

**(2) Application No: PAP/2019/0701**

**Land Adjacent to Coleshill Manor, Off South Drive, Coleshill, B46 1DF**

**The erection and operation of a landmark structure, with associated visitor centre and public open space (D2), together with ancillary essential development including dedicated car parking, landscaping, access road and services provisions (mixed use including D1, A1, A3, A4 and B1 facilities) to operate as a national memorial and to create a significant public art architectural feature, for**

**- The Wall (Developments) Ltd**

**Introduction**

The receipt of this application was referred to the Board's February meeting. That report is attached as Appendix A and it describes the proposal and sets out the relevant sections of the Development Plan as well as other material considerations to be considered in its determination.

**Additional Information**

Discussion with the Highway Authority and more detailed investigation into the actual route of the new access drive between the site and Manor Drive, has led to the submission of a revised plan. This does not materially alter the overall route, but it increases the land take in order to accommodate engineering works for the road and the service infrastructure. The surface water run-off from the road would drain to a series of swales and wetland features running alongside its route. As a consequence of the re-alignment, there would also be an additional loss of a few low quality trees and a further 4.4 metres of hedgerow would be removed as a consequence of the re-alignment. However the actual detail of the re-alignment has been designed such that all higher quality trees are retained and that one tree known to be a roost for bats is to be retained.

The revised plan is at Appendix B.

The applicant has provided an addendum to some of the submitted documents as a consequence of this revision. As a consequence, an updated Screening Opinion has been made under the 2017 Environmental Impact Assessment Regulations 2017. This concludes that the development project remains as being non-EIA development. The updated Opinion is at Appendix C.

Additionally the applicant has submitted a report setting out what he considers to be the social and economic impacts of the development. A summary is attached at Appendix D with the full report being available on the Council's website. The impacts in particular, focus on a Community Partnership Group and a Social Housing Commitment. The applicant has developed these further and has set out the aims and objectives in two Heads of Terms documents. These are attached as Appendices E and F.

There have been no material changes in the planning considerations that are relevant to the determination of the application since the last Board report. The case is still covered by the 2009 Direction should the Board be supportive of the case.

## **Cumulative Impacts**

Members will be aware of the receipt of another application on adjoining land for a new surfing centre. It has the planning reference PAP/2019/0496. Members will have received an initial report describing the proposal at an earlier meeting and noted that it shares the proposed access arrangements for the “Wall” proposal. That remains the case with the proposed re-alignment of that road being consistent for both projects.

Whilst this application for the “Wall” is to be treated on its merits, it will be necessary to assess any cumulative impacts. The main ones will be the joint impact on the openness of the Green Belt and the potential highway impacts of the two developments on the local highway network.

## **Consultations**

Sport England - No comments to make

Warwickshire County Council (Archaeology) – Objection as it requires a pre-determination site evaluation.

Environmental Health Officer – No objection subject to standard conditions

Birmingham Airport – No objection subject to condition

Severn Trent Water Ltd – No objection subject to conditions

Highways England – No objection

Warwickshire County Council as Lead Local Flood Authority – No objection subject to conditions

Warwickshire Fire Services – No objection subject to a standard condition

Warwickshire (Ecology) – Additional information was requested in respect of the need for a full Bio-Diversity Assessment of the site; the likely impacts on bat roosting, lighting impacts and the impact on the Woodland belt to the east. The receipt of this information has led to there being no objection in principle subject to conditions.

Natural England – No comments to make

Warwickshire County Council (Footpaths) – No objection

Warwickshire County Council (Highways) – It has no objection subject to a standard condition about the provision of car parking space and subject to a suitable contribution being made towards pedestrian and cycle infrastructure improvements between Coleshill and the site entrance.

Esso Ltd – No objection

## **Representations**

Coleshill Town Council – It objects because green spaces should be preserved

Coleshill Civic Society – It objects as it does not consider that the development is appropriate in the Green Belt and that it would not bring any economic benefit to the area.

Three letters of objection have been received referring to the following matters:

- Unbuilt land would be used for construction
- A speculative development in the Green Belt
- It's far too big and too close to the motorways
- It will add yet more traffic to Coleshill

Two letters of support have been received referring to the following matters:

- It will benefit the local area

## **Observations**

### **a) The Green Belt**

The site is in the Green Belt. Here the erection of new buildings is deemed to be inappropriate development by the definition set out in the National Planning Policy Framework (the "NPPF"). As such there would be a presumption of refusal, as the development would be "harmful" to the Green Belt by virtue of its inappropriateness.

The NPPF however does contain a number of exceptions under its definition. One of these may be relevant in this case. This is the one where the development is for "the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, recreation, cemeteries and burial grounds and allotments as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it". It is thus necessary first to see whether the proposal is for "outdoor recreation" and if so, then whether it is "appropriate". If it is, then the fit with the two conditions needs to be explored.

The development is certainly an "outdoor" facility but the issue is whether the use is recreational or not. Notably the NPPF exception refers to "recreation" and not to "leisure". There is no definition of "recreation" in the NPPF or in the Planning Act. Dictionary definitions include a number of phrases such as, "physical or mental activity pursued primarily for pleasure"; "refreshment of health or spirits by relaxation and activity" and "enjoying yourself when you are not working". A visit to the "Angel of the North" and a visit to the National Arboretum could well be seen as falling under the definitions set out above. On the balance of probability therefore it is considered these wide definitions would include the kind of activity being promoted here.

The next issue is whether the built development is an "appropriate facility" for this particular outdoor recreational activity. In this case the development is "bespoke" and doesn't neatly fit into what might ordinarily be perceived as a recognisable recreation facility. Its built development is thus very much a product of attempting to meet the objectives of the project. As a consequence of the applicant seeing it as a "landmark" and as a "national memorial", it is almost certainly going to result in a unique built structure. So the design, appearance, layout and composition of the development will almost inevitably be appropriate to its function. As a consequence therefore it is considered that

when taken as a whole, the development would be an appropriate facility for this particular outdoor recreation. However whether that then makes the development “appropriate” in the Green Belt is another matter, as that is down to whether it satisfies the two conditions outlined in the NPPF.

The first of these is that the development should “preserve the openness of the Green Belt”. Members will know that there is no definition of openness in the Green Belt but in planning terms it is generally taken to mean the absence of development. Planning Guidance does however point to four factors that should be considered.

The first is a spatial element. The present site is fairly level open agricultural land with surrounding hedgerows, individual trees and woodland belts. The urban presence of the motorways and built up area of Birmingham is notable. Nevertheless the site is very much part of an area of land that is perceived as being an open corridor between the M6 Motorway and the A446 and Coleshill to the east. The proposal will introduce new built development into this corridor and in this case that is accentuated because the proposal is large and of a design that is explicitly designed to draw attention to it. It doesn't match any other feature or structure here. By fact and by degree it will impact spatially on this corridor of open land.

The second is a visual element. This is a large scale development and designed to be seen from a wide area. Notwithstanding its location close to the urban edge of Birmingham, the motorway infrastructure here and the surrounding woodlands, it will visually impact on the wider area.

The third is the activity associated with the proposal. Here the proposal is very largely dependent on visitors. It is a “destination” and as such there is all of the associated activity involved – traffic generation, human movement together with coach and car parking. Whilst this can be mitigated through appropriate landscaping, the scale and aspiration behind the proposal will inevitably result in a change in character of this presently open area of land

The final one is to establish the duration of the proposed changes. Here they would be permanent.

When all of these matters are put together, it is not considered that the proposal would preserve the openness of the Green Belt hereabouts.

The second condition is that to be “appropriate” development it has not to conflict with the five purposes of including land within the Green Belt. The first of these is that the land involved should check the unrestricted sprawl of large built up areas. In this case the M6 already acts as the barrier which restricts the extension of the built up area of Birmingham. As the proposal is a unique development that cannot be described in land use terms as being residential or industrial, it is considered that to a degree this purpose would not be materially conflicted. The second is that the land should prevent neighbouring towns merging. In this case there still would be open land between the site, the M6 and the A446 but the narrowness of this gap would begin to be narrowed. The third is that the land should safeguard the countryside from encroachment. In this case the countryside would be encroached because of the narrowing of this open corridor. The fourth purpose is to preserve the setting and special character of historic towns which does not apply here.

The final purpose is that the land assists in urban regeneration by encouraging the recycling of derelict land and other urban land. It is questionable whether the proposal would conflict by preventing or restraining the redevelopment of urban land, because of the very particular and unique purpose of the proposal. In overall terms therefore it is considered that there is some conflict with some of the five purposes.

As a consequence of this assessment it is considered that the proposal does not satisfy the two conditions. As such the proposal is considered to be inappropriate development in the Green Belt.

Members will appreciate that this conclusion represents a definitional harm and that as such it does carry substantial weight on the harm side of the final planning balance. Members too will need to establish what the actual level of Green Belt harm is. The two key characteristics of Green Belts are their openness and their permanence. There has already been discussion above on openness that led to the conclusion that openness would not be preserved here. The main two elements that led to this conclusion above were the spatial and visual impacts. These cannot be mitigated as they would remove the underlying purpose of the proposal. Additionally these impacts would be permanent.

Summing up therefore on the Green Belt position, it is considered that the proposal is inappropriate development and as such, substantial weight is to be given to this definitional harm in the final planning balance. The actual harm to the Green Belt is equally substantial.

#### **b) Other Harms**

The harm side of the final planning balance is made up of Green Belt harm together with any other identified harm. These other harms should now be assessed.

##### **i) Landscape and Visual Impact**

The application site is within the Cole Valley Landscape Character Area as defined in the 2010 North Warwickshire Landscape Character Area. This describes a “broad flat valley characterised by a mix of urban, transport and industrial uses that now dominate an historic parkland landscape. Within this area are flat, open mixed arable and pasture fields with low trimmed and often “gappy” hedgerows and the River Cole winding between the fields. Visually intrusive pylons also cross this area. Coleshill Manor is set within the remnant parkland with linear woodland belts”. This proposal will have an impact on this general description because it will introduce further built development and associated activity as well as a new access road, thus increasing the proportion of urbanising elements. In this case the main structure is substantial in size. It will impact on the landscape and be an element that specifically attracts attention because of its unusual design. Despite it being a stand-alone feature, its impact is not localised and it cannot be absorbed into the landscape. Similarly it will have a strong visual impact whether from drivers on the motorways and other roads; walkers on the public footpaths or by residents, particularly those in the Castle Bromwich residential blocks and to some degree from more distant locations. The development it must be remembered has been proposed specifically so as to be seen in the landscape and its design is deliberately proposed as being so very different from the surrounding structures. As a consequence it will have a significant visual and landscape impact - after all, that is its purpose. The issue is whether that is an adverse impact or not.

In order to assist in this assessment, Policy NW12 of the Core Strategy requires development to “positively improve the environmental quality of an area”. Additionally the NPPF at para 130 says that, “permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area” and in para 131 there is reference to giving “great weight” to “innovative design” where it helps to raise the standard of design more generally in an area. Using these as “tests” for that assessment, then it is considered that the impact is, on balance, not adverse. This is because of the design and that it will be seen amongst a backdrop of other “urban” features which are largely angular in appearance. It is unusual and eye-catching, to the extent that it represents an addition in the wider landscape that commands public interest. In these respects it is considered that the proposal would more than likely have a positive impact.

## **ii) Heritage Impacts**

The Council is under a statutory duty to give special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas. The Coleshill Conservation Area is the closest such Area to the site. The significance of this Area lies in its reflection of the historical growth of the town as a linear ridge line settlement and its contemporaneous architectural character over time but with particular focus on the Georgian period. One of the most important characteristics of this Area is its linear skyline setting with the pronounced focus on the St Peter and Paul’s Church spire. It is this feature that would be most impacted on by the development. However that is some distance away and there are intervening features such as the woodlands and a variety of urban influences particularly the pylons and the noticeable presence of the Castle Bromwich sky line with its residential blocks. It is not considered that the development would enhance the setting of Coleshill’s skyline. However it would not be fully preserved. This is because of its design and size impacting on the wider setting of more panoramic views particularly from the motorway vantage points to the south. However because of the separation that harm would be less than substantial. Nevertheless this has to carry great weight in the final planning balance.

In respect of Listed Buildings then the Council has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The closest such buildings to the site are the former Coleshill Hall Hospital, now Coleshill Manor, and its coach and stable blocks. These are Grade 2 Listed Buildings. There is no direct impact on the fabric of the buildings themselves either internally or externally and their overall special features and interest will remain unchanged. The most identifiable likely impact will be on the setting of these buildings. The significance of the setting to these buildings is that it retains much of the original parkland appearance that was linked to the buildings after construction in the late Victorian era together with the open views of the main Hall when viewed from the south and the surrounding woodland “belts”. The setting would be altered because as indicated above, the “eye” is drawn to the development and other features would become subordinate in the visual appreciation of the setting. The main view of the Hall and its immediate setting however would not be changed and the development would not dominate it even although it may become a new focus point. As a consequence, the development would not wholly preserve the setting, but the impact would be less than substantial. Nevertheless this still carries great weight in the final planning balance.

There are other important archaeological sites nearby – the Romano British settlement to the north of Coleshill; the medieval settlement at Gilson and the site of the medieval Coleshill Park north of Coleshill Hall Farm. In light of this the applicant has undertaken a preliminary geo-physical survey of the site. Members will have seen from the report on the “Surf” application that there were no significant underground assets found as a consequence of trial trenching for that site as agreed by the Museum. Given the findings from the geophysical survey and the trenching on the adjoining site, it is considered proportionate not to require a pre-determination survey. Conditions can be imposed for pre-commencement survey work. If that reveals underground assets, then work will have to cease.

In light of these matters it is concluded that the overall impact of the proposal including the road re-alignment, on local heritage assets would be less than substantial. As indicated above, this still however carries great weight in the final planning balance.

### **iii) Ecological Impacts**

Following initial concerns expressed by the County ecologist, additional information was provided by the applicant. He has undertaken a Bio-Diversity Assessment which shows a nett gain for the main site - largely as a result of the extensive parkland nature of the proposal - as well as for the access road – a consequence of the drainage features introduced alongside its route. The County Ecologist agrees with this Assessment subject to conditions. Of note is the requirement to provide a Woodland Management Plan for the Coleshill Park Belt Local Wildlife Site with an extensive maintenance period of 30 years.

It is agreed that the proposals can enhance the bio-diversity of the actual site through new planting of a variety of different trees and shrubs; that specific species mitigation measures can be introduced and that the specific details of the lighting installations can be agreed with ecological advice. Additionally all development involving works below ground level would be kept away from the root protection area of the eastern woodland belt. These matters can properly be dealt with through planning conditions and the County Ecologist agrees.

As a consequence of these comments it is agreed that there would be no ecological harm caused.

### **iv) Drainage Issues**

Notwithstanding some initial concerns from the Lead Local Flood Authority, the County Council has responded to additional information submitted by the applicant. It is of significant weight that the County Council does not object.

### **v) Highway Impacts**

Both the County Highway Authority and Highways England initially requested additional information in order to assess the impact of introducing the traffic generated by this development on the local highway network as well as the main junctions on the strategic road network. As reported above, the “surf” application was submitted before receipt of this “wall” application. The traffic and highway impacts of both applications have been treated cumulatively by the Highway Authorities because they make use of the same access proposals and thus traffic generation will have impacts at the same off-site junctions on the local and strategic highway networks.

Highways England has indicated that it does not consider that the “wall” proposal would materially affect the strategic network and has not objected to the proposal.

In looking at the “wall” proposal, the County Council is responsible for the local network and it is satisfied with the proposed access arrangements in principle. The greater concern has been the impact of the traffic generated by the proposal on the capacity of existing off-site junctions. Those junctions will also be affected by other committed and allocated developments in the wider geographic area. This would include developments such as at Peddimore and UK Central. The Highway Authority has thus factored these developments into its analysis. It has also had to ensure that any mitigation for these junctions has to be proportionate to the impact generated by respective developments. In this case the Highway Authority is seeking a contribution of £25k towards improving connectivity for pedestrians and cyclists from Coleshill to the site. An outline of the Heads of Terms for this contribution is set out at Appendix G. This would meet the objectives of the Development Plan and the NPPF in promoting more sustainable modes of transport.

The proposed development will have a traffic impact because it will generate new traffic, albeit not mainly in peak hours but spread throughout the day with probable increased activity at weekends. That traffic will use the existing local highway network which already is and will be subject to further pressure from other committed and allocated developments. The Highway Authority has identified and has a scheme proposed for improvements to the A446 Stonebridge/Birmingham Road junction. The request for a contribution would cover additional works beyond this in enhancing non-motorised access into the site from Coleshill. It is agreed that this is reasonable as it would accord with local, regional and national sustainable transport objectives. The contribution has been agreed with the applicant. In this case and as a consequence of these matters, it is agreed that the contribution is proportionate and that it meets the statutory requirements for such contributions. It is directly related to the development; fairly and reasonably related in scale and kind and considered by the Highway Authority to be a necessary requirement in order to make the development acceptable in planning terms.

The applicant has prepared a report dealing with the possible “distraction” to drivers using the highways nearby because of the size and nature of the proposal. It is of significant weight that neither of the two Highway Authorities has objected on these grounds – particularly Highways England because of the proximity to the M6 and M42 Motorways. The main reason for their position is that the feature would be visible from some distance away and thus it would not suddenly appear as a “surprise” to drivers and secondly, because the feature is not located at a point on the network where drivers have to take a decision about whether to leave the motorway or change lanes. In other words it does not add a point of confusion to the decision to be taken by the driver.

As a consequence of all of these matters, the development is considered to satisfy Policy NW10 of the Core Strategy, the County Council’s Local Transport Plan and Section 9 of the NPPF.

#### **vi) Other Issues**

As can be seen from the consultation section above there are no other outstanding technical issues. The proximity of the Esso pipeline can be dealt with by Informatives attached to any planning permission. Members are asked however to consider the

potential impacts on the residential amenity of local residents; the impact arising from the installation of external lighting and any security issues.

In respect of the former then there are no residential properties close to the site or the proposed access road. Nevertheless the main impact on residential amenity is going to be the visual impact particularly from the occupiers of the Castle Vale residential blocks on the other side of the Motorway. Whilst large, it is not considered that the proposal would be over dominant because it is not a “solid” built structure; the separation distances involved, the intervening motorway infrastructure and because the topography here is very open with wide ranging views. The same factors will apply to other residential properties on the Birmingham Road, the Lichfield Road and other residential areas in Coleshill and Castle Vale. However because of the increased separation distances the impact will be less. The overall level of harm on residential amenity is considered to be limited.

The structure will be lit. The visual impact will thus be present outside of day light hours. Whilst the site itself presently is unlit there a variety of light sources in proximity to the site and there is a clear sky glow from the urban area on the other side of the M6. In these circumstances the site would lie on the boundary between Zones E2 and E3 of the Institute of Lighting Professionals Environmental Light Zones. These describe both rural (E2) and suburban areas (E3). The overall principle in designing lighting schemes is that the outcome should not result in a worse situation – in this case a change from E2 to E3. Because of the scale of the proposal here and that the arch itself would be lit, it is considered that there would be a change of Zone at the site itself – from E2 to E3. However such is the nature of the surrounding area, particularly to the west and north that the lighting scheme would be absorbed into the wider E3 Zone. The overall level of visual harm therefore might well be considered to be moderate. However there are mitigating factors to take into account. Firstly, the lighting arrangements for the structure will be bespoke and thus designed into the appearance and design rather than be added later as a utilitarian requirement. As a consequence the design of the arrangements can be conditioned. Secondly, the Airport will be engaged in assessing the design of that arrangement. Finally, there is also some merit to an argument that the lighting scheme for the development would enhance the structure and draw it apart from the general urban character of the existing lighting environment. Overall it is considered that these factors would reduce the level of harm caused to limited.

Regrettably it is necessary to draw attention to security issues being a material planning consideration in the determination of this application. This is recognised in the NPPF – para 93 – as well as in the Development Plan – Core Strategy Policy NW10. The applicant is fully aware of this issue and has submitted a Crime Prevention Strategy. It is considered that these matters are best taken forward by means of a planning condition which will necessarily involve the Police and appropriate Agencies. The submitted Strategy would form the basis for that engagement.

### **c) The Harm Side of the Planning Balance**

For the benefit of Members the full “harm” side of the planning balance therefore comprises the substantial “de facto” and actual Green Belt harm; the less than substantial heritage harm, the limited highway harm, the limited harm to residential amenity and the limited degree of harm caused by artificial lighting.

#### **d) The Applicant's Considerations**

The applicant's considerations that are put forward on the other side of the final planning balance refer to a number of matters.

The first relates to the view put forward by the applicant that the project will have "far ranging and long lasting economic benefits" – from the construction period through to the ongoing operation of the landmark attraction. There are two main strands to this assessment - tourism and regeneration. The former revolves around the development becoming a "destination" and thus there would be boost to the local economy through profile and tourism. The second is where such "cultural attractions" have been shown to lead to inward investment and re-generation. The applicant cites the Angel of the North and The Dream in St Helens as two examples including evidence commissioned by the respective Local Authorities. The applicant too aligns the proposal with the Commonwealth Games to be held in Birmingham and to the Coventry being the City of Culture within roughly the same time span. There is also reference to the Government's Industrial Strategy and to its focus on tourism through the Tourism Sector Deal; the match with the Warwickshire Visitor Economy Forward Plan (2018–2022) and to the North Warwickshire and Hinckley and Bosworth Destination Management Plan (2017 – 2022) as a "new attraction" drawing on "new visitor markets". The applicant considers that some 200,000 people would visit in any year and that based on experience some 83% would be day trip visitors, 12% domestic overnight visitors with the balance being overseas overnight visitors. In overall terms this is said to equate to some £9 million of expenditure in the Region as a whole throughout the wider economy with an estimated £2 million of this being directly attributable to the Wall.

The second is the direct economic impact of the development. The applicant considers that the construction phase would generate 60 direct and indirect FTE jobs and 25 FTE direct and indirect jobs once operational. A proportion of these would be taken by North Warwickshire residents – 25% is estimated. This employment would also contribute to economic productivity measured as Gross Value Added (GVA). In terms of the operational phase of the proposal the applicant is suggesting an increase of £1.2 million GVA annually in the wider Regional economy and £800k in North Warwickshire. The figures for the construction phase are said to be £6million GVA for the Region sans £5 million of the Borough. Additionally business rates of £20k annually would come directly to the Borough.

