



REPORT TO: District Development Control Committee

DATE: 1 April 2004

CASE NUMBER:02/01077/EIAMAJ

GRID REF: EAST: 440260 **NORTH:** 461560

APPLICATION NO. 6.71.102.E.EIAMAJ

DATE MADE VALID: 08.03.2002

TARGET DATE: 28.06.2002

WARD: Claro

APPLICANT: P Hutton Limited

AGENT: Ramsden Solicitors

PROPOSAL: Demolition of existing buildings with erection of abattoir and associated buildings including waste water treatment plant, altered vehicular access, parking/turning areas and landscaping scheme .Erection of agricultural buildings.

LOCATION: Rougham Farm Great North Road Arkendale Knaresborough North
Yorkshire HG5 0RA

REPORT

0.0 SITE AND PROPOSAL

0.1 This application represents a development falling within Schedule 2 Category 7f (an installation for the slaughter of animals) under the regulatory framework for Environmental Impact Assessment (EIA). The development requires an EIA because the area of the facility exceeds 1,000 square metres. An Environmental Statement (ES), following a scoping request made to the council in July 2001, therefore supports the application.

0.2 The application site is located at Rougham Farm, Great North Road, Arkendale. Rougham Farm is situated to the east of the A168 and consists of a farmhouse and range of associated agricultural buildings extending in an easterly direction some 80m from the road frontage. The site is situated in the open countryside

and, with the exception of the A1(M) surrounding land use is agricultural.

- 0.3 The nearest buildings to the site are Holly Bank Farm and Hollins Farm located approximately 550m to the south and north west of the site respectively. The nearest settlements are Marton - cum - Grafton and Arkendale which are situated approximately 1.5km to the northeast and southwest respectively.
- 0.4 The applicant proposes the demolition of the existing agricultural buildings at the site, construction of an abattoir, incorporating lairage, chilled storage, meat packaging, vehicle storage, emergency kill and office buildings. In order to facilitate the development it is also necessary to construct a wastewater treatment plant, altered vehicular access and parking/turning areas along with the provision of a landscaping scheme. The application also proposes the erection of agricultural buildings independent of the abattoir.
- 0.5 The site in total is approximately 10 hectares in area. The main abattoir building would have a floor area of approximately 6,500 square metres, waste management approx. 1000 square metres, staff facilities approx. 1,900 square metres, waste treatment plant at approx 3200 square metres and vehicle wash and disinfection facilities of approx. 475 square metres.
- 0.6 The new buildings would be situated to the rear of the existing Rougham Farm House and following the demolition of the existing farm buildings would extend in an easterly direction into what are presently open fields. The 'administration' block consisting of offices/vehicular storage and an emergency kill abattoir would extend some 80 metres in a north /south direction and would be constructed at a height of approx 7.4 metres to eaves (9.6metres to ridge) with two water towers extending to a height of approx 12.6metres.
- 0.7 Parallel and to the rear of the 'administration' block is the building housing the chillers and meat packing areas and dispatch. This building extends to approximately 92 metres in length and 43.4 metres in width. The building would be constructed to approximately 8metres in height to eaves with a ridge of approx 12.2metres. The main slaughter hall and lairage building are to be constructed behind this building extending a further 97 metres to the east. The slaughter hall will be constructed on two levels (Lower level below ground level) and would be approx 8metres to eaves (11.2 metres to ridge). The lairage building would be constructed at a lower height than the slaughter hall at approx 8.7 metres to ridge. The buildings other than the lairage would be clad in profile sheet (heritage green).
- 0.8 In addition to the above, new animal sheds are proposed for the farm, which would be located to the east of the abattoir building adjacent to the waste treatment plant. These buildings are to replace and expand on the existing animal sheds, which would be demolished if the development were to proceed. It is stated that these sheds are required irrespective of the abattoir development, for the continuing operation of the existing farm. The sheds would be single storey structures 7.5 metres in height and of steel portal frame construction and would incur cutting into land to the west and local earth shaping.

- 0.9 The proposed abattoir would, it is stated, replace an existing facility located at Castle Ings, Knaresborough. Members should be aware that consent was granted at the Castle Ings site for residential development (11 apartments) under Planning Reference No. 6.100.156.M.FUL in January 2003.
- 0.10 The abattoir building would be constructed on two levels. The upper tier located above ground level would house the 3 slaughter lines (cattle, sheep and pigs). The lower tier, at sub surface level would house processing facilities, a waste transfer and disposal corridor.
- 0.11 It is stated that the abattoir is designed to have a capacity of:
- * Cattle 70 per day
 - * Sheep 240 per day
 - * Pigs 200 per day
- with the maximum processing capacity based on the size of the chillers. Plans submitted by the applicant do however indicate that chillers would also be available for organics/game. Unlike the Castle Ings site the proposed operations will be species separated and not time separated.
- 0.12 The proposed abattoir would employ a workforce of some 40 - 50 staff (an increase on the workforce employed at Castle Ings which is stated by the applicant to be at 15 - 20). The abattoir could be operational on a 24-hour basis, however slaughter operations would normally be likely to last for no longer than 11 hours at a time, which would take place over a period between 7:00am and 6:00pm (in exceptional circumstances, for example emergency kill, this period could be extended to 14 hours). Office staff would be on site between 9.00am and 6.00pm with processing staff working in eight-hour shifts.
- 0.13 The existing site access on the western site boundary is to be widened and improved and would facilitate the majority of traffic movements associated with the development. A second access is proposed to the south of the main buildings.
- 0.14 The site lies outside the development limits for any settlement within the open countryside. The site lies in close proximity to Marton Carr, which is designated as a Site of Importance for Nature Conservation (SINC) in the Harrogate District Local Plan.

MAIN ISSUES

1. Land Use
2. Visual Impact And Landscape
3. Residential Amenity
4. Highway Safety
5. Pollution Prevention

RELEVANT SITE HISTORY

01/03029/SCOPE - Request for a formal opinion as to the information to be provided in an Environmental Statement to accompany a planning application for the relocation of an abattoir. Scoping Opinion made 3 September 2001.

SITE HISTORY RELEVANT TO EXISTING SITE DEVELOPMENT

6.71.102.PA - Erecting building to house chickens for broiler production and a bulk feed bin and gas tank - PERMISSION GRANTED 18.09.1992

6.71.102.A.PNA - Erection of agricultural building for livestock and straw storage - PRIOR APPROVAL NOT REQUIRED 31.08.2000

6.71.102.B.FUL - 2 storey extension - PERMISSION GRANTED 12.09.2000

6.71.102 - Erection of general purpose/store building and creation of new access road - WITHDRAWN 14.02.2001

6.71.102.D.PNA - Erection of 1 agricultural building for the storage of livestock feed - PERMISSION GRANTED 04.03.2002

6.71.102.C.PNA - Erection of extension to existing store building with lifting of roof - REFUSED CONSENT 05.09.2002

CONSULTATIONS/NOTIFICATIONS

English Nature

Key issues: supply of water, disposal of stormwater discharge and contaminated effluents have been adequately addressed. The abattoir and wastewater plant presents an increased risk to the water environment of the SINC and hence its ecology.

