

John Chaplin  
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GL5 4UB



By email only to: [john.chaplin@stroud.gov.uk](mailto:john.chaplin@stroud.gov.uk)

13 April 2023

Dear John,

**APPLICATION NO:** S.21/2579/OUT

**DESCRIPTION:** Hybrid planning application for employment development for B8 (Storage or Distribution) Uses, ancillary offices, energy centre, landscaping, fitness trail and amenity areas and new access. i) Outline for whole site (with all matters reserved except access) ii) Full application for Units 1, 2 for B8 (Storage or Distribution) Uses and the energy centre (all matters submitted).

**LOCATION:** Javelin Park, Bath Road, Haresfield, Stonehouse

Thank you for consulting the Cotswolds National Landscape Board<sup>1</sup> ('the Board') on the revised proposals for this proposed development, which would be located within the Cotswolds National Landscape<sup>2</sup>.

In the Board's previous response to this application dated 14 February 2022 we raised an objection due to the likely adverse landscape and visual impacts of the proposal, especially on the views to, and in particular, from the Cotswold escarpment, which are one of the 'special qualities' of the Cotswolds National Landscape.

We understand that the applicant has amended the scheme and provided further information to justify the proposal in response to some of the issues raised by the Council, the Board and other consultees. We provide our assessment of the amended proposal in Annex 1 below. This should be read in conjunction with our previous response which has been appended here for ease of reference.

The Board recognises that the application site benefits from a draft allocation for B2 and B8 employment uses in the emerging Stroud Local Plan Review which is currently at examination stage. The Board also supports appropriate economic growth to maintain strong, balanced and viable communities and therefore the need to accommodate such growth, when it is delivered in a way that is compatible with the purpose of conserving and enhancing the natural beauty of the Cotswolds National Landscape.

However, after having reviewed the information submitted by the applicant, the Board continues to **object** to this application.

The applicant's updated LVIA considers that the proposed development has the potential to create significant adverse landscape and visual impacts on views from Haresfield Beacon, associated sections of the Cotswolds Way National Trail and from other publicly accessible viewpoints within the National Landscape.

**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**

We agree with this assessment and consider that, by virtue of their prominent location and excessively large size which continues to lack justification, the proposed warehouses and associated development are not sensitively located and designed so as to avoid or minimise their impact on the National Landscape, in conflict with Policies ES7, CP14 and CP11 of the Stroud Local Plan 2015 and paragraph 176 of the NPPF as well as the advice contained in Policy CE1 of the Cotswolds AONB Management Plan 2023-2025.

Furthermore, the Board considers that the application as a whole continues to downplay this potential significant adverse impact on the National Landscape; further information relating to our objection can be found in the Annex accompanying this response.

Please don't hesitate to contact me if you wish to discuss this response further.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Joyce', with a small dot at the end.

Simon Joyce

**Planning Officer**

[simon.joyce@cotswoldsaonb.org.uk](mailto:simon.joyce@cotswoldsaonb.org.uk) | 07808 391227

## ANNEX 1. COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION S.21/2579/OUT

In the Board's previous response to this application dated 14 February 2022 we raised an objection due to the likely adverse landscape and visual impacts of the proposal, especially on the views to, and in particular, from the Cotswold escarpment, which are one of the 'special qualities' of the Cotswolds National Landscape. We also requested further consideration of matters relating to tranquillity and dark skies, these being two more 'special qualities'.

The applicant's covering letter dated 17 February 2023 identifies a number of amendments made to the scheme design including:

- *"The reduction in the overall maximum height of buildings to 22m – noting the height for Units 1 and 2 for which a full application is submitted are lower at 18m;...*
- *A revised roof colour (Slate Grey RAL 7012) to make the roof recessive in views from the AONB whilst not overemphasising the top of the buildings when viewed from the vale;....and*
- *The strategic landscape bunds having been increased in width and height to address feedback with an emphasis on the more sensitive eastern boundary."*

The revised scheme is supported by a suite of updated plans, Design & Access Statement and a revised Landscape and Visual Impact Assessment ('LVIA', Chapter 9 of the Environmental Statement) which we comment on below.

In our previous response we also commented on what we considered to be a lack of justification for the overall scale of development proposed, in terms of development footprint. We note from the applicant's revised submission that these comments have not been addressed and therefore our comments on that matter still stand.

Our previous response outlined the planning policy and guidance we consider to be relevant in an assessment of the impacts of the proposal upon the natural beauty of the National Landscape. In particular we highlighted the Board's guidance on assessing the potential impacts of development on its setting. This policy and guidance remain unchanged since our previous response and although the Board's Management Plan has recently been updated to cover the period 2023-2025 ([link](#)), the National Landscape's 'special qualities' and the Board's policies relevant to this application, notably Policies CE1, CE4 and CE5, also remain unchanged. As such, our response here is limited to an assessment of the revised scheme in terms of landscape and visual impact, tranquillity and dark skies and should be read in conjunction with our previous submission.

### LANDSCAPE AND VISUAL IMPACTS

The site is visible from multiple viewpoints within the National Landscape from Public Rights of Way, access land and local roads. It is highly visible from Haresfield Beacon, a popular viewpoint for both tourists and local residents on the nationally significant Cotswold Way National Trail which continues along the escarpment and from which clear views over the site and the Berkeley Vale can be enjoyed.

We note that following the comments received from the Board, Natural England and the Council's Landscape Consultant in response to the previous consultation, the LVIA has been not only been

updated to assess the revised proposal, but has also been expanded. It now includes two additional and one revised viewpoint, all of which are views to or from the National Landscape.

Previously the LVIA only considered one Landscape Character Type (LCT 2, Escarpment) described within the Cotswolds AONB Landscape Character Assessment and Landscape Strategy and Guidelines, so we welcome the updated version's additional consideration of LCT 8, High Wold Valley. However, the LVIA continues to lack any consideration of the third LCT that the application would impact, LCT 18, Settled Unwooded Vale, which is the closest LCT to the site, lying between the Escarpment and the site.