The third is the value of the development as a charitable investment. The Wall is made up of a million bricks. Each will represent an answered prayer which can be viewed by visitors. As people send in their answered prayers there is an option to make a donation. Once built it is considered that this would generate sufficient income to meet running costs as well as to provide income to invest in social housing and other charities. The construction of the Wall is to be funded by private donations and the applicant considers that if subsequent donations match the average so far achieved then in excess of £400 million might be raised. Each year there would be donations to social housing projects, local charities and community groups. In respect of the social housing then there is a public commitment to fund a million bricks worth of social housing – enough for 100 houses. There would be a 25/75 split between houses abroad and in the UK. Any further profits would go into UK charities. The 75 social homes in the UK would yield investment for construction; for jobs and for the additional spending power of the occupants as well

as Council tax payments. The applicant considers that such construction phase would involve 80 FTE jobs and almost £7 million GVA nationally with the operational phase introducing up to £150k in Council Tax nationally.

These benefits carry substantial weight when they are treated together and particularly when they are viewed in terms of their Regional scope.

They may be considered to carry less weight in respect of their impact on the Borough. There would be some proportion of them directly benefitting the Borough – probably mostly in terms of overnight accommodation; visits to other attractions and towns as well as the opportunity for new employment opportunities – but clearly the weight would be reduced. Additionally the link to economic regeneration within the Borough may be a little tenuous given the nature of the proposal and that there is no clear or obvious link to a substantial settlement within the Borough. At first sight too, substantial weight should be given to the housing benefit, but this should be treated with some caution as the numbers are small and any benefit would be dispersed throughout the UK as a whole. Likewise the donations to charities and community groups are not clear as to whether they are to carry significant benefit for the Borough.

As a consequence, there has been active engagement with the applicant to better understand these overall benefits and this has resulted in the Heads of Terms documents at Appendices E and F. In respect of the charitable investments, a Community Partnership Group is proposed which would donate 5% of annual net profit to local charities in the Coleshill area with local representatives sitting on a Board together with Trustees from the Wall. In respect of the Social Housing delivery then the applicant is proposing that 5% of its profit each year would go to social housing projects in the Borough. It is estimated that this would be around 20 homes over a ten year period. These clarifications are welcome and thus the local benefits and opportunity for local representation throughout the project's lifetime, should carry significant weight.

The Heads of Terms are explicitly referenced in the recommended planning conditions 22 and 23, which have been drafted with reference to the statutory tests for planning conditions and are considered to provide a robust mechanism by which these local benefits will be secured and through which the Council will retain oversight.

#### **e) The Final Planning Balance**

Members will be familiar with this assessment in Green Belt cases. The proposal has been found to be inappropriate development. As such the Board will have to consider what weight it gives to the considerations put forward by the applicant above – whether that is significant as concluded above, or not. It will then be necessary to assess whether in the words of the NPPF, that “clearly outweighs” the cumulative Green Belt and other harm identified in (c) above.

It is considered that it does for the two reasons.

Firstly there is the significant benefit in locating a new and completely different, if not unique national monument in the Borough. Members will know the benefits that accrue in the Borough as a consequence of the national and international golfing events held in the Borough over recent years and more recently from the national cycle races that have been routed through the Borough. This development would add to the range of venues within the Borough thus enhancing its overall attraction. Members may wish to consider

whether additional weight should be given to this in light of the promotion of the Borough as part of the recovery following the current COVID situation and the development's links to the Commonwealth Games and to Coventry's City of Culture.

Secondly, there will be regional benefits directly attributable to the proposal, but there will also be the added local benefits which in the case of the charitable investments would not be likely to accrue otherwise and in the case of the social housing, will only assist the Borough in meeting its overall requirements.

#### **f) The Cumulative Issues**

As can be seen above the highway impacts of both proposals have been assessed together by the County Council. There is no objection to either of the proposals individually or when combined. The reason for this overall conclusion is that the County Council considers that the traffic generated by the respective proposals would not directly impact on peak hour traffic movements. They would have profiles illustrating fairly even traffic flows throughout the day and their peaks would particularly be at weekends.

The recommended measures and conditions for each case are considered to be proportionate to the impacts of the traffic generation from the respective proposals. Moreover all parties agree that the measures are not of a scope as to resolve an existing problem. They are directly proportionate to the traffic patterns likely to be generated by each case. This is the proper approach. Should the "Wall" application not proceed, then the measures directly attributed to the "surf" application can still be implemented and vice-versa. In this regard the cumulative highway impacts have been appropriately considered.

In respect of the impacts on the openness of the Green Belt, then in both cases it has been concluded that there would be substantial "de facto" harm as both proposals are inappropriate development in the Green Belt. However there would be limited actual harm in respect of the surfing case, but substantial actual harm for the "Wall". As a consequence because of the nature of the proposed "Wall" it is considered reasonable to conclude that the greater impact on openness here will be from it and that in looking at the cumulative impact it should carry more weight in the assessment than the surf proposal.

The final planning balance above for the Wall application leads to it being supported. That would be the case whether the "surf" application had been submitted or not. As it has, it would still not prejudice that final balance as it has only a minor role in the cumulative impact on openness.

Whilst not referred to earlier, there is a need to look at the cumulative ecological impacts. This is because the two sites are adjacent to each other and share the same access arrangements. The County Ecologist has examined both cases and is fully aware that the two sites adjoin each other. He is also aware of the "shared" access arrangements. The consultation responses show that there has been no "double counting". In this respect and because the differences between the impacts arising from the respective developments have been identified, it is considered that the impacts have been dealt with proportionately.

#### **Recommendation**

That the Council is minded to support the grant of planning permission subject to the following conditions and that as a consequence, the case be referred to the Secretary of

State under the 2009 Direction to see whether he wishes to call-in the application for his own determination. If not, then the Notice granting planning permission be delegated to officers.

### **Standard Conditions**

1. Standard Three year condition

### **Defining Conditions**

2. Standard Plan Numbers Condition – P712/SNUG/XX/XX/DR/A/001(D); 1614/GA/100H, P712/SNUG/XX/XX/DR/A/0610, 0611, 0630, 0631, 0640, 0641, 0650, 0651, 0652 and 0653.

### **Pre-Commencement Conditions**

3. No development shall commence on site until a Written Scheme of Investigation for a programme of archaeological evaluative work has first been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of understanding the heritage assets of the site

4. No development shall commence on site until the programme of work agreed under condition (3) has been fully completed and the associated post-excavation analysis, report production and confirmation of archive deposit have all been completed to the written satisfaction of the Local Planning Authority.

Reason:

In the interests of understanding the heritage assets of the site

5. No development shall commence on site until an archaeological mitigation strategy for the implementation of that development has first been agreed in writing by the Local Planning Authority. That Strategy shall be informed by the results of the evaluation undertaken under condition (3). The development shall only proceed in line with the approved strategy.

Reason:

In the interests of understanding the heritage assets of the site.

6. No development shall commence on site until a detailed surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be installed on the site.

Reason:

In the interests of reducing the risk of flooding.

7. No development shall commence on site until a detailed foul water drainage scheme has first been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be installed on the site.

Reason:

In the interests of reducing the risks of flooding and pollution.

8. No development shall commence on site until a Preliminary Phase One Ground Conditions Assessment has been undertaken and forwarded to the Local Planning Authority. It shall contain the measures proposed to remediate any contamination found. Development shall only proceed in accordance with any remediation measures as may be approved in writing by the Local Planning Authority.

Reason:

In the interests of reducing the risks of pollution.

9. If during construction, contamination not previously identified on the site is identified, then no further development shall take place on site until further remediation measures are agreed in writing by the Local Planning Authority. Continuation of the development shall only proceed in accordance with any approved remediation measures.

Reason:

In the interests of reducing the risks of pollution.

10. No development shall commence on site until a Construction Management Plan has first been submitted to and approved in writing by the Local Planning Authority. That Plan shall include:

- The phasing of the development
- The hours during which construction will take place
- The hours when deliveries will be made to the site
- Details of on-site security and security lighting
- The means of preventing mud, waste and other debris being deposited on public highways
- The means of dust suppression
- Details of on and onsite contacts for the purposes of resolving complaints

For the avoidance of doubt there shall be no burning of any materials on the site.

The development shall proceed in accordance with the approved Management Plan at all times.

Reason:

In the interests of the amenities of the area and for highway safety reasons.

11. No development shall commence on site including any site clearance work, until a Construction Environmental Management Plan has first been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details concerning pre-commencement surveys for bats; badgers, breeding birds and appropriate working practices and safeguards for greater crested newts and other wildlife, that are to be employed during construction works on site. It shall also include details of how root protection areas of all trees to be retained on site are to be safeguarded throughout the duration of the construction period. The agreed Plan shall be implemented in full and at all times during construction

Reason:

In the interests of protecting wildlife and in particular any protected species.

12. Within six months of the commencement of development on site, a detailed Landscape and Ecological Management Plan shall be submitted to the Local Planning Authority. This Plan shall include details of all new planting and specifications for its maintenance; details of the species to be introduced, their sourcing, details of habitat enhancement/creation and all maintenance management measures such as native species planting; wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of new habitats for protected and notable species. The Plan as may be approved in writing by the Local Planning Authority shall be adhered to at all times.

Reason:

In the interests of securing a bio-diversity gain over the whole site

13. No facing, roofing and surface materials and no boundary treatments shall be installed on site until full details have first been agreed in writing by the Local Planning Authority. Only the approved materials and treatments shall then be used on site.

Reason:

In the interests of the visual amenities of the area.

14. No external light fittings or columns shall be installed on the site until full details have first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be installed on site. In particular the details and specifications should show how they reduce the impact of the lighting on bat roosts and foraging areas.

Reason:

In the interests of the visual amenities of the area as well as to minimise impact on bio-diversity and in particular on bats.

## Pre-Occupation Conditions

15. There shall be no public use of the site as hereby approved until details of electric vehicle charging points to be installed in the car parking areas have first been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of promoting sustainable development.

16. There shall be no public use of the site as hereby approved until a scheme for the provision of adequate water supplies and fire hydrants necessary for fire-fighting purposes at the site has first been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be installed on site.

Reason:

In the interests of public safety

17. There shall be no public use of the site for the purposes hereby approved until the written confirmation has been received from the Local Planning Authority that the measures approved under conditions (6) and (7) have been fully installed

Reason:

In the interests of promoting sustainable development.

18. There shall be no public use of the site for the purposes hereby approved until a Habitat Management Plan for the remaining Coleshill Park Belt Local Wildlife Site has first been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to at all times. The Plan shall include:

- j) A description and evaluation of the features to be managed
- k) Ecological trends/or constraints on site that might influence management
- l) The aims and objectives for management
- m) Appropriate management options for achieving these aims and objectives
- n) Prescriptions for management actions
- o) Preparation of a work schedule (including a five year project register; an annual work plan and the means by which the plan will be rolled forward annually
- p) Personnel responsible for the implementation of the Plan
- q) Legal arrangements to ensure its delivery for a minimum of 30 years
- r) Monitoring and remedial/contingencies measures triggered by monitoring

Reason:

In the interests of enhancing and maintaining the ecological value of an existing natural asset.

19. There shall be no public use of the site for the purposes hereby approved until a detailed maintenance plan written in accordance with CIRIA C753, for the maintenance and management of the approved surface water drainage system over the lifetime of the approved development, has first been submitted to and approved in writing by the Local Planning Authority. The requirements of the plan shall be adhered to at all times.

Reason:

In order to reduce the risk of flooding.

20. There shall be no public use of the site for the purposes hereby approved until detailed Crime Prevention Strategy has first been submitted to and approved in writing by the Local Planning Authority. This shall be based on the November 2019 paper submitted at the time of the application but should show that the advice and guidance Police and Security Forces have both been actively engaged and included.

Reason:

In order to comply with the NPPF and the Development Plan

21. No part of the development hereby approved shall be brought into public use until the car and vehicle parking areas shown on the approved plan have first been provided and completed in full on site to the written satisfaction of the Local Planning Authority.

Reason:

In the interests of highway safety so as to prevent on-street parking

22. No part of the development hereby approved shall be open to the public, until Heads of Terms for a Community Partnership Group have first been submitted to and approved in writing by the Local Planning Authority. Those Heads of Terms shall describe the setting up of such a Group, its aims and objectives, its constitution and the criteria to be used in the funding of local charitable projects within the Coleshill area and be broadly consistent with those submitted to the Council under Document reference "Community Partnership Group: Heads of Terms (Turley)" dated 30 June 2020 and thereafter shall be fully implemented in accordance with the agree Heads of Terms.

Reason:

In recognition of the local social benefits that would arise from the development.

23. No part of the development hereby approved shall be open to the public, until Heads of Terms for a Social Housing Commitment have first been submitted to and approved in writing by the Local Planning Authority. Those Heads of Terms shall describe the aims and objectives under such a Commitment and the criteria

used to ascribe contributions towards the social housing in North Warwickshire and broadly be consistent with those submitted to the Council under Document reference “Local Social Housing Commitment: Heads of Terms (Turley)” dated 30 June 2020, and thereafter shall be fully implemented in accordance with the agreed Heads of Terms.

Reason:

In recognition of the local social benefits that would arise from the development

24. No part of the development hereby approved shall be open to the public, until Heads of Terms for off-site highway works to the Birmingham and Stonebridge Roads in order to improve the connectivity for pedestrians and cyclists between Coleshill and the site have first been agreed in writing by the Local Planning Authority. Those Heads of Terms shall include the programme for implementation of these works and the mechanisms for their delivery and broadly be consistent with those submitted to the Council under Document Reference “Footway/Cycle contribution: Heads of Terms (Turley)” dated 23 June 2020 and thereafter shall be fully implemented in accordance with the agreed Heads of Terms.

Reason:

In the interests of mitigating the highway impact of the proposals and in order to promote sustainable development.

## Notes

1. The Local Planning Authority has met the requirements of the NPPF in this case through seeking resolution of the technical issues arising and in seeking evidence to address the final planning balance.
2. Public Footpaths numbered M54, M57 and M58 should remain unobstructed at all times
3. The details to be submitted under condition (6) above shall :
  - Demonstrate that the surface water drainage systems are designed in accordance with “The SUDS Manual” CIRIA Report C753 through the submission of plans and cross sections of all SUDS features.
  - Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to the Qbar Greenfield runoff rate of 4.3 l/sec.
  - Demonstrate the provisions of surface water run-off attenuation storage are provided in accordance with the requirements specified in “Science Report SC030219 Rainfall Runoff Management for Developments”
  - Demonstrate detailed designs (plans, network details and calculations of the surface water drainage scheme including details of all attenuation and outfall

arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods. The calculations should be supported by a plan of the drainage network with all manholes and pipes labelled accordingly.

- Provide plans and details showing the allowance for exceedance flow and overland flow routing. Water must not be directed toward properties nor flow into third party land. Overland flow routing should look to reduce the impact of an exceedance event.
4. Any works within the channel of an Ordinary Watercourse will likely require Land Drainage Consent prior to construction from Warwickshire County Council as the Lead Local Flood Authority. This includes for example, any outfall structures and proposed culverts.
  5. Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you must not build close to, directly over or divert a public sewer without consent. Further advice can be obtained from Severn Trent Water Ltd.
  6. There is an Esso Petroleum Ltd Pipeline close to the site. Attention is drawn to its document "Special Requirements for Safe Working" and the covenants contained in the Deed of Grant.

## BACKGROUND PAPERS

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

Planning Application No: PAP/2019/0701

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	20/12/19
2	Coleshill Civic Society	Objection	6/3/20
3	Representation	Support	19/3/20
4	Representation	Objection	22/1/20
5	Representation	Comments	10/1/20
6	Representation	Support	29/1/20
7	Coleshill Town Council	Objection	29/1/20
8	WCC Rights of Way	Consultation	31/1/20
9	Natural England	Consultation	17/1/20
10	WCC Fire Services	Consultation	21/1/20
11	WCC Flood Authority	Consultation	27/1/20
12	HS2 Ltd	Consultation	27/1/20
13	Highways England	Consultation	28/1/20
14	Severn Trent Water Ltd	Consultation	28/1/20
15	Birmingham Airport	Consultation	31/1/20
16	Environmental Officer	Consultation	10/2/20
17	Environmental Officer	Consultation	11/2/20
18	WCC Archaeology	Consultation	12/2/20
19	WCC Archaeology	Consultation	28/2/20
20	Applicant	Letter	10/3/20
21	WCC Archaeology	Consultation	12/2/20
22	WCC Archaeology	Consultation	28/2/20
23	Applicant	Letter	10/3/20
24	WCC Archaeology	Consultation	18/3/20

25	WCC Archaeology	Consultation	30/3/20
26	WCC Archaeology	Consultation	2/4/20
27	Sport England	Consultation	7/1/20
28	Fisher German	Consultation	5/5/20
29	WCC Highways	Consultation	18/2/20
30	Applicant	E-mail	17/3/20
31	WCC Highways	Consultation	24/6/20
32	WCC Infrastructure	Consultation	7/4/20
33	WCC Ecology	Consultation	27/6/20
34	Applicant	E-mail	12/6/20
35	WCC Ecology	Consultation	16/6/20
36	NWBC CD	Consultation	1/5/20
37	Applicant	E-mail	28/5/20
38	Applicant	E-mail	29/5/20
39	Applicant	Report	3/2/20
40	Applicant	Reports	22/5/20
41	Applicant	E-mail	2/7/20

*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.*

(5) Application No: PAP/2019/0701

**Land Adjacent to Coleshill Manor, Off South Drive, Coleshill, B46 1DF**

**The erection and operation of a landmark structure, with associated visitor centre and public open space (D2), together with ancillary essential development including dedicated car parking, landscaping, access road and services provisions (mixed use including D1, A1, A3, A4 and B1 facilities) to operate as a national memorial and to create a significant public art architectural feature, for**

**The Wall (Developments) Ltd**

**Introduction**

Members were given a presentation by the prospective applicant on this development project in late November. The application has now been submitted and will be reported for determination to the Board in due course. This report just introduces the proposal to the Board as well as outlining the most relevant Development Plan policies against which the proposal will need to be assessed.

If the Board considers that this is inappropriate development in the Green Belt, then under the terms of the 2009 Direction, any inappropriate built development of over 1000 square metres in floor area in the Green Belt, that carries the support of a Local Planning Authority, has to be referred to the Secretary of State to see if he wishes to call in the application for his own determination. This application has a floor area of 1400 square metres. There is no referral if the Council does not support the grant of a planning permission.

Members will be aware that the site of this latest application is adjacent to that of the proposed Surf Park. Indeed the same access arrangements are to be used. Its receipt was reported to the October Board meeting. That application is also one that would need referral to the Secretary of State under the same Direction, should the Council be minded to support it.

It is considered appropriate that should there be referrals of one or both of these applications, the Secretary of State will need to consider the cumulative impacts of the two developments.

**The Site**

The whole site amounts to 5.8 hectares of agricultural land comprising the development site as well as the associated access link to Manor Drive. It is around 1.5km west of Coleshill and just to the east of the M6 Motorway with the residential areas of Castle Bromwich and Chelmsley Wood immediately on the other side of that Motorway. It is generally a flat area of land but with a fall of five metres from its northern boundary to its southern limit. Its boundaries are field hedgerows and trees as well as there being some open areas. The eastern boundary follows a dense tree belt beyond which is the Coleshill Manor Business Park.

The site is not currently accessible by vehicles – other than for agricultural purposes - but there is a public footpath running alongside its eastern boundary (the M57) which links to the M58 to the south.

The River Cole runs 0.8 km to the south.

There is an oil pipeline (operated by Esso) running approximately north/south along the western boundary of the site and there is an overhead cable just to the north.

The site is illustrated at Appendix A.

### **Background**

There is no site planning history.

There is an outstanding detailed planning application – ref PAP/2019/0496 – on land immediately to the south of the application site. This is for a surfing lagoon with associated buildings, landscaping and parking provision. The proposals incorporate a new access off Manor Drive which would also serve the current application site.

Coleshill Manor Business Park benefits from planning permissions dating from the early 1990's. It incorporates the office conversion of Coleshill Hall, a Grade 2 Listed Building.

Phase One of the HS2 rail project passes to the east of Coleshill Hall and will necessitate the demolition of some office buildings and the re-alignment of the Business Park access road off the Birmingham Road.

### **The Proposals**

The Wall is to become a “national landmark of Hope” comprising a highly prominent monument made of one million bricks with each representing one answered prayer.

Integral to the Monument will be a visitor centre which will provide dedicated space for reflection, learning and support. The visitor experience will incorporate technology with visitors being able to locate and read the answered prayer associated with each of the million bricks, either through their mobile phone or tourist binoculars. There would be exhibitions explaining Christian beliefs about answered prayer and to provide resources to understand more about Christianity. The space would also provide a view from various other faiths on their views and beliefs about prayer.

There would be a 24/7 prayer room and trained volunteers to answer questions. The Monument would sit in a wider landscaped setting in order to encourage reflection and contemplation.

As such this is a unique proposal. The Background to the proposal is set out by the applicant in the Planning Statement. It is convenient to attach this in full at Appendix B as it explains this in more detail – particularly as to how the design was finalised.

For the purposes of this report the following matters are drawn to the attention of the Board:

- The arch would rise 51.5 metres above ground level – equivalent to Nelson's Column in London. For comparison purposes the “Angel of the North” is 20 metres tall.
- The arch is intended to be lit at night

- The visitor hall would be within the “Arch’s “ base and comprise a 13 metre vaulted hall
- Each brick will be linked to an online database where 1 million prayer testimonies will be stored. These will also be available to read on touch screens within the visitor centre.
- Entry to the park will be free but there would be a car parking charge
- The main centre would be open from 1000 to 1700 hours on a daily basis but the site would be open on a 24 hour basis.
- The applicant has given a public commitment to use any “profit” from car park charges; book sales, café sales and donations to fund a range of charity projects including the donation of one million bricks worth of social housing – say 100 new homes.

Appendix C is a copy of the proposed layout and at Appendices D and E there are images of the structure illustrating its “curve” and the incorporation of the visitor centre within its curved base.