Countryside Agency

It is the Countryside Agency policy not to comment on individual planning applications

Environment Agency

No objection but recommend the imposition of conditions in relation to surface water drainage, details of the internal drainage arrangements and the waste water treatment system.

Policy Dev Unit NYCC

Recommend refusal of the application on the grounds that it would be contrary to Structure Plan Policy E2 and A5 as a consequence of its size/scale having an adverse impact upon the character, appearance, general amenity of the rural area

H.B.C Land Drainage

No objection provided the requirements of the Environment Agency are met in full.

Environmental Health

Issues of noise and odour are addressed comprehensively within the Environment Statement. The site is preferable to the Castle Ings site. Further comment is made in

respect of noise, odour and construction.

Highway Authority

Recommends the imposition of conditions in relation to and including access details, closing of existing access, details of internal access, turning and loading facilities, on-site parking facility and drainage.

DOT - Highways Agency

No observations to make on the application as there are no new or altered access to a trunk road

Claro Internal Drainage Board

Outflow from the balancing pond must not exceed the agricultural rate of 1.4 litres per second. Noted that waste water is now to be recycled

Landscape Officer

See Assessment

MOD Safeguarding and Byelaws

No safeguarding objections to this proposal

Local Plans Policy

See assessment

Yorkshire Water

No comment to make on the revised proposal. Developer is reminded to contact the Authority on water supply

Parish Council

Marion Cum Grafton

ARKENDALE PARISH MEETING

Arkendale

Heritage Unit of NYCC

Proposed work has no known archaeological constraint

Conservation and Design Section

See assessment

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 15.04.2003

PRESS NOTICE EXPIRY: 15.04.2003

REPRESENTATIONS

PARISH COUNCILS -

Although the site is wholly within the parish of Marion-cum-Grafton due to the close

proximity to Arkendale parish both parish councils have been formerly notified regarding this proposal.

Arkendale with Clareton and Coneythorpe Parish Council object to the development on the following grounds:

1. Environmental grounds; atmospheric, noise and light pollution and visual intrusion
2. Increased traffic in Arkendale. A recent traffic survey carried out by North Yorkshire police has already identified problems with speeding cars in Arkendale
3. Potential problem with unpleasant smells originating from the site
4. This application is contrary to the Harrogate District Local Plan
5. This application is contrary to the North Yorkshire County Structure Plan

Subsequent comments received have been made on behalf of both Parish Councils and can be summarised as follows:

1. The scale and nature of the proposal is unnatural and entirely alien in the open countryside and in this particular landscape
2. The development conflicts and fails to satisfy the strategies objectives and policies as set out in the Harrogate District Local Plan and the North Yorkshire County Structure Plan.
3. Irreversible damage would be caused to Marton Carr, a SINC and site of important archaeological and prehistoric interests, including past vegetation history , climate change and human activity.
4. Given that the potential capacity is well over 50 tonnes per day there is a need for an IPPC Certificate of Compliance before the planning application can be determined.
5. The health and safety risk to the adjoining villages posed by the scale of the proposed water supply, effluent and drainage arrangements, large elements of which, contrary to the applicant's assertion, clearly needs to be the subject of a full Integrated Pollution Prevention Control (IPPC) licence prior to the consideration of any planning application.
6. The applicant has failed to demonstrate an overriding need for the proposed development.
7. There is a demonstrable lack of need for the proposed plant. The application fails to demonstrate any exceptional circumstances which would justify any departure from adopted planning policies which preclude development in the countryside and on higher quality agricultural land.
8. The proposal is contrary to Government advice relating to the movement of animals and the distance travelled to slaughter.
9. The proposal bears no relation to the scale of the applicant's present operation in Knaresborough, for which it purports to be an almost like for like replacement.
10. A proposed development of similar scale in this location (the MSA application) was opposed by HBC and rejected by the Secretary of State on the recommendation of the Inspector at the Public Inquiry. A decision by HBC to approve this application would be totally contrary to its stance at inquiry and would disregard the comments and judgement of the Inspector and the decision of the Secretary of State.
11. The applicant has failed to meet the minimum requirements for an Environmental Impact Statement as defined by the Department of the Environment guidelines eg water (supply, treatment and discharge), ecological impacts, landscape impacts, noise, hazardous waste, traffic and odour.
12. The site was purchased on the 16th March 2000 before the formal site search criteria were developed and circulated on the 23rd March 2000. Accordingly the site search does

not appear genuine.

Comments received from both Parish Councils in November 2002 added the following:

1. Contrary to NYCC Structure Plan policies A5, A3 and E2 and HDLP Policies ,C2,C5 C11 C12 C14 C15 C18 NC4 E8 and E10.
2. No evidence of true capacity
3. No link to the closure of Castle Ings or relocation

Continued objections have been received from both Parish Councils during the course of the application re-iterating the above objections and inadequacy of the details submitted as part of the scheme

In November 2003 Marton -cum- Grafton Parish Council specifically objected to the proposed storm water attenuation scheme - see Appendix 1.

Both Parish Councils provided further representations following receipt of details of the frontage building together with a summary of their objections to the development. Although writing independently the content of this final response is the same and is appended to the report at Appendix 2.

OTHER REPRESENTATIONS -

The application has attracted substantial interest with 773 letters (at the time of writing this report) of representation having been received in total from 301 addresses.

Clearly there has been repeat representations from the same address and substantial volumes of letters have been received as the application has progressed.

Upon initial receipt of the scheme 255 letters were received objecting to the development together with 27 offering support. Revised plans/ further information received in October 2002 received 123 letters of objection. 106 letters of objection were received following the receipt of revised plans in February 2003. 116 letters of objection received upon receipt of details of the storm water attenuation pond and disposal. Finally 146 letters of objection have been received since the new year as the application has progressed to determination.

OBJECTION

The letters of objection can be summarised as follows;

1. Site is unsuitable for such large scale industrial usage in a rural location.
2. Insufficient consideration has been given to other potentially more suitable sites.
3. Size and height of the proposed structures will have a detrimental visual effect on the landscape.
4. Serious and irreversible visual and environmental impact such a development would have on the rural landscape and on the lives of the local population.
5. Increase in heavy vehicular traffic on rural country roads and an increase in traffic hazard within rural villages.
6. Destruction of rural villages.
7. Set a precedent for other commercial activity along the A1.
8. Serious air, noise and light pollution at all times of the day/night having a detrimental impact upon both rural and residential amenity.

