

**15/00242/OUT Outline planning application for 15 dwellings (including 4 affordable homes) with all matters apart from access reserved. Manor Farm Buildings Alstone GL20 8JD.**

The Cotswolds Conservation Board wishes to raise an **objection**.

This site is outside the settlement boundary, in the AONB and the site is not considered to be brownfield. The development will result in a new very harsh urban edge to this side of Alstone which will be visible and detrimental to this part of the AONB. The proposed layout plan indicates minimal plot depths and thin landscaping around the outside of the development which will increase the impact of this development on the wider landscape. The design and materials also make little reference to the locality and the street scene and layout does not follow the pattern of the village. This development will therefore fail the tests of the CRoW Act 2000 in that it will not “conserve and enhance” this part of the nationally protected AONB.

**RE: 15/00764/FUL – 37 new dwellings Butts Lane, Woodmancote, Cheltenham.**

The Cotswolds Conservation Board wishes to raise an **objection** to this planning application.

Of note the Board also objected to the related application 14/00318/OUT which went on to be refused by the Council (24.6.14) with the first reason for refusal being impact on the AONB.

This proposal is for 37 new dwellings, on a greenfield site in the nationally protected AONB on the edge of Woodmancote directly below Cleeve Hill.

The Board considers that Paragraphs 115 and 116 of the NPPF are relevant in this case. Within Tewkesbury’s Landscape and Visual Sensitivity Study 2014, this part of the village scores “High” in terms of both Landscape and Visual Sensitivity. The SHLAA also assessed the site as “unsuitable.”

The Board also wishes the Council to consider the attached appeal decision within the Cotswolds AONB. In this case the Inspector considered that 25 dwellings was “major development” so Paragraph 116 of the NPPF was relevant in that case. The Inspector also stated (which is relevant to this case) at Paragraph 12 in dismissing the appeal that *“The proposed development would visually extend the built form of the village, diminishing and encroaching on the pleasant and distinctly rural views....I conclude that the development would significantly harm the landscape character and scenic beauty of the AONB, the need to protect which I attach great weight.”*

Of further note and in accordance with the emerging approach from the Joint Core Strategy, there are opportunities to meet housing need without having to build within the nationally protected AONB. The existing substantial housing applications that the Council are currently processing in relation to sites

around Bishops Cleeve alone confirm that there is no need to release unplanned greenfield sites within the AONB.

In conclusion, the Council is requested to afford the conservation and enhancement of the AONB “great weight” in accordance with the NPPF and requirements of the CRoW Act 2000 and consider whether Paragraph 116 of the NPPF is also relevant in this case. The Board also wishes to check that the Council has undertaken EIA screening of this development given its location within the AONB which is a “sensitive area” in terms of EIA legislation where Schedule 2 development may be relevant.

**15/00801/FUL | Proposed solar photovoltaic farm with associated landscaping, ground based racking systems, static mounted solar panels, associated infrastructure, site security fencing and security system. Application supported by an Environmental Statement. Site Adjacent to Public Right of Way. | Green Farm The Green Elmstone Hardwicke Cheltenham Gloucestershire GL51 9TF**

The Cotswolds Conservation Board wish to make the following comments.

This site is outside the nationally protected AONB but is within its setting with views down towards this site from the high ground within the AONB (see attached Position Statement). However, in this case given the distance, local context, scale and existing screening the Board does not consider the development to result in any material harm to the character and quality of the AONB. It is however recommended that the Council carefully consider the level of existing/proposed landscaping to ensure the site is suitably screened in the wider landscape in the long term and consider the potential cumulative harm from other similar solar schemes in the surrounding area, before forming a decision.

**S.15/1781/FUL Proposed Solar Farm (Site 2), To The West Of Stanley Downton Sewage Works, Leonard Stanley, Gloucestershire.**

The Cotswolds Conservation Board raise no comments in respect of this application as the site is outside the AONB. However, the Council are still requested to consider the potential impact of this development on the setting of the AONB (our Setting Position Statement is attached). In particular to ensure there is sufficient long term landscaping around the development to enable suitable screening of the site from the AONB and to consider the cumulative impact from this and surrounding solar farms on the wider landscape.

**15/00481/FUL. Change of use to a single family Gypsy and Traveller residential site involving the siting of an amenity building, a portacabin and up to eight caravans of which no more than four will be static caravans. The Paddock Cheltenham Road Teddington.**

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

Although the site is not within the AONB it is directly adjacent to the boundary with views into the site and down from higher ground within the AONB. The site is currently undeveloped countryside that makes a positive contribution to the setting of the nationally protected landscape. The development of this countryside site, with associated buildings, structures and caravans, new access and lighting will all have a negative impact on the character and special qualities of the setting of the AONB which is afforded "great weight" in the NPPF (Paragraph 115). We attach an appeal decision, that although pre-dates the NPPF, confirms the types of impact this form of development will have both on the countryside generally and in terms of impact on an AONB. We also attach our adopted Position Statement on Setting. There is a need to be met but, that need should be met in suitable and sustainable locations.

### **S.15/1856/FUL Proposed Solar Farm (Site.1.) Leonard Stanley, Glos.**

The Cotswolds Conservation Board would like to make the following comments in respect of the development.

The site is outside the AONB but there are views down from high ground within the AONB. The railway embankment does provide some screening and it is noted that the boundary to the railway is to have a new native hedgerow. It is recommended that the hedgerow includes specimen tree planting to provide additional long term screening from any views into the site from this side from elevated viewpoints in the AONB. Therefore, although the Board does not raise an objection it does ask the Council to (a) carefully consider the impact of the development on the wider landscape and in particular the growing cumulative impact from a number of solar farms in the area and (b) to ensure any proposed landscaping on site provides for long term screening of this site.

The Cotswolds Conservation Board's Position Statement on Setting is attached which provides additional information.

**Application Reference: S.15/1297/FUL**

**Application Address: Land East Of A46 Cheltenham Road And South Of The Park, Painswick, Gloucestershire. Erection of eight 3-5 bedroom market houses and nine 1-3 bedroom affordable dwellings.**

Thank you for the copy of the LVIA for this site.

We have considered the LVIA and I can confirm that the Board's objection to this scheme is maintained (see original comments below).

The LVIA helps confirm the exposure of this site in wide open views across the AONB landscape from a number of publically accessible viewpoints. The illustrated viewpoints help illustrate the separation away from Painswick and greenfield nature of this site in a clearly rural agricultural landscape, that will heighten the serious impact this development will bring on the special character and qualities of this nationally protected landscape. The existing development at The Park offers little context or screening in relation to the proposed development from these viewpoints. The development of this site for housing will clearly not “conserve and enhance” the AONB as required by the CRoW Act 2000, whilst as stated before the NPPF provides “great weight” specifically to “conserving landscape and scenic beauty” in AONBs that have the “highest status of protection.”

I hope the above is of assistance in confirming the Board’s continued objection to this development.