We also welcome the assessment of the specific effects on the 'special qualities' of the National Landscape, although we disagree with some of the LVIA's conclusions on this matter, as discussed further below. We generally support the methodology used within the LVIA and agree that an assessment of 'moderate' significance of effect should be considered as significant in landscape/EIA planning terms<sup>5</sup>.

#### *Landscape character impact*

Table 9.12 of the LVIA shows that the proposal would have a 'moderate (adverse) and significant' effect at construction and Year 1 for LCTs 2 and 8 due to a reduction in aesthetic quality in outward views. By extension we consider that it also would likely have a similar effect on LCT 18. It is claimed that this would reduce to a 'moderate/minor (adverse) and not significant' effect at Year 15 (Table 9.17) due to the maturation of proposed mitigation planting and landscaping.

In line with our comments below in relation to the representative photoviewpoints, we consider that the maturation of the landscaping would not have a significant effect on views from the elevated land within the National Landscape to the east of the site and in our view a 'moderate (adverse) and significant' level of effect would remain for these LCTs, in common with the Year 15 assessment made in relation to a number of viewpoints located within them. This level of adverse effect on landscape character is significant in EIA terms.

#### *Visual impact*

The LVIA has been expanded to include two new representative viewpoints (one additional view from the Escarpment, viewpoint 16 and one additional view towards the Escarpment, viewpoint 17) and one of the viewpoints located on the Escarpment has been repositioned (viewpoint 4).

As such, the LVIA now considers three viewpoints within the National Landscape that look towards the site (viewpoints 4, 10 and 16) and six viewpoints that look towards the National Landscape where the Escarpment is a significant component in the view (viewpoints 2, 8, 9, 14, 15 and 17).

In total, the updated LVIA assesses a significant adverse level of effect for four of these nine viewpoints to and from the Cotswolds National Landscape. As the summary table below shows, the impact of the proposal on views from all three viewpoints within the National Landscape is assessed as being significant adverse ('major/moderate' in two cases).

Viewpoint	Year 1 assessment July 2021	Year 1 assessment March 2023	Year 15 assessment July 2021	Year 15 assessment March 2023
<i>Views from within the CNL</i>				
4 (Haresfield Beacon on Cotswold National Trail)	Low. Moderate. Adverse and significant	Medium. Major/Moderate (permanent). Adverse and significant	Low. Moderate. Adverse and significant	Medium. Major/Moderate (permanent) Adverse and significant
10 (View from Cotswold Way National Trail)	Low. Moderate. Adverse and significant	Low. Moderate (permanent). Adverse and significant	Low. Moderate. Adverse and significant	Low. Moderate (permanent). Adverse and significant
16 (View from public footpath EHD/18/1)	N/A	Medium. Major/Moderate (permanent). Adverse and significant	N/A	Medium. Major/Moderate (permanent). Adverse and significant
<i>Views towards the CNL/where the Escarpment is visible</i>				
2 (View from public footpath (Ref EHD 5/3))	Medium. Moderate. Adverse and significant	Low. Moderate/minor (permanent). Adverse and not significant	Medium. Moderate. Adverse and significant	Low. Moderate/minor (permanent). Adverse and not significant
8 (View from Pound Lane looking south-east)	Very Low. Minor. Adverse and not significant.	Very Low. Minor (permanent) Adverse and not significant	Very Low. Minor. Adverse and not significant.	Very Low. Minor (permanent) Adverse and not significant
9 (View from A38 looking south-east)	Low. Minor/negligible. Adverse and not significant.	Medium. Minor (permanent) Adverse and not significant	Low. Minor/negligible. Adverse and not significant.	Medium. Minor (permanent) Adverse and not significant
14 (View from A38 looking north-east)	Very Low. Negligible. Adverse and not significant	Very Low. Negligible (permanent) Adverse and not significant	Very Low. Negligible. Adverse and not significant	Very Low. Negligible (permanent) Adverse and not significant
15 (View from Hiltmead Lane on bridleway EHD2)	High. Major/moderate. Adverse and significant.	High. Major/moderate (permanent) Adverse and significant	Medium. Moderate. Adverse and significant.	Medium. Moderate (permanent) Adverse and significant
17 (View from Gloucester and Sharpness Canal)	N/A	Low. Moderate/Minor (permanent) Adverse and not significant	N/A	Low. Moderate/Minor (permanent) Adverse and not significant

*Comparison of Assessment of Effects for selected viewpoints from/to Cotswolds National Landscape taken from Appendix 9.3 (July 2021 and March 2023, descriptions of magnitude/effect/duration/nature)*

In respect of viewpoint 4 from Haresfield Beacon, we note that the assessment of the initial LVIA dated July 2021 of a 'moderate and significant adverse' visual effect at construction, years 1 and 15 has been increased to a 'major/moderate and significant adverse' visual effect, in line with our previous assessment. The fact that this assessment is the same at construction, years 1 and 15 indicates that the proposed landscaping, even when mature, is unlikely to mitigate the visual impact of the development from elevated viewpoints within the National Landscape.

We would also question the revised assessment for viewpoint 2 where the previously assessed significant adverse impacts have been reduced to no longer being significant.

Therefore, the Board agrees with the LVIA that the proposal would have a significant adverse effect on all of the identified views from the Escarpment and we consider that it would have a significant

adverse effect on the majority of representative views both to and from the National Landscape. We also note that Table 9.19 of the LVIA assesses that the visual effect on receptors walking the Cotswold Way National Trail (and PRoW EHD/18/1 also within the National Landscape) would also be 'major/moderate adverse' at both Years 1 and 15.

We continue to acknowledge the observation contained within the LVIA that in the case of viewpoints within the National Landscape, the development would be seen as part of long-distance panoramic views from elevated locations. However, we disagree with the applicant's assertion in justifying the adverse impacts of the scheme that views of the site from the National Landscape (i.e. from photoviewpoints 4, 10 and 16) would be 'experienced in the context of an existing urban fringe'.

