

**Planning Committee – 6 December 2023**

**Report of the Chief Officer for Growth and Investment**

**Applications for Consideration**

Planning applications for consideration by the Committee are set out as below.

**Recommendation**

The applications be considered and determined.

## APPLICATIONS FOR CONSIDERATION – INDEX

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**Reference: R22/0602**

**Site Address: REAR OF, LODGE FARM, OXFORD ROAD, RYTON-ON-DUNSMORE, COVENTRY, CV8 3EJ**

**Description: Erection of One commercial production Facility for use within use Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated development**

**Web link: <https://planning.agileapplications.co.uk/rugby/application-details/34754>**

### **Recommendation**

1. Planning application R22/0602 be approved subject to:
  - a. Referral to the Planning Casework Unit;
  - b. the conditions and informatives set out in the draft decision notice appended to this report; and
2. The Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

## **1. Introduction**

1.1. This application is being reported to Planning Committee for determination because the proposed development is required to go the planning casework unit due to Green Belt development which consists of or includes inappropriate development on land allocated as Green Belt for the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more. It is noted that the application is an established industrial area and therefore is an exception under 5.2.3. (ii) of the scheme of delegation but is required to go to committee in accordance with 5.2.3 (d) of the scheme of delegation.

## **2. Description of site**

2.1. The application site lies within the designated West Midlands Green Belt outside any defined settlement boundary. It is located approximately 300 metres southwest of Ryton on Dunsmore village. The site is accessed off the Oxford Road, A423. The site is surrounded by an existing boundary of trees and hedges that provide good screening of the site in its semi-rural setting. Ryton Lodge was previously a residential dwelling, before being converted to offices and staff facilities. The buildings were initially converted in 2004 to enable the manufacture of tubs and garden containers associated with a horticultural nursery use on the site. These operations have diversified over time as the business has grown and evolved. The business now manufactures composite decking products for use in external areas and

landscape gardening. The overall site extends to 7.54 hectares (18.63 acres) approximately, of which the proposed development only occupies a small area. The site comprises buildings of a mixture of styles and scale, including poly tunnels, purpose-built production facilities, Ryton Lodge and open storage. To the north of the site is Prologis Park a large consisting of large-scale commercial/industrial buildings.

### 3. Description of proposals

- 3.1. The application is full planning permission for the Erection of One commercial production Facility for use within use Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated development.
- 3.2. The proposed building uses a gabled roof profile and would use 20 rooflights (10 on each plane) be 6.4 metres to the eaves and a total ridge height of 8.5 metres. The building has a width of 29.85 metres and a total length and 69.05 metres in length.

### 4. Planning History

Planning Application	Description	Decision	Date
R18/1436	Erection of New Production Facility with limited infilling	Approval	06/12/2018
R18/1436	Non Material Ammendment	Approval	06/12/2018
R18/1436	Non Material Ammendment	Withdrawn	06/05/2022
R20/0472	Change of use of agricultural land to open storage associated with industrial use together with	Approval	10/03/2021
R21/1077	Change of use of 0.215 hectares of agricultural land to form a staff parking area; laying of	Approval	14/02/2022
R22/0580	Prior approval demolition of former agricultural building	Approval	12/07/2022
R22/0583	Installation of plant comprising a pump house and a water tank	Approval	09/12/2022
R22/0647	Variation of condition 2 of R18/1436 - Erection of new production facility	Approval	09-Nov-2022

**5. Relevant Planning Policies**

5.1. As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

5.2. The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Local Plan 2011-2031. The relevant policies are outlined below.

5.3. Rugby Borough Local Plan 2011-2031, June 2019

- GP1: Securing Sustainable Development
- GP2: Settlement Hierarchy
- GP3: Previously Developed Land and Conversions
- HS5: Traffic Generation, Air Quality, Noise and Vibration
- NE1: Protecting Designated Biodiversity and Geodiversity Assets
- NE3: Landscape Protection and Enhancement
- SDC1: Sustainable Design
- SDC2: Landscaping
- SDC4: Sustainable Buildings
- SDC5: Flood Risk Management
- D1: Transport
- D2: Parking Facilities

5.4. Supplementary Planning Documents (SPDs)

- Air Quality SPD (2021)
- Climate Change and Sustainable Design and Construction SPD (2023)

5.5. Material Considerations

- National Planning Policy Framework, 2023 (NPPF)
- National Planning Practice Guidance (NPPG)
- Ryton-On Dunsmore Neighbourhood Plan 2018-2031

**6. Technical consultation responses**

WCC Flood Risk	No Objection
Environment Agency	No Objection
Environmental Health	No Objection
Natural England	Advice Notes
WCC Ecology	No Objection
WCC Highways	No Objection
WCC Fire and Rescue	No Objection

**7. Third party comments**

7.1. No Third-Party Comments

**8. Assessment of proposals**

8.1. The key issues to assess in the determination of this application are:

Section 9	Principle of Development
Section 10	Employment Need
Section 11	Character and Design
Section 12	Impact on Residential amenity
Section 13	Impact to the landscape
Section 14	Highways
Section 15	Ecology
Section 16	Flood Risk and Drainage
Section 17	Air Quality Noise and Contamination
Section 18	Fire and Rescue
Section 19	Other Matters
Section 20	Planning Balance and Conclusion
Section 21	Recommendation

## **9. Principle of development**

9.1. Policy GP1 of the Local Plan states that when considering development proposals, a positive approach will be taken on development that reflects the presumption in favour of sustainable development and to secure development that improves the economic, social and environmental conditions in the area.

9.2. This is reflected in Section 2 of the NPPF which states that when considering development proposals, the Local Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development.

9.3. Paragraph 11 of the NPPF states that where there is an up-to-date development plan applications should be determined in line with that development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF states that “The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted’.

9.4. The Local Plan for Rugby was adopted on the 4th June 2019. On adoption, the authority had a five-year supply of housing. The latest Annual Monitoring Report (AMR), published in October 2021, confirms this position. The Local Plan is considered fully up to date and in compliance with the NPPF and therefore is the starting point for decision making. All planning policies are relevant and are supported by a robust and up-to-date evidence base.

