

**Item No 01:-**

**18/01681/FUL**

**Scrap Haulage Yard Gilder  
Fosseway  
Lower Slaughter  
Gloucestershire  
GL54 2EY**

**Item No 01:-**

**Redevelopment of existing scrap yard and haulage depot to create Electric Car Charging Service Station and Associated Works at Scrap Haulage Yard Gilder Fosseway Lower Slaughter Gloucestershire GL54 2EY**

<b>Full Application 18/01681/FUL</b>	
Applicant:	Mr Peter Gilder
Agent:	ArchiWildish
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Richard Keeling
Committee Date:	13th November 2019
<b>RECOMMENDATION:</b>	<b>REFUSE</b>

**Main Issues:**

- (a) The principle of the development
- (b) Design and the impact on the AONB
- (c) Noise and disturbance and the living conditions for nearby dwellings
- (d) The impact on the local highway network
- (e) Flooding and drainage
- (f) CIL

**Reasons for Referral:**

The application has been referred to Committee by the local Ward Member, Cllr Richard Keeling, for the following reason: -

Further to this matter in view of the high level of interest among local residents and the unusual nature of the application and use I would request that the matter be referred to the Planning Committee for consideration.

**1. Site Description:**

The application site is located on the eastern side of the A429 Fosseway at Lower Slaughter, a short distance to the north of the junction with the road leading to Wyck Rissington. The site is currently in use as a scrap yard and haulage yard, and is screened from the highway by a line of trees, which are predominantly coniferous.

There is a residential property on the site, occupied by the applicant, in addition to a builder's merchants. There are residential properties to the south and east of the site, in addition to the opposite side of the A429, with an equestrian development to the north.

The site is not in a conservation area and there are no listed buildings nearby. However, it is within the Cotswolds AONB and the northern and eastern part of the site is in Flood Zone 2/3.

**2. Relevant Planning History:**

CD.6023/A: Change of use of land from piggery to livestock haulage yard. Refused 15.02. 1979; Appeal against Enforcement Notice dismissed 22.08.1980

CD.6023/B: Continued use of land as livestock yard. Refused 06.08.1981; Appeal dismissed 26.03.1982

CD.6023/C: Continued use of land and buildings as livestock haulage yard. Construction of vehicular access. Granted 07.10.1982  
CD.6023/D: Erection of a dwelling and double garage. Granted 06.05.1983  
CD.6023/F: Change of use of warehouse into workshop and offices. Workshop to be used for the repair of own vehicles. Refused 10.05.1988  
CD.6454/A: Outline application for the erection of a 35 bedroomed motel. Refused 01.02.1989  
CD.2243/D: Outline planning permission for demolition of existing buildings and new residential development. Refused 06.03.1997  
CD.2243/E: Replacement workshop and offices to service international transport and haulage business. Granted 07.10.1997  
00/00225/OUT: Outline permission for one dwelling with garage. Refused 04.05.2000  
CD.2243/H: Use for display and sale of commercial vehicles (predominantly trucks, tractor units and trailers) including ancillary mechanical and repair work on vehicles sold from the premises and ancillary offices. Granted 19.06.2002  
CD.2243/J: Certificate of Lawful proposed use for the change of use of a building from the display and sale of motor vehicles to Class A1 (shop) and the use of the remainder of the planning unit for purposes ancillary to the primary authorised use. Granted 17.09.2002  
03/00978/FUL: Erection of stables for personal recreation use. Granted 23.05.2003  
08/01785/FUL: Removal of condition 6 of 03/00978/FUL. Granted 29.07.2008  
09/00599/FUL: Change of use of land to enable formation of new access to serve The Grafters. Granted 28.04.2009  
14/04575/FUL: Creation of hardstanding (Retrospective); Within hardstanding; stationing of a horse walker, hay store, muck heap, horse box, loading and parking area. Granted 08.012.2014  
16/00517/FUL: Erection of residential extension The Stable, Fosseway, Lower Slaughter. Refused 18.03.2016; Appeal dismissed 19.08.2016  
17/01339/FUL: Erection of single storey stables building. Granted 15.05.2017  
17/02051/CLEUD: Certificate of Lawful Existing Use or Development under Section 191 of the Town and Country Planning Act 1990 for the erection of a barn. Granted 27.07.2017  
17/05039/FUL: Change of use of existing yard and building to a builders' merchant yard (Sui Generis Use), including the installation of fencing, external storage racking and associated infrastructure. Granted 05.03.2018

### **3. Planning Policies:**

NPPF National Planning Policy Framework  
EC1 Employment Development  
EC3 All types of Employment-generating Uses  
EN1 Built, Natural & Historic Environment  
EN2 Design of Built & Natural Environment  
EN4 The Wider Natural & Historic Landscape  
EN5 Cotswolds AONB  
EN7 Trees, Hedgerows & Woodlands  
EN8 Bio & Geo: Features Habitats & Species  
EN15 Pollution & Contaminated Land  
INF3 Sustainable Transport  
INF4 Highway Safety  
INF5 Parking Provision  
INF10 Renewable & Low Carbon Energy Develop't

### **4. Observations of Consultees:**

Landscape Officer: No objection subject to conditions, comments incorporated into the report

Biodiversity Officer: No objection subject to conditions

Tree Officer: No objection subject to condition

Highway Authority: Recommend refusal, comments incorporated into the report

GCC Strategic Infrastructure: Comments upon the site being within a Mineral Safeguarding Area and the loss of the waste management site

## **5. View of Town/Parish Councils:**

### **Lower Slaughter Parish Council:**

*Original comment:*

These are attached as an appendix due to their length

*Further comments:*

"Further to the issue of amended drawings and traffic input from Cotswold Traffic Planning by the applicant we write to reconfirm our objection to the proposals for those reasons outlined in our original objection, which have not changed and for the following additional reasons:-

There are a number of contradictions in the latest documents for example:

1) The drawings and latest traffic engineer's information are both unco-ordinated and contradictory. For example tracking for a 12m rigid service vehicle is included on drawing SP02 revB in the Cotswold Traffic planning document and two options have been submitted.

The first suggests the vehicle passes around the bus stop to then back into a "delivery spot" on the southern side of the building. Unfortunately the "delivery spot" is shown at the egress point from the car park and there is insufficient visibility to ensure that the rigid vehicle's reversing into a blind exit can be completed safely.

The other option shows the vehicle travelling around the car park and then passing under the building. The Wildish drawings show insufficient clearance for this to occur as the vehicle height is 3.928m and only approximately 2.7m clearance is shown below the "ground" floor slab. The building would therefore have to be raised by more than 1.3 m and the accesses to the building adjusted accordingly. Alternatively to avoid raising the building the ground levels would need to be lowered considerably resulting in more onerous level and visibility considerations adjacent to the site entrance.

2) The tracking is also simplistic and does not consider tracking conflicts between vehicles on the site.

3) The Wildish drawings show a cycle hire facility yet the Cotswold Traffic Planning document states under the paragraph titled Parking:-

"As for cycle and motorcycle parking none is proposed as the site is not designed to be used by cyclists or motorcyclists".

4) The traffic "report" assumes 24 hour access and spreads the hourly trips uniformly across the 24 hours. The risk that the development would simply become a 24 hour transport cafe results from the traffic document's implication for 24 hour trade. We strongly object to this potential use and opening timescale. The vehicle trips spread uniformly over a more realistic 12 hours would result in 102 vehicle trips per hour. There is no detailed traffic assessment that considers the impact on the busy network and includes the site traffic in detail, including bus trips, cyclists and retail and service traffic to the adjacent Bence site nor correctly covers the conflicts in the information noted above.

