



Andrew Moody
Planning Department
Cotswold District Council
Trinity Road
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By email only to: 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

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,

A handwritten signature in black ink that reads "John Mills". The signature is written in a cursive style with a long, sweeping underline stroke.

John Mills
Planning & Landscape Lead
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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.¹ 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.² 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.³

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.⁴ 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

¹ <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>

² <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->

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

⁴ 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 02/2013⁵, 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*'⁶. 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 is 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.

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

⁶ 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.