Whilst Javelin Park and the neighbouring Garden Centre are visible from photoviewpoint 4 (below), the logistics development at St Modwen Park and residential development south of Gloucester are largely screened by the intervening vegetation, even in winter. The landscape experienced within this view is largely rural, rather than urban/urban fringe:



Figure 9.9 Photoviewpoint 4, Haresfield Beacon on the Cotswold Way National Trail, taken in February 2023



Again, vegetation screens much of the development north of the site when viewed from viewpoint 10, also on the Cotswold Way. We note that if the viewpoint were moved a few metres to the north (right in the photograph), the full extent of the site would be more clearly visible:

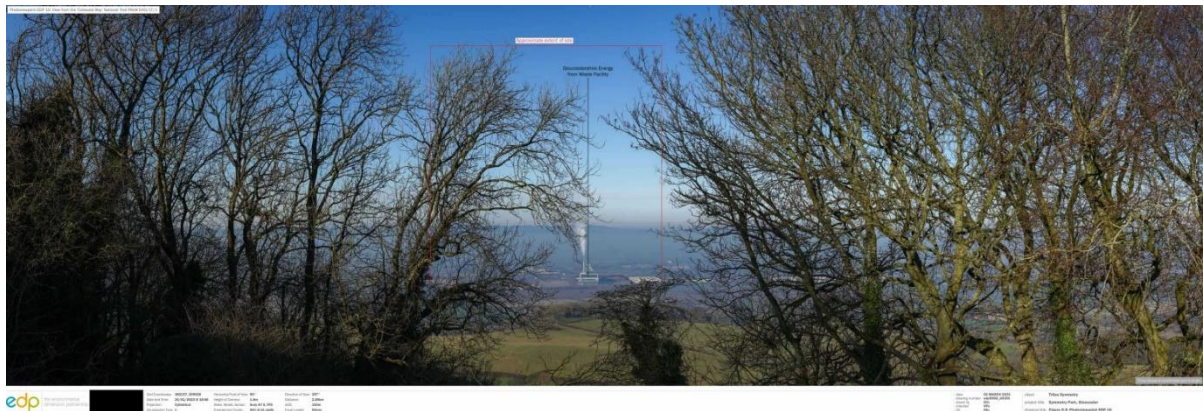


Figure 9.9 Photoviewpoint 10, Cotswold Way National Trail, taken in February 2023

Similarly, the lower slopes of the Escarpment block views of some of the development to the north of the site at viewpoint 16:



Figure 9.9 Photoviewpoint 16, Public Footpath EHD/18/1, taken in February 2023

Although the updated LVIA states that the verified views and photomontages have been updated to reflect the reduced building heights and amended elevations, the buildings, particularly the elevations, arguably look more prominent in the updated photomontage than in the original, as illustrated below. The photomontages also do not show HGVs parked on the site – even at this distance they would be noticeable urbanising addition, especially given the number predicted to travel to and from the site.



Figure 9.10 Verified View 4 Proposed Year 1, LVIA July 2021



Figure 9.10 Verified View 4 Proposed Year 1, LVIA March 2023

#### *Impact upon the 'special qualities' of the National Landscape*

The LVIA has been updated to consider the potential impact of the proposal upon the National Landscape's 'special qualities' and an assessment is given at Table 9.7 (construction), Table 9.11 (Year 1 of completion) and Table 9.16 (Year 15). Ten special qualities are shown as being taken from page 6 of the Cotswold AONB Management Plan and that most relevant to this application is shown as 'Escarpment'. An 'indirect effect' is assessed with commentary within the tables discussing impacts on views of the Escarpment from the M5 and local roads.

We disagree with this assessment. Neither the current Management Plan (2023-25) nor its predecessor (2018-23) lists the National Landscape's special qualities on page 6. Both plans contain the list of 14 special qualities at page 18. The most relevant special quality is listed as 'the Cotswold escarpment, **including views from** and to the National Landscape' (our emphasis). The assessment contained within the LVIA only discusses impact on views towards the Escarpment. As discussed above we consider that the proposal would have adverse effects on views from the Escarpment and as such there would be a direct, rather than indirect, adverse effect on this special quality.



### *Conclusion on landscape and visual impacts*

Given the applicant concludes within their LVIA that the proposal would give rise to a significant adverse impact on views from the National Landscape and on the landscape character of areas within the National Landscape, it is disappointing that neither the Non-Technical Summary nor the Planning Statement reflect this assessment. The application continues to lack any mention of paragraph 176 of the NPPF and in particular the requirement of that paragraph that development within the setting of AONBs *“should be sensitively located and designed to avoid and minimise adverse impacts on the designated areas”*.

Notwithstanding the amendments that have been made to the proposal to reduce its landscape and visual impact, the Board considers that this proposal within the setting of the National Landscape, which the applicant themselves assesses as giving rise to ‘moderate/major and significant adverse’ effects on views from the National Landscape, is not sensitively located and has still not been designed sufficiently to avoid and minimise adverse impacts.

The fact that both this key paragraph of national planning policy relating to AONBs and any reference to the ‘great weight’ required to be given to protection of AONBs continue to be omitted from the submission leads the Board to consider that the applicant continues to underplay the status of the National Landscape and, by extension, the proposal’s likely significant adverse impacts upon it.

Furthermore, due to the assessed ‘moderate/major and significant adverse’ effects described above, the Board also considers that the proposal does not *“minimise any potential visual impacts upon wider views from the Cotswolds AONB escarpment”* and therefore also does not accord with the supporting text of draft site allocation PS43 and does not comply with the requirements of Stroud Local Plan Policies ES7, CP11 and CP14.

### **HIGHWAYS IMPACTS**

Tranquillity is another of the ‘special qualities’ of the Cotswolds National Landscape. In other words, it is one of the features of the Cotswolds that makes the area so outstanding that it is in the nation’s interest to safeguard it. The Cotswolds National Landscape has relatively high levels of tranquillity, especially when compared with the surrounding urban areas.

