

Agenda Item No 4

Planning and Development Board

4 September 2017

Planning Applications

Report of the Head of Development Control

1 Subject

1.1 Town and Country Planning Act 1990 – applications presented for determination.

2 Purpose of Report

2.1 This report presents for the Board decision, a number of planning, listed building, advertisement, proposals, together with proposals for the works to, or the felling of trees covered by a Preservation Order and other miscellaneous items.

2.2 Minerals and Waste applications are determined by the County Council. Developments by Government Bodies and Statutory Undertakers are also determined by others. The recommendations in these cases are consultation responses to those bodies.

2.3 The proposals presented for decision are set out in the index at the front of the attached report.

2.4 Significant Applications are presented first, followed in succession by General Development Applications; the Council's own development proposals; and finally Minerals and Waste Disposal Applications. .

3 Implications

3.1 Should there be any implications in respect of:

Finance; Crime and Disorder; Sustainability; Human Rights Act; or other relevant legislation, associated with a particular application then that issue will be covered either in the body of the report, or if raised at the meeting, in discussion.

4 **Site Visits**

- 4.1 Members are encouraged to view sites in advance of the Board Meeting. Most can be seen from public land. They should however not enter private land. If they would like to see the plans whilst on site, then they should always contact the Case Officer who will accompany them. Formal site visits can only be agreed by the Board and reasons for the request for such a visit need to be given.
- 4.2 Members are reminded of the “Planning Protocol for Members and Officers dealing with Planning Matters”, in respect of Site Visits, whether they see a site alone, or as part of a Board visit.

5 **Availability**

- 5.1 The report is made available to press and public at least five working days before the meeting is held in accordance with statutory requirements. It is also possible to view the papers on the Council’s web site: www.northwarks.gov.uk.
- 5.2 The next meeting at which planning applications will be considered following this meeting, is due to be held on Monday, 9 October 2017 at 6.30pm in the Council Chamber at the Council House.

6 **Public Speaking**

- 6.1 Information relating to public speaking at Planning and Development Board meetings can be found at: www.northwarks.gov.uk/downloads/file/4037/.
- 6.2 If you wish to speak at a meeting of the Planning and Development Board, you may either:
- e-mail democraticservices@northwarks.gov.uk;
 - telephone (01827) 719222; or
 - write to the Democratic Services Section, The Council House, South Street, Atherstone, Warwickshire, CV9 1DE enclosing a completed form.

Planning Applications – Index

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3	PAP/2016/0282	4/17	93-95, Long Street, Atherstone, Listed building consent to reinstate the original appearance of the front elevation	General
4	PAP/2016/0725	4/26	Holiday Cottage at Radford, Land adj to 66 Old House Lane, Corley, Removal of condition no's:- 3 & 4 of planning permission PAP/2014/0473 relating to occupancy solely for holiday purposes and the keeping of a register of visitors staying in the accommodation	General
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6	PAP/2017/0340	4/107	Land Between, Rush Lane and Tamworth Road, Cliff, Outline application for erection of up to 165 dwellings, public open space, landscaping, sustainable urban drainage and associated infrastructure - all matters reserved except access	General
7	PAP/2017/0429	4/114	Car Park, Sheepy Road, Atherstone, Works to trees in Conservation Area	General
8	PAP/2017/0438	4/118	2 Birmingham Road, Land opposite Green Man, Birmingham Road, Coleshill, Works to trees in Conservation to fell four trees	General

General Development Applications

(1) Application No: CON/2017/0011

Former Shale Tip, Merevale Lane, Atherstone,

Variation of condition 2 of planning permission NW57/08M042 to allow revision of details in relation to the biomass facility, for

Warwickshire County Council

Introduction

This application has been submitted to the County Council for determination as the Waste Planning Authority. The Borough Council has been invited to make representations as part of that process.

Background

Members will be aware of this site opposite that of the former colliery, now used by JLR as a car distribution depot. The former colliery shale tip was the subject of a planning permission granted by the Secretary of State on 24/2/10, following a Public Inquiry, for the compaction of the site to form a stable landform for the construction of a sustainable resource recovery park together with associated plant and buildings including an Anaerobic Digester and a Biomass Facility. The AD plant is now fully operational.

The applicant is now ready to let the contract for the Biomass facility. The preferred operator has requested amendments to the already approved layout and these are the subject of this application.

The Proposals

The proposed amendments relate to the following matters.

- The site layout would be amended through re-location of storage tanks and other structures to the rear of the main process building; the relocation of the weighbridge and the introduction of a one way HGV circulation route on site.
- The height of the main process building would increase from 14 metres to 22 metres to its ridge and the stack would increase from 20 metres to 25 metres
- The application makes it clear that these proposals do not alter the principle of the use as approved here and specifically do not:
- alter the approved technology to be used on site;

- the number of approved HGV movements visiting the site,
- the approved hours of operation, or
- the size of the application site

The following plans are attached as Appendices:

Appendix A shows the approved and proposed location on site of the main building
 Appendix B shows the proposed layout in detail and
 Appendix C shows cross sections through the site.

Development Plan

The Core Strategy 2014 – NW1 (Sustainable Development); NW10 (Development Considerations), NW11 (Renewable Energy and Energy Efficiency), NW12 (Quality of Development), NW13 (Natural Environment) and NW16 (Green Infrastructure)

The Warwickshire Waste Core Strategy 2013 – CS1 (Waste Management Capacity); CS2 (The Spatial Waste Planning Strategy), CS5 (Proposals for reuse, recycling, waste transfer and composting), CS6 (Other Types of Recovery), CS8 (Safeguarding of Sites), DM1 (Protection and Enhancement of the natural and built environment), DM2 (Managing Impacts) and DM 6 (Flood Risk)

Other Material Planning Considerations

The National Planning Policy Framework 2012

National Planning Policy for Waste 2014

Observations

The issues here are to do with whether the amendments proposed would have any greater impact than if the approved scheme was to go ahead. The principle of the use in these circumstances is thus not for re-consideration as those changes would have no material change in the nature of the approved use.

The proposed site layout alterations and re-location of the various components of the plant will have no material impact. This is because the site is extremely well screened from all sides and is very much self-contained visually and operationally. As such the proposed layout alterations will not be visible.

The main concern is the proposed increase in height of the building and the stack. On the face of it these are large increases over that approved – 8 and 5 metres respectively. As indicated above the site is very self-contained and the development plateau here is sunk well down within the retained perimeter banks. As such even the increased height of the building would not be visible from outside of the site. Moreover the increased height is not proposed throughout the whole building. The cross-sections through the site demonstrate this. With a green cladding for the roof and walls it is not considered that an objection could be sustained here.

The proposed increase in the height of the stack is wholly to meet emission standards set by the Environment Agency as it would control the operational side of the site through its permit system. Again there is not considered to be an adverse visual impact here. The existing stack at the AD plant is hardly noticeable in the wider landscape and the proposed stack would be located in that part of the site with the highest perimeter banks and woodland screening. It is not considered that there would be any significant visual or landscape harm

Recommendation

That no objection be lodged with the County

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

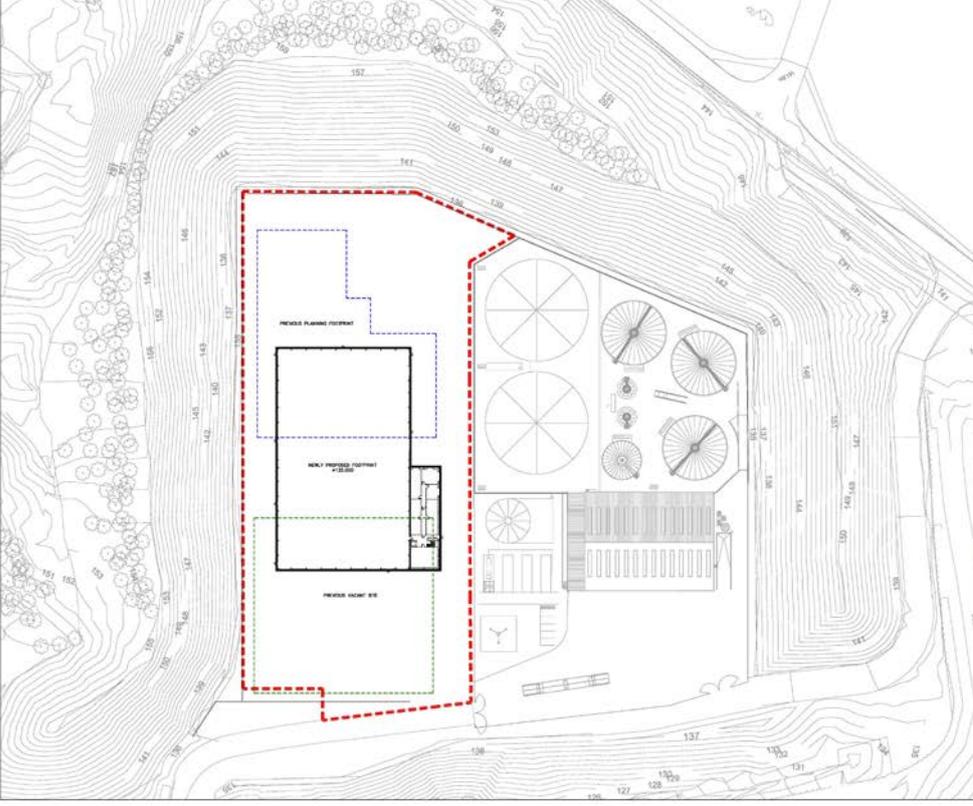
Planning Application No: CON/2017/0011

Background Paper No	Author	Nature of Background Paper	Date
1	Warwickshire County Council	Letter	27/7/17

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

APPENDIX A



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DATE: 09/2016

SCALE: 1:500

PROJECT: **PLANNING** 100% Stage

CLIENT: **Aeternis Energy Limited**

SITE: **Backsley - Biomass Facility**

TYPE: **Site Plan - Planning Overlay**

DESIGNER: **JG** DATE: **September 2016**

DRAWN: **AL** SCALE: **1:500**

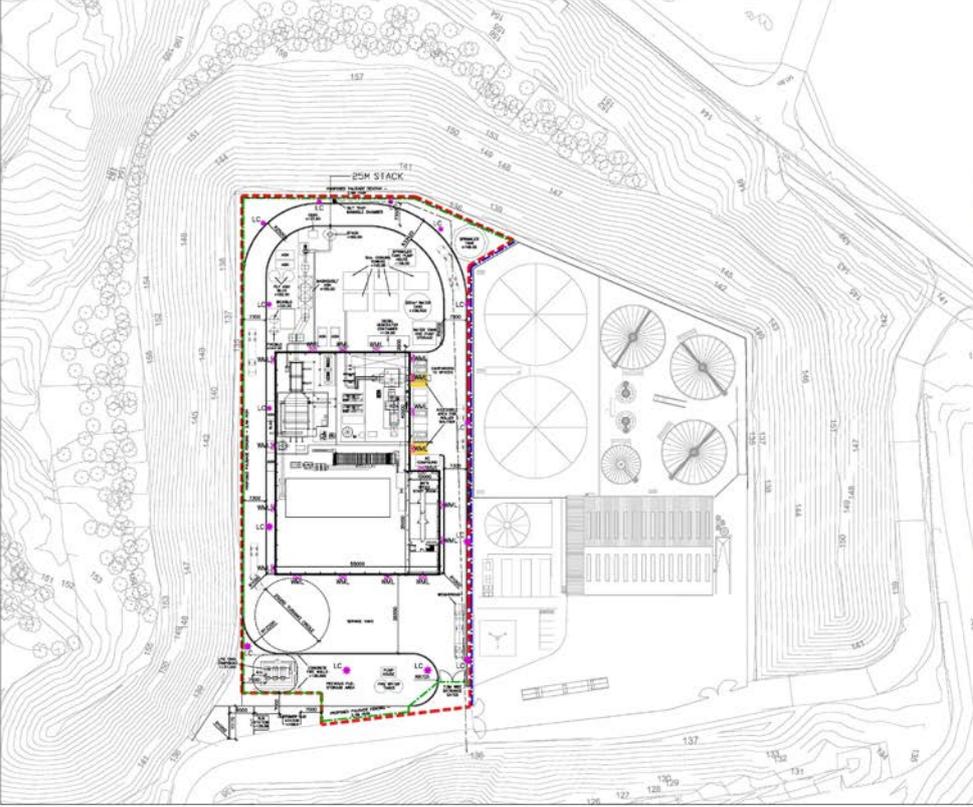
NO: **3021** REV: **3021-02-02** REV: **L**

FOR MORE INFORMATION, CONTACT US ON: 0144 209191 223 7000. E: info@iipgroup.com

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AETERNIS ENERGY 100% Stage

APPENDIX B



© This drawing and the building outline included on the copyright of IIP and may not be reproduced or otherwise copied by other persons, in whole or in part, without the prior written consent of IIP. All dimensions to be checked on site and verified against any discrepancies prior to commencement of all works.

DATE: 09/2016

SCALE: 1:500

PROJECT: **PLANNING** 100% Stage

CLIENT: **Aeternis Energy Limited**

SITE: **Backsley - Biomass Facility**

TYPE: **Proposed Site Plan**

DESIGNER: **JG** DATE: **September 2016**

DRAWN: **AL** SCALE: **1:500**

NO: **3021** REV: **3021-02-01** REV: **P**

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AETERNIS ENERGY 100% Stage

SITE KEY

- SITE BOUNDARY
- PROPOSED PALISADE FENCING - 2.4M HIGH
- EXISTING PALISADE FENCING - 2.4M HIGH
- SILT TRAP MAN-HOLE AND DRAINAGE POINT
- 6M LIGHT COLUMN
- WALL MOUNTED LIGHTS ATTACHED TO BUILDING

(2) Application No: CON/2017/0012

Severn Trent Water Ltd, Marconi Way, Coleshill, B46 1DG

Installation of a biomethane gas to grid plant, for

Severn Trent Water Ltd

Introduction

This application has been submitted to the County Council as Waste Authority and it has requested this Council's representations as part of its assessment of the proposal.

The Site

This is wholly within the operational area of the large Coleshill water treatment works north of the Midland railway into Birmingham and south of the Hams Hall Estate. The actual location within the works is at its eastern end to the north west of the car park at Coleshill Parkway station.

A location plan is at Appendix A

Background and the Proposals

Planning permission was granted by the County in late 2013 for a new Anaerobic Digester (AD) here and this became operational in 2015. The biogas produced is converted to electricity and this is sufficient to power the plant itself and for a surplus to be sold to the National grid. Because the AD is working much better than anticipated, there is an unexpected higher gas yield. It is thus proposed that rather than lose this, the excess biogas produced will be converted into bio-methane so that it can be injected into the national gas grid. This will help reduce the use of imported natural gas.

The technical process for this conversion is set out in Appendix B.

The proposals for this additional process include new grid kiosks, additional plant and a pipeline to connect to the grid. The most significant piece of new plant however would be an 18 metre tall stack. An outline of the plant layout is at Appendix C together with cross sections at Appendix D.

Development Plan

The Core Strategy 2014 – NW3 (Green Belt); NW10 (Development Considerations) and NW11 (Energy Efficiency)

Warwickshire Waste Core Strategy Local Plan 2013-28 – CS6 (Other types of Recovery); DM1 (Protection and Enhancement of the Natural and Built Environment) and DM2 (Managing Impacts)

Other Material Planning Considerations

The National Planning Policy Framework 2012 – (the “NPPF”)

Observations

The site is in the Green Belt. As the proposal involves new structures, these would be deemed to be new buildings and thus inappropriate development in the Green Belt. The applicant suggests that as the site is previously developed land then the proposal could be considered to fall into one off the exceptions to the above conclusion. However this is dependent on the proposal not causing additional harm to the openness of the Green Belt over and above that which already exists. It is not considered that this is the case because the main element of the current proposal is the introduction of a new 18 metres tall stack in an otherwise open area of the treatment works. This is tall and will be noticeable from the surrounding roads and indeed by rail travellers. Openness will thus be affected. The other plant is similar in appearance and scale to that already distributed throughout the works and thus would not cause undue impacts on openness. As a consequence it is concluded that the proposal is not appropriate development but that the degree of actual harm caused is limited. This conclusion is based on the presence of other stacks and larger buildings distributed throughout the works and the much larger and more massive sheds of the Hams Hall estate very close by.

There is unlikely to be any other harm caused. Emissions would be controlled by other legislation and Agencies.

As such there should thus be a presumption of refusal here but that has to be balanced against those considerations put forward by the applicant in support of the proposal to see if they amount to the very special circumstances necessary to outweigh that presumption.

The applicant’s case is two-fold. Firstly the NPPF explicitly states that very special circumstances might arise in the case of renewable energy projects because of the wider environmental benefits associated with increased production of renewable energy from renewable sources. Given the reasons behind the application as summarised above, this argument is considered to carry significant weight. The second is that the proposal is compliant with Development Plan policy not only in terms of policies relating to renewable energy, but also to those affecting the handling of waste. This too is considered to carry significant weight.

In conclusion therefore it is agreed that the considerations put forward by the applicant are of sufficient combined weight to clearly outweigh the actual limited harm to the Green Belt here.

Recommendation

That the County Council be informed that the Council has no objection to this proposal for the reasons outlined in this report.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: CON/2017/0012

Background Paper No	Author	Nature of Background Paper	Date
1	Warwickshire County Council	Letter	9/8/17

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

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2 PROPOSAL DESCRIPTION

2.1 Proposed Development

2.1.1 Planning permission is sought for the installation of a Biomethane Gas to Grid Plant, located within the operational boundary of the existing Coleshill Sewage Treatment Works. The proposal would make the AD process more efficient and enable the Applicant to create biomethane gas and inject it into the National Grid for domestic use, maximising the benefit of the AD operation and process. By injecting the renewable gas, in the form of biomethane to the local gas networks, will help make the UK gas supply less carbon-intensive than using imported natural gas.

2.1.2 The proposed development will comprise the following elements:

- Biomethane Gas to Grid Plant including a stack of approximately 18 metres in height;
- Grid Kiosk measuring approximately 3 metres in width, 8 metres in length and 2.5 metres in height
- Grid Entry Kiosk measuring approximately 3 metres in width, 6 metres in length and 2.5 metres in height.
- Propane Storage Area measuring approximately 8.7 metres in width, 9.8 metres and 2.3 metres in height

2.1.3 Please refer to drawings BM11374-004, BM11374-007, BM11374-010, BM11374-011 and BM11374-012 for further details.

2.2 The bio-methane gas-to-grid system

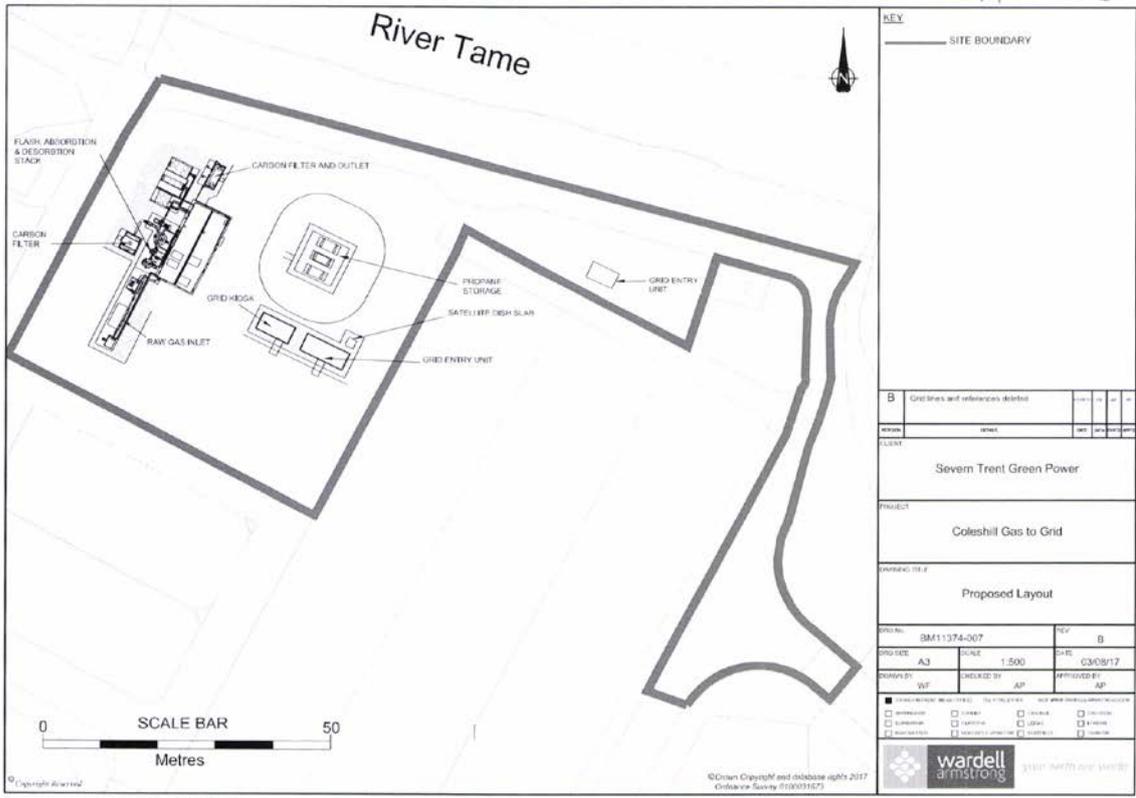
2.2.1 The biogas created as a result of the AD process is typically 55% Methane and 45% Carbon Dioxide with some trace impurities. The standard for gas in the national grid is very tight. Consequently, prior to injection the biogas must undergo an upgrading process, where all contaminants and carbon dioxide are removed to raise the content of methane to more than 95%. There are also strict controls on the acceptable calorific value to ensure the gas meets the agreed standards and consumers get what they are paying for. Consequently, the calorific value of the gas is checked and if found to be low, is enhanced by introducing a small quantity of propane. All of this is continually measured and recorded by a sophisticated control system built into the process.

2.2.2 The cleaned gas is then fed through a carbon filter to remove the remaining trace gasses before the carbon dioxide is removed and vented to atmosphere and the

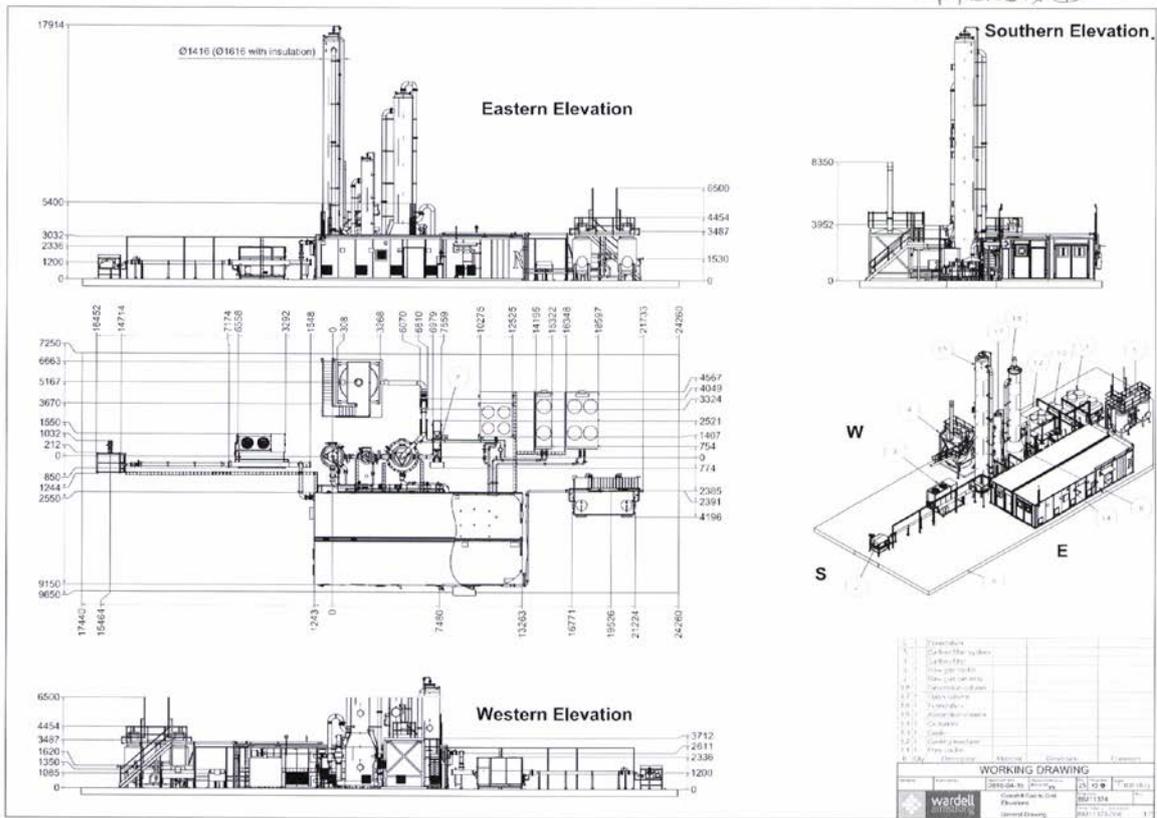
methane is passed into the dewatering system where the moisture is removed from the gas.