9. The development will have a detrimental impact upon the Marton Carr Site of Importance for Nature Conservation.
10. Uncertainty of controls over the disposal of solids/slurries and surface water into land above an aquifer and associated environmental health concerns.
11. Concern that existing flooding problems will be exacerbated by the increased speed of water run off from the premises.
12. Concern over the effect of water extraction from boreholes on domestic supplies.
13. Contrary to the Inspectors report rejecting the MSA on landscape grounds.
14. Pollution from the transportation and disposal of solids, liquids and slurries.
15. Spreading of waste on farmland will destroy the mineral balance.
16. The proposals are not a simple relocation but more the establishment of a new industrial development.
17. The proposals are first phase and will ultimately result in a far bigger operation than the current plans define.
18. Lack of quantifiable information in the environment assessment.
19. Contrary to both North Yorkshire County Structure Plan Policies and Harrogate Borough Local Plan Policies.
20. Detrimental impact upon property values.
21. The ability of a hitherto small business to safely manage such a large operation.
22. Loss of visual amenity and heritage views from local footpaths.
23. Overload the services to the area.
24. Little or no effort to screen the buildings.
25. Not a sustainable location.
26. Does not create a new business but is a spread of existing business resulting in future closures.
27. Concern regarding health and safety if pollution controls went wrong.
28. Huge proposed capacity of the plant.
29. Lack of workforce in the area.
30. Over capacity for abattoirs nationally.

SUPPORT

The letters in support of the proposal can be summarised as follows;

1. Good better location for the facility away from housing.
2. Creation of more jobs within the local community.
3. More business for local farmers.
4. Ensures a long standing family business continues.
5. Concern over welfare issues for stock currently having to travel long distances.
6. Modern building up to the latest standards of legislation providing the best in food safety and complete traceability of the end product.
7. Major boost to the farming industry after the foot and mouth crisis.
8. Shortage of capacity in the area.
9. Benefit to the consumer.
10. Good access for local farmers.
11. Proposal will sustain farming in the locality and is the future.

VOLUNTARY NEIGHBOUR NOTIFICATION - No properties directly notified by the applicant.

RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- PPG7 The Countryside: Environmental Quality and Economic and Social Development
- PPG9 Nature Conservation
- PPG4 Industrial and Commercial Development and Small Firms
- PPG13 Planning Policy Guidance 13: Transport
- PPG15 Planning Policy Guidance 15: Planning and the Historic Environment
- PPG16 Planning Policy Guidance 16: Archaeology and Planning
- PPG23 Planning Policy Guidance 23: Planning and Pollution Control
- PPG24 Planning Policy Guidance 24: Planning and Noise
- SPI4 North Yorkshire County Structure Plan Policy I4 : Existing Businesses
- SPI6 North Yorkshire County Structure Plan Policy I6 : Location of Industrial and Commercial Development
- SPI15 North Yorkshire County Structure Plan Policy I15 : Large Scale Business : Exceptional Circumstances
- SPT11 North Yorkshire County Structure Plan Policy T11 : Access to Industrial and Commercial Development
- SPA1 North Yorkshire County Structure Plan Policy A1 : Loss of Agricultural Land
- SPA2 North Yorkshire County Structure Plan Policy A2 : Loss of Agricultural Land
- SPA3 North Yorkshire County Structure Plan Policy A3 : Loss of Agricultural Land
- SPA5 North Yorkshire County Structure Plan Policy A5 : Agricultural Services/Intensive Livestock Units
- SPE2 North Yorkshire County Structure Plan Policy E2 : Development in the Countryside
- SPE6 North Yorkshire County Structure Plan Policy E6 : Nature Conservation
- SPE7 North Yorkshire County Structure Plan Policy E7 : Pollution
- SPR6 North Yorkshire County Structure Plan Policy R6 : Rights of Way
- LPA01 Harrogate District Local Plan Policy A1: Impact on the Environment and Amenity
- LPC02 Harrogate District Local Plan Policy C2: Landscape Character
- LPC11 Harrogate District Local Plan Policy C11: Landscaping of Development Sites
- LPC12 Harrogate District Local Plan Policy C12: Agricultural Land
- LPC15 Harrogate District Local Plan Policy C15: Conservation of Rural Areas not in Green Belt
- LPE08 Harrogate District Local Plan Policy E8: New Industrial and Business Development in the countryside
- LPE10 Harrogate District Local Plan Policy E10: New Cattle Market/Abattoir Facilities
- LPA03 Harrogate District Local Plan Policy A3: Noise Generating and Sensitive Development
- LPA04 Harrogate District Local Plan Policy A4: Water Amenity
- LPNC03 Harrogate District Local Plan Policy NC3: Local Wildlife Sites
- LPNC04 Harrogate District Local Plan Policy NC4: Semi-Natural Habitats
- LPHD04 Harrogate District Local Plan Policy HD4: Development affecting Archaeological Sites
- LPHD05 Harrogate District Local Plan Policy HD5: Archaeological Investigation
- LPHD20 Harrogate District Local Plan Policy HD20: Design of New Development and Redevelopment
- LPR11 Harrogate District Local Plan Policy R11: Rights of Way
- LPT01 Harrogate District Local Plan Policy T1: The Highway Network
- LPIMP2 Harrogate District Local Plan Policy IMP2: Provision of Infrastructure Needs

Generated by Development

LPIMP3	Harrogate District Local Plan Policy IMP3: Amelioration of Adverse Environmental Impact of Development
RP12	
S6	Sustainable Use of Physical Resources
E2	Rural Employment Opportunities
E4	Employment Site Selection and Development Criteria
T2	Public Transport Accessibility
N1	Biodiversity
N2	Historic and Cultural Resources
N3	Landscape Character
R3	Water Resources and Drainage

ASSESSMENT OF MAIN ISSUES

0.1 LAND USE

0.2 The proposed development represents a substantial development in the open countryside and any decision upon the acceptability of or otherwise of the scheme should be based upon relevant development plan policies and other material considerations.

0.3 In terms of development plan policies from a land use point of view, it is considered that North Yorkshire County Structure Plan (NYCSP) Policies A5, E2 I15 and R6 and Harrogate District Local Plan (HDLP) Policies A1, E8, E10, C2, C15, R11, HD20 and NC5 are most relevant. These policies are attached to the report at Appendix 3.

0.4 North Yorkshire County Structure Plan Policy A5 permits agricultural service industries which are small scale and would be offensive within, or immediately adjoining, a built up area within the open countryside provided that:-

- i) Suitable measures are proposed to minimise the emission of noxious odours and the pollution of existing or potential water or fishery resources.
- ii) Their impact on the rural and built environment is acceptable.
- iii) The Planning Authority are satisfied that the capital works directly required to service the development are provided or will be provided.
- iv) Adequate road access can be provided, where appropriate, and no excessive nuisance or danger will be caused by increases in traffic movement.

0.5 Policy E2 provides additional guidance for development in the open countryside, reiterating that development should be small scale, requiring an open countryside location for operational reasons and benefiting the rural economy. Such development should not harm the character and appearance, general amenity or nature conservation interests of the surrounding area.