A substantial number of supporting documents accompany the application.

An Air Quality Assessment suggests that once operational the development is not expected to give rise to significant impacts on air quality. The biggest issue will arise from traffic generation but the following mitigation measures are included - the provision of electric charging points; extensive landscaping and the implementation of a Green Travel Plan which would focus on group travel and with dedicated bus provision to nearby railway stations.

An Arboricultural Impact Assessment indicates that some 9 individual trees and 3.9 metres of hedgerow would be removed – but there are no Orders in place, no Conservation Area protection and no Ancient Woodlands on or near the site. There would be substantial new planting provided. The tree belt to the east separating the site from Coleshill Hall would not be touched.

An Ecological Assessment states that the site itself has no statutory nature conservation designation and there are no internationally designated sites within ten kilometres. However there are other local sites with 5 km of the site. The site is arable land with species-poor hedgerow and scattered trees. There are no waterbodies within the site. Overall it concludes that there would be no significant bio-diversity loss and precautionary measures should be put in place during construction.

Ground Contamination surveys indicate negligible if any identifiable risk on site or in its immediate vicinity.

A Flood Risk Assessment identifies the site as being on Flood Zone One and therefore a very low risk of fluvial flooding. However the existing topography suggests that there would be risk of surface water flooding. As the proposals would increase the area of impermeable surface at the site there would be a greater risk of surface water runoff. A sustainable drainage scheme is thus recommended in order to manage that increased runoff whilst also controlling any existing discharges.

A Historic Environment Assessment identifies the one designated heritage asset close to the site – namely the Grade 2 Coleshill Hall. There are 18 non-designated assets close by and these are practically all archaeological sites – stretching from Roman to post-medieval times – reflecting continued occupation of the area around the site. The proposed access passes through the non-designated asset of Coleshill Park. There is thus the potential for some underground interest in the site. The Assessment looks at the proposed development's impact on Coleshill Hall and concludes that it would cause less than substantial harm. In respect of the non-designated assets then again the conclusion is one of less than substantial harm. It is recommended that on-site evaluation does take place.

A Lighting Assessment identifies no light sources currently on site but there a number of significant light sources in proximity to the site and a clear sky glow from the wider urban area on the other side of the M6 Motorway. Whilst a new light source would be introduced the assessment concludes that there will be no material worsening of the current overall position. Details can be resolved through planning condition.

A Visual and Landscape Impact Appraisal notes that there are no landscaping designations covering the site and that it is heavily influenced by urbanising features such as pylons, motorway corridors and the urban edge of Birmingham. The proposal would create a distinctive landmark in this landscape and this would be highly visible. The Appraisal concludes that even given this, there would be no significant adverse impact as it could well be seen as adding interest to an otherwise unremarkable landscape.

The Highway Safety Implications of such a large structure have been looked at separately given the proximity of the M6 in particular. This has followed Highway England's published guidance notes and DfT Circulars. The example of the "Angel of the North" was used as a comparator. The key stretches of visibility are the M6 between the Birmingham Road overbridge and the M42 link as well as that link running to the south of Water Orton. The Assessment concludes that there are no immediate issues relating to "sudden distraction" by drivers seeing the structure or that if they did occur, then these would be a critical decision points for drivers on the Motorways. The structure's construction and design also help to reduce the level of any distracting impact.

A Sustainability and Energy Statement shows how the applicant considers that a sustainable development would be delivered incorporating sustainable drainage systems, waste management and ecological enhancement. Sustainable energy sources and technologies are to be implemented on site.

A Utility Assessment does identify utility assets close to the site – the oil pipeline to the west; the overhead 11kv line to the northern boundary and the foul and surface water sewers within the site – as well as others close by.

A Transport Assessment describes the surrounding highway network as well as public transport, pedestrian and cycling provision in the area. In the case of the latter then the closest bus stops are in Coleshill itself or at the A452 junction on the other side of the M6. The closest rail station is Coleshill Parkway - 3.5km distant. The accident record is also described together with commitments that would add traffic to the network regardless of the introduction of the proposed development. These include the HS2 project; the Peddimore development and the completion of the Power Station "B" site as Hams Hall as well treating the proposed surfing centre and the Belfry extension as commitments for the purposes of looking at overall highway capacity. The Assessment

6/106

then establishes the likely traffic generation arising from the proposals. The proposals include 10 staff car parking spaces; ten coach parking bays as well as five mini-bus spaces and 100 visitor car parking spaces together with disabled parking and cycle provision. Space could also be used for "overflow" parking. Total vehicle trip generation is considered to be around 30 vehicles per hour on weekdays with no marked increase at "peak hours", but up to 100 two-way movements an hour at weekends. These figures have then been "added" to the network including the "commitments" in order to assess overall impact with a start date of 2022 together with anticipated growth up to 2029. The Assessment concludes that there would be no adverse highway impact and no need for off-site highway improvements. It was recognised however that queuing at the main roundabout junctions would increase particularly at weekends if both the "Wall" and the "Surf" applications were approved. However this was not considered to be significant such as to require remediation works.

A Green Travel Plan accompanies the application and this is very much linked to the conclusions reached in the Assessment above – in other words it is anticipated that there would be a significant element of group travel to the development and the applicant has indicated that he would be looking also to assess the need for a bespoke link to the nearby rail stations.

A Crime Prevention Strategy has been submitted. It sets out a range of measures to be incorporated within the scheme to ensure the safety of staff and visitors as well as potential physical measures and dedicated security staff.

A Statement of Community Engagement describes pre-application engagement with a number of Agencies including a briefing given to Members here at the Council offices in late November 2019. The local exhibitions held in Kingshurst and Coleshill are also described. There was generally a positive reaction from the exhibitions but with concerns about the impact on the Green Belt and potential traffic effects. The dedicated website is also referred to.

A Social Inclusivity Statement has been prepared to expressly address the faith based nature of the current development proposals and whether the project carries a risk of exclusion for certain members of society, counter to the aims of community cohesion.

The Statement confirms that whilst the development is driven with particular appeal to Christians it will nonetheless have a much broader appeal to those of other faiths and also those with no faith. It confirms that the project has been designed to be open and accessible in terms of its architectural form such that visitors will be offered a non-judgemental welcome.

A Design and Access Statement is divided into four sections. The first describes the site and the general context; the second explores the rationale behind the design and how that has been arrived at, the third explains the operation of the site and the experience that visitors can expect with the final section looking at the approach to landscaping.

A Planning Statement draws all of these matters together within the context of the overall proposal and assesses the project against the relevant policies of the Development Plan and other material planning considerations.

### **Development Plan**

The Core Strategy 2014 – NW1 (Sustainable Development); NW3 (Green Belt), NW10 (Development Considerations), NW12 (Quality of Development), NW13 (Natural  
6/107

Environment), NW14 (Historic Environment), NW15 (Nature Conservation), NW16 (Green Infrastructure) and NW17 (Economic Regeneration)

Saved Policies of the North Warwickshire Local Plan 2006 - ENV12 (Urban Design); ENV13 (Building Design), ENV14 (Access Design) and TPT6 (Vehicle Parking)

The Coleshill Neighbourhood Plan – ENP6 (The Coleshill Corridor)

#### **Other Material Planning Considerations**

The National Planning Policy Framework 2019

The Submitted Local Plan 2018 – LP1 (Sustainable Development); LP3 (Green Belt), LP11 (Economic Regeneration), LP14 (Landscape), LP15 (Historic Environment), LP16 (Natural Environment), LP17 (Green Infrastructure), LP22 (New Services and Facilities), NW24 (New Recreational Provision), LP25 (Transport Assessments), LP31 (Development Considerations), LP32 (Built Form) and LP36 (Parking)

The North Warwickshire Landscape Character Appraisal 2010

The Town and County Planning (England) (Consultation) Direction 2009

A Guide for the Design of Lighting Schemes – 2003

Air Quality SPD – 2019

NWBC Health and Wellbeing Action Plan 2017-2020

Warwickshire Visitor Economy Framework 2013 – 2018

#### **Observations**

Whilst this is a wholly innovative and unique proposal, it still has to be dealt with through the necessary planning regime. That will immediately draw attention to the main planning policy issue here – that of the Green Belt. The Board will have to determine whether or not the proposal is inappropriate development or not, and if not then to assess whether the planning considerations put forward by the applicant would amount to the very special circumstances necessary to clearly outweigh the cumulative Green Belt and other harms. If the Board considers that it is appropriate development, it will still need to assess the proposal against the Development Plan and other planning considerations to establish whether significant and demonstrable harm is caused of such weight to override its conclusion on the appropriateness of the development.

The range of supporting documentation clearly suggests that the number and variety of potential harms and impacts will be large.

A full determination report will be provided to the Board in due course and that will highlight the responses from the numerous consultations involved and the representations from the local community resident in the area.

#### **Recommendation**

That the receipt of the application be noted at this time

## BACKGROUND PAPERS

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

Planning Application No: PAP/2019/0701

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	20/12/19

*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.*



### 3. Development Context

- 3.1 The vision for *The Wall of Answered Prayer* was conceived in 2004 and since then has become a robust development proposal which has very prospect of being delivered by 2022. This chapter sets out the evolution of *The Wall's* Vision and the key milestones which have preceded this planning application submission.

#### Development Vision

- 3.2 The vision for *The Wall* is founded on the creation of a highly prominent piece of architectural public art, to become a significant landmark, as a memorial for the nation and the region. Its purpose is to serve as a reminder to all of God's goodness, to preserve and celebrate our nation's Christian heritage, to demonstrate how and why prayers are answered and to inspire the nation to pray.
- 3.3 *The Wall* is intended to incorporate one million bricks with each brick representing one answered prayer. Through the use of interactive technology, visitors will be able to use their phone to read any of the prayers at any time. The Site will have the accolade of being the home to the world's largest database of prayers.
- 3.4 *The Wall* aims to give people hope through enabling them to connect with other people in similar situations and to see how they have turned to prayer and found an answer.
- 3.5 The project is intended to be wholly funded through private investors and crowd funding, meaning that tens of thousands of people will each play a part in its delivery. Currently, it is the only project of its type in the UK. Once *The Wall* is built, a further million bricks will be donated to the construction of social housing projects, within the UK and overseas. The brick supplier, Ibstock, has agreed to supply the bricks at cost.
- 3.6 *The Wall* is being managed by a group of Trustees, supported by a team of corporate partners, professional advisors and volunteers who are driving forward a wide range of marketing and fund raising initiatives, advocacy and intercessor roles as well as essential financial, legal, construction and development due diligence

#### Crowd Funding

- 3.7 The campaign for financial backing was launched on the 'Kick-starter' crowd funding website in 2016. Funding was sought for an initial £45,000 to enable a design competition to be run, in association with the Royal British Institute of Architects (RIBA) and also to fund the creation of a project website, including project database to enable the collection of a million prayers.
- 3.8 During the 40 day funding period, £47,215 was secured from 723 backers.

#### RIBA International Design Competition

- 3.9 Following the success of the initial crowd funding initiative, the Trustees were able to enter into partnership with the Royal Institute of British Architects (RIBA) to fund an international design competition, in order to find the perfect design for *The Wall*.
- 3.10 A bespoke panel of judges was assembled which drew together expertise from the fields of design, property and finance as well as leading political, media and community figureheads - including Pam Rhodes, the presenter of BBC TV *Songs of Praise*, and the Rt Hon. Stephen Timms MP. The panel was chaired by Renato Benedetti, who brought over 25 years experience designing innovative and award winning projects and of chairing RIBA design competitions.
- 3.11 For the first stage of the competition, a very open brief was prepared which was intended to provoke the widest opportunity for ideas and creativity. Respondents were invited to respond to the Vision and to identify a concept capable of capturing the attention of passers-by, as well as engaging those visiting the Site and standing close by. Over 133 entries were received from over 23 countries.
- 3.12 At a Parliamentary Reception in 2017, in front of MPs, peers and the national press, the Trustees announced that five designs had been shortlisted from those submitted; the architects behind each of these designs were invited to proceed to a second stage round, where illustrative concepts were required to provide a more detailed level of design and construction detail.
- 3.13 Following a period of review by the judging panel and also a period of open, public voting (with over 2,000 votes placed) the outright winner of the competition was announced at a launch in Birmingham in May 2019. The successful design was created by award winning firm, Snug Architects.

**Public Support**

- 3.14 *The Wall* has featured in 'The Times', on BBC 'Songs of Praise' and is currently subject to extensive media and social interest as well as in professional and trade journals because of its innovative nature.
- 3.15 It has also secured the support and backing of a high number of key political and regional stakeholders, as evidenced by the following testimony:
- Andy Street the Mayor of Birmingham, has described the project as '*an incredibly progressive, ambitious piece of architecture*' and '*a real statement and landmark for the Midlands*'
  - Rt Hon Stephen Timms, MP has confirmed his view that the project is '*an inspiring idea and a fantastic design*' which can be expected to '*have a big impact on our national consciousness*'
  - Steve Maxey, Acting Chief Executive at North Warwickshire Borough Council has described the project as '*greatly exciting*' and believes it '*will come to be loved by people nationally and locally... and contribute to improving mental health and wellbeing*'.

6

- 3.16 Crowdfunding for the project continues, with around 2000 individuals now pledging financial donations and/or buying bricks and many others contributing time, skills or pro bono professional services to enable the project's unique vision to be realised.

**Next Steps**

- 3.17 The current planning application marks a key milestone for the project. It has been preceded by a period of publicity and public engagement as well as by a raft of technical surveys, site assessment work and analysis. The intention has been to demonstrate to NWBC, as the local planning authority, and other parties that *The Wall* is robustly justified, that the quality of the design is exceptional, that its impacts are positive or can be appropriately mitigated and that its deliverability is without question.
- 3.18 Subject to planning permission being granted, the project is expected to be able to proceed to the next stage of detailed design and tender such that construction can commence during 2020. Its progress and completion strongly align with the ambitions associated with Coventry's City of Culture in 2021 and the Birmingham Commonwealth Games in 2022.
- 3.19 Full details of *The Wall's* intended form and the operational characteristics of the Proposals are described in the following Chapter 4.

## 4. Development Proposals

### 4.1 The proposed description of development is as follows:

*The erection and operation of a landmark structure, with associated visitor centre and public open space (D2) together with ancillary essential development including dedicated car parking, landscaping, access road and services provisions (mixed use including D1, A1, A3, A4 and B1 facilities) to operate as a national memorial and to create a significant public art architectural feature."*

### 4.2 The submitted site layout plan demonstrates how the various activities within the Site will interact and these can be broken down into a number of constituent parts as follows:

#### **The National Monument**

4.3 The most notable feature of the Monument will be a triumphant arch which will rise 51.5m into the air and create a Mobius strip; this is a surface which has no beginning and no end. The Mobius strip will enclose an area of open sided courtyard.

4.4 The external façade of the Monument will be made of one million white bricks. Each brick will form an integral part of the monument and be identifiable and visible on the monument's surface. The use of a white, glazed brick and a gently curving form means the Monument is expected to reflect the changing levels of natural light at different times of the day and offer an ethereal quality.

4.5 At night it is intended that the arch will be lit, through a lighting design which sustains its visibility and interest for all passers-by, without giving rise to glare or unwelcome intrusion.

#### **Visitor Centre**

4.6 Integrated within the base of the Monument will be an integral visitor centre. This is formed from the areas where the arch meets the ground and makes use of a series of earth bunds, landscaped mounds, walkways and steps to ensure visitors can get up close to the sculpture and access it from a multitude of viewpoints.

4.7 There will be wide feature steps immediately adjacent to and outside the main entrance. These steps create a natural amphitheatre and provide access up to an upper level external walkway which runs around the whole perimeter of the monument and makes use of a glazed safety balustrade to promote access and visibility.

4.8 On entry to the visitor centre, the visitor experiences a 13m high vaulted visitor hall and reception area. From here, visitors will be able to take 'time out' for rest and reflection or to access an exhibition space, where information about what Christians believe about answered prayer and a range of other religious education resources will be displayed.

8

- 4.9 Visitors will also be able to visit the monument's shop, to purchase items such as books, souvenirs and gifts and to enjoy refreshments in the dedicated café area where up to 88 covers can be accommodated. The visitor centre also provides space for ancillary activities such as visitor and staff toilets, storage rooms and servicing functions.
- 4.10 On leaving the visitor centre from its rear entrance, visitors will enter a courtyard under the arch, where there will be further outdoor seating for café users.
- 4.11 Within one of the feature mounds at the base of the Mobius strip, a dedicated classroom area has been created. The classroom will have its own separate entrance and will be large enough to accommodate 60 seats; its purpose is to allow visiting schools or community groups to book an indoor space where they can gather together for teaching or discussion.
- 4.12 Within the other feature mound, a small circular prayer room has been created. This room will be freely accessible to all and will provide a quiet, contemplative place where visitors will be invited to pray.
- 4.13 The visitor centre elevations make use of generous glazed facades, with the aim of creating a seamless inside/outside transition, providing maximum natural daylight and delivering dynamic views of the sculpture as well as into and out of the surrounding landscaped parkland.

#### **Park and Open Space**

- 4.14 The sculpture and visitor centre will be set within a substantial and sensitively designed landscaped environment, incorporating footpaths and open space, alongside a comprehensive scheme of planting and grass bunds to encourage reflection, relaxation and wellbeing.
- 4.15 The spaces have been designed to reflect and highlight seasonal variations to ensure they can be enjoyed and experienced throughout the year. Where possible, elements of the existing landscape have been retained including the substantial mature oak tree, which features in the external courtyard.
- 4.16 A key feature of the development is the project's 'Garden of Contemplation'. This space is intended to provide a more formal, intricate and decorative landscape, compared to that closer to the monument and in the more functional spaces. The garden will incorporate a network of paths, to encourage exploration, with elements of surprise where new or hidden aspects of the garden are revealed. It will also include paved seated areas, where visitors may rest or take the time for quiet reflection against the striking backdrop of the main sculpture.

#### **Access and Parking**

- 4.17 The Site will be accessed via Manor Drive which currently serves the Coleshill Manor business park and connects with the B4114 Birmingham Road. A new spur will be

provided from Manor Drive to link with the development site and its dedicated entrance and egress points.

- 4.18 The Proposals incorporate parking and circulation space, adjacent to the visitor centre and will incorporate measures to facilitate access by all users by a range of transport modes including for bicycles, cars (including electric cars), coaches and mini-buses.
- 4.19 100 car park spaces will normally be available to visitors including 3 disabled bays and 5 bays for electric vehicles. There will be 5 motorcycle spaces and 10 spaces dedicated for staff use. In addition, there will be 10 coach bays and 5 bays for mini-buses. The proposed 20 bay cycle parking will be located in 'Sheffield' style hoops, close to the main entrance.
- 4.20 The main car park bays will be broken up by planting to enhance the visual amenity of this part of the site, to encourage focussed views of the monument and to orientate visitors towards the main entrance.
- 4.21 An overspill parking area has been defined to cater for occasions when additional peak periods might be experienced. This is to be formed using a reinforced plastic paving system to be backfilled with soil and seeded to maintain this as a 'green' area when not in use.
- 4.22 Servicing routes have also been provided from the car park for deliveries and access to the kitchen area.
- 4.23 A controlled access system will be installed at the car park entrance to monitor vehicle entry and to manage car park charging.
- 4.24 Connections to the site via bicycle and by foot will be facilitated via the new access road and also via the footways and footpaths which are in the vicinity. These will provide good connections for the local community as well as those visiting the site from further afield and using local bus services, taxis or Coleshill Parkway Station.

#### Visitor Experience

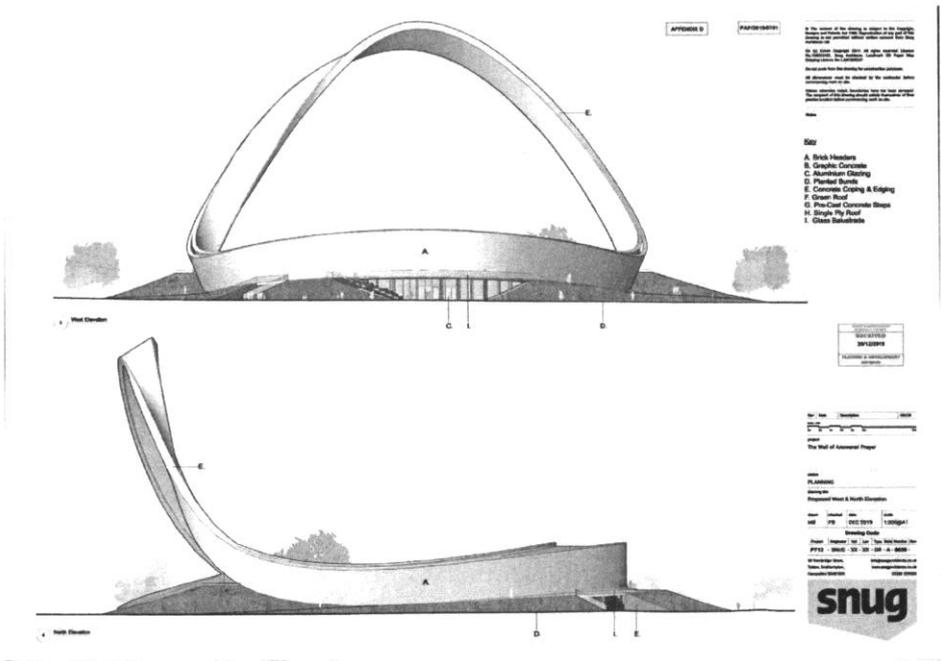
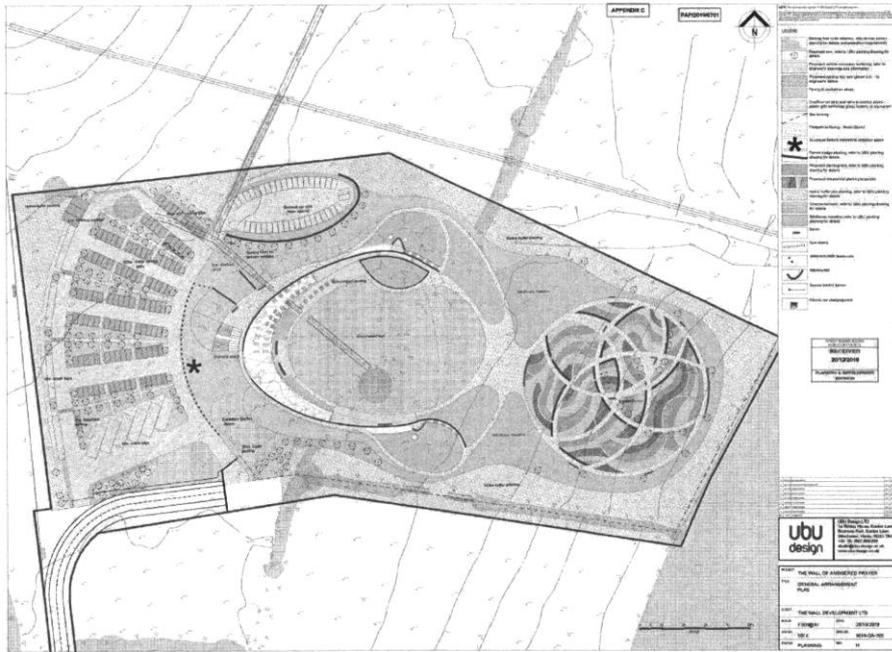
- 4.25 As already mentioned, the Monument will be made of one million bricks and each brick will be linked to an online database where one million prayer testimonies will be stored.
- 4.26 The intention is that visitors, using technology within their own mobile phones (or tourist binoculars), will be able to identify any brick and to access the prayer which is associated with that brick. Touch screens at the Monument will also allow visitors to search through the million answered prayers throughout the UK's history and find stories that relate to their own situation.
- 4.27 Trained volunteers will be on hand to help people access the technology or to answer questions about any aspect of the project. They will also be supported by a team of trained chaplains who will offer support to anyone wishing to explore prayer or wishing to pray. The team will also provide signposting to other agencies, as necessary, if counselling or specialist help for mental health matters may be required.

