

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	29 September 2010
<b>Title:</b>	Change of use to vehicle, plant and container parking of an area to the south of the existing waste recycling facility at R F Salvidge Recycling, Bunny Lane, Timsbury, Romsey, SO51 0PG (No. 10/00744/CMAS) (Site Ref: TV066)
<b>Reference:</b>	2082
<b>Report From:</b>	Head of Planning and Development

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#### 1. Executive Summary

- 1.1. This report considers a retrospective application to change the use of 0.25 ha. of land – see attached plan - to the south of the existing waste recycling facility at R F Salvidge Recycling, Bunny Lane, Timsbury for vehicle, plant and container parking. The storage and parking area is being used in conjunction with the adjoining recycling facility.
- 1.2. The main issues raised by the proposal are:
- (i) compliance with development plan;
  - (ii) need for the development;
  - (iii) impact on the landscape character of the area;
- 1.3. The applicant states the existing site does not have enough space to enable the recycling facility operate efficiently and place the business, which is currently busy and employs a number of local people, in jeopardy.
- 1.4. It is recommended that permission be granted as the development is considered to be a minor retrospective departure from the development plan in that it proposes a plant, vehicle and skip storage extension to an existing temporary recycling facility in the countryside (DC13). It is acknowledged that there is a landscape impact caused by the temporary use of the land (DC3) and the development would not normally be considered acceptable other than it is for a temporary period ancillary to the adjacent recycling site.

## **2. Site and planning history**

- 2.1. The application site, extends across an area of 0.25 hectares. It is adjacent to the southern boundary of the existing temporary recycling facility at Bunny Lane, Timsbury near Romsey. The site is located on land which has previously had topsoil and in places some underlying soils removed from it. The site is located within the countryside as defined in the Test Valley Borough Local Plan.
- 2.2. The application site is bordered by some native hedgerow trees to the west, beyond which the land falls steeply away to the valley of the River Test. It is open to the east beyond which lies Michelmersh and Timsbury public footpath No. 4 and land. The haul road to the existing recycling facility forms the eastern boundary of this application site. The southern boundary of the application site is open to views from Bunny Lane and from the Michelmersh and Timsbury Footpath No. 4 which crosses the haul road to the south of the site.
- 2.3. The nearest residential area, a new development comprising 30 dwellings, is located approximately 220 metres to the north. The nearest single residential property owned and occupied by the applicant and is located approximately 75 metres to the north-west.
- 2.4. The existing recycling facility, as also shown on the attached plan, extends across 3.35 hectares of land . It was originally granted permission in 2006 (TVS1051/9), and has temporary consent to 2015.
- 2.5. As part of the Council's site monitoring procedure the unauthorised development subject of this application was brought to attention

## **3. Proposal**

- 3.1. Planning permission is sought retrospectively for change of use to vehicle, plant and container parking of an area to the south of the existing waste recycling facility at RF Salvidge Recycling, Bunny Lane, Timsbury, Romsey (No. 09/02656/CMAS) for a temporary period until 2015.
- 3.2. The applicant is proposing that the surface of the site is surfaced with recycled aggregate and that two metre high wooden close boarded fencing is constructed along the eastern boundary of the site to protect users of the adjacent Michelmersh and Timsbury public footpath No. 4. A two metre high bund is proposed on the southern boundary to partly screen the skips and containers on the site which are proposed to be stacked to a maximum of four metres above existing site ground level.
- 3.3. The applicant states that since planning permission was implemented in 2006 the existing site has developed and the quantity of materials being recycled has increased significantly. The applicant states that the success of the business has meant that more people are now employed than was originally envisaged and the area that was previously identified for storing skips, waste

containers and ancillary vehicle parking is now used for accommodating staff cars.

- 3.4. The proposal is not an EIA Development under the Environmental Impact Assessment Regulations 1999 and an environmental statement has not been submitted.

#### **4. Development plan**

- 4.1. Hampshire Core Strategy - Policy DC3 (Impact on Landscape); DC6 (Highways and Pedestrian Safety); DC8 (Pollution, Health, Quality of Life and amenity); DC12 (Restoration and Aftercare); DC13 (Waste Management and Recycling); DC22 (Additional Plant, Buildings and Minor Development).

