

**Planning Committee:** 24 May 2011

**Item Number:**

**Application No:** W 09 / 1258

**Town/Parish Council:** Lapworth

**Registration Date:** 13/10/09

**Case Officer:**

Martin Haslett/John Edwards  
01926 456526 and 01926 456536

**Expiry Date:** 08/12/09

martin.haslett@warwickdc.gov.uk  
john.edwards@warwickdc.gov.uk

**Land adjoining Sands Farm, Old Warwick Road, Lapworth, Solihull, B94 6HL**

Proposed inland waterways marina including marina facilities building and boat workshop, new road access, associated foot paths, landscaping and car parking  
FOR Sands Farm (Hockley Heath) Ltd

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This application is reported to the Committee since it represents a departure from the Development Plan and the recommendation is to grant. Furthermore, Members attention is drawn to the size of the application, the important issues that it raises and the level of opposition from local interests.

**SUMMARY OF REPRESENTATIONS**

**Lapworth Parish Council:** 'OBJECTION oversized in rural area, development would cause increased traffic on already inadequate road, major concern regarding access in Wharf Lane with increased traffic ( including fuel and waste removal vehicles) over very narrow rural road with hump backed bridge and narrow access onto a major highway.

Concern about amount of spoil to be spread to the depth of 1.5 metres!

Considerable local concern and opposition to the development with no evidence of demand for such a facility.'

**Hockley Heath Parish Council:** 'objection - At the parish council's meetings of the 17th inst the planning application was discussed in some detail and information from adjoining parish councils and parishioners were read and noted, whereas this parish council has no specific objections we do support the concerns that have been raised by the other consultees that you have received responses from, ie: traffic noise, and the scale of the project. The Parish council have requested that they be informed of all future deliberations concerning this application which may either be by post or to the parish councils email address it is the opinion of this council that the application has implications to its parishioners thereby qualifying it as a consultee.'

**Public Response:** Many residents of the immediate area and of Hockley Heath have written to object together with a small number of objections from further afield. 201 letters have been received, some of them signed by more than one person, and several people have written more than once.

Many of the objections are long and include many different points, so the following is necessarily a succinct summary of the points made.

Objection is raised on the following grounds:

- encroachment on the green belt: very special circumstances to outweigh inappropriate development are insufficient, the proposal is too big, in the wrong place and would have a detrimental impact on the rural landscape. Serious impact on openness. It would be disproportionate in relation to surrounding development, and more suitable sites are available. An area of farmland would be left isolated. The proposal would form a precedent;

- traffic: lanes in the area are very narrow, and there is a narrow humpback bridge. The proposed entrance is wrongly sited, and insufficient car parking is proposed. The monitoring of traffic described in the accompanying report is flawed, Spring Lane junction too close to marina access, heavy traffic with boats and cranes;

- residential amenity: there would be serious loss of residential amenity to the many surrounding dwellings, due to increased noise, increased traffic, noise from canal boats and maintenance operations, loss of privacy, risk of uncontrolled litter, odours and vermin, intrusion of pontoon lighting;

- flooding: vast areas of hardstanding would increase run-off, there would be disruption to local land drainage systems, which would worsen existing flooding problems. The spreading of spoil on adjoining fields would increase flooding to local properties;

- policy issues: proposal contrary to planning policies, including PPG2 Green Belts, the Core Strategy, and policy DAP1, the sequential test submitted by the applicants is flawed, insufficient evidence of need, with inadequate statistical evidence;

- impact on the landscape: dramatic impact on Arden landscape, spreading of the spoil will lead to an alien landscape (with no landscape enhancement put forward in mitigation), remaining trees from Forest of Arden threatened, lighting would have detrimental impact on countryside;

- impact on wildlife: badgers, buzzards, deer, etc seen on site. Spreading of spoil would be detrimental to wildlife, loss of trees and hedgerows;

- impact on canal: very narrow canal, already congested, risk of diesel/oil spills into canal;

- other issues: impact on existing boatyard businesses, not just adjoining, but for far along the canal, loss of amenity for Ramblers, Police already have inadequate resources to protect area without additional problems.

### **A separate letter submitted on behalf of the Residents Marina**

**Opposition Group** has also been submitted containing grounds of objection on grounds of inappropriate development in green belt; applicants flawed interpretation of green belt policy has resulted in failure to submit "very special circumstances"; development will have dramatic effect on openness of green belt; development will encroach on countryside and blur town/country distinction to south-east of Hockley Heath; applicant has failed to present detailed and convincing evidence of need or that the site at Sands Farm is sequentially preferable; proposals are contrary to local plan policy RAP13; development will be detrimental to landscape and character/appearance of the area; living environment of local residents will be significantly damaged as a result of the development; design rationale for marina has not been made explicit.

**A petition**, signed by 26 local boat owners has been submitted, supporting the objections.

**Two local residents have written in support of the proposals:** the development would bring new life to the village and would support local businesses. There are insufficient existing moorings for boat owners.

**Members of Parliament:** Former MP James Plaskitt has written to support the neighbours' objections. The development would encroach on the green belt, there is insufficient evidence of demand, poor access, impact on existing boat yard. Marina development would better be located in Warwick and Leamington where it would tie in with urban employment and regeneration strategies. Caroline Spelman (Meriden) objects on grounds of green belt, loss of natural habitat, traffic safety, congestion on the canal, noise and light pollution to local residents.

**Hockley Heath Residents' Association:** object on the grounds that the proposed development is too large for the infrastructure of the village, inappropriate development in the green belt, impact on visual amenity, increased traffic, increased boat traffic on canal.

**Cllr Meeson** (Solihull MBC Ward Councillor for Dorridge and Hockley Heath) objects on grounds of loss of green belt, increased traffic, dangerous road junctions, national policy on development of marinas yet to be determined.

