

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Regulatory Committee
Date:	8 February 2012
Title:	Extraction of remaining sand reserves from former unrestored sand pit and restoration by infilling to existing levels for wildlife, ecological and amenity use at land off Greenwood Lane, Durley, Southampton SO32 2AP (Application No: 11/02823/HCS) (Site Reference: WR222)
Reference:	3666
Report From:	Head of County Planning

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1. Executive Summary

1.1. Planning permission is sought for the extraction of remaining sand reserves from former 'unrestored' sand pit and restoration by infilling to existing levels for wildlife, ecological and amenity use at land off Greenwood Lane, Durley.

1.2. The proposal involves:

- (i) extraction of 25,000 tonnes of sand (40,000m³) over 2-3 years;
- (ii) restoration to amenity and to enhance biodiversity through infilling with 80,000 tonnes (approximately 90-100,000m³) of inert waste materials (including waste concrete). To be capped with soils. Restoration to include species rich meadow land, new hedgerows, and an informal parking area. The site will be made available for the 'occasionally' held church fetes, charity events, educational school visits etc.
- (iii) construction of new vehicular access off Greenwood Lane;
- (iv) construction of three vehicular passing bays off Greenwood Lane;
- (v) widening of Church Lane at its junction with Snakemoor Lane;
- (vi) felling of 'commercial' pine trees and some deciduous trees;
- (vii) extraction lorry movements over one year would be approximately five Heavy Commercial Vehicle loads (10 movements) per day (average one movement per hour). Due to potential irregular sourcing of inert waste, infilling over two years could produce up to 30 loads (60 movements) per day (six lorry movements per hour).

1.3. One hundred and three (103) letters of objection have been received to the application and 32 letters of support.

1.4. It is recommended that the application be refused.

2. **Site**

2.1. The application site extends across two hectares of land off Greenwood Lane Durley. It comprises a wooded valley head-like feature excavated into the sand and loams of the tertiary Wittering Formation (a minor or secondary aquifer). The site is bordered by a golf course to the north, east and north west (the golf course straddles Greenwood Lane), a pony paddock and private residential house (The Old Stables) to the south; and Greenwood Lane to the west. The new access would be located towards the north west corner of the pony paddock as shown on the attached plan.

2.2. The western edge of the site is bordered by deciduous trees many of which are subject of a (permanent/temporary) Tree Preservation Order.

2.3. The site was worked many decades ago for mineral as can be seen by the fact that the site is in parts at lower level than the surrounding land on its northern and western boundaries. However the natural lie of the land is sloping downwards from Greenwood Lane to the east as reflected by the topography of the pony paddock to the south. The pony paddock slopes east and north east towards a pond and drainage channel that runs east towards the main river network and is classified by the Environment Agency as controlled waters.

2.4. The following environmental constraints are located on or near the site as outlined below:

- (i) SINC (Parkers Copse) 190 metres to east;
- (ii) SINC 300 metres to north;
- (iii) footpath 10 metres to north west on opposite side of Greenwood Lane;
- (iv) footpath 250 metres to south and 350 metres to east;
- (v) the Old Stables residential property 15 metres to south of red line boundary and approximately 50m from site access;
- (vi) Tree Preservation Order concerning trees alongside the lane and edge of the site;
- (vii) Holy Cross Church Listed building at junction of Durley Road, Church Lane, Greenwood Lane;
- (viii) Greenwood Lane - 3-3.4 metres average width; steep earth banked sides with mature trees.

2.5. There is a local horse riding stables that regularly uses Church Lane and Greenwood Lane which is located approximately 300 metres east of the junction of Church Lane and Snakemoor Lane. It is understood housing to

the south of the Church Lane- Snakemoor Lane T-Junction, have recently been heavily flooded partly from waters coming down Greenwood Lane and Church Lane. The County Council has recently undertaken some flooding works near the junction on Church Lane to enable flood water running down Church Lane to feed into the deep ditch that runs along the eastern side of Church Lane near the junction with Snakemoor Lane.

- 2.6 Consideration needs to be given to the landbank when dealing with proposals for mineral working, as there is a national and local policy requirement to maintain a landbank of 7 years for sand and gravel. The site would produce soft sand, for which the existing landbank is 4.2 years.

3. Proposal

- 3.1. Planning permission is sought for the extraction of remaining sand reserves and restoration by infilling to existing levels for wildlife, ecological and amenity use (with prior permission from the land owner) at land off Greenwood Lane, Durley.
- 3.2. The mineral extraction comprising 25,000 tonnes (40,000m³) would be extracted over a period of one year and infilled with inert waste material over a further period of 2-3 years.
- 3.3. Access will be taken from Greenwood Lane, to the south of the site. The plans show the location of a proposed access which would slope quite steeply into the site and would be constructed and formed of hardcore and other suitable material. All vehicles would travel to the site by turning left off the C42 (Snakemoor Lane/Durley Brook Road) into U198 (Church Lane/Greenwood Lane) and exit the site by turning left down Greenwood Lane.
- 3.4. The applicant states the extraction is anticipated to generate 10 movements (five in and five out) and infilling up to 30 two way movements (15 in and 15 out). The applicant has highlighted that as the movements are reliant on contractors, there is no even flow of material. Therefore there could be some days where these movements would be double, 60 per day (30 in and 30 out). Greenwood Lane narrows in the vicinity of the site access and is only 4 metres wide along the length between neighbouring properties and the site access. The wall of one dwelling is less than one metre from the carriageway edge.
- 3.5. Hours of working are proposed as 07.30-18.00 hrs Monday- Friday and 0730-1300 hrs Saturday. There would be no operations on Sundays or Public Holidays.
- 3.6. The proposal has been submitted with an accompanying Environmental Statement under the Environmental Impact Assessment Regulations 1999. The Environmental Statement reaches the following conclusions.

