

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	20 November 2013
<b>Title:</b>	Variation of conditions 2, 5 and 6 of planning permission no 12/98401 regarding operating capacity, traffic movements and days of operation; part proposed and part retrospective permanent extension to the site operational area for use as green waste processing and composting. Newbourne Farm, Rockbourne, Fordingbridge SP6 3NT (Application No:13/10972)
<b>Reference:</b>	5377
<b>Report From:</b>	Head of County Planning

**Contact name:** Julia Davey

**Tel:** 01962 846732

**Email:** julia.davey@hants.gov.uk

#### 1. Executive Summary

- 1.1. This report considers a part retrospective application to vary conditions 2, 5 and 6 of planning permission no 12/98401 regarding operating capacity, traffic movements and days of operation; and part retrospective permanent extension to the site operational area for use as green waste processing and composting. Newbourne Farm, Rockbourne, Fordingbridge
- 1.2. The site is located in the Cranbourne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB). The proposal includes increasing existing green waste composting capacity from 15,000 tonnes to 25,000 tonnes per year and includes a proposal for Bank holiday and Sunday receipt of waste and increase in vehicular traffic. The site originated from a Certificate of Lawfulness for processing of green waste granted in 2006 for just over 2000 tonnes per year. It has increased through further permissions to composting and to the current capacity of 15,000 over the past 7 years.
- 1.3. The main issues raised by the proposal are:
  - i) **Impact on AONB** - can the development be accommodated without undermining the objectives of the AONB designation (Policy 4) and the setting of the Scheduled Ancient Monument (Policy 7).
  - ii) **Small scale sustainable development for local needs** does the development provide for local needs (Policy 4) and is there a need for

the additional capacity (Policy 27) and is it located near to the sources of waste or markets for its use ( Policy 25).

- iii) **Amenity impacts** to local residents by way of noise, traffic and odour and to recreational users of the AONB (Policy 10).
- iv) **Highway safety impacts** (Policy 12).
- v) **Pollution of groundwater** (Policy 10).

- 1.4 No objections to the proposal have been received from Rockbourne Parish Council and the local member subject to a lorry routing agreement ensuring lorries only access and egress the site from the north. No objections have been received from the Environment Agency, Highway Authority or Environmental Health Officer subject to conditions. Two letters of objection have been received from local residents on grounds of noise, odour and traffic and impact on the AONB. A letter of comment from the neighbouring property has requested a bund 8 metres or so high to protect against noise from clanking buckets on the site. An objection has been raised by the AONB Officer on the basis that the proposal affects the tranquillity and purpose of the statutory AONB designation and that waste should not be imported into the AONB from areas outside the AONB.
- 1.5 It is recommended that permission be granted for a temporary period of five years to enable the impact of the site operations by way of noise, visual impact and traffic to be monitored to ensure that the development can be accommodated without undermining the objectives of the AONB designation in which it is sited.
- 1.6 It is considered that the development is in principle a sustainable waste proposal (Policy 1, 25) and that the site has not been the cause of regular complaint (although it is noted currently there is no bank holiday or Sunday working permitted). It is understood that the compost is used locally on local farms in the area and thus does provide for local needs (Policy 4). It is noted that the site does provide employment for local people. The Highway Authority considers there are no significant highway safety issues associated with the proposed road network or lorry routing (Policy 12) and considers it has good transport connections to the sources of/and/or markets for the type of waste being managed (Policy 29). On balance it is recommended that a temporary period of 5 years be granted to enable monitoring of noise, traffic and visual impacts to assess over two peak seasons within each year, whether the development would undermine the objectives of the AONB designation.

## 2. Site and Planning History

- 2.1. The site, as shown on the attached plan, extends across 1.3 hectares of land on what used to be a calf rearing unit but which has diversified under the original agricultural owners into a green waste composting site. The site lies

within the Camborne Chase and West Wiltshire Downs AONB. It also lies approximately 780 metres east of a Scheduled Ancient Monument (SAM) and 130 metres from a public Right of Way. The nearest residential properties are located approximately 155 metres to the north-east of the access and 200 metres north-east of the actual site; 270 metres north-east and east of the site access and approximately 155 metres to the north-west of the haul route and 200 metres north-west of the site. The site is located close to a CPRE zone of high tranquillity along the area of the SAM.