**Cllr Andy Mackiewicz** (Solihull MBC Councillor for Hockley Heath) objects on grounds of green belt and the effect upon the village of Hockley Heath.

**WCC (Highways):** 'The Transport Assessment submitted with the application shows that, overall, the impact on the public highway will not be to the detriment to highway safety. With regard to construction, once construction vehicles are on site, there will be no movement onto the public highway until construction has ceased. The temporary haulage route affords the required level of visibility in both directions from the junction, and an acceptable forward visibility. A submitted speed survey details that 888 vehicles travelled along Wharf Lane, within the vicinity of the proposed access, with an 85th%ile speed of approximately 40mph. Therefore the required visibility splays on Wharf Lane are 120 metres. Upon completion of the development, again from submitted data within the Transport Statement, the peak trips will be on a Sunday with a calculated trip generation of 33 movements for the day. Taken into account with the above speed survey data, an increase of approximately 3.5% in vehicular movements along Wharf Lane is expected on the Sunday.'

There is therefore no objection to the proposal, subject to conditions on access to the site, visibility splays to Wharf Lane and Stratford Road, positioning of gates, provision of turning area, impact on ditch/drain. Notes are recommended on works within the limits of the public highway, highways works agreements and public footpath.

**WCC (Archaeology):** no objection, subject to condition on a pre-commencement archaeological investigation.

**Stratford -on-Avon District Council:** 'The scale and impact of the development is such that cannot be said to preserve the openness of the green belt. Objection is therefore raised to the harm that the development would cause to the openness of the green belt.'

**Solihull Borough Council** have been consulted on the application - no comments have been received

**British Waterways:** the construction of marinas is supported by BW as they 'support the use of the waterways for tourism and leisure, and are part of the waterway infrastructure and therefore, are vital for the long term sustainability of the waterway network.'

'There is national shortage of secure offline moorings and this lack of supply of moorings was first raised in early versions of PPG 17 on Planning for Sport and Recreation. Demand for boat ownership on BW waterways has grown steadily at average 2.4% p.a. over the past 5 years to April 2006. Demand has increased amongst all age groups but particularly amongst the over 50s. Demographic forecasts suggest that growth in boat ownership will accelerate over the next 10 years, with 11,700 additional mooring berths required on BW owned/managed network by 2015.'

'Expansion in mooring capacity is generally constrained by factors such as water supply and navigational safety. The location of the proposed development is unlikely to generate any navigational safety issues. Furthermore, from information provided by the applicant and detailed assessment of water resources and boat traffic modelling in this locality, British Waterways can confirm that the local waterway infrastructure will be able to accommodate the proposed new development. Therefore, in light of these detailed assessments and the reasons cited above, British Waterways supports the proposed development as a navigation authority.'

**Ramblers' Association:** no objection.

**Warwickshire Police:** no objection.

**WCC (Footpaths):** no objection.

**WCC (Ecology):** no objection, subject to conditions on pre-commencement badger survey, details of bat mitigation measures, details of proposed lighting scheme, details of a construction environmental management plan, details of a landscape and ecological management plan, and details of protection of existing trees. Notes are recommended on: bats, nesting birds, protected species (badgers, reptiles and great crested newts), otters, water voles, contamination of canal waters, planting to be indigenous species, of local provenance.

**Warwickshire Wildlife Trust:** the site is of comparatively low bio-diversity value, and the surveys submitted with the application are considered sufficient. Conditions similar to those recommended by the County Ecologist are recommended.

**Environment Agency:** no objection. 'The actual percentage of the site to become hardstanding is relatively small with plenty of space to attenuate any extra flows. The discharge from the newly drained areas will be limited to greenfield rates and attenuation will be provided within the site to contain run off up to the standard 100 year storm intensity plus a 20% additional climate change allowance.'

**CPRE:** raise strong objection on grounds of lack of very special circumstances for development of site in green belt, out of character with area of countryside, major impact on animal and plant life, felling of trees and loss of hedgerows, additional traffic on Wharf Lane, lack of need for marina as there is over provision of between 15-20% on other mooring sites.

## **RELEVANT POLICIES**

- DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

- DP10 - Flooding (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (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)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- RAP13 - Directing New Outdoor Leisure and Recreation Development (Warwick District Local Plan 1996 - 2011)
- Planning Policy Guidance 2 : Green Belts
- Planning Policy Statement 7 : Sustainable Development in Rural Areas
- Planning Policy Statement 25 : Development and Flood Risk
- Planning Policy Guidance 13: Transport
- Planning Policy Statement 4 : Planning for Sustainable Economic Growth
- Warwickshire Landscape Guidelines SPG

## **PLANNING HISTORY**

The site was the subject of a previous similar application (W08/1409) which was withdrawn as it had not been supported by the necessary Environmental Statement. There have been no other significant applications on this land.

## **KEY ISSUES**

### **The Site and its Location**

The site includes much of the triangle of land, south of Hockley Heath, between the Stratford-upon-Avon Canal, the District boundary with Stratford-on-Avon (adjoining the A3400, Stratford Road) and Wharf Lane.

The site has an area of 13 hectares and currently consists of flat arable/grassland, with hedges and trees to the field boundaries. Access to the northern part of the site, from the B4439, Old Warwick Road, is over a metal lift bridge, which provide agricultural access over the canal. At the southern end, the site abuts Wharf Lane, which is a narrow lane running between Stratford Road and Old Warwick Road. Apart from the public footpath which crosses the site, these are the only two 'public' frontages of the site. The remaining part of the site boundary, on the eastern side, follows field boundaries and the Canal and on the western side, follows the Warwick/Stratford-on-Avon District boundary, which is about 70m east of Stratford Road.

Residential properties closely adjoin the application site at the north, on the southern boundary of Hockley Heath. There are further dwellings at the southern end of the site, in Stratford Road and on either side of Wharf Lane. The buildings at Sands Farm (in separate ownership), on the other side of the canal, adjoin to the east.

