

**HAMPSHIRE COUNTY COUNCIL****Decision Report**

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	8 January 2014
<b>Title:</b>	Development ( part retrospective) of the site to provide an end of life vehicle treatment facility and metal recycling facility, comprising of new buildings, hardstanding, weighbridges, perimeter screening and fencing, an extension to the road and associated road improvements, a footpath and a new car park for staff and public use, (part retrospective), development also including landscaping, the provision of a sustainable drainage system and the demolition of a concrete batching tower at Former Lafarge Site, Hollybush Lane, near Aldershot Hampshire GU12 5QA (Application Number: 12/00912/HCC) (Site Ref: RM035)
<b>Reference:</b>	5487
<b>Report From:</b>	Head of County Planning

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## 1. Executive Summary

- 1.1 This report considers an application for a significant part- retrospective development to provide an end of life vehicle treatment facility and metal recycling facility, comprising of new buildings, hard standing, weighbridges, perimeter screening and fencing, an extension to the road and associated road improvements, a footpath and a new car park for staff and public use, (part retrospective), development also including landscaping, the provision of a sustainable drainage system and the demolition of a concrete batching tower at Former Lafarge Site, Hollybush Lane, near Aldershot Hampshire.
- 1.2 The following key issues are raised by the application:
- (a) Need for the development and compliance with locational policy.
  - (b) Landscape character and visual impacts.
  - (c) Amenity impacts to nearest residential properties, nearby businesses and users of Blackwater Valley footpath.
  - (d) Highway safety impacts.
  - (e) Location of North Camp Railway Station and proposed commuter parking.
  - (f) Nature conservation impacts - location of SINC.

(g) Flood risk.

1.3 The Environment Agency has objected to the proposal on the grounds that despite revisions to the Flood Risk Assessment (FRA) by the applicant the FRA is still inadequate. Rushmoor Borough Council and Ash Parish Council are also objecting to the development.

1.4 (A) It is recommended that the development be refused for the following reasons:

- (i) The development is contrary to the requirements of Policy 29 (2) and contrary to Policy 29 (3b) of the MWDP 2013 in that it is located within countryside and no special need has been demonstrated for the location and the suitability of the site has not been justified.
- (ii) The development is considered to be contrary to Policy 11 of the MWDP 2013 in that the Flood Risk Assessment (FRA) submitted with the planning application is inadequate. The drawings indicate that the applicant has installed an earth bund around the site. The bund restricts the flood plain of the River Blackwater and the loss of flood plain has not been compensated for within the FRA. Therefore there is an increased flood risk.
- (iii) The development is considered to be contrary to Policy 12 of the MWDP 2013 and Policy CP16 Rushmoor Local Development Framework Core Strategy in that the applicant has not demonstrated that the public could walk to and from the proposed car park and the North Camp Railway station on a safe and secure pedestrian route.
- (iv) The development is considered to be contrary to Policy 10 of the MWDP 2013 and Rushmoor Local Plan saved Policy ENV14, ENV16, and E9 and the BVS, in that the proposal would have a significant adverse impact on local amenity and quality of recreational use of the Blackwater Valley and its associated footpath.
- (v) The development is considered to be contrary to Policy 5 and 13 of the MWDP 2013, the BVS and RBCLP ENV16 in that it will have an unacceptable adverse visual impact to the distinctive character of the Blackwater Valley landscape in this countryside location.

(B) That enforcement action be authorised to require the cessation of the use of the site, the removal the retrospective development on site and for the land restored to its former condition.

## **2. Site**

### Overview

2.1 The site, as shown on the attached plan, is located to the east of North Camp between Aldershot and Farnborough and is on the east side of the A331 Blackwater Valley Road within a 22 hectare area of former mineral extraction. The site measures a total of five hectares in size. The area to the

east of Hollybush Lane was once an old mineral plant site and a concrete batching tower still remains in part.

- 2.2 The site lies near North Camp railway station, accessed off the northern end of the private Hollybush Lane, Aldershot. It is within the Blackwater Valley Green Corridor (a former Strategic Gap) and a very small portion lies within (with the rest of the site adjacent to) the Ramillies Park/North Camp Lakes Site of Importance for Nature Conservation (SINC) within the control of the applicant and used by a fishing club. It lies approximately 50 metres from the River Blackwater and adjacent to a permissive footpath. The footpath is subject of a lease between Rushmoor Borough Council and the applicant. It is approximately 800m west of a Site of Special Scientific Interest (SSSI) located within the County of Surrey. The River Blackwater divides the County of Hampshire and Surrey. The proposed site of the car park is on an historic landfill known as Ramillies Park. The site is within Flood Zones 2 and 3.
- 2.3 The total site, which extends across approximately five hectares, is divided into two parts - land to the east of the northern end of Hollybush Lane, Aldershot and land to the west. It is divided by the privately owned Hollybush Lane in the control of the applicant. This section of the lane was a single, roughly surfaced hoggan/gravel track before being altered, part kerbed and surfaced with a section of footway by the applicant which now form part of this part retrospective planning application site.
- 2.4 Rushmoor Borough Council saved local plan Environment Policies apply as the site lies within the Blackwater Valley and is within land designated as countryside.
- 2.5 The western part of the site is naturally revegetated with trees and scrub after being landfilled post mineral extraction many years ago. Approximately one hectare of the eastern part of the site forms part of the old Lafarge concrete batching plant and a limited amount of associated hard surfacing including an old concrete batching 'tower'. The dilapidated former concrete batching plant was permitted in the 1960s. Part of the site was also used temporarily as a construction site for the nearby A331 Blackwater Valley Road.
- 2.6 Adjacent to the north are lakes in control of the applicant forming part of a Site of Importance for Nature Conservation (SINC) now used as a fishing club. To the south, until the autumn of last year, were lakes and woodland (a former SINC until 2010) in the control of the applicant which have now been drained and woodland and vegetation cleared ( part unlawfully). The whole of the site is fenced in new fencing installed by the applicant, about which the Borough Council, it is understood, considered it was not expedient to take enforcement action against at the time of its construction.
- 2.7 This partly retrospective application has been submitted not only to regularise the buildings, bunds, hardstandings, racks of scrap vehicles, office, parking, retail outlet and newly surfaced and kerbed road on site but

also proposed additional development on site including further buildings and further modification of the existing retrospective development.

The Eastern Area (where the main waste facility is to be sited)

- 2.8 The eastern part of the site is approximately 200 metres to the south-east of North Camp Railway Station, accessed off the northern end of the private Hollybush Lane, and approximately 190 metres south-east of a Public House on the edge of the River Blackwater. It is served by that part of Hollybush Lane, controlled by the applicant, that leads onto the North Camp roundabout junction of the B3166/A3011 and A331.
- 2.9 A small portion of the eastern part of the site lies within (with the rest of the site adjacent to) the Ramillies Park/North Camp Lakes SINC. It lies approximately 50 metres from the River Blackwater and adjacent to a permissive footpath known as the Blackwater Valley Path. It is approximately 800 metres west of a SSSI in the County of Surrey. The River Blackwater divides the Counties of Hampshire and Surrey and accordingly the site. The site is within Flood Zones 2 and 3.
- 2.10 The nearest residential properties to the site lie approximately 196 metres to the north east, 530 metres to the south on Hollybush Lane, 135 metres to the west on the western side of the A331 and 210 metres to the east in Surrey and the Borough of Guildford.
- 2.11 The site to the east of Hollybush Lane currently comprises an unauthorised scrap vehicle storage and vehicle maintenance facility brought to the County Council's attention by Rushmoor Borough Council in 2012 and includes:
- new concrete hard standing;
  - unauthorised use of site for storage of scrap vehicles on racks and ground storage of disused cars;
  - new security fencing around full boundary perimeter;
  - recent unauthorised use of the site for dismantling of vehicle parts;
  - new car parking for retail customers and site staff;
  - unauthorised residential mobile homes x 2 for security staff and respective families;
  - unauthorised offices and mess facilities;
  - new earth bunding;
  - unauthorised car racks with disused vehicles stacked on them; and
  - over 100 disused depolluted (informed by applicant) vehicles stored on the ground.
- 2.12 The site is flat as it is within the floodplain of the River Blackwater.

The Western area (where private car park for predominantly public commuter use is proposed)

- 2.13 Comprises an area of self seeded trees and shrubs between Hollybush Lane and the A331 (at higher level).

Hollybush Lane

- 2.14 Hollybush Lane extends from North Camp Station roundabout right the way down through Aldershot Stubbs Industrial Estate toward Government Road. It is a private road (so does not form part of the public highway) and much of its length still remains a single width mud/hoggin track. The Aldershot Stubbs Industrial Estate (allocated for bad neighbour uses in the Rushmoor Core Strategy 2011) incorporates a number of waste related businesses including the applicants own End of Life Vehicle Recycling Facility (ELV) . The southern end serving the industrial estate is accessed from the south and is hard surfaced. This Industrial Estate is located approximately 600 metres to the south of the current site subject of this application.
- 2.15 The northern section of Hollybush Lane, within the control of the applicant, has been widened and tarmacked between the site access and the North Camp Station Roundabout.
- 2.16 The middle section is also in the control of the applicant south of the site access but is not regularly maintained, and comprises heavily potholed rough hoggin. This section also serves residential properties and a cattery on the middle section of the lane.

**3. Planning and Enforcement History**

- 3.1 Hampshire County Council's planning history with relation to the site is outlined below and there are no current planning permissions on the site. Hampshire County Council enforcement states it was informed of unauthorised development on this site by Rushmoor Borough Council on 24 May 2012. County Planning enforcement wrote to the applicant on the 29 May 2012 and served a Planning Contravention Notice on 1 June 2012 to which the applicant responded by e-mail on 19 June 2012. The applicant engaged a planning consultant to submit a planning application on his behalf. County Planning completed an EIA (Environmental Impact Assessment) screening opinion and concluded the development to be an EIA development and an Environmental Statement has been submitted with the application.

