

Planning Committee: 04 January 2005
Application No: W 04 / 2022

Principal Item Number: 03

Town/Parish Council: Kenilworth/Beausale
Case Officer: Steven Wallsgrave
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Registration Date: 18/11/2004
Expiry Date: 13/01/2005

Abattoir, Rouncil Lane, St. Johns, Kenilworth, CV8 1NN
Erection of extension FOR Farmers Fresh Ltd

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council - no objection and considered replacement of existing ad-hoc building arrangements on site would be beneficial. Request early completion of work through imposition of suitable condition and assurance that there is no increased outflow to drainage systems.

Beausale (Joint) Parish Council - No objections.

WCC (Highways) - No objection since will result in reduced traffic flow.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
(DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995)
(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)

PLANNING HISTORY

The principle of a slaughter house on this site was approved in 1978 with details being approved in 1982. There have been various extensions since that time. In 1993 planning permission was granted for a fairly substantial extension, following completion of a Section 106 Agreement, to relocate the remaining abattoir related facilities in Warwick Road, Kenilworth to this site. (The plan with this application also indicated possible phase 2 and phase 3 extensions, but these were not part of the application). Further extensions were also approved in 1993 and 1997, the second one being on the site of part of the extension approved in 1991. In 2000, action was taken against an unauthorised extension to form additional lairage facilities, for which the subsequent appeal was allowed in 2001.

The last application on the site was for a detached building to process animal skins, which was refused in March 2002 principally on grounds of conflict with green belt policy. At that time, the view was held that the processing of fleeces was not an "ancillary" activity to the operation of the slaughterhouse and represented an extension of activity which did not justify a separate building being erected on the site. Since that time, advice from Counsel has been obtained to the effect that fleece processing can legitimately be regarded as ancillary to the abattoir itself.

KEY ISSUES

The Site and its Location

The abattoir site lies in the Green Belt but is well screened from general public view by a wide belt of trees. It lies partly in Kenilworth and partly in Beausale with Leek Wootton parish being a short distance away. It is also covered by the Arden Special Landscape Area. The tree belt along Rouncil Lane is covered by a Tree Preservation Order.

Details of the Development

The proposal is to erect an extension measuring 9.0m long and 16.225m wide as a simple continuation of the existing cold store part of the complex between the main block and the tree belt. All cladding would be to match the existing.

The extension would be used to treat fleeces before they are taken off site to be delivered to manufacturers for processing, and would replace the existing temporary facilities. The agent has confirmed that the process for salting the fleeces is a dry system and no waste is discharged to the mains drainage system.

Assessment

This site lies in the Green Belt and, therefore, the principal issues are whether it is in accordance with Green Belt policy, as set out in the Development Plan and PPG2 : Green Belts or, if not, whether there is any very special justification to warrant overriding the normal presumption against development in such areas.

The erection of a building such as this is not one of the specified categories of acceptable development and, therefore, very special justification has to be identified to warrant the grant of planning permission. In the present case, the applicants have submitted a detailed report which acknowledges that the proposal is inappropriate development.

It refers to its minimal impact on the Green Belt due to its concealed location, the larger lairage building which the Inspector, on appeal, considered had a "minimal" impact on the landscape and only a "slight" effect on openness, the similarity of the design of the building to modern agricultural buildings, the much greater impact of the existing lorry trailers, and the fact that the proposed extension lies on the site of a previously approved extension. The report then looks at the traffic implications of the proposal and states that, when the fleeces were not being initially treated on site, there were an average of 40 vehicle movements to and from the site per week (the fleeces were being shipped out three times a day). Carrying out the process on site reduces the movements to 1 or 2 large lorry loads per week.

It is considered that this reduction in traffic, which affects residents in Rouncil Lane, together with the minimal impact of the extension on the openness of the Green Belt, does weigh in favour of a decision to grant permission for what can now be regarded as an "ancillary" activity, as a minor departure from the Development Plan, subject to carrying out the work and removing the present structures within a relatively short period.

REASON FOR RECOMMENDATION

Having regard to the provisions of the development plan and to the material considerations associated with the proposed development, it is considered that the very special justification submitted outweighs the minimal impact of the building on the Green Belt and Special Landscape Area.

RECOMMENDATION

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of one year from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.

 - 2 The existing structures and containers shall be dismantled and removed from site within one calendar month of the approved extension being brought into operation, or substantially completed, whichever is the sooner. **REASON** : To ensure that the present, unauthorised, works are removed at the earliest practicable moment.
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