**RE: 15/00339/FUL Demolition of existing cattle shed and erection of a detached dwelling together with associated landscaping and works. Giles Piece House Langley Road Winchcombe.**

The Cotswolds Conservation Board wishes to maintain its objection in line with the original comments submitted with this application.

**RE: Elmbrook Farm, Elmley Castle, Nr Pershore, Worcestershire.**

I have discussed your proposal with my colleague James Blockley. I can confirm that subject to any works being carried out in accordance with Worcestershire County Council standards, the Board would not raise an objection to the principle of the proposal as and when an application is made to divert the right of way. We can see both in relation to the operation of the existing farm yard and in relation to the health and safety of users of the right of way, a small change in the route as proposed would be beneficial.

**15/02465/RES – Former Ministry of Defence, Foxhill, Combe Down, Bath : Approval of reserved matters – 276 dwellings.**

Thank you for the additional and amended plans.

The Board maintains its concerns as before that the advance tree planting plan does not go far enough in providing a new landscaped buffer around this edge of the development and there is still too greater reliance on tree planting outside the site. A new landscaped buffer should go further than filling gaps in the existing tree planting and should offer a continuous line of planting suitable in its own right to screen the development in the long term.

**S.15/1922/FUL Well Hill Fields, Well Hill, Minchinhampton, Gloucestershire.**

The Board does appreciate the small scale nature of this development; the respect of local building styles and a layout that avoids a suburban form of development; the site is relatively well contained in the landscape; the site is outside the Conservation Area; the applicant has also offered a community orchard and a financial contribution to education.

However, this is still a site that is outside the settlement boundary and it would require exceptional reasons for its release to be considered necessary. The LPC Planning Statement submitted with the application has referred to Paragraph 14 of the NPPF but has not referred to the relevant Footnote 9 which confirms that the presumption in favour of sustainable development does not automatically apply as restrictions may exist. AONBs are once such location where restrictions apply and Paragraph 115 of the NPPF is relevant in this case which affords "great weight" to conserving landscape and scenic beauty.

In principle the development of this site will result in loss of countryside, which is protected by the AONB designation, so it will require the Council to consider there are exceptional circumstances. It may be possible that local need could be met on more suitable sites in Minchinhampton or in other more suitable ways for example, thereby avoiding a greenfield site release. The application does not seem to be arguing that there is a shortfall in the Council's 5 year housing supply figures or that there is a local need for housing which cannot be met in a more suitable way. The Board therefore considers that although the development has been designed to respond to its location, the justification for the need for the development in the first place has not been explained in the application to justify an exception to normal policy. Therefore taking this into consideration in the planning balance and with no specific reason as to why normal planning policy should not apply in this case, the "great weight" afforded to conserving landscape and scenic beauty in AONBs should take priority and the Board accordingly raises an objection to this proposal.

**S.15/1830/FUL. Communication Station At Lypiatt Farm Miserden, Gloucestershire (35m lattice tower).**

The Board has been consulted on a number of MIP pre-application proposals to date across the Cotswolds AONB. Accordingly the Board has also benefitted from a presentation by Arqiva on the MIP scheme generally. In certain locations and at certain heights, some of the pre-application schemes have been deemed by the Board to be acceptable.

However, in respect of the Miserden proposal, the proposed 35m mast was the highest pre-application scheme the Board had considered to date. The mast at that height will be well above any local screening from farm buildings or trees and would therefore become a very prominent vertical feature in the

wide surrounding landscape of the AONB. The mast would also be located on a particularly elevated location within the Cotswolds (at around 250m in height) and would therefore be visible from many public viewpoints in the surrounding landscape. The Board also asked at the pre-application stage that the Council should consider the possible impact of this proposal on the setting of the surrounding Heritage Assets including the Miserden Conservation Area.

The Board's Position Statement on Telecommunications and the Rural Economy is attached. The Board is fully supportive of the improvement of mobile coverage in rural areas and the MIP proposals overall aims of removing "not spots." However, through the CRoW Act 2000 we have a legal duty to prioritise the conservation and enhancement of the AONB. Therefore, if there are cases where new masts cannot be suitably concealed in the landscape, then the conservation and enhancement of the AONB must take priority in our decision making process.

During the consultation process the Board has also become aware that there may be other more sensitive solutions in that the telecom providers are also bringing forward their own micro network / small cell solutions to problems in rural areas. A local network has been brought forward by Minchinhampton Parish Council for example in association with a single operator. Accordingly the MIP proposals only appear to offer at this time the opportunity for masts up to 35 in height (albeit that it would serve all four operators). Therefore, there may still be opportunities to meet the need in this case whilst also maintaining the character and special qualities of the AONB without a tall mast only solution.

In conclusion the Board, as stated at the pre-application stage for this site, supports the removal of "not spots", but the Board must give priority to the landscape and scenic beauty of the area and a 35m mast would result in a significant level of harm. The gap between benefit to a relatively small rural community as compared to harm on the wider landscape is too great in this case for the Board to support this scheme, so an objection is raised. The Board considers that alternative less harmful solutions should instead be considered.

**Land South Of Forest Road Charlbury Oxfordshire. 15/03099/FUL. Residential development of 25 dwellings comprising self/custom build, market housing and affordable housing (use class C3) and a 12 bed supported living (use class C3) facility with associated access, parking and landscaping.**

The Board has considered the amended new application but maintain their **objection** to this development (see attached reasons for objecting to the previous application).

In addition to the previous comments the Board notes that the West Oxfordshire Design Guide (adopted and draft replacement) both refer to

development in Charlbury being “constrained by the river Evenlode and the railway line to the south-west”. This location outside and away from the settlement boundary therefore does not fall within the Board’s understanding of what constitutes a suitable edge of settlement site and therefore must be treated as an exception to policy. Other sites in or on the actual edge of the settlement boundary should instead be considered, if need is considered necessary by the Council. The Board considers Paragraph 116 of the NPPF to be relevant in this case, given the context of this site outside and away from the settlement edge within the nationally protected AONB. Whether application of Paragraph 116 is relevant, is a matter for the Council to decide on based on local context (as advised within the attached Inspector’s report for 25 dwellings for a scheme dismissed within the Cotswolds AONB, which was considered to be major development). Accordingly the environmental objectives of the NPPF also need to be fulfilled, Paragraph 14 Footnote 9 confirms the restrictions that apply in AONBs. This development is outside a settlement and in the countryside of the AONB (where Paragraph 55 of the NPPF normally applies) and the Board considers the development as failing to meet the sustainable development objectives of the NPPF. The NPPF affords “great weight” to conserving landscape and scenic beauty in AONBs whilst there is a legal duty under Section 85 of the CRow Act 2000 on the Local Planning Authority, to have regard to the purposes of conserving and enhancing the AONB, hence the Boards continued objection to this proposal.