9.5. A key issue to assess in relation to this application is whether the principle of the development is acceptable in this Green Belt location.

9.6. Policy GP2 sets out the development hierarchy for the borough and state that in Green Belt locations, such as this, development will only be permitted if allowed by national policy.

9.7. In relation to new buildings paragraph 149 of the NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt. This then sets out a range of exceptions to this:

a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor 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;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development;  
or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

9.8. As the proposal would be carried out in its entirety on a developed area of hardstanding the development would be considered to be on Previously Developed Land. However, the development would be considered to have a greater impact on the openness of the Green Belt than the existing development due to the height and massing of the proposed unit in comparison to the existing hard standing and therefore would not be considered to meet exception g). As the proposal does not meet any of the exceptions within para 149 the proposal is considered inappropriate development.

9.9. Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstance.

9.10. The purposes of including land within the Green Belt that are set out in paragraph 138 of the NPPF which are:

a) To check the unrestricted sprawl of large built-up areas;

- The proposal is set well within the existing site and on previously developed land and therefore does not extend the footprint of the site in any way and thus would not be determined to contribute to sprawl.

- b) To prevent neighbouring towns from merging into one another;
- The proposed unit would be within the existing parcel of built form of the established industrial site and therefore would not contribute the merging of neighbouring towns anymore than the existing site.
- c) To assist in safeguarding the countryside from encroachment;
- As stated, the proposal does not extend the footprint of the site in any way and would take place on a previously developed area of hardstanding. Therefore, on balance as the development would be developed on the previously developed land, the proposal would not be considered to encroach any further into the countryside (by means of not creating a bigger footprint of development). The proposal would however, be considered to impact the countryside visually which will be further assessed within this report.
- d) To preserve the setting and character of historic towns; and
- The proposal does not impact the setting or character of a historic town.
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- The application site is not derelict.

9.11. In consideration of the above it would be determined that that none of the 5 purposes for inclusion of land in the Green Belt are significantly impacted by the development in this case. However, a landscape and visual impact is present which is to be assessed within this report.

9.12. Overall, the proposal is considered inappropriate development and in accordance with National Policy should not be approved unless in Very Special Circumstances (VSC). The applicant has provided supporting information which will form the basis for VSC which will be weighed within the planning balance of this report.

## **10. Employment Need**

10.1. Policy DS1 of the Local Plan 2019 sets out the overall employment and housing requirements for the Borough. This policy was evidenced by the Employment Land Study 2015, which sets out that 58,300 sqm of floorspace for B2 uses and 283,000 sqm of floorspace for B8 uses are required for the plan period to 2031. This need is set to be met through the designation of existing employment sites and the provision of new land through allocations. The specific areas where the employment requirement is to be met is set out in the supporting text to DS1. In assessment, the proposed site is not on an allocated employment site.

10.2. Local Plan Policy ED1 states that the infilling or the partial or complete redevelopment of existing employment sites will be supported subject to the consideration of potential impacts to their surroundings against the relevant policies in the Local Plan and national policy, in particular those sites located in the Green Belt. Local Plan Policy ED3 is the Policy related to Employment Development Outside the Rugby Urban Area and states that employment

development will not be permitted outside the Rugby urban area and then outlines a number of exceptions including;

- Redevelopment, at a similar scale, of an existing building or vacant part of an existing employment site for employment purposes, where this would result in a more effective use of the site.

10.3. The LPA therefore consider that as the application site is currently in employment use and the proposed new unit would result in a more efficient use of the site as the occupier would benefit from the recycling of off cuts on site, the proposal would be considered in accordance with Policy ED1 and ED3.

10.4. The Coventry & Warwickshire Housing & Economic Development Needs Assessment (HEDNA) 2022 provides a further evidence base and considers the employment land requirements across Coventry and Warwickshire looking to 2041.

10.5. The HEDNA Executive Summary indicates a need for B8, B2 and Office use space across Coventry and Warwickshire including Rugby. The proposed development would contribute positively towards meeting some of the need. The LPA, however, consider that the HEDNA does not provide basis for principle of development on need alone and does need to be balanced against all other planning matters including the development plan and national policy.

#### *Overall development Needs (Housing vs Employment)*

10.6. The site subject of this application is not within one of the areas listed in Policy DS1 nor as an employment allocation as part of Policy DS4. The proposed therefore represents a supply in addition to that calculated in Policy DS1. Although providing beyond that allocated through the Local Plan, the development would afford flexibility in supply and support a broader market. In the Inspector's Report for the Local Plan, the Inspector notes (para 227) that there will be a surplus of housing to be delivered over need of 17.5% in the plan period. Therefore, any extra dwellings required by additional employment generated can be accommodated without requiring additional housing allocations. As such, the proposal is not considered to significantly impact the balance of levels of employment vs housing provision in the Borough.

#### *Unit Size*

10.7. Policy DS1 further states that in addition to a quantitative need for employment land in Rugby Borough, a proportion of the land must meet a qualitative demand for employment sites providing units in the range of 5,000 to 50,000 sq ft. The proposed unit have a GIA square ft of 21441 and therefore would meet the qualitative demand albeit outside of an allocated employment site.

#### *Location*

10.8. The proposal site is accessible via public transport with the nearest bus stop being the Stone Market Served by the number 25,25A, 25X offering services from Rugby to Coventry.

Monday – Saturday Rugby to Coventry

25A	25	25x	25	25	25
07:17	09:18	1148	1408	16:33	18:48

Monday to Saturday Coventry to Rugby

25A	25A
17:03	18:30

*Sourced from National Express Website Dated from 5<sup>th</sup> of November 2023*

10.10. In assessment of the above it is considered that Monday to Friday the site would have readily accessible public transport due to the proximity of the Stone market bus stop and the application site. In terms of the regularity of the service the bus service would be considered regular Monday to Saturday and pragmatically speaking would provide a service in consideration of potential shift working from 07:30 until 18:30 and would be offered the same level of public transport as the opposing Prologis. Currently the site does only operate Monday to Friday (as stated online) however, this cannot carry significant weight as this may be subject to change.