### **Details of the Development**

The main part of the proposed marina would have its access from the canal opposite Sands Farm. From here the first part of the marina would be dug out from the field, this part accommodating approximately one third of the overall mooring capacity. The shape of this part of the marina follows the existing field pattern, so that existing hedge lines are, for the most part, retained. Access to individual boats would be along jetties.

From here, further westwards, towards Stratford Road, a narrow section of new waterway separates the first from the second part of the marina. This second part would account for the remaining two-thirds of the mooring spaces, also shaped to retain existing hedgerows and field boundaries. Each part of the marina basin would have marginal shallows to provide wetland wildlife habitats.

Access to the site would be from Wharf Lane, where a new access would be formed adjoining number 6 Wharf Lane. At this point a 3.3m driveway, with passing spaces, would be formed, with woodland plantations on either side, leading into the southern part of the marina. In this area would be a long-term car parking area (with 24 spaces), a workshop area, with staff parking, compound and slipway. The boat workshop would be 180sqm in area. Further parking (46 spaces) would be provided on land between the two parts of the marina basin. Here, also, a facilities building (227 sq. m.) incorporating an administrative area, showers, toilets, laundry and a small chandlery is proposed. Each of the buildings would be constructed with a brick plinth, horizontal wooden boarding above, and a slate or tile pitched roof. Doors would be of vertical boarded timber. The applicant has indicated that external lighting on the site will be low level low wattage pontoon lighting to enable people to reach their boats and low level bollard lighting in the car parks. The buildings will have external lights marking doorways.

The excavation to form the marina is not excessive, as the level of the canal is only about one metre below the land level at the entry point, although a little higher elsewhere. The marina will be constructed with soft reeded edges to simulate a natural lake. The resulting spoil would be entirely disposed of on site, with the maximum depth of fill being 1.3m. The fill would not extend as far as the hedgerows, with a 4 metre margin left clear, so that their future would not be compromised. In order to accommodate the amount of spoil anticipated, the area of fill would need to extend over all the fields of the site, (respecting their hedgerows in each case) stretching over to the district boundary to the west, the canal to the north and Wharf Lane to the south. The raised fields would be treated as plateaux with gentle slopes down towards the hedgerows.

Construction access to the site would be from Stratford Road, along a temporary haulage route. The intention is that the work would be completed within seven months with the earth moving vehicles retained on site for the duration of the works.

The application is supported by the following reports:

Planning Statement, Character Appraisal and Design Statement, Traffic Assessment, Transport Statement, Ecological Appraisal and Protected Species, Great Crested Newt Survey and Habitat Assessment, Reptile Survey, Otter and Water Vole Survey, Badger Survey, Tree Survey, Bat survey, Nocturnal Bat Survey, and Flood Risk Assessment. Together these documents form the major part of the Environmental Assessment.

## **Assessment**

The assessment of the merits of the proposals requires policy matters to be addressed and site specific considerations relating to the impact of the development to be evaluated.

In relation to policy, the starting point is the assessment of the development in terms of national green belt policy. It is considered that the proposals represent inappropriate development in the green belt as PPG 2 "Green Belts" does not list

inland marinas as one of the categories of development regarded as appropriate. A major engineering operation is involved across some 13 hectares of farmland, together with erection of buildings of approx. 400 sq.m. in area and its result would be a material change of use of the land and elements of built development to create a large scale marina facility.

Para. 3.4 of PPG 2 does allow for "uses of land which preserve the openness of the green belt and which do not conflict with the purposes of including land in it". The site, however, would be occupied by a plethora of boats, and the comings and goings associated with them, together with the presence and movement of vehicles of the boat owners would have a significant impact on what is an undisturbed rural landscape. This would represent an encroachment on an area of countryside (which green belt policy seeks to prevent) and would not maintain "openness" which is the most important attribute of green belts.

The PPG makes it clear in para 3.2 that inappropriate development is by definition harmful to the green belt. It further states that it is for the applicant to show why permission should be granted and that "very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations".

The applicants' case is that the proposed development is not inappropriate development in the green belt and is consistent with one of the key purposes for which green belts are designated- the encouragement of outdoor sport and recreation. Canal boating is a leisure pursuit and mooring facilities for boats may only be provided alongside a canal. Essential facilities to support this type of use are therefore not inappropriate and no facilities which are not essential for the outdoor recreational pursuit of boating are being proposed. Buildings are kept to the minimum size to support genuinely ancillary requirements for boat owners and the navigation of their boats. The marina would be an open area of water which in itself would not reduce the openness of the green belt and the boats would be low level with a transient impact on the local environment, with the site itself having strong existing landscape containment which mitigates impact on the green belt.

Given my conclusion that the development is "inappropriate" in terms of green belt policy since it does not preserve openness, it is necessary to assess the strength of the very special circumstances put forward by the applicant to justify departing from policy. In this respect, the applicants were asked to provide a statement of very special circumstances but given their stance that the development is not inappropriate in the green belt, (since in essence they consider it facilitates outdoor recreation and maintains openness), have produced a twenty four page "Statement of Material Considerations" - February 2010 in support of their proposals. This statement contains the following key elements:-

- overall trends relating to need/demand for offline moorings
- availability of sites to meet need/demand
- other material considerations, principally the locational advantages of the site, its landscape containment and the economic and tourism benefits likely to accrue.