- 2.2.3 Once the methane has completed the treatment process it is checked for purity and calorific value. If the gas fails the purity check it is recirculated back through the cleaning process. The gas that meets standard is then checked for calorific value and if that is low it is enhanced with propane. Once the gas meets the quality standards the distinctive smell agent is added as a safety feature and the gas is injected into the network. The monitoring process is continuous and records of the testing process are retained.

APPENDIX C



APPENDIX D



(3) Application No: PAP/2016/0282

93-95, Long Street, Atherstone, CV9 1BB

Retrospective application for works to a shop front for

Mark Keenan

Introduction

The application is reported to Board as authorisation is required to proceed with enforcement action if the recommendation of refusal is agreed.

The Site

The site is on the south side of Long Street within a completely commercial street frontage. It is presently vacant apart from an office use at ground floor. It is within the town centre as defined by the Development Plan and within the Conservation Area. It is a Grade 2 Listed Building.

The context of the site in terms of its immediate surroundings is at Appendix A.

The listing description is at Appendix B.

The Proposal

This is a retrospective application to retain the current appearance of the shop front.

Background

There was an existing design approved for the shop front back in 2001 and the site has undergone many changes internally, although these were all in accord with planning permissions and Listed Building Consents. Recently the works to the shop front design and colour scheme were altered – local members may recall the “green” colour and the addition of a more modern fascia. That has again been to mid-blue with a yellow door and a white fascia.

Historically the building had the appearance below:

Other Relevant Material Considerations

The National Planning Policy Framework - (the "NPPF")

Supplementary Planning Guidance: A Guide to Shop Front Design, February 2003.

Representations

Atherstone Civic Society – There is no objection to the proposal to change to a more sympathetic colour scheme. However, the proposed signage on the windows would also be damaging to the visual amenity of the listed building and the conservation area. It is suggested that the signage be considerably scaled down to use smaller signs within the shopfront, but behind the window. This would be in line with most other commercial premises in the conservation area. In our view, there should be no signs adhering to the inside or outside of the window itself.

Further comments - The Civic Society is of the opinion that Shop Front design is generally more considered in Atherstone but there seems to be some incidents where some frontage either escape the notice of the planners or are considered outside the guideline. A particular example which has appeared recently in Long Street which in our opinion is out of character with the townscape. It is within the town's conservation area and serves to be a poor example of an acceptable shop frontage enhancement.

Atherstone Town Council – No objection.

Observations

The Three Tuns is one of Atherstone's most prominent listed buildings, with historical connections. The current arrangement to the building has an unauthorised shop front design that is a large fascia board elongated across the entire shop front, just below the first floor sill height and above the bow window and cornice head of the window. The timber to this fascia appears to be MDF which is inappropriate for a listed building. The main impacts to consider are those on the heritage assets of the building as a Listed Building and on the Conservation Area.

a) Shop front design

The main impact on the shop front design is that of the bulky fascia with a smaller fascia underneath but limited to the entrance door and window side of the shop. There was no fascia originally intended above the bay window and this has altered the appearance of the building.

Therefore in terms of the advice given in the Council's adopted shop front design guide *'the fascia being the most important and noticeable element of a shop-front has the potential to have a major impact on the quality of the street scene. It should be seen as an integral part of the shop-front, and not just as a form of advertisement. It needs to be appropriate in character, style and proportion to the building.....nor should they obscure other architectural details such as cornices, or upper storey windows....'*

Oversized or deep fascia's can have a heavy clumsy appearance. If a deep fascia has been installed in the past, an opportunity should always be taken to improve the situation'.

Presently the design of the fascia would not be considered to meet the design guidance attributed to shop front design and it is the fascia that is significantly detrimental to the shop front rather than any other elements which appear largely in keeping with traditional shop front design and are acceptable. Re-instatement of the approved shop front design back in 2001 would be necessary here as illustrated above in order to restore the shop front as previously approved and re-instated from the early design recorded by the original appearance at the turn of the century illustrated by the historic photograph above. This would require the removal of the MDF and associated fixtures to the entire false fascia and the previously approved timber shop front fascia design (limited to the entrance door and window) should be exposed.

In terms of colour scheme then the adopted Guidance also advises that 'the range of colours used should be kept to a minimum, dark rich colours are most appropriate, colours such as navy blue, black, dark red and dark green. Harsh gaudy colours such as fluorescent colours should be avoided as they are over dominant in the street scene. They are especially inappropriate in a historic context'.

Therefore the use of the colour scheme should be limited to one colour rather than two, though there would be no objection to mid blue, as it is thought historically that Georgian shop fronts were brightly coloured. The use of yellow does detract from the character and appearance of the building in a street scene with a historic context.

Therefore the retrospective works in respect of the fascia board and associated fixings and the use of two colours to the shop front would not accord with the adopted guidance on shop front design.

It is also the intention to display window adverts and signage above the door. However advertisements would be reserved under an application for advertisement regulations.

b) The Heritage Asset

The NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Though it is considered that the development here would lead to less than significant harm to the Conservation Area, it is nevertheless harm to which great weight should be attached. The NPPF guides that the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In this instance, the building is being put to a use; however this does not justify the alteration to the

shop front design which is not considered to result in an enhancement in the historic context of the street scene.

Policy NW14 of the Core Strategy sets out that the quality of the historic environment, including Conservation Areas, will be protected and enhanced, commensurate to the significance of the asset. Policy NW12 of the Core Strategy sets out that all development proposals must demonstrate a high quality of sustainable design that positively improve the individual settlement's character; appearance and environmental quality of an area and sustain, conserve and enhance the historic environment. Furthermore, saved Local Plan policy ENV15 indicates that development will not be permitted in a Conservation Area if it would have a harmful effect on the character or appearance of the area and saved policy ENV16 indicates that development that would detract from the character, appearance or historic value of a Listed Building (including any building within its curtilage) in terms of historic form and layout or its setting, will not be permitted.

The alteration to the shop front design would not be considered in keeping with the character and distinctiveness of the Conservation Area and harms the significance of the listed building. As such, the development would be contrary to the provisions of Policies NW12 and NW14 of the North Warwickshire Core Strategy 2014 and saved policies ENV15 and ENV16 of the North Warwickshire Local Plan 2006.

c) Conclusion

The bulky appearance of the shop front fascia design and the colour scheme to the shop front in more than one colour, specifically the yellow colour scheme to the doors are not considered to be suitable to the historic context of the street scene, given the prominence of the building on the junction with Market Street with Long Street and is contrary to the shop front design guide 2003 and to policies relating to the enhancement of Heritage Assets, NW12 and NW14 of the North Warwickshire Core Strategy 2014 and saved policies ENV15 and ENV16 of the North Warwickshire Local Plan 2006.

d) Enforcement

Given the recommendation, the Board if it agrees to this, will also have to consider whether it is expedient or not to authorise enforcement action. This would require the removal of the fascia board across the shop front (which obscures the original fascia beneath) and fixings and for a single colour scheme to be applied to the shop front or for the yellow door to be repainted in white.

The reason for such action is to remove the appearance of the bulky shop front fascia and to re-instate a subdued colour scheme which would then improve the visual appearance of the shop front along the street scene and reduce harm to the listed building. The compliance period should be six months.

There will clearly be a cost to the owner here but the erection of the false fascia across the entire shop front and the introduction of colour schemes were implemented at the owner's risk. That cost is not considered to be substantial and neither would it have other adverse consequences. The owner has the right of appeal against both a refusal and the issue of any Notice.

Recommendation

A) That Listed Building consent be **REFUSED** for the following reason:

The unauthorised installation of the fascia boarding has resulted in a development that is uncharacteristic of a traditional shop front design on a listed building. That being limited to the fascia design and the colour scheme which have a harmful impact on the historic context of the street scene. As such, the scheme is contrary to the Council's adopted shop front design guide of 2003 and to policies relating to the enhancement of Heritage Assets, NW12 and NW14 of the North Warwickshire Core Strategy 2014 and saved policies ENV15 and ENV16 of the North Warwickshire Local Plan 2006.

B) That authority also be granted to the Assistant Chief Executive and Solicitor to the Council to issue an enforcement notice requiring the removal of the fascia boarding and associated fixings and the exposure of the original fascia which is concealed beneath and for the colour scheme to be a single colour to the shop front, specifically for the door to be painted in blue or a neutral colour within a compliance period of six months.

Notes

1. Notwithstanding this refusal, the Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking further information and for a re-instatement of the previous elevation. However the planning issues at this site cannot be satisfactorily addressed. As such it is considered that the Council has implemented the requirement set out in paragraphs 186 and 187 of the National Planning Policy Framework.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

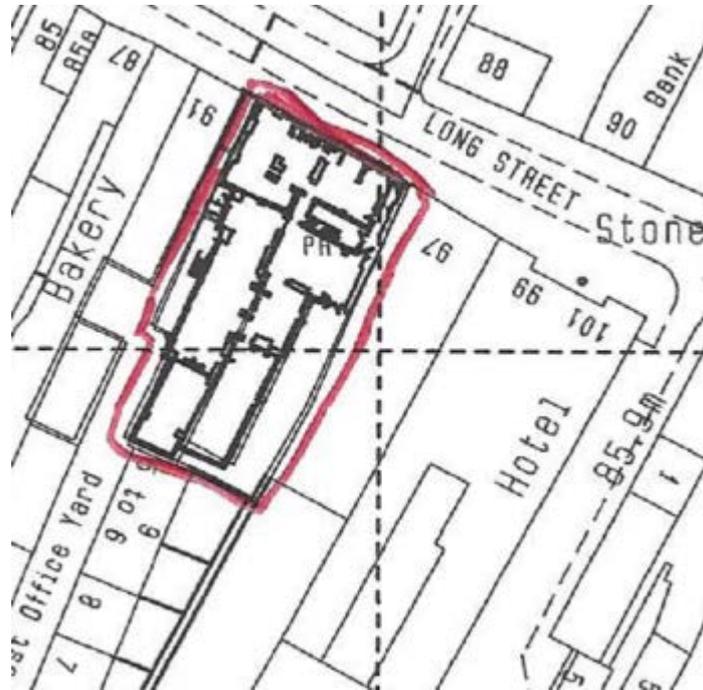
Planning Application No: PAP/2016/0282

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	16/5/16
2	Applicant	plans	11/6/16
3	Case Officer	e-mail	24/6/16
4	Applicant	e-mail	8/7/16
5	Case Officer	e-mail	8/7/16
6	Atherstone Civic Society	representation	20/7/16
7	Atherstone Town Council	representation	21/7/16
8	Case Officer	e-mail	28/7/16
9	Applicant	e-mail	29/7/16
10	Case Officer	e-mail	25/8/16
11	Case Officer	e-mail	13/9/16
12	Applicant	e-mail	20/9/16
13	Case Officer	e-mail	3/10/16
14	Applicant	e-mail	4/10/16
15	Case Officer	e-mail	10/10/16
16	Case Officer	E-mail	24/1/17
17	Atherstone Civic Society	Comments	17/5/17

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Appendix A



Appendix B

ATHERSTONE LONG STREET

SP3097 (South-west side)

9/54 Nos. 93 (Dee Boutique) and 95

(The Three Tuns Public House)

GV II

Shop and public house. Right range is early C19; left part is mid/late C19. Rendered throughout. Plain-tile roofs. T-plan, with long irregular range to rear. Right part has banded rustication to ground floor and a string course; upper floors have alternating quoins and moulded cornice. Brick ridge stack. 3 storeys; 3-window range. Entrance to The Three Tuns on the left has half-glazed double-doors and wide shallow porch of Tuscan columns supporting a plain entablature. Central shop front to No.93. has half-glazed 4-panelled door and plain fanlight set off-centre, 2 bays with late C20 glazing bars, and continuous fascia. Rusticated arch to passage on right. First floor has sashes, of 16 panes to first and second bays. Central window has rendered surround with simple consoles and cornice. Second floor has 12-pane sashes; third bay has late C20 top-hung window. Left range has brick right end stack. 3 much higher storeys; 2-window range. Moulded 4-panelled door and fanlight on left. Large ground-floor canted bay has segmental-arched plate glass sashes. Wide C20 wood mullioned and transomed 4-light window with fascia on right. Upper floors have segmental-arched 4-pane sashes in rendered architraves, moulded, chamfered and with consoles and cornices to first floor. Interiors not inspected. Included for group value.

The Proposal

This relates to the removal of conditions 3 and 4 of planning permission PAP/2014/0473 which restricts occupancy solely for holiday purposes and a consequential requirement to keep a register of visitors staying in the accommodation

In support of the application the applicant has submitted evidence to show that the recent rental history of the building makes its further use unviable. That evidence confirms that it has only been let twice during the past year, and that despite lowering the rent asked for, there has still been no uptake. None of the prime holiday periods were let.

Background

Radford was initially granted permission in 1965. A subsequent permission in 1989 led to the construction of a triple bay garage and it is this building that is the subject of this application. It was approved within the curtilage of Radford. A further permission in 2010 allowed for a replacement triple bay garage. Planning permission was granted in 2012 which allowed its conversion to a holiday let using the access through Radford, though a separate access serving the land on which the garage is sited was previously established.

The permission for the holiday let was taken up.

Radford' was subsequently sold to a new owner and the house is now in a different ownership to that of the holiday let. The former owner of Radford however has retained ownership of the holiday cottage and the adjoining paddock with its own established vehicular access. The layout of the site uses a pedestrian route to the holiday let permitted in 2014. Presently there are no unauthorised uses occurring at the site. The site has been subdivided from its former host dwelling. As such, agreement here to the removal of the conditions would lead to an independent dwelling with its own curtilage.

Development Plan

The Core Strategy - NW 1 (Sustainable Development); NW3 (Green Belt), NW10 (Development Considerations) and NW12 (Quality of Development)

Saved Policies of the North Warwickshire Local Plan 2006 - ENV13 (Building Design); ENV14 (Access Design), ECON9 (The Re-use of Rural Buildings) and HSG3 (Housing Outside of Development Boundaries)

Other Relevant Material Considerations

The National Planning Policy Framework 2012 - (the "NPPF")

Consultations

Warwickshire County Council as Highway Authority – No objection

Representations

Corley Parish Council – It objects on the following grounds:

- It is in our view essential to summarise the events which have led to this totally unacceptable application. The applicant was the previous owner of Radford and some while ago applied for permission to create a holiday home adjacent to the main property.
- The ‘outbuildings’ or garages were, with planning consent converted into a holiday let which still was part of the overall property originally purchased by the applicant.
- There was also a request for a further driveway access to this ‘holiday’ let. A separate driveway was constructed to provide separate access – we understand the applicant was advised by the council that this new access could not be used, that the main access should be used by the main house and holiday let. Whilst in principle the parish council did not have major concerns at the creation of the holiday let, we did submit representations and make the point there should be strict conditions put on this, we were worried that these conditions would be eroded over time and a ‘new permanent’ dwelling created.
- The applicant then sold the main property, the applicant retained the holiday let as a separate property – specifically and according to planning consent definitely a holiday let and not a residential property and it is now clear that our concerns and fears about the ‘end game’ have become a reality. It is totally unacceptable and the existing conditions on this property maintained.
- This latest application, seeks to remove the condition that the property is purely a holiday let and therefore reclassify it as a residential property – which could presumably be sold on the open market. The rationale for this change is as we understand that the holiday let is not viable and therefore the applicant has little option. Perhaps the applicant should have researched the viability and marketing strategy of a holiday let in our village before this development route for his property was embarked on.
- Given our village is located very close to the NEC, Motorcycle Museum and other major event centres we know for a fact that the demand for hotel and other rental property is high at many times throughout the year. It is therefore with surprise that a property in such an ideal commuter location for such events is deemed not viable to be very questionable. We would suggest that if

the property was advertised and marketed correctly it would indeed become viable and take away the rationale for any reclassification away from its current status

- Any other action would create a very dangerous precedent for others in our community who see a path to creating more fully fledged residential properties by adopting this strategy. As a parish council we predicted this event would occur and it must not be allowed to be successful.

Observations

a) Introduction

The request to remove controlling conditions imposed on the earlier permission for a holiday let would result in full residential use of the building under a C3 use class.

It should be noted that the building already has full residential characteristics both internally and externally. There have been no extensions or alterations made. In planning terms, it is already in a C3 use – both in terms of its lawful Use Class and the actual situation on the ground. The conditions only limit the occupancy of this C3 use, such that residency is not permanent.

b) Material considerations

Whilst the concerns of the Parish Council are understood, it is not considered that there are not the planning grounds here for a refusal. There are several reasons for this.

Firstly, the starting planning position is that set out above. The building already has a C3 use albeit its occupancy is conditioned. It can therefore be occupied residentially in the same way as any other dwelling other than its occupants would change on a regular basis, or indeed the same occupier could occupy the building for several rental periods within a year. In all these cases the buildings' use is wholly residential in character and appearance with all of the same associated activity as for dwelling occupied by a permanent household. In these circumstances it is almost impossible to distinguish whether there would be any adverse visual or amenity impact on the local area between a full residential use and a property that is let.

The second follows on from this. The site is in the Green Belt. The NPPF makes it quite clear that the re-use of existing buildings is appropriate development, provided that there is no worse impact on the openness of the Green Belt as a consequence. That would be the case here not only in the general terms described above but also in actual terms as the site is hardly visible to the public being self-contained by high hedges and road banks.

Thirdly, the evidence submitted by the applicant suggests that the demand for the holiday accommodation is no longer viable. Evidence submitted by the applicant in the form of an independent financial appraisal and marketing evidence through a rental firm suggests that demand for the holiday accommodation has not been taken

up even with a reduction in the rent asked for. This also suggests that there would be very little in the way of impact on the local rural economy if this holiday let was “lost” to the area.

Finally the site is not considered to be wholly isolated as it within a cluster of existing housing.

c) Other Harm

As outlined the site is well screened along its boundaries. It also sits some distance away from neighbouring properties. There is not considered to be a privacy issue, nor are vehicle movements associated with the use likely to cause problems on the local highway network. Indeed the Highway Authority has not objected.

d) Summary

Overall the considerations outlined above, when treated cumulatively, do strongly support the proposal to remove the limiting occupancy conditions of the previous permission. The impact on the Green Belt is the same whether the building continues as a holiday let or whether its use is fully residential. The appearance of the building does not alter in its rural context and neither does its residential curtilage. The site already benefits from its own access.

Whilst the concern of the Parish Council is understood it should be recognised that the holiday let permission was taken up and the building has been used as such. Unless the Parish Council has robust evidence that the building has a reasonable prospect of being let on a viable basis and show that its use as a single dwelling would have an adverse Green Belt or other impact there is no weight that can be attached to those concerns.

Recommendation

Planning permission is **GRANTED** subject to the following conditions:

1. The development hereby approved shall not be carried out otherwise than in accordance with the revised plans numbered 317/214/05 Rev B and 317/214/03 Rev B received by the Local Planning Authority on 18 May 2017 and the Viability Appraisal received by the Local Planning Authority on 22 May 2017.

REASON

To ensure that the development is carried out strictly in accordance with the approved plans.

2. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 2015, or as may be subsequently amended, no development under Classes A, B, or E of that Part shall commence on site unless details are first submitted to and approved in writing by the Local Planning Authority.

REASON

In order to protect the visual amenities of the area and to protect the appearance of the building.

3. For the avoidance of doubt this permission permits the use of the building shown on the plans approved by Condition 1 as one dwelling house as defined by Class C3 of the Town and Country Planning (Use Classes Order), 1987 (as amended).

REASON

For the avoidance of doubt so as to prescribe the limits of the permission.

4. The building shall not be occupied until the car parking and manoeuvring areas have been laid out and are available for use in accordance with the approved plan and such areas shall be permanently retained for the parking and manoeuvring of vehicles. The vehicular access to the site shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or permit surface water to run off the site onto the public highway.

REASON

In the interests of highway safety

5. The development shall not be occupied until visibility splays have been provided to the vehicular access to the site in accordance with drawing number 317/214/03 Rev B. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON

In the interests of highway safety

6. No gates shall be hung within the vehicular access to the site so as to open within 6.0 metres of the near edge of the public highway carriageway.

REASON

In the interests of highway safety

INFORMATIVES

1. Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow – so far as is reasonably practicable – from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.
 - b. Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
2. The Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking additional information in order to overcome planning issues, as such the Council has met the requirements of paragraphs 186 and 187 of the National Planning Policy Framework

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2016/0725

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	21.12.16
2	Corley Parish Council	Representation	17.1.17
3	Case officer to agent	e-mail	8.2.17
4	NWBC Environmental Health	Representation	22.2.17
5	Agent to case officer	e-mail	1.3.17
6	Agent to case officer	e-mail	2.3.17
7	WCC Highways Authority	Representation	6.3.17
8	Case officer to agent	e-mail	31.3.17
9	Case officer to agent	e-mail	27.4.17
10	Agent to case officer	Revised plan and viability appraisal	18.5.17
11	Agent to case officer	e-mail	22.5.17
12	Corley Parish Council	Representation	13.6.17

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

Appendix A



(5) Application No: PAP/2017/0104

Land 260m South East Of Northbound, Smorrall Lane, Corley,

Change of use of land to HGV parking incorporating associated infrastructure and works, for

Welcome Break Group Ltd

Introduction

The application will be brought to the Board for determination at a later date under the discretion of the Head of Development Control. At this time the current report introduces the proposal to Members and sets out the relevant Development Plan policies.

The Site

The site is an area of some 2.08 hectares of grazing immediately to the south-east of the northbound half of the Corley Motorway Services on the M6 Motorway. There is further pasture land to the south before the rear gardens of the residential frontage in Bennetts Road North is reached. A public footpath – the M327- runs around the southern boundary of the present service area and overhead electricity transmission cables also cross the site. The site boundaries are marked with fences and hedgerows including mature trees and a small watercourse within a ditch. The other half of the service area – southbound – is on the opposite side of the Motorway. There is scattered housing on this side. Bennetts Road North and Smorrall Lane – to the north of the Motorway – join at a bridge, crossing the Motorway to the west of the service area.

The northbound area comprises car parking areas at its eastern end as well as an existing 60 space HGV park at its western end and the usual built facilities. It is open twenty fours and is lit.

The present HGV parking area is 190 metres from the nearest residential property in Bennetts Road North. The closest HGV parking to existing residential property would be 115 metres.

The site rises slightly over three metres from the Motorway to the houses in Bennetts Road North.

A location plan illustrating most of these features is at Appendix A.

The Proposal

a) Description

The scheme is for the change of use of land to provide an additional HGV parking area incorporating associated infrastructure and works. This would provide 82 spaces of which 12 would be reserved for oversized vehicles. All access into this extended area would be via the existing circulatory system within the service area. This would involve the loss of trees and a length of mature hedgerow, but the existing boundary hedgerows around the site would be enhanced – a ten metre landscaped buffer is shown to include new banking. The extreme south-west part of the site tapers towards Bennetts Road North, but it is not to be used for parking or would it be hard surfaced. It too would be planted around its boundary and it would be retained as pasture.

