

**Item No 01:-**

**20/04673/FUL**

**Land At Gloucester Road  
Stratton  
Cirencester  
Gloucestershire  
GL7 2LJ**



## Item No 01:-

**Provision of a new secure roadside truck stop facility, including associated HGV and car parking, drivers facilities building, vehicular access, service yard and landscaping at Land At Gloucester Road Stratton Cirencester Gloucestershire GL7 2LJ**

<b>Full Application 20/04673/FUL</b>	
Applicant:	William Gilder Ltd
Agent:	Zesta Planning Ltd
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Jenny Forde
Committee Date:	9th March 2022
<b>RECOMMENDATION:</b>	<b>REFUSE</b>

### 1. Main Issues:

- (a) Introduction
- (b) Proposed Development
- (c) Landscape Impact within the Cotswolds AONB
- (d) Highway safety
- (e) Biodiversity
- (f) Trees
- (g) Drainage and Flood Risk

### 2. Reasons for Referral:

2.1 Due to the complex nature of policy considerations and scale of the application, Officers consider that the application should be referred to Members for a decision.

### 3. Site Description:

3.1 The application site is located approximately 1.2km to the north-west of Stratton, and approximately 300m to the south-east of Quarry Junction on the A417. The site is a rectangular shape and occupies the western extents of a larger pastoral field. It is defined by the (old) Gloucester Road to the west and the wider site adjoins open countryside. The land is gently sloping from north to south and is contained to the north by a small beech copse and scattered hedgerow and tree planting along Gloucester Road. A farm access is present to the southern boundary of the site.

3.2 The application seeks permission for a new overnight truck stop facility. The proposed truck stop would provide parking for 75 HGV parking spaces, 15 car/van spaces as well as cycle parking. Access would be obtained off the Gloucester Road. Proposals also include a landscaping scheme, proposed external lighting and a driver's facility building.



3.3 The site is outside any settlement boundary defined in the Cotswold District Local Plan and is within the Cotswolds Area of Outstanding Natural Beauty (AONB).

#### **4. Relevant Planning History:**

None

#### **5. Planning Policies:**

TNPPF The National Planning Policy Framework

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

EN14 Managing Flood Risk

EN15 Pollution & Contaminated Land

INF3 Sustainable Transport

INF4 Highway Safety

INF5 Parking Provision

INF7 Green Infrastructure

#### **6. Observations of Consultees:**

- 6.1 Landscape Officer: Recommends refusal (comments incorporated within the Officers' report)
- 6.2 Cotswolds National Landscape: Objection, two consultation responses are attached as an Appendix to this report due to their combined length
- 6.3 Local Highways Authority: No objection subject to conditions (comments incorporated within the Officers' report)
- 6.4 Highways England: No objection
- 6.5 Biodiversity Officer: No objection in principle (comments incorporated within the Officers' report)
- 6.6 Tree Officer: Additional information required (comments incorporated within the Officers' report)
- 6.7 ERS (Noise): No objection
- 6.8 Thames Water: No objection
- 6.9 Lead Local Flood Authority: No objection



## **7. View of Town/Parish Council:**

### **7.1 Baunton Parish Council**

*"Baunton Parish Council will not be supporting the Truck Stop application for the following reasons:*

- The site is in an Area of Outstanding Natural Beauty;*
- It is not an appropriate development for the AONB;*
- It is not consistent with our Parish Plan;*
- No evidence to support the need for a Truck Stop;*
- Not consistent with Gloucestershire Transport Strategy*
- No evidence in Cotswold District Council's Local Plan that there is a need for a Transport Stop in the next 10 years. If there is a need CDC should have secured a suitable brown field site before they sold the Lorry Park at Kingsmeadow.*
- We have every sympathy with the drivers who should have a suitable/safe place to rest, shower and eat but it should be on a Brown field site and not in the AONB.*

*The decision not to support was unanimous."*

### **7.2 Daglingworth Parish Council**

*Daglingworth Parish Council object to this application on the following grounds:*

*1. The site falls within The Cotswolds Area of Outstanding Natural Beauty so the proposals for a quasi-industrial use are incompatible with Local Plan Policy EN5 and Policy INF3(1c). If it can be demonstrated that a truck stop facility should be built between the M4 and M5 motorways the Parish Council believes such a facility would be better located outside the AONB*

*2. The applicant has not provided details of lighting which could be seriously intrusive for this prominent and rural location. The application site is adjacent to a Spot Height of 178m which makes it one of the highest points in this part of the Cotswolds. Gloucester Road, Stratton provides superb views of the Town and Church.*

*3. The Parish Council were surprised that the screening opinion of the District Council did not require the applicants to undertake an Environmental Impact Assessment for such a large scale development in such a vulnerable location especially bearing in mind the proximity of the proposed development to a water reservoir and the applicants acknowledgement that the proposal would increase carbon emissions to a great extent.*

*4. For many years Daglingworth has suffered from "rogue" lorries travelling through the village, often damaging property by virtue of their turning manoeuvres on narrow roads. Notwithstanding several road signs at Daglingworth Quarry roundabout lorries do not seem to be deterred, possibly because of incorrect satnav directions. It is felt that these problems would be greatly exacerbated if the scheme*



was to be built causing great suffering to many residents living alongside the roads. We feel that a truckstop will encourage more "rat running" through the village as well as increasing the number of vehicles using Gloucester Road in and out of Cirencester

5. The application refers to NPPF para 107 regarding planning policies and decisions recognising the importance of providing overnight lorry parking however, the applicants did not highlight any such omission when the Local Plan was being reviewed: had they done so it would have given the public an opportunity to suggest more appropriate locations.

6. The Parish Council would refer the applicants to NPPF paras 117 and 170 concerning the protection of special landscape areas in general and would respectfully urge the planning authority to refuse the application."

### 7.3 Daglingworth Parish Council - further comments

"These comments relate to the Applicant's further information report. Our previous comments remain unchanged.

We believe NPPF has been amended and paras 176 and 177 give further weight to the important status of the AONB in relation to development. We believe other locations exist where this facility could be located which would obviate the need to site it within the AONB. The Applicant has not addressed the matter of the existing borehole nor the importance of securing the status of the existing aquifer which has an effect on our village. We press the Council to refuse permission."

### 7.4 Cirencester Town Council:

Cirencester Town Council notes that trucking is a vital part of our industry, serving our economy across the country. We've seen especially over the last year how much we all rely on truckers to deliver the goods we need, and it's absolutely right that they should have safe and hygienic services available to them at suitable locations. Truckers should not have to stop in laybys with no facilities, or overnight in locations where they fear having their load stolen.

The positioning of truck stops, however, needs to be carefully thought through, and be delivered in sensible locations that improve the quality of working life for truckers themselves, but do not decrease the quality of life, or deteriorate the quality of the environment, where they are located.

Key Issues with this application:

- The site is within the Cotswolds AONB and is in contradiction with the aims of the Local Plan and is contrary to EN4 of the Cotswold Local Plan, "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."
- Placing a truckstop development, equivalent in size to a substantial residential housing development, will have a directly detrimental effect on the environment of the AONB. Proposed screening will not be effective for 10-15 years, light pollution will be significant, rainwater runoff will impact the already strained water table in the surrounding areas of Stratton and Daglingworth, and the Oslo Effect from increased traffic activity will increase air and ground pollutants.



- *It is noted that there is no specific reference to truck stops within the Local Plan and the site is not identified as employment use. However, the NPPF states "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", but the application should be considered as a whole and in the appropriate location, recognising the support from the trucking industry and the need for such facilities.*
- *The fact that the Local Plan does not include a specific reference to truck stops does not presuppose support for one; it has more to do with the lack of an identified need for a truck stop within the area of the Local Plan.*
- *The proposals represent a significant change from agricultural land to a truck stop, with an increase in traffic on minor roads which are unsuitable for heavy vehicles and accordingly the infrastructure does not support such a facility. The increase in traffic would also have an impact on the environment and does not support the climate emergency.*
- *We do not believe that a full environmental impact assessment has been undertaken, and that any such assessment will demonstrate a negative impact that is wholly in contradiction to Cirencester Town Council's Climate Emergency policy. In addition, significant traffic calming measures and policing would be required to ensure that lorries could only use certain routes and did not try to use Cirencester town centre as a 'through route', on unsuitable roads, causing road safety issues and detriment to the historic fabric of the town.*

*If there is a genuine need for a truck stop within this region, Cirencester Town Council believes that there are other more suitable locations that would not involve tearing up an AONB and causing great damage to the surrounding area."*

## **8. Other Representations:**

8.1 370 objections have been received, raising the following matters:

- i. major development in an AONB should only be undertaken in exceptional circumstances
- ii. increased carbon emissions
- iii. drivers should make better use of existing facilities
- iv. impact upon the AONB
- v. increased safety risk to other users of the highway
- vi. unnecessary industrial development in the AONB
- vii. what is to stop trucks driving through Stratton and Cirencester?
- viii. impact upon local road network
- ix. a large impermeable area will increase flood risk
- x. pollution risk to nearby reservoir
- xi. impact upon ecology
- xii. light pollution
- xiii. environmental impact considering CDC has declared a climate emergency
- xiv. why does the developer discount areas outside the AONB between Cirencester and Swindon for this proposal?
- xv. noise pollution
- xvi. expansion of the facility at Burford Road would be preferable



- xvii. the case for the truck stop is being over-stated given existing facilities at Swindon, Gloucester and Teddington
- xviii. local roads have weight restrictions that are already ignored
- xix. the Council has already made its mind up about this application
- xx. approve this and residents will remember come the next elections
- xxi. precedent for unsuitable development along Gloucester Road
- xxii. site is in a very prominent position
- xxiii. no proven local or national need for this development
- xxiv. the site is very exposed, planting will take years to mature

8.2 87 representations in support have been received, raising the following points:

- i. provided works are done sympathetically then this should be acceptable
- ii. access to the 417/A419 is not a problem
- iii. since the closure of Greasy Joe's there are no facilities for truckers in Cirencester
- iv. security is a major issue for drivers with diesel / goods stolen even physical assault
- v. a necessary facility
- vi. we should be supporting our road haulage industry
- vii. drivers need a facility to rest properly
- viii. improve working conditions for drivers
- ix. people are quick to complain about lorries filling lay-bys but object to a dedicated truck stop
- x. will not affect local residents
- xi. the haulage industry is essential to the economy
- xii. the Road Haulage Association fully support the application
- xiii. the Department for Transport indicate there is a national shortage of 3500 spaces each night
- xiv. there is a HGV driver shortage of between 80000 and 85000

8.3 7 other representations have been received, making the following points:

- i. will electric vehicle charging points be provided?
- ii. lorries should be directed from the A417 and this should be controlled by condition
- iii. would a more suitable location be found as part of the Birdlip Hill 'missing link' proposals?
- iv. could local football teams use the car park and provide new pitches at the site?
- v. have Thames Water been consulted given proximity to the underground reservoir?

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

Design and Access Statement  
 Addendum Planning Statement  
 Landscape and Visual Appraisal  
 Biodiversity Survey and Report  
 Flood Risk Assessment  
 Noise Impact Assessment  
 Proposed Lighting Strategy  
 Transport Assessment  
 Travel Plan  
 Proposed plans



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

### **(a) Introduction**

10.1 The application site is located approximately 1.2km to the north-west of Stratton. The site is a rectangular shape and occupies the western extents of a larger pastoral field. It is defined by the Gloucester Road to the west and the wider site adjoins open countryside. The site is gently sloping from north to south and is contained to the north by a small beech copse and scattered hedgerow and tree planting along Gloucester Road. A farm access is present to the southern boundary of the site.

10.2 The application seeks permission for a new overnight truck stop facility. The proposed truck stop would provide parking for 75 HGV parking spaces, 15 car/van spaces as well as cycle parking. Access would be obtained off the Gloucester Road. Proposals also include a landscaping scheme, proposed external lighting and a driver's facility building.

10.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that: 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the consideration of this development is therefore the current development plan for the District which is the Cotswold District Local Plan 2011-2031 (the Local Plan).

10.4 The site is located outside of an adopted Development Boundary as designated in the Local Plan and is considered to be open countryside within the Cotswold AONB.

10.5 The Local Plan does not have any policies directly relating to lorry parking facilities.

10.6 Paragraph 8 of the NPPF states that 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways'. These are an economic objective whereby it supports growth and innovation and contributes to a strong, responsive and competitive economy. The second is a social objective where it supports 'strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations'. The third objective is environmental where it contributes to protecting and enhancing the natural, built and historic environment.

10.7 Paragraph 11 of the NPPF is clear in that there is a presumption in favour of sustainable development. In decision taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
  - ii. 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.



10.8 Footnote 6 clarifies that the specific policies referred to are those policies relating to sites protected under Habitats Directives and/or designated sites, including Areas of Outstanding Natural Beauty. Therefore, in circumstances where the Local Plan is 'silent' on lorry parking facilities (such as in this case) local planning authorities are not required to grant planning permission where specific policies indicate that development should be restricted. As such, compliance with paragraph 176 of the NPPF is directly relevant and is considered critical to the consideration of this proposal. Due to the size of the site, landscape impact, and transport implications, the application is considered a major development within the Cotswold AONB.

10.9 Paragraph 109 states: '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. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use.'

10.10 Paragraph 177 of the NPPF states that 'planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated that they are in the public interest.

10.11 Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that can be moderated'.

10.12 There is no definition of major development in either the NPPF or in either of its forerunners - namely 'PPS7: Sustainable Development in Rural Areas' and 'PPG7: The Countryside' which also made similar references to major development within designated landscapes such as AONBs. However, in the recent High Court judgement in 'Aston and another v Secretary of State for Communities and Local Government and others' the judge determined that the phrase 'major development' did not have a uniform meaning and to define it as such would not be appropriate in the context of national planning policy.

10.13 Notwithstanding this, the Government's current Planning Practice Guidance states that, whether a proposed development should be treated as major development in the context of paragraph 177 of the NPPF, will be a matter for the decision taker, taking into account the 'proposal in question and the local context' with regard to 'issues such as location, scale, context, design and local distinctiveness'.

10.14 As a matter of principle, having regard to the impact of a major development, such as the current proposal, within an AONB in terms of scale, landscape and visual context, it is likely that it will have a significant adverse impact. Planning permission should therefore be refused unless there are exceptional circumstances and where it can be demonstrated that the proposal is in the public interest having regard to the three tests under paragraph 177. This will be assessed in the following sections of the report.



## **(b) Proposed Development - Supporting Information**

10.15 The supporting information submitted in respect of the proposal seeks to set out how the applicants consider that the proposal would accord with paragraph 177 of the NPPF, although the applicants state that they disagree with Officer's opinion that the proposal constitutes major development within the AONB.

10.16 Reference is made to the shortage of HGV drivers on a national scale, which is stated to be 100,000 drivers quoting figures from the Road Haulage Association. The reasons for this are considered to include not only the impact of Brexit and Coronavirus, but also the working conditions and facilities provided for drivers.

10.17 A report from 2017 entitled 'National Survey of Lorry Parking' is referred to as being the most recent survey of its kind, highlighting findings such as there being a shortfall of 3568 truck stop spaces in England; a 36% increase in lorry parked overnight between 2010 and 2017 whilst provision only increased by 14%; 39% of lorries being parked overnight off-site in location such as lay-bys or industrial parks; average space utilisation of 86% at Gloucester Services and 93% at Strensham Services (where 85% utilisation is considered at capacity).

10.18 In addition, theft is also highlighted as a particular concern, referring to the National Vehicle Crime Intelligence Service (NaVCIS) stating that between January and September 2020 goods worth £48m had been taken in 3,016 lorry thefts in the UK. More than 70% of these offences occurred in unsafe or unsecure locations, including lay-bys.

