

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Regulatory Committee

**Date of Committee** 24th May 2005

**Report Title** **Bodymoor Green Farm, Coventry Road, Kingsbury - Storage and Processing of Concrete**

**Summary** This report recommends the refusal of planning permission for use of the land for the storage and processing of concrete to produce secondary aggregates at Bodymoor Green Farm, Coventry Road, Kingsbury.

**For further information please contact** Thomas Cox  
Planning Officer  
Tel. 01926 412247  
thomascox@warwickshire.gov.uk

**Would the recommended decision be contrary to the Budget and Policy Framework?** Yes/No

**Background Papers** Submitted application and plans received 30/3/05.  
Letter from Nether Whitacre Parish Council dated 19/4/05.  
Letter from Kingsbury Parish Council dated 21/4/05.  
Email from Coleshill and District Civic Society dated 21/4/05.  
Letter from County Museum dated 21/4/05.  
Letter from North Warwickshire Borough Council received 29/4/05.  
6 Representations.

**CONSULTATION ALREADY UNDERTAKEN:-** *Details to be specified*

Other Committees  .....

Local Member(s)  Councillor B P Moss (formerly Councillor L W Forsyth – No comments received.)  
(With brief comments, if appropriate) Councillor Mrs J Lea – No comments received.

Other Elected Members  .....

- Cabinet Member  .....  
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)
- Chief Executive  .....
- Legal  I Marriott
- Finance  .....
- Other Chief Officers  .....
- District Councils  North Warwickshire Borough Council – **objects.**
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  See paragraphs 2 and 3.

**FINAL DECISION**                      **YES/NO**      *(If 'No' complete Suggested Next Steps)*

**SUGGESTED NEXT STEPS :**

*Details to be specified*

- Further consideration by this Committee  .....
- To Council  .....
- To Cabinet  .....
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

**Regulatory Committee – 24th May 2005**

**Bodymoor Green Farm, Coventry Road, Kingsbury - Storage  
and Processing of Concrete**

**Report of the Director of Planning, Transport and  
Economic Strategy**

**Recommendation**

That the Regulatory Committee authorises the refusal of planning permission for use of the land for the storage and processing of concrete to produce secondary aggregates at Bodymoor Green Farm, Coventry Road, Kingsbury for the following reasons:-

- (i) The proposed development would be contrary to Policy GD6 (Green Belt) in the Warwickshire Structure Plan 1996-2011 and to Policy ENV1 (Green Belt) in the North Warwickshire Local Plan 1995 and to Policy ENV14 (Green Belt) in the Revised Deposit Draft of the North Warwickshire Local Plan 2004 because the development would adversely affect the open character of the area and the proposed use does not accord with the criteria set out within this policy.
- (ii) The proposed development would be contrary to Policy 1 and 6 of the Waste Local Plan for Warwickshire because it would have a significant adverse impact on the character of the locality and amenity of local occupiers by reason of noise and dust.

APPLICATION NO: NW1296/05CM012

SUBMITTED BY: A L P Ambrose Minerals Planning.

RECEIVED BY: The Director of Planning, Transport and Economic Strategy  
on 30/3/05.

ADVERTISED DATE: 7/4/05

THE PROPOSAL: Use of land for storage and processing of concrete to  
produce secondary aggregates.

SITE & LOCATION: Bodymoor Green Farm, Coventry Road, Kingsbury.

See plan in **Appendix A**

## 1. Application Details

- 1.1 This application seeks consent for use of the land to facilitate the handling and sorting of concrete materials for the purposes of recycling to produce secondary aggregates as an operation ancillary to the primary use of the land as a transport depot.
- 1.2 The site was granted planning consent for the “mixed use for agriculture and as a haulage and plant depot (including the storage, repair and maintenance of vehicles and plant)” on 17th June 1993 on appeal, and no conditions were attached to the permission.
- 1.3 The facility would be developed to increase the potential for recycling construction wastes from a variety of sources, primarily the industrial and commercial sectors where specific wastes are known to contain a significant percentage of recoverable materials capable of being processed into secondary aggregates.
- 1.4 It is not intended to open the site to any other operators, and material would only be brought into the site by the applicant’s own vehicles when returning to the site for overnight parking. There would therefore be no change in the number or types of vehicles accessing the site.
- 1.5 It is proposed to operate the facility between 0800 – 1600hrs Monday to Saturday with no operations Sundays and Bank Holidays.

## 2. Consultations

- 2.1 **North Warwickshire Borough Council – Objects** to this proposed use of land. This proposal represents inappropriate development in the Green Belt which by definition is harmful to the Green Belt. Such a proposal would be contrary to Policy GD.6 (Green Belt) in the Warwickshire Structure Plan 1996-2011 and to Policy ENV1 (Green Belt) in the North Warwickshire Local Plan 1995 and to Policy ENV14 (Green Belt) in the Revised Deposit Draft of the North Warwickshire Local Plan 2004.
- 2.2 There are no very special circumstances to support such a change of use. There is no case that there is a shortage of industrial premises to accommodate this use in a more appropriate area e.g. on one of the designated Industrial Estates in the Borough. Indeed, this use is not an agricultural one to justify a specific location in the countryside. As such it is recommended that Members of the Regulatory Committee refuse this application.
- 2.3 The application site is the subject of an extant enforcement notice which prevents the storage of all vehicles, plant and equipment used for a haulage and plant depot use on this land. As such it is recommended that Members refuse this application.
- 2.4 **Councillor L W Forsyth** – No comments received.
- 2.5 **Councillor Mrs J Lea** – No comments received.