If a "sequential assessment" were carried out it is our considered opinion that there are a number of alternative local sites which have significant environmental, traffic and health and safety benefits over this site for car charging infrastructure. They would include existing surface car parks in Bourton and sites on the Bourton Industrial Park, in addition to existing food retail sites in Stow and Bourton."

*Further comments:*

"We submitted objections to the current proposal for a vehicle charging station originally in August 2018 and following the applicant's submission of revised drawings and traffic report further comments in June 2019. Whilst there are ongoing discussions in respect of traffic/highways considerations we are concerned that the points raised in our objections which also cover traffic issues and their health and safety implications and building issues still remain unanswered by the applicant.

1. The architectural drawings still show a cycle hire centre which Lower Slaughter Parish Council consider unacceptable and which conflicts with the applicants original transport technical report of March 2019 under "Parking" that states "As for cycle and motorcycle parking non is proposed, as the site is not designed to be used by cyclists or motorcyclists" The latest applicants traffic report and safety audit again make no reference to cyclists on the site and the potential health and safety implications of cyclists around the entrance and along the A429 and their stance therefore remains as their original report, that is no cycle access/egress is acceptable to and from the site.

2. In addition the 12 m rigid service vehicles height of 3.8m and tracking below the building is such that the building height is unlikely to remain as drawn as it would require the access road to be dropped by approximately 1.2m adjacent to the site entrance. This in turn would result in level and visibility issues arising at the entrance with the current site entrance layout. The latest GCC Highways comments concerning HGV access will also impact significantly on the site circulation/layout and entrance level considerations.

3. In writing we confirm our view that the size of the proposal is unsustainable due to the location and particularly in view of progress in electric vehicle battery technology where a significant charge can now be applied in minutes to provide approximately 300 miles of capacity. In addition there are already companies such as BP installing charging stations across their network of petrol stations. This along with home charging and charging at public and trading places such as supermarkets make the notion of dedicated 'charging stations' redundant irrespective of the isolated location of this proposal. In our considered opinion the proposed retail element of the development therefore appears to be unsustainable due to the non-sustainability of the charging element and the health and safety implications introduced by the presence of cyclists."

**Wyck Rissington Parish Council**

*Original comments:*

"Wyck Rissington Parish Council is objecting to this application. The development is in general accordance with national policy on encouraging the growth of vehicle charging infrastructure but is contrary to the soon to be adopted Local Plan policies discouraging development in AONB. If national policy is given greater weight, a site nearer Bourton would be far more appropriate as (a) Bourton is an approved development area and already has a new bus depot and freight yards, and (b) otherwise it will be necessary to operate a shuttle bus to Bourton .

There is no traffic report in support of the application. The impact of the development on this busy section of the A429 and internal vehicle movement conflict with Bence therefore cannot yet be assessed.

The development will involve felling the current tree screen which will totally alter the appearance of this section of the Fosse Way from rural to industrial as it will mean that the Bence warehouse as well as the large building for the charging station plus the area for charging 96 vehicles will become highly visible."

*Further comments:*

"Wyck Rissington Parish Council continues to object strongly to this application despite the new details. The transport impact assessment ignores issues such as the dangerous right hand turns cars and shuttle buses will need to make approaching the brow of the hill from the

south on the Fosse, the proximity to the junction of Wyck Lane and glosses over the conflict of traffic movements on the site as between Bence and the charging station. This document seems to downplay the scale and impact of the proposed development and we are all concerned that it should turn into a full service area - to include all fuels, overnight accommodation, restaurants, coffee shops and supermarket."

### **Bourton-on-the Water Parish Council**

#### *Original comments:*

"The Parish Council has no objections to this development but is concerned about the proposed traffic flow. As currently shown, traffic exiting the facility crosses the path of vehicles coming off the Fosseway. The Council requests that the traffic flow should be reversed so that it flows one way only in a clockwise direction. Measures should be put in place to ensure vehicles cannot short circuit the one way system."

#### *Further comments:*

"The Council's former comments and concerns relating to the on-site traffic flow have not been addressed; the current traffic flow will result in cars exiting the first row of parking bays having to cross over the flow of cars entering the site (in the area shown on the attached copy site plan). There is also a real concern that any hold-up in this area may result in a queue of cars waiting to enter the site backing up onto the A429, given the proximity of the area of potential conflict of traffic to the site entrance. The Council would ask that the traffic flow is re-directed so that all cars entering the site are required to turn left (north) into the parking rows, that all vehicles circulate around the site in a clockwise direction, and that all vehicles exiting the site do so in a southerly direction along the new tarmac road adjacent to Bence Builders and The Gratters. This would appear to avoid a clash of vehicles travelling in different directions crossing over anywhere within the site.

Comment: The Council would ask that careful consideration is given as to the village pick up and drop off points for any buses travelling between the site and Bourton centre. There is currently a PSV restriction which prevents this type of vehicle from travelling along most village roads, in recognition of the fact that most of those roads, including the High St, are unsuitable for large vehicles, particularly in peak season. If the park & ride buses could be designated as local buses they would be exempt from this restriction and it's suggested they enter the village via Station Rd/Moore Rd and collect/pickup passengers from the existing High St bus-stop outside the current Harrison & Hardie estate agents, where there is already a pull-in space for buses, causing minimum disruption to village centre traffic flow. This would enable them to leave the village and exit onto the A429 via Lansdowne. This would require detailed consultation with the local bus service provider, Pulhams, in order to avoid a clash of timing of bus arrivals and departures with the established regular bus services. In any event, park & ride buses cannot be permitted to collect/drop-off anywhere else within the extremely congested village centre roads - the above proposal appears to meet the need for a central & accessible pick-up/drop-off point using existing facilities."

### **6. Other Representations:**

65 representations have been received Objecting to the proposal, the main points raised are below: -

- how was the figure of 96 charging points arrived at?
- impact upon local road network, including through Wyck Rissington
- better suited to industrial estate on edge of Bourton where people can walk into the village
- loss of trees
- impact upon highway safety from vehicles slowing down and turning
- impact upon the AONB
- loss of trees will degrade the area
- inappropriate location for this scale of development

- electric vehicles require 4 to 8 hours to charge
- charging overnight where tourists are staying is more sensible
- increase ribbon development along the A429
- impact upon conservation area
- increased hazard to other road users and pedestrians
- ugly design
- encouraging cycling from this site along the A429 is dangerous
- impact upon wildlife
- this is the equivalent of a motorway service station in the countryside
- proposed shuttle bus will add to congestion
- the current facility at the Co-Op in Bourton is rarely used
- signage will distract motorists
- impact of light pollution
- the development will look like a huge car park
- the notion that passing motorists will stop and spend several hours recharging their cars is most unlikely

1 representation neither objecting to nor supporting the application has been received, raising the following points: -

- impact of light and noise pollution?
- what would be the impact upon the surrounding area?
- would the site better be redeveloped for housing?
- increase in traffic upon road network
- the position of the building seems imposing

4 representations have been received in Support of the proposal, raising the following points: -

- we are encouraged to drive electric cars therefore stations need to be provided for charging purposes
- far better use of the land than the current operation
- nice way to promote renewable energy
- support the removal of the scrap yard
- trees being removed are leylandii
- positive impact upon local tourism
- forward thinking proposal looking at future needs

## **7. Applicant's Supporting Information:**

Planning Statement  
 Transport Technical Note  
 Preliminary Ecological Appraisal  
 Arboricultural Impact Assessment  
 Proposed plans

## **8. Officer's Assessment:**

### **The Proposal and Policy Considerations**

#### **The Proposal**

This application proposes the redevelopment of the existing scrap yard and haulage yard operated from the site, with the construction of an electric car charging service station, which would include the service station building, parking for 102 cars (including 6 disabled spaces), an electricity sub-station, and the removal of the roadside trees and their replacement with new planting.