10.19 The Local Transport Plan for Gloucestershire indicates that the A417/A419 accommodates over 5,000 freight movements per day. The applicants have provided details of lay-bys along this route from that to the north of the Spine Road Junction in the south to that south of the roundabout where the dual carriageway on the A417 ends at Nettleton. Using a Sequential Test, they consider that an additional facility is required using the 28 mile maximum distance (quoted from the Highways Agency) in the gap between Gloucester Services and Swindon Truck Stop, and quoting DfT Circular 01/2008 that a 12 mile minimum distance between services is also referred to (Officers note that this publication is now superseded and its replacement, Circular 03/2013, makes no such reference to minimum distances).

10.20 This distance from Gloucester Services equates to The Highwayman Inn junction to the north of Cirencester, and to the Spine Road Junction near to South Cerney Barracks when taken from the Swindon Truck Stop. The applicant has also sought to identify available land for the facility to be provided from land currently being marketed. The applicants contend, however, that there are no suitable sites available, and also that any existing sites where vehicles may park cannot be expanded to provide this facility.

## **(c) Landscape Impact within the AONB**

10.21 As has previously been explained, 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.



10.22 Policy EN1 of the Local Plan states that new development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by:

- a. ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset;
- b. contributing to the provision and enhancement of multi-functioning green infrastructure;
- c. addressing climate change, habitat loss and fragmentation through creating new habitats and the better management of existing habitats;
- d. seeking to improve air, soil and water quality where feasible; and
- e. ensuring design standards that complement the character of the area and the sustainable use of the development.

10.23 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.

10.24 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.

10.25 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.

10.26 Policy INF7 of the Local Plan states that development proposals must contribute, depending on their scale, use and location, to the protection and enhancement of existing Green Infrastructure and/or the delivery of new Green Infrastructure. Green Infrastructure will be designed in accordance with principles set out in the Cotswold Design Code (Appendix D).

10.27 Good design is a key theme outlined in the NPPF as a fundamental component of sustainable development. Paragraph 126 highlights the importance that well-designed buildings can have in improving the lives of people and communities. Paragraph 130 states;

'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);



- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

10.28 Paragraph 131 of the NPPF states that planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

10.29 Paragraph 174 of the NPPF requires the planning system to recognise the intrinsic character and beauty of the countryside.

10.30 Paragraph 176 of the NPPF states that great weight should be given to conserving landscape and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.

10.31 As stated above, paragraph 177 of the NPPF states that when considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- 'a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.'

10.32 With regard to Cotswold AONB Guidelines and Context, the site is situated within the Cotswolds AONB and as such any new development is required to be sympathetic to the sensitive landscape setting. More specifically the site lies within Landscape Character Type (LCT) 9: High Wold Dip Slope and Landscape Character Area (LCA) 9D: Cotswolds High Wold Dip Slope, as defined by the Cotswold AONB Landscape Strategy and Guidelines (June 2016).

10.33 While the guidelines do not cover truck stop facilities specifically, there are useful recommendations with relation to isolated development and road upgrading improvements.

10.34 Isolated development is listed as one of the local forces for change within High Wold Dip Slope. Potential landscape implications of such development are stated as being;

- Visual intrusions introduced to the landscape;



- Erosion of the sparse settlement pattern of the High Wold Dip Slope;
- Introduction of 'lit' elements to characteristically dark landscapes;
- Upgrading of minor roads and lanes in areas of new development and introduction of suburbanising features such as gateways, kerbs, and lighting;
- Loss of tranquility and sense of seclusion;
- Suburbanisation and domestication of agricultural landscape by the introduction of gardens e.g. ornamental garden plants and boundary features, parking areas, lighting, and conversion of tracks to manicured drives and ornamental gateways;
- Appearance of 'mini parklands' out of context with the surrounding landscape;
- Appearance or extension of stables and 'white tape' field boundaries for horses and ponies...; and
- Damage to road verges and roadside hedges and walls and the creation of informal passing places

#### 10.35 The Cotswold Conservation Boards Landscape Strategy and Guidelines include;

- Avoid isolated development, that will intrude negatively into the landscape and cannot be successfully mitigated;
- Conserve areas of dark skies;
- Oppose new housing on the High Wold Dipslope (unless special circumstances apply in accordance with Paragraph 55 of the NPPF and development conserves and enhances the AONB as required by the CRoW Act 2000;
- Avoid conversion of isolated farm buildings;
- Conserve the distinctive rural and dispersed settlement pattern;
- Restore existing stone farm buildings and structures in preference to new built development;
- When restored or converted to new uses, buildings must retain their historic integrity and functional character. Sound conservation advice and principles must be sought and implemented;
- Maintain the sense of openness and consider the impact of built development, including cumulative development on views to and from the adjacent High Wold and Dip Slope Lowland;
- 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;
- Respect traditional position of agricultural buildings and their relationship to the surrounding land; and
- Introduce vehicle weight restrictions to prevent damage to verges and roadside boundaries.

10.36 Major road construction and improvement schemes is also listed as a local force for change within High Wold Dip Slope. Potential landscape implications of such development are stated as being;

- Intrusive features on the highly visible High Wold Dip Slope;
- Increased movement in the landscape;



- Urbanising affect;
- Loss of woodland and other sensitive habitats;
- Potential impact of additional road signage and lighting;
- Loss of tranquillity and excessive noise;
- Light and air pollution;
- Impact of road signs in the open landscape of the High Wold; and
- Loss of archaeological features and impact on the setting of heritage assets.

#### 10.37 Landscape Strategy and Guidelines include;

- Avoid major road building schemes;
- Ensure any scheme brings substantial net benefits for the landscape and is designed to conserve and enhance character of the landscape;
- Ensure comprehensive EIA and GLVIA are undertaken and their recommendations implemented;
- Implement traffic management schemes including speed reduction;
- Ensure careful and sensitive design of road proposals and associated infrastructure;
- Keep lighting to an absolute minimum and use 'Dark Sky friendly' lighting;
- Seek to prevent rat-running on local roads, restoring and enhancing the character and amenity of local settlements and road network;
- Restore redundant lengths of highway to agriculture or suitable habitat;
- Avoid over-engineering links to the local road network;
- Ensure landscaping design is fully in keeping with local character and land form;
- Minimise loss of woodlands and other sensitive habitats; avoid loss of semi-natural ancient woodland as an irreplaceable resource;
- Seek opportunities for habitat creation, particularly unimproved grassland, on verges and embankments and their long term management;
- Funding from highway authorities or Highways Agency for mitigation measures to be a precondition e.g. noise screening, quiet surfacing etc.; and
- Consider the potential for exposing geological features and their long term management.

10.38 One of the key characteristics and special qualities of the Cotswolds AONB is that of intrinsically dark skies and as such any new development is required to respond sympathetically to this. 'England's Light Pollution and Dark Skies Map' provided by the Campaign to Protect Rural England (CPRE), indicates that the site is influenced by the spill of light at the roundabout junction, north-west of the site. However, the site borders a darker gap to the south, between the roundabout junction and light spill from Stratton.

10.39 As already stated the site falls within the Cotswolds AONB and more specifically it lies within the High Wold Dip-Slope which is a transitional landscape with many of the characteristics of the High Wold and the Dip-Slope Lowland. It is considered that the gently sloping pastoral landscape contained within a strong framework of hedgerows and woodland is typical of this transitional landscape and the site reads as part of the wider rural AONB context.

10.40 A Landscape and Visual Impact Assessment (LVIA by Tyler Grange, Oct 2020) has been submitted in support of the proposal. In terms of the landscape effect, it states that;



'While the loss of part of the field parcel would be an adverse effect, given the scale of the wider agricultural and pastoral landscape and the potential to deliver a good fit with the receiving landscape this would be a local adverse effect. The mitigating effects of the earth-sheltered building alongside the retention of the landscape framework and implementation of the landscape proposals would seek to provide a neutral effect once established and would continue to maintain a certain pastoral character'.

10.41 Officers contend, however, that the site forms an integral part of the AONB landscape and assist in reinforcing the rural approach into Cirencester. Whilst noise from the A417 and the Gloucester Road are notable, this is considered not to dominate the character of the site. The site itself is open and has good connectivity with the surrounding countryside of the AONB landscape.

10.42 As part of the LVIA, an assessment of views from the surrounding landscape context was undertaken and it is identified that views of the site are limited to those obtained in close proximity of the site boundaries, including road users of the Gloucester Road, users of Ermin Way Farm and recreational users of Cirencester Golf Club. No views were identified from Public Rights of Way routes. It is concluded within the LVIA that with the landscape mitigation a neutral visual effect would arise, this is from all three receptors.

10.43 Whilst Officers agree that views of the site are limited, the short-medium term visual effects have not been assessed. Additionally while viewpoints at night are provided the impacts of lighting are not identified. Officers also agree that the proposed mitigation planting will help to assimilate the development into the landscape context. It is important to note, however, that this planting will take significant time to establish over a 10-15 year period.

10.44 In terms of the effects on users of the Gloucester Road, it is considered that this route would primarily effect views of motorists and as such the focus would primarily be on the road and the view would be transitory. However, it is also considered that this route is sensitive to change, as it forms a pleasant rural approach into Cirencester from the north, with far reaching views of the town and the Grade I Listed Parish Church tower for those heading south. While existing vegetation along the road provides some screening, this is scattered with large gaps and as such open views of the site, proposed facilities building, parked trucks and lighting would be available from here. Views of the site also open up further during winter months with no leaf cover.

10.45 With regard to lighting, the area is influenced by light spill at the A417 roundabout junction. However, it is important to note that the site is positioned on the boundary of a darker gap between the roundabout junction and Stratton and the introduction of lighting to the site would extend the zone of light into the darker gap. While the use of low level bollard type lights would help to reduce the level of light spill, the introduction of lighting to an existing undeveloped site, along with vehicle headlights would result in a detrimental visual impact.

10.46 The other discernible change to the site would be the creation of a new access point to the western boundary. The new access would join Gloucester Road and would act as the principle vehicular access into the site. The Proposed Access Arrangements plan (SK01 D) indicates that the access would need to be wide enough to accommodate two way traffic and it would also widen at the entrance to accommodate the swept path of an articulated lorry. Officers therefore consider that the introduction of a wide tarmacked access point with road markings and vehicle movements would result in a detrimental urbanising impact.



10.47 In terms of the proposed truck stop facility, the layout has attempted to respond to its context with development set back from the road and the incorporation of mitigation planting to the boundary of the site. Furthermore the proposed facilities building would be an earth sheltered design. While these mitigation measures are commendable, this does not overcome Officer's principal concerns. The proposals would result in the discernible encroachment of development into the open countryside and will replace an agricultural field with built development. The position of the development in an isolated rural location would be evident from local views from Gloucester Road.

10.48 Overall, the proposed scheme would result in the encroachment of development into the AONB countryside. The site reads as part of the wider AONB rural landscape and contributes to the pleasant rural approach into Cirencester. The site is situated within an isolated location, remote from existing development. The introduction of surfacing, up to 75 parked trucks, 15 parked cars / vans, lighting and a facilities building would be visible from local public viewpoints. It is accepted that the landscape and visual effect would lessen over time with the establishment of mitigation planting, but this would take significant time to establish and as such, in the short to medium term, the development would be prominent in views and the significant change to the site would result in similarly significant detrimental effects. On balance, it is considered that the proposed development would fail to conserve or enhance the natural beauty of the AONB and would be contrary to Section 85 of the Countryside and Rights of Way (CROW) Act 2000, Cotswold District Local Plan Policies EN2, EN4 and EN5 and NPPF paragraphs 174 and 176.

#### **(d) Highway Safety**

10.49 Section 9 of the NPPF advocates sustainable transport, including safe and suitable accesses to all sites for all people. However, it also makes it clear that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network are severe.

10.50 Local Plan Policy INF4 (Highway Safety) supports development that is well integrated with the existing transport network and beyond the application site, avoiding severance resulting from mitigation and severe impact upon the highway network. Developments that create safe and secure layouts and access will be permitted.

10.51 Local Plan Policy INF5 (Parking Provision) seeks to ensure sufficient parking provision to manage the local road network.

10.52 The proposed plans show a new entrance to be provided onto the Gloucester Road. The impact upon the local road network from vehicles visiting the site has been subject to considerable objection from Parish Councils and members of the public.

10.53 Due to the proposed impact on the nearby A417/A419 trunk road, Highways England have been consulted upon the proposal and have raised no objection to the proposal.

10.54 With regard to Gloucestershire Highways, no objection has been raised subject to conditions being recommended in the event of permission being granted. They have commented that the proposed development would not generate additional trips on the network other than by staff, as those trips are already on the network.



10.55 The comments continue to state that access/egress to and from the site is proposed to be only achieved north via the A417. The proposed weight restrictions along Gloucester Road, are to be relocated immediately to the south of the proposed site access to reinforce this matter.

10.56 The proposed access has also been designed to ensure all vehicle movements are required to access and egress the site from and to the north by physically restricting vehicle movements. It is considered that the proposed alterations, including removal of the existing layby, can be addressed through a Section 278 Agreement should planning permission be granted.

10.57 Overall, it is considered that the effects of the proposal would not result in a severe impact on the safety and operation of the surrounding local and strategic highway network, and that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are, therefore, considered to be no justifiable grounds on which an objection could be maintained in terms of highway impacts.

### **(e) Biodiversity**

10.58 Section 15 of the NPPF seeks to ensure development minimises the impact on and provided net gains for biodiversity.

10.59 Local Plan Policy EN8 supports development that conserves and enhances biodiversity and geodiversity, providing net gains where possible.

10.60 The Preliminary Ecological Appraisal (PEA) report submitted with the application has identified low potential for roosting bats in two ash trees which are shown to be retained, with the remainder of the site being considered semi-improved grassland with some areas of wild flowers. As mitigation for the development, the PEA refers to the additional tree planting the around the site, which is to be planted in species to reflect the landscape i.e. Ash, Beech, Oak and Wild service supplemented with Hazel, Field Maple and Hawthorn. In addition, grasses and wildflowers are proposed to be planted. Reference is also made to appropriate lighting.

10.61 By way of enhancement, the provision of bat and bird boxes is proposed, as well as the remaining field to the east of the application site not having an artificial fertiliser used and either being grazed or cut for a hay crop in July to encourage the spreading of wildflowers.

10.62 Officers have requested that the plans be amended to include the mitigation and enhancements, so as to show that they may be delivered. At the time of writing, these amended plans are still awaited, and Members will be updated upon this matter at Committee.

10.63 Subject to the receipt of these plans, the proposal may then be considered to accord with Policy EN8 of the Local Plan, in addition to paragraphs 174 and 180 of the NPPF.

### **(f) Trees**

10.64 Having regard to Policy EN7 of the Local Plan, which seeks to preserve trees, hedgerows and woodland, there are few trees upon the site with these being along the perimeter of the site.



10.65 The applicant has been asked to provide a full tree survey compliant with BS5837:2012 to inform the Local Planning Authority of the number of trees and whether any are worthy of retention. There may be issues with Ash dieback that would also need to be considered.

10.66 At the time of writing this report is awaited, and Members will be updated upon this matter at the Committee meeting.

### **(g) Drainage and Flood Risk**

10.67 Policy EN14 of the Local Plan requires 'Development proposals must avoid areas at risk of flooding, in accordance with a risk-based sequential approach that takes account of all potential sources of flooding. Proposals should not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment as a result of flooding.'

10.68 Part 2 of this Policy requires a Flood Risk Assessment (FRA) for all application sites over 1 hectare in area. The NPPF provides national policy upon this subject at Section 14, with paragraph 159 stating 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.'

10.69 Paragraph 161 continues to state 'All plans should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property...'

10.70 The application site is within Flood Zone 1 as defined by the Environment Agency, and therefore has the lowest probability of flooding. A number of representations have raised this as a concern, considering the size of the application site and large area of hardstanding that would be provided.

10.71 The Flood Risk Assessment identifies that the nearest watercourse is approximately 950m to the south-west at Daglingworth, whilst levels across the site fall from 178.4m AOD in the north eastern corner to 171.5m AOD in the south-western corner. The underlying bedrock geology is limestone, with the soil underlying the site being freely draining.

