

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Regulatory Committee
Date:	28 July 2010
Title:	Change of use of building to Material Recovery Facility and Use of Land for Storage of Skips at The Potato Yard, South Holt Farm, Dean Lane End, Finchdean, Rowlands Castle (Application No: 29545/004) (Site Ref: EH161)
Reference:	1897
Report From:	Head of Planning and Development

Contact name: Kristina King

Tel: 01962 846496

Email: kristina.king@hants.gov.uk

1. Executive Summary

- 1.1. Planning permission is sought for the use of an existing building for a Material Recovery Facility and use of land for skip storage at The Potato Yard, Land of South Holt Farm, Rowlands Castle.
- 1.2. The main issues raised in relation to the planning application are unsuitability of the road network for the proposed type and volume of traffic to be generated, visual impact, impact on residents amenity and quality of life, pollution, impact on the South Downs National Park and the countryside.
- 1.3. It is recommended that planning permission for the change of use of building to Material Recovery Facility and use of land for storage of skips at The Potato Yard, South Holt Farm, Dean Lane End, Finchdean, Rowlands Castle be refused on the grounds that the development is contrary to Policy DC6 of the Hampshire Minerals and Waste Core Strategy (2007). Insufficient information has been submitted with regard to highways matters. At present the local road network is not proven to be suitable for the likely volume and nature of traffic that would be generated by the proposal.

2. Site and proposal

- 2.1. The site is located within the South Downs National Park and lies on the boundary of Hampshire County Council and West Sussex County Council. The site is situated to the north of the hamlet of Dean Lane End. The barn which is proposed to be used for the Materials Recovery facility is one of three existing barns to the south of South Holt Farm. The proposed barn,

568 m², is the most southern of the three, it is bound on the western side by a railway line, to the south by existing trees, and to the east by a car park/yard and trees. The northern boundary is open fields. The existing access track runs into West Sussex, it passes two cottages on route to the barn.

- 2.2. The proposal is retrospective, Material Recovery Facility operations have been occurring on site for six months. The barns have an extant planning permission for a change of use from agriculture to B8 (storage and distribution purposes), granted by East Hampshire in July 2008. Material is to be brought into the site in skips, the skips waste will be emptied into the barns where the sorting process will take place to enable waste recycling to occur. Manual and a low level of mechanical sorting will be carried out. Waste will be separated into plastics, cardboard, metal brick and rubble, no waste will be stored outside. At full capacity 100 can be sorted each week on site, the skips have a net weight of 1.2 tonnes per skip, the annual throughput of waste is proposed to be 5000 tonnes. Skip storage is proposed to occur outside of the barn on the southern boundary of the site. The height of the skips will total two metres.
- 2.3. Four Heavy Goods Vehicles (HGVs) operate from the Potato Yard. One 26 tonne vehicle with a net carrying weight of 13 tonnes, an 18 tonne single axel lorry and two 7.5 tonne single axel lorries. There are 60 vehicular movements to and from the site each week. Daily traffic generation is proposed to be 12 HGV movements to and from the site, therefore totalling 24 movements.
- 2.4. The 26 tonne lorry takes the recycled/sorted material to tips in West Sussex. Its preferred route is east along Forestside Road and down Stansted Straight. Current operations have demonstrated that the other three vehicles will service the Forestside-Stansted-Emsworth Common Road route and the Finchdean Road route into Rowlands Castle. The site operators are happy to enter into a lorry routing agreement.
- 2.5. The proposed hours of operation are to be 0700–1800 hours. The site will not be used as an operating centre. There is to be no outside lighting except the use of sensor controlled security lighting.