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Application No.	Site Reference	Location	Proposal
<a href="#">12/00912/HCC</a>	RM035	Former Lafarge Site, Hollybush Lane, Nr Aldershot Hampshire GU12 5QA	Development of the site to provide an end of life vehicle treatment facility and metal recycling facility, comprising of new buildings, hardstanding, weighbridges, perimeter screening and fencing, an extension to the road and associated road improvements, a footpath and a new car park for staff and public use, (part retrospective), development also including landscaping, the provision of a sustainable drainage system and the demolition of a concrete batching tower
<a href="#">SCR/2012/0296</a>	RM035	Hollybush Lane	Screening Opinion: Development of an authorised treatment facility and metal recycling facility

- 3.2 Importation of construction/demolition waste, its storage, processing and despatch as secondary aggregates, Lafarge Redland Aggregates Limited, North Camp, Farnborough. App no; 00/00692/CMA. Site ref RM005. Hampshire County Council refused permission for this development which was subject of an appeal that was dismissed. At the time the site was designated in the Rushmoor Local Plan as Strategic Gap.
- 3.3 Part of the site was understood to have been used as a contractor yard relating to the construction of the Blackwater Valley Road.
- 3.4 Hampshire County Council refused permission for a small waste extension site within countryside adjacent to the very southern end of Aldershot Stubbs industrial Estate known as land adjacent to Unit 1A, Hollybush Lane, Aldershot, Hampshire, GU11 2PX. Following refusal an Enforcement notice was served which was appealed. Although not related to the application site, this is considered relevant as similar issues were raised regarding industrial development in the Blackwater Valley countryside.

<a href="#">12/00513/HCC</a>	RM031	1 Hollybush Lane, Aldershot, Hampshire GU11 2PX	Storage of empty skips and containers, with screening bund
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- 3.5. The appellant appealed the notice APP/Q1770/C/13/2191563 but the inspector dismissed the appeal. In so doing the inspector referred to matters relevant to this current application as the site was very much smaller, near the Blackwater Valley Path (although not directly adjacent as separated from it by the River) and also in countryside within the Blackwater valley. The appeal site in this case was overall nearer the public highway and adjacent to an industrial estate.

*"I noted that partial views of some of the skips could be obtained from points along the footway and I have no doubt that partial views of large vehicles in the site would also be obtained over the height of the bund, particularly at times of the year when there was limited leaf cover on the intervening trees. I do not consider that the earth bund and additional landscaping proposed for the Appellant's land (in accordance with the original planning permission for the WTS) would completely screen views into the site from positions opposite the site along the footway to the south-east.....Partial views into the site I have described from the footway along the Blackwater Valley and the likely noise emanating from the use of the site both from vehicles manoeuvring within it and from the handling and placement of the empty skips would emphasise the close proximity of the proposed commercial activity to the footway and reduce the recreational enjoyment of its users. In that respect I consider that the scheme would exacerbate some of the concerns raised by interested parties at the Hearing and would conflict with aims of the Blackwater Valley Countryside Partnership expressed in the BVS6 (to which I can attach limited weight) to improve landscape screening of the ASIE ( Aldershot Stubbs Industrial Estate ) as it is indicated in that document as being "visibly and audibly intrusive" to users of the Valley.*

*The above factors lead me to the conclusion on the first issue that the appeal scheme has a materially harmful effect on the character and appearance of the locality in conflict with CS policy CP14, HMWCS policies DC3 and DC13 and the aims of the BVS.....I found above that the considerations regarding the sustainability of aspects of the appeal scheme raised by the Appellant weigh in its favour and as such it gains support from national planning policy considerations in the Framework. However those factors are outweighed by the harm to the character and appearance of the locality that would result from the proposed scheme in conflict with CS policy CP14, HMWCS policies DC3 and DC13 and the aims of the BVS. My overall conclusion is that there are compelling grounds that the appeal should be dismissed. For the reasons given above and having regard to all other matters raised I conclude that the appeal on ground (a) should not succeed.*

### **Rushmoor Borough Council Planning and Enforcement History**

- 3.6 Planning permission was first granted in outline form in December 1963 for the installation of plant for the production of ready-mixed concrete, FAU1050/2 refers. This was followed in March 1969 by a planning

permission for the installation of plant for the production of ready-mixed concrete, FAU 4513 refers. Much more recently there was some correspondence between Lafarge, Rushmoor Borough Council and Hampshire County Council in 2010 concerning the possibility of installing a new concrete batching plant on the site. At that time it appeared that the original concrete batching plant had largely been removed from the site and it was suggested that the use had been abandoned. Lafarge did not pursue its proposals.

- 3.7 Rushmoor Borough Council Enforcement officer states the gravel pit lakes within the control of the applicant have been used for many years by local fishing clubs. There is no planning permission for this, but it would have acquired lawfulness many years ago and, indeed, would not be an unacceptable use of the land in any event. Parking has been available for Fishing Club use on land near the former Lafarge Compound for many years also, although this has been extended and formalised alongside the recent extensive works to the former Lafarge Compound.
- 3.8 Rushmoor Borough Council states it served a Planning Contravention Notice on the applicant, Mr Boulden, in July 2012 in parallel (and to an extent overlapping) with a Planning Contravention Notice(PCN) served by Hampshire County Council. The Rushmoor Borough Council PCN identified the following breaches of planning control relating to the whole area of land understood to be owned by Mr Boulden:
- erection of metal palisade fencing (including gates) in excess of 2 metres in height to enclose land;
  - construction of kerbs, tarmac surfacing to road and car parking areas;
  - installation of drainage to section of road;
  - construction of an access road to fishing lakes by-passing former Lafarge compound and a further vehicle track around the northern fishing lake;
  - installation of portable toilet cubicles;
  - construction of some additional bunds to enclose land;
  - installation and occupation of residential mobile homes;
  - laying of concrete hardstandings;
  - siting of a portable buildings used as an office and staff facilities;
  - erection of a metal-clad commercial building;
  - installation of steel racking for storage of scrap motor vehicles;
  - installation of lighting columns; and
  - display of advertisement signs.
- 3.9 Mr Boulden's response to the Rushmoor Borough Council PCN did not deny that any of the above works have taken place (he could hardly do so) and are not unauthorised works in a Planning sense. Nevertheless, he has so far declined to submit retrospective planning applications. The Borough Council adds with relation to its view on enforcement "no doubt judging, correctly, that Rushmoor Borough Council does not consider that there is sufficient

material planning harm arising from these works to justify the Borough Council taking enforcement action.”

- 3.10 Since then Mr Boulden has undertaken other significant works relating to the lakes to the south of the former Lafarge Compound involving the wholesale felling of trees and removal of scrub, the draining and re-modelling of the lakes, creation of further access tracks and hardened surfaces around the lakes, modifications and additions to bunds. This is all related to Mr Boulden’s plans to improve, re-stock and allow the re-commencement of the recreational fishing use of these lakes in addition to the northern one. Rushmoor Borough Council has not served a PCN or any other form of notice in respect of these more recent works. Mr Boulden has, nevertheless, been advised that these works also required planning permission and retrospective planning applications have been invited – with no response. Nevertheless, the Borough Council’s view continues to be that, to date, none of the unauthorised development that has been undertaken, although some is significant in scale, causes sufficient material planning harm for it to be expedient to pursue enforcement action. No material planning harm has been identified by the Borough Council or raised by anyone else. Rushmoor Borough Council will continue to press Mr Boulden for planning applications, although it would seem unlikely that he will submit any. The County Council will, however, be aware that planning enforcement action should not be taken simply because breaches of planning control have taken place and planning applications are not submitted to regularise the situation.
- 3.11 Rushmoor Borough Council states it is aware that Mr Boulden has ambitions to provide further facilities ancillary to the fishing use of the lakes, which could possibly involve provision of some form of small-scale shop to sell bait, food, fishing tackle, permits etc., possibly within a ‘facilities’ building providing toilets for anglers. However it is not aware this has been done yet. Mr Boulden has been advised that provision of such a facility would need planning permission.
- 3.12 The Borough Council states it understands that Mr Boulden’s’ fishing lake refurbishment programme ”has now moved onto the lakes on the Surrey County Council side of the Blackwater River. This is land within Guildford Borough Council’s area. It is understood that trees have been felled recently in Surrey and bunds constructed.”.

### **Forestry Commission**

- 3.13 The Forestry Commission has served a re-stocking notice on the applicant following the unauthorised removal of trees on the applicant’s land to the south including oaks of over a certain diameter. The notice requires that 700 trees be planted in lieu of part of this but these 700 would only be planted on a portion of the land directly to the south of the application site and not along the eastern boundary next to the footpath.