10.72 The hardstanding area to be drained extends to 1.61 hectares, and the FRA refers to two infiltration basins being provided on either side of the access to the site. That to the north would drain 11,500 sq. metres (1.15 hectares), that to the south 4,600 sq. metres (0.46 hectares). The drainage calculations indicate that this would accommodate a 1 in 100 year storm event, plus an allowance of 40% for climate change.

10.73 In terms of water quality and the risk of pollution, a Class 1 Petrol Interceptor would be included within the surface water design to intercept any oil/petrol run off from the large parking area prior to discharge to ground. It is also stated that infiltration as a means of surface water disposal provides additional water quality benefits and the infiltration basin shall be landscaped to provide further filter qualities.

10.74 Consultation has been carried out with the Lead Local Flood Authority, who have commented that the submitted Drainage Strategy and Flood Risk Assessment is sufficiently



detailed that no objection is raised and, in the event of planning permission being granted, no conditions would be recommended.

10.75 With regard to surface water drainage, Thames Water has commented that if the developer follows the sequential approach to the disposal of surface water there would have no objection. The proposed drainage strategy is considered to accord with this, and as such the proposed drainage of the site would accord with Policy EN14 of the Local Plan and Section 14 of the NPPF.

## **11. Conclusion:**

11.1 In reaching a decision upon this application, Members need to balance the arguments put forward by the applicants in support of the proposal, against the impact of such a form of major development within the Area of Outstanding Natural Beauty (AONB). As included within paragraph 177 of the NPPF:

*Consideration of such applications should include an assessment of:*

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that can be moderated.*

1.2 Consideration should also be given to the fact that due to the site being within an AONB, the tilted balance inferred by paragraph 11(d) of the NPPF does not apply. For reference, this states the following:

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. 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.*

11.3 Paragraph 109 of the NPPF also requires consideration, which states:

*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. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use.*

11.4 The case advanced on behalf of the applicant has been fully considered. Nevertheless, in the opinion of Officer's the tests within paragraph 177 are not met.

11.5 It is not clear as to what the impact or benefit upon the local economy would be or the scale of any such benefits. There would be some job creation for those employed at the



site, but the primary objective is to provide a facility for drivers passing through the District along the A417/A419 corridor. Due to weight limit restrictions, those drivers would not be very unlikely to significantly support the local economy, i.e. using facilities within Cirencester.

11.6 With regard to need, the information advanced in support of the application does not demonstrate satisfactorily why such a large scale facility has to be located upon this site, located in open countryside within the AONB. It is noted that the Sequential information provided does not include the area south of the Spine Road Junction, and considering that the AONB designation ends near to the Burford Road Junction it is queried why the search does not extend into this area more thoroughly.

11.7 For the reasons stated above, the harm caused to the landscape would be significant. The Cotswolds AONB is a nationally important and valued landscape and as such the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

11.8 As articulated in the recommended reason for refusal, the introduction of surfacing, the facilities building, along with articulated trucks, cars, lighting and a new access would form an incongruent addition to the landscape and would result in detrimental urbanising effects that mitigation landscaping would not overcome.

11.9 Furthermore, the supporting text to Policy INF5 refers to the County Council's Local Transport Plan (LTP), which was taken into account in the formulation of the policy wording and specific reference would have been included in the policy if a need for strategic parking had been identified within the District, which was not the case. Whilst the LTP has been updated since the Local Plan adoption, there is still considered to no such specific District requirement.

11.10 The proposal is therefore considered to be contrary to the policies in the Development Plan and the National Planning Policy Framework, which are not outweighed by any other material planning considerations. The recommendation is for planning permission to be refused.

## **12. Reasons for Refusal:**

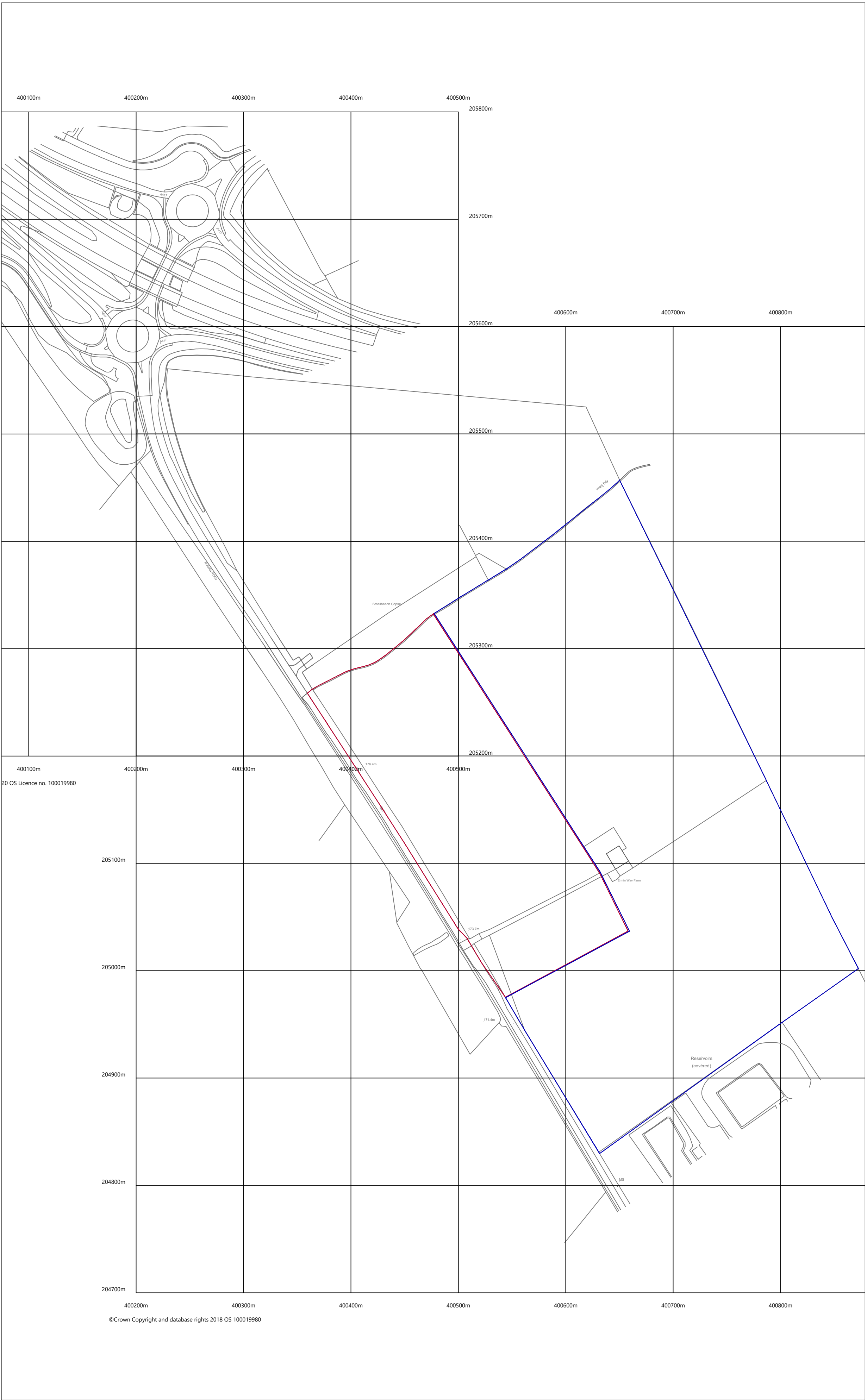
1. The site lies within the Cotswolds AONB, wherein the Local Planning Authority is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape. The proposal would represent harmful and insufficiently justified major development within the AONB. Additionally, the proposed development would result in the encroachment of development into the open countryside and the replacement of an area of agricultural land that reads as part of the wider AONB rural landscape and contributes to the pleasant rural approach into Cirencester. The position of the development in an isolated rural location and remote from existing development would be evident from local viewpoints.

2. The introduction of surfacing, facilities building, along with articulated trucks, cars, lighting and a new access would form an incongruent addition to the landscape and would result in detrimental urbanising effects. Mitigation landscaping would not overcome the fundamental concerns.



3. It is also considered that the three tests within paragraph 177 of the NPPF are not satisfactorily addressed, and that the requirement for exceptional circumstances to be demonstrated is not met. The proposal would fail to conserve or enhance the natural beauty of the AONB and would be contrary to Section 85 of the Countryside and Rights of Way (CROW) Act 2000, Cotswold District Local Plan Policies EN2, EN4 and EN5 and NPPF paragraphs 174, 176 and 177.





rev.	date	description	drawn
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absolute  
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company number 6853959 VAT Reg No. 934 5463 12

project title  
PROPOSED TRUCKSTOP AND FACILITIES BUILDING  
LAND OFF ERMIN WAY, CIRENCESTER

drawing title  
IMAGES

scales	drawn
1:2500	SB
date	number
18.09.20	666-003A

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c	18.09.2020	redrawn
b	28.02.2020	Facilities building repositioned
rev.	date	description

absolute

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company number 6853959 VAT Reg No. 934 5463 12

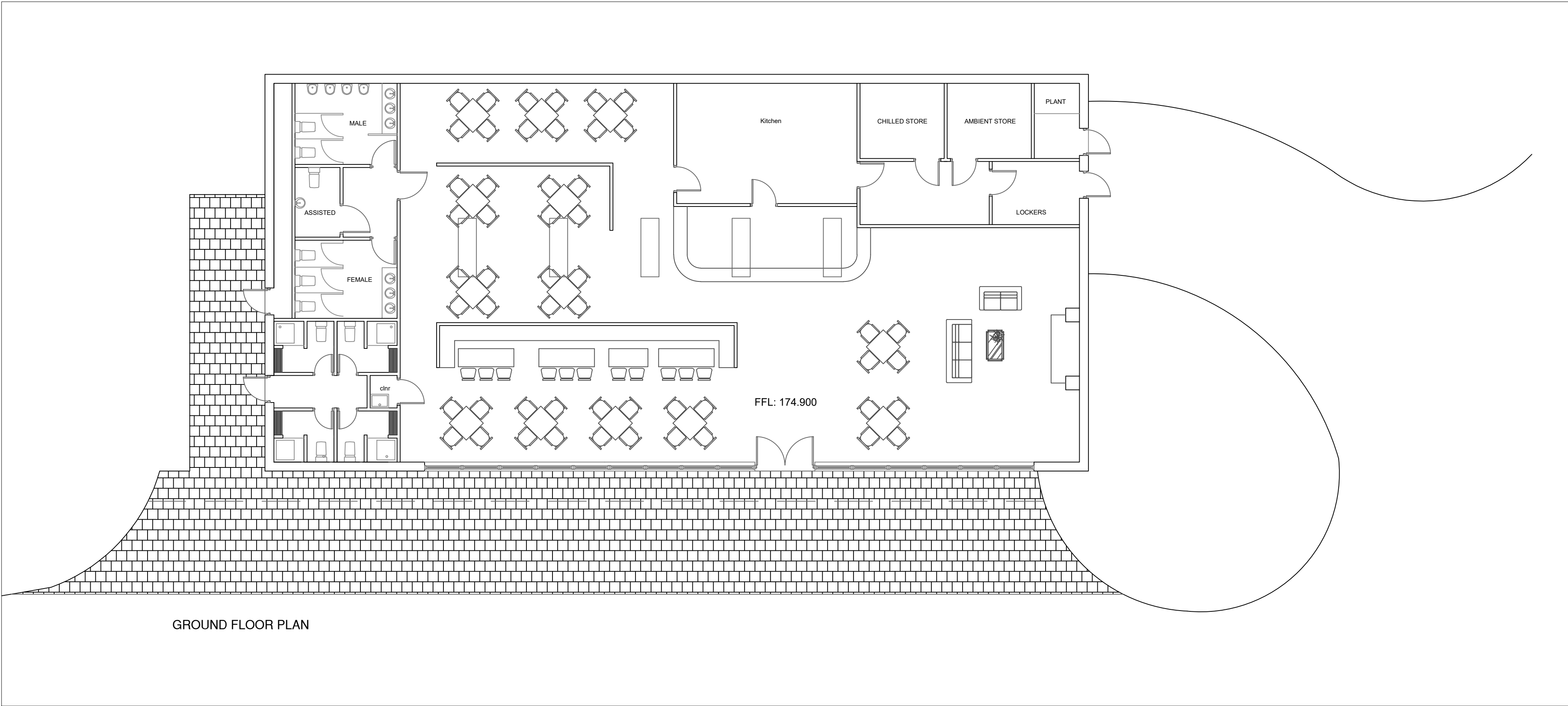
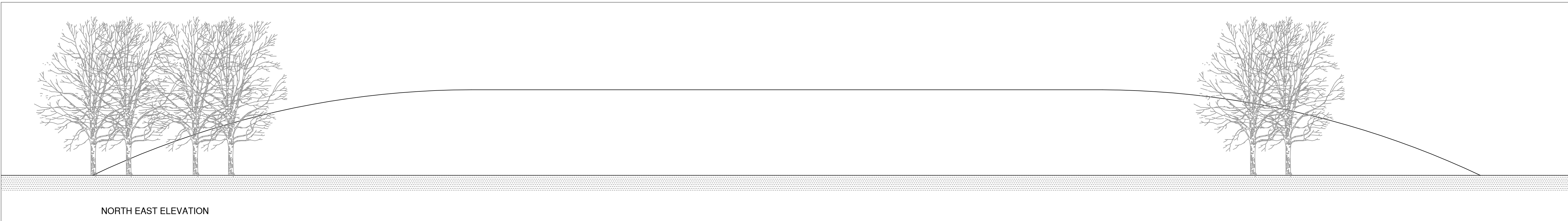
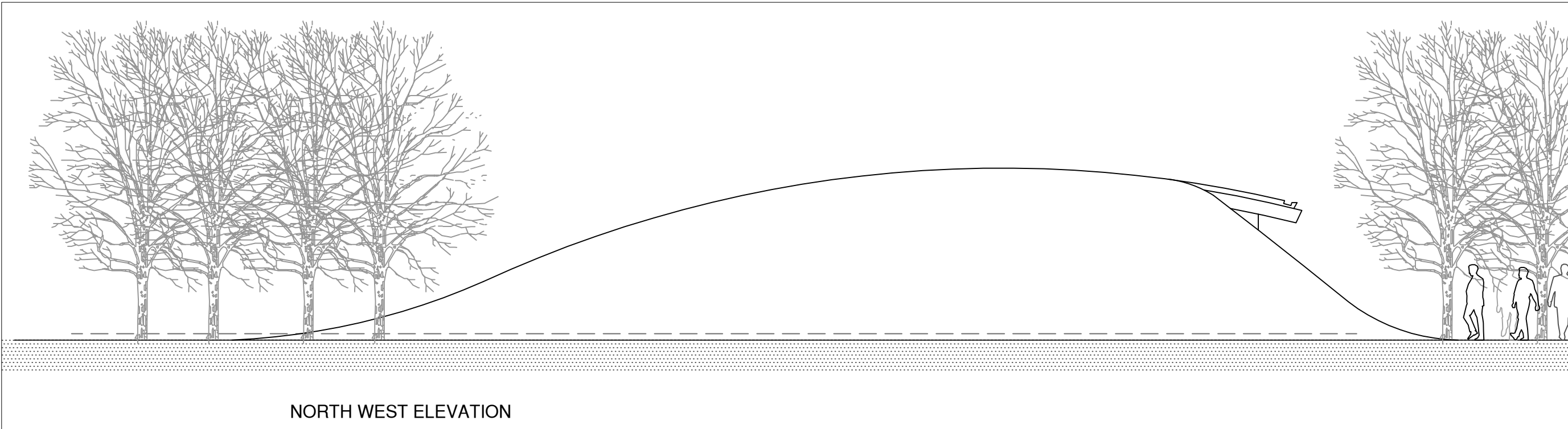
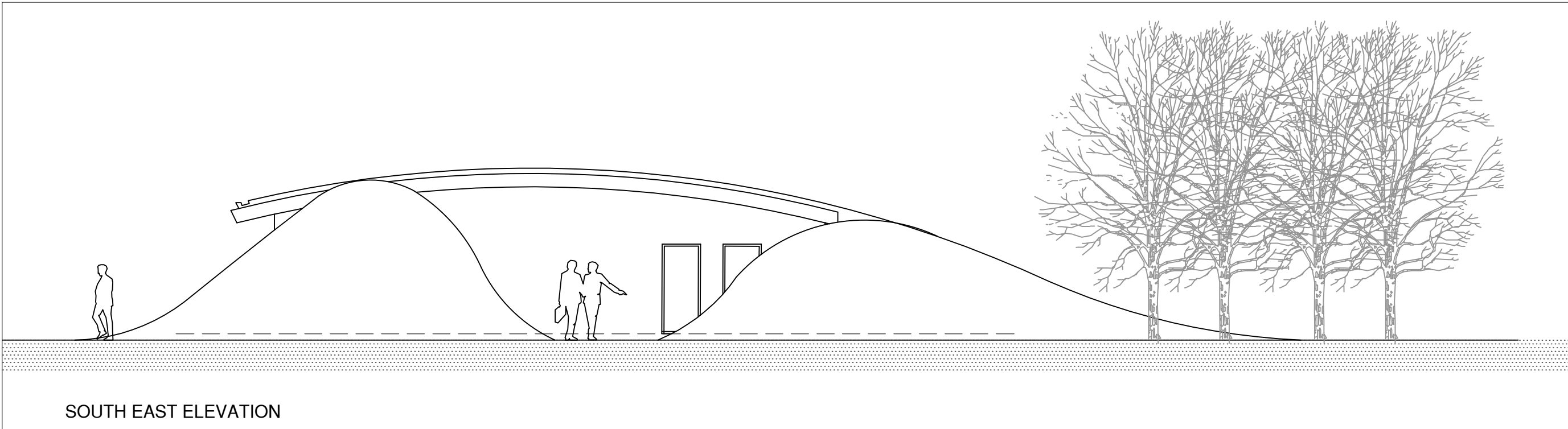
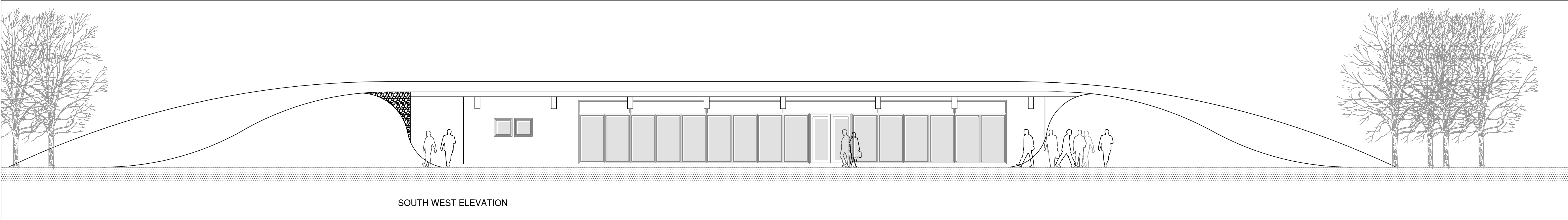
project title  
PROPOSED TRUCKSTOP AND FACILITIES BUILDING  
LAND OFF ERMIN WAY, CIRENCESTER