#### **5. Consultations**

- 5.1. **Braishfield Parish Council** raise no objection to this application.
- 5.2. **Michelmersh and Timsbury Parish Council** raise no objection to the above proposal on condition that the area is used only for purposes ancillary to the recycling centre. The Council would not wish to see the area used for parking vehicles or storing skips etc which are not used in connection with the operation of this site, since this would generate additional vehicle movements that are not required for the operation of the waste recycling activity.
- 5.3. **Romsey Extra Parish Council** states it has no comments to make on the application.
- 5.4. **Environmental Health (Test Valley Borough Council)** – no objection.
- 5.5. **Test Valley Borough Council** raises no objection to the principle of the development on the basis that the applicant states that the site has been used historically for such uses, that subject to conditions the landscape impact can be mitigated to an acceptable level. The Borough Council adds that the site is relatively prominent when viewed from Bunny Lane and the adjacent public Right of Way and there is very little landscaping planting to soften the site to views from the south and the east. Test Valley Borough Council concludes that subject to conditions relating to restricting the height of the containers and external storage to four metres above existing ground level and additional planting to the southern and eastern boundaries on both sides of the access at the Bunny Lane frontage, the impact of the proposal on the character and appearance of the surrounding area would be in accordance with Borough Council policy.

- 5.6. **Environment Agency** raises no objection to the temporary empty container, skip storage and parking use proposed.
- 5.7. **Highway Authority** raises no objection.
- 5.8. **Rights of Way Manager** has no objection.
- 5.9. **Councillor Gibson** has been informed of the proposal.
- 5.10. **Romsey Extra Parish Council** has no comment to make on the application.
- 5.11. **Councillor Perry** has been informed of the application.
- 5.12. **Councillor Cooper** has been informed of the proposal

## **6. Representations**

- 6.1. No individual public representations have been received.

## **7. Site Visit**

- 7.1. Eleven Members of the Committee, Councillors Allgood, Bailey, Beagley, Broadhurst, Bryant, Carter, Hockley, Pearce, Porter, Price, with Councillor McIntosh in the Chair, undertook a site visit on Monday 13 September to view the site.
- 7.2. It was confirmed that retrospective planning permission was sought for the change of use and the applicant was applying for permission to use the application site for the storage of plant, container and vehicle parking until the termination date for the adjacent recycling permission in 2015.
- 7.3. Members were shown the current area to the south of the site and the footpath that ran alongside the site. The path was partly fenced from the recycling area of the site. The nearest residential properties were sites in a new housing development approximately half a mile away from the site. The area would remain largely how it was, but a hard surface would be laid rather than earth, as it can get very muddy.
- 7.4. There are several different ownerships in the locality. It was confirmed that the waste recycling yard and the proposed parking area came under the same ownership. The area had been defined as a countryside in the Local Plan, and there are no plans to develop the surrounding land for housing or industry.
- 7.5. Members viewed activity in the waste recycling centre and the processes that took place on the site. It was confirmed that no materials would be stored in the parking area, only the empty skips. Members also witnessed dampening down of the approach road on the way into the site.

7.6. Members requested that details of the nearby housing development, the height of the stacked skips and the bunds to be located in the south area of the site to be included in the final report and accordingly these points have been addressed in this committee report.

## **8. Commentary**

- 8.1. This is a retrospective application for a business use in countryside. The applicant states that the land has been historically used for such uses and has been partly surfaced with hoggin referring to various aerial photos as evidence. Nevertheless no permission exists for the use.
- 8.2. No objections have been raised from consultees, but, the development, along with the existing facility does have some adverse visual impact on the landscape character of the countryside when viewed from the highway and nearby footpath. It is noted that the applicants are proposing a fence to separate the site from the Michelmersh and Timsbury public footpath No. 4 and propose to construct a two metre high bund to the south of the site. This, along with some control on height limits to the stacked skips and waste containers provides some mitigation. Taking into account this is a temporary development and that the activity has clearly out grown the current, that no objections have been received it is considered that the development would on balance be acceptable subject to conditions.
- 8.3. The comments of the Borough Council are noted, in particular with relation to landscaping and associated works at the site access at Bunny Lane, but it is considered that the planting recommendations would be unreasonable as the development is for a temporary period and planting would only just be developing when the development would be closing down in 2015.
- 8.4. Accordingly it is recommended that a temporary permission expiring simultaneously with the adjacent recycling site to which it is ancillary be granted.