0.6 Policy I15 identifies that in exceptional circumstances large scale industrial development for occupation by a single large operator and a relative development directly linked to its operation may be permitted, as an exception to North Yorkshire County Structure Plan Policy I5, provided that:-

- i) The development would result in substantial employment or other economic benefit; and
- ii) There are clear and substantive reasons why the proposed development cannot be implemented on land allocated in local plans for business or industrial development in accordance with I5; and
- iii) There are no overriding planning objections.

(NYCSP Policy I5 identifies broad industrial land allocation for the period of 1991-2006 which will be mainly in and around the main urban areas, main towns and small towns.)

- 0.7** HDLP Policies E8 and C15 generally restrict development in the countryside and only allow small scale industrial/business development adjacent to a rural settlement under certain circumstances.
- 0.8** Policy E8 is consistent with advice contained within PPG7, which emphasises that many small scale industrial activities can be carried out in the countryside without causing serious planning problems. The proposal is, however, considered to represent a large scale development and as such would be contrary to Policy E8. The proposed use is not one generally referred to as acceptable in the countryside under Policy C15.
- 0.9** Harrogate District Local Plan Policy E10 does, however, address the specific land use issues of a new cattle market/abattoir facility. The policy and justification taken together explains that this policy has, in part, been derived from the interest shown in the past by a number of operators to provide a modern comprehensive auction mart and abattoir facility in the District, partly to replace outdated and poorly located facilities.
- 0.10** It is considered that this policy should form the starting point in the determination of this proposal. Unlike the more general policies referred to above, Policy E10 accepts that such a proposal does not have to be small scale nor need to be located adjacent to settlements. Whilst encouraging such proposals on land allocated or with planning permission for industrial/business use, the policy accepts that such development elsewhere will be permitted provided:-
1. It can be demonstrated that land allocated or with planning permission for industrial/business use is unsuitable or unavailable for such development.
 2. It does not involve land in the Green Belt or other environmentally sensitive or visually prominent locations.
 3. It is close to the primary road network and would not create unacceptable highway problems.
 4. It would not have a significant adverse impact on the character or appearance of the area.
 5. It would not have a significant adverse effect upon the environment or residential amenity.

SITE SEARCH

- 0.11** In terms of site search, if the proposal is considered to represent a relocation of

the existing facilities at Castle Ings with improvements to meet new regulations and best practise which do not result in a significant increase in its business profile and catchment area, then in order to comply with criteria 1 of E10, the applicant needs to demonstrate that land allocated or with planning permission for industrial/business use is unsuitable or unavailable for such development. A proposal which offers the potential for a significant increase in the abattoirs importance in the sub-region or due to its visual impact would require, a very wide investigation of industrial/business land opportunities and other opportunities covering at least a sub regional context..

- 0.12** The applicants state that the proposal is a relocation of the existing Castle Ings Abattoir. The proposed facilities being larger to meet new regulations and best practice together with an increase in capacity/throughput of approximately 20%. The site search has therefore been restricted to the Knaresborough/Boroughbridge A1 corridor with the choice of site being influenced by the need to serve the existing customer base, retention of existing workforce, the closure of several other abattoirs within the locality (the applicants state at Harrogate, Ripon ,Boroughbridge, Kirk Hammerton, Wetherby and Hampsthwaite) and the location of and continued operation of the applicants shop in Knaresborough (traditionally approximately 50%of the product from the abattoir has been sold there and to continue to service the shop without unnecessary travel, a location close to Knaresborough was preferred).
- 0.13** Members should however be aware that in describing the proposal as a replacement facility, the site at Castle Ings is not currently working at capacity and does have an extant consent to be expanded (plan reference 6.100.156.C.FUL). It is the throughput figures of an extended plant at Castle Ings which have been put forward as the basis for the replacement facility at Rougham Farm.
- 0.14** This clearly has implications regarding the site selection process. The applicants state the importance of being close to the existing shop and workforce. This is considered by your officer to be spurious as clearly 50% of the proposed product would not be sold through the local shop and the development would require a large increase in new jobs over and above the existing workforce. Whilst it is noted the Castle Ings Abattoir has built up its business over 70 years of operation and serves a rural customer base, which it is stated extends north to south from Richmond to Tadcaster and east west, from Holderness to Craven, this in the opinion of your officer represents a substantial regional area, which the very restrictive site search area does not address. Furthermore the increased capacity of the plant could potentially extend this catchment area still further.
- 0.15** The Parish Councils' concerns regarding the capacity of the proposed plant have been noted. It is stated by the applicant that throughput is dictated by chiller capacity. Analysis of the plant and available chiller capacity, together with variances in the maturation processes, indicates that whilst figures of 70 cattle, 240 sheep and 200 pigs per day have been quoted, the plant does potentially have capacity in excess of these figures.
- 0.16** It has however been stated by the applicants that the throughput of the

aforementioned figures would result in between 32.9 and 37.6 tonnes per day. Such figures would be below the threshold of 50 tonnes per day, above which would be classified as an Integrated Pollution Prevention and Control (IPPC) installation and would require a licence from the Environment Agency.

It is on the stated capacity that the proposal must be assessed.

The remaining criteria identified by HDLP Policy E10 are considered in more detail in the following paragraphs

LOSS OF AGRICULTURAL LAND:

0.17 The comment of Marton-cum-Grafton Parish Council in respect of loss of agricultural land has been noted. Both North Yorkshire County Structure Plan Policies A1 and A3 and Harrogate District Local Plan Policy C12 seek to retain the best and most versatile agricultural land whilst resisting non-agricultural development that would cause harm to the land. North Yorkshire County Council originally objected to the development on the basis of the loss of agricultural land, but following further site investigations which concluded that the land quality of the site does not fall within the category of best and most versatile land, the County Council has withdrawn its objections in relation to North Yorkshire County Structure Plan Policy A3. As the site area is less than 20 hectares there is no requirement of Harrogate Borough Council to consult the Ministry of Agriculture, Fisheries and Food (now DEFRA) regarding the proposed non-agricultural development.

2.0 VISUAL IMPACT AND LANDSCAPE

- 2.1 The proposed site is not within Green Belt or any designated area of national or local landscape value. It does not affect a site of national importance for nature conservation, but lies adjacent to a site of local importance for nature conservation (Marton Carr SINC site). The proposal does not lie within or adjacent to a Conservation Area.
- 2.2 The proposal represents a significant new build development in the open countryside. The Councils' Landscape Officer has been consulted regarding the scheme and considers Harrogate District Local Plan Policies C2, C15, A1, R11 and HD20 to be of particular relevance.
- 2.3 Harrogate District Local Plan Policy C2 seeks to ensure that development should protect existing landscape character. Policy C15 protects areas outside development limits from development considered inappropriate for a rural area. Policy A1 seeks to prevent development that will result in detrimental effects to an area's visual amenity and character. Policy R11 protects Public Rights of Way by preventing harm to their character or recreational and amenity value. Policy HD20 protects against development that conflicts with an area's character and visual quality, landscape setting and scale of existing buildings and settlements.
- 2.4 It is considered that these policies should be assessed in conjunction with the relevant landscape criteria of the policies identified within the land use section.

