



North Warwickshire
Borough Council

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Date: 07 February 2023

The Town & Country Planning Acts
The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990
The Town & Country Planning (General Development) Orders
The Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended)

DECISION NOTICE

Major Outline Application

Application Ref: PAP/2020/0295

Site Address

Land West Of Hams Hall Roundabout And South Of Marsh Lane,
Curdworth,

Grid Ref: Easting 418695.79
Northing 292373.42

Description of Development

Outline application for an overnight truck stop 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

Applicant

Caesarea Development Holdings Limited

Your planning application was valid on 19 June 2020. It has now been considered by the Council. I can inform you that:

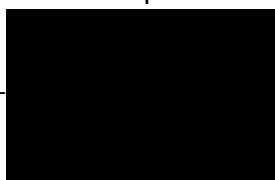
Planning permission is **REFUSED** for the following reason:

1. The site is in the Green Belt and it is considered that the proposal amounts to inappropriate development. It is not considered that the cumulative Green Belt and other harms caused are clearly outweighed by the planning considerations advanced by the applicant. The proposal therefore does not accord with Policies LP1, LP3, LP14, LP29(9) and LP30 of the North Warwickshire Local Plan 2021 as supported by Sections 12 and 13 of the National Planning Policy Framework 2021.

The proposed change of use and the provision of transport infrastructure would not preserve the openness of the Green Belt and conflict with the purposes of including land within it. Substantial weight is given to this Green Belt harm. In particular there would be significant spatial and visual harm together with harm caused by twenty-four hour activity and the permanence of the development. The proposal would conflict the purposes of the Green Belt including safeguarding the countryside from encroachment, restricting sprawl and preventing the merger of towns. Additionally, there would moderate landscape and visual harm, moderate harm to residential

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amenity from lighting impacts and limited harm from noise impacts.

It is acknowledged that the proposal carries substantial weight in meeting national and local HGV needs and that it thus accords with Local Plan Policy LP34 and paragraph 109 of the NPPF.

As such, the Council considers that there is a fine balance here. However, the applicant's planning considerations do not clearly outweigh the cumulative harms caused. The overriding reason is the resultant fragmentation of the Green Belt within a remaining open corridor which fulfils a number of the purposes of including land within it.

INFORMATIVES

1. The Local Planning Authority has met the requirements of the NPPF through engaging with the applicant and various Agencies in order to overcome objections raised through the consultation process. However this has not been able to overcome Planning policy objections in the assessment of the final planning balance.

APPEALS TO THE SECRETARY OF STATE

(1) If you are aggrieved by the decision of the Local Planning Authority, you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

(2) If you want to appeal against your local planning authority's decision, then you must do so within 6 months of the date of this notice.

(3) Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

(4) The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

(5) The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

(6) The Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

(7) If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

NOTES

1. This decision is for the purposes of the Town and Country Planning Act only. It is not a decision under Building Regulations or any other statutory provision. Separate applications may be required.
2. A report has been prepared that details more fully the matters that have been taken into account when reaching this decision. You can view a copy on the Council's web site via the Planning Application Search pages <http://www.northwarks.gov.uk/planning>. It will be described as 'Decision Notice and Application File'. Alternatively, you can view it by calling into the Council's Reception during normal opening hours (up to date details of the Council's opening hours can be found on our web site <http://www.northwarks.gov.uk/contact>).
3. Plans and information accompanying this decision notice can be viewed online at our website <http://www.northwarks.gov.uk/planning>.

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