

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

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	6 June 2013
<b>Title:</b>	The construction and operation of a waste transfer station to handle construction and demolition/skip waste (10,000tpa) and continued use of the site for recycling metal, paper, cardboard and plastic (15,000tpa) at Barfield Close, Bar End Industrial Estate, Winchester (Application No. 13/00793/HCS WRE006)
<b>Reference:</b>	4922
<b>Report From:</b>	Head of County Planning

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## **1. Executive Summary**

- 1.1. This application is for the construction and operation of a waste transfer station to handle construction and demolition/skip waste (10,000tpa) and continued use of the site for recycling metal, paper, cardboard and plastic (15,000tpa) at Barfield Close, Bar End Industrial Estate, Winchester.
- 1.2. The main issues connected with this application are the potential for dust and noise generation as the proposal will bring a wider range of materials into the site. The impact on the highway through an increase in lorry movements is also a key consideration.
- 1.3. It is considered that the proposal would be in accordance with the development plan (summary attached) as it would not materially harm the character of the area (DC3 - Impact on Landscape and Townscape) as it cannot be easily seen from beyond the confines of the site and sits within the context of larger industrial buildings.
- 1.4. The biodiversity of the area will not be harmed as the site will not produce pollutants or have the capacity to affect the environmentally sensitive areas (DC7 - Biodiversity).
- 1.5. The amenity of local residents (DC8 - Pollution, Health, Quality of Life and Amenity) will not be harmed as the potential generation of noise and dust will be managed within the site and kept to acceptable levels.

- 1.6. The site reuses previously developed land (DC13(b, f) - Waste Management and Recycling). The proposal would be acceptable in terms of highway safety and convenience as the generation of additional lorry journeys can be accommodated within the local road network and are restricted to suitable hours (DC6 - Highways).
- 1.7. The proposal contributes towards the aims of sustainable development (S4 - Recycling and Composting, S9 - Recycled and Secondary Aggregates and S5 - Capacity Requirements for Recycling, Composting and Recovery and Treatment).

## **2. Site and proposal**

- 2.1. The site covers approximately 0.3 hectares and is within the mixed use (industrial and residential) area of Bar End, to the south east of Winchester city centre. There is an industrial building that has had previous industrial and waste uses. The site is well screened on all boundaries.
- 2.2. The existing access is located on the eastern boundary, leading onto Barfield Close, in the form of a priority bell mouth junction. Barfield Close has a speed limit of 30 miles per hour (mph), has a carriageway width of eight metres and through traffic is restricted between 0700 and 1000 hours. Visibility splays provided by the applicant are 70 metres to the south and 105 metres to the north at a set back position of 2.4 metres. The access has manually operated gates set back from the 18 metres from the highway which is considered enough to accommodate a Heavy Goods Vehicle (HGV). Car parking for staff and visitors are catered for on site. There are currently 14 spaces available to the four full time staff and visitors, including parking for visitors to the north of the site.
- 2.3. The nearest houses are 12 metres to the west, at a lower elevation than the site and are separated from the industrial estate by a five metre high fence and mature trees. There is also a row of houses to the east on Bar End Road, approximately 35 metres from the site, whose gardens back on to the access road. These are in a row of 14 terraces.
- 2.4. Operating hours on the site are 0730-1830 for the machinery between Monday to Friday and Saturday 0730-1400, with no HGVs entering or leaving prior to 0700. The current permission for the site allows up to 15 lorry movements to and from the site per day to transport a maximum of 15,000 tonnes of material per year (tpa).
- 2.5. There is a footpath adjacent to the west of the site. There is also technically a public right of way footpath going through the site, as this is on the historical record. However, it has not been used for a long time prior to this application and should be formally diverted. Winchester Conservation Area is approximately 30 metres to the north of the site.

