

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Regulatory Committee

**Date of Committee** 21 August 2007

**Report Title** Canalside Yard, Napton - Office Building

**Summary** The application seeks planning permission for the construction of a new office building with associated car parking and weighbridge at Canalside Yard, Brickyard Lane, Napton.

**For further information please contact** Matthew Williams  
Planning Officer  
Tel. 01936 412822  
matthewwilliams@warwickshire.gov.uk

**Would the recommended decision be contrary to the Budget and Policy Framework?** Yes/No

**Background Papers** Submitted application, received 19/3/07.  
Amended drawings, received 25/6/07.  
Email from Napton Parish Council, dated 23/7/07.  
Email from Councillor Nigel Rock, dated 27/7/07.

**CONSULTATION ALREADY UNDERTAKEN:-** *Details to be specified*

- Other Committees  Regulatory Committee - 12 June 2007
- Local Member(s)  Councillor J Appleton – no comments received as  
(With brief comments, if appropriate) at 7 August 2007.
- Other Elected Members  .....
- Cabinet Member  .....  
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)
- Chief Executive  .....
- Legal  I Marriott – comments incorporated.
- Finance  .....

- Other Chief Officers  .....
- District Councils  Stratford on Avon District Council – see comments in paragraph 2.1.
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  See paragraph 2.

**FINAL DECISION**                      **YES/NO**      *(If 'No' complete Suggested Next Steps)*

**SUGGESTED NEXT STEPS :**

*Details to be specified*

- Further consideration by this Committee  .....
- To Council  .....
- To Cabinet  .....
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

## Regulatory Committee - 21 August 2007

### Canalside Yard, Napton – Office Building

#### Report of the Strategic Director for Environment and Economy

##### Recommendation

That the Regulatory Committee authorises the grant of planning permission for the construction of an office building with associated car parking and weighbridge at Canalside Yard, Brickyard Lane, Napton, subject to the conditions and for the reasons contained in **Appendix B** of the Report of the Strategic Director for Environment and Economy.

Application No : S867/07CM010

Received by County : 19/3/2007

Applicant : Jordan Demolition Limited, Canalside Yard, Brickyard Road  
Napton, Rugby, CV47 8NT.

Agent(s) : Mr C Stratton, Countryside Planning Services Limited,  
36 Lodge Crescent, Warwick, CV34 6BB.

The Proposal : Erection of office building with associated car parking and  
weighbridge.

Site & Location : Canalside Yard, Brickyard Road, Napton.  
[Grid ref: 452.614].

See plan in **Appendix A**.

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## 1. Application Details

- 1.1 The application proposes the construction of a purpose built office building at Canalside Yard, Napton. The building would effectively be an extension of an existing building on site. The single storey building with mono-pitch roof would measure 28 metres by 8 metres by 4.5 metres in height (at highest point). Walls would be constructed of reclaimed brick, the roof would be green plasti-coated profiled steel sheet to match the existing building and windows and

doors would be UPVC. The proposal also includes the provision of 11 parking spaces and a weighbridge.

## 2. Consultations

### 2.1 **Stratford on Avon District Council** – object to the proposal for the following reasons:-

- (i) The proposed development would allow the expansion of activities at this site in conflict with the objectives of policies GD1 and RA1 of the Warwickshire Structure Plan 1996-2011, which direct most development to towns of over 8000 people and to limit development in rural areas to that justified by local needs in the context of community appraisals in the local plan process. No evidence has been submitted indicating existing or proposed staffing levels that would justify the size of floor space proposed. The details submitted in the applicants letter dated 25 June 2007 in relation to space for filing and paperwork are not sufficient to convince the Council that the size of office building proposed is required. The scale of development would be likely to increase vehicle movements, including employees arriving by car, in a relatively remote location and therefore conflicts with sustainability objectives. Policy CTY1 of the adopted District Local Plan Review 1996-2011 resists all forms of development in the countryside, other than those in accordance with provisions elsewhere in the Plan. Proposals that are not covered elsewhere will have to be fully justified and show that they would not be contrary to the overall strategy of the Plan and that their impact on the character of the area would not be harmful. Policy CTY.3 allows consideration of expansion of existing groups of rural buildings for industrial uses. However in the Council's opinion, the proposed building and its use fail to meet policy CTY.3 by reason of the site's unsustainable location and by reason of the wholly inappropriate and unjustified scale of the proposed office building. The Council considers that the proposals have not been adequately justified and considers they would be contrary to the overall strategy of the plan and would harm the character of the area.