#### 4. The Proposal

- 4.1 The application is a significant part retrospective proposed development of the eastern part of the site to provide an end of life vehicle treatment facility and metal recycling facility, comprising of new buildings, hardstandings, weighbridges, perimeter screening and fencing, an extension to the road and associated road improvements. For the western part of the site the applicant is proposing a new private car park for the public with some staff use. The development also includes landscaping, the provision of a sustainable drainage system and the demolition of a concrete batching tower. The retrospective element of the application is to regularise the buildings, bunds, hardstandings, racks of scrap vehicles, office, parking and retail outlet and newly surfaced and kerbed road on site. However the proposal also includes further modification and development to what currently exists on the site.
- 4.2 The applicant states the proposed development will provide a new purpose-built facility which will complement the existing operations within the company. It is stated it has been designed to provide three key operational areas to receive and treat ferrous metal, non ferrous metal and End of Life Vehicles. This design allows the maximum recovery of individual components which can be recycled. The site has also been designed with a view of separating members of the public from operational areas. It is proposed to provide two new buildings in which to house the various components, and associated facilities such as, office accommodation and toilets/mess facilities. It is proposed to provide a training room, which can also be used for local educational visits. There will be a new car park and access road. Additional hardstanding will be constructed in association with the drainage plan for the site.
- 4.3 The applicant states the site, which extends across five hectares, is considered to be previously developed land. The applicant acquired the site from Lafarge. Lafarge previously used the site for concrete batching. At the time of acquisition, the site comprised of concrete hardstanding, bunds and a 15m high concrete batching tower. The applicant states the site is currently being used for storing cars that are waiting for insurance firms to assess claims and also for storing cars for parts for resale. Cars are being stored in single or double racks, up to 4 cars in height. There are temporary site offices and a car park, a temporary workshop and two temporary mobile homes for security personnel. It is proposed to construct a purpose-built waste management facility measuring 106m x 25m in which to house the End of Life Vehicle operation. The building would be 12m to the eaves, with a maximum height of 12.8m, and would be clear span. The building has been designed to incorporate sustainable features and to ensure that it can remain flexible and adaptable to future changes in legislation. The building height has been based on the minimum requirements to accommodate the recycling plant and machinery. The main building will also provide office accommodation, training room facilities, mess room and a security room. The training room will be able to accommodate educational visits, which will be used to promote recycling.

- 4.4 The applicant states that, in terms of the building height, this needs to be considered in the context of the existing concrete batching tower which is 15m high. The applicant states orientation of the building has been designed with careful consideration of all factors and it is therefore not an easy task to re-orientate, as this has implications for the operational layout, drainage and noise. The applicant considers that the current building orientation is the most appropriate as it minimises the surface area of the eastern face, which is closest to the footpath; the door openings are towards the north and south away from residential properties (which has been addressed in the noise assessment), and the roof pitch is towards the south for maximum exposure to sunlight (for solar panel performance). All these have been given great consideration in the balance of designing a facility which has the least impact overall. With regards to views of the site when driving along the A331, the applicant states there will remain a substantial tree belt of about 35m wide, between the A331 and the proposed car park. The removal of trees to create the car park will not result in views being exposed to the A331. The construction of the car park will not result in the removal of all trees and a substantial tree belt will remain, thus preventing opening the whole site to view from the A331.
- 4.5 The site will be open to members of the public and has been designed to separate the public from the operational areas. Signage will be provided to direct users to the appropriate section of the site and will provide safety instructions. There will be no public access to the operational parts of the site where machinery is being operated. The applicant states that when the site was acquired by the applicant, the concrete hardstanding, perimeter bunds and concrete batching tower remained on site. The proposed operational area will be surrounded by a perimeter bund, approximately 3m in height. The applicant adds that the bund has recently been re-profiled using on-site material. The entire operational area will comprise of concrete hardstanding, the majority of which remains from Lafarge's use of the site. The hardstanding has been repaired in places and will be extended to incorporate the proposed site drainage arrangements. The applicant states that beyond the bund is a 2.4m high steel palisade fence. The new car park will be constructed on land that the applicant states was used as a storage area during the construction of the A331 and comprises of Made Ground. This currently contains scrub vegetation and trees.

#### Summary of Proposed development on land to the east of Hollybush Lane

- 4.6 Key aspects of the proposal include:
- (a) importation, baling, storage and transfer of 15,000 tonnes per year of ferrous metals (delivered by public, business, other waste management companies and local authorities);
  - (b) importation/throughput of non ferrous metal and Waste Electrical and Electronic Equipment (WEEE) of 5,000 tonnes;
  - (c) importation/storage and processing of End of Life Vehicles (ELVs) – 10,000 tonnes annual throughput;

- (d) construction of new building for depollution of ELVs and associated offices 25 metres wide x 106 metres long x 12 metres high;
- (e) construction of non ferrous metal storage and WEEE reception building – 29 metres x 7 metres;
- (f) plant to include 360 mobile crane and grab and two shear balers;
- (g) four weighbridges;
- (h) offices;
- (i) vehicle storage racks and security fencing; and
- (j) earth bunding on all sides of the site.
- (k) Hours of working- Members of the Public: 07.30 – 17.30 Monday to Friday 07.30 – 13.00 Saturday. Delivery of waste: 24 hour operation 364 days per year. Processing of waste: 07.00 – 22.00 364 days per year.

#### Summary of Proposed development on Land to the west of Hollybush Lane

- 4.7 Key aspects of the proposal include creation of private car park for mainly public use and some staff use - approximately 104 cars, associated access to public highway and Hollybush Lane, access road and roundabout (shown on plans) to serve car park. The applicant has constructed a surfaced footpath on the eastern side of Hollybush Lane part way between the site access and the T- junction to the north near the North Camp Station roundabout.
- 4.8 The applicant states design features of the proposed development include the following environmental performance qualities:
- clerestory windows to allow natural light to enter the building;
  - use of energy efficient light fittings for all offices and external areas;
  - implementation of a travel plan (car sharing, provision of bicycle facilities, for example);
  - provision of a HGV route through the site to ensure efficient flow of traffic and thus avoid queuing and unnecessary manoeuvring;
  - use of baling machines for more efficient transport of material;
  - collection of roof water for reuse purposes (water harvesting);
  - grey water recycling for offices and mess facilities;
  - use of secondary aggregates in building foundations and new areas of hardstanding. These materials will be derived from local waste operators to reduce travel distances;
  - use of secondary aggregates will prevent use of primary aggregates;
  - full insulation of offices;
  - development of a site waste management plan for the construction phase which will reduce unnecessary waste by accurate ordering of materials and reuse of any surplus materials;
  - provision of solar panels on the main building roof;
  - provision of sustainable surface water drainage system;
  - provision of a “green” car park. In addition, the development will provide:
    - Bird and bat boxes in the surrounding area for ecological enhancement;
    - Landscaping.

4.9 In summary the following materials will be separated and stored for recycling purposes:

- Ferrous Metal;
- Steel;
- Iron;
- Non Ferrous Metal (for example);
- Aluminium;
- Copper;
- Lead;
- Zinc;
- Rubber;
- Textiles;
- Glass;
- Tyres;
- Plastics;
- Batteries;
- Fluids (petrol, oils, screen wash etc.); and
- Wood.

4.10 Aldershot Car Spares Limited is a family-owned business that has been operating for about 20 years. The company is part of the UCS Group which includes Car and Metal Recyclers, Part Worn Tyre Warehouse and Repairable Vehicles. The company employs approximately 38 staff. The current main operational base is located at the southern end of Hollybush Lane. It is anticipated that the new development will require a further 10 people within the company. The proposed breakdown of staff is anticipated to be 35 at the application site and 13 at the existing site at the southern end of Hollybush Lane. The applicant states the company is a significant employer in the local area, employing up to 38 people, which contributes to the local economy. The proposed development will secure the existing employment, as well as provide long term job opportunities. The delivery of the development will require up to 50 personnel. It will also provide an outlet for businesses and residents to sell metal and End of Life Vehicles. Many small businesses generate metal wastes, for example, local building contractors, electricians and plumbers. These are considered to be small suppliers of metal, but will be able to recover some value of the metal they accumulate during their line of business. The application site will therefore in turn support these local businesses.

#### EIA Development

4.11 The proposal is an EIA Development under the Environmental Impact Assessment Regulations 2011 and an environmental statement has been submitted. The EIA concludes that, subject to proposed mitigation, the development is unlikely to have significant adverse environmental effects. The following topic areas were considered within the Environmental Statement:

- Traffic and transport;

- Landscape and Visual Amenity;
- Noise;
- Soil and Water;
- Air Quality;
- Ecology;
- Inter-relationships between Impacts;
- Socio-economics; and
- Climatic factors.

4.12 A Design and Access Statement and a Flood Risk Assessment (FRA) were submitted with the application. The FRA (October 2012) concluded:

“In summary several aspects have been examined as part of this report. These are:

1. Site levels in relation to anticipated flood events.
2. Provision of a safe egress route up to and including the 1:100 year storm event including for climate change.
3. Provision of compensatory storage for works which are currently proposed.
4. More hazardous processes to the environment are kept sealed and tankered away without ever passing through the water course or other control devices.
5. Pollution control is maintained by use of automated hydraulic facilities.
6. Initial pre-treatment of all water occurs through two separate processes. The first is a class one bypass separator. All surface water collected from the hardstandings will pass through this. Secondly in terms of the discharge outside the bunded area, all water from the site will pass through a pre-treatment vegetated swale. This will accommodate flows from the site up to and including 5mm even once this has passed through the separator as a separate control device.
7. Additional storage is provided as part of a balancing pond at the eastern end of the site adjacent the river for any future discharge from the site.

The assessment has shown that the proposed development is sustainable in terms of the flood risk and that the development is appropriate in this location. The proposed scheme is in compliance with the current planning framework as well as the requirements of IH124, Environment Agency guidance “Preliminary Rainfall Runoff Management for Developments” and the CIRIA SUDS manual. Further detailed design will be undertaken and provided once the approvals in principle are in place.

## 5. Development Plan

### 5.1 Hampshire Mineral and Waste Plan 2013

- Policy 1: Sustainable minerals and waste development;
- Policy 2: Climate change - mitigation and adaptation;
- Policy 3: Protection of habitats and species;
- Policy 5: Protection of the countryside;
- Policy 10: Protecting public health, safety and amenity;
- Policy 11: Flood risk and prevention;
- 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; and
- Policy 33 Hazardous and Low level Radioactive Waste Development.

### 5.2 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. For **decision-taking** this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.