### **Need and Demand**

The applicants statement summarises the strong supporting context from a national perspective for enhancing the use of the nation's waterways network to maximise its potential, alongside evidence of a shortage of off-canal moorings

for the rising number of licensed boats. BW publications encourage private investment in offline marinas and mooring sites due to the operational, navigational and practical limitations with online moorings. BW point out in the consultation response on the application that demographic forecasts suggest that growth in boat ownership will accelerate over the next 10 years, with demand increasing particularly in the over 50's. It is estimated that 11,700 additional mooring berths will be required on the national canal network by 2015. The BW National Statement of support for New Marina Development (issued in 2006) confirms that "marinas and mooring basins are an integral part of the waterway infrastructure and therefore are essential facilities to support the use of the waterways for tourism and leisure, encouraged by the government and to ensure the long term sustainability of the waterway network as a public asset". A further updated statement dated February 2011 has been submitted by BW which confirms that their 2006 forecasts of new boats coming onto the canal network has proved to be accurate with the overall rate of increase around 4% over the 4 year period up to 2010 notwithstanding the smaller increase in 2009-2010 of 1.7% due to the economic downturn.

Notwithstanding this generally supportive overall context to use of the nation's waterways, it is necessary to assess the application in terms of national and local planning policy and given its green belt location, to look at the applicants' case for the need for a marina facility in this particular location, which could then be regarded as a "very special circumstance".

In relation to need at the local level, the applicant has submitted a specific need statement in relation to the Stratford Canal which they state "has been done in close consultation with British Waterways who have endorsed the report". BW have subsequently confirmed in writing that they support the contents of this report and further state that the latest statistics(to end of December 2010) shows that licenced boats new to BW's national network are showing an increase of 18% over the same period last year. The local need statement points out that the number of boats on the West Midlands canal network increased at a higher rate than the national trend and BW estimates that some 1200 additional berths are required by 2015. There are currently some 7 development proposals in the region which amount to some 730 berths so that there is still a shortfall on the West Midlands canal network of around 500 berths.

The applicants' need statement also emphasises that there are currently no offline facilities on the Stratford Canal which is a very popular boating waterway and attractive to tourists. A BW Boater survey (2009) is referred to which confirms that boaters choose their home mooring primarily for its attractiveness, location on the waterway network, site security and quality of facilities. Boaters are prepared to travel on average up to 46 miles to their mooring or up to 56 miles in the case of a marina exceeding 50 berths. The applicant further points out that a marina in the location proposed will thus be attractively located, close to a large population (1 million within a 20 mile radius) and provide a secure environment for boaters, whilst helping to reduce on line moorings which reduce the enjoyment of cruising on the canal network.

In summary, the main elements of the applicants' submitted "needs" case are

- the overall national context of marina facilities being an integral part of the waterway network and assisting in the viability and future of the canal network
- the demand for additional offline moorings on the West Midlands canal network given trends in licensed boats and shortfall in provision of additional berths up to 2015

- the desirability of reducing online moorings along the canal to reduce congestion and navigational difficulties
- the current lack of marina facilities along the Stratford Canal
- the endorsement by BW for a marina in this location and their conclusion in their consultation response to the application that the proposed development is unlikely to generate any navigational safety issues and that the local waterway infrastructure will be able to accommodate the proposed new development, therefore giving their support to the application.

The planning system is often required to assess matters of "need" and make provision for facilities which satisfy an existing or predicted need. In the present case, it is accepted that provision of offline moorings results in less pressure on the navigable canal waterway and BW's policy is to reduce licences for on line moorings by 1 for every new 10 additional offline moorings made available. The provision of the proposed marina would therefore have the beneficial effect of reducing on line moorings in the vicinity. BW policy would mean that should the marina be built 21 on-line moorings would be removed within a 30 mile radius within 12 months of the marina opening.

Assessing the "need" case is difficult and the Local residents Marina Opposition Group point to their own survey information for existing mooring facilities in the area which indicate existing vacancies of over 15% with higher rates of vacancies at larger new marinas and lack of any of independent evidence of need from boat owners. They point to lack of progress on other large marina developments in the region, growing concerns about congestion on the waterways in the South Midlands and the large number of marina developments in the planning process which could provide as much as 1,400 berths, excluding the two proposals within Warwick District. Recent representations refer to BW data on the reduction in lock usage on the Stratford Canal.

The applicants case relies on general overall trends relating to rising numbers of boats on the network, backed up by current BW data; the actual availability of offline moorings on the West Midlands network and the likely proposed provision as evidenced by schemes that have planning permission which are capable of implementation. BW have confirmed that they agree with the applicants need statement in respect of the Stratford Canal and the general thrust of current evidence that there will be a shortfall of offline moorings to meet the predicted need, up to 2015, given the actual number of developments elsewhere which currently have planning permission, is accepted.

Both the applicant and BW have made further responses to the residents evidence of lack of need and maintain the key elements of their case that the number of licensed boats on the canal network is increasing and that there remains a shortfall in the number of offline berths against predicted demand in the West Midlands region.

### **Availability of sites to meet Need/Demand**

Against this overall context of unmet need/demand, the applicant has undertaken a sequential test assessment of the whole length of the Stratford Canal which runs from Kings Heath Birmingham to Stratford - a distance of 25 miles of which 5 1/2 miles are within Warwick District and wholly within green belt. This involved an initial desktop assessment of potential sites against a number of criteria followed up by site inspections of the more suitable sites, including proximity to settlements, topography, safe vehicle access, adequate site area and a range of physical characteristics. This concluded that there were three sites potentially suitable for a marina development supporting in the

region of 100 berths- Sands Farm, Poundley End Farm Lowsonford ( for which there is an application with the Council but undetermined) and Heathfield Farm, near Hockley Heath which was considered to be the least favourable option as it is furthest from any village amenities. Given the linkage of the Stratford Canal with the Grand Union at Kingswood, it is also necessary to assess whether there are alternative sites which are available, suitable and viable within Warwick District along the Grand Union which could help meet the identified need/demand. Currently, there are no such sites which are being promoted or available.