The key environmental effects in respect of transport were identified in paragraph 5.4 of the Transport Assessment as (i) increased delay on the network and (ii) visual impacts from additional traffic. Whilst the Board recognises that most, if not all, of the delay on the network will likely be on routes outside of the National Landscape and that National Highways has now withdrawn its previous holding objection, the visual impact of the traffic, particularly increased numbers of HGVs associated with the proposal, is likely to be a factor when viewed from the National Landscape and this is still not expressly considered within the submission.

It is also noted that a Framework HGV Route Management Strategy dated May 2022 has been submitted and proposes that as far as possible all HGVs should access the site via M5 J12 to the north and not via the B4008 to the south. Compliance with the Strategy is to be monitored, with sanctions

for violations. We consider that subject to the implementation of this Strategy, the impact of HGV traffic on the National Landscape would be minimised.

As such, and without prejudice, should the Local Planning Authority be minded to grant permission, we request that this HGV Route Management Strategy is formally secured and monitored via appropriately-worded planning condition(s).

## LIGHTING

In our previous response we noted that whilst a Lighting Statement (Hannan Associates, July 2021) has been submitted in support of the application, it does not mention potential landscape or dark skies impacts in relation to the AONB and the applicant is again requested to provide further clarification on their proposal to allow the Board to further consider this issue, particularly as the application is partly made in detailed form.

Paragraph 185c of the NPPF states that planning decisions should ensure that new development is appropriate for its location and in doing so they should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. Paragraph 001 of the Planning Practice Guidance (PPG) on Light Pollution (Paragraph: 001 Reference ID: 31-001-20191101) states that ‘intrinsically dark landscapes’ are those entirely, or largely, uninterrupted by artificial light. National parks ... can serve as good examples’. As AONBs have the same level of protection with regards to landscape and scenic beauty as national parks within the NPPF and PPG and dark skies are one of the special qualities of the Cotswolds National Landscape, we consider it reasonable to treat the National Landscape as an ‘intrinsically dark landscape’ in NPPF and PPG terms.

Dark skies are another of the ‘special qualities’ of the AONB and the applicant is encouraged to refer to the Board’s guidance in relation to artificial light and dark skies contained in our Position Statement. The applicant should also demonstrate that the proposal complies with Guidance Note 01/21 on The Reduction of Obtrusive Light, published by the Institution of Lighting Professionals (ILP) (which forms Appendix 2 of our Position Statement) and other relevant guidance. We would recommend that the relevant ‘environmental zone’ for which compliance should be assessed is Environmental Zone E1 which relates to AONBs. Although we recognise that the site is close to other development and its associated lighting, the Guidance Note states where an area to be lit lies close to the boundary of two zones the obtrusive light limitation values used should be those applicable to the most rigorous zone (Note 1 on page 10).

Without prejudice, should the Council be minded to grant planning permission, we would request that appropriate pre-commencement planning conditions requiring the submission of a detailed lighting scheme demonstrating compliance with the above guidance are imposed in the interests of the conservation and enhancement of the landscape and scenic beauty of the National Landscape.

## NOTES:

- 1) Cotswolds National Landscape is the new name for the Cotswolds Areas of Outstanding Natural Beauty (AONB). The new name takes forward one of the proposals of the Government-commissioned 'Landscapes Review' to rename AONBs as 'National Landscapes'. This change reflects the national importance of AONBs and the fact that they are safeguarded, in the national interest, for nature, people, business and culture.
- 2) The name used for the organisation associated with the AONB designation is the Cotswolds National Landscape Board. At times this is abbreviated to National Landscape Board or The Board. The legal name of the organisation remains the Cotswolds Conservation Board but this name is no longer used in most circumstances.
- 3) Section 85 of the Countryside and Rights of Way Act 2000.  
[www.legislation.gov.uk/ukpga/2000/37/section/85](http://www.legislation.gov.uk/ukpga/2000/37/section/85)
- 4) The documents referred to in our response can be located on the Cotswolds National Landscape website under the following sections
  - a. Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023  
[www.cotswoldsaonb.org.uk/management-plan](http://www.cotswoldsaonb.org.uk/management-plan)
  - b. Cotswolds AONB Landscape Character Assessment  
[www.cotswoldsaonb.org.uk/lca](http://www.cotswoldsaonb.org.uk/lca)
  - c. Cotswolds AONB Landscape Strategy and Guidelines  
[www.cotswoldsaonb.org.uk/lsg](http://www.cotswoldsaonb.org.uk/lsg)
  - d. Cotswolds AONB Local Distinctiveness and Landscape Change  
[www.cotswoldsaonb.org.uk/ldlc](http://www.cotswoldsaonb.org.uk/ldlc)
  - e. Cotswolds Conservation Board Position Statements  
[www.cotswoldsaonb.org.uk/ps1](http://www.cotswoldsaonb.org.uk/ps1)  
[www.cotswoldsaonb.org.uk/ps2](http://www.cotswoldsaonb.org.uk/ps2)
- 5) An example can be found in the methodology for the Environmental Statement for the A417 Missing Link DCO application ([link](#)) at paragraph 4.5.17: *"In terms of the EIA Regulations, 'significant' effects are generally those where the significance of the effect is 'moderate' or greater"*.

APPENDIX 1. COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO  
PLANNING APPLICATION S.21/2579/OUT DATED 14 FEBRUARY 2022

John Chaplin  
Stroud District Council  
Ebley Mill  
Ebley Wharf  
Stroud  
GL5 4UB



By email only to: [john.chaplin@stroud.gov.uk](mailto:john.chaplin@stroud.gov.uk)

14 February 2022

Dear John,

**APPLICATION NO:** S.21/2579/OUT

**DESCRIPTION:** Hybrid planning application for employment development for B8 (Storage or Distribution) Uses, ancillary offices, energy centre, landscaping, fitness trail and amenity areas and new access. i) Outline for whole site (with all matters reserved except access) ii) Full application for Units 1, 2 for B8 (Storage or Distribution) Uses and the energy centre (all matters submitted).