- 2.6. The Site of Special Scientific Interest (SSSI), known as the River Itchen is within 0.5 kilometres to the south west. This SSSI is part of the River Itchen Special Area of Conservation (SAC) which continues approximately 150 metres to the west of the proposal site. The proposal is also within approximately 65 metres of the South Downs National Park designated landscape to the west.
- 2.7. The site currently has permission for, and operates as a waste recycling facility. The material collected includes paper, cardboard, various plastic, cans and a very small amount of textiles. Processing material is delivered in by vans and a Euro bin vehicle. The material is pre-sorted at source and collection points. Any further final sorting is undertaken in the main building (with the exception of can recycling which takes place within the yard area). The material when processed is baled and removed from site either in a container or a curtain side vehicle.
- 2.8. Within the site there is an existing building which has a footprint of 48 metres length x 24 metres width x 10 metres height. One shredder and two horizontal balers operate inside this existing building.
- 2.9. The yard area comprises:
  - (a) sunken weighbridge;
  - (b) skips and trailers;
  - (c) can recycling;
  - (d) fuel storage; and
  - (e) recycled bagged material ready to leave site.
- 2.10. This proposal is for the construction and operation of a waste transfer station to handle construction and demolition/skip waste (10,000tpa) and continued use of the site for recycling metal, paper, cardboard and plastic (15,000tpa). This will involve a new building on site, and incorporate the existing waste recycling that is taking place (as under permission 10/00637/HCS).
- 2.11. A further 10,000tpa of waste which will result in the generation of 12 more lorries per day. The 24 extra trips generated by the development are approximately one extra vehicle on the road every 30 minutes. The development would result in the creation of two additional staff and as such it is considered there is adequate parking available.
- 2.12. The existing building will provide cover for:
  - (a) the recovery element of the operation;
  - (b) two offices (with toilet and washing facilities);
  - (c) two horizontal bailers for cardboard/paper;
  - (d) one shredder; and

- (e) site control office.
- 2.13. The new waste transfer station building (WTS) would measure 19.8 metres length x 14.8 metres width x seven metres high. Here, the physical sorting of skip and builder's waste will take place mainly by hand and a machine (either excavator with a grab or tele-handler with a bucket).
- 2.14. The principal materials for the additional tonnage include a range of material which can be sorted for onward recycling:
- (a) inert soils;
  - (b) concrete/brick;
  - (c) wood;
  - (d) metals;
  - (e) plasterboard;
  - (f) plastic;
  - (g) tyres (already being recycled);
  - (h) paper/cardboard (already being recycled); and
  - (i) glass (no bottles).
- 2.15. The planning application is accompanied by a Planning Statement, a Design and Access Statement, a Transport Statement, a Landscape and Visual Impact Statement and a Noise Assessment. The Noise Assessment concluded that 'The BS4142 assessment of this scenario shows a situation between marginal significance and a positive indication that complaints would be unlikely at all locations assessed. The BS5228 haul route assessment has shown that predicted noise levels from heavy goods vehicles movements associated with the proposed WTS would have a minor barely perceptible impact at the nearest residential receptors.'

### **3. Development plan**

- 3.1. The National Planning Policy Framework (NPPF [published 27 March 2012]) whilst not part of the policy plan, is a material consideration. It includes an overarching 'presumption in favour of sustainable development' which means 'approving development proposals that accord with the development plan without delay'. The presumption allows for only refusing permission where adverse impacts clearly outweigh the benefits, or where NPPF policies indicate developments should be restricted.
- 3.2. Planning for Sustainable Waste Management (PPS10) - remains as national policy until a new National Waste Management Plan is adopted and provides for 'delivering sustainable development by driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option.'

- 3.3. The most relevant policies from the Hampshire Minerals and Waste Core Strategy DPD 2007 are: S4 - Recycling and Composting; S5 - Capacity Requirements for Recycling, Composting and Recovery and Treatment; S9 - Recycled and Secondary Aggregates; DC3 - Impact on Landscape and Townscape; DC6 – Highways; DC7 – Biodiversity; DC8 - Pollution, Health, Quality of Life and Amenity; DC13 (b,f) - Waste Management and Recycling (including Aggregate Recycling Facilities).
- 3.4. The most relevant policies from the Winchester District Local Plan Part 1 - Joint Core Strategy is Policy CP20 - Heritage and Landscape Character.