- 2.2 In 1991 the site at Newbourne Farm, Rockbourne was used for an intensive calf rearing unit. The applicants obtained planning consent for an agricultural dwelling. It is claimed that during construction of the house the building contractor brought trees and shrubs to the farm and thus the use commenced. It is stated that the site has been used for processing of green waste continuously for a period in excess of 10 years.
- 2.3 In February 2006 the County Council refused to grant a Certificate of Lawful Use (CLU) (8715) as there was insufficient evidence for it to properly assess the volumes/tonnages of waste delivered to the site over the 10 year period. In addition it was considered that there has been a change in the nature of the use, from burning to shredding of certain of the waste material imported to the site.
- 2.4 In July 2006 (87838) the County Council granted a CLU for the storage, sorting, cutting-up and chipping of up to 2000 tonnes of green waste per annum as additional evidence was submitted to demonstrate, on the balance of probabilities, that the use had been continuous for a period of 10 years at that level.
- 2.5 The decision to refuse the CLU in February 2006 (8715) was appealed – specifically on the grounds that a CLU should clearly state the use class of any lawful use and that the amount of material should not be restricted – and in October 2006 a Public Inquiry was held at Damerham Village Hall. The Inspector dismissed the appeal on the grounds that the application area could not be correct as it would not allow transfer of material around the site.
- 2.6 In 2007 a CLU was granted (07/90177). The application was amended following the appeal decision to show the areas of land that were used for the transportation of material between processing areas. This was an issue previously for the inspector where the inspector stated in 2006 that not enough land existed to allow transportation between areas within the site. The 2007 CLU was for the storage, sorting, cutting-up, chipping and shredding (green waste processing) of up to 4193.1 tonnes of green waste per annum.
- 2.7 In December 2010 permission was granted at the site for the continuation of composting as part of green waste processing operation, hard surfacing and ancillary development (10/96302). This permission allowed the importation of up to 8000 tonnes of green waste per year.

2.8 In 2012 a variation of permission was granted to allow an increase to import up to 15,000 tones of waste per annum (12/98401) and in 2013 permission was granted for a retrospective egress track from the sit to allow a one way access system and other changes at the site.(13/10234). For ease of reference a table of the planning history is outlined below.

Application No.	Site Reference	Location	Proposal
<a href="#">13/10972</a>	NF252	Newbourne Farm, Rockbourne, Fordingbridge SP6 3NT	Variation of conditions 2, 5 and 6 of planning permission no 12/98401 regarding operating capacity, traffic movements and days of operation; part proposed and part retrospective permanent extension to the site operational area for use as green waste processing and composting.
<a href="#">13/10234</a>	NF252	Newbourne Farm, Rockbourne, Fordingbridge SP6 3NT	Retrospective application for the construction of a track and alterations to existing access for use in conjunction with green waste processing and composting operations
<a href="#">12/98401</a>	NF252	Newbourne Farm, Rockbourne, Fordingbridge SP6 3NT	Variation to composting site and variation of condition 5 of planning permission 10/96302 to increase permitted tonnage of composting material from 8,000 to 15,000 tones per annum at Newbourne Farm, Rockbourne, Fordingbridge SP6 3NT
<a href="#">10/96302</a>	NF252	Newbourne Farm, Rockbourne, Fordingbridge SP6 3NT	Continuation of composting as part of green waste processing operation; installation of underground storage tank; provision of surface mounted weighbridge and portacabin; extension of hard surfacing; removal of existing building.
<a href="#">07/90177</a>	NF252	Land at Newbourne Farm, Rockbourne, Fordingbridge	Application for Certificate of Lawful use for processing green waste
<a href="#">87838</a>	NF252	Land at Newbourne Farm, Rockbourne	Application for certificate of Lawfulness for green waste processing operation (Resubmission)
<a href="#">86715</a>	NF252	Newbourne Farm, Rockbourne, Fordingbridge	Lawful Use Certificate for the processing of green waste

### **3. Proposal**

- 3.1 Planning permission is sought for the variation of conditions 2, 5 and 6 of planning permission no 12/98401 regarding the site's operating capacity, traffic movements, days of operation; and, part proposed and part retrospective permanent extension to the site operational area for use as green waste processing and composting- at Newbourne Farm, Rockbourne, near Fordingbridge.
- 3.2 The applicant states that in August last year, Wiltshire County Council approached him as a result of the unexpected and immediate closure of the H M Glover site at Grateley, Hampshire. This site was receiving green waste from Wiltshire County Council and that waste had to be re-directed as a result of the closure. The applicant agreed to take it on, but this in turn results in the need to increase the permitted capacity, and update and improve the operating protocols, of his own site at Newbourne Farm. The alternative to Newbourne Farm would be to direct the green waste to alternative facilities to the north involving an additional 60 mile journey for vehicles.
- 3.3 The proposal is described in the application as involving:
- the upward revision of the operating capacity of the site from 15,000 tonnes per annum to 25,000 tonnes per annum;
  - the upward revision of the total permissible traffic movements at the site from 4860 per annum to a limit of 6250 HGV movements per annum, together with the removal of the present monthly limit of 422 movements;
  - the ability to receive, but not to process, green waste on Sundays and bank holidays except for those at Christmas and New Year; and
  - increase the site area by including land to the immediate north-west of the existing operational area (part retrospective). The extension area is at the highest point of the existing compost site (which slopes steadily down hill towards the highway) and is to the west to the side of the existing residential house.
- 3.3 The proposal is not an EIA Development under the environmental Impact Assessment Regulations 2011 and an environmental statement has not been submitted.