Highways

- 3.7. The Highway Assessment in the ES states it is proposed to provide passing places on the route between the site and Snakemoor Lane. These plans are attached in the Appendix to this report. It is stated that an important component of these improvements is the widening of Church Lane close to its junction with Snakemoor Lane and that this widening would allow vehicles to turn into Church Lane when another vehicle was waiting to emerge from this side road. The ES adds that in addition some of the vegetation on the roadside verges alongside Snakemoor Lane, in the vicinity of this junction, would be removed or cut back in order to improve visibility for drivers emerging from Church Lane.
- 3.8. The ES states that the site access itself would incorporate a widening of Greenwood Lane to provide a passing place that can be used by two cars or similar vehicles. The ES states the probability of two tipper trucks passing in the passing places is minimal. A further three passing places would be constructed between the site access and the proposed improvements as well as at the junction of Snakemoor Lane and Church lane. The ES states these off site highway improvements would be subject of a legal agreement between the developer and Hampshire County Council, and the Highway Authority. It is added that there would also be a lorry routing agreement to ensure that all vehicles would approach the site from and leave towards the south. The applicant highlights that the proposed passing places would remain in place when the operations are completed but could remove them if the local community required this.

Ecology

- 3.9. The Ecological Assessment in the ES states that all the 'self seeded' pine present within the site and a limited section of hedgerow will be removed as part of the proposal. A broad leaved woodland buffer strip would be retained around the periphery of the site including hazel coppice and an ephemeral pool. The ES states this area encompasses the most valuable habitats and ecological feature on the application site. The ES adds that whilst the majority of the site comprises coniferous woodland, in the south east corner and the site periphery is older deciduous woodland including coppiced hazel. The ES states that the evidence of past coppice management presence of veteran trees and a relatively high total of ancient woodland vascular plants within a small area of woodland indicate that Church Copse is a woodland which has existed for at least 400 years. It adds that the wood is not included in the Hampshire Ancient Woodland Inventory and the previous sand excavation will have removed the ancient woodland flora and also the soils and seed bank across most of the site.
- 3.10. The ES notes that the bank side of Greenwood Lane provides suitable habitat for mining and solitary bees and many burrows likely to belong to these groups are located on the western boundary. It is stated that given the sites current condition and unmanaged state, that the site is likely to be of less than local value for invertebrates. Although no reptiles have been

recorded there are some suitable reptile habitats within the paddocks on the southern area of the site although no reptiles so far have been recorded. The ES considers the site to be of less than local value for nesting birds. Surveys have shown great crested newts are present within 500m of the site but the ES states the proposals are very low risk to these newts. Dormouse nests and foraging areas have also been found and two low value bat roosts have been identified in the peripheral trees. A badger set has also been found on the site which includes old unused sets and various occupied setts including a breeding sett.

- 3.11. In summary the potential adverse impacts include loss of pine woodland of negligible ecological value, damage to habitats likely used by dormice and several high activity badger setts, the removal of some mature hedgerow, some sub optimal understory cover within the central pine cover and southern paddock will also be necessary to provide access to the site. It states the restoration plan of the site which would include planting and the creation of ecological features and the entire site would be subject to a beneficial ecological management plan providing a mosaic of grassland, scrub and woodland alongside an amenity area for community use (subject to agreement with owner). It concludes that provided the recommended mitigation, compensation and enhancement measures are implemented in full, no significant adverse impacts to nature conservation and biodiversity are anticipated.

Hydrological appraisal

- 3.12. The ES states that that slowly permeable London Clay occurs at about the base of the site underlying the Wittering sands and creating conditions for development of a seasonal perched water table supporting a seasonal pond. This seasonal pond forms the source of a watercourse (drain) leading east away from the south east corner of the site and forming part of the upper catchment of the River Hamble. The site is not in any surface or groundwater flood risk zone. The nearest water abstraction is 864 metres north of the site centre at East Horton Golf centre. The nearest borehole is at Greenwood Farm. Removal of the sand reserve will reduce the unsaturated zone volume below that at present and the subsequent land filling will increase the unsaturated zone volume, although the permeability may be reduced.
- 3.13. While the excavations proposed would be no deeper than the present deepest level and are most likely to be wholly within the unsaturated zone, it is possible that minor winter wet perched water zones could be met in the deeper parts of the excavation. If evidence during excavation of the initial phases indicates that this would be so it is recommended that working of the deep levels should be undertaken during the summer and autumn.
- 3.14. The restored landform would push the existing valley feature eastwards and provide for a perimeter drain feeding the enlarged pond. The changes could lead to altered recharge rates to the seasonal water table perched over the

London Clay and alter surface water flows. The ES outlines detail of the design necessary for the pipework, filtration system and pond.

- 3.15. The ES concludes that on the basis that the recommendations set out are adhered to, especially with regard to perimeter drainage and the pond outfall, provision for silt trapping, precautions in the event that any seasonal perched water levels are altered by the excavation and to the final restoration scheme, then - it can see no reason why the proposals should have any adverse hydrological effect.

Noise

- 3.16. The ES states that predictions of the overall, noise levels have been determined from base data obtained variously from measurements and predictions of the noise level activities at similar mineral sites and from other sources and undertaken in accordance with the recommended methodology of BS 5288.
- 3.17. It states that compliance with MPS2 at the nearest residential dwellings could be readily achieved and that in subjective terms the overall noise associated with the development for the vast majority of the period of the development as perceived at the closest dwellings, would have only a slight impact.
- 3.18. The ES states that in regard to HGV movements on the public highway Greenwood Lane, the noise impact on local dwellings would be rated as slight to moderate. Moderate for example, is given as the worst case of six HGV movements per hour which could increase the hourly LAEQ noise level by up to 3.4dBA and that three HGV movements per hour is classed as 'slight impact' would increase the hourly LAEQ noise level by around 2dBA.
- 3.19. The ES considers that less weight in planning terms should be given to the noise impact of the traffic, since HGVs are entitled to unrestricted use of this highway under the current legislation and it concludes that the overall noise contribution associated with the proposed development as described would be acceptable in the local community. Accordingly it states there is no sustainable reason on noise grounds to withhold planning permission.

Dust

- 3.20. The ES states that with regards to dust the most sensitive properties with relation to the development would be the Old Stables, the Old Rectory and Church Cottage. It states that for the majority of the year the wind during the drier months of the year blows in a direction that would take any potential dust away from the sensitive properties identified. A road sweeper would be employed when dust or mud is likely to be produced on the road; a water bowser would be brought to site to dampen extracted material and infilling material and to dampen down haul routes. A speed limit would be imposed when HGVs would be travelling along Greenwood Lane and Church Lane.

