact would be 'moderate-minor adverse'. In the longer term, the negligible magnitude of change means that the significance of the visual impact would also be negligible.

#### **IS THE PROPOSAL MAJOR DEVELOPMENT?**

Whether a proposal in an AONB is 'major development', in the context of paragraph 172 of the NPPF *'is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined'*.<sup>36</sup>

As outlined earlier in this response, with regards to:

---

<sup>36</sup> NPPF ([link](#)). Paragraph 172.

- Potential significant adverse impacts: We consider that the proposed development *would* have a number of significant adverse impacts on the purpose for which the Cotswolds National Landscape was designated (i.e. to conserve and enhance the natural beauty of the area).
- Setting: We consider that the setting of the proposed development is highly sensitive to the type of development being proposed.
- Scale: We consider that the 9%<sup>37</sup> increase in the number of dwellings in the settlement that would result from the proposed development is potentially disproportionate. The Board is aware of planning appeal decisions where percentage increases as low as 4% have been considered to be major development.<sup>38</sup>

However, we acknowledge that the total number of dwellings being proposed (i.e. eight) is relatively modest. Although there is not a specific lower limit on what constitutes major development in this context, relevant case law has indicated that this quantum of housing is not likely to constitute major development, in this context.<sup>39</sup> Obviously, the context of the individual case is crucial to reaching this decision. However, on the basis of this case law, we acknowledge that it is unlikely that the proposed development would be deemed to constitute major development, in this context.

## HOUSING NEED

### Housing Need – Quinton Local Service Village

Officers at Stratford-on-Avon District Council have clarified that Upper Quinton is considered to be part of the Quinton ‘Local Service Village’ (LSV).

The Stratford-on-Avon Core Strategy makes an allowance for small-scale development in LSVs to help meet the needs of these communities, to provide some scope for new households to move into them and to help support the services they provide.<sup>40</sup> The LSVs are ranked according to their proximity to key services and by the size of the existing settlement. Quinton LSV scores highly against these criteria and, as such, is classed as a ‘Category 1’ LSV.<sup>41</sup> Policy CS.16 of the Core Strategy allows for up to 113 dwellings to be provided for in Category 1 settlement during the plan period (i.e. ‘no more than 25%’ of the approximately 450 homes that Category 1 LSVs are required to provide during the plan period).

---

<sup>37</sup> Eight dwellings represents a 9% increase on the current baseline of 89 dwellings in Upper Quinton.

<sup>38</sup> Another useful reference point is the major development assessment that the South Downs National Park Authority undertook for potential housing allocations in the South Downs Local Plan ([link](#)). This assessment identified two allocations that would ‘clearly be major’ development in terms of their scale. The increase in the number of dwellings associated with these two allocations was just 5.6% and 7.5%.

<sup>39</sup> For example, in the case of *Aston v SSCLG* [2013] the court observed that ‘*the word major has a natural meaning in the English language albeit not one that is precise... I am satisfied that the Inspector made no error of law when he determined that the meaning of the phrase major development was that which would be understood from the normal usage of those words. Given the normal meaning to be given to the phrase the Inspector was entitled to conclude that the Third Defendant’s application to erect 14 dwelling-houses on the appeal site did not constitute an application for major development*’. Subsequent cases have shed a little more light on this question – in *R (Forge Field) v Sevenoaks DC* [2014] EWHC 1895 (Admin) Lindblom J (as he then was) thought that ‘major developments’ would normally be projects much larger than six dwellings on a site of a third of a hectare, but in any event it was a matter of planning judgment. And in *R (East Bergholt PC) v Babergh DC* [2016] EWHC 3400 (Admin), Mitting J recorded that a conclusion that a scheme of 10 dwellings was not major development was ‘rightly’ not challenged.

<sup>40</sup> Stratford-on-Avon District Council (2016) *Stratford-on-Avon Core Strategy 2011-2031* ([link](#)). Paragraph 5.1.8.

<sup>41</sup> Core Strategy. Paragraph 5.1.10.

The Board supports the principle of prioritising the provision of new housing in settlements that provide key services. In theory, this helps sustain these services. It also helps to reduce reliance on car use and, as such, helps to mitigate the impacts of climate change.

However, it is worth noting that there are five Category 1 LSVs. So, if the 450 homes that these LSVs are required to provide were split equally across each of these LSVs, the total for each LSV would be 90 homes. None of the other Category 1 LSVs overlap with the Cotswolds National Landscape (or with Green Belt) or are in the setting of the National Landscape. As such, all things being equal, we would argue that the other LSVs should be required to accommodate a higher proportion of this housing. On this basis, we would also argue that Quinton LSV should be required to accommodate fewer than 90 homes.

With this in mind, it is worth noting that, as of 31 March 2020, 94 homes had already been built in Quinton LSV during the plan period (i.e. since 2011) with a further 10 already being committed (i.e. 104 homes in total).<sup>42</sup> This total of 104 homes is 23% of the 450 homes that have to be accommodated across all five Category 1 LSVs (i.e. just 2% less than the 25% 'maximum' for each LSV), with a further 10 years still remaining in the plan period. This figure already far exceeds the '90 or fewer homes' scenario outlined above. This calls into question the need to build more homes in Quinton LSV.