**15/03318/OUT Land Parcel North Of Bourton Industrial Park Bourton Industrial Park Bourton-On-The-Water Gloucestershire Extension of Bourton Industrial Park to provide a new supermarket (class A1) (which includes an adjoining petrol station and kiosk) as well as B1 (office and light industrial), B2 (general industrial) and B8 (storage and distribution) employment units (Outline application).**

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

The Board notes that part of the above site falls within an area identified in 2014 by the Council as a “preferred site” for employment purposes and the extension of an existing employment area with new employment uses is in itself logical.

However, the Board does wish for this development to be fully considered under Paragraph 116 of the NPPF in that it does constitute “major” development. In particular the Board wishes to raise the question whether there is “need” for the retail elements of this scheme and accordingly the employment proposal appears to extend even further than the Council identified as their preferred option. The removal of the retail elements and the reduction in site area to the preferred site area should help reduce the overall impact of this scheme and provide more space for landscaping around the development.

A new petrol station, a new supermarket and new employment buildings on a greenfield site and associated road works, lighting etc has to be challenged as to whether it all really can be considered to be “conserving and enhancing” the character and special qualities of the Cotswolds AONB (as legally required under Section 85 of the CRoW Act). For example there is an existing petrol filling station within 650m of the site along the Fosse Way and there is retail provision within Bourton-on-the-Water, so can “need” really be justified in this case for the retail elements on the basis of the harm the overall development would bring to this part of the AONB?

**15/00841/FUL. Residential development for the erection of 23 no. dwellings (including 9 affordable units) and associated landscaping, a new access, public open space and associated works. Land Rear Of Church Row Church Row Gretton Cheltenham Gloucestershire.**

The Cotswolds Conservation Board raises no objection to this proposal subject to specific care given over reducing impact on the setting of the AONB through appropriate planning conditions.

This site is outside but close to the boundary of the AONB and given that there are views to and from the AONB we consider it to be within the setting of the AONB.

Overall, subject to particular care over layout, design, external materials, street lighting and landscaping there is the potential for this scheme to be successfully assimilated into the boundary of the settlement without causing undue harm to the setting of the AONB. In addition schemes permitted outside the AONB will help contribute to reducing the pressure for greenfield site releases on even more sensitive locations within the AONB.

Therefore, should the Council be minded to approve this application, planning conditions are requested to be attached to ensure the above matters are secured. Our Position Statement on Setting is also attached for additional information.

**Mobile Infrastructure Project : 22.5m mast at Sevenhampton (Cotswold District Council application 15/03546/FUL).**

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

Our initial assessment was as follows:

I have viewed the site and viewed it in the wider landscape. This site, despite being on a hilltop in an exposed location within a nationally protected AONB, does have some advantages. In the immediate area the existing farm buildings provide some context and screening. Further to this the presence of mature and tall tree and hedge planting limits views from local highway



network and public rights of way to a degree. The site is however also exposed in the much wider landscape with particularly good views from the high ground to the east of Brockhampton. However, from this point the National Grid Pylons and masts on the edge of Cleeve Common are also visible and would remain as a more dominant feature than a mast at Manor Farm. The site height also appears to be around 268m datum which together with the mast will have an overall height of around 290 metres. The land to the north rises to around 330m and to the east of Brockhampton to 287m. Therefore, in certain locations the mast will not be particularly prominent in the landscape with similar height or even higher ground as a backdrop. Therefore, overall given the context of this site and in balancing the need versus the level of harm, there will be a degree of harm from this proposal however I would personally not consider it sufficient in this case for us to recommend refusal should an application come forward.

However, it is understood that since the application has come in there may be additional more suitable sites that have not been considered within the site search process. The Council are therefore requested that if an even more suitably located site can be found, which reduces the impact even further whilst still meeting need, then any additional alternatives should be considered before forming a decision on this application.

Should the Council be minded to approve this application or a scheme on an alternative site, consideration should also be given to a planning condition ensuring the removal of the mast and site restoration, should the mast in the future ever be ceased to be required.

### **RE: East of Bath Park and Ride Proposals – Consultation.**

The Cotswolds Conservation Board wishes to make the following comments in respect of the consultation on the options for a new Park and Ride to the East of Bath:

The Board appreciates the efforts of avoiding sites within the nationally protected AONB as part of the site selection process. The preferred options include sites A, B and F that are outside and not immediately adjacent to the Cotswolds AONB boundary.

There may still be a possibility that development in the locations proposed may have a more limited impact on the setting of the AONB. For example from poorly designed lighting or from insufficient landscaping within and around the development. The Council are therefore recommended that in forming a decision on their preferred option, that impact on the setting of the AONB is a key consideration. The site which can best be accommodated into the wider landscape and with the very best levels of mitigation should be the preferred option. The Board attaches their Position Statement on Setting which provides additional guidance on reducing the impacts of development on the setting of the AONB.

**15/03128/OUT Erection of up to 62 dwellings, landscaping including change of use, formation of footpath and creation of ecological enhancement area, and ancillary infrastructure and enabling works. Land South Of High Street Milton Under Wychwood, Oxfordshire.**

The Cotswolds Conservation Board wish to maintain their **objection** to this development.

The Board's objection to the original planning application for 70 dwellings is attached and many of the comments remain relevant in respect of this amended application. It is not considered that the reduction in number of dwellings to 62 and additional tree planting resolves the fundamental objections the Board raised, or indeed resolves the refusal notice issued by the Council on 3<sup>rd</sup> June 2015.

The Board notes that an assumption is made within the emerging Local Plan for housing delivery within the sub area. However not all of the sub area is within the AONB (indeed nearly 2/3<sup>rd</sup>s of the District is outside the AONB); some provision will be made by acceptable SHLAA sites; other provision will be made by acceptable windfall sites. In fact the windfall provision of 400 dwellings over the plan period (2011-2029) actually equates to around 22 dwellings per year. There is no assumption within national policy or emerging local policy that the housing requirement has to be met immediately and on unacceptable sites, particularly sites that are greenfield, outside settlement boundaries and within nationally protected landscapes where there will be detrimental landscape effects.

The applicant has quoted a speech the now former Planning Minister Nick Boles from 2013 making his own personal thoughts known. However, of more relevance is the Ministerial Letter from Brandon Lewis MP dated 27<sup>th</sup> March 2015 to the Chief Executive of the Planning Inspectorate highlighting the importance of the consideration of landscape character and prematurity in planning decisions, including a reference to AONBs as having the highest degree of protection. The applicant has also referred to a number of appeals from Cotswold District Council which again reflect a position which is now out of date. The Council may wish to consider any of the following appeals all from 2015 in forming a decision in this case where a variety of schemes have been dismissed (including within Cotswold District) where landscape harm to the AONB has been an issue : Andoversford 8 dwellings (all last appeal digits - 2229281); Upper Quinton 9 dwellings (2227793) Ashton-under-Hill 25 dwellings (2228946); Broadway 70 dwellings (2215896); Stow-on-the-Wold 146 dwellings (2203411).