10

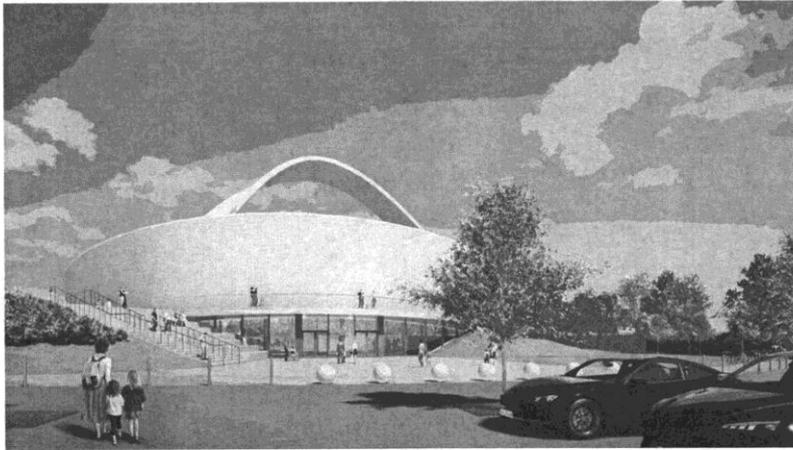
- 4.28 Whilst entry to the landscaped park and visitor centre will be free of charge, car parking charges will apply. Visitors will also be invited to make any voluntary donations to help fund the project's ongoing management and maintenance or to sponsor any bricks, which may yet not have been allocated. School and community groups will be proactively encouraged to make use of the dedicated classroom facilities.
- 4.29 Around 10 full time staff are likely to be employed on site, to include those who will be working in the visitor centre café and shop, those undertaking landscape upkeep, a 24/7 site security team and others responsible for day to day cleaning and maintenance services. There will also be a further team (based at Coleshill Manor Business Park) who will undertake the overall management of the project, including financial and strategic oversight.
- 4.30 Whilst the facilities within the main visitor centre will generally only be open between the hours of 10am and 5pm, the park itself and the small prayer room will remain open at all times of the day and night – and members of the public will be encouraged to use the Site for recreation at any time. Outside the main opening hours, security will be maintained through a range of controls including CCTV, lighting and on site security guards. Further detail on this aspect is provided in the accompanying Crime Prevention Strategy.

#### **Social Impact Investment**

- 4.31 Once *The Wall* is constructed, it is expected that it will generate income through car park charges, book shop sales and visitor donations. It has been estimated that this could generate a net revenue stream of circa £400k per year (by year 3) and an annual profit of c£100k.
- 4.32 A public commitment has been given to use any such profit to fund a range of charity projects including the donation of million bricks worth of social housing, which it has been estimated could translate into enough finance to build around 100 new homes. The mechanism for delivering these homes is currently being explored, but could include a number of potential charities, housing associations or local authority partners.
- 4.33 This public commitment is further discussed at Para. 7.38 below (Other Material Considerations) and at Para. 8.2 (Planning Conditions and Obligations)







As the architect of this project, I warrant to the County that the project complies with all applicable laws, codes, and regulations, including but not limited to the following:

1. All applicable laws, codes, and regulations, including but not limited to the following:

2. All applicable laws, codes, and regulations, including but not limited to the following:

3. All applicable laws, codes, and regulations, including but not limited to the following:

PAP/2019/0701

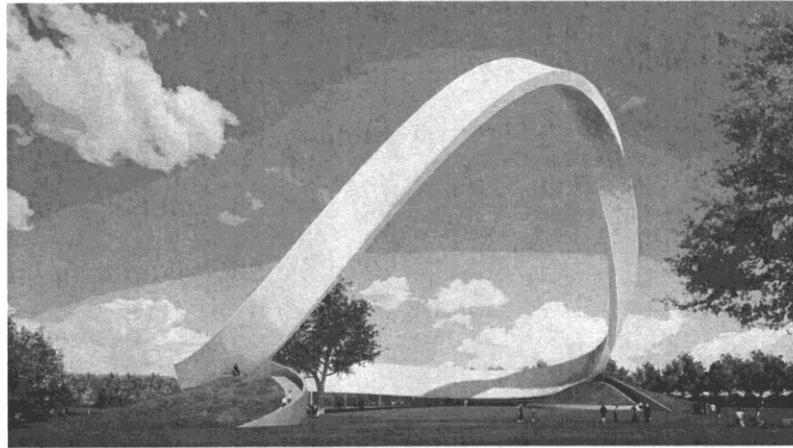
Sheet Number: 001 of 001

The Name of Assessed Project:

Project Name: PLANNING  
 Address: 1234 Main Street, City, State, ZIP  
 Assessor's Parcel Number: 1234567890  
 Assessor's Map Number: 1234567890  
 Assessor's Block Number: 1234567890  
 Assessor's Lot Number: 1234567890



PLANNING & DEVELOPMENT DIVISION  
 RECEIVED  
 20/12/2019



As the architect of this project, I warrant to the County that the project complies with all applicable laws, codes, and regulations, including but not limited to the following:

1. All applicable laws, codes, and regulations, including but not limited to the following:

2. All applicable laws, codes, and regulations, including but not limited to the following:

3. All applicable laws, codes, and regulations, including but not limited to the following:

PAP/2019/0701

Sheet Number: 001 of 001

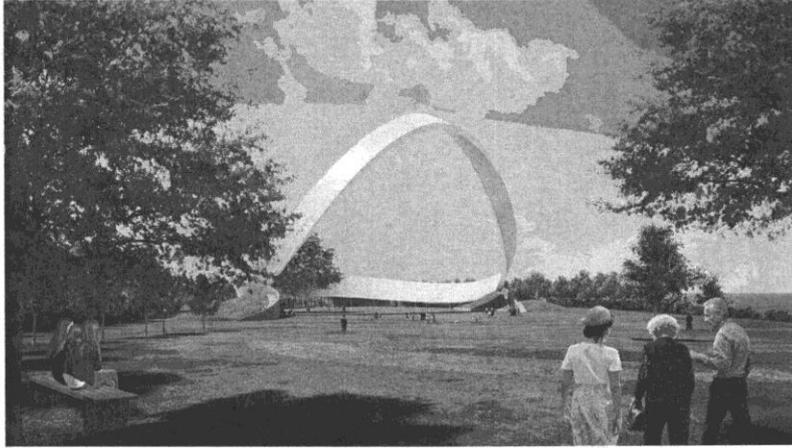
The Name of Assessed Project:

Project Name: PLANNING  
 Address: 1234 Main Street, City, State, ZIP  
 Assessor's Parcel Number: 1234567890  
 Assessor's Map Number: 1234567890  
 Assessor's Block Number: 1234567890  
 Assessor's Lot Number: 1234567890



PLANNING & DEVELOPMENT DIVISION  
 RECEIVED  
 20/12/2019





In the event of any change in ownership of the property, the applicant shall be responsible for obtaining the necessary permits and approvals from the appropriate agencies.

All dimensions shall be subject to the contractor's final interpretation.

These drawings are prepared for the use of the contractor and are not to be used for any other purpose without the written consent of the architect.

**PAP/2019/0701**

Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

Project:  
 The Hall of Assembled Prayer

Author:  
 PLANNING  
 Drawing No:  
 ARCH'S REPRESENTATION CO

Area	Control	Date	Scale
101	PRELIM	DEC 2019	1/4" = 1'-0"

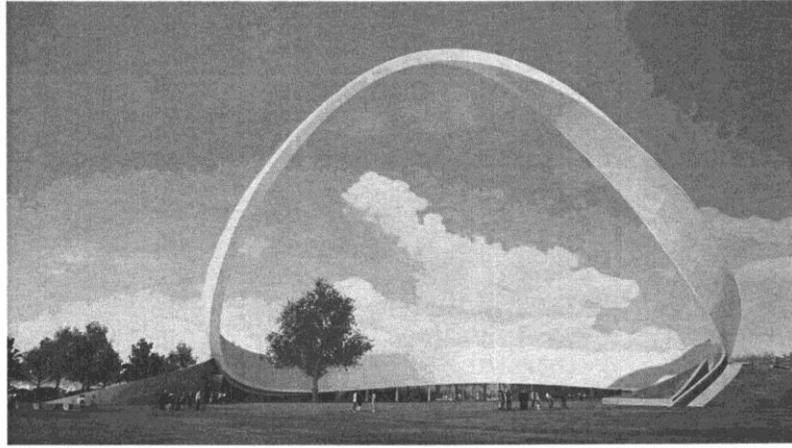
Drawing Code:  
 Project: [Project Name] No. [Project Number] Date: [Date]  
 P111 - [Project Name] - [Project Number] - [Date]

ARCHITECT:  
 ARCHITECTURE  
 1000 [Address]  
 [City, State, Zip]

ENGINEER:  
 ENGINEERING  
 1000 [Address]  
 [City, State, Zip]

**snug**

NORTH WARRICK COUNTY  
 RECEIVED  
 20/12/2019  
 PLANNING & DEVELOPMENT  
 DIVISION



In the event of any change in ownership of the property, the applicant shall be responsible for obtaining the necessary permits and approvals from the appropriate agencies.

All dimensions shall be subject to the contractor's final interpretation.

These drawings are prepared for the use of the contractor and are not to be used for any other purpose without the written consent of the architect.

**PAP/2019/0701**

Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

Project:  
 The Hall of Assembled Prayer

Author:  
 PLANNING  
 Drawing No:  
 ARCH'S REPRESENTATION CO

Area	Control	Date	Scale
101	PRELIM	DEC 2019	1/4" = 1'-0"

Drawing Code:  
 Project: [Project Name] No. [Project Number] Date: [Date]  
 P111 - [Project Name] - [Project Number] - [Date]

ARCHITECT:  
 ARCHITECTURE  
 1000 [Address]  
 [City, State, Zip]

ENGINEER:  
 ENGINEERING  
 1000 [Address]  
 [City, State, Zip]

**snug**

NORTH WARRICK COUNTY  
 RECEIVED  
 20/12/2019  
 PLANNING & DEVELOPMENT  
 DIVISION





© The copyright of this drawing is vested in the artist. Any reproduction of this drawing without the artist's written consent is prohibited. The artist is not responsible for any errors or omissions in this drawing. The artist is not responsible for any damage or injury caused by the use of this drawing. The artist is not responsible for any loss of data or information caused by the use of this drawing. The artist is not responsible for any loss of time or money caused by the use of this drawing. The artist is not responsible for any loss of reputation caused by the use of this drawing. The artist is not responsible for any loss of income caused by the use of this drawing. The artist is not responsible for any loss of health caused by the use of this drawing. The artist is not responsible for any loss of life caused by the use of this drawing.

PAP/2019/0701

1/1 1/1 1/1 1/1

The Best of Advanced Paper

PLADDRESS

ARTIST'S IMPRESSION ONLY

Scale: 1/8" = 1'-0"

Project No. 1912-001

Sheet No. 01 of 01

DATE: 12/12/2019

PROJECT: [illegible]

LOCATION: [illegible]

SCALE: 1/8" = 1'-0"

DATE: 12/12/2019

PROJECT: [illegible]

LOCATION: [illegible]

SCALE: 1/8" = 1'-0"

DATE: 12/12/2019

PROJECT: [illegible]

LOCATION: [illegible]

SCALE: 1/8" = 1'-0"

DATE: 12/12/2019

PROJECT: [illegible]

LOCATION: [illegible]

SCALE: 1/8" = 1'-0"

DATE: 12/12/2019

PROJECT: [illegible]

LOCATION: [illegible]

SCALE: 1/8" = 1'-0"

DATE: 12/12/2019

PROJECT: [illegible]

LOCATION: [illegible]

SCALE: 1/8" = 1'-0"

DATE: 12/12/2019

PROJECT: [illegible]

LOCATION: [illegible]

SCALE: 1/8" = 1'-0"

DATE: 12/12/2019

PROJECT: [illegible]

LOCATION: [illegible]

SCALE: 1/8" = 1'-0"

DATE: 12/12/2019

PROJECT: [illegible]

LOCATION: [illegible]

SCALE: 1/8" = 1'-0"

DATE: 12/12/2019

PROJECT: [illegible]

LOCATION: [illegible]

SCALE: 1/8" = 1'-0"

DATE: 12/12/2019

PROJECT: [illegible]

LOCATION: [illegible]

SCALE: 1/8" = 1'-0"

DATE: 12/12/2019

PROJECT: [illegible]

LOCATION: [illegible]

SCALE: 1/8" = 1'-0"

DATE: 12/12/2019

PROJECT: [illegible]

LOCATION: [illegible]

RECEIVED  
2012/2019  
PLANNING & DEVELOPMENT  
DIVISION



# Appendix B

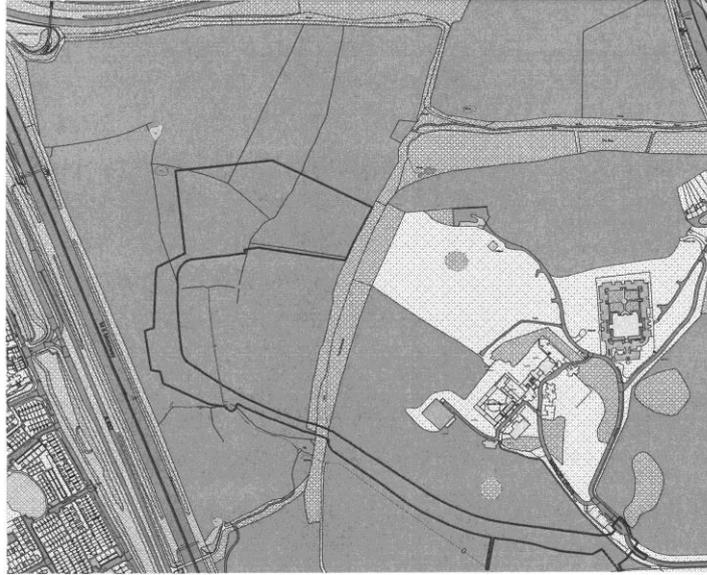
PAP20190701



© The contents of this drawing is subject to the Copyright, Rights and Rights Act 1988. No reproduction or any part of this drawing is to be permitted without written consent from Snug Architecture Ltd.  
 © (c) Crown Copyright 2019. All rights reserved. Licence No. 100022222. Snug Architecture, London, UK. Paper Size: Planning Licence No. 100110000.  
 Do not scale from this drawing for construction purposes.  
 All dimensions must be checked by the contractor before commencing work on site.  
 Unless otherwise stated, boundaries to be not been surveyed.  
 The accuracy of this drawing shall be the responsibility of the person in control before commencing work on site.

**Notes**

- See construction



PLANNING & DEVELOPMENT  
 22/05/2020  
 PLANNING & DEVELOPMENT  
 DIVISION

A	21/05/2020	Red line revision	MB/PS
C	12/05/20	Red line revision	MB/PS
B	15/12/19	Planning Submission	MB/PS
Rev	Date	Description	By/CR

Project: The Wall of Answered Prayer

Client: PLANNING

Sheet: Site Location Plan

Drawn	Checked	Rev	Appr
MB	PS	DEC 2019	TJ2000@AT

**Drawing Code**  
 Project | Originator | Ref | Loc | Type | Plot Number | Rev  
 P712 - SNUG - XX - XX - DR - A - 0001 - D  
 20 Southdown Street, 4th Floor, Southdown, London, SE16 2LH  
 Telephone: 020 7461 1000  
 www.snugarchitects.co.uk  
 Registered in England No. 10388128





North Warwickshire  
Borough Council

Fran Rowley  
Turley  
9 Colmore Row  
Birmingham  
B3 2BJ

**Jeff Brown BA Dip TP MRTPI**  
**Head of Development Control Service**  
The Council House  
South Street  
Atherstone  
Warwickshire  
CV9 1DE

Switchboard : (01827) 715341  
Fax : (01827) 719225  
E Mail : jeffbrown@northwarks.gov.uk  
Website : www.northwarks.gov.uk  
This matter is being dealt with by  
:  
Direct Dial : (01827) 719310  
Your ref :  
Our ref : PAP/2019/0701  
Date : 3rd July 2020

Dear Fran

**The Wall of Answered Prayer**  
**Environmental Impact Assessment – Addendum**

I refer to your recent letter which updates matters in respect of the planning application for the above development and the EIA Regulations 2017.

As you know I provided a Screening Opinion in respect of the proposed development on 22/12/19 concluding that it would not constitute EIA development. Since then, the planning application has been submitted. However following submission, some minor amendments have been made to the proposed development which has resulted in the submission of updated impact assessments and a slightly larger application site.

I have reviewed the changes which are outlined in your letter of 22 May 2020 which described the characteristics of the changes and the effects of those changes. In particular I have noted the updated impact assessments as well as any cumulative impacts. I have considered these alongside the evidence which informed my original Screening Opinion of 23 Decembers 2019 as appended herewith, including the measures identified to mitigate the identified environmental impacts.

I do not consider that the revision to the original scheme give rise to any material change to the nature or characteristics of the development project when compared to those identified in the original Screening Request from you of 12 December 2019.

As a consequence it is my view that the revised scheme will not result in significant environmental impacts which would require the submission of an Environmental Statement, The limited changes to the development relative to that on which my previous Screening Opinion was based have been the subject of bespoke addenda to focus on the particular changed impacts and it is agreed that these are not material.

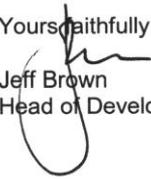
I therefore conclude that there are unlikely to be significant environmental effects arising from this development and thus that it is not EIA development within the meaning of the 2017 Regulations.

Chief Executive: Steve Maxey BA (Hons) Dip LG Solicitor

To see our privacy notice go to:  
[www.northwarks.gov.uk/privacy](http://www.northwarks.gov.uk/privacy)

This letter can therefore be taken as an updated Screening Opinion for the purposes of Regulation 6 (6) of the 2017 Regulations.

Yours faithfully

  
Jeff Brown  
Head of Development Control

Chief Executive: **Steve Maxey** BA (Hons) Dip LG Solicitor

To see our privacy notice go to:  
[www.northwarks.gov.uk/privacy](http://www.northwarks.gov.uk/privacy)



North Warwickshire  
Borough Council

Chloe Patel  
Turley  
8<sup>th</sup> Floor Lacon House  
84 Theobald's Road  
London  
WC1X 8NL

**Jeff Brown BA Dip TP MRTPI**  
**Head of Development Control Service**  
The Council House  
South Street  
Atherstone  
Warwickshire  
CV9 1DE

Switchboard : (01827) 715341  
Fax : (01827) 719225  
E Mail : jeffbrown@northwarks.gov.uk  
Website : www.northwarks.gov.uk  
This matter is being dealt with by  
: Mr J Brown  
Direct Dial : (01827) 719310  
Your ref :  
Our ref :

Date : 23<sup>rd</sup> December 2019

Dear Chloe

**The Town and Country Planning (Environmental Impact Assessment) Regulations 2017  
Screening Opinion  
Land at Coleshill, North Warwickshire for a "landmark structure"**

I refer to your request of 12 December asking for the Council to make a Screening Opinion in respect of the above proposed development under Regulation 6 of the 2017 Regulations. I can confirm that I have sufficient information in that respect and will not be making a request under Regulation 6 (5) for additional detail and as such I am able to provide that Opinion within the time period set out in Regulation 6 (6).

I do not consider that the proposed development falls within any of the categories of Schedule One of the Regulations. I do however consider that it could fall within Category 10(b)(i) of Schedule 2 by virtue of its description and the size of the site. I therefore need to assess the project as to whether significant environmental effects are likely to be caused /thus necessitating the submission of an Environmental Statement alongside any planning application. In this I am advised by Schedule 3 of the Regulations as well as the appropriate sections of the National Planning Practice Guidance.

In respect of the characteristics of the development, then I note that this project is of a reasonable size both in geographic area but also particularly in height. The site is in the Green Belt. There are no other similar developments proposed or with the benefit of a planning permission within the vicinity of the site. There is an outstanding planning application on adjacent land for a "surfing" park which is on a smaller site and involves much smaller structures. However the same access arrangements are proposed for both developments. Both proposals are "attractions" and "destinations" depending on large number of visitors for their success. Other tall structures in the area include the residential towers to the west in Castle Bromwich and Chelmsley Wood. There is no use of natural resources involved and there is very unlikely to be any waste production. The likelihood of pollution and other nuisance is limited as is the risk of major accidents or of risks to human health As a consequence, there are likely to be two areas where significant environmental effects may occur. The first is the visual impact and by association the impact on landscape character and the openness of the Green Belt. The second will be the impacts arising from traffic generation particularly as the same access is to be used with the adjoining proposed use. Both would have wider geographic impacts.