10.11. The application proposal would provide B2 floor space in which there is a need in accordance with the HEDNA. The unit is determined to be of a size that would not adversely affect the balance of employment vs housing provision in the Borough and the proposal is in a location where the principle of employment development is supported in accordance with Policy ED1 & ED3 subject to assessment under all other planning matters.

## **11. Character and Design**

11.1. Section 12 of the Framework and policies SDC1 and SDC2 of the Local Plan set out the importance of good design and landscaping in new developments. The Climate Change and Sustainable Design and Construction SPD (2023) expands on this and sets out more detailed design considerations. An assessment of the proposed design and layout of the development against these policies, the SPD is outlined below.

11.2. Policy SDC1 of the local plan states that all development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated.

### *Materials*

11.3. Due to the proposed buildings use, the design would be utilitarian in appearance using metal cladding as the main material. The materials chosen are considered sympathetic with employment buildings which exist on site and in character with the employment buildings on Prologis. In order to ensure the materials are of acceptable quality and appearance **CONDITION 3** requires the submission of samples for further approval by the LPA.

### *Scale*

- 11.4. The proposed building is considered of a large scale. However, is proportional and can be accommodated within the site. The proposed building would also be of a smaller unit in footprint comparison to those already existing on site and be of a similar height and therefore considered sympathetic to the existing built form.
- 11.5. The character and design therefore would be considered acceptable on design grounds subject to other all planning matters.

## **12. Impact on Residential Amenity**

- 12.1. Section 12 of the NPPF states that planning should always seek a high standard of amenity for existing and future users of developments.
- 12.2. This proposal is positioned set back into the site and therefore would not have a significantly negative impact upon residential amenity.
- 12.3. The proposal is therefore considered to be in accordance with Section 12 of the NPPF and Policy SDC1 of the local plan.

## **13. Impact to the landscape**

- 13.1. Local Plan Policy SDC2 states that the landscape aspects of a development proposal will be required to form an integral part of the overall design. A high standard of appropriate hard and soft landscaping will be required. Local Plan Policy NE3 states that new development which positively contributes to landscape character will be permitted with new proposal required to demonstrate that they identify likely visual impacts on the local landscape and townscape and its immediate setting and undertakes appropriate landscaping to reduce these impacts. Policy SDC1 of the Local Plan states development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. Para 174(b) para 130(b) and para 185 of the framework are also relevant.
- 13.2. The application is on an area of previously developed land and therefore significant consideration is given to the fact the area to be occupied by the proposed unit is hard surfaced and set within an area of built form. The main impact therefore is that of the introduction of a building of a greater height.
- 13.3. The applicant has submitted a Landscape and Visual Appraisal with the proposal to justify the impacts. The LVIA details the existing screening for the site with the southern boundary using a mature coniferous tree belt at approximately 10-12 m in height which provides an evergreen visual barrier into views of the development from the south. The residential dwelling of Lodge Cottage also contains several large trees which adds further screening from the South. The coniferous belt continues around the southern border extends around the western boundary which separates the proposed unit's location from an existing pond and small area of grassland, further west there is a further mature native hedgerow at approximately 3-4 metres high which provides additional screening. The boundary to the north of the site is formed of timber fencing and further from this lies the commercial buildings and associated infrastructure for the Stone Market.

13.4. The LVIA then offers 22 viewpoints and prescribes magnitude of change and the significance of effect on high sensitivity receptors. The LPA note that attention was paid to the viewpoints offered by the PROW which is of particular consideration for this assessment.

13.5. The LPA has scrutinised the LVIA and agrees that the proposed development site is visually contained on all sides by either mature vegetation or existing commercial units which in turn provides screening of direct views into the site. The LPA further deem that due to the existing character and previously developed nature of the surrounding site that the proposal would be sympathetic to the existing character.

13.6. The PROW runs along the western boundary southern boundary of the existing site. The LPA also agree with the LVIA that direct views from the public right of way would be limited to the immediate boundary where filtered views through gaps in fencing of the proposed Unit 6 may be possible or heavily screened views.

13.7. It is also considered that due to the developments of Prologis Park and Middlemarch industrial estate as well the existing site of the Stone Market and Ryton Lodge the rural character in proximity is somewhat already reduced from further viewpoints.

13.8. The LVIA does offer the following recommendation for mitigation;

- Additional native infrastructure planting to the land south of the site, to enable long term screening of the overall commercial development and improve local landscape character and biodiversity.
- The lighting proposals for the development should incorporate luminaires with full horizontal cut-off shields to reduce light spill and the brightening of the night sky, thus reducing night-time visual intrusion across the landscape to the south and west.

13.9. The LPA therefore require **CONDITIONS 4 & 9** to be added to any decision in agreement with the findings within the LVIA.

13.10. In assessment of all of the above the development would take part on previously developed land within an existing employment site, within the locality of employment units. The site is well screened by existing vegetation and where this isn't the case is screened by existing buildings. Therefore, the proposal is not considered to significantly harm the landscape and would be determined in accordance with Policy NE3 subject to conditions.

## **14. Highways**

14.1. Section 9 of the Framework and policies HS5, D1 and D2 of the Local Plan set out the need to prioritise sustainable modes of transport and ensure transport impacts are suitably mitigated. A safe and suitable access to the site is also necessary.