drawing title  
SITE PLAN

scales	drawn
1:500	SB
date	number
14.11.18	666-002C

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project title  
PROPOSED TRUCKSTOP AND FACILITIES BUILDING  
LAND OFF ERMIN WAY, CIRENCESTER

drawing title  
GENERAL LAYOUT

scales	drawn
1:1250	SB
date	number
14.11.18	666-001A

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Notes

1. Layout is shown as an indicative solution only and is subject to consultation and discussion with the Highway Authority.
2. The layout is partially based on the available OS data and may be subject to on-site constraints or variations to the existing road widths.
3. Visibility splays have been shown based on a 60mph speed limit.
4. There is an existing weight limit of 7.5t (except for loading) in force on Gloucester Road. The associated Traffic Regulation Order will require an amendment to enable access to the site from the A417 with the northern extent of the existing Order being moved south of the access position.

- Highway Boundary
- Existing Road Level
- 1.05m to 0.6m Visibility
- 0.6m to 1.05m Visibility



COTSWOLD  
TRANSPORT  
PLANNING

CLIENT:

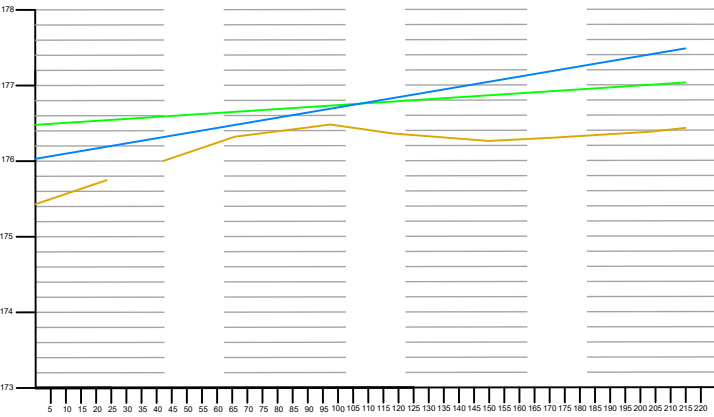
PROJECT:  
Cirencester Truck Stop

TITLE:  
Proposed Access  
Arrangements

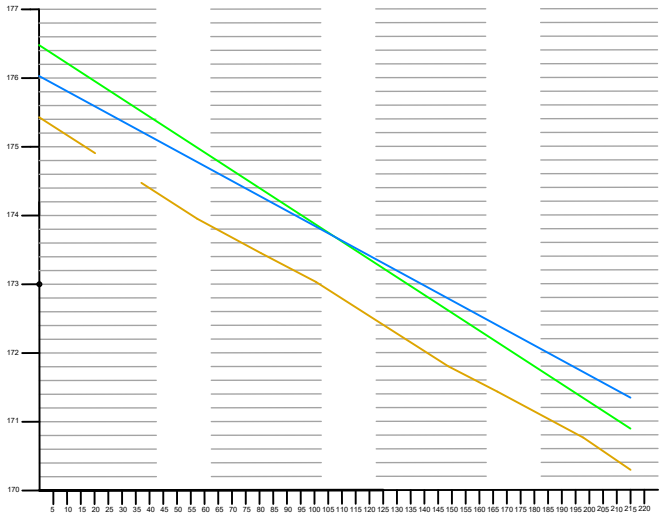
STATUS:  
**INFORMATION**

SCALE @ A3: As Shown	DATE: 08.12.20	DRAWN: TG	CHECKED: MG	APPROVED: MG
JOB NO: CTP-18-374	DRAWING NO: SK01	REVISION: D		

Vertical Visibility  
Splay - North  
Scale 1:500



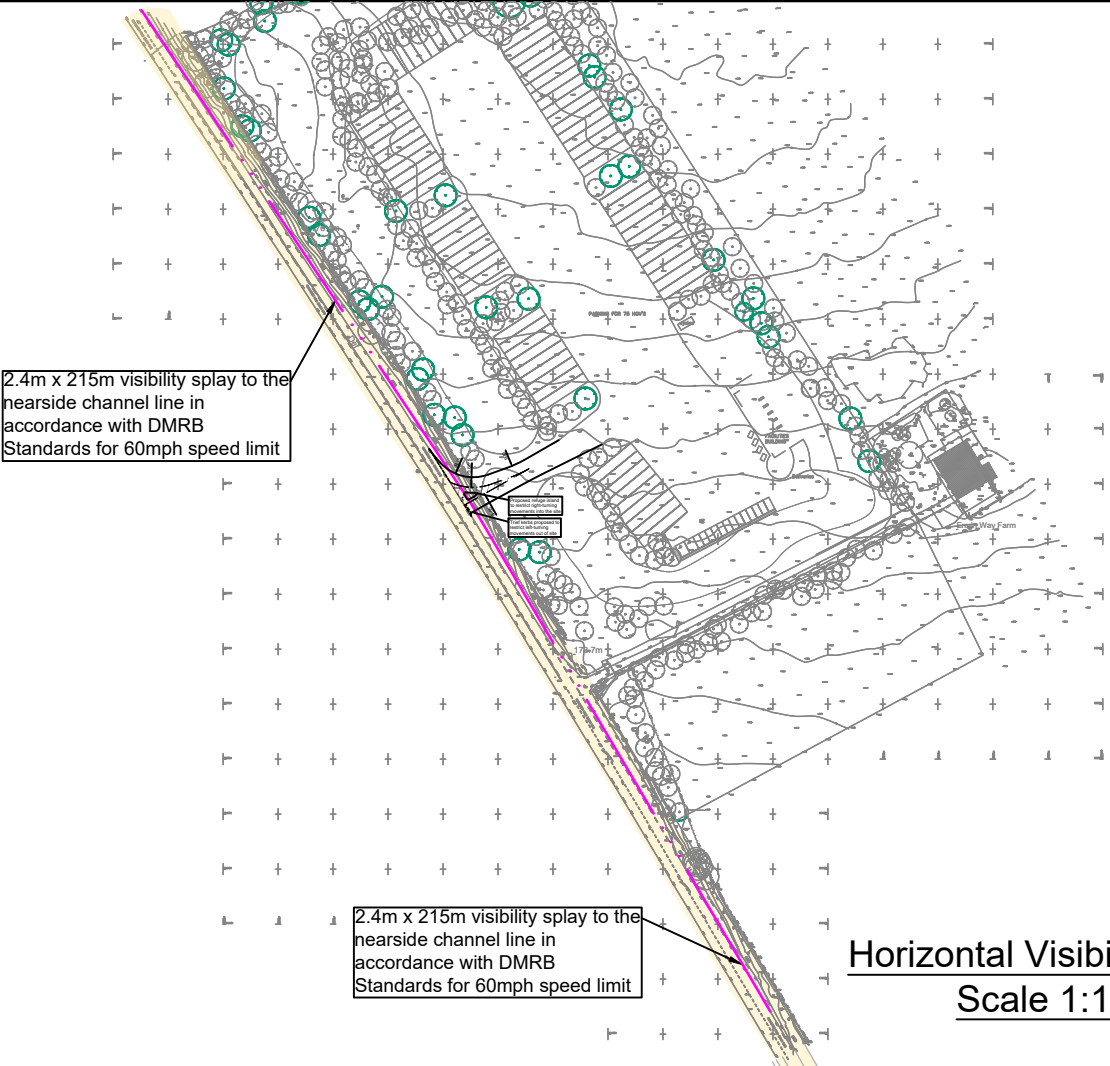
Vertical Visibility  
Splay - South  
Scale 1:500



2.4m x 215m visibility splay to the  
nearside channel line in  
accordance with DMRB  
Standards for 60mph speed limit

2.4m x 215m visibility splay to the  
nearside channel line in  
accordance with DMRB  
Standards for 60mph speed limit