The ES concludes that the overall potential impact of dust with mitigation in place is therefore considered to be insignificant.

Landscape

- 3.21. The ES states that views into the site are intermittent from Greenwood Lane, particularly if in a car. It considers the impact of the operation from Greenwood Lane is minor to moderate. It acknowledges that there are views into the site from the adjacent golf course particularly from the east. It considers the impact to be minor to moderate but of more significance than views from Greenwood Lane. It concludes that views from the footpath along the western side of Greenwood Lane are very limited. It adds that views from the nearest residential property, the Old Stables, would have a moderate impact because whilst a residential priority is considered to be highly sensitive, in this case it is considered that direct views from the downstairs rooms or the garden are unlikely, due to obstructions between the house and the site.
- 3.22. The ES highlights that much of the operational activity will be taking place at a lower level than Greenwood Lane. A buffer of six metres would be left along the eastern boundary. All the viable hardwoods on the western boundary would be retained with a buffer in the relevant root protection zone. At the southern end of the site a fence would be erected providing additional screening. It states that the passing bays can be constructed without removing any hedgerows and will therefore have an insignificant impact on the landscape and amenity of the area. The ES states that if it is required to remove the passing bays at the end of the development this can be done but the local community may feel these are beneficial as could the Highway Authority and therefore they could remain.

Arboriculture

- 3.23. The ES states that Greenwood Lane is a typical country lane with high hedge banks on either side. The bulk of the hedge roots will be in the top 600 millimetres of the hedge bank. Consequently any works required at the bottom of the bank to permit the creation of the passing places should have no significant detrimental impact on the viability and retention of the hedges provided that they are not actually undercut.
- 3.24. The ES adds that the conifer plantation trees, predominantly pine in Church Copse, are an over stood, under thinned, timber crop that are an irreversible hazard.. It is proposed that the conifers, the broadleaves between them, and the mature beech and oak on the west side need to be clear felled and extracted regardless of any mineral extraction. Felling of the plantation trees and those trees adversely affected by them is therefore a consequence of their condition and not an impact of the mineral extraction proposal.
- 3.25. The ES states to take the timber out there needs to be an appropriate access route which is proposed between the root protection areas of two

important native oaks. The gap between these oaks is 20 metres. The creation of the access would require the removal of a number of poor condition birch and sycamore, all of which could be replaced to include more beech and oak within the woodland TPO. The number of trees that would need to be felled to 'squeeze an access in' between root protection Zones would be 10'. However it is recommended that a block of around 20 are actually removed to create a reasonable area in which to undertake some new planting. Once the felling has been undertaken there would be a need to monitor the condition of the retained trees 'with regard to wind firmness'.

- 3.26. The Arboriculture Report in the ES concludes that if properly implemented , there should be an end result far more preferable that that which exists on site now. provided that the important veteran trees and the ancient semi natural fringes are protected and the long term impact of the proposal upon the flora and faun of the site will be beneficial. It recommends that a condition be imposed requiring the production of an Arboriculture Method Statement prior to commencement to deal with matters of Root Protection Area protection during site works.

Archaeology and Cultural Heritage

- 3.27. A desk study has been undertaken within 500 metres of the application site. It states there are no recorded archaeological features in the extraction area and due to past sand extraction it is unlikely that any now remain if they were there. Only three features or buildings were identified in the search area: The Church of the Holy Cross – 200 metres to South west; Greenwood Farmhouse – 400 metres north of the application site; and a possible barrow at Greenwood – 250 metres east of the site. The Church is located approximately 50 metres from the junction with Church Lane and Durley Road, it is considered the impact would be insignificant. It adds that at Greenwood Farmhouse there would be no impact on this building and any impact on the barrow would be negligible.

Alternatives

- 3.28. The ES states that minerals can only be worked where they are found and should not be sterilised. The owner considers the only way to restore the site to beneficial use is to remove the mineral and backfill. The site is close to the market area where the mineral will be used and the inert waste would be sourced. The site conforms to the proximity principle and will minimise traffic disorders. The ES adds that as the applicant wishes to restore to original levels to provide a beneficial use it means that a mineral exaction and recovery process (utilisation of inert wastes to restore the site) are at the same place. The ES states this conforms with the paragraph relating to co-location and policy S17 of the Hampshire Core Strategy and Policy 24 of the Draft Minerals and Waste Plan.

4. Development plan

- 4.1. Hampshire Minerals and Waste Core Strategy (HMWCS) S1 (Sustainable Design and Construction) , DC1 (Sustainable Mineral and Waste Development); DC3 (Impact on Landscape); DC6 (Highways); DC7 (Biodiversity); DC8 (Pollution, Health, Quality of life and Amenity); DC10 (Water Resources); DC11(Flooding); DC12 (Restoration and aftercare); DC13 (Waste Management and Recycling); DC14 (Landfill); DC15 (Sand and Gravel).
- 4.2. Winchester City Local Plan saved policies DP4 and CE5, DP1, DP3 and DP11.

5. Consultations

- 5.1. **Councillor Mason**, the local Member, objects to the application on highway grounds. Councillor Mason states that construction of Greenwood Lane is totally unsuitable for lorries being a narrow country lane used by walkers, horse-riders, cyclists and children from the locally assisted primary school who walk this route when making visits to the local church. Councillor Mason adds he has recently obtained “Unsuitable for HGV vehicle signs” which are now in position from Snakemoor Lane roundabout to Watershill.
- 5.2. **Durley Parish Council** objects to the application on the following grounds:
 - (i) the proposal is ill conceived and represents a significant impact on the local environment and community of Durley parish;
 - (ii) the proposal is contrary to Policy DC6 of the adopted Hampshire Core Strategy because:
 - (a) the proposed access is not suitable with insufficient visibility splays and the proposed eight wheel lorries;
 - (b) the proposed haulage route is wholly inappropriate and would represent a highways danger to vehicular, two wheel, horse riders and pedestrian users. The local Church assisted primary school makes regular visits to the Church when 100+ children walk together along this route. The proposed haulage route would pass may local properties which are located close to the highway and the generation of large lorries would create an unacceptable loss of amenity to those residents located along it;
 - (c) the proposed passing bays cannot be achieved without private landowner consent which is not available and would create an unacceptable loss to the local environment creating a street scene uncharacteristic to the area;

