

HAMPSHIRE COUNTY COUNCIL**Decision Report**

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| Decision Maker: | Regulatory Committee |
| Date: | 24 November 2010 |
| Title: | Variation of condition 2 of Planning Permission S/10/66620 to extend the operational hours of the concrete batching plant to 0500-1900 Monday to Friday and 0500-1400 Saturday at Bardon Aggregates, Tower Lane Industrial Estate, Chickenhall Lane, Eastleigh SO50 6NZ (Application No: S/10/67863) (Site Reference: EA046) |
| Reference: | 2324 |
| Report From: | Head of Planning and Development |

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1. Executive Summary

- 1.1. Planning permission is sought for the variation of Condition 2 of planning permission S/10/66620 to extend the hours of working from 0730–1800 Monday to Friday to 0500–1900, and 0730-1400 Saturday to 0500-1400.
- 1.2. The main issue raised is the impact that the vehicles will have on the amenity of local houses by reasons of noise and disturbance when travelling to and from the site in the early hours of the morning.
- 1.3. That planning permission in respect of the variation of condition 2 of planning permission S/10/66620 to extend the operational hours of the concrete batching plan to 0500–1900 Monday to Friday and 0500–1400 Saturday at Bardon Aggregates, Tower Lane Industrial Estate, Chickenhall Lane, Eastleigh SO50 6NZ be granted permission for the following reason, subject to the conditions set out in Integral Appendix B.
- 1.4. It is considered that the proposal would be in accordance with the development plan (summary attached) and would not impact on the amenity of residents in the locality (DC8). It is further considered that the proposal would be acceptable on highways safety grounds (DC6).

2. Site and proposal

- 2.1. The application site totalling 0.29 hectares is within the Eastleigh Depot of Bardon Aggregates (a trading name within the Aggregate Industries UK Ltd business), situated within the Tower Industrial Estate. The site is bounded to the west by the railway line and to the east and south by two manufacturing companies. The aggregate site is accessed by the B3037 and is within 2.5–3.5 kilometres of junctions 12 and 14 of the M3 and four kilometres of junction 5 of the M27. Approximately 0.5 kilometres to the north east is a Special Area of Conservation (SAC) and a further 0.2 kilometres is the Site of Special Scientific Interest (SSSI) designations of the River Itchen. The nearest houses are roughly 0.3 kilometres from the south east of the site, behind the manufacturing companies. There are houses situated along the routes which would be used to access the M3.
- 2.2. Planning permission is sought to vary the hours of working which are restricted by condition 2 of planning permission S/10/66620:

Condition 2 – Hours of Working

Unless otherwise agreed in writing by the Mineral Planning Authority no heavy goods vehicles shall enter or leave the concrete batching plant site and no plant or machinery shall be operated except between the following hours: 0730–1800 Monday to Friday and 0730–1400 Saturday. There shall be no working on Sundays or recognised public holidays.

Reason: In the interests of local amenity.

- 2.3. The operator seeks to change the hours of working to 0500–1900 Monday to Friday and 0500–1400 Saturday, with the plant continuing to not work on Sundays and recognised public holidays. An error with the hours was made when applying for the extant permission. It is of the opinion of the operator that the permitted hours severely minimises the opportunity to supply their target market during peak hours, therefore not being economically viable at present.

3. Site History

- 3.1. On 17 June 2010 planning permission (S/10/66620) was granted at the Eastleigh depot of Bardon Aggregates for a concrete batching plant with an output of 40,000 cubic metres per annum of concrete and a restriction of 500 lorry movements per week (Monday to Sunday). A S106 legal agreement was signed securing a highway contribution in line with the County Council's Transport Contribution Policy. The contribution totalled £7,360, the purpose of this contribution was to bring forward local highway improvements, directly related to the site which mitigated the impact of the additional traffic movements. The contribution has been paid.

3.2. In 2004 and 2005 two planning permissions were granted for the site use at the site, in slightly different locations (F/04/54127 and S/04/52869) neither of these permissions had a restriction on the hours of working.

4. Development plan

4.1. The development plan document which will be considered is the Hampshire Minerals and Waste Core Strategy DPD 2007. The most relevant policies are DC6 (Highways) and DC8 (Pollution, Health, Quality of Life and Amenity).

5. Consultations

5.1. **Councillor Thomas** objects on the grounds of vehicle disturbance to residents as it is impossible to leave this site and access the main road network without passing residential areas.

5.2. **Eastleigh Borough Council** objects to the proposal on two grounds:

- (i) the increase of vehicle movements cannot be reconciled with national planning guidance in Planning Policy Guidance (PPG) 13 in that it fails to take account of its local impact on traffic infrastructure and the need to reduce the environmental impact of transport. Insufficient attention to traffic management to counter extra demand for road travel detracts from the goal of encouraging other means of transport and improving urban quality. This would leave an over reliance on road haulage to the detriment of the environment and locality. This proposal conflicting with saved policy 100.T ii and iii of the Eastleigh Borough Local Plan Review (2001–2010);
- (ii) the proposed increase in hours of operation and vehicle movements in the early hours of the morning would detract from the amenities of residential properties by reasons of noise and disturbance at unsociable hours. This proposal conflicting with saved policy 59.BE vii of the Eastleigh Borough Local Plan.