Chief Executive: Steve Maxey BA (Hons) Dip LG Solicitor

To see our privacy notice go to:  
[www.northwarks.gov.uk/privacy](http://www.northwarks.gov.uk/privacy)

The development's location is on agricultural land which I understand is not in the best and most versatile category for classifying such land. However the area involved, when combined with that of the adjoining site would be of moderate extent but still falls below the threshold in the Development Management Procedure Order 2015 as amended. The site is not directly affected by any national, regional or local heritage, landscape or ecological designations. However there are local ecological and heritage assets within relatively close proximity to the site boundary. The site is not in Flood Zones 2 or 3. The site however is close to the edge of the Birmingham conurbation. It is my view that these matters do not give rise to the likelihood of significant environmental effects.

In looking at the type and characteristics of potential impacts then the most significant impact will arise because of its visibility over a wide area. Such an impact is not complex and has no transboundary implications. It would however have a permanent impact and would affect a large population both resident and transient.

As can be seen from this assessment, the most important and significant effects will be visual and they will have associated impacts on landscape character and the openness of the Green Belt together with the traffic impacts arising from use of the site. As the access arrangements are the same as that for the adjoining proposed use, then the cumulative traffic impacts are important in this case. It is noted that some mitigation is proposed in respect of landscaping to address the former set of effects and that measures to promote group travel as well as this proposal having a different "visitor" pattern to the adjoining proposed use, may well limit the scope of traffic impacts.

Putting all of these considerations together leads me to the overall conclusion that there would not be significant environmental effects arising from this proposal. I note that Tables 6.1 and 7.2 of the Screening Report come to a similar conclusion. There are indeed areas that will need specific and focussed analysis, but these can be addressed through appropriate documentation without the need for a full Environmental Statement.

I therefore conclude that there are unlikely to be significant environmental effects arising from this development and thus that it is not EIA development within the meaning of the 2017 Regulations. This may be taken to be the Council's response under Regulation 6 (6) of the 2017 Regulations.

Yours faithfully

  
Jeff Brown  
Head of Development Control

## 7. Conclusion

- 7.1 The Wall of Answered Prayer will have far ranging and long lasting economic benefits. These will start with construction and will persist through the ongoing operation of the landmark attraction. However, the economic benefits of The Wall will also involve ongoing and long term investment in charitable activities – a unique attribute of the project. They will also extend to wellbeing benefits associated with visitors who will be able to spend time in reflection and prayer at the landmark.
- 7.2 The economic benefits of The Wall are summarised as follows.
- Regeneration Catalyst Effects**
- 7.3 The Wall of Answered Prayer will be a new national landmark. Consideration of recently constructed landmark attractions shows that they have a positive effect on the places in which they are located, helping to create investor confidence, to draw visitors to an area and boost spending. Evidence from the Angel of the North's impact on Newcastle Gateshead shows that it helped to act as a catalyst to a visitor economy that is valued at £1.46 billion per annum.
- 7.4 There is also evidence that landmark attractions can positively affect people's perceptions of place and lead to communities interacting with public art positively.
- A major economic boost associated with charitable investment**
- 7.5 The Wall is entirely privately financed meaning that there will be no call on public funds for its delivery.
- 7.6 The potential for ongoing funding through donations comprises a major economic benefit that The Wall will generate. It is estimated that, based on the capacity for future donations, over time there could be a total of £430 million in donations.
- 7.7 A significant proportion of the net profits of The Wall will be reinvested in social housing, local groups and charities. This will create a second round of economic benefits – with these organisations, groups and charities spending funding awarded in the local economy and helping to support jobs and to enhance the lives of the people and communities that they work with.
- 7.8 After the impact of social value impact multipliers are taken into account, it is estimated that the gross social value generated through charitable donations made to The Wall and the subsequent re-distribution of profits will total £1.46 billion.
- Economic benefits associated with operation of The Wall**
- 7.9 Operation of The Wall will also generate ongoing economic benefits, ranging from employment on site and off, a productivity boost and taxation revenue for local government in the form of business rates.
- Visitor economy benefits for North Warwickshire and the West Midlands**
- 7.10 The total expenditure associated with the anticipated 200,000 visitors to the Wall every year is likely to be in the order of £9.1 million per annum. Of this total expenditure attributable to The Wall could potentially be £1.9 million per annum. The

visitor impacts of the Wall are likely to generate associated trips to other attractions in North Warwickshire and the West Midlands, along with additional spending. This will help to deliver the objectives of local and sub-regional visitor economy strategies.

**Temporary benefits for the construction sector**

- 7.11 Investment in construction of The Wall will help to sustain construction jobs as well as companies involved in the construction supply chain. Expenditure on construction will also create a positive productivity impact.

**Wellbeing benefits**

- 7.12 Visitors to the Wall will be able to spend time in an environment which will promote wellbeing through reflection and prayer. The high quality landscaped setting of The Wall will also provide a healthy and attractive open space which visitors will enjoy spending time in.

# The Wall of Answered Prayer

## Community Partnership Group: Heads of Terms

### Context

- 1 Once The Wall of Answered Prayer constructed, it is expected to generate income through car park charges, book shop sales and visitor donations. It has been estimated that this could generate a net revenue stream of circa £400k per year (by year 3) and an annual profit of c£100k.
- 2 A public commitment has been given to use a proportion of such profit to fund a range of charity projects. This note provides further detail on how the applicants expect this commitment to be honoured and realised, with a particular focus on how a 'Community Partnership Group' will be established to ensure that charities operating within North Warwickshire Borough will become key beneficiaries.
- 3 The applicants have also give a commitment to use an additional proportion of such profit to support the delivery of social housing, A separate briefing note has been prepared to expand on how this social housing commitment will be realised locally.

### Charitable Giving Commitment

- 4 The Board of Trustees for The Wall of Answered Prayer is committed to adopting a local charitable giving strategy, which will ensure 5% of net profit each year is donated to local charities who are engaged in one or all of the following activities:
  - The prevention and relief of poverty
  - The improvement of conditions of life in socially and economically dis-advantaged communities
  - Providing help for those in need by reason of youth, age, ill health, disability or financial hardship
- 5 The term 'local' in this context is deemed to be 'within Coleshill and its immediately surrounding parishes'.

### Community Partnership Group

- 6 In order to deliver the Trust's commitment, a Community Partnership Group (CPG) will be established. The CPG will act as a conduit between the Board of Trustees and local charities, to ensure that the charity giving strategy is realised in a way which, through engagement with the local community, responds effectively to meet local needs and which operates with local support.
- 7 The Community Partnership Group will comprise seven Members. Two members will be representatives from The Wall's Board of Trustees and five members will be local community partners.

**Turley**

- 8 Local community partners will initially be identified through engagement with North Warwickshire BC and with representatives from Coleshill Town and Parish Councils and also the Parish Councils operating within the adjacent parishes to Coleshill. Community partners will be expected to undertake liaison with local charity and volunteering bodies to identify projects/causes which could be supported and to use their collective best endeavours to ensure the Wall's Charitable Giving Commitment is met.
- 9 The Community Partnership Group (CPG)
- will be established within 12 months of The Wall becoming operational and thereafter meet on a regular basis (at least annually)
  - will proactively identify, and seek nominations from, local charities and community groups who may be suitable beneficiaries of financial support from The Wall.
  - will consider any requests or nominations from charities for financial support and apply a fair and transparent review mechanism
  - will make a recommendation at least annually, to the Board of Trustees on how funds allocated by The Wall to local charities should be distributed (amount and purpose)
  - will facilitate effective distribution of funding awards agreed by the Board of Trustees
  - will undertake subsequent due diligence, to ensure financial donations made by The Wall are used for their intended purpose.
- 10 The purpose, composition and operation of the CPG will be subject to annual review by the Trustees.

#### **Compliance**

- 11 In anticipation of planning permission being granted for The Wall of Answered Prayer, it is expected that a planning condition could be attached which would require the project to proceed only in accordance with the Heads of Terms, reflected in this note and for the stated commitments to be subject to a regular review and reporting mechanism, in consultation with NWBC. This will ensure that the forecast charitable benefits arising from this development will be realised, for the lifetime of the project.

30 June 2020

**Turley**

# The Wall of Answered Prayer

## Local Social Housing Commitment: Heads of Terms

### Context

- 1 Once 'The Wall of Answered Prayer' is constructed, it is expected to generate income through car park charges, book shop sales and visitor donations. It has been estimated that this could generate a net revenue stream of circa £400k per year (by year 3) and an annual profit of c£100k.
- 2 A public commitment has been given to use a proportion of such profit to support the delivery of social housing. This is intended to be manifested through the donation of one million bricks worth of funding, which it has been estimated could translate into enough finance to build around 100 new homes.
- 3 This commitment supports the aims of the Council's Homelessness Strategy (2018-2023) which establishes the basis on which the Council will work with its partners to increase the supply of new social housing projects and also make better use of existing housing stock.
- 4 This note provides further detail on how the applicants expect to honour their social housing commitment and includes confirmation that a significant proportion of this benefit is intended to be realised within North Warwickshire Borough.

### The Wall of Answered Prayer – Local Social Housing Commitment

- 5 The Trustees have previously stated that approximately 25% of their social housing funding commitment will be donated to fund social housing abroad, whilst the other 75% will go to social housing projects within the UK.
- 6 Within this context the Board of Trustees can now confirm that they intend to allocate 5% of its net profit each year to be used specifically to ensure that new social housing projects are delivered within North Warwickshire Borough – such that up to 22 homes may be provided (new build or renovations) in the local area over the next 10 years. It is anticipated that the identified projects would respond to meet local needs and could include sheltered or supported living projects.
- 7 To fulfil its UK commitments, The Trustees have formed a formal alliance with the following delivery partners:

#### Ibstock Brick

Ibstock Brick has a long history of brick making and industrial activity, dating back 200 years to the early 1800s. From the sinking of the first coal shaft at Ibstock, Leicestershire in 1825, to the launch of their new [I-Studio in London](#) in 2019, Ibstock has lead on buildings and brick work innovations.

Ibstock Brick is part of Ibstock plc, a leading British manufacturer of clay bricks and concrete building products and solutions which are a vital and indispensable part of the built environment, the cornerstone of every building project The Company has the highest reputation for supplying house building and renovation projects and unrivalled relationships with the widest range of construction professionals.

**Turley**

Ibstock have been involved with the project since 2018 and announced their partnership with The Wall of Answered Prayer in May 2019; they will be the leading supplier for the construction of the monument itself as well as for the identified social housing projects.

Ibstock's Commercial Director, Ben Gerry has endorsed these Heads of Terms, and provided the following comment in relation to their role and contribution:

*"We are extremely proud to be involved with this prestigious project and were thrilled when we first saw the winning design in 2019. Ibstock look forward to offering our products and services to bring the vision to fruition" (June 2020)*

#### **Cornerstone Partnership**

Cornerstone Partnership is a West Midlands based, award winning Social Enterprise that provides safe, suitable and sustainable housing for homeless families and individuals. It works in partnership with local authorities, charities and housing groups in the delivery and maintenance of social housing projects. It has already, an established partnership with North Warwickshire Borough Council. From its formation in 2016, the partnership has delivered 97 new properties and created 478 new bed spaces and its current goal is to deliver an additional minimum of 1,000 homes by 2035.

The Partnership has recently been selected by the Wall's Board of Trustees to be the principal recipient of the charitable funds allocated by the Wall for social housing projects and/or the recipient of physical bricks which will be supplied by Ibstock for social housing projects. Cornerstone's role will be to act as the main conduit through which The Wall's social housing commitment within the UK will be realised.

Cornerstone's Co-Founder and Director Gavin Mullaley has endorsed these Heads of Terms, and provided the following comment in relation to the role of the organisation and its contribution:

*"We are incredibly excited that Cornerstone Partnership has formed a partnership with the Wall of Answered Prayer. The vision, passion, energy and focus upon local investment from the team at the Wall reflects that which we try to embody within our mission at Cornerstone.*

*As an organisation we are dedicated to providing homes for those most in need within the West Midlands and the partnership and donations we receive from the Wall represents an incredible opportunity to invest in social housing for the long term benefit of the residents of North Warwickshire.*

*Our local focus and experience of the market means we are well positioned to ensure that the funding delivers the maximum social impact for North Warwickshire. We are proud that we are able to be a part of this amazing national Monument and look forward to helping make this vision a reality." (June 2020)*

- 8 Both Ibstock Brick and the Cornerstone Partnership are credible and reputable organisations with strong track record within the house building industry, as contributors to social housing projects and who also have established relations with key local authority and housing delivery partners. These

---

Heads of Terms have been endorsed by partners and provides testament to the fact that The Wall's social housing commitment has every prospect of being realised, over the lifetime of the project.

**Compliance**

- 9 In anticipation of planning permission being granted for The Wall of Answered Prayer, it is expected that a planning condition could be attached which would require the project to proceed only in accordance with Heads of Terms as reflected in Briefing Note and for the stated commitments to be subject to a regular review and reporting mechanism, in consultation with North Warwickshire BC.

30 June 2020

# The Wall of Answered Prayer

## Footway/Cycleway Contribution: Heads of Terms

### Context

- 1 The Wall Developments Ltd are seeking planning permission from North Warwickshire BC for 'The Wall of Answered Prayer' under planning application reference PAP/2019/0701.
- 2 Warwickshire CC, acting in its capacity as highways authority, has determined that the development could be acceptable in transport terms, subject to the imposition of the following planning condition:
 

*The completed development shall not be opened to access by the general public until the applicants have entered into a legal agreement which shall require them to provide a proportional funding contribution of £25,000 to be used towards a scheme of footway and cycle improvements on the Birmingham Road, between the A446 and the application site access road. The legal agreement required under this condition shall be in accordance with the Heads of Terms, dated 23 June 2020 agreed between the Applicants and Warwickshire County Council, acting in its capacity as the relevant Highway Authority.*
- 3 This condition is deemed necessary in the interests of helping achieve the use of more sustainable means of travel and to be in accordance with the relevant tests as prescribed in Regulation 122 of the CIL Regulations 2010.
- 4 The section below sets out the agreed Heads of Terms which are embodied in the above planning condition and which will apply in the event that planning permission is granted.

### Heads of Terms

- The applicants shall pay a financial contribution of £25,000 to Warwickshire County Council.
- The financial contribution of £25,000 shall be used by Warwickshire County Council to enable the design and/or delivery of footway and cycle improvements on the Birmingham Rd, between the A446 and the application site access road.
- The £25,000 payment shall be made in three instalments as follows
  - One third due on the date the development is open to the general public
  - One third due within one year of the development first opening to the general public
  - One third due within two years of the development first opening to the general public
- On receipt of each of the above payments, Warwickshire CC shall hold the funds in an interest bearing bank account until such time as the contribution is used, in whole or part, for its intended purpose
- If, within five years of the development first opening to the general public, any or all of the contribution has not been used for its intended purpose, those funds which have not been used for their intended purpose (together with any interest accrued) shall be returned to the applicant in full.

23 June 2020

**Turley**

**(3) Application No: PAP/2020/0056**

**Town Council Offices, North Street, Atherstone, CV9 1JN**

**Demolition of existing building and construction of new 2 storey offices and meeting room, for**

**Atherstone Town Council**

**Introduction**

This application is referred to the Board under the adopted Scheme of Delegation because the recommendation is contrary to the receipt of an objection from the Highway Authority.

**The Site**

This is a single storey building on the south side of North Street some 15 metres away from the junction with Ratcliffe Street and North Street. It is located off the back of the footpath – surrounded by car-parks to the TNT Offices and the back yard areas of the buildings at Long Street.

The general location is illustrated at Appendix A.

**The Proposal**

It is proposed to demolish the existing single storey old mortuary building – which has been in use as an office space and meeting room for the Town Council since its approval for office use in 2001 and to replace it with a new two storey block to provide a ground floor meeting room and a first floor office and storage space for records. No parking spaces exist to serve the existing arrangement and no parking spaces are now proposed. The access arrangement for pedestrians would remain off the footway accessed from North Street. The development would be at the back of the pavement and would be on the footprint of the existing building.

The proposed layout is at Appendix B.

In order to provide the maximum amount of internal space whilst reflecting some of the existing neighbouring designs, the building will be two storey with a pitched roof design.

This is illustrated at Appendix C.

The design of the building reflects the historic appearance of much of the recent developments that have been built within Atherstone's Conservation Area, namely stone headers and cills, sash windows; brick arched headers and the symmetrical fenestration proportions

**Background**

The building has previously been in use as a mortuary, which is still reflected in its current internal layout. It is in need of thermal upgrading and the space within the building is limited in size. It has been in use for some years as the Town Council's Offices since the application was approved in 2001 from a previous store to offices. Prior to that the building was in use as a mortuary but has been used for storage since 1985.

## Representations

Neighbours, the Civic Society and the Labour Group on the Town Council have objected referring to the following matters:

- It will intrude over the back of Listed Buildings in Long Street and Market Street as well as block out the historic pattern of the burgage plots which are still apparent.
- Whilst the old mortuary does not enhance the quality or character of the Conservation Area, this proposal is not a sensitive development
- The building's style, design and materials are imprecise. It makes no positive contribution and no enhancement
- There is no indication of the building materials to be used
- There is no estimation of costs which would imply that the cheapest building materials would be used i.e. not reclaimed bricks, soft wood windows and doors and concrete pan tiles. The standard of building would be mediocre.
- The public building should be worthy of a civic building
- Little has been thought about regarding the accessibility to the public
- Limited external space and no provision for mobility scooters, cycles and prams. With no consideration for the storage of rubbish bins. It is assumed that these items would be parked on the pavement outside and this would then become a safety hazard.
- The proposed development would impact on the copper beech tree with a massive canopy spread near to this development. A full assessment of this tree needs to be undertaken to assess the likely demolition and construction of the building on the health of the tree.
- There is no parking provision, there is a single yellow line indicating that parking is restricted at certain times of the day. It is not possible for councillors and members of the public to park. Parking standards would suggest parking for at least two cars. Councillors are often forced to park elsewhere and walk back to the building which some users of the building are unable to do.
- DDA compliance is an issue, the meeting room downstairs cannot accommodate the number of councillors as well as officers and members of the public, especially if users have a restricted mobility, and the upstairs office facility would not be accessible for anyone with mobility issues. We consider the proposed building does not conform to regulations, Part M under Building control. The internal design is inadequate with opening doors and there is no lift and so there is no access to the upstairs. Office is less accessible for people with mobility issues.
- Concerns over additional staff numbers and increased parking in the street. The street can become congested at times.
- Lack of consultation with the public there has been no engagement in the public domain.
- There are a number of viable alternatives in Atherstone including the refurbishment of the Arcade or bringing any other empty building into use. The Arcade already has the facilities and just needs a lift – it is centrally located. Need an appraisal of other options.
- The cost of this proposal could be avoided as it is a waste of public money
- The location is inappropriate for a civic building.
- A building of this type should be a focal point for the town
- Where will waste bins be placed?
- Replacing the current building with same footprint is missing a chance to provide residents with a building to be proud of and as user friendly in line with DDA standards.

- The site has never been a suitable place for office base or meeting facility, it is remote from the main high street, it is not easy to find at the back of the town because of the one-way system.
- The internal design offers no privacy for counselling.
- The location is not fit for purpose it does not address concerns of public engagement, visitor parking or public expense.
- Parking implications for surrounding residents at Jenkins Court, post office yard and Ratcliffe street and the car park at 'screatons' and the surgery as well as north street residents,
- Not clear on the opening hours, or whether meetings are being held there. The issue of lighting or cycle racks is not described.
- The property will now become two stories instead of one and will fill the whole of the site on our boundary. This will have an overbearing impact on our two proposed properties. Secondly the over development on this site completely negates your insistence for us to have an amenity area for our two dwellings.
- It is more effective to use empty buildings, if a sequential test were applied then the arcade would be the preferred location.

### **Consultations**

Warwickshire County Archaeologist – A building recording would be useful.

Environmental Health Officer – No comments

Warwickshire County Council as Highway Authority – Objection

### **Development Plan**

The Core Strategy 2014 - NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW10 (Development Considerations), NW12 (Quality of Development), NW14 (Historic Environment), NW18 (Atherstone) and NW20 (Services and Facilities)

### **Other Material Planning Considerations**

The National Planning Policy Framework 2019 – (the “NPPF”)

The Atherstone Conservation Area Designation Report

The Draft Atherstone Conservation Area Appraisal – 2006

### **Observations**

The site is within the development boundary for Atherstone as defined in the Development Plan. The principle of a new development which replaces an existing building for use as an office and meeting room situated in a sustainable location where the building can be accessed on foot is considered to be acceptable in principle. The matter of the setting of the Conservation Area, access and demolition also needs to be assessed.

#### **a) Demolition and the Historic Context**

The proposal requires the demolition of the Old Mortuary - a 20<sup>th</sup> century pre-war building dated in the period of 1900 – 1945, located on the south side of North Street and within the Atherstone Conservation Area. As such the Council is under a statutory duty to ensure that the character and appearance of that Area is preserved and enhanced. In order to make such an assessment, it is important to understand the significance of the Area in

heritage terms and then consider whether the demolition would adversely harm that significance.

The significance of the Atherstone Conservation Area is that it covers an extensive area of the town centre, displaying the town's architectural and historic evolution. This particular part of the Conservation Area is in North Street and much of its significance lies in the limited re-development of the former burgage plots belonging to the Long Street buildings. The townscape here is relatively open and the land use is for parking with the occasional small scale development.

The context of North Street from Friars Gate to Ratcliffe Road dates from the late 18th century and (formerly Dog Lane) through the former courtyard of the Swan Inn under the Swan Arch. The views in and out of the Conservation Area are noted for simplicity. There are similar existing single storey buildings in the vicinity of the Old Mortuary and limited brick walls adjacent to the highway. All are of limited intrinsic merit, dating mostly from the early-mid 20th century, the only benefit of the immediate context to the application site is that these existing buildings provide enclosure and continue to mark the historic boundaries to the burgage plots.