### 5.3 **Rushmoor Borough Council Local Plan** saved policies ENV14, ENV16, and E9.

### 5.4 **Rushmoor Borough Council Core Strategy** Policies SS1, CP14, and CP16.

### 5.5 **Blackwater Valley Countryside Strategy 2011-15 (BVS)** – non statutory.

## 6. Consultations

- 6.1. **Councillor Choudhary** has been informed of the proposal.
- 6.2. **Councillor Wall**, adjacent member, has been informed of the proposal.
- 6.3. **Rushmoor Borough Council** has raised objection to the application on the grounds that:
  - (i) The proposed continued and expanded developed commercial use of the land is an unacceptable and unjustified intrusion and expansion of commercial land use into the countryside to the detriment of the quiet open visual character and landscape of the area contrary to Rushmoor Core Strategy Policies SS1 and CP14 and saved Local Plan Policies ENV14, ENV16 and E9.
  - (ii) It has not been satisfactorily demonstrated that the proposed development would have an acceptable impact in terms of:-
    - undue noise impacting upon the amenities of nearby residential properties; and
    - the safe use and function of the North Camp Roundabout and North Camp station road junction as a result of traffic associated with the development.

It has also requested the County Council to undertake a formal Members' Site Visit prior to the consideration and determination of the application and encourages the County Council to take enforcement action against the unauthorised development that has already taken place at the site.

- 6.4. **Environmental Health Rushmoor** - The submitted noise report specifies a noise criteria which Rushmoor Borough Council does not agree with. It presents an argument that a Rating Noise Level, emitted from the proposed activities of the application site and assessed under BS 4142, should not be more than 5dB above the existing background noise level as measured at nearby residential premises. It is Rushmoor Borough Council's position that the Rating Noise Level should be at least 5dB below the existing background noise level.

"The existing noise climate has been assessed in the vicinity of residential property most likely to be affected by the proposal. This was undertaken on 18 September 2013 (a Wednesday) during the hours of 10.30 and 16.30. The Consultants have taken the typical daytime background noise level measured during this period as the basis of their assessment (52 dB LA90,1hr). Considering that the processing of waste at the site is to be undertaken between 07.00 and 22.00 hours one could reasonably assume that the background noise levels early in the morning and late evening will be lower than this daytime level monitored. It would also be more appropriate to assess noise against the lowest measured background noise level, rather than the typical or average, in order to provide a greater level of protection to residential amenity. It would also be reasonable to assume that weekend, background noise levels will be lower than that measured during

the week. This will also be the time when residents are more likely to be spending time in their gardens. The impact on garden amenity has not been assessed within this Report.

Distances from the site to the nearest receptors in Rushmoor appear incorrect. In the Report the distance from the notional centre of the proposed yard and residential dwellings on Gort Close is given as 240m. In reality the distance between the nearest residential façade and the 'centre' of the application site is closer to 200m. We would want to see details of the sound power information for each item of plant and activity measured, along with the corresponding sound power levels derived from them. The sound power levels have been converted to equivalent hourly levels, which is the reference period for a daytime assessment under BS 4142. However this has the effect of averaging the emitted noise energy over this one hour period, ironing out any peaks. We would need to see details of all the plant and activity actually measured and used within the assessment, to include sound pressure levels and LAmax data, the duration of each event and the number of occurrences in any one-hour period and other the course of a day. This will help to ascertain whether a BS 4142 assessment is actually the most appropriate standard to apply in this instance or whether additional standards or methodologies are required to assess the true impact on residential amenity. The nature of the likely noise that will emanate from the site (metal dropped from height, metal scraped across metal and concrete etc. vehicle reversing beepers) is likely to be one that people will find annoying. Any assessment should use the total worst case predicted noise which will arise from all plant and activities operating concurrently as would be possible on a busy day. There has also been no assessment of noise breakout from the proposed 12m high building on site, nor a proper explanation of what plant will be operational inside the building and how vehicles will be brought into it. Any noise report should use a worst case predicted internal noise level and the composite sound reduction index for the building envelope to show that the building envelope design and materials is sufficient to prevent any disturbing noise reaching nearby sensitive premises.

**Environmental Health required more information following its initial response above and as a result states the following:**

The applicants are proposing a 4m high barrier to address some of our initial concerns regarding the potential for possible noise impact on residents on Gort Close. No exact detail on the design of this barrier, but considering the 3m high earth mound already in place, its reasonably safe to assume that this will be built up by another metre rather than using acoustic fencing.

The Supplementary Noise Assessment has expanded on the previous BS 4142 assessment and concludes that site noise, inclusive of a +5dB correction for character which I agree with, would be up to 2dB above the background noise level. This is with the 4m barrier in place and assumes that the processing activities do not occur before 07.30 or after 17.30. BS

4142 considers this level of noise to be of marginal significance. The Report refers to noise criteria laid out in the Planning Policy Framework Technical Guidance but as this only relates to mineral extraction it is not really applicable in this case.

The Supplementary Noise Assessment in section 5 supplies sound power information as requested and is very useful. However in order to determine the nature of noise and the likely impact this may have on residential amenity we also requested the L<sub>Amax</sub> data for each noise event activity and the likely duration and frequency of each event in any given period. Under BS 4142, daytime assessments are made over a one hour reference period. The sound power levels values presented in Section 5 of the report are therefore the average total sound energy over a one hour period. Any fluctuations in the noise energy over that time period is ironed out. In reality, noise from activities on site will not be steady and continuous as the one hour L<sub>Aeq</sub> metric describes, but will be characterised by intermittent crash, bang wallop noises as metal is dropped from height, scraped across metal and concrete, and crushed in the baler. The noise is also likely to be tonal in nature, with high frequency screeching as metal rubs against metal. So although the 1 hour L<sub>Aeq</sub> noise rating level under BS4142 may result in the noise being deemed as being of marginal significance when compared against the existing background noise environment, in reality, there could be numerous events, of very short duration, that will be very noticeable and which many people could find annoying.

As I commented on in my original response, I am not convinced that a BS 4142 assessment is an appropriate methodology to use and I question its reliability in predicting the likelihood of complaints in this instance. However, I can think of no proper alternative that accounts for peak or impulsive noise sources during the daytime period.

Road traffic noise from the A331 will be continuous throughout the day and more or less at a steady level, and will mask much of the activity noise from the site. However, some of the characteristic impact and screeching noises that we can expect from the yard is likely to be audible to residents on Gort Close, above the noise of the road traffic, although how audible is unclear as we do not have L<sub>Amax</sub> data for such events. If HCC are minded to grant permission then it is recommended that certain conditions be placed to limit possible disturbance to amenity. I would also expect any environmental permit under which the activity operates to include a condition stipulating a requirement to use Best Practicable Means to reduce noise during processing activities.

**Recommended Conditions:**

Processing of waste to only be undertaken between the hours of 07.30 and 18.00hrs Monday to Friday, 07.30 to 13.00hrs on Saturdays and at no time on Sundays and Bank Holidays.

No works or activity shall start on site until a scheme specifying the provisions to be made for the control of noise emanating from the ELV building has been submitted to and approved in writing by the Local Planning Authority. The scheme should ensure that the building envelope will achieve a composite sound reduction index,  $R_w$ , in line with the recommendations set out within the Sharps Redmore Acoustic Report, Project No:1212925 and dated 18<sup>th</sup> March 2013. The approved scheme shall be implemented in full before commencement of use/occupation of the site and thereafter retained.

Details shall be submitted for the approval of the Local Planning Authority for an approved noise barrier along the western perimeter of the site at a height of at least 4m above ground level. The details shall be submitted before the development is commenced, and the works completed before occupation and permanently retained thereafter.

**6.5 Ash Parish Council objects** to the application and states:

- it would like working hours to be restricted to between 7:00am and 8:00pm;
- the noise assessment has been carried out during working hours with no readings taken during evenings or weekends;
- concern over access onto roundabout at the Lynchford Road/ Stratford Road junction;
- concern over possible contamination of the River Blackwater; and
- requests no working allowed on Sundays, Bank Holidays and Saturday afternoons.

**6.6 Environment Agency** - In the absence of an acceptable Flood Risk Assessment (FRA) objects to the grant of planning permission and recommends refusal for the following reason:

The FRA submitted with the planning application is inadequate. The drawings indicate that the applicant has installed an earth bund around the site. The bund restricts the flood plain of the River Blackwater and the loss of flood plain has not been compensated for within the FRA.

**6.7 Thames Water - Surface Water Drainage** - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

Water Comment - With regard to water supply, this comes within the area covered by the South East Water Company.

6.8 **Natural England-** has been informed of the proposal.

6.9 **Blackwater Valley Countryside Partnership** – objects to this application, as it is contrary to Blackwater Valley aims to improve the landscape and wildlife value of the valley and promote its use for outdoor recreation. These aims are included in the Rushmoor Local Plan. Tree clearance has made the scrap yard very visible and the bund constructions are of insufficient height to prevent views of building and stored vehicles.

The extensive tree clearance and earthmoving to remodel the lakes south of the scrap yard has seriously damaged their landscape and ecological value and destroyed the role the trees played in screening the scrapyards. The shallow marshy areas at the north end of these lakes was particularly valuable for plant species, the surrounding lakes had been valuable foraging areas for bats and it is highly likely some of the lakeside trees would have supported bat roosts.

However if Hampshire County Council are minded to give permission there are a number of conditions which the Partnership considers essential that will partially offset the damage that has occurred to the Valley .

1. The long distance Blackwater Valley path runs alongside the river through the site it is currently a permissive route but this has a time limited agreement with Rushmoor Borough Council. The path should be made a statutory route to secure its future in perpetuity.

The path is well used by cyclists as well as walkers, but it is suggested dedication as a bridleway which permits horse use would be appropriate. A statutory footpath with a permissive agreement for cycle use, that is not time limited, would be the better option.