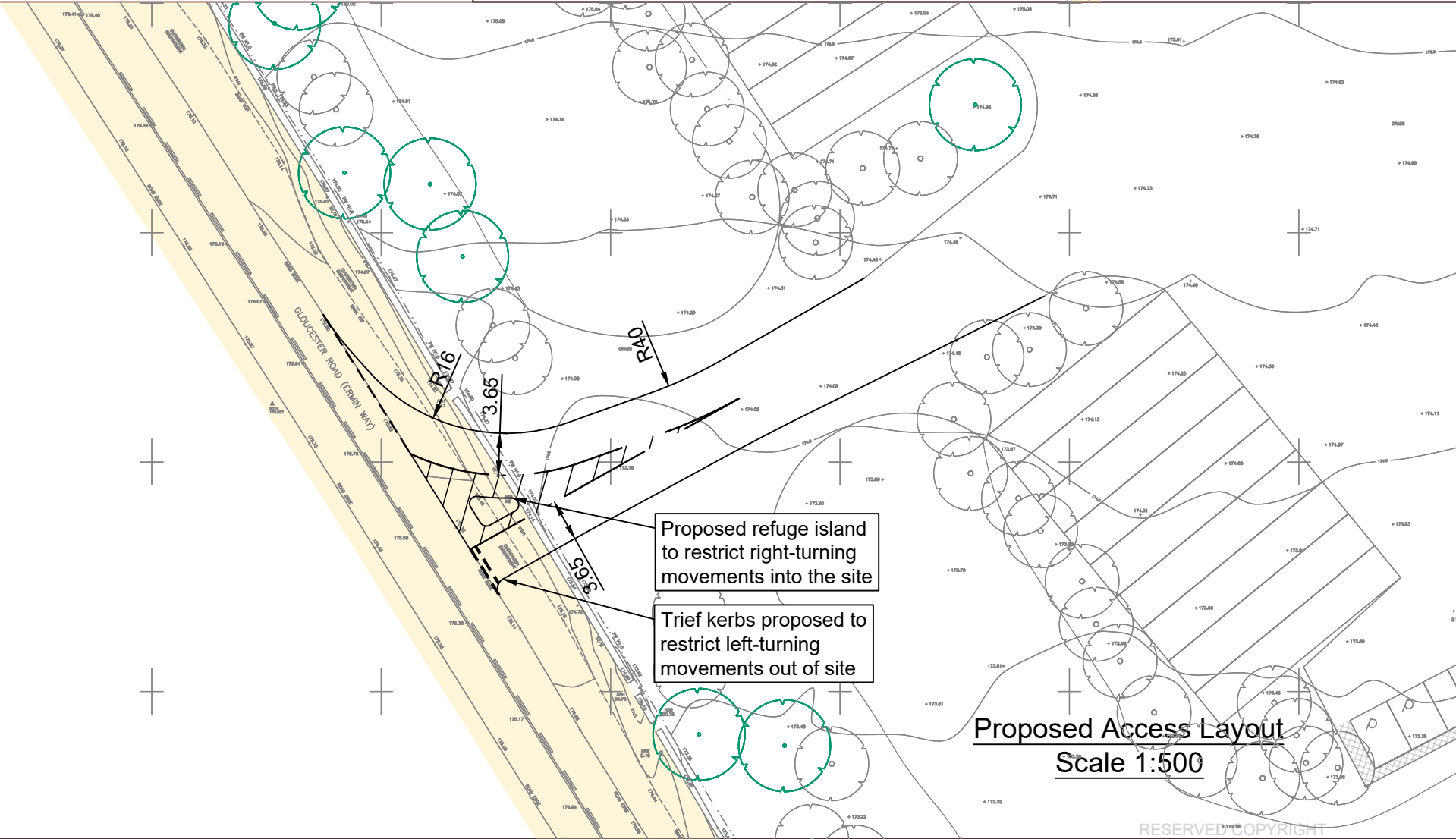
Horizontal Visibility Splays  
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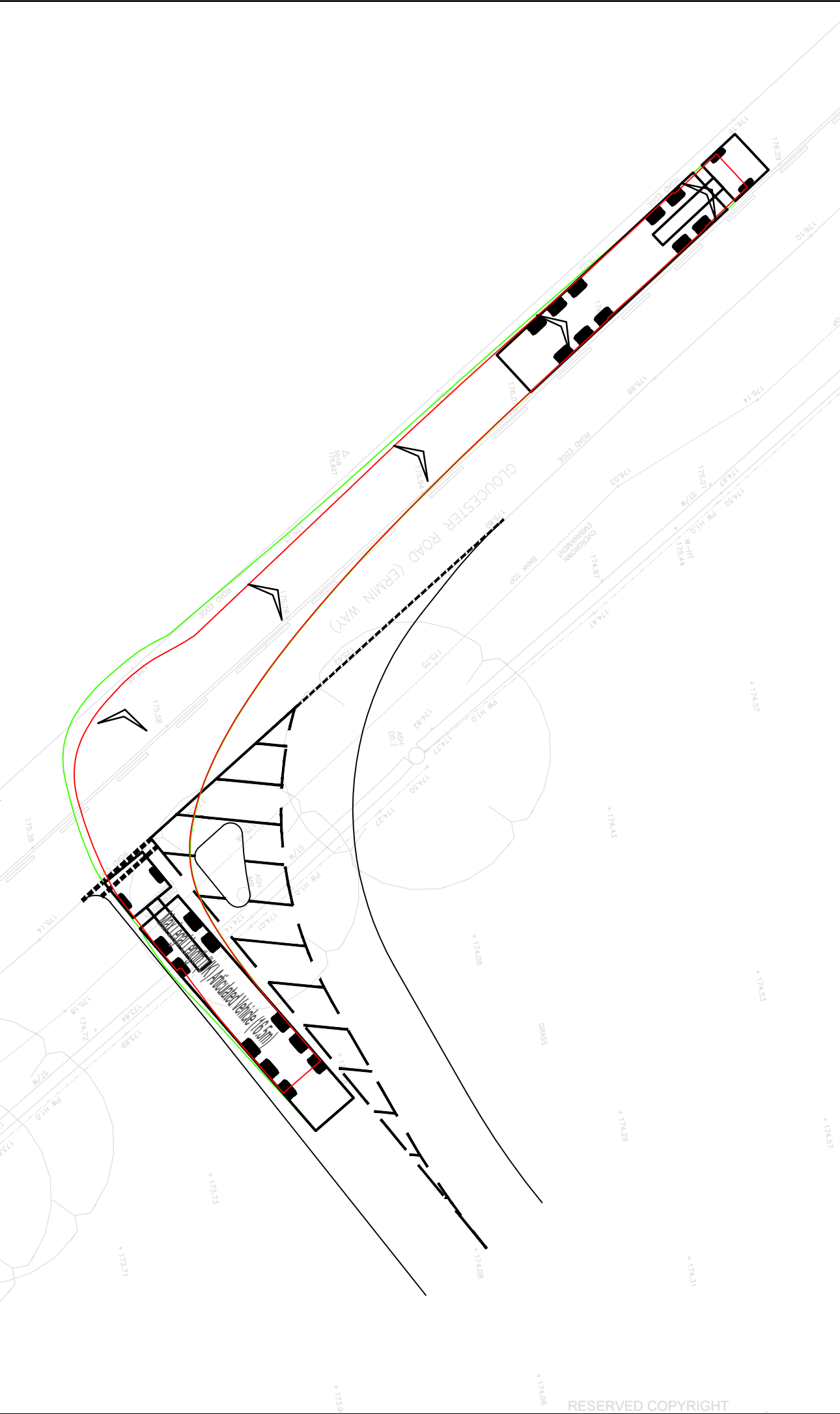
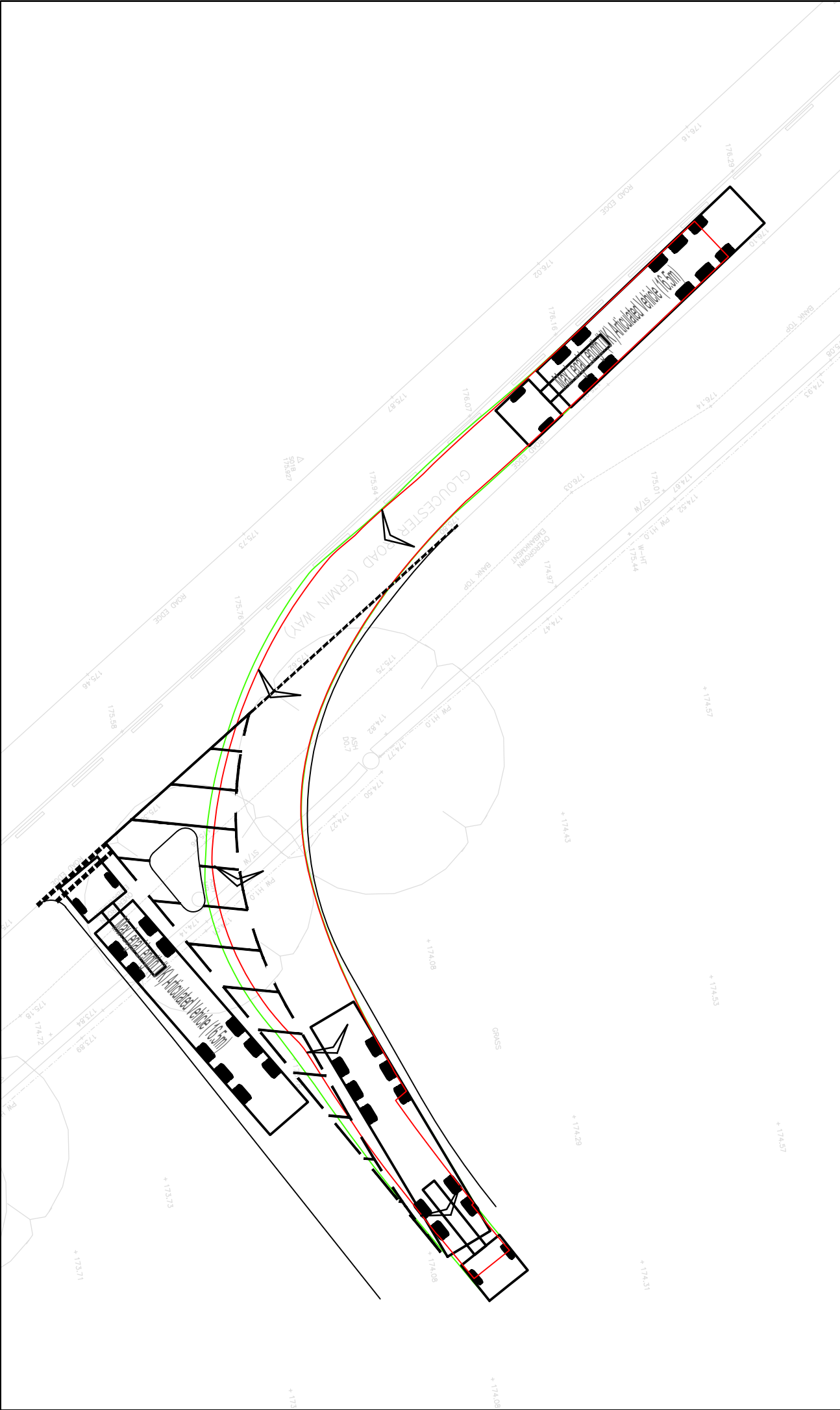
Proposed refuge island  
to restrict right-turning  
movements into the site

Trief kerbs proposed to  
restrict left-turning  
movements out of site

Proposed Access Layout  
Scale 1:500

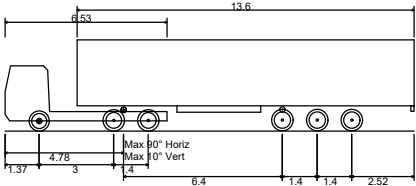






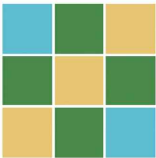
Notes

1. Layout is shown as an indicative solution only and is subject to consultation and discussion with the Highway Authority.
2. The layout is based solely on the available OS data and may be subject to on-site constraints or variations to the existing road widths.



Max Legal Length (UK) Articulated Vehicle (16.5m)	16.500m
Overall Length	2.550m
Overall Width	3.681m
Overall Body Height	0.411m
Min Body Ground Clearance	2.500m
Max Track Width	6.00s
Lock to lock time	6.530m
Kerb to Kerb Turning Radius	

Rev	Date	Details	Drawn by	Checked by



COTSWOLD  
TRANSPORT  
PLANNING

CLIENT:

PROJECT:  
Cirencester Truck Stop

TITLE:  
Swept Path Analysis -  
Maximum Legal Articulated  
Lorry

STATUS:  
**INFORMATION**

SCALE @ A3: 1:250	DATE: 16.09.20	DRAWN: BF	CHECKED: MG	APPROVED: MG
JOB NO: CTP-18-374	DRAWING NO: SP02	REVISION: -		



**Boundary Trees**  
New native tree planting will be introduced along the boundaries to enhance the view filtering effects of the features and minimise light spill. The use of a variety of species will provide biosecurity and safeguard the feature as a buffer should a single species be subject to disease or dieback.



Existing western boundary tree cover to be strengthened with multiple layers of vegetation.

Trees and ornamental planting within the internal area of the proposed development will provide an extra layer of vegetation to soften the effects of the scheme and further minimise the level of light spill, retaining the dark skies.




**Hedgerow**  
The existing hedgerow will be retained along Gloucester Road and enhanced where appropriate. The hedgerow provides a variety of benefits including landscape, visual and ecological benefit.

Large offset to Smallbeech Copse and Gloucester Road assists in minimising the impact on these features and provides an amenity grass space for users of the proposed development.


Multiple layers of proposed vegetation along the eastern and southern boundaries will enclose the site and offer a visual and audible buffer to the surrounding landscape whilst providing a good landscape fit and wildlife connections.

Proposed facilities building to be earth-sheltered. This will nestle in with the surrounding landscape which will minimise the impact upon the rural character of the AONB.






Site Boundary




Existing Vegetation




Indicative Proposed Vegetation

**Boundary Trees**  
Suggested Species to be included in the mix:




*Tilia x europaea*  
(Lime)




*Acer pseudoplatanus*  
(Sycamore)



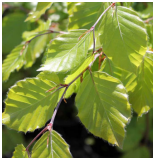
*Prunus avium*  
(Wild Cherry)



*Quercus robur*  
(English Oak)




*Acer campestre*  
(Field Maple)




*Fagus sylvatica*  
(Beech)

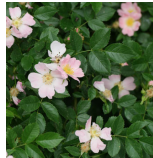
**Understorey Planting**  
Suggested Species to be included in the mix:



*Corylus avellana*  
(Hazel)



*Crataegus monogyna*  
(Hawthorn)



*Rosa canina*  
(Dog Rose)



*Ilex aquifolium*  
(Holly)



*Cornus alba*  
(Dogwood)

Project

Land off Gloucester Road, Stratton

Drawing Title

Landscape Strategy

Scale

NTS

Drawing No.


13743/P07

Date

October 2020

Checked

LS



Tyler Grange

Mariden Estate, Rendcomb, Cirencester, Gloucestershire, GL7 7EX  
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Rachel Gaskell  
Planning Department  
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Trinity Road  
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By email only to: [Rachel.Gaskell@publicagroup.uk](mailto:Rachel.Gaskell@publicagroup.uk) & [planning@cotswold.gov.uk](mailto:planning@cotswold.gov.uk)

23 March 2021

Dear Rachel,

**APPLICATION NO:** 20/04673/FUL

**DESCRIPTION:** Provision of a new secure roadside truck stop facility, including associated HGV and car parking, drivers' facilities building, vehicular access, service yard and landscaping

**LOCATION:** Land at Gloucester Road, Stratton, Gloucestershire

Thank you for consulting the Cotswolds Conservation Board ('the Board') on planning application 20/04673/FUL, for which the proposed development would be located in the Cotswolds National Landscape (the new name for the Cotswolds Area of Outstanding Natural Beauty (AONB)).

The Board recognizes the importance of the haulage industry and the provision of facilities for truck drivers at suitable locations. We also acknowledge that the AONB designation doesn't provide a fundamental barrier to development. However, development proposals within the Cotswolds National Landscape should be compatible with – and positively contribute to – the statutory purpose of designation, which is to conserve and enhance the natural beauty of the area.

In this instance, as outlined below, we do not consider that the proposed development would be compatible with this statutory purpose. Indeed, we consider that it would have a significant adverse impact. For this reason we object to the proposed development and recommend that planning permission should be refused.

#### Landscape Character

The proposed development would be located on relatively isolated site in a rural setting over 1km from the nearest settlements. The site currently reflects the landscape character of the area. We consider that the development of a truck stop that would accommodate 75 trucks on a 3.6ha site, in this location, would have a significant adverse impact on landscape character. We acknowledge that the proposed mitigation would help to reduce the visual impact of the development. However, we consider that this mitigation, in itself, would also not be compatible with the landscape character of the area. Whilst we acknowledge the proximity of the A417, we do not consider that this significantly influences the character of the site.

#### Tranquillity

The proposed development would increase HGV movements on Gloucester Road from the current baseline of zero to approximately 620 two-way movements in a 24 hour period, with up to approximately 42 two-way movements in peak hours. In contrast to the background 'hum' of traffic

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The Cotswolds National Landscape is a designated Area of Outstanding Natural Beauty (AONB), managed and looked after by the Cotswolds Conservation Board.

[cotswoldsaonb.org.uk](http://cotswoldsaonb.org.uk)

*Chairman:*

**Brendan McCarthy**

*Vice Chair:*

**Rebecca Charley**



on the A417, these HGV movements would have a much more significant aural impact, including: HGVs revving up, accelerating and / or idling; hydraulic brakes being applied and released; and reversing alarms. We consider that these HGV movements and associated noise (and visual disturbance from headlights) would result in a significant adverse impact on the tranquillity of the Cotswolds National Landscape. This impact would be 24 hours a day, seven days a week.

### Visual Impact

We consider that visual impacts are likely to be less significant than impacts on landscape character. However, we do have a number of concerns, as outlined below.

The applicant's Landscape and Visual Impact Assessment (LVIA) fails to adequately address the visual impacts that are likely to occur before the proposed planting becomes well established. It also fails to consider the visual impacts in winter conditions and does not provide any visualisation of what the proposed development would actually look like from the selected viewpoints.

With regards to impacts on views from Gloucester Road, we consider that the proposed development (and, in particular, its use) would be highly intrusive in the short term. Whilst this impact would reduce over time, because of the proposed tree and hedgerow planting, we consider that there may still be some residual adverse visual impacts in the longer term.

We acknowledge that the visual impacts associated with views from public rights of way are likely to be less significant. However, again, we consider that there may still be some residual adverse visual impacts for some of these viewpoints in the longer term, particularly in winter conditions.

### Dark skies

The applicant asserts that light pollution will be minimized as a result of the proposed tree, hedgerow and ornamental planting and through the provision of 'low-level' lighting. However, we are concerned that the supporting information provides very little information on the proposed lighting or its potential impacts. Also, although the applicant emphasizes low-level lighting, their supporting information indicates that there will be rows of tall 'lamp-posts' which will be approximately twice the height of the HGV cabs. As such, we consider that there is a high likelihood that the proposed development would introduce a significant 'lit element' into what would otherwise be a relatively dark, night-time landscape. We consider that this lighting could potentially be seen over a considerable distance, particularly in the short term and in winter conditions.

### Major Development

We consider that the proposed development constitutes major development, in the context of paragraph 172 of the NPPF. We do not consider that the applicant has demonstrated exceptional need for the development. Nor have they addressed the scope for developing outside the Cotswolds National Landscape or meeting the need in some other way. Whilst we recognise that the development would provide some benefits, we do not consider that these benefits outweigh the great weight that should be given to the significant adverse impacts that we have identified. As such, we consider that it will be necessary to refuse planning permission.

### Tilted Balance

We consider that, even if there is a 'policy gap' with regards to truck stops, the 'tilted balance' in favour of granting planning permission should not apply. This is because the significant adverse impacts on the Cotswolds National Landscape that we have identified provide a clear reason for refusal, in line with paragraph 11di of the National Planning Policy Framework (NPPF).



### Policy Context

Based on the points outlined above we consider that the proposed development would not comply with national planning policy or with the policies of the Cotswold District Local Plan. Nor would it be consistent with the policies of the Cotswolds AONB Management Plan 2018-2023.

### Further information required

Without prejudice, if Cotswold District Council is minded to give this proposal further consideration, we recommend that the applicant should be required to provide a more comprehensive Landscape and Visual Impact Assessment (LVIA). This should including an assessment of impacts in the short term and in wintertime conditions. Photomontages of the proposed development, as viewed from key viewpoints, would be helpful in relation to these recommendations. The applicant should also be required to provide more comprehensive details of the proposed lighting and assess whether the proposal would comply with guidelines on obtrusive light limitations.

Further information on these points is provided in Appendix 1, below.