14.2. No changes to the existing vehicular access are proposed as part of this proposal.

- 14.3. A Transport Statement (TS) has been submitted in support of the planning application. The TS includes an assessment of the predicted intensification in the use of the existing vehicular access with the public highway (Oxford Road, A423) associated with the proposed development subject of this planning application Unit 6. The TS also considers the proposed redevelopment of fire damaged building (Unit 2) which was approved under planning application (R22/0615).
- 14.4. The existing vehicular access is located off of the public highway (A423) is via a simple priority junction. The junction is currently not provided with a right turn lane (ghost island) and as such vehicles turning right into the site have to wait in the southbound running lane. The leading highway authority provide assessment on this matter stating the A423 is subject to a 60 miles/hr speed limit in the vicinity of the access. Satellite navigation equipment-collected data for the period 2017 – 2019, inclusive indicates traffic speeds of c. 40miles/hr on average. The public highway alignment is straight on the approaches to the access with minimal gradients. The Highway Authority therefore deem that both north and southbound traffic is provided with good forward visibility enabling sighting of vehicles turning into or out of the access.
- 14.5. The Highway Authority have reviewed the trip generation calculations set out in the TS that during the AM and PM peak hours the proposed development is likely to generate (in total) in the order of 11 vehicle movements. The highway Authority consider that whilst slightly different trip rates could be used, the predicted scale of peak period traffic associated with the proposed Unit 6 development is robust.
- 14.6. As previously stated, the redevelopment of Unit which has now been approved would cumulatively generate 17 vehicle movements if both were to become operational.
- 14.7. The highway authority note that there are 44 proposed parking spaces and secure storage for 4 bicycles to be provided as part of the development. The leading highways authority consider meets RBC SPD standards and is considered acceptable.
- 14.8. In cooperation with the leading highway authority the LPA note concern that any significant additional or cumulative development in future may require changes to the vehicle access arrangements for the site, including the potential provision of a right turn lane and this shall be included as **INFORMATIVE 7**.
- 14.9. The application is therefore considered in accordance with Policy HS5, D1 and D2 of the Local Plan and Section 9 of The Framework.

## **15. Ecology**

- 15.1. Policy NE1 of the Local Plan seeks to ensure that development proposals do not have an adverse impact upon protected habitats and species. It also sets out that development should retain and protect natural habitats and provide mitigation and compensation measures where this would be lost.

15.2. The policies are consistent with one of the core planning principles outlined within the NPPF which sets out the need for planning to 'contribute to conserving and enhancing the natural environment'. The NPPF further outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible it particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitat.

#### *Biodiversity Net Gain*

15.3. WCC Ecology were consulted in order to assess the application and note that the application is on an area entirely surfaced with hardstanding. The replacement of the hard surfacing with built form therefore results in a neutral impact to biodiversity. Both National and Local Policy do require this to be a positive net gain. Therefore this will be secured under **CONDITION 4**.

#### *Species and Habitats*

15.4. Previous applications have identified GCN present around the site. Whilst the area of concern is not suitable for GCN, some stored materials may be suitable for sheltering/overwintering animals. WCC Ecology therefore recommend the **INFORMATIVE NOTE 3** noting that if there is any doubt Natural England should be contacted for advice.

15.5. Natural England also provide standing advice for the proposal which the developer will be recommended to read under **INFORMATIVE NOTE 8**.

15.6. Therefore, the proposal is considered in accordance with Policy NE1.

### **16. Flood Risk and Drainage**

16.1. Paragraphs 159-169 of the Framework and policies SDC5 and SDC6 of the Local Plan set out the need to consider the potential impact of flooding on new development whilst ensuring that flood risk is not increased elsewhere as a result of it. Sustainable drainage systems (SuDS) should also be incorporated into major developments where feasible.

16.2. The Lead Local Flood Authority (LLFA) has been consulted in order to assess the application. The LLFA consider that the applicant has demonstrated the principles of an acceptable surface water management strategy at the site, however further information is still required.

16.3. The LLFA deem that this information could be provided under **CONDITIONS 5-7** and therefore offers no objection.

16.4. As the LLFA offered no objection to the proposal subject to **CONDITIONS 5-7** it is considered that the proposal is acceptable in terms of flood risk and drainage.

### **17. Air Quality Noise and Contamination**

### *Air Quality and Noise*

- 17.1. Paragraph 186 and 187 of the Framework and policy HS5 of the Local Plan set out the need to consider the impact of the proposal on air quality and the need to ensure that the proposed development would not be adversely affected or contribute to noise.
- 17.2. RBC Environmental health note that the change on vehicle movements does not appear to be such as to require specific assessment and no details of external air handling plant or similar equipment is shown on the plans. As such, the technical consultee has not recommended a noise assessment condition. The technical consultee does however note concern that should such equipment be installed then these would require assessment to ensure there is no creeping increase to the existing background noise levels.
- 17.3. The technical consultee also requires **CONDITION 10** for a Construction Management Plan to safeguard and minimise construction works dust and noise and **INFORMATIVE 4** to promote Air Quality mitigation.

### *Contamination*

- 17.4. Paragraphs 174, 183 and 184 of the Framework sets out the need to ensure a site is suitable for its proposed use taking account of risks arising from contamination.
- 17.5. RBC Environmental Health recommend a limited contaminated land condition (**CONDITION 11**). The technical consultee notes although there is no change of land use, there is a chance of excavation works identifying contaminated material.
- 17.6. As the leading technical consultee has no objection subject to conditions the application is considered acceptable in accordance with Policy HS5 of the Local Plan.

## **18. Fire and Rescue**

- 18.1. Warwickshire Country Council Fire and Rescue service were consulted in order to assess the submission and offers no objection to the application subject to the criteria as required by Approved Document B, Volume 2, Requirement B5 – Access and Facilities for the Fire Service.
- 18.2. Warwickshire County Council Fire and Rescue Service Water officer also offers no objection to the development subject to a **CONDITION 12** requiring adequate water supplies and fire hydrants necessary for firefighting purposes be provided at the site.

## **19. Other Matters**

- 19.1. There is mention in the supporting information of the Millboard Production requiring a chemical process, this is not to be assessed or authorised by this planning permission and instead would be required to meet other legislation on these matters which exist outside of

the planning remit. If matters do require consideration under the planning process a further planning permission would need to be submitted.

- 19.2. The PROW although offers views into the site would be distanced away from the development and therefore would not be obstructed or create a sense of enclosure for the users.