#### 4. Consultations

- 4.1. **Councillor Mather** comments that “I am strongly opposed to the siting of a waste transfer station handling construction and demolition waste in Barfield Close.

The site is closely surrounded by the residential areas of Domum Road and Barfield Close and I am not satisfied that the noise consultant's report has demonstrated that the residents will be unaffected by the noise of handling the waste both within and outside the building (which will have inadequate noise insulation).

I am also concerned about the dust that could adversely affect the lives of the residents and cause them serious loss of amenity.

To my mind this type of operation should be based on an out of town site, not on one within a residential area.”

Also of concern is “the effect of the additional heavy goods vehicle traffic along Barfield Close. It would appear that there will be much increased vehicle movements attributable to the proposed activity. Although David Ingram's report mentions this I think it would be useful to emphasise this aspect. In addition to the noise and disruption associated with the new Biffa Site Bar End Road residents will have the enjoyment of their gardens disrupted by what would appear to be frequent visits of additional heavyweight trucks servicing the Scrap Yard.”

- 4.2. **Environmental Health Officer Winchester City Council** comments ‘Whilst I accept that, in using noise modelling techniques as assessed against BS 4142 conclude that there is a ‘positive indication that complaints are unlikely’ I am nevertheless of the view that in normal circumstances I would not encourage a waste handling operation such as this, in close proximity to residential property. Therefore, if HCC are minded to approve this application I would strongly recommend that they impose conditions for the control of dust, noise, and vibration, through hours of operation and an empirical noise condition to ensure that the on site operations remain within

the noise levels predicted. As such I would recommend the following planning conditions:

- ‘No on site waste storage and handling operations shall take place outside the waste transfer station unless otherwise approved by the Waste Planning Authority.’
- ‘There shall be no visible dust leaving the site boundary. Before the development hereby approved commences, a dust management plan shall be submitted for the written approval of the Waste Planning Authority. The measures identified shall be implemented and maintained at all times in accordance with the approved plan’.
- ‘No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site except between the hours of 07:30 and 1800 Monday to Friday and at no time on Saturdays, Sundays and recognised public holidays, unless otherwise agreed in writing by the Waste Planning Authority’.
- ‘The level of noise emitted from the site shall not exceed the following:
  - 59 dB LAeq<sub>1hr</sub>, at 3.5 meters from the nearest façade of any of the properties in Prinstead Close and Bar End Road:
  - 53 dB LAeq<sub>1hr</sub>, at 3.5 meters from the nearest façade 1 New Bridge Cottages;
  - 50 dB LAeq<sub>1hr</sub>, at 3.5 meters from the nearest façade of wharf House, 31 Wharf Hill.

as measured and rated in accordance with BS 4142: 1997’.

- ‘There shall be no off site vibration attributable to the on site activities associated with this application. In the event of noticeable vibration in any nearby sites, details of a mitigation scheme and timescale for implementation shall be submitted to the Waste Planning Authority for approval in writing and implemented as approved.’
- 4.3. **Winchester City Council** share the same views as the Environmental Health Officer.
  - 4.4. The **Conservation Officer** at Winchester City Council has no comment.
  - 4.5. **Environment Agency** raise no objection.
  - 4.6. **Natural England** raise no objection.
  - 4.7. **Highway Authority** has no objection subject to conditions and comments that the applicant has provided swept path analysis to demonstrate the on

site capacity for the movement of vehicles related to the proposals which show sufficient space for an articulated lorry and smaller skip lorries. The Transport Statement shows that the development could accommodate vehicles related to the proposal. The 12 extra trips generated by the development are approximately one extra vehicle on the road every 30 minutes and will not materially effect the operation of the wider highway itself.

## **5. Representations**

- 5.1. As of 16 May 2013 there have been 14 letters of objection from local residents. These objections have been on the grounds that the site is too close to housing, increased noise resulting from change in waste type to construction/demolition and skip waste, change in hours for an earlier start, increased traffic, health impacts from increased dust and site access dangerous being next to footpath.