Across the Category 1 LSVs, collectively, 599 homes have already been built during the plan period, with a further 274 homes already committed (i.e. 873 homes in total). This is almost double the 450 homes specified in the Core Strategy. This further calls into question the need to build more homes in Quinton LSV.

In addition, it is worth noting that the draft Site Allocations Plan (SAP) for Stratford-on-Avon District identifies four 'reserve housing sites' in Lower Quinton, which could potentially provide an additional 81 homes. The SAP identifies no reserve housing sites in Upper Quinton or the Cotswolds National Landscape. The reserve housing sites in Lower Quinton have all been through a site assessment as part of the SAP evidence base. As such, these reserve housing sites should be a higher priority for new housing developments, if required, than the current proposal.

### **Housing Need – Upper Quinton / Cotswolds National Landscape**

We have serious concerns about Upper Quinton being included in the Quinton Local Service Village (LSV).

Firstly, Upper and Lower Quinton are separate settlements with their own distinct character. For example, Upper Quinton is little more than a hamlet, whereas Lower Quinton is a substantially larger village.<sup>43</sup> There is a clear gap between the built development of each settlement, with the minimum distance between the two settlements being approximately 135m. The draft SAP shows that Upper Quinton and Lower Quinton have separate built-up-area boundaries.<sup>44</sup>

Secondly, Upper Quinton is in the Cotswolds National Landscape, whereas Lower Quinton is not. A more restrictive approach to development therefore applies to development in Upper Quinton than

---

<sup>42</sup> Stratford-on-Avon District Council (2020) *Housing Completions and Commitments – Settlements* (as of 31 March 2020) ([link](#)).

<sup>43</sup> According to census data on [www.nomisweb.co.uk](http://www.nomisweb.co.uk), there were 850 dwellings in the built-up area of Lower Quinton at the time of the 2011 census. Since then, a further 104 dwellings have been built or committed, bringing the total to 954 dwellings. In contrast, Upper Quinton consists of approximately 86 dwellings. As such, Lower Quinton is approximately 11 times bigger than Upper Quinton.

<sup>44</sup> Stratford-on-Avon District Council (2020) *Site Allocation Plan Preferred Options Consultation Version* ([link](#)). The proposed built-up area boundaries for Upper and Lower Quinton are shown on page 150.



in Lower Quinton. For example, since the Stratford-on-Avon Core Strategy was adopted in 2016, the Government's planning practice guidance has clarified that AONBs '*are unlikely to be suitable areas for accommodating unmet needs from adjoining (non-designated) areas*'.<sup>45</sup> In addition, Policy CE12 of the Cotswolds AONB Management Plan 2018-2023, published in 2018, states that '*development in the Cotswolds AONB should be based on robust evidence of local need arising from within the AONB*'.

We acknowledge that the close proximity of Upper Quinton to the key services in Lower Quinton makes it a relatively sustainable location for new housing, in the context of reducing reliance on car use and helping to sustain these key services. However, based on the points outlined above, we do not consider it to be appropriate to combine a small village / hamlet within the Cotswolds National Landscape and a much larger - and clearly separate – settlement outside the National Landscape into one LSV.

As outlined later in this response, this question mark over the appropriateness of including Upper Quinton in the LSV has serious implications for the appropriateness of permitting self-build housing outside the built-up area boundary of the settlement.

A key consideration when assessing the merits of a housing proposed in Upper Quinton should be whether it meets needs arising within Upper Quinton itself, particularly affordable housing needs. In a settlement of 86 dwellings, it is highly unlikely that eight new dwellings would be required to meet housing needs arising within the settlement, particularly affordable housing needs.

### **Self-Build & Custom Housebuilding**

The Board acknowledges that local authorities are required to give planning permission for enough suitable serviced plots to meet the demand for self-build and custom housebuilding in their area.<sup>46</sup>

The key word here is 'suitable'. As outlined in this consultation response, we do not consider that the proposed development is suitable.

Please also see our comments relating to the built-up area boundary and the 'tilted balance', below.

### **Built-Up Area Boundary**

The proposed development is outside the built-up area boundary (BUAB) for Upper Quinton that is proposed in the draft Site Allocations Plan (SAP) for Stratford-on-Avon District.<sup>47</sup> Policy SAP.7 of the SAP states that self-build and custom housebuilding schemes adjacent to the BUABs of Local Service Villages (LSVs) are supported in principle, subject to compliance with the provisions of Policy SAP.6 of the SAP.

Policy SAP.6 requires such proposals to satisfy relevant policies within the Core Strategy. Policy CS.11 of the Core Strategy,<sup>48</sup> which relates to the Cotswolds AONB / National Landscape, requires that development proposals:

- *should:*
  - conserve and enhance the special landscape qualities and scenic beauty of the AONB;
  - be consistent with the objectives set out in the Cotswolds AONB Management Plan.

---

<sup>45</sup> <https://www.gov.uk/guidance/natural-environment#landscape>. Paragraph 041. Revision date 21/07/2019.