## **20. Planning Balance and Conclusion**

- 20.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 20.2. The proposal is determined to take place on developed on Previously Developed Land. However, due to the extent of the built form within the proposal would be considered to have a greater impact on the openness of the Green Belt than the existing development and therefore would not be considered to meet exception g) para 149 of the NPPF. As the proposal does not meet any of the exceptions within para 149 of the NPPF the proposal is considered inappropriate development.

- 20.3. Inappropriate development within the Green Belt is given substantial harm and is not acceptable unless there are very special circumstances. Therefore, an assessment must be made into whether the proposed benefits clearly outweigh any identified harms of the proposal in order to establish VSC.

- 20.4. The applicant has put forward a justification statement in regards to establishing VSC for the current proposal.

### *Economic*

- 20.5. In terms of economic benefits, the proposal would provide benefits for the short term during the construction phase and long term in its operational phase. The proposed development represents an investment in the Borough providing new employment opportunities which does attract positive weight in establishing VSC. This includes the short term in which the proposal would provide employment opportunities for the construction phase. National Policy Para 81 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity with para 84 further stating planning decision should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. The applicant state that the Millboard employ over 170 staff and due to increase demand for the Millboard product now require the proposed unit under assessment as part of this application to meet an increased demand. In terms of the locational, the justification statement states the desire to further recycle off-cuts within the production process to eliminate waste and increase sustainability which would be aided by the unit under assessment and in turn increase the overall efficiency of production in

response to demand. The applicant via there justification statement considers the substantial need for the proposed unit and a fallback position of potentially locating the building off-site thus removing harm to the greenbelt. Through the use of an offsite location the production cost would increase and therefore the beneficial impact on economic growth which is viewed favourably by National Policy would be reduced. The LPA therefore consider that the provision of the unit provides clear balanced economic benefits which attract significant positive weight for the case of establishing VSC.

#### *Environmental*

20.6. From an environmental perspective, the potential adverse impacts of the proposed development in relation to ecology, highway safety, traffic flows, flood risk, drainage, air quality, noise, contamination, light and residential amenity have all been considered. The assessment has subsequently shown that there would be no adverse impacts in some instances. However, in other instances where potential adverse impacts are identified, it would be possible to mitigate against this impact through a number of different measures and strategies. This mitigation would be secured through planning conditions as part of the decision notice. The LPA also consider that the rationale for the proposed unit is twofold, firstly to meet demand and secondly to do so through the recycling of off cuts from the production process on site increasing the overall sustainability of the Millboards Manufacturing process. In consideration of doing the same process using an off-site location, this would increase HGV movement between the two locations resulting in adverse environmental consequences, including increased carbon HGV emission from transport moving between two locations. The LPA consider the proposal offers no significant environmental harms and due to the increased re use of waste material in the form of off cuts on the site, the environmental and increased sustainability benefits should attract positive weight within the planning balance and establishment of VSC.

#### *Social*

20.7. From a social perspective, the proposed development of this site would consequently bring the land into active economic use and in turn provide to new jobs in the Borough. The provision of job security would further play a key role in helping improve and safeguard mental health and wellbeing.

20.8. It is considered that the clear social benefits outlined above should attract positive weight in establishing Very Special Circumstances.

#### *Impact on Openness and the Greenbelt*

20.9. Further assessment into the impact upon the landscape and the open countryside has been made based upon the applicant's submission of an LVIA. The LPA have examined the LVIA and do agree site is well screened by existing vegetation and where this isn't the case is screened by existing buildings of a similar nature. In addition to this, the development is on previously developed land within an established industrial site, within the locality of employment units and Prologis. Therefore, the proposal is considered to be in character and appropriately screened and visually contained to mitigate the impact of development. Therefore, although some harm is recognised by the nature of the

development in consideration of the above the development is not determined to significantly harm the landscape or the open countryside.

- 20.10. In consideration of establishing VSC in this case, VSC are not one matter to be viewed in isolation and instead a cumulative reflection on whether the proposed developments environmental, economic and social benefits would outweigh the identified harm and inappropriate development in the greenbelt. It is considered by the assessment above that the development proposal would provide Economic, Environmental and Social benefits which would aide and assist in contributing the NPPF's focus on building a strong, competitive economy and supporting a prosperous rural economy. The proposal would also offer the opportunity for the Millboard to sustainably meet demand through the reuse of off cut material without requiring the negative Impacts of the increase in freight movement via HGV. Indeed, it is considered that the balance of demand and recycling would be struck through the provision on site. Overall, the harm visually is considered, and due to mitigation through screening and the context of the existing built form the impact to the landscape is considered harmful however would not be considered significantly harmful.
- 20.11. Overall, it is considered that the unique and significant VSC outlined above clearly outweigh the harm to the Green Belt by the inappropriate nature of the development.
- 20.12. The principle of this development is therefore considered acceptable. No technical consultee takes a final stance of objection to the proposal subject to conditions. The scheme is acceptable in terms of scale, character and appearance and would not be considered to significantly detrimentally impact on the surrounding residential amenity.
- 20.13. In view of the above, the proposed development would comply with the Development Plan and no material considerations have been identified which indicate that the development should not be approved. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that the application should be approved subject to conditions and informatives.

