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By email only to: [planningdc@gloucestershire.gov.uk](mailto:planningdc@gloucestershire.gov.uk)

18 July 2022

Dear Linda,

**APPLICATION NO:** 21/0050/CWS73M

**DESCRIPTION:** Variation of condition 2 (revise restoration date from 25.11.2051 to 31.12.2034); Condition 3 (revise working scheme including revised location of stone processing shed and replacement office/welfare facilities) and condition 7 (revise export limits to 100,000 tpa from 50,000 tpa for 3 years) relating to planning consent 14/0101/CWMAJM for extension to existing quarry, dated 21/05/2015

**LOCATION:** Oathill Quarry, Fiddlers Green, Temple Guiting, Gloucestershire, GL54 5SG

Thank you for consulting the Cotswolds Conservation Board ('the Board') on the additional information submitted by the applicant in support of this proposed development, which would be located within the Cotswolds National Landscape.<sup>1</sup>

As you will be aware, the Board has previously objected to the proposed increase in output at Oathill Quarry on a number of occasions, in letters dated:

- 28 September 2018, in response to planning application 18/0010/CWMAJM;
- 31 May 2019, in response to planning application 19/0032/CWMAJM;
- 1 July 2019, in response to the same planning application;
- 15 June 2020, in response to planning application 19/0086/CWMAJM;
- 22 January 2021, in response to the same planning application; and
- 30 November 2021, in response to this planning application 21/0050/CWS73M.

Therefore, this response should be considered in addition to these previous responses.

Having reviewed the David Jarvis Associates Regulation 25 Addendum dated May 2022, prepared in response to the Council's Regulation 25 Request letter dated 20 December 2021, the Board wishes to maintain its **objection** to this application to vary conditions 2 and 7 pursuant to planning consent 14/0101/CWMAJM. Further information is provided within Annex 1 below, however the main reasons for this objection are as follows:

1) In our view, the proposed variation of condition 7 would have a significant adverse impact on the statutory purpose of conserving and enhancing the Cotswolds Area of Outstanding Natural Beauty (AONB). In particular, the variation would have a significant adverse impact on the 'tranquillity' of the AONB, which is one of the AONB's 'special qualities'. Furthermore, the adverse impacts associated with this individual proposal would further exacerbate the cumulative impact of the cluster of quarries within close proximity to Oathill Quarry.

#### **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**

2) The applicant relies heavily on an unspecified need to provide Cotswold Stone as the reason that GCC should approve the doubling of output proposed by this application, despite GCC's Minerals Local Plan stating that the quarries already identified in its Plan will meet the county's needs for aggregate for the recommended period. Yet the applicant's data shows this stone will comprise only 30% of the total output, with the rest being aggregate and lime. Therefore, the proposed variation of condition 7 would lead to a significant increase in the production and export of agricultural lime from the quarry. Mineral production in the Cotswolds AONB should be at an appropriate scale and should focus on the provision of building materials that help to maintain and enhance the local distinctiveness of the AONB. Exporting agricultural lime does not contribute to this objective and the production of agricultural lime should, as far as practical, be sourced from outside AONBs. Please refer to our previous response dated 30 November 2021 for further information.

3) The inadequate proposals for the restoration of the quarry in support of the application to vary condition 2 would fail to deliver a restoration which is in keeping with the character of the landscape. This issue is exacerbated by the proposed increase in output resulting in insufficient material being left onsite to effectively restore the site. Please refer to our previous responses for further information.

In reaching its planning decision, the minerals planning authority (MPA) 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 MPA 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 Type (LCT) 7 (High Wold);
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 7 ([link](#)), including Section 7.5;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to Tranquillity Position Statement ([link](#)) particularly, in this instance, with regards to Section 4.5 Traffic and vehicle movements.

If you have any queries regarding the information provided in this response, please do not hesitate to get in touch.

Yours sincerely,



Simon Joyce

**Planning Officer**

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## 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)

## ANNEX 1. COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION 21/0050/CWS73M

### Tranquillity

Tranquillity is one of the ‘special qualities’ of the Cotswolds AONB. In other words, it is one of the features of the AONB that makes the area so outstanding that it is in the nation’s interest to safeguard it. Tranquillity is also one of the ‘natural beauty’ criteria that are taken into consideration by Natural England when designating AONBs. It is, therefore, an important consideration when local authorities undertake their statutory duty to have regard to the statutory purpose of AONB designation (i.e. to conserve and enhance the natural beauty of the AONB).

Further information about tranquillity is provided in the Board’s Tranquillity Position Statement ([link](#)), which was adopted by the Board on 25 June 2019. This Position Statement should be treated as a material consideration.

Much of the justification for the Board’s objection in relation to tranquillity and the impact of additional HGV movements resulting from increased workings at Oathill Quarry was outlined in the comments that we submitted on 31 May 2019, 15 June 2020 and 30 November 2021 in response to previous and current applications seeking to increase production above the currently permitted 50,000tpa. Therefore, this response should be considered in conjunction with these previous responses.