- (d) Hampshire County Council have already acknowledged that this is not a suitable access route for large lorries by placing “unsuitable for HGC vehicle” sign along the Snakemoor Lane roundabout to Wintershill in Durley. On previous occasions we have had large tipper lorries belonging to Swanwick Construction falling into the ditch at the side of the road in Snakemoor Lane;
- (e) Church Lane and Greenwood Lane are little more than cart tracks with a topping of tar. It is obvious that with the constant pounding from the lorries travelling to the application site the lanes will soon disintegrate. The country lanes in Durley are totally unsuitable for this volume and weight of traffic;
- (f) there is also an on-going problem at the junction of Church Lane/Snakemoor Lane with flooding. The width of Church Lane will encourage vehicles to move over to let others pass which will result in the ditches being pushed in. This will then create an even worse flooding problem;

In addition we could like to draw your attention to the Draft Hampshire Minerals Plan Traffic which lists many potential minerals and waste sites. It discounts the sites due to the available access routes, deemed unviable due to the narrow roads for HGVs, quoted as being 5.3 and 5.4 metres respectfully. As demonstrated on a site visit made earlier this year Church Lane and Greenwood Lane are only single width and approximately 3.0 metres in width. This County policy position further reinforces the unsuitability of the proposed haul route.

- (iii) the proposal is contrary to Policy DC8 of the adopted Hampshire Core Strategy because due regard to the amenity and quality of life of local residents has not been fully considered. It is considered the impact of the proposal on the closest property, Fircroft would create an unacceptable level of noise impact, ensuring a ‘public nuisance’ would be created. It is also considered that five properties (Fircroft, The Old Stables, the local listed Durley Church, Church Cottage and Church Cottages) will be affected by this proposal as a result of the proximity of the workings but more importantly the loss of amenity caused by large minerals and waste lorries travelling past their properties over a number of years;
- (iv) the proposal is contrary to Policy DC12 of the adopted Hampshire Core Strategy because the proposed restoration and aftercare uses suggested as being village fetes, church fetes, charity events, gymkhanas and other village community events are rejected by Durley Parish Council. The suggestion appears that these events would be for the local community. Durley Parish Council considers there to be no need for this site to serve the community due to the

presence of other perfectly acceptable operational sites within the Parish;

- (v) the proposal is contrary to Policy DC14 of the adopted Hampshire Core Strategy as the proposal represents a landfill which is not identified 'within the landfill potential area shown on the key diagram' and furthermore does not have 'good access to, the minerals and waste lorry route as shown on the Key Diagram';
- (vi) the proposal is contrary to Policy DC15 of the adopted Hampshire Core Strategy as the proposal represents extraction of sand and gravel of an area outside of the 'Minerals Resource Area shown on the Key Diagram' and again does not have a 'good access to, the minerals and waste lorry route as shown on the Key Diagram';
- (vii) the proposal should also be refused on landscape grounds as the proposal would constitute a significant detriment to the visual amenity of the surrounding open countryside. The proposed bunding and likely stockpiling of material during infilling would be incongruous in this landscape;
- (viii) a number of important species of trees may be lost as part of the proposals and these should be protected as part of this application.

- 5.3. In conclusion, this application has been submitted without due regard to the local environment or community.
- 5.4. It is contending that the proposed extraction is not more than a wheeze to create as much void to then import as much waste material is as shorter times as possible. As is common with these schemes there will be an over-run in time therefore creating additional impact on the local amenity of the area. The fundamental issue with this scheme is the inappropriate and dangerous highway implications of the application from the access to the site to the proposed inadequate haul route. This will create a volume and nature of traffic not made for this type of village land and no amount of mitigation will reverse the impact this will cause to local residents and the safety of walkers and horse riders of this road.
- 5.5. Concerns have also been expressed by parishioners as to the viability of the applicant to complete the job satisfactorily and we would therefore require a financial bond to be lodged for £20,000,000 to ensure that any damage could be rectified to properties, local 12th century church, highways and landscaping.
- 5.6. For the above reasons it is respectfully urged that no further time is given to the applicant to enable the possible resolution of the current objections and the County Council make a stand and refuse the application for the aforementioned reasons.

5.7. **Upham Parish Council** strongly objects to this application as it's residents living in Alma Lane would be affected by such large vehicles going to and from this site. Narrow country lanes are the only access to the site and even if a route through Church Lane/Greenwood Lane is agreed, there will not be monitoring of the vehicles leaving and going to the site. All the lanes leading to Church Copse were once just cart tracks and have never been built to a standard to take such large lorries, let alone the constant large lorries which this application if granted would generate. The Parish Council adds that residents living near to Church Copse have moved to this area for the peaceful surroundings and the country way of life. Their quality of life and health would be severely disrupted with constant noise and pollution if this application is granted.

5.8. **Winchester City Council** objects to the application on the following grounds:

- (i) the proposed development is contrary to policies DP3, DP4, and CE5 of the Winchester District Local Plan Review 2006 due to its adverse impact on existing landscape character and on a number of trees in and around the site, for the following reasons:
 - (a) the increase in HGV movement throughout the phased works from removal of trees to infill and restoration will have an adverse impact on the special qualities of the area which includes tranquillity;
 - (b) the road widening along Church Lane resulting in loss of hedgerow, encroachment into a drainage ditch, changes in level close to boundary vegetation and raised banks, and the introduction of passing bays would 'urbanise' the lane. This will have a detrimental visual and physical impact on existing character of the lane and that of the wider landscape character area;
 - (c) the proposal to restore the woodland as grassland, scrub and woodland alongside an amenity area for community use would not reflect the surviving semi ancient natural woodland which should be part of a long term landscape management plan for the entire site;
 - (d) the introduction of acoustic bunds within the woodland would be out of character and unacceptable;
 - (e) the introduction of a three metre fence to the north of Old Stables would be potentially visually harmful in views from the lane;
 - (f) the extent of mineral extraction proposed is considered too close to the NE boundary for the retention of existing boundary vegetation;

- (g) inadequate information has been submitted regarding works at the junction and site access, the passing places, and works by the Oak near the junction with the main road into Durley. This makes it difficult to determine the potential impact that these works will have on landscape character and trees;
 - (h) inadequate arboricultural information has been submitted regarding trees within and around the site and there are also existing trees that are not shown on the submitted plans. This is unacceptable given the significant number of trees will be adversely affected by the proposals.
- (ii) the proposed development is contrary to Policies DP1 and DP11 of the Winchester District Local Plan Review 2006 in that the noise report by Barn Hawk Acoustics (Report No 1011/2) does not adequately assess the potential noise and dust impacts from the site. These impacts may have a significantly adverse impact on residential amenity.