## **21. Recommendation**

1. Planning application R22/0602 be approved subject to:
  - a. Referral to the Planning Casework Unit
  - b. the conditions and informatives set out in the draft decision notice appended to this report; and
2. The Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

## DRAFT DECISION

**REFERENCE NO:**  
R22/0602

**DATE APPLICATION VALID:**  
22-Jun-2022

**APPLICANT:**

J Douglass, The Millboard Company Ltd The Millboard Company Ltd, Oxford Road, Ryton-On-Dunsmore, CV8 3EJ

**AGENT:**

Peter Frampton, Frampton Town Planning Ltd Frampton Town Planning Ltd, Oriel House, 42 North Bar, Banbury, OX16 0TH

**ADDRESS OF DEVELOPMENT:**

REAR OF, LODGE FARM, OXFORD ROAD, RYTON-ON-DUNSMORE, COVENTRY, CV8 3EJ

**APPLICATION DESCRIPTION:**

Erection of One commercial production Facility for use within use Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated development

**CONDITIONS, REASONS AND INFORMATIVES:**

**CONDITION 1**

The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

**REASON:**

To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

**CONDITION 2**

The development shall be carried out in accordance with the plans and documents detailed below:

Received by Council 22-Jun-2022

Floor Plans	Drawing No	506-6-101C
Elevations	Drawing No	507-6-200B
Roof Plan	Drawing No	507-6-103A
Site Location Plan	Ref:	PJF/gp/PF/10693
Site Plan	Drawing No	507-6-100C

Transport Statement DTA, Transport Statement, Rev A DN\24126-01a, 16th June 2022

Drainage

Dwg No. Y620-BPL-XX-00-DR-C-0030 P3 Schematic Drainage Layout.pdf  
Y620-BPL-XX-00-DR-C-0031 P1 Site Wide Drainage Layout.pdf  
Surface Water from Unit 6 calculations bound.pdf  
Unit 6 Maintenance Regime.pdf  
Unit 6 Pond Photos.pdf

**REASON:**

For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

**CONDITION 3**

No above ground development shall commence unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks and roof tiles have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

**REASON:**

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.

**CONDITION 4**

No above ground works shall commence unless and until a comprehensive landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place.

**REASON:**

To ensure the proper development of the site and in the interest of visual amenity and to ensure a biodiversity net gain.

**CONDITION 5**

No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

1. Limit the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an allowance for climate change) critical rain storm to 9.5l/s for the site in line with the approved surface water drainage strategy.

2. Where the drainage scheme proposes to connect into a 3rd party asset, for example a public sewer, further information should be provided regarding the ownership, purpose, location and condition of this asset along with confirmation of the right to connect into it. This could take the form of land ownership plans showing riparian ownership, land drainage consent, flood risk activity permit or agreement under Section 106 of the Water Industry Act (1991).

3. Provide drawings / plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date may be treated as a minimum and further source

control SuDS should be considered during the detailed design stages as part of a 'SuDS management train' approach to provide additional benefits and resilience within the design.

4. Provide detail drawings including cross sections, of proposed features such as attenuation features, and outfall structures. These should be feature-specific demonstrating that such the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.

5. Provide detailed, network level calculations demonstrating the performance of the proposed system. This should include:

a. Suitable representation of the proposed drainage scheme, details of design criteria used (incl. consideration of a surcharged outfall), and justification of such criteria where relevant.

b. Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events

c. Results should demonstrate the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results should be provided as a summary for each return period.

d. Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.

6. Provide plans such as external levels plans, supporting the exceedance and overland flow routing provided to date. Such overland flow routing should:

a. Demonstrate how runoff will be directed through the development without exposing properties to flood risk.

b. Consider property finished floor levels and thresholds in relation to exceedance flows. The LLFA recommend FFLs are set to a minimum of 150mm above surrounding ground levels.

c. Recognise that exceedance can occur during any storm event due to a number of factors therefore exceedance management should not rely on calculations demonstrating no flooding.

#### REASON

To prevent the increased risk of flooding; to improve and protect water quality; and to improve habitat and amenity;

#### CONDITION 6

No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved drainage strategy has been submitted in writing by a suitably qualified independent drainage engineer and approved in writing by the Local Planning Authority. The details shall include:

1. Demonstration that any departure from the agreed design is in keeping with the approved principles.
2. Any As-Built Drawings and accompanying photos
3. Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
4. Confirmation that the system is free from defects, damage and foreign objects

**REASON**

To secure the satisfactory drainage of the site in accordance with the agreed strategy, the NPPF and Local Planning Policy

**CONDITION 7**

No occupation and subsequent use of the development shall take place until a detailed, site specific maintenance plan is provided to the LPA in consultation with the LLFA. Such maintenance plan should

1. Provide the name of the party responsible, including contact name, address, email address and phone number
2. Include plans showing the locations of features requiring maintenance and how these should be accessed.
3. Provide details on how surface water each relevant feature shall be maintained and managed for the life time of the development.
4. Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance

**REASON:**

To ensure the future maintenance of the sustainable drainage structures.

**CONDITION 8**

The development hereby permitted shall be constructed to at least a BREEAM Very Good standard.

**REASON:**

In the interest of sustainability.

**CONDITION 9**

No external lighting shall be erected unless and until full details of the type, design and location have been submitted to and approved in writing by the Local Planning Authority. Any lighting shall only be erected in accordance with the approved details.

**REASON:**

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.

**CONDITION 10**

Prior to the commencement of any works, a Construction Management Plan shall be submitted in writing to, and approved by, the Local Planning Authority. This shall include details relating to:

- the control of noise and vibration emissions from construction activities including groundworks and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the [demolition and] construction phase
- the control of dust including arrangements to monitor dust emissions from the development site during the construction phase
- measures to reduce mud deposition offsite from vehicles leaving the site.

Development shall be carried out in compliance with the approved Construction Method Statement, unless otherwise approved in writing by the Local Planning Authority.

#### REASON

In the interests of residential amenity, to ensure the details are acceptable to the Local Planning Authority and to avoid significant adverse impacts.

#### CONDITION 11

When carry out work as part of this development hereby permitted, in the event that contamination is found it shall be reported in writing immediately to the local planning authority. Each of the following subsections a) to c) shall then be subject to approval in writing by the local planning authority.

- An investigation and risk assessment shall be undertaken in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site.
- Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared.
- Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared.

#### REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### CONDITION 12

The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority.

#### REASON

In the interests of Public Safety from fire and the protection of Emergency Fire Fighters.

#### INFORMATIVE 1:

There is mention in the supporting information of the Millboard Production requiring a chemical process, this is not to be assessed or authorised by this planning permission and instead would be required to meet other legislation on these matters which exist outside of the planning remit. If matters do require consideration under planning legislation a further planning permission would need to be submitted.