The proposed building would be two storeys in height, although having regard to the site levels only the upper floor would be visible from the highway. The external materials would be natural

stone, with a monopitched roof sloping away from the roadside upon which would be solar panels. Internally, the ground floor would contain the disabled parking spaces, a lobby area, an area for cycle storage for rental purposes, and a lift / stairs leading up to the first floor, which would contain a coffee shop, seating areas and toilets.

With regard to vehicular movements, a one-way system would be in operation, whilst a bus stop and shelter internally within the site rather than next to the A429 would also be provided.

### **(a) The Principle of Development**

The NPPF refers to the role of the planning system in helping to build a strong, competitive economy whilst also explaining how planning can help support a prosperous rural economy. This states that plans should support the growth and expansion of all types of business and enterprise in rural areas.

Policy EC1 of the Local Plan states that employment development will be permitted where it will (among other things) maintain and enhance the vitality of the rural economy.

Policy EC2 of the Local Plan states that proposals for the conversion, change of use or development of established employment sites to non-employment uses will not be permitted.

Policy INF10 states that "1. Proposals for the generation of energy from renewable or low carbon sources will be permitted, provided it is demonstrated that:

- a. any adverse impacts individually and/or cumulatively, including; visual amenity; landscape character; heritage assets; biodiversity; water quality and flood risk; highways; residential amenity, including shadow flicker, air quality and noise, are or can be satisfactorily mitigated;
  - b. it is of an appropriate type, scale, and design for the location and setting;
  - c. it is compatible with surrounding land uses, such as military activities; and
  - d. it avoids using the best and most versatile agricultural land unless justified by compelling evidence.
2. The infrastructure and all associated apparatus and structures relating to the installation must be removed, and the site reinstated where appropriate, should it become redundant for energy generation purposes."

The application site is located outside any settlement boundary defined in the Local Plan. However, considering the existing uses of the land, it is previously developed land and there is no objection in principle to its redevelopment for another employment generating use. The information submitted with the application states that there would be 10 full-time and 15 part-time jobs created by the proposal.

The supporting statement indicates that the rationale behind the proposal is to provide 'a destination / hub where electric vehicles can stop and recharge'. It continues by stating that such vehicles currently have a maximum range of 200 miles before requiring recharging, and that by providing either cycle rentals and the bus stop, drivers have the opportunity to visit local attractions whilst their vehicles recharge.

It is also stated on behalf of the applicant that in 2017, only 4.7% of vehicles in the UK were hybrid / electric cars, however given the Government's aim to phase out all fossil fuel vehicles in the next two decades, they are seeking to provide additional capacity for vehicles to be recharged as these will, over time, become the standard type of vehicle. In terms of existing electric car charging facilities, the applicant has referred to that at the Co-Op store in Bourton-on-the-Water as being for customers only, with 3 other charging points being located at Stow / Moreton. It is also stated that there are only two Council-run car parks in the District with charging facilities, at Moreton and Cirencester.

With regard to land use, there is no objection raised in principle by Officers to the redevelopment of the site for this purpose, as there will be employment opportunities created and it is acknowledged that additional facilities will have to be provided as the growth in electric car



ownership expands. Whilst the concerns of the Highway Authority are detailed below, the County Council Strategic Infrastructure team has commented regarding the loss of the scrap metal facility. Officers are aware that the applicant is seeking an alternative location for this operation to be carried out from, and Members will have to bear this in mind in making a determination upon this application as no alternative site has been granted approval for the relocation of the existing scrap business either within the District or County.

Notwithstanding this, it is considered that the proposal accords with Policies EC1 and EC2 of the Local Plan with regard to the redevelopment of the site.

#### **(b) Design and the Impact on the AONB**

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

Paragraph 170 of the NPPF requires the planning system to recognise the intrinsic character and beauty of the countryside, whilst paragraph 172 states that great weight should be given to conserving landscape and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.

Policy EN2 of the Local Plan states that development will be permitted which accords with the Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality.

Policy EN4 of the Local Plan states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas. This policy requires that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, settlement patterns and heritage assets.

Policy EN5 of the Local Plan states that in determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

Local views of the site are available from the Fosse Way and also from Lower Slaughter Footpath 11 Public Right of Way. The removal of the vegetation would open up views into the site. The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape.

The application site and its surroundings fall within Landscape Character Type 17A Pastoral Lowland Vale: Vale of Bourton as defined in the Cotswolds AONB Conservation Board's Landscape Character Assessment. This assessment provides useful guidelines which relate to isolated development. The relevant points are listed below: -

- Avoid isolated development, that will intrude negatively into the landscape and cannot be successfully mitigated;
- Conserve areas of dark skies;
- Conserve the distinctive rural and dispersed settlement pattern;
- Restore existing stone farm buildings and structures in preference to new built development;
- Maintain the sense of openness and consider the impact of development, including cumulative development on views to and from the adjacent landscape types such as the Farmed Slopes and High Wold and on the setting of the AONB;
- Control the proliferation of suburban building styles and materials;
- Landscaping schemes accompanying development should encourage the planting of appropriately sized native trees, shrubs and traditional fruit varieties, whilst discouraging large

alien tree species such as eucalypts and conifers and inappropriate cultivars of native species, particularly on fringes of open countryside.

The Fosse Way is an historic Roman road with a primarily rural character. Any development along this route should aim to protect and preserve the character of the Fosse.

The site has an industrial character and the existing scrap yard and haulage depot business generates a level of noise and activity which is out of character from the surrounding AONB rural landscape. Therefore, in landscape terms there is no 'in principle' objection to the re-development of the site to provide an electric car charging service station.

The scheme has been amended from the original submission to address landscape concerns that were raised. With regard to landscaping, the submitted scheme indicates that a belt of landscaping would be incorporated to the frontage which will help to soften the appearance of the development and improve the habitat potential. The specification would need to include native planting only, as this would be in-keeping with the site context, and could be subject to a condition.

With regard to hard landscaping, the plans indicate that the main access into the site, seen from the Fosse Way, would be surfaced with tarmac which will have a simple appearance and would be acceptable. The car park area would have a blue / grey tarmac colouring and a tiled appearance.

The plans have also been amended to omit the glazing to the roadside elevation of the building which now forms a blank stone wall, whilst the ramped pedestrian access would be obscured by the stone walling to the frontage and also the roadside planting. In addition the proposed signage is indicated to be of a simple design that would be incorporated into the walling along the entrance which is considered to be relatively low key and appropriate in this location.

In terms of the site levels, long cross-sections of the site have been provided that indicate that the parking area would be set down below the level of the Fosse Way carriageway, which is considered acceptable, whilst the submitted lighting strategy indicates that 25W LED bollard type units would be used within the carpark and LED mounted down lighters are proposed to the ramp. The use of low level lighting is welcomed, although in the event of permission being granted, it is considered that full details can be subject to a condition.

### **(c) Noise and disturbance and the living conditions at nearby dwellings**

Local Plan Policy EN15 states that development will be permitted that will not result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through:

- a. pollution of the air, land, surface water, or ground water sources; and/or
- b. generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell.

Considering the existing use of the land, which is likely to generate significant noise levels, the proposed development is felt to be acceptable having regard to its proposed usage. Electric vehicles are not going to cause pollution and the re-charging process will give rise to very little impact particularly considering the background noise arising from the traffic using the A429. It should be noted that the residential property on the site is occupied by the applicant.

In the event of planning permission being granted, a condition would be required to control hours of operation and this will be attached to any planning permission. A cut-off of 9pm has been agreed with the applicant, which Officers consider to be acceptable.