### **4. Development plan**

#### **4.1. Hampshire Minerals and Waste Plan (October 2013)**

Policy 1: Sustainable minerals and waste development

Policy 3: Protection of habitats and species

Policy 4: Protection of the designated landscape

Policy 7: Conserving the historic environment

Policy 10: Protecting public health, safety and amenity

Policy 12: Managing traffic

Policy 13: High-quality design of minerals and waste development

Policy 25: Sustainable waste management  
Policy 27: Capacity for waste management development  
Policy 29: Locations and sites for waste management

- 4.2 **National Planning Policy Framework (March 2012)** is a material consideration. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. With regards also to development in AONB and Countryside the NPPF refers including:

Paragraph 115 that “Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.”

Paragraph 116 of the NPPF - “Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

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

Paragraph 123 of the NPPF also states that planning policies and decision should: “identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason”.

- 4.2. **Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10).**

Note: In March 2012 the National Planning Policy Framework (NPPF) superseded the existing national policy statements upon its publication. The NPPF however, does not contain specific waste policies, as national waste planning policy will be published as part of the National Waste Management. Until that time PPS10 will remain applicable.

## 5. Consultations

- 5.1. **The local member Councillor Heron** supports the view of the Parish Council and raises no objection so long as lorry routing is restricted so that access and egress is to and from the north of the site via the A354.

- 5.2. **Rockbourne Parish Council** supports the application on condition that the requirement to route all HGVs visiting the site via roads to the north of the village is made a condition of any planning approval. The reasons for this decision are that the site provides employment for five local residents and the process is related to the surrounding farming activities. Councillors were also satisfied that the waste will be spread over larger areas rather than piled higher so will not be more visible than previously.
- 5.3. **The Cranbourne Chase and West Wiltshire Downs AONB officer states:** The location appears to be within the Stour and Avon Tributary Valleys landscape character area, closely associated with the Martin - Whitsbury Downland Hills landscape character area. The AONB notes the proposal is to increase the quantity processed from 15,000 tonnes to 25,000 tonnes per annum. This very significant increase of throughput is of great concern to the AONB as tranquillity is a significant attribute of this nationally important, and designated, area. In reality the traffic to the site is likely to double, taking account of the different sized HGVs and other vehicles involved. By any standards, doubling the traffic is a significant change. It is noted that the Highway Issues Report is careful to assert that the proposed 6,250 HGV movements ‘...is extremely unlikely to cause any significant highway or environmental problems along the nearby highway network’. That assessment does not appear to take either the characteristics of the AONB or the AONB Management Plan into consideration, and it is not a conclusion from an expert in AONB matters. The AONB Partnership takes the view that the AONB is not a place in which to import waste for processing. Waste is more appropriately processed close to the source of the waste, which is usually urban areas. Allowing the facility at Newbourne Farm to enlarge its activities significantly would be contrary to this view. Furthermore, it is clear from the documentation submitted with the application that this is not a facility primarily for the local processing of locally generated material. It is clear that material is coming from locations outside the AONB. The main reason for extending the scale of operation is the closure of a treatment site outside the AONB. The scale of change proposed is, therefore, substantial and significant.

The AONB has consistently questioned this incremental expansion of a facility that is inappropriate for one of the nation’s finest landscapes. It notes the noise report conclusion is specifically restricted to ‘absolute noise levels’ and not the combined noise and frequency. In conclusion, the AONB recommends that the limit of 15,000 tonnes per annum is retained and that the application to vary the conditions to 25,000 tonnes per annum is refused. The increase in site area should be refused, along with the proposal to increase the annual vehicle movements to 6,250 HGVs. The restriction on monthly vehicle movements and days of receiving and processing waste should be retained.

The AONB understands the potential use of the site by the contractor for the refuse collection authority, which is a member of this AONB Partnership, is being reconsidered. You may, therefore, prefer to defer any decision until that consideration has been concluded.

- 5.4 **Highway Authority** - the site is accessed via Rockbourne Road which, according to traffic counts undertaken by the applicant, currently experiences between 1200 and 1400 vehicle movements (two-way) per day on weekdays. Traffic counts at the site access indicate that on a weekday between 14 and 19 of these movements are generated by the site itself. The increase in the annual limit of HGV movements by 1390 equates to an average of between 5 and 6 additional movements per day which, when compared to the existing flows on Rockbourne Road, will not result in a significant adverse impact on the local highway network.

The proposals also seek to remove the existing monthly limit of 422 HGV movements due to seasonal variations experienced in the operation of the site (records from the 12 months between April 2012 and March 2013 show that the number of HGV movements generated by the site each month varied from 116 to 472). The limit of 422 HGV movements was required by the County Council in response to a previous application to increase the operation of the site and was included as a condition due to the nature of the surrounding road network which, particularly to the south, is not suitable for significant HGV use due to the narrow road widths and limited forward visibility. As such the principle of a monthly limit on HGV movements should remain in place although the existing limit can be increased in line with the annual limit. It is therefore suggested that a monthly limit of 540 HGV movements is conditioned.