The sequential test also has to have regard to the availability of sites in the other local authorities adjacent to the WDC boundary- Solihull MBC and Stratford DC, which could help meet the forecast demand for offline moorings. In the case of Solihull Borough, there are two recent marina proposals on the Grand Union Canal at Stripes Hill Farm (223 berths) and land off Grove Farm, Jacobean Lane (140 berths) near Knowle, both which have been refused planning permission and are currently the subject of appeal. These sites are therefore not deemed to be suitable by the relevant Planning Authority and are not available. In the case of Land off Grove farm, a public inquiry has been held and a decision is awaited. An inquiry date has yet to be fixed for the marina proposal at Stripes Farm. Furthermore, no proposed marina sites have come forward within Stratford District.

In relation to the two sites subject of appeal within Solihull Borough, clearly if one were allowed on appeal, then the findings of the sequential test of potentially available sites carried out for this application would be affected and could have implications for the weight of the applicants special circumstances case. I consider, however, that given the long time scale in dealing with this application and the uncertain timescales for receipt of the planning decisions on these other cases, further delay is not justified and the matter should now be placed before Planning Committee.

My conclusion on the sequential assessment of available sites is therefore that there are currently no alternative sites either within the WDC administrative area or within the neighbouring planning authorities through which the Stratford and Grand Union Canals run which are suitable or available to meet the forecast need.

### **Other material considerations**

Other key material considerations which are considered by the applicant to weigh in favour of the development include the connectivity of the site with the settlement of Hockley Heath and the benefits to businesses and employment through job creation at the marina itself, increased visitor spend; wider tourism promotion benefits to the West Midlands region; and the ecological and environmental enhancements proposed which increase habitat diversity, hedgerows and woodlands, thereby enhancing the green belt.

In relation to the economic case, up to 4 full time and 9 part time jobs could be created at the marina alongside the indirect job opportunities that may be created within the local economy. Given the marina is a short walk from the centre of Hockley Heath, there are a number of businesses e.g. shops, restaurants and pubs that could potentially benefit directly from patrons of the marina. The applicants statement of case also refers to a specific analysis undertaken by BW in connection with marina development proposals within Solihull Borough which concluded that the economic benefits of a 200 berth

marina have been calculated to include £421,084 retained income per annum within a 20 mile radius.

My conclusion on this consideration is that there are likely to be small scale economic benefits arising from the creation of a marina in this location and that this factor must be afforded a degree of weight in the overall balancing exercise. In this context, it is appropriate to refer to the recent ministerial statement on "Planning for Growth" which DCLG have confirmed is "capable of being regarded as a material consideration". The statement requires inter alia that.. in determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS 4) and that they can give clear reasons for their decisions".

The other material considerations are addressed separately within this report.

### **Sustainable Location**

RAP 13 "Directing new Outdoor Sport and Recreation Development". is also relevant to the principle of the development. A key purpose of the policy is to direct major leisure and recreation uses to sustainable urban locations. "Major" is defined as those uses which are likely to attract significant numbers of participants or spectators. Where it can be demonstrated that such uses cannot be accommodated in the urban area, sites that are adjacent to the urban area can be considered, where it can be shown that they are easily accessible for cyclists and pedestrians and adjacent to public transport services. In the present case, the site adjoins a settlement - Hockley Heath - and is within walking distance of the centre of the settlement. There is also an hourly bus route linking Birmingham with Stratford - the X20 which runs along Stratford Road close to the site. I am satisfied, therefore, that the site is an accessible one which meets a key requirement of RAP13. In relation to canalside related developments, there is a limited reference within RAP 13 in para. 8.82 which states that "small scale mooring facilities are likely to be appropriate in the rural area. However, large scale marinas with associated buildings are more likely to be appropriate in urban areas". Given there are no current sites available within the District's urban areas for a development of this size , the proposals must be assessed on their merits and given their location adjacent to the settlement of Hockley Heath and the accessibility of the site by public transport, are considered to comply with the objectives underpinning policy RAP 13.

The other main elements in the applicants case relate to the physical impact of the development which are discussed in more detail in the next section of this report.

### **Site Specific Considerations**

The key aspects relating to the impact of the development are considered to be:-

- Landscape and ecology
- Highway, traffic and parking issues
- Drainage and flooding
- Impacts on the amenities of local residents

## Landscape and ecology

The application site extends over some 13 hectares of countryside and will encompass two marina basins with a surface water area of 2.85 hectares, with a number of adjacent fields where excavated material will be placed to a depth of up to 1.3 metres. The marina will be constructed on the non-towpath side of the canal and the view from the canal will be via the entrance into the first smaller basin, from where a narrow linking waterway will lead into the larger second basin towards the Stratford Road. The marina will have soft edges to the two basins planted with coir rolls, consisting of reeds and other aquatic plants. When filled to capacity, the marina will accommodate 208 boats with the majority of the berths used for those who wish to permanently moor their boats at the marina and 12 berths for short term visiting boats. Two single storey buildings are proposed- a general marina facilities building and a workshop building for boat repairs and maintenance. Other "hard" elements of the scheme include the roadways and car parking (78 spaces) surfaced in macadam, the concrete hard standing fronting the workshop and crushed recycled bricks for the footpaths.

Given the site levels, the mooring basins and the boats within them would be below existing ground level and below sight lines from nearby viewpoints. The placing of the excavated material on the fields surrounding the basins will further screen the development.