In conclusion for the reasons given before, the development of this site will have a negative impact on the character and special qualities of the AONB which has the highest status of protection. The Board fully accepts this is a living and working countryside where local needs housing should be met on appropriate sites and at an appropriate scale. However, the Board does not consider 62 dwellings on this site meets with those aims. In this case the level of harm is too great whilst need can be met in some other way. The

conservation and enhancement of the AONB is a matter of public interest and this development fails to meet the requirements of Paragraphs 115 and 116 of the NPPF. The development also fails the environmental role of the NPPF in terms of what constitutes sustainable development.

**RE: 15/08909/FUL. Land below Turleighthcroft Turleigh Bradford on Avon BA15 2HH. Four additional stables with a post & rail enclosed yard (Resubmission of 14/08327/FUL).**

The Cotswolds Conservation Board have been asked to comment on this planning application by a local resident.

The Board does wish to raise an objection in this case as this development will result in an intensification in scale in terms of use and in terms of built development impact on the nationally protected AONB (and indeed on the Green Belt).

I attach the Board's Adopted Position Statement on the Keeping of Horses. Based on the existing land holding the site would appear to already be up to capacity as the British Horse Society recommends 1 to 2 horses per hectare, whilst we recommend in our guidance on the thinner Cotswolds soils, 1 horse per hectare may be more appropriate.

The Board therefore considers in this case that the intensification of allowing additional stabling in this location will bring about the negative impacts referred to within our attached Position Statement in terms of an over-concentration of equine related activity. Paragraph 115 of the NPPF confirms "great weight" should be given to conserving landscape and scenic beauty in AONBs which have the highest status of protection.

The Board therefore requests the above and attached is considered in forming a decision on this application.

**RE: Kingswood Neighbourhood Plan.**

Thank you for consulting the Cotswolds Conservation Board on your Local Plan.

The Board is very supportive of the referencing to the existence of the nationally protected AONB, Landscape Character Areas and issues in relation to development outside but in the setting of the AONB.

The Board has prepared a Position Statement on the preparation of Neighbourhood Plans (see attached).

However, it would appear a significant part of the Parish (if not all) lies outside the AONB. Therefore the attached Setting Position Statement may be more relevant.

Accordingly, if there was an opportunity within the Neighbourhood Plan we would recommend a cross reference both to the existence of the Cotswolds AONB Management Plan and the Setting Position Statement.

**RE: S.15/1765/FUL Land Southeast Of Angrove House Bondend, Upton St Leonards, Gloucestershire.**

I can confirm the Cotswolds Conservation Board wish to raise an **objection** in relation to this planning application within the AONB.

Reasons:

The Board strongly disagrees with the attempts within the application to downgrade the legally and nationally protected status of the AONB by stating this site is on the edge of the AONB and therefore was in some way not particularly characteristic of the wider quality of the landscape. The AONB boundary is a long standing designation, approved by the Secretary of State and the designation as such is considered by the Government as having the "highest status of protection in relation to landscape and scenic beauty" (NPPF Paragraph 115). This site is highly characteristic of the qualities of the landscape found elsewhere in the AONB and forms a very positive addition to the understanding and public enjoyment of the whole area between Prinknash Park and Upton St Leonards and views to and from elevated sections of the AONB.

The application has not correctly identified how this site will be visible in views from the site and in relation to views back into the site from public viewpoints all within the AONB. There are numerous public rights of way in the area, including a length of public right of way of around 300m which actually passes through the site (which is not apparent on the Site Layout Plan). From this path in particular there are wide open views in and out of the site, up the valley side to the woodland above and towards the heritage assets associated with Prinknash Park. There are other view points from rights of way around Peaked Acres Cottages and again above from elevated areas including the Painswick Road towards the site. The solar array will therefore have a significant, long term and harmful impact on the character of the landscape from a number of vantage points. In particular the scheme would dramatically change the experience of those using the public rights of way in vicinity of the site and from the wider area changing the current rural landscape to an industrialised solar farm with 7,964 solar modules, fencing, CCTV, associated inverters and substation. Additional landscaping will not prevent views into the site from elevated areas or indeed the experience of walking adjacent to the site on the public right of way.

The Board is fully aware of the clarification by the Government since the NPPF was published in 2012 as to how solar farms in particular should be considered through the planning process. This has led to the following Ministerial Statements :

Greg Barker (MP) 1.11.2013 – “need for renewable energy does not automatically override environmental protections...”

Nick Boles (MP) March 2014 – “visual impact is a particular consideration for solar schemes...”

Liz Truss (MP) October 2014 – “English farmland is some of the best in the world and I want to see it dedicated to growing quality food and crops. I do not want to see its productive potential wasted and its appearance blighted by solar farms. Farming is what our farms are for and it is what keeps our landscape beautiful.”

Greg Barker March 2014 – “focus growth of solar PV in the UK on domestic and commercial roof space and on previously-used land...”

The Government has therefore noted that as solar schemes have come forward there have been inevitable issues both in terms in landscape impact but also change of character, with solar schemes being considered to change agricultural landscapes to “industrial” in character. Further to this the Secretary of State has confirmed that although applications are for a temporary basis (typically 25 years) this should not justify what will be a long term generational significant impact on the landscape from certain schemes. The NPPG was published in March 2014 which stated the Government’s intentions were “encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value...”.

The Board has also commented on numerous solar farm sites, outside but within the setting of the AONB, where in the majority of cases no objections have been raised. Again the reason why the Government is changing the tariff system in relation to solar farms has been because of the substantial uptake of solar farms and this popularity has reached a point where the Government has confirmed “it is more than we can afford.” The Board, from their own experiences therefore do not recognise the applicant’s difficulties in finding a site outside the nationally designated AONB. The Council should also consider, when forming a decision on this application, that although the generation of renewable energy can be positive, it should not be undertaken in a way that damages the wider environment of a nationally protected landscape. The conservation and enhancement of the AONB is also a matter of public interest.

In conclusion, the Council in forming a decision on this application should be fully aware of the “enhanced” status of protection to the AONB afforded through the CRoW Act 2000 and that the Council has a legal duty of regard to seek the purposes of conserving and enhancing the AONB. The NPPF (paragraph 115) confirms that “great weight” should be given to landscape and scenic beauty in AONBs whilst this development, for the reasons given above, fails to meet the tests of Paragraph 116 of the NPPF in relation to major development. The need for the development, as being found

elsewhere, can be met in more suitable locations outside the AONB without the detrimental effect of industrialising a nationally protected landscape, whilst the starting point of Paragraph 116 of the NPPF is that “Planning permission should be **refused** for major developments in these designated areas...”

The Board attaches an appeal decision in relation to a site outside but within the setting of the AONB which was dismissed. Given that this site in question is actually within the AONB, the reasons to reject the application are even stronger.

