

**Planning Application S.09/2292/FUL  
Proposed Motorway Service Area  
Land Adjacent to Ongers Farm, Upton Lane, Brookthorpe, Gloucester**

**Comments of the Cotswolds Conservation Board**

1. The Cotswolds Conservation Board ('the Board') was established by Parliament in 2004.

The Board has two statutory purposes<sup>1</sup>:

- a) to conserve and enhance the natural beauty of the AONB; and
- b) To increase the understanding and enjoyment of the special qualities of the AONB.

In fulfilling these roles, the Board has a duty to seek to foster the economic and social well-being of people living in the AONB.

2. The Board has no comment to make on the need for an MSA at this location. The Board notes that the Inspector dealing with an appeal for a similar proposal at this site in 1994 opined "*Bearing in mind the spacing criteria, the length of motorway in the vicinity of Ongers Farm provides the only potential location*". The criteria for spacing of potential MSA sites is set out in Department of Transport Circular 01/2008 "*Policy on Service areas and other roadside facilities on motorways and all purpose trunk roads in England.*" The Board understands that the suggested distance between potential core MSA's has been marginally reduced in Circular 01/2008 from that in the previous statement of Government policy (Roads Circular 1/94),
3. The Board further notes that in 1994 that even though accepting that this was the only possible site for an MSA in the vicinity, the Inspector came to the conclusion "*that the proposed MSA would harm the character and appearance of the surrounding countryside, including views from public viewpoints overlooking it, and that such harm is not outweighed by the needs of motorists for a MSA on this site.*"
4. The Board therefore considers that the following policy framework applies to consideration of the significance of the impact of the proposal on the character and appearance of the surrounding countryside including the Cotswolds AONB, which abuts the site.

**Paragraph 54 of DfT 01/2008**

*There is also a need to limit development alongside motorways and motorway junctions to mitigate the impact of strategic roads on the environment. This applies particularly, though not exclusively, to open countryside and areas of planning restraint such as National Parks, Areas of Outstanding National Beauty (AONBs), the Green Belt and sites that either are themselves, or may affect, Sites of Special Scientific Interest (SSSIs). Finally, any development accessed from a motorway*

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<sup>1</sup> Section 87, Countryside and Rights of Way Act 2000.

*(including roadside facilities) risks the creation of additional local journeys that would not previously have been made.*

## **Planning Policy Statement 7 Sustainable Development in Rural Areas**

### **Paragraph 1(iv)**

*“New building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled; the Government’s overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all.*

### **Paragraph 15**

*Planning authorities should continue to ensure that the quality and character of the wider countryside is protected and where possible enhanced. They should have particular regard to any areas which have been statutorily designated for their landscape, wildlife or historic qualities where greater priority should be given to restraint of potentially damaging development.*

### **Paragraph 21.**

*Nationally designated areas comprising National Parks, the Broads, the New Forest Heritage Area and Areas of Outstanding Natural Beauty (AONB), have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas. The conservation of wildlife and the cultural heritage are important considerations in all these areas.*

At regional level, the current version of the draft Regional Spatial Strategy, incorporating the Secretary of State’s proposed changes, includes a policy to safeguard protected landscapes and their settings.

### **Policy ENV3 Protected Landscapes includes:**

*Particular care will be taken to ensure that no development is permitted outside the National Park or Areas of Outstanding Natural Beauty which would damage their natural beauty, character and special qualities or otherwise prejudice the achievement of National Park or Area of Outstanding Natural Beauty purposes.*

5. No modifications to this policy have been proposed by the Secretary of State following the publication of the Examination in Public Panel Report. The Board therefore suggests that this policy has considerable weight.
6. It is important to note that this policy effectively extends the “great weight” to be given as per PPS 7 Para 21 to developments outside but affecting the designated landscape.
7. Two landscape policies in the Stroud Local Plan 2005 - 2011 (adopted November 2005 and “saved”) are particularly relevant.