Notwithstanding the above, should the application be granted, the Council would wish to see conditions attached requiring the provision of a landscaping scheme for the site.

### 2.2 **Napton-on-the-Hill Parish Council** – no objection. The office building looks better now, however, perhaps the hedging could continue along the entire length of the car park road boundary.

### 2.3 **Councillor J Appleton** – no comments received as at 7 August 2007.

### 2.4 **Environment Agency** – no comments received.

### **3. Representations**

- 3.1 District Councillor Nigel Rock comments;- This seems to be an improvement on the previous submission of a separate building close to the road. No doubt you will assure yourself on the need for a building of this volume in the area of general restraint in the open countryside, but I do note the applicant's comments about the necessity for records etc for proper management of waste activities. My only objection would be the apparent lack of measures to ameliorate the visual impact of this waste site adjacent to the canal and special landscape zone. I would draw your attention to the opportunity to improve the landscaping and possibility of the internal arrangements of stored vehicles and equipment. In particular native planting landscape buffers are required around the site wherever possible. The location of the parking area would benefit from minor adjustment to allow for such a buffer in the corner of the site adjacent to the roadway, canal bridge and canal, as this faces the viewpoint from Napton Hill and listed windmill. A suitably coloured mesh security fence within the planting would blend in, and I would suggest that this could be conditioned.

### **4. Observations**

- 4.1 Canalside Yard is an established waste facility situated at the foot of Napton Hill on the outskirts of the village of Napton. The site has been used for the storage of plant and machinery and the storage and processing of materials arising from demolition operations for a number of years. Planning permission was granted at the 12 June 2007 meeting of the Regulatory Committee for the change of use of an existing building on site to allow the tipping, sorting and storage of a wider range of waste types (waste derived from a skip hire business).
- 4.2 A small group of buildings in industrial/business use (Bairds Park) are located on the opposite side of Brickyard Road and an engineering company is located on the opposite side of the canal. Residential properties in the immediate vicinity are sporadic and sparse. The nearest habitable dwelling is situated 80 metres to the east of the Yard on the opposite side of the canal. A derelict dwelling is located 30 metres to the east of the Yard, also on the opposite side of the canal.
- 4.3 A demolition contractors and skip hire business operate from the site. The two businesses currently utilise two porta-cabin style buildings located on the site as office accommodation. One is set back within the Yard whilst the second occupies a prominent location at the frontage of the site adjacent to Brickyard Road. These buildings are the subject of an enforcement notice issued by Stratford on Avon District Council. The Notice was to have taken effect on the 12 January 2007 with the buildings to be dismantled and removed by 12 May 2007. The Notice is now the subject of an appeal which is scheduled to be dealt with by way of Public Inquiry in October 2007. This application seeks to replace these unauthorised buildings with permanent office accommodation.
- 4.4 The proposed office accommodation would be set back within the Yard adjoining the side of the existing steel framed building located on site. The office accommodation would effectively be seen as an extension of this building. Constructed of reclaimed brick with green plasti-coated profiled steel sheet and