Unfortunately, most of the area now comprises parking areas and visually plots have been lost and amalgamated. There is no exceptional historic merit in this immediate location and the immediate surrounding buildings. To the north side of North Street is a 1960's housing development and many immediate buildings to the Old Mortuary are either considered as negative or neutral buildings within the Conservation Area.

The existing building is essentially a building of utilitarian appearance and is out of place within the street scene. Any architectural features it may have once possessed have been diluted by the introduction of Upvc windows. Internally there is no evidence of any special design features. The demolition would enable the opportunity for complete redevelopment of the site, albeit limited in footprint and scale.

The proposal for the re-build of the Old Mortuary will go some way to offer an enhancement to North Street without affecting the sense that the plots of land surrounding it resemble the former burgage plots. As such the demolition and re-build would not detract from the interest, distinctiveness and amenity of this area. Views towards existing landscaping would not be harmed, such as that of the Copper Beech tree at Beech House.

The proposal for demolition and re-build is also of a significant distance from the Beech Tree in order that no harm would be caused on its root structure.

The site is at the rear of the Listed Buildings at Long Street and is near to the setting of the Listed Buildings at Market Street. The Council is under a statutory duty to have special regard to the desirability of preserving Listed Buildings, its setting or any features of special architectural or historic interest which it possesses. The architectural significance of the Listed Buildings in the wider vicinity of the application site is high and these buildings add significantly to the character of this end of North Street.

In terms of impact on the Listed Buildings at No. 102 and 108 Long Street and the Post Office at Long Street along with the undesignated Heritage Assets, then the proposal does not harm the setting beyond that of the existing mortuary building, particularly as the existing plot is retained and so any views of the former burgage plots remain undeveloped. Other Listed Buildings at Friars Gate, the Market Tavern and Beech House

on Market Street, are also set at a reasonable distance from the proposal in order that there is no direct harm to the setting of these buildings. St. Marys House is a Listed Building on the north side of North Street and the setting of this building is not harmed given there is some intervening landscaping and a high boundary wall. In these circumstances the proposal for demolition and re-build has no direct harm on the setting or of the architectural significance of the aforementioned Listed Buildings.

Glimpses of these buildings would be retained, and the proposal is of a small scale being limited to two storeys in height such that the Listed Buildings retain their prominence in the setting. Overall there is no loss on the significance of the surrounding Listed Buildings. The proposal would not therefore fail to preserve the setting of the Listed Buildings given the distances involved and where their setting remains preserved and unaltered by the proposal.

Overall, the demolition will not directly affect the characteristics of the historic environment described above but it would enable an opportunity to be taken to enhance the setting of the area without directly impacting on the architectural significance of the Listed Buildings or that of the character of the Conservation Area. The principle of demolition is therefore supported in this case, particularly as no other use for the Old Mortuary building would be feasible without

substantial re-organisation and thermal upgrading, the condition of the Old Mortuary is not in good order. The building itself is redundant for re-purposing objectives. There is thus a substantial enhancement to the heritage assets of the town providing a public benefit in terms of enhancement and the continued provision of a public facility which serves the residents of the town.

#### **b) Principle of providing a replacement building**

The principle of the replacement building here has brought about issues on the impact it might have on other vacant town centre buildings. This is a matter highlighted in the objections namely that existing vacant buildings within the Town Centre should be considered as an alternative solution, rather than to redevelop the existing site. This is a material consideration as paragraph 86 of the NPPF requires that “*Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to date plan.*” The purpose of the sequential test is to ensure that proposed main town centre uses which are not in an existing town centre are in the best locations.

In terms of applying a sequential test here, then the objective would be to see if there were any matters which weigh against replacing the Town Council offices within the town centre. The Town Council has been asked to comment on this – particularly in respect of the re-use of existing vacant space within the Town Centre itself. The response is summarised below.

It is understood that the Arcade was historically used as the Town Council offices prior to the uptake of the Old Mortuary Building in 2003. The Arcade required upgrading at the time and so the move to the Old Mortuary building was considered to be a more suitable option. By 2006, the Mortuary building was fully used and over the next few years alternative premises were seriously considered. These included Denham Court, the Magistrates Court building, Beech House, the former Telephone Exchange building, the Old Surgery on the Market Place, the “Factory” on Station Street and more recently the

Partnership Building on Coleshill Road in 2018. By November 2017, the Town Council had to temporarily move its public meetings to a meeting room within North Warwickshire Borough Council Offices and this permitted space for two members of staff to work from the Old Mortuary building. The Town Council's administration and its public meetings have worked over a split location ever since.

In 2019 a series of accommodation options were again considered as the condition of the Old Mortuary had become more serious and its long term suitability needed to be considered. Four options were discounted as they would not provide the necessary meeting room space required by the Town Council and two further options were considered which were the Atlas Building on Station Street and the Old Post Office on Long Street. Furthermore an office appraisal was considered as to how the Old Mortuary itself maybe re-developed as a satisfactory alternative for accommodation.

The Town Council carried out a feasibility study of the Old Mortuary stating that the logic behind this, was that the demolition and re-development of this site would improve an existing asset under the ownership of the Town Council and at the same time provide the much needed office space and an accessible meeting room.

The matter before the Board is not to re-work or to review the outcome of past decisions of the applicant. It has to determine the application that has been submitted on its own planning merits - in other words does it accord with Development Plan policy. In this case the site is on the edge of the town centre; it is in a sustainable location, the use has been here since 2003, the current arrangements for public meetings are already taking place at an edge of town centre site, there has been a reasonable range of alternatives considered and refurbishment of existing spaces will also incur costs. Core Strategy policy NW18 allows for improved community facilities in more sustainable buildings and policy NW20 seeks the retention of existing services which contribute towards the functioning of a settlement. It is acknowledged that the site is not in the town centre itself, but given all of the above matters, it is considered that on balance the proposal can still be supported.

### **c) Design and Amenity**

The proposal is supported from a design perspective and the specific finish in respect of materials, textures and colours along with architectural detailing can be dealt with by a condition as is normal practice. A good quality scheme can be achieved here which complements the existing buildings along the street scene, where similar two storey buildings have been provided in North Street in recent years. The use of boundary railings is characteristic of a townscape building. A planning condition can also be added to reserve the detail of refuse collection matters.

There is likely to be no worse impact on the residential amenity of adjoining occupiers in terms of loss of privacy or loss of light beyond how the existing building is arranged, albeit a first floor would be introduced. The degree of fenestration is appropriate and there is substantial separation distances between the proposal and nearby buildings. The siting of the building causes no obstruction or access issues to the neighbouring uses along Long Street, Market Street, North Street or Ratcliffe Road. No objections have been received relating to loss of amenity.

It is agreed that there may be DDA issues with the internal design – door sizes and gradients. However the main public space is at ground level and only staff would use the

upstairs office space. Nevertheless it is considered that from a planning perspective, this can be dealt with by condition. The principle of a two storey building is acceptable in the overall external design that is being proposed. Once internal DDA requirements are considered – e.g. door sizes; gradients, stair lifts - there would be scope to amend the internal layout and this might have an impact on external appearance. However this can be accommodated through subsequent amendments.

#### **d) Access and Highway safety**

The proposal makes no provision for parking and turning vehicles on the site. Members should be aware that there is no parking or turning facility presently on site and there is no capacity at all to make any such provision. This is why the Highway Authority has objected.

The Board will fully understand that that Authority's concern about the need for on-site provision is consistent with past responses for town centre developments. Members are therefore asked to give it weight. The issue is whether there are other considerations that would outweigh the objection.

It is acknowledged that North Street is a one way route and that on occasions vehicles are parked along here, which has a single yellow line. The new building however would not be considered to intensify the existing use. This is limited to two members of staff and the needs of fifteen Councillors along with the general public. The proposed new office will not add any further parking demand; the building is not in full use all of the time, meetings are usually in the evenings and there are a number of public car parks in town with free space (especially in the early evenings when the Council usually meets). These parks are within a reasonable distance from the site. Moreover Members will be fully aware that practically all new residential development in the town centre along with new office and retail space has not made on-site provision.

The highway objection is of weight here. However in terms of assessing this in the final planning balance, the proposal does not change how the existing use operates in this location; this site is accessible for non-motorised users and there are nearby car parks. On balance and given other Board decisions in respect of sites in the locality, it is considered that the evidence to support an objection is not sufficiently demonstrable.

#### **Conclusion**

The proposal to replace an existing building covering the same front print, but of larger scale and massing is considered to be acceptable in the context of its setting as this part of the town requires enhancement and opportunities to improve the built form should be taken. No new amenity issues in terms of loss of amenity to residential or business occupiers would result from the proposal. In terms of vehicle parking then the site already operates within its existing site limitations and with no further material intensification of use the existing arrangements would continue to operate without material adverse impacts. Whilst the scheme is contrary to parking requirements, it is in general accordance with policies NW1, NW12, NW14, NW18 and NW20 of the Core Strategy in that this a responsive proposal that enhances the existing built form at North Street and harmonises with its surroundings with the scheme not conflicting with sustainability policies of the Core Strategy or the NPPF.

## Recommendation

That planning permission be **GRANTED** subject to the following conditions:

1. Standard Three Year condition.
2. Standard Plan Numbers.
3. No development shall commence on site until full details of all of the facing and roofing materials to be used; window details at a scale of 1:20 for the elevations and at a scale of 1:5 for the sections, details of the eaves and verge and rainwater goods together with the means of refuse/waste collection shall have first all been submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall then be used on site.

### REASON

In the interests of the visual amenities of the area.

4. No additional opening shall be made other than shown on the plan hereby approved, nor any approved opening altered or modified in any manner, unless details have first been submitted to, and approved in writing by, the Local Planning Authority.

### REASON

To protect the privacy of the occupiers of adjoining properties and in the interests of preserving the character and appearance of the conservation area.

5. No development other than demolition shall commence on site until details are first submitted and approved in writing by the Local Planning Authority to show compliance with disability access legislation. Only the approved details shall then be implemented on site.

### REASON

To ensure that the development meets DDA requirements

6. A Construction management plan condition.

### REASON

To protect the amenities of the occupiers of nearby properties during the construction period.

## Notes

1. The submitted plans indicate that the proposed works come very close to, or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining land owner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the

consent of the owners of that land. You would be advised to contact them prior to the commencement of work.

2. You are recommended to seek independent advice on the provisions of the Party Wall etc. Act 1996, which is separate from planning or building regulation controls, and concerns giving notice of your proposals to a neighbour in relation to party walls, boundary walls and excavations near neighbouring buildings. An explanatory booklet can be downloaded at [www.communities.gov.uk/publications/planningandbuilding/partywall](http://www.communities.gov.uk/publications/planningandbuilding/partywall).
3. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining. Further information is also available on The Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)  
Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com)
4. Radon is a natural radioactive gas which enters buildings from the ground and can cause lung cancer. If you are buying, building or extending a property you can obtain a Radon Risk Report online from [www.ukradon.org](http://www.ukradon.org) if you have a postal address and postcode. This will tell you if the home is in a radon affected area, which you need to know if buying or living in it, and if you need to install radon protective measures, if you are planning to extend it. If you are building a new property then you are unlikely to have a full postal address for it. A report can be obtained from the British Geological Survey at <http://shop.bgs.ac.uk/georeports/>, located using grid references or site plans, which will tell you whether you need to install radon protective measures when building the property. For further information and advice on radon please contact the Health Protection Agency at [www.hpa.org.uk](http://www.hpa.org.uk). Also if a property is found to be affected you may wish to contact the North Warwickshire Building Control Partnership on (024) 7637 6328 for further advice on radon protective measures.
5. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions, seeking to resolve planning objections and suggesting amendments to improve the quality of the proposal. 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/2020/0056**

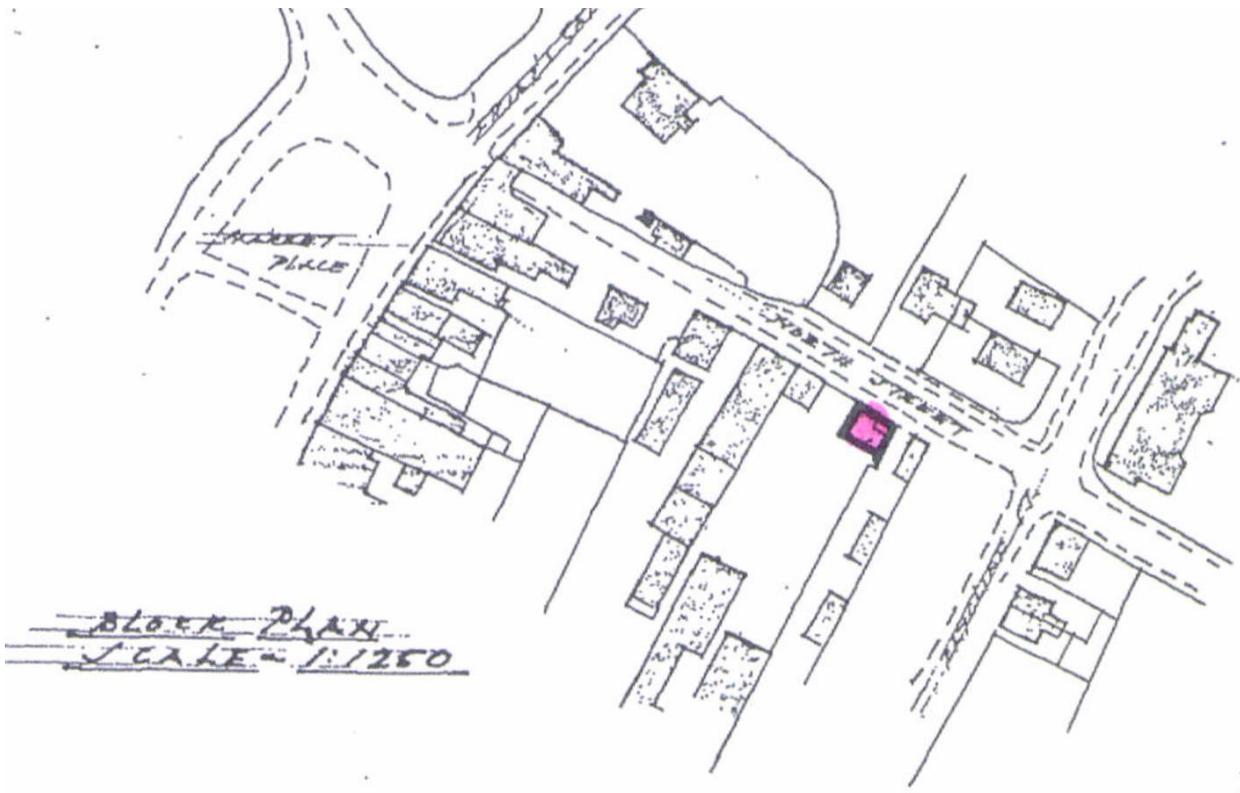
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	4.2.2020
2	Atherstone Civic Society	Consultation reply	15.4.2020
3	Applicant to Case Officer	e-mail	12.3.2020
4	Case Officer to Applicant	e-mail	18.3.2020
5	Applicant to Case Officer	e-mail	28.4.2020
6	Applicant to Case Officer	e-mail	7.5.2020
7	Applicant to Case Officer	e-mail	22.5.2020
8	Case Officer to Agent	e-mail	27.5.2020
9	Applicant to Case Officer	e-mail	27.5.2020
10	Agent to Case Officer	Revised Plans	28.5.2020
11	Cllr. Chambers	Representation	1.6.2020
12	Resident	Representation	2.6.2020
13	Cllr D Downes	Representation	2.6.2020
14	Resident	Representation	2.6.2020
15	Resident	Representation	3.6.2020
16	Resident	Representation	4.6.2020
17	Resident	Representation	4.6.2020
18	Resident	Representation	4.6.2020
19	Resident	Representation	4.6.2020
20	Agent to Case Officer	e-mail	4.6.2020
21	Resident	Representation	5.6.2020
22	Resident	Representation	5.6.2020
23	Cllr J Chambers	Representation	6.6.2020
24	Resident	Representation	8.6.2020
25	Resident	Representation	9.6.2020

26	Resident	Representation	10.6.2020
27	Atherstone Town Council	Supporting Information	11.6.2020
28	Resident	Representation	12.6.2020
29	Resident	Representation	12.6.2020
30	Resident	Representation	15.6.2020
31	Resident	Representation	15.6.2020
32	Applicant to Case Officer	e-mail	19.6.2020
33	Applicant to Case Officer	e-mail	22.6.2020
34	WCC Highways Authority	Consultation reply	24.6.2020
35	Resident	Representation	26.6.2020
36	Case Officer to Agent	e-mail	8.7.2020
37	Resident	Representation	9.7.2020
38	Case Officer to Agent/ Applicant	e-mail	9.7.2020

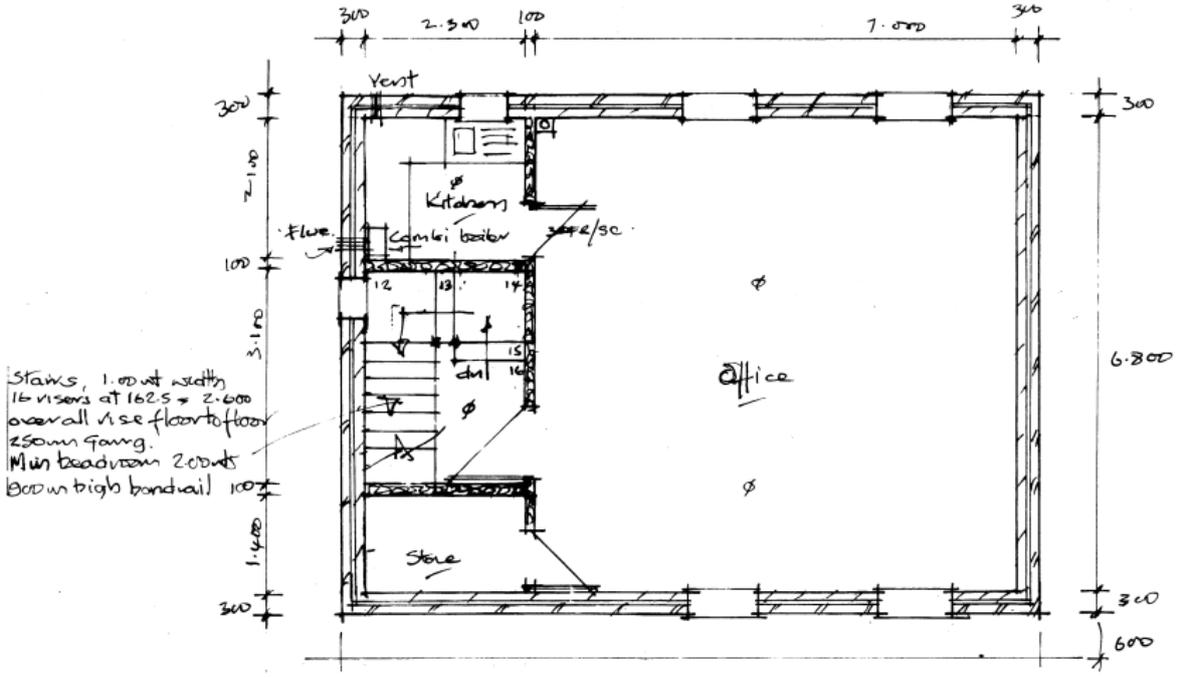
*Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.*

*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:

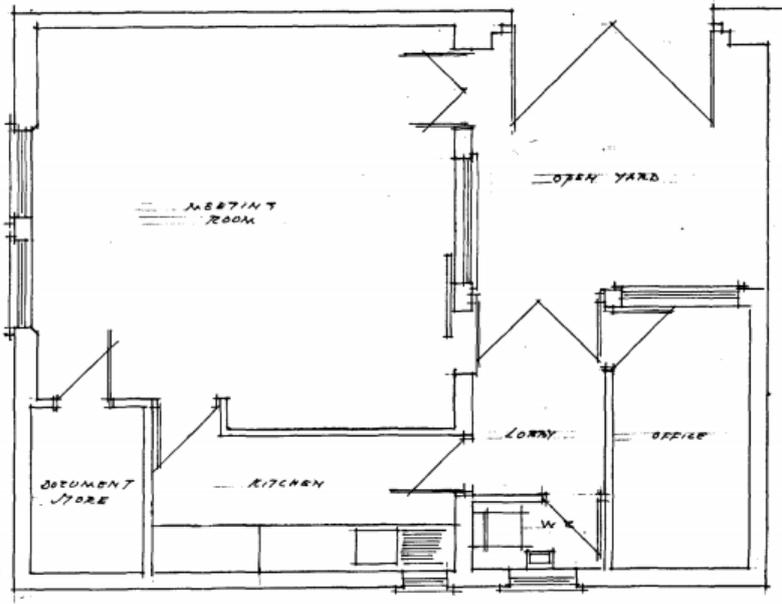






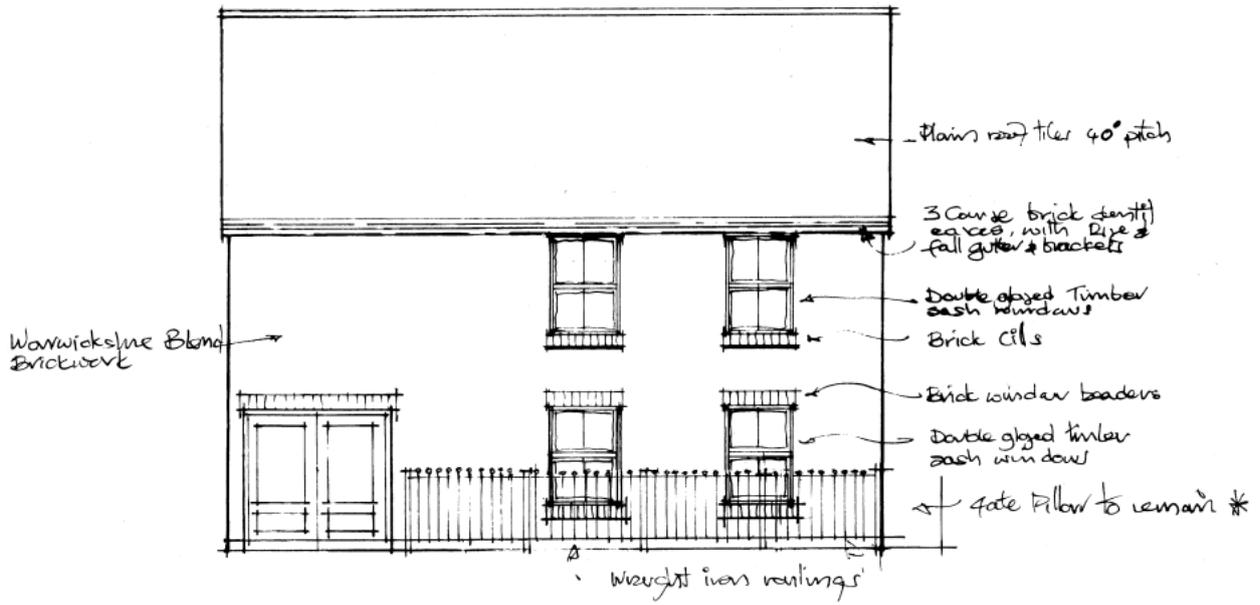
Proposed Binsi Floor Plan

The existing layout of the building comprises the open yard area, which allows for access into the building. The new proposal would build on the open yard area.