However, it is concerning that before addressing matters of tranquillity in their Regulation 25 response, the applicant feels the need to ‘reiterate the MPA *could* resolve to positively determine a planning application where the benefits of a scheme outweigh any non-compliance with relevant planning policies’ (paragraph 2.29, our emphasis).

### *HGV movements*

Table 5.1 of the Transport Statement appended to the ES and Table 3.1 of the Transport Technical Note, April 2022, identify that 50,000 tonnes per year equates to 52 HGV loads per week or 10 loads / 21 movements per day. The methodology behind this calculation does not appear to be provided. A critical step in estimating the number of loads is tonnes per vehicle. For example, if the agricultural lime is required by nearby farmers (paragraph 3.1.4 of the Transport Technical Note), it may well be collected by tractor and trailer with a relatively small tonnage per vehicle, increasing the number of loads / movements.

The latest traffic data provided by the applicant in March 2022 confirms that there has been an increase in HGV movements on the B4077 of approximately 14% compared to measurements provided by the applicant for August and September 2019. A further 40 additional movements in September (a peak month for agricultural lime production) associated with this application would see an increase of 23% over September 2019 levels and c.8% above those levels recorded in March 2022.

We have highlighted how the impacts of the existing baseline traffic movements in the area are, in our view, already significantly harmful to the tranquillity of the AONB; HGVs already account for up to a fifth of all traffic movements on the local road network. This projected further increase would appear to breach the 10% ‘rule of thumb’ compared to September 2019. It is also worth noting that the 10% ‘rule of thumb’ threshold referred to by the applicant is the level above which a development might be considered to have significant adverse impacts and merit an Environmental Impact Assessment. Increases in HGV movements of less than 10% could still be considered to have an adverse impact of up to moderate significance, rather than the negligible significance implied in the applicant’s environmental statement and addendum.

We also note and support the concerns raised by Temple Guiting Parish Council in its detailed analysis of the transport assessment supporting this application.

#### *Noise*

Please refer to our previous comments in relation to noise impacts.

#### *Dust*

Please refer to our previous comments in relation to potential dust/air quality impacts.

#### *Lack of measures to enhance tranquillity*

We remain of the view that this planning application also does not consider or recommend measures to enhance the tranquillity of the Cotswolds AONB, for example, by removing and / or reducing existing sources of noise pollution and other aural and visual disturbance, as required by Policy DM09 (part b) of the Gloucestershire Minerals Local Plan 2018-2032 (GMLP) and advocated by Policy CE4 of the Cotswolds AONB Management Plan 2018-2023.

We do not agree with the supposition made by the appellant at paragraph 2.34 of the Regulation 25 response that the earlier cessation of mineral working and delivery of restoration of the quarry is an acceptable trade-off for the associated increases in noise, dust, vibration and HGV movements. In our view, on balance, the adverse effect of doubling HGV movements up to 2034 would outweigh the potential benefits of bringing forward the date at which HGV movements will end.

In summary it remains the Board's view that the adverse impacts on tranquillity arising from this proposal would conflict with Policies CE3 and CE4 of the Cotswolds AONB Management Plan 2018-2023 and the requirements of Policies DM01 and DM09 (part b) of the GMLP and paragraph 211b of the National Planning Policy Framework.

#### **Conditions**

Notwithstanding the Board's objection to this application and without prejudice, should the Minerals Planning Authority be minded to approve this application, the Board would agree with the MPA's Policy team that specific restrictive conditions must be imposed in relation to:

1. Appropriate control over the duration of quarrying activities at the site, to minimise the presence of adverse impacts on the special qualities of the AONB in line with policies DM01 and DM09 of the GMLP;
2. Limiting the overall amount of material exported from the site, both during the next three years and afterwards. As outlined above, with the proposed variation to condition 7, it is critical that any condition is carefully worded to ensure that the original permitted limits are reverted to once the temporary period ends. This is essential to avoid the risk of further unacceptable impacts on the AONB occurring from a longer-term intensification of operations (GMLP Policy DM09), to ensure that sufficient material is retained on-site to support an acceptable restoration (GMLP Policy MR01) and to ensure that finite mineral resources are safeguarded for their best use (as directed by the NPPF);
3. Limiting the nature of mineral working by way of restrictions on the type of product being produced (dimension stone/agricultural lime/crushed aggregate). This would also avoid the risk of further unacceptable impacts on the AONB occurring from an intensification of operations (GMLP Policy DM09) and help to ensure that sufficient material is retained on-site to support an acceptable restoration (GMLP Policy MR01); and
4. Limiting the future importation of materials to the site to minimise the risk of unacceptable impacts on the AONB (GMLP Policy DM09).