#### **Lorry Routing**

There are currently no restrictions on the site in terms of HGV routing, although the Planning Statement notes that the operators of the site ensure all HGV traffic accessing Newbourne Farm does so via the north (i.e. avoiding villages to the south of the site). However, as the Planning Statement indicates, without any planning obligation to restrict HGV routing, any future operator would not be under any obligation to continue with this arrangement. It is therefore proposed that, were the application to be granted, a condition is attached to ensure that HGV traffic only accesses the site from the north.

#### **Access**

A retrospective application was previously made for alterations to the site access (planning reference 13/10234) and permission was granted in May 2013. These alterations related to the construction of a new access for exiting vehicles only with the existing access being used for incoming vehicles. This arrangement was acknowledged by the County Council as resulting in improved visibility for exiting traffic. The existing access arrangements are therefore considered suitable for the potential increase in HGV traffic generated by the site.

#### **Personal Injury Accidents**

An analysis of personal injury accidents in the vicinity of the site does not indicate any particular road safety issues on the local highway network or related to the operation of the existing site.

The Highway Authority concludes that it raises no highways objections to this application provided that conditions are attached to the permission if granted:

Stating that no more than 540 total vehicle movements in or out of the site for the purposes of permitted operations shall take place within any calendar month, and no more than 6,250 vehicle movements shall be permitted to occur in any calendar year. A log shall be kept of all deliveries and collections which shall be made available for inspection at the request of the Local Planning Authority

Also a traffic routing plan shall be submitted to and approved by the local Planning Authority in consultation with the Highway Authority to ensure that all HGV traffic accessing the site does so from the north via the A354. The agreed details shall be implemented for the duration of the operations.

- 5.5 **New Forest District Council** – raises no objection.
- 5.6 **The Environment Agency** raises no objection to the proposal. Newbourne Farm Composting Limited has an EPR permit (number 102139) issued in 10/02/2011. A variation of this permit was issued on 25/03/2013 that amended the amounts of waste that could be accepted by the site. The total quantity of waste accepted at the site shall be less than 25,000 tonnes a year.
- 5.7 **Natural England** – raises no objection. It comments that opportunities could be taken to increase biodiversity and enhance the landscape character.
- 5.8 **Environmental Health** raises no objection to this application.

## **6. Representations**

- 6.1. Two objections have been raised to the application from local residents living near to and/or north of the site and also along the lorry route on grounds of noise, traffic, odour, impact on AONB, road too narrow for two vehicles to pass and highway in poor state of repair with Hampshire County Council regularly needing to repair potholes. Objectors say the infrastructure is not suited with narrow roads to take increase in vehicles. It is a significant increase of 40% in waste capacity and this would increase 30% the traffic on small local roads in any direction as well as increase in carbon footprint as waste coming from 20 miles away in Wilshire. Both residents say they can smell odour and suffer noise coming from the site.
- 6.2. The adjacent resident at Honeysuckle Farm makes comments on the application and considers that trading should be restricted to normal working hours, 0800-1700 Monday to Friday and 0800-1200 Saturdays. He believes that Bank Holidays should be excluded from working periods and adds that the vehicle movements are quite low key and it seems reasonable for deliveries to be allowed during excluded periods. He notes from the Planning Statement that the height of the stockpile is to be restricted to 5 metres and

adds he has consulted with the operator Mr R Hill and with his Acoustic Consultant regarding the possibility of a bund, using the compost, on the boundary with Honeysuckle Farm. He says he suffers from the metal against metal clanking of the buckets. The general noise from the machinery by way of engines is not excessive but the buckets clanking is. And he considers that a raised bund of 8 – 10 metres would deal with this point.

He commends the operator for the efficient and tidy site and with the two concerns above taken into account, supports the application.

## **7. Members site visit**

- 7.1. Members of the Regulatory Committee visited the site on Monday 4 November. Members were shown the existing operations, the nearby business and residential properties, the location of the Scheduled Ancient Monument and the nearby public footpath. Members viewed the site and surroundings of the AONB also from the rear of the owner's property adjacent to the site and on higher ground and noticed the difference in levels of the existing site which falls towards a public highway. The site access, proposed lorry routing and the one way traffic system was also observed by Members.

## **8. Commentary**

- 8.1. The main issues raised by the proposal are:

- i) Impact on AONB** - can the development be accommodated without undermining the objectives of the AONB designation (Policy 4) and the setting of the Scheduled Ancient Monument (Policy 7).
- ii) Small scale sustainable development for local needs**- does the development provide for local needs (Policy 4) and is there a need for the additional capacity (Policy 27) and is it located near to the sources of waste or markets for its use (Policy 25).
- iii) Amenity impacts** - to local residents by way of noise, traffic and odour and to recreational users of the AONB (Policy 10).
- iv) Highway safety impacts** (Policy 12).
- v) Pollution of ground water** (Policy 10).

