

COTSWOLD DISTRICT

SPECIAL LANDSCAPE AREAS SCOPING REVIEW

Final Report

for

Cotswold District Council

March 2017

Email: sw@whiteconsultants.co.uk
Web: www.whiteconsultants.co.uk

Tel: 029 2043 7841



CONTENTS

1. Introduction	2
2. Current SLA policy and areas	2
3. Planning Policy Context	3
4. Landscape Planning Context	7
5. Defining current criteria for assessing SLAs	10
6. Applying the current approach to reviewing SLAs in Cotswold District	12
7. Policy wording	16
8. Summary	17

Figures

- Figure 1 Existing Special Landscape Areas with other landscape designations and landscape character areas

Appendices

- Appendix A Representations on SLAs
Appendix B Stratford on Avon SLA policy

1. Introduction

- 1.1. White Consultants were appointed in January 2017 to undertake a review of Special Landscape Areas in Cotswold District as part of baseline evidence supporting the Local Plan (2011-2031). The brief is to carry out a desktop review to :
 - Review the evidence underpinning the current SLA designations (including the fundamental justification for this type of designation in Cotswold District), taking into account the NPPF and any other material planning considerations;
 - Report on any significant issues arising and their implications having particular regard to the soundness of the Local Plan; and
 - Make recommendations/provide options as to how any necessary changes and/or revisions may be dealt with.
- 1.2. There have been a number of changes in national planning policy, guidance, baseline assessments and some development on the ground since these studies. The ramifications of these are discussed in this review.
- 1.3. This report is the draft scoping review report. It is structured to note the current SLAs and policy (2.0), explore the updated planning and landscape policy context and validity of SLAs as a designation (3.0 and 4.0), explores relevant good practice guidance and the criteria now used to identify SLAs compared with the 2001 study (5.0), reviews the individual current SLAs in terms of changes on the ground and the relationship with the current landscape character context (6.0) and finally summaries the conclusions and makes recommendations for next steps (7.0).
- 1.4. This report has been undertaken by Simon White DipLA DipUD (Dist) MA CMLI. He is a chartered landscape architect who also led and prepared the February 2001 study which identified the current SLAs.

2. Current SLA policy and areas

- 2.1. The original Special Landscape Areas (SLAs) were devised by Gloucestershire County Council in 1982. These were refined as part of the 1990 review of Cotswolds Area of Outstanding Natural Beauty (AONB) and placed in the Gloucestershire Structure Plan First Alteration (1992) and Cotswold District Local Plan (1999).
- 2.2. The SLAs were formally reviewed in a study 'Local Countryside Designation Review: Special Landscape Areas', White Consultants, February 2001. This examined the purpose of the designation and used a set of defined designation and boundary criteria. The report made recommendations on SLAs to be retained, modified or deleted. Six SLAs were proposed and three were proposed to be deleted. Following this, Cotswold District Council (CDC) allocated the six recommended SLAs but with some amendments to the boundaries. These were examined and adopted as part of the Local Plan (2001-2011) (adopted 2006) process.
- 2.3. The six SLAs in the Local Plan (2001-2011) as part of Policy 8 are:
 - Barrington Downs
 - Coln Valley (north of Fairford)

- Kemble/Ewen
- Moreton in Marsh surrounds
- North Cirencester
- Norton Hall

(See Figure 1).

- 2.4. Policy 8 was identified as a saved policy in January 2009 and so is extant. It states:

'Within Special Landscape Areas, shown on the Proposals Map and Insets, development that meets the economic and social needs of communities will be permitted provided it does not unacceptably harm the area's landscape character or appearance.'

- 2.5. The explanatory text states:

'2.3.20 Gloucestershire Structure Plan Policy NHE5 lists nine SLAs, which are indicated broadly on the Plan's key diagram. The purpose of SLA designation is to provide protection to locally significant landscapes that, although not nationally designated, are of comparable quality to AONBs and require special attention in the implementation of planning policy.'

2.3.21 Although of lesser importance by national standards, SLAs are attractive landscapes in their own right and particularly so in the local and County-wide context. Designation identifies those landscapes that are of particularly high intrinsic value and which require protection for their own sake as part of the District's landscape resource. They all abut the AONB and parts of them provide important foreground settings for the national designation.'

2.3.22 In accordance with the requirements of PPG7, a study of the nine SLAs in the District was commissioned during 2000. Each was rigorously assessed against appropriate criteria for valued landscapes laid down in 'Interim Landscape Character Assessment Guidance' (The Countryside Agency/ Scottish Natural Heritage 1999). The designations have, therefore, been based on a formal assessment of the landscape qualities of the area.'

- 2.6. The notes for guidance references two publications, commissioned by Cotswold District Council, assess the qualities of the countryside within the Special Landscape Areas. These should be used when considering applications within SLAs. The two publications are: Assessment of Landscapes outside the Cotswolds Area of Outstanding Natural Beauty (June 2000); and Local Countryside Designation Review: Special Landscape Areas (Feb 2001).

3. Planning Policy Context

- 3.1. The planning policy context has changed significantly since 2001. The National Planning Policy Framework, issued on 27 March 2012 superceded Planning Policy Statements (PPS) 1 and 7 which were the national planning documents most relevant to the Cotswold District SLA report in 2001.
- 3.2. Overall, the NPPF states that the purpose of the planning system is to achieve sustainable development (6). The three dimensions of sustainable development are economic, social and environmental. The environmental role is defined as *'contributing to protecting and enhancing our natural, built and historic environment...'*(7).

- 3.3. One of the 12 principles of planning is to *'take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognizing the intrinsic character and beauty of the countryside and supporting the thriving rural communities within it...'*(17). This suggests that studies which describe the intrinsic character and beauty of the countryside are useful. This clearly includes landscape character assessments but may also be relevant to landscape designations, including SLAs.
- 3.4. The document states that planning decisions must reflect relevant EU obligations and statutory requirements. In combination with statements, such as the principle above, the NPPF may be construed as broadly consistent with the European Landscape Convention (ELC) (see below) to which the UK is a signatory, albeit the ELC is derived from the Council of Europe, not the EU.
- 3.5. The planning system should *'contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils...'* (109) (our underlining). This appears to justify SLAs potentially. The guidance continues *'local authorities should set criteria-based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinction should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution they make to wider ecological networks'* (113). At face value the second sentence appears to relate to all designations but references a footnote which references Circular 06/2005 which is concerned with statutory obligations for biodiversity and geological conservation, not landscape.
- 3.6. The document goes on to say that local planning authorities (LPAs) should set out a strategic approach in their local plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. Great weight is given to conserving the landscape and scenic beauty of National Parks and Areas of Outstanding Natural Beauty. Strategic priorities should include policies on conservation and enhancement of natural and historic environment, including landscape (156, last bullet point). Overall, the document is silent about local landscape designations (LLDs)/SLAs.
- 3.7. Local Plans should be supported by a proportionate evidence base which is adequate, up-to-date and relevant (158).
- 3.8. Overall, it appears that the environmental objectives of the NPPF could be supported by encouraging positive management of the characteristics, elements and features of the relevant SLAs, integrating with green infrastructure and other objectives. This should not be seen as excluding development but to ensure that it responds to, conserves and enhances the area's defined qualities and characteristics.