The scheme will also include floodlighting to the parking area. This would involve twelve 15 metre lighting columns located around the site.

Surface water drainage would be to a new balancing pond at the northern end of the site from which discharge would be to the adjoining water course and thence to the Breach Brook on the other side of the motorway.

It is proposed that the development would only be operational during the week and therefore be closed at weekends.

The proposed layout and landscaping plans are attached at Appendices B and C. There is also a series of cross sections at Appendix D.

b) Supporting Documentation

The application is accompanied by several supporting documents.

A Flooding and Drainage Statement concludes that the proposals would not cause adverse impacts. It is within Flood Zone 1 where new development is deemed to be appropriate. There is a watercourse ditch that runs along the south-eastern site boundary which passes in culvert under the Motorway to discharge into the Breach Brook to the north. A Flood Risk Assessment has been undertaken and the applicant's report concludes that the development would not worsen the wider catchment area because of the attenuation measures proposed – the balancing pond at the north of the site which would “catch” the run off for the hard surface and then control discharge into the watercourse referred to above.

An Ecological Appraisal describes the site as improved grassland with hedgerows, fences, scattered trees and a stream with some mixed woodland. It concludes that here would be loss of bio-diversity here, but that the boundary landscaping and tree planting together with the new balancing pond would compensate and improve diversity. There were no badger setts found on the site and the enhanced hedgerow planting would assist in retaining bat foraging habitat.

An Archaeological Assessment concludes that the potential of the site is low but that pre-construction trenching would be useful.

A Landscape and Visual Assessment describes the overall Service Area as lying within a “bowl” of lower lying ground with distinct ridge lines to the south (Corley Rocks); the north (Breach Oak Lane), to the west (towards Fillongley) and the land falling away towards the east (towards Bedworth). The site itself is in the “Corley Hills and Valleys” area as described by the North Warwickshire Landscape Character Appraisal. The Assessment concludes that overall in terms of impact on the character described in the Appraisal there would be minor to negligible impacts. In terms of impact on visual amenity the Assessment concludes that the impact would be higher in that there would be adverse impacts but these are described as being minor and localised. This is because of the setting of the site being well contained visually, and in landscape terms because of the local topography and existing uses.

A Noise Impact Assessment concludes that because of the cumulative impact of the proposed extension on the existing noise environment there would be minor impacts, but that these would fall within existing recognised guidelines.

A Lighting Impact Assessment concludes that there would be little likelihood of light spillage beyond the site.

A Transport Assessment has been submitted. This is the major piece of supporting documentation as it sets out amongst other things, the reasons behind the proposal. In general terms this is summarised as being a pressing need for the development which has triggered the applicant to re-assess the requirement for parking across the site. The current HGV parking area – northbound - is marked out for 60 HGVs or any other vehicle which is larger than a standard car or small van that would otherwise park in the main car park. It is said that due to the over-whelming demand for spaces at the site, HGVs try and park in other locations, both within the site and on the exit slip road to the motorway. This causes highway safety issues. There are also times (mainly overnight) when HGVs enter the site, circulate and leave because they are unable to find a parking space. There is also a highway safety issue which relates to driving times for HGV drivers. Significant survey work of the site has been undertaken and based on this and the long term increase in traffic on the highway network, the applicant concludes that there is substantial need for the provision of additional HGV spaces at the site.

This overall case is supported by evidence submitted with the Assessment. This looks at a variety different sources of data.

Firstly it points out that the HGV traffic numbers nationally are expected by the Department of Transport to rise on average by 22% up to 2040. During 2006 to 2015 the increase along the M6 in the vicinity of the site was 13%.

Secondly, the actual site survey work using traffic counters and CCTV coverage shows that the site has insufficient space to even accommodate existing demand. This evidences that the site is presently over capacity both during the day and during the night. On occasions as many as 70 HGV's entered the site between 2200 and 0700 hours – the peak period for parking – circulated the existing parking area and then left the site unable to find a space. This figure excludes HGV's that entered, re-fuelled and then left again. The survey work also showed that the lack of capacity led to unauthorised parking around the site. As many as 50 unauthorised spaces are being “created” by parking on the circulatory internal roads, the egress slip road, its' hard shoulder and in refuge bays. The report concludes that as many as 20 hazardous incidents occur on a daily basis as a consequence. This “unauthorised” parking is said to be a result of HGV driver hours' requirements – e.g. drivers not being able to continue because they have or will have met their required driving time periods.

Thirdly the survey showed that this service area has a large percentage of HGV usage with between 39% and 47% of entering vehicles being HGV's. These figures are on Mondays through to Wednesdays. At weekends, the figures drop to 18%. This is said to reflect the geography of the motorway network and the location of Corley in particular. The report describes that the M6 suffers from congestion in the West Midlands and that there is often significant delay. These are advised through the advanced directional overhead signage. HGV drivers, it is said, are likely to make a decision at Corley, based on that signage, whether or not to stop at Corley. These decisions will be determined by likely journey times and the need to take a break based on the legal journey time requirements for HGV drivers (a 45 minute break every 4.5 hours as well as overnight stops). Distances to the next service areas are all close to or exceed this distance. Citing journey times from Dover and Felixstowe the assessment concludes that Corley is on the 4.5 hour limit from Dover and 3 hours from Felixstowe. As a combination of these factors it is said that Corley becomes a major “decision” point for HGV drivers.

Fourthly, the HGV parking requirement calculation from Annex B in the Department of Transport's Circular 02/2013, shows that the site's current provision of HGV parking is 35 spaces below what it should be based on 2016 M6 northbound daily HGV flows. Taking into account HGV traffic growth projections, the facility would have a shortfall of 47 spaces by 2027 - hence the additional 82 spaces now being proposed.

Finally the assessment looks at alternatives. It is pointed out that there are no realistic alternatives in respect of the Corley site. The north bound Watford Gap HGV park on the M1 to the south (24 miles to the south) was found on average to be 74% at capacity during the night, but because of the constrained nature of the site it is unable to expand. The HGV parking at Hilton Park on the M6 north (29 miles from Corley) has less space than at Corley and is regularly “full”. The Dordon service area on the M42 north (17 miles) is at 80% capacity during the night but its use is in doubt because of the disruption likely to be caused by the HS2 construction. Hopwood Park on the M42 south is 24 miles from Corley and was 80% at capacity during the night, but off-site on-street parking was also taking place as well as use of the coach park. Norton Canes on the M6 Toll it is agreed is underused. Alternative truck stop locations were also assessed – the Lincoln Farm stop on the A452 at Balsall

Common; the PJM stop on the A46 at Baginton and the Rugby truck stop on the A5. All were considered to be too far off the strategic road network and also would cause increased HGV traffic on other roads – particularly the A5 and A452. The Assessment also looked at a proposed new service area at Junction 1 on the M6 at Rugby, but the report concludes that does not presently have a planning permission and that it is the subject of an objection from both relevant highway authorities - Highways England and the Warwickshire County Council. It is also said not to be located at the critical decision making point of drivers, being too far to the east in driving time and in mileage vis-à-vis the Birmingham conurbation.

A Road Safety Audit is also submitted which concludes that the proposal is satisfactory.

The applicant has also responded to objector's suggestions that the existing layout within the present service area could be laid out more efficiently thus gaining additional HGV parking spaces. They put forward two alternatives. The applicant considers that these would result in greater road safety issues for all road users and materially impact on the functioning of space for delivery and service vehicles attending the amenity building.

For the benefit of Members, Appendix E contains much of the background to the above and it is taken from the Transport Statement. Appendix F is the response by the applicant to the objector's comments, amongst other things, on the suggested alternative layouts.

Background

There have been a number of proposals for minor development at the service area in the last two years - an extension to the amenity building to provide enhanced wash room facilities and the provision of a Starbucks drive-thru' coffee shop. The fuel filling station has also been refurbished.

In 2008, Welcome Break applied for planning permission to extend the HGV parking area from the current provision of 60 spaces to provide a further 75 spaces on the same site as the present application (planning application reference PAP/2008/0658). This application was refused planning permission because that application was insufficiently evidenced such that there were no clear circumstances overriding Green Belt and other harm. This decision was not appealed. The applicant considers that he has now addressed the outstanding matters raised by the refusal.

Reference is made in the supporting documentation to the Department of Transport's Circular 02/2013. This is a material planning consideration too. It sets out the Government's policy of spacing service areas no more than 28 miles apart or a 30 minute travel time, whichever is the lesser. It also sets out policy on proposed HGV parking provision – this is related to the % of HGV traffic actually using the Motorway. This forms the basis for the extent of the current application.

Driver's Hours and Tachograph rules are also a material planning consideration here. In essence these state that after a period of no more than 4.5 hours, a driver must immediately take an uninterrupted break of at least 45 minutes. There are

alternatives to the 45 minutes, but only on dividing it up with two and two and a half hour drive times. The maximum daily driving limit is 9 hours a day and 56 hours in a week.

Development Plan

The Core Strategy 2014 – NW1 (Sustainable Development); NW3 (Green Belt), NW10 (Development Considerations), NW12 (Quality of Development), NW13 (Natural Environment), NW14 (Historic Environment) and NW15 (Nature Conservation)

The Warwickshire Local Transport Plan 2011- 2026

Saved Policies of the North Warwickshire Local Plan 2006 – ENV12 (Urban Design); ENV13 (Building Design), ENV14 (Access Design), ENV15 (Nature Conservation), ENV16 (Listed Buildings) and TPT5 (Sustainable Freight Movement)

Other Material Planning Considerations

The National Planning Policy Framework 2012 - (the “NPPF”)

National Planning Policy Guidance 2016

Circular 2/2013 from the Department for Transport: “Strategic Road Network and Delivery of Sustainable Development “

Drivers Hours and Tachograph Rules (GV 262) (DVSA 2016)

North Warwickshire Landscape Character Appraisal 2010

Observations

Members will be aware of the significance of this application given its location in the Green Belt and close to existing residential development. As always in these cases Members will be asked to take a view on whether the proposal is appropriate or not appropriate development in the Green Belt according to the definitions set out in the NPPF. If it is found to be not appropriate development then the Board will have to make an assessment of the planning balance applicable to the case – that is to balance both Green Belt and other harm against the benefits and planning considerations put forward by the applicant. This will establish whether there are the very special circumstances to clearly outweigh the cumulative level of harm. If it is found to be appropriate development, then the Board will still have to establish what other harm might be caused. In all of these circumstances Members will be aware that the Board has to have evidence to substantiate and to demonstrate its reasons.

Whilst the Green Belt issue is central to the case, the areas of other harm here are clearly quite wide – harm to landscape character and visual amenity as well as looking at noise, air quality and lighting impacts are probably the most significant in this case. Members will need to give weight to the evidence of the consultation

responses from other agencies and authorities in establishing whether there is a demonstrable case for refusal citing these matters.

It is recommended below that Members take the opportunity to visit the site. This will clearly assist them in establishing the level of Green Belt, landscape and visual harm. A full determination report can then be brought to the Board in due course and the matters raised therein should find some resonance with the experiences encountered on the site visit.

Recommendation

That this report is noted and that the Board agrees to undertake a site visit prior to determination of the application.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

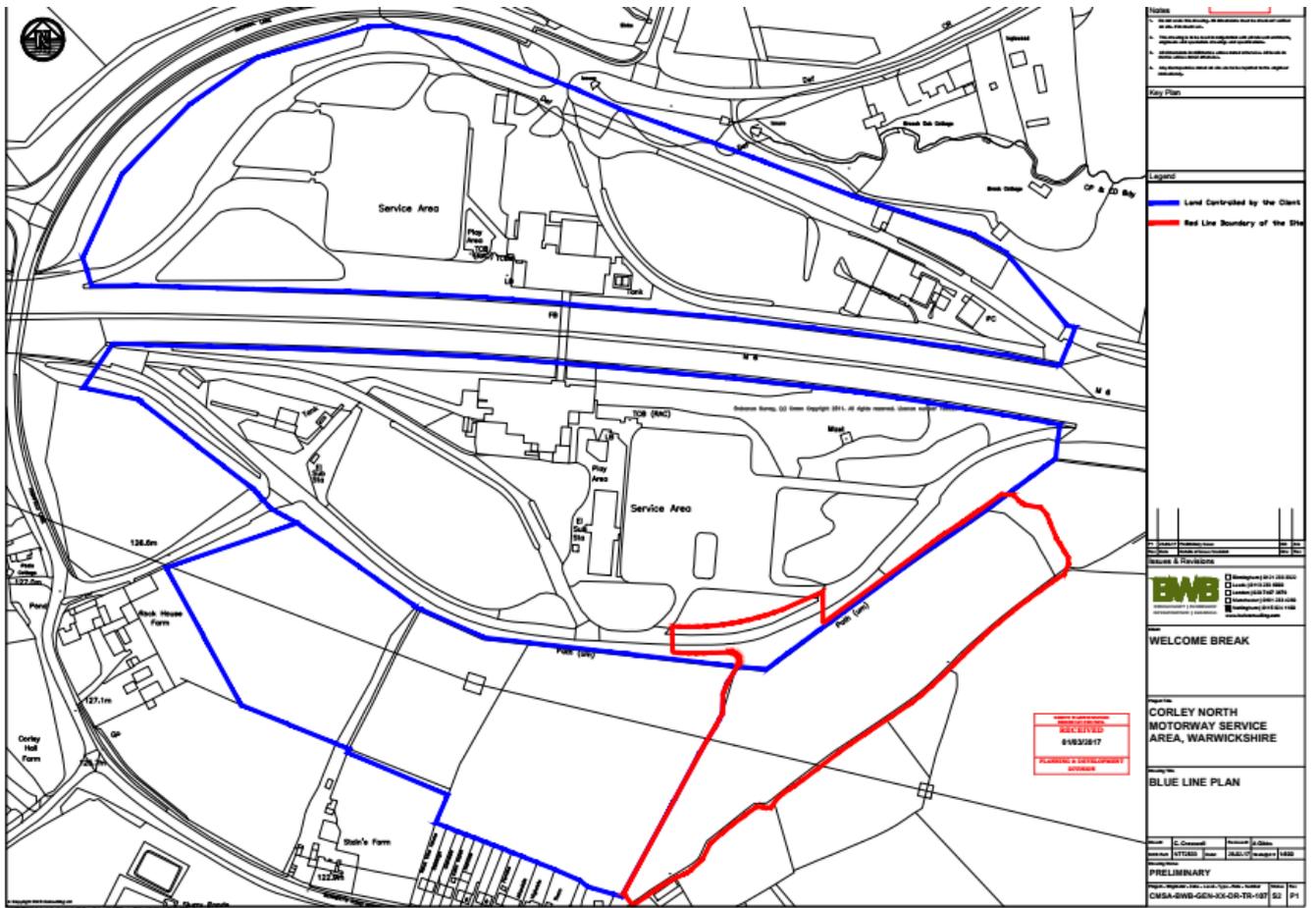
Planning Application No: PAP/2017/0104

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	1/3/17

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

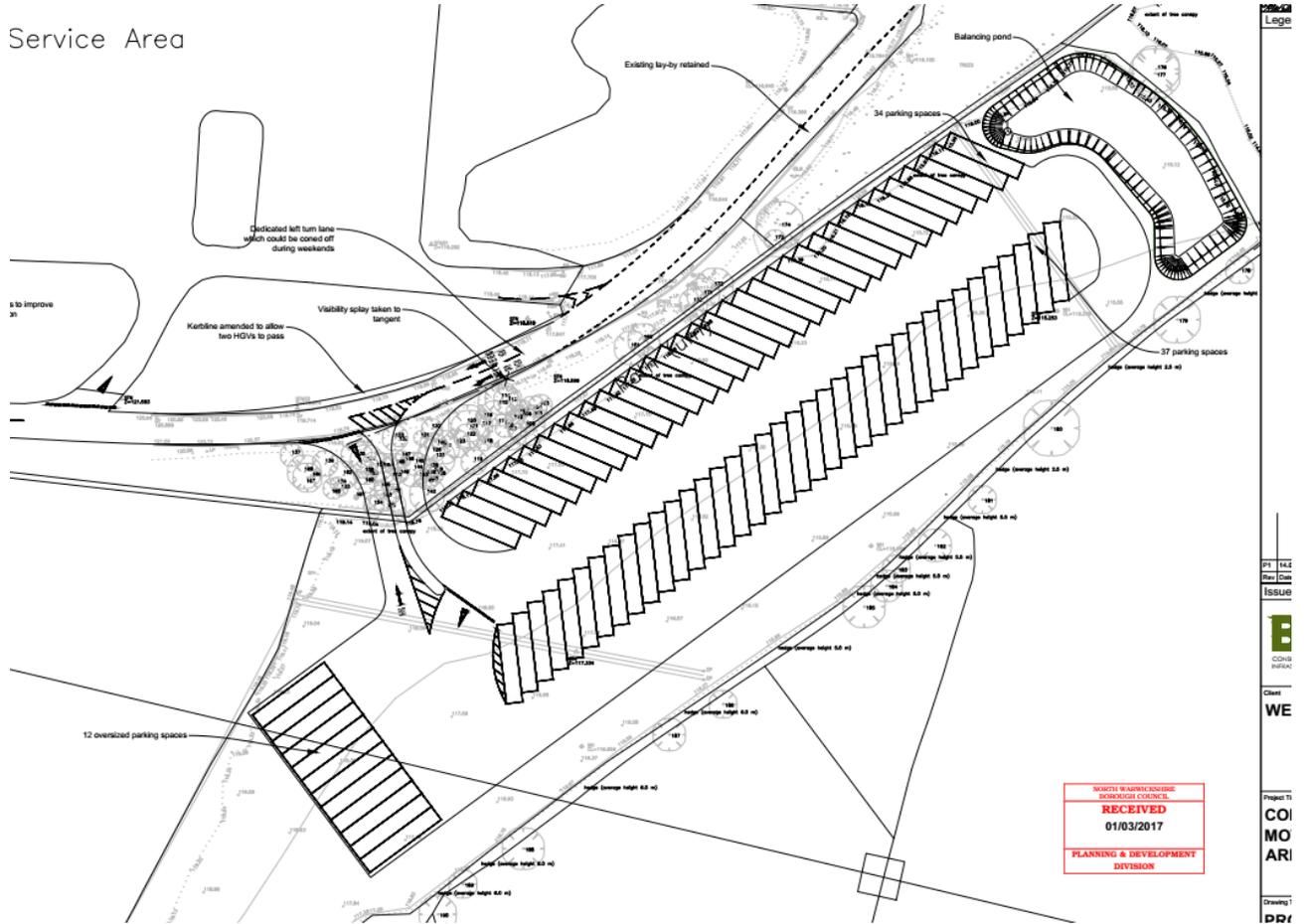
A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

Appendix A – Location Plan

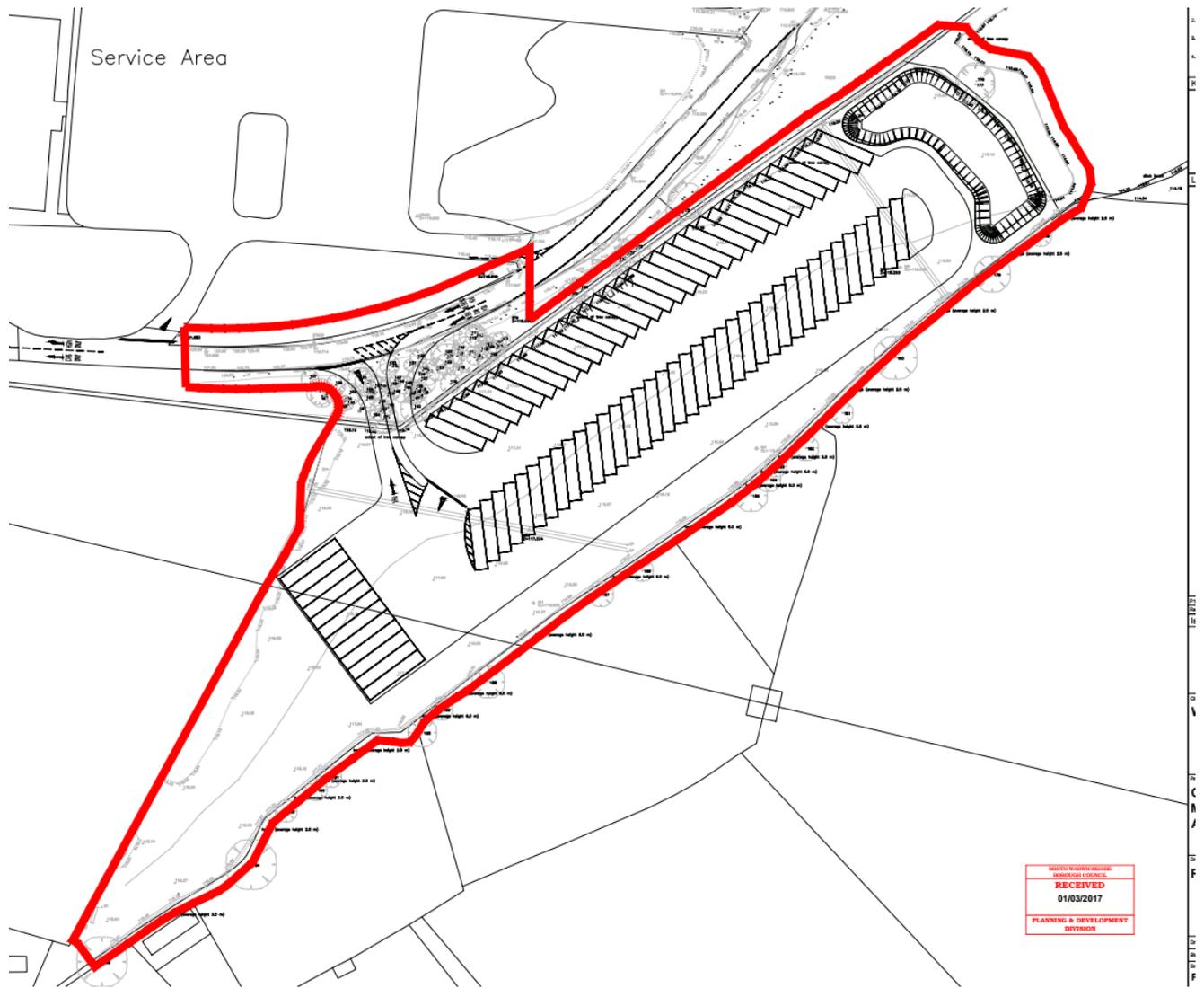


Notes	
<ul style="list-style-type: none"> 1. This plan is a preliminary plan and is not to be used for construction purposes. 2. All dimensions are to be taken from the centre of the line unless otherwise stated. 3. All dimensions are to be taken from the centre of the line unless otherwise stated. 4. All dimensions are to be taken from the centre of the line unless otherwise stated. 5. All dimensions are to be taken from the centre of the line unless otherwise stated. 	
Key Plan	
Legend	
	Land Controlled by the Client
	Red Line Boundary of the Site
Scale	
1:1000	1:2000
1:5000	1:10000
Issues & Revisions	
Issue	Description
1	Initial Issue
2	Revised
WELCOME BREAK	
CORLEY NORTH MOTORWAY SERVICE AREA, WARWICKSHIRE	
BLUE LINE PLAN	
Author	Checked
Drawn	Date
PRELIMINARY	
<small> DWG: 01/03/2017 10:00:00 AM PLOT: 01/03/2017 10:00:00 AM USER: 01/03/2017 10:00:00 AM PROJECT: 01/03/2017 10:00:00 AM </small>	
<small> DMSA-BWS-GSN-03-08-TS-07 02 Pl </small>	

Appendix B – Layout plans



Legend
 DT 1/12
 Plan Date
 ISSUE
 E
 CORP
 INFRA
 Client
 WE
 Project Title
 COI
 MO
 ARI
 Drawing Title
 DD



