

Planning Committee: 22 June 2005
Investigation Number: ACT 369/37/03

Item Number: 36

Town/Parish Council: Sherbourne
Case Officer: Martin Perry
01926 456523 planning_appeals@warwickdc.gov.uk

Sherbourne Fruit Farm, Sherbourne Hill, Sherbourne, Warwick, CV35 8AE

Change of use from agricultural/retail to coach distribution centre.

SUMMARY OF REPRESENTATIONS

Sherbourne Parish Council object to the proposal :-

- It is contrary to the open character of the Green Belt (Policy ENV1 and DAP1)
- Is a serious and unacceptable intrusion into the Special Landscape Area (Policy C8)
- Detrimental to highway safety.

Highways Agency direct refusal on the grounds of safety.

CPRE object to the proposal as it is within the Green Belt and special landscape area. The proposed use for the storage of huge articulated vehicles and buses of all sizes is inappropriate on this site in the Green Belt. It is essential to retain the attractive rural nature of this approach to Warwick.

Environmental Health has no objection.

WCC Highways No information regarding movements has been submitted. This should be provided during the period of operation.

Wildlife Trust unlikely that there would be concerns.

RELEVANT POLICIES

(DW) ENV1 Green Belt (Warwick District Local Plan 1995)
DAP1 Green Belt (Warwick District Local Plan 1996-2011 First Deposit Version)
PPG2 Green Belt
C8 Special Landscape Areas (Warwick District Local Plan 1995)
DAP3 Protecting Special Landscape Areas (Warwick District Local Plan 1996-2011 First Deposit Version)
(DW) ENV4 Development in Proximity to Motorway Junctions (Warwick District Local Plan 1995)

PLANNING HISTORY

A retrospective application was made for change of use from agricultural retail to coach distribution centre on 3rd March 2004. This application was refused on the 27th April 2004 and no appeal has been lodged.

KEY ISSUES

The site and its location

The site is situated remote from other buildings adjacent to the A46 (T) road between Longbridge Island and Clump Hill (A439 junction). The site comprises two buildings previously used for agricultural purposes and is located in the designated Green Belt and Special Landscape Area.

Details of the development

The development as a coach distribution centre involves the parking around the existing buildings of various lorry backs, coaches, mini buses and cars.

Assessment

The site is situated in the Green Belt and Special Landscape Area where the use of rural buildings is considered to be acceptable providing that it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land within it. There should also be strict control of associated uses of land surrounding the building, examples of which are “external storage, or extensive hardstanding, car parking”.

It is considered that the proposal does substantially adversely affect the openness of the Green Belt and conflicts with the purposes of including land within it. It also conflicts with other Local Plan Policy and Government Guidance.

The site accesses directly onto the A46 (T) road. It is considered that the proposal affects the safety of this road, as large, slow moving vehicles access the site and could lead to conflicts with the faster moving vehicles on the trunk road, therefore creating a high chance of confrontation between the two groups of vehicles. Therefore, the retrospective application for the use of the land for a coach distribution centre was refused on the 27th April 2004 on the grounds that:-

- The Highways Agency directs that permission be refused for the following reason: To enable the A46 trunk road to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10 (2) of the Highways Act 1980 by avoiding disruption to flow on that route by traffic expected to be generated by the development, and to protect the interests of road safety on the trunk road.
- The application site is within a Green Belt and Special Landscape Area, where both Structure Plan and Local Plan policy seek to conserve and protect the rural landscape. It is considered that the proposed development would have a detrimental impact on the rural landscape by reason of the requirement for and amount of external storage and parking of commercial vehicles, and would thereby be contrary to policies GD.6 and ER.4 of the Warwickshire Structure Plan and Policies (DW) ENV1 and (DW) C8 of the Warwick District Local Plan and emerging policy DAP1 and DAP3 of the first deposit version of the Local Plan (1996-2011) and Planning Policy Guidance 2 (Green Belts).
- The application site is located in close proximity to the Junction 15 of the M40, where it links with the A46 trunk road. As the site is a greenfield site where development adjacent to a M40 motorway junction would not

normally be permitted the proposal is contrary to Policy (DW) ENV4 of the Warwick District Local Plan.

REASON FOR SERVING ENFORCEMENT NOTICE

In view of the continuation of this breach of control, and the lack of response from the occupiers on progress towards relocation of their business, it is considered necessary to pursue enforcement action in the interests of highway safety and to remedy the harm to the character of this part of the Green Belt and Special Landscape Area.

RECOMMENDATION

That enforcement action be authorised to ensure cessation of the use of the land for a coach distribution centre and removal of all vehicles.