Planning Practice Guidance

- 3.9. The national planning practice guidance relevant to the landscape in the Natural Environment section states that:
- 'One of the core principles in the National Planning Policy Framework is that planning should recognise the intrinsic character and beauty of the countryside. Local plans should include strategic policies for the conservation and enhancement of the natural environment, including landscape. This includes designated landscapes but also the wider countryside.'* (our underlining)

- 3.10. It then refers to preparation of landscape character assessments (LCAs) with a web link to landscape and seascape character assessments and how these should be carried out. The brief text here indicates the purposes which LCAs could be used for which include 'local council studies' but do not specifically mention SLAs. The Natural England document 'An approach to landscape character assessment', NE579, is linked to this and is discussed in Section 3.0.

Emerging Cotswold District Local Plan 2011-2031 Submission Draft Reg. 19, June 2016

- 3.11. This document sets out a proposed policy for SLAs- EN4. This states:

'Development within Special Landscape Areas that demonstrably meets the economic and social needs of communities will be permitted provided it does not have a detrimental impact upon:

- a. the quality of the natural or historic environment; and*
- b. the landscape character, appearance or tranquillity of the area.'*

- 3.12. This is essentially similar to the previous Policy 8 with the addition of the terms quality and tranquillity. The explanatory text states:

'11.2.11 The purpose of SLA designation is to protect locally significant landscapes that, although not nationally designated, are of comparable quality to, and abut, the AONB. Their designation is based on a formal assessment of the landscape qualities of the area. SLAs were introduced in Gloucestershire in 1992. They are attractive landscapes in their own right, but may also provide important foreground settings and effective buffers for the AONB. There are nine SLAs in Gloucestershire, six of which lie wholly or partly in the District....'

- 3.13. Again, this is similar to the previous explanatory wording.

- 3.14. Four representations have been made to CDC on this policy (included in **Appendix A**). In summary, these cover the following issues:

- SLAs are not compliant with NPPF.
- NPPF notes a distinction between international, national and locally designated sites so that protection is commensurate with their status and gives appropriate weight to their importance (113).
- The policy wording should be changed to omit 'detrimental' and replace with a higher test involving the effects on defined intrinsic qualities resulting in significant adverse impact to character and appearance.
- SLAs are not consistent with current Natural England landscape character assessment practice which does not include identifying designated areas outside AONBs and National Parks.
- In the light of the age of the SLAs, the extent to which the areas covered by the SLA designation remain relevant and up-to-date (citing 1982 as the origin of the SLAs rather than the 2001 study).
- An area should be excluded from the North Cirencester SLA- the Humpty Dumps, off Berry Hill Crescent.

- 3.15. The representations indicate there is a need to ensure that the SLAs are consistent with NPPF and are underpinned by an up-to-date robust formal assessment, which is the purpose of this review.

Recent consideration of SLA at inquiry in Cotswold District

- 3.16. At a 2016 inquiry at Berry Hill Crescent, Cirencester (3144113), which was within North Cirencester SLA, the Inspector considered the evidence for the SLA's designation, the fit with NPPF and its status. His conclusions were:
- He did not doubt the accuracy of the 2001 White report (which underpinned the relevant Policy 8) and considered the description to still apply.
 - He agreed with the Local Plan inspector that the site, which was outside the 2001 report boundaries, did reflect the underlying landscape of the rest of the SLA and so was content that it was a valid part of the SLA, reinforced by the 2014 White sensitivity report.
 - He considered the SLA to be a 'valued landscape' in accordance with NPPF paragraph 109 and that there was a high degree of consistency between Policy 8 and paragraph 109.
 - Though challenged by the appellants, he stated that the use of the word 'unacceptable' in terms of harm in Policy 8 should be considered in a straightforward way.
- 3.17. Overall, this decision is helpful, confirming that SLAs are still a valid designation consistent with NPPF paragraph 109. However, the case revolved around the old Policy 8, not the emerging Local Plan policy, which may require more up to date evidence as well as updated wording.

Use of SLAs in adjacent authorities

- 3.18. The adjacent authorities address landscape character but the use of SLAs is limited to three local planning authorities (LPAs):
- **Stratford-on-Avon District-** SLAs are included the Core Strategy (adopted July 2016) Policy CS.12 (see **Appendix B**). They were reviewed and redefined in a report by White Consultants in June 2012. Four areas were identified- Arden, Cotswold Fringe, Feldon Parkland and Ironstone Hills Fringe. The relevant SLA abutting the CDC boundary and the Moreton-in-Marsh Surrounds SLA is the Cotswolds Fringes SLA. Together they link two parts of the Cotswolds AONB.
 - **Tewkesbury Borough-** there are SLAs proposed as part of the emerging 2011-2031 Plan. These are a continuation of AONB topography or with characteristics similar to the AONB slopes. The areas do not abut CDC which lies further east. The Plan text does not mention a study underpinning the designation.
 - **Wiltshire Council-** The adopted Wiltshire and Swindon Structure Plan 2016 identifies SLAs, most of which adjoin AONBs, including the Cotswolds. However, none abut Cotswold District. SLAs are stated as landscapes of County Importance and a non-statutory designation protected through County Structure Plan and Local Plan policy.
 - **Wychavon District-** there are no SLAs in this district. (Prior to the 2006 Local Plan there was a Cotswold Area of Great Landscape Value to the south of the district and Droitwich SLA to the north. However these were discontinued. This plan has been replaced by the South Worcestershire Development Plan which has a landscape character policy but no SLAs.
 - **Cheltenham Borough-** there are no SLAs in this borough.
 - **South Gloucestershire-** there are no SLAs in this area.
 - **Stroud District-** there are no SLAs in this district.

- West Oxfordshire District- there are no SLAs in this district.

Preliminary conclusions on the validity of SLAs as designations

- 3.19. SLAs are not encouraged in England by national planning policy. However, there is nothing stated in national policy which specifically rejects the approach and there are 'hooks' which could be used to justify their use. An inspector has considered that SLAs are relevant to NPPF 109 as valued landscapes. Three neighbouring authorities are continuing the use of SLAs into the future, two in recently adopted plans. Overall, therefore, a case could be made for defining SLAs in the district.
- 3.20. The NPPF is silent on how SLAs may be identified. However, the best approach would be to take into consideration the need for an up-to date evidence base.