Subject to the above planning condition the proposals are considered to comply with Local Plan Policy EN15.

#### **(d) The Impact on the Local Highway Network**

Section 9 of the NPPF requires development proposals to include safe and suitable access to the site, for all people. It also requires all developments that generate significant amounts of movement to be supported by a Transport Statement or Transport Assessment.

Policy INF4 of the Local Plan requires that development should be well integrated with the existing transport network within and beyond the development itself, avoiding severance of communities as a result of measures to accommodate increased levels of traffic on the highway network; creates safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoids street clutter and where appropriate establishes home zones; provides safe and suitable access and includes designs, where appropriate, that incorporate low speeds; avoids locations where the cumulative impact of congestion or other undesirable impact on the transport network is likely to remain severe following mitigation; and has regard, where appropriate, to the Manual for Gloucestershire Streets or any guidance produced by the Local Highway Authority that may supersede it.

Policy INF5 of the Local Plan requires that development will make provision for residential and non-residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network. Provision will be in accordance with standards and guidance set out at Appendix F.

The Highway Authority has been consulted upon the application, and whilst the amendments made to the proposal following its original submission are considered to be acceptable with regards to providing safe access, subject to conditions, concerns have been raised with regard to the principle of erecting such a facility in this location.

The Highway Authority has commented that the application on its own would seek to establish a hub for providing car charging infrastructure for a facility providing a full charge within 4 hours. They question whether a development of this nature would be supported by any emerging policy as opposed to being reliant on a lack of existing policy when establishing facilities for a future need that has not been fully explored. With regard to the NPPF, paragraph 105 states that 'If setting local parking standards for residential and non-residential development, policies should take into account:

e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.'

In addition, it is considered that whilst, at some point in the future the majority of cars will be electric, there will still be a significant transitional period where vehicles will require charging. There will also be a mixture of use, i.e. fossil fuel and electric cars, for a significant period and as such the proposals as presented can be considered only as the potential end result, if development of this nature is even sustainable at this location.

It is also considered that the scale and provision made by the proposed development fails to account for the fact that the 6-7% of HGV's and 1% of motorcycles are instantly excluded from making use of this facility. In lieu of any emerging policy or strategic assessment of where development of this nature may be beneficial, the Highway Authority cannot support this location from a highway perspective.

Paragraph 107 of the NPPF states that 'Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance'. The omission of HGV from the site is not considered to be satisfactory as part of the strategic road network (SRN), regardless of if HGV will become electric in the future it is not considered to be reasonable for a facility of this nature to not accommodate the working and driving requirements of HGV's on the SRN.

The Highway Authority has also expressed concern regarding the findings of the applicant that there are no TRICS (Trip Rates Information Computer System) sites that match 'non-motorway services'. A review of TRICS establishes there are many service arrangements for hotel / food / drink roadside food, and that failing this, if a thorough assessment discounts all of these, it is not considered unreasonable to ask the applicant to survey a similar site or sites in agreement with the Local Highway Authority.

It is considered that there is insufficient data to satisfy if the need is actually met on this route that generates average work day traffic of circa 14,000 vehicles. If the peak flows are discounted which, given that these are existing trips and therefore, in the Highway Authority's view, unlikely to stop, then less than circa 9000 vehicles pass the site daily.

It is also commented that the supporting information has assumed that the site will be 24 hours, which is not proposed (if recommended for approval the suggested opening hours condition would allow the site to be used between 7.00am and 9.00pm). This is not considered to be supported by the applicant's own evidence where an average of 560 vehicles pass the site between 10.00pm and 6.00am, as 4% of all traffic is considered to offer little justification for a 24 hour facility.

The applicant has attached 'The Road to Zero', published by the Department of Transport in July 2018, to the application to attempt to substantiate the application and what it proposes in the context of cleaner road transport. However this application is considered to be at odds with any potential for strategy and is seeking to establish itself in anticipation of a future need. Given that of the current 14,000 vehicles on a work day, and assuming that Gloucestershire is not particularly exceptional in the levels of electric vehicle ownership based on the national statistic of 227,000 electric vehicles from a total number of 32.5 million, the Highway Authority has calculated that today this would result in no more than 100 electric vehicles passing the site on a daily basis.

Reference has also been made to the 'The Road to Zero' report seeking 1,170 rapid charge points on the major road network and then asserts 102 EV parking spaces associated with this development is more than adequate. It is noted that the supporting documents submitted with the application state that the largest facility constructed to date in England is for 7 EV charging spaces, and across the UK as a whole it is 10 spaces. It is considered that this form of development should focus only on that which is manageable and sustainable in the long term. Given the entirety of the major road network that 'The Road to Zero' considers, the necessity for the scale of proposal as presented is queried.

The applicant's consultant has suggested that with no trip generation, the site will result in 204 movements based on 102 arrivals. This would require 10% of all traffic on the A429 to make use of the application site. The Highway Authority considers that the nearest reliable source of information is TRL Report 441 'Turning flows at Motorway Service Areas'. This suggests that 10% may be reasonable for motorway services, but again this only establishes that the proposed development does not scale well against motorway facilities i.e. it should be a smaller proportion considering the nature and scale of traffic that uses motorways as opposed to the A429.

For the purposes of this application, it is considered that the development should be modelled as services (non-motorway) and trip generation derived based on TRICS or agreed survey. In any event the hours of operation must be understood and full survey data of existing traffic flows to establish if there is an unacceptable impact on highway safety, in particular at night time where turning movements will be less likely to be anticipated and vehicle speeds are likely to be higher.

With regard to the NPPF, paragraph 110 states that applications for development should 'be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

It is considered that there is insufficient evidence to demonstrate that this location as safe, accessible and convenient, especially with a low attributed daily flow and lack of surrounding

infrastructure allowing this to operate as anything other than standalone development, which appears to be the current intention.

Therefore, the proposal is contrary to Section 9 of the NPPF, specifically paragraphs 105, 107 and 110.

#### **(e) Flooding and drainage**

Section 14 of the NPPF establishes the requirements for development proposals in respect of flood risk. As the application site is partially located in a Flood Zone 2/3 area it must be considered against the requirements of this part of the NPPF. Policy EN14 of the Local Plan is also relevant.

NPPF Planning Practice Guidance states that "a change in use may involve an increase in flood risk if the vulnerability classification of the development is changed". In the case of this application, the proposed scheme will retain the same 'less vulnerable' site use classification. Mitigation measures will also be incorporated ensuring that flood risk is not increased elsewhere.

The area of the site within the Flood Zone is currently hard surfaced and occupied by the scrap yard. Considering that this area would remain hard surfaced, with the service station building being located on higher land to the south-west, it is considered that the proposed use would not result in significant changes/demands on the site's drainage facilities and would remain as a 'less vulnerable' classification. Within this area would be the sub-station, which is shown to be surrounded by a 2.8 metre high surrounding wall, and which the applicant's agent has confirmed would be flood proofed. It should also be noted that the parking spaces are also stated to be porous to increase drainage. It is not considered to be necessary for the applicant to demonstrate safe/dry routes as the service station building and the access to the site are outside the area at risk of flooding.

The proposals are acceptable in respect of flood risk and drainage and comply with Section 14 of the NPPF and Policy EN14 of the Local Plan.

#### **(f) CIL**

The CIL rate for this type of development is zero and therefore no CIL would be payable.

### **9. Conclusion:**

Whilst no objection is raised to the principle of the re-use of the land, the design of the building, or the impact upon the Cotswolds AONB, for the reasons stated above the proposal is not considered to be acceptable having regard to the provision of strategic infrastructure given its location.