**RE: S.15/2122/FUL Prinknash Abbey (Former), Prinknash, Cranham, Gloucestershire. Demolition of existing 1970s monastery building and erection of ten residential dwellings and associated works.**

The Cotswolds Conservation Board raise no comments in relation to this application. However should the Council be minded to approve this application planning conditions should be attached to ensure approval of external materials; the long term protection of proposed retained trees and during demolition and construction (TPOs may be required to ensure this); a suitable landscape management plan and provision of new landscaping as proposed; control over the future garden areas as compared to the open shared spaces; no street lighting and the approval of details of all other forms of external lighting; approval of details of any boundary means of enclosure; a plan to secure the removal or suitable re-use of the existing building waste.

In coming to the above decision, as an exception to normal policy and solely in relation to the specific circumstances in relation to this site the Board has noted:

- The existing Abbey building has not been used and has been marketed for the last 10 years unsuccessfully.
- The existing Abbey building, arguably now although a feature of the area, is extremely visible in the landscape due to its quite considerable bulk and height (up to 25m high above ground level).
- The landscape is highly worthy of restoration through the removal of the existing building and therefore this development could help enhance the AONB in this case.
- English Heritage rejected the building as being worthy of Listing in 2014.
- The developers have come forward with a scheme of 10 dwellings in “pockets” within the site where development could occur without harming the mature landscaping and whilst retaining boundary screening. Each dwelling has been designed to reflect its specific location and topography within the site.
- Overall the footprint of 10 dwellings is similar to the existing Abbey building. But in terms of cubic content it will be less. Height will also be considerably less compared with the highest point of the existing Abbey building.

- The Board notes that a certain level of development would be required to raise the capital receipt to make the demolition of the existing building financially viable in the first place.
- The majority of the site between the houses will be left as shared ecological/open space with existing/proposed tree and hedge planting.
- There is no proposed street lighting and a planning condition to control other forms of external lighting can be recommended.
- The existing access can simply be extended within the site.
- In terms of activity within the site, the proposed 10 dwellings will have an occupancy level lower than the existing Abbey building provides for.
- The success of this development will depend on the integration of the development into the well screened site. Attempts during the construction process or by future occupiers to open up new views out of the site through felling more trees than proposed should be resisted hence the request for TPOs and protection of trees where required.

In conclusion, a small scale residential re-development could as an exception, bring about a more sensitive re-use of the site as compared to the existing building or as compared to other potential re-uses. Certainly in terms of landscape impact, the dwellings will provide a lower more dispersed development within the site capable of being well screened by existing landscaping and will nestle within the site, rather than sitting well above the existing tree canopy.

**S.15/0834/OUT. Residential development of up to 80 new dwellings with supporting infrastructure and the creation of a new vehicular access from the A46 roundabout, open space, landscaping, drainage and other enabling works.**

I can confirm the Cotswolds Conservation Board have considered the additional submitted information and wish to maintain their **objection** as previously stated.

Of further note, the Board did not raise an in principle objection to the proposed development of 100 houses outside the AONB though within its setting at Shakespeare Road, Dursley (see attached). However the Inspector still went on to dismiss this appeal stating:

*“On balance, however, I do not consider that further housing in this location would outweigh the adverse impact the development would have on the wider landscape in the vicinity of the appeal site. Together with its effect on the setting of the nearby AONB this would be contrary to relevant development plan policies and objectives of the NPPF and PPG. For the reasons given above and having regard to all other matters, I dismiss the appeal.”*

Therefore, even in relation to a site outside the AONB, where Para.116 of the NPPF was not engaged, an Inspector decided on 2<sup>nd</sup> September 2015 that the impact on the setting of the AONB and failure to meet development plan policies and objectives of the NPPF and NPPG were sufficient reasons to

dismiss the appeal for 100 houses. The Summer Street, Stroud appeal decision from 2014 also saw permission refused for schemes in excess of 100 dwellings due to impact on the setting of the AONB and lack of conformity with the development plan. The Council have therefore successfully defended the setting of the AONB, so logically the Council should be even more committed (as required by the CRoW Act 2000) to defend unwarranted development within the AONB.

The NPPG advises (Natural Environment 6.3.14) that *“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 applies.”* However, the Board still recommends to the decision taker (the Council in this case) that the scheme is considered to be major development. The NPPG advises the matter should take into account the proposal in question and the local context. In this case the development area is some 5.84 ha and is for 80 new dwellings and associated infrastructure in an area of agricultural land that currently forms a positive addition to the AONB. (The Board has seen schemes as low as 25 dwellings being dismissed on appeal for being major development within a smaller settlement of the AONB – appeal ref: APP/H1840/A/14/2228946). The loss of this site to housing is considered by the Board to be contrary to the purposes of conserving and enhancing the AONB as required by the CRoW Act 2000 as it will result in a complete change of character through urban intrusion into the countryside of this part of the AONB.

In conclusion, whether or not Para.116 of the NPPF is engaged, “great weight” should still be given to conserving landscape and scenic beauty within the AONB as advised by the NPPF and NPPG. The Council have already successfully rejected unwarranted development on this basis in relation to sites in the setting of the AONB. However, as this site is in the AONB the Board considers Para.116 to be engaged in this case based on the proposal and local context. Accordingly the scheme has been judged as failing the requirements of Para.116 and the development plan and there are no exceptional circumstances in this case to support this proposal.

#### **S.15/2235/FUL land adj to Eyrie (Old Caravan Site) Houndscroft, Rodborough.**

The Cotswolds Conservation Board have considered this proposal (and noted the planning history of the site) and wish to raise an **objection**.

The site is outside any settlement boundary, in the countryside of the nationally protected AONB. The development will therefore result in sporadic and unsustainable development which will result in a change of character through the construction of a new dwelling. The use as a holiday cottage will not in itself make the development any more acceptable.



**15/00751/OUT. Outline planning application for the redevelopment of Bentham Country Club to include the erection of 40 dwellings, associated parking, public open space, landscaping and associated works. Bentham Country Club Bentham Lane Bentham Cheltenham Gloucestershire GL3 4UD.**

The Cotswolds Conservation Board have been asked to comment on the above planning application and the Board wishes to raise an **objection**.

The Board does note the previously developed nature of the site. However, this proposal will essentially result in a new housing estate of 40 dwellings in the countryside of the nationally protected AONB (and Green Belt) in an unsustainable location unrelated to any existing settlement and will result in a negative urbanising change of character. The Board therefore does not consider this form of development to be compliant with the requirements of the NPPF.

**W/15/01723/CU Woollas Farm, Woollas Hill, Eckington, Pershore, WR10 3DN. Conversion and extension of former MOD Radar Station to provide overnight accommodation to Deer Park Hall Weddings and Business Centre, and for use as a classroom/meeting room for wildlife and photography workshops.**

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

As confirmed by the Council's Landscape Officer, the AONB has the highest level of landscape protection and the conservation of its scenic beauty is afforded "great weight" in the NPPF. This proposal will erode tranquillity and change the undeveloped and unlit nature of this part of the AONB. The proposal includes a large extension, greater in scale than the existing building and so this will also increase the level of landscape impact. If this scheme does not include new car parking or re-surfacing of the access track, if permission is granted these further changes would be a likely consequence causing yet further intrusion. The existing radar station was never permanently manned and was probably never intended to be a permanent feature. By allowing this new use would result in a permanent, negative change of character and form or urban intrusion into an area of countryside recognised as being of national importance. This form of use should be located in a more sustainable, accessible and more suitable urban location.