#### INFORMATIVE 2:

Advisory note drawing the applicant's attention to the need for the development to comply with Approved Document B, Volume 2, Section B5 – Access and Facilities for the Fire Service. Full details including the positioning of access roads relative to buildings, the arrangement of turning circles and hammer heads etc. regarding this can be found at;

[www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning](http://www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning)

Where compliance cannot be met, please provide details of alternative measures you intend to put in place.

#### INFORMATIVE 3:

In view of the pond nearby and records from 2020, care should be taken when clearing the ground prior to development. If evidence of great crested newts is found during development, work should stop immediately while Natural England are contacted on 02080 261 089 for advice on the best way to proceed. Great Crested Newts and their habitat (aquatic and terrestrial areas) are protected under the 1981 Wildlife and Countryside Act, the Countryside and Rights of Way Act 2000 and the Conservation of Habitats and Species Regulations 2017 (as amended).

Where newts are present a licence might be necessary to carry out the works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 02080 261089

#### INFORMATIVE 4:

The applicant is encouraged to incorporate measures to assist in reducing their impact upon the Air Quality Management Area as part of this development. Initiatives could include the installation of an ultra-low emission boiler (<40mg/kWh) where gas is used for space or water heating, increased tree planting/landscaping, solar photovoltaic or thermal panels, and the incorporation of electric vehicle charging points on any car parking. More information on plants that can be incorporated into landscaping for green walls and roofs can be found here:

[https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed\\_1.pdf](https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed_1.pdf) Such measures contribute towards improving air quality.

Should you require any further advice on ensuring your development has a positive contribution on air quality, further information can be obtained from the Commercial Regulation team through 01788 533533 or email [ept@rugby.gov.uk](mailto:ept@rugby.gov.uk)

Should an Air Source Heat Pump be proposed for installation, it should be ensured that the noise from such plant will not adversely affect residential amenity in the area. These units can create noticeable noise levels which may affect neighbouring dwellings so noise mitigation may be necessary to avoid complaints or possible formal action under other legislation.

#### INFORMATIVE 5:

To reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site should not occur outside the following hours: -

Monday – Friday                      7.30 a.m. – 6.00 p.m.

Saturday                                8.30 a.m. – 1.00 p.m.

**NO WORK ON SUNDAYS & BANK HOLIDAYS.**

If work at other times is required permission should be obtained from the local planning authority

**INFORMATIVE 6:**

The Public Right of Way bordering the application site shall not be obstructed at any time in relation to the application hereby approved.

**INFORMATIVE 7:**

In cooperation with the leading highway authority the LPA note concern that any significant additional or cumulative development in future may require changes to the vehicle access arrangements for the site, including the potential provision of a right turn lane

**INFORMATIVE 8:**

The permission hereby approved should be read alongside the Natural England Advice submitted for this application with any recommendations complied with.

DRAFT

**Reference: R23/0956**

**Site Address: Beech Building Unit 1 Ansty Park, Draken Drive, Coombe Fields**

**Description: Advertisement Consent for installation of 2 No. Fascia Signs on The Beech Building. 2 No. Freestanding Totem Signs.**

**Weblink: <https://planning.agileapplications.co.uk/rugby/application-details/38703>**

### **Recommendation**

1. Planning application R23/0956 be approved subject to:
  - a. the conditions and informatives set out in the draft decision notice appended to this report; and
2. The Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

### **1.0 Description of site**

1.1 This application relates to the Beech Building Unit 1 Ansty Park accessed on Draken Drive and the building lies adjacent to Central Boulevard. The building was previously occupied by Sainsburys with signage on the building and directional signage on site.

### **2.0 Description of proposals**

2.1 This application proposes two fascia signs on the building, one each on the south and on the west elevation of the illuminated Polestar logo, an important aspect of Polestar's worldwide corporate identity. One will face the car park in front of the building and the other towards Central Boulevard. Two freestanding totem signs are proposed for wayfinding from each car park access.

2.2 The fascia signs proposed on the south and west elevation of the building are of the new Polestar logo, an aluminium carcass powder coated white and illuminated opal white acrylic face. They are fixed to the external building façade and measure 4.5metres by 4.5metres. The bottom of the logo is 6metres above the ground level. The estimated illuminance level is 450cd/m<sup>2</sup>. They will be static LED on a timer from sunset to sunrise.

2.3 The freestanding totem signs are proposed at the entrance point on Draken Drive and at the car park entrance on Viggen Way. The purpose of the totem sign at key junctions within the site is to enable staff and visitors to find their way to parking and appropriate entrances. The totem signs are glass lightbox with a text height of 80mm. The estimated illuminance level is 450cd/m<sup>2</sup>. They will be static LED on a timer from sunset to sunrise. The totem signs are 90cm tall, 1.8m length and depth of 25cm.

### **Planning History**

R11/2218	Certificate of Lawfulness of Proposed Use or
Development for purposes falling within Class B1 (Business) of the Town and Country Planning	
(Use Classes) Order	1987, as amended.
Approval	16/11/2011
R12/0452	Erection of two storey building and use as a Product
Development Centre, multi-storey car park, a glazed link between the existing business premises	

and related ancillary development comprising an energy centre and associated landscaping and drainage provisions.

Approval 06/09/2012  
R12/1373 Display of advertisement signs comprising 1 no. externally illuminated freestanding site entrance sign, 7 no. freestanding directional signs and 2 no. internally illuminated fascia signs.

Approval 29/11/2012  
R12/1606 Installation of 3no. site entrance security barriers and fencing

Approval 28/09/2012  
R12/2096 Construction of temporary car park including associated drainage, fencing and lighting.  
12/02/2013

R13/0358 Erection of conservatory extension to existing staff restaurant

Approval 17/05/2013  
R13/1850 Erection of two buildings and use for purposes falling within Class B1 employment together with associated energy centre, multi-storey car park, surface parking, new access, landscaping and drainage works and also alterations to existing buildings and associated works.