If you have any queries regarding these comments, please do get in touch.

Yours sincerely,



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**APPENDIX 1. COTSWOLDS CONSERVATION BOARD COMMENTS ON PLANNING APPLICATION  
20/03326/OUT**

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## IMPACTS ON LANDSCAPE CHARACTER

### Landscape Character

The Cotswolds AONB Landscape Character Assessment identifies 19 different landscape character types (LCTs) within the Cotswolds National Landscape.<sup>1</sup> Each LCT is further divided into a number of landscape character areas (LCAs). The proposed development would be located within LCT 9 (High Wold Dip Slope) and, more specifically LCA 9D (High Wold Dip Slope – Cotswolds High Wold Dip Slope).

The site (and the surrounding area) is characteristic of the large scale open fields, with little tree cover, that are a key feature of this LCT (albeit that the site appears to be pasture rather than arable). As such, it contributes to what the Landscape Character Assessment describes as *'a large scale landscape that is simple and smooth in texture'*.<sup>2</sup>

The nearest settlements (Stretton and Daglingworth) are over 1km away. As such, the site is in an isolated position, away from built development (other than the nearby farm).

These points are acknowledged in the applicant's Landscape and Visual Impact Assessment (LVIA), which states that the site:

- *'reflects some of the LCT and LCA characteristics of 9 and 9D'*;<sup>3</sup>
- *'lies within an immediate context which is agricultural land'*<sup>4</sup>; and
- *'lies within an isolated location in the Cotswolds AONB'*.<sup>5</sup>

We acknowledge that the A417 comes within approximately 200m of the site (rather than the 150m asserted in the applicant's LVIA).<sup>6</sup> We also acknowledge the proximity of the A417 junction approximately 320m north west of the site and the fact that this junction is well lit. However, this junction is in a cutting. As such, the lighting of the junction is unlikely to significantly influence the development site. Contrary to the assertions in the LVIA, this section of the A417, itself, does not appear to have any lighting.<sup>7</sup>

However, we strongly disagree with the assertion, in the appellant's Planning Statement, that the site is *'sandwiched'* between – and *'immediately surrounded by'* – the A417 and Gloucester Road.<sup>8</sup> That assertion would suggest that the A417 is directly adjacent to the site, which is clearly not the case. We also strongly disagree with the applicant's assertions that:

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<sup>1</sup> Cotswolds Conservation Board (2016) *Cotswolds AONB Landscape Strategy and Guidelines* ([link](#)).

<sup>2</sup> Cotswolds Conservation Board (2016) *Cotswolds AONB Landscape Strategy and Guidelines*. LCT 9 High Wold Dip Slope – Landscape Character ([link](#)).

<sup>3</sup> LVIA, paragraph 3.10.

<sup>4</sup> LVIA, paragraph 3.14.

<sup>5</sup> LVIA, Landscape Character Conclusion, page 9.

<sup>6</sup> The 200m distance was measured on the 1:25,000 Ordnance Survey map on the Defra Magic website.

<sup>7</sup> Based on a review of this section of the A417 on Google Earth.

<sup>8</sup> Planning Statement. Paragraphs 2.1 and 2.2.



- *'the site reads in the context of surrounding highway infrastructure'*<sup>9</sup> – the site has a strong rural character and people passing it on Gloucester Road, for example, experience it in this context;
- Gloucester Road constitutes *'urban form'*<sup>10</sup> – it is a relatively quiet, minor, rural road;
- the site is *'on the edge of the settlement'* of Stratton<sup>11</sup> (para 2.2), either contextually or otherwise – the edge of Stratton (which is a fairly small settlement) is over 1km away.

We acknowledge that the applicant is proposing a number of measures to mitigate impacts on landscape character. This primarily consists of planting multiple layers of vegetation on all site boundaries (apart from the northern boundary, which is adjacent to Smallbeech Copse) and tree and ornamental planting within the internal area of the site.

The key features of LCT 9 include *'a strong framework of hedges and woodland'*.<sup>12</sup> However, the existing woodland in this locality primarily consists of isolated, linear copses on the edge of fields. Larger areas of woodland are limited to steep valley slopes and formal parkland. There are no fields in this locality that are completely surrounded by thick copses on the full length of all four sides of the field. In addition, none of the fields in the locality have linear 'copse' type planting – or intermittent planting - within the internal area of the fields. The amount of tree planting that is being proposed would also not be characteristic of the sparse woodland cover in this area, particularly in the context of the relatively flat (or gently sloping) fields that occupy these more elevated, 'plateau' locations between the river valleys.

The applicant's LVIA states that the *'rectilinear field pattern that is evident in the local context and a recurring feature of the AONB will be retained and strengthened'*.<sup>13</sup> However, whilst the remaining area of field might be rectilinear (i.e. contained by straight lines) the intrusion of the proposed development will result in an incongruous, uncharacteristic and relatively small L-shaped field around the site, rather than the large, rectangular field shape that is characteristic of the area.

Based on the points outlined above, we consider that the proposed planting would not be compatible with the landscape character of the area.

Overall, contrary to the applicant's assertions<sup>14</sup>, we consider that proposal:

- does *not* fit in well within the receiving landscape;
- is *not* in accordance with the landscape context;
- would *not* be in keeping with the local character;
- would *not* enhance or enrich the landscape character or rural character;
- would *not* provide landscape benefits.

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<sup>9</sup> Planning Statement. Paragraph 2.1.

<sup>10</sup> Planning Statement. Paragraph 2.2

<sup>11</sup> Planning Statement. Paragraph 2.2.

<sup>12</sup> Cotswolds Conservation Board (2016) *Cotswolds AONB Landscape Strategy and Guidelines*. LCT 9 High Wold Dip Slope – Key Features ([link](#)).

<sup>13</sup> LVIA, paragraph 4.8.

<sup>14</sup> See the applicant's LVIA, paragraphs 4.8, 6.3 and 6.6 and Plan 7 for context.



In fact, we consider that the development of a large, paved parking area for HGVs (with associated infrastructure), in what is currently an isolated, rural location would have a fundamental and significant adverse impact on landscape character. The proposed mitigation would, itself, also have an adverse impact on landscape character.

We acknowledge that the currently proposed scheme is smaller scale than the proposal that was discussed with Cotswold District Council at the pre-application stage. However, we consider that this is, to a large degree, irrelevant. Each proposal / planning application should be considered on its own merits. Just because the current proposal is smaller scale – and potentially less harmful – than the pre-application proposal, does not mean that it would have a net-beneficial effect.

### Tranquillity

The tranquillity of the Cotswolds National Landscape is one of the area's 'special qualities'. As, such, although it is an integral component of landscape character it also merits being addressed in its own right. Adverse impacts on the tranquillity of the National Landscape (for example, as a result of noise pollution and other aural and visual disturbance) should be given great weight.

A key consideration, with regards to tranquillity, is potential increases in traffic movements. The applicant's Planning Statement asserts that *'the site is not a destination in its own right and will therefore not generate new trips other than those that would naturally occur in any event'*.<sup>15</sup> Whilst this might be true with regards to traffic movements on the A417, it is definitely not true for traffic movements on Gloucester Road, as outlined below.

We acknowledge that the HGV movements would be along a relatively short section of Gloucester Road (approximately 500m). However, Gloucester Road is in a relatively exposed position, at the top of the valley slopes that slope down towards Daglingworth, to the south west, and Stratton, to the south east. In this exposed position, the noise associated with HGV movements on Gloucester Road would easily be heard, particularly in Daglingworth.

In addition, Gloucester Road is currently a relatively quiet, minor, rural road. Any significant increase in vehicle movements (particularly HGV movements) could adversely affect the amenity of local users such as cyclists and walkers.

At present, the traffic related noise in the area would primarily relate to vehicle movements on the A417. This would primarily be a background 'hum' of vehicles moving at steady, fast speed along the A417. In contrast, the HGV movements from the A417 junction, on Gloucester Road, into and out of the site and in the site itself would involve a wide variety of intermittent and intrusive noise, including engines revving or idling, HGVs accelerating and decelerating, hydraulic brakes being applied and released, cab doors opening and shutting and audible reversing alarms.

For the reasons outlined above, we consider that the HGV movements along Gloucester Road and their impact on tranquillity are a very important consideration that have not be addressed by the applicant.

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<sup>15</sup> Planning Statement. Paragraph 6.34.



At present there is a seven tonne speed limit on Gloucester Road. As such, there are presumably no HGV movements on Gloucester Road at present. In contrast, the applicant's Transport Assessment identifies that the application site would expect to see 496 two-way vehicle trips during the 07:00 – 19:00 12 hour period (i.e. an average of 41 vehicle movements per hour).<sup>16</sup> The vast majority of these would presumably be HGV movements.

However, this is a 24 hour truck stop so there would be additional HGV movements between 19:00 and 07:00. If the number of vehicle movements at night time is, say, 25% of the day time movements, the site would expect to see 124 vehicle movements during the 19:00 – 07:00 12 hour period. Over 24 hours, the total number of vehicle movements would, therefore, be approximately 620. Again, the vast majority of these would presumably be HGVs.

So, overall, HGV movements on Gloucester Road would increase from a baseline of zero to approximately 620 in a 24 hour period and would average approximately 41 HGV movements per hour between the hours of 07:00 and 19:00. This would continue for 24 hours per day, every day.

The Board's Tranquillity Position Statement identifies that, as a 'rule of thumb', an EIA should potentially be considered where HGV movements on local roads would increase by 10% or more.<sup>17</sup> Based on the information outlined above, the increase in HGV movements is clearly significantly above this threshold.

On this basis we consider that the HGV movements from the A417 junction, on Gloucester Road, into and out of the site and within the site itself, would have a significant adverse impact on the tranquillity of the Cotswolds National Landscape in this locality.

It is worth noting that the applicant's Noise Assessment is based on just 16 vehicles per hour arriving and departing per hour.<sup>18</sup> This is well below the figures provided in the Transport Assessment. As such, it is quite likely that the Noise Assessment significantly underestimates noise levels.

It is also worth noting that cars using the site that approach the site from the Stratton direction on Gloucester Road would be restricted from turning right into the site. They would have to drive up to the roundabout and drive back along Gloucester Road in the opposite direction. This would further increase vehicle movements on Gloucester Road.

## VISUAL IMPACTS

### Overarching comments

The applicant's assessment of visual impacts all relate to a scenario in which the proposed tree, hedgerow and ornamental planting is fully established. It fails to address visual impacts during

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<sup>16</sup> Transport Assessment. Table 6.2.

<sup>17</sup> Cotswolds Conservation Board (2019) *Tranquillity Position Statement* ([link](#)). Paragraph 4.5. The guidance in paragraph 4.5 is itself, based on the 'Guidelines for the Assessment of Road Traffic', published by the Institute of Environmental Management (now the Institute of Environmental Management and Assessment). It takes into account the fact that the Cotswolds National Landscape is a 'sensitive area', in Environmental Impact Assessment terms.

<sup>18</sup> Noise Assessment. Section 6.



construction and upon completion, which are also important considerations given that the vegetation could potentially take 15+ years to become well established.

The applicant's assessment is also based on summertime conditions when the vegetation is in full leaf. It fails to address visual impacts during the six months of the year when most of the vegetation will be bare.

In addition, the narrative relating to the photographs simply describes the extent to which the site (i.e. the existing field) can currently be seen from the various viewpoints. The narrative does not take account of the incongruous and intrusive visual impact that may result from the site being in full use and occupied by up to 75 HGVs, each of which would be approximately 4.2 metres tall and of various colours.

For key viewpoints, it would be useful to have photomontages of the proposed development, as seen from these viewpoints. Ideally, these photomontages should show the site in full use:

- in both summer and winter conditions; and
- in the short term (i.e. when construction has just been completed) and in the longer term (i.e. when the vegetation is well established).

### **Daytime visual impacts**

#### Visual receptors on Gloucester Road

Within the immediate vicinity of the proposed development, the main visual impacts would relate to receptors on the adjacent Gloucester Road.

We acknowledge that the views of the site – and across the site – from Gloucester Road are intermittent. However, where the views do open up on the north east side of Gloucester Road, this provide views across the High Wold Dip Slope landscape of the site, highlighting the '*open character*'<sup>19</sup> of this LCT. The proposed mitigation would block these views and therefore have an adverse impact in this regard.

We acknowledge that the current visual receptors on this road will primarily be car users. However, it should be acknowledged that this is a relatively quiet, minor, rural road within an AONB. As such, the 'susceptibility to change' and 'sensitivity' would be higher than for users on, say, the A417. We consider that the 'sensitivity' of these visual receptors would be 'moderate'.

In the short term, we consider that the proposed development (and, particularly, its use) it likely to be highly intrusive, with a high magnitude of change.

We acknowledge that visual impact of the development would reduce as the proposed tree and hedgerow planting matures. However, given the quantity, size and variety of colour of the HGVs that would use the site, we are not convinced that the magnitude of change would reduce to negligible.

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<sup>19</sup> Cotswolds Conservation Board (2016) *Cotswolds AONB Landscape Strategy & Guidelines*. Landscape Character Type 9 (High Wold Dip Slope) ([link](#) – Page 94).



It is also worth noting that the entrance to the site would be quite heavily engineered, with a proposed 'refuge island' (to restrict right-turning movements into the site) and 'trief kerbs' (to restrict left-turning movements out of the site). This would increase the visual impact of the entrance. Accompanying this, there would need to be additional road signage, which would further add to the visual impact, including visual clutter.

#### Visual receptors on public rights of way

We acknowledge that the site is some distance from public rights of way (PROW). For example, the nearest PROW are approximately:

- 840m to the south west, near Daglingworth (e.g. Daglingworth Footpath 12);
- 870m to the north east, near Perrott's Brook (e.g. Baggendon Footpath 11);
- 960m to the north west, near Daglingworth Quarry (e.g. Daglingworth Bridleway 3);
- 1.2km to the east, near Baunton (e.g. Baunton Footpath 2)

The 'sensitivity' of receptors on these PROW would be higher than for receptors on Gloucester Road. However, given the distance involved, the magnitude of change would be less.

Despite this distance, the lorries using the site could still potentially appear as an incongruous intrusion into these views, particularly in the short term. In some instances, the long term magnitude of change could still potentially be more than negligible.

#### Visual receptors at Cirencester Golf Club

The applicant's supporting information pays little regard to visual receptors using Cirencester Golf Club. For example, the LVIA does not include the golf course as one of the viewpoints.

The vegetation on the north eastern boundary of the site appears to be relatively limited at present. As such, the magnitude of change, resulting from the proposed development, for visual receptors on the golf course is likely to be significant in the short term. Whilst the magnitude of change / visual impact would reduce over time, the proposed mitigation measures would also have the adverse effect of limiting open views across the site.

#### Conclusion

We do not consider that the applicant has adequately addressed the visual impacts of the proposed development.

In the short term, the proposed development could have a significant adverse visual impact for visual receptors on Gloucester Road, reducing to moderate / minor in the longer term. Although the magnitude of change in views from the PROW, further afield, are likely to be less significant, the lorries using the site could still potentially appear as an incongruous intrusion into these views, particularly in the short term.

We acknowledge that the proposed mitigation would help to reduce the visual impacts of the proposed development in the long term. However, these mitigation measures could potentially have



their own adverse visual impacts, for example, by blocking current open views across the site and to the landscape beyond.

For these reasons we do not accept the applicant's assertions that few visual receptors would be negatively affected or that the visual effects are localised, small in number and only noticeable at locations close to the site boundary.<sup>20</sup>

If Cotswold District Council is minded to give the proposal further consideration, we recommend that the applicant should be required to provide a much more comprehensive assessment of potential visual impacts. This should include consideration of both the short term and long term as well as summertime and wintertime conditions. Photomontages would be useful in this regard.

### **Night time visual impacts / light pollution / dark skies**

The dark skies of the Cotswolds National Landscape are one of the area's 'special qualities'. They are also an integral component of tranquillity and landscape character. As such, adverse impacts on the dark skies of the National Landscape should be given great weight. In this context, it is important to note that this issue doesn't just relate to light pollution, per se. It also relates to the introduction of lit elements into what would otherwise be a relatively dark, night-time landscape, when viewed from a distance.