- 2.6 **Kingsbury Parish Council – Objects** to this proposal, which is clearly against Green Belt Policy. Councillors have received many complaints about existing activities at the site, and feel that the proposed development would only intensify and exacerbate the situation. The entrance to a farm field on Coventry Road opposite Bodymoor Green Farm has for years been used as a car park without planning permission, and four to six cars are regularly parked there. The entrance to the site is in a very dangerous position and lorries sometimes queue on the main road waiting to enter the site. There are houses very close to the site and there would seem to be a danger that the proposed activity would produce dust and noise, which would be injurious to the occupier’s amenities and well-being.
- 2.7 **Nether Whitacre Parish Council – Objects** as the proposed development is not the desirable or appropriate use of this site. Although the site was approved for “the mixed use for agriculture and as a haulage and plant depot” in 1993, this proposal is a departure from that use and an intensification of activity in a highly specialised way. Although it is accepted that recycling is of high importance, its priority should not be absolute in identifying sites.
- 2.8 **Environmental Health Officer** – No comments received.
- 2.9 **County Museum** – No objection.
- 2.10 **Environment Agency** – No comments received.

### 3. Representations

- 3.1 Six letters and emails of representation have been received on this application, three in support and three which **object** to the proposed use. The application is supported for the following reasons:-
- (i) Recycling construction waste is better for the environment than the landfill option.
  - (ii) Recycled aggregates provide a cheaper source of construction material for local industry.
  - (iii) This site is already accepted as an ‘industrialised’ site and as it is so well screened by trees and shrubs, there is no danger of the proposal resulting in a ‘blot on the landscape’.
  - (iv) The UK is woefully behind the rest of Europe when it comes to recycling and any new application to deal with this problem should be encouraged.
- 3.2 Three letters and emails of representation received **object** to the proposal. Concerns include:-
- (i) Inappropriate development which would be harmful to the Green Belt, contrary to PPG2, paragraph 3.2. It would impact upon the openness of the Green Belt and introduce an industrial use in a highly visible area.

- (ii) The site has been an eyesore for some years and attempts at bunding or planting have been unable to mitigate the impact.
- (iii) Bodymoor Green Farm is at the approach to the Special Landscape Area and has a severely detrimental impact on the quality of the countryside at this point.
- (iv) Road safety issues, Coventry Road (A51) is a fast road and access to this site is on a particularly hazardous bend.
- (v) The crushing of concrete would create noise and dust within and around the site which would disturb local residents.