**LOCATION:** Javelin Park, Bath Road, Haresfield, Stonehouse

Thank you for consulting the Cotswolds Conservation Board ('the Board') on this proposed development, which would be located within the setting of the Cotswolds National Landscape.<sup>1</sup>

The Board recognises that the application site benefits from a draft allocation for B2 and B8 employment uses in the emerging Stroud Local Plan Review which is currently at examination stage. The Board also supports appropriate economic growth to maintain strong, balanced and viable communities and therefore the need to accommodate such growth, when it is delivered in a way that is compatible with the purpose of conserving and enhancing the natural beauty of the Cotswolds National Landscape.

However, after having reviewed the information submitted by the applicant, the Board **objects** to this application due to the likely adverse landscape and visual impacts of the proposal, especially on the views to, and in particular, from the Cotswold escarpment, which are one of the 'special qualities' of the Cotswolds National Landscape, those being the features of the AONB that makes the area so outstanding that it is in the nation's interest to safeguard it.

The Board considers that the proposed development has the potential to create significant adverse landscape and visual impacts on views from Haresfield Beacon and associated sections of the Cotswolds Way National Trail. It is our view that, by virtue of their prominent location and excessively large size which lacks justification (especially when compared with other recently consented development at St Modwen Park), the proposed warehouses and associated development are not sensitively located and designed so as to avoid or minimise their impact on the AONB, in conflict with Policies ES7, CP14 and CP11 of the Stroud Local Plan 2015 and paragraph 176 of the NPPF as well as the advice contained in Policy CE1 of the Cotswolds AONB Management Plan 2018-2023.

**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**



Furthermore, the Board considers that the application as a whole seeks to downplay this potential significant adverse impact on the National Landscape; further information relating to our objection can be found in the Annex accompanying this response.

Please don't hesitate to contact me if you wish to discuss this response further.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'S. Joyce', with a stylized flourish at the end.

Simon Joyce

**Planning Officer**

[simon.joyce@cotswoldsaonb.org.uk](mailto:simon.joyce@cotswoldsaonb.org.uk) | 07808 391227

## ANNEX 1. COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION S.21/2579/OUT

### Planning Policy Considerations

In reaching its planning decision, the local planning authority (LPA) has a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape.<sup>2</sup> The Board recommends that, in fulfilling this ‘duty of regard’, the LPA should: (i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and (ii) take into account the following Board publications:

- Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023 ([link](#));
- Cotswolds AONB Landscape Character Assessment ([link](#)) particularly, in this instance, with regards to Landscape Character Types (LCT) 18 (Settled Unwooded Vale), 2 (Escarpment) and 8 (High Wold Valley);
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, regards to LCT 18 ([link](#)), including Section 18.1, LCT 2 ([link](#)) including Section 2.1 and LCT 8 ([link](#)) including Section 8.1;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to Development in the Setting of the AONB ([link](#)), Landscape-Led Development ([link](#)), Tranquillity ([link](#)) and Dark Skies and Artificial Light ([link](#)) and its appendices ([link 1](#), [link 2](#), [link 3](#)).

#### *National Planning Policy Framework (July 2021) and development within the setting of the Cotswolds National Landscape*

Paragraphs 174 and 176 of the National Planning Policy Framework provide the highest status of protection for the landscape and scenic beauty of AONBs, including the Cotswolds National Landscape. Paragraph 174 states that planning decisions should both contribute to and enhance the natural environment by protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan.

Paragraph 176 then outlines the ‘great weight’ to be given to the conservation and enhancement of the landscape and scenic beauty of AONBs. This ‘great weight’ is relevant in this instance as the site forms part of the AONB’s setting and the proposed development would, in the view of the Board, have a significant adverse impact on its landscape and visual character and quality.

Furthermore, the requirement that development within the setting of AONBs “*should be sensitively located and designed to avoid and minimise adverse impacts on the designated areas*” was also added into paragraph 176 with the publication of the current NPPF in July 2021.

Given the Landscape chapter of the applicant’s Environmental Statement (Chapter 9, Rubicon Planning/EDP, October 2021) and the Landscape and Visual Baseline (EDP, July 2021) both state that the site lies within the setting of the Cotswolds National Landscape, it is disappointing that whilst the Environmental Statement, Landscape and Visual Baseline and Planning Statement (Rubicon Planning, October 2021) all refer to the Framework’s presumption in favour of sustainable development, none

of these documents adequately reference its provision for landscape protection; none of these documents make any mention of NPPF paragraph 176.

The fact that this key paragraph of national planning policy relating to AONBs and the ‘great weight’ required to be given to their protection is omitted from the submission leads the Board to consider that the applicant downplays the status of the AONB and, by extension, the proposal’s likely significant adverse impacts upon it. Any adverse effects on the AONB need to be assessed properly and fully taken into account when determining this application, with the appropriate weighting applied in the decision.

The Board’s Position Statement on Development in the Setting of the AONB referred to above outlines how the surroundings of the Cotswolds National Landscape are also important to its landscape character and quality. Development proposals that affect views into and out of the AONB need to be carefully assessed to ensure that they conserve and enhance the natural beauty and landscape character of the AONB.

The National Planning Policy Guidance (NPPG 2014) also confirms in relation to the Section 85 duty<sup>2</sup> that *“The duty is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas.”*

A High Court decision (Stroud District Council v Secretary of State for Communities and Local Government (Gladman Development Ltd) February 2015) helps confirm the application of what is now paragraph 176 of the NPPF as far as ‘great weight’ is concerned. Mr Justice Ouseley stated in this case that paragraph 115 (now paragraph 176) of the NPPF *“certainly covers the impact on the scenic beauty of the land actually within the AONB. It seems to me that it would be unduly restrictive to say that it could not cover the impact of land viewed in conjunction with the AONB from the AONB. But to go so far as to say that it must also cover land from which the AONB can be seen and great weight must be given to the conservation of beauty in the AONB by reference to that impact reads too much into paragraph 115.”*

The above decision helps to clarify that there are differing ways of assessing impacts on the setting of the AONB which require the application of different policies and guidance: (i) harm directly to land in the designated AONB itself from views out of the AONB and between parts of the AONB towards new development in its setting (where Paragraph 176 of the NPPF is relevant) and: (ii) as a separate material consideration, harm to land outside the designated AONB, for example views of new development in the context or backdrop of the AONB (where paragraphs 176 or 177 is not relevant).