### **Impact on AONB**

- 8.2 The existing permitted composting site slopes downhill and partly at a lower level to the north-east behind the existing house. It is not easily viewed from the public right of way that runs nearby the site to the east and south/south-west. However, there is a section of the footpath to the east where clear

glimpses of the existing stockpiles in the extension area can be seen and, when the main site is working, banging of metal can be heard and also odour is noticeable. However, when walking to the south along the footpath the odour and the noise diminishes until it is no longer apparent. No machinery has been witnessed working on the extension and there is uncertainty about how noise generated here, when added to existing noise, will affect the tranquillity of the AONB and the recreational enjoyment of users of the footpath. The objections from the Cranbourne Chase and West Wiltshire downs are acknowledged. It is noted that the applicant has undertaken a noise report which concludes that there is unlikely to be any significant impacts different to what exists at the site. There is a SAM to the south-west of the site, although it is not considered the development, especially if mitigated by way of hedgerow/woodland planting for example, would impact significantly upon the setting of the SAM (Policy 7).

- 8.3 On the impact on the AONB there is an element of uncertainty because the site does not currently accept waste on bank holidays and Sundays. For this reason it is considered that the applicant has not fully demonstrated that the development could be accommodated without undermining the objectives of the AONB designation (Policy 4). However a temporary permission would enable noise, odour and numbers of traffic movements during peak times to be monitored along with any complaints that may be received so that the long term impact of the proposal could be fully established.

#### **Small scale sustainable development for local needs**

- 8.4. The principle of small scale waste management facilities for local needs within Areas of Outstanding Natural Beauty (AONBs) is not precluded by Policy 4 of the Hampshire Minerals and Waste Development Plan (MWDP) (2013). The Plan adds that ‘for the purpose of Policy 4 only major waste development is considered to be development that by reason of its scale, character or nature, has the potential to have significant adverse impacts on the natural beauty, distinctive character and remote and tranquil nature of the AONBs. For the purpose of assessing this proposal against Policy 4 as the capacity of the site proposed is up to 25,000 tones this is considered a non strategic site in policy terms and therefore could be considered to be small scale. Because the site creates compost that is being used on local farms then it is considered it provides compost to satisfy local needs in accordance with policy 4. It is noted that waste is being imported from Wiltshire and Hampshire from areas outside of the AONB.
- 8.5. Paragraph 6.135 of the MWDP (2013) states ‘a reality of the waste management industry is the movement of certain wastes (particularly wastes from business or industry) to different locations for management either into or out of Hampshire. The amount of ‘exported’ and ‘imported’ waste can vary each year but it is important to ensure that enough facilities are provided to manage the equivalent amount of waste generated in Hampshire each year and that Hampshire is ‘net self sufficient’ in terms of waste management capacity. This helps ensure that waste is managed in one of the nearest appropriate waste facilities and uses the most appropriate methods and

technologies. It also helps limit the distance waste has to be transported. Paragraph 6.1.45 states “ The approach above will support ‘net self sufficiency’ which means the equivalent amount of capacity for all waste arising within Hampshire will be provided, with the acceptance of limited cross boundary movements. It is expected that waste will continue to cross administrative boundaries due to market forces but this is not expected to result in significant over or under provision of waste management capacity in Hampshire. In the application the main reason for the 10,000 tonne increase is due to the need to handle neighbouring green waste from Wiltshire.

### **Amenity impacts**

- 8.6 It is noted that three residents locally have raised the issue of noise banging from buckets on the site and that an adjacent resident has not raised objection but requests that a high bund can be built between his property and the site. It is considered that building a large bund on the north western edge of the site 8-10 metres high would cause a significant adverse impact in itself to the character of the AONB. It is noted also that the Environmental Health Officer raises no objection to the application and states that whilst he has not received any complaints over the past 12 months on grounds of noise or odour it is advisable to check also with the Environment Agency who monitor noise and dust under the Environmental permit for the site. The County Council has on record one formal complaint received in 2012 (December) but this was on grounds of alleged Sunday working and stockpiles being too high. Whilst there is odour in the immediate vicinity of the site the Parish Council and local member have not raised amenity impacts as an issue and are not objecting to the proposal in principle. The amenity issues are linked to the wider issues of the AONB and the objectives of the designation as also raised by the AONB officer. A temporary permission would enable monitoring conditions to be added to such a permission so amenity impacts can be appropriately evaluated particularly during periods of peak green waste importation.

### **Highway safety impacts**

- 8.7 Objections raised by local residents, and the AONB officer, on grounds of highway safety and environmental impact of traffic in the AONB are noted. Likewise the request by the local member and Parish Council that if permission is granted then there must be a lorry routing ensuring that all traffic accessing and egressing the site does so from the north. The Highway Authority in terms of safety considers that there is a need for such a lorry routing and subject to this raises no objections to the proposal. The issue of environmental impact of traffic is more difficult to ascertain, the average as noted by the Highway Authority would mean an increase in around 4/5 movements a day on top of the existing movements. However it is recognised that peak green waste importation occurs between spring and autumn during the peak growing seasons. A planning condition could restrict the total number of monthly movements as advised by the Highway Authority and include a log of all movements. The site is also covered by an Environmental Permit (which controls pollution issues on the site and its

environmental management) and thus a record is also kept for the Agency of waste received by the site. A temporary permission would enable the pattern of movements to be monitored over the temporary period and this could also be assessed in terms of impact against other noise complaints received during any temporary period that may be granted as a way of establishing the environmental impact of the proposal.

