



Mendip Hills AONB Unit
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Andrew Stevenson
Development Management
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North Somerset Council
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Sent via email; planningsupport@n-somerset.gov.uk, Andrew.stevenson@n-somerset.gov.uk

10 September 2021

Dear Andrew,

Planning application; 21/P/2049/OUT Outline application for the erection of up to 62no. dwellings (30% affordable housing) with accesses off Church Lane and Front Street, landscaping and other associated works; access for approval with matters of appearance, landscaping, layout and scale reserved for subsequent approval. Land To the East Of Church Lane And North Of Front Street Churchill

Thank you for giving the Mendip Hills AONB Unit the opportunity to comment on the above application.

The proposed outline development as set out above is located outside boundary of the nationally protected landscape of the Mendip Hills Area of Outstanding Natural Beauty (AONB), but within the setting of the AONB. The development proposals propose major development close to a landscape of high sensitivity, and as part of the development proposes 62no. dwellings, the majority of which being within the designated Churchill Conservation Area (designated 2020). The site is outside of the existing settlement boundary of Churchill but adjacent to its north boundary.

The Countryside and Rights of Way (CRoW) Act 2000 confirmed the significance of AONBs and Section 85 places a statutory duty on all relevant authorities to have regard to the purpose of



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conserving and enhancing natural beauty when discharging any function in relation to, or affecting land within an Area of Outstanding Natural Beauty. The Mendip Hills AONB Partnership produced the Mendip Hills AONB Management Plan 2019-2024 as required by the CRoW Act on behalf of the joint local authorities (adopted by North Somerset Council, Bath & North East Somerset Council, Somerset County Council, Sedgemoor District Council and Mendip District Council) and is a material consideration. The Management Plan under paragraph 1.4 sets out a Statement of Significance on the special qualities of the Mendip Hills AONB that create the Mendip Hills sense of place and identity and these include retaining dark skies and a sense of tranquillity, views towards and from the Mendip Hills AONB and a landscape enjoyed by people for a range of quieter activities due to the tranquillity of the area. Paragraph 3.8.13 within the Management Plan highlights that;

'Noise and activity arising from developments together with lighting can have an adverse impact on the areas tranquillity and dark sky and protected species including bats. Mapping of light pollution has shown that the area of dark skies in the Mendips is shrinking. The AONB Partnership Position Statement on Dark Skies seeks local authorities and others to minimise the impact of lighting.'

As set out in Natural England's National Character Area (NCA) profile for the Mendip Hills (141), the area is *'renowned for its tranquillity and inspirational qualities ...'* The NCA further recognises that *'Light pollution from development threatens the extent of the recognised dark skies and out-of-character development is a continuing risk to the essential nature of the area.'* Within the NCA Statement of Environmental Opportunity under SEO1 it sets out *'Safeguard inward and outward views and to the distinctive hill line and conserve and enhance the special qualities, tranquillity, sense of remoteness and naturalness of the area'*.

The National Planning Policy Framework 2021 (NPPF) highlights under paragraph 176 that *'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues... The scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid impacts on the designated areas'*

Paragraph 185 of the NPPF further sets out that;

'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health,



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living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) Mitigate and reduce to a minimum potential adverse impacts resulting from noise from the new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life ⁶⁵;*
- b) Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation’.*

The recent DEFRA 25 Year Environment Plan sets out under paragraph 2.2.1 that ‘*Some of England’s most beautiful landscapes and geodiversity are protected via a range of designations including National Parks and Areas of Outstanding Natural Beauty... Over the next 25 years we want to make sure they are not only conserved but enhanced.*’

As highlighted, the proposed development is within the setting of a highly sensitive landscape. The Mendip Hills AONB Partnership consider that the proposed outline development will have a significantly detrimental impact on views towards the Mendip Hills AONB from the two Public Rights of Way (PROWs) which traverse the site, namely; AX14/29/10 which runs northwest-southeast and AX14/31/20 which runs south-north east. In addition, the site is visible from Dolebury Warren, a Scheduled Ancient Monument Iron Age hill fort impacting upon both daytime and night-time views out across the North Somerset Moors to the Severn Estuary, and Wales beyond. Views into, and out from the AONB are an important part of the special qualities of the AONB designation, the natural beauty of which should be conserved and enhanced. We consider that the proposal is therefore contrary to North Somerset Council Policy DM11 which states;

‘Development which would have an adverse impact on the landscape, setting and scenic beauty of the Mendip Hills AONB, including views into and out of the AONB, will not be permitted unless in exceptional circumstances and where it can be demonstrated that it is in the public interest.’

The site lies within North Somerset Council Landscape Character Assessment J2 River Yeo Rolling Valley Farmland, the Landscape Strategy for which states;

‘The landscape strategy for River Yeo Rolling Valley Farmland is to conserve the peaceful, rural nature of the landscape with intact pasture and field boundaries and to strengthen and enhance the



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area of weaker character particularly where the landscape is affected by modern development to the west of the M5.'

The Landscape Guidelines for J2 include;

- Conserve the rural, pastoral character of the area.*
- Strengthen and enhance areas affected by urbanisation.*
- Consider opportunities for grassland, woodland and wetland habitat creation, particularly in areas which are marginal for farming.*
- Maintain the pollarded willows and encourage local uses for the cut material.*
- Conserve historic hedgerows and nurture existing and new hedgerow trees particularly pollarded willows.*
- Limit village infill and ribbon development, and where development does take place encourage sensitive use of materials and quality of design.*
- Minimise visual effects of modern settlement along the A roads for instance through careful screening and replanting of hedgerows and or new woodland belts....'*

As highlighted above, the Mendip Hills AONB is an intrinsically dark landscaping with special qualities including dark skies, a sense of tranquillity, and views to and from the surrounding Mendip Hills AONB. We have strong concerns relating to the impact of the outline development proposals as set out above and the impact of lighting on the dark skies and intrinsically dark landscape and erosion of the special qualities of the nationally protected landscape impacting on the remoteness and naturalness of the area.

Should North Somerset LPA be minded to approve this outline proposal, the Mendip Hills AONB Partnership request that careful consideration be given to design, scale, roof ridge heights and orientation of buildings to minimise the impact on views towards, and out from the AONB. We request that any street lighting should be kept to a minimum and be designed in accordance with Institution of Lighting Professional Guidance for Bats and Artificial Lighting. We also request that the historic hedgerows and specimen trees should be retained and protected during any development, and enhanced as important nature recovery networks and green infrastructure. Finally, we request that robust biodiversity net gain is secured to mitigate against the adverse impact of any forthcoming development.

Should you require any further information, please do not hesitate to contact the Mendip Hills AONB Unit.



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Yours sincerely,

Judith Chubb-Whittle

Mendip Hills AONB Unit Landscape Planning Officer

cc Cllr Nigel Taylor, AONB Partnership Committee Chair; Natural England, Churchill Parish Council,
Mendip Hills AONB Parish Representative, The Mendip Society

The Mendip Hills AONB Unit promotes and coordinates the conservation and enhancement of the Mendip Hills AONB