## **6. Commentary**

- 6.1. As an existing permitted waste site the proposal is in principle in accordance with policy, and the proposals would contribute to increasing recycling capacity. Whilst the site is in an area of predominantly industrial buildings and activities, there are houses in close proximity. Consequently the main issues connected with this application are the potential for dust and noise generation as the proposal will bring a wider range of materials into the site, the highways impact as the throughput would be increased and the visual impact of the proposed new building.
- 6.2. There are objections from local residents concerning the potential for noise and dust by extending the range of wastes to include skip waste and demolition/construction waste. However it is proposed that all these wastes would be handled within the proposed new building and there would be no outside waste storage or sorting and the hours of working would be controlled. The potential for the wind blown material or dust leaving the site would be controlled by containing all waste transfer, sorting and storage activities within the proposed building and regular cleaning of the external yard area and vehicles to ensure that activities on site do not generate dust or mud which would cause a nuisance off site. The Noise Report submitted with the application concluded that by lowering the proposed building to seven metres the noise impact assessment at the nearest properties would be between 'marginal significance' and 'complaints unlikely'. However it is acknowledged that were concerns raised by the Environmental Health Officer, in particular concerning the effectiveness of the noise mitigation achieved by lowering the building and by the physical screens/barriers on the site. Further information has been provided by the applicant on these issues and the Environmental Health Officer has recommended conditions to keep noise, dust and vibration impacts to an acceptable level.

- 6.3. The proposal will increase lorry traffic, as the proposal is for a further 10,000 tonnes per year on top of the existing 15,000 tonnes per year, which will add a further 24 (12 in, 12 out) lorry movements per day. This level of extra trips will not significantly affect the operation of the highway, but as it does increase lorry traffic a highways contribution of £5,520 is requested by the Highway Authority. Concern is raised at the noise impact of these additional lorries, however this only results in one extra vehicle every 30 minutes, and as such is unlikely to have a significant impact. Concerns are also raised concerning the footpath which is recorded as running through the site, although it is not physically possible to follow the route and there is an alternative provided. However the path needs to be legally and formally diverted. Consequently a condition is proposed to secure this diversion.
- 6.4. In respect of visual impact the proposed waste transfer building is within an established waste site and located in an industrial location and is in keeping with current land uses and context. Whilst there would be views in close proximity it is not considered that there would be a significant visual impact from the proposal.
- 6.5. It is considered that in principle the proposal would be in accordance with the development plan (summary attached) as it is an existing industrial site (DC13(b, f) and the proposal contributes towards the aims of sustainable development (S4 - Recycling and Composting, S9 - Recycled and Secondary Aggregates and S5 - Capacity Requirements for Recycling, Composting and Recovery and Treatment). It would not materially harm the visual character of the area (DC3 - Impact on Landscape and Townscape) as it cannot be easily seen from beyond the confines of the site and sits within the context of larger industrial buildings, and the biodiversity of the area will not be harmed as the site will not produce pollutants or have the capacity to affect the environmentally sensitive areas (DC7 - Biodiversity).
- 6.6. The amenity of local residents (DC8 - Pollution, Health, Quality of Life and Amenity) will not be harmed as the potential generation of noise and dust would be managed within the site and kept to acceptable levels and the proposal would be acceptable in terms of highway safety and convenience as the generation of additional lorry journeys can be accommodated within the local road network and are restricted to suitable hours (DC6 - Highways).

## **7. Recommendations**

- 7.1. That subject to a highway contribution of £5,520, permission for the construction and operation of a waste transfer station to handle construction and demolition/skip waste (10,000tpa) and continued use of the site for recycling metal, paper, cardboard and plastic (15,000tpa) at Barfield Close, Bar End Industrial Estate, Winchester (13/00793/HCS) be granted subject to the conditions as listed in Integral Appendix B.

- 7.2. That Footpath No 6 is diverted to an alignment approved and displayed on the Hampshire County Council Rights of Way definitive map.