2. A management plan of the lakes be agreed (together with a mechanism to ensure it is implemented) that lays out how they will be managed to restore the ecological and wildlife value of the site. There is no issue with the lakes being used for angling although the partnership does not consider this necessary. The plan should detail how the lakes will be restored and managed, it should include tree and shrub restocking, restoration of shallow and marginal vegetation areas and screening to the scrapyards.

6.10 **Highway Authority** – has commented as follows

#### Traffic Impact

The application is supported by a Transport Assessment (TA) which provides information on the traffic generation of the proposal. The application site was previously used for a concrete batching plant generating a number of HGV movements. The TA has provided indicative trip generation numbers for this type of use based on similar sites. This seems a reasonable

approach to establishing previous movements. The TA reports that trips to the northern application site is currently generating a total of 246 movements per day with 13 and 26 being in the AM and PM peaks respectively. At present it is indicated that operations are still in the process of transferring from the southern site to the application site. Upon completion, the application site is estimated to generate approximately 465 movements per day representing 75% of overall operational traffic. Applying the peak generation pro rata indicates a future trip generation of 23 and 51 movements in the AM and PM peak movements respectively.

There is an assumption within the Transport Assessment that the traffic impact is effectively neutral with new trips being limited to 10 additional staff. Whilst the application site is associated with the southern site in terms of operations which may predominantly relocate, the application seeks permission for an additional site use in the form of a recycling facility. In planning terms, it should be acknowledged that there is still the potential for the southern site to continue to generate traffic. In light of this potential for additional generation of traffic onto the A331/B3166/A3011 roundabout junction, traffic modelling of the A3011 roundabout capacity was requested and has been provided by the applicant. This modelling takes into account recorded traffic counts of existing flows and has included potential commuter traffic made up of vehicles using the proposed car-park. As the application is 'in-part' retrospective it was assumed that all development traffic was included within the traffic counts, however investigation of the flow diagrams indicate that the flows associated with the development use were lower than estimated upon full relocation within the TA. This potentially underestimates the total development traffic upon completion of relocated operations. Notwithstanding this, a robust proportion of traffic was added in association with the car-park and as such the overall trip generation has the potential for a minimal underestimation of 30 vehicles in the PM peak. Outputs from the junction modelling indicate that this has a negligible impact on the overall output of the model and I am satisfied that the traffic impact of the application proposal is within acceptable limits.

In practice, there may be the potential benefit of traffic, particularly HGVs, accessing the A331 direct from the application site, resulting in a reduction of traffic utilising North Lane to access the southern site. However this is based on the assumption of the majority of operations being removed from the southern site which cannot be secured. It is noted that it is intended to transport goods/waste along Hollybush Lane to/from the southern site. This section of Hollybush Lane is narrow and in a generally poor state of repair, however this road is of private ownership and maintenance and as such is not publically maintained.

### Car Parking

In terms of demand for parking, regular commuters will clearly utilise any non-chargeable option and so the potential for displacement parking will depend upon the level of charging applied. It has been noted that the station

car-park is regularly full with a limited number of unused spaces during the day and that a large number of vehicles are also parked in the surrounding areas and on the access road to the development site. Parking also occurs on the grass island adjacent to the access road and the A3011 roundabout and is resulting in vehicles accessing the highway network inappropriately. The proposed car park has the potential to provide a benefit to the highway network in terms of more appropriate provision for commuter parking. The provision of the car park should be secured by a suitably worded legal agreement together with the ongoing management and access to the public for the purposes of commuter parking.

All traffic will leave the site via the northern route out of Hollybush Lane and Hollybush Lane itself does not have a public right of way. In terms of how the two sites will operate, 75% of the business will operate from the application site with 25% operating from the existing site. The proposed car park will be for the benefit of the public with the exception of 10 spaces for staff. The Construction Management Plan (CMP) states that access for all vehicles delivering construction materials to the site will be via the northern entrance of the site. The principle of this is supported, however, there is no information as to how this will be controlled or advertised. The dust management measures are acceptable and sufficient detail is provided with regards to how these measures will be implemented. The CMP is very brief and should be enhanced to provide a plan of contractors parking/ unloading facilities showing where delivery vehicles will turn.

In relation to the site layout, the applicant's consultant has submitted information to outline the likely internal routes that vehicles will take on site to access the respective land areas. It is identified that all larger vehicles accessing the main site will use the western section of road. It is not expected that any vehicles will be required to perform a 'U-turn' at the internal roundabouts. It is unclear therefore why roundabouts are therefore proposed.

Additionally, access to the proposed car park is taken as ingress from the eastern section of road, with egress to the west. It remains unclear who would utilise the remainder of this eastern section of road, or what purpose it serves. In relation to both of these internal layout matters, whilst I am satisfied that neither of these issues will cause any undue interference with the safety of the local highway network, or that they would represent an unsafe layout on site, further information on how the internal site will operate should be provided, including particularly how the respective parts of the site will be signed so as to be clear to those accessing the site. If, as Local Planning Authority, you are satisfied that this is a matter that can be secured through a suitable S106 planning obligation, then I am satisfied with that approach.

The introduction of the proposed car park will offer an opportunity to formalise the existing commuter parking that occurs on the private access road (northern section of Hollybush Lane). The proposed car park would be

promoted for local parking and would appeal to commuters seeking to use North Camp Railway Station. The additional information recently submitted identifies that save for 10 spaces, the remainder of the car park is to be publicly available. Whilst the principle of this is supported, as outlined in our earlier response, and that this will resolve existing parking difficulties locally, in order to provide an acceptable facility it is considered that a safe and continuous walking route between the site and the station is required. At present the applicant has constructed a partial footway on the eastern side of the access road, leading towards but not connecting to the public highway. There is not currently a continuous connection for walking to the public highway.

With the proposed development likely to introduce significant additional traffic on Hollybush Lane and with a large part of this being heavy traffic, the delivery of a walking connection to the highway is important. As the Car Park is likely to be used by commuters throughout the day, this route should be appropriately lit to ensure that it is appealing and safe to its users. It would appear that this is deliverable within the applicant's land and within the public highway, albeit no details have at this point been provided. I am satisfied that if you were minded to grant consent that this is a matter that could be dealt with through a suitable Section 106 Obligation.

*Recommendation*

As outlined in our previous responses, the Highway Authority raises no objection to the principle of the development proposal, subject to a Condition being placed on any consent in relation to the Construction Traffic Management Plan, and subject to a planning obligation to secure a connection north to the public highway and further details of internal site layout matters. However, should the Local Planning Authority determine to refuse the application, in order to secure this position I would request that a reason for refusal be included in relation to the lack of walking connection to the public highway so to provide a safe and continuous walking route.

- 6.11 **TAG Aviation UK Ltd** - has made no response to the consultation.
- 6.12 **Guildford Borough Council** raises no objection.
- 6.13 **Surrey County Council** has made no response to the consultation.
- 6.14 **South East Water** - has made no response to the consultation.
- 6.15 **Rights of Way Manager** - raises no objection as the existing path is a permissive path but as raised by County Planning with ROW it would welcome the opportunity to secure a statutory path such as through a Section 106 Agreement if members were minded to grant permission.
- 6.16 **Blackwater Valley Countryside Trust (BVCT)** – strongly objects to the application on the basis of that this has been built without planning permission in an area of countryside that is not approved for this use. Trees have been felled and buildings erected, when an area nearby at Hollybush Lane Industrial Estate is more appropriate to this activity. There is a visual

impact along the Blackwater Path which detracts from the beauty of the area and a possible danger of pollution of the river. The green corridor that is the Blackwater Valley is a very important green space for wildlife and recreational use and should remain so for us and future generations.

## **7. Representations**

7.1 Two letters of objection and three letters making comment have been received to the proposal. Points raised include:

- retrospective development in the countryside and within the Blackwater valley green corridor;
- adverse amenity impacts to users of Blackwater Valley path and to the area due to noise, visual impact and proposed hours of working;
- hours of working proposed processing from 0700 to 22.00 hrs. 364 days per year and includes weekends and bank holidays would cause adverse amenity and quality of life impacts to recreational users of footpath and local residents;
- loss of valuable habitat through unauthorised activity and no proper checks on potential wildlife impacts;
- will destroy the local area for years to come including polluting River Blackwater and the land;
- for many years Councils, environmental agencies and local people have toiled to improve the surrounding areas both for the environment and for people to enjoy, walks have ben created, the river cleaned up, and wildlife returning to once deprived area- this proposal is a major step backwards and should not be approved; and
- noise survey was only undertaken between 10.30 am and 4.30pm. Noise of balers not considered and fact that site already producing noise unlawfully. A noise assessment for the full hours needs to be undertaken and should not operate in late evening, Saturdays, Sundays and bank holidays as would impact on amenity and quality of life.

7.2 Residents living on Hollybush Lane between the industrial estate at Aldershot Stubbs state they are not objecting to the application but ask Members to consider the following points 'favourably' if members are minded to grant planning permission:

- i) Access to and from their home - would the development cut off their access at the North Camp Station end of Hollybush Lane?
- ii) Drainage off the lane – there is no proper drainage on Hollybush Lane and due to increased use by HGVs between the applicant's two sites conditions on the land have deteriorated further.

- iii) Significant increase in traffic cars and LGVs in connection with both businesses by staff, trade and customers.
- iv) Lane used by pedestrians on a daily basis but no footpath so increased use would be a health and safety hazard.
- v) Standard of lane would have to be improved to accommodate vehicular increase.
- vi) Traffic calming measures - if the land is made up to a suitable standard this would encourage speeding traffic so traffic calming may be necessary.