3. Site History

- 3.1. Prior to 2008 the barn was considered to be of an agricultural use. In July 2008 East Hampshire granted planning permission for 'The change of use from agricultural to commercial (B8) (Planning permission 29545/003/FUL)'. The current approved vehicle levels are six articulated lorry movements per annum and 1000 car/light van movement. The current permitted hours of operation are 0730–1730.
- 3.2. The use on the site has changed in the two most eastern barns since planning permission was granted by East Hampshire. Delta Skips (the applicants) have begun carrying out waste recycling and skip storage on site. The Environment Agency have been made aware of the operations and have

informed the operators that waste activity in both barns must cease on site as an Environmental Permit is required. The operators have not complied with this request, although the level of waste being brought onto the site has been reduced and activities continue to occur. Waste continues to be stored in the northern barn, this does not form part of the proposal. The storage of waste outside of the barn has also been occurring, contrary to their proposal.

4. Development plan

- 4.1. Hampshire Minerals and Waste Core Strategy (2007) and East Hampshire Local Plan: Second Review (March 2007) are the relevant Development Plan Documents. For the purpose of this case the following policies are considered to most relevant and will be relied upon for determining the application. .
- 4.2. Hampshire Minerals and Waste Core Strategy, policies DC2 (Sites with International and National Designations), DC3 (Impact on Landscape and Townscape), DC6 (Highways), DC8 (Pollution, health, quality of life and amenity), DC13 (Waste Management and Recycling (including Aggregate Recycling Facilities)).
- 4.3. East Hampshire District Local Plan: Second Review, policies GS3 (Protecting the Countryside) and Policy C1 (Area of Outstanding Natural Beauty).
- 4.4. Planning Policy Statement 10 'Planning for Sustainable Waste Management' is also a material consideration.

5. Consultations

- 5.1. **Councillor West** has been consulted and no comments have been received.
- 5.2. **Environment Agency** has no objection in principle to the proposal but note that an Environmental Permit would be required.
- 5.3. **Shadow South Downs National Park Authority** makes the following comments; the site is generally well hidden, although visible from the railway line, therefore it is not visually intrusive. Concerns are raised regarding the level of vehicular movements, and the proposed 6,000 HGV movements per annum are considered significant on the rural road network. Concerns surrounding the hours of operation have also been made, and the potential disturbance to the amenity of the rural location.
- 5.4. **Highways Authority** has recommend that the application be refused as insufficient information has been supplied to determine the likely level of additional traffic to be generated by the site. It has not been demonstrated that the local highway is suitable for the increase in HGV traffic likely to be generated by the site.
- 5.5. **West Sussex County Council** raise concerns as the information submitted is insufficient to understand the levels of noise to be generated by the proposal

with the close proximity of houses and its location within the South Downs National Park. A noise assessment is requested to look at the potential noise arising from HGVs using access roads in the immediate vicinity. Suggestions for acoustic fencing are made and suggested conditions if permission is granted for the proposal.

- 5.6. On highway issues further information is requested. Further details are required on the actual maximum number of goods vehicle movements a day, both at the commencement of operations on the site and at least three years from commencement. Details of proposed routing on the road network, based on a brief analysis of the likely origins and destinations of vehicle trips. Confirmation of the dimensions and weight of all types of vehicles likely to use the site. A vehicle tracking assessment to demonstrate whether turning vehicles can be accommodated at the junction between the site access road and the public highway. Confirmation that all vehicles using the site will be able to pass each other on the access road to the site and evidence that the safety of road users at the junction between the site access road and the public highway has been considered under the conditions likely to pertain once the development has commenced.
- 5.7. **The Environmental Health Officer** recommends approval subject to conditions restricting burning on site, the control of dust levels off site, and the control of the hours of operation to 0730–1800 Monday to Friday and 0800–1300 Saturday with no working on Sundays and Public or Bank Holidays.
- 5.8. **East Hampshire District Council** object to the proposal as it is considered to be not acceptable as there would be an adverse impact on the amenity of local residents by virtue of noise and disturbance from increased traffic movements to and from the site, and noise and disturbance caused by loading and unloading skip lorries and general increase in activity on the site. The proposal would have a detrimental impact on the tranquillity of this rural hamlet within the South Downs National Park. The proposal would have skips stored externally on the site and it is considered that this would be visually detrimental in this rural area within the South Downs National Park.
- 5.9. **Stoughton Parish Council** (West Sussex) object to the proposal on the following grounds:
- (i) the site lies within the South Downs National Park;
 - (ii) the works are already occurring on site and cause a noise nuisance, and detectable dust and smell problems to nearby residents; and
 - (iii) impact on the local amenities.
- 5.10. **Clanfield Parish Council** raise concerns due to the site's location within the South Downs National Park; the close proximity of the site to residential properties (Coronation Cottages); noise and air pollution and the impact on the water table.