The application is therefore recommended for refusal.

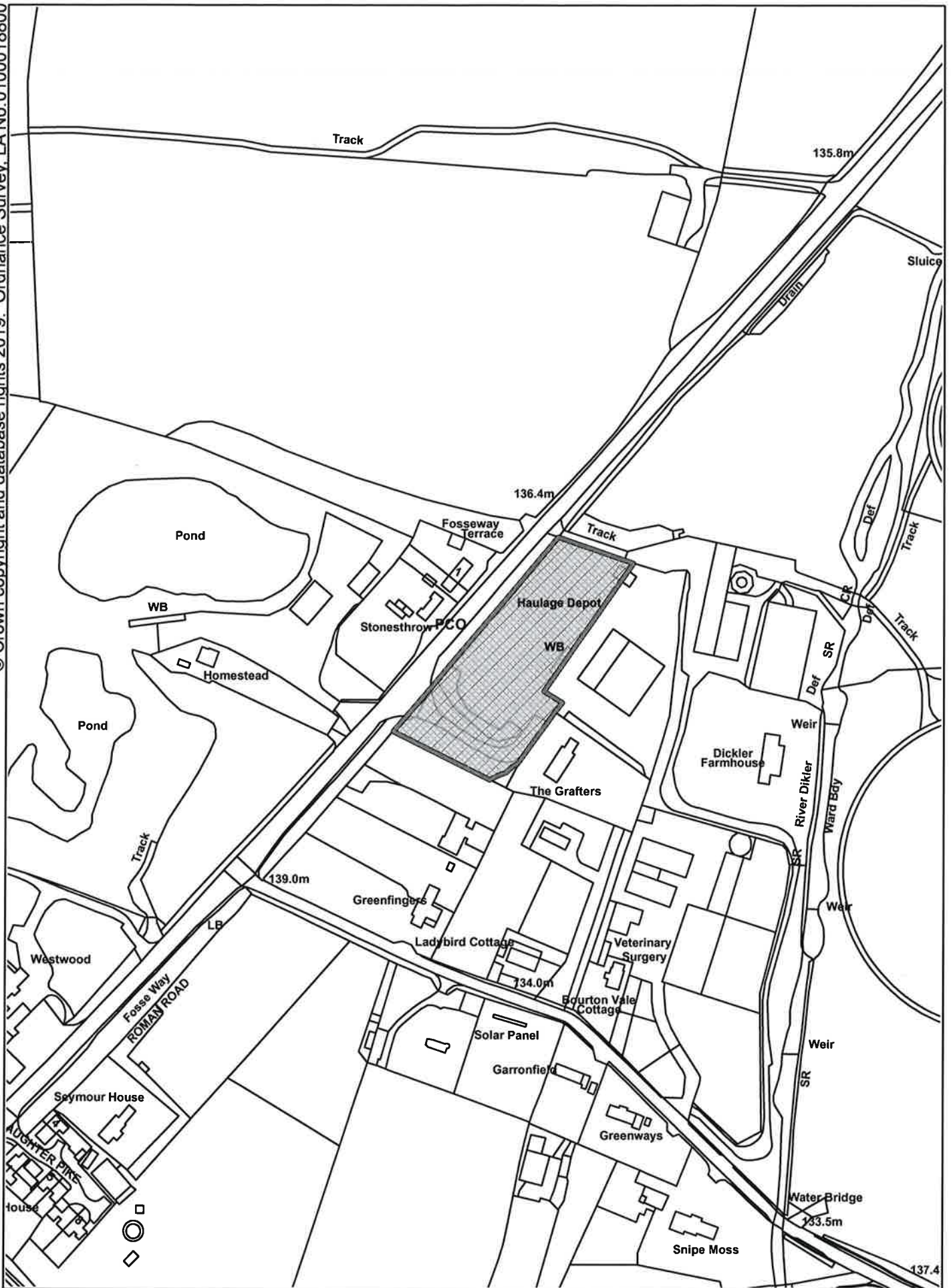
### **10. Reason for Refusal:**

1. The proposed development will result in an over-provision of infrastructure at an unsustainable location that has not been sufficiently demonstrated as a suitable location for the delivery of the policies of the NPPF or emerging policy on electric vehicle charging and would generate an unsustainable level of vehicular movement. As such, establishing the level of infrastructure proposed at this location would result in a privately operated facility that over-provides electric vehicle charging infrastructure which would have a wider impact on strategic planning. In addition, the proposed development has failed to provide for freight movements as a non-motorway service station located upon a highway (A429) that has a high proportion of Heavy Goods Vehicle movements. The proposal is therefore contrary to Section 9 of the NPPF, specifically paragraphs 105, 107 and 110.

**Informatives:**

Please note that the proposed development set out in this application would be liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), however, no CIL is payable as the Cotswold CIL Charging Schedule gives this type of development a zero rate.

However, if the nature of the development were to change, you are advised to contact the Council to discuss the requirement for planning permission and CIL liability.



**SCRAP HAULAGE YARD FOSSEWAY LOWER SLAUGHTER**

Scale: 1:2500

Organisation: Cotswold District Council

Department:

Date: 31/10/2019



**COTSWOLD**  
DISTRICT COUNCIL



LOWER SLAUGHTER PARISH COUNCIL  
Interim Clerk Paul Sinclair. c/o Park View, Mill Lane, lower Slaughter  
Tel: 01451 828164 Email: clerklspc@gmail.com  
Website: [www.lowerlaughter.btck.co.uk](http://www.lowerlaughter.btck.co.uk)

**18/01681/FUL – Redevelopment of existing scrap yard and haulage depot to create Electric Car Charging Derive Station and Associated Works – Scrap Haulage Yard Gilder Fosseway Lower Slaughter GL54 2EY**

Following an extraordinary general meeting on the 3rd July 2018 in St Marys Church Lower Slaughter Lower Slaughter Parish Council unanimously agreed to reject the planning application.

The following comments reflect and expand on the view of the majority of parishioners who attended the meeting.

#### Electric Vehicles

In principle the Council support the proliferation of electric vehicles, however we believe that the recent entry into law of the Automated and Electric Vehicles Act 2018 – 19 July 2018, which will place a requirement on large fuel retailers to introduce charging points will negate the need for independent charging stations such as the one proposed in this isolated location.

It is a fact that the developments in the battery and charging technology will also further reduce the need for such a facility. The logical location for charging sites is on hotel sites and retail/leisure destinations where the occupants of cars can leave their vehicles on charge for a period of time whilst they visit and experience local retail and leisure/restaurant facilities to benefit the local economy, with out the need for a park and ride facility and the traffic problems it would create. In addition, electric car drivers have the option to charge their vehicles from home utilising low cost "off peak" electricity with the environmental benefits this will bring to the national grid.

We believe that the rate of development of electric car and battery technology is such that there would be no justification for a charging station in isolated locations both now and more so by the time this development became operational. We believe the charging element of the proposal therefore to be unsustainable and the development would essentially create a retail site with a potential car and cycle park and ride directly onto the A429. The location has no real "destination" value that justifies such a scheme and it would bring with it a number of significant adverse impacts including health and safety issues, additional vehicular traffic noise and air pollution and significant negative visual impacts to the AONB.