5.9. Highway Authority - objects to the application on the following grounds:

- (i) the roads (U198 - Church Lane and Greenwood Lane) leading to and from the site are of inadequate width and alignment to safely and satisfactorily accommodate the additional traffic which the proposed development would generate;
- (ii) the road (U198 – Church Lane and Greenwood Lane) leading to and from the site has a substandard junction with C42 (Durley Brook Road/Snakemoor Lane) which is inadequate to safely and satisfactorily accommodate the additional traffic which the proposed development would generate;
- (iii) the Highway Authority adds that the applicants highways report indicates that there are works proposed to widen Church Lane close to the junction with Durley Brook Road. No details of this have been submitted. It is assumed that these works would allow two vehicles to pass one another at the junction. This would be necessary to ensure that there were no impacts on traffic queuing back or reversing into the C42 (Durley Brook Road/Snakemoor Lane) which could present a potential highway safety risk;
- (iv) the gradient of the HCV access into the site is quite steep and would result in first gear being used vehicles which could pose another noise amenity issue. Manual for Streets visibility standards are used and cannot be fully achieved. The site access is not considered acceptable in highway terms as there are no footways on Greenwood Lane, therefore pedestrians, horse riders and cyclists could be put at risk;

- (v) traffic surveys were carried out on the frontage outside the extraction site. These surveys show that the northbound flow in the peak hour was six vehicles as was the southbound peak hour flow (1500-1600 and 1600-1700). The surveys recorded low flows for Greenwood Lane. However, the Highway Authority questions as Highway Authority. Site visits have highlighted that traffic levels are significantly higher than the surveys show on a number of occasions including a number of vehicles being seen using the Church Lane/Greenwood Lane/Durley Road junction. The proposed increase in level of vehicle movements along Church Lane would , in the view of the Highway Authority significantly increase the instances of two vehicles meeting;
- (vi) it is noted that the applicant has proposed to restrict lorry movements during times where there are church services taking place. This proposal does not sound enforceable or realistic to achieve. It would also appear the Church is used regularly for funerals and weddings and that children walk up to the church from the local school on a regular basis;
- (vii) the proposed post restoration community use' has not clarified highway impacts for example a fete would result in a significant number of trips on the roads leading to the site. Given that the access track is indicated as only temporary to serve the extraction and infill processes, there is a need to explain this element of the proposal further.

5.10. **Environmental Health Officer** - states it has concluded that the noise report by Barn Hawk Acoustics (Report No 1011/2) does not adequately assess potential noise/dust impacts from the site. It therefore recommends that at this stage the application should be refused on a lack of information regarding both noise and dust impacts.

5.11. In particular adds:

- (i) Background Noise assessment:
 - (a) as the target noise levels are based on a L_{A90} plus 10dB then it is important to ensure the background noise levels measured are representative. Appendix BA1 shows background noise were measured on Thursday 20 October 2011 with dry sunny conditions and no wind. It is considered that further monitoring should be performed on different occasions. This is especially relevant when Saturday operation is proposed that often have different background noise levels to weekdays;
 - (b) the L_{A90} used is a three hour average whilst the guidance advised level is 55dB L_{Aeq} 1 hr (free field) or 10dB(A) above

background between normal working hours 07:00-19:00. I would therefore expect the L_{A90} to be based on the lowest one hour result and as the site is proposing to operate 07:30 to 18:00 it is considered the L_{A90} should be based upon a worst case scenario between 07:30 and 08:30. It is noted that actual background readings used did not commence until 08:20;

- (c) I do not consider location 1 to be a representative background location as it is under greater influence from road traffic using the road passing the church heading towards Horton Heath;
 - (d) no assessment on peak or tonal site noise is provided as recommended by paragraph 2.19 of MPS2, which the applicant is relying upon in discussing his noise assessment.
- (ii) Acoustic fence:
- (a) no information is provided on the design or relative heights of the proposed 3m acoustic fence to differing phased extraction areas. It is therefore unclear how the modelled 5 to 10dB reduction shown in calculations is justified. This screen does not run the full length of the site so affords little protection to proposed phase D. The phrase “relatively close to receiver” is also considered misleading;
- (iv) Vehicle noise on site:
- (a) it is not clear how the noise modelling accounted for HGV vehicle noise at slow speed and hill starts (when exiting site). It appears HGV drive by noise levels detailed in Appendix BA2 has been used and this requires clarification and further justification.
- (v) Temporary bunds:
- (a) no detail is provided on these and exactly when they will be erected. It is stated that they will be constructed as soon as possible when sufficient landfill void is available. Again no design criteria or relative heights to differing phased extraction areas are provided, so it is unclear how the modelled 10dB shown in calculations is justified.
- (vi) Dust assessment:
- (a) the two pages provided on dust are considered totally inadequate and a more detailed submittal in accordance with MPS 2 (Annex 1 Dust) should be provided.