Impact of views back towards the AONB, from outside the AONB, may be a separate material consideration and subject to separate policy and guidance, for example paragraph 174 of the NPPF also states that planning decisions should contribute to and enhance the natural environment by protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan.

This approach is supported by recent appeal decisions. In considering an appeal at Ashmead Drive, Gotherington (Tewkesbury District, appeal ref. APP/G1630/W/20/3256319) the Inspector states at

paragraph 28 of her decision letter that *“Having regard to case law presented, along with the Planning Practice Guidance, in my view, although the proposal is outside the AONB, the effect on views out of the AONB, gained from within the AONB would result in paragraph 172 [now paragraph 176] being relevant”*. This approach was also taken in an appeal decision issued last month where the Inspector refused an employment proposal featuring buildings of around 12m in height located within the setting of the North Wessex Downs AONB (appeal ref. APP/U3935/W/21/3269667, Inlands Farm, Swindon, 24 January 2022, paragraph 21).

#### *Adopted Development Plan*

As far as adopted Development Plan policy relating to landscape issues is concerned, Stroud District Local Plan (2015) Delivery Policy ES7 ‘Landscape character’ refers to development on land that may affect the AONB’s setting and states that priority will be given to the conservation and enhancement of the natural and scenic beauty of the landscape whilst taking account of the biodiversity interest and the historic and cultural heritage. Major development will not be permitted unless it is demonstrated to be in the national interest and that there is a lack of alternative sustainable development sites.

Policy CP14 ‘High quality sustainable development’ refers to the need for ‘appropriate design and appearance’ and ‘integration with surroundings’ in sub sections 5 and 9 respectively whilst Policy CP11 ‘New employment development’ describes how development should ‘be of a type and scale of activity that does not harm the character, appearance or environment of the site or its surroundings...’.

#### *Emerging Development Plan*

The Board recognises that the application site benefits from a draft allocation in the emerging Stroud Local Plan Review (Presubmission Draft Plan 2021). Employment allocation reference PS43 Javelin Park allocates 27 hectares of land for ‘office, B2 and B8 employment uses’. The supporting text at paragraph 3.4.13 of the Presubmission Draft Plan states that the development *“will need to include a high quality of design and landscaping that minimises any potential visual impacts upon the heritage assets and their immediate settings at adjacent Haresfield and wider views from the Cotswolds AONB escarpment”*. It is also noted that the Presubmission Draft Plan also proposes a further 5ha employment allocation as an extension to the Quedgeley East (now called St Modwen Park) development as well as significant new residential development at Hunts Grove.

The emerging policy framework for the application site states that *“a masterplan, to be approved by the District Council, will detail the way in which the land uses and infrastructure will be developed in an integrated and coordinated manner”*. Whilst the Board is unclear whether or not this application represents the Local Plan level ‘masterplan’ envisaged by the Council, we would recommend that a close analysis of building heights, siting, layout and massing are key considerations, along with landscape mitigation to minimise the visual impacts of any development on the special qualities of the AONB.

Draft Delivery Policy ES7 concerns landscape character and states that *“Within the Cotswolds Area of Outstanding Natural Beauty (AONB), or on land that may affect its setting, priority will be given to the*

conservation and enhancement of the natural and special qualities of the AONB, including landscape quality / landscape beauty, tranquillity; dark skies; natural heritage and cultural heritage. *Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB should have regard to, be compatible with and reinforce the landscape character of the location.* Major development will not be permitted unless it is demonstrated to be in the national interest and that there is a lack of alternative sustainable development sites.” (our emphasis). The policy further states that in all locations development proposals should conserve or enhance the special features and diversity of the different landscape character types found within the District. Priority will be given to the protection of the quality and diversity of the landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social wellbeing and development will only be permitted if it will protect and enhance landscape character.

#### *Cotswolds AONB Management Plan*

The Cotswolds AONB Management Plan 2018-2023, which is a material consideration in planning decision making, identifies the Cotswold escarpment and high wolds, including views from and to the AONB, as being two of the AONB’s ‘special qualities’ along with the tranquillity of the area and its dark skies. The special qualities of the AONB are those aspects of the area’s natural beauty which make the area distinctive and which are valuable, especially at a national level. They are also the key attributes on which the priorities for the AONB’s conservation, enhancement and management should be based.

Policy CE1 states that proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB, should have regard to, be compatible with and reinforce the landscape character of the location, as described by the Cotswolds Conservation Board’s Landscape Character Assessment and Landscape Strategy and Guidelines. They should have regard to the scenic quality of the location and its setting and ensure that views – including those into and out of the AONB – and visual amenity are conserved and enhanced.

The Board’s Tranquillity Position Statement referenced above recommends that proposals that have the potential to impact on the tranquillity of the AONB accord with Policy CE4 of the Cotswolds AONB Management Plan 2018-2023, give great weight to conserving and enhancing the tranquillity of the AONB and assess potential impacts on tranquillity, particularly with regards to noise, vehicle movements and landscape and visual impacts.

Policy CE5 states that proposals that are likely to impact on the dark skies of the AONB should have regard to these dark skies, by seeking to (i) avoid and (ii) minimise light pollution.



## LANDSCAPE AND VISUAL IMPACTS

Notwithstanding the hybrid nature of the scheme and in line with the approach taken by the Inspector in the Inlands Farm appeal referred to above, we have considered the proposal, both detailed and outline elements, as a whole. The submitted Parameters Plan (dwg. no. 6440 - 67 Rev C) demarcates a development area to be built out with an overall floor area of up to 105,000 sqm with a maximum height of 57.30m A.O.D. excluding plant, silos or other ancillary structures. 57.30m A.O.D. indicates that the warehouses will themselves reach a maximum height of 34m.