Appendix C Landscaping Plan



DO NOT SCALE FROM THIS DRAWING

KEY

- EXISTING TREES TO BE REMOVED
- EXISTING TREES TO BE RETAINED
- EXISTING BOUNDARY HEDGEROW TO BE RETAINED
- PROPOSED EXTRA HEAVY STANDARDS
Oak, Oak maple
Min. mature spread: 4.0m
Height at planting: 4.0 to 5.0m
- PROPOSED HEAVY STANDARDS
Oak, Oak maple
Min. mature spread: 3.0m to 4.0m
Height at planting: 3.0m to 4.0m
- PROPOSED CONICERS
Sycamore
Height at planting: 2.0-2.5m
- PROPOSED WOODLAND PLANTING
Shrub species to include: Hawthorn, Oak,
Hornbeam, Dog rose, Dogwood, Holly, Ilex, Juniper, Yew, 1.8-2.1m
- PROPOSED WOODLAND EDGE PLANTING
Shrub species to include: Hawthorn, Holly, Ilex, Juniper, Yew
- PROPOSED HEDGEROW
Shrub species to include: Hawthorn, Hazel, Oak, maple, Holly
- PROPOSED SPECIES RICH GRASSLAND
- APPLICATION BOUNDARY

PLANNING

A. Application Site Boundary 4/2018
Rev: 0/01

BCA BARRY CH ASSOCIATES
Landscape Architects

CLIENT: WELCOME BREAK

PROJECT: CORLEY MSA HGV EXTENSION

DRAWING: LANDSCAPE MITIGATION PLAN

CONTRACT: 170617	DRG. NO.:
DATE: 08/01/17	DRAWN: SP
ISSUE: for Planning	CHECKED: SH

Appendix E – Transport Statement



PAP/2017/0104



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**TRANSPORT & INFRASTRUCTURE
PLANNING**

Welcome Break Ltd.
Corley Motorway Service Area
Warwickshire

TRANSPORT ASSESSMENT

NORTH WARWICKSHIRE BOROUGH COUNCIL
RECEIVED
01/03/2017
PLANNING & DEVELOPMENT DIVISION

www.bwbconsulting.com

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APPENDICES

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Appendix D	Proposed Site Plan
Appendix E	Swept Path Analysis Drawings
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1.0 INTRODUCTION

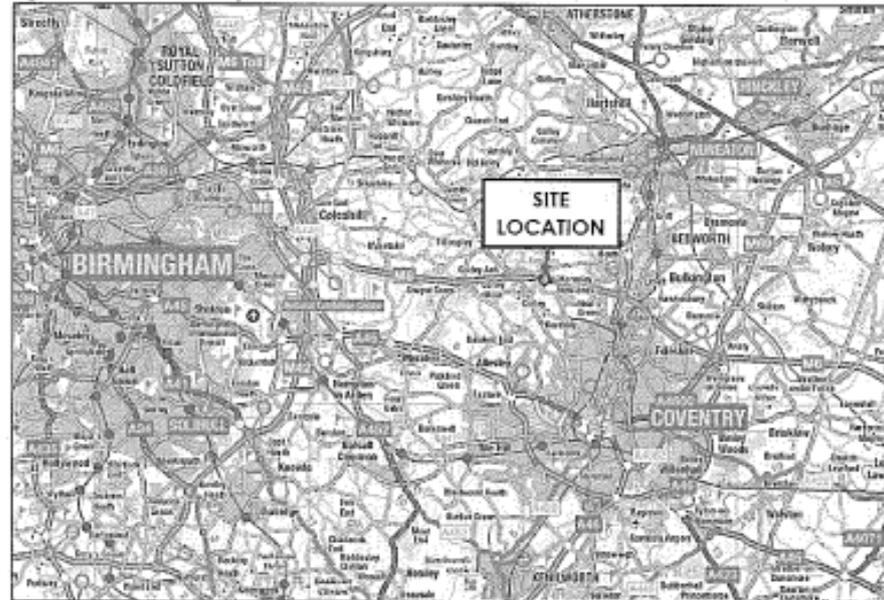
Appointment

- 1.1 BWB Consulting Ltd ("BWB") has been appointed by Welcome Break Ltd (the "Client") to prepare this Transport Assessment (TA) to support a full planning application for proposals at Corley North (Northbound) Motorway Services Area located to the south of the M6 near Corley, Warwickshire (the 'Site').
- 1.2 The proposed development comprises an extension to the existing HGV parking facility to meet current and future demand at the site and ultimately to formalise the current arrangement to improve road safety.

Site location

- 1.3 The Site is located to the south of the M6 motorway approximately 7km to the north of Coventry city centre and 23km due east of Birmingham city centre. Corley village is located 1km to the south-west. The Site location in relation to the Strategic Road Network (SRN) is illustrated in **Figure 1**.

Figure 1: Site location plan



Source: OS / BWB edits

Background

- 1.4 The Local Planning Authority (LPA) is North Warwickshire District Council (NWD) and the Local Highway Authority (LHA) is Warwickshire County Council (WCC). Highways England are responsible for the operation of the SRN, this includes the M6 motorway, which is the main access to the site.

- 1.5 The site was subject to a planning application (ref. PAP/2008/0658) in 2008 for:
- "Proposed extension to Motorway Service Area to create additional HGV parking facilities including amenity block and associated landscape proposals".*
- 1.6 On review of the planning documents submitted in support of the application, it specifically proposed for the provision of an additional 75 HGV parking spaces. The Decision Notice shows that the application was subsequently refused by the LPA on the following grounds:
- 1) Inappropriate development in Green Belt (i.e. "not justifying very special circumstances");
 - 2) Loss of amenity for local residents due to noise, light and vehicle activity;
 - 3) Insufficient information provided to the then Highways Agency (and no Road Safety Audit undertaken).
- 1.7 This TA takes into account the above reasons for refusal and ultimately demonstrates that there is a significant need for additional HGV parking at the Site. The proposal includes a new proposed layout and includes measures to lessen the impact on local residents. Highways England has been notified of the proposals and confirmed via a telephone conversation that parking along the M6 is problematic, with HGVs often parking along the hard shoulder.
- 1.8 The contents of this TA is based on new survey data, which has been based on a methodology specially designed to assess the existing demand for HGV parking at the site and associated driver behaviours.

Report structure

- 1.9 Following this introductory section, the TA is structured as follows:
- **Section 2: Policy Context** – provides a review of national and local transport and planning policy, guidance and legislation relevant to the location, scale and type of proposed development.
 - **Section 3: Existing Conditions** - describes the existing uses and facilities at the site. Includes details of traffic flow data for the M6 motorway in the vicinity of the Site. Road safety is also considered in this section.
 - **Section 4: Traffic Surveys and Parking Requirements** - Provides details of the scheme-specific traffic and parking survey data along with more qualitative information on HGV driver parking behaviours and instances where drivers have been unable to park at the Site.
 - **Section 5: Proposed Development** – sets out the development proposals including the existing and proposed land uses and access arrangements.
 - **Section 6: Consideration of Alternative Lorry Park Locations** – considers existing HGV parking demand at alternative MSA sites.
 - **Section 7: The Case for Corley** – sets out the reasons why Corley MSA requires additional HGV parking provision.
 - **Section 8: Summary and Conclusion** – provides a summary of the TA report findings and draws conclusions as to the traffic and transport implications of the proposed development.

2.0 POLICY CONTEXT

Overview

- 2.1 This chapter of the TA examines the context of the Site and how this relates to the relevant transport and development planning policies and guidelines. It provides an overall spatial and planning context for the proposed HGV park extension.
- 2.2 Owing to the specialist nature of this planning application, this section also includes a review of national legislation on driver's hours and tachograph rules for goods vehicles. This demonstrates the strategic significance of the site in the fact that it provides a central hub for goods drivers travelling between parts and distribution centres across the UK.
- 2.3 The following national and local planning, policy and legislative documents have been reviewed:

National

- **The National Planning Policy Framework** (DCLG, 2012)
- **DfT Circular 02/2013** (DfT, 2013)
- **Driver's hours and tachographs rules: goods vehicles (GV262)** (DVSA, 2016)

Local

- **Warwickshire Local Transport Plan 2011 – 2026** (WCC, 2011)
- **North Warwickshire Local Plan 'saved' policies** (NWBC, 2006/2009)

National Policy, Guidance and Legislation

National Planning Policy Framework (2012)

- 2.4 The Government's National Planning Policy Framework (NPPF) replaced the majority of previous Planning Policy Statements (PPS) and Planning Policy Guidance Notes (PPG) documents on 27 March 2012. It sets out the Government's expectations and requirements from the planning system. It provides guidance for local councils to use when defining their own personal local and neighbourhood plans. This approach allows the planning system to be customised to reflect the needs and priorities of individual communities.
- 2.5 The NPPF defines the delivery of sustainable development through three roles:
 - Planning for prosperity (an economic role);
 - Planning for people (a social role); and
 - Planning for places (an environmental role).
- 2.6 It notes that to achieve sustainable development, these roles should be sought jointly and simultaneously through the planning system.
- 2.7 At the heart of the NPPF is a presumption in favour of sustainable development which 'should be seen as a golden thread running through both plan-making and decision-taking.' (para. 14). In paragraph 15, it goes on to say that: "Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay."

DfT Circular 02/2013 'The Strategic Road Network & the delivery of sustainable development'

- 2.8 *DfT Circular 02/2013* was published by the Department for Transport (DfT) in September 2013 and sets out "the way in which the Highways Agency (now Highways England) will engage with communities and the development industry to deliver sustainable development, and thus, economic growth, whilst safeguarding the primary function and purpose of the strategic road network".
- 2.9 The Circular also notes that "it should be read in conjunction with Highways England's planning protocol documents which provide advice on working with Highways England, within the parameters of national policy and this policy, to progress their planning proposals in an effective and positive manner". As such, BWB has also prepared this report in mind of the latest Highway's England planning protocol 'The Strategic Road Network, Planning for the Future: A guide to working with Highways England on Planning Matters'. Unlike the Circular, this is only advisory, however it has been written in light of the latest Government policy and regulation, including the National Planning Policy Framework.
- 2.10 Annex B of the Circular sets out particular policy requirements with regard to Roadside Facilities. The policy applies to all existing signed roadside facilities, and to all proposed signed roadside facilities.
- 2.11 The policy on the spacing of MSAs adheres to the principle of providing a maximum distance between MSAs of no more than 28 miles or a 30 minute travel time, whichever is the lesser. Highways England may accept shorter distances between MSAs, subject to compliance with the design requirements set out in the Design Manual for Roads and Bridges (DMRB). It goes on to state that "in determining application for new or improved sites, local planning authorities should not need to consider the merits of the spacing of sites beyond conformity with the maximum and minimum spacing criteria established for safety reasons".
- 2.12 Part B27 of the Circular refers to the level of parking at service areas and Part B28 notes that these may be adjusted to reflect local conditions, these key paragraphs are quoted as follows:
- B27. *"Where the scale and/or scope of on-site activities is extended, the methodology set out in Schedule 1 shall be used for calculating the numbers of parking spaces by vehicle type that should be provided for various types of roadside facility. The methodology set out in Schedule 1 will also be used for calculating the levels of parking provision for all new sites promoted after the publication of this policy.*
- B28. *However, notwithstanding the provisions of the previous two paragraphs, levels of provision may be adjusted to reflect local conditions through a process of site specific negotiation, it will be the responsibility of the site operator to demonstrate that any departure from the requirements of Schedule 1 is appropriate".*
- 2.13 A copy of Schedule 1 is appended to this TA (**Appendix A**) and has been used to calculate the appropriate number of HGV parking spaces at the Site, the results of which are presented in Section 4 of this TA.
- 2.14 In summary, BWB considers that the proposed extension to the HGV parking facility at the Site is in accordance with the key policy objectives of DfT Circular 02/2013 and

aligns with the objectives of Highways England, particularly in relation to supporting the economy through the provision of a safe and reliable network.

Driver's hours and tachographs rules: goods vehicles (GV262) (DVSA, 2016)

- 2.15 This is a guidance document produced by the Driver and Vehicle Standards Agency (DVSA) and provides general guidance about drivers' and tachograph rules for goods vehicles. It is the current enforcement policy of the DVSA but does not reflect interpretation of the law in other countries. The relevant legislation is provided at Annex 1 of the guidance document.
- 2.16 Within Great Britain (GB), either GB domestic or EU rules may apply. For international journeys, either the EU rules or the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) may apply.
- 2.17 The EU and AETR rules stipulate the following:-

Breaks

- After a period of no more than 4.5 hours, a driver must immediately take a break of at least 45 minutes unless they take a rest period. A break taken in this way must not be interrupted. See **Figure 2** for examples.

Figure 2: Examples of standard break periods for goods vehicle drivers

	
4.5 hrs	45 mins

- Alternatively, a full 45 minute break can be replaced by one break of at least 15 minutes followed by another break of at least 30 minutes. Breaks of less than 15 minutes do not contribute towards a qualifying break. The EU rules will only allow a split-break patterns that shows the second period of break being at least 30 minutes, examples of this are shown in **Figure 3**.

Figure 3: Examples of alternative break periods for goods vehicle drivers

			
2 hrs	15 mins	2.5 hrs	30 mins

			
2 hrs	34 mins	2.5 hrs	30 mins

- A driver 'wipes the slate clean' if they take a 45 minute break (or qualifying breaks totalling 45 minutes before or at the end of the 4.5 hour driving period).

This means that the next 4.5 hour driving period begins with the completion of that qualifying break, and in assessing the break requirements for the new 4.5 hour period, no reference is to be made to driving time accumulated before this point. An example of this is shown in **Figure 4**.

Figure 4: Examples of the 45 minute break rule

					
1.5 hrs	15 mins	1.5 hrs	30 mins	4.5 hours	45 mins

Daily driving limit

- The maximum daily driving time is 9 hours, this is often take as follows:

Figure 5: Examples of driver shift patterns within maximum daily allowance

		
4.5 hrs	45 mins	4.5 hrs

				
2 hrs	45 mins	4.5 hrs	45 mins	2.5 hrs

- The maximum daily driving time can be increased to 10 hours twice in a fixed week.

Weekly driving limit

- The maximum weekly driving limit is 56 hours, which applies to a fixed week (i.e. from 00.00 on Monday to 24.00 on the following Sunday).

- 2.18 The GB domestic driving rules are similar to those of the EU/AETR. In any working day the maximum amount of driving permitted is 10 hours.
- 2.19 On review of the above guidance, it is clear that legislation relating to daily driving limits for HGV drivers means that many travel for up to 4.5 hours before taking a break in order to maximise their paid driving time. This makes the Site ideally located geographically for drivers travelling from the continent.
- 2.20 For example, Google Maps shows that the typical travel time (for a car) on the 190 mile route between the port of Dover (represents trans-European freight movements) and the Site, via the M2, M25 and M1, is approximately three and a half hours. On the strategic road network larger HGVs (over 7.5 tonnes) are typically limited to 60mph, this is 14% slower than the national speed of 70mph. On this basis it is likely that HGVs would take between 4 hours and 4.5 hours to reach Corley (northbound) MSA from Dover. This travel time coincides with the maximum amount of time HGV drivers can travel for before they need to take a break.

- 2.21 Felixstowe in Suffolk, is another example of a port located within a distance that makes Corley well placed as a stopover for HGV drivers. It is located approximately 147 miles east of Corley MSA with a typical HGV travel time in excess of three hours.

Local Policy & Guidance

Warwickshire Local Transport Plan 2011-2026

- 2.22 Warwickshire's third Local Transport Plan (LTP3) sets out the County Council's Transport Strategy for the period 2011 to 2026. It provides a framework for how the transport network will be maintained and improved across this period.
- 2.23 The LTP recognises how important it is to "provide wider support to the economy through the efficient movement of freight". It notes that there has been significant development of a number of major road and rail based freight distribution facilities in the County over the last 15 years, a direct result of the central location of the County and its relationship to the motorway, trunk road and rail network.
- 2.24 The LTP also identifies that the reliance on road based freight in the County "brings about a number of challenges in terms of environmental impacts and quality of life issues, particularly in relation to inappropriate route choice and a lack of dedicated parking facilities for heavy goods vehicles". As such, BWB considers that the proposal to provide additional parking space provision at Corley MSA is consistent with the high-level aims of the County Council's Local Transport Plan.

North Warwickshire Local Plan 'saved' policies

- 2.25 BWB has undertaken a review of the current North Warwickshire Local Plan, which was adopted on 4 July 2006 and sets out policies which govern and manage development across the Borough until such a time it is superseded by the emerging draft Local Plan. All but Core Policies 4, 7 and 9 were saved under Direction from the Secretary of State.
- 2.26 The following 'saved' Transport policy is considered most relevant to the proposed development at Corley MSA:
- **Policy TPT5 – Promoting Sustainable Freight Movements and Safeguarding Future Freight Opportunities (4.)** 'Conditions will be imposed in planning permissions involving the movement of freight by road where necessary to avoid disturbance and danger in residential areas and in other environmentally sensitive locations'.
- 2.27 With regards to Policy TPT5, it is not considered that the proposed development would cause danger to nearby residents. The Applicant has proposed robust environmental mitigation measures to minimise this. These measures are detailed within a separate Landscape Visual Impact Assessment (LIVA), which accompanies this planning application.

Summary

- 2.28 In summary, it can be seen that there are a number of current planning and transport policies relevant to the nature of the proposed development. BWB considers that the proposal is in accordance with all of these policies, the majority of which are centred on the importance of ensuring the safe and efficient movement of freight throughout the strategic road network.
- 2.29 This section has also reviewed the current legislation on HGV driver's hours and tachographs rules. This requires drivers travelling through Britain and/or the European Union to take a 45 minutes break at least once every 4.5 hours. This makes Corley MSA ideally located in the centre of England, for HGV drivers travelling from main ports and logistics hubs across the UK. This partly explains why HGV parking demand at the Site is so high and supports the case for expanding the existing facility.

3.0 EXISTING CONDITIONS

Introduction

- 3.1 The previous section of this report sets out the relevant policy background in which the proposed development has been considered. In this section the existing (or 'baseline') transport conditions currently prevailing at the Site are considered, including a description of wider MSA site uses, but focusing on the HGV parking, particularly utilisation. Road safety on the adjacent highway network is also considered in this section.

Existing Site Details

- 3.2 Corley is an online motorway service area situated between Junction 3 and 4 of the M6. The Site in question is situated to the south of the motorway and provides services for vehicles travelling north-west bound.
- 3.3 **Figure 6** is an aerial image of the site and shows the red line boundary and existing uses.

Figure 6: Existing site plan



- 3.4 Further details on the above uses at the site are provided in **Table 1** below.

Table 1: Details of existing site uses

Use	Description
Food court	Includes key brands such as Burger King, Dell2go, Harry Ramsden, KFC, Subway and WHSmith
Drive 'Thru'	A standalone Starbucks Drive Thru unit
Hotel	A Days Inn hotel
Petrol Filling Station	A Shell PFS for cars & HGVs
Car parking	There are ~320 marked car spaces (incl. disabled and electric vehicle bays)
Coach parking	There are 8 marked coach parking bays
HGV parking	There are 60 marked HGV spaces (plus an 80m lay-by off access road for abnormal/long loads)

Existing Access and Highway Network

The M6 Motorway

- 3.5 The Site is served directly from the northbound carriageway of the M6 motorway between Junctions 3 and 4, via a standard off-slip approximately 240 metres in length.
- 3.6 BWB has obtained traffic data for the M6 motorway in the vicinity of the MSA Site from two separate data sources owing to the limited historic data available from Highways England. The data sources used are as follows:
- i. The Highways England open source traffic data website (<http://tris.highwaysengland.co.uk/detail/trafficflowdata>) – this has been used for M6 northbound only traffic flow data from 2016.
 - ii. The Department for Transport Count Points traffic data website (<https://www.dft.gov.uk/traffic-counts>) – this has been used for historic two-way traffic flow trends on the M6 prior to 2016.

The M6 Northbound carriageway traffic flows

- 3.7 The Highways England traffic data for the M6 motorway in the vicinity of the Site is very limited. For 'Network Link ID 123019301', which provides data for the M6 Northbound carriageway between Junction 3 and Junction 3a traffic flows are only available for the period December 2016. This data is broken down into 15 minute time intervals, average speeds and vehicle lengths.
- 3.8 BWB has utilised the available data to ascertain traffic flows on the M6 Northbound carriageway. Survey days falling within school holidays have been excluded from the analysis. **Table 2** provides a summary of traffic flows for the M6 northbound carriageway between Junctions 3 and Junction 3a.

Table 2: M6 Northbound (b/t J3 & J3a) traffic data (December 2016)

Period	Total flows by vehicle length				Total flow	% veh > 11.6m length	% veh > 5.2m length
	< 5.2m	>5.21m < 6.6m	>6.61m < 11.6m	> 11.6m			
Mon	43046	6281	5314	11128	65769	16.9	34.5
Tues	42896	6042	5354	11775	66067	17.8	35.1
Wed	44286	6281	5665	12632	68864	18.3	35.7
Thurs	45242	6655	5786	12694	70377	18.0	35.7
Fri	46718	6548	5351	11645	70261	16.6	33.5
Saturday	41394	3711	1964	5538	52606	10.5	21.3
Sunday	40705	3082	1237	4114	49137	8.4	17.2
Weekday Avg.	44437	6361	5494	11975	68268	17.5	34.9
Daily Avg.	43469	5514	4381	9932	63297	15.2	31.3

- 3.9 The data also shows that the peak days for HGV activity are on Wednesdays and Thursdays. On these days, vehicle longer than 11.6 metres make up 18% or more of the total northbound traffic flow. For this reason, the traffic and HGV parking surveys commissioned to support this TA were carried out over a Wednesday and Thursday. The results of this analysis are presented in Section 4.

M6 two-way traffic flows – historic trends

- 3.10 DfT Count Point data for the M6 has been used to establish historic trends in traffic along the section of M6 running adjacent to the Site.
- 3.11 **Figure 7** is a plan showing the location of Count Point 80842 which has been used for this analysis and how this relates to the MSA Site.

Figure 7: DfT Count Point in relation to Corley MSA



- 3.12 The DfT Count Point data provides Annual Average Daily (Traffic) Flow (AADF) for the 10-year period 2006 to 2015. **Table 3** provides a summary of this data.

Table 3: Annual Average Daily Flow (AADF) for M6 in vicinity of MSA Site

Year	Source	All vehicles	HGVs/Buses/Coaches	Percentage of HGVs/Buses/Coaches
2006	Manual Count	111462	20026	18.0%
2007	Manual Count	110503	19141	17.3%
2008	Estimated*	108342	18378	17.0%
2009	Manual Count	112494	16515	14.7%
2010	Manual Count	120448	19422	16.1%
2011	Manual Count	109263	17390	15.9%
2012	Manual Count	120461	18689	15.5%
2013	Manual Count	117013	18628	15.9%
2014	Manual Count	123240	21460	17.4%
2015	Manual Count	126047	23664	18.8%

Note: *DfT estimated using previous year's AADF on this link.

- 3.13 The DfT traffic flows show that there has been a sharp increase in the percentage of 'heavies' as a proportion of the overall traffic flow on the M6 in recent years (2014, 2015) and now surpasses pre-recession levels.

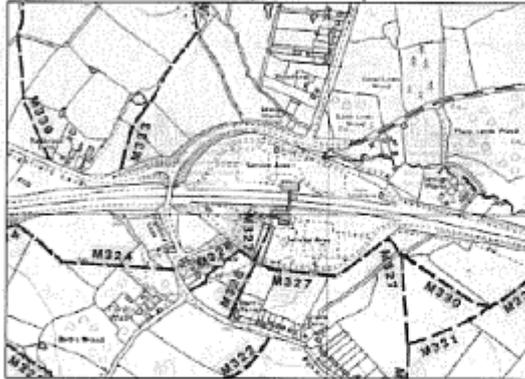
Site Access & Internal Network

- 3.14 A one-way access road extends into the site from the off-slip and is subject to a 20mph speed limit. Approximately 100 metres into the Site from the slip road, the access road reaches a junction 'fork' where HGVs, Coaches and Caravans are signposted straight ahead in the direction of the lorry park. Cars are signposted to the right and bollards are in place restricting access to vehicles 2.1m wide or less. Beyond this, the internal access road is subject to a 10mph speed limit on entry to the car park.
- 3.15 For drivers of cars missing the first access to the car park, there is a second opportunity to access the car park approximately 80 metres on from the first 'fork'. The arrangements here are similar to the first entrance to the car park, in that the access is restricted to vehicles 2.1m wide or less. Along the internal access road, between the first and second accesses to the car park, there is a lay-by of approximately 80 metres in length to the south of the access road. This provides the only parking at the Site for abnormal (long) load HGVs, however it is regularly used by smaller standard HGVs (typically 16.5 metres long).
- 3.16 Approximately 160m on from the second opportunity to access the car park is the access to the HGV and Coach parking areas. Approximately 45 metres prior to this is the egress from the car park out onto the internal access road resulting in a section of weaving where cars exiting give way to and intersect the paths of HGVs, Coaches and Caravans accessing their respective parking areas.
- 3.17 Internally, there are two separate exits from the site onto the M6 motorway on-slips. These lead onto two merging slip lanes. Cars can use both lanes and other larger vehicles are restricted to using the longer of the two slip roads. A 'get in lane now' sign is in place to advise drivers exiting the site on which slip road they should use.