5.3. **Eastleigh Borough Council Environmental Health** raise no objection to the proposal.

5.4. **Highways Authority** raise no objection to the planning application subject to the previous conditions being adhered to.

6. Representations

6.1. No representations have been received.

7. Commentary

- 7.1. The proposed extended hours of working are considered acceptable at the site itself as there are no sensitive receptors which will be affected by this proposal as the nearest houses are 0.3 kilometres from the site boundary and behind large existing buildings.
- 7.2. The area of concern raised by consultees is the impact that the lorry movements will have in the early hours of the morning on houses along the nearby roads, to the east and west of Chickenhall Lane roundabout. These concerns are noted. Vehicle movements was an area of consideration when the decision on planning permission S/10/6620 was being made, a Transport Assessment (TA) was completed which identified that there would be a steady number of vehicles travelling to and from the site throughout the day with a peak at 0600 and 1700. The peaks are predicted to have an average of 12 movements in and two out in the morning and 10 out in the evening. It can be assumed that these patterns will be similar with the increase in working hours. The TA estimated that 90% of vehicles would have an origin or destination to the west of the site and 10% to the east. Taking these reported predictions into consideration it is considered that the number of vehicles travelling to and from the site between the hours of 0500 and 0730 will be minimal and in the main travelling to the site from the west, which is considered to be a main distributor road with multiple potential routes to the M3 or M27. Consequently the increased hours of working are not considered to have a significant impact on the amenity of residents living in the vicinity of the site by way of noise and disturbance. Planning permission is recommended for approval.

8. Recommendation

- 8.1. That planning permission in respect of the variation of condition 2 of planning permission S/10/66620 to extend the operational hours of the concrete batching plant to 0500–1900 Monday to Friday and 0500–1400 Saturday at Bardon Aggregates, Tower Lane Industrial Estate, Chickenhall Lane, Eastleigh SO50 6NZ be granted permission for the following reason, subject to the conditions set out in Integral Appendix B.

Links to the Corporate Strategy

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| 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

Variation of condition 2 of Planning Permission S/10/66620 to extend the operational hours of the concrete batching plant to 0500 - 1900 Monday to Friday and 0500 - 1400 Saturday at Bardon Aggregates, Tower Lane Industrial Estate, Chickenhall Lane, Eastleigh SO50 6NZ (Application No: S/10/67863) (Site Reference: EA046)

Environment Department, Elizabeth II Court West, First Floor

CONDITIONS

Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(as amended) of the Town and Country Planning Act 1990.

Hours of Working

2. Unless otherwise agreed in writing by the Mineral Planning Authority no heavy goods vehicles shall enter or leave the concrete batching plant site and no plant or machinery shall be operated except between the following hours: 0500 - 1900 Monday to Friday and 0500 - 1400 Saturday. There shall be no working on Sundays or recognised public holidays.

Reason: In the interests of local amenity.

Landscape

3. Samples and/or details of the materials and finishes to be used for the plant hereby permitted buildings shall be submitted to and approved by the Mineral Planning Authority in writing before the development commences.

Reason: In the interests of visual amenity and to secure a satisfactory development.

Highways

4. Lorry movements to and from the concrete batching plant site shall be restricted to 500 per week (Monday to Sunday). A daily record of lorries entering and leaving the site shall be kept at the site and made available to the Mineral Planning Authority on request.

Reason: To limit the volumes of traffic on the local highway network.

5. Details of measures to be taken to prevent mud and debris from vehicles leaving the concrete batching plant site during the construction works being deposited on the public highway shall be submitted to and approved by the Mineral Planning Authority in writing and fully implemented before the development commences. Such measures shall be retained for the duration of the construction period

Reason: In the interest of highway safety

6. For the duration of the hereby permitted operations, the areas shown on Drawing No. 6350/3 for the parking and manoeuvring of vehicles shall only be used for these purposes.

Reason: To ensure that there is adequate space on site for the parking and manoeuvring of vehicles and the public highway is not used for this purpose.

Environmental Control

7. No sewage or trade effluent, except site drainage shall be discharged to any surface water drainage system.

Reason: To prevent pollution of the water environment.

8. No sewage or trade effluent shall be allowed to enter surface or groundwaters.

Reason: To prevent pollution of the water environment.

9. Any facilities for the storage of fuel bunds shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging into the ground where possible and protected from accidental damage.

Reason: To prevent pollution of the water environment.

10. Any facilities for the storage of chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least 110% of the capacity of the largest tank, or 25% of the total combined capacity of the interconnected tanks whichever is the greatest. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

*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

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.