The site is visible from multiple viewpoints within the AONB from Public Rights of Way, access land and local roads, including Haresfield Beacon, a popular viewpoint for both tourists and local residents. These Public Rights of Way include the nationally significant Cotswold Way National Trail which passes Haresfield Beacon and continues along the escarpment, where clear views over the site and the Berkeley Vale can be enjoyed. Indeed, the applicant's submission underestimates the full extent of the area from which the proposal will likely be visible. The screenshot below is taken from an LVIA prepared in support of an application at Ebley, near Stroud (GCC appn. ref. 21/0075/STMAJW) and shows a view taken from Selsley Common, 7km from the Symmetry Park application site. The Javelin Park EFW plant is clearly visible and given the scale of the proposed warehouses, it is likely that they would also be visible.



*Extract taken from LVIA prepared in support of GCC appn. ref. 21/0075/STMAJW (ACLA Landscape Architects/Dalcour Maclaren, August 2021)*

The Board acknowledges the applicant's assertion that the proposal, when viewed from the Cotswolds escarpment, would to some extent be viewed as part of a wider panorama and adjacent to the Javelin Park EFW facility. The Board also agrees with the application's assessment that both the National Landscape as a landscape receptor and receptors on the Cotswold Way National Trail should be classed as having 'very high' sensitivity in line with the criteria included at Tables 9.1 and 9.2 of the Environmental Statement.

The Environmental Statement's landscape chapter (Chapter 9) proceeds to conclude that due to the 'low' magnitude of change, the impact of the proposal on views (visual effects) from Haresfield Beacon and the associated section of the Cotswold Way National Trail (shown at photoviewpoints 4 and 10) would be 'moderate and significant' adverse both at years 1 and 15, despite the landscape mitigation proposed. It also states that paragraph 3.25 of Technical Appendix 9.1, Landscape and Visual Baseline that there would also be significant landscape effects on LCT 2C Uley to Cooper's Hill ('Escarpment'). In the Board's view, the magnitude of change is at least 'low'. Using the Level of Effects Matrix at Table 9.5 of the ES, a 'medium' or 'medium to low' magnitude of change coupled with the 'very high' sensitivity observed would result in a 'major-moderate' adverse impact for both landscape and visual receptors.

However, the Planning Statement makes no mention of these conclusions or indeed of any assessed impacts on the National Landscape, merely concluding in its Executive Summary that *"the site itself has no heritage or landscape value and with the use of good design and choice of colour and types of materials can be assimilated into the wider landscape"*. Moreover, whilst paragraph 3.12 of the Planning Statement states that *"The EIA and other supporting documents examine the environmental impact of the proposal and conclude no harm will arise"*, as outlined above, at no point does the report even mention the AONB designation the setting of which the application site lies within.

The Board also notes Natural England's further observations in its objection, dated 2 February 2022, referenced i) to iii) in its consultation response. Having been informed by a site visit by the Board's Planning Officer on 1 December 2021 in mostly overcast weather but with good visibility, we agree with Natural England on these matters and also on its observations relating to materials and colour selection.

Moreover, whilst the application only considers that one Landscape Character Type, LCT2 (Escarpment), would be impacted by the proposal, in our view it has the potential to impact three separate LCTs. Sections of the Cotswold Way, for example, are on the boundary between LCT2 and LCT8 (High Wold Valley); the long-distance views associated with the high wold are another of the relevant 'special qualities' of the AONB. The proposed development would also be highly visible from a number of publicly accessible locations within LCT 18 including Public Rights of Way to the east of Haresfield and south of Colethrop.

The application also seems to imply that only a small part of the LCT2 would be affected and that therefore the scale and potential impact of the proposed development are not significant. The Board's position is that it is not appropriate to compare the extent of the effect with the size of the whole LCT in an attempt to downplay its potential impact, as taking this approach would completely undermine the national planning policies that are put in place to protect, conserve and enhance the

natural beauty of AONBs. This position is expanded upon in Appendix 2 of the Board's Landscape-Led Development Position Statement, referenced above.

Chapter 9 of the Environmental Statement also does not adequately address the cumulative effects of the development as multiple viewpoints, both in terms of views from the AONB and views towards the AONB, are likely to be adversely affected by multiple developments; this development and those allocated in the emerging Stroud Local Plan Review.

In conclusion on landscape and visual matters, we support Natural England's view that the 'moderate and significant adverse' landscape impact assessment at years 1 and 15 made by the applicant downplays the potential impact of the proposal. Our view is that the proposal would have a likely 'moderate/major and significant adverse' impact on views from Haresfield Beacon and the Cotswold Way.

## SCALE AND BUILDING HEIGHTS

Whilst the Board recognises the nationwide need for well-located logistics sites, we are concerned that, apart from mention of a 34m height 'limit' in relation to the decision allowing the Javelin Park EFW proposal (in reference to the requirements of the Gloucestershire Waste Core Strategy rather than the Stroud Local Plan), there appears to be no clear justification for the size of the warehouses. This is relevant both in terms of the overall floorspace, proposed either in outline or detail, which is in excess of 1.1 million sqft (105,000 sqm) and particularly so for the 34m height parameter the applicant is seeking to establish for the phase 2 buildings.

The two phase 1 units for which detailed consent is sought extend to 172,330 sqft and 259,916 sqft respectively, significantly larger than those consented at St Modwen Park, whilst the phase 2 units are shown to be larger still.

The Gloucestershire Employment Needs Assessment ('ENA', SPRU, August 2020), which forms part of the Council's Local Plan Review evidence base, notes in its conclusion on location and mix at paragraph 12.17 that *"in terms of size requirements, there is an identified shortage of medium size units in the 25,000-40,000 sqft range and there is a steady demand for smaller units of around 1,000-5,000 sqft... This means the demand for employment land will be to include smaller sites at the existing employment locations, close to the motorway junctions or strategic road network, and close to the existing workforce"* (our emphasis). There is no mention of a particular local need for such large warehouses.