4. Landscape Planning Context

European Landscape Convention

- 4.1. The European Landscape Convention (ELC) was signed up to by the UK government in 2006 and has to be implemented and incorporated into policy. It acknowledges *'that the landscape is an important part of the quality of life for people everywhere: in urban areas and in the countryside, in degraded areas as well as in areas of high quality, in areas recognised as being of outstanding beauty as well as everyday areas'*.

- 4.2. The ELC has useful definitions:

'Landscape means an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.'

Landscape policy means an expression by the competent public authorities of general principles, strategies and guidelines that permit the taking of specific measures aimed at the protection, management and planning of landscapes.....

Landscape protection means actions to conserve and maintain the significant or characteristic features of a landscape, justified by its heritage value derived from its natural configuration and/or from human activity.

Landscape management means action, from a perspective of sustainable development, to ensure the regular upkeep of a landscape, so as to guide and harmonise changes which are brought about by social, economic and environmental processes.

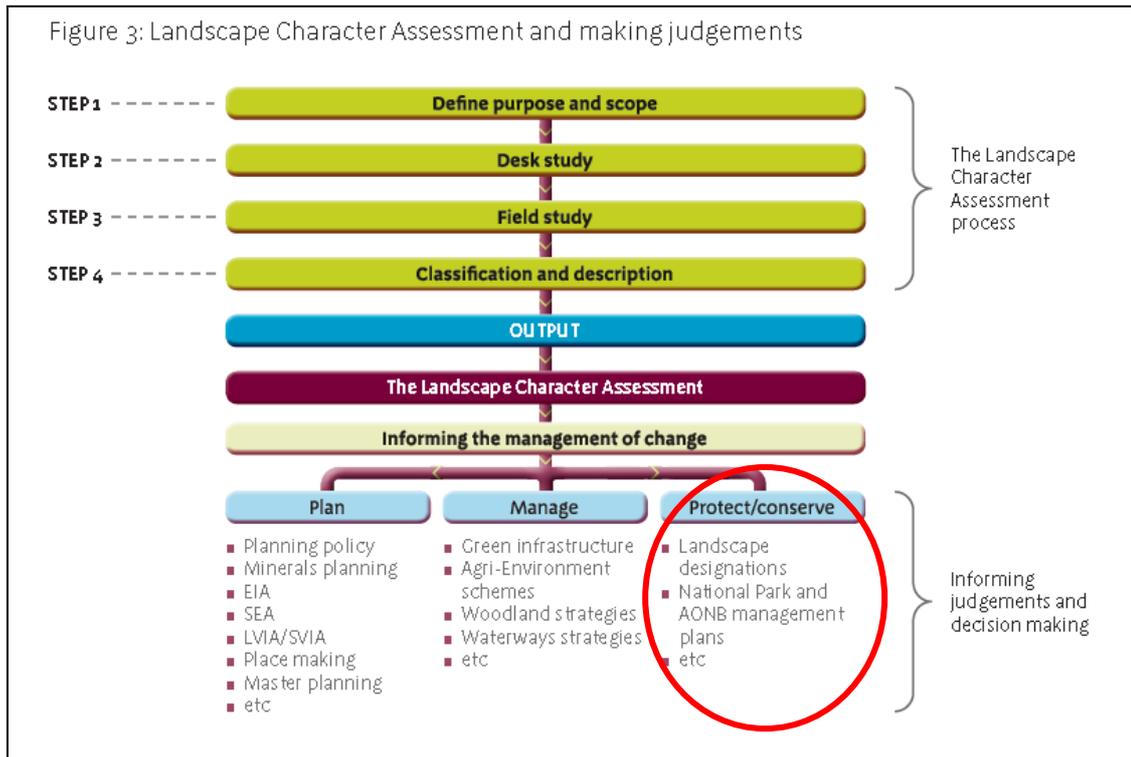
Landscape planning means strong forward-looking action to enhance, restore or create landscapes.'

- 4.3. Each signatory undertakes to identify landscapes and their characteristics and establish landscape policies taking into account the particular values assigned to them by the interested parties and the population concerned.
- 4.4. Overall, the definition of SLAs may be seen as contributing to the knowledge of the landscape and its values although it would be important in policy terms not to neglect other landscapes.

Approach to SLAs in the UK

- 4.5. As indicated above, Natural England encourages a landscape character based approach, rather than SLAs, whilst having a duty to protect and enhance nationally designated landscapes.

- 4.6. The document 'An approach to landscape character assessment', 2014, is a small and simple document. It states in the Acknowledgements that it is informed by 'Landscape Character Assessment: Guidance for England and Scotland', 2002, but falls short of stating it replaces it. The latter document has a wider scope. However, the principles of LCA remain the same. The 2014 document explains the LCA process and goes on to state how the completed LCAs can be used to inform policy development and landscape designations including the identification of special/designated area boundaries (1.3, pages 10 and 11). This is illustrated in the following diagram, Figure 3. There is therefore an implicit recognition that SLAs may be derived from the baseline landscape character assessment.



Extract from 'An approach to landscape character assessment', NE579, after page 17.

- 4.7. The last report specifically addressing SLAs for the Countryside Agency was the 'Review of Local Landscape Designations' completed in June 2006, a few months before Natural England was formed. The report's conclusions included the following:

- Many planning authorities were moving away from SLAs due to PPG7 and the Countryside Agency's views.
- Planning Inspectors were consistently criticising SLAs policies on the basis that many were often confusing, misleading, inadequately justified or unnecessary.
- SLAs often pick up any shortcomings in the definition of AONB boundaries which have been poorly defined.
- If SLAs were to be abandoned with confidence, local landscape character needed to be formally assessed with the identification of particular landscape characteristics which needed to be protected, conserved and enhanced.

- 4.8. The guidance defines landscape terms and some have been refined over recent years such as tranquillity. This now includes not only aural factors but visual disruption by manmade structures and the presence of people.
- 4.9. In Scotland, Scottish Natural Heritage (SNH) issued guidance in 2006 on how to define local landscape designations¹ which is still extant. As part of an all-landscape approach to Scotland's landscapes, SNH believe that local landscape designations can play an important role in promoting awareness, pride and care of the country's most valued local landscapes, and also protecting those which are most vulnerable. It is significant that SNH have taken this approach even though they still promote the 2002 landscape character guidance (for England and Scotland), and also subsequent to the adoption of ELC in the UK. The SNH approach to defining areas is discussed in more depth in the next section.
- 4.10. In Wales, SLAs are used based on a method developed by the Countryside Council Wales, now Natural Resources Wales (NRW). This draws on the SNH guidance but is adapted to utilise the LANDMAP information which differs in structure and approach to both the landscape character approach used in England. It is therefore of limited applicability to this study.

Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA 3) 2013

- 4.11. GLVIA3 guides how to carry out landscape and visual impact assessments of specific developments. In assessing the effects on landscape character it sets out a process of determining the sensitivity of a receiving landscape, the magnitude of effect and the resulting level of significance. Sensitivity is derived from a combination of susceptibility of a landscape and its value.
- 4.12. Value is determined by a number of factors including the presence of national or local landscape designations (5.25), although the fact that an area is undesignated does not mean it does not have any value (5.26). Factors are derived from the 2002 Countryside Agency guidance. Experience indicates that developer's LVIA's often cite the lack of designation as an indication that an area is not a 'valued' landscape in terms of NPPF whether a LPA uses SLAs or not. This would therefore support the case for designating SLAs, although potentially weakens the case against development in areas outside.

Preliminary conclusions on the validity of SLAs as designations

- 4.13. SLAs are not encouraged in England by national LCA guidance or the European Landscape Convention. However, there is nothing stated which specifically rejects the approach and there are 'hooks' which could be used to justify their use. Natural England's current approach still promotes the landscape character assessments but acknowledges that LCAs can inform separate studies such as defining special/designated areas. SNH clearly feel SLAs can be justified. Overall, therefore, a case could be made for defining SLAs in the district, albeit against Natural England's thrust on landscape character assessment.
- 4.14. Natural England is silent on how SLAs may be identified. However, the best approach on how this could be achieved is by looking at Natural England's criteria on value and at SNH's approach for local landscape designations. This is set out in the next section.

¹ Guidance on Local Landscape Designations, Scottish Natural Heritage, 2006

5. Defining current criteria for assessing SLAs

Natural England's approach to landscape value

- 5.1. The 2002 Landscape Character Assessment Guidance for England and Scotland, Countryside Agency and SNH, 2002 consider landscape value. The criteria for assessing landscape value (p57) are:
- Landscape quality
 - Scenic quality
 - Rarity
 - Representativeness
 - Conservation interests
 - Wildness
 - Associations eg to people, artists, events etc
 - Consensus
 - Tranquillity
- 5.2. Natural England have a statutory duty to consider which areas in England meet the criteria for designation as National Parks and for designation of these and AONBs. They have defined a process and criteria for assessing national designations (2011)² primarily for internal staff but also on request to external audiences. Though focussing on the most iconic and intrinsically valued countryside in England, the criteria have relevance to local designations. The first stage is to identify the character of an area using value free descriptions. This has already been carried out in the district. The next stage is to evaluate the area against the broad criteria of natural beauty and the potential for open-air recreation. The latter relates to National Parks and so is not considered further. In relation to natural beauty the criteria are as follows (p13):
- Landscape quality - this is a measure of the physical state or condition of landscape
 - Scenic quality - the extent to which the landscape appeals to the senses (primarily, but not only, the visual senses)
 - Relative wildness - the degree to which relatively wild character can be perceived in the landscape makes a particular contribution to sense of place
 - Relative tranquillity - the degree to which relative tranquillity can be perceived in the landscape
 - Natural heritage features - the influence of natural heritage on the perception of the natural beauty of the area
 - Cultural heritage features - the influence of cultural heritage on the perception of natural beauty of the area and the degree to which associations with particular people, artists, writers or events in history contribute to such perceptions.

² Guidance for assessing landscapes for designation as National Park or AONB in England, Natural England, 2011

- 5.3. The guidance makes clear that there is no need for designated areas to display a distinctive or coherent identity. Designations can contain different landscapes as long as the designation as a whole satisfies the natural beauty criterion. Also, not all factors or indicators have to be present across a designation. The weight and relative importance of different factors may vary depending on the geographic context. For instance, wildness may be of less relevance to lowland landscapes in proximity to major centres of population. Comparisons are not to be made with other designated areas but against the wider countryside.
- 5.4. When considering the desirability of a designation the significance of the area should be considered which takes into account:
- Special qualities- defined by the various aspects of natural beauty and cultural heritage above
 - Opportunities for understanding and enjoyment (less relevant to SLAs)
 - Consensus- this can include past recognition of the area
 - Rarity or representativeness- this can add weight but is not an essential requirement.

SNH approach to landscape value

- 5.5. As Natural England do not focus on SLAs it is worth considering SNH's approach which is more relevant to the local level. The SNH guidance¹ states that '*an all-landscapes approach is not itself a substitute identifying and taking action over landscapes which merits special attention....because they are recognized as being of particular value....*' (2.7)
- 5.6. The role local landscape designations can play are:
- Designations as accolades
 - As a means to focus policies and objectives
 - As a tool for management
- 5.7. As a tool for local authorities they can be used:
- '*To safeguard important landscapes and landscape features*
 - '*To promote understanding and awareness of the distinctive character of the special qualities of the landscapes of a local authority area*
 - '*To promote some of the most important outdoor settings for recreation and tourism within the local authority area*
 - '*To contribute to wider policies where guiding urban expansion by specifically identifying and safeguarding areas of landscape importance within or close to existing settlements.*' (2.8)
- 5.8. The SNH guidance goes on to define landscape criteria and practical criteria in defining SLAs.

Landscape Criteria:

- Significance: To what extent does the character and qualities of a particular landscape have special importance in the context of the local authority area?
- Representativeness: To what extent do the character and qualities of a particular landscape contribute to the distinctive or regional identity of the local authority?

- **Relative Merit:** To what extent do the character and qualities of a particular landscape merit designation compared to other parts of the local authority area?

Practical Criteria:

- **Need:** To what extent will designation provide for more effective safeguards, management or promotion of the special attributes of the area being considered for designation?
 - **Integrity:** Is the area to be designated both coherent enough and of sufficient size to make it practical to develop policies for its protection, management and promotion?
 - **Support:** Is there sufficient support for the area to be designated amongst the communities and other stakeholders in the area?
- 5.9. These are helpful in taking a pragmatic and justifiable approach to SLAs and there is overlap with the Natural England guidance. The report to be prepared can apply the landscape criteria and most of the practical criteria but support will be gauged only through consultation in the Local Plan process.

6. Applying the current approach to reviewing SLAs in Cotswold District

- 6.1. Taking the above guidance and other information into account it is considered that SLAs are justifiable as a local designation. However, there is a need to establish if the current SLAs in Cotswold District are sound in a proportionate way. The following tasks need to be carried out:
- Review updated landscape character context.
 - Review of practical criteria including a statement of need.
 - Review how the criteria of the 2001 study matches current designation criteria
 - Review how the structure of the 2001 study matches up to a desirable statement of importance.
 - Review physical changes to each SLA and its context.