**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.

**15/01145/FUL Erection of 2 new poultry sheds to replace 4 old buildings. Court Farm Little Witcombe Gloucester Gloucestershire GL3 4UA.**

The Cotswolds Conservation Board raise no comments in respect of the above planning application.

Should the Council be minded to approve this application we recommend a planning condition to approve external materials to ensure a suitable colour to help conceal the buildings in the landscape and a suitable planning condition to secure the provision of proposed landscaping and future maintenance of that landscaping.

**Bredon Parish Pre-Submission Neighbourhood Plan Consultation.**

Thank you for consulting the Cotswolds Conservation Board on the consultation of the Bredon Neighbourhood Plan.

To assist I attach the Board's recently adopted Position Statement on the preparation of Neighbourhood Plans.

The Board is pleased to see the detailed comments in respect of the landscape, the AONB and its ecological and heritage assets and its setting within the Plan.

The Board recommends the inclusion of reference to Paragraphs 115 and 116 of the NPPF (at paragraph 3.2 of the Neighbourhood Plan) as these relate specifically to the AONB.

The Cotswolds Conservation Board have considered the above application and wish to **object** for the following reasons:

Provision has already been made within the emerging Cotswold Local Plan (Development Strategy & Site Allocations 2015) to grow Tetbury (which is wholly within the nationally protected AONB) by some 763 dwellings. This equates to a population increase of around 32% (based on the 2011 census figure of 5472 people and an average occupancy of 2.3 persons per new dwelling). Further to this the substantial element of this growth has been centred around the northern end of Tetbury in the area of London Road and Cirencester Road. The Board therefore considers that further additional housing in this location is not necessary or sustainable in terms of the settlements ability to accommodate even yet further growth both in terms of housing numbers and in terms of yet further landscape impact on this nationally protected landscape.

The Council should have particular regard to Paragraph 115 of the NPPF which indicates that “great weight” should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The Council should also have regard to Section 85 of the CRoW Act 2000 which requires decisions on development proposals to have regard to the purpose of conserving and enhancing the natural beauty of AONBs. The NPPG advises that the Council should also form a decision on whether this form of development can be considered to be “major development” under Paragraph 116 of the NPPF. The Board recommends that such a decision should not be taken individually in the light of this single application by also in consideration of the cumulative impact of this development in addition to those local schemes already coming forward. Further to this the Board seeks confirmation that this site has been assessed by the Council in respect of the need for an EIA given the substantial potential cumulative harm from yet another housing site in this location.

The site remains outside the settlement boundary, is greenfield and in the countryside in the previous and emerging Local Plans. The Board considers this scheme to be contrary to the emerging Plan and has submitted its objections to the inclusion of this site within the SHLAA process accordingly. The undeveloped end of Cirencester Road provides an important transition between the countryside and the urban area of Tetbury. Additional housing in this location will form a built intrusion and change the character of the end of Cirencester Road. It will therefore fail to conserve and enhance the character and special qualities of the AONB and undermine the original purposes of designation. In terms of the planning balance therefore the level of harm to

the AONB outweighs the level of need and so great weight should be afforded to conserving the landscape and scenic beauty of the AONB in this case.

**15/03186/FUL . Construction of solar photovoltaic park with associated equipment including access track. Land At Broadfield Farm Broadfield Farm Lane Northleach Gloucestershire.**

The Cotswolds Conservation Board raises an **objection** to the above development for the following reasons:

Paragraphs 14 (footnote 9), 115 and 116 of the NPPF are particularly relevant to this case (as advised by the NPPG). The Cotswolds Conservation Board considers this to be “major development” given the scale of the development, local context and location within a nationally protected landscape. Paragraph 116 of the NPPF is therefore particularly relevant, the starting point of which is that “Planning permission should be refused for major developments in these designated landscapes...”. There can be “exceptional circumstances” and where it can be demonstrated to be in the “public interest”, but consideration of such applications should include an assessment of:

***“...the need for the development...”***

With regard to paragraph 116 of the NPPF (and the associated guidance within the NPPG), the Board considers no exceptional circumstances of any significant weight exist to outweigh the impact of this proposal on the nationally designated AONB. Further to this in terms of paragraph 116 of the NPPF the conservation and enhancement of the AONB (Section 85 of the CRoW Act 2000) is also a matter of public interest and should therefore be afforded weight in the planning balance. Paragraph 115 of the NPPF confirms that “Great weight should be given to conserving landscape and scenic beauty in AONBs” which have the highest status of protection.

***“...the cost of, and scope for, developing elsewhere outside the designated area...”***

The submitted “Site Selection Report” does not fulfil the requirements of the NPPF that tests “*the cost of, and scope for, developing elsewhere outside the designated area.*” The application has not considered what options exist to avoid the nationally designated landscape altogether. The Board has commented on numerous solar farms outside the AONB, but within its setting and has in most cases not raised any objections (for example 15/01923/FUL at Preston, Cirencester). There are therefore options to provide for our renewable energy needs at this scale outside the designated landscape.

***“...or meeting the need in some other way...”***

Although this scheme will make a contribution to meeting renewable energy needs, the NPPG published in March 2014 stated the Government’s intentions were “*encouraging the effective use of land by focussing large*

*scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value...".* Accordingly although greenfield schemes may still be considered, "proper weight" should be given to environmental considerations such as "landscape and visual impact". The Cotswolds Conservation Board therefore considers that the need in terms of Paragraph 116 of the NPPF can be met in some other way and that the Government itself is recommending the focus is on "*domestic and commercial roof space and on previously used land*" (Greg Barker DECC April 2014). Hence the Government's proposed change in tariff for this form of renewable energy.

***"...any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated..."***

As the application confirms, although there are blocks of substantial tree belts in the area, the solar farm and associated equipment will still be visible from some locations and public viewpoints (for example Viewpoints 1, 2 and 7).

The Secretary of State has also previously agreed in solar farm decisions, that 25 years is a significant length of time over which harm would be endured, accordingly the reversibility of the scheme should not be an influential factor in the decision making process. The proposal will therefore result in an industrialising, significant and negative impact on the AONB contrary to the purposes of the CRoW Act 2000.

The Board also attaches an appeal decision in respect of a site in Oxfordshire (outside but within the setting of the Cotswolds AONB). Even though this scheme that was outside the AONB and the Board raised no specific objections, the Inspector still dismissed the appeal stating "*Notwithstanding the benefits of the scheme to RE targets and GHG emissions, and the contribution it would make towards the local economy and biodiversity, I do not consider that the impacts of the appeal scheme are, or could be made, acceptable. The proposal would conflict with relevant policies of the LP, and would not accord with the requirements for sustainable development set out in the Framework. There are no material considerations here that would indicate that a determination other than in accordance with the development plan was justified.*"

Therefore the loss of this area of farmland, within the open countryside of a nationally protected landscape to a solar development would introduce a discordant and industrialising feature, which would fail to conserve and enhance the Cotswolds AONB, which is the purpose of designation under the CRoW Act 2000. As the Government has confirmed, proper weight should be given to considering the landscape and visual impact from Solar PV schemes particularly within AONBs and accordingly need should be met in some other way including considering options outside designated areas.