The applicant asserts that light pollution would be reduced / minimised as a result of the proposed tree, hedgerow and ornamental planting and by incorporating 'low-level lighting'. However, as outlined above, the supporting information only considers a scenario in which the vegetation is well established. It does not address the scenario of the first 15+years before this vegetation has become well established.

The applicant's supporting information does not provide much detail on the proposed lighting or an assessment of the potential light pollution. For example, there are no details about the quantity or location of the proposed lighting.

Although the applicant's information emphasises the use of 'low-level lighting' the images in the applicant's Landscape Strategy also show rows of tall 'lamp-post' type lighting, which appears to be approximately twice the height of the HGV cabs. This lighting would be particularly noticeable as lit elements in a dark, night-time landscape, particularly before the vegetation has become well established.

There is no assessment of light pollution. For example, there is no indication of whether the development would comply with the Guidance Notes for the Reduction of Obtrusive Light, published by the Institution of Lighting Professionals.<sup>21</sup> Given that it is a 24hr facility it is highly unlikely that it would achieve the 'post-curfew' limitations specified in Table 2 of these guidance notes.

The 'night-time' photographs in the LVIA serve no useful purpose as they just reflect the currently unlit status of the site. For such photographs to be of any use, they need to include photomontages

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<sup>20</sup> LVIA. Conclusions on Views / Visibility.

<sup>21</sup> In particular, compliance with the obtrusive light limitations for environmental zone E1, as shown in Table 2 of this guidance.



of the development as it would be seen from the viewpoints at night time (in both summer and winter conditions and in both the short term and long term).

We acknowledge that there is lighting at the A417 junction approximately 300m to the north-west. However, this lighting is in a cutting and, as such, is unlikely to be a significant source of light pollution, in the context of the proposed development.

The issue of lighting is particularly significant given that this would be a 24 hour operation and given the relatively exposed location of the proposed development.

The LVIA states that *'the GIS Zone of Theoretical Visibility indicates that the site will be visible as far north as North Cerney, as far south as Cirencester Town and Park. To the east, the ZTV suggests that the site is visible from Ampney Crucis and to the west suggests that it is visible from Duntisbourne Rouse.'*<sup>22</sup> We acknowledge that the existing, intervening vegetation reduces this visibility to a significant degree. We also acknowledge that the proposed mitigation (e.g. tree planting and hedge laying) would further reduce this visibility (over a period of time). However, this reduction in visibility might not apply to the same degree with regards to night-time lighting.

Using these settlements as the reference points, the visual impact (in terms of introduction of lit elements into a dark, night-time landscape) could potentially extend across an area covering approximately 3,500ha.<sup>23</sup>

Locations that could be affected – roads:

- Gloucester Road (adjacent to – and north west and south east of - the site).<sup>24</sup>
- Dower's Lane, north of Daglingworth, @570m away (open views looking east / south east towards the site) – for example, near Viewpoint 4 in the LVIA.
- Baunton Lane, north of Stratton, @ 1.4km away (open views looking north east towards the site).
- Overlay Road and Longhill Road, west of Daglingworth, @ 1.5km away (open views looking east / north east towards the site).
- The Whiteway, east of Stratton, @ 2km away (intermittent views looking west / north west towards the site) – for example, near Viewpoint 8 in the LVIA.

Locations that could be affected – settlements:

- Daglingworth (approximately 1km).
- Stratton (approximately 1.2km).
- Baunton (approximately 1.7km).
- North Cerney (approximately 3km).

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<sup>22</sup> LVIA, paragraph 3.26.

<sup>23</sup> Calculated by measuring this area on the Defra Magic website.

<sup>24</sup> Additional considerations for Gloucester Road would include the visual impact of HGV headlights, including as the HGVs travel up and down Gloucester Road and swing round into and out of the site.



- Duntisbourne Rouse (approximately 1.9km).

## Conclusion

If Cotswold District Council is minded to give the proposal further consideration, we recommend that the applicant should be required to provide a much more comprehensive assessment of potential light pollution, including the introduction of lit elements into a dark, night-time landscape. This should include consideration of both the short term and long term as well as summertime and wintertime conditions. Photomontages would be useful in this regard.

It would also be useful to know if new lighting will be required on Gloucester Road, between the A417 junction and the site entrance. If it is, this, in itself, could potentially have a significant adverse impact.

## **MAJOR DEVELOPMENT – DOES THE PROPOSED DEVELOPMENT CONSTITUTE MAJOR DEVELOPMENT?**

### **Introduction**

The applicant asserts that the development will not constitute ‘major development’, in the context of paragraph 172 of the NPPF. However, we strongly disagree with this conclusion.

As stated in footnote 55 of the NPPF, for the purposes of paragraph 172 and 172, whether a proposal is ‘*major development*’ is a matter for the decision maker, taking into account its nature, scale and setting and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined’.<sup>25</sup>

The Board’s opinions on each of these factors – and on whether the development constitutes major development overall – are outlined below.

### **Nature**

The proposed development would involve the creation of a large truck stop, catering for 75 HGVs and 15 other vehicles as well as a driver’s facility building and service yard.

Car parks (and, by extension, truck stop facilities) are classed as ‘urban development projects’ under Schedule 2 of the Environmental Impact Assessment Regulations.<sup>26</sup>

The applicant’s Transport Assessment identifies that the application site would expect to see 496 two-way vehicle trips during the 07:00 – 19:00 12 hour period. The vast majority of these would presumably be HGV movements. However, this is a 24 hour truck stop. If the number of vehicle movements at night time is, say, 25% of the day time movements (which is the assumption in the applicant’s Noise Assessment), the site would expect to see 124 vehicle movements during the 19:00 – 07:00 12 hour period. Over 24 hours, the total number of vehicle movements would, therefore, be approximately 620. Presumably, the vast majority of these vehicle movements would be HGVs.

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<sup>25</sup> NPPF ([link](#)). Footnote 55.

<sup>26</sup> <https://www.legislation.gov.uk/ukxi/2017/571/schedule/2/made>. 10b (Infrastructure projects – urban development projects). Cotswold District Council’s EIA screening opinion ([link](#)) confirms that the development falls under Schedule 2.



Gloucester Road currently has a 7 tonne weight limit. As such, at present, there are presumably no HGV movements on Gloucester Road in a 24 hour period. The baseline for the number of HGVs, in a 24 hour period, on the 500m stretch of Gloucester Road between the A417 and the site entrance would therefore increase from approximately 0 to approximately 620. For context, the Board's Tranquillity Position Statement identifies that, as a 'rule of thumb', an EIA should potentially be considered where HGV movements on local roads would increase by 10% or more.<sup>27</sup>

The HGV movements on Gloucester Road, into and out of the site and in the site would involve a wide variety of intermittent and intrusive noise, including engines revving or idling, hydraulic brakes being applied and released, cab doors opening and shutting and audible reversing alarms. In comparison, the noise associated with the A417 is primarily the background 'hum' of vehicles moving at a steady, fast speed.

The proposal would introduce lighting / lit elements into a landscape that is dark at night time.

Taking these points into account, we consider the proposal to be major development in terms of its 'nature'.

### Scale

The proposed development would cover 3.6ha. For context, a housing development of this size would probably accommodate over 100 dwellings.<sup>28</sup>

This area is 3.6 times larger than the major development threshold of 1ha that is used in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (or 'DMP Order', for short).<sup>29</sup> It is also 3.6 times larger than the threshold for 'urban development projects' (including car parks) of 1ha in Schedule 2 of the EIA regulations.<sup>30</sup>

We consider the proposal to be major development in terms of its 'scale'.

### Setting

The proposed development would be located in open countryside in the Cotswolds National Landscape on a greenfield site, over 1km from the nearest settlements.

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<sup>27</sup> Cotswolds Conservation Board (2019) *Tranquillity Position Statement* ([link](#)). Paragraph 4.5.

<sup>28</sup> 3.6ha at a density of 30 dwellings per hectare (for example) = 108 dwellings.

<sup>29</sup> <https://www.legislation.gov.uk/uksi/2015/595/article/2/made>. We acknowledge that the DMP Order definition of major development is not the same as the definition in footnote 55 of the NPPF. However, legal opinion provided to the South Downs National Park Authority ([link](#) – paragraph 28) has clarified that the whether a proposal is major development for the purpose of the DMP Order is a relevant consideration, albeit that it will not determine the matter.

<sup>30</sup> <https://www.legislation.gov.uk/uksi/2017/571/schedule/2/made>. As with the DMP Order definition of major development, the same legal opinion clarified that whether a development falls within Schedule 2 of the EIA regulations is a relevant matter, albeit that it will not determine the matter. It is worth noting that the 1ha threshold does not actually apply in the Cotswolds National Landscape because it is a 'sensitive area'. As such, an EIA screening opinion would have to be undertaken for urban development projects smaller than 1ha as well.



The site is located in Landscape Character Type (LCT) 9 (High Wold Dip Slope) and reflects some of the key features / characteristics of this LCT.

The Cotswolds AONB Landscape Strategy & Guidelines for LCT 9 identifies that this LCT is ‘*particularly sensitive to large scale developments*’<sup>31</sup> (which, as outlined above, we consider this proposal to be).

We acknowledge that the site is within approximately 300m of the A417, including a junction of the A417. We also acknowledge that there is some lighting at the A417 junction. However, the lighting at this junction is within a cutting as is most of the A417 in this locality). As such, we do not consider that this lighting would significantly influence the site.

Gloucester Road, which is adjacent to the proposed truck stop and which the HGVs would travel down – is a relatively quiet, minor, rural road.

The site is not allocated for commercial use (or any other development).

We consider the proposal to be major development in terms of its ‘setting’ (particularly taking into account the adverse impacts that we have identified on this setting).

### **Potential to have a significant adverse impact**

We have already addressed the significance of the adverse impacts earlier in this response. We clearly consider it to be major development in this regard.

It is worth noting that the consideration of the potential to have a serious adverse impact ‘*does not require (and ought not to include) an in-depth consideration of whether the development will in fact have such an impact. Instead, a prima facie assessment of the potential for such impact, in light of the scale, character or nature of the proposed development is sufficient.*’<sup>32</sup>

### **Conclusion**

As indicated above, we consider the proposal to be major development in terms of the individual factors that contribute to this judgement. As such, we also consider it to be major development overall.

### **MAJOR DEVELOPMENT – DOES THE PROPOSED DEVELOPMENT DEMONSTRATE EXCEPTIONAL CIRCUMSTANCES AND THAT THE DEVELOPMENT WOULD BE IN THE PUBLIC INTEREST?**

#### **Introduction**

Paragraph 172 of the NPPF specifies that planning permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the

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<sup>31</sup> <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-9-high-wold-dip-slope-2016.pdf>. Landscape Sensitivity.

<sup>32</sup> James Maurici QC (2014) In the matter of the National Planning Policy Framework (NPPF) and in the matter of the South Downs National Park Authority – Opinion ([link](#)). Paragraph 26.



development is in the public interest. The NPPF specifies three major development ‘tests’ for such developments. These tests relate to:

- (i) the need for the development;
- (ii) alternative options; and
- (iii) detrimental effects.

It is worth noting that:

- the local planning authority should not simply weigh all material considerations in a balance, but should refuse an application for major development unless they are satisfied that: (i) there are exceptional circumstances; and (ii) it is demonstrated that, despite giving great weight to conserving the landscape and scenic beauty in the AONB, the development is in the public interest.<sup>33</sup>
- ‘exceptional need’ does not necessarily equate to ‘exceptional circumstances’.<sup>34</sup>

## Need

The following text, in italics, is an extract from CPRE’s consultation response. We agree with CPRE’s observations on this issue.

*The applicant’s Planning Statement ‘claims the ministerial statements by The Rt Hon Mike Penning in June 2011 and Baroness Sugg on 21st May 2018 provide a national policy imperative for approval. Neither statement does this nor is specific to the A417 or the Cotswold area. They both encourage the provision of truckstop facilities but only where there is demonstrated need. In Mike Penning’s statement this encouragement is to locate at existing service facilities. Baroness Sugg’s statement is further qualified by requiring Highways England to write to local authorities to highlight shortages in specific areas (identified in their survey). There is no evidence that HE have so advised the Cotswold District Council.*

*The applicant claims that there is an overwhelming need which outweighs any adverse impacts on the AONB. That has not been demonstrated. The simple logistics are that there are truck stops at Swindon, Gloucester south on the M5 and at Teddington near Tewkesbury north on the M5. It is 34 miles from Swindon to the Gloucester truck stop and 42 miles to Teddington. The time taken for an HGV is about 40 and 50 minutes respectively and these journeys will be even easier when the improvements to the A417 at the Air Balloon have been completed in 2025. This is a good and convenient spread of choice for the truck drivers. This is confirmed in paragraph 2.33 of the Transport Assessment which states “.... it is considered that the proposed site is within reasonable distance of other existing truck stops.” There is also little problem of HGV drivers falling foul of the EC directive on rest times.*

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<sup>33</sup> R (Mevagissey Parish Council) v Cornwall Council [2013] EHCW 3684 (Admin) ([link](#)), paragraph 51: ‘The planning committee are required, not simply to weigh all material considerations in a balance, but to refuse an application unless they are satisfied that...’

<sup>34</sup> R (Mevagissey Parish Council) v Cornwall Council [2013] EHCW 3684 (Admin) ([link](#)), paragraph 52: ‘Even if there were an exceptional need ... that would not necessarily equate to exceptional circumstances for a particular development, because there may be alternative sites that are more suitable because development there would result in less harm to the AONB landscape’.



*The evidence of need that the applicant brings forward is the observation of parking in laybys along the A417 between Swindon and the Air Balloon. There does not appear to have been any attempt to survey the parked vehicle drivers as to why they have made this overnighting choice nor to count how many there are. What is surprising is the number of vehicles who chose to park at the northern end of the A417 when it would be at most 15 minutes to either of the truck stops off the M5. One explanation might be they simply wish to avoid the cost of a truck stop. This overnight parking cannot be taken as reliable evidence of need in terms of national considerations for this truck stop.*

*Also at no time during the very extensive period of preparation, consultation and examination in public of the CDC Local Plan did anyone raise the lack a policy for truck stops. That implies that the haulage industry was satisfied with the provision in the area and that no need was identified.*

It is also worth noting that the nearby Burford Road Junction service station provides some HGV parking spaces. As such, there is an opportunity for HGV drivers to at least stop here briefly for refreshments and to use the facilities.

### **Alternative Options**

The applicant's Planning Statement focusses heavily on the alleged need for a truck stop in the 12 miles of unserviced carriageway between the Air Balloon roundabout and Cirencester town. They imply that, because the need is specific to this 12 mile section, there are no alternative locations that can be considered.

This is a very narrow assessment of alternative options, particularly with regards to assessing the scope for developing outside the Cotswolds National Landscape. We do not consider that this meets the requirements of the NPPF in this regard.

### **Detrimental effects**

As outlined earlier in this consultation response, we consider that the proposed development would have a significant adverse impact on the landscape, particularly with regards to the purpose of AONB designation, including the area's landscape and scenic beauty.

### **ENVIRONMENTAL IMPACT ASSESSMENT (EIA) SCREENING OPINION**

The pre-application advice provided to the applicant by Cotswold District Council stated that:

- due to the size of the site, landscape impact, and transport implications, the proposed development would be considered to be major development;
- having regard to the likely impact of a major development such as the current proposals in landscape and visual terms, as a result of their size, will have a significant adverse impact on the Cotswolds AONB.

We acknowledge that the applicant has amended the proposed development since receiving this pre-application advice in order to address these concerns. However, as outlined in this consultation response, we consider that the District Council's pre-application advice still holds true.



As such, we are very surprised (and disappointed) that the District Council's EIA Screening Opinion concluded that the proposed development '*will have no significant environmental effects having regard to its nature, size and location and therefore will not require the submission of an*' EIA.

