

**Consultation on planning application 14/0103/CWMAJM Cotswold Hill Quarry.
January 2015.**

Response to Gloucestershire County Council:

The Cotswolds Conservation Board* wish to comment as follows:

The Board wishes to mirror the concerns raised and recommendations made within the existing consultation responses from the Minerals and Waste Policy Officer, the Principal Landscape Architect and County Ecologist. The Board recommends that no decision is made on the application until these points have been resolved and the Council is satisfied that appropriate conditions can be applied should the Council be minded to approve the scheme.

The Board would not support any scheme that prejudiced the eventual restoration of this site or in some way intensified or expanded the levels of operation on this site before restoration took place.

A decision on whether this proposal constitutes major development in terms of Paragraph 116 of the NPPF lies with the “relevant decision taker”, the Council in this case. Consideration as to whether this proposal constitutes “major development” should include whether this proposal can be undertaken in a way that conserves and enhances the AONB as required by the CRoW Act 2000. The NPPG (Para.005.Natural Environment, Landscape) provides the following guidance on this point:

“Planning permission should be refused for major development in a National Park, the Broads or an Area of Outstanding Natural Beauty except in exceptional circumstances and where it can be demonstrated to be in the public interest. Whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 116 of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context. The Framework is clear that great weight should be given to conserving landscape and scenic beauty in these designated areas irrespective of whether the policy in paragraph 116 is applicable.”

**Conservation Boards*

A Conservation Board is a statutory independent corporate body set up by Parliamentary Order under the provisions of Section 86 of the Countryside and Rights of Way (CRoW) Act 2000.

Section 87 of the CRoW Act sets out the purposes of a conservation board as:

- a) the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty, and*
- b) the purpose of increasing the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty*

But if it appears to the board that there is a conflict between those purposes, they are to attach greater weight to the purpose mentioned in paragraph (a).

Furthermore “A conservation board, while having regard to the purposes mentioned in subsection (1) [of Section 87], shall seek to foster the economic and social well-being of local communities within the area of outstanding natural beauty, and shall for that purpose co-operate with local authorities and public bodies whose functions include the promotion of economic or social development within the area of outstanding natural beauty.”