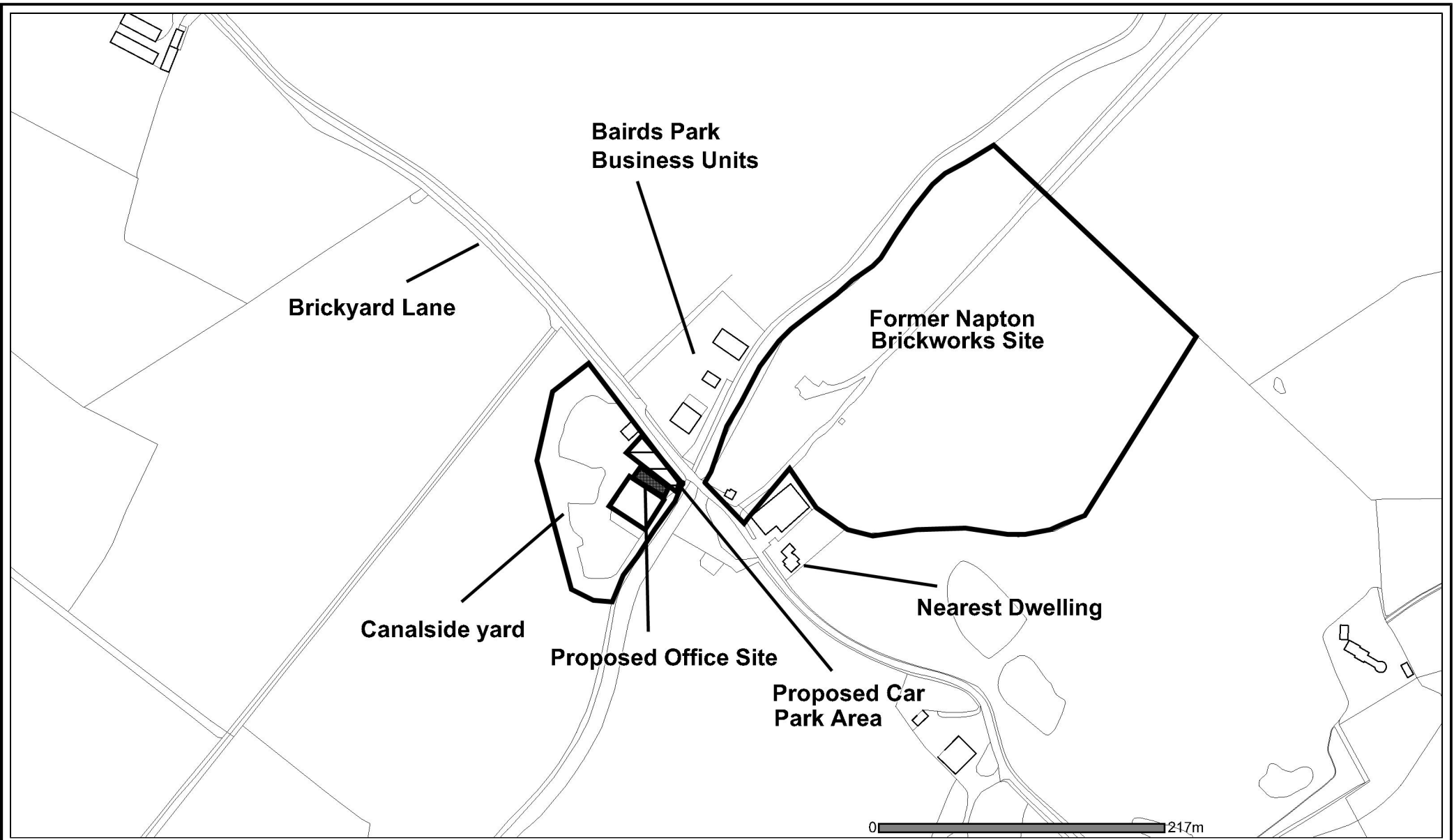
UPVC windows and doors the office accommodation would have no greater impact than the existing development on site. The provision of purpose built permanent office accommodation would enable the existing poor quality temporary structures to be removed from the site. This would result in an improvement to the visual appearance of the site.

- 4.5 The area of the yard that is the subject of this application is currently very open to views from the highway. Waste and recycled materials currently stored in this area are by no means visually pleasing. The proposed development includes the provision of car parking between the office building and highway. This would further improve the visual appearance of the site from public vantage points.
- 4.6 It has been suggested that further screen planting and fencing would be beneficial along the frontage of the site. The recently approved planning permission relating to the change of use of the existing building on site imposed a number of conditions requiring additional screen planting and fencing to be provided along the frontage of the site. It is considered appropriate for these conditions to be repeated in order to ensure that such screening is secured at the earliest opportunity. Suitably worded conditions are suggested.
- 4.7 Policies GD.1, GD.3, GD.5 and RA.1 of the Warwickshire Structure plan state that most new developments should be directed towards towns of over 8000 people (at 1991), should be well served by public transport and easily accessible to town centre services. The proposed location of the development, in a rural arguably isolated position, does not naturally accord with the thrust of these policies. However, it needs to be recognised that this is an existing waste facility with office accommodation requirements. The proposed office building is effectively a replacement of existing office accommodation on site.
- 4.8 Policy CTY1 of the adopted District Local Plan generally resists all forms of development in the open countryside, other than those in accordance with provisions elsewhere in the Local Plan. Policy CTY3 allows for the expansion of existing groups of rural buildings for industrial uses in sustainable locations. The policy states that in assessing such proposals it will be necessary to ensure that the scale and nature of activities on the site are appropriate to the rural area.
- 4.9 Policy COM16 of the District Local Plan promotes the retention of sites in business uses by supporting the expansion of existing firms in their established locations, except where the scale and nature of the activity would cause unacceptable environmental impact on the impact on the local area.
- 4.10 Whilst Canalside Yard's location is perhaps not the most sustainable it is clearly an established waste facility. The proposed development would enable existing low quality office units to be replaced with permanent purpose built office accommodation which it is considered would improve the visual appearance of Canalside Yard. The development is therefore considered to broadly accord with the aims of the Development Plan.