Approval 05/11/2014  
R14/0029 Proposed means of escape door and ramp on the west side of the existing office building

Approval 18/02/2014  
R16/0877 Installation of outdoor gym equipment and associated works to create a trim trail together with benches, picnic tables and bins.

Approval 20/07/2016  
R23/0955 Certificate of lawfulness for proposed external alterations to building including removal of cladding panels, removal of stand-alone columns and refurbishment of main entrance doors and immediate surrounds with facade redecorated.

### **Relevant Planning Policies**

Rugby Borough Local Plan 2011-2031, June 2019

SDC1 Sustainable Design

National Planning Policy Framework, 2023 (NPPF)

Town and Country Planning (Control of Advertisements)(England) Regulations 2007

### **Technical consultation responses**

WCC Highways No objection

RBC Environmental Health No objection, informative provided

### **Third party comments**

Cllr Timms called to planning committee on the basis of impact on the green belt and illumination of the night sky having a disproportionate effect on rural residents.

Combe Fields Parish Comments not received at time of report writing, any comments received will be provided by update to the committee

### **3.0 Assessment of proposals**

3.1 Paragraph 136 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective.

3.2 The Advertisement Regulations, associated guidance and the NPPF state that advertisements should be subject to control only in the interests of amenity and public safety, taking into account of cumulative impacts.

#### 4.0 Character and Appearance

4.1 The NPPF recognised that the quality and character of places can suffer when advertisements are poorly sited and designed. Policy SDC1 states that development should be of a scale, density and design which respond to the character of the area.

4.2 The position, size and design of the proposed signage is in keeping with the scale and character of the building and its surroundings and will not detract from the appearance of the premises or have an adverse impact on the visual amenities of the immediate locality or wider environment.

4.3 The Institution of Lighting Professionals Guidance Note 01/21 (The Reduction of Obtrusive Light) reflects international guidance regarding obtrusive light as detailed in CIE 150: 2017 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations. This guidance outlines environmental zones for exterior lighting control.

*Table 2: Environmental zones*

Zone	Surrounding	Lighting environment	Examples
E0	Protected	Dark (SQM 20.5+)	Astronomical Observable dark skies, UNESCO starlight reserves, IDA dark sky places
E1	Natural	Dark (SQM 20 to 20.5)	Relatively uninhabited rural areas, National Parks, Areas of Outstanding Natural Beauty, IDA buffer zones etc.
E2	Rural	Low district brightness (SQM ~15 to 20)	Sparsely inhabited rural areas, village or relatively dark outer suburban locations
E3	Suburban	Medium district brightness	Well inhabited rural and urban settlements, small town centres of suburban locations
E4	Urban	High district brightness	Town / City centres with high levels of night-time activity

4.4 The application site is considered to be Zone E3. The International Commission on Illumination (CIE) provides maximum permitted values of average surface luminance for sign luminance in each zone as indicated in the table below:

Table 8 (CIE 150 table 7): Maximum permitted values of average surface luminance

Light technical parameter	Application conditions	Environmental zones				
		E0	E1	E2	E3	E4
Sign luminance ( $L_s$ )	Taken as the product of the design average illuminance and reflectance divided by $\pi$ (pi), or for self-luminous signs, its average luminance	< 0.1 cd/m <sup>2</sup>	50 cd/m <sup>2</sup>	400 cd/m <sup>2</sup>	800 cd/m <sup>2</sup>	1.000 cd/m <sup>2</sup>

4.5 The proposed signs in this application to be installed are designed based on 450 cd/m<sup>2</sup>, in compliance with Zone 3 requirements.

4.6 It is therefore considered that the advertisements proposed will not have a significantly detrimental impact on the visual amenity of the locality in accordance with policy SDC1.

## 5.0 Public Safety

5.1 Warwickshire County Council (Highways) have confirmed that they have no objection to the proposed advertisements or luminance levels and as such are not considered to result in highway safety issues.

5.2 The signage is not considered to be a distraction to drivers and there will not be a detrimental impact on highway safety or public safety.

## 6.0 Conclusion

6.1 As detailed above the only issues to be considered in the determination of advertisement applications are amenity or public safety.

6.2 It is not considered that the proposed advertisement signage will have an adverse impact on amenity or public safety and the proposals are therefore considered acceptable.

## 7.0 **Recommendation**

7.1 Planning application R23/0956 be approved subject to:

a. the conditions and informatives set out in the draft decision notice appended to this report; and

2. The Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

## DRAFT DECISION

**REFERENCE NO:**  
R23/0956

**DATE APPLICATION VALID:**  
19-Oct-2023

**APPLICANT:**

..., Polestar Automotive UK Ltd Polestar Automotive UK Ltd, c/o Agent

**AGENT:**

Andy James, BHP Design BHP Design, St Pauls Place, 40 St Pauls Square, Birmingham, B3 1FQ

**ADDRESS OF DEVELOPMENT:**

Beech Building Unit 1 Ansty Park, Draken Drive, Coombe Fields

**APPLICATION DESCRIPTION:**

Advertisement Consent for installation of 2 No. Fascia Signs on The Beech Building. 2 No. Freestanding Totem Signs.

**CONDITIONS, REASONS AND INFORMATIVES:**

**CONDITION 1:**

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

**CONDITION 2:**

No advertisement shall be sited or displayed so as to:-

a - endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military),

b - obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air, or

c - hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

**CONDITION 3:**

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

**CONDITION 4:**

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

**CONDITION 5:**

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

**REASON: 1 - 5**

In the interests of public and highway safety.

**CONDITION 6:**

The development shall be carried out in accordance with the plans and documents detailed below:

- Planning Proposed Signage Project Number 31719 PP6 Rev B
- Planning Plans Proposed External Way Finding Project Number 31719 PP4 Rev D received by the Local Planning Authority on 19th October 2023

**REASON:**

For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

**INFORMATIVE:**

Any external lighting should be installed to ensure there is no glare or excessive light spill that may affect any properties off site. Information can be obtained from the Institute of Lighting Professionals on types and positioning of lighting to minimise off site effects.

DRAFT