## **8. Members Site Visit**

- 8.1 Members of the Regulatory Committee visited the site on 2 September 2013. Members were shown the area to the east where retrospective development had taken place and buildings, hard standings, offices, and racks of cars were on site. It was highlighted to Members that what was on site now and what is proposed will be slightly different and Members were shown the proposed site layout. The new bunds surrounding the site were pointed out to Members as forming part of the scheme and from the top of one of the bunds some Members viewed the Blackwater Valley Path adjacent, and the River Blackwater with views south to the land owned by the applicant across which trees and all vegetation had been cleared. It was clarified on site that the existing old concrete batching plant tower was 15m high, the cars stacked at that time to seven metres above ground level and the new building would be 12 metres high. Members noted the concrete surfacing and the main singular point of vehicular access onto Hollybush Lane. From the layout plan members could see that a small roundabout was indicated and that Hollybush Lane had already been surfaced in tarmac with a kerbed footway along its eastern edge. Members were shown where the proposed car park would be and the trees that would need to be removed along with understorey vegetation to make way for it.
- 8.2 Members requested that cross sections be submitted to show views from the footpath into the site.

## **9. Commentary**

- 9.1 It is considered that the principle raised by this proposal is whether the contribution the proposed site would make towards meeting national and local objectives for ferrous and non-ferrous metal re-use and recycling is significant in itself to depart from policy, outweigh any potential harm to the integrity of the countryside, and in particular whether the development as designed would significantly exacerbate flooding in the area.
- 9.2 The following key issues are raised by the application:
- (a) Need for the development and compliance with locational policy.

- (b) Landscape character and visual impacts.
- (c) Amenity impacts to nearest residential properties, nearby businesses and users of Blackwater Valley footpath.
- (d) Highway safety Impacts.
- (e) Location of North Camp Railway Station and proposed commuter parking.
- (f) Nature conservation impacts - location of SINC.
- (g) Flood risk.

### **Need and location**

- 9.3 There is national and local policy support for the recovery and re-use of ferrous and non-ferrous metal waste. This assists in reducing reliance and reduces the amount of materials going to landfill. It is considered that the development would help in the achievement of these objectives but that no special need for the site in this locality has been demonstrated. In 2012, the Environment Agency recorded that 628,000 tonnes of metal was received at vehicle depollution sites in Hampshire. There was also 101,000 tonnes received at metal recycling sites in Hampshire. Not all this waste would have arisen in Hampshire. Sites in the locality comprise two along Hollybush Lane within the Aldershot stubs Industrial estate (the applicant's existing ELV centre and SIMS metal recycling) and Sims metals - formerly Blackbushe metals - near Yateley.
- 9.4 It is considered that this proposed site is located in countryside adjacent to the River Blackwater and is therefore contrary to Parts 1 and 2 of Policy 29. MWDP Policy 29 (3) states that Development 'in other locations' will be supported where it is demonstrated that the site has good transport connections to sources of and/or markets for the type of waste being managed and a special need to that location and the suitability of the site can be justified.
- 9.5 In terms of highway access it is considered in principle as can be seen in the Highway section below, that the site does have good access to the lorry route network notably in this case the A331. In terms of special need for this location it is considered this has not been demonstrated based on the information Hampshire County Council has before it at this time. The final part of Policy 29(3) refers to the suitability of the site – and in terms of environmental and amenity impacts it is considered there are issues relating to the suitability of the site which would mean that the proposal is considered to be a departure from policy 29 and this is evaluated below. Moreover, the recent enforcement appeal on land adjacent to Unit 1A Hollybush Lane referred to in section (3) of this report - highlights the importance the inspector gave to the green corridor and countryside within the Blackwater valley. The current proposal is for a significantly larger site including more industrial development including buildings and in an area of countryside adjacent to a SINC, at level with the banks of the River Blackwater and adjacent to the Blackwater Valley path.

## Visual Impact

- 9.6 MWDP 2013 Policy 10 and 13 and RBC policies require that the development should not have an unacceptable adverse visual impact including impact from lighting and should maintain and enhance the distinctive character of the landscape. In this case the main eastern part of the site uses long established and revegetated former landfill some of which was noted by the inspector in 2001, as being 'probably part of the operational area for the former mineral workings'. Whilst there were the odd stockpiles of material on site left from possibly the A331 construction operations/and/or the odd random stockpile left from mineral related working, there were no bunds around the site as exist now. The applicant has, without planning permission, constructed significant bunds around the entirety of the site to try and screen the retrospective site development from passers by, most particularly the users of the adjacent Blackwater Valley Path along the edge of the Blackwater River.
- 9.7 The bunds are steep in gradient. They do help screen the existing racks of cars and buildings from the path, although the applicant has felled all the trees, and removed all the vegetation on the land and lake he owns adjacent to the south (the former SINC) which has had the effect of opening the site up to views from the south and south east along the footpath. Therefore the proposed bunds do not screen all the site and in this case, the steepness of the bunds is not satisfactory from a landscape character perspective and are considered alien to and detract from the character of the Blackwater valley landscape in the flood plain.
- 9.8 Members will have noted on the site visit in September this year that there was another recently constructed bund erected to the south of the application red line boundary, which is also unauthorised. From other aspects glimpses can be seen of cars and buildings through the trees from the A3011 where it crosses the A331 and from the Blackwater Valley road where these views are limited – due to the current tree screen remaining. Members need to be aware that the existing tree screen between the A3011 and the A330 to the east and north east will be reduced as part of the proposal because of the construction of a new road layout and the proposed car park. However, it is not considered that there would be a significant impact regarding views from the A331. Nevertheless it is considered there would be a significant visual impact from views taken from the Blackwater Valley path to the south and south west especially.
- 9.9 In a previous June 2002 appeal decision (dismissed) to application no. 00/00692/CMA, (a secondary aggregate recycling facility) the planning inspector, when looking at the issue of visual impact to this much smaller proposal both in terms of area and type, concluded that if it were upheld heights of stockpiles would have to be controlled to mitigate against adverse visual impacts. The strength of existing screening from planting - at that time

- was greater as it included more tree screening around the SINC to the north, recently thinned as part of site management it is understood, and it also included at that time the SINC to the south which even at the time of submission of the application had dense woodland screen separating the footpath from the site.

- 9.10 This appeal decision was a much reduced in scale development to what is before members now but it is clear that if members were minded to grant permission conditions would be needed to control visual impacts relating to heights of the cars on vehicle storage racks just as the inspector with the one hectare aggregate recycling considered stockpiles would need to be controlled. The more recent appeal decision in 2012 gives even more weight in line with current NPPF and associated policy to the need to protect countryside in such locations along the edge of the River Blackwater.
- 9.11 Members expressed concern at the site visit about the ridge height of the proposed building which at 12 metres is just approximately 3m lower than the 15m high existing concrete tower but 5 metres higher than cars on the stacking racks.
- 9.12 Members need to be aware that the Forestry Commission has served a restocking notice on the applicant for the unauthorised removal of trees on the applicant's land to the south, including oaks of over a certain diameter. The notice requires that 700 trees be planted in lieu of this but these 700 would only be planted on a portion of the land directly to the south of the application site and not along the eastern boundary of the said land next to the footpath.
- 9.13 To conclude on this issue it is considered the development would currently have a significant adverse visual impact to the landscape character of the area within the Blackwater Valley green Corridor and to the amenity of users to the Blackwater Valley footpath when viewed from the south. It is acknowledged that this impact could be reduced over time if the land in the control of the applicant to the south was secured for woodland planting and long term management for nature conservation, however as this is outside the site it would need to be secured by a legal agreement. The agreement requiring that the whole of the land area on the land in the applicants control to the south of the site be planted with woodland not just to enable a permanent screen to be established over time but to ensure the land would remain as woodland for a period of at least 30 years There would, however, still be a significant visual impact from the footpath whilst this planting matures for a long period.
- 9.14 Consequently the visual and amenity impacts would be significant detracting from the character of the Blackwater Valley area and therefore proposal does not comply with policy 10 and 13 of the MWDP 2013.

## Amenity Impacts

9.15 The nearest residential properties lie to the west of the A331 and within Surrey to the east of the site. The nearest business to the site is the public house just on the other side of the River Blackwater opposite the site which includes the pub garden on the edge of the River next to north camp railway station. It is noted that no objections have been received from the proprietor of the public house. The EIA noise assessment carried out for the appellants indicates that the proposed operations of recycling and recovery could be carried out within BS4142 standards and at or below existing background levels subject to mitigation although it is noted the Environmental Health officer disagrees with aspects of this report. The Parish Council, Borough Council and some local residents have also objected to the application on amenity grounds. It is considered that, because of the openness of the site to the south especially, and the height and location of the racks of vehicles compared to the height of the southern bund also (whereby cars will be regularly placed and removed from the top racks) that the development has the potential to have a significant environmental impact on the amenity of adjacent users of the Blackwater valley path).

## Traffic Impact

9.16 The site is well placed for access off the highway network, with direct access from Hollybush Lane onto the A3011 and thence via the A331 onto the M3 to the north or the A31 to the south. The Highway Authority considers that the projected number of lorry movements can be accommodated safely within the local network and raised no objection to the proposed development.

9.17 However there are concerns about the adequacy and safety of the route for commuters when walking between the proposed car park and the North Camp railway station. At this time the applicant has not committed to bring forward improvements to the walking connections from the site to the local highway network, particularly those leading to the North Camp Station. The proposed car park will formalise and increase walking demand to the station and in the absence of improvements to the walking connections from the site to the public highway, it is not considered that there will be a safe and suitable walking route, contrary to policy 12 of the MWDP 2013. Lighting is also considered necessary when Hollybush Lane and the car park is in darkness to protect public safety. The applicant states there is no difference between the public parking on the side of Hollybush Lane as they do now and the proposed car park. However it is considered there is a difference as this application formally proposes the operation and construction of a car park for commuters to use and therefore it is the responsibility of the County Council if such development were granted to ensure that this is safe. Whilst the Highway Authority concludes that the proposed development traffic can be accommodated on the wider highway network without a significant detrimental impact and raises no objection in principle to the proposal subject to conditions including conditions for the securing of a Construction

Management Plan, it is not satisfied about the layout of the proposed car parking and private road layout, and is not satisfied that public safety has been addressed regarding commuters walking between the proposed car park and the North Camp Railway Station. Consequently it is considered that in principle it meets the requirements of MWDP policies 12 and 10. However the Highway Authority has stated that if Members are minded to grant permission it is advised it be subject to a Section 106 Agreement to ensure that the issue of pedestrian safety for those walking to and from the station to the car park and vice versa are thoroughly addressed.