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

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

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

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

DocumentLocation

The construction and operation of a waste transfer station to handle construction and demolition/skip waste (10,000tpa) and continued use of the site for recycling metal, paper, cardboard and plastic (15,000tpa) at Barfield Close, Bar End Industrial Estate, Winchester (Application No. 13/00793/HCS) (Site ref WRE006)

Elizabeth II Court West  
The Castle  
Winchester

## CONDITIONS

### Commencement

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

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

### Plans and particulars

2. The development hereby permitted shall be carried out and completed strictly in accordance with the approved plans, specifications and written particulars identified within the decision notice.

Reason: To ensure that the development is carried out in accordance with the approved details.

### Hours of Working

3. Unless otherwise agreed in writing by the Waste Planning Authority no heavy goods vehicles shall enter or leave the site before 0700 (Monday to Saturday) and no plant or machinery shall be operated except between the following hours: 0730-1830 Monday to Friday and 0730-1400 Saturday. There shall be no working on Sundays or recognised public holidays.

Reason: In the interests of local amenity.

### Highways

4. Lorry movements to and from the site shall be restricted to 27 HGVs a day (54 movements). A daily record of lorries entering and leaving the site shall be kept at the site and made available to the Waste Planning Authority on request.

Reason: To limit the volumes of traffic in the interests of the amenity of residents on and near the approaches to the site.

5. The vehicle manoeuvring and turning spaces within the site and shown on the approved plans to enable vehicles to enter and leave the site in a forward gear shall be retained and be kept available for that purpose at all times.

Reason: In the interests of highway safety

6. A construction Traffic Management Plan, including lorry routes, parking and turning provision to be made on site, measures to prevent mud from being deposited on the highway and a programme for construction shall be

submitted to and approved by the Local Planning Authority in writing before development commences. The agreed details shall be fully implemented before the development is commenced.

Reason: In the interests of highway safety.

### **Noise and Dust**

7. The level of noise emitted from the site shall not exceed the following:
- 59 dB LAeq<sub>1hr</sub>, at 3.5 meters from the nearest façade of any of the properties in Printhead Close and Bar End Road:
  - 53 dB LAeq<sub>1hr</sub>, at 3.5 meters from the nearest façade 1 New Bridge Cottages;
  - 50 dB LAeq<sub>1hr</sub>, at 3.5 meters from the nearest façade of wharf House, 31 Wharf Hill.

as measured and rated in accordance with BS 4142: 1997'

Reason: To prevent noise disturbance to the residents of the nearest houses.

8. There shall be no visible dust leaving the site boundary. Before the development hereby approved commences, a dust management plan shall be submitted for the written approval of the Waste Planning Authority. The measures identified shall be implemented and maintained at all times in accordance with the approved plan.

Reason: To prevent dust disturbance to the residents of the nearest houses.

### **Vibration**

9. There shall be no off site vibration attributable to the on site activities associated with this application. In the event of noticeable vibration in any nearby sites, details of a mitigation scheme and timescale for implementation shall be submitted to the Waste Planning Authority for approval in writing and implemented as approved.

Reason: To protect the amenities of the occupiers of nearby properties.

### **Storage**

10. No on site waste storage and handling operations shall take place outside the waste transfer station, other can recycling and storage of bagged recycled material.

Reason: To protect the amenities of the area.

11. The maximum height of stored material outside shall be three metres.

Reason: To protect the amenities of the area.

### **Rights of Way**

12. No development shall take place until Winchester Footpath No 6 has been permanently diverted to an alignment approved and displayed on the Hampshire County Council Rights of Way definitive map.

Reason: In the interests of the public right of way.

### **Advice Note**

In determining this planning application, the Waste Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the agent. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

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

**HAMPSHIRE MINERALS AND WASTE CORE STRATEGY DPD 2007**

**S4 - Recycling and Composting**

There will be a progressive increase in the average recycling and composting rates for all municipal, commercial and industrial waste to 50% in 2010; 55% in 2015 and; 60% in 2020.

