

Planning Committee: 28 March 2017

Item Number: 8

Application No: [W 17 / 0185](#)

Registration Date: 03/02/17

Town/Parish Council: Beausale, Haseley, Honiley & Wroxall

Expiry Date: 31/03/17

Case Officer: Dan Charles
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Fuelwood Ltd, Claywood, Clattyland Lane, Beausale, Warwick, CV35 7AF

Erection of storage and workshop building. FOR Fuelwood (Warwick) Ltd

This application is being presented to Committee as the Parish Council supports the application and it is recommended for refusal.

RECOMMENDATION

That planning permission is REFUSED.

DETAILS OF THE DEVELOPMENT

The proposal is for the construction of a new building for storage purposes in association with the existing business operating from the site.

The building is located to the rear of the site adjacent to the existing buildings and against the backdrop of Clattylands Wood.

The building is to be of steel framed construction with a combination of blockwork and profiled steel cladding to the walls under a fibre cement roof.

The overall size of the building is 20m x 10m with an eaves height of 5.2m and a ridge height of 6.2m.

THE SITE AND ITS LOCATION

The site is an existing business operation located in a rural location. The site lies adjacent to Clattyland Woods, an area of replanted ancient woodland.

The site is set back from the public highway and served by a good quality access drive serving the application property and a residential dwelling known as Claywood.

The site consists of a range of existing buildings of varying size and design together with areas of hardstanding currently used as external storage areas.

The site lies within the West Midlands Green Belt.

PLANNING HISTORY

W/08/0664/AG - Erection of covered store for timber chips and logs –
Agricultural Notification Granted 04.06.2008

W/06/0195 - Erection of extension to existing workshop and new office building –
Granted 29.03.2006

W/95/1096 – Siting of a portable building for administration for the sale of forest
machinery – Withdrawn 08.11.1993

W/91/1057 – Siting of a portable building for administration for the sale and
demonstration of forest machinery and the training of personnel - Granted
29.10.1991

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District
Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 -
2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication
Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April
2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication
Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April
2014)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029 - Publication Draft
April 2014)
- NE4 - Landscape (Warwick District Local Plan 2011-2029 - Publication Draft
April 2014)
- DS19 - Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft
April 2014)

SUMMARY OF REPRESENTATIONS

Councillor Sue Gallagher: As the Ward Councillor, I fully support the application.

WCC Ecology: Recommend LWS Survey. Consideration should be given to tree protection.

WCC Highways: No objection.

WCC Landscape: No objection. Would seek tree protection measures. Some concern about cumulative impact of development.

Beausale, Haseley, Honiley & Wroxall Parish Council: The Council Supports the application. Councillors felt it was of economic value to the community, securing local employment opportunities, and had minimal impact on the Green Belt.

Public Response

1 letter of general support received from neighbouring property.

ASSESSMENT

Whether the development is appropriate development within the Green Belt

The site lies within a rural location within the West Midlands Green Belt. The development is for a new building to support an existing rural business operating from the site.

Paragraph 89 of the NPPF sets out the forms of development that are defined as appropriate development within the Green Belt. These are;

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Whilst the development has some links with forestry, the main focus of the business operating from the site is a commercial activity and the building cannot be defined as being 'for forestry' use for the purposes of Green Belt policy insofar as the building proposed is for storage of machinery, which will be stored for the purposes of sale or repair.

The applicant suggests that the development is in accordance with the 5th Bullet Point of Paragraph 89 insofar as the development is on a previously developed site and the development would not have a greater impact on the openness of the Green Belt.

The supporting statement sets out the history of the site and the operation of the current business on the site. The supporting statement also sets out how the business has expanded and identifies the additional needs of the business. The statement also states how the proposal is considered to be appropriate development insofar as the proposed building does not have an impact on the openness of the Green Belt as defined under the 5th Bullet Point of Paragraph 89.

Whilst it is acknowledged that the site is well screened, Officers are of the opinion that the development would result in some encroachment onto an area of currently open land with a new building of 200m² with a ridge height of 6.2m. On this basis, it is concluded that the development does not comply with the 5th Bullet Point of Paragraph 89.

On the basis of the above, Officers consider that the development is not appropriate development within the West Midlands Green Belt and by definition is therefore inappropriate development.

Whether there are Very Special Circumstances to support the development

Whilst the agent contends that the development is appropriate development, they have also put forward Very Special Circumstances in support of the application. Paragraph 88 of the NPPF states that 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'.

In summary, the Very Special Circumstances put forward are;

- That the harm is by virtue of inappropriateness with no other harm
- There is no harm to highway safety, flooding, drainage, neighbour amenity, ecology or the character and appearance of the locality.
- The development will support an existing business operating from the site.
- The development will benefit Clattylands Wood and the people that work on the site.
- The development will provide added security for the operation of the business as existing buildings are at capacity.

- The development allows for the consolidation of the business operations on the site minimising the need to travel from other sites.
- Rural enterprise is supported under Paragraph 28 of the NPPF.

Additional support has been provided by the Parish Council who have cited that increased employment opportunities would also be apparent should planning permission be granted for this development and this would add economic value to the local community.