Public Rights of Way (PRoW)

- 3.18 BWB has undertaken a review of existing Public Rights of Way (PRoW) in the vicinity of the Site. **Figure 8** is an extract from the 1998 Definitive Map and shows that there is a network of PRoW to the south of the Site and through the section of the Site proposed for development. The proposed diversion of this route has been considered further in Section 5 under 'Pedestrian Access'.

Figure 8: PRoW in the vicinity of the Site (1998 Definitive Map)



Note: Area in red shows Post-1998 Legal Change
Source: <http://maps.warwickshire.gov.uk/rightsofway/>

Road Safety

- 3.19 BWB has undertaken a review of personal injury collisions recorded on the M6 northbound carriageway in the vicinity of the Site to identify if there are any existing road safety issues, which might be exacerbated by the proposed development.
- 3.20 Data for the most recently available 5-year period (2012 - 2016) has been analysed using Crashmap. This shows the severity of collisions in terms of the extent of the injury inflicted on the casualties involved, along with the approximate locations of the incidents. **Figure 9** and **Figure 10** show the locations and severity of the collisions recorded in the vicinity of the existing access and egress slip roads respectively.

Figure 9: Collision plot – in the vicinity of the northbound off-slip (site access)



- 3.21 Ignoring the PICs shown along the M6 southbound carriageway in the vicinity of the Site, Figure 9 indicates that only three 'slight' and one 'serious' PIC have been recorded in the vicinity of the off-slip with a further single 'slight' collision on the access road into the Site. Figure 10 illustrates that there have been a total of 6 collisions in proximity of the on-slip, 4 were 'slight' and 'two' were classified as 'serious'. There have been no fatal collisions recorded within the five-year assessment period.
- 3.22 Taking into account the number of vehicles that passed the Site over the five year period and when compared against road safety records for similar motorway on/off-slips, the safety record of the MSA Site access and M6 is considered to be relatively good.

Figure 10: Collision plot – in the vicinity of the northbound on-slip (site exit)



- 3.23 BWB considers that the proposed development is unlikely to exacerbate or give rise to any additional safety concerns on the M6 motorway in the vicinity of the existing on and off-slips.
- 3.24 The results of the traffic survey presented in Section 4 demonstrate that there is already significant demand (up to 70 vehicles) passing through the Site and being unable to park. As such, the increased HGV parking at the Site is, on balance, more a requirement to accommodate existing demand i.e. trips that are already being made

into and out of the Site, rather than generating new trips. On this basis, it is unlikely that the facility would have a detrimental impact on road safety.

- 3.25 Furthermore, the scheme will be subject to a Stage 1 Road Safety Audit, which should ensure that any road safety concerns relating to the proposed internal road arrangement within the Site are addressed at the planning stage.

4.0 TRAFFIC SURVEYS AND PARKING REQUIREMENTS

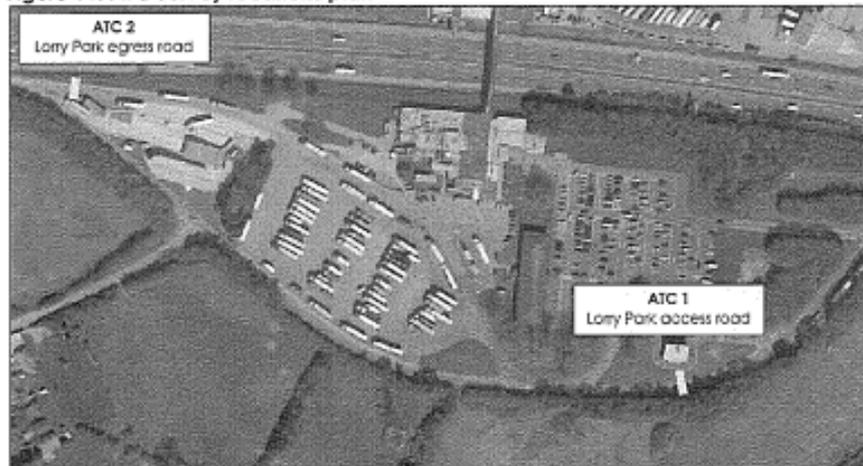
Introduction

- 4.1 BWB commissioned a series of traffic surveys in February 2017 on behalf of the Applicant to understand the existing HGV parking demand at the Site on a typical weekday. This section of the report summarises the survey methodologies used along with the results.

ATC Survey

- 4.2 MHC Traffic Ltd undertook Automatic Traffic Count (ATC) surveys at the Site to determine the volumes of vehicles accessing and egressing the site across a typical week. The ATC units were installed on Monday 6th February and recorded data for seven consecutive days between Tuesday 7th and Monday 14th February.
- 4.3 The locations of the ATC units are shown in **Figure 11** and the results are presented in **Table 4**. The results presented in Table 4 are for 'ATC 1' location only because the 'ATC 2' location provided inaccurate results due to the tubes being parked on by HGVs. Full printouts of the ATC survey data is included in **Appendix B**.

Figure 11: ATC Survey locations plan



- 4.4 The ATC survey results show that over the week surveyed, the usage of the site peaks on a Thursday with on average 3367 vehicles entering the site, of which 1137 were HGVs equating to 34%. On average, HGV usage peaks on a Wednesday with 1304 entering the site, equating to 44% of all trips arriving at the Site on that day.
- 4.5 The results also show that HGV demand is significantly lower on a weekend. For example, when compared to the average peak for HGV arrivals on Wednesday, the number of HGVs on a Saturday is 74% lower and on a Sunday, 80% lower.

Table 4: Traffic flow entering the site by vehicle type and day of the week

Day	Cars & Vans	Car or Van Towing	HGVs	%tage HGVs	Other ²	Total
Monday	1778	11	1170	39%	14	2973
Tuesday	1405	18	1242	47%	6	2671
Wednesday	1640	12	1304	44%	14	2970
Thursday	2206	16	1137	34%	8	3367
Friday	2294	12	981	30%	7	3294
Saturday	1517	5	341	18%	8	1871
Sunday	1167	7	267	18%	8	1449

Notes: ¹Includes 2 axle van/lorry, 3 axle rigid, 4 axle rigid, 3 axle artic, 4 axle artic, 5 axle artic, 6 axle artic, double road train and triple road train.

²'other' category includes cycles and motorcycles.

HGV Parking Survey

Methodology

- 4.6 BWB also commissioned MHC Traffic Ltd to undertake parking surveys at the Site to determine the level of current HGV activity and parking demand. These surveys were undertaken over 48 hours on two consecutive weekdays; Wednesday 8th and Thursday 9th February 2017. The survey dates were chosen based on the peak days for HGV trips on the adjoining northbound carriageway of the M6 motorway.
- 4.7 The HGV parking surveys involved undertaking half-hourly HGV parking spot counts over the 48 hour period and referencing where these parked within the site and also classifying the HGVs by size. Full results of this survey are included in **Appendix C** of this report with a summary of the results provided in the following section. The surveys were undertaken using video footage and cameras were installed at 16 locations as shown in **Figure 12**. It is considered that this level of analysis provides a comprehensive evidence base on which to assess the current HGV parking demand.

Figure 12: Camera locations for HGV parking survey footage



- 4.8 Video footage from the survey can be made available on request. It has been used by BWB to better understand HGV driver parking behaviours and identify periods where there has been insufficient parking resulting in drivers departing the site without

stopping. It is considered that such behaviour is dangerous and could lead to drivers exceeding their maximum driving periods. Observations from this footage are also described in the following paragraphs.

HGV Parking Inventory

- 4.9 BWB has reviewed the HGV parking survey area shown by MHC Traffic in their survey results. This splits the survey study into six potential HGV parking areas, including the official lorry park with marked bays and unofficial parking opportunities along the internal access roads. BWB has used this information to prepare a HGV parking inventory.
- 4.10 **Figures 13 and 14** show the locations of the HGV parking areas and the inventory presented in **Table 5** corresponds to the figures and defines the numbers of HGV parking opportunities in each area, along with whether the parking is official or unofficial. Understanding this parking inventory is important in analysing the HGV parking 'stress' results summarised in the following paragraphs.

Figure 13: HGV parking survey inventory plan (areas A to C)



Figure 14: HGV parking survey inventory plan (areas D to F)

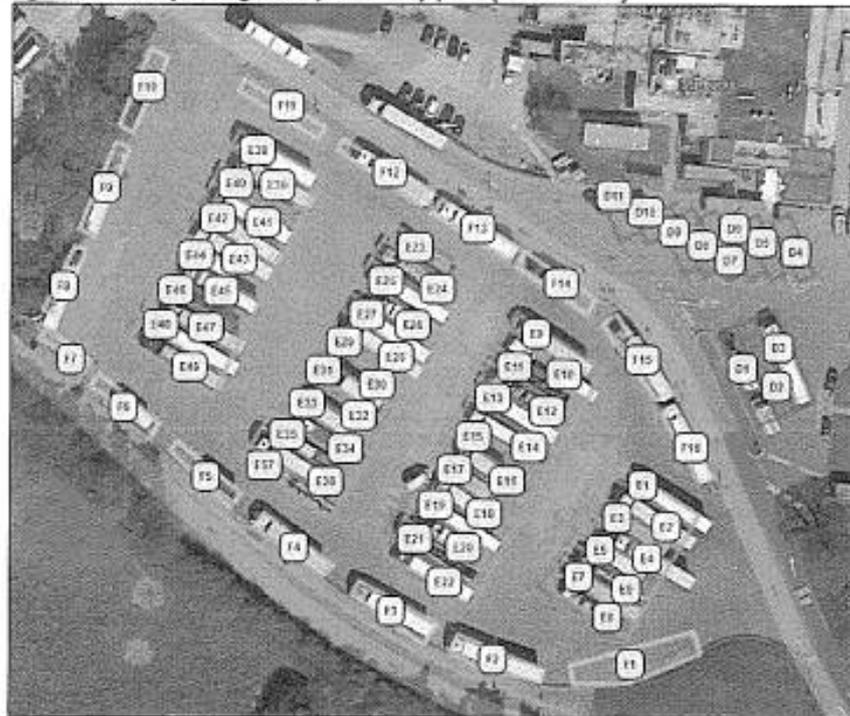


Table 5: HGV parking survey inventory

Area Ref.	Description	No. spaces				Total official HGV spaces
		Marked	Lay-by	Unofficial	Coach only	
A (Red/Yellow)	Access Road	0	4	14	0	4
B (Blue)	Car only exit	0	0	19	0	0
C (Green)	HGV only exit	0	0	19	0	0
D (Red)	Coach Park	0	0	0	11	0
E (Blue)	Lorry Park	46	0	3	0	46
F (Yellow)	Lorry Park	14	0	2	0	14
Totals:		60	4	54	11	64

Note: 'Spaces 'F1' and 'F7' not accessible to HGVs when Lorry Park is near full and therefore excluded from Total official HGV spaces.

- 4.11 The parking inventory shows that there is a total of 64 'official' HGV parking spaces across the Site, of which 60 are located in the Lorry Park and 4 in the lay-by on the access road. This is considered a robust assumption of the level of on-Site HGV parking based on the results of the HGV parking 'stress' assessment presented in the next section, which shows that the lorry park becomes congested when only 50 HGVs are parked.

HGV Parking 'Stress' Assessment

- 4.12 BWB has used the HGV parking survey results to calculate the current overspill HGV parking (i.e. the number of HGVs unable to park in designated bays) and the resulting HGV parking 'stress' (i.e. the number of current HGV parking opportunities divided by the HGV parking demand, as a percentage).

4.13 **Table 6** and **Table 7** summarise the results of the HGV parking 'stress' assessment for Wednesday and Thursday survey days respectively. The results are provided on an hourly basis with half-hourly results by vehicle type available to view in **Appendix C**. Any coaches parked in the survey area have been excluded from the assessment.

Table 6: HGV parking stress assessment by area – Wednesday results

Time period (start/ing)	No. HGVs parked						Parking Stress
	Area A	Area B	Area C	Area D	Area E + F	Total	
00:00	4	0	0	5	52	61	95%
01:00	4	0	3	5	55	67	105%
02:00	4	0	3	4	57	68	106%
03:00	4	0	3	4	54	65	102%
04:00	3	0	4	4	54	65	102%
05:00	4	0	3	4	49	60	94%
06:00	4	0	2	5	48	59	92%
07:00	2	1	1	2	47	53	83%
08:00	3	0	5	2	37	47	73%
09:00	4	0	1	2	36	43	67%
10:00	4	0	3	1	48	56	88%
11:00	3	0	4	1	47	55	86%
12:00	4	0	6	1	44	55	86%
13:00	4	0	5	1	37	47	73%
14:00	2	0	5	1	35	43	67%
15:00	2	0	2	4	40	48	75%
16:00	2	0	0	2	41	45	70%
17:00	2	1	3	2	41	49	77%
18:00	2	0	4	2	46	54	84%
19:00	1	0	2	4	49	56	88%
20:00	3	0	3	3	49	58	91%
21:00	3	0	5	3	51	62	97%
22:00	3	0	2	4	50	59	92%
23:00	3	0	5	3	50	61	95%

Notes: red numbers signify when HGVs are parked dangerously, red parking stress is in excess of 90%.

Table 7: HGV parking stress assessment by area – Thursday results

Time period (start/ing)	No. HGVs parked						Parking Stress
	Area A	Area B	Area C	Area D	Areas E & F	Total	
00:00	3	0	5	2	48	58	91%
01:00	3	0	5	3	48	59	92%
02:00	3	1	6	3	46	59	92%
03:00	3	0	6	4	45	58	91%
04:00	3	0	5	3	45	56	88%
05:00	3	0	5	3	43	54	84%
06:00	3	0	5	2	40	50	78%
07:00	3	0	4	4	35	46	72%
08:00	0	0	2	2	26	30	47%
09:00	3	0	2	2	43	50	78%
10:00	3	0	2	2	34	42	66%
11:00	3	0	4	2	43	52	81%
12:00	2	0	7	2	43	54	84%
13:00	4	0	2	3	40	49	77%
14:00	4	0	0	2	35	41	64%
15:00	4	0	1	3	37	45	70%
16:00	2	0	4	4	43	53	83%
17:00	0	0	4	2	36	42	66%
18:00	3	0	3	5	43	54	84%
19:00	3	0	6	3	44	56	88%
20:00	2	2	7	3	45	59	92%
21:00	3	2	8	4	48	65	102%
22:00	3	2	8	4	45	62	97%
23:00	3	2	6	4	46	61	95%

- 4.14 The above results show the Site experiences a high level of HGV parking 'stress' throughout a typical weekday, but particularly between the overnight hours of 20:00 and 07:00. During this period parking stress is typically in excess of 90% and in some case above 100% compared to that identified in the parking survey inventory.
- 4.15 The columns shown as parking Areas B, C and D indicate that there is also a high level of HGVs parking in unofficial and often hazardous locations, causing obstruction to both vehicles and driver visibility. HGV parking in the coach parking area and along the 'HGV only' exit road is shown to be rife throughout the two survey days, but particularly between the hours of high parking stress overnight. There were three occasions across the two survey days when HGVs parked along the car only exit road.
- 4.16 Of significant note is the fact that the level of parking stress is not always linked to the level of congestion observed at the site. For example, during the daytime the number of vehicles parked unofficially peaks between 12:00 and 13:00 and a high level of HGVs are also observed to leave the site during this hour without parking or refuelling (see **Table 9**).
- 4.17 These observations would indicate that the capacity of the lorry park is subject to the size of HGVs parking at any one time and also the parking practices of HGV drivers. As such, the effective capacity of the lorry park is often significantly lower than that identified in the inventory (64 spaces). The lorry park is often congested even when there are only 50 HGVs parked on-Site (equivalent to 78% 'stress' based on the inventory). This is evidenced by the number of HGV drivers that are forced to park in unofficial spaces once the main HGV car park reaches circa 50 vehicles parked.
- 4.18 It is considered that the proposed layout would not only increase the capacity of HGV parking, but also formalise the layout subsequently improving the efficiency of HGVs passing through the Site.
- 4.19 The ATC survey data, which recorded vehicle classifications, counted up to seven oversized HGVs (i.e. triple road train vehicles) accessing the site on a weekday and significantly more double road train vehicles. The proposed development will include dedicated oversized spaces for such vehicles to park. This is considered a great improvement compared to the existing situation, which only includes a single lay-by area along the access road for abnormal load HGVs to park in, which is often used by standard-sized HGVs. In turn, this leads to oversized HGVs parking in the lorry park, which is detrimental to HGV circulation and parking capacity.
- 4.20 With regards to the duration of the surveys, it is recognised that a two-day survey could be considered a small sample when taking into account the Site operates on a 24/7 basis. However, BWB has obtained long term data from the Site operator, which shows that overnight paid HGV parking demand at the Site is high on a sustained basis. This is shown in **Table 8** below.
- 4.21 It is important to note that the data does not include normal daytime operation and short stay HGV parking occupancy, which is not recorded by the Site operator. Consequently,

Table 8: HGV paid parking 31st Jan 2014 to 4th Jan 2017 by day of the week

	Total HGVs	Average HGVs
Monday	7999	53
Tuesday	8128	53
Wednesday	8396	55
Thursday	9023	59
Friday	5082	33

- 4.22 The table above demonstrates that during the week, the number of paying HGVs drivers parking overnight regularly exceeds 50 HGVs (i.e. the realistic capacity of the site). However, as this data does not include for short stay parking, it's considered likely the actual number of HGVs parking on site would be significantly higher, especially when accounting for those drivers' taking a 45 minute rest. As the main car park would be largely taken up by paying HGV drivers, it is considered likely those seeking a short break would be required to park unofficially at the site, or in a worst case, leave the site and potentially exceed their legal driving limit or park along the hard shoulder.

General Observations

Instances of HGV drivers being unable to park

- 4.23 MHC Traffic was also tasked at identifying times throughout the Wednesday and Thursday survey days when HGV drivers entered the site, looked for a parking space, were unable to find one and subsequently left the Site. To avoid counting HGVs passing through the Site to refuel only, the results were reported differentiating these from those who were unable to park and did not refuel.
- 4.24 Full results of this survey are included in **Appendix C. Table 9** provides an hour-by hour summary of the non-refuel HGVs passing through the site without being able to park.

Table 9: Instances of HGVs leaving Site without parking

Time period (Starting)	No. HGVs unable to park	
	Wednesday	Thursday
00:00	7	8
01:00	1	3
02:00	1	5
03:00	3	3
04:00	3	1
05:00	5	11
06:00	13	11
07:00	3	7
08:00	4	6
09:00	6	5
10:00	6	8
11:00	17	33
12:00	37	44
13:00	8	35
14:00	4	12
15:00	6	14
16:00	6	5
17:00	4	10
18:00	4	14
19:00	4	9
20:00	5	5
21:00	7	7
22:00	4	7
23:00	4	9
24-hr Total	162	272

- 4.25 The data shows that between the hours of 20:00 and 06:00 when HGV parking is considered 'at stress', 53 HGVs and 70 HGVs circulated the Site and were unable to find a suitable parking spot on the Wednesday and Thursday survey days respectively. This would indicate that there is an overnight HGV parking shortage of 70 spaces at present.
- 4.26 It is important to remember that many HGV drivers will be stopping at Corley MSA to take their required 45 minute break. Failure to park at the site, will mean drivers would need to travel a further 30 minutes to reach the next MSA, resulting in them potentially exceeding their driving limited. Alternatively, drivers may be forced to park along the hard shoulder, a concern raised by Highways England and observed during BWB's site visit.
- 4.27 It is considered likely that a proportion of the HGVs that failed to park at Corley MSA would have been forced to park on the hard shoulder for risk of exceeding their driving limit.

Hazardous HGV Parking

- 4.28 MHC Traffic was also asked to identify times during the 48-hour survey when HGVs were observed to stop or park in hazardous locations within the site, along with a description of the hazard and duration. Full results of this are included in **Appendix C** with the key outputs summarised as follows.
- 4.29 There were 22 instances of hazardous HGV parking reported on the Wednesday and 26 instances on the Thursday. Typically, the hazards involved HGVs blocking the internal access road or the entrance to the petrol filling station.
- 4.30 In terms of timing, the majority of incidents on the Wednesday were reported between 16:00 and 18:00 hours and on the Thursday, between 19:00 and 21:00 hours.
- 4.31 In terms of duration, the average duration of hazardous parking observed on the Wednesday was approximately seven minutes and on the Thursday, 15 minutes.
- 4.32 In addition to the MHC Traffic survey, potentially hazardous HGV parking was also observed on the day of the Site visit. On exiting the Site, it was observed that HGVs park alongside the on-slip, presumably having left the Site unable to find a suitable parking space. BWB considers that such parking is a significant safety risk to road users travelling northbound along the M6. The proposed increase in HGV parking at the Site would prevent the need for this type of hazardous parking.

HGV Parking Calculations (Circular 02/2013 Annex B)

Overview

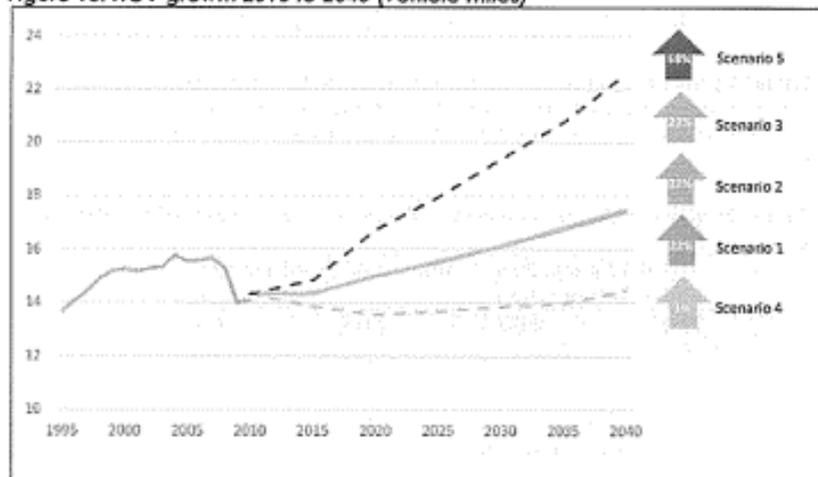
- 4.33 The current and proposed level of HGV parking at the Site has been assessed using the 'Parking requirements at motorway service areas' calculation set out in Annex B of *Circular 02/2013 - The Strategic Road Network and the Delivery of Sustainable Development*.
- 4.34 The Circular requires HGV parking provision to be at a level 0.5% of HGV and coach traffic flow passing the site. Footnote 17 to the calculations table sets out that "where the necessary supporting information is available operators may wish to increase the number of parking spaces for particular types of vehicle in recognition of the particular make-up of the road users served by the facility".
- 4.35 With reference to **Table 2** of this report, the daily northbound traffic flow is 63,297 and of these 19,812 are vehicles are in excess of 5.2 metres in length. The definition of a Heavy Good Vehicle (HGV a.k.a. lorry) is 'goods vehicles over 3.5 tonnes gross vehicle weight, including both articulated and rigid body types'¹. Whilst the length does not correspond to the gross weight of the vehicle, it is considered that any vehicle longer than 5.2m would require to park in a space larger than a standard car parking bay (2.4m x 4.8m). On this basis the 19,812 traffic flows value has been used for the purposes of the calculation. This illustrates that, based on existing level of HGV traffic passing the site, there is requirement for 99 HGV bays to be in line with the Circular 02/2013 requirement.