Updated landscape character context

- 6.2. The National Landscape Character Area covering the majority of the district is the Cotswold NCA107, with the Upper Thames Clay Vales NCA108 to the south and the Severn and Avon Vales NCA106 to the far north. The profiles, published in September 2014, have been updated and expanded from previous versions and are relevant as context for all considerations of landscape character. For example, the Kemble/Ewen SLA crosses the broad brush boundary of two NCAs- 107 and 108 (see **Figure 1**). This may be valid as it forms part of the landscape setting of the Thames Path, and stops at the Cotswold Water Park boundary, but it preferably needs to be recognised.
- 6.3. The Gloucestershire Landscape Character Assessment, (LDA), 2006, was carried out in conjunction with the Cotswolds Landscape assessment. The studies provide the baseline character assessment for the county. It was carried out in line with the 2002 Countryside Agency guidance. It therefore effectively

supercedes the Assessment of Landscapes outside Cotswolds AONB, June 2000. As such, it should be used as part of the underpinning evidence base for identifying, defining and describing SLAs. For example, the Kemble/Ewen SLA follows (subsequent) LCA boundaries in part, but diverges in other areas. Though the landscape itself may not have changed, there is a case for an updated rationale for these boundaries taking the 2006 LCA boundaries into consideration.

- 6.4. Various settlement edge landscape sensitivity studies have been carried out by White Consultants in 2000 and 2014/ 2015. In addition, a Local Countryside Designation Review: Protected Open Space Policy Areas, White Consultants, was carried out in February 2002. These use different criteria to an SLA study and so have limited relevance, although areas identified as sensitive may overlap with, and reinforce the rationale for, potential SLAs.
- 6.5. Overall, though individual SLAs can cover areas of different character there is a need to note where these revised LCA boundaries are to review if the current SLA boundaries remain valid. Also, the qualities of the area need to be checked against the descriptions and key characteristics of their host LCAs.

Review of practical criteria and statement of need.

- 6.6. There are no overall or individual statements of need for the SLA designation in Cotswolds. Ideally, these should be prepared.
- 6.7. The size and integrity of each SLA would need to be reviewed to ensure that it formed a coherent and large enough area for the area to be practically protected and managed. If the area is associated with the AONB, with similar characteristics, this may be a justification for a relatively small area being allocated.
- 6.8. Support for SLA's would be needed amongst the communities and other stakeholders in the area. This is probably already demonstrated by the passing of the current SLA's through the Local Plan consultation process with a limited number of adverse representations.

Comparison of SLA criteria

- 6.9. The criteria used in the 2001 study are compared with current criteria:

SLA study, 2001, criteria	Current good practice criteria	Comments
Landscape as a resource (rarity or representativeness)	Rarity Representativeness	Criteria generally satisfied
Landscape quality (presence of key characteristics, absence of incongruous features, integrity, good state of repair)	Landscape quality Integrity	Criteria generally satisfied but may need to be updated with new LCA information and physical changes
Scenic quality	Scenic quality	Criteria generally satisfied but may need to be updated with new LCA information and physical changes
Consensus	Consensus	Criteria generally satisfied
Conservation interests (wildlife, geological,	Natural heritage features	Criteria generally satisfied although designated features

archaeological or historic)	Cultural heritage features	e.g. listed buildings, scheduled monuments, nature conservation interest are not specifically mapped or mentioned.
SLA study, 2001, criteria	Current good practice criteria	Comments
Other values (e.g. wilderness, cultural associations, tranquillity)	Cultural associations Other perceptual matters eg tranquillity	Criteria generally satisfied but may need to be updated with new LCA information and physical changes
-	Coherence/size	Need to be reviewed

Comparison of SLA report structure and content

- 6.10. The structure and content of the individual SLA 2001 statements are compared with an example of current good practice:

SLA study, 2001	Current good practice example	Comments
Origin of designation	-	Optional but useful
Recommendation	-	Useful
Description of area	Description	Generally satisfied but may need to be updated with NCA and 2006 LCA information
Summary of key landscape qualities	Key qualities	Generally satisfied but may need to be updated with 2006 LCA information with qualities mentioning the justification for recommendations bullet points.
Justification for recommendation	Justification of need	Generally satisfied although possibly better focussed on the extent to which the SLA designation will be more effective than criteria-based policies in safeguarding, managing and promoting the special attributes of each area.
Explanation of boundary	Explanation of boundary	Generally satisfied
Justification of boundary changes	As above	Generally satisfied
Other issues	-	Includes some broad management recommendations
-	Key management recommendations	Possibly need to be reviewed/added to
-	Photos to illustrate the typical character of the area	Preferable but optional

Physical changes to each SLA and its context

- 6.11. The following changes are evident from a desktop study of Google Earth aerial photos mainly dated December 1999 and 2006, with some in 2002 and 2009. The Google street view dated 2016 verifies change where it is known to have occurred but it is not realistic to use as a tool to identify change in itself. This exercise clearly does not reflect precisely what was there in 2001 and what is there now in 2017. CDC has stated that there has been little change. This would need to be formally verified by use of precisely dated aerial photos and site verification to ensure that the changes are up to date and to assess other perceptual qualities such as the degree of tranquillity.

Cotswold SLA	Changes evident within SLA	Changes evident adjacent to SLA	Comments
Barrington Downs	Very limited apparent change- tree growth in plantations	Very limited apparent change	Unlikely to change boundaries or qualities of SLA but needs verification.
Coln Valley (north of Fairford)	Very limited apparent change	Very limited apparent change	Unlikely to change boundaries or qualities of SLA but needs verification.
Kemble/Ewen	Kemble- some expansion of housing estates to replace agricultural sheds to the south (2016) and to the west near the station (Abbotts Way).	Kemble airfield (Cotswold Airport)- greater intensity of use including more large planes for storage, maintenance or dismantling. Modernisation of one hangar. The proposed land south of Chesterton urban extension to Cirencester would be located just over 300m north east of the SLA boundary.	Unlikely to change boundaries or qualities of SLA but needs verification. There may be a particular need for management recommendations to mitigate impacts.
Moreton in Marsh surrounds	Very limited apparent change- tree growth in plantations	Building out of commercial estate on southern edge of Moreton in Marsh south of London Road and housing on the northern edge at Blenheim Way. More development undertaken and proposed in the airfield/Fire Service College surrounds.	Unlikely to change boundaries or qualities of SLA but needs verification.
North Cirencester	Very limited apparent change-	Replacement of agricultural shed	Unlikely to change boundaries or

	tree growth in plantations	and yard with housing in Stratton, north of Whiteway View (noted using up to date OS mapping) Some new development south of Burford Road	qualities of SLA but needs verification.
Cotswold SLA	Changes evident within SLA	Changes evident adjacent to SLA	Comments
Norton	Very limited apparent change- New building in farm complex to south Tree growth in plantations and lines of trees/hedgerows	Very limited apparent change	Unlikely to change boundaries or qualities of SLA but needs verification.