### **Nature Conservation**

9.18 The land to the south and adjoining the application to the south was a SINC until 2010 when it was de-designated. However at the time of the submission of the application it formed a thick woodland screen and was of some nature conservation value, as raised in the objection to the application by the Blackwater Valley Countryside Partnership, however this area has now been cleared. It is also accepted that anything that had regenerated over time on the actual site is also now lost. Adjacent to the north is a SINC owned by the applicant and used by a fishing club. To conclude on this issue it is considered unlikely that the current proposal would have any significant ecological impacts although noise from the site or lighting may have any adverse impact for nature conservation value of the SINC and River Blackwater. If Members were minded to grant permission it is strongly advised that a Section 106 agreement be secured with the applicant to replant with native species the land to the south with long term (30 years) woodland and nature conservation management.

### **Flood Risk**

9.19 It is noted that the Environment Agency is objecting to the application on the grounds that the Flood Risk Assessment (FRA) submitted with the planning application is inadequate. The Environment Agency adds that drawings indicate that the applicant has installed an earth bund that was built in preparation of planning permission being granted. The bund restricts the flood plain and the loss of flood plain has not been compensated for within the FRA. Therefore until this issue has been resolved it objects to the grant of planning permission. This objection means that the proposal is contrary to Policy 11 (Flood Risk and Prevention) of the MWDP 2013. This is a significant issue as it is not something that can be conditioned or covered by a legal agreement because it could well be that appropriate mitigation is not possible. Accordingly Members are advised that this objection from the Environment Agency gives grounds for a justifiable reason for refusal of the application.

## **10. Conclusion**

10.1 It is acknowledged that the proposed site would make a contribution towards meeting national and local objectives for ferrous and non-ferrous metal re-use and recycling. This principle was also acknowledged by the Inspector

when considering the small scale skip storage subject of the 2012 enforcement appeal where the inspector highlighted: *"...I found above that the considerations regarding the sustainability of aspects of the appeal scheme raised by the Appellant weigh in its favour and as such it gains support from national planning policy considerations in the Framework. However those factors are outweighed by the harm to the character and appearance of the locality that would result from the proposed scheme in conflict with CS policy CP14, HMWCS policies DC3 and DC13 and the aims of the BVS. My overall conclusion is that there are compelling grounds that the appeal should be dismissed.*

10.2 If Members were minded to grant permission it is considered that not only would conditions be required to try and mitigate against some impacts of the development and to secure safety and other improvements to the scheme, but a Section 106 agreement would be needed to try and reduce over the long term the visual impacts of the development. Such a legal agreement would need to secure use of the land to the south of the site in the applicant's control for mitigation. This would need to secure the redesign and replanting with trees and long term management for screening and nature conservation. A legal agreement would also need to secure layout safety improvements with regards the pedestrian route between the car park and the North Camp railway station as well as the use of the car park for the public as proposed. The agreement should secure the Blackwater Valley permissive path as a statutory public right of way. Nevertheless the visual and amenity impacts of siting such a significant industrial development within the Blackwater Valley green corridor, within countryside, adjacent to the Blackwater Valley footpath, means it would be many years before it could be effectively screened even if the land were secured for planting and nature conservation management. Even then there would still be permanent amenity impacts from the proposal. The existing bunds in themselves are alien in nature to the character of the countryside and there is a flood risk issue as it lies in a flood plain with the development as currently proposed.

10.3 Therefore having evaluated the impacts of the proposal and the information provided, and taking into account the amenity value of the countryside, location within the green corridor, adjacent River Blackwater and Blackwater Valley footpath; and the inadequate information relating to related potential impacts of flooding and other issues, it is considered, on balance, that the need for the development does not outweigh the potential harm to the landscape character and amenity of the area, public safety and flood risk. Consequently it is considered that this proposal is not sustainable development and it is recommended that the development be refused.

## **11. Recommendations**

11.1 That permission for Development (part retrospective) of the site to provide an end of life vehicle treatment facility and metal recycling facility, comprising of new buildings, hardstanding, weighbridges, perimeter screening and fencing, an extension to the road and associated road improvements, a footpath and a new car park for staff and public use, (part retrospective),

development also including landscaping, the provision of a sustainable drainage system and the demolition of a concrete batching tower at Former Lafarge Site, Hollybush Lane, near Aldershot Hampshire GU12 5QA (Application Number: 12/00912/HCC) (Site Ref: RM035) be refused for the following reasons:

- (i) The development is contrary to the requirements of Policy 29 (2) and contrary to Policy 29 (3b) of the MWDP 2013 in that it is located within countryside and no special need has been demonstrated for the location and the suitability of the site has not been justified.
- (ii) The development is considered to be contrary to Policy 11 of the MWDP 2013 in that the Flood Risk Assessment (FRA) submitted with the planning application is inadequate. The drawings indicate that the applicant has installed an earth bund around the site. The bund restricts the flood plain of the River Blackwater and the loss of flood plain has not been compensated for within the FRA. Therefore there is an increased flood risk.
- (iii) The development is considered to be contrary to Policy 12 of the MWDP 2013 and Policy CP16 Rushmoor Local Development Framework Core Strategy in that the applicant has not demonstrated that the public could walk to and from the proposed car park and the North Camp Railway station on a safe and secure pedestrian route.
- (iv) The development is considered to be contrary to Policy 10 of the MWDP 2013 and Rushmoor Local Plan saved Policy ENV14, ENV16, and E9 , and the BVS, in that the proposal would have a significant adverse impact on local amenity and quality of recreational use of the Blackwater Valley and its associated footpath.
- (v) The development is considered to be contrary to Policy 5 and 13 of the MWDP 2013, the BVS and RBCLP ENV16 in that it will have an unacceptable adverse visual impact to the distinctive character of the Blackwater Valley landscape in this countryside location.

11.2 That enforcement action be authorised to require the cessation of the use of the site, the removal the retrospective development on site and for the land restored to its former condition.

**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): yes	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):yes	
<b>Enhancing our quality of place:</b>	yes
Corporate Improvement plan link number (if appropriate): yes	

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

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

Document

Location

Development ( part retrospective) of the site to provide an end of life vehicle treatment facility and metal recycling facility, comprising of new buildings, hardstanding, weighbridges, perimeter screening and fencing, an extension to the road and associated road improvements, a footpath and a new car park for staff and public use, (part retrospective), development also including landscaping, the provision of a sustainable drainage system and the demolition of a concrete batching tower at Former Lafarge Site, Hollybush Lane, near Aldershot Hampshire GU12 5QA (Application Number: 12/00912/HCC) (Site Ref: RM035)

County planning  
ETE Department  
E II Court West  
The Castle  
Winchester

*Annexe to Reasons for Refusal  
(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 2 - Climate Change - mitigation and adaptation**

Minerals and waste development should minimise their impact on the causes of climate change. Where applicable, minerals and waste development should reduce vulnerability and provide resilience to impacts of climate change by: being located and designed to help reduce greenhouse gas emissions and the more sustainable use of resources; or

developing energy recovery facilities and to facilitate low carbon technologies; and avoiding areas of vulnerability to climate change and flood risk or otherwise incorporate adaptation measures

**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 5 – Protection of the countryside**

Minerals and waste development in the open countryside, outside the National Parks and Areas of Outstanding Natural Beauty, will not be permitted unless: It is a time-limited mineral extraction or related development; or The nature of the development is related to countryside activities, meets local needs or requires a countryside or isolated location;

Or the development provides a suitable reuse of previously developed land, including redundant farm or forestry buildings and their curtilages or hard standings. Where appropriate and applicable, development in the countryside will be expected to meet highest standards of design, operation and restoration.

Minerals and waste development in the open countryside should be subject to a requirement that it is restored in the event it is no longer required for minerals and waste use. Integral

**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).

Integral Appendix C

### **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 33: Hazardous and Low Level Radioactive Waste development**

Developments to provide sufficient capacity necessary to deal with hazardous and Low Level Radioactive Waste will be supported, subject to:

- a. no acceptable alternative form of waste management further up the waste hierarchy can be made available, or is being planned closer to the source of the residues; or
- b. in the case of landfill, it will be for material that is a proven unavoidable residue from a waste management activity further up the waste hierarchy and;
- c. it will contribute to the management of hazardous or radioactive waste that arises in Hampshire (accepting cross-boundary flows).

### **Rushmoor Local Plan Review (1996 - 2011)**

#### **ENV14**

Development will not be permitted if it is likely to have an adverse, direct or indirect, impact on the water environment, particularly in relation to rivers, ponds, wetlands, public access in river corridors and water related recreation, or the Basingstoke Canal. Proposals for provision of facilities to accommodate outdoor recreation will be supported subject to there being no adverse impact on the water environment.