- 5.12. **Environment Agency** - raises no objection in principle so long as any permission granted is subject to a number of conditions including pre-commencement conditions relating to pollution prevention and drainage.
- 5.13. With relation to Environment Management the Environment Agency by way of guidance states it has reviewed the application and Environmental Statement 9: Geology, Hydrology, Hydrogeology and Site Investigation report. The proposal is to excavate the remaining sand reserves within the quarry. Though this is likely to be within the unsaturated zone, surface water infiltration and lateral groundwater flows may temporarily flood the site during seasonally wet weather and high groundwater conditions. The Agency states it concurs with the conclusions as set out in Section 11.3 of the Environmental Statement.
- 5.14. With regards to restoration of the quarry, the Agency states it is proposed to infill the void with a mixture of material. This is likely to create a lower permeable setting within the area and groundwater levels and flows are likely to be altered.
- 5.15. This activity is likely to require an Environmental Permit for a landfill activity from the Environment Agency.
- 5.16. The Environment Agency also adds that there is a surface water feature draining from the south east corner of the site which eventually drains into the Ford Lake main river. There is a risk of pollution to both the pond on site and to this surface water from sediments and nutrients during site clearance, works and post works remediation. It also notes that the Environmental Statement highlights a number of protected and/or notable species on site and within 500 metres.

6. Representations

- 6.1. 104 representations of objection have been received to the proposal, and 35 representations of support for the proposal. Nearly all representations were from Durley or the immediate locality.
- 6.2. A summary of the grounds of objection of the proposal are:
 - (i) no need for the mineral site;
 - (ii) contrary to planning policy;
 - (iii) passing bay and road alterations will exacerbate existing flooding problems;
 - (iv) highway safety of existing vehicle road users and the frequent recreational users including the local horse riding school, joggers, ramblers and cyclists if used by HCV traffic;
 - (v) the lanes concerned have no footpaths;
 - (vi) impact on tranquillity of the area;
 - (vii) impact on the rural landscape character of the area;

- (viii) land is not needed for fetes or local community use as community events take place elsewhere;
- (ix) ecological impact to existing flora and fauna and wildlife;
- (x) already parking issue when funerals, and other church events take place at the Church resulting in visitors having to park on the lanes as well as many people massing on the lanes getting in and out of their cars;
- (xi) the bedroom of one residential property is located at a pinch point on Greenwood Lane where only one HCV could pass;
- (xii) the nearest property the Old Stables is very close to the site and the access and other properties front Greenwood and Church Lane;
- (xiii) infilling of the soakaway drainage ditch outside of Church Cottage and replacement of the natural soakaway with a pipe would impact upon drainage and the removal of the verge would impact on the character of the area;
- (xiv) the local community has no need of such lay-bys;
- (xv) accidents have occurred near the junction of Snakemoor Lane and Church Lane on Snakemoor Lane.;
- (xvi) site not an unrestored quarry as nothing as been extracted from there in decades;
- (xvii) amenity impacts;
- (xviii) children regularly walk up to the church from the church assisted village school.
- (xix) the construction of Greenwood lane and Church lane is no more than a surfaced cart track
- (xx) existing flooding problem and property opposite T-Junction at Snakemoor –Church Lane has been badly flooded.

6.3. Grounds of support for the application are:

- (i) passing bays needed;
- (ii) bring much needed employment;
- (iii) more sustainable for construction industry reduce carbon footprint;
- (iv) decrease haulage costs;
- (v) bring site back into agricultural use;
- (vi) provide local sand for building works;
- (vii) with owners concern could be sued for local community events;
- (viii) add to natural beauty once restored and improvement to the area;
- (ix) be improvement/will tidy up the land /an eyesore and dumping ground;
- (x) improvement for people and wildlife;
- (xi) need local sand and inert sites;
- (xii) site is an eyesore and dumping ground;
- (xiii) whilst may be viewed as attractive amenity area better to have beneficial after use;
- (xiv) would create employment.

7. Regulatory Committee Site Visit

- 7.1. Members of Hampshire County Council's Regulatory Committee visited the site, and its surroundings on Monday 23 January 2012. Members were shown the location of where passing bays and improvements were proposed to be constructed at the T-junction of Snakemoor Lane and Church Lane.
- 7.2. Members then walked up Church Lane towards Greenwood Lane and were shown the location and dimensions of two passing places which had been pegged out in advance by officers. Members then continued to the front of Church Cottage where they were shown the location and dimensions of a further passing bay that would involve removal, opposite Church Cottage, of an existing slightly raised grass verge and infilling of a drainage ditch/soakaway adjacent to a hedge. Members were informed a pipe would be laid beneath the ground near the hedge to compensate for the lack of a ditch. Members then continued up Greenwood Lane to the site access and residential properties on the highway were pointed out to members en route. The site access, which had been pegged out in advance was shown to members along with the extent of the site and the nearest residential properties.

8. Commentary

- 8.1. The main issues raised by the proposal are:
- (i) highway safety;
 - (ii) amenity
 - (iii) ecology/nature conservation;
 - (iv) landscape impacts on rural character of the area;
 - (v) passing bay drainage construction and flooding;
 - (vi) need for mineral and landfill;
 - (vii) local business and employment need.

Highway safety

- 8.2. The views of the Highway Authority are supported. There are intractable highway and traffic issues that cannot be satisfactorily mitigated. Accordingly the application conflicts with the development plan (HMWCS DC6).

Amenity

- 8.3. Greenwood Lane and Church Lane are both very rural in nature and are used by a variety of users for local amenity purposes as it is clear that they not only form the means of access for local residents and farms but also used as part of the wider network of public rights of way (for example two public footpaths are linked by a section Greenwood Lane). It is therefore important that consideration of other vulnerable road users such as horse

riders, pedestrians, cyclists and residents are considered. However, the plans do not take into account the range of users known to utilise the Lane. It is noted that the Environmental Health Officer is not satisfied with the information on noise and dust and is objecting to the application. It is considered the information submitted on amenity impacts is insufficient to determine that no significant adverse amenity impacts would occur if the proposals were implemented (HMWCS DC8).

Ecology/nature conservation

- 8.4. The critical ecological issue concerns dormice. Dormice receive protection under UK law via the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Habitats Directive, which is transposed into UK law by the Conservation of Habitats and Species Regulations 2010 (commonly referred to as the Habitats Regulations). Developments that affect dormice will need a European Protected Species (EPS) licence from Natural England before any work that affects dormice could commence.
- 8.5. The conclusion in the ES that the plantation woodland is considered sub-optimal for dormice and would not result in net loss of habitat cannot be supported. There is evidence that conifer plantations are used by dormice, for feeding, nesting and as a connectivity habitat. Therefore proposal may be considered detrimental to the favourable conservation status of the species. (HMWCS DC7)

Landscape impacts on rural character of the area.