The requirement to provide an EIA would have helped to ensure that there was a much more comprehensive assessment of landscape and visual impacts, including impacts on tranquillity and dark skies.

## POLICY CONTEXT

### NPPF

The proposed development would not comply with the requirements of the NPPF because:

- the proposed development:
  - would have a significant adverse impact on the landscape and scenic beauty of the Cotswolds National Landscape;
  - would constitute major development and does not satisfy the relevant exceptions / tests set out in the NPPF.
- the adverse impacts of the proposed development provide a clear reason or refusal;
- the scale and extent of the proposed development is excessive in the context of the Cotswolds National Landscape.

### Cotswold District Local Plan<sup>35</sup>

The proposed development would not comply with the following policies for the reasons outlined below:

- **Policy EN1 (Built, Natural and Historic Environment):** It does not protect, conserve or enhance existing natural environment assets (i.e. the AONB, which is an asset of national significance, including its tranquillity and dark skies).
- **Policy EN4 (The Wider Natural and Historic Environment):** It would have a significant detrimental impact on the natural landscape (including the tranquillity of the countryside) and would not enhance the landscape or historic landscape character or visual quality.
- **Policy EN5 (Cotswolds AONB):**
  - It would not conserve or enhance the natural beauty of the AONB landscape, its character or its special qualities.
  - It is major development and does not satisfy the exceptions / tests set out in national policy and guidance.

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<sup>35</sup> Cotswold District Council (2018) *Cotswold District Local Plan 2011-2031* ([link](#)).



The proposed development would not be consistent with the following policies for the reasons outlined below:

- **Policy CE1 (Landscape):** It would not:
  - be compatible with or reinforce the landscape character of the location;
  - conserve and enhance views.
- **Policy CE4 (Tranquillity):** It would not (i) avoid or (ii) minimise noise pollution and other aural and visual disturbance.
- **Policy CE5 (Dark Skies):** It would not (i) avoid or (ii) minimise night pollution.
- **Policy CE10 (Development and Transport – Principles):** It would not:
  - help to conserve or enhance the natural beauty of the Cotswolds National Landscape;
  - help to deliver the Cotswolds AONB Management Plan or be compatible with guidance produced by the Cotswolds Conservation Board.

#### **PRESUMPTION IN FAVOUR OF GRANTING PLANNING PERMISSION (TILTED BALANCE)**

The applicant's Planning Statement asserts that (para 4.24):

- *...the Cotswold District Local Plan contains no specific policies on meeting the need for new roadside truck/lorry stop facilities. Therefore, the Local Plan is 'Silent' in the context of paragraph 11 and the presumption in favour of sustainable development therefore must apply in this case.*<sup>37</sup>

We strongly disagree with this assertion.

Even if paragraph 11d of the NPPF does apply (which is debateable), we consider that the proposed development constitutes major development. Paragraph 172 of the NPPF sets a presumption against granting planning permission for major development in AONBs. As outlined above, we do not consider that the applicant has demonstrated that exceptional circumstances apply or that the development would be in the public interest. As such, there is a clear reason for refusal, in line with paragraph 11di of the NPPF, and the presumption in favour of granting planning permission (i.e. the 'tilted balance') does not apply.

Relevant case law has clarified that development proposals don't have to be classed as major development in order for paragraph 11di to apply. In particular, the case law clarifies that:

- *The first part of paragraph 172 of the NPPF qualifies as a policy to be applied under limb (i) of paragraph 11(d) of the NPPF; it is also capable of sustaining a freestanding reason for refusal in general development control in AONBs.*<sup>38</sup>

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<sup>36</sup> Cotswolds Conservation Board (2018) *Cotswolds AONB Management Plan* ([link](#)).

<sup>37</sup> Planning Statement, paragraph 4.24.

<sup>38</sup> *Monkhill Ltd v Secretary of State for Housing Communities and Local Government* 2019 EWHC 1993 (Admin) (24 July 2019) ([link](#)). In this case law, it was already common ground that paragraph 11di applied to the second part of paragraph 172 (i.e. the provisions relating to major development).



With this in mind, we consider that, even if the local planning authority does not consider the proposed development to be major development, the adverse impacts that the proposal would have on the landscape and scenic beauty of the Cotswolds National Landscape would be sufficient to provide a clear reason for refusal.

As such, even if the proposal is not deemed to constitute major development, the tilted balance should still not apply.

If it is deemed that all relevant development plan policies are in place and up-to-date, then the development would be required to accord with these up-to-date development plan policies (i.e. with the policies of the Cotswold District Local Plan), in line with paragraph 11c of the NPPF. As outlined above, we do not consider that the proposed development accords with the relevant Local Plan policies. As such, the tilted balance should not apply in this scenario either.





Andrew Moody  
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GL7 1PX

By email only to: [andrew.moody@publicagroup.uk](mailto:andrew.moody@publicagroup.uk)

24 November 2021

Dear Andrew

APPLICATION NO: 20/04673/FUL

DESCRIPTION: Provision of a new secure roadside truck stop facility, including associated HGV and car parking, drivers' facilities building, vehicular access, service yard and landscaping

LOCATION: Land at Gloucester Road, Stratton, Gloucestershire

Thank you for consulting the Cotswolds Conservation Board ('the Board') on this proposed development, which would be located in the Cotswolds National Landscape (i.e. the Cotswolds Area of Outstanding Natural Beauty (AONB)).

As you will be aware, the Board has previously submitted comments on this planning application in a letter dated 23 March 2021, in which we objected to the proposed development.

The applicant has subsequently provided an 'Addendum Planning Statement' (APS), which seeks to address the major development 'tests' specified in paragraph 177 of the National Planning Policy Framework (NPPF). However, for the reasons outlined below, we still consider that:

- the proposed development constitutes major development in the context of paragraph 177 of the NPPF;
- exceptional circumstances do not apply; and
- the proposed development would not be in the public interest.

In particular, with regards to the issues of exceptional circumstances and public interest, we consider that:

- the applicant has failed to demonstrate an exceptional need for the proposed development;
- the applicant has failed to demonstrate that there would not be scope for developing outside the Cotswolds National Landscape or for meeting the need in some other way;
- the detrimental effects on the Cotswolds National Landscape would still be significant; and
- the great weight that should be given to conserving and enhancing the landscape and scenic beauty of the Cotswolds National Landscape means that these detrimental effects outweigh the potential benefits of the proposed development.

As such, we maintain our objection to the proposed development and recommend that planning permission should be refused.

**Cotswolds Conservation Board**

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The Cotswolds National Landscape is a designated Area of Outstanding Natural Beauty (AONB), managed and looked after by the Cotswolds Conservation Board.

[cotswoldsaonb.org.uk](http://cotswoldsaonb.org.uk)

Chairman:  
**Brendan McCarthy**

Vice Chair:  
**Rebecca Charley**



Further information is provided in Appendix 1, below. Please also refer to our previous response for further details.

Yours sincerely,



John Mills  
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## APPENDIX 1. SUPPORTING INFORMATION

### Need

Paragraph 177a of the National Planning Policy Framework (NPPF) requires consideration of major development applications within AONBs to include an assessment of the need for the development.

In this regard, the Addendum Planning Statement (APS) identifies that there is a regional and national shortage in the provision of ‘truck stops’ and that the local situation around the application site is similar to the regional and national picture. However, we would argue that this information simply indicates that the local situation is no worse than the regional or national picture. In other words, the local situation is not ‘exceptional’ (i.e. not rare or an exception to the norm).

The APS (paragraph 2.5) asserts that ‘the key reason [for the current shortfall of lorry drivers] is that the roadside facilities and working conditions for drivers in the UK is poor in comparison to the rest of Europe’ (N.B. Underlining added for emphasis). However, the APS provides no substantive evidence to support this assertion. For example, in the BBC News article that is referred to, just one of the people that is interviewed in the article refers to this issue. The Sky News article that is referred to identifies ‘working conditions’ as the last in a list of six reasons for the shortage of lorry drivers (the other identified reasons being: the COVID pandemic; Brexit; retiring drivers; the cost of training and pay; and tax changes).

The Road Haulage Association (RHA) wrote a letter to the Prime Minister in June 2021 asking for his personal intervention to help resolve the shortage of lorry drivers.<sup>1</sup> The letter lists the factors that have exacerbated the shortage (COVID, Brexit, etc.). These listed factors do not include the issue of the shortage in the provision of truck stops. The RHA also has a 12-point plan to tackle the shortage of lorry drivers.<sup>2</sup> Again, the issue of the shortage in the provision of truck stops is not referred to in this plan. Furthermore, the Government’s response to the shortage of lorry drivers makes no reference to the issue of the shortage in the provision of truck stops.<sup>3</sup>

This evidence base indicates that the shortage in the provision of truck stops is not, in fact, the key reason (or even a key reason) for the shortage in lorry drivers.

The APS (Appendix D) sets out mandatory requirements for truck stop facilities.<sup>4</sup> However, these requirements specifically relate to sites that are signed as ‘truck stops’ from the strategic road network (i.e. officially designated truck stops). This does not mean that every location where a lorry might stop has to fulfil all of these requirements.

Paragraph 2.28 of the APS compares the existing facilities along the A417 with these minimum requirements. In doing so, it highlights the fact that these facilities do not have security facilities for lorries. However, ‘security facilities for lorries’ is not one of the mandatory requirements listed in Appendix D of the APS. As such, this issue is not a relevant consideration when comparing these existing facilities with the mandatory requirements listed in Appendix D of the APS.

It is worth noting that the Cirencester Co-op Services provide the majority of the mandatory requirements listed in Appendix D of the APS, including the requisite opening hours, free parking, toilets / hand washing facilities and hot drinks and hot food (the main exception being the provision

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<sup>1</sup> <https://www.rha.uk.net/News/News-Blogs-and-Press-Releases/press-releases/detail/driver-shortage-rha-and-freight-industry-write-to-prime-minister-boris-johnson>

<sup>2</sup> <https://www.rha.uk.net/news/news-blogs-and-press-releases/news-updates/detail/rha-gives-the-government-12-actions-they-must-take-as-the-driver-shortage-hits-catastrophic-proportions->

<sup>3</sup> <https://www.gov.uk/government/topical-events/hgv-driver-shortage-uk-government-response/about>

<sup>4</sup> This table derives from Table B1 in the Department for Transport Circular 02/2013.



of showers / washing facilities). It exceeds the mandatory requirements in terms of opening hours (i.e. it is open 24 hours per day rather than the mandatory 12 hours per day), as do the Centurion Services BP.

Overall, based on the information outlined above, we do consider that the applicant has failed to demonstrate exceptional need, in the context of the major development 'tests' specified in paragraph 177 of the National Planning Policy Framework (NPPF).

#### Sequential Test / Alternative Options

Paragraph 177b of the NPPF requires consideration of major development proposals within AONBs to include an assessment of 'the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way'.

The Addendum Planning Statement (APS) seeks to address this requirement by undertaking a 'sequential test' to identify if there are any sequentially preferable sites available that could accommodate the development. However, we consider that the approach taken by the applicant in undertaking this sequential test is fundamentally flawed.

For example, the APS uses Government guidance, such as the Department for Transport (DfT) Circular 02/2013<sup>5</sup>, to infer that truck stops that fulfil all of the mandatory requirements specified in Appendix D of the APS should be provided at intervals of no more than half an hour drive time and / or no more than 28 miles apart.

However, the 30 minute / 28 mile threshold derives from the need to provide 'opportunities ... to stop and take a break'<sup>6</sup>. Truck drivers can (and do) 'stop and take a break' at locations that are not officially classed as truck stops, including laybys and other services. As such, it is not necessarily the case that truck stop facilities that meet all of the mandatory requirements listed in Appendix D of the APS (including showers, etc.) should be located at intervals of no more than 30 minutes / 28 miles.

The Government guidance quoted in the APS does not actually specify the maximum recommended distances between services that are formally signed as truck stops from the strategic road network.

The APS uses Government guidance to infer that facilities on the A417 should be spaced at least 12 miles from: (i) Gloucester Services on the M5; and (ii) Swindon Truck Stop. However, the Government guidance that recommended this minimum distance has been superseded by guidance that makes no reference to this minimum distance. Also, this minimum distance applied to facilities on the same route. It is questionable whether facilities on the M5 and on the A417 could be classed as being 'on the same route'. For example, trucks using the A417 as a 'short cut' between the M5 and the M4 (or vice versa) would not automatically pass by Gloucester Services, so it is questionable whether Gloucester Services is 'on the same route', in this context.

On this basis, we strongly disagree with the assertion in the APS (paragraph 3.10) that a logical area of search [for truck stop facilities that have all of the mandatory requirements specified in Appendix D of the APS] along the A417/A419 Corridor should be restricted to a minimum of 12 miles and a maximum of 28 miles from the nearest dedicated truck stops to the north and south. Instead, we consider that the acceptable distance between truck stops that meet all of these requirements could potentially be further than 28 miles. As such, we consider that there is scope to considerably expand the 'area of search', including more areas outside the Cotswolds National Landscape.

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<sup>5</sup> The applicant refers to this Circular as Circular 03/2013 but the correct reference is Circular 02/2013.

<sup>6</sup> Based on the section of Circular



Even if the 28 mile threshold (for services that meet all of the mandatory requirements specified in Appendix D of the APS) is considered to be relevant, it is worth noting that the distance between Swindon Truck Stop and Gloucester Services only exceeds this threshold by approximately 5 miles (i.e. a total distance of 33 miles), or approximately 5 minutes travel time. This additional distance / journey time does not seem unreasonable when the alternative, as proposed by the applicant, would be a large new lorry park in an undeveloped section of a nationally significant, protected landscape.

As outlined in the previous section (Need), the Cirencester Co-op Services provide the majority of the mandatory requirements set out in Appendix D of the APS. Strensham Services, on the M5, and The Hut Truckstop, on the A46, are both within approximately 30 miles of the Cirencester Co-op Services. Again, this is only slightly over the 28 mile threshold. Therefore, Strensham Services and The Hut Truckstop provide an additional truck stop resource within a reasonable distance of existing facilities.

It is important to note that one of the potential benefits of the proposed A417 'missing link' road scheme is that it would improve travel times on the A417. This means that, assuming the scheme is implemented, journey times between locations where trucks can stop (including existing truck stops that meet all of the mandatory requirements listed in Appendix D of the APS) would also be improved.

The APS only considers alternative options that are equal in scale to the proposed development (i.e. a 3.6ha site accommodating 75 trucks). It fails to address smaller scale options that would be more appropriate in the sensitive location of the Cotswolds National Landscape and its setting. For example, it does not address the potential to deliver a smaller scale increase in parking provision at existing services such as the Cirencester Co-Op Services and the Centurion Services BP.

Overall, based on the information outlined above, we consider that the applicant has failed to demonstrate that there would not be scope for developing outside the Cotswolds National Landscape or meeting the need in some other way.

### Detrimental Effects

Paragraph 177c of the NPPF requires an assessment of 'any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated'.

The APS provides further information on the proposed lighting for truck stop. This clarifies that the lighting would be low level LED timber bollard style lighting, rather than the 'lamp post' type lighting indicated in some of the original supporting information.

We acknowledge that the detrimental effect of the low level LED lighting would be less significant than lamp post type lighting. However, the development would still introduce lit elements into what would otherwise be a relatively dark night time landscape. Also, the lighting scheme does not take account of the intrusive lighting associated with the trucks themselves (i.e. headlights), particularly as they move to and from the site and into / out of parking spaces.

The further information provided by the applicant does not address the wider adverse effects that we raised in our previous consultation response. These include the significant, adverse effect that the proposed development would have on landscape character and on the relative tranquillity of the area. Please refer to our previous response for further details.

On this basis, we still consider that there would be significant adverse effects on the Cotswolds National Landscape. Furthermore, we consider that the great weight that should be given to conserving and enhancing landscape and scenic beauty means that these adverse effects would outweigh the potential beneficial effects of the proposed development.