#### **ENV16**

Development on major sites, which is in accordance with other policies of the local plan, will be permitted provided that:-

- (i) the development does not result in any demonstrable harm to amenity;
- (ii) the scale, layout, materials and design are consistent with the character and appearance of the area and the relationship with adjoining development;
- (iii) adequate consideration has been given to the design of spaces around and between buildings, with use of hard and soft landscaping;
- (iv) existing landscape features are used to advantage and, where appropriate, new landscaping is included;
- (v) existing and potential nature conservation value is considered in both design and future management;
- (vi) an accurate and detailed site survey has been undertaken and submitted to the Council, including the location of all trees, hedges and groups of shrubs affected by the proposed development;
- (vii) adequate provision is made for parking, highway and servicing arrangements without detriment to the quality of the environment;
- (viii) the site is accessible to, or provision can be made for, a range of transport modes for public transport, cyclists and pedestrians;
- (ix) the applicant has had regard to the need to conserve energy, by considering orientation and exposure to prevailing wind and incorporating design and construction features which will reduce energy demand; and
- (x) The development would not harm water quality and adequate consideration has been given to the need to conserve water resources through measures to reduce demand and increase efficiency

**E9**

New bad neighbour use developments, or the extension or intensification of existing bad neighbour uses, outside the defined bad neighbour use areas (shown on the proposals map) will not be permitted.

**Rushmoor Core Strategy October 2011**

**Policy CP14 - Countryside**

Development for which a countryside location is required will not be permitted in the countryside outside the built up areas of Aldershot and Farnborough where it:

- a. Adversely affects the character, appearance or landscape of the countryside, or
- b. Leads to harmful physical or visual coalescence between Aldershot or Farnborough and neighbouring settlements, or
- c. Is detrimental to recreational use.

The Council will provide positive encouragement to schemes which result in environmental and landscape improvements, enhance biodiversity and nature conservation, support better accessibility and promote suitable recreational uses.

**Policy CP1 - Sustainable Development Principles**

Development will be permitted subject to:

- a. Making efficient use of resources including land, buildings, water, and infrastructure, and giving priority to previously developed land;
- b. Promoting design and layouts which take account of the need to adapt to and mitigate against the effects of climate change, including the use of renewable energy;
- c. Maximising development opportunities in accessible locations;
- d. Supporting initiatives, including travel plans and improvements to public transport, to encourage non-car based travel, as well as measures that reduce the need to travel;
- e. Not causing significant harm to biodiversity, and including measures for biodiversity conservation and enhancement;
- f. No substantial harm to, or loss of significance of, heritage assets or their setting, particularly those of national significance;
- g. Including measures to address flooding and the risks from flooding, particularly close to the River Blackwater and Cove Brook;
- h. Protecting, and where opportunities arise, enhancing the quality of natural resources including water, air and soil, particularly water quality at the River Blackwater and Cove Brook, and air quality on European designated sites;
- i. Including proposals for waste minimisation including use of sustainable construction methods and space for recycling;
- j. Minimising the emission of pollutants into the wider environment.

**Policy CP16 - Reducing and Managing Travel Demand**

The Council will work with Hampshire County Council, the Highways Agency, and other partners on a cross-boundary basis where appropriate, to ensure that development proposals are permitted subject to:

- a. Securing safe access to the highway network and maintaining its safe operation;
- b. Being located to give maximum flexibility in terms of choice in the mode of transport available;
- c. Identifying suitable alternative transport measures to help minimise traffic generation by reducing reliance on the private car;
- d. Improving the existing transport network (road, rail and public transport) as appropriate to the scale and nature of development proposed;
- e. Enhancing safety of, and linkages between, the footway and cycleway network, in accordance with the Council's Cycle Strategy;
- f. Producing and implementing travel plans where appropriate. Taking appropriate measures to avoid adverse impact on air quality, including on European nature conservation sites;
- h. Mitigating any adverse effects on the transport network arising from the proposed development;
- i. Providing appropriate parking in accordance with the Council's adopted standards;
- j. Providing necessary transport improvements secured by legal agreement;
- k. Demonstrating that they reflect the objectives, and support the delivery, of other transport strategies, particularly the Hampshire Local Transport Plan and its Implementation Plan and the Town Access Plans for Aldershot and Farnborough.

#### **Policy CP11 - Green Infrastructure Network**

A diverse network of accessible, multi functional green infrastructure across the Borough will be protected and enhanced for its biodiversity, economic, recreational, accessibility, health and landscape value by permitting development provided that it:

- a. Does not result in a loss, fragmentation, or significant impact on the function of, the green infrastructure network;
- b. Provides green infrastructure features within the development site, or where this is not feasible, makes appropriate contributions towards other strategic enhancement, restoration and creation projects where the proposal will result in additional pressure on the green infrastructure network;
- c. Maximises opportunities for improvement to the green infrastructure network including restoration of fragmented parts of the network.

**Land** located outside the built up areas in Rushmoor is defined as countryside. Countryside policies apply to these areas and the Spatial Strategy (Policy SS1) strictly controls new development here. The character of areas of countryside within the Borough have been defined through a landscape assessment of Rushmoor 1994, updated in 2009. The Core Strategy sets out a proactive approach towards the areas of countryside in Rushmoor, focusing on the characteristics of these areas.

The Blackwater Valley area of countryside, which lies on the eastern boundary of the Borough, is of particular importance for informal recreation, local nature conservation and as part of the Borough's Green Infrastructure. The South East Plan recognised its sub-regional role and identified the need to improve the quality

of the Blackwater Valley's natural environment and provide green infrastructure networks. The Council works jointly with other relevant local authorities in the Blackwater Valley to enhance and maintain wildlife and landscape protection and to manage sensitive recreational use of the Valley.

Much of this work is co-ordinated through the Blackwater Valley Countryside Partnership.

The Council wishes to provide positive encouragement to environmental improvements, accessibility, recreational use, nature conservation and biodiversity. The Council also wishes to maintain and enhance the Blackwater Valley area of countryside, which is narrow, sensitive to development and vulnerable in places. It is therefore important to prevent the settlements visually merging, causing coalescence.

### **Policy CP15 - Biodiversity**

The Council will seek to protect, maintain and enhance the Borough's biodiversity and geological resources by:

Permitting development provided that it:

- a. Retains, protects and enhances features of biological and geological interest and provides for the appropriate management of those features;
- b. Improves biodiversity by designing-in provisions for wildlife and ensuring any adverse impacts are avoided, or if unavoidable, are appropriately mitigated for.

And in association with other partners, through:

- i. Protecting the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area (in accordance with Policy CP13);
- ii. Protecting, enhancing and managing the nature conservation value of Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Sites of Special Scientific Interest (SSSIs) and Sites of Importance for Nature Conservation (SINCs);
- iii. Supporting a programme of survey of habitats and species, and designation of Sites of Importance for Nature Conservation;
- iv. Seeking the inclusion of measures which protect and strengthen populations of protected and target species and contribute to the habitat restoration targets identified in the Hampshire and Rushmoor Biodiversity Action Plans;
- v. Seeking the inclusion of measures to protect and enhance local watercourses, including the River Blackwater, Cove Brook, and Basingstoke Canal and their tributaries;
- vi. Maintaining a borough wide network of local wildlife sites and wildlife corridors, between areas of natural green spaces to prevent the fragmentation of existing habitats;
- vii. Supporting measures to increase local understanding of the importance of biodiversity in the Borough.

### **Policy SS1 - The Spatial Strategy**

In order to deliver the Spatial Strategy the Council will permit development which is consistent with the following broad spatial framework for the scale and location of development: New development will be directed to the urban areas. In the

countryside surrounding Aldershot and Farnborough new development will be strictly limited to that which the Council considers requires a countryside location.

**Residential development:**

The Council will ensure that subject to the availability of deliverable avoidance and mitigation measures in respect of the Thames Basin Heaths Special Protection Area, provision is made for the delivery of at least 6,350 net new dwellings in the Borough over the period 2010 to 2027. (41) This will be provided as follows:

About 4,250 new homes at the Aldershot Urban Extension

At least 2,100 new dwellings from the remainder of the urban area through:

Existing commitments with planning permission.

Development coming forward on identified Strategic Housing Land Availability (SHLAA) sites, and small scale 'windfalls' including changes of use and conversions. Promotion of the development of specific sites for housing through subsequent Development Plan Documents.

About 750 of these will be within Aldershot (outside the Aldershot Urban Extension) and approximately 1,350 within Farnborough.

**Employment:**

Capacity exists for approximately 164,000 square metres net of new employment floorspace in the Borough up to 2027. Major employment uses will be located within town centres and the Key Employment Sites listed below. The employment function of these sites will be protected and supported:

**Aldershot Farnborough**

Blackwater trading estate Cody Technology Park

Brook trading estate Eelmoor Road Industrial Estate

Eastern Road/Ivy Road Farnborough Aerospace Park and Civil Enclave

Holder Road/Blackwater Park IQ Farnborough

41 In the event that the AUE is delayed or is not released, there is no expectation that equivalent land in the Borough will be allocated to meet the overall housing provision.

Hollybush Lane (bad neighbour uses) Frimley Business Park

Pegasus Court Hawley Lane East

Redan Road Hawley Lane West

Springlakes Invincible Road Industrial Estate

Wyndham Street Lynchford Lane

Meudon Avenue

Queensgate

Southwood Business Park

**Town Centre uses:**

Rushmoor's hierarchy of town centres, district centre and local shopping centres will be maintained and enhanced by encouraging a range of facilities and uses, consistent with the scale and function of the centre. Town centre uses will be located within Aldershot and Farnborough town centres to support their regeneration in line with Policies SP3 and SP4. Retail development will be focused in Aldershot and Farnborough town centres, within the primary shopping areas. If such sites are not suitable, available and viable, locations for major retail

development will be assessed sequentially in accordance with national policy. New retail development must protect or enhance the vitality and viability of Aldershot and Farnborough town centres. North Camp will be protected and enhanced as a district centre supporting local needs and specialist provision in line with Policy SP5. The retail and local service function of local shopping centres, as defined on the Proposals Map, will be protected to provide for local day to day needs.