



Stroud District Council
Ebley Mill
Stroud
Glos GL5 4UB

5 November 2015

For the attention of Humphrey Mpezeni

by e-mail

Dear Sirs

Angrove House Solar Field

Application Reference S.15/1765/FUL: Land south east of Angrove House, Bondend, Upton St Leonards

I write to set out CPRE's objections to the proposed development.

This letter takes into account the adopted and emerging development plan, the NPPF and PPG, and the documents submitted with the application, particularly the Environmental Assessment and Design and Access Statement. These documents are reviewed below.

Since as we understand it an Extraordinary Meeting of the Council is due to take place on 19 November to consider the adoption of the new Local Plan, this letter deals with the policies of the existing adopted Plan and of the new one.

The Site and its Surroundings

A representative of CPRE visited the site and walked footpaths in the vicinity on 3 November 2015. The topography of the site and the condition of the boundaries were noted. CPRE's observations and conclusions are set out below under the heading Public Rights of Way.

National Planning Guidance

Bearing in mind that the new Local Plan has not quite been adopted, we have had regard to paragraph 215 of the NPPF, which states that "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework..."

Paragraph 115 begins by stating that "great weight should be given to conserving landscape and scenic beauty...in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty" [CPRE emphasis].

Thus any local plan policies which seek to protect the AONB are entirely consistent with the NPPF and should be given considerable weight in the determination of this application.

Paragraph 116 begins: *“planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated that they are in the public interest”*. “Major” is not defined here; but we note the advice in the PPG that “major” is defined by the decision maker. For its part, CPRE regards this as major development on the grounds of the site area of 5.5 hectares.

The other two elements of paragraph 116 which need to be addressed are “exceptional circumstances” and “public interest”. The applicant has not demonstrated any exceptional circumstances which would support the proposed development. Nor is the public interest served by it; rather, the public interest in this context primarily concerns the protection and enhancement of the landscape of the Area of Outstanding Natural Beauty.

Volume 1: Environmental Appraisal

CPRE has examined this document which accompanies the planning application, and considers applicable Local Plan policies in this context.

We consider that the Environmental Appraisal contains a number of misleading, spurious and inaccurate statements in support of the proposal.

The Executive Summary refers to the site being *“on the very extremities of the AONB”*. This in our view misses the point; what is important is that it is in the AONB. It is therefore also misleading and inaccurate to then refer to the site’s *“proximity”* to the AONB.

The photographs in Figures 2.5 and 2.6 clearly illustrate the attractiveness of the landscape in the vicinity. The photographs in Figures 2.10, 2.12, 2.13 and 2.14 equally clearly show the extent to which the proposed development would constitute the industrialisation of the countryside.

CPRE disagrees strongly with the description of the AONB on page 7. The Cotswold AONB was not designated only for the landscape of the high wold; the scarp and the apron at the foot of it are in our opinion equally important. It is disingenuous to say that the site is *“not particularly characteristic of the AONB or as sensitive as the higher and more remote parts”*. To repeat our earlier point: the important fact is that the site is in the AONB.

National Policy Statements may also be material considerations for the determination of smaller planning applications by local planning authorities. However, the quotations from EN1 and EN3 show how little specific bearing they have on development on the scale proposed.

In our opinion the proposed development does not meet the first and third criteria of adopted Local Plan Policy BE21 and is therefore contrary to it.

Policy NE8, quoted on page 18, is not entitled “Cotswold Renewable Energy”. It is instead of general applicability. In our view, the proposed development fails to comply with the first and second criteria of the policy. Even more important, the quotation omits altogether the last sentence of the policy which states that *“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”*.

The document does acknowledge paragraph 8.77 which contains a reference to the national interest. However, the applicants offer no evidence on the first and second considerations in this paragraph.

As indicated above, the proposal constitutes major development. The applicants have provided no evidence on the availability or otherwise of alternative sites. The proposed development is therefore contrary to this policy.

Turning to the new Local Plan nearing adoption, the Environmental Appraisal quotes the whole of Policy ES2 Renewable or Low Carbon Energy Generation, but fails to address adequately the severe test which the penultimate paragraph sets for development of this kind in the AONB.

The development is also entirely contrary to the first two paragraphs and first criterion of Policy ES7 Landscape Character, which is also quoted in full.

Much of the material contained in the table which attempts to demonstrate compliance with policy is considered not relevant.