7. Policy wording

- 7.1. Taking into account the above planning context, guidance, definition of terms and representations it is suggested that the following amendments are made to the proposed policy wording EN4.

'Development within Special Landscape Areas that demonstrably meets the economic and social needs of communities will be permitted provided it:

a. does not have a ~~significant adverse detrimental~~ impact upon ~~a.~~ the special character and key landscape qualities ~~quality of the area and~~ the natural or historic environment; and

b. demonstrates how it protects and enhances the landscape character and qualities of the area, including tranquillity. ~~the landscape character, appearance or tranquillity of the area.~~

- 7.2. The suggested amendments to the explanatory text are as follows:

'11.2.11 The purpose of SLA designation is to protect ~~locally significant special~~ landscapes ~~of local importance~~ that, although not nationally designated, are of similar or complementary character ~~comparable quality to~~, and abut, the AONB or have particular intrinsic landscape qualities or characteristics in their own right. They are attractive landscapes in their own right, but may provide important foreground settings and effective buffers for the AONB. Their designation is based on a formal assessment of ~~each the landscape qualities of the area.~~ In considering the impacts on the areas' character and qualities the whole of the SLA assessments including description, key landscape qualities and justification for recommendation should be taken into account. SLAs were introduced in Gloucestershire in 1982. There are nine (?) SLAs in Gloucestershire, six of which lie wholly or partly in the District...."

8. Summary

8.1. Overall, the following conclusions apply:

- SLAs are a valid designation consistent with NPPF and used by three adjacent LPAs
- Areas outside SLAs and the AONB may be more vulnerable to development pressure and many LPAs no longer use the designation.
- There appears to have been only limited change in or around the current SLAs since 2001 using aerial photos upto 2009.
- The current SLAs were thoroughly assessed in 2001 with much of the descriptions and format still valid but there are some omissions discussed below.
- The policy wording could be improved.

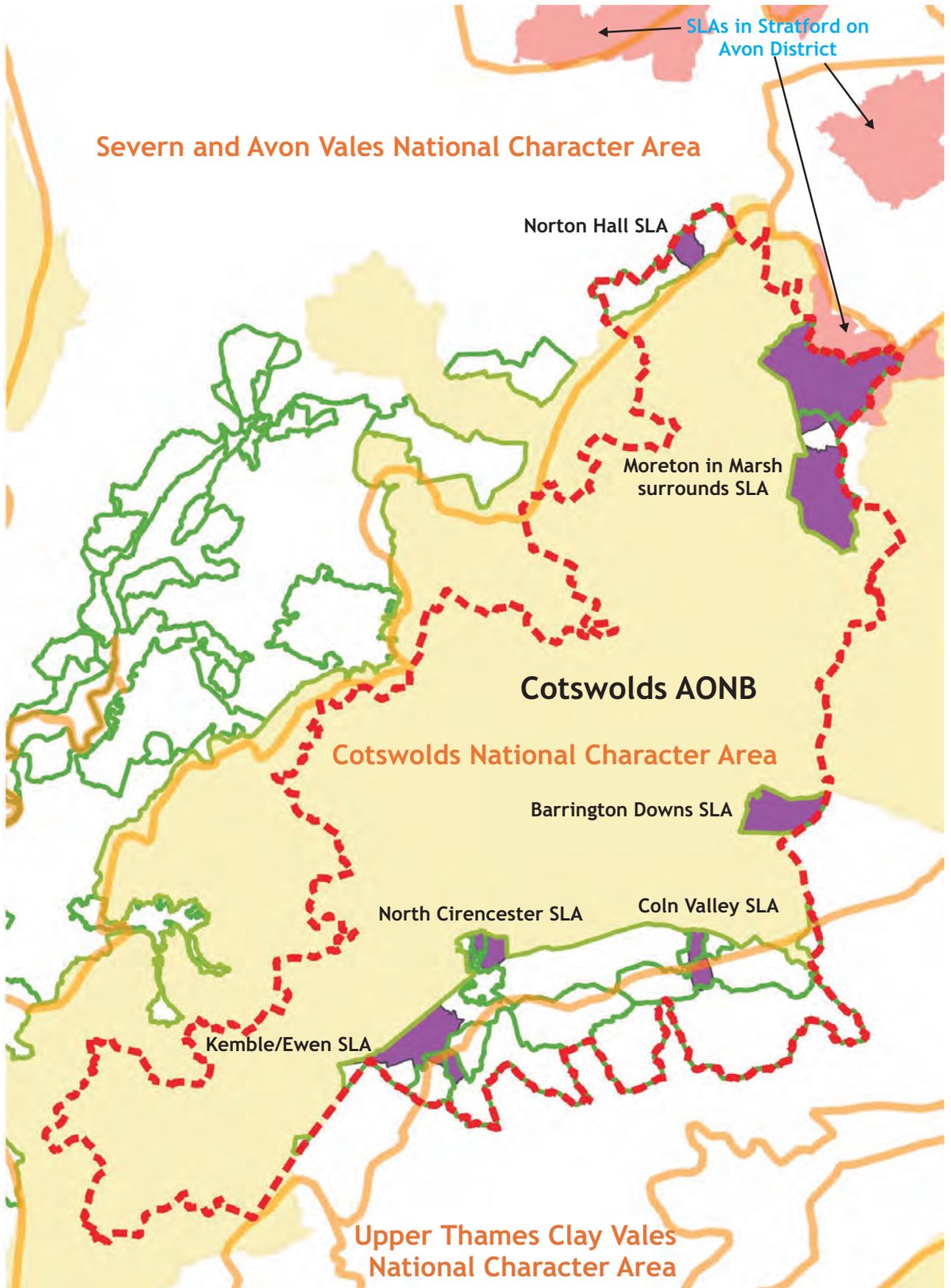
8.2. The following additional work is considered essential to bring the SLAs up to date in an addendum report:

- Adding an overarching justification for why criteria-based policies are insufficient in special landscapes.
- Carrying out a detailed review of change using up to date aerial photos and site verification of the qualities of the areas and boundaries.
- Set out the relationship of SLAs to the National Character Area profiles and boundaries and relevant contextual information and relevant guidance.
- Set out the relationship of SLAs to 2006 County LCA descriptions and boundaries and relevant guidance.