Indeed, the applicant's own Planning Statement at paragraph 3.47 and 4.21 outlines how the ENA states that only 12.8 ha of B8 use is required in Stroud District to 2040 (in comparison to the site's 27ha size) and that the greatest need for new employment development in the District is for new B1c/B2 class facilities, rather than the B8 use proposed here. Whilst paragraph 4.18 of the Planning Statement outlines a 65ha shortfall in employment land supply from within the Gloucester, Tewkesbury and Cheltenham Joint Core Strategy authorities which Stroud District has committed to help accommodate, there is no mention of what proportion of this would be for B8 use as opposed to other B-class employment uses. Paragraph 4.22 of the Planning Statement also identifies that *"Local Plan Review policy CP2 does not provide for cross boundary employment land need"*. In short, whilst

the site is identified as a proposed allocation for employment uses, there appears to be no current specific policy requirement for over one million square feet of B8-class warehouse floorspace, in buildings of up to 34m tall in this location.

The Board also notes that two of the now built out units at St Modwen Park, the strategic scale B8 development to the northeast of the site and formerly known as Quedgeley Trading Estate where units range from 36,576 to 73,000 sqft, are unoccupied (<https://stmodwenlogistics.co.uk/property/st-modwen-park-gloucester/>, as at 10/2/22) with more as-yet unreserved units on the remainder of the site being offered on a 'build to suit' basis.

St Modwen Park features buildings for which the maximum permitted building heights range between 13m and 19m. These height limits were imposed to reduce their impact on the setting of the AONB and nearby heritage assets. The 34m high phase 2 buildings proposed in this application are therefore 88% taller than both the phase 1 units and those consented at St Modwen Park. Whilst the applicant points to the neighbouring presence of the Javelin Park EFW plant, this structure was not intended to set a precedent for other buildings on the rural fringe of Gloucester, particularly when in the setting of the National Landscape and in our view, the landscape mitigation proposed in terms of tree planting around the site boundaries would provide little to no mitigation of the significant new buildings in elevated views from the Cotswold escarpment.

The scale of the development including the size, bulk, massing and height of the structures represents a key consideration in this application, yet parts of the submission lack clarity in helping to differentiate between the full and outline elements of the proposal. Clarification regarding the content of the photomontages is required as those submitted by the applicant clearly show all the proposed buildings at c.34m in height, an example being dwg. ref. edp5060\_d064, Figure 9.10, verified view 4 at 15 years.

## **HIGHWAYS IMPACTS**

Tranquillity is another of the 'special qualities' of the Cotswolds National Landscape. In other words, it is one of the features of the Cotswolds that makes the area so outstanding that it is in the nation's interest to safeguard it. The Cotswolds National Landscape has relatively high levels of tranquillity, especially when compared with the surrounding urban areas.

The key environmental effects in respect of transport are identified in para 5.4 of the Transport Assessment as (i) increased delay on the network and (ii) visual impacts from additional traffic. Whilst the Board recognises that most, if not all, of the delay on the network will likely be on routes outside of the National Landscape, the visual impact of the traffic, particularly increased numbers of OGVs associated with the proposal, is likely to be a factor when viewed from the National Landscape. However, the Environmental Statement submitted in support of the application fails to consider the potential impact of traffic generated by the development on the AONB and its tranquillity or the cumulative impact of this and the other developments consented nearby.

It is also noted that National Highways, Helix Transport Consultants (on behalf of Standish Parish Council) and Turley (on behalf of St Modwen, the developer of St Modwen Park), have all raised issues around the impact of the proposal on the continued safe operation of the local and strategic road

network. This includes the existing highways capacity and 'pinch points' at key junctions in proximity to the application site, the deliverability of off-site highways improvements required to unlock the site for development and shortcomings within the Transport Assessment which Turley and Helix consider is based upon outdated and incomplete data. The Board supports the concerns raised and agrees that this proposal has the potential to cause significant disruption to the strategic and local highway network, both during its construction and operation of development and that this may adversely impact the AONB in terms of tranquillity and visual amenity.

## **LIGHTING**

Whilst a Lighting Statement (Hannan Associates, July 2021) has been submitted in support of the application, it does not mention potential landscape or dark skies impacts in relation to the AONB and the applicant is requested to provide further clarification on their proposal to allow the Board to further consider this issue. Dark skies are another of the 'special qualities' of the AONB and the applicant is encouraged to refer to the Board's guidance in relation to artificial light and dark skies contained in our Position Statement referred to above.



## NOTES:

- 1) Cotswolds National Landscape is the new name for the Cotswolds Areas of Outstanding Natural Beauty (AONB). The new name takes forward one of the proposals of the Government-commissioned 'Landscapes Review' to rename AONBs as 'National Landscapes'. This change reflects the national importance of AONBs and the fact that they are safeguarded, in the national interest, for nature, people, business and culture.
- 2) Section 85 of the Countryside and Rights of Way Act 2000.  
[www.legislation.gov.uk/ukpga/2000/37/section/85](http://www.legislation.gov.uk/ukpga/2000/37/section/85)
- 3) The documents referred to in our response can be located on the Cotswolds National Landscape website under the following sections
  - a. Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023  
[www.cotswoldsaonb.org.uk/management-plan](http://www.cotswoldsaonb.org.uk/management-plan)
  - b. Cotswolds AONB Landscape Character Assessment  
[www.cotswoldsaonb.org.uk/lca](http://www.cotswoldsaonb.org.uk/lca)
  - c. Cotswolds AONB Landscape Strategy and Guidelines  
[www.cotswoldsaonb.org.uk/lsg](http://www.cotswoldsaonb.org.uk/lsg)
  - d. Cotswolds AONB Local Distinctiveness and Landscape Change  
[www.cotswoldsaonb.org.uk/ldlc](http://www.cotswoldsaonb.org.uk/ldlc)
  - e. Cotswolds Conservation Board Position Statements  
[www.cotswoldsaonb.org.uk/ps1](http://www.cotswoldsaonb.org.uk/ps1)  
[www.cotswoldsaonb.org.uk/ps2](http://www.cotswoldsaonb.org.uk/ps2)