## **9 Recommendation**

- 9.1. That temporary planning permission in respect of change of use to vehicle, plant and container parking of an area to the south of the existing waste recycling facility at R F Salvidge Recycling, Bunny Lane, Timsbury, Romsey, SO51 0PG (10/00744/CMAS) be granted for the reason detailed in the Executive Summary, subject to the following conditions.

2082/JD

**Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	Yes
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	Yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	Yes
Corporate Improvement plan link number (if appropriate):	

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
New waste recycling facility, Bunny Lane	<u>Reference</u> TVS01051/ 9	<u>Date</u> 28.4.06
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u>	<u>Date</u>	

**Section 100 D – Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
Committee Report for application TVS01051/9 (13.2.06)	Planning and Development, Elizabeth II Court West, The Castle, Winchester

## Conditions

### Timescale

1. Permission is only for vehicle, plant and container parking for a limited period expiring on 30 June 2015, following which the site shall be restored to agriculture within a further period of six months in accordance with a scheme submitted to and approved by the Waste Planning Authority.

Reason: The development is an extension to adjacent temporary site for recycling that expires in 2015 but is suitable only for storage of skips, vehicles and containers.(DC22)

### Layout

2. The vehicle, plant and container parking shall only take place within the area hatched black on the approved plan No. 369c/510 received 12 August 2010.

Reason: To ensure that the parking use is contained and does not encroach onto the haul road from the public highway and thus cause a safety hazard to the adjacent right of way, Michelmersh and Timsbury Footpath No. 4 and jeopardise the visual amenity of the area. (DC3, DC6, DC9).

### Noise Control

3. Reversing alarms attached to the site operator's vehicles, plant and machinery on the site shall be low-level and tonal 'white noise' type alarms, or as otherwise may be agreed beforehand in writing by the Waste Planning Authority.

Reason: In the interests of protecting the amenity of the users of the adjacent right of way, Michelmersh and Timsbury Footpath No. 4 and local residential amenity.(DC8)

### Landscaping

4. A screening bund of two metres height as measured from the base level of the vehicle, plant and container parking area hatched black and as shown on plan No. 369c/510 received 12 August 2010 shall be constructed from recycled clean uncontaminated inert material with a surface dressing of screened soil within one month of the date of this certificate. The bund shall be constructed with no steeper than a 1 in 3 slope on the southern edge and a 1 in 2 slope on the inner edge and be seeded within the next appropriate season following its construction. It shall be kept weed free for the duration of this permission.

Reason: To minimise the impact on local visual amenity (DC3).

5. All containers and external storage shall be no higher than four metres above existing ground level of the site as shown hatched black on plan no. 369c/510 dated. August 2010 permitted by way of this certificate.

Reason: To minimise the impact on local visual amenity and the landscape character of the area (DC3).

6. No storage or hard surfaced construction shall take place beneath the canopies of any trees on the western site boundary nor within two metres of the centre point of any shrub on the western site boundary.

Reason: To minimise the impact on local visual amenity and the landscape character of the area (DC3)

### **Rights of Way**

7. Four no. one metre high wooden marker posts of a design to be agreed beforehand by the Waste Planning Authority that will identify the crossing point of the haul road over the Michelmersh and Timsbury Footpath No.4 shall be implemented within one month of the date of this permission in the locations shown on plan No. 369c/510 received 12 August 2010. Minor regrading of levels to facilitate the users of the footpath in crossing of the haul road and accessing that part of the footpath between the haul road and the existing recycling facility as shown on plan no. 369c/510 received 12 August 2010 shall be implemented within one month of the date of this permission.

Reason: In the interests of the safety of the users of the Michelmersh and Timsbury Public Footpath No. 4 (DC6, DC9).

8. Within three months of the date of this permission a two metre high solid wooden fence, with no gaps in the boards, shall be constructed where shown on plan no. 369c/510 received August 2010 along the eastern site boundary adjoining the south-east corner of the existing site fence and terminating due east of the area hatched black on plan No. 369c/510 received August 2010. A solid wooden gated access (to match the fencing either side) no more than two metres wider than the width of the water bowser vehicle shall be inserted into the fence to allow access to the adjacent water storage pond.