8.3. The following further additional work is considered desirable (but not essential) to bring the SLAs up to date and fully in line with the latest practice. This would effectively involve a new SLA report with a revised structure but would use much of the existing text which is still relevant:

- Enhancing the descriptions with specific designated sites within and around the SLAs eg historic parklands, Conservation Areas, listed buildings, scheduled monuments and nature conservation sites.
- Enhancing the key landscape qualities/special characteristics to define what should be protected and enhanced.
- Enhancing the justification of need in terms of the extent to which the SLA designation will be more effective than criteria-based policies in safeguarding, managing and promoting the special attributes of each area.
- Adding management recommendations on how the qualities of areas can be protected, conserved and enhanced.

Figures



© Crown copyright and database rights 2015. Ordnance Survey, LA No. 0100018800

Figure 1 Existing Special Landscape Areas with other landscape designations and landscape character areas

www.whiteconsultants.co.uk



Notes:
Not to scale

Project: **Cotswold District Special Landscape Area Scoping Review**

Client: Cotswold District Council

Date: 2 February 2017

Status: Final

Appendices

Appendix A Representations on SLAs

Consultee	Consultee ID	Agent	Comment ID	Policy/Section	Representation
Piper Ventures Ltd	1017767	Hunter Page Planning	800	Policy EC4	<p>Representation to the Cotswold District Local Plan 2011-2031:Submission Draft Reg. 19 June 2016 – Land off Berry Hill Crescent also known as “The Humpty Dumps”, Cirencester - Policy EN4</p> <p>Objecting</p> <p>I am writing in response to the Submission Draft Local Plan reg. 19 consultation. This representation concerns policy EN4 (Special Landscape Areas) in terms of whether it is compliant with national planning policy. Having undertaken that assessment our consideration is that it isn't and therefore amendments to the policy are required.</p> <p>Relevant National Policy</p> <p>The National Planning Policy Framework is clear what the presumption in favour of sustainable development means for plan-making:</p> <ul style="list-style-type: none"> • Local planning authorities should positively seek opportunities to meet the development needs of their area; • Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: <ul style="list-style-type: none"> - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted <p>This means bringing forward sufficient land, of a suitable quality and in appropriate locations, in order to meet the expected needs for housing development. In preparing plans, the LPA are required to ‘boost significantly the supply of housing.’</p> <p>In terms of the core planning principles set out in paragraph 17, and those relevant to landscape impact related issues the fifth and seventh bullet points set out that planning should:</p> <ul style="list-style-type: none"> • take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, and recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it. <p>And;</p> <ul style="list-style-type: none"> • Contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework. <p>Ultimately it should be borne in mind that national policy is not unlike some of its predecessors about simply protection the countryside for its own sake. It is about undertaking informed assessments of the contribution land makes to the character and appearance of the wider area in terms of the special characteristics and key features it contains and the extent to which those would be damaged by potential development.</p> <p>Paragraph 113 of the NPPF states that Local Planning Authorities should make distinction is between the hierarch of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance.</p> <p>To meet national policy the draft Local Plan and its policies must meet the tests of soundness as defined by paragraph 182 of the NPPF:</p> <ul style="list-style-type: none"> • Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development; • Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence; • Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and • Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

				<p>Submission Draft Local Plan Policies</p> <p>This section will now detail whether the wording of Policy EN4 is justified, positively prepared and consistent with national planning policy and guidance.</p> <p>The general approach to Policy EN4 is not supported in its current form. The policy states: “Development within Special Landscape Areas that demonstrably meets the economic and social needs of communities will be permitted provided it does not have a detrimental impact upon:</p> <p>a. the quality of the natural or historic environment; and</p> <p>b. the landscape character, appearance or tranquillity of the area.”</p> <p>The NPPF requires one to demonstrate the absence of harm through “recognising the intrinsic character and beauty of the countryside” (the fifth core planning principle set out in paragraph 17 of the NPPF). To recognise in this context, requires one to identify and then respond to the identified attributes of the landscape. The use of the word “detrimental” in the policy has the effect of preventing any development which causes any degree of harm to (in this case) the quality of the natural or historic environment or the landscape character, appearance or tranquility of the area. Any new housing development involving the development of a greenfield site is likely to cause some degree of harm and impact upon the quality of the natural environment or the landscape character or appearance of the area and would therefore fail to meet the tests of the policy.</p> <p>The position set out above is supported by an appeal (ref: APP/G1630/A/14/2222147) involving 60 dwellings (59 net) at land to the east of St Margarets Drive, Alderton, Tewkesbury, Gloucestershire. That appeal site is also located in a SLA. In relation to Tewkesbury’s adopted Local Plan SLA policy, which requires a development proposal do not adversely affect the quality of the natural and built environment, the Inspector states:</p> <p>“Policy LND2 states that special attention will be accorded to the protection and enhancement of the landscape character of the SLA. Within this area proposals must demonstrate that they do not adversely affect the quality of the natural and built environment and its visual attractiveness, or detract from the quiet enjoyment of the countryside. The supporting text to this policy explains that while the quality of the landscape in the SLA is worthy of protection in its own right, it also plays a role in providing the foreground setting for the adjacent AONB. However I agree with the main parties that the second part of the policy is not consistent with the Framework as any development would be likely to have an adverse effect on the quality of the natural and built environment. (My emphasis)</p> <p>It is also suggested that there is no requirement for the policy to include a test that meets the social and economic needs of the community. That test would fall within the planning balancing exercise. The policy need only concern itself with the landscape impact of any given development.</p> <p>It is therefore suggested, in order for Policy EN4 to be consistent with national policy and guidance that the following wording used within the current adopted Local Plan i.e. wording akin to Policy 8 of the adopted Local Plan should be repeated within the emerging Local Plan:</p> <p>“Within Special Landscape Areas, development will be permitted provided it does not unacceptably harm the area’s landscape character or appearance. In doing so it will be necessary to determine whether development damages the intrinsic qualities of the Special Landscape Area and its function as a foreground to the Cotswold AONB such that it would result in a significantly adverse impact to#its character and appearance.”</p> <p>The wording within the current Policy 8 was based on the Gloucestershire Structure Plan 1999 development strategy. The sub text to Policy HE.7 relating to Special Landscape Areas states that SLAs “should not be used to restrict development without identifying the particular features to be protected and enhanced, as other policies within the Plan should safeguard the open countryside.” Such a caveat to not restrict development within locally designated landscape areas is generally consistent within the aims and objectives of the NPPF.</p> <p>The key characteristics of the SLA as identified within the Local Countryside Designation Review: Special Landscape Areas, White Consultants are as follows:</p> <ul style="list-style-type: none"> • Large-scale regular grain of elevated plateau landscape; • Clearly defined valley sides and floor; • Strong woodland belts on the dipslope, giving shelter and enclosure; • Well-tree’d valley sides; • River Corridor vegetation; • Visual links with the old core of Cirencester, in particular views to the Church of St John the Baptist;
--	--	--	--	--