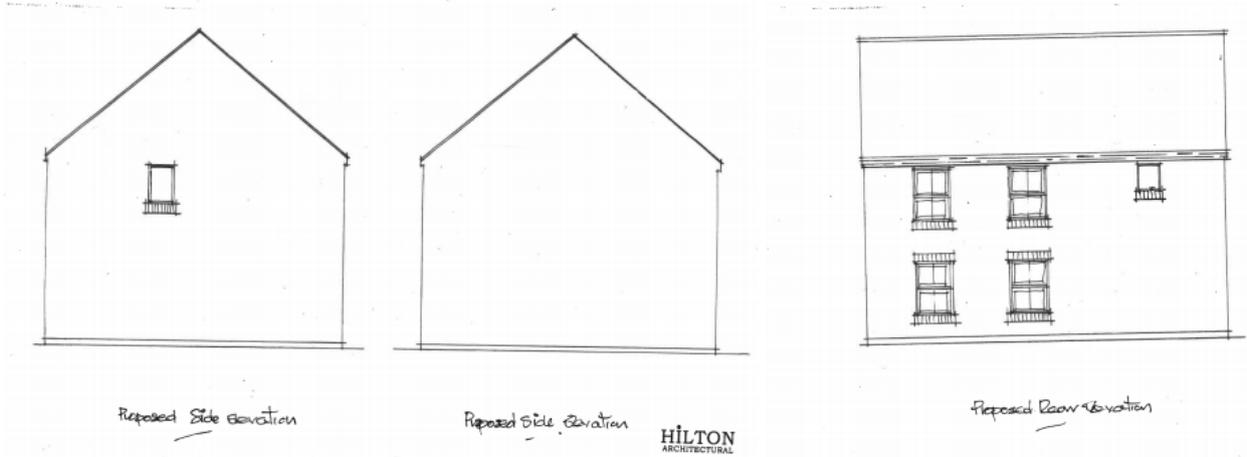




Appendix C:



Proposed Front Elevation



**(4) Application No: PAP/2020/0295**

**Land West Of Hams Hall Roundabout and south of, Marsh Lane, Curdworth,**

**Outline application for an overnight truck shop comprising 200 HGV spaces and associated facilities including fuel refuelling station, amenities building, electric vehicle charging points, staff and other car parking, and landscaping. Including details of vehicular access from Marsh Lane, all other matters reserved, for**

**Caesarea Development Holdings Limited**

**Introduction**

This report introduces Members to this recently submitted planning application. It will describe the proposal as well as outline the relevant planning policies of the Development Plan applicable to its determination along with other material planning considerations. A full determination report will follow at a later date and that will update the Board on the consultations responses that are received.

**The Site**

This comprises two rectangular parcels of land – one to the north of and the other to the south of Marsh Lane in Curdworth. They both are situated on the west side of the A446 at the Hams Hall round about junction of that road with Marsh Lane. The parcel on the north side extends all the way westwards to the M6 Motorway cutting, whereas that to the south whilst fronting the A446, only extends partly to the Motorway, excluding Spring Farm to the west. Together the parcels amount to just over 9 hectares in area – about two-thirds being on the north side of Marsh Lane.

The general location is illustrated at Appendix A.

The two parcels are agricultural fields with hedgerow boundaries together with sporadic trees. The northern parcel does have a slope from north to south whereas the southern one is largely flat. The southern field contains a pylon in its northwest corner which supports a high voltage wire which crosses the south-east corner of the northern parcel of land.

The village of Curdworth is on the other side of the M6 Motorway being around 400 metres from the western most boundary of the site. Croft Cottage is to the south of Marsh Lane on the village side of the motorway some 100 metres from the site boundary.

To the east of the Hams Hall round-about is the Hams Hall Distribution and Manufacturing Park some 600 metres from the site. On the eastern side of the A446, north of the roundabout there is a cottage fronting that carriageway and a materials recycling site further to the north. Junction 9 of the M6 and M6 Toll is 600 metres to the north.

There are no public footpaths affecting either parcel of land but there is one – the M21 – on the west side of the Motorway which runs north/south between the Motorway and the village.

The line of HS2 passes to the east crossing the road access to the Hams Hall estate some 500 metres to the east.

## **The Proposals**

The development as described in the header to this report is wholly confined to the northern of the two parcels of land described above. This is an outline application with only details of the access into this northern parcel included. All other matters such as the layout and the appearance of the HGV parking area would be reserved for later approval. The whole of the southern parcel would become a bio-diversity enhancement area with new woodland planting together with conservation grassland and no built development proposed.

The applicant has provided a summary and this is attached at Appendix B.

A purely illustrative indication of the possible layout of the HGV parking area is attached for information at Appendix C and a more detailed plan of the Marsh Lane access is at Appendix D. This shows the nature of the engineering solution here to prevent HGV egress from the site into Curdworth as well as changes to the Hams Hall roundabout into Marsh Lane. A couple of cross sections have been submitted and these are at Appendix E.

A number of supporting documents accompany the application.

A Planning Statement sets out the background evidence to support the “need” for the proposals as well as setting out the applicant’s assessment of these against relevant Development Plan policy.

The applicant’s case is set out at Appendix F. In short it sets out the national picture in respect of HGV parking which prompted a Government response with the very recent HGV parking survey and the consequential Ministerial Statement – referred to below. These highlight seven particular problem areas in the country. The only one in the West Midlands is the “Hams Hall to Dordon (around Birch Coppice)” area. The applicant has undertaken a survey of lorry parking in this general area in order to better understand the local situation. This describes the existing situation locally in and reports on those local issues and problems being caused by HGV parking. He then outlines the benefits associated with having a secure HGV parking area. He concludes by outlining the process he has followed in selecting this particular site. Appendix H deals with the issue of the site not being at Hams Hall.

An Archaeological Assessment based on a desk top study of the Historic Records for the area and an on-site geo-physical survey concludes that the site has negligible to low archaeological interest.

An Ecological Appraisal describes the sites as being dominated by arable land with poor semi-improved grassland and scrub at the margins which are all of low to medium-low ecological value. The boundary hedgerows and trees would largely be retained and these can be enhanced by perimeter landscaping. The proposals to enhance the southern parcel as wholly a wild ecological area would provide a net gain in bio-diversity overall. Low levels of bat activity were recorded but effective mitigation and lighting controls

should minimise the risk of adverse impacts. No other protected or notable species would cause a statutory constraint on the proposed development.

A Landscape and Visual Impact Appraisal describes the two parts of the site as being strongly influenced by large scale transport infrastructure and nearby industrial development and features (overhead lines, pylons and the Minworth STW works). Overall the Appraisal concludes that in this setting, the development would have very limited and localised landscape effects. Visually the sites are considered to be well contained due to a combination of the surrounding topography, motorway infrastructure and trees. Curdworth is said to be visually separated and effectively concealed from the site by intervening higher ground. Views are therefore limited to the immediate surrounding roads. The development would result in very limited and localised visual effects for a small number of receptors and thus would not impact beyond a small surrounding area. The Appraisal also looks at Green Belts issues, concluding that the surrounding urbanising influences lessen the contribution of the site in terms of its role as countryside and towards openness. It therefore is a “low –performing” site in terms of its contribution to the Green Belt and as such, the development would not prejudice the overall purposes of the Green Belt.

A Noise Impact Assessment concludes that there would be no change in overall road traffic noise as a result of the development; that day time background noise levels would not be exceeded and that during night the expected levels would still be below background levels.

An Air Quality Assessment, including dust impacts concludes that the proposed development would have a negligible impact on nearby receptors and thus would comply with air quality guidance.

A Lighting Report concludes that there would be no significant adverse effects due to the surrounding light levels and because the lighting on site can be designed so as to reduce its impact on nearby receptors.

A Flood Risk Assessment concentrates on the northern parcel of land. That is within Flood Zone 1 which is classified as “less vulnerable” in terms of the probability of fluvial flooding. It also is shown as being at very low risk of surface water flooding. SUDS features on site would attenuate flows arising from the development through geo-cellular storage tanks prior to discharge into the highway sewers or to be pumped to a STW public sewer 800 metres to the south-east of the site. Foul water would discharge via a pump and rising main to the STW foul sewer 550 metres to the north-west.

A Transport Assessment repeats the case made in the Planning Statement in respect of the evidence to support the “need” for the proposal. It does however also assess the highways impacts arising from the proposals. In this respect it looks at the capacity of the off-site junctions; the design of the access arrangements into the site, alterations to the Marsh Lane “limb” of the Hams Hall roundabout and mitigation measures to restrict access through Curdworth west of the site. Appendix G is a summary taken from that appraisal.

A Statement of Community Involvement outlines the arrangements undertaken by the applicant in consulting the local community prior to the submission of the application. It describes a meeting between the applicant and the Parish Council and subsequent actions – 560 letters circulated to local residents; a dedicated project website, letters to

community representatives including the MP, a dedicated information telephone line and online advertising through social media. There was a high rate of feedback with 280 comments and enquiries received. It is said that 40% of respondents agreed that there is a local HGV parking shortage and had noticed on-street parking in the area. However the Statement concludes that the overall response was mixed with the majority of negative replies concentrated at addresses in Curdworth and Water Orton – half of which asked for the HGV parking area to be at Hams Hall. The other main concerns were local highway impact and Green Belt intrusion. The applicant's response to these matters is at Appendix H.

A Design and Access Statement describes the background to the production of the illustrative layout at Appendix C.

### **Development Plan**

The Core Strategy 2014 – NW1 (Sustainable Development); NW3 (Green Belt), NW10 (Development Considerations), NW11 (Renewable Energy), NW12 (Quality of Development), NW13 (Natural Environment), NW14 (Historic Environment), NW16 (Green Infrastructure) and NW22 (Infrastructure)

Saved Policies of the North Warwickshire Local Plan 2006 – ENV4 (trees and Hedgerows); ENV9 (Air Quality), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), TPT1 (Transport Considerations) and TPT3 (Access and Sustainable Travel)

### **Other Material Planning Considerations**

The Submitted Local Plan 2018 – LP1 (Quality of Development); LP3 (Green Belt), LP15 (Historic Environment), LP16 (Natural Environment), LP25 (Transport Assessment), LP31 (Development Considerations) and LP32 (Built Form)

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

National Planning Practice Guidance

Department of Transport Circular 02/2013

National Survey of Lorry Parking 2018

Strategy for Lorry Parking in England 2009

Written Ministerial Statement 2018 – National Survey of Lorry Parking

### **Observations**

As can be seen, the site is in the Green Belt and thus Members will first need to conclude whether the proposal is appropriate or not appropriate development according to the definitions set out in the National Planning Policy Framework. If it is found to be appropriate development, the Board will nevertheless still need to establish if there is any significant demonstrable harm arising from the proposals. If it is found to be inappropriate development, then in addition to looking at other harms that might arise, the Board will need to address the material planning considerations put forward by the applicant to see if they clearly outweigh the cumulative harms caused such to amount to the “very special circumstances” needed to support the application.

A number of potential impacts will need to be assessed to establish whether significant demonstrable harm is likely to be caused and consultation responses from the relevant Agencies will help guide any conclusions here.

Members may wish to visit the site and this can easily be achieved as both parcels of land are visible and accessible from Marsh Lane using the gated access "pull-ins".

Given the current restrictions, a formal site visit is not recommended.

**Recommendation**

That the report be noted and that Board Members are requested to visit the site.



---

### 3.0 THE PROPOSED DEVELOPMENT

#### 3.1 The description of development is as follows:

*“Outline application for an overnight truckstop comprising 200 HGV spaces and associated facilities including fuel refuelling station, amenities building, electric vehicle charging points, staff and other car parking, and landscaping. Including details of vehicular access from Marsh Lane, all other matters reserved”*

3.2 As set out above, the application seeks planning permission for an overnight truckstop, providing 200 spaces for HGV's, as well as associated facilities for the drivers including a wash area, toilets and café (A3), retail (A1) and fuel-filling station, as well as landscaping. The site would be served off a new vehicular access from Marsh Lane, together with substantial improvement work on the A446 and at Hams Hall Roundabout.

3.3 The application seeks to deliver a high-quality development which will help meet the HGV parking needs in the area and associated facilities for the drivers. The site is in an accessible location that is well connected to the strategic road network, at Junction 9 of the M42. Drivers accessing the site would not have to pass through a residential area to reach the site, and the facilities are designed to meet the needs of HGV drivers as opposed to those of the wider travelling public, including secure HGV parking in a managed environment.

3.4 The form of the proposed development has evolved having regard to the character of the site and surrounding area, and the physical characteristics and opportunities of the site. Albeit in outline, certain principles are proposed now which can and should provide a framework for detailed reserved matters in due course.

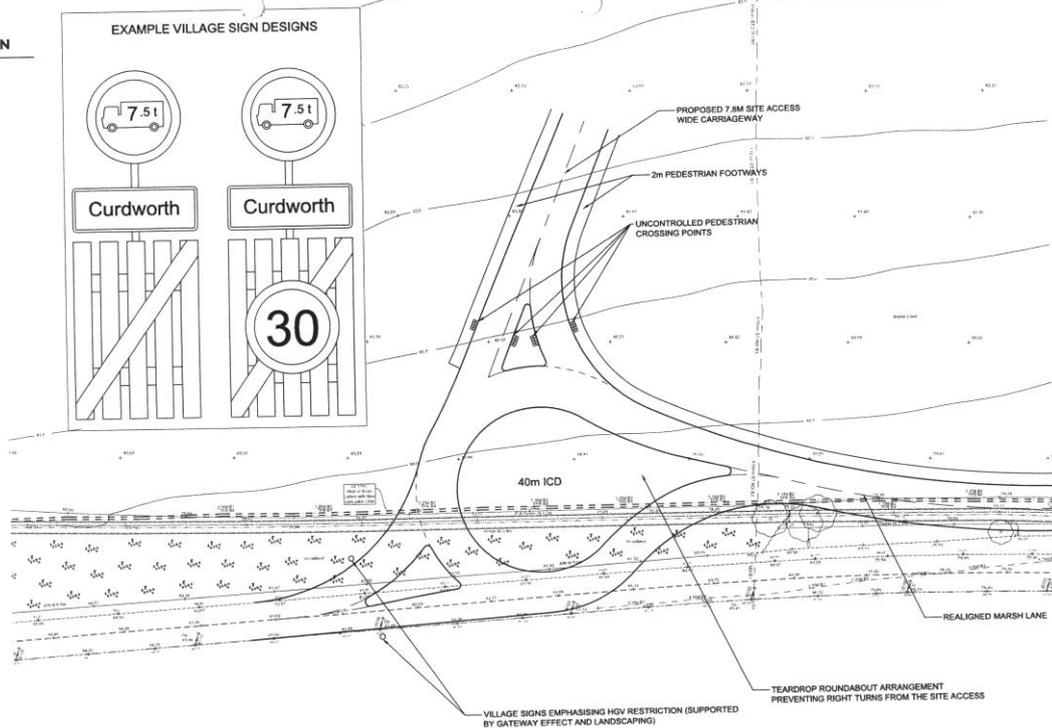
3.5 Details of the approach to the development proposal are set out in the Illustrative Layout Plan.

3.6 It should also be noted that if Outline planning permission is granted, then we expect the local authority to impose a suitably worded pre-occupation Condition stipulating that a detailed management plan is submitted and approved to the satisfaction of the Council. The management plan is part of the mitigation to help monitor and control and local issues and impacts. It will incorporate, but not limited to, the following matters:

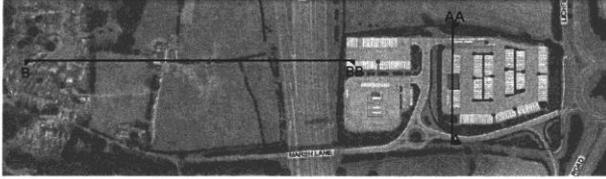
- Parking management and access
- Security and safety
- Maintenance and cleaning/litter
- Liaison with Police and local authority
- Monitoring



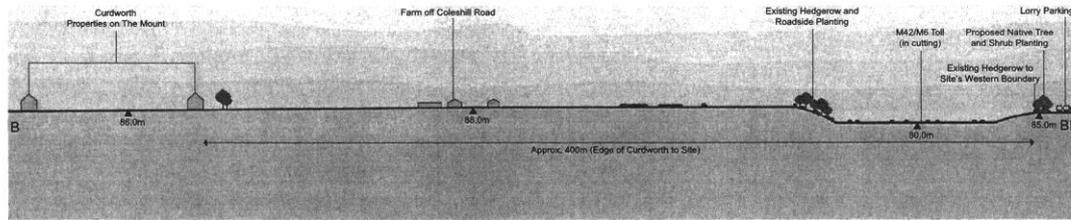
ACCESS PLAN



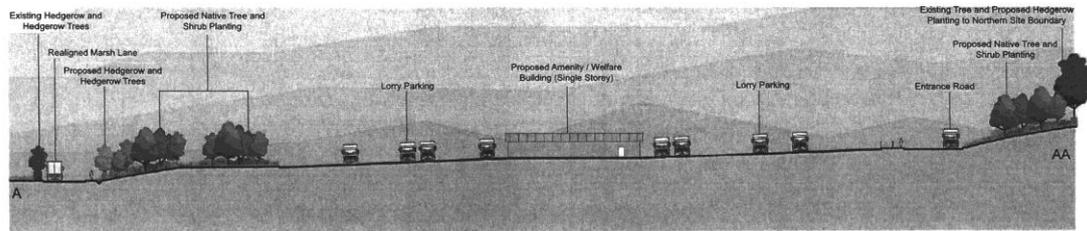
LANDSCAPE SECTIONS



Landscape Section Location Plan



Note: Levels are approximate and based upon Ordnance Survey data



---

## 5.0 APPRAISAL OF THE APPLICATION

- 5.1 The planning application is made in response to the national and local shortage of HGV parking spaces and facilities, and the issues associated with 'fly-parking' in the area surrounding the application site.
- 5.2 As referred to above, and as described further below, the proposals accord with, and would enable delivery of, key objectives of both local and national planning policies.
- 5.3 Therefore, both a national (strategic) and local context exists for the proposed development rooted in the recognised importance and strong representation of the logistics and distribution sector in this part of the Midlands. The proposals therefore find support in a range of local and national policies.
- 5.4 The NPPF (paragraph 107) states:  
*"Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use."*
- 5.5 This section assesses the proposal in the context of the National Survey of Lorry Parking 2017, the policies of the NPPF as a whole, and the North Warwickshire Core Strategy and the emerging North Warwickshire Local Plan, and demonstrates how it meets the standards and policy requirements. An assessment is also provided below of how there are 'very special circumstances' to justify development not usually permitted in the Green Belt.

### Problems Associated with the Lack of Proper Facilities and Spaces

- 5.6 The issue of HGV parking in the area surrounding the site has been reported a number of times in the local press and council reports which illustrate the problems associated the lack of HGV parking spaces and the nuisance it creates. Full extracts from these reports can be found in the submitted Transport Assessment.
- 5.7 As referred to in Section 4 of this Planning Statement, the National Survey of Lorry Parking 2017 report identified a number of parking shortage 'hotspots' where stakeholders to the study felt that the shortage of lorry parking facilities is the most pronounced. The report also explains that in these areas lay-bys are being closed due to repeated problems with the negative aspects of overnight lorry parking e.g. litter, anti-social behaviour, prostitution and

---

crime. Seven hotspots are identified across England. The site falls within the 'Hams Hall to Dordon (around Birch Coppice)' 'hotspot'.