- 2.5 The Landscape Officer has consistently advised that the visual impact of the development upon local landscape character will be considerable. In addition to the above policies the proposal should also meet the aims of Planning Policy Guidance advice. PPG1 in particular notes that there is requirement for good design within the planning process and the rejection of designs which are out of scale or character with their surroundings. The Council's Landscape Officer considers that the proposal would conflict with this advice.
- 2.6 Although the building design and associated landscaping proposals have been revised since the original submission, concern is still expressed regarding the submission. The scale of buildings for this site is such that successful mitigation in terms of landscape and visual impact cannot be fully achieved
- 2.7 The proposed scheme is shown within the context of the surrounding area at Appendix 4. While attempts have been made to modify the design of the proposed buildings their extent and scale do not reflect the scale and character of the surrounding farmsteads situated in the immediate area. The mitigation measures proposed to reduce landscape and visual impact (tree planting and earthworks) can only partially mitigate for a development of the industrial scale proposed, and this would take a minimum of fifteen years to take effect. To successfully mitigate the impact on the landscape, the scale and nature of the buildings need to be fully considered in the context of the sensitivity and character of the local landscape. In this respect the EIA supplied by the applicant acknowledges at section 11.4.1 that the "landscape sensitivity of the area is generally assessed as medium to high".
- 2.8 The proposed buildings would cause substantial adverse impacts on local landscape character and visual amenity through the introduction of an industrial scale development in the open countryside.
- 2.9 The development is therefore contrary to Harrogate District Local Plan Policies C2, C15, A1 and HD20, and also the aims of PPG1.
- 2.10 HDLP Policy R11 identifies that when considering proposals that affect existing public right ways, these right of ways and the opportunities they afford for informal recreation should be retained. Clearly the development would not physically affect the route of a right of way, however the policy identifies that development which would result in the harm to the character or recreational and amenity value of existing rights of way and which do not involve the satisfactory diversion of the route will not be permitted. The proposed development would clearly be visible from adjacent right of ways (footpath No.9) and the large scale industrial development would in the opinion of your officers adversely affect the rural character of the locality for users of this right of way.

3.0 RESIDENTIAL AMENITY

- 3.1 The site is located in the open countryside and beyond the development limits/built up confines of the nearest settlements (Marton-cum-Grafton and Arkendale). The nearest residential properties to the site are Holly Bank Farm

and Hollins Farm located approximately 550m to the south and north west of the site respectively.

- 3.2 Although considered separately, Members considered that one of the planning benefits of re-development of the Castle Ings site was to the amenity of local residents abutting that site. Clearly in this instance there are no immediate neighbours, although the development has attracted large scale opposition from residents living in the surrounding villages.
- 3.3 Analysis of the letters of objection reveal that from a residential amenity point of view the main concerns are air pollution (odours and reduced quality), noise pollution and light pollution.
- 3.4 The Environmental Statement addresses these issues and has been the subject of consultation with the Environmental Health Officer.
- 3.5 Odours and air emissions are best controlled at source through the application of best available techniques including good design and housekeeping. This can be achieved satisfactorily at modern abattoir facilities. Proposals for the Rougham development include the transfer and collection of abattoir waste below ground level in a sealed chilled environment, mechanical air handling and extraction systems, activated carbon air filtering to reduce odour effects both on and off site to negligible levels.
- 3.6 Ambient noise levels on site are dominated by noise from road traffic on the A1(M) and A168. The nearest noise sensitive properties are located a minimum of 500m from the site and are thus afforded a reasonable degree of noise attenuation. Mitigation measures proposed at the site it is stated, include sensitive location of the building structures within the landscape to maximise screening and reduce vehicle movements on site and the selection and location of plant to minimise noise generation and transmission.
- 3.7 No significant residential effects are anticipated following the incorporation of mitigation measures at the site. Calculations indicate that plant and noise breakout would in general be no more than 0-4 dB(A) above the lowest measured background noise.
- 3.8 In terms of light pollution, no rooflights have been incorporated within the abattoir buildings to avoid the glow of internal lighting drawing the eye to the development during hours of darkness. It is stated that external light would be 'on demand' that is switched on and off as needed and located at as low a level on the building sides as is practicable (up to a height of 4m). The external lights would be downlighters/cut off lighting which would be shrouded to prevent horizontal glare. Car parking areas and access roads would utilise 'bollard' lighting. Whilst this may reduce light pollution, clearly the very presence of the structure with external lighting will have an impact upon the local environment during hours of darkness.
- 3.9 The Environmental Health Officer has been consulted and notes that whilst the type of activity and 24 hour operation of the site could give rise to nuisance to

residential premises in the vicinity, particularly from noise and odour, these issues are addressed comprehensively in the accompanying Environmental Statement and therefore does not object to the development.

- 3.10 HDLP Policy A1 identifies that proposals should, wherever possible, make a positive contribution to the area by maintaining or improving the quality of the environment and amenity. The policy specifically states that development will not be permitted where they would inter alia have an unacceptable effect on residential amenity and surrounding land uses.
- 3.11 In this respect the Environmental Health Officer has not objected to the development but has commented that safeguards should be imposed to minimise noise and odour breakout from the premises. Such measures would include sound attenuation measures for both the proposed buildings and plant. Odour complaints have formed one of the main source of complaint from residents concerning the Castle Ings site (and from other abattoirs with blood tanks). Such tanks should therefore be fitted with a vapour return system with odour facilities. It is further stated that the undertaking in the Environment Statement that the site will be operated in line with the proposed IPPC technical guidance should be reinforced and that the waste management system should be undertaken as described within 7.7.5 of the Environment Statement to avoid nuisance to local residents.
- 3.12 It is considered it is not possible to substantiate an objection to the proposal based upon the impact upon residential amenity.

4.0 HIGHWAY SAFETY

- 4.1 The comments of local residents regarding increased traffic generation have been noted, particularly in relation to increased vehicular movements through local settlements.

The applicant has stated that the following vehicular movements are anticipated:

- * Deliveries - Six vehicles per day , five of livestock and one of supplies
- * Dispatch - Ten vehicles per day, two for carcasses and eight for value added products
- * Waste Removal - One vehicle per day
- * Products for further processing - Two vehicles per day (hides and pigs blood)

The above movements would be in addition to staff movements/vets etc to and from the site.

- 4.2 The applicants have commissioned a Transportation Assessment of the proposed development which concludes that increased movements upon the A168 would be insignificant in highway capacity terms , whilst the removal of traffic serving the Castle Ings site would represent a benefit. It is further stated that contractual arrangements would be established with customers to ensure that delivery vehicles used main roads only and avoided sensitive locations such as Marton-cum-Grafton and Arkendale villages.