Reason: In the interests of the safety of the users of the Michelmersh and Timsbury Public Footpath No. 4 with relation to vehicular traffic manoeuvring in and out of the area hatched black on approved plan No 369c/510 received 12 August 2010.

### **Hours of Working**

9. No vehicles shall access the area hatched black on approved plan No.369c/510 received 12 August 2010 and no operations including moving containers around the said area shall take place other than between the hours of: 07:30 to 17:30 hours Monday to Friday and 0730 to 1230 hours on Saturday. No working shall take place on Sundays or public holidays.

Reason: In the interests of protecting the amenity of the users of the adjacent right of way, Michelmersh and Timsbury Footpath No. 4 and local residential amenity.(DC8)

### **Dust**

10. Dust control and suppression by way of water sprays should take place in dry /and/or windy weather as appropriate should the site be seen to have the potential to carry dust outside of it's boundaries.

Reason: In the interests of protecting the amenity of the users of the adjacent right of way, Michelmersh and Timsbury Footpath No. 4 and local residential amenity.(DC8)

### **Highways**

11. The area hatched black on the approved plan no. 369c/510 dated 12 August 2010 and the haul road subject of this permission shall be maintained in a clean condition and free of mud, detritus and potholes.

Reason: In the interests of local amenities including the users of Michelmersh and Timsbury Footpath No. 4 and in the interests of highway safety (DC 6, DC8, DC9)

### **Construction**

12. The site shall be surfaced in compacted recycled inert materials to a depth of at least 150 millimetres deep where this has not already been implemented so that the final surface level is congruent with the level of the adjacent haul route.

Reason: In the interests of highway safety, to prevent mud being carried onto the highway and in the interests of the users of the crossing point of Michelmersh and Timsbury footpath No. 4

*Annexe to Reasons for Conditions  
(as required by Article 22 of the Town and Country Planning  
(General Procedure) Order 1995 – as amended)*

**HAMPSHIRE MINERALS AND WASTE CORE STRATEGY DPD 2007**

**DC3 - Impact on Landscape and Townscape**

Minerals and waste development will only be permitted if due regard is given to the likely visual impact of the proposed development and its impact on, and the need to maintain and enhance, the distinctive character of the landscape or townscape. If necessary, additional design, landscaping, planting and screening, including planting in advance of the commencement of the development, should be proposed.

**DC6 – Highways**

Major mineral extractions, landfills and ‘strategic’ recycling, aggregate processing and recovery and treatment facilities, will be permitted provided they have a suitable access to and/or route to the minerals and waste lorry route as illustrated on the Key Diagram.

In all cases, minerals and waste development will only be permitted if it pays due regard to the likely volume and nature of traffic that would be generated by the proposal and the suitability of the proposed access to the site and of the road network that would be affected. Consideration should be given to highway capacity, road and pedestrian safety, congestion and environmental impact, and whether any highway improvements are required and whether these could be carried out satisfactorily without causing unacceptable environmental impact.

**DC8 - Pollution, health, quality of life and amenity**

Minerals and waste development will only be permitted if due regard is given to the pollution and amenity impacts on the residents and users of the locality and there is unlikely to be an unacceptable impact on health and/or the quality of life of occupants of nearby dwellings and other sensitive properties. Where necessary minerals and waste developments should include mitigation measures, such as buffer zones between the site and such properties.

**DC13 - Waste Management and Recycling (including Aggregate Recycling Facilities)**

Waste management developments (excluding landfill) will be permitted provided that the site:

- a. Is identified as a site, or within an area suitable for waste management uses, in the Hampshire Waste Management Plan or Minerals Plans, or

- b. Re-uses/redevelops previously developed land and/or redundant agricultural and forestry buildings (including their curtilages), or
- c. Is within a planned area of large-scale development, or
- d. Is on employment land, preferably co-located with complementary activities, and
- e. Has good access to, the minerals and waste lorry route as shown on the Key Diagram, and where possible, the site enables the use of water-borne and rail freight, and
- f. In the case of recovery and treatment sites, incoming waste shall be subject to pre-treatment, either on or off site to maximise the potential for recycling, and where technically possible, energy will be generated and used and the by-products, including heat, will be reused or recycled, and
- g. In the case of sites providing public access, the site shall be accessible for use by disabled people.