**Policy NE8**

*Development within, or affecting the setting of the AONB will only be permitted if all the following criteria are met:*

- 1. The nature, siting and scale are sympathetic to the landscape;*
- 2. The design and materials complement the character of the area; and*
- 3. Important landscape features and trees are retained and appropriate landscaping measures are undertaken.*

*Major development will not be permitted unless it is demonstrated to be in the national interest and that there is a lack of alternative sites.*

8. Again, this policy extends the PPS7 guidance to developments outside the AONB which affect its setting.
9. It should be noted that both SWRSS policy ENV 3 and Stroud Local Plan NES post date the 1994 appeal decision. The policy protection for the AONB from development outside it but affecting its special qualities has been strengthened.

**Policy NE10**

*Development proposals should conserve or enhance the special features and diversity of the different landscape character types found within the District as identified in the Stroud District Landscape Assessment. Priority will be given to the protection of the quality and diversity of the landscape character.*

10. The Board published the Cotswolds AONB Management Plan 2008-13 in April 2008.<sup>2</sup>
11. The statutory Management Plan contains the following policies of relevance to this application:

**Landscape Policy LP1:** *That the unique character, tranquillity, and special qualities of the Cotswolds landscape are conserved and enhanced.*

12. The Management Plan identifies the Cotswold Escarpment as a “special quality” of the AONB.

**Key issue LK2 notes** *“ It is important to protect the character and appearance of the escarpment and other skylines from both inappropriate developments...”*

**Key issue LK3 notes:** *The surroundings of the AONB are also important to its landscape character and quality. Views out from the AONB and into it from surrounding areas can be very significant...”*

13. The Council has endorsed the AONB Management Plan as a material consideration in the determining of planning applications.
14. In view of this policy framework the Board considers that the proposal has to meet two tests with respect to landscape impact to be acceptable.

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<sup>2</sup> [http://www.cotswoldsaonb.org.uk/management\\_plan/conserving.html](http://www.cotswoldsaonb.org.uk/management_plan/conserving.html)

**Test a)** Does it conserve and enhance the special features of the site itself, protecting quality and diversity of landscape character?

**Test b)** Does it damage or prejudice the conservation and enhancement of the Cotswolds AONB and its identified special qualities?

**Test A**

15. The site is of 25ha in area. It is currently agricultural in character. The “northern” site consists of one arable field and one pasture field. Part of the “southern” site is used for a quad racing track. The remainder is pasture. The impact of the quad track activity on landscape character and appearance has been considered to be acceptable by the Council when granting planning consent.

16. The proposal is to introduce into this agricultural landscape:

- Two 9m high facilities buildings of total area 6260 sqm.
- Two LGV facilities buildings of total area 48 sqm
- Two 8m high petrol filling stations of total area (including canopies) of 2900 sqm
- 72 HGV parking spaces
- 42 Trailer and caravan spaces
- 424 car parking spaces
- 63 staff parking spaces
- 18 coach parking spaces
- 34 spaces for people with disabilities
- 20 motor cycle spaces

17. In addition there are extensive circulatory roads, including connections to a widened and splayed access to Upton Lane for deliveries. The applicant confirms that approximately 70% of the site (17.5 ha/ 43 acres) (175,000sqm)

*“will be displaced for the overall MSA facility, with the remainder retained for open space and landscape.”*

18. The MSAs are to be linked to the motorway by new slip roads.

19. In addition the site is proposed to be lit throughout the hours of darkness by numerous lighting columns up to 10m in height.

20. The scheme incorporates proposals to mitigate any harm to the character of the site by means of amenity planting, architectural features and orientation of buildings, and ground modelling.

21. The Stroud Landscape Assessment describes the sensitivity of the character of this area to change such as is proposed:

*“The flat and relatively open nature of the Rolling Agricultural Plain, and the visibility of this landscape from the AONB make it particularly susceptible to inappropriate development. This landscape is under particular pressure from the expansion of existing settlement at Stroud, Stonehouse and Gloucester. New development from these settlements has already degraded*

some areas of the landscape. Major roads that dissect the Lowland Plain also pose a threat of associated developments which could undermine existing landscape quality.