¹ DfT Statistical Release 'Road Traffic Estimates: Great Britain 2015' (DfT, May 2016)

HGVTraffic Growth Forecasts

- 4.36 It is important that the provision of HGVT parking provided across the Site is future-proofed to account for potential future growth in freight movement on the strategic road network.
- 4.37 **Table 3** of this report shows that over the 10-year period 2006 to 2015, the volume of HGVT traffic along the M6 in the vicinity of the Site grew by 13.1% (1.31% per year on average), from 111,462 two-way ADT to 126,047 two-way ADT. It is expected that at least this level of HGVT traffic growth would be realised again over the next 10-year period. It is important to note that this historic period included the impact of the UK recession and therefore HGVT traffic growth over the next 10 years is likely to be higher, assuming that there is not another economic downturn.
- 4.38 For completeness, BWB has also reviewed alternative sources for estimates of HGVT growth up until 2027. This assessment year has been chosen based on Highways England guidance and in the absence of North Warwickshire Council adopting their new Local Plan. Highways England guidance document 'The Strategic Road Network: Planning for the Future' (September 2015) states that "assessments should be carried out for either a date ten years after the date of registration of the associated planning application or the end of the Local Plan period, whichever is greater". The date of the planning application is 2017 and therefore the future assessment year of 2027 is considered appropriate.
- 4.39 The DfT released 'Road Traffic Forecasts 2015' in May 2016. **Figure 15** is a chart showing the projected HGVT growth over the period 2010 to 2040 for 5 alternative scenarios. The central growth forecasts (Scenarios 1, 2 and 3) have been used for the purposes of this assessment.

Figure 15: HGVT growth 2010 to 2040 (vehicle miles)



Source: Road Traffic Growth Forecasts 2015 (DfT, May 2016)

- 4.40 On review of the above chart it is estimated that 14.6 billion vehicle miles were travelled by HGVTs in 2016 (the year of the survey data from Table 2 of this report). Between 2010 and 2024 HGVT traffic is expected to increase by 22%, which on average equates to 0.73% per annum. Therefore, between 2016 and 2027 HGVT traffic would be expected to grow by 8.1%.

4.41 Finally, BWB has reviewed National Trip End Model (NTEM) dataset AF015 modified in TEMPro v7 for the geographic area of North Warwickshire. The programme has been used to generate 'average day' local growth factors for the M6 motorway in the vicinity of the site. In the absence of HGV growth factors, 'Car Driver' growth factors have been derived. **Table 10** shows NTEM/TEMPro local growth factor for the period 2016 to 2027.

Table 10: TEMPro local traffic growth factors

Scenario	Growth Factor	Growth (%)
2016 – 2027	1.146877	14.7

4.42 As can be seen, the NTEM/TEMPro growth factors estimate that traffic on the M6 in the vicinity of the Site will increase by 14.7% between 2016 and 2027.

4.43 **Table 11** is a comparison of HGV traffic growth projections from the alternative data sources.

Table 11: A summary of data sources and projected traffic growth (2016-2027)

Data Source	Avg. Annual Growth (%)	2016 – 2027 Growth (%)
M6 historic Count Point data (DfT)	1.31	14.4
Road Traffic Forecasts 2015 (DfT)	0.73	8.1
NTEM / TEMPro 7	1.34	14.7
Average =	1.13	12.4

4.44 The average estimation of HGV traffic growth over the period (12.4%) has been taken forward to the calculations for the purposes of projecting the future HGV parking requirement.

HGV Parking Requirement Calculations

4.45 **Table 12** provides a summary of the northbound HGV traffic flow in 2016 and 2027 along with the required level of HGV parking (at 0.5%) on this basis. This shows that the existing MSA Site should be providing 99 HGV parking spaces and 113 HGV parking spaces by 2027.

Table 12: HGV parking requirement calculations – 2016 and 2027 northbound ADT flows

HGV traffic flow (vehicles per day)		HGV parking requirement (no. spaces)	
2016	2027	2016	2027
19,812	22,269*	99	111

Note: Calculated using average traffic growth set out in Table 10 of this report.

4.46 The current level of HGV parking at the Site is 64 spaces, including the four lay-by parking opportunities along the internal access road. This equates to an under-provision of 35 and 47 spaces based on 2016 and 2027 traffic flows respectively.

4.47 The calculations demonstrate that there is a need for the additional HGV parking proposed as part of the planning application.

Summary

- 4.48 The results of the HGV parking survey demonstrate that the site currently provides an insufficient level of HGV parking provision to accommodate existing demand. As many as 70 HGVs accessed, circulated and subsequently left the Site not being able to find a place to park during the peak period for overnight HGV parking (20:00 - 07:00). This would indicate that at least this level of additional parking should be provided to meet the current shortfall. This figure excludes HGVs that accessed the site and subsequently refuelled before leaving the site, of which a proportion is likely to have been looking to park at the Site.
- 4.49 With reference to the legislation on driver's hours and tachograph rules, it is important to highlight that a significant proportion of the HGV drivers unable to park at the Site are subsequently likely to be breaking the law by not stopping for a 45 minute break every 4.5 hours. Section 6 of this report also considers alternative MSA destinations en-route in the regional vicinity of Corley. These facilities are also 'at stress' during weekdays.
- 4.50 The HGV parking requirement calculation from Annex B of Circular 02/2013 shows that the Site's current provision of HGV parking is 35 spaces below what it should be based on 2016 M6 northbound daily HGV flows. Taking into account HGV traffic growth projections, the facility would have a shortfall of 47 spaces by 2027.
- 4.51 Based on the above information, it is considered that **at least 82 additional HGV parking spaces are required**. This has been calculated as the current overspill demand (70 spaces), plus growth to 2027. The growth has been calculated as the 2027 Circular 02/2013 requirement (47 additional spaces) minus the 2016 requirement (35 spaces), which equals 12 spaces. The reason the 2016 requirement has been discounted from the 2027 requirement is because it is considered that the current overspill is effectively the current parking requirement.

5.0 PROPOSED DEVELOPMENT

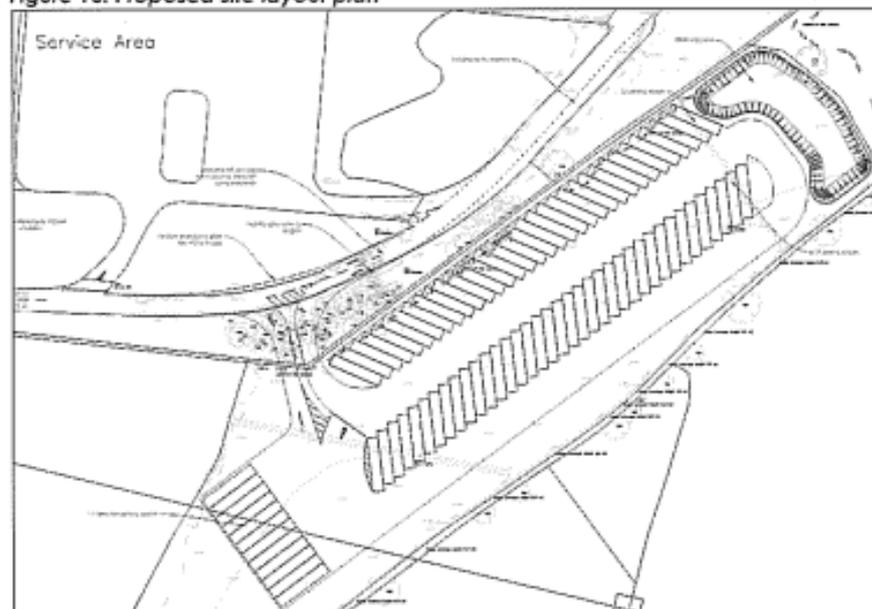
Overview

- 5.1 This section of the TA introduces and outlines the development proposals for the Site. It includes a description of the proposal, along with the proposed access arrangements.

Development Details

- 5.2 The proposed development comprises an extension to the existing HGV parking facility at the Site to provide an additional 83 bays, including 10 'oversized' HGV bays. This level of additional parking is consistent with the requirement identified in Section 4 of this report.
- 5.3 In terms of operation, it is proposed that the additional HGV parking area would only be open on weekdays when HGV parking demand is highest. During these times, the proposed HGV parking area would become the main car park as it is accessed before the existing lorry park along the one-way internal access road. At the weekend, the proposed HGV parking area would be coned-off to reduce disturbance to local residents during this lesser period of HGV demand.
- 5.4 The area proposed for the additional HGV parking is located to the south of the internal access road on an area of open land. The proposed layout is shown indicatively in **Figure 16** and a full scaled drawing is provided in **Appendix D**.

Figure 16: Proposed site layout plan



Vehicular Access

- 5.5 Vehicular access to the proposed HGV parking facility will be taken from the south of the internal access road via a left-in left-out priority junction arrangement. The access is proposed to be situated on the access road between the second 'fork' to the car park and the car park priority egress junction.
- 5.6 The proposed HGV parking area would operate with a one-way clockwise circulatory system with the option for drivers to recirculate at a give-way line close to the egress. BWB has undertaken swept path analysis of the proposed layout. The tracking demonstrates that the proposed layout can comfortably accommodate the vehicle tracks of a maximum legal 16.5m Articulated Vehicle. Swept path analysis drawings are included in **Appendix E**.

Pedestrian Access

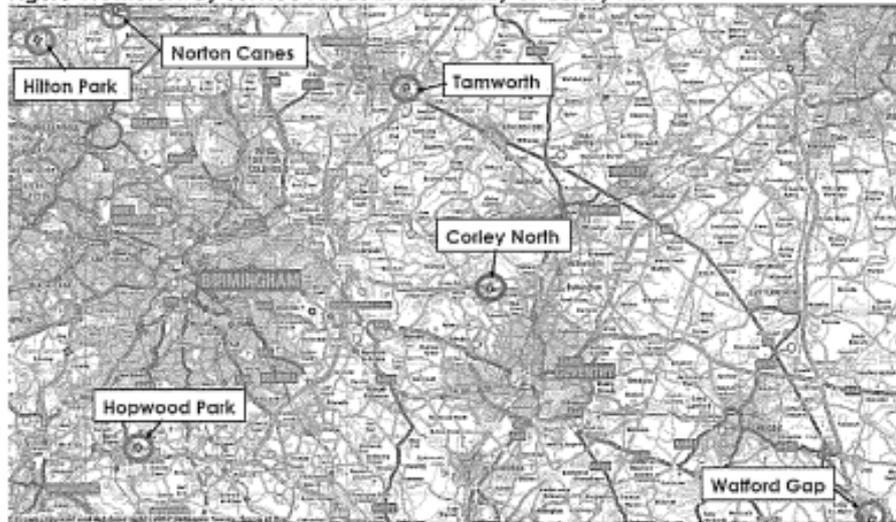
- 5.7 As has been identified in Section 3 of this report, there is a PRow routing through the site from east to west. This route will be diverted around the Site. The appropriate permissions for this diversion would be sought from Warwickshire County Council with details to be provided in a separate planning document.

6.0 CONSIDERATION OF ALTERNATIVE LORRY PARK LOCATIONS

Overview

- 6.1 Following the recommendations made by the LPA Case Officer to refuse the planning application made in 2008, BWB has considered the alternative lorry park facilities "within an appropriate distance of Corley" MSA in terms of capacity and ability to accommodate the HGV demand seen at Corley. The location of the service areas reviewed are presented in Figure 17 below.

Figure 17: Motorway Service Areas in the vicinity of Corley MSA



Watford Gap (Northbound) MSA

- 6.2 Watford Gap (Northbound) motorway service area is located between junctions J16-J17 of the M1 motorway, approximately 24 miles / 39 kilometres south-east (by road) of Corley MSA. The MSA is operated by RoadChef and includes similar facilities to those at Corley MSA.
- 6.3 Parking at the site is free for the first 2 hours, then the following charges apply for up to 24 hours; Cars (£10), HGV (£21), HGV with £10 food vouchers (£23) and Caravans / Motor Homes (£21).
- 6.4 **Figure 18** is an aerial image of the Watford Gap MSA. HGV parking is located within the north part of the site.

Figure 18: An aerial image of Watford Gap (Northbound) MSA



- 6.5 BWB visited the Watford Gap (Northbound) MSA site on Wednesday 8th February 2017 between 11:00 and 12:00 hours to observe existing HGV parking conditions. The day of the visit coincided with the traffic surveys undertaken at Corley MSA for consistency.
- 6.6 Observations on-site confirmed that there are 47 HGV parking opportunities allowing for HGVs to park bumper-to-bumper in the area of the lorry park located closer to the retail building.
- 6.7 On the day of the site visit there were 35 HGVs parked across the site, including four HGVs parked on double-yellow line kerb space along the internal access road located to the east of the car park. This equates to a HGV parking occupancy of 74%. Whilst this is not considered to be 'at stress', the haphazard HGV parking along restricted kerb space would indicate that HGV parking capacity is an issue at this site. A photographic record of HGV parking from the site audit is included in **Appendix F**.
- 6.8 The scope to expand HGV parking at Watford Gap (Northbound) MSA is limited owing to the site constraints. The site is bounded by a canal to the north and west, the M1 motorway to the east and a Highways England depot to the south.

Hopwood Park MSA

- 6.9 Hopwood Park motorway service area is located on the north side of Junction 2 of the M42, approximately 24 miles / 39 kilometres south-west (by road) of Corley MSA.
- 6.10 Parking at the site is free for the first 2 hours, then the following charges apply for up to 24 hours: Cars (£10), HGV (£26) and HGV with £9 food vouchers (£28).
- 6.11 **Figure 19** is an aerial image of the Hopwood Park MSA. HGV parking is located within the north-west part of the site.

Figure 19: An aerial image of Hopwood Park MSA



- 6.12 BWB also visited the Hopwood Park MSA site on Wednesday 8th February 2017 between 11:00 and 12:00 hours to observe existing HGV parking conditions. The day of the visit coincided with the traffic surveys undertaken at Corley MSA for consistency.
- 6.13 Observations on-site found the lorry park to be at approximately 80% occupancy at the time of the visit. However, it was also observed that HGV drivers were parking on-street outside the site and also in the coach parking area. This would suggest that the HGV parking is often not sufficient to accommodate demand at peak times. A photographic record of HGV parking from the site audit is also included in **Appendix F**.

Tamworth MSA

- 6.14 Tamworth motorway service area is located to the west of the M42 off Junction 10. It is located approximately 17 miles / 28 kilometres north-west (by road) of Corley MSA.
- 6.15 Parking at the site is free for the first 2 hours, then the following charges apply for up to 24 hours; HGV (£24) and HGV with £10 food vouchers (£25.50).
- 6.16 **Figure 20** is an aerial image of the Tamworth MSA. HGV parking is located towards the southern middle part of the site.

Figure 20: An aerial image of Tamworth MSA



- 6.17 BWB also visited the Tamworth MSA site on Wednesday 8th February 2017 between 11:00 and 12:00 hours to observe existing HGV parking conditions. The day of the visit coincided with the traffic surveys undertaken at Corley MSA for consistency. Again, observations on-site found the lorry park to be at approximately 80% occupancy at the time of the visit. A photographic record of HGV parking from the site audit is also included in **Appendix F**.

- 6.18 It is evident from the MSAs reviewed that parking at these sites are approaching their capacity. However, it is clear that Corley MSA's location on the SRN does make it a popular stop for HGV drivers. This is demonstrated by the fact that during the time the other MSAs were reviewed (1100-1200) Corley MSA was at circa 86% stress, with as many as 33 HGVs being unable to park during this period.

Other Alternative MSA Sites

- 6.19 Consideration has also been given to Norton Canes MSA on the M6 (toll) and Hilton Park MSA on the M6 northbound as suitable alternative destinations for HGV drivers to use.
- 6.20 Norton Canes MSA has been discounted on the basis that it is situated on the M6 (toll) and therefore would not be a suitable destination for a significant proportion of HGV drivers owing to budget and cost constraints. As such, BWB has not visited the site and this is not considered in any more detail.
- 6.21 Hilton Park (northbound) MSA is located to the west of the M6, approximately 29 miles northwest of Corley MSA. Hilton Park is known to have limited HGV parking capacity, as shown in Figure 21. This, along with its distance from Corley MSA makes it unsuitable for 'overspill' HGV demand from Corley MSA.

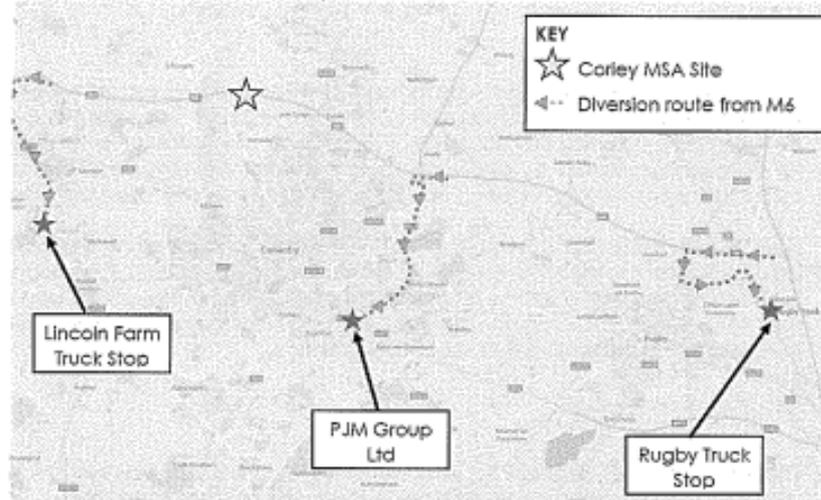
Figure 21: An aerial image of Hilton Park (northbound) MSA



Alternative Truck Stop Locations

- 6.22 BWB has also considered alternative truck stop locations in the vicinity of Corley MSA. The truck stops identified include Lincoln Farm Truck Stop, PJM Group Limited and Rugby Truck Stop these are presented in **Figure 22** below.

Figure 22: Location of truck stops



- 6.23 Lincoln Farm Truck Stop is located approximately 11.5 miles to the west of Corley, PJM Group Ltd some 11.0 miles to the south and Rugby Truck Stop some 18.4 miles to the east. All of the truck stops are located some distances from the nearest access to the strategic road network and therefore are not suitable alternatives to Corley MSA.
- 6.24 The nearest truck stop (PJM Group Ltd) would result in HGV drivers making a 22 mile diversion via non-strategic routes. This would cause unnecessary additional travel time along with promoting large HGVs to use local routes that are not potentially not suitable.

7.0 THE CASE FOR CORLEY

- 7.1 This section of the TA summarises the key reasons why additional weekday HGV parking provision is required at Corley MSA.

Ideally Located

- 7.2 Corley is strategically located on the regional and national highway network. Its central location makes it the perfect stop-over destination for drivers travelling across the UK between ports and major logistics hubs. It is effectively the gateway to Birmingham, the UK's second largest city by population and therefore overnight stop-overs at Corley mean that HGV drivers can reach their destinations quickly the following morning.
- 7.3 Furthermore, there are a number of variable message signs along the northbound carriageway of the M6 on approach to the Site. During peak periods, these often warn motorists of congestion on the M6 in Birmingham. Consequently, drivers approaching their tachograph limits may opt to stop at Corley rather than risk being delayed in congested and exceeding their 4.5 hour drive time.

Insufficient Parking

- 7.4 The existing site has capacity for up to 64 HGVs to park at any one time, including 60 spaces in the lorry park and four spaces in the lay-by on the access road.
- 7.5 BWB has calculated the appropriate HGV parking requirement using Circular 02/2013 calculations along with northbound traffic flow data for the M6 northbound carriageway from December 2016. This demonstrates that the site should be providing 99 spaces, which would suggest there is a current under-provision of 35 spaces. Traffic growth has been applied to 2016 traffic flows in order to project 2027 traffic flows. This calculation suggests that by 2027 the Site should be providing 111 HGV spaces.
- 7.6 Furthermore, results of the HGV parking survey showed that between the weekday overnight hours of 20:00 and 07:00 parking stress was typically in excess of 90% and in some cases above 100%. During this period, at least 70 HGVs circulated the Site and were unable to find a suitable parking spot on the Thursday survey day. This indicates that there is currently a shortfall of overnight HGV parking in the region of 70 spaces.

Lack of Alternative HGV Parking

- 7.7 Section 6 of this report demonstrates that the alternative MSAs in the regional vicinity of Corley MSA, for northbound and westbound journeys, are also approaching capacity and therefore are not considered suitable alternatives.
- 7.8 BWB visited the Tamworth, Hopwood Park and Walford Gap (northbound) motorway service areas on Wednesday 8th February 2017 between 11:00 and 12:00 hours. During this period, the HGV parking capacity of all three MSAs was observed to be at 80% stress. During the same period, the survey results show that Corley (northbound) MSA was at 86-88% stress and as many as 33 HGVs were unable to park owing to congested conditions on-site.

8.0 SUMMARY AND CONCLUSIONS

Summary

8.1 This report concludes with a summary of the key points raised within the TA, these are as follows:

1. BWB has been appointed by Welcome Break Ltd to prepare this report to support a full planning application for proposals at Corley (Northbound) Motorway Service Area located to the south of the M6 near Corley, Warwickshire.
2. The proposed development comprises the provision of an additional 83 HGV parking spaces at the Site, bringing the total provision to 147 spaces on weekdays only.
3. A similar planning application was submitted to North Warwickshire Borough Council in 2008, but was subsequently refused. The reasons behind this refusal have been accounted for during the preparation of this Transport Assessment.
4. The proposed development includes 10 special bays for oversized HGVs. The need for this has been calculated from the ATC survey data based on the number of three axle road trains entering the Site on a typical weekday. BWB believes that this provision will reduce the occurrence of these larger vehicles trying to park in standard size HGV bays, which often results in obstructions to other Site users and prevents the efficient circulation of vehicles around the site.
5. The level of additional HGV parking proposed is based on the results of the HGV parking survey at the Site undertaken over two consecutive days on Wednesday 8th and Thursday 9th February 2017 along with Circular 02/2013 calculations for parking requirements at motorway service areas. The need for additional parking is also backed up by longer term data obtained from Welcome Break over the last 3 years.
6. The HGV parking survey found that between the weekday overnight hours of 20:00 and 07:00 parking stress was typically in excess of 90% and in some cases above 100%. During this period, at least 70 HGVs circulated the Site and were unable to find a suitable parking spot on the Thursday survey day. This indicates that there is currently a shortfall of overnight HGV parking in the region of 70 spaces.
7. Drivers who are unable to park onsite are in danger of exceeding their legal driving limit and could be forced to park along the hard shoulder, a safety concern that has been recognised by Highways England.
8. The existing 64 HGV spaces is a significant under-provision when compared to national standards. Using northbound traffic flow data for the M6 between Junction 3 and Junction 3a and Circular 02/2013 calculations, BWB has calculated that the Site should currently have a provision of 99 HGV parking spaces, increasing to 111 spaces by 2027.
9. The design of the proposed new HGV parking area has considered pedestrian movements. The existing public right of way will be diverted around the Site and the relevant permissions will be sought from Warwickshire County Council.

Conclusion

- 8.2 In conclusion, BWB considers that the proposed development is in line with objectives of local and national transport related planning policy. The level and need for the additional HGV parking spaces has been justified using Site-specific survey data along with a review of the future projected HGV parking requirements, in line with national policy. On this basis, it is considered that the proposed development should be allowed in traffic and transportation planning terms.