					<ul style="list-style-type: none"> • Historic landscapes of the Chester-Master Abbey estate; and • Traditional Cotswold character of Baunton. <p>The land as a whole demonstrates few of the characteristics mentioned above and therefore the site should be removed from the Special Landscape Area.</p> <p>Overall, it is considered that policy EN4 (Special Landscape Areas) within the submission draft of the emerging Local Plan as currently worded is not justified, positively prepared nor compliant with national planning policy.</p>
Mr Robert Niblett	775799	Planning Officer Gloucestershire County Council	888	Policy EN4	We are surprised Special Landscape Areas are still being promoted (EN4) given there was originally a move to recognising that every area across Gloucestershire had its own qualities and vulnerabilities to development (2004 to 2006 Landscape Character Assessments of Gloucestershire at http://www.gloucestershire.gov.uk/extra/article/109519/Landscape based on Countryside Agency and Scottish Natural Heritage, Landscape Character Assessment Guidance for England and Scotland, 2002).
Commercial Estates Group (CEG)	879190	Associate Nexus Planning	1001	Para 11.2.11	<p>Paragraph 11.2.11 outlines that Special Landscape Areas ("SLA") were introduced in Gloucestershire in 1982. Given the significant passage of time since the SLA's were designated (34 years) vis-à-vis the National Planning Policy framework ("NPPF") requirement (paragraph 158) for local plans to be based on adequate, up-to-date and relevant evidence, CEG questions the extent to which the areas covered by the SLA designation remain relevant and up-to-date.</p> <p>In the absence of up-to-date SLA evidence, policy en4 is therefore unsound as it is not justified.</p> <p>Up-to-date landscape evidence must be produced to justify the SLA designations within Cotswold. In the absence of this evidence, paragraph 11.2.11 and policy en4 should be deleted.</p>
C/O Nexus Planning	879190	Commercial Estates Group (CEG)	1014	Policy EN4	PLEASE REFER TO CEG'S REPRESENTATIONS TO PARAGRAPH 11.2.11 (above).

Appendix B Stratford on Avon SLA policy

4.3 Special Landscape Areas

Strategic Objectives

- (1) *The rural character of the District will have been maintained and enhanced. The Green Belt and countryside of the District will have been protected from inappropriate development.*
- (3) *The character and local distinctiveness of the District will have been reinforced by ensuring new development is of high quality design, taking into account the intrinsic and special value of its landscapes and townscapes.*

Policy CS.12

Special Landscape Areas

The high landscape quality of the Special Landscape Areas, including their associated historic and cultural features, will be protected by resisting development proposals that would have a harmful effect on their distinctive character and appearance which make an important contribution to the image and enjoyment of the District. The cumulative impact of development proposals on the quality of the landscape will be taken into account.

The following Special Landscape Areas are identified and their extent is shown on the Policies Map:

- Arden
- Cotswold Fringe
- Feldon Parkland
- Ironstone Hills Fringe

Development proposals relating to settlements that lie within a Special Landscape Area must respect the current and historic relationship of that settlement within the landscape.

Explanation

- 4.3.1 The National Planning Policy Framework (NPPF) is silent about the use of local landscape designations. However, one of its core principles is that the character of different areas should be taken into account. While this should not be seen as excluding development, such a designation is a response to an area's defined qualities.
- 4.3.2 The Council commissioned a specific study into whether a local landscape designation in Stratford District is appropriate in the circumstances and, if so, what areas should be covered by such a designation. The approach taken in the study to justifying the use of a local landscape designation, and to the identification of appropriate areas, is based on Natural England's guidance on criteria for defining 'value' in protecting nationally designated landscapes.
- 4.3.3 The District is the most rural of all the districts and boroughs in Warwickshire. It encompasses a range of pleasant and attractive rural landscapes from the Arden in the north to the Cotswolds AONB to the south. The purpose of the Special Landscape Area designation is to protect, enhance and facilitate better management of the best of the area's landscapes outside the Cotswolds AONB. The SLAs are focussed on larger scale areas which are of generally higher landscape value.

Section 4 District Designations – 4.3 Special Landscape Areas

- 4.3.4 The Special Landscape Area Study (2012) identified the distinctive landscape qualities of various parts of the District which justified being protected through a formal local landscape designation.
- 4.3.5 SLAs have to be, by definition, 'special' at a district level to merit inclusion. All landscapes are important, especially to their local residents, and Policy CS.5 Landscape emphasises the importance of assessing thoroughly the impact of proposed development on all parts of the District's countryside. However, to define an entire district as 'special' would potentially undermine the purpose of designating specific areas for their landscape quality. Designation has to be driven by the key qualities of a particular area of landscape. On that basis, the SLAs identified represent particularly high quality countryside in the context of Stratford District, based on their landscape and scenic quality, as well as natural and historic features.
- 4.3.6 With regard to the definition of SLA boundaries around settlements, it is considered that smaller villages and the landscape features within them contribute to the quality of the landscape and, for that reason, the designation should wash over such settlements. The Main Rural Centres which lie within an SLA have been excluded from the designation to coincide with the built-up area boundaries defined for them.

Development Management Considerations

- (1) With regard to the treatment of the SLA designation around settlements, smaller villages and the landscape features around and within them contribute to the quality of the area. For that reason, this designation washes over such settlements and will be taken into account in the consideration of development proposals.
- (2) On an individual basis some proposals may seem innocuous but cumulatively they could form part of a general decline in the quality of the landscape.
- (3) While the District Planning Authority is concerned to protect the scenic quality of the SLAs, it is accepted that there are forms of development which are appropriate to these areas. The designation should not be seen as a complete restriction on development. Proposals can include measures which maintain or enhance landscape quality, while others relate to development that is in the local or wider interest. These factors will be taken into account when assessing proposals within the SLAs.

Implementation and Monitoring

Responsible agencies	Stratford-on-Avon District Council
Delivery mechanism	Through the determination of planning applications
Funding	Not applicable
Timescale	Throughout the plan period
Risk	If the policy is not applied rigorously it could result in harm being caused to the character and quality of the landscape.
Monitoring indicators	<ul style="list-style-type: none">• Assessment of the justification for granting planning permission for large-scale development proposals within a Special Landscape Area (including appeal decisions).