Balancing Exercise

In assessing the points put forwards, it is appropriate to consider each point raised in turn.

It is noted that the applicants contend that the harm is by virtue of inappropriateness only with no other harm. Officers are of the opinion that the provision of a building with a footprint of 200sq metres and an overall height of 6.2 metres will have some detrimental impact on the openness of the Green Belt in this location.

The other planning considerations are assessed later in this report but it is contended that these matters are normal planning considerations for any application and cannot therefore be attributed as Very Special Circumstances.

The support for the business is clearly acknowledged and having visited the site, Officers have noted that there is a need for additional storage on the site. However, there has been no demonstration that all alternative solutions for additional storage have been exhausted and additional storage capacity would not amount to a Very Special Circumstance in its own right.

The maintenance and stewardship of Clattyland Wood is not a direct benefit of this proposal that seeks additional space for storage and workshop facilities. Officers therefore do not attribute this as a direct benefit to the woodland area and this is therefore not considered to be a Very Special Circumstance.

Increased security is a clear benefit of the building insofar as it negates the need to store machinery outside in this rural area. This is a circumstance that could be provided by other means such as CCTV, added site security measures at the access point, the use of security patrols etc and would not amount to a Very Special Circumstance.

In balancing the circumstances put forward, Officers clearly acknowledge the benefits of the building. Whilst there are clearly benefits to providing a new building in this location, the harm by virtue of inappropriateness and the impact to the openness of the Green Belt would, in Officers opinion, not result in Very Special Circumstances to outweigh the identified harm.

I have also considered the reference to employment opportunities as identified by the Parish Council. I note that the increase in building space does not directly attribute to increased employment as it is for storage and workshop purposes.

The submitted application form does not make reference to any increase in staffing levels as a result of this proposal. In this respect, whilst there may be some indirect benefit to the building in terms of job retention, I do not consider that the building will have any direct impact on employment opportunities.

I have considered the circumstances put forwards and whilst I acknowledge that they are relevant to the business operating on the site, the circumstances put forwards do not amount to Very Special Circumstances.

In conclusion, Officers do not consider that Very Special Circumstances have been demonstrated to meet the test of Paragraph 88 and therefore the development is inappropriate development within the West Midlands Green Belt.

Impact on character of surrounding area

The building is proposed to be located to the rear of the site and set in close proximity to the existing buildings on the site. Whilst the area is currently open land, the new building would be read in the context of the existing buildings, albeit further back on the site. The building is a typical modern steel framed building with profiled metal sheet walls over blockwork under a fibre cement roof.

The site is screened from wider public views by the existing woodland area to the rear of the site and the location of the building is such, that views from the public highway to the frontage are also limited.

On this basis, Officers are satisfied that the development would not have a detrimental impact on the character of the surrounding area.

Impact on adjacent properties

The proposed building would lie to the rear of the application site. There is an existing residential property located to the front of the site, adjacent to the existing access drive. By virtue of the separation distance, Officers are satisfied that the proposed development would not have any significant detrimental impact on the amenity of the neighbouring property nor would the development introduce an increase of traffic using the access drive that could result in harm to the amenity of the neighbouring property through noise or disturbance.

Access and Parking

The proposal does not require any changes to the existing access to the highway. The area is away from the main parking and turning area associated with the site and does not result in any change to parking requirements.

Officers are satisfied that the development would not have any detrimental impact on the highway safety, access or parking.

Energy Efficiency / CO2 reduction

No energy statement was submitted with the planning application. However, Officers are satisfied that adequate details could be secured through the use of an appropriate planning condition.

Other Matters

Ecology and Trees/Hedgerows

The sites lies within an area designated as a potential Local Wildlife Site (pLWS). The County Ecologist has assessed the proposal and notes that the development does not appear to impact on any ecological features although there may be the potential harm to root protection areas of existing trees.

Officers are satisfied that there is sufficient separation distance to allow the construction of the building without harm to the trees and tree protection measures could be secured by condition.

A request has been made for a Local Wildlife Site Survey to be carried out. However, in this location and the already acknowledged minimal potential for wildlife is present, Officers do not consider it necessary to request a survey.

Conclusion

The proposed development for a new building within the Green Belt has been considered. The proposal does not fall within any of categories identified within Paragraph 89 of the NPPF as being defined as appropriate development and is therefore by definition, inappropriate development within the Green Belt. No Very Special Circumstances have been submitted that would override the inappropriateness of the development as defined by Paragraph 88 of the NPPF.

Officers are satisfied that the development would not result in any harm to the character of the area, the amenity of neighbouring properties, highway safety or ecological matters.

REFUSAL REASONS

- 1 The application property is within the Green Belt, wherein the Local Planning Authority is concerned to ensure that the rural character of the area will be retained and protected in accordance with national policy guidance contained in the NPPF.

Paragraph 89 of the NPPF states that new buildings in the Green Belt are not inappropriate provided that they are within the categories defined as being appropriate development within the Green Belt.

In the opinion of the Local Planning Authority, the proposed building does not fall within any of the categories that constitute appropriate development within the Green Belt.

The proposal is considered to be harmful by definition and is contrary to the NPPF. No very special circumstances have been presented which are considered to outweigh the harm identified.