5.11. **Rowlands Parish Council** strongly object to the proposal on the following grounds:

- (i) the operations are contrary to East Hampshire Local Plan: Second Review Policies C13 (a & d) and C14 (d & e);
- (ii) particular concern is raised in relation to the level of HGV generation;
- (iii) concern over potential contamination of nearby water source;
- (iv) inappropriate start time proposed.

6. Representations

6.1. **Parish Councillor Graham Hockley** has objected to the proposal on the following grounds:

- (i) the site is within the South Downs National Park and an Area of Outstanding Natural Beauty;
- (ii) the unsuitability of the road network;
- (iii) road users safety;
- (iv) generation of noise, dust with associated health concerns;
- (v) impact upon the local water table;
- (vi) lack of facilities for the site operators and no mains drainage;
- (vii) storage of vehicles on site;
- (viii) visual impact of the site and unreasonable hours of operation

6.2. Twenty-eight residents have objected to the proposal for a Materials Recycling Facility at South Holt Farm. The reasons for objection are:

- (i) traffic – unsuitable road network, highways safety, road degradation, noise and cumulative impact with the recently permitted Heberdens Farm waste site;
- (ii) impact on the tranquillity of the South Downs National Park;
- (iii) visual impact;
- (iv) pollution – noise, dust, litter;
- (v) impact on residents quality of life and local amenity;
- (vi) impact upon wildlife;

- (vii) potential for watercourse contamination;
- (viii) potential for the site to be used as an operations centre.

7. Commentary

- 7.1. The principle of the development is not contrary to DC13 as the site currently has an industrial use following change of use from agriculture to B8 storage or distribution in 2008 under East Hampshire District Council's permission.
- 7.2. The site is well screened with the railway line being the sole position in which the site can be seen by the public. If empty skips are the sole form of storage outside of the barns to a height of two metres along the southern boundary of the site the visual impact of the proposal is considered to be minimal. Consequently, the proposal is not contrary to DC3.
- 7.3. Policy DC8 considers the impact of the development upon pollution levels, health, quality of life and amenity. The concerns raised with regard to pollution are noted. The activities which are proposed to be carried out on the site would require a permit from the Environment Agency, this would ensure pollution control regimes are adhered to. In principle however, the development would not cause unacceptable levels of pollution and it would not impact upon the health of the community as all waste being recycled is proposed to be inert and all sorting is to be carried out within the barn. The amenity and quality of life of residents would be adversely impacted by virtue of the noise and disturbance from the type and volume of traffic movements to and from the site.
- 7.4. Policy DC2 has to be considered alongside policy C1 and GS3 as the proposed site is within the countryside, an Area of Outstanding Natural Beauty and within the South Downs National Park. In principle the development seeks to use existing redundant agricultural buildings which will consequently not impact on the character and appearance of the area. The noise levels generated by the sites activities will be minimal as the sorting of waste will occur inside of the buildings. Intermittent noise will be generated through the loading and unloading of skips. Through appropriate conditions the times in which the site is permitted to operate can be controlled. Notwithstanding that, with regard to the transportation of waste to and from the site, the tranquillity of the local area will be harmed. The type and volume of traffic generated could result in danger and inconvenience on the public highway and harm the rural character of the local roads.
- 7.5. Insufficient information has been submitted with regard to highways matters. At present the local road network is not proven to be suitable for the likely volume and nature of traffic that would be generated by the proposal in addition to the permitted levels of traffic approved under the extant permission which will remain operating in part. The proposal is contrary to Policy DC6.