The above response has been copied to Natural England.

**Demolition of existing buildings and full application for 150 homes. Pedestrian and vehicle access and public open space and an outline application for a doctor's surgery and associated car parking. Land At Glebe Farm, Tobacconist Road, Minchinhampton, Gloucestershire. S.15/2567/FUL.**

The Cotswolds Conservation Board wish to **object** for the following reasons:

### ***Pre-application Stage***

The Board has been involved during the pre-application stages of this proposal. It did accept in considering options for the growth of Minchinhampton, that **IF** the need for the development could be justified, this site compared to others around the village was relatively well contained in the wider AONB landscape. Further to this, if the principle of need for such a scheme were to be established, then suitable detailed mitigation measures would need to be included within the scheme. The ability of the development to assimilate into the edge of the village would be a key consideration.

### ***The Adopted Local Plan***

However, since the Board commented at the pre-application stage, the Stroud Local Plan has been adopted. As the NPPF states (Paragraph.2.) planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Board 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). In addition the Inspector has confirmed no strategic allocations have been made to Minchinhampton, whilst noting that the AONB designation is a specific constraint that limits opportunities for development (Paragraph 97 of the report). Although the Plan does make provision for small scale local growth, the scale of this development at 150 dwellings and doctors surgery goes well beyond that definition. The Inspector also ruled out a number of "omission sites" including at Minchinhampton, reasoning that need had already been met and again noting the Cotswolds AONB as a specific constraint.

### ***Major Development***

The Board considers the application at 150 dwellings, plus doctors surgery and associated works on what is countryside, outside the settlement boundary on a site area of 8.20 ha within the nationally protected AONB to be major development. It is noteworthy that in dismissing an appeal for 146 dwellings at Stow-on-the-Wold, a not dissimilar sized settlement, for a smaller scheme of 146 dwellings with a site area just over 5 ha the Inspector noted (Paragraph 12.8.2) "*The Council and appellant agree, as do I, that the proposed development of up to 146 dwellings would constitute major development in the AONB.*" (27<sup>th</sup> March 2015 Land at Oddington Road Stow-on-the-Wold

APP/F1610/A/13/2203411). And of further note, the Secretary of State did not disagree with this conclusion (see attached copy of the appeal decision).

Therefore, the Board considers that in addition to the legal purposes of conserving and enhancing the AONB as provided through Section 85 of the CRoW Act 2000, the bar is set high when considering development generally in AONBs by reason of Paragraph 115 of the NPPF in the “great weight” is afforded to conserving landscape and scenic beauty. Further to this, the Board recommends the “decision taker” as advised by the NPPG (in this case Stroud District Council) should consider this development to be “major development” based on the local context and for the reasons given above and therefore Paragraph 116 of the NPPF is relevant in this case.

### ***The Tests of Paragraph 116 of the NPPF***

The Board notes that Paragraph 116 of the NPPF indicates that planning permission should be **refused** for major developments in AONBs except in exceptional circumstances and where it can be demonstrated that they are in the public interest. Consideration should be given to the need for the development, including in terms of any national considerations and the impact of permitting it or refusing it upon the local economy. Further to this, consideration should be given to the scope for developing elsewhere outside the designated area, or meeting the need in some other way as advised by the NPPF.

In terms of meeting the above requirements, the Inspector’s recent report on the local plan clearly confirms that the housing needs of the District have been met and that the direction of travel of policy in terms of housing allocations within the AONB generally has been one of avoidance following national policy.

In terms of Minchinhampton’s particular needs, again the Inspector has not sought to find or support omission sites again having regard to the settlements location within the AONB. The Inspector has precluded large scale or strategic sites from within the AONB, whilst outside the AONB even the approach to the Stroud Valleys has been to target the Valley Bottoms and Canal Corridor. The Board therefore considers the Inspector’s report confirms that there is no need for this development to be located within the AONB as alternative provision has now been secured through the Adopted Local Plan by “*developing elsewhere outside the designated area*” (Paragraph 116 of the NPPF).

In terms of the final consideration of Paragraph 116, there is a requirement to consider the detrimental effect on the environment, landscape and recreational opportunities and the extent to which they can be moderated. As noted above, there are potential housing sites around Minchinhampton that are even more exposed to the wider AONB landscape as compared to this site. However, the Secretary of State in allowing the Highfield Farm, Tetbury scheme (APP/F1610/A/11/2165778) nevertheless stated that “*the loss of open fields must inevitably have a detrimental effect on the landscape and environment.*” Therefore, in this case if there is no public need for the development, then the detrimental effect of the loss of 8.20ha of the

countryside of the AONB to urban development, including harm to the setting of a scheduled ancient monument, cannot be justified.

### **Conclusion**

As advised by the NPPF, the Board took part in pre-application discussions with the applicant in a proactive way. However, the Board must assess the application in the light of the recently Adopted Stroud Local Plan and related Inspector's Report, which, in the Board's considered opinion, provides no policy support for this proposal. The site has not been allocated in the Local Plan and the Board considers the development to constitute "major development" given the local context. Therefore, Paragraph 116 of the NPPF is relevant, as are the 'great weight' issues inherent in the balancing tests set out in paragraphs 131 to 134 in respect of the Scheduled Ancient Monument. Given the context of the recently adopted Local Plan, the Board does not consider that any other material considerations or exceptional circumstances exist in this case, that outweigh the great weight to be given to conserving the AONB. Nor is there any 'clear and convincing' public benefit to override the 'great weight' to be given to avoiding harm to the setting of the Scheduled Monument. Taking account of the guidance provided by NPPF paragraphs 115,116 and 131 to 134, the Board therefore advises that planning permission should be **refused**.

