

Planning Committee: 11 October 2005

Item Number: 05

Application No: W 05 / 1223

Registration Date: 18/07/05

Town/Parish Council: Cubbington

Expiry Date: 12/09/05

Case Officer: Joanne Fitzsimons

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**Storage Building, Cubbington Wood Yard, Rugby Road, Cubbington,
Leamington Spa, CV32 7UH**

Cladding to existing storage building (Re-submission of W05/0712) FOR Mr
Michael Metcalfe

This application has been requested to be presented to Committee by
Councillor Pratt.

This application was deferred at Planning Committee on the 21 September
2005, to enable a site visit to take place on 8 October 2005. The report which
follows includes items in the addendum and further history details as
requested by Members.

SUMMARY OF REPRESENTATIONS

Parish Council: Object: The building is entirely inappropriate for a green belt
site; the entrance to the Woodyard is located on a bend on a busy road and
the potential for additional heavy lorries entering and leaving the site would
cause traffic hazards; and it is believed that the cladding would be to a
building for which no planning permission was granted.

WCC Ecology: Notes on bats.

WCC Highways: If the applicant wishes to clad the frame building for security
reasons and it does not result in increased traffic movements there would be
no highway concerns.

3 Neighbours: Raise objection on grounds that the proposal will result in
increased traffic problems which are already a road safety hazard with poor
visibility . Creeping development within the Green Belt in an inappropriate
location. The structure is a frame which was erected without consent and to
clad it would be through stealth to add more buildings on site.

Warwickshire Police: The site has been the subject of a number of Criminal
Attacks and having surveyed these incidents, due to their nature would affect
any insurance coverage; the applicant has strived to improve security of the
site and I feel the current proposal would enhance efforts to prevent further
incidents of Criminal attack at this site.

RELEVANT POLICIES

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

PLANNING HISTORY

There have been several applications of this site. In 1990 (ref: W90/0678) permission was refused for the erection of a storage building (including emergency shower, mess room, concrete hardstanding, drainage and fencing) together with an extension to the woodyard area was dismissed on appeal on grounds that very special circumstances did not exist to warrant a new building to meet Health & Safety Executive requirements as the business did not require a location in the Green Belt or rely on timber from the adjoining woodyard.

In 1994 (ref: W94/0486) permission was refused for the erection of a building to enclose existing timber treatment plant. The grounds for this refusal were based on the proposal failing to meet the requirements of the Local Plan and Green Belt Policy in so far as there were no very special circumstances demonstrated. This decision was upheld at appeal.

In 2002, ref: W01/1741 Members of the Planning Committee granted consent for the erection of a replacement office/workshop.

In 2004, ref: W04/1406, a Certificate of Lawfulness of an Existing Use of land (on which this steel frame sits) was issued for the storage of timber for re-sale, storage of timber products for sale, storage of aggregates for sale and other requisites for fencing in conjunction with the wood yard, and use of land of part of the estate yard for the storage of timber not in conjunction with the use of the wood yard. This is purely a legal decision based on the information provided by the applicant. The issuing of this certificate accepts that the land has been used in connection with the wood yard for a period of ten or more years.

Most recently W05/0712 for a similar proposal to clad the existing steel frame building. This was refused on grounds that in the Planning Authority's view no special circumstances were put forward to justify departing from the Development Plan and that the proposal would be detrimental to the amenity of the rural area.

KEY ISSUES

The Site and its Location

The site is located within the Green Belt and is accessed off the Cubbington Road which continues into Weston-under-Wetherley. It is an established

commercial woodyard and currently on site, works are being carried out to build the replacement workshop/office granted under W01/1741.

The steel frame structure is located towards the back of the site and measures approximately 30m x 15m x 7m (at its highest point).

Details of the Development

The applicant is proposing to reduce the length of the structure by removing one bay, thereby measuring the following: 26m x 15m x 7m. It is proposed to clad the frame using blockwork and 'hit & miss' boarding together with profiled steel cladding for the roofing material. On the application form, the agent has stated that the colour of the roof can be specified by the Council.

Assessment

The steel framed structure, whilst there being no planning record for its existence, has been on the site for a period in excess of 4 years and as such could remain on site immune from enforcement action. Therefore I consider the main issue in determining this proposal relates to the impact on the green belt and whether there are any special circumstances to outweigh the harm. Government Guidance PPG2 on "Green Belts" state there is a presumption against inappropriate development, which by definition is harmful to the Green Belt.

In response to the previous refusal reason for the cladding of this structure, the applicant has sought to demonstrate very special circumstances. to justify the development. In this case, it is the security of goods such as machined timber, decking and planed goods which attract a higher value, and which need to be under cover for protection from the elements. Furthermore, Warwickshire Police have confirmed that the site has suffered from criminal acts and as such from their point of view would welcome any steps to prevent crime.

The proposal has reduced the length of the structure and seeks to include additional planting along the west boundary in order to obscure views whilst travelling along Cubbington Road towards Weston-under-Wetherley.

In light of the above, I consider the application as now proposed to be acceptable in addressing the previous refusal reason.

Whilst I am mindful of the objections received with regard to increased traffic and visibility problems, the applicant has confirmed that the cladding of the structure will not increase turnover as the goods being sold have a higher value rate and such the turnover will either be the same or less. As the Highway Authority have raised no objection, I am of the view that a refusal on these grounds could not be substantiated. Furthermore, the recommendation includes a condition restricting the use of the building to ancillary storage in

connection with the use of the site as a woodyard and this will also help to ensure that traffic levels are regulated in the event of permission being granted.

REASON FOR RECOMMENDATION

The proposal is considered not to materially prejudice the objectives of the policies listed above.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 6881.10B and 6881.15B and specification contained therein, submitted on 18 July 2005 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 Local Plan Policy ENV3.
- 3 The cladded building hereby permitted shall be used solely for the purpose of storage, ancillary to the primary use of the site as a woodyard and for no other use whatsoever. **REASON:** To regulate the further generation of traffic flow to the site which is located within the Green Belt in a rural location, having regard to the special circumstances relating to this application.
- 4 A sample of the roofing 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 ENV3 of the Warwick District Local Plan.
- 5 Prior to the works commencing to clad the steel frame structure, the end bay to the west boundary as show on drawing number 6881.10B shall be removed. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development.
- 6 A landscaping scheme 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. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