- 8.8 **Pollution Impacts** the site in terms of ground water pollution issues is covered by an environmental permit issued by the Environment Agency that ensures the site complies with environmental protection ensures in this regard. It is noted the Agency raise no objection to the proposal.

## 9. Summary

- 9.1. It is considered that the development is in principle a sustainable waste proposal (Policy 1, 25) and that the site has not been the cause of regular complaint (although it is noted currently there is no bank holiday or Sunday working permitted). It is understood that the compost is used locally on local farms in the area and thus does provide for local needs (Policy 4). It is noted that the site does provide employment for local people. The Highway Authority considers there are no significant highway safety issues associated with the proposed road network or lorry routing (Policy 12) and considers it has good transport connections to the sources of/and/or markets for the type of waste being managed (Policy 29). On balance it is recommended that a temporary period of 5 years be granted to enable monitoring of noise, traffic and visual impacts to assess over two peak seasons within each year, whether the development would undermine the objectives of the AONB designation.

## 10. Recommendation

- 10.1 That permission for Variation of conditions 2, 5 and 6 of planning permission no 12/98401 regarding operating capacity, traffic movements and days of operation; part proposed and part retrospective permanent extension to the site operational area for use as green waste processing and composting. Newbourne Farm, Rockbourne, Fordingbridge SP6 3NT (Application No:13/10972) be approved for a temporary period of five years and the conditions listed in Integral Appendix B.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	no
Corporate Improvement plan link number (if appropriate):	

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title- HCC Planning History- accessed through link below:</u>	<u>Reference</u>	<u>Date</u>
<a href="http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=13069">http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=13069</a>	07/90177 (CLU )	6.9.07
<a href="http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=14543">http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=14543</a>	10/96302	16.12.10
<a href="http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=14992">http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=14992</a>	12/98401 ( Var increasing tonnage)	26.6.12
<a href="http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=15412">http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=15412</a>	13/10234	25.5.13
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u>	<u>Date</u>	

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

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

DocumentLocation

Variation of conditions 2, 5 and 6 of planning permission no 12/98401 regarding operating capacity, traffic movements and days of operation; part proposed and part retrospective permanent extension to the site operational area for use as green waste processing and composting. Newbourne Farm, Rockbourne, Fordingbridge SP6 3NT (Application No:13/10972)

County Planning , Elizabeth Ct. 2, West , First Floor

## CONDITIONS

### Commencement

1. The development hereby permitted shall be for a temporary period of five years from the date of this permission after which time the site shall revert to the development permitted under planning permission numbers 12/98401 and 13/10234 (or as subsequently amended or superceded).

Reason: To comply with Section 91(as amended) of the Town and Country Planning Act 1990 and to establish if the development can be accommodated without undermining the objectives of the Cranbourne Chase and West Wiltshire Downs AONB.

### Hours of Working

2. Unless otherwise agreed in writing by the Waste Planning Authority no heavy goods vehicles shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0800-1800 Monday to Friday and 0800-1300 Saturday. Only importation of waste can take place on Sundays or recognised public holidays between the hours of 0800 and 1800 but absolutely no other operations or processing related to the development shall take place on Sundays or public holidays.

Reason: In the interests of local amenity

### Types of Waste

3. No waste shall be deposited at or imported into the site except green waste.

Reason: In the interests of environmental protection.

### Highways

4. For the duration of the development measures shall be taken to clean vehicles leaving the site to prevent mud and spoil from being deposited on the public highway. These approved measures shall be implemented before the development commences. Once the development has been commenced, these measures shall be used by all vehicles leaving the site and maintained in good working order for the duration of the development. No vehicle shall leave the site unless it has been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.

Reason: In the interests of highway safety.

5. No more than 540 total vehicle movements in or out of the site for the purposes of permitted green waste processing and composting operations shall take place within any calendar month, and no more than 6,250 vehicle movements shall be permitted to occur in any calendar year. A daily record

of lorries entering and leaving the site shall be kept at the site and made available to the Waste Planning Authority on request.

Reason: In the interests of highway safety and to minimise impacts on local amenities.

6. Within one month of the date of this permission a traffic routing plan shall be submitted to and approved by the Waste Planning Authority in consultation with the Highway Authority to ensure that all HGV traffic accessing and egressing the site does so from the north via the A354. The agreed details shall be implemented for the duration of the operations.

Reason: In the interests of highway safety.

### **Composting Limits**

7. The annual throughput of the composting material for the site shall not exceed 25,000 tonnes and records shall be made available to the Waste Planning Authority upon request to enable the tonnage to be monitored.

Reason: In the interests of local amenity and the reasons for designation of the Cranbourne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

### **Materials**

8. No stockpiles of green waste or processed material shall exceed five metres in height (from base to apex) on the main site and no higher than four metres on the extension area the subject of this permission.