4.11 The proposed development would provide permanent office accommodation required at Canalside Yard, resulting in the removal of existing poor quality office units. It is considered that the office building, constructed in materials to match the existing, would overall assist to enhance the visual appearance of the Yard.

JOHN DEEGAN  
Strategic Director for Environment and Economy  
Shire Hall  
Warwick

7 August 2007



Scale 1: 4000

Ref No. S867/07CM010

Drawn Jan Stevns

Regulatory Committee 21st August 2007

Subject

**Canalside Yard Napton Office Building**



John Deegan  
Strategic Director for  
Environment and Economy  
Shire Hall, Warwick, CV34 4SX

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APPENDIX A OF AGENDA NO.



**Regulatory Committee - 21 August 2007**

**Canalside Yard, Napton – Office Building**

**Application No : S867/07CM010**

1. The development hereby permitted shall be commenced no later than three years from the date of this permission.
2. The development hereby permitted shall not be commenced until details of fencing to the frontage has been submitted to the County Planning Authority for approval in writing. Following approval the fencing shall be implemented accordingly before the building is used for the approved use.
3. The development hereby permitted shall not be commenced until details of additional screen planting, along the highway frontage of the site have been submitted to the County Planning Authority for approval in writing. Following approval the planting shall be implemented accordingly in the first planting season.
4. The development hereby permitted shall not be commenced until details of roof colour has been submitted to the County Planning Authority for approval in writing. Following approval the roof should be finished in the colour approved.
5. The development hereby permitted shall not be carried out other than in accordance with the submitted application ref: S867/07CM010 and the accompanying plans; BD/2006.024.01 Rev B, BD/2006.024.02, BD/2006.024.03 Rev B and plan titled Application for Office Accommodation date stamped 24 July 2007 and any details or samples approved in accordance with these conditions.
6. The office building hereby approved shall not be used other than in connection with the waste businesses operated from the site
7. Unless otherwise agreed in writing by the County Planning Authority, no external lighting shall be used.
8. The existing porta-cabin style office accommodation currently utilised on site shall be removed from the site upon occupation of the office building constructed in accordance with this consent.

**Reasons**

1. To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2,3,4. To protect the amenity of the area and local residents, including visual impact.

5. To ensure a satisfactory standard of development.
6. To ensure a satisfactory form of development.
7. To protect the amenity of the local residents.
8. To ensure a satisfactory standard of development.

## **Development Plan Policies Relevant to this Decision**

### **Warwickshire Structure Plan – 1996-2011**

Policy GD.1 Overriding Purpose, regarding pattern of development;

Policy GD.2 Regional and National Role, regarding part in West Midlands Region;

Policy GD.3 Overall Development Strategy, regarding directing most new development towards towns over 8,000 people;

Policy GD.4 Strategic Constraints, regarding allocation of land for development in Local Plans;

Policy GD.5 Development Location Priorities, regarding locations where new housing and employment development will be accommodated;

Policy RA.1 Development in Rural Areas, regarding development in rural areas;

Policy ER.9 Waste Local Plan, regarding the Waste Local Plan for Warwickshire Providing for a reduction in waste going to landfill.

### **Stratford on Avon District Local Plan Review 1996-2011 Adopted July 2006**

Policy CTY.1 Control over Development, regarding development in the countryside;

Policy CTY.3 Development Outside the Green Belt, regarding scope for the expansion of existing groups of rural buildings for industrial uses;

Policy EF.2 Special Landscape Areas, regarding resisting development that would be harmful in effect;

Policy DEV.1 Layout and Design, regarding development proposals having regard to the character and quality of the local area:

Policy COM.16 Existing Business Uses, regarding retention of sites in business uses.

### **Waste Local Plan for Warwickshire**

Policy 1 General Land Use, regarding evaluating proposals to develop any waste facility.

Policy 6 Materials Recycling Facilities, regarding when such facilities will be permitted.

### **Reason for the Decision to Grant Planning Permission**

The proposed development is ancillary to the existing primary use of the site and therefore approval will not undermine the aims of securing sustainable development in the locality. The development is in general accordance with the relevant provisions of the Development Plan and receives particular support from policy COM16 of the Stratford on Avon District Local Plan. The proposed development would no greater impact than the existing development undertaken on site. There are no contrary material considerations to indicate that the application should be refused.