APPENDIX F

PAP/2017/0104



Planning Statement: Update

**CORLEY MOTORWAY SERVICE AREA
EXTENSION TO HGV PARKING AREA**

Welcome Break

July 2017

Our reference: 141

Smith Jenkins Ltd

30A High Street, Stony Stratford, Milton Keynes, MK11 1AF

Tel: 01908 410422

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1 Introduction

- 1.1 This Statement has been prepared by Smith Jenkins Ltd on behalf of Welcome Break, the applicant, to set out the updated case for planning permission for a HGV park extension at Corley MSA, given the submission of new information during the course of the planning application. This Statement also addresses comments raised by the Parish Council and local residents, as requested by the Case Officer.
- 1.2 The description of development remains as the planning application forms:
Change of use of land to HGV parking incorporating associated infrastructure and works.
- 1.3 The site can be identified from drawing number CMSA-BWB-GEN-XX-DR-TR-106 (site location plan).
- 1.4 The planning application proposes the provision of 83 HGV spaces on the field to the south of the MSA. The field is within Welcome Breaks' ownership. Development involves the setting out of the parking area, provision of landscaping and surface water attenuation. Access is to be provided from the existing MSA spine road, with a dedicated turning lane into the application site.
- 1.5 Corley MSA due to its location on the motorway network suffers from specific problems in relation to the parking of HGVs both during the day and overnight. These proposals are designed specifically to address the parking need that arises at Corley.
- 1.6 For the benefit of planning officers, the planning application documents are:
- Application plans and drawings prepared by BWB;
 - Transport Assessment, prepared by BWB;
 - Road Safety Audit;
 - Design Team Response to Road Safety Audit including updated plans;
 - Flood Risk Assessment, prepared by BWB;
 - Sustainable Drainage Statement, prepared by BWB;
 - Lighting Design Report, prepared by BWB;
 - Preliminary Ecological Assessment, prepared by Ecology by Design;
 - Landscape and Visual Impact Assessment incorporating landscape design proposals and tree survey, prepared by Barry Chin Associates; and
 - Noise Assessment;
 - Archaeological Assessment;
 - Bat Survey; and
 - Biodiversity Calculator.
- 1.7 It is considered that the planning application submission provides sufficient information in order to allow North Warwickshire Borough Council to consider the application and now determine the application at the earliest possible opportunity.
- 1.8 The remainder of this report is set out as follows:
Section 2. Summary of Information Submitted since February 2017: provides a discussion of information submitted since February 2017.

Section 3. Response to Third Party Objectors: provides a detailed response to comments received from third party objectors, including the Parish Council.

Section 4. Case for the Applicant: sets out the planning case for the Applicant.

2 Information Submitted Since February 2017

- 2.1 This section of the report provides an overview of the information submitted to North Warwickshire Council since the submission of the planning application in February 2017.
- 2.2 The applicant has submitted further information either at the request of statutory consultees or as indicated as part of the original planning submission. Because this has been submitted in parts and not as one submission, the information below can act as a check list for the LPA in determining the application.
- 2.3 The original planning application comprised the following documents:
- Application forms;
 - Covering letter, dated 28th February 2017;
 - Site location plan, drawing reference CMSA-BWB-GEN-XX-DR-TR-106;
 - Blue line plan, drawing reference CMSA-BWB-GEN-XX-DR-TR-107;
 - Parking Extension (General Arrangement Plan), drawing reference CMSA-BWB-GEN-XX-DR-TR-105
 - Planning Statement, prepared by Smith Jenkins Ltd;
 - Transport Assessment, prepared by BWB;
 - Flood Risk Assessment, prepared by BWB;
 - Sustainable Drainage Statement, prepared by BWB;
 - Lighting Design Report, prepared by BWB;
 - Lighting Drawing, drawing reference CMSA-BWB-HLG-XX-CA-C-1300;
 - Preliminary Ecological Assessment, prepared by Ecology by Design; and
 - Landscape and Visual Impact Assessment incorporating landscape design proposals and tree survey, prepared by Barry Chin Associates.
- 2.4 Following receipt of comments from Warwickshire County Council in their capacity as lead flood authority, further drawings were submitted on 10th April, namely:
- CMSA-BWB-HGR-XX-DR-EN-201_Surface Water Strategy; and
 - CMSA-BWB-HGR-XX-DR-202_Pond Cross Sections.
- 2.5 Following receipt of these drawings, WCC withdrew their objection to the scheme (letter dated 2nd May 2017).
- 2.6 The applicants made a further submission on 28th May 2017 encompassing archaeology, noise assessment and additional highways information. The document references are:
- Road Safety Audit, Stage 1, prepared by BWB;
 - Road Safety Audit – Design Team Response, prepared by BWB;
 - Noise Impact Assessment, prepared by BWB; and
 - Archaeological geophysical survey, prepared by MOLA;
- 2.7 On 14th June 2017 we received further comments on noise from the Council's Environmental Health team. A further response was submitted to the Council dated 30th June 2017.
- 2.8 This Statement forms part of the applicant's submission. This is submitted at the same time as the following:
- Bat survey, completed by Ecology by Design;
 - Biodiversity Calculator, completed by Ecology by Design;

- Proposed HGV Parking Extension, drawing reference CMSA-BWB-GEN-XX-DR-TR-105 rev P2, and
- Swept Path Analysis, 16.5m and 18.5 m Articulated Vehicles, drawing reference CMSA-BWB-GEN-XX-DR-TR-110 rev P2.

2.9 The above documents form the Planning Application for the purpose of determining the application.

3 Response to Third Party Objections

- 3.1 A number of local resident objections have been sent to the applicant by the Case Officer who has requested that the applicant respond to matters raised. Due to the way in which they have been sent (copy and paste into an email) the applicant cannot identify whether these come from immediate neighbours to the site. It is also not possible to determine the number of total objections to the scheme.
- 3.2 The applicant is aware that two letters of objection have been sent from the Parish Council.
- 3.3 The applicant's agent attended a meeting held by the Parish Council, also attended by local residents, on 4th April 2017.

Comments from the Parish Council

- 3.4 Two sets of comments have been received by email via the Case Officer. The Case Officer's emails are dated 11th April 2017 and 8th June 2017. Comments received in the 11th April 2017 email can be summarised as: causing harm to the Green Belt where no 'exceptional circumstances' have been proven; that there is no need for the lorry park based on the figures provided by the applicant; that alternative solutions should be considered; and the impact of noise, light and diesel pollution on residents.
- 3.5 The comments in the second email repeat the first other than to add that the revisions required by the Road Safety Audit appear to be common sense alterations to the scheme.
- 3.6 We take each matter raised by the Parish Council below:

Very Special Circumstances

- 3.7 There is no requirement under the National Planning Policy Framework (March 2012) to set out 'exceptional' circumstances in respect of planning applications. Paragraph 87 and 88 of the NPPF state:
87. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
88. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 3.8 The key consideration in respect of Green Belts is maintaining their openness. 'Need' is considered to be a very special circumstance. This is especially so if the need identified is best met in a specific location.
- 3.9 The applicants consider that the need for the development in this case is such that these form the very special circumstances sufficient to overcome the presumption against development in the Green Belt. The case for need is two-fold: first the site specific short fall of HGV parking spaces required to meet current demand alongside future growth forecasts for traffic on the motorway; and secondly in respect of the site specific circumstances that means that route choice and traffic delays result in HGVs needing to stop at Corley MSA.

- 3.10 As set out in the Transport Assessment, there is theoretical capacity for 64 HGVs within the existing HGV park, which includes 4 spaces within the long load bay. However, there are a further 54 spaces around the site that are used unofficially for parking by HGVs, in addition to the 11 coach spaces (which are also sometimes occupied when there is a need for HGV parking).
- 3.11 Circular 02/2013 sets out the requirement for HGV parking at MSAs. This is calculated as a percentage of the annual daily traffic flow on the mainline motorway. At Corley, the amount of traffic in total is high but the total number of HGVs is also high. This is 18.8% of all traffic on the road. As a result, Circular requirement for HGV spaces at Corley is for 99 spaces. This exceeds the number of available spaces in the HGV park by 39 spaces. If a reasonable growth forecast is added to the Circular to 2027, the requirement increases to 111 spaces or 51 spaces more than currently provided.
- 3.12 The current overspill or unauthorised HGV parking at the site equates to 54 spaces. This in itself is indicative of the level of need for additional spaces at the site.
- 3.13 There are two types of HGV traffic that use the HGV parks at motorway service areas: drivers who are taking a short day time break (45 minutes to 2 hours) and those that stop overnight. These users are differentiated in the Transport Assessment, and it can be seen that there is both day time and night time need for additional spaces. The HGV park is under considerable stress. When the main HGV park has more than 50 vehicles in it (78% capacity), drivers start to seek out alternative places to park. On the survey days, set out in the TA, the HGV park was at this level of capacity for 17 or 18 hours each day.
- 3.14 Drivers seeking spaces outside of the official parking areas result in environmental damage to the site and cause safety issues to other road users. As a result of parking in unofficial spaces, on the days subject to survey, 22 hazardous incidents were recorded on the Wednesday and 26 were recorded on the Thursday.
- 3.15 During the day, between 11am and 1pm, when drivers are likely to be taking a shorter break, a large number of vehicles were unable to park. On the Thursday, this peaked at 44 vehicles between 12 and 1pm. Overnight, between 8pm and 6am, 53 HGVs on Wednesday and 70 HGVs on Thursday entered the site, circulated to find parking spaces, failed to find space to park and left. These vehicles failed to park in either the 64 authorised spaces or the 54 unauthorised spaces (118 spaces total). We do not know where these vehicles ultimately stopped but unofficially we know that there is a high incidence of vehicles parking on the hard shoulder or in refuge bays on the motorway.
- 3.16 As set out above, there is a very clear need for additional HGV parking at Corley. The number of vehicles that require spaces both during the day and overnight and are not currently catered for is a clear demonstration of this (that is those vehicles that enter the site and are unable to find parking). In addition, while there are 64 'official' parking spaces on the site, the site is under pressure when HGV numbers exceed 50. HGVs then find alternative 'unofficial' spaces around the site (we have identified 54 such spaces). Parking in these unofficial spaces not only causes damage to the environment within the site, but is dangerous and causes a road safety hazard. A large number of hazardous incidents were recorded during the site survey work.
- 3.17 Circular 02/2013 sets out a requirement for 99 spaces in 2016. Using a growth factor to traffic on the M6, this will increase to 111 by 2027. By increasing the HGV parking provision, this allows for the Circular requirement, the existing need and unmet need to be provided in a safe way and not by the continuation of unofficial and unsafe parking within the site as currently occurs.

Alternatives

- 3.18 A number of alternatives have been put forward including the provision of new services at Rugby (Junction 1, M6) and alternative site layouts within the existing MSA boundaries.
- 3.19 In relation to the current planning application at Junction 1 by Moto (Rugby Borough Council planning application reference number: R17/0011), this was submitted in January 2017. This would provide 98 HGV parking spaces, as required by Circular 02/2013. It has been the subject of 69 number individual householder objections, as well as on-going objections from Highways England, heritage and landscape concerns. Warwickshire County Council as highway authority have yet to comment on the planning application. There are a number of technical difficulties with the application, including the connection of the site to the junction roundabout. Highways England issued a further holding direction on the application at the end of July setting out that the planning application could not be determined for a further 3 months while these technical issues were resolved.
- 3.20 There is no guarantee that these matters can be resolved. Even if they are, the site represents a significant incursion into the countryside north of the M6 where there is very little development currently. There are concerns about landscape harm due to the openness of the site, and also the harm caused to adjacent heritage assets.
- 3.21 This cannot be seen as a viable alternative currently due to the lack of planning permission for the development. In respect of harm caused, the ability to extend the existing MSA will cause less harm than the incursion into the countryside and landscape harm identified than any development at Corley.
- 3.22 Objectors to the scheme have also provided two potential re-arranged site layouts that do not include an extension outside of the existing site boundary. We have included these in **Appendix A** of this Statement and labelled these number 1 and number 2 for ease of reference. We address each layout in turn below:
- 3.23 Layout 1 proposes 111 spaces in a re-arranged HGV parking area which extends over the existing HGV parking area, area of trees, staff car park and delivery area for the amenity building. It also re-arranges the coach park. It suggests that further areas of land are available for HGV parking at the entrance to the MSA (east side of the site) adjacent to the car park and also to the west side adjacent to the MSA exit/slip road to the motorway. This layout ignores a number of key points. First, it allows vehicles to reverse directly onto the main site road that allows non-car vehicles to travel through the site from east to west. If this road is blocked due to manoeuvring vehicles, it is likely that traffic will back up through the MSA and cause congestion. Vehicles manoeuvring in this way are likely to be slow moving and potentially hazardous to other vehicles, increasing the likelihood of accidents. This is already seen in the existing MSA layout where vehicles are parked outside of the dedicated HGV parking area, and are manoeuvring into spaces on the access road.
- 3.24 The coach spaces are angled in such a way that manoeuvring in this area would be very difficult. The coaches are not sufficiently segregated from the HGV traffic as they are currently (where there is a splitter island between the internal service road and coach park). This is unsafe for coach passengers.
- 3.25 The layout also ignores the delivery area and operational space required to the rear of the amenity building.

- 3.26 The area identified to the west of the site is largely the internal circulation road, waiting space for the HGV FFS pumps and the exit onto the motorway. None of this space is suitable or available for development.
- 3.27 The area identified in purple to the east of the site is open space but located immediately adjacent to the car park. It is not clear how this space could be used without having a mixed traffic system whereby cars and HGVs shared space. For safety reasons, all types of traffic within MSAs are segregated and development on the area to the east would not achieve this.
- 3.28 In respect of Layout 2, many of the comments above also apply to this layout. It ignores the through flow of traffic on the internal roads and introduces manoeuvring vehicles into this space. This would cause the backing up of traffic within the MSA and introduce safety hazards. The layout ignores the external storage (especially bins) at the rear of the amenity building and service and delivery areas.
- 3.29 We have undertaken vehicle tracking on this layout, and this is provided in **Appendix B** of this Statement. This identifies a number of problems with the layout. The parking bays are positioned very close together, making manoeuvring in and out the bays difficult and potentially increasing the risk of a collision. A number of tight U-turn manoeuvres would be required to exit some bays. Drivers would be required to manoeuvre the wrong way into the outer access road to be able to reverse into some bays. There are a number of instances where drivers would be required to overrun the adjacent bay when exiting, if this bay was occupied vehicles would not be able to exit the spaces.
- 3.30 As a result we do not consider that either of these proposed layouts would provide an alternative scheme that would be safe, provided segregated vehicle parking, and allow the amenity building to be correctly serviced.
- 3.31 The capacity at adjacent MSAs and truck stops have been addressed in the Transport Assessment. In addition to that assessment, it should be noted that HGV capacity in the region will be reduced during the construction of HS2 due to the location of the line that goes through the HGV park at Tamworth MSA.

Noise and Light

- 3.32 The planning application is accompanied by a noise assessment and a lighting plan. The noise assessment has been agreed with the Council's Environmental Health team and meets the required standard in respect of noise.
- 3.33 In respect of light, the design has been carefully thought out in order that light columns are as low as possible to reduce the amount of light spill outside of the site. This is shown on the accompanying lighting plan (drawing reference CMSA-BWB-HLG-XX-CA-C-1300). There have been no objections to this proposal by the Council's Environmental Health team.
- 3.34 We note comments in respect of diesel pollution, which we assume is air pollution in the locality. The proposed development provides parking for HGVs that are already using the motorway network. It is not going to increase the number of HGVs on the roads, and therefore will not increase the level of air pollution in its own right. It is designed to meet the need already arising at Corley – vehicles already stop at the site or attempt to stop but are unable to due to a lack of spaces. Therefore the air quality is unlikely to be affected significantly as a result of the development.

Comments from Local Residents

- 3.35 We have been sent a number of comments from local residents concerning the scheme. These are wide ranging in their scope, but can be summarised in a number of general themes. We address each of these below:
- 3.36 Green Belt Location: the site is located within the Green Belt, where there is a presumption against inappropriate development unless 'very special circumstances' are demonstrated. It is the view of the applicant that in this case the very special circumstances are present to override this normal presumption. These are: the need for the development at Corley as a result of the requirement for HGV parking within the site (both from demand and also unmet need); the need in this location; the specific circumstances of Corley MSA; and the national need for additional HGV parking spaces. In addition, the propose development does not impact upon the openness of the Green Belt. There is no significant visual impact and therefore harm, by reason of inappropriateness and impact on the openness of the Green Belt, and any other harm, is outweighed by the benefits of the scheme.
- 3.37 Pollution: objection has been raised on the grounds of noise, light and water pollution. There are no objections to the scheme from the relevant technical consultees on any of these matters. In respect of noise, the scheme meets the WHO's noise requirements both during the day and at night.
- 3.38 In respect of lighting, the design and location of columns has been carefully planned to reduce the amount of light spilling from the site. This can be seen on the accompanying lighting plan which shows the lux contours around the site after development. Levels of light pollution will be low. In relation to diesel spilling into the local water course, the drainage design includes interceptors which will prevent the leaking of any diesel into the proposed pond and adjacent water courses.
- 3.39 Public right of way: a public right of way is located between the application site and the MSA. This can be diverted if required by the LPA, and there is sufficient room within the application site to divert the footpath around the outside of the proposed development while still being within the applicant's land ownership.
- 3.40 Existing field access: there is an existing field access from Bennetts Road North and the application site, which is in the ownership of the applicant. Local residents have asked whether it is intended to use this field access for a rear access into the MSA. It is not the intention to use this field access in this way. There is currently an access into the MSA to the west of the application site which is controlled via secure barrier. Access will remain in this location.
- 3.41 Weekend usage: it is not intended to use the HGV park at weekends or at bank holidays or public holidays. The applicant has suggested planning conditions that would be enforceable by the LPA to prevent access at these times unless there was an exceptional event or an emergency.
- 3.42 Impact on ecology: local residents have raised the issue of the potential harm caused by the scheme to wildlife, and have specifically mentioned the presence of Great Crested Newts on the site. As set out in the accompanying ecology report, there were no species recorded or reported on the site. This included an analysis of historic records held in the County database. In addition, a bat survey has been undertaken in a tree on the boundary where concern was raised that this could provide suitable habitat for bats. Further survey work has been undertaken to address this, and no evidence that a bat roost was present. A biodiversity checklist for the site has also been completed which shows that due to the introduction of the pond, and boundary planting, the development of the site will have a positive biodiversity impact above the existing use of the site for grazing.

- 3.43 Boundary planting: concern has been raised that the proposed boundary screening will not be effective, and will not provide screening to the boundary. The boundary landscaping of the site takes 3 forms: planting, a mound and a close board fence. The fence provides three functions: security, screening and it acts as an acoustic screen. The Landscape and Visual Impact Assessment concludes that from all identified views, that the introduction of the development would cause minor or negligible impact where the scheme would either not form a noticeable deterioration or improvement in the view; or a slight deterioration would occur. As a result of proposed landscape planting, any affect would be mitigated and provide a substantial screen to the development.
- 3.44 Increase in HGV traffic: concern has been raised about the increase in traffic on the M6 not being as 'sharp' as 'the sharp' increase quoted in the Transport Assessment. This specifically refers to the proportion of HGV traffic on the M6 in 2006 of 18%, and comparing this to 18.8% HGV traffic in 2015. The figures are set out in Table 3 of the TA. What these show are that in 2006, the total number of HGVs (AADF) on this section of the M6 was 20026, which represented 18% of the traffic flow. During the following years, this number dropped, mainly during the recession (falling at its lowest point to 14.7% in 2009). This then rose to 23664 in 2016, above the pre-recession levels. This is a rise of 7,149 vehicles compared with 2009. The volume of HGVs as a percentage of all traffic changing between 18% and 18.8% from 2006 to 2016 may not look significant because this is an increase expressed as a percentage of overall traffic. In absolute numbers, the overall amount of traffic has also risen by 14,585 vehicles over this period, and the absolute numbers of HGVs have also increased. The rise in the number of HGVs over the period between 2006 and 2016 has been 18%, compared with a rise in the overall increase in traffic on the motorway of 13.1%.
- 3.45 It should also be noted that the current scheme addresses all of the previous reasons for refusal and the applicant considers these are addressed directly in this application. The scheme currently before the LPA is the design team's response to the road safety audit. It is entirely normal for a scheme to be amended following a Road Safety Audit as has happened in this case.

4 Case for the Applicant

- 4.1 This section of this Statement sets out a summary of the planning case for the applicant, taking into account the updated information submitted alongside this statement. Any updated information does not materially alter either the form of the development or the case for the applicant.
- 4.2 The site is located in the Green Belt where inappropriate development is, by definition only, harmful. Development in Green Belt locations can be approved where applicants demonstrate 'very special circumstances' that would override the normal presumption. A number of exceptions are listed where development is considered to be 'appropriate'. Paragraph 90 of the NPPF states that in addition to the Paragraph 89 list, certain other forms of development are appropriate providing they preserve openness and do not conflict with the purpose of including land in the Green Belt (the purpose of Green Belts is set out at Paragraph 80). One such exemption is local transport infrastructure which can demonstrate a requirement for a Green Belt location.
- 4.3 In this case, the extension to the HGV park at Corley MSA needs to be located in the Green Belt, as there is a need for additional HGV park facilities specific to Corley MSA. There are a lack of alternative sites, and the extension of an existing facility requires less land than a new site elsewhere.
- 4.4 The applicant is able to demonstrate the very special circumstances that overcome the normal presumption. Those very special circumstances relate to the need for HGV parking at Corley; a need that is backed by Central Government and the identification of a national shortage of HGV facilities; a need specific to Corley due to geographic circumstances of the site; and a lack of alternative facilities.
- 4.5 The site is operating either at capacity (of 60 standard spaces plus 4 available spaces in the long load bay) or over capacity for a large amount of the time. By using both automated traffic counters and video filming of the site, the Transport Assessment has identified both vehicle parking within the site and also habits of drivers when parking. This has identified that the HGV park is over capacity both during the day and during the night (ie when drivers take both short breaks (45 minutes to 2 hours) and overnight stops). When the existing HGV park reaches 80% capacity, drivers start to seek out alternative places to park. Drivers were filmed both during the day and overnight entering the site, circulating, being unable to find space to park and then leave the site. HGV drivers operate within legal driving times, and their stopping times are prescribed. A lack of space to park is matter of highway safety and this must be given significant weight in the determination of this planning application. The purpose of motorway service areas is to provide an opportunity to stop and rest in the interests of highway safety.
- 4.6 The MSA currently does not meet the Department for Transport Circular 02/2013 requirement for HGV parking based on the AADF of traffic on the motorway. In this case, the requirement is 99 spaces compared with the provision of 60+4. Allowing for traffic growth, this requirement will increase to 111 in 2027. This is a requirement of an additional 51 spaces. In addition to this number, is the need arising from the high level of vehicles turning into the site from the motorway.
- 4.7 The lack of capacity in the existing HGV park leads to unauthorised parking around the site. The TA identified that as many as 54 unauthorised spaces are 'created' by HGV drivers who need to stop at Corley. In addition, it is likely that the lack of spaces here leads to HGV drivers entering the site, unable to find space to park, and leave the site but still needing to stop. This leads to parking on the egress slip road to the site, the hard shoulder, and also the refuge bays designed for broken down vehicles on the motorway. All of these are both unsafe and illegal. Unauthorised parking within the site causes

both hazardous incidents and environmental damage. The TA identifies more than 20 hazardous incidents occurring on each survey day as a result of unauthorised parking on the site.