***Additional Comments In Respect Of EIA:*** *The application has been supported by numerous supplementary reports, illustrating the complexity of environmental issues raised. Noting various deficiencies in the applicant's self-screening for EIA (including what the Board consider to be an erroneous statement about the purpose of the AONB and inadequate consideration of cumulative issues with respect to the AONB). The Board therefore requests publication of the Council's own decision giving a fully reasoned screening opinion on whether an EIA is needed, as required by EIA Regulations 4, 5 and 23.*

*Given that this site is now shown by the Adopted Local Plan to be contrary to policy and in the countryside of the AONB outside the settlement boundary; is a major development occupying 8ha of open countryside, representing a fundamental change from rural to urban use; and has cumulative impacts on the setting of a scheduled ancient monument - which constitute issues to which 'great weight' must be given - its effects would be significant. Therefore, the Board requests the Council to consider whether an EIA should be provided.*

*In any case the Board considers there is a need for basic information about the proposed surgery (scale, height, footprint, massing, parking and usage, and its cumulative effects (especially on the setting of the adjacent ancient monument); Need for a full archaeological evaluation as requested by Glos CC archaeologist; Need for a fuller assessment of the setting of the SAM using all detailed criteria of HE guidance; Need to bring the landscape and visual assessment up to full compliance with national standards set by the Landscape Institute (eg defining zones of influence, ground-truthing them, duplicating summer views with winter photography; adding more viewpoints at*



*a greater distance in the AONB; wireframes and selected full rendering as visualisations).*

### **Erection of 12 dwellings and shop Windrush Heights, Adjacent to A40 Windrush 15/03385/FUL.**

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

The Board is aware of the long planning history in relation to this site leading to the current situation as to how the site appears today and the extant planning permissions.

However, the Board considers the development to result in the addition of a new residential scheme in a highly exposed location in the landscape visible both locally but also in long distance views from publically accessible locations (especially from the north, for example between Great Barrington and Little Rissington). The proposed housing is shown within an area what is shown within submitted plan Ref: 15030 as being left as a dense landscaping belt (and as had also been shown in previous approved layout plans as also being a dense and continuous landscaping belt). By the nature of the development (essentially houses fronting on to a cul-de-sac it) the proposal will also result in a very urban addition to what is a very exposed rural countryside location. Although the previous permitted scheme included a petrol filling station and roadside restaurant, these uses were at least a logical re-use of a roadside site for similar uses next to the A40. A very urban styled residential development, with associated lighting, gardens, parking etc has not historical or contextual relationship with this site or the exposed ridgeline location.

This scheme (unlike previous schemes that pre-date the 2012 NPPF and subsequent NPPG) should be considered under Paragraph 115 of the NPPF which affords "great weight" to conserving landscape and scenic beauty in AONBs. The Board also requests the Council to consider whether Paragraph 116 of the NPPF is also relevant in this case, as the local context is that this site is outside any settlement, in a very exposed location in the countryside of the nationally protected AONB where inappropriate development will have a significant impact (accordingly to also review the need for an EIA, or at least a detailed LVIA, to fully consider the impact on the AONB and its related Heritage Assets).

Paragraph 55 of the NPPF is also relevant that states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances. The only exception relevant to this 12 dwelling scheme, is the final paragraph of Paragraph 55, in relation to development being of an exceptional quality, innovative in nature, being sensitive to the area and significantly enhancing the immediate setting, none of which have been achieved by this proposal.

The Board therefore considers this development to fail the three key requirements of sustainable development in that the 12 dwellings and shop will not address the specific economic, social or environmental dimensions to sustainable development and will instead result in a highly unsustainable development that is also damaging and negative to the character and special qualities of the AONB.

The Board is committed to finding a long term solution to the re-use of this site, but this current scheme will only extend and increase the damaging impact from unsuitable development as compared to previously approved schemes. The NPPF advises in relation to previously developed land that it may be considered for redevelopment “although it should not be assumed that the whole of the curtilage should be developed”. Any future solution, if the current permission is unviable, should seek out an exceptionally high quality landscape led solution with positive enhancement to the wider AONB and not result, as this scheme will do, in long lasting harm.

### **Winchcombe and Sudeley Neighbourhood Plan Consultation.**

The Cotswolds Conservation Board, following previous comments, support the detailed consideration through the Plan of the status of the nationally protected AONB and cross reference to relevant national policies in guiding development within the Neighbourhood Plan.

### **RE: 15/03916/FUL Land To The NW Of Foxcote Hill, Ilmington. Erection of a new dwelling with associated hard and soft landscaping.**

The Cotswolds Conservation Board wish to raise an **objection** in respect of this proposal.

The proposed dwelling is on an exposed undeveloped hillside site, outside the physical limits of the village. The construction of a dwelling in this location together with a new access, parking area and creation of a garden will have an obvious urbanising impact visible both from the immediate street scene but also from the wider landscape to the rear. The planning history of this site is also noted including the previously dismissed appeals. The development of this site would have a permanent negative impact on the character and special qualities of the AONB, including its Heritage Assets, contrary to the purposes of AONB designation as confirmed within the CRoW Act 2000. The NPPF confirms at Paragraph 115 that “great weight” should be given to conserving landscape and scenic beauty in AONBs which have the “highest status of protection in relation to landscape and scenic beauty.” Suitable provision is being made through the Stratford Upon Avon Local Plan process to provide new dwellings that conform with the “environmental role” of the NPPF without the need to develop sites of this nature.

**RE: 15/01188/FUL Erection of four detached dwellings and associated works. Fortitude Birdlip Hill Witcombe Gloucester Gloucestershire.**

The Cotswolds Conservation Board wish to **object** to this planning application.

The site is outside and away from any settlement within the open countryside of the nationally protected Cotswolds AONB. There is a legal duty under Section 85 of the CRoW Act 2000 for the Local Authority to ensure the conservation and enhancement of the AONB which has the highest status of landscape and scenic beauty protection and is afforded "great weight" under Paragraph 115 of the NPPF.

The starting point for Para.55 of the NPPF is "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities." Accordingly Local Planning Authorities are advised to specifically avoid new isolated homes in the countryside unless there are exceptional circumstances. The AONB Board see no exceptional circumstances in this case that meet with the tests of Para.55 of the NPPF and that would overcome and take preference above the protections afforded to the AONB and to protection of the countryside generally from random housing development. New permanent residential dwellings with gardens, parking, lighting and all the trappings of residential development, would result in a clear change in character from a rural scene to a group of houses in the countryside (a greater overall and lasting impact and change of character as compared to log cabins for holiday use).

Both the CRoW Act and Para.55 seeks an element of landscape enhancement, however building new houses in the countryside, no matter how well concealed, will result in negative impact particularly in relation to an AONB. The future occupiers of the site would also likely to be car reliant as the site is away from any settlement and so this development also fails the tests of "sustainable development" at Paras. 6 and 7 of the NPPF and would lead to a precedent for other such developments across the open countryside of this nationally protected landscape.

**15/02131/FUL. Construction of a low contoured earth flood bund in the grazing meadow to the south of Southfield Manor Park. Its purpose being to intercept and attenuate out of channel flow from Southfield Brook and overland surface water run-off from the Cotswold escarpment. In addition, a second smaller earth bund is proposed immediately south of properties in Hartley Close. The proposed scheme provides the benefit of reduced flood risk to properties in Southfield Manor Park, Hartley Close and Sandy Lane. Land Off Sandy Lane Charlton Kings Cheltenham Gloucestershire.**

Thank you for consulting the Cotswolds Conservation Board on the above application.

I can confirm we raise no comments.

The Board does however recommend that suitable planning conditions are attached (should permission be granted) to ensure the site is fully restored and appropriate new landscaping is provided and managed accordingly.