In ecological terms, WCC Ecology are satisfied that the necessary habitat and species surveys have been carried out in accordance with appropriate methodology and to an acceptable standard. Given the lapse of time since the original species surveys were carried out, WCC ecology have been reconsulted and have confirmed that no further surveys are deemed necessary at this time. The proposal will mainly impact on an area of arable land generally considered to be of low ecological value, although some important hedgerow (70 linear metres) will be lost. It is noted that the amount of hedgerow to be lost has been minimised within the plans and at least double the amount lost will be newly planted, thereby compensating for the initial loss. Accordingly, no ecological objection is raised to the proposals by WCC, subject to a number of conditions. Part of the applicants case is that the construction of the marina will bring about a significant gain in habitat diversity by replacing arable fields which are of low value for nature conservation with a much more diverse series of habitats, including woodland, new hedgerow, improved grassland and aquatic margins. Such enhancements are welcomed, but in themselves are needed to meet the policy requirements of PPS 9 Nature Conservation and Local Plan Policy DP3 rather than constituting a special circumstance relating to the development.

In relation to landscape impact, the site is within the Arden Parklands landscape whose salient characteristics are set out in the Warwickshire Landscape Guidelines which has been adopted by the Council as Supplementary Planning Guidance. The overall character and qualities of the Arden Parklands landscape is described as an enclosed, gently rolling landscape defined by woodland edges, parkland and belts of trees.

The proposed development will introduce a degree of artificiality into the current natural undulating landscape particularly from the raising of levels on the fields adjacent to the marina basins and resulting creation of plateaux but overall, given the relatively enclosed nature of the site and the strengthening of its landscape containment by new planting, it is considered that the development can be satisfactorily assimilated into the rural landscape.

## Highway, traffic and parking issues

The application is accompanied by a Transportation Assessment which sets out the transport implications of the 208 berth marina both in relation to the construction and operating phases. The access route into the site is off Wharf Lane where there is adequate visibility in both directions, without the need to remove hedgerows, whilst the construction traffic will access the site through a newly constructed haul road, which takes access from the site to an existing access off the A3400 Stratford Road. This is for the construction period only and will be removed after the completion of the works. WCC have confirmed that in their view the temporary haulage route affords the required level of visibility in both directions from the junction and an acceptable forward visibility.

Predicted traffic movements are based on figures provided by BW for other marinas which show a pattern of maximum car parking on Sunday afternoons in August. The conclusion is that the peak hour traffic flow would be on a Sunday afternoon with 33 vehicle movements, with approx. one third of this during the weekday peak hour traffic flow. The peak flow is estimated to result in an increase of 3.5% to the vehicular movements along Wharf Lane on the Sunday.

WCC have examined the Transportation Assessment and are satisfied that the traffic impact can be accommodated within the local highway network and will not be to the detriment of highway safety. Given this response from the Highway Authority, I conclude that there are no highway reasons on which planning permission can reasonably be refused.

## Drainage and flooding

In relation to these aspects, the responses of the relevant statutory authorities are of major relevance. Environment Agency criteria require the completion of a flood risk assessment and this has been submitted and referred to them and no objections are raised to the development. The marina is a dug basin which will provide additional water capacity should flooding become prevalent in the local area. BW have assessed the technical aspects of the marina facility through the normal consultation process and their response is also one of no objection.

The application is accompanied by a Drainage Strategy based on sustainable principles with a series of swales used to regulate surface water run off from adjacent fields and collected and directed towards the field drainage ditch alongside the site's eastern boundary and onto an attenuation pond near the Wharf Lane frontage. Any outfall from the pond will discharge into this field drain. In essence, the strategy is designed such that the swales and attenuation of the run off will limit flows from the site to a rate comparable with its "greenfield" behaviour up to and including the 1 in 100 year plus 20% for climate change.

Localised flooding from surface water run off onto Wharf lane is a well known phenomenon and derives from heavy rainfall and from water run off from the agricultural land filling the drainage ditch which runs along the north side of Wharf Lane. A supplementary note prepared by the applicant relating to land drainage matters confirms their awareness of local drainage patterns. Currently the site falls generally from north-west to south-east, with approx 6m level difference across the site. The soil is clayey and drains poorly in prolonged wet weather. Water tends to be shed towards the southern edge of the site. The marina basin will cut across the land drainage flow path from much of the northern part of the site, whilst also replacing former fields with open water. The effect will be to lessen the surfaced area draining southwards. Within the fields

that are to take the excavated material, the layout and form of the spoil mounds will need to accommodate existing flow paths and altered gradients will be of a scale that will make little difference to rates of run off. The applicant is of the view that existing field ditches around these fields will ensure that flows will be contained.

Given the above and the absence of any objection from the Environment Agency, it is considered that the development complies with guidance contained in PPS 25 and WDC Local Plan Policy DP11.

#### Impact of the development on amenities of local residents

A large number of local residents have raised objection to the scheme on a number of environmental grounds, including noise and disturbance, both from the use of the marina and from associated traffic movements. Privacy and loss of residential amenity from the lighting required across the site are also significant concerns.

The nearest residential properties are along Wharf Lane, where no. 6 lies immediately to the west of the site's proposed vehicular access. The larger marina basin is approx. 80 metres away from the site's western boundary along the main A3400 Stratford Road, where there are a number of properties on the opposite side of the road. There are some properties to the east of the Stratford Road. whose curtilages adjoin fields where excavated material will be placed. The nearest Stratford Road property to the western marina basin (The Rosery) will be over 100 metres away from the nearest boat berth. In relation to 6 Wharf Lane whose eastern boundary adjoins the main site entrance, the development will result in a loss of amenity to that property through the traffic movements associated with the use of the marina. However, predicted traffic movements set out in the Transport Statement based on survey data from similar sized facilities elsewhere are not considered to be excessive and there will be a densely planted (minimum 10 metre wide) woodland buffer between the dwelling curtilage and the marina access road. Given the traffic volumes and the mitigation proposed, the loss of amenity is not considered to be so detrimental that a refusal reason could be substantiated.