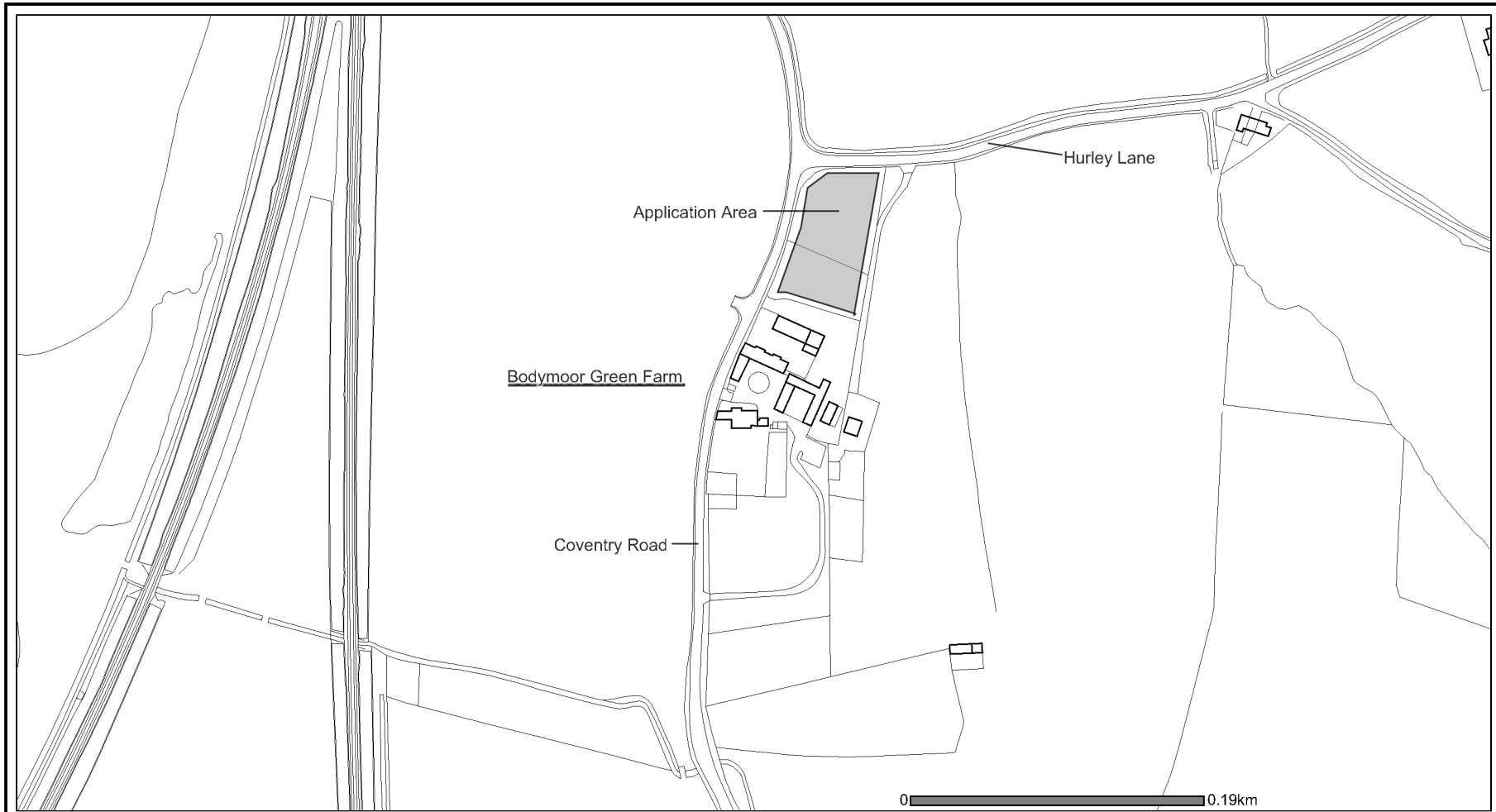
#### **4. Observations**

- 4.1 The site is located to the north west of the City of Coventry some 12 kilometres from the centre. It is located 2.5 kilometres to the east of the M6 Toll and 8 kilometres to the east of the edge of the Birmingham Conurbation.
- 4.2 The adjacent users of the former farm buildings include a car repairer, transport company and other commercial uses. Part of the site, not the application area has been occupied by Kingsbury Transport since 1963 where they operate a fleet of fourteen 20 tonne lorries, six excavators, one crusher and three screens.
- 4.3 Both the storage of materials and the crushing activity would be carried out in the open, although the application area is screened by a soil bund. An office administration building is provided at the site and this would be the control centre for the operations.
- 4.4 The site would benefit from concrete roads to carry the loading capacity of plant and vehicles. The roads would be served by rain water perforated pipes beneath the concrete apron and a drainage system feeding to an adjacent drainage ditch through an interceptor and sediment traps before discharge. There would be no fuel oil stored at this site.
- 4.5 The maximum tonnage that could be imported in any one day if all 14 vehicles returned with material would be 280 tonnes. The maximum tonnage capable of being stored is approximately 350 tonnes in the feed stock bay. The operator would therefore have a choice of either running the plant for 1.5 hours per day or operating a full day every 5 days.
- 4.6 Bodymoor Green Farm is an isolated farm in the Green Belt with a large section of land enclosed by bunds. Research of the planning history indicates that the bunds were accepted as permitted development but have been built above two metres in height and are therefore unauthorised.
- 4.7 The authorised use of the land is agriculture following an appeal decision granting planning permission for the use of only the area around the farmhouse for commercial purposes and the upholding of an enforcement notice over the application site area. This notice remains valid and applies to a very similar use to that now proposed.

- 4.8 The proposed development is contrary to the provisions of the Waste Local Plan (Policy 1 and 6), contrary to the provisions of the North Warwickshire Borough Local Plan (Policy ENV1), contrary to the provisions of PPG2 and has a valid Enforcement Notice upheld against a very similar use. PPG2 states that the making of a material change in the use of land is inappropriate development unless it maintains the openness and does not conflict with the purposes of including land in the Green Belt. The proposed development does not maintain the openness of the area and therefore by definition is inappropriate development requiring very special circumstances to be demonstrated to justify approval. Further, the proposal would be a consolidation of inappropriate development in the Green Belt. There are no very special circumstances to justify setting Green Belt Policy aside. Consequently the proposed development is not appropriate in this location.

JOHN DEEGAN  
Director for Planning, Transport and Economic Strategy  
Shire Hall  
Warwick



9th May 2005



Scale 1: 4100	Ref No. NW1296/05CM012	Drawn Thomas Cox
---------------	------------------------	------------------

Regulatory Committee 24 May 2005  
 Subject  
**Concrete Crushing, Bodymoor Green Farm.**

Reproduced from the Ordnance Survey map. With the permission of the HMSO Controller Licence No. 100018285. (c) Crown Copyright.

**Warwickshire**  
County Council

John Deegan  
 Director of Planning, Transport  
 and Economic Strategy  
 Shire Hall, Warwick, CV34 4SX

APPENDIX A OF AGENDA NO.