For all the above reasons, CPRE disagrees entirely with the conclusion that the Environmental Appraisal draws at Section 3.4.

Volume 2: Design and Access Statement

Section 3 summarises the components of the development in six bullet points. All six elements would in our opinion be detrimental to the landscape of the AONB.

The DAS states that the site would continue to be used for grazing and that its dual use would be a “significant benefit” of the scheme. This appears to contradict the earlier statement about the “relatively low quality” of the field which make up the site. More important, however in our view is that any such benefit is outweighed by the adverse effects on the landscape.

The DAS makes the same errors in its treatment of the AONB as the Environmental Assessment. For example, it states that the site is *“disassociated (sic) to the remainder of the AONB due to its natural screening and is considered to have more landscape features in common with the adjacent urban fringe farmland surrounding Upton St. Leonards”*. Intervisibility is not relevant in this context; in addition, the term urban fringe usually has pejorative connotations suggesting untidiness and poor environmental quality. On the

contrary, a striking feature of the landscape in the vicinity is how quickly the scene changes from the built up area of the village to unspoiled countryside, moreover, countryside of sufficient quality to warrant inclusion in the AONB.

Section 4 on site selection is also inadequate. In moving from the national scale to the local scale, it gives no logical sequential account of the selection process, failing to recognise that higher order constraints such as the AONB should be dealt with before lower order constraints such as availability of grid connections and agricultural land quality.

Reference is made to the fact that the site falls into the Severn and Avon Vales Landscape Character Area rather than the Cotswolds Landscape Character Area. This is correct; but once again, it is the fact that the site is located in the AONB itself which is important.

This section is incorrect (as is the Environmental Assessment) in stating that “very special circumstances” are required to justify development in the AONB. This phrase applies to Green Belts, which are designated for their location, not the quality of the landscape, and is not the test to be applied in a case such as this.

Public Rights of Way

A public footpath runs along the north eastern facing boundary of the site for about 200 metres. A track depicted on the Ordnance Survey Sheet 179 (1:25,000 scale) as an “other route with public access” runs along the western boundary. These connect with a public footpath leading from the edge of the village at a distance of about 400 metres.

The site visit found that a short stretch of footpath shown on the OS sheet was blocked by padlocked gate at one end. Otherwise, waymarking is good, stiles, and a bridge on the path approaching the site, are in sound condition and there was evidence on the ground of at least moderate use. The footpath on the north eastern side of the site is actually located in the fields proposed for the solar panels.

The site visit also revealed that the site is more open than the frequent assertions in the applicant’s supporting documents suggest, in particular on the western facing boundary where there are some mature trees but no low level cover in the form of a hedge. At the same time, the site is clearly part of the open countryside visually remote from Upton St Leonards. It cannot reasonably be described as “urban fringe”. Towards the eastern end of the site, Prinknash Abbey and the scarp are clearly visible and quite close, confirming CPRE’s view that it was entirely right to include this land when the AONB was designated.

In addition, traffic noise from the M5 was much less audible at the western end of the site than at the edge of the village.

It is concluded the amenity of the users of the public rights of way would be adversely affected by the proposed development.

Sustainability

This issue is addressed in terms of the three dimensions of sustainable development set out at paragraph 7 of the NPPF. In the economic sphere, the proposed development would have limited benefits in the construction stage and few benefits in the operational stage, given that maintenance requirements are also minimal.

The proposed development would in our opinion contribute nothing to the social dimension of sustainable development.

This leaves the environmental dimension, in which the benefits of the generation of 2.2 MW of electricity would be substantially outweighed by the long term harm to the landscape of this parts of the Cotswolds Area of Outstanding Natural Beauty. Thus we consider that the proposed development is, in these terms, on balance not sustainable.

Consultation Responses

CPRE has taken into account available consultation responses, particularly that of the Cotswold Conservation Board (CCB). The CCB's response speaks for itself, and CPRE wholeheartedly supports it.

Conclusion

CPRE considers that the applicant's Environmental Assessment and Design and Access Statement do not provide an adequate justification for the proposed development. They make light of the adverse effects, and of the importance attached to Areas of Outstanding Natural Beauty by Government, and in this case Stroud District Council.

The NPPF reaffirms the importance of the development plan in decision making. The proposed development is in our view contrary to the development plan, and there are no material considerations which would outweigh the lack of compliance with it.

For all these reasons, CPRE respectfully requests the Council to refuse the application.

Yours faithfully