8. Recommendation

- 8.1. It is recommended that planning permission for the change of use of building to Material Recovery Facility and use of land for storage of skips at The Potato Yard, South Holt Farm, Dean Lane End, Finchdean, Rowlands Castle be refused on the grounds that the development is contrary to Policy DC6 of the Hampshire Minerals and Waste Core Strategy (2007). Insufficient information has been submitted with regard to highways matters. At present the local road network is not proven to be suitable for the likely volume and nature of traffic that would be generated by the proposal.

Links to the Corporate Strategy

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

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.)

Document

Location

Change of use of building to Material Recovery Facility and Use of Land for Storage of Skips at The Potato Yard, South Holt Farm, Dean Lane End, Finchdean, Rowlands Castle (Application No: 29545/004) (Site Ref: EH161)

Environment Department, Elizabeth II Court West, First Floor

*Annexe to Reasons for Refusal
(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

DC2 - Sites with International and National Designations

Minerals and waste development, which is likely to prejudice the purpose of the following designated sites and their settings, will not be permitted unless the reasons for development outweigh the likely adverse impact, taking into account the requirements of relevant legislation and guidance.

Internationally Designated Sites:

European Sites (Special Protection Areas, proposed Special Protection Areas, Special Areas of Conservation, proposed Special Areas of Conservation) and Ramsar sites (Wetlands of International Importance);

Nationally Designated Sites:

The New Forest National Park, the proposed South Downs National Park and Areas of Outstanding Natural Beauty; National Nature Reserves, Sites of Special Scientific Interest; Scheduled Ancient Monuments; Listed Buildings, and sites on the National Register of Parks and Gardens of Special Historic Interest; Registered Battlefields.

In all cases, applications will be subject to the most rigorous examination.

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:

- (i) is identified as a site, or within an area suitable for waste management uses, in the Hampshire Waste Management Plan or Minerals Plans, or
- (ii) re-uses/redevelops previously developed land and/or redundant agricultural and forestry buildings (including their curtilages), or
- (iii) is within a planned area of large-scale development, or
- (iv) is on employment land, preferably co-located with complementary activities, and
- (v) 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
- (vi) 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
- (vii) in the case of sites providing public access, the site shall be accessible for use by disabled people.

EAST HAMPSHIRE DISTRICT LOCAL PLAN: SECOND REVIEW (MARCH 2006)

GS3 – Protecting the Countryside

The countryside, defined as the area outside settlement policy boundaries, will be protected for its intrinsic character and beauty. Planning permission will not be granted for development within it unless all the following criteria are met:

- (i) it is necessary for farming, forestry, countryside recreation, small-scale tourism or any other genuine and proven need for which a countryside location is essential;
- (ii) it would harm the overall character quality, tranquillity and appearance of the countryside;
- (iii) it would harm the intrinsic local character of the landscape, sense of place or local distinctiveness; and

- (iv) the type and volume of traffic generated would not result in danger or inconvenience on the public highway, or harm the rural character of local roads.

Provided that:

- (i) the development would not harm the overall character, quality, and appearance of the countryside, which shall be protected for its own sake; and;
- (ii) the type and volume of traffic generated would not harm the countryside.

Policy C1 – Area of Outstanding Natural Beauty

Planning permission will not be granted for any proposal to develop in or adjacent to an Area of Outstanding Natural Beauty (AONB) which would harm its special character, quality, tranquillity and appearance of its landscape unless it is essential for its economic or social well-being. In considering such a proposal, particular attention will be given to the need to protect or enhance:

- (i) the landscape character of the countryside;
- (ii) settlements in the wider landscape; and
- (iii) land at the urban edge.

Planning permission for major development proposals in the AONB will be granted only in exceptional circumstances. In addition to meeting the criteria listed above, applications will need to be accompanied by assessments of:

- (i) the need for the development, including in terms of any national considerations, and its effect upon the local economy;
- (ii) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- (iii) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.