The distinctive patterns of field enclosure and their geographical distribution are sensitive to changes in agricultural land use management. Changes in land use which would reduce the amount of pasture land would therefore be detrimental to the character of the landscape, as would the loss of hedgerow trees and small woodland. This is particularly important along the Escarpment footslopes fringe where the quality of landscape impacts upon the designated area of the AONB.”

22. The Board is therefore of the view that this development, equivalent to a large retail complex in scale, particularly of parking and other hard standing, results in a loss of pasture, hedgerows and hedgerow trees which would have an significant adverse impact on the recognised character of the site, contrary to the landscape policy framework set out above.
23. The applicant proposes mitigation measures to address changes in the appearance of the site. The Board is of the view that the proposed amenity tree planting is not of a form characteristic of the site or the area. Woodland blocks and groups as proposed are restricted to the escarpment itself, not the lower slopes and valley floor which the site occupies. In any case the site can be viewed from highly elevated public viewpoints including Robinswood Hill Country Park, and to a lesser extent Cud Hill within the Cotswolds AONB. The ground modelling and planting used to provide low level screening will not significantly mitigate views from these points. This is acknowledged by the applicant;

“Both northbound and southbound sites will remain visible from this elevated view, (Robinswood Hill) in both winter and summer,”

24. The Board is of the view that the extensive areas of hardstanding, with traffic movements, highly coloured vehicles, reflections etc, all as noted by the Inspector in 1994, will be intrusive from public viewpoints, even as the inappropriate amenity planting matures. The innovatively designed facilities buildings represent only 0.03% of the area of the site “displaced for the overall MSA facility”.
25. The proposals involve the introduction of extensive 24 hour lighting into a currently relatively dark area. The motorway itself is not lit.
26. The Board has taken into account the fact that the site is currently dissected by the M5 motorway. However, in the vicinity of the site the motorway is generally in cutting, and not visually intrusive in low level views. From higher viewpoints the carriageway is visible, but it is the movement of vehicle which is particularly visually intrusive.
27. The Board is therefore of the view that the character and appearance of the site will be significantly harmed by the proposals, contrary to the planning framework.

**Test b)** Harm to the special qualities of the Cotswolds AONB.

28. The site abuts the AONB along Upton Lane.
29. As noted above, views of and from the Cotswolds escarpment are a special quality of the AONB which should be conserved and enhanced.

30. From the east, particularly the Robinswood Hill area, the site is a central part of views of the escarpment, in the transition between the escarpment and the valley. Any significant harmful changes in character and appearance of these lower slopes will harm the nature of the view by introducing a visually intrusive feature, uncharacteristic of the area. As noted above, the Board is not convinced that the measures proposed will successfully mitigate the harm arising from the development, and therefore the view of the escarpment will be harmed. This harm will be noticeable at night as the 17.5ha lit site will stand out starkly from the relative darkness of the escarpment behind.
31. The applicant also acknowledges that in views from the Cotswold AONB the visual impact of the proposals will be “moderate adverse” even in the long term
32. The Board therefore considers that the proposals will be harmful to a special quality of the AONB, contrary to the policy framework set out above.

### **Conclusion**

33. A proposal for an MSA at this site was refused in 1994 on grounds of unacceptable landscape impact.
34. The national, regional and local policy framework for landscape protection, including with respect to development outside but affecting designated landscapes, has been significantly strengthened since 1994.
35. The Board has identified significant harm to the character and appearance of the site, its surroundings, and the special qualities of the AONB, contrary to this policy framework.
36. The Board is mindful of its duty to seek to foster the economic and social well-being of people living in the AONB in the context of the purpose of designation of the AONB, but considers any such benefits are outweighed by identifiable harm.
37. **The Board therefore objects to the proposal on this basis.**