- 8.6. The reasons given by Winchester City Council as part of its justification for its objection relate to the landscape impact and contrary to the development plan. The removal of trees, impacts on TPO trees and the potential impact of the passing bays on the significant hedges that even during winter are substantial. The maturity of the hedgerows located on embankments suggest Greenwood Lane may well be an ancient holloway and contribute the character of this corner of rural Hampshire. It is considered that the proposal would have an adverse impact on the character of the landscape. (HMWCS DC3)

Passing bay drainage construction and flooding

- 8.7. Concerns have been raised about how the development will impact on the area which already has a flooding problem. It is considered that not enough information has been provided by way of detail of the passing bays, associated drainage and indeed details of the passing bay/improvements at the Snakemoor Lane/Church Lane junction - to demonstrate that no adverse flooding impact would be caused by implementation of the development and its passing bays.

Need for mineral and landfill

- 8.8. HMWCS (DC15) sets out criteria for sand and gravel extraction. The site is not identified for sand extraction, and is not a small scale extension to or deepening an active sand site. Whilst the landbank for sand is below the required 7 years, the adverse environmental, highways and amenity impacts are such that it is not equally acceptable to working within an identified site. The site also does not have good access to the minerals lorry route and given the highway objection would not be an acceptable site compared to established sand working. Moreover, the proposed extraction of 25,000 tonnes of sand would have little effect on the landbank. On balance the application does not accord with the development plan.

Local business and employment need

- 8.9. It is noted that thirty letters of support have been submitted to the application. Whilst it is considered that the points made by supporters relating to sustainable location of landfill void and mineral source, and the need to provide further employment are relevant, it is considered that these do not override other policy objections.

Afteruse

- 8.10. The end use of the site, 'community use' has not been made clear. Community use is proposed to be kept low key so as not to adversely effect the ecological and wildlife improvements made to the site. There is no indication what these uses might entail in terms of traffic or amenity impacts but clearly a could result in a significant number of trips on the roads leading to the site. It is considered there is not enough information to assess the impacts of the proposed afteruses. It is also considered that the site does not need to be filled back up to original ground levels as for decades it has been left as a natural looking valley head feature not out of character with its surroundings.

9. Recommendation

- 9.1. That the proposal for the extraction of remaining sand reserves from former sand pit and restoration by infilling to existing levels for wildlife, ecological and amenity use at land off Greenwood Lane, Durley, Southampton SO32 2AP (Application No: 11/02823/HCS) (Site Reference: WR222) be refused for the following reasons:

- (i) The proposed development is contrary to Policy DC6 of the Hampshire Portsmouth, Southampton & New Forest National Park Minerals and Waste Core Strategy (2007) in that the roads (U198 - Church Lane and Greenwood Lane) leading to and from the site are of inadequate width and alignment and the junction with C42 (Durley Brook Road/Snakemoor Lane) are inadequate to safely and

satisfactorily accommodate the additional traffic which the proposed development would generate;

- (ii) The proposed development is contrary to Policy DC7 of the Hampshire Portsmouth, Southampton & New Forest National Park Minerals and Waste Core Strategy (2007) in that it has not been demonstrated that the proposals would not adversely impact on dormice, a European protected species.
- (iii) The proposed development is contrary to policies DC 3 of the Hampshire Portsmouth Southampton & New Forest National Park Minerals and Waste Core Strategy (2007) and saved policies DP4 and CE5 and DP3 of the Winchester District Local Plan Review (2006) in that there would be adverse impact on the existing landscape character including adverse impacts on the character of Greenwood Lane and Church Lane and on a number of trees/ hedgerows in and around the site;
- (iv) The proposed development is contrary to policy DC15 of the Hampshire Portsmouth & New Forest national Park Minerals and Waste Core Strategy 2007 in that the site is not identified for sand extraction, is not a small scale extension to or deepening of an active sand extraction site, and although the landbank indicates there is a need, the site is not equally acceptable to working within an identified site or location.
- (v) The proposed development is contrary to Policy DC8 of the Hampshire Portsmouth Southampton & New Forest national park Minerals and Waste Core Strategy 2007 and Policies DP1 and DP11 of the Winchester District Local Plan Review 2006 in that the lorries associated with the development would have an adverse impact on the amenity of the users of Greenwood Lane and there is insufficient information to show that the noise and dust impacts would not have a significant adverse impact on residential amenity

CORPORATE OR LEGAL INFORMATION:**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.)

DocumentLocation

Extraction of remaining sand reserves from former unrestored sand pit and restoration by infilling to existing levels for wildlife, ecological and amenity use at land off Greenwood Lane, Durley, Southampton SO32 2AP (Application No: 11/02823/HCS) (Site Reference: WR222)

County Planning, Elizabeth II Court West, Winchester

*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

DC1 - Sustainable Minerals and Waste Development

Minerals and waste developments will only be permitted if they meet the standards outlined in Policy S1 and, in appropriate circumstances, are designed and constructed to use water and energy efficiently.

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.

DC7 – Biodiversity

Minerals and waste developments will only be permitted if due regard is given to the likely effects of the proposed development on biodiversity and, where possible, proposals should conserve and enhance biodiversity. Development likely to adversely impact upon ‘regionally or locally designated sites or protected species’ – designated in adopted Local Plans or Local Development Frameworks – (including Sites of Importance for Nature Conservation (SINCs), Species of Principal Importance for Biodiversity, Regionally Important Geological Sites and Local Nature Reserves) shall only be permitted if the merits of development outweigh the likely 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.

DC10 - Water Resources

Non-hazardous landfill developments in areas that overlie major aquifers, and Groundwater Source Protection Zones I , II & III, and mineral extraction or inert landfill in areas that overlie major aquifers and Groundwater Source Protection Zone I will not be permitted. All minerals and waste developments will only be permitted if they are unlikely to have an unacceptable impact on coastal, surface or ground waters and due regard is given to water conservation and efficiency.