Impacts on residential properties will be during both the construction and operating phases of the marina. The excavation and deposit of soil will only be for a temporary period (estimated to be 6 weeks) and planning conditions can be imposed to regulate any impacts to an acceptable level. Given the distances involved to the nearest dwellings, noise and disturbance from the marina is not considered to be such that planning permission could be refused on these grounds. There will be a small increase in traffic along Wharf Lane as a result of the development but, in my opinion, not of a scale which would detrimentally affect the amenity of local residents such that a planning objection on these grounds could be successfully defended at appeal.

#### **Overall Conclusion**

In site specific terms, the proposal is not considered to give rise to harm to ecological interests or to unacceptably harm the amenity of local residents in relation to noise, disturbance or visual intrusion. The Highway implications of the proposals are also considered to be acceptable and there are no grounds to refuse permission based on drainage and flooding considerations, given the response of the relevant agencies.

The overriding judgement, therefore, is whether the material considerations advanced by the applicant amount to "very special circumstances" that are sufficient to outweigh the strong presumption against development in the green belt, as set out in PPG 2. The relevant paragraph is 3.2 which states .."very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations".. This is essentially a balancing exercise where the strength of the applicants case as a whole must be weighed against the presumption against inappropriate development in green belt areas. The Planning Authority must be satisfied that the very special circumstances that have been demonstrated clearly outweigh the harm to the green belt by reason of inappropriateness and any other harm.

Looking at the key elements of the applicants special circumstances case and having regard to the information provided by British Waterways, I am of the view that up to date evidence of a shortfall of offline moorings nationally and within the region against predicted future demand has been demonstrated and there is an absence of significant offline moorings within the local canal network, where such provision would be beneficial to the canal network by reducing online moorings. There is no evidence that alternative sites can be identified as suitable or currently available either within the WDC area or within the relevant neighbouring authorities to meet the forecast demand and, furthermore, the site that has been put forward is relatively accessible and not at variance with the objectives which underpin policy RAP13 of the Local Plan. I am of the view that considerations of need and lack of available sites can be regarded as forming part of a case for "very special circumstances" in relation to this particular proposal and are of significant weight. In addition, weight must also be afforded to the wider economic and tourism benefits likely to accrue from the creation of a marina in this location, both to the settlement of Hockley Heath and to surrounding areas.

Turning to the harm by reason of inappropriateness and any other harm, PPG 2 advises that key purposes of green belts are to maintain openness and safeguard the countryside from encroachment. Clearly, the development will reduce openness and encroach on an undisturbed area of rural landscape, but given the landscape containment of the site, the low profile of the boats and the limiting of built development to genuinely ancillary facilities to support the recreational use, I am satisfied that these harmful aspects are mitigated to a significant extent in this particular application.

I consider that the material considerations in assessing the merits of this development are finely balanced, but having considered all aspects of the proposals, conclude that very special circumstances have been demonstrated which are sufficient to outweigh the extent of the harm to the green belt in this case.

## **RECOMMENDATION**

GRANT, after referral to the National Planning Casework Unit as a departure from the development plan under the Town and Country Planning (Consultation)(England) Direction 2009, subject to the following conditions:-

## **CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) Site Plan 6026/2/P/403F, Landscaping Proposals Plan Fig.7.4, Proposed Surface Finishes ref. 6026/2/P/406A except in so far as required to be amended under condition 11, Proposed Site Sections 6024/2/P/404 Plantation Removal Plan 6026/2/P/409, Proposed Drainage Strategy MID1064/SK/002, Proposed Workshop Building 6026/2/P/408 and Proposed Facilities Building 6026/2/P/407A and specification contained therein, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.
- 4 No development shall take place until the applicant has secured the implementation of a written programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the District Planning Authority. **REASON** : To ensure any items of archaeological interest are adequately investigated, recorded and if necessary, protected, in order to satisfy the requirements of Policy DP4 of the Warwick District Local Plan 1996-2011.
- 5 The site shall be surveyed for the presence of **badgers** ***immediately before any development takes place.*** If new evidence of badgers *is* found at this time, a full badger survey should then be carried out by a badger expert. The results of any badger survey, and recommendations made relating to this to be kept confidential, and taken into account during development design and implementation. N.B. If evidence of badgers is found, Natural England should be consulted, as badgers and their setts are protected under the 1992 Badger's Act. **REASON**: To ensure appropriate measures are taken in relation to protected species and to comply with policy DP3 of the Warwick District local Plan 1996-2011.

6 The development hereby permitted shall not commence until a detailed schedule of bat mitigation measures (to include timing of works, replacement roost details, monitoring *and further survey if deemed necessary*) has been submitted to and approved in writing by the District Planning Authority. For the avoidance of doubt, if works on site do not commence before September 2011, a further bat survey will be required and should be carried out before works commence. Such approved mitigation measures shall be in line with the recommendations made within Section 11.6.6 and Figure 11.4 of the Environmental Statement and shall thereafter be implemented in full. **REASON:** To ensure that protected species are not harmed by the development and to comply with policy DP3 of the Warwick District Local Plan.

7 No development shall take place until a detailed lighting scheme has been submitted and agreed between the applicant and the local planning authority. In discharging this condition the District Planning Authority expects lighting to be restricted around the boundary edges, particularly along the eastern canal boundary, along hedgerows, and around known bat roosts and badgers setts, and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats and other nocturnal wildlife. This could be achieved in the following ways:

- a. low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps
- b. the brightness of lights should be as low as legally possible
- c. lighting should be timed to provide some dark periods
- d. connections to areas important for foraging should contain unlit stretches

The agreed scheme shall be fully implemented before/during development of the site as appropriate. **REASON:** To ensure appropriate measures are taken in relation to protected species and to comply with policy DP3 of the Warwick District Local Plan.