**S5 - Capacity Requirements for Recycling, Composting and Recovery and Treatment**

Waste management capacity (including specialist facilities as detailed in Policy S7) will be provided in the period to 2020, as follows:

Recycling and Composting – facilities for the reception, storage, segregation and processing of 1.86 million tonnes a year of municipal, commercial and industrial waste (and associated bulking-up, transfer and contingency storage facilities); Recovery and Treatment - facilities for the reception, storage and treatment of 0.93 million tonnes a year of municipal, commercial and industrial waste (and associated bulking-up and transfer facilities).

**S9 - Recycled and Secondary Aggregates**

By 2016, production capacity will be provided for the supply of recycled and secondary aggregates at a rate of 1.7 million tonnes a year, including provision for the reprocessing of 100,000 tonnes of incinerator bottom ash.

**DC3 - Impact on Landscape and Townscape**

Minerals and waste development will only be permitted if due regard is given to the likely visual impact of the proposed development and its impact on, and the need to maintain and enhance, the distinctive character of the landscape or townscape. If necessary, additional design, landscaping, planting and screening, including planting in advance of the commencement of the development, should be proposed.

**DC6 – Highways**

Major mineral extractions, landfills and 'strategic' recycling, aggregate processing and recovery and treatment facilities, will be permitted provided they have a suitable access to and/or route to the minerals and waste lorry route as illustrated on the Key Diagram.

In all cases, minerals and waste development will only be permitted if it pays due regard to the likely volume and nature of traffic that would be generated by the proposal and the suitability of the proposed access to the site and of the road network that would be affected.

Consideration should be given to highway capacity, road and pedestrian safety, congestion and environmental impact, and whether any highway improvements are required and whether these could be carried out satisfactorily without causing unacceptable environmental impact.

### **DC7 – Biodiversity**

Minerals and waste developments will only be permitted if due regard is given to the likely effects of the proposed development on biodiversity and, where possible, proposals should conserve and enhance biodiversity.

Development likely to adversely impact upon 'regionally or locally designated sites or protected species' – designated in adopted Local Plans or Local Development Frameworks – (including Sites of Importance for Nature Conservation (SINCs), Species of Principal Importance for Biodiversity, Regionally Important Geological Sites and Local Nature Reserves) shall only be permitted if the merits of development outweigh the likely impact.

### **DC8 - Pollution, Health, Quality of Life and Amenity**

Minerals and waste development will only be permitted if due regard is given to the pollution and amenity impacts on the residents and users of the locality and there is unlikely to be an unacceptable impact on health and/or the quality of life of occupants of nearby dwellings and other sensitive properties. Where necessary minerals and waste developments should include mitigation measures, such as buffer zones between the site and such properties.

### **DC13 - Waste Management and Recycling (including Aggregate Recycling Facilities)**

Waste management developments (excluding landfill) will be permitted provided that the site:

- b. Re-uses/redevelops previously developed land and/or redundant agricultural and forestry buildings (including their curtilages), or
- f. In the case of recovery and treatment sites, incoming waste shall be subject to pre-treatment, either on or off site to maximise the potential for recycling, and where technically possible, energy will be generated.

## **WINCHESTER DISTRICT LOCAL PLAN PART 1 - JOINT CORE STRATEGY**

### **Policy CP20 - Heritage and Landscape Character**

The Local Planning Authority will continue to conserve and enhance the historic environment through the preparation of Conservation Area Appraisals and Management Plans and/or other strategies, and will support new development which recognises, protects and enhances the

District's distinctive landscape and heritage assets and their settings. These may be designated or undesignated and include natural and man made assets associated with existing landscape and townscape character, conservation areas, scheduled ancient monuments, historic parks and gardens, listed buildings, historic battlefields and archaeology.

Particular emphasis should be given to conserving:

- recognised built form and designed or natural landscapes that include features and elements of natural beauty, cultural or historic importance;
- local distinctiveness, especially in terms of characteristic materials, trees, built form and layout, tranquillity, sense of place and setting. Infrastructure and Developers' Contributions.