Reason: In the interests of local amenities.

9. The external materials of the portacabin shall be dark grey/green in colour and shall be maintained appropriately for the duration of the permission.

Reason: To secure a satisfactory development.

### **Landscaping**

10. The landscaping approved under planning permission no. 13/10234 for the northern and southern boundaries of the access tracks shall be implemented and maintained as approved. Any trees or shrubs which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The scheme shall be implemented as approved.

Reason: In the interests of visual amenity.

11. Within one month of the date of this permission a scheme of hedgerow and/or woodland landscaping for the site using native hedgerow species to screen the site when viewed from the Public Right of Way to the south and

south east shall be submitted to the Waste Planning Authority for approval in writing and thereafter implemented in accordance with that permission and maintained for the duration of the permission. Any trees or shrubs which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The scheme shall be implemented as approved.

Reason: This landscaping will add to the biodiversity and character of the area and therefore is not dependent on whether the development continues under a new permission after this temporary permission has expired or not. It is in the interests of the character of the AONB.

12. Within one month of the date of this permission a scheme of environmental management for the site shall be submitted to the Waste Planning Authority for approval in writing and thereafter implemented as approved for the duration of the development. The scheme shall include monitoring to mitigate, manage and monitor the noise and odour emanating from the site and include monitoring points. A monitoring report shall be submitted to the Waste Planning Authority after each 12 month period hereby permitted. Data shall also be made available to the Waste Planning Authority upon request when necessary, for example if a complaint is received and needs to be investigated by the Waste Planning Authority and associated agencies.

Reason: In the interest of local amenities and to assess whether the development can be accommodated without undermining the objectives of the Cranbourne Chase and West Wiltshire Downs AONB designation.

*Annexe to Reasons for Conditions  
(as required by Article 31 of the Town and Country Planning  
(Development Management Procedure) (England) Order  
2010)*

**HAMPSHIRE MINERALS AND WASTE LOCAL PLAN (adopted 2013)  
Policy 1 – Sustainable minerals and waste development**

The Hampshire Authorities will take a positive approach to minerals and waste development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Minerals and waste development that accords with policies in this Plan will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the proposal or the relevant policies are out of date at the time of making the decision, the Hampshire Authorities will grant permission unless material considerations indicate otherwise – taking into account whether:

Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or  
Specific policies in that Framework indicate that development should be restricted.

**Policy 3 - Protection of habitats and species**

Minerals and waste development should not have a significant adverse effect on, and where possible, should enhance, restore or create designated or important habitats and species. The following sites, habitats and species will be protected in accordance with the level of their relative importance: internationally designated sites including Special Protection Areas, Special Areas of Conservation, Ramsar sites, any sites identified to counteract adverse effects on internationally designated sites, and European Protected Species; nationally designated sites including Sites of Special Scientific Interest and National Nature Reserves, nationally protected species and Ancient Woodland;

local interest sites including Sites of Importance for Nature Conservation, and Local Nature Reserves; habitats and species of principal importance in England; habitats and species identified in the UK Biodiversity Action Plan or Hampshire Authorities' Biodiversity Action Plans.

Development which is likely to have a significant adverse impact upon such sites, habitats and species will only be permitted where it is judged, in proportion to their relative importance, that the merits of the development outweigh any likely environmental damage.

Appropriate mitigation and compensation measures will be required where development would cause harm to biodiversity interests.

**Policy 4 - Protection of the Designated landscape**

Major minerals and waste development will not be permitted in the New Forest or South Downs National Parks, or in the North Wessex Downs, the Cranborne Chase and West Wiltshire Downs, and Chichester Harbour Areas of Outstanding Natural

Beauty (AONBs), except in exceptional circumstances. In this respect, consideration will be given to:

the need for the development, including in terms of any national considerations; the impact of permitting, or refusing the development upon the local economy; the cost and scope for meeting the need outside the designated area, or meeting the need in some other way; and whether any detrimental effects on the environment, landscape and / or recreational opportunities can be satisfactorily mitigated.

Minerals and waste development should reflect and where appropriate enhance the character of the surrounding landscape and natural beauty, wildlife and cultural heritage of the designated area.

Minerals and waste development should also be subject to a requirement that it is restored in the event it is no longer needed for minerals and waste uses.

Small-scale waste management facilities for local needs should not be precluded from the National Parks and AONBs provided that they can be accommodated without undermining the objectives of the designation.

**Policy 10 – Protecting public health, safety and amenity.**

Minerals and waste development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts. Minerals and waste development should not: Release emissions to the atmosphere, land or water (above appropriate standards); Have an unacceptable impact on human health; Cause unacceptable noise, dust, lighting, vibration or odour; Have an unacceptable visual impact; Potentially endanger aircraft from bird strike and structures; Cause an unacceptable impact on public safety safeguarding zones; Cause an unacceptable impact on: Tip and quarry slope stability; or Differential settlement of quarry backfill and landfill; or Subsidence and migration of contaminants; Cause an unacceptable impact on coastal, surface or groundwaters; Cause an unacceptable impact on public strategic infrastructure; Cause an unacceptable cumulative impact arising from the interactions between minerals and waste developments, and between mineral, waste and other forms of development. The potential cumulative impacts of minerals and waste development and the way they relate to existing developments must be addressed to an acceptable standard.