#### Health and Safety

There substantial public concern particularly with regard to road safety. The A429 is already a very busy road and specifically in this location. In addition to the commercial traffic in respect of the scrap metal recycling business there has been a significant increase in commercial traffic in the last few months accessing the new Bence retail business on the one side of the A429 and large lorries accessing the land fill site directly opposite. In addition the Slaughter Pike and Wyck Lane junctions and the local petrol



LOWER SLAUGHTER PARISH COUNCIL  
Interim Clerk Paul Sinclair. c/o Park View, Mill Lane, lower Slaughter  
Tel: 01451 828164 Email: clerklspc@gmail.com  
Website: [www.lowerlaughter.btck.co.uk](http://www.lowerlaughter.btck.co.uk)

Filling station provide additional traffic considerations. This is already a hazardous location and the parish council would like to take the opportunity to ask that Cotswold District Council to review this existing traffic situation irrespective of any further development considerations but certainly in advance of giving consideration to further development in this location. This site would produce a significant additional traffic hazards. The proposed site entrance layout results in a significant number of conflicts with pedestrians, cyclists, turning buses commercial vehicles accessing the Bence site and cars along with the proximity to the A429. We would assume that a fundamental requirement of the planning process for a full application would be the provision of a detailed traffic study to justify a park and ride in this location and to consider and resolve the associated health and safety issues that would arise from the proposal.

Should the highways study and safety audit result in the requirement for dedicated cycle lanes and pedestrian footpaths on both sides of the A429 with traffic light controls on the entrance and along the A429, there would be a significant and adverse environmental impact on this location both in pollution, visual impact and environmental terms.

Removal of the scrap metal recycling facility and haulage yard.

A positive impact of the development would be the removal of the scrap metal recycling facility however, there is no indication as to where that recycling facility will be located and no commitment to its removal in entirety to avoid further land contamination. This is also of concern. In addition there is no mention of the relocation of the existing haulage depot.

Area of outstanding natural beauty

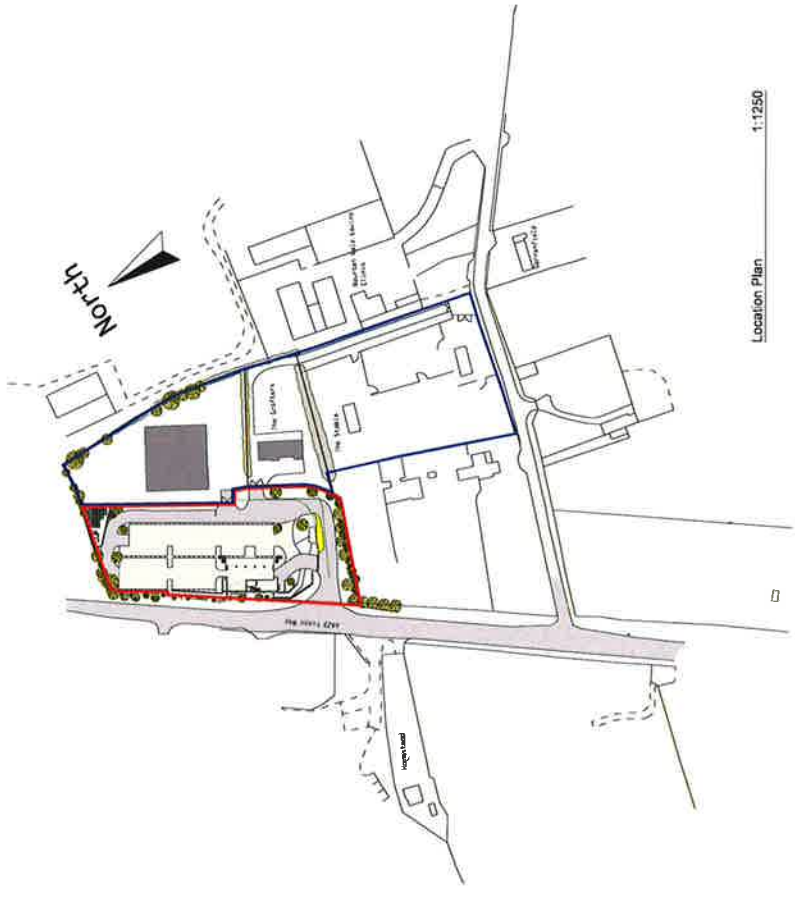
The application compares the development to a 'conventional motorway services'. In an area of outstanding natural beauty such a development is totally inappropriate. Add to this the guidance within the newly adopted Local Plan and the evaluation of the area achieving national park status we ask that Cotswold District Council do not permit the development.

Paul Sinclair  
Lower Slaughter Parish Council  
10/8/18

These drawings are the property of ArchiWildish Ltd and shall remain the property of ArchiWildish Ltd. No part of these drawings may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of ArchiWildish Ltd. All rights reserved.

Client: Mr. P. Glider  
 Project Name: Project Name of Site and Building Work & Create Electric Car Charging Service Site  
 Site Address: The Fosseway Lower Slaughter GL54 2ET

Date: 1/1/2019  
 File No: 2019  
 Project Name: 17-112 - 068



Location Plan 1:1250



Copyright © ArchiWildish Ltd  
 This drawing has copyright and may not be copied, reproduced or  
 altered in whole or in part or used for any other purpose  
 without written consent of ArchiWildish Ltd  
 For further information  
 Please contact:  
 ArchiWildish Ltd  
 Registered drawings only to be taken from this drawing  
 All dimensions to be checked on site or for the client, as site  
 any dimensions to be provided back to client for their own  
 purposes

Revisions

Client  
 Mr. P Gilder

Project Name  
 Redevelopment of Scrap and Haulage Yard to  
 Create Electric Car Charging Service Station

Site Address  
 The Yard  
 The Fosseway  
 Lower Slaughter  
 GL54 2EY

Scale 1/500 Paper Size A1

Date  
 Feb 2019

Project Number  
 17-172 - 058

From Stow  
on the Wold



batteries to collect and store electricity generated from solar panels. Tesla Powerwall or similar commercial sized battery solar panel energy storage system

new trees  
Nolux  
Festucosus

Sub-Station to manage and distribute electrical supply

2800mm high concrete black ash facing natural local stone wall to enclose electric sub-station and battery storage area securely

Concrete Hardstanding Area  
(external storage area for Builders Merchants)

Bence - Builders Merchants

The Grafters

Fosse Way  
A429

remove existing Leylandi tree screening and construct new concrete black wall, with facing natural local stone wall along existing site boundary and plant new native hedging along wall

Existing heavy haulage vehicular access to be widened and retained with appropriate road markings and signage provided to the interest of highway safety

existing concrete roadway to be formalised and increased in width and slightly realigned to accommodate new bus stop and to provide increased grass verge in front of existing dwelling in order to create turnings into dwelling and Builder Merchants

Site Plan 1:200

Copyright © 2018 by ArchiWildish Ltd. All rights reserved. This drawing is the property of ArchiWildish Ltd. and may not be copied, reproduced, altered or placed on the internet or used for any other purpose without the prior written consent of ArchiWildish Ltd. The design is for information only. All dimensions should be checked on site prior to construction. Any discrepancies should be reported back to the client before work commences.