- 4.3 Both the Highway Authority and DOT Highways Agency have been consulted regarding the scheme. The Highway Agency have no comments to make as there is no new or altered access to a trunk road.
- 4.4 The Highway Authority note that according to the applicants figures, the proposal will increase the number of vehicles per day on the A168 by some 71 vehicles, representing a 2% increase.
- 4.5 The A168 fronting the site is an open stretch of road where vehicle speeds are high. The proposed development will give rise to additional vehicles waiting on the carriageway of the A168 at both accesses into the proposed abattoir. Whilst a right turn facility is proposed at the northern access the southern access will be served by a simple 'T' junction. For highway safety reasons it would be expected that a right turn facility be incorporated into the southern access. Such a facility could be provided by the imposition of a Grampian condition. Based upon this provision the Highway Authority would not object to the development subject to the imposition of conditions.

5.0 POLLUTION PREVENTION

- 5.1 There is widespread concern expressed by residents living within the vicinity of the plant in relation to possible pollution of the local water environment and impact upon the Marton Carr SINC site which is protected by Harrogate District Local Plan Policy NC3. This policy states that development likely to have an adverse effect on a SINC site will not be permitted. Protection of these sites will be afforded in accordance with their District Wide importance. The justification to the policy states that in considering applications for development affecting local wildlife sites such as the Carr, the need for the proposed development will be balanced against the local importance of the site and its nature conservation interest. Harrogate District Local Plan Policy A1 seeks to resist development which would cause an unacceptable pollution impact.
- 5.2 Since the initial submission of the proposal the applicants have amended the scheme in terms of the proposed water supply. Initially it was intended to provide supply by a private borehole within the local aquifer. Following treatment this would have been pumped to a break tank which would then supply the various areas of the abattoir. A public supply from Yorkshire Water Services which is available at Rougham Farm capable of supplying around 15 m³/hour would be adequate to allow production to be shut down if there was any problems with either the borehole supply or the water recovery system.
- 5.3 Two water storage towers would be located on the site adjacent to the ancillary buildings giving a storage capacity of 350m³. The storage facility is a requirement of the Food Standards Agency.
- 5.4 It is now intended to meet the abattoirs water demands through the existing mains water supply and not from a borehole supply. In terms of efficient management it has been confirmed that on-site treatment and recycling would be adopted. Storm water run off would be discharged by soakaway via a new

balancing pond.

- 5.5 The recycling of waste water would allow for approximately 70-75% of water to be recovered. The recycled water would then be mixed with mains water before being re-used back in the slaughterhouse. The remaining waste water would be removed by (tanker) vehicles from the site.
- 5.6 The North Yorkshire County Council Ecologist has investigated with English Nature the possibility of notifying Marton Carr as a Site of Special Scientific Interest (SSSI) and hence affording it greater protection than its current status as a SINC site. Following investigation such an approach has not now been adopted. The deletion of the groundwater supply has removed the potential for medium or longer term groundwater head reduction which would have been to the detriment of the Carr.
- 5.7 It is proposed to discharge surface water from the site via interceptors to a balancing pond and soakaway, this approach is supported by government guidance in Planning Policy Guidance Note 25 and the Environment Agency has no objection to the proposal as submitted. The Claro Internal drainage Board note that the outflow from the balancing pond must not exceed the agricultural rate of 1.4 litres per second. To safeguard the hydrology to the SINC site this could be controlled by condition. It is however stated by the Agency that the full detailed design of the system needs to be fully agreed and it is considered reasonable to control such aspects by planning condition or through a section 106 agreement.
- 5.8 The development proposes to isolate all remaining areas from entering the surface water drainage system. The Agency recommend that the final design of the internal drainage arrangements should also be controlled by condition.
- 5.9 The drainage system includes a waste water treatment system totally separate from the surface water system with no discharge to sewers, surface or groundwaters. All treated waters will then be recycled for use in the plant and solid waste as a result of the process removed for disposal off site. Taking these points into account the Environment Agency has no objection to this method of water treatment and disposal but again recommend that such control is exercised by the imposition of a controlling condition.
- 5.10 The Environment Agency would not give consent to discharge for any future proposals to discharge from the waste water treatment plant.
- 5.11 In respect of contaminated effluents, English Nature maintain the view that the abattoir and associated wastewater plant presents an increased risk to the water environment of the Carr and hence to its ecology. The risk is proportionate to the type of development and, however small, is clearly greater than the existing pasture, set a side or the like.
- 5.12 In this respect Members should note that the proposed development covers only about 1.5 - 2% of the Carr total catchment area, but given the close proximity to the Carr, there is potential for the proposal to be hydrologically significant. On

this basis English Nature consider that there should be some form of basic baseline and operational monitoring with respect to the Carr.

- 5.13 From an ecological viewpoint The North Yorkshire County Ecologist has expressed concern that the location of the abattoir upstream of a high quality wetland site is fundamentally an unsustainable proposal in planning policy terms. Concern is expressed that without hydrological expertise it has not been demonstrated or quantified that any change in hydrology would not have implications to the ecology of the SINC site. The risks to the SINC site as a result of, for example, potential accidental spills from various sources within the abattoir are far greater than if the proposal were not to be sited here. Members attention is however drawn to the comments of the Environment Agency who have no objection to the development subject to the imposition of conditions.
- 5.14 The NYCC Ecologist identifies further concerns that are appended (see Appendix 5) to this report in the letter dated 18 February 2004 but states that in the absence of factual hydrological modelling of the catchment in relation to the SINC site it is not possible to determine what the potential significance of impacts or otherwise are.
- 5.15 Notwithstanding this issue the Ecologist identifies potential planning conditions should the Borough Council be minded to approve the scheme. Such conditions would include hydrological information.

6.0 CONCLUSION

- 6.1 It is considered that the proposed scheme would be contrary to the development plan. In particular the proposal would fail to meet the provisions of North Yorkshire County Structure Plan Policies E2 I15 and A5 together with Harrogate District Local Plan Policies E10, E8, C15, C2, A1, R11 and HD20 as a consequence of the substantial visual impact of the large scale development upon the landscape and the inadequacies of the proposed site search.
- 6.2 Prior to determination of the scheme it is therefore essential to address whether there are any material considerations of sufficient weight to set aside the provisions of the development plan. In this respect the applicant refers to the unsuitability of the existing site, which has been well documented through the earlier application for the redevelopment of Castle Ings and accepted by Members in granting consent for 11 dwellings.
- 6.3 The applicant is of the view that there remains a need for a local abattoir, particularly in this rural area where agriculture is of importance to the local economy. The need for local facilities, which enable shorter journeys for livestock and greater traceability of meat, has been highlighted by the recent foot and mouth crisis.
- 6.4 The applicants maintain that following a site search there was no available employment land for the facility and the lairage associated with it. Rougham Farm would however meet the fundamental criteria for location, notably good road access close to the principal north/south and east/west routes through the

District.