- 5.8 The issues created because of a lack of proper HGV parking facilities which leads to improper 'off-site' or 'fly-parking' has been repeatedly reported on local press publications and Council reports. An anonymous post (the full extract can be found in Appendix 2) on the website Fix my Street from November 2016 stated that:

*"Since the ramp-up of local logistics companies and factories on the Hams Hall estate, plus the word-of-mouth communication amongst HGV drivers, the main dual carriage way has become a permanent HGV park and overnight stop over, the grass verge a mud bath, the pavements a refuse dump and the nearby bushes an open Toilet for all drivers. (I have seen quite a few with their trousers down!) 3 Years ago these roads were clear"*

- 5.9 The article entitled 'MEP & MP Meet Over Lorry Parking Problems Near Hams Hall' (the full extract can be found in Appendix 3), describes how Member of Parliament (MP) Daniel Dalton met with North Warwickshire MP, Craig Tracey to discuss concerns about HGV's being parked overnight on roads near Hams Hall. The article claims there are over 100 trailers parked on the roads in industrial estates in and around Hams Hall. Daniel Dalton was quoted saying:

*"There are serious safety concerns for local drivers with reported incidents of anti-social behaviour and close near-miss accidents at night."*

- 5.10 The minutes of the Curdworth Parish Council held on the 11th July 2016 describes the situation round Hams Hall related to HGV parking in the area:

*"5. HGV and vehicular movements. You are hopefully aware that WCC, together with NWBC, Lea Marston parish Council, Warwickshire Police, Eon, Sainsbury's and BMW are actively engaged in joint works under the name of the Hams Hall Bid Group to try and mitigate the impact of HGV parking and movements both on and off site that arise from business processes on the Hams Hall site. We are therefore keen to ensure that all of the proposed 35 HGV movements to and from the gasification site and all commuter and visitor traffic movements can be accommodated within the site for which planning application has been applied for. Lea Marston Parish Council shares the view of the Bid Group partners that the public spaces on the Hams Hall site are now saturated with vehicle parking and that this not only results in danger to road users within the site but also results in anti-social behaviour from those drivers who park up on the site and urinate and excrete in the roadside vegetation, litter, and cause damage to all grass verges around the site therefore making it visually unattractive. We do not expect the applicant to solve current problems, rather we seek a binding assurance that this application will not add to them and that all*

---

*road traffic arising from the operation and employment of the site can be contained within the development.”*

- 5.11 The press article entitled ‘Problem Parking?’ was posted in the Coleshill Post on the 2nd May 2017. The article describes the growth of HGV parking on local laybys and roadsides, the problem is especially noted along the A4097 in Curdworth, on Hams Hall and the A446.
- 5.12 The nearest alternative HGV parking facilities to the site are as follows:

Tamworth MSA – 12.1km

Lincoln Farm Truckstop – 14km

Corley South – 25.9km

PJM Lorry Park – 30.3km

- 5.13 North Warwickshire and the associated road network has only two truckstop facilities (Corley services and Tamworth MSA) within its administrative area, and there is only three within reasonable travel distance (30 minutes) from the site. Considering the largely industrial nature of the sites surrounding area with Hams Hall distribution park and Birch coppice industrial estates within close proximity and that two of the three sites within the 30 minute travel distance are considered full, the provision of HGV parking facilities is considered to be insufficient, particularly given the findings of a parking beat survey (this survey is described in more detail later on), which noted extensive HGV parking at the kerbside.
- 5.14 The applicant has discussed the proposals and context with the LPA, and these have focused on two main issues. Firstly, that the problems regarding a lack of HGV parking and facilities in the area are worsening. The Council confirmed that it is increasingly aware of this issue and the number of residents who have contacted the Council and ward members complaining about the issues has notably grown with time. The Council also noted that recent employment sites with planning permissions at Peddimore in Birmingham City (approved in August 2019) and at Hinckley Park in Hinckley and Bosworth (approved in March 2018) will create additional need for HGV in the wider area and exacerbate the current issue locally between Hams Hall and Birch Coppice. Secondly, the Council regard the most affected area to be the immediate area around Hams Hall Distribution Park, this is where the need for additional HGV spaces is most pronounced. Survey work (as described in full in the submitted Transport Assessment) reaffirms this position revealing that the situation regarding a shortage of HGV parking was worst around Hams Hall at the time of the survey

---

with 50 lorries parked inappropriately. This is consistent with the national 'hotspot' designation, and the application site is in the immediate area to Hams Hall.

#### **Demonstrable Need for Additional HGV Spaces**

- 5.15 There is a clear need for additional HGV spaces in the area and the National Survey of lorry Parking 2017 report confirms this is the case, identifying the area in which the application site sites as a parking shortage 'hotspot'.
- 5.16 ADC Transport Infrastructure consultants were commissioned to undertake a parking beat survey to identify the excess parking demand in the surrounding area of the site in 2019. To establish a suitable route for the survey, a search was undertaken for anecdotal problems of HGV parking. The survey route can be seen in full in Figure 4 of the submitted Highway's Appraisal. The results of the survey revealed that even though parking levels remained fairly constant, a total of 84 to 89 vehicles were parked throughout the survey period. All of the vehicles recorded were parked either on the carriageway or within adjoining lay-bys.
- 5.17 It should also be noted that it is unclear how many drivers beyond the identified 89 HGV drivers that are parked in off-site locations identified in the parking beat survey extend their journey to find the next available on-site facility or off-site parking.
- 5.18 Schedule 1 of the Department for Transport's Circular (DfT Circular 02/2013) outlines the parking requirements at motorway truckstops. The guidance in the document stipulates that the parking requirements for a motorway truckstop are the same as the HGV requirement for a motorway service area. The methodology to calculating the number of parking spaces required for HGV's is based on traffic flow data. This calculation is 0.5% of the total of the HGV and coach traffic flow (Vehicles per day) on the relevant part of the Strategic Road Network.
- 5.19 Using the DfT's methodology, the traffic flow (vehicles per day) on the relevant roads (M42, M6 Toll & A446) to the application site, when taking into account traffic growth over the next ten years you arrive at a total of 159 HGV spaces. It was appropriate in this instance to factor in future traffic growth because the truckstop is likely to be operational for a period of longer than ten years and therefore it is necessary to use future traffic growth to forecast future demand for HGV spaces in line with Schedule 1 of the DfT's methodology as described above. There is National Policy support for this approach; paragraph 107 of the NPPF states that: *"Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use"*.
- 5.20 This application proposes 200 HGV spaces and this number of spaces can be fully justified when combining the parking requirement for HGV's using the DfT's methodology of 159

---

spaces with the 89 HGV's that were found to be parked inappropriately in the parking beat survey the total of HGV spaces needed comes to 248.

- 5.21 The National Survey of Lorry Parking 2017 report looked at the capacity of on-site lorry parking facilities in England. The capacity of each region in England was measured against the utilisation rate. The utilisation of on-site lorry parking facilities compares the number of vehicles parked against current capacity - it is a useful indicator for areas where capacity is struggling to meet demand.
- 5.22 The utilisation of the West Midlands was recorded at 87%, up 16% compared with the situation in 2010. The report explains where utilisation is 85% or above it is difficult for drivers to find parking spaces due to the size of vehicles and the way they are positioned, hence at this point the lorry park is considered to be full in a practical sense. The West Midlands has the second worst utilisation rate in England, second only to the East of England. High utilisation leads to issues such as inappropriate parking, which generates safety concerns for other road users and pedestrians having to navigate around large vehicles parked inappropriately obstructing their view of the road. The Curdworth Parish Council minutes from January 2016 (extract in Appendix 5) express concern over this precise issue, describing how there is the necessity for pedestrians to walk in the road because of HGV's parking on the footpath putting them at danger to possible oncoming traffic.
- 5.23 The data from the National Survey of Lorry Parking 2017 report implies that drivers across the West Midlands are attempting to take a break at on-site lorry parking facilities and are potentially being forced to drive illegally to the next on-site facility because of capacity issues. Furthermore, there is a lack of alternative HGV parking facilities within a reasonable distance from the site. This creates a highway safety issue in its own right when drivers are not in a position to take the required break time between driving due to a lack of facilities. This proposal seeks to address this issue and accords with the principles of the footnote to paragraph 104 e) of the NPPF by providing an additional 200 spaces for HGV's in a region where lorry parks are considered to be full and there is an evidenced need for additional spaces.
- 5.24 The National Survey of Lorry Parking 2017 report explains that the purpose of lay-bys should be limited to short breaks and emergency stops and overnight parking in industrial estates is inappropriate. Thus, the ideal is for all overnight lorry parking to be contained within appropriate onsite facilities. The parking beat survey revealed that lay-bys are being used for long stops and industrial estates are being used for overnight parking in the area immediately surrounding the site. This proposal seeks to deliver the necessary onsite facilities, reducing the amount of off-site parking which has been identified in the area.

---

### Benefits of Providing a Secure Managed Facility

- 5.25 This statement and other information submitted as part of the application demonstrates that there is a need for additional HGV parking both nationally and locally and highlighted the problems associated with the lack of HGV parking in the area. This section outlines how providing a secure managed facility that provides HGV parking does alleviate the problems identified, offering a number of benefits to both the HGV drivers and the local area.
- 5.26 This is an outline application so precise details of how the facility will be managed and the how the facility will be secured will come forward during the detailed planning stage and subsequent reserved matters applications, in which a management plan for the site will be produced. However, the site would be managed and built securely, to reduce the possibility of crime onsite and provide a properly run facility that draws in drivers who would otherwise are likely to park inappropriately in surrounding lay-bys and carriageways.
- 5.27 As explained previously in this statement HGV's 'fly-parked' in inappropriate locations cause a variety of problems such as anti-social disorder. Having a managed facility close to the source of the 'fly-parking', which in this case is Hams Hall Distribution Park and Birch Coppice Industrial Estate, provides not just the opportunity for drivers to park in a secure facility, it also provides the police more power to move vehicles on that are parked inappropriately.
- 5.28 This position was confirmed in October 2019 by the Designing Out Crime Officer at Warwickshire Police (by email) who explained that the police in Warwickshire are starting to issue 'graduated tickets', which are fines to be paid immediately which target foreign drivers who often park inappropriately often for days in the same location and leave the country before typical fines are paid. The email also confirms that if there is a managed facility nearby this increases the power of the police to issue graduated tickets and move vehicles on more effectively.
- 5.29 The BSI and the National Vehicle Crime Intelligence Service (NaVCIS) published the 'Cargo Theft Annual Report 2018'<sup>4</sup> which summarised the position of freight and cargo crime in the UK. The report summarises the position of cargo crime in the UK:
- "In 2018, nearly 1,300 theft incidents occurred on highways or roadways in the country. Thieves generally target these systems due to the lack of secure parking on these routes, as cargo truck drivers frequently utilize off-road laybys or motorway rest areas, that oftentimes lack substantial security measures, for overnight rest."*

---

<sup>4</sup> BSI and the National Vehicle Crime Intelligence Service (NaVCIS) – SCREEN United Kingdom Cargo Theft Annual Report 2018

- 
- 5.30 The report notes that cargo truck drivers utilise the less secure locations to park, such as off-road laybys and industrial estates, due to their proximity to roadways along their delivery routes and since it is overall more convenient considering the difficulty of finding secure parking in the United Kingdom.
- 5.31 This is a picture which is reflected around Hams Hall Distribution Park as the parking beat survey recorded a large number of vehicles parked inappropriately in laybys and around Hams Hall. Therefore, these vehicles are vulnerable to thieves who intend on stealing the cargo within the truck and the drivers are at risk of violent crime from the thieves.
- 5.32 One of the ways the report suggests mitigating against the risks of cargo theft is to ensure trucks are utilizing secure overnight parking locations. The report also identifies the M6 motorway as a notable transport route of concern, in which thieves target the cargo in trucks.
- 5.33 The precise details of the price drivers will have to pay to access the site and stay overnight will be included as part of the management plan. However, HGV drivers generally will have the means to pay this expense because of the 'sleeper cab allowance', which is explained below.
- 5.34 The Road Haulage Association agreed the haulage industry scale rate for overnight stays away from home, otherwise known as the 'sleeper cab allowance'. This allowance is £34.90, or 75% of this figure (£26.20) where the driver uses a sleeper cab per night. These are the maximum amounts that can be paid free of Income Tax and NIC's under the agreed industry scale rate. Lorry drivers are commonly paid the allowance by their employer when away from home on driving duty and can be used to cover the cost of meals, washing facilities etc.
- 5.35 Having a managed facility which provides secure HGV parking incentivizes lorry drivers to use their sleeper cab allowance to park their lorries in such a facility, which reduces the threat of cargo crime and the problems associated with 'fly parking' in inappropriate locations, thus improving the general environment of the area for residents and passers-by. The proposed facility also improves the powers of the Police to move vehicles parked 'inappropriately', which reduces problems locally and ensures the facility is likely to be used for its intended purpose. Therefore, this proposal complies with Policy NW12 of the North Warwickshire Core Strategy, that states that development proposals should be designed to deter crime. It is an additional benefit to HGV drivers to have such a facility with good access to the strategic road network and so near to Hams Hall.

---

## Alternative Sites

- 5.36 In advance of the planning application being prepared and submitted, a sequential approach was undertaken to explore at alternative sites which could feasibly accommodate a truckstop of a comparable size to the one that this application proposes. The search was focused on land within and near to the nationally identified HGV parking shortage “hotspot” of ‘Hams Hall to Dordon (Birch Coppice)’. This hotspot is almost entirely located with North Warwickshire’s administrative boundary, consequently the majority of the alternative sites assessed are within North Warwickshire. A total of 23 sites (including the application site) were assessed in the assessment. Sites 1-19 fell within North Warwickshire, 20 & 23 are within Birmingham City, 21 is within Solihull Metropolitan Borough Council and 22 is within Tamworth Borough Council.
- 5.37 This assessment considered a range of sites that are both within and outside the Green Belt.
- 5.38 A copy of the table that was produced to show the assessment of all alternative sites, including the application site, can be found in Appendix 7.
- 5.39 Assistance and input were provided by appropriate professionals to grade each of the sites – for example FPCR provided expert input on landscape impact, and ADC Infrastructure provided expert input towards access and highways matters. FPCR and ADC Infrastructure’s full reports can be found in Appendix 6.
- 5.40 The results of the assessment concluded that the application site was the most suitable site for a truckstop in North Warwickshire Borough. The site scored highly in each of the separate categories of assessment, its Green Belt designation was the only category which it scored poorly on. Other sites had their individual pros and cons, however none ranked as highly as the application site when taking into account all of the assessment criteria and its full range opportunities and lack of constraints.
- 5.41 There were a number of sites that came close to the application in terms of their suitability for a truckstop, however none scored as highly as the application site in the assessment. A number of sites were well located to the SRN and Junction 9 of the M42, but some of these sites had access issues or were within the ‘HS2 Safeguarding Zone’. Safeguarding is an established part of the planning process, designed to ensure that land which has been identified for major infrastructure projects is protected from conflicting developments, in this case it is the proposed development of the HS2 rail line.
- 5.42 Other sites close to Birch Coppice Industrial Estate, although not located within the Green Belt, fall in too close proximity to the residential areas of Dordon and Freasley and they are too close to Tamworth MSA, which already provides HGV parking. A new additional truckstop

---

in this location would do less to control or meet the excess demand for HGV parking spaces with an existing facility so close, and could also reduce the opportunity for the site to provide a road safety function. This is because Government advise motorists to stop and take a break at least 15 minutes every two hours of driving. Thus, having two sites which offer the facilities for HGV drivers to stop and take a break within a close proximity to each other restricts driver's ability to take the recommended rest time, jeopardising the road safety function of these roadside facilities.

- 5.43 As shown in the appended assessment, other sites scored poorly in terms of their landscape and visual impact, others on their ability to be able to construct a suitable access, others would have negative impacts on the local highway network and others fell outside the area of the parking shortage 'hotspot'.
- 5.44 The assessment found that the application site outperforms other alternatives as a result of being acceptable from a landscape and visual point of view and with no proximity to a residential area where HGV's would not need to pass by residential properties to access the site. The application site is within a mile of the Strategic Road Network (M42 motorway) and there are no other statutory designations or flooding concerns that would restrict the site from development.

## EXECUTIVE SUMMARY

In 2018, the Department of Transport published their National Survey of Lorry Parking. The study found that the West Midlands had a critical shortage of lorry parking, and there was greatest demand in the area between Hams Hall (near M42 J9) and Birch Coppice Industrial Estates (near M42 J10). Further survey work by Caesarea Development Holdings confirmed the national findings, and that the problem was worst around Hams Hall.

Caesarea Development Holdings therefore intend to submit a planning application for a proposed truckstop with 200 lorry parking spaces on a site at Marsh Lane to the south of M42 Junction 9. This Transport Assessment has been prepared to support that application.

A truck stop is, by definition, a facility provided for HGVs and therefore drivers. Nevertheless, there are opportunities to access the site by sustainable modes of travel, proportionate to the demand. The development would enhance the local provisions with a new 3m wide footway/cycleway along the site frontage to connect the development to the existing network that starts at the Ham Hall Roundabout.

The proposed development will be accessed from a new 40m diameter three arm roundabout with a teardrop central island to prevent vehicles turning right out of the truckstop and routing through Curdworth. The proposed highway works include the realignment of Marsh Lane to remove the S-shaped bend at its eastern end, thereby improving the road alignment for all users. The current weight restriction on Marsh Lane, which begins at its eastern end, would be altered so that the restriction begins to the west of the access roundabout and is enhanced by a prominent gateway with emphasised signage. The designs of the highway works conform to design standards. They have been informed by traffic counts, speed surveys, and a Stage 1 Road Safety Audit. Modelling of the access roundabout demonstrates it would have adequate capacity with minimal queuing. Hence, the proposed roundabout would be a safe and suitable means of accessing the development.

The amount of traffic that would be generated by the development was determined from a traffic count at the Lilbourne truck stop. That truck stop is operated by Eddie Stobart, and is on the A5, close to the M1, M6, M45 and A14. The Hams Hall truck stop would generate 133 and 170 traffic movements in a morning (8-9am) and evening (5-6pm) peak hour respectively.

Warwickshire County Council's M42 J9/A446 Coleshill Model was used to test the impact of this development traffic on the local highway network. The model assesses two future year scenarios, 2021 and 2031. Both assessment years contain the committed development, background growth, and committed infrastructure associated with these years, including improvements to M42 J9.

It must be recognised that the traffic using the truck stop is already on the highway network, it is just diverted from its original routing. The traffic impact is therefore local to the truck stop, along the diversion routes. The impact would be felt most at the Hams Hall Roundabout (A446 Lichfield Road/Faraday Avenue/Marsh Lane) and at M42 J9. At both junctions there would be small changes in the queuing and the development would not have a severe impact. Mitigation is not necessary. On the Strategic Road Network the changed routing would create only modest increases in traffic on the slip roads. There would not be an adverse impact on the Strategic Road Network.

Overall, the proposed development would accord with the aims of the NPPF. It would offer adequate overnight lorry parking facilities where there are local shortages, to reduce the risk of parking in locations that lack proper facilities, cause a nuisance, and result in safety problems. There would be opportunities for sustainable travel, proportionate to the modest demand from the small number of staff. Safe and suitable access can be provided for all highway users. The off-site traffic impacts would not be severe and there would be no need for additional mitigation beyond the proposed highway works. Hence the proposed truck stop should not be prevented on highways grounds.

## 5.0 RESPONSE TO FEEDBACK

The applicant has fully considered all the feedback that has been submitted and the suggestions received have helped to shape the proposals submitted to North Warwickshire Borough Council. The section below explains how the applicant has sought to respond to the main issues and comments that were raised by members of the public and other community stakeholders throughout the consultation period.

### Improving enforcement of existing HGV weight restriction through Curdworth

There is currently a weight restriction in place through the whole of Curdworth, between Kingsbury Road and the Hams Hall roundabout. Enforcement of the weight restriction is an issue for the highway authority and the police.

The proposals will seek to improve the degree of compliance with the existing weight restriction by moving the start of the weight restriction to just west of the access roundabout, with new signage made more prominent. There will also be additional signage emphasising the gateway into the village, which will make clear to HGV drivers that it is not permissible to continue through the village. The project team is also in discussion with Warwickshire County Council surrounding the opportunity of reinforced signage at the Kingsbury Road end of the village.

Additionally, the project team's extensive modelling has shown that the development will not add additional HGVs onto the local road network through Curdworth and it is likely that the current amount of HGVs that pass through the village is likely to reduce through the aforementioned improvement works and enforced signage. Further information on this can be found in the accompanying Transport Assessment. Also see below regarding the site access design which will help prevent any additional HGV traffic using the local roads.

### Highways and access

Access to the truckstop would be via a new roundabout on Marsh Lane. In order to mitigate highway impacts and in response to the feedback from the consultation, plans have been secured for a roundabout with a teardrop central island. This would prevent all vehicles turning right out of the truck stop, forcing them back to the A446. This would dramatically reduce the potential for traffic to use Curdworth village as a cut-through to the truckstop.

Extensive modelling has also shown that the traffic using the truckstop is already on the road network, but is diverted to use the new facility, as opposed to adding additional vehicles to the local network.

Following on from investigation and consultation, further mitigation options are being explored that focus on M42 J9 and the Hams Hall Roundabout. This includes widening of the Marsh Lane approach to the roundabout, so there are two lanes at the give-way line. Mitigation measures for the M42 J9 are being discussed with Warwickshire County Council. This is likely to include a contribution to highway works already planned at the junction, which aim to accommodate the future traffic levels resulting from growth in the area, including the large Peddimore and Langley developments.

Highways and access arrangements, as well as examinations of road safety and sustainable transport, are considered in the Transport Assessment that accompanies the planning application.

### Site relocation to Hams Hall Industrial Estate

As outlined in the Planning Statement, a total of 23 sites (including the application site) were assessed prior to consultation. This involved both a Landscape and Transport Assessment for each site and throughout the process, it was made clear that there is no available land at Hams Hall Distribution Park suitable for the proposals.

Following the consultation, members of the project team discussed the proposals again with the acting agent for EON, (which owns Hams Hall Distribution Park). During discussions, it was reinstated that there is no available land at the Park which would be suitable as a truckstop.

Furthermore, the provision of a truckstop on land at Marsh Lane, near Junction 9 of the M42 will address longstanding issues associated with the lack of HGV parking, including road safety concerns and antisocial activity, resulting from HGVs "fly-parking" along local roads and streets.

#### **Building on the Green Belt**

A number of residents commented on the site's location and raised that planning approval could set a precedent for future development within the Green Belt. A sequential approach has been undertaken to look at 23 alternative sites that could feasibly accommodate a truckstop of a comparable size to the one that this application proposes (this is explained in detail within the Planning Statement).

The results of the assessment concluded that no other area identified in North Warwickshire or three other neighbouring Local Authorities could support a comparable facility, providing the amount of HGV spaces required in an appropriate location. It is clear that the site is the closest to the main source of the problem in this national 'hot spot' area.

Against this background, an exploration of the 'very special circumstances' which justifies development in this location has been put forward in support of the proposed truckstop on land at Marsh Lane.

All residents that submitted enquires about the Green Belt nature of the site were informed that further information would be included in the Planning Statement and Landscape and Visual Appraisal (including Green Belt Appraisal), which will accompany the application.

#### **Visual Impact of the Site**

In response to comments around shielding Curdworth village from the site, a significant amount of structural landscaping and planting has been incorporated into the proposals. The Design and Access Statement presents the proposals, including details of how the scheme would ensure that the site is effectively screened from the public highway and the village of Curdworth. Given that the site is located in the Green Belt, a "landscape led" approach has been adopted when designing the proposed truckstop which also meet the requirements of a "good design", set out in the NPPF. Further detail can also be found in the accompanying Landscape and Visual Appraisal (including Green Belt Appraisal).