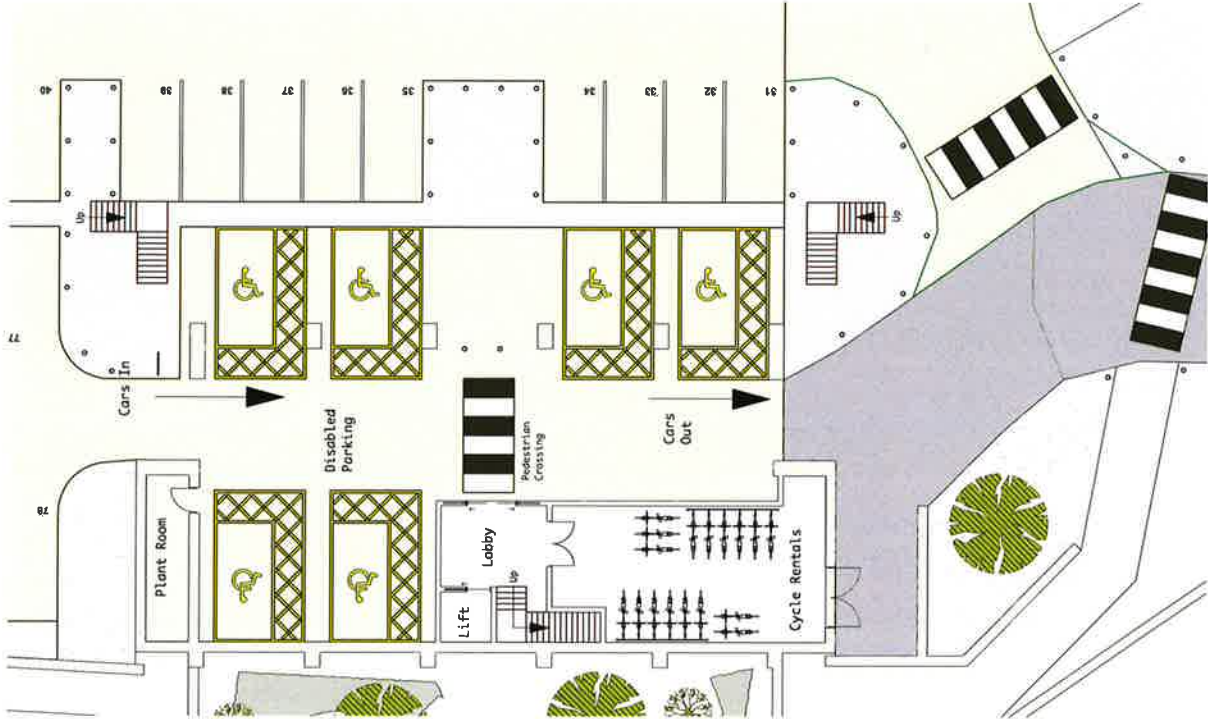
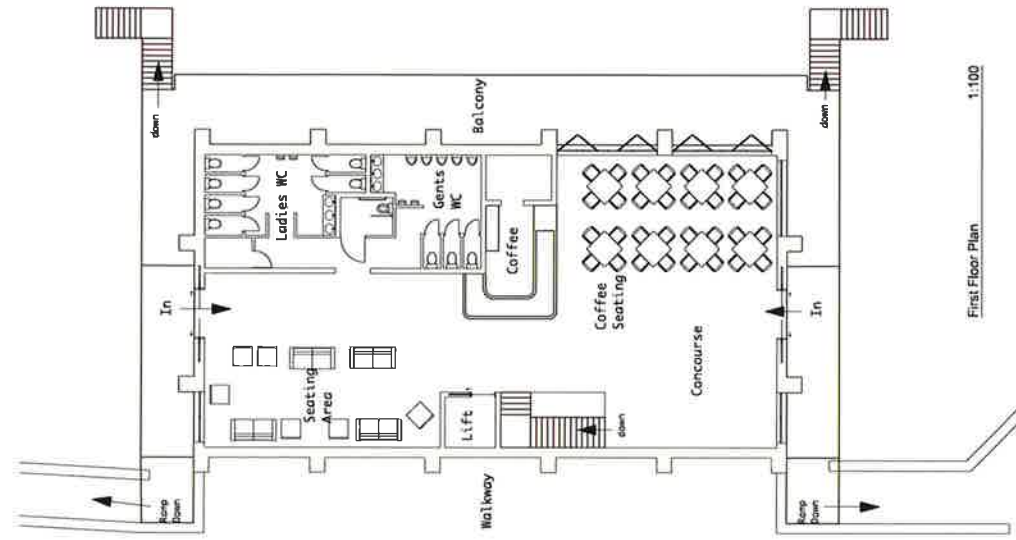
Revisions  
Client: Mr. P. Gilder  
Project Name: Redevelopment of Scrap and Haulage Yard to Create Electric Car Charging Service Station  
Site Address: The Yard, The Fosseway, Lower Slaughter, GL54 2EY

Scale: 1/200 Paper Size: A1

Date: Feb 2019

Project Number: 17-172 - 016





Ground Floor Plan 1:100

Architectural drawings are the property of Archi Wildish Ltd and are not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Archi Wildish Ltd. All rights reserved.

**Client:** Mr. P. Cilder  
**Project Name:** The Fosseway Lower Slaughter  
**Project Address:** The Fosseway Lower Slaughter  
**Project Reference:** 17-12 - 098



steel frame with timber posts and glass balustrade to stairs and balcony area  
 a modern, contemporary design with a mix of traditional natural local stone walls

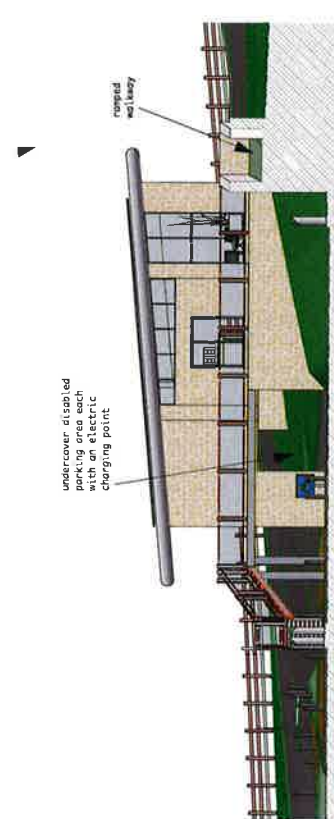
zinc colour metal profiled mono-pitched roof

solar panels to provide renewable electric car charging energy source

charging point to each parking space

concrete block walls dressed with facing natural local stone

East Elevation 1:100



undercover disabled parking area with an electric charging point

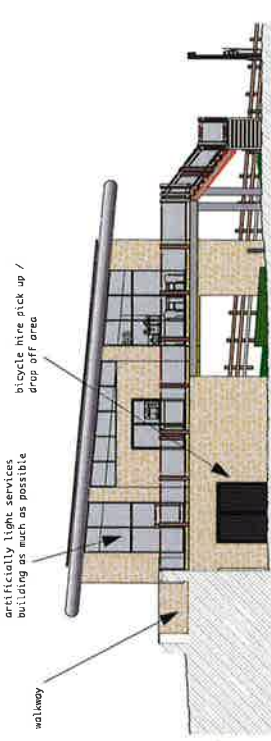
ramped walkway

large dark colour metal framed windows to reduce need to artificially light services building as much as possible