8 No Development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the District Planning Authority, in line with the proposed measures set out in section 11.6 of the Environmental Statement. The plan shall include:

- Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (*such as when bats are active and during the bird nesting season*);
- Persons responsible for:
  - a. Compliance with legal consents relating to nature conservation;

- b. Compliance with planning conditions relating to nature conservation;
- c. Installation of physical protection measures during construction;
- d. Implementation of sensitive working practices during construction;
- e. Regular inspection and maintenance of the physical protection measures and monitoring of working practices during construction;
- f. Provision of training and information about the importance of Environment Protection measures to all construction personnel on site.

All construction activities shall be implemented in accordance with the approved details and timing of the plan unless otherwise approved in writing by the Planning Authority. **REASON:** To protect features of recognised nature conservation and/or landscape importance and to comply with policy DP3 of the Warwick District Local Plan.

- 9 The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the District Planning Authority, in line with the proposals made in Section 11.6 of the Environmental Statement. The plan should include details of planting and maintenance of new species-rich hedgerows, species-rich grassland, broad-leaved woodland including wet woodland, marginal and aquatic planting including coir rolls and native scrub planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat creation measures including creation and management of swales and balancing pond, provision of additional bat roosts and reptile refugia, as well as details of managing the whole site for wildlife. It should also include details of enhancement of existing habitat – in particular supplementary planting of species-rich hedgerows with appropriate native species. The plan should also include details of long-term monitoring of the site, including further species-specific monitoring surveys such as an additional badger survey 1 year after completion of works. Such approved measures shall thereafter be implemented in full. **REASON:** To ensure a net biodiversity gain in accordance with PPS9 and Warwick District Local Plan Policy DP3.
- 10 No part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the District Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837: 2005, a Guide for Trees in relation to construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the grounds levels be altered or any excavation take place without the prior consent in writing of the District Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been

removed. **REASON:** To protect trees and other features on site during construction and to comply with policy DP3 of the Warwick District Local Plan.

- 11 Prior to the commencement of the development hereby permitted a plan to show the layout and surface treatment of the car parking areas shall have been submitted to and approved by the District Planning Authority. Notwithstanding the details shown on the "Proposed Surface Finishes" Drawing Ref. 6026/2/P/406A, the details shall include for a permeable material to the parking areas and sustainable drainage. The car parking and operational hard surfaced areas shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in full accordance with the approved plan. **REASON :** To ensure that adequate parking facilities are available, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011.
- 12 The development hereby permitted shall not commence until a written scheme of measures to control noise and dust arising from the construction process has been submitted to and approved by the District Planning Authority. The works on site shall be carried out fully in accordance with the approved set of measures. **REASON:** To protect the amenities of residents near to the site, in accordance with the requirements of policy DP2 of the Warwick District Local Plan 1996-2011.
- 13 Before any works on site commence, details of Ordnance Datum of existing and proposed contours of the site, adjoining land and highways, and finished floor levels of buildings shall be submitted to and approved in writing by the District Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of the proposed mounding to existing vegetation and surrounding landform. the development shall be implemented in accordance with the approved details. **REASON:** To ensure a satisfactory layout and development, in accordance with the objectives of policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.
- 14 A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON :** To protect and

enhance the amenities of the area, and to satisfy the requirements of Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.

- 15 The vehicular access to the site from Wharf Lane shall not be used until it has been provided with 7.5 kerbed radius turnouts on each side. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 16 The development shall not be commenced until visibility splays have been provided to the Wharf Lane public highway carriageway with an 'x' distance of 2.4 metres and 'y' distances of 120 metres. No structure, erection, trees or shrubs exceeding 0.6 metres in height above the adjoining highway carriageway shall be placed, allowed to grow or be maintained within the visibility splays so defined. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 17 The development shall not be commenced until visibility splays have been provided to the heavy goods vehicle Stratford Road access to the site (passing through the limits of the site fronting the public highway) with an 'x' distance of 2.4 metres and 'y' distances of 160 metres to the near edge of the public highway carriageway. No structure, erection, trees or shrubs exceeding 0.6 metres in height above the adjoining highway carriageway shall be placed, allowed to grow or be maintained within the visibility splays so defined. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 18 Gates/barriers provided at the access points into the site shall not be hung so as to open within 7.5 metres (Wharf Lane) and 20 metres (Stratford Road) of the near edge of the public highway carriageway. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 19 The vehicular accesses for the development hereby permitted shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or ditch. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 20 Unless otherwise agreed in writing, the layout of the workshop and facilities buildings and the uses therein shall be implemented and maintained strictly in accordance with the plans hereby approved. **REASON:** To ensure the buildings are used for purposes ancillary to canal boating and for no other purpose, in order to protect this rural green belt location.
- 21 The marina shall not be used for the permanent mooring of residential boats or the hiring of boats. **REASON:** To regulate the scope of the development to protect the amenity of this rural area and since occupation of the boats for residential use would be contrary to green belt policy and other policies relating to residential development, particularly policy UAP1 of the Warwick District Local Plan 1996-2011.

- 22 The development hereby permitted shall not be commenced until an access to the site from Wharf Lane has been provided to a width of not less than 5 metres for a distance of 7.5 metres into the site, as measured from the near edge of the public highway carriageway. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 23 Means of access to the site shall not be made or maintained from any public highway or location other than those shown on drawing 6026/2/P/403. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 24 The development hereby permitted shall not be commenced until an access for heavy goods vehicles has been provided to the site from the A3400 (Stratford Road) to the site not less than 7 metres in width for a distance of 20 metres, as measured from the near edge of the public highway carriageway. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.

### **INFORMATIVES**

For the purposes of Article 31 of the The Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, sufficient very special circumstances have been demonstrated to outweigh the harm to the Green Belt by reason of inappropriateness and any other harm to the Green Belt in this instance, having regard in particular to the landscape containment of the site and the physical impact of the development on the Green Belt. Furthermore, the development is not considered to give rise to significant harmful effects in terms of residents amenities, highway safety, ecology, drainage or landscape impact which would justify a refusal of permission.

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