- 4.8 Corley MSA is located on the M6, a major national motorway that connects to the M1 to the south and goes north to Birmingham, Manchester/Liverpool and further north to Scotland. Connecting motorways include the M42 (to the midlands), M5 (to Bristol and south west), and M54 (to Wales). West of the services, the M6 connects to the M42 and M6(toll) before continuing north through Birmingham, where the M6 (toll) re-joins the M6 north of junction 11. The M6 suffers from significant traffic congestion due to large volumes of traffic, roadworks and accidents on the link between the M42 (junction 3A) and Junction 11. As a result, this leads to delays in journey times. These delays are advised on the overhead advanced directional signage operated by Highways England.
- 4.9 HGVs are likely to make a decision at Corley, based on traffic information, whether to continue their journey on the M6, or the linked motorways, or whether to stop at Corley. Their decisions will be determined by likely journey times and their need to take a break based on the legal journey time requirements for HGV drivers (set out in detail in the TA). Distances to Hopwood, Warwick and Hilton Park MSAs all exceed 28 miles or around the 30 minute drive time set out in Circular 02/2013. Off-motorway HGV parks involve a significant journey time detour. As a result, Corley is the best place for HGVs to stop before travelling further north. The need is therefore very specific to Corley because it is at a critical decision making point on the motorway before HGVs enter a complex network of interconnecting motorways where there is significant traffic congestion, which can lead to delayed journey times.
- 4.10 The lack of alternatives or the distance to alternative sites mean that the need arises at Corley specifically. There are no HGV parking facilities when travelling west on the M6 between Corley and Hilton Park services. The available parking at Hilton Park is less than currently available at Corley. Little HGV traffic uses the M6 toll road (it carries only one third of the total traffic of the main M6 road, and a much lower percentage of HGVs). While Norton Canes MSA is available, this is underused by comparison to the HGV facilities on the main motorways. The future of Tamworth MSA is uncertain as the proposed HS2 route to the north-east is shown going through the HGV parking area.
- 4.11 We have discussed elsewhere the possible development of additional facilities at Junction 1, M6 (Rugby) however this does not have planning permission and does not represent a fall-back position for provision of HGV spaces. It is also not located at the critical decision making point for HGV drivers at the start of the complex motorway system around Birmingham, as it is located further to the east.
- 4.12 This need for HGV parking is also backed by central Government. The Minister for Transport issued a Written Statement to Parliament in December 2016 setting out the need for HGV parking. Transport Focus research issued in July 2016 highlighted that roadside facilities are of greater significance to lorry drivers than other vehicle types because they are legally required to stop driving after a certain number of hours. The Report identifies that while they try to plan their stops, they are often forced to adjust their plan according to traffic, lack of parking spaces or hold ups on the road. The research specifically identified a key concern with inadequate parking capacity for lorries which can lead to drivers stopping even overnight, in locations with few or no facilities such as laybys, retail and business parks or even slip roads, the hard shoulder and other prohibited areas. The outcome of this was a recommendation to increase the amount of parking for HGVs across the network. Corley MSA forms a key part of the network, and the aims of this application are inline with Government policy and expectations of operators of roadside facilities to act to meet this need.

- 4.13 The harm caused to the openness of the Green Belt in this location will be limited because there are no buildings proposed as a part of the development. The site will contain areas of parking, but the presence of lorries will be temporary rather than permanent structures which limits any harm. Lighting will be provided, however the lighting design has been carefully produced to ensure that the light spill is concentrated within the HGV park, with limited spill into surrounding areas.
- 4.14 The development would not conflict with the purpose of the Green Belt which is to prevent urban sprawl. The size of the scheme is limited, and is directly related to an operational site which is already in the Green Belt. The alternative to development of this limited extension to this site to meet the need for HGV parking would be the development of wholly new MSA or truck park. This would require significantly more land to provide all of the facilities required by Highways England to achieve signing from the motorway. The size of such a site would be significant, and more harmful than the limited development proposed at Corley.
- 4.15 As set out in the accompanying planning application documents, the harm caused more generally by the scheme is limited. There is no specific on-site species or ecological harm caused by the development, and by the introduction of planting, and a pond, the biodiversity calculator produces a positive outcome. Highway safety concerns have been addressed by minor adjustments to the scheme. Highways England have not raised concerns with the scheme, and have not restricted the LPAs ability to determine the application. There are no flood or drainage concerns. There are no objections to the proposals from Environmental Health. The Landscape and Visual Impact Assessment sets out that the impact of the scheme will be minor, and that overtime the development will blend into the landscape as a result of planting at the site.
- 4.16 All the previous reasons for refusing planning permission for a similar scheme in 2009 have now been overcome.
- 4.17 It is the view of the applicant that the significant need for the development, the limited harm caused to the Green Belt as a result of the impact on openness, and very limited other harm, means that there are very special circumstances that would overcome the normal presumption against development in the Green Belt, and that weighed in the planning balance against the other harm caused, the benefits outweigh the harm and planning permission should be issued accordingly.



Appendix 2

(6) Application No: PAP/2017/0340

Land Between, Rush Lane and Tamworth Road, Cliff,

Outline application for erection of up to 165 dwellings, public open space, landscaping, sustainable urban drainage and associated infrastructure - all matters reserved except access, for

Summix RLT Developments Limited

Introduction

This application is reported to the Board for information so as to provide an early description of the proposals in advance of later determination.

The Site

This is an L-shaped piece of land amounting to around 7 hectares in area, located on the west side of Rush Lane and to the east of the A51 Tamworth Road, south of Dosthill in Tamworth. To the north is the line of the potential Dosthill By Pass and residential estate development, some of which is in North Warwickshire. To the east is the A51 with open countryside beyond that. To the south is an existing commercial enterprise - a builder's merchants comprising both buildings and open storage yard. Beyond Rush Lane to the south is a former extraction and waste disposal site. To the east is further unused commercial land; the main Birmingham/Derby rail line and the Kingsbury Brickworks.

The site itself is a despoiled former landfill and extraction site that has been backfilled and remains as rough land. It is generally level throughout.

A location Plan is attached at Appendix A

Background

The site is part of a much larger extensive area that has been used for mineral extraction (both coal and particularly clay which was used in the nearby brickworks factory). It has now been landfilled under consents granted by the County Council as Minerals Planning Authority.

Outline planning permissions were granted in 1997 for industrial use of the site and the land immediately to the east on the other side of Rush Lane. These permissions have been extended.

These permissions safeguarded land immediately to the north of the site in order to provide the route of a Dosthill By-pass. This land remains free from development today. New residential development was undertaken north of this corridor and it is protected by a large bund. The junction of this future By-pass with the A51 was to be a roundabout but subsequent decisions led to that being varied to a priority T-junction and the initial length of this spur is in now in place. The industrial consents enabled the extension of this spur eastwards so as to provide access into the

industrial land. These consents did not have vehicular access onto the substandard Rush Lane.

The Council has taken the view that these industrial consents are extant and thus that they “count” towards the employment land requirements as set out in both the current Core Strategy and the new draft Local Plan. The applicant of this current application dis-agrees with the standing of these consents.

The Proposals

This is an outline planning application for up to 165 dwellings. Access would be solely from an extended “spur”, as anticipated within the industrial development. It is proposed that there would be 30% provision of affordable housing within the development (50 units) with a mix of 75/25 for rented and intermediate rented accommodation. 1.8 hectares of open space and a balancing pond are also proposed. Section 106 contributions are yet to be determined following the receipt of consultation responses from the various Agencies.

An indicative layout illustrating these matters is at Appendix B.

Documentation submitted with the application includes the following reports.

An Ecological Appraisal identifies four statutory sites within 2 km of the site (eg. Kingsbury Wood) together with other non-statutory sites (e.g. Middleton Lakes). However, the report concludes that the development would not adversely impact on any of these given the separation distances and the nature of the intervening land uses and transport corridors. No protected species would be affected either. The site is dominated by short perennial vegetation with scattered shrub and ruderal vegetation and a small reed bed and pond to the north. The site therefore has a modest flora and bird diversity. The provision of the open space and the balancing pond if designed appropriately would adequately compensate and enhance the value of the area. No greater crested newts were located.

A Landscape and Visual Impact Assessment describes the site as being in the “Tamworth Urban Fringe Farmlands” Character Area which describes an “indistinct and variable landscape with relatively flat open arable fields and pasture fragmented by restored spoil heaps, large scale industrial buildings and busy roads bordering Tamworth”. This is considered to be of overall low landscape value with low susceptibility to the proposal with any adverse impacts being limited to the site itself rather than to the wider geographic area. In terms of visual impact then overall the conclusion is that high quality residential development and structured green infrastructure would be of visual benefit.

An Archaeology Report concludes that there would be no impact due to the nature of the history of the site.

A Ground Conditions Report recites the past history and concludes that there was identification of trace amounts of asbestos being found and thus given the nature of the proposed use, extra care is needed during the development process. Given the landfill at the site, recommendations are made for gas mitigation measures to be included in the construction specifications together with monitoring measures. It is recommended that either piled foundations are used or some form of treatment in conjunction with reinforced raft foundations. Soakaways are not considered to be suitable.

In terms of noise then a report concludes that the site is exposed to existing noise sources. As a consequence mitigation measures will be required to be built into the houses.

A Utilities Assessment concludes that foul water would drain to existing foul sewers with a connection on the northern boundary. Surface water would drain to the enhanced balancing ponds in the north-east corner of the site. A new electricity sub-station may be needed on site. Reinforcement would be needed for gas supplies to the site. Mains water connections would have to be made to the north. No issues are anticipated with telecommunication connections.

The Transport Assessment concludes that the site is reasonably well located in terms of accessibility to all local services and bus routes. New traffic generation would be absorbed within the existing network and therefore there would not be the “severe” impact to justify refusal. The applicant awaits the highway authorities’ recommendations in connection with the proposals not prejudicing the potential By Pass implementation.

A Design and Access Statement describes how the indicative layout has been arrived at including the green and open space provision.

A Statement of Community Engagement describes a public exhibition held in Tamworth in early June which was visited by 49 members of the public. Comments received related to a number of concerns: the safeguarding of the By-pass received a mixed response, increased traffic was an issue particularly in Dosthill High Street as well as the impact on local facilities. The wildlife value of the site was raised and the potential impact on housing values was mentioned. The provision of affordable housing was generally welcomed.

A Planning Statement draws all of these matters together concluding that notwithstanding the status of the industrial permissions here, the site is an appropriate housing site which is in sustainable location and would not give rise to adverse impacts.

Development Plan

The Core Strategy 2014 – NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW5 (Split of Housing Numbers), NW6 (Affordable Housing Provision), NW9 (Employment Land), NW10 (Development Considerations), NW12 (Quality of Development), NW13 (Natural Environment), NW14 (Historic Environment), NW15 (Nature Conservation), NW16 (Green Infrastructure) and NW22 (Infrastructure)

Saved Policies of the North Warwickshire Local Plan 2006 – ENV6 (Land Resources); ENV7 (Existing Employment Land Outside Development Boundaries), ENV9 (Air Quality), ENV12 (Urban Design), ENV14 (Access Design), TPT1 (Transport Considerations), TPT3 (Access and Sustainable Travel) and TPT6 (Vehicle Parking)

Other Material Planning Considerations

The National Planning Policy Framework 2012

The National Planning Practice Guidance 2017

The draft Local Plan for North Warwickshire 2016

The North Warwickshire Landscape Character Appraisal - 2010.

Observations

This site is not in the Green Belt, but it is on the fringes of Dosthill, Tamworth. Members will know of its planning history being extracted, landfilled and with the benefit of industrial planning permissions. Its setting will also be known to the Board close to Tamworth and the Brickworks site. Notwithstanding this, the recommendation below suggests that a full site visit is undertaken so that the nature of the site and its location can be fully understood given that this is a residential proposal.

A number of issues do arise. These include the status of the land within the Core Strategy and emerging Local Plan as employment land which is contributing to our land requirements. An alternative land use here would thus carry consequences on that emerging Local Plan. On the other hand the site is close to Dosthill and the nature of the discussions with the Tamworth Borough Council on our respective housing requirements and provision is material here. The status of the Dosthill By-pass is also an issue.

Consultation responses will indicate what kind of impacts there might be and that will give rise to the appropriate level of contributions to mitigate those impacts. The nature of and future managements for the proposed affordable housing will need to be reviewed too.

Recommendation

That the receipt of the application be noted and that a site visit be undertaken prior to determination.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2017/0340

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	14/7/17

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.



- KEY PRINCIPLES**
1. Proposed Vehicular access off Dosthill bypass;
 2. Key focal green space accommodating play area;
 3. Frontages facing Rush Lane to have noise suppression measures;
 4. Active frontage to overlook Tamworth Road and Proposed Dosthill bypass;
 5. Shared surface streets and courts with higher density housing;
 6. Footpath links to wider surroundings and existing infrastructure;
 7. Retained site low points and existing water course for sustainable drainage;
 8. Green stand off spaces to reduce acoustic interference from proposed bypass;
 9. Potential emergency access point from Rush lane;
 10. Bund with an acoustic fence circa 3m high with landscaping to rear garden.

- KEY**
- SITE LOCATION (DRAWN TO LAND REGISTRY) 17.87 ACRES / 7.23 HECTARES
 - LAND IN CONTROL OF CLIENT (DRAWN TO LAND REGISTRY) 1.83 ACRES / 0.74 HECTARES
 - PROPOSED SITE ACCESS (ACCESS TO BE CONFIRMED)
 - LOCAL AUTHORITY DESIGNATED BOUNDARY
 - PROPOSED RESIDENTIAL AREA CIRCA 140 NO. DWELLINGS @ 40 DPH
 - PUBLIC RIGHTS OF WAY
 - INDICATIVELY PLOTTED FUTURE DOSTHILL BYPASS ROUTE
 - PEDESTRIAN LINKAGES
 - KEY VIEWS THROUGH SITE
 - PUBLIC OPEN SPACE INCLUDING SUDS 54.37 ACRES / 1.177 HECTARES



LAND ADJACENT TO RUSH LANE, TAMWORTH - PROPOSED ILLUSTRATIVE MASTERPLAN

(7) Application No: PAP/2017/0429

Car Park, Sheepy Road, Atherstone, CV9 1HD

Works to trees in Conservation Area, for

Mr A Watkins - North Warwickshire Borough Council

Introduction

This application is reported to the Board as the site is on land owned by the Council.

The Site

This car park is off the Sheepy Road and lies behind mixed residential and commercial property fronting Long Street and Church Street. It also backs onto residential property off Croft Road.

The Proposals

The application affects three trees that are in the grassed area surrounding the car park where it abuts Croft Road. Their location is shown on Appendix A.

T1 is a willow tree and it is proposed to undertake a five metre crown lift of the tree in order to abate nuisance from low hanging branches, particularly overhanging the car parking spaces and the access routes. Permission is sought additionally that such work is carried out on a regular basis.

T2 and T3 are both damson trees and it is proposed to fell these as they are over mature and showing severe signs of failure and branch fall.

None of these trees is protected by an Order but they are protected by virtue of their location within the Conservation Area.

Representations

The consultation period expires just after the closing date for the preparation of this report and any comments received will be reported verbally at the meeting.

Development Plan

The Core Strategy 2014 – NW12 (Quality of Development) and NW13 (Natural Environment).

Observations

These trees have been inspected and assessed by the Council's qualified tree officer and there is no objection to these works. The willow is a large tree and its amenity would be enhanced by the proposed crown lift. The two other fruit trees will need to be removed very soon. It is considered that this should be carried out and that suitable replacement trees are replanted.

Recommendation

That the works be agreed and that suitable replacement trees are re-planted.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2017/0429

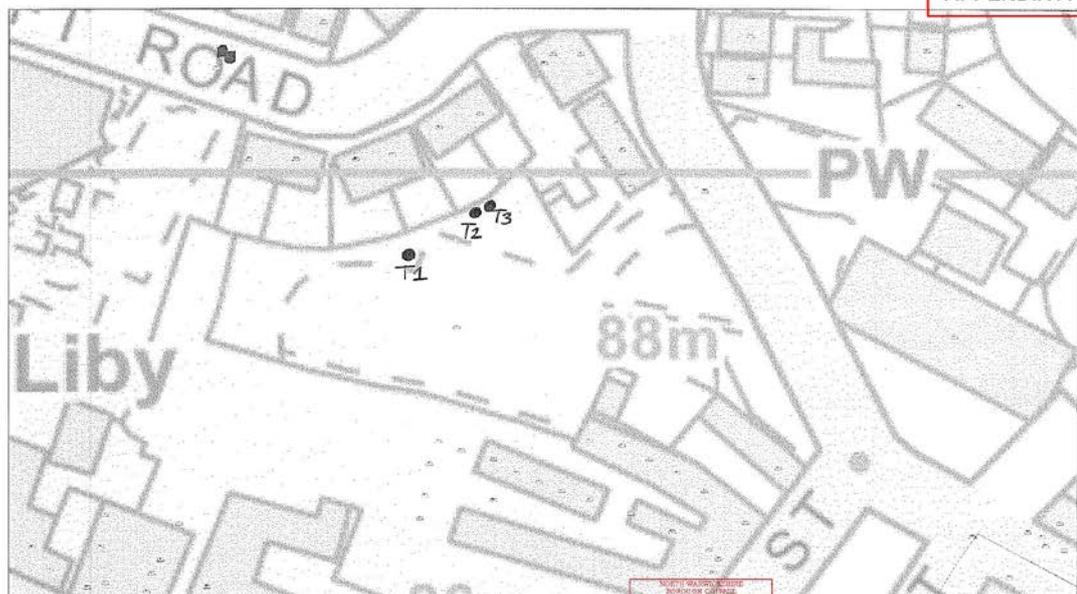
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	7/8/17

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

Sheepy Road Car Park, Atherstone

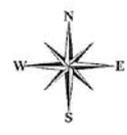
APPENDIX A



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(8) Application No: PAP/2017/0438

2 Birmingham Road, Land opposite Green Man, Birmingham Road, Coleshill, B46 1AA

Works to trees in Conservation to fell four trees, for

North Warwickshire Borough Council

Introduction

The trees the subject of this application, are on Borough Council land and thus the matter is referred to the Board for determination.

The trees are not protected directly by Orders but are within the town's Conservation Area.

The Site

This site is on the north side of the Birmingham Road directly opposite the Green Man Public House at the crossroads on the High Street. The area is essentially a hard surfaced amenity area.

The site and the location of the trees are depicted on the plan at Appendix A.

The Proposals

All four trees are proposed for felling – an ash and three cherry trees. They have been inspected by the Council's tree officer and his report is attached at Appendix B. It gives a description of each tree and the reasons for the proposed felling. The ash is considered to be a danger because of weakness and the three cherry trees also have structural problems. Given the public accessibility to the site and the nearby roads, the assessment concludes that the trees should all be felled. They are not considered to be worthy of an Order.

Representations

The consultation period ends after the date for the preparation of this report and so any comments received will be reported verbally at the meeting.

Observations

Given that these trees are potentially dangerous and could become a liability, the recommended action of the Tree Officer is supported. In this particular location replacement shrub planting may be more appropriate.

Recommendation

That the works be agreed and that the trees be replaced with suitable and appropriate shrub planting.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2017/0438

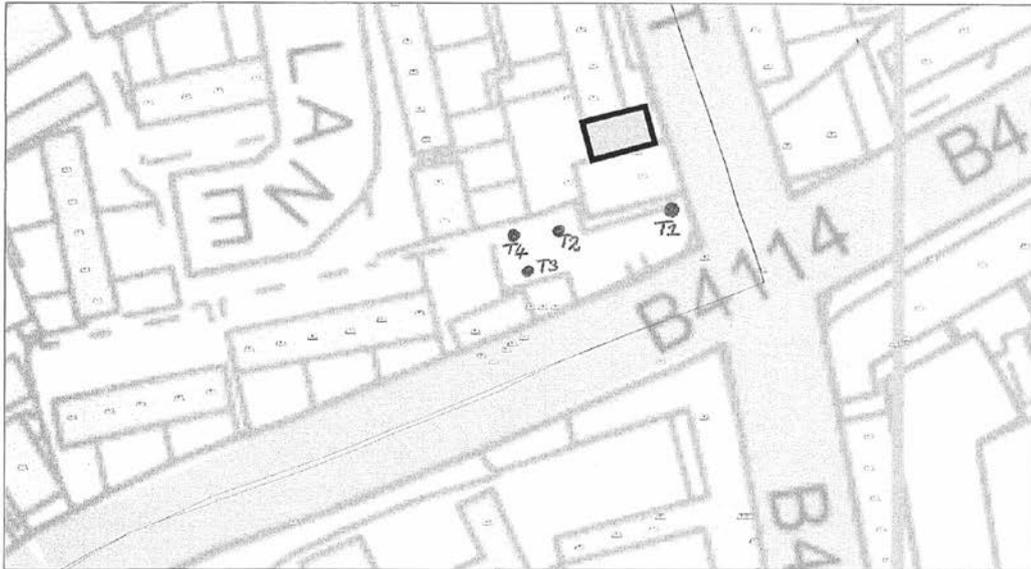
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	9/8/17

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

Land Opposite Green Man Coleshill

PAP/2017/0438



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T1 ASH - TAG 624
T2 CHERRY - TAG 625
T3 CHERRY - TAG 626
T4 CHERRY - TAG 627

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ARBORICULTURAL APPRAISAL /INSPECTION/TREE REPORT

- **NWBC Ref No :** NWBC Trees 9.8.17
- **Site Address:** Land opposite Green Man, Coleshill
- **Prepared by :** Andrew Watkins
- **Prepared for :** Planning Application
- **Date of Inspection :** 03/08/2017
- **Date of Report :** 09/08/2017

**Works applied for:**

- Works to trees within a Conservation Area.
- T1. Ash (Tag 624) Notification - Fell
- T2. Cherry (Tag 625) Notification - Fell
- T3. Cherry (Tag 626) Notification - Fell
- T4. Cherry (Tag 627) Notification - Fell

Observations:

- The trees within this report are located upon grounds owned by North Warwickshire Borough Council (NWBC) within the market town of Coleshill (land opposite Green Man Public House). This location and associated area is within the Coleshill Conservation Area. This notification follows the scheduled inspection of the trees by the Green Space Officer (Trees) and author of this report and is further to a desire by NWBC to develop this location by way of alteration to ground levels and surfacing. The changes requested to the land will require use of machinery to facilitate. Surveying to British Standard (1) has concluded that root plate protection measures required will make the site completely un-accessible by machinery if T1 and T4 are to remain in-situ.
- **T1. Ash** (Tag 624) this specimen is seen to be young in age class, the canopy found to have minimal amounts of deadwood at the time of inspection. The tree has developed a twin-stemmed formation at 1.5 metres from ground level with included bark noted at this junction, the tree then reforms to a single stem 600mm above this point with included bark again noted in position. The tree is in very close proximity to the main eastern pedestrian access of the site, with high risk of potential failure noted at the above noted weak junction. Due to the defects noted, the tree does not warrant additional protection by way of a Tree Preservation Order.

Andrew Watkins Tech Cert (Arbor A) Cert Arb (RFS) Green Spaces Officer (Trees)

North Warwickshire Borough Council Tel: 01827 719212 Mob: 07875700111

- **T2. Cherry** (Tag 625) this tree is seen to be mature in age class. The root plate of this tree has historically failed, the tree has continued to grow and has managed to stabilise its structure, the resulting growth pattern is less than ideal and does give cause for concern, with a high risk of potential failure noted. Due to the defects noted the tree does not warrant additional protection by way of a Tree Preservation Order.
- **T3 & T4. Cherry** (Tags 626 & 627) these trees are seen to be mature in age class. The trees have been historically reduced in an unbalanced nature and as such their resulting growth pattern is seen to be disproportional. Works to correct the current crown form would result in too high a loss of the canopy of the trees and would result in failure of the trees in their entirety due to the loss of essential material (functional canopy) that the trees do use to promote growth and as such ensure the remaining contribution of the specimens. It would not be expedient for either of these trees to be afforded further protection by way of a Tree Preservation Order due to the reasons and defects noted previously.
- It must be noted that in relation to the Occupiers Liability Act of both 1957 and 1984 (2) an occupier with control over premises (which can be gardens and woodland) is liable to take such care that is "reasonable" to see that either the visitor (under the 1957 part of the Act) or trespasser (under the 1984 part of the Act) will be reasonably safe. A higher standard of care is owed to a visitor than for a trespasser and a higher standard still is required for a child compared with an adult. The requested felling of T1 and T2 is also seen as a reasonable and required action due to the nature of expected failure of the trees and their positioning.

- **Recommendations:**

None

- **Modifications (if any):**

- None

Appendices

References

1. BS5837:2012 Trees in relation to design, demolition and construction- Recommendations.
2. The Occupiers Liability Act (1957 and 1984).

Andrew Watkins *Tech Cert (Arbor A) Cert Arb (RFS)* Green Spaces Officer (Trees)

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