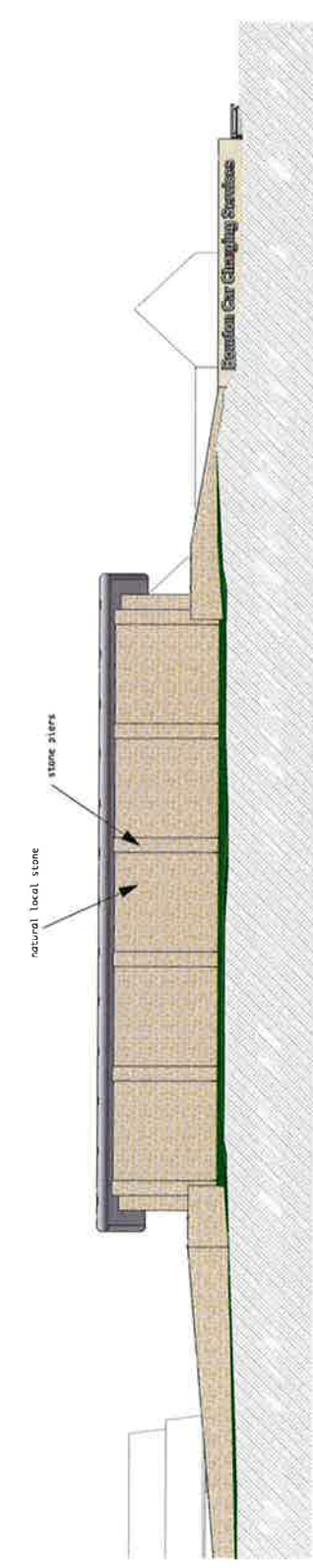
walkway

bicycle hire pick up / drop off area

North Elevation 1:100



South Elevation 1:100



natural local stone

stone steps

West Elevation 1:100



3D Cycle Rental Area



3D View looking from North West



energy storage batteries

3D View looking from North East

Unit C  
 Wildish Park  
 Georges Elm Road  
 Bidford St Avon  
 B50 4JS

www.archiwildish.co.uk  
 mark@archiwildish.co.uk

T: 01789 509916  
 M: 07528 377993

Copyright © Archiwildish Ltd  
 This document, including all drawings and designs, is the confidential property of Archiwildish Ltd. It is intended for the use of the client only and is not to be distributed, copied, or otherwise used without the written consent of Archiwildish Ltd. All other rights reserved.  
 The information contained herein is for general information only and does not constitute an offer of any financial product or service. All other matters should be checked with the relevant authorities before any decision is made.

**Revisions**

Client  
 Mr. P Gilder  
 Project Name  
 Proposed Redevelopment of Scrap and Haulage Yard to Create Electric Car Service Area  
 Site Address  
 The Yard  
 The Fossway  
 Lower Slaughter  
 GL54 2EY

Scale  
 A1  
 Date  
 Feb 2019  
 Project Number  
 17-172 - 0108



The proposed services building has been designed to both harmoniously sit into its setting and also attract attention so as to raise awareness of what the facility is all about in order to draw people in and to generally promote electric vehicles and to encourage a more rapid uptake of zero emission vehicles.

Inside the services building there could be an area dedicated to the promotion of electric vehicles, explaining the benefits of switching from fossil fuelled vehicles to electric.



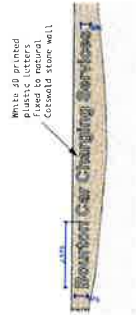
3D Electric Vehicle Information Area



Bourton Car Charging Service



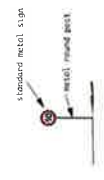
Disabled Sign Elevation 1:100



Burton Car Charging Sign Elevation 1:100



Height Sign Elevation 1:100



Speed Sign Elevation 1:100

Site Signage



3D Aerial Site Plan

Approved On: 12/01/2019  
 Approved By: Mr. P. Gilder  
 Approved For: Proposed Resdevelopment of 7 Scrap and 10a Lord in Great Electric Car Service Area  
 The development is a proposed ground floor extension to the existing building. The development will be used for the storage and sale of electric cars. The development will be used for the storage and sale of electric cars. The development will be used for the storage and sale of electric cars.

Client:	Mr. P. Gilder
Project No.:	Proposed Resdevelopment of 7 Scrap and 10a Lord in Great Electric Car Service Area
Project Name:	The New Wood
Project Location:	The Fosseway Lower Slaughter GL54 2EY

CIAT  
 Chartered Institute of Architectural Technicians

Member No. 177-172-0028

Issue: FEB 2019

Project Name: 177-172-0028



12/07/2018



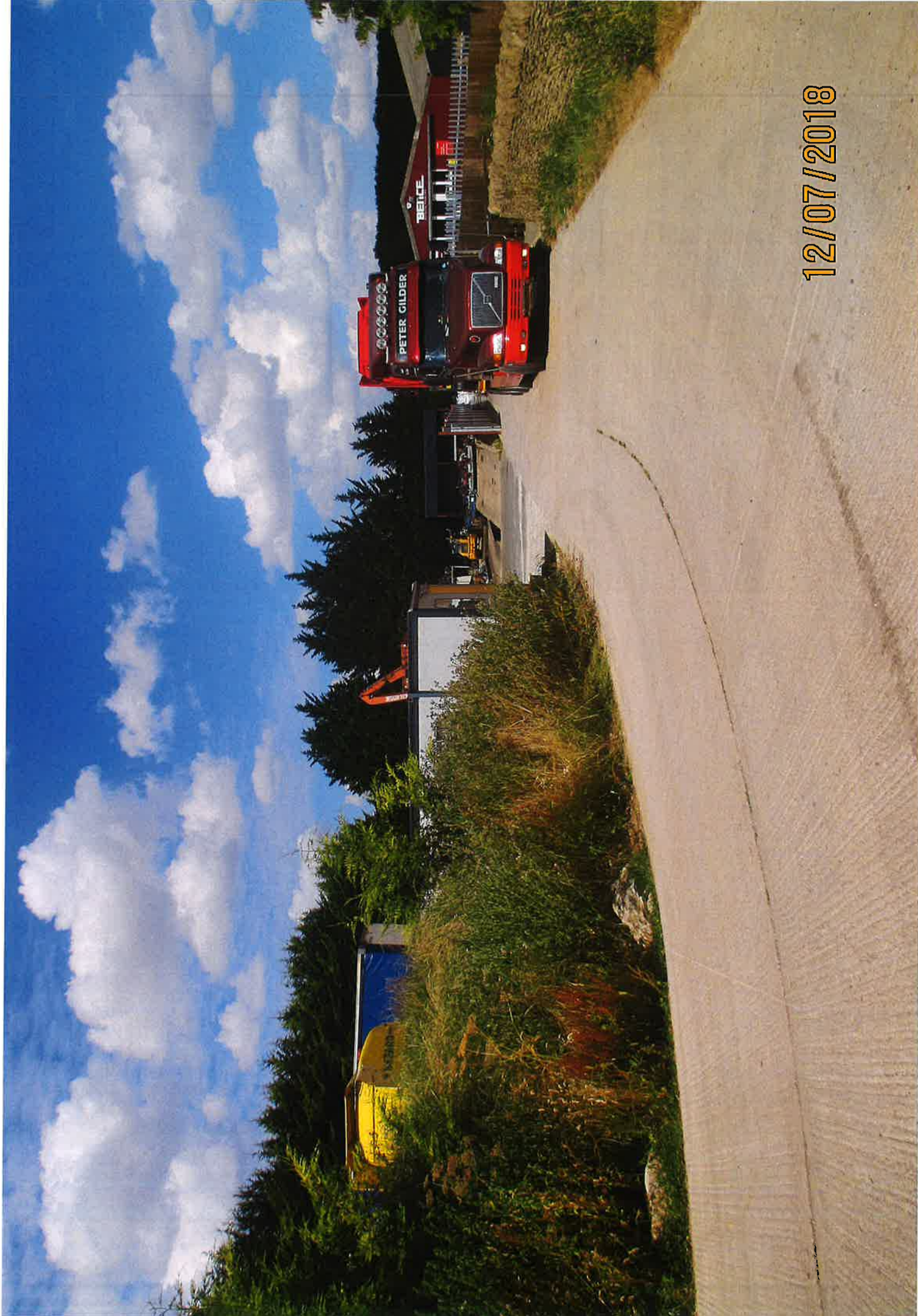
12/07/2018



12/07/2018



12/07/2018



12/07/2018



**BENCE**  
Building Supplies  
Mon-Fri 7:30 - 17:00  
Saturday 7:30 - 11:30  
01451 444000 · 07770 334342  
Open to Trade & DIY

KERRIS  
PIPE

12/07/2018





12/07/2018