<sup>46</sup> Site Allocations Plan. Paragraph 3.1.4.

<sup>47</sup> Stratford-on-Avon District Council (2020) Site Allocation Plan Preferred Options Consultation Version ([link](#)). The proposed built-up area boundaries for Upper and Lower Quinton are shown on page 150.

<sup>48</sup> Stratford-on-Avon District Council (2016) *Stratford-on-Avon Core Strategy 2011-2031* ([link](#)). Policy CS.11.



- *must* not harm the historic or built character, local distinctiveness or landscape quality of the AONB.

However, as outlined earlier in this response, we do not consider that the proposed development fulfils these requirements. As such, we also do not consider that the development meets the requirements of Policies SAP.6 or SAP.7 of the SAP.

In addition, as outlined earlier in this response, we question the appropriateness of Upper Quinton being included in the Quinton LSV. As such, we also question whether Policy SAP.7 of the SAP, which allows for self-build and custom build housing schemes adjacent to the BUABs of LSVs, should be applicable in this instance.

### **The Tilted Balance**

We acknowledge that Stratford-on-Avon District Council does not have an adopted policy on self-build and custom housebuilding, although the draft Site Allocations Plan is seeking to rectify this. The applicant's Planning Statement indicates that, because of this 'policy void', there should be a presumption in favour of granting planning permission (i.e. the 'tilted balance' should apply), in line with paragraph 11d of the NPPF.

However, we strongly disagree with this assertion. We consider that the multiple adverse impacts on the Cotswolds National Landscape that we have identified and articulated in this consultation response provide a clear reason for refusal, in line with paragraph 11di and footnote 6 of the NPPF.

As outlined previously in this response, we acknowledge that it is unlikely that the proposed development would be considered to constitute major development, in the context of paragraph 172 of the NPPF. However, case law has clarified that:

- *The first part of paragraph 172 of the NPPF qualifies as a policy to be applied under limb (i) of paragraph 11(d) of the NPPF; it is also capable of sustaining a freestanding reason for refusal in general development control in AONBs.*<sup>49</sup>

### **RELEVANT LEGISLATION, POLICY AND GUIDANCE**

Based on the points outlined above, we consider that the proposed development would not be compatible with:

- the statutory purpose of AONB designation, which is to conserve and enhance the natural beauty of AONBs;<sup>50</sup>
- the policies of the National Planning Policy Framework (NPPF), particularly paragraphs 172 and 11di;<sup>51</sup>
- the Government's planning practice guidance, particularly with regards to development in designated landscapes;<sup>52</sup>
- the policies of the Stratford-on Avon Core Strategy, particularly Policies CS.11 (Cotswolds Area of Outstanding Natural Beauty) and AS.10 (Countryside and Villages);<sup>53</sup>

---

<sup>49</sup> *Monkhill Ltd v Secretary of State for Housing Communities and Local Government* 2019 EWHC 1993 (Admin) (24 July 2019) ([link](#)). In this case law, it was already common ground that paragraph 11di applied to the second part of paragraph 172 (i.e. the provisions relating to major development).

<sup>50</sup> Section 82 of the Countryside and Rights of Way Act 2000 ([link](#)).

<sup>51</sup> National Planning Policy Framework ([link](#)).

<sup>52</sup> <https://www.gov.uk/guidance/natural-environment#landscape>. Paragraph 041.

<sup>53</sup> Stratford-on-Avon District Council (2016) *Stratford-on-Avon Core Strategy 2011-2031* ([link](#)).

- the policies of the draft Site Allocations Plan for Stratford-on-Avon, particularly Policies SAP.6 (Meeting Self-Build and Custom Housebuilding Needs) and SAP.7 (Built-up Area Boundaries),<sup>54</sup>
- the policies of the Cotswolds AONB Management Plan 2018-2023, particularly Policies CE1 (Landscape), CE6 (Historic Environment and Cultural Heritage) and other policies seeking compliance / consistency with Board guidance (i.e. Policies CC1 and CE10),<sup>55</sup>
- Cotswolds AONB Landscape Strategy and Guidelines,<sup>56</sup> particularly with regards to Landscape Character Types 1 (Escarpment Outliers)<sup>57</sup> and 19 (Unwooded Vale)<sup>58</sup>.

---

<sup>54</sup> Stratford-on-Avon District Council (2020) *Site Allocation Plan Preferred Options Consultation Version* ([link](#)). As outlined earlier in this consultation response, Policy SAP.7 requires compliance with Policy SAP.6, which in turn, requires compliance with relevant policies of the Core Strategy – given that this proposal fails to satisfy Core Strategy Policy CS.11, it also fails to satisfy Policies SAP.6 and SAP.7.

<sup>55</sup> Cotswolds Conservation Board (2018) *Cotswolds AONB Management Plan 2018-2023* ([link](#)).

<sup>56</sup> <https://www.cotswoldsaonb.org.uk/our-landscape/landscape-strategy-guidelines/>

<sup>57</sup> <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-1-escarpment-outliers-2016.pdf>

<sup>58</sup> <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-19-unwooded-vale-june-2016.pdf>