**Policy 11 - Flood Risk and Prevention.**

Minerals and waste development in areas at risk of flooding should: not result in an increased flood risk elsewhere and, where possible, will reduce flood-risk overall; incorporate flood protection, flood resilience and resistance measures where appropriate to the character and biodiversity of the area and the specific requirements of the site;

have site drainage systems designed to take account of events which exceed the normal design standard; not increase net surface water run-off; and if appropriate, incorporate Sustainable Drainage Systems to manage surface water drainage, with whole-life management and maintenance arrangements.

**Policy 12- Managing Traffic**

Minerals and waste development should have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation such as sea, rail, inland waterways, conveyors, pipelines and the use of reverse logistics. Furthermore, highway improvements will be required to mitigate any significant adverse effects on: highway safety; pedestrian safety;

Minerals and waste development should have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation such as sea, rail, inland waterways, conveyors, pipelines and the use of reverse logistics. Furthermore, highway improvements will be required to mitigate any significant adverse effects on: highway safety; pedestrian safety; highway capacity; and environment and amenity.

**Policy 13 – High-quality design of materials and waste development**

Minerals and waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape and townscape.

The design of appropriate built facilities for minerals and waste development should be of a high-quality and contribute to achieving sustainable development.

**Policy 25 – Sustainable Waste Management**

The long-term aim is to enable net self-sufficiency in waste movements and divert 100% of waste from landfill. All waste development should:

- a. encourage waste to be managed at the highest achievable level within the waste hierarchy; and
- b. reduce the amount of residual waste currently sent to landfill; and
- c. be located near to the sources of waste, or markets for its use; and / or
- d. maximise opportunities to share infrastructure at appropriate existing mineral or waste sites.

The co-location of activities with existing operations will be supported, where appropriate, if commensurate with the operational life of the site, and where it would not result in intensification of uses that would cause unacceptable harm to the environment or communities in a local area (including access routes), or prolong any unacceptable impacts associated with the existing development.

Provision will be made for the management of non-hazardous waste arisings with an expectation of achieving by 2020 at least:

- 60% recycling; and
- 95% diversion from landfill.

**Policy 27 – Capacity for waste management development**

In order to reach the objectives of the Plan and to deal with arisings by 2030 of:

- 2.62mtpa of non-hazardous waste;
- 2.49mtpa of inert waste;
- 0.16mtpa of hazardous waste.

The following minimum amounts of additional waste infrastructure capacity are estimated to be required:

- 0.29mtpa of non-hazardous recycling capacity; and
- 0.39mtpa of non-hazardous recovery capacity; and
- 1.4mt of non-hazardous landfill void.

Proposals will be supported where they maintain and provide additional capacity for non-hazardous recycling and recovery through:

- a. the use of existing waste management sites; or
- b. extensions to suitable sites:
  - that are ancillary to the operation of the existing site and improve current operating standards, where applicable, or provide for the co-location of compatible waste activities; and

- which do not result in inappropriate permanent development of a temporary facility and proposals for ancillary plant, buildings and additional developments that do not extend the timescale for completion of the development; or
- c. extension of time to current temporary planning permissions where it would not result in inappropriate development; or
- d. new sites to provide additional capacity (see Policy 29 - Locations and sites for waste management).

**Policy 29 – Locations and sites for waste management**

1. Development to provide recycling, recovery and/ or treatment of waste will be supported on suitable sites in the following locations:
  - i. Urban areas in north-east and south Hampshire;
  - ii. Areas along the strategic road corridors; and
  - iii. Areas of major new or planned development.
2. Any site in these locations will be considered suitable and supported where it:
  - a. is part of a suitable industrial estate; or
  - b. has permission or is allocated for general industry/ storage; or
  - c. is previously-developed land or redundant agricultural and forestry buildings, their curtilages and hardstandings or is part of an active quarry or landfill operation; or
  - d. is within or adjoins sewage treatment works and the development enables the co-treatment of sewage sludge with other wastes; and
  - e. is of a scale compatible with the setting.
3. Development in other locations will be supported where it is demonstrated that:
  - a. the site has good transport connections to sources of and/or markets for the type of waste being managed; and
  - b. a special need for that location and the suitability of the site can be justified.

**Policy 30 - CDE waste development**

Where there is a beneficial outcome from the use of inert construction, demolition and excavation waste in developments, such as the restoration of mineral workings, landfill engineering, civil engineering and other infrastructure projects, the use will be supported provided that as far as reasonably practicable all materials capable of producing high quality recycled aggregates have been removed for recycling. Development to maximise the recovery of construction, demolition and excavation waste to produce at least 1mtpa of high quality recycled/secondary aggregates will be supported.