DC11 – Flooding

Minerals and waste development will only be permitted in accordance with the conclusions of a Flood Risk Assessment. Moreover, landfill and hazardous waste facilities, in flood risk zones 3a and 3b, or development that is likely to create an unacceptable risk of off-site flooding, will not be permitted.
Winchester District Local Plan Review 2006

DC14 – Landfill

Planning permission will be only be granted for landfill provided the site:

- a. Is identified for landfill use, as part of the restoration of a mineral site, in the Hampshire Minerals Plan, or pending its adoption is an existing or proposed un-restored mineral void, and in the case of non-hazardous landfill is within the landfill potential area shown on the Key Diagram, and .
- b. Appropriate provision is made for the pre-treatment or sorting of waste, either on or off site, to substantially reduce its biodegradable and recyclable content, and
- c. It does not pose an unacceptable environmental risk, including risk to groundwater, and
- d. It is close to, and with good access to, the minerals and waste lorry route, as shown on the Key Diagram.

DC15 - Sand and Gravel

Sand and gravel extraction will be permitted, provided the site:

- a. Is identified for sand and gravel extraction in the Hampshire Minerals Plan or pending its adoption, is within the Mineral Resource Area shown on the Key Diagram, or
- b. The proposed development involves a small-scale extension to or deepening of an active sand and gravel extraction site, and
- c. Hampshire's landbank indicates there is a need for sand and gravel which cannot reasonably be met from identified sites and locations and it can be shown that working such land would be equally acceptable to working within an identified site or location, and
- d. Is not within or would not have an unacceptable impact upon the New Forest National Park, the proposed South Downs National Park or Areas of Outstanding Natural Beauty, and
- e. The proposals include restoration opportunities for increasing biodiversity or access to public open space, or help to meet other planning objectives, and
- f. Where necessary, proposals for landscaping and planting (prior to operation) are included, and
- g. Is close to, and with good access to, the minerals and waste lorry route illustrated on the Key Diagram.

DC21 - Prior Extraction of Minerals

The extraction of sand and gravel, prior to construction of permanent planned development, to avoid sterilisation of mineral deposits, will be permitted provided it does not prejudice the timescale and standards of the subsequent development .

S15 - Sterilisation of Mineral Deposits

Proposals for permanent development which would sterilise mineral deposits shown on the Key Diagram, or subsequently in the Hampshire Minerals Plan or on the Proposals Map, will be resisted unless provision is made for extraction prior to the commencement of development, or other planning considerations apply.

S17 - Co-location, Systems and Infrastructure

Minerals and waste developments should increase resource recovery and efficiency by the:

- a. Co-location of compatible minerals and waste facilities, including where appropriate, with suitable reprocessing, manufacturing or industrial uses;
- b. Use of 'reverse logistics,' bulking and transfer for the movement of materials;

- c. Optimisation of waste collection and handling systems to allow the joint collection and handling of similar types of municipal, commercial and industrial waste.

WINCHESTER DISTRICT LOCAL PLAN REVIEW 2006

DP1 The Local Planning Authority will only permit development where planning applications are supported by a design statement. Plans, sketches and other explanatory information should be included, as appropriate to the site and the scale of development, to set the proposal in its full context, indicating where important existing features are to be retained and enhanced where appropriate, justifying the removal of any such features and explaining how the site and its context have influenced the design of the proposal. Particularly in the case of more sensitive sites, those exceeding 0.5 hectare in size, or development proposals which will have a significant impact on the local area, design statements should include a full site analysis identifying, as appropriate, the following:

- (i) the significant townscape, landscape and natural features and designations;
- (ii) an accurate site survey which includes the location of existing buildings, trees, hedgerows and other landscape features on the site and details of site levels;
- (iii) the relationship of the site to surrounding development and/or countryside, including other neighbouring uses and open spaces within both the public and private domains;
- (iv) existing rights of way and accesses for pedestrians, cyclists and vehicles, both within the site and the surrounding area;
- (v) any known elements of historic importance which may be affected by the development, including archaeological remains, ancient monuments, historic buildings, important historic parks and gardens or other historic landscape features;
- (vi) opportunities for maximising energy efficiency and appropriately dealing with drainage issues;
- (vii) any areas known and/or designated for their nature conservation importance/interest.

DP3 Development which accords with other relevant policies of this Plan will be permitted, provided it:

- (i) makes efficient and effective use of land or buildings;
- (ii) in terms of design, scale and layout, responds positively to the character, appearance and variety of the local environment;
- (iii) keeps parking provision to a minimum;
- (iv) provides for ease of movement and local 'permeability';
- (v) maximises access to public transport;
- (vi) facilitates the development of adjacent sites;
- (vii) does not have an unacceptable adverse impact on adjoining land, uses or property;

- (viii) includes within the development sufficient amenity and recreational space, appropriate to its size, design and function;
- (ix) makes appropriate provision for the storage of refuse and recyclables.

DP4 In order to maintain or enhance the District's townscape and landscape, development will not be permitted where it would detract from, or result in the loss of:

- (i) important public views and skyline features, both in the immediate vicinity and long-range, where site analysis identifies these as being of recognised importance;
- (ii) slopes;
- (iii) trees and hedgerows;
- (iv) open areas important to the townscape or the setting of buildings, including Listed Buildings;
- (v) the landscape framework, including those 'key characteristics', landscape and built form strategies listed at Appendix 2;
- (vi) water features, river corridors and other waterside areas;
- (vii) areas of ecological importance.

Proposals in areas with special landscape designations, such as the East Hampshire Area of Outstanding Natural Beauty should, in particular, avoid harm to, and be in sympathy with, both the immediate and wider landscape setting.

DP11 Development which would create, consolidate or expand noisy or noxious uses, or which would generate volumes or types of traffic unsuited to the local area will not be permitted. Exceptionally, if such development needs to be provided in a local area, it may be permitted where it can be designed to the satisfaction of the Local Planning Authority, and is:

- (i) remote from existing housing or other pollution-sensitive development;
- (ii) well screened by landform or vegetation that will withstand the pollution;
- (iii) accessed by a means suitable for heavy vehicles;
- (iv) capable of containing the land use within a defined area.

CE5 Development which fails to respect the character of the landscape, or harms the key characteristics of the Landscape Character Area concerned (as set out in Appendix 2) will not be permitted.