- 6.5 It is acknowledged by your officers that the increasingly stringent regulatory requirements of the industry has resulted in a large structure, and the size of the main abattoir building ie. (lairage and slaughter hall) has been dictated by best practice. Similarly the size of the chiller facilities are dictated by rail space and throughput figures supplied by the applicant (it is however noted that such throughput could be increased for each species as additional chillers have been included for game and cattle). Within this building the value added areas each comprise some 112 sq.m compared with 88.5 sq.m available for this purpose at Castle Ings. The scheme does however provide for species separation throughout the whole process, which cannot be provided at Castle Ings (Castle Ings operates on time separation for each species).
- 6.6 The size of the unit has therefore been dictated by the processes undertaken, species separation, and the need to provide sufficient space to ensure a safe environment for those working there to meet modern safety requirements.
- 6.7 The use as an abattoir is sui generis but clearly the meat packaging plant is an industrial use. The applicants however emphasise that its particular characteristics set it apart from the more main stream range of general industrial uses, having a strong and genuine connection with farming, which is an appropriate rural activity, and there are distinct advantages in operating in a rural location, primarily for animal welfare, hygiene and bio-security reasons. It is further contended that if employment land was available, it would probably be inappropriate to locate the facility on such land (this would of course contradict Harrogate District Local Plan Policy E10).
- 6.8 In support of this stance the applicants have included details of a recent appeal case for an abattoir and meat plant at Linlithgow, Scotland which was allowed within green belt.
- 6.9 The applicants reiterate the Inspectors conclusion, which they state is in line with their own situation when first discussing the possibility of relocation some 4 years ago:
- "Clear evidence has also been submitted of the increasingly stringent operational regulations affecting the meat and livestock industry, and I consider it would be extremely short-sighted not to anticipate more in the future, especially when planning such a significant business relocation. It would also be wrong to ignore the lessons from experiences such as the recent outbreak of foot and mouth disease, just because they were not yet enshrined in legislation. Best practice should be adhered to and I am satisfied that in this particular industry there is a special, clear and potentially national need to create a regime that can minimise and control any similar episode, should it recur".
- 6.10 Such an approach makes it clear that it is necessary to consider a proposal such as this in the wider context of the importance to the meat and livestock industry and hence farming itself. Your officer acknowledges this particular issue and is therefore of the opinion that Members should balance this consideration against

the provisions of the development plan when determining this application. It is however well established that each individual planning application should be treated on its own merits and on this basis appeal decisions on an unrelated site can only be given limited weight. This is particularly evident in this case as there are distinguishing differences between the two schemes. For instance it is noted by the Inspector that a significant part of the Linlithgow site occupies semi derelict land and that the development could be successfully mitigated into the landscape to an acceptable level.

- 6.11 Clearly from a visual point of view ,whilst mitigation measures are proposed the scheme cannot be readily incorporated into the local landscape. The development represents large scale industrial buildings within an open countryside location. The development would in the opinion of your officers detract from the local landscape character to the detriment of visual amenity through the introduction of the industrial scale development and activity in the open countryside. Such development is as a consequence considered contrary to HDLP Policy C2, C15, A1 and HD20.
- 6.12 Furthermore , in view of the scale of the proposal the applicants have failed to demonstrate through their site search that land allocated or with planning permission for industrial /business use or other land on which such a development would be more suitably located is not available. In this respect whilst the applicants preference for a site in close proximity to Knaresborough is noted, such a search was restricted to a very small and limited area of the catchment area proposed to be served by the unit itself. In the absence of such demonstration of alternative sites the proposal is contrary to HDLP Policy E10. If members were however to accept that the facility was a direct replacement to that at Castle lngs and accepted that the site search was adequate for the proposed facility, E10 requires development to avoid environmentally or visually prominent locations. The development is close to the primary road network and would in the opinion of your officers have a substantial adverse effect on the character and appearance of the area and as such fails individually and collectively to meet the provisions of E10.
- 6.13 It is therefore concluded that whilst the change to the meat hygiene industry is noted the applicant has failed to demonstrate, through a very restricted site search that land for industrial /business use is unsuitable or unavailable for such development to serve what is clearly a large scale expansion of the existing Castle lngs enterprise. Furthermore as a consequence of the resultant size of the proposed industrial scale buildings the development would have a substantial and adverse impact upon the character of the local landscape and visual appearance of the area.
- 6.14 The development is therefore considered contrary to RPG12 Policy N3 North Yorkshire County Structure Plan Policy A5 I15 and E2 together with Harrogate District Local Plan Policies E10 , C2, C15, A1,R11 and HD20. In the absence of any material considerations to set aside the provisions of the development plan, refusal of the application is recommended.

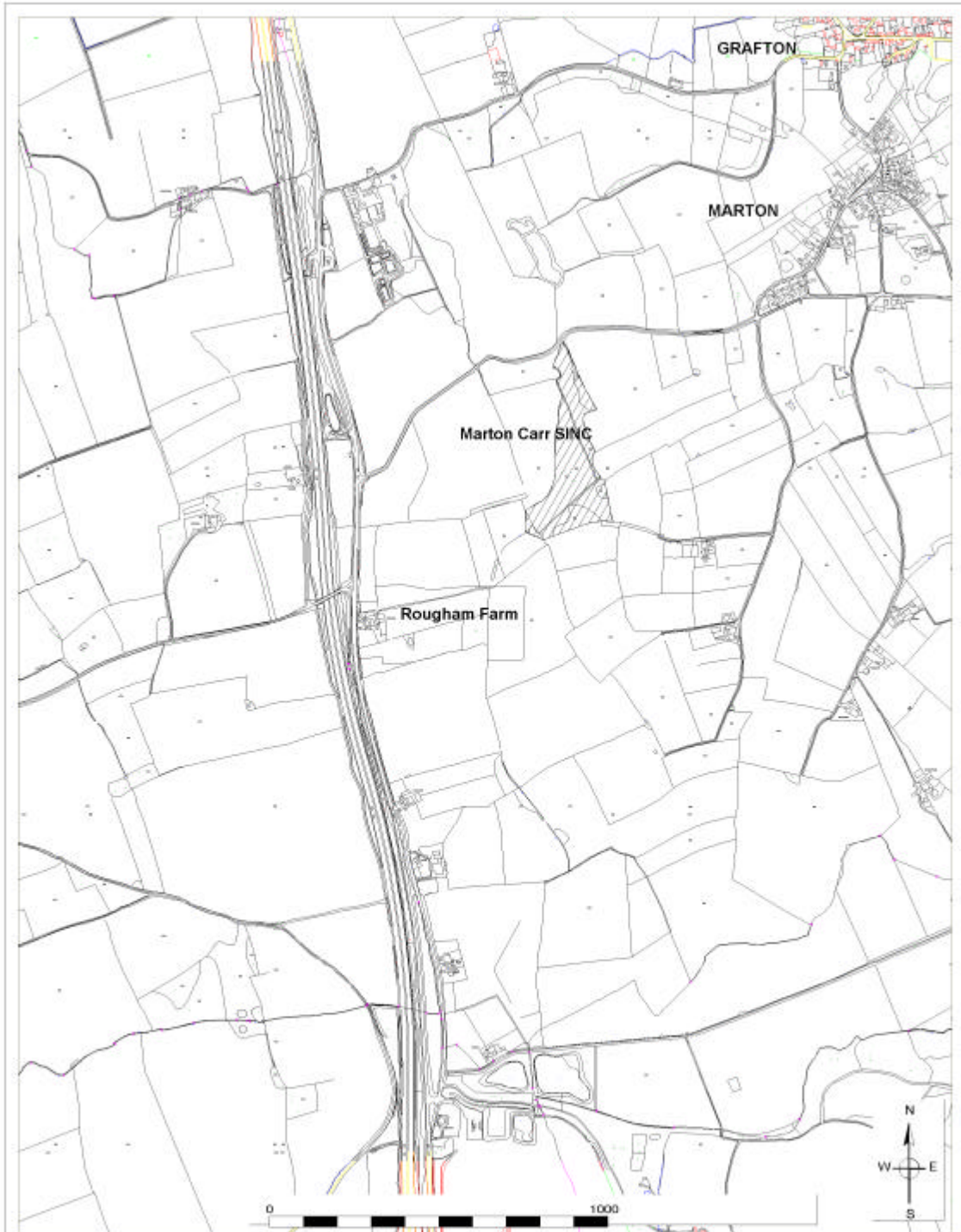
CASE OFFICER:

Mr A Hough

RECOMMENDATION

That the application be REFUSED. Reason(s) for refusal:-

- 1 The proposed development would by reason of its size, scale and associated activity result in the establishment of a large scale industrial complex having a substantial adverse impact upon the local landscape character to the detriment of the visual amenity of the locality and would as a consequence be contrary to the provisions of Regional Planning Guidance (RPG12) Policy N3, North Yorkshire County Structure Plan Policies E2,A5 and I15 together with Harrogate District Local Plan Policies C2, C15, HD20, A1,R11,E8 and E10.
- 2 The proposed scheme fails to demonstrate that the facility cannot be provided on land that is allocated or with planning permission for industrial /business use. The scheme as a consequence fails to meet the provisions of Harrogate District local Plan policy E10. Furthermore for development of the scale proposed, the proposal fails to demonstrate that land on which such a proposal would be more suitably located in the region is not available.

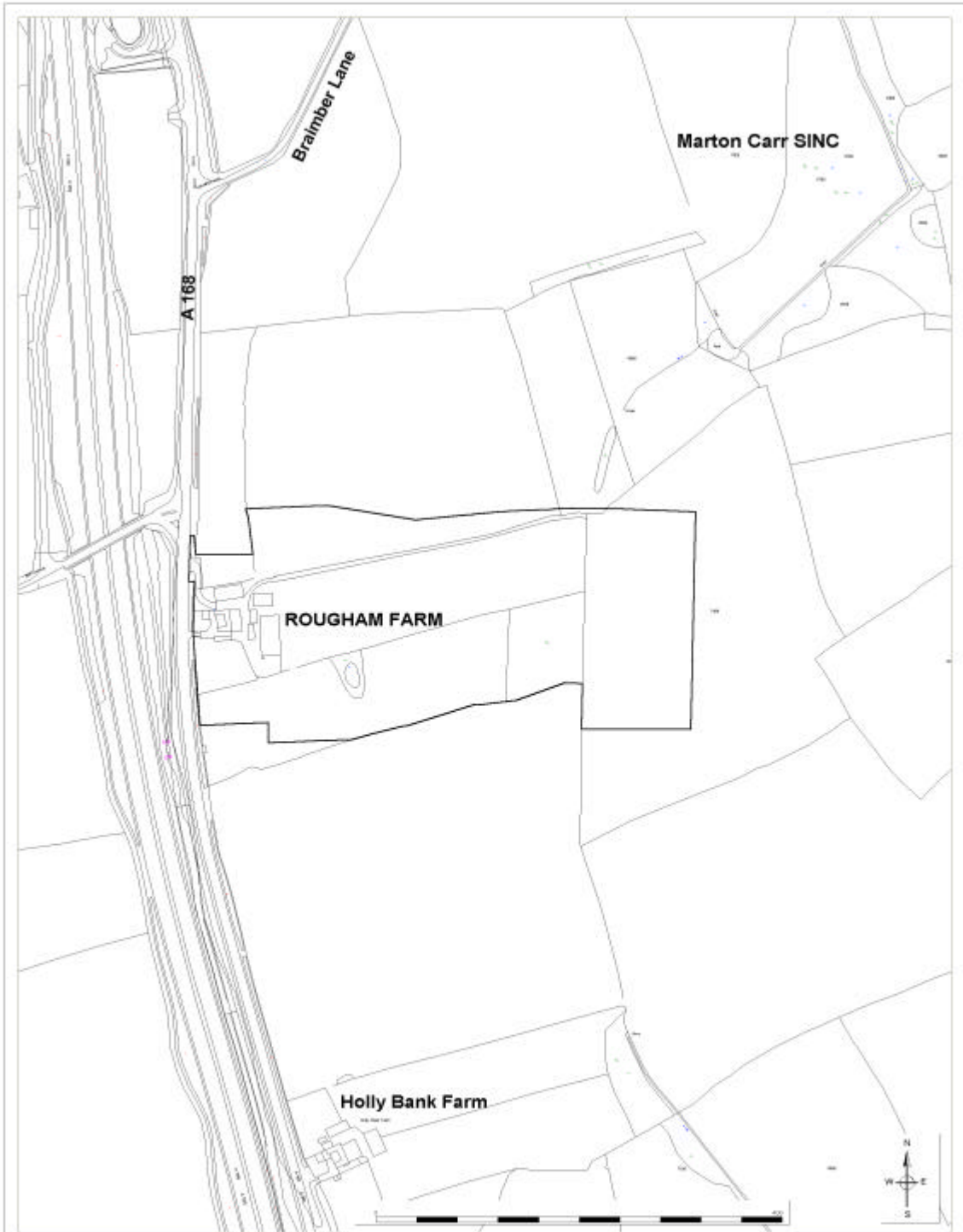


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Rougham Farm, Marton-cum-Grafton

Date: 01/04/2004 Districtwide Committee
Scale: 1:15000 Ref: 6.71.102.E.EIAMAJ 02/01077/EIAMAJ
Drawn by: June Brown



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Rougham Farm, Marton -cum- Grafton

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Date: 01/04/2004 Districtwide Committee
Scale: 1:5000 Site Area: 10 hectares
Drawn by: J Brown Ref:6.71.